



Minutes of a meeting of the Planning and Licensing Committee held on Wednesday, 9 February 2022.

Councillors present:

Ray Brassington - Chair	Julia Judd – Vice Chair	
Patrick Coleman	Juliet Layton	Gary Selwyn
Stephen Hirst	Andrew Maclean	Steve Trotter
Sue Jepson	Dilys Neill	Clive Webster

Officers present:

Susan Gargett, Interim Head of Legal Services
Amy Hill, Planning Case Officer
Ben Patel-Sadler, Senior Democratic Services Officer
Deborah Smith, Development & Planning Enforcement Manager

Observers:

Councillors David Cunningham and Nick Maunder (Ward Members)

70 Apologies

There were no apologies for absence.

71 Substitute Members

There were no substitute Members.

72 Declarations of Interest

There were no declarations of interest from Members or Officers.

73 Minutes

The Committee agreed that the following amendments should be made to the draft minutes of the 12 January 2022 meeting:

Page seven of the minutes, paragraph four: To be deleted.

Page seven of the minutes, paragraph two: To be amended to read 'The Committee noted that the lead local flood authority (Gloucestershire County Council) and Thames Water had raised no objections in relation to the drainage attributed to the proposed development'.

Page seven of the minutes, paragraph 9: To be amended to read 'Some Members of the Committee agreed with the highway authority view (Gloucestershire County Council) that the application included ample car parking.

After further investigation of the webcast from the previous meeting, it was confirmed that the Dukes Field application was seconded by Councillor Julia Judd.

The Committee noted that the suggestions proposed by Councillor Clive Webster were proposed in the spirit of clarity and to reflect the debate had at the previous meeting.

The Head of Legal Services confirmed that the proposed amendments were acceptable.

The Committee noted that the voting captured at minute 67 was contrary to the Officer's recommendations. This would be reflected in the draft minutes.

Subject to the above recommendations being made, the Minutes of the meeting held on the 12 January 2022 were agreed as a true, accurate record.

Record of Voting – for: 10, against: 0, abstention: 1, absent: 0.

74 Chair's Announcements (if any)

There were no announcements made by the Chair.

75 Schedule of Applications

21/02440/FUL

Comberow Cottage, Church Road, Icomb, Cheltenham, Gloucestershire, GL54 1JL

The Planning Case Officer, Amy Hill, introduced the application:

Two storey side extension, alterations to front porch, replacement windows and associated works at Comberow Cottage, Church Road, Icomb, Glos, GL54 1JL.

The Committee noted the location of the application site, photographs of the site, and existing and proposed plans. They were also shown plans of the extension permitted in 2006, including a comparison with the plans proposed as part of this application.

The following people addressed the Committee:

Victoria Campbell (Applicant)

Councillor David Cunningham (Ward Member)

A Panel site visit was undertaken by Members in advance of this meeting.

The Committee noted that Members had been given the opportunity to ascertain where the proposed gable end would be situated if the works took place.

A range of views were expressed by Members, including that the mass of the proposed works would be over-bearing on the neighbouring property.

The Committee noted that the application from 2006 in relation to the same property (application approved but works not commenced) would have to be taken into consideration when determining the current application.

The Committee noted that whilst the 2006 application was relevant, Members should consider the existing application on its own merits and alongside current planning legislation.

Members noted that the requirements of the 2006 Local Plan had not changed significantly with regard to the impact on the residential amenity of neighbouring properties when comparisons were made to the current version of the Plan.

In relation to the materials to be used as part of the proposed works, the Committee noted that natural stone would be used for the walls.

The Committee noted that in relation to the mains electrical connection to the building, the responsibility for this lay with the electricity company and they would make an appropriate connection as per the permitted development rights.

Given the proximity of the property to the neighbouring home, the Committee agreed that a construction statement should be conditioned to the application.

The Committee noted that if the proposed works were undertaken, sunlight would still reach the neighbouring courtyard (of the neighbouring property). A light survey had been undertaken. Section 12 of the NPF was relevant to the application.

The Committee noted that the hedge around the courtyard area of Lawn Cottage was owned by the owners of Lawn Cottage.

The Committee noted the differing views of Members in relation to the application and the difficulties associated with taking a decision.

Following comments made by Councillor Sue Jepson in relation to a split decision (agreeing the alterations to the front porch and windows but removing the two-storey side extension), the Committee noted that the two-storey extension aspect of the application was most critical to the applicant. It was not therefore considered appropriate to consider a split-decision.

Members expressed the view that although the proposed works would increase the size of the existing property, it would not have a completely adverse impact on the neighbouring courtyard.

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Councillor Clive Webster proposed that the Committee approved the Officer recommendations with the inclusion of the previously discussed construction methodology and alteration to the condition relating to the use of natural stone.

This was seconded by Councillor Stephen Hirst.

Record of Voting - for: 7, against: 4, abstention: 0, absent: 0.

The application was approved.

