

Cheltenham Borough Council Planning Committee Minutes

Meeting date: 16 October 2025

Meeting time: 6.00 pm - 7.40 pm

In attendance:

Councillors:

Frank Allen (Vice-Chair), Glenn Andrews, Adrian Bamford, Garth Barnes (Chair), Barbara Clark, Iain Dobie, Tony Oliver, Dr Steve Steinhardt and Simon Wheeler

Also in attendance:

Chris Gomm (Head of Planning), Michelle Payne (Senior Planning Officer), Ben Warren (Senior Planning Officer), Lucy White (Principal Planning Officer) and Simon Aley (Locum Senior Planning Solicitor)

1 Apologies

Apologies were received from Councillors Jan Foster and Suzanne Williams.

2 Declarations of Interest

There were none.

3 Declarations of independent site visits

The following Councillors attended sites 6b and 6d during Planning View:

- Councillor Frank Allen
- Councillor Garth Barnes
- Councillor Barbara Clark
- Councillor Dr. Steve Steinhardt
- Councillor Simon Wheeler

Councillor Dr. Steve Steinhardt confirmed he had visited site 6e.

Councillor Adrian Bamford confirmed he had visited sites 6b and 6d.

4 Minutes of the last meeting

The minutes of the meeting held on 18 September 2025 were approved and signed as a correct record.

5 Public Questions

There were none.

6 Planning Applications

7 DEFERRED - 24/00828/TPO - Mitford Lodge, Tivoli Road, Cheltenham

This item was deferred until 20 November 2025 by officers.

8 25/01160/FUL - Swindon Playing Field, Wymans Lane, Cheltenham, GL51 9QP

The Senior Planning Officer introduced the report as published.

There was one public speaker on the item: an objector.

The objector addressed the Committee and made the following points:

- Objecting for the following reasons: –
 - The validity of the application. The application refers to two catering units, a vintage horse box and a catering trailer but has only provided an image of one unit. Which unit is proposed is a material matter as it will affect how the site looks and functions within the conservation area. The application should not have been validated without this information. The application also lacks detail on what food will be served and how it will be prepared. The applicant posted a public comment after validation providing further information which was not revalidated or consulted upon. Yet, this information has been reflected in the planning assessment and underpins environmental health's lack of objection. Why is a comment being relied upon when it is not part of the validated application pack?
 - Impartiality and independence. The council's property services department identified Swindon Village Park as one of several sites it wished to commercialise through mobile trading opportunities. When the applicant responded to this initiative, the same department, who would ordinarily receive income from a license, provided a strongly supportive consultancy response. They described it as a "strategic enhancement that delivers measurable community and financial benefits" and emphasised the corporate plan and commercial return to the council. This response has also been featured prominently in the planning assessment. Why was such promotional language accepted in a planning context when the department providing stands to benefit commercially from the outcome? The tone and content of the response

risks compromising the appearance of impartiality that the planning process depends upon.

- Licensing and joined up governance. Any trading from council owned land also requires a street trading consent under the council's own policy. That process normally includes consultation with planning, environmental health and highways. While there's no legal requirement for the process to operate in reverse, good governance would expect planning to seek licensing's view when the same issues overlap. Why has the recommendation been made without advice from the very team responsible for assessing whether trading at this location is safe or consistent with council policy?
- Equality and fairness. The planning assessment states simply that the public sector equality duty has been met but provides no explanation as to how. There is no analysis on whether charging for refreshments in what has always been free community space might disadvantage those on low incomes. The law requires that due regard be given to these issues. Why was no equality assessment carried out before recommending approval? Swindon Village Park has always been a free and inclusive space where families can enjoy the same facilities regardless of income. Introducing a paid food outlet changes the balance and creates a commercial zone within what was a shared public amenity, effectively turning part of the park into a pay-to-participate area.
- Even within the park this is the least suitable location – besides the play area and over a drain known to flood. It is next to St. Mary Godwin's under fives playgroup and will cause the loss of two parking spaces. Why is it being placed in the most sensitive and heavily used corner of the site.
- This application is not just about a catering trailer. It is about the importance of process. Why should residents have confidence in a recommendation that relies on unvalidated information and internal advocacy from the landowning department? Given property services direct role in identifying and promoting this site, should they not properly have been treated as a co-applicant rather than as a consultee?

