

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

19TH AUGUST 2015

Present:

Councillor RL Hughes
Councillor SG Hirst

- Chairman
- Vice-Chairman

Councillors -

Miss AML Beccle
AW Berry
AR Brassington
Sue Coakley
Miss AJ Coggins
RW Dutton
David Fowles

JA Harris
M Harris
Mrs. SL Jepson
Ms JM Layton
MGE MacKenzie-Charrington
Mrs. TL Stevenson

Observers:

Mrs. JM Heaven (from 1.25 p.m.)

PL.29 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor David Fowles declared an interest in respect of application CD.2288/P, because he knew the Applicant, and he left the Meeting while that item was being determined.

Councillor David Fowles declared an interest in respect of application CT.9096, because he was acquainted with the Agent, and he left the Meeting while that item was being determined.

Councillor David Fowles declared an interest in respect of application CT.9096/A, because he was acquainted with the Agent, and he left the Meeting while that item was being determined.

Councillor SG Hirst declared an interest in respect of application CT.9096, because he knew the Agent socially, and he left the Meeting while that item was being determined.

Councillor SG Hirst declared an interest in respect of application CT.9096/A, because he knew the Agent socially, and he left the Meeting while that item was being determined.

Councillor Mrs. SL Jepson declared an interest in respect of application CD.2395/N, because she knew the Father of one of the Applicants socially. Councillor Mrs. Jepson was invited to make comments in respect of this

application in her capacity as Ward Member and she left the Meeting while it was being determined.

Councillor Mrs. SL Jepson declared an interest in respect of application CD.2288/P, because she knew the Applicant, and she left the Meeting while that item was being determined.

Councillor MGE MacKenzie-Charrington declared an interest in respect of application CD.2638/H, because he knew the parents of the Applicant socially, and he left the Meeting while that item was being determined.

Councillor Mrs. TL Stevenson declared an interest in respect of application CT.9096, because she was acquainted with the Agent, and she left the Meeting while that item was being determined.

Councillor Mrs. TL Stevenson declared an interest in respect of application CT.9096/A, because she was acquainted with the Agent, and she left the Meeting while that item was being determined.

Councillor Lynden Stowe had previously declared a Disclosable Pecuniary Interest in respect of application CD.2288/P, because he was the Applicant. Councillor Stowe was not present at the Meeting.

(2) Officer Declarations

There were no declarations from Officers.

PL.30 SUBSTITUTION ARRANGEMENTS

No substitution arrangements had been put in place for this Meeting.

PL.31 MINUTES

RESOLVED that the Minutes of the Meeting of the Committee held on 8th July 2015 be approved as a correct record.

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

PL.32 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.33 PUBLIC QUESTIONS

No public questions had been submitted.

PL.34 MEMBER QUESTIONS

No questions had been submitted by Members.

PL.35 PETITIONS

No petitions had been received.

PL.36 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:-

CD.0691/H

Outline application for the erection of a barn, stables and store and the creation of a new vehicular access (access, scale, layout and appearance to be considered as part of this application) at Glebe Farm, Saintbury -

The Team Leader drew attention to the extra representations received since publication of the Schedule of Planning Applications, including a third party representation which had been copied in full and placed before Members that morning. The Chairman allowed a period of time for the Committee to read those representations which had been circulated at the Meeting. The Team Leader reminded the Committee of the location of this site and outlined the proposals, drawing attention to the proximity of the site to the Conservation Area and to various Listed Buildings. The Team Leader displayed photographs illustrating views of the site from various vantage points.

The Chairman of the Parish Meeting, an Objector and the Agent were invited to address the Committee.

The Committee Services Manager read out comments from the Ward Members, neither of whom served on the Committee nor were able to attend the Meeting. The first Ward Member considered that circumstances at this site had not changed since the Committee's consideration of the previous application on 8th April 2015 and he expressed the view that the Committee should reinforce its original decision by refusing this application. The second Ward Member considered that the proposed development was unacceptable for reasons of its size and siting in a sensitive location on rising ground in a small Cotswold hamlet and in the Area of Outstanding Natural Beauty. The Ward Member contended that the proposal would result in a development which would be some 50% larger than the Tesco supermarket at Stow-on-the-Wold and suggested that it would inevitably introduce unwanted light pollution into the area.

In response to various questions from Members, it was reported that allegations of unauthorised building operations at this site were being investigated by Officers; the photographs displayed by the Team Leader had been taken during the Spring of 2015; the proposed development was intended for private use; there would not be any public access to, or livery at, the site; and, if the Committee was minded to approve this application as recommended, a Condition restricting use of the development for commercial purposes would be attached to any Decision Notice, as detailed in the circulated report.

