

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

15TH JANUARY 2020

Present:

Councillor Juliet Layton	-	Chair
Councillor Ray Brassington	-	Vice-Chair

Councillors -

Tony Berry	Nikki Ind
Claire Bloomer	Julia Judd
Patrick Coleman	Dilys Neill (from 10.15 a.m.)
Stephen Hirst	Gary Selwyn
Roly Hughes	Clive Webster

Substitutes:

Stephen Andrews	Julian Beale (until 1.45 p.m.)
Robin Hughes	

Observers:

Lisa Spivey

Apologies:

Sue Jepson	Richard Keeling
Dilys Neill	

PL.60 DECLARATIONS OF INTEREST

(1) Member Declarations

There were no declarations of interest from Members.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.61 SUBSTITUTION ARRANGEMENTS

Councillor Stephen Andrews substituted for Councillor Trotter.

Councillor Julian Beale substituted for Councillor Jepson.

Councillor Robin Hughes substituted for Councillor Keeling.

PL.62 MINUTES

RESOLVED that, subject to the following amendments, the Minutes of the Meeting of the Committee of 13th November 2019 be approved as a correct record:

(i) addition of the wording ‘as his wife’ and ‘Agent’s wife’ in relation to the second paragraph of Minute PL.49 and so as to read ‘Councillor Brassington declared an interest in respect of application 18/04188/FUL, as his wife knew and socialised with the Agent’s wife’;

(ii) deletion of the Meeting end time of ‘1.15 p.m.’ and its substitution by the time ‘2.55 p.m.’

Record of Voting - for 11, against 0, abstentions 3, absent 1.

PL.63 CHAIR’S ANNOUNCEMENTS

There were no announcements from the Chair.

PL.64 PUBLIC QUESTIONS

No Public Questions had been submitted.

PL.65 MEMBER QUESTIONS

No questions had been received from Members.

PL.66 PETITIONS

No petitions had been received.

PL.67 SCHEDULE OF APPLICATIONS

It was noted that the details of the policies referred to in the compilation of the Schedule did not comprise a comprehensive list of the policies taken into account in the preparation of the reports.

RESOLVED that:

(a) where on this Schedule of Applications, development proposals in Conservation Areas and/or affecting Listed Buildings have been advertised - (in accordance with Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1977) - but the period of the advertisement has not expired by the date of the Meeting then, if no further written representations raising new issues are received by the date of expiration of the advertisement, those applications shall be determined in accordance with the views of the Committee;

(b) where on this Schedule of Applications, the consultation period in respect of any proposals has not expired by the date of the Meeting then, if no further written representations raising new issues are received by the date of expiration of the consultation period, those applications shall be determined in accordance with the views of the Committee;

(c) the applications in the Schedule be dealt with in accordance with the following resolutions:-

19/00800/REM

Reserved Matters pursuant to outline permission 15/01376/OUT (Outline planning application for the erection of up to nine dwellings and associated access). The reserved matters for which the application seeks consent are: appearance; layout; landscape and scale. The reserved matters application also seeks to discharge Conditions 10 (Highways Scheme); 12 (Construction Logistics Plan); 14 (Ecological Enhancement and Landscape Management Plan), and 15 (Finished Floor Levels) at Land East of Bell Lane, Poulton, GL7 5JF -

The Team Leader, Development Management informed the Committee that outline permission for nine dwellings at the application site, with access from the highway, had been granted in 2017 following an appeal and after the Council had refused the application on drainage grounds. He also explained that the reserved matters pursuant and the two following applications in relation to drainage required individual decisions by the Committee.

The Officer then proceeded to display a map, aerial photograph, indicative site plan and street scene, a Google virtual street view and photographs of the site from various vantage points.

A representative from the Parish Council, an Objector and the Agent were then invited to address the Committee.