In response to Members' questions, officers confirmed that:

- The planning committee operates entirely separately from the council as a whole, so members of the planning committee are free to make a decision today based on the planning merits of the application. As is the case officer in reaching their recommendation.
- The report does make reference to mention of a vintage horse box in the submission but this doesn't form part of the application. It was included in the applicant's statement as he also owns a vintage horse box. If at any time in the future this horse box was to become part of this venture a new application would need to be submitted. This application is only considering the catering trailer.
- The trailer is a temporary structure that will be removed from the site every day, so it has not been necessary to look into detailed drainage matters.
- As addressed in the officer report the trailer isn't equipped with a deep fat fryer or similar. Food served will be cold snacks, tea, coffee and hot snacks in

the line of bacon sandwiches. There will not be fried or cooked food prepared on the site.

- Highways were consulted on the application and were aware of the objections raised. They were satisfied that it is not going to cause any issues in terms of highway safety.

The matter then went to Member debate where the following points were made:

- Members were concerned about the parking spaces and the inability to reserve them, however that is not a consideration for the planning committee.
- There are many free to use public spaces in Cheltenham where commercial ventures are present, but that continue to be free to use. For example, the space behind Cheltenham Town Hall and around Pittville Pump Room. The presence of a snack bar was not felt to make this a commercial space, and it was felt that this would be a useful addition to Swindon Village Park.
- Concern was raised over the noise caused by the generator. It was highlighted that residents value Swindon Village Park as a tranquil area in a very busy part of Cheltenham. It was suggested that, if the application is granted, due consideration should be given to mitigating noise where possible.
- It was also recommended that if the application be granted further engagement should be carried out with the parish council and applicant.
- As people are already bringing coffees to the park with them, this should not add to litter around the site. Instead, it would be enhancing the site and making it more accessible for the people who want to use it.

The Senior Planning Officer confirmed that environmental health had been consulted on the application in regards to noise and they are happy with the anticipated noise from the generator and its impact on local residents and the locality in general.

The matter then went to the vote on the officer recommendation to permit the application.

For: 8

Against: 0

Abstain: 1

Voted to grant the application.

9 25/01141/CONDIT - 218 High Street, Cheltenham, GL50 3HF

The Senior Planning Officer introduced the report as published.

There were two public speakers on the item: an objector, and the applicant's representative.

The objector addressed the Committee and made the following points:

- The appeal decision that permitted Admiral's adult gaming centre subject to this application carries significant weight as the planning inspectors who made the decision were operating at the highest level of government. Paragraph 16 reads: "Residents of town centres could therefore reasonably anticipate a

level of activity and noise at night normally associated with town centre uses. By the same token, nearby residents in this case could also reasonably expect controls to be imposed on a use such as this so that their amenities are not unacceptably harmed". The inspector imposed the current hours in order to protect the amenities of residents and therefore Admiral's proposal for an unrestricted gambling use is unreasonable and expressly against the inspector's judgment.

- Admiral is seeking to justify its 24-hour proposal through the introduction of a noise impact assessment that had not been included in the original application or the appeal. However, a noise impact assessment was submitted by a third party during the appeal. It comprehensively considered 24-hour gambling and came to the conclusion that the impact of noise from the proposal presents a high risk. Paragraph 22 of the inspector's decision says: "I have taken into account all other matters raised in the representations". This would have included the noise impact assessment that formed part of the appeal and would have informed the decision that restricted opening hours were necessary. The new noise impact assessment does not amount to new evidence other than the inclusion of noise data from the now operating unit. The methodology behind the new assessment is inadequate as it only carried out surveys between 11pm and 2am over a Monday and Tuesday, far outside Admiral's peak trading gambling hours.
- Whilst the officer's report makes references to other 24-hour commercial units operating in the town centre, it is a fundamental principal of planning decisions that each application has to be assessed on its own merits.
- The conditions suggested by the appellant are unacceptable since they are unlikely to be effective in protecting residents immediately in the early hours of the morning. Restrictions of opening hours are likely to be more effective, as recognised by the inspector.
- The 24-hour gambling operation of Admiral's adult gaming centre was comprehensively considered as part of the appeal and it is not right for the local planning authority to go against the inspector's decision to impose restrictive opening hours. It would also be contrary to the Cheltenham Plan policy SL1 and Joint Core Strategy (JCS) policy SD14.
- Numerous public objections have been submitted on the basis of noise, including an objection from the MP. Strongly urge the committee to refuse the application.