Some Members expressed the view that, because of its size, the proposed building would have a significant impact, particularly given its prominent position in the landscape. Those Members also expressed concern in relation to access and the potential number of vehicle movements generated by the proposed development. Other Members reminded the Committee that, whilst the proposed development would have an impact on the Area of Outstanding Natural Beauty, there were other developments in the vicinity of this site which were visible from a number of public vantage points. Those Members also pointed out that this site did not impact on the landscape when viewed from the lower road. A Member pointed out that the proposed development constituted a sustainable rural enterprise. The Member contended that the building would be located in the lowest point of the site, its ridge would not be the highest point within the site, it would not have any demonstrable impact on the landscape when viewed from a distance, and that it would bring some employment to the countryside. Another Member contended that the proposed development would not enhance the Conservation Area and that it would compromise the character and appearance of the Area of Outstanding Natural Beauty.

Having considered the benefits and disadvantages of the proposal, a Proposition that this application be refused was duly Seconded.

Refused, for reasons relating to the impact of the proposed buildings on the Area of Outstanding Natural Beauty, the Conservation Area and the setting of the nearby Listed Buildings.

Record of Voting - for 11, against 4, abstentions 0, absent 0.

Note:

This decision was contrary to the Officer Recommendation for the reasons stated.

CD.2395/N

Proposed new dwelling and parking structure at land off School Lane, Lower Farm House, Blockley -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the access. The Case Officer displayed photographs illustrating views of the public context of this site, the access, and along School Lane, together with a photographic montage showing the scale of the proposed development when set against an existing barn conversion.

An Objector was invited to address the Committee.

The Ward Member, who served on the Committee, was invited to address the Committee. The Ward Member referred to the Sites Inspection Briefing undertaken in relation to this application which, she considered, would have given Members an appreciation of the highways issues in the vicinity of this site. The Ward Member contended that the Section 52 Legal Agreement was a major factor in respect of this application and that residents considered that 'great weight' should be given to that Agreement in the determination of this application. The Ward Member concluded by stating that the Committee would need to decide how much weight to attach to that Agreement.

Note - at this juncture, having previously declared an interest, the Ward Member left the Meeting while this item was being determined.

The Chairman referred to the Sites Inspection Briefing undertaken in respect of this application and invited those Members who had attended that Briefing to express their views. A majority of those Members commented that the scale of the proposed building was reasonable, given the size of the site, and there were already vehicles entering and leaving the site. Other Members commented that the proposed development would have an impact on the Conservation Area because of its prominence and that the proposed access arrangements could be improved.

In response to various questions from Members, it was reported that the Legal Agreement must have been considered to have been in accordance with the guidance available at the time it had been originally drafted; it went with the land and was binding on the relevant parties; Legal Agreements should now be used to help, rather than to prohibit, development; the parties to the Legal Agreement could now consider its revocation or amendment to reflect current planning policies; the planning permission granted in 1979 related to the barns situated behind this current site and the planning permission granted in 1985 related to another section of this current site; the site was situated in Flood Zone 1; in the event that the Committee was minded to approve this application as recommended, a Condition regarding the submission of a Construction Method Statement could be attached to any Decision Notice; and that the Applicant would be required to submit a drainage scheme to ensure that there was no adverse impact on existing properties.

A Member commented that drivers exiting the site would not have a clear view along the access track until their vehicles were some 4-5 feet through the gateway to this site. Another Member expressed concern that this was not the correct site for the proposed development, given its location in the Conservation Area and that the Legal Agreement was a material consideration.

Other Members reminded the Committee that vehicles leaving this site would exit into an area already used by vehicles and that ground maintenance vehicles already accessed the site.

A Proposition that this application be approved as recommended, was duly Seconded.

Approved, as recommended, subject to an extra Condition relating to the prior submission of a Construction Method Statement.

Record of Voting - for 9, against 4, abstentions 1, interest declared 1, absent 0.

CD.2288/P**Proposed replacement of three chimney flues on greenhouse boiler installation with two chimney flues at Tops Nursery, Broadway Road, Mickleton -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications. The Case Officer reminded the Committee of the location of this site and displayed an aerial photograph of the site, a photograph illustrating a view of the existing chimney flues and a photo montage of the proposed replacement flues.