The Ward Member, who did not serve on the Committee, was then invited to address the Committee. The Ward Member explained that she was pleased to see that the ridge height of the properties had been considered but that there were still concerns over plot 9 and urged the Committee to inspect the proposals carefully. She added that the village benefitted from dark skies and therefore lighting of the site would also need careful consideration. The Ward Member added that whilst there could have been more clarification on the landscape of the scheme, she did not consider the proposals, if approved, would lead to over-development of the site but highlighted to the Committee that Bell Lane remained a small country lane.

In response to various questions from Members it was reported that the dovecote that had been removed was not a historic feature and was merely for visual effect; a reasonable amount of lighting could be expected at the site as a result of the principle established by the Outline permission and Officers did not consider the proposals to be unreasonable and had placed a condition to ensure that external lighting was managed; landscaping of the site was included in the reserved matters application and drainage matters were to be assessed by Members under the two subsequent applications presented; a 10 year landscape management plan had been submitted to Officers for consideration and this had stated that the management of the site would be through a management company; any issues regarding the management of the swale would be required to be dealt with by the management company and if any impact would be caused to the landscaping as a result of changes to the drainage strategy, this may result in the need for further application to be made to the Council; Officers had

consulted Highway Officers in relation to HGV access and turning at the site and they had confirmed there were no concerns; no street lights were included within the proposals; provision for bin storage had been included for each property; bicycle storage and electric vehicle charging points had not been included within the proposals as the outline permission pre-dated this application; the Agent was not seeking adoption of the access road by the highways authority; if minded to approve the application, Officers considered a condition could be implemented regarding completion of the access road; no up-lights had been included as part of the proposals; condition 2 did not prevent any future residents from submitting an application to construct garages or outbuildings, but imposed additional control by the Council over and above permitted development rights; the nearest property to the north of the site boundary was Oakwood and the height of the ground floor level was 101.64 metres, in comparison to plot 9, which ground floor level was 102.00 metres, the ridge level of Oakwood was 108.68 metres in comparison to Plot 9 which was 108.5 metres.

A Proposition, that the application be approved, was duly Seconded.

A Member commented that he wished to thank the members of the public who had spoken against the application and for the work of the Parish Council who had identified important areas for the Committee to address. He added that residents of Poulton had fought a strong argument against the application but explained that he was minded to approve the application, subject to an additional condition to ensure the completion and maintenance of the access point to ensure there was no development at the site until the a suitable scheme regarding the maintenance of the internal access road had been presented.

The Ward Member was invited to address the Committee again. The Ward Member explained that the Parish Council did not wish to adopt the land as they had expressed concerns regarding flood attenuation features and health and safety risks at the site. She added that there had always been issues of drainage at and surrounding the site owing to the nearby fields and the natural course of the water draining from this land.

Approved, as recommended.

Record of Voting - for 14, against 0, abstentions 1, absent 0.

19/01613/FUL

Full planning application for the installation of an overland flow management strategy comprising an oversized pipe and detention basin to deliver more effective drainage attenuation at Land East of Bell Lane, Poulton, GL7 5JF -

The Team Leader drew attention to additional information received since publication of the Schedule of Planning Applications and explained that the land that was the subject of this application fell outside of the land granted permission under the Outline application. He added that the intention was for an oversized pipe to be laid in a new swale to assist with the flow of water from the agricultural land to the east of the Outline application site away from the site.

A representative from the Parish Council, an Objector and the Agent were then invited to address the Committee.

The Ward Member, who did not serve on the Committee, was then invited to address the Committee. The Ward Member explained that she had previously met with the Chairman of the Parish Council before she had been elected to the Council in May 2019 as frequent low-level flooding and issues of poor maintenance to sewers had not been addressed. She explained that whilst there had been a high level of disappointment in residents when the application had been approved at appeal; residents had now accepted the development and this had therefore resulted in objections portraying true concerns to the development proposals. The Ward Member therefore urged the Committee to carefully consider the representations from the Parish Council and local residents.

