

**Notes for Planning Committee Meeting Wednesday 12 August 2020**

**Ref: 19/04052/FUL**

**Submission by Jon Bowers, Kingscote Parish Council (incorporating Bagpath)**

It is difficult to comment on the very many issues in the time allocated but you are making a decision that will impact on Bagpath its people and visitors to the area.

The case officer draws many conclusions which are not compatible with details provided by objectors whose views appear to have been marginalised at best, ignored at worst.

The amount of traffic generated, which is a major concern to the local residents, is significantly played down in the applicant's report. The roads are substandard and CDC has refused planning on previous occasions because of this. This recommendation ignores these previous precedents. There is no logic in this.

GCC Highways have changed their advice too many times. Their requested traffic survey has not materialised, yet they change their advice from "object" to "no objection" in the absence of any evidence to support it.

Increased traffic will inevitably increase the already regular occurrence of accidents, with a fatality perhaps only round the corner (literally and metaphorically)

Highways have not visited the site and roads to assess the situation directly. Nor I understand have the Committee. Without a site visit it is hard to understand how either Highways or the Committee can come to an informed decision. It has been necessary in previous applications in Bagpath for the Committee to visit, and we ask for the same consideration to this very important matter

A parishioner also draws attention to the following government guidance....

In respect of swine fever

"It is essential to ... practise scrupulous biosecurity practices." (Eustace Dec 2018 Commons)

and

"All pig keepers should remain vigilant and ensure that any visitors to their premises have not had any recent contact with pigs or pig premises in the affected regions. People returning from any ASF-affected areas of the world should avoid any contact with domestic pigs in commercial holdings" (Defra 6 Aug 2020)

This is an application for a dog boarding kennels in the middle of a pig farm. There is no business plan and no assessment of its impact on the existing business. Biosecurity is not considered in the report.

Please reject or adjourn this item until this most serious omission is addressed and a new case officer's report issued for consideration.



# Objector's comments

Notes for Planning Committee Meeting Wednesday 12 August 2020

Ref: 19/04052/FUL

Submission by Philip Kendell BSc BFP FCA CTA, Hugo Douglas-Pennant BA,  
and Nicola Kendell Tech IOSH

<b>Table of criteria for Committee consideration</b>				
Matter	Consideration	Comment	Criteria for	
			Supporting	Declining
<b>Confirmation</b>	<b>All committee members please confirm you have read all filed documents fully</b>	<b>If not how can you be in a position to come to a valid decision</b>		<b>X</b>
CDC owe a duty of care	Tort applies if the committee has not considered all relevant facts	Consequent accidents – claims will follow against CDC		<b>X</b>
Failure to comply with best practice and relevant law	Committee must consider all relevant details, follow all relevant law, and best practice	Failure to comply will lead to an application for Judicial review and costs claimed		<b>X</b>
Local Plan 9.5.3	Should only accept if moderate extra traffic.	Proposal will significantly increase traffic		<b>X</b>
Local Plan 9.5.4	A business plan should be provided to support diversification.	Doesn't demonstrate contribution to local economy nor provide a business plan as <b>required</b>		<b>X</b>
Local Plan 9.5.5	Environment, traffic, and viability of plan.	Viability has not been demonstrated		<b>X</b>
Local Plan 9.5.6	Must avoid conflict with existing farming enterprise.	Plan risks bio-security (DEFRA) applicants previous objections – on file		<b>X</b>
Traffic	Applicant claim modest increase but they are unsubstantiated	Significant increase per objectors traffic report on file.  Objectors' report appears to have been ignored		<b>X</b>