The applicant's representative addressed the Committee and made the following points:

- Luxury Leisure is the market leading operator of adult gaming centres in the UK with over 280 premises. The vast majority of these premises are in defined retail locations, very often with residential dwellings directly above the adult gaming centre premises and which operate 24-hours a day.
- The principle of an adult gaming centre use is already established and two other adult gaming centres already operate 24-hours a day in the immediate vicinity, as well as other late-night uses.
- The hours of use were restricted because at that time a noise impact assessment was not submitted and the inspector copied hours of use permitted at an Admiral site in Ipswich. Since then, noise conditions have been discharged, and the Ipswich site has been granted 24-hour consent with

the Suffolk constabulary confirming that there has been no crime or antisocial behaviour associated with adult gaming centre use in Ipswich town centre.

- The application site has been operating successfully since 2 December 2024 without incident. The site managers have a good relationship with local police and doors are locked at 9pm, with customers individually allowed in after camera review. Additional security was employed during the Cheltenham Festival and no incidents occurred.
- No objections to the proposal have been received from environmental health officers or the Gloucestershire constabulary. The crime prevention officer has reviewed the proposal in detail and has confirmed that there have been no crimes or incident reports associated with the premises.
- The proposal for 24-hour use fully complies with the National Planning Policy Framework, and the adopted local plan policies SD2, SD4 and SD14.
- As a licensing authority Cheltenham Borough Council granted a 24-hour operating licence on the 5 August 2024 where the four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance, and the protection of children from harm were considered in detail. At that time a local risk assessment was also considered by the council to identify any local risks. There is no crime or antisocial behaviour associated with the extended hours of use.
- It is well established that the planning system should not duplicate other statutory regulatory controls or be used to sidestep or circumvent the requirements of the licensing regime.
- There is no harmful noise impact or loss of amenity. The submitted noise impact assessment confirms that 24-hour trading is not an inherently noisy activity through trading noise breakout or in relation to the comings and goings of customers. There are no adverse impacts and there is no evidence of any antisocial behaviour being exacerbated by such users.
- The applicant has extensive social responsibility procedures that are and will continue to be implemented at the premises. These include a 21 person headquarter team that looks after security and compliance with at least three members being ex-military and police. A strict Think 25 policy is operated and is regularly independently tested. The company invests heavily in staff training and all staff complete conflict management training. The company participates in nationwide self-exclusion schemes. A minimum of two staff are always on duty. Alcohol is not served or consumed at any adult gaming centre premises and those under the influence of alcohol cannot enter the premises. There are stringent policies to remove and refuse those who appear intoxicated through either alcohol or drugs. These procedures form part of the licensed conditions and code of practice.
- All stores are fitted with extensive CCTV and are equipped with the latest HD cameras and digital recording equipment. CCTV can be viewed and reviewed remotely by key managers and security staff and is monitored live with two-way audio communication with staff inside the premises.
- Luxury Leisure are part of the walk safe space network providing safe places for women and vulnerable people using the walk safe app to seek refuge when in need.
- Adult gaming centres are low stake venues where the emphasis is on providing fun in a safe, friendly and social environment and the majority of

customers are regulars who visit for the social engagement as much as to play games.

- As the largest agency operator in the UK, the Gambling Commission expects Luxury Leisure to have the highest standards, the company has never had a licence revoked and is a socially responsible national multiple operator with an excellent covenant.
- The objector's comments relate to the previous appeal which has been decided. The information provided in the current noise assessment has been reviewed in detail by environmental health officers and they have confirmed that there is no noise impact over a 24-hour period of trading.

In response to Members' questions, officers confirmed that:

