

## Planning Committee

Thursday, 22nd April, 2021

2.00 - 3.02 pm

Attendees	
<b>Councillors:</b>	Councillor Garth Barnes (Chair), Councillor Paul Baker (Vice-Chair), Councillor Dilys Barrell, Councillor Mike Collins, Councillor Stephen Cooke, Councillor Bernard Fisher, Councillor Paul McCloskey, Councillor John Payne, Councillor Diggory Seacome and Councillor Simon Wheeler
<b>Officers in Attendance:</b>	Ben Warren (Planning Officer), Claire Donnelly (Planning Officer), Mike Holmes (Interim Head of Planning) and Nick Jonathan (Solicitor)

### 1. Apologies

Apologies were received from Cllr Oliver.

### 2. Minutes of last meeting

The minutes of the last meeting held on 25 March 2021 were unanimously approved as a correct record.

### 3. Declarations of Interest

Cllrs Barrell and Barnes declared a non-prejudicial interest in item 5a and stated that all Liberal Democrat members were known to the applicant and would likely declare the same interest in the item.

Cllr Barrell declared an interest in item 5b as she was the local ward councillor.

Cllr Cooke declared an interest in item 5c as he was the local ward councillor.

### 4. Declarations of independent site visits

Cllrs Barrell, McCloskey, Cooke and Payne had visited all three sites.

Cllr Seacome had visited Hatherley Park.

Cllr Barnes had visited Hatherley Park and Hampton House.

### 5. Planning/Listed Building/Conservation Area Consent/Advertisement Applications, Applications for Lawful Development Certificate and Tree related applications – see Main Schedule

### 6. 20/01415/FUL & LBC Hampton House, Shurdington Road, GL53 ONH

The Planning Officer presented the report relating to the erection of railings to the existing veranda of Hampton House, a Grade II list property in Shurdington Road. The application was before committee as the applicant was a local councillor.

There were no questions and no debate so the Chair moved to the votes on granting planning permission and listed building consent.

Upon the vote for planning permission:

For : 10

Against : 0

Abstain : 0

**PERMITTED unanimously**

Upon the vote for listed building consent:

For : 10

Against : 0

Abstain : 0

**GRANTED unanimously**

**7. 21/00483/FUL Hatherley Park, Hatherley Court Road, Cheltenham, GL51 3AQ**

The Planning Officer presented the report relating to the siting of a temporary structure on a purpose built hardstanding area to serve refreshments in a small area of Hatherley Park adjacent to the existing play area. The application was at committee as the structure was on council owned land.

In response to member questions the Officer replied as follows:

- Assumed it was connected to a mains supply, as although the cabin had solar panels this may not produce sufficient energy to power it.
- Conditions relating to waste collection and recycling would be part of the lease agreement.
- With regard to toilets, if it became clear these were required, the lease could stipulate that the applicant should provide such facilities and maintain them. The Council felt that if they provided toilet facilities this could attract anti-social behaviour and the public toilets there at the moment were not open.
- Confirmed the hard standing rubble and stone surface was put down only relatively recently. It was permeable, it would not be tarmacked and could be easily removed and grassed over.
- Difficult to say whether it was the kiosk itself or the impact of corona virus that had led to the increase in traffic and reduction in parking spaces.
- The horse box was designed based on a TV series that was filmed in Hatherley Park and that won them the lease from Property, so assume the bright blue colour and design was based on the butterfly box from that.

There being no further questions the Chair moved to debate and members made the following points:-

- Confirmed that the site had had a surface put down in the last 12 months.
- An objection was to the concrete hard standing, but in fact it was rubble and stone.
- Kiosk has been widely welcomed by residents. Good to have outside refreshments.
- Regarding the colour, probably got to go with the colour of the caravan that was there. However, as the kiosk was right by the children's play area which was also colourful, it was not felt the colour would have a big impact on the area.
- One member felt the issue of traffic around the entrance to the park was minimal and was not a problem.
- Another member felt there was a parking problem in the area and that it could be difficult to find a parking space and would be especially with commuters returning. This problem had been increasing since restrictions were put in place in Lansdown. However the park was in a residential area so people could walk there.
- Another suggested the parking could not be attributed to the kiosk; it was a well-used park and would always be busy around the entrance with people arriving and going and hoped that nothing would be done which would prevent that in the future.
- It appeared that recycling bins had now been put next to the normal litter bins, so once away from the kiosk the recyclable cups etc. from the kiosk could still be recycled. However it was stressed that bins should be emptied at busy times.
- Given that this application was for a temporary permission for 3 years only, some members felt it would need to be readdressed after that time and if it became permanent then agreed toilets would be required. It was pointed out that Pittville Park

now had some fairly permanent temporary toilets in place there. The ward councillor agreed that in the long term toilet facilities would be required as none there at present.