GCC assessment 30/6/2020	Changed view without additional information	Information to draw this conclusion not on public record  Increased traffic is an accident waiting to happen – CDC will be responsible and claims for compensation will follow		<b>X</b>
Traffic survey	No information on public record – conclusion it has not been done	Applicants statistics highly questionable  Any survey done since Covid19 will make it atypical		<b>X</b>
Planning officer states no immediate neighbours (#1 or report)	Two objectors are immediate neighbours under law.	Distance is irrelevant, adjoining boundaries makes us immediate. Case officer should not be so glib in her statements		<b>X</b>
SUMMARY	1 We seek refusal of the application  2 If the committee are at all <b>unsure</b> we seek an adjournment to a later date  3 If granted apply strict conditions	From the above it is abundantly clear the application should be refused  An adjournment will not lead to costs against the council  Traffic numbers not exceed those stated in the application  Noise must be negligible during the day  There must be a <b>guarantee</b> that there is NO noise at night		



## 19/04052/FUL - CONVERSION OF AGRICULTURAL BUILDINGS TO KENNELS

APPLICANT'S REPRESENTATION TO THE PLANNING COMMITTEE 12TH AUGUST 2020

We have read the Case Officer's report and acknowledge that there has been local opposition to our proposal; however, it should be noted that of the residential properties within the hamlet of Bagpath, it is only about half the households who have raised objection.

At the outset, every opportunity has been taken to limit any impact on the environment by: designing the conversion to limit noise, and limit associated vehicle trips through management practices. In fact, during the consideration of the locals' objections of traffic impact on the local highway network, the Glos. County Highways officer stated: *"I'm inclined to consider a sign from the A4135 which directs the preferred route for movements also"*. The preferred route is the existing designated HGV route at the north of the hamlet. We made it known to the Case Officer that we are in agreement to such a condition, but note that condition is not listed in the Officer's report.

At the outset the intention was to create a small farm diversification business to occupy existing buildings and to be run by my daughters, with help from their mother. Any additional help and general maintenance will be provided by farm staff. My daughter has experience, gained from a business of similar size and scale, where the kennels were never consistently fully occupied as there needs to be some empty kennels at all times to accommodate unexpected situations; such as: an anxious barking dog, or an ill dog that can be isolated from the main occupied units. Kennels will also be unoccupied immediately following collection by the customer(s) and up until thoroughly sterilised and dry, ready for re-use. This is to be a QUALITY not quantity enterprise. Many of the operating

requirements for this type of business are independently controlled by other welfare licensing bodies, they control matters such as: the amount of space for each dog, which then self-regulates the number of dogs to the smaller kennels; and the disposal of solid dog waste, which has to be bagged, and stored in sealed containers before being collected by an appropriately licensed operator. Therefore, we feel the objectors have, misguidedly, exaggerated the impacts they fear would occur. Impacts on which expert assessments have been sought, by both us and the Council, of which NONE have concluded any demonstrable harm and, therefore HAVE NOT recommend refusal.

Although situated within the Cotswold AONB, the 35 kennel enterprise would be small; as such, it does not amount to a major development and therefore national policy DOES NOT preclude it from the AONB.

Thank you.

(448 words including the two Title Lines)



Agent's comments in respect of

**Re: Bantam Tearooms High Street Chipping Campden**

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**Presentation to the  
Planning and Licensing Committee  
12 August 2020<sup>1</sup>**

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This presentation has been drafted by Thea Osmund-Smith, a specialist planning and environmental law Barrister at No5 chambers appointed by Mr and Mrs Taylor in relation to the application for the erection of a single new dwelling at the rear of Bantam Tea Rooms.

We support and endorse the thorough report that has been written by the Case Officer. This proposal and that report are the product of extensive negotiations in relation to this site, and a great deal of expert input. It is the third application on this site in recent time, and the scheme has evolved taking into account previous Officer comments and the reasons for refusal. The Officer's Report rightly recognises that.

What is proposed now has therefore undergone careful scrutiny by the Officer, and the applicants are confident that the scheme is appropriate, policy compliant and represents sustainable development. I would have no hesitation in commending the merits of this application to the Committee or any other decision taker.

Fundamentally the scheme is within the development boundary and is supported by Policy DS2; there is a statutory presumption in support of the development subject to other development plan policies being satisfied.

In terms of the impact on the historic environment, it is the applicants' case, informed by expert opinion, that the current use of the site as a carpark does nothing to enhance the character and appearance of the conservation area, or the setting of the listed building. The Officer agrees. A sensitively designed development in this location has the potential to contribute to the historic environment in a really positive way.