- The material difference between the current committee decision and that made by the appeal inspector is that the applicant had not submitted a noise assessment at that time as part of the package of the application. The inspector's decision to restrict hours and grant the application was under the condition that a noise assessment be submitted to the council for the environmental health team to review and agree the noise implications within those hours. The new application is supported by a revised noise impact assessment that supports 24-hour use. Environmental health reviewed this assessment and have raised no objection. Without this supporting information the officer's recommendation would have been different as there would not have been evidence to go against the appeal inspector's decision.
- The committee should not feel obliged to grant the application based on precedence as each planning application is considered on its own merits. The report references other 24-hour use premises in the vicinity for the committee to note rather than as a determining factor. The committee's decision will also not set a precedent for the future.
- The exact number of residential properties is not known but there are residents living in the same building, so they are close. Currently no noise complaints have been received in relation to the adult gaming centre. The only report has been in relation to a fire/intruder alarm being activated by accident, rather than in response to the use or users.
- The officer was not able to confirm whether the noise assessment was carried out on a Monday and Tuesday night. He noted in the past environmental health have requested additional assessments to be carried out if they feel they do not have sufficient or representative data. In this case they were satisfied with the assessment provided and raised no objections to the application.
- The most recent application for an adult gaming centre the committee have reviewed was for this premises in 2023. The officer is not aware of any other applications coming to the committee. The two existing 24-hour use premises were approved in approximately 2007 and 2012 and are not believed to have come to the planning committee.
- It is difficult to comment on how many 24-hour use premises are in Cheltenham, but there are other business types open in the early hours of the morning.
- It is not possible for the committee to introduce a condition that would put a time limit on their approval, as this would need to be justified based on a planning reason. Where temporary applications have been granted in the

past, such as the ice rink, these have been submitted as temporary applications. The introduction of a trial period would instead be for operational reasons. There is also no way for the council to rescind a planning application that has been granted if issues emerge. However, if there are complaints these can be reviewed by the licensing committee at the end of the license period or can be brought back to a licensing panel if serious issues arise.

The matter then went to Member debate where the following points were made:

- One Member stressed that their experience of Cheltenham and relatives experience with gambling establishments gave them a strong case to object to the application on both noise and economic vitality concerns. The ludicrous methodology used for the noise assessment was highlighted but due to environmental health's lack of objection it was noted that a refusal on noise grounds would likely lose at appeal. Concern was raised about the impact on the economic vitality of the town and the applicant's representative's statement that people would go to these establishments at midnight for social occasions was challenged. The longer hours were to enable the company to profit more from people's addictions. Gambling shops take away from the economic vitality of the town, sucking in money and sapping business from the town centre. The Member argued that there was a strong case to be made against the application from the overriding principles of the Joint Core Strategy (JCS) and National Planning Policy Framework (NPPF).
- The Chair advised that moral indices are not an appropriate basis when dealing with planning applications.
- A Member noted that on the basis of gambling and noise this application could be said to go against section 8 of the NPPF which says that decisions should promote healthy and safe communities. However, the Chair's advice was noted.
- A Member noted that as ward member for the area he is aware there are a good few residents in the vicinity. He highlighted that none of these residents have complained about the 24-hour adult gaming centre a few doors down the road from these premises, including those living closer to that establishment. He also noted that the town centre is generally a lot quieter than it has been in the past. It is difficult to object on the 24-hour basis because of the existence of a similar premises in such close vicinity and because the gambling establishment already exists on the site, so he will support the application reluctantly.
- It was noted that if noise issues do arise then these can be reviewed through the licensing process.
- One Member stated that they would abstain due to the impact on Cheltenham, which they felt the proposed premises did not represent. It was highlighted that Cheltenham was very different to Ipswich, and is a beautiful town with culture at the heart of the town centre. They also highlighted that the need for ex-police and military staff challenged the statement that intoxicated people were not permitted in the venue.

The Senior Planning Officer advised Members that they need to be mindful in identifying harm to the viability and vitality of the centre as it would have to be evidenced to be as the result of the extended opening hours. Use of the building as an adult gaming centre has already been approved and the appeals inspector has

stated that this is not an inappropriate use within the town. Refusal would need to be specifically relating to the hours rather than the use.

The matter then went to the vote on the officer recommendation to permit the application.

For: 4

Against: 2

Abstain: 3

Voted to permit the application.

10 25/01043/FUL - 9 South Bank, Cheltenham, GL51 8DN

The Head of Planning introduced the report as published.

The matter then went to the vote on the officer recommendation to permit the application.

For: 9

Against: 0

Abstain: 0

Voted UNANIMOUSLY to grant the application.

