



## **PLANNING COMMITTEE**

**MEETING** : Tuesday, 8th June 2021

**PRESENT** : Cllrs. Taylor (Chair), Lewis (Vice-Chair), Bhaimia, D. Brown, J. Brown, Chambers, Conder, Dee, Finnegan, Toleman, Tracey and Walford

### **Officers in Attendance**

Head of Place  
Planning Development Manager  
Senior Planning Officer  
Solicitor, One Legal  
Democratic & Electoral Services Officer

**APOLOGIES** : Cllr: Melvin (Cllr Tracey attended as a substitute)

### **1. APPOINTMENT OF CHAIR AND VICE-CHAIR**

Councillor Taylor and Lewis were confirmed as Chair and Vice-Chair of the committee.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3. MINUTES**

The minutes of the meeting held on the 6<sup>th</sup> April 2021 were confirmed and signed by the Chair as a correct record.

### **4. LATE MATERIAL**

Late material had been circulated in respect of agenda item 6 – Land North of Rudloe Drive (20/00368/OUT) and item 7 – 7 Kimberley Close (21/00247/FUL).

### **5. LAND NORTH OF RUDLOE DRIVE, QUEDGELEY, GLOUCESTER - 20/00368/OUT**

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The Chair drew attention to the late material that stated that the item was being deferred from the Committee. The Planning Development Manager advised subsequent to the report being published that additional representations had been made by Gloucestershire County Council that they would no longer be seeking financial contributions towards education in respect of this application and the deferral would allow for full consideration of the implications.

The Chair sought confirmation that Members would be in agreement with this deferral and there being no dissent it was:

**RESOLVED that:** - the item is deferred to allow for full consideration of the additional representations made by Gloucestershire County Council regarding the requirement for provision to be made to educational facilities.

**6. 7 KIMBERLEY CLOSE, GLOUCESTER, GL2 0LH - 21/00247/FUL**

The Senior Planner presented the report detailing an application for the demolition of an existing garage and the erection of a two storey detached dwelling.

**Councillor Hyman, the ward member for Elmbridge, addressed the Committee in opposition to the application.**

He objected to the application on the following grounds:

- Overlooking of neighbouring properties;
- Unreasonable overshadowing;
- The closeness to neighbouring properties;
- Unnecessary development;
- The application was more intrusive than other developments within the locality;
- The design was out of character with neighbouring properties;
- Invasion of privacy.

He stated that he believed that the application should be rejected unless there was a site visit by members, in which case it should be deferred until one had taken place.

**A local resident addressed the Committee in opposition to the application.**

The resident objected to the application on the following grounds:

- The shape of the dwelling was out of character with other properties;
- The site visit undertaken by the officer was too short;
- Members had not been on a site visit;
- Invasion of privacy;
- Potential flood risk;
- The site would be close to the boundary fences of neighbouring properties;
- The proposed dwelling would overlook a habitable room;
- The proposed dwelling would overlook neighbouring gardens.

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The Senior Planner responded to members' questions regarding concerns about the effect on the street scene, accessibility on the site, shadowing of neighbouring gardens, the privacy of neighbouring properties, the distance between properties, parking, the potential of flooding in the area and garden amenity space on the site as follows:

- The Senior Planner had conducted a site visit and had carried out measurements himself.
- The measurements laid out in the report were accurate.
- The rear elevations of neighbouring properties on Cheltenham Road would be 36 metres away from the proposed dwelling. The minimum distance required being 21 metres.
- There were existing drop kerbs on the site.
- There would be some overlooking of neighbouring garden amenities of the host property and some neighbouring properties.
- The level of overlooking caused by the dwelling would not warrant planning refusal.
- There would be two dedicated parking spaces per dwelling.
- Gloucestershire Highways had raised no objections subject to the conditions outlined in the report.
- The bathroom window would have obscured glazing as a condition to avoid harmful overlooking to the side elevation.
- The area had a very low risk of flooding. Condition 5 of the report stated that no ground works would occur until details of how surface water would be disposed of had been provided.
- A condition restricting new upper floor side facing windows without prior written approval from the local authority had been added.
- Shared access was uncommon for the area, but the design of the proposed dwelling was not.
- There was no policy in place requiring minimum outdoor garden amenity space.

**Members' Debate**

The Vice-Chair stated that it was 'not easy' and that he sympathised with objections that had been raised. However, he stated that if the measurements outlined in the report were correct, if Highways had no objections, if the materials used were almost identical to neighbouring properties, then he could not see any material planning issues that would warrant refusal. He added that he would personally vote in line with the officer's recommendation to grant the application, though he sympathised with the objections that had been raised.