In response to various questions from Members it was reported that a requirement of the appeal decision was to achieve betterment at the site in relation to the existing drainage of the land to the east of the application site and the proposals as detailed within the circulated report described how this would be achieved; an independent survey had been undertaken by the Lead Local Flood Authority (LLFA) and the Inspector had approved the application in the belief that betterment could be achieved; the scheme was considered by LLFA Officers to assist with the flow of water from the east of the site and the survey had been based upon the ground conditions and soil types of the area; the pipes installed would be the responsibility of the management company for the life of the development; the water's route was controlled by other factors such as road levels and water being diverted around houses to ensure no properties were put at risk; the current capacity proposed was for 60% impermeable area which was expected to allow for additional constructions to the proposed properties such as conservatories; underwater drainage tanks had not been considered by LLFA Officers as they did not view them as attenuating owing to the possibility they could fill to capacity; calculations in relation to the swale depth were 49cm in relation to a one-in-one year event and 1.27 metres for a 1 in 100 year event; the swale was calculated as being as efficient as a flood plain in regard to the removal of excess water; the oversized pipe would be in the Applicant's ownership but was not part of the Outline application site; a grill was expected to be placed on the front of the pipe for safety reasons and enforcement action could still be undertaken by Officers in regard to the land if it was in the ownership of a management company.

A Member commented that the excess water from the field adjacent to the site was currently flowing into the application site and onto the access road and that the suggestion from Officers was that the scheme would improve the existing situation. He therefore commented that he was minded to approve the application.

A Proposition, that the application be approved, was duly Seconded.

A second Member commented that the Parish Council could judge the effectiveness of the scheme by monitoring the levels in the swale and ensure action was taken should any failings in the scheme be obvious.

The Ward Member was invited to address the Committee again. She explained that she wished to thank the Committee for its deliberation of the item and also thanked the representative from the LLFA for attending the Meeting. The Ward Member added that residents still had major concerns regarding flooding and

confirmed that the swale had been full for a previous four months, owing to the substantial rainfall received.

Approved, as recommended.

Record of Voting - for 15, against 0, abstentions 0, absent 0.

19/02171/COMPLY

Compliance with Conditions 6, 7 and 8 of Permission 15/01376/OUT - Outline planning application for the erection of up to nine dwellings and associated access (appearance, layout, landscape and scale reserved for future consideration) at Land East of Bell Lane, Poulton, GL7 5JF -

A Member questioned the possibility of confirming the requirement of Condition 8 which required checking by an Officer. In response, Officers confirmed that there were two parts to the condition - (i) the applicant would be required to provide details when making the application and (ii) the onus was on the Applicant to comply with the condition.

A Member commented that he wished to recommend that the village of Poulton be put on Gloucestershire's Flood Risk Plan at a high level.

A Proposition, that the application be approved, was duly Seconded.

The Ward Member confirmed she had no further comments to make.

Approved, as recommended.

Record of Voting - for 15, against 0, abstentions 0, absent 0.

19/01184/FUL

Erection of a joinery workshop at Land Parcel E419306 N212935 North of Midford House, Windrush, OX18 4TS -

The Team Leader drew attention to additional information received since publication of the Schedule of Planning Applications and informed the Committee that the updated Officer recommendation was to defer the application to enable Officers to undertake the necessary technical consultation.

A Proposition, that the application be deferred, was duly Seconded.

Deferred, to enable Officers to undertake technical consultations.

Record of Voting - for 15, against 0, abstentions 0, absent 0.

Note:

A Member commented that he considered it would be beneficial for members of the public to be informed at the start of a Committee Meeting if an application was recommended for deferral and also for the Chair to vary the order of business, as permitted under the Council's Constitution, to ensure minimum inconvenience to the members of the public in attendance.

19/02239/FUL

New dwelling and associated works at Garden Land at The Kudos, Garricks Head, Andoversford, GL54 4LH -

The Case Officer reminded the Committee of the location of the site and displayed a map, proposed site plan, a Google virtual street view and photos of the site from various vantage points.