11 25/01260/CONDIT and 25/01281/CONDIT - Glenfall House, Mill Lane, GL54 4EP

The Senior Planning Officer introduced the report as published. Following a letter sent to Members by the applicant the day before, the officer clarified that:

- Two of the proposed holiday units do involve the subdivision of part of the main house. The remaining three would be accommodated in the proposed extension and will be purpose-built units.
- Regarding the use of the proposed units. The officer has checked email correspondence with the applicant from July 2024. The description of development had changed during the course of determining the original application following the submission of revised proposals. At that time officers had sought clarification on the revised occupancy of the five units as short-term private lettings or rented properties and as staff accommodation, as opposed to all five being holiday lets as originally proposed. At no time previously had there been any proposal or suggestion that the units were intended to be occupied as permanent independent dwellings. The application was first submitted and was determined on the basis of it being holiday accommodation. It was this departure from the description of the development plus various revisions to the design and layout of the scheme that required the 3-week re-consultation exercise that is referred to in the letter.
- The applicant's comments about future occupiers being able to use the garden and recreational facilities at Glenfall House have also been noted but

this would rely on the agreement of the owners of Glenfall House. In officer's opinion a condition requiring that this arrangement remains in place in perpetuity would be unreasonable and would not pass the relevant NPPF tests. In contrast to holiday let visitors it also seems unlikely that occupiers of the proposed separate dwellings would be allowed extensive access to the private gardens and other facilities at Glenfall House.

- On the matter of replacement dwellings. There are currently three small units within the modern outbuilding on site, known as Glenfall Garden Cottages. This building had previously been subdivided into three small self-contained units which were used in association with the previous hotel use at Glenfall House. Minimal alterations were required to the building to provide the three independent dwellings which were approved in 2021.
- Policy SD10 of the JCS does not support new housing development outside of the Principal Urban Area (PUA). Whilst the subdivision of the main house to provide two new dwellings would be generally supported by SD10 and, subject to other wider considerations, the remaining three units would be purpose-built new dwellings and would be in conflict with SD10. Similarly, there is no development plan policy that specifically relates to replacement dwellings outside the Principal Urban Area or in the Cotswold National Landscape (AONB). Whether the three new build dwellings would be regarded as replacement dwellings for the small garden cottage units is a matter of judgement and each application is always considered on its own merits. In this case the size, scale, layout and form of the proposed new dwellings within the extension differ substantially from the existing garden cottage conversion, and the proposed development has a greater impact on the character of the site and significance of the designated heritage assets. Therefore, approved residential conversion works under policy SD10 do not necessarily then allow the replacement of those dwellings.
- When considering the original application officers were very clear in the accompanying officer report that an exception was being made in this case in terms of the acceptability of the new build holiday accommodation units being provided outside the PUA. Their acceptability in principle was based solely on the previous hotel use and activities associated with the site, and importantly the occupation of the units being restricted to holiday accommodation purposes only.
- Noting the change in residential occupation type, there are no significant neighbour amenity concerns and whilst acknowledging the unsustainable location of the site, road widths and lack of footways, the Highways Authority has on this occasion raised no objection and left sustainability matters to planning officers. On balance and despite the site's rural and unsustainable location, officers consider that a refusal of the application on highways grounds would be difficult to substantiate, only because there is evidence of the previous use of the site as a hotel and wedding venue having generated similar numbers of traffic movement.
- Aside from the conflict with housing policy, of particular concern is the impact of subdividing the site to provide the five permanent dwellings on the

significance of the listed building and registered park and garden, notably their setting. The conservation officer has raised a number of concerns in this regard despite permitted development rights having been removed. These concerns include the potential for piecemeal erection of curtilage structures, formation of separate curtilages, new boundary treatments and landscaping, and the typical domestic paraphernalia associated with permanent dwellings. Potential inconsistencies in the external appearance of the dwellings, particularly if they are under separate ownership, is also of concern, and not all of these works would require planning permission. Fundamentally this could lead to the incremental erosion of the site's character and visual coherence in historic heritage terms. Glenfall House itself could lose some of its identity and status as the principal listed building on site in that it would be surrounded by and physically attached to a group of separate dwellings within a subdivided site.

- Having assessed the applications in accordance with paragraph 11d of the NPPF, including the contribution of two additional dwellings towards alleviating the housing shortfall, the identified adverse impacts of the proposals are considered to significantly and demonstrably outweigh the benefits on this occasion. The recommendation is therefore to refuse both applications for the reasons set out in the officer report and as amended in the updated officer report circulated earlier in the day.

There were two public speakers on the item: the applicant's representative, and the ward member.