Many of the representations raise the issue of flooding, but the EA has assessed the Flood Risk Assessment provided and raises no objections to the application. There is no evidence that supports a reason for refusal on that basis.

Parking is another issue that has attracted attention, but the Officer's assessment is rigorous on this point, having regard to the applicant's Transport Assessment, the Chipping Campden Parking Audit October 201, and includes reference to the White Hart Lane appeal which is a

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<sup>1</sup> Body of text: 444 words

scheme the applicant's barrister was involved in and knows well. Post development, there will still be two spaces remaining for the staff who presently use the car park, and another two spaces for new residents. In terms of the impact of that loss of spaces on the road network, again, there is no evidence that the high threshold of "severe" as set out in national planning policy is reached in this case, and so no reason for refusal could be sustained.

Accordingly, we respectfully ask members to endorse the conclusions of your Officer and grant permission.

**10 August 2020**

**Thea Osmund-Smith  
Barrister, No5 Chambers**

Birmingham - London – Bristol – East Midlands

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# Objector's comments

Ref : 20/01886/FUL | Erection of two-storey rear extension, single-storey side extension and replacement of front dormer with gable end | Barnbrook School Lane Blockley Moreton-In-Marsh Gloucestershire GL56 9HU

Please accept this as our request to attend the meeting on 12 August 2020 at 2.00 pm. You have already received our full objection response under D Wilkinson and L McCulloch of The Knoll, Blockley, however your letter detailed a request to provide further statement.

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In precis format our objections relate to the following;

The site within Blockley Conservation Area, is adjacent to many Listed Buildings. Maintaining integrity of the Heritage Assets should be a key consideration in this application. These do not appear to have led or influenced the submitted development proposal.

There is no **consultee comment from the Conservation Officer** which is a gap in relation to this application and ensures the planning officer has fully considered their opinion when making any decision.

The Conservation statement report submitted by the applicant is neither expert, accurate or independent and means the application lacks evidence of HER or listed building Descriptions have been looked at. No mention is made of the Blockley Conservation Area Statement.

Listed Buildings adjacent to the site include Tudor House along with the barn in its rear garden (immediately adjacent to the application site); Crown Cottages to the north and School House to the northeast, on the opposite side of the Lane.

The consideration of the impact on Grade II Listed Buildings and others by the applicant concentrates on views from their perspective and does not consider their impact on their **setting, significance or how the proposal relates to them or might affect their setting or views within the Conservation Area.**

The proposal conflicts with the requirements set out in paragraph 189 of the NPPF, rather than assessing the significance of heritage assets it considers the significance of the 1980s dwelling on the application site. **This proposal causes harm to heritage assets detracting from the setting of the adjacent Listed Buildings and harming the character of the Conservation Area.**

The proposed development is out of keeping and character of the conservation area and area that is already facing significant gentrification with no discernible consideration of the lasting impact or protection of the character appraisal of the conservation area. The application does not appear to have evolved from an understanding of the site or the character of the area where buildings with side facing gables and clean eaves lines to the front elevation are typical as seen through the High Street, School Lane and Mill Lane.

**South Elevation:** Proposed rear gables extend too far into the rear garden creating unacceptable bulk and depth. Sloping land from the High Street to Mill Lane exposes the side elevation to neighbours at a lower level to the south.

**North Elevation:** The depth of building sought is too great causing physical and visual swamping of the original structure. This results in a building that does not sit well within the context of the wider area and related heritage assets in respect of its form and scale.

**Summary:**

The NPPF gives great weight to the conservation of heritage assets, It is not sufficient to say parts of the site cannot be seen from public vantage points, the site is seen from and in the context of the wider Conservation Area and the grounds and setting of adjacent Listed Buildings. The proposal causes harm to the significance of those heritage assets and their setting. The level of harm that arises from the scale, form and design of the proposed extensions to this dwelling is not justified by any public benefit.