A representative from the Parish Council and the Applicant were then invited to address the Committee.

The Ward Member, who did not serve on the Committee, but who was attending the Meeting as a Substitute, was then invited to address the Committee. The Ward Member explained that the application aimed to create a carbon neutral property of an innovative design, which had been reduced from a previously-proposed three properties at the site. He informed the Committee that he considered the site the ideal location for the proposals and that the scheme would provide a family home with good green credentials.

In response to various questions from Members it was reported that the application should not be considered under paragraph 79 of the NPPF-because Officers considered that, based on the recent Inspector's appeal decision, the site was not in an isolated location; no detail had been included within the application as to the thickness of the walls; Officers did consider the application to be of a high quality design and which was in accordance with the Council's Design Code; however, the primary issue was the fact that to approve the application would undermine the Council's housing strategy and set a precedent for future housing development at the site; and the property known as The Kudos had previously been approved as it was a replacement dwelling.

A Member commented that, owing to the strong level of support from local residents, the Parish Council and Officers consulted, he considered the application should be approved.

A Proposition, that the application be approved, was duly Seconded.

Another Member commented that the Committee should support the Officer recommendation of refusal as he considered the fact that no objection to the design of the dwelling had been made by Officers did not necessarily suggest that they supported the principle of the development. He also drew attention to the fact that the Committee would be going against policy should it approve the application.

A Further Proposition, that the application be refused, was duly Seconded.

Various Members commented that they supported approval of the application and should listen to the views of local residents and the Parish Council who were in support of the application. Those Members also considered the green credentials of the application to also warrant approval.

Other Members expressed that the level of support in relation to an application was not a material consideration and therefore stated that they supported the Officer recommendation of refusal.

The Ward Member was invited to address the Committee again and commented that he was disappointed with the view of some Members of the Committee in being minded to refuse the application. He added that he considered the application to be an excellent opportunity to create a carbon neutral property which had a strong level of support from the community.

On being put to the vote, the Proposition to approve this application was LOST. The Record of Voting in respect of that Proposition was - for 7, against 8, abstentions 0, absent 0.

Refused, as recommended.

Record of Voting - for 8, against 7, abstentions 0, absent 0.

19/02853/FUL

Demolition of outbuildings and single-storey rear extensions, erection of two-storey rear extension and alterations to boundary wall at Court Cottage, Brockhampton, Cheltenham, GL54 5XG -

The Case Officer reminded the Committee of the location of the site and informed the Committee of photographs which had been circulated in the additional representations. The Case Officer then displayed a map, aerial photograph (showing nearby listed properties, the conservation area and public rights of way), existing floor plans and elevations, superseded plans, a proposed site plan and elevations, and photographs of the site from various vantage points.

The Applicant was then invited to address the Committee.

The Ward Member, who did not serve on the Committee, but who was attending the Meeting as a Substitute, was then invited to address the Committee. The Ward Member explained that the Applicant was intending to bring the property into the 21st century to enable it to be more user-friendly. He added that he had visited the property and had found that the existing 1970s extensions were not suitable for modern-day living. The Ward Member informed the Committee that it would not be possible to achieve the desired intention if the extension was reduced in size and that the proposed roof height was subservient to the main roof height. He concluded by stating that there was no risk of overlooking neighbouring properties and he urged the Committee to approve the application.

In response to various questions from Members, it was reported that Officers considered the extension would have little impact on amenity space at the property, owing to its large garden; Officers considered parking could be created on the remaining garden space and the current bedrooms were considered by Officers to be modest in size and scale.

A Proposition that a Sites Inspection Briefing be undertaken at the site was Proposed, but was not Seconded.

A Member commented that, as the main intention was to improve the liveable space at the property, this could be achieved by a smaller extension.

A Further Proposition, that the application be refused, was duly Seconded.