The applicant's representative addressed the Committee and made the following points:

- A year ago this committee unanimously approved an identical form of unit with the only difference being how the five secondary units would be occupied. That restriction as holiday lets was a result of the description of development and was not imposed by the committee because of specific debate. The minutes confirm the committee agreed any harm was outweighed by the significant public benefits, including enhancement of the main listed building, removal of harmful additions, reinstatement of original features, and a more rational layout that enhances the setting.
- Last year's report also states that the appropriate conversion or subdivision of an isolated building in the countryside to residential use is likely to be supported. It went on to say that given the rather unique circumstances of this site and its planning history, the principle of the proposed redevelopment and provision of new build residential units/holiday lets in an isolated rural location outside the principal urban area on balance is considered acceptable.
- Given the high praise given to the identical physical development we do not understand how changing how the five small units are occupied could tip the scale so far the other way as to now make the development unacceptable.
- The letter sent to Members explained why this application is necessary, why the previous submission to make this change was withdrawn, and how

concerns about amenity for future residents is not an issue with access to the grounds like many other similar situations.

- In reality the heritage concerns would or could not occur as the building is listed and in the national landscape. The building has no permitted development rights and permission is needed for any changes to affect the external appearance. Condition 22 removes permitted development rights for all boundary treatments and structures like sheds and garages. Condition 15 requires sign-off of hard and soft landscaping, walls and fences. The council has full control over these things.
- Planning cannot control ownership. The applicants have no intention of selling any part of the site and there's no greater risk of separate ownership. Site subdivision is not proposed.
- Outdoor furniture is used for holiday lets just as it is for dwellings and these things are not development and do not require permission.
- The three existing units are unsympathetic to the building, which is harmful to the setting. They will be replaced by a building that enhances the setting. These are replacement dwellings. The other two units occupy part of the retained extension to the main house and the conversion or subdivision of that is also supported by policy.
- This will increase dwellings where supply is well below the required 5-year land supply. The report confirms that holiday lets do not contribute to housing supply, so the existing permission actually creates a net loss of three dwellings. The benefit of five extra dwellings should therefore be given significant weight as inspectors have consistently done.
- This proposal still provides much needed architectural and visual cohesion that restores the role outbuildings play in the setting of the main house and restores the integrity and appearance of the main house. There are other benefits to sustainability to landscape, trees, drainage and ecology.
- Believe this proposal complies with policy and does not cause the harm the report suggests it does. Even if that harm did occur, is it so great as to outweigh what the committee previously approved as significant and demonstrable benefits? There are strong and sound planning reasons to approve these applications, especially as conditions continue to give the council full control over how the buildings and grounds will look in their much enhanced state.

Councillor Day, as Ward Member, addressed the Committee and made the following points:

- In the unusual position of asking the committee to approve an increase of housing supply in an area of outstanding natural beauty (AONB). One of my main priorities as a ward councillor is to protect fields in the AONB from being built over. When an opportunity presents itself to increase the council's housing supply, which is well short of the 5-year target, with no physical changes to designs previously approved my appeal to the committee is to take that opportunity.

- I believe this is also the majority view of my residents, who are very sensitive to development in the AONB. The application has received a single public objection. In contrast an application to build on a field in the Battledown AONB currently under consideration by officers has received 89 objections from residents. This speaks volumes about the type of development residents deem acceptable or unacceptable.
- The officer's report states that matters relating to highway safety, the principle of new housing development and impact on heritage assets need to be reconsidered. The no objection from Highways reports that recent experience with the planning inspectorate has shown that an assessment that a road is substandard is not sufficient to justify refusal. No objection was made either by Highways or the committee to either of the Castle Dream Stud applications, only a stones throw away from Glenfall House. The inspector who determined the nearby Oakley Farm appeal found that the highways impact was not severe enough to warrant refusal. The fastest route to Oakley Farm heading south out of Cheltenham is down either Mill Lane or Greenway Lane and must have formed part of the inspector's consideration.
- Regarding the principle of new housing development. The application states that there are no physical changes to the approved plans. It is a wording change to remove the holiday occupancy only restriction. The committee previously approved the new build development of large detached contemporary houses at Cromwell Court, also in the AONB and around half a mile from Glenfall House. Homes in this development are currently being marketed at prices ranging from £2.45-2.75 million. Given this approval, struggling to understand how this application for much more affordable housing is not acceptable, not least because of the difficulties the council is experiencing in achieving its affordable housing targets.
- On heritage matters. It is far from clear how a wording change to the permitted use can result in any harm, never mind harm that outweighs the benefits of an increase in the supply of relatively affordable homes. Members approved the application for 129-133 Promenade, which is a grade II starred listed building. The approved structures which will be filled with tables, chairs and other necessities for running a restaurant will block the view of the building in a very visible location. In that case Members decided the economic benefits outweighed the heritage concerns. In this case the benefits of the increase in housing supply clearly outweigh any heritage concerns. Although I do not believe there is any heritage harm as the application is for a wording change only.
- Members will have read the application, covering letter, heritage statement and rebuttal of the conservation officer's comments prepared by experts with extensive experience of listed building planning applications. Members should carefully consider these documents, in particular the rebuttal statement. They contain statements of fact regarding planning rules and what is and is not a relevant planning matter, not subjective opinion. It is regrettable that opportunity was not taken to issue a rebuttal to the rebuttal statement either in