Duncan Wilkinson & Lynn McCulloch

Submission from Applicant – Stephen Clarke – 20/01886/FUL

### Personal Statement

I am making this application to extend my family property almost entirely to the rear of the building into the garden, this will allow us to extend the upstairs bedroom area for my three children and add a family sitting-dining room to the downstairs. This is a family home which we are extending, I am not a professional property developer looking to build a holiday let or run this as a commercial property.

### Working practise

Over and above what has been submitted through the planning process, this relatively small build will be carried out by independent builders and tradespeople who will not be working before 8 am or after 6 pm. For these builders, they will be parked on the private driveway rather than school lane or high street where parking is limited. There are no plans for excessively noisy 'industrial' equipment such as piledrivers, to be used as this is a relatively small extension of predominately simple brick and tile construction.

### Materials

All the external bricks, cement colour, roof tiles and materials will also be selected in keeping with the materials of the current construction along with similar conservative glazing choices in keeping with the property and the village, these are all to be procured from local suppliers and manufacturers within the district. I will also be using this extension to update and replace much of the roof tiles which are in a very poor state of repair with a similar more up to date version of the Bradstone tiles that are currently there.

### Time frame

The draft time frame is expected to take approximately 3-4 months, weather allowing, to complete all the external work for this extension, funding is all in place including contingency, so there is not expected to be any protracted period over this timeline to complete the main build.

### In Summary

A relatively small extension to be completed in an achievable timeline of a few months in the rear garden of a property, being built to a good standard with matching materials in keeping with the style of the property and the village. The work will be carried out by local tradespeople as efficiently and safely as possible with the minimum of noise and disruption to others.

**Stephen and Lucy Clarke**



19/00644/LBC/FUL

23 Westonbirt Tetbury, Gloucestershire GL8 8QT — Natasha Dury

The conclusion of the consultees report was 'less than significant harm' to the asset. NPPF stipulates, where there is 'less than significant harm' the **Officer** should weigh up the public benefit against the harm in reaching a decision.

I believe that the Officer has failed to consider the 'Public Benefit' in reaching their decision, with reasons for refusal based solely upon the **historical significance**. I therefore ask the Committee to consider the Public Benefits and whether these **outweigh** the harm.

- The proposals are in keeping with the **cottages** scale and size, retain the original stone fabric, are contained to the rear of the **property**, **sustaining** the heritage asset of the front of the property, which is considered where the **historical significance** is contained.
- The design works within the restrictions of the **cottage** physical location and topography of the garden and within the grounds of **building** regulations and energy standards, to provide improved accommodation and living **standards** to secure the optimum viable use of the heritage asset in support of its long term **conservation**.
- The proposals provide for an upstairs **bathroom**, whilst retaining the cottage as a 3-bedroom cottage, ensuring optimum viable use of the **heritage** asset.
- The cottages were originally constructed to provide suitable accommodation and living standards for C19th working families. The proposals ensure appropriate evolution from the original C19th design to ensure the cottages are sustainable and viable for C21st young working families, with space for a dining table and upstairs bathroom, supporting its long term conservation.
- The proposals optimise the future viable use of the property to ensure it remains suitable as a small family cottage providing C21st accommodation and living standards and sustaining the community.
- Councils are under sustained pressure to provide more suitable housing for families, which can only realistically be achieved if existing housing stock are permitted to evolve and develop so as to provide for suitable and viable accommodation and standards pursuant to C21st standards and requirements. The proposals address this in ensuring the cottage is brought up to standards and achieve optimum viable use.
- As a consultant with my own small business, I work from home and currently use a bedroom as my office. With the evolution in business due to COVID-19, home working is set to become standard practice, making a home office a prerequisite for many residential properties. The proposals address this. Optimum 'viable use' for a C21st property will therefore need to consider provision of accommodation suitable for the requirement of both living and working/office, in line with Para12 NPPF.

I believe the economic, social and environmental 'Public Benefit' of the proposals, clearly and convincingly outweigh the harm and need to be considered in reaching a decision.