In response to various questions from Members, it was reported that, if the Committee was minded to approve this application as recommended, a Condition requiring the prior installation of the replacement boiler system would be attached to any Decision Notice; the proposed replacement system would address the issue of an imbalance in the existing flues which would help to eradicate odours; and the prevailing wind was from the south-west.

A Proposition that this application be approved as recommended, was duly Seconded.

Approved, as recommended.

Record of Voting - for 12, against 0, abstentions 1, interest declared 2, absent 0.

CT.1787/R**Demolition of existing garage and redevelopment of the site to form 34 retirement living apartments with communal facilities and associated car parking and landscaping at TH White Ltd., Tetbury Road, Cirencester -**

The Team Leader drew attention to the extra representations received since publication of the Schedule of Planning Applications, and the Chairman allowed a period of time for the Committee to read those representations which had been circulated at the Meeting. The Team Leader displayed an artistic impression of the front and south elevations of the proposed building.

A Supporter and the Agent were invited to address the Committee.

Note - two Objectors who had registered to speak were invited to address the Committee but they were not present at the Meeting.

The Ward Member, who served on the Committee, was invited to address the Committee and commented that the Applicant had not addressed the issue of a pedestrian crossing between this site and the Waitrose store, nor the majority of the design issues which had been raised by the Committee at its previous Meeting. The Ward Member concluded by reminding the Committee that this was a 'gateway' site, which should be reflected in the built development.

In response to various questions from Members, it was reported that Officers had sought to negotiate with the Applicant and Agent over the design issues raised by the Committee at its previous Meeting; the Applicant had submitted a statement

detailing the reasons why the submitted design had been considered acceptable in this location; whilst Policy CIR3 applied to the entire Island site, the application site was separated from the larger site by significant historic walls; the design of the adjacent St. James Place development had a direct impact on development on this current site; development on this current site would not necessarily set a marker for development on the remainder of the Island Site; a pedestrian crossing between this site and the Waitrose store was not considered to be necessary in light of the comments from the County Highways Officer; there were other shopping opportunities in the vicinity of this site which future occupants could choose to use; Officers agreed with the suggested contributions towards town centre improvements; if the Committee was minded to approve this application as recommended, a good, consistent quality of natural stone that would weather naturally would be sought; Officers had relied on the experience of the Applicant and Building Regulations approval in relation to the provision of access for emergency vehicles, which had also been considered by the County Highways Officer; as the proposed design was considered to be acceptable, a viability statement had not been required; there were contamination, archaeological and heritage issues associated with this development; the suggested town centre improvements included the provision of new street furniture; the provision of a pedestrian crossing between this site and the Waitrose store would require permission from Gloucestershire County Council; Officers would be reluctant to seek a pedestrian crossing in that location without sufficient highway reasons to substantiate such a crossing; and, while it could be feasible to negotiate a crossing in that location through the financial contribution towards town centre improvements, flexibility would be required in the Legal Agreement to use such contribution, subject to necessary approvals.

A Member expressed concern that this site was currently in a poor state of repair. The Member commented that the proposed design reflected the design of the adjacent St. James Place development and considered that a precedent had been set for this area. A number of Members expressed concerns that the Applicant had not sought to address concerns raised by the Committee in relation to design, noise attenuation and 'green' amenity space. The Members reiterated previous concerns relating to design and access for emergency vehicles. Those Members contended that the opportunity to create an exciting development on a gateway site would be lost.

Other Members were mindful of the expression of support for this proposal from the Town Council. They contended that the proposed design and materials were acceptable and that the development constituted a natural transition from the modern elements of the town to the Conservation Area. The Members reminded the Committee that Policy CIR3 supported the development of a multi-storey car park on the Island Site which, it was considered, would be a lot less attractive than the proposed development, and that the Applicant was willing to allocate money to a pedestrian crossing between this site and the Waitrose store, subject to support from the Town Council. The Members contended that the proposed development would sit well with the Waitrose store and St. James Place development, and would be of benefit to the town, and that the proposal constituted a good use of this site.

The Ward Member was invited to address the Committee again and commented that, while he did not object to a residential use on this site, he did not support the design of the proposed building.

A Proposition that this application be approved as recommended, was duly Seconded.

At this juncture, the Committee was reminded that it would need justifiable reasons if it was minded to refuse this application.

The Head of Planning and Strategic Housing was authorised to approve, as recommended, subject to the prior completion of a Legal Agreement relating to financial contributions towards town centre improvements and off-site affordable housing.

Record of Voting - for 6 (including the Chairman's casting vote), against 5, abstentions 4, Ward Member unable to vote 1, absent 0.

