



# COTSWOLD DISTRICT COUNCIL

Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>COUNCIL - 25<sup>TH</sup> SEPTEMBER 2019</b>
Report Number	<b>AGENDA ITEM (10)</b>
Subject	<b>PLANNING APPLICATION FOR THE CHANGE OF USE OF THE WAGGON AND HORSES PUBLIC HOUSE, LONDON ROAD, CIRENCESTER TO 5 FLATS</b>
Wards affected	St Michaels
Accountable member	Planning and Licensing Committee
Accountable officer	Adrian Walker, Senior Planning Officer Tel:01285 623501 Email: adrian.walker@publicagroup.uk
Summary/Purpose	To determine the planning application
Annexes	Annex A - Report to Planning & Licensing Committee
Recommendation/s	<i>That the application be PERMITTED subject to: (i) the suggested conditions set out in the application report, together with any conditions as may be agreed by the Council at its Meeting on 25th September 2019</i>
Corporate priorities	The Corporate Plan is currently being prepared.
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Annex A - Report to Planning Committee

## **1. BACKGROUND**

- 1.1. The planning application (the Application) for the change of use of The Waggon and Horses from a public house to 4 x 2-bed flats and 1 x 1-bed flat and associated demolitions and alterations (ref.19/02195/FUL) was considered at the Planning and Licensing Committee (the PLC) on 12 September 2019. After debating the Application Members did not reach agreement on whether to permit or refuse the Application.

## **2. MAIN POINTS**

- 2.1. At the PLC meeting, the proposition to follow the officers' recommendation to permit the Application subject to the addition of a condition to secure one cycle parking space per bedroom, resulted in six Members voting for it and seven Members voting against it and therefore the motion was not carried.
- 2.2. The subsequent proposition to refuse the Application due to the impact on the vitality and viability of the Cirencester Central Area, also resulted in six Members voting for it and seven Members voting against it therefore the motion was not carried.

## **3. FINANCIAL IMPLICATIONS**

- 3.1. If the applicant chooses to appeal against the non-determination of the Application, costs could be awarded to the applicant/appellant by the Planning Inspectorate if it is deemed that the Council has behaved unreasonably in reaching its decision. The level of any such costs is unknown but it could be in the region of £5,000 and must be paid by the Council.

## **4. LEGAL IMPLICATIONS**

- 4.1. The Application should be determined within the statutory time limits (eight weeks), otherwise the applicants can appeal against it for non-determination and apply for costs to be awarded.

## **5. RISK ASSESSMENT**

- 5.1. Costs could be awarded to the applicant/appellant by the Planning Inspectorate if the Council is thought to have behaved unreasonably.
- 5.2. Reputation of the Council.

## **6. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

- 6.1. Any climate change implications have been considered as part of the wider Application and in accordance with the legislation, Local Plan, all other relevant policies and material considerations.

(END)