- A similar temporary refreshment facility was in place in Burrows Field which had gone down very well with residents and users and had not caused any problems.
- One objection related to being linked in to the electricity supply, however it was felt electric power was preferable to a potentially smelly noisy diesel generator.
- Members generally supported the kiosk and felt it would be a useful addition to the park. Parks were a vital part of the community and people should be encouraged to use them and the offer of refreshments would contribute to this.

There being no further comments or questions, the Chair moved to vote to permit the application as per the Officer's recommendation.

For : 10

Against : 0

Abstain: 0

### **PERMITTED unanimously**

#### **8. 21/00552/FUL 21 The Lanes, Cheltenham, GL53 0PU**

The Planning Officer presented the report relating to a first floor side extension over an existing garage to a detached property in the residential area on The Lanes. This was a revised scheme to an application previously refused and was before Committee at the request of the ward councillor due to its impact on neighbouring amenity. The original application was for an extension to be built over both garages however the revised scheme was now reduced allowing 12m to the neighbour's rear elevation and Officers were now happy there was no overbearing impact. There was a condition on the restriction of new openings on the proposed extension.

The Chair invited Mrs Toni Wadley to speak in favour of the application. Mrs Wadley apologised for the absence of her husband and explained her recent major operation to remove a brain tumour. She stated that she was at high risk of needing a wheelchair if she required further surgery. They had lived in The Lanes for 14 years and had a young family and they were all involved with the local community which they loved. They wished to extend their space as their family grew and also to accommodate Mrs Wadley's aftercare. They had taken on board the feedback from the Planning Officers and amended their plans accordingly. They wished to increase the size of the smallest bedroom and to create a larger bedroom with an en-suite. They were keen to keep to the design of the existing house and blend in roof lines and building materials, with the idea to extend the house, not build an extension as such.

In response to members' questions, the Officer was requested to share his screen again to show the block plan and proposed elevations. He explained that the measurement of 12m was taken from the rear wall elevation of the neighbouring property and not from the protruding conservatory which was not generally taken into account.

With regard to the question that an extension should be subservient to the main building, the Officer replied that the supplementary planning document mentioned subservience with particular reference to semi-detached properties and this was not always applicable to detached properties. The Officer felt the width of this extension over just one garage meant some level of subservience was still achieved.

Finally the Officer clarified that his report focused mainly on the impact on 23 The Lanes as that was the reason for the refusal. The impact on 3 The Spindles had not caused any concern for Officers previously as the distance was what was expected with that neighbour, there was only one skylight on the rear elevation of the extension and there would be control on any future windows to maintain privacy.

There being no further questions the Chair moved to debate and the following comments were made by members:

- Following the Parish Council report on this, a member visited the site, and felt there was an impact on the neighbour's house but acknowledged that outlook and a view was not necessarily a planning issue. He felt that as the local councillor he felt the only way for fairness on this for both parties was to have an open and transparent debate. He could see both sides of the argument and as the local councillor would abstain from the vote.
- Despite earlier comments on subservience, this extension benefited from a shared roof height and that in time it would not be possible to distinguish between the new and old. Planned extension was sound and made good use of space. Understood concerns of no.23 but now it had been modified the impact was less and they would not suffer any loss of light. No. 3 The Spindles was far enough away and felt this was a practical solution for the residents.
- Not a fan of the ruling of subservience and in this case think it would look out of place. A good compromise and solution, gave applicant what they wanted and impact on neighbours minimal.

There being no further comments the Chair moved to vote to permit as per the Officer's recommendation.

For : 9

Against : 0

Abstain : 1

## **PERMITTED**

### **9. Appeal Updates**

In respect of the appeal relating to 24 Charlton Close, a member requested an explanation as to why this appeal had been allowed. The Head of Planning explained that the Officer's recommendation had been to approve, however members had been concerned about issues between the neighbours, which, as had been alluded to at the time, the inspector did not have regard to and was not a matter for his consideration.

Another member challenged this, stating the committee's main concern had been that the extension was 30% bigger than the agreed planning permission and that by allowing that increase and knowing about that before it was completed, the Officers had caused a dispute between the neighbours regarding boundaries. The decision of planning inspectors has to be adhered to, but the member felt that national policy did not work all the time when relating to local issues.

### **10. Any other items the Chairman determines urgent and requires a decision**

There were none.