Note:

An equality of votes was cast in respect of the Proposition and the Chairman was invited to consider using his Casting Vote. The Chairman exercised such Vote in favour of the Proposition to approve this application as recommended, subject to the prior completion of a Legal Agreement relating to financial contributions towards town centre improvements and off-site affordable housing.

CD.3314/D

Retrospective amendments to dwelling and ancillary domestic stable building approved under permission 12/04267/FUL, including the erection of a basement, insertion of roof lights and dormers into roof void to convert loft space to provide 3 bedrooms and an en-suite, erection of new entrance porch, together with minor amendments and associated works and alterations to outbuilding at Orchard Rise, Charingworth Road, Charingworth, Ebrington -

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications, and the Chairman allowed a period of time for the Committee to read those representations which had been circulated at the Meeting. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the difference in the height of the building, as approved and as built. The Case Officer displayed photographs illustrating views of the building from various vantage points.

A Supporter and the Applicant were invited to address the Committee.

The Ward Member, who served on the Committee, was invited to address the Committee and expressed the view that a Sites Inspection Briefing had been important on this occasion due to what she considered to be significant differences between the approved and built schemes. The Ward Member considered the circulated report to have been thorough and comprehensive, and she referred to the planning history relating to this site, and the additional information supplied by the Applicant. The Ward Member concluded by expressing the view that referring this application to the Committee for determination would ensure the transparency of the decision-making process.

In response to various questions from Members, it was reported that the Enforcement Officer had visited this site in November 2014 following a complaint in respect of the works being undertaken; the Officer had notified the Agent of the unauthorised works and had invited an application to regularise the situation;

there was alternative accommodation available on this site, which was in the ownership of the Applicant; the built development constituted a breach of planning law; in the event that the Committee was minded to refuse this application, as recommended, the development would be 'unpermitted' and the Committee could decide to authorise the taking of enforcement action; the Applicant could lodge an appeal against such decisions and, if those appeals were dismissed, the Applicant would be required to demolish the building within a period of twelve months; the Applicant could choose to submit another application seeking further amendments to the building; no response had been received from the Parish Council; if the built development had accorded with the approved plans, the Applicant could have converted the roof space without the need to apply for planning permission but such permission would have been required to increase the ridge height and insert dormer windows; the rear garden was not in compliance with the approved layout; the Case Officer had visited the site in January 2013 and had advised that a render sample panel was not acceptable but the Applicant had not responded to those concerns; and the internal floor space, as approved, was approximately 240 square metres, and 460 square metres, as built.

Some Members expressed the view that the built development was, essentially, the building that had been refused permission in 2011. Those Members contended that approval of a significantly smaller building in 2012 had given a clear indication to the Applicant on 'acceptability'. The Members further contended that it was difficult to find anything in the built development which accorded with the approved design and that this indicated that the Applicant had not made any attempt to construct the building in accordance with the approved plans, which they considered to be a blatant breach of the planning permission. The Members expressed the hope that, if this application was refused as recommended, a compromise solution would be put forward which would avoid the need to demolish the building. They noted the availability of alternative accommodation, which was currently owned by the Applicant, on this site, and they concluded by stating that there was no justification for approving this application.

Other Members contended that there were only marginal differences in the height and size of the built and approved developments, and that the house, as built, did not have a harmful impact on the landscape.

A Proposition that this application be refused as recommended, and that enforcement action be taken, was duly Seconded.

(a) Refused, as recommended;

Record of Voting - for 10, against 3, abstentions 1, Ward Member unable to vote 1, absent 0;

(b) Enforcement action be taken under Section 172 of the Town and Country Planning Act 1990, as amended, to secure:-

- (i) removal of the unauthorised building from the land within a period of ten months of the date on which the Notice takes effect;**
- (ii) permanent removal from the land of any materials resulting from the demolition within a period of eleven months of the date on which the Notice takes effect;**

(iii) reinstatement of the land where the unauthorised dwelling stood to its original levels and profile within a period of twelve months of the date on which the Notice takes effect.

Record of Voting - for 9, against 5, abstentions 0, Ward Member unable to vote 1, absent 0.

CD.2638/H

Siting of eight camping pods and associated works at Village Farm, Notgrove -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its proximity to existing holiday lets within the Applicant's ownership, landscaping and design. The Case Officer displayed photographs illustrating views of the site from various vantage points.

The Applicant was invited to address the Committee.

The Ward Member, who served on the Committee, was invited to address the Committee and stated that he had been impressed with the quality of the existing holiday lets on this site. The Ward Member