21/00139/FUL

The Dower House, High Street, Bourton-On-The-Water, Cheltenham, Gloucestershire, GL54 2AP

The Planning Case Officer, Amy Hill, introduced the application:

Retrospective permission for garden room at The Dower House, High Street Bourton-On-The-Water Cheltenham Glos GL54 2AP.

The Committee noted that the update report included a correction to the planning history associated with the site.

The Committee further noted the location of the application, the current view of the site, aerial photographs of the site, proposed plans and photographs of the constructed garden room.

The following people addressed the Committee:

Tower Associates (Agent) – statement read by Democratic Services

Councillor Nick Maunder (Ward Member)

The Committee noted that a site visit undertaken by the Officer had indicated that the garden room was not being used as rented/holiday accommodation.

In relation to the Cotswold vernacular, the Committee noted that significant development had been undertaken at the property, which itself was a 1960s bungalow, and as such, the dwellinghouse did not have the form of a traditional Cotswold vernacular property. Officers express the view that given the site context that the design of the garden room was acceptable.

The Committee noted that a condition could be placed on the application to prevent permitted development rights being utilised in relation to the garden room.

The Committee further noted that it could not limit the exact use of the garden room, beyond its use as incidental or ancillary to the main dwellinghouse.

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The Committee noted other works on the site, including railings which the Case Officer advised appeared to be less than 1m in height and as such unlikely to require express planning permission. It was noted that on the plans the red line indicated a boundary half way through the River Windrush; however, the Case Officer advised that the residential curtilage was terminated at the edge of the river (on the side of the dwellinghouse).

The Committee noted that planning permission had been obtained for other additional buildings within the garden of the property (which had already been constructed).

The current retrospective application required planning permission primarily because of its height.

After a previous site visit, the Officer had requested that revised plans were submitted to reflect the building as it stood as there were discrepancies between the plans and built form.

Councillor Clive Webster proposed that a Panel site visit be undertaken to ascertain the impact on the garden room and cumulative development on the site on the neighbouring properties, conservation area, and views from the public right of way.

This was seconded by Councillor Sue Jepson

Record of Voting - for: 10, against: 1, abstention: 0, absent: 0.

As part of the site visit, Members requested clarification on what buildings on the site did and did not have planning permission.

The item was deferred pending a Panel site inspection visit taking place.

21/00143/FUL

The Dower House, High Street, Bourton-On-The-Water, Cheltenham, Gloucestershire, GL54 2AP

The Planning Case Officer, Amy Hill, introduced the application:

Extensions to existing garage block at The Dower House, High Street, Bourton-On-The-Water, Cheltenham, Glos, GL54 2AP.

The Committee further noted the location of the application, aerial photographs of the site, proposed plans and the photographs of the site.

The Committee further noted that work on the garage had recently ceased.

The following people addressed the Committee:

Tower Associates (Agent) – statement read by Democratic Services

Councillor Nick Maunder (Ward Member)

The Committee noted that the application was part-retrospective.

The Committee further noted that the application needed to be considered in terms of the design, form and scale of the building is acceptable and compliant with policy. It was the view of Officers that although an ancillary building, the plot of land was an appropriate size for a garage of this size.

The Committee noted that the first floor of the existing garage building was being used for sleeping accommodation.

The Committee further noted that another planning application would be required if the garage was subsequently used as a separate dwellinghouse.

Members and Officers would need to remain cognisant of any impact on the conservation area. The refusal of any application would need to be based on whether or not any harm could be identified.

The Committee noted that building regulations would stipulate how accommodation could be incorporated into a garage.

In relation to electric vehicle charging points being incorporated as part of the development, the Officer view was that they could not be conditioned as it would be unreasonable given the existing site provision for parking and the extent of increased capacity.

The Committee noted that the retrospective application was for the inclusion of an additional bay and a half of space (to be used as a gym). It was noted that Members could condition the installation of electric vehicle charging points; however, Officers advised the Committee that the applicant could appeal against this as being unreasonable. The planning inspector would then take a decision in respect of this.

Councillor Sue Jepson proposed that a Panel site visit be undertaken to ascertain if over-development had taken place, to assess if there was any harm to the conservation area and the impact on the surrounding listed buildings.

This was seconded by Councillor Stephen Hirst.

Record of Voting - for: 7, against: 1, abstention: 3, absent: 0.

The item was deferred pending a Panel site inspection visit taking place.

76 Sites Inspection Briefing

The Development and Planning Enforcement Manager proposed that an advanced Sites Inspection Briefing (full Committee) visit took place at a site on Gloucester Road, Stratton which would be in relation to the provision of a roadside truck facility. This would take place on Wednesday 2 March.

Members would be provided with hard copies of SIB papers going forwards.

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The protocol for SIB visits will be shared with Members in advance of visits taking place.

77 **Licensing Sub-Committees**

The Committee noted the rota for attendance at the Licensing Sub-Committee on Wednesday 23 February 2022 (if the meeting was required).

The meeting commenced at 2:00pm and closed at 4:00pm

Chair

(END)