Another Member commented that she was sympathetic to the proposals and therefore considered the application should be approved.

A third Proposition, that the application be approved, was duly Seconded.

Various Members commented that they considered the proposed size of the application to be overly large and therefore were minded to support refusal of the application, in favour of further discussions being undertaken between the Applicant and Officers.

Other Members commented that they were in favour of supporting the application, as, if approved; the scheme would only result in the property becoming a three bedroom property.

The Ward Member was invited to address the Committee again. He explained that the application's proposals related to the relocation of stairs and the addition of a second floor extension and the installation of a downstairs toilet. He added that he did not consider it possible to provide this level of accommodation within a smaller extension and therefore urged the Committee to approve the application.

Refused, as recommended.

Record of Voting - for 8, against 7, abstentions 0, absent 0.

19/04478/TPO

T.7 - Lawson - fell, crown with dead foliage one side; T.8 - Lawson - fell, crown with dead foliage one side at Beeches Car Park, Beeches Road, Cirencester -

The Case Officer reminded the Committee of the location of the site, displayed photographs of the trees, and informed the Committee that the trees had potentially become damaged due to road salt spray and other issues from being located alongside the car park.

There were no questions from Members.

The Ward Member was not present at the Meeting at this juncture.

A Proposition, that the application be approved, was duly Seconded.

Approved, as recommended.

Record of Voting - for 14, against 0, abstentions 0, absent 1.

19/04581/TPO

T.30 - Horse Chestnut - re-pollard to four metres to prevent shoot breakage at Car Park South of Mangersbury Road, Stow-on-the-Wold, GL54 1HH -

The Case Officer drew attention to additional information received since publication of the Schedule of Planning Applications in relation to a letter of

support from the Town Council. The Case Officer then displayed a photograph of the tree.

There were no questions from Members.

The Ward Member explained that she had no comments she wished to make on the application.

A Proposition, that the application be approved, was duly Seconded.

Approved, as recommended.

Record of Voting - for 14, against 0, abstentions 0, absent 1.

Notes:

(i) Additional Representations

Lists setting out details of additional representations received since the Schedule of planning applications had been prepared were considered in conjunction with the related planning applications.

(ii) Public Speaking

Public speaking took place as follows:-

19/00800/REM	)	Cllr. C Davies (on behalf
	)	of the Parish Council)
	)	Mr. A Young (Objector)
	)	Mr. J Alsop (Agent)
19/01613/FUL	)	Cllr. C Davies (on behalf
	)	of the Parish Council)
	)	Mr. A Young (Objector)
	)	Mr. J Alsop (Agent)
19/02171/COMPLY	)	Cllr. C Davies (on behalf
	)	of the Parish Council)
	)	Mr. A Young (Objector)
	)	Mr. J Alsop (Agent)
19/02239/FUL	)	Cllr. S Griffin on behalf
	)	of the Parish Council)
	)	Mr. J Deacon (Applicant)
19/02853/FUL	)	Mr. N Barrett (Applicant)

Copies of the representations by the public speakers would be made available on the Council's Website in those instances where copies had been made available to the Council.

PL.68 SITES INSPECTION BRIEFINGS

1. Members for 5th February 2020

It was noted that Councillors Patrick Coleman, Stephen Hirst, Sue Jepson, Juliet Layton and Clive Webster would represent the Committee at the Sites Inspection Briefing, if required.

2. Advance Sites Inspection Briefings

No advance Sites Inspection Briefings had been notified.

PL.69 LICENSING SUB-COMMITTEES

1. Members for 19th February 2020

It was noted that Councillors Patrick Coleman, Stephen Hirst, Nikki Ind, Sue Jepson and Juliet Layton would represent the Committee at the Licensing Sub-Committee Meeting of 19th February 2020, if required.

PL.70 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 10.00 a.m., adjourned between 12.15 p.m. and 12.25 p.m. and closed at 1.50 p.m.

Chair

(END)