The Chair stated that the issue of overlooking was the one material planning consideration he believed could possibly warrant a refusal on planning grounds. But that he did not believe that it was substantial enough to warrant refusal.

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Councillor J.Brown stated that she believed that a site visit would have been beneficial.

Councillor D.Brown stated that he disagreed with the officer's comments regarding the street scene and believed that a site visit would have been beneficial.

The Chair stated that if there was a site visit, it would need to be conducted properly. He added that he believed that the effect on the street scene would not be detrimental enough to warrant refusal.

Councillor Chambers stated that he believed that there was not a sensible planning reason for refusing the application.

The Chair moved, and the Vice-Chair seconded the officer's recommendation.

**RESOLVED that:** - planning permission is granted subject to the conditions outlined in the report.

**7. 4 INNSWORTH LANE, GLOUCESTER, GL2 0DA - 21/00142/FUL**

The Senior Planner presented the report detailing an application for the erection of a detached dwelling.

**Councillor Williams, the ward member for Longlevens, addressed the committee in opposition to the application.**

She objected to the application on the following grounds:

- PPS3 had been introduced to remove the classification of previously developed lands, which granted Council's power to reject applications;
- The plot was far smaller than laid out in the report;
- Traffic concerns;
- Overdevelopment;
- Granting the application would mean that there would be no space for safe deliveries;
- The Planning officer had indicated that the application would be refused previously.

**A local resident addressed the committee in opposition to the application.**

The local resident objected to the application on the following grounds:

- The proposal would not integrate with the street scene;
- Overdevelopment;
- Did not meet the design requirements outlined in paragraph 6.10 of the report;
- Highway Concerns (increase in traffic, road safety issues)
- Potential for noise pollution;
- Potential for overshadowing the only south-facing window of a neighbouring property;

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- There were six objectors, not the three outlined in the report.

**A planning consultant of PJS Development Solutions Ltd addressed the committee in support of the application on behalf of the applicant.**

The Planning Consultant stated that the application should be granted on the following grounds:

- National policies and the joint core strategy encouraged building dwellings such as the one proposed;
- Neighbours had been properly informed of the application;
- Highways had concluded that there were no justifiable grounds in which to object to the application;
- There would be no light or overbearing impact on the area or neighbouring properties;
- The design of the dwelling would protect the privacy of neighbours;
- The scheme complied with the planning framework;
- The proposal would deliver a modest quality home for a small household.

The Senior Planner responded to members' questions regarding traffic in the area, the size of the dwelling, and the effect on the street scene in the area as follows

- PPS3 is no longer applicable.
- An informal comment had been made about potentially rejecting the application very early on during the process but subject to conditions outlined in the report, the recommendation was for granting the application.
- Gloucestershire Highways had raised no objections subject to planning conditions being met.
- The new proposed dwelling would be a two bedroomed property and would measure 4.9 metres to the eaves and 7.2 metres at its highest point. This isn't considered overdevelopment of the site.

**Members' Debate**

Councillor Walford stated that he was not against the principle of building the dwelling. However, he stated that he had concerns with the fact that Highways had not raised a comment when congestion in the area was a substantial issue. He stated that he believed that Highways had not looked at the application in enough depth.

The Vice-Chair stated that he agreed with the member that the area often became congested. However, he added that Highways would only object to an application if it would create 'severe' disruption, which the proposed development would not.

Councillor Walford questioned whether the application could go back to Gloucestershire Highways to investigate the issue of congestion and traffic within the area before coming back before Committee.

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The Chair stated that the area was busy, but that a nearby nursery created far more trip generation than the proposed dwelling would.

The Vice-Chair stated that he believed that Highways had conducted a traffic survey in the area two years ago.

Councillor Tracey noted that the application being granted would only lead to there being two to three extra cars in the area. She stated that this would not lead to a significant increase of traffic in the area and that she would support the application.

Councillor Walford member stated that he believed that Highways would be conducting a traffic survey in the area in the next couple of weeks and that he believed that it would demonstrate how congested the area could get.

Councillor Chambers stated that that there would be some loss of light to a neighbouring property, that there would be an impact regarding traffic in the area and that there would be an impact on the street scene, even if it was a limited one.

The Chair moved, and the Vice-Chair seconded the officer's recommendation.

**RESOLVED that:** - planning permission is granted subject to the conditions outlined in the report.

**8. DELEGATED DECISIONS**

The schedule of applications determined under delegated powers during the month of March and April 2021 was noted.

**RESOLVED that:** - the schedule be noted.

**9. DATE OF NEXT MEETING**

Tuesday, 6<sup>th</sup> July 2021 at 6pm.

**Time of commencement: 6.00 pm**

**Time of conclusion: 7.36 pm**

**Chair**