the officer's report or as a separate document. This suggests that the points made are not disputed.

In response to Members' questions, officers confirmed that:

- Officers did have regard to paragraph 11d of the NPPF, which is set out in the conclusion of the Committee report, but in this case do not consider that the benefits of the contribution of two dwellings to the housing land supply shortfall outweigh the heritage concerns and the other matters raised, or the conflict with planning policy.
- As holiday accommodation and with permitted development rights removed it is far less likely that there would be more subdivision of these plots. The change to permanent dwellings increases the likelihood that occupiers would want their own garden area, washing lines, and domestic paraphernalia such as small curtilage structures, sheds and outbuildings. There is concern around parking provision as this is currently shown in shared areas. Future occupiers may wish to park outside their own houses, for example. Refuse facilities are also shared and in the courtyard of Glenfall House and within the ground floor of one of the extension units. Matters like this could lead to incremental changes. There may also be future modifications to facing materials, exterior painting and things attached to the buildings, satellite dishes for example. If these properties are in private ownership the likelihood is far greater than if it was a managed holiday let scheme.

The matter then went to Member debate where the following points were made:

- During a site visit that morning there was clear signs of demolition and scaffolding over Glenfall House despite the suggestion that no work had been undertaken.
- Whilst it was being suggested that this was merely a change of name from holiday accommodation to residential accommodation, it was clear that this was a more fundamental change with a small hamlet being established in an area of open countryside. They thanked the officer for an excellent report and clear explanation of the greater risks associated with residential accommodation.
- A Member noted that whilst he had been very pleased with the work being carried out on Glenfall House in the last application, for example the removal of the water tank from the roof and changes that would bring the house closer to its original design, they had not been completely happy with the changes to the stables. It was disappointing historically to lose them, although they recognised they were not suitable for use in their current state and the new designs were in keeping with what was wanted.
- Members commented that it was uneconomic to run small hotels and that it was important that the scheme was financially viable to ensure that this wonderful building could be preserved into the future. Concern was raised that if the applications were not granted the building could become empty and derelict.

- Another Member noted that this had also been the argument for the inclusion of the holiday lets in the first application and it felt like this change moves the goalposts and the financial argument could be used to justify further changes in the future.
- Given that the council regularly receive complaints about Airbnbs taking up housing stock, it was felt it was refreshing for a chance to see holiday lets being moved into residential use. Particularly given the housing shortage.
- There is no major material difference to the approved application aesthetically speaking and as the units are on the side of Glenfall House that is not visible from the garden, the change will not have a big impact.
- Given these applications did not represent a significant change to the approved application and the tilted balance in support of development, one Member felt that the council's objection was not clear enough to support refusal of the applications.

The Senior Planning Officer clarified the following points:

- The new extension replaces the curtilage listed buildings that are being demolished. The officer's recommendation on the previous application was an on balance decision in terms of the acceptability of including holiday accommodation only within the extension, not permanent, separate residential dwellings.
- Previously and in relation to this application there has been no information submitted and no financial viability assessment carried out to demonstrate that holiday lets and/or permanent dwellings are needed to financially maintain the listed building. Although the applicants have mentioned viability, they have not provided any evidence to substantiate this.

The matter then went to the vote on the officer recommendation to refuse the application.

For: 3

Against: 5

Abstain: 1

Voted against the officer recommendation to refuse the application. The committee then voted to delegate authority to the Chair and Vice Chair of the Committee to agree conditions.

12 Appeal Update

The appeal updates were noted.

13 Any other items the Chairman determines urgent and requires a decision

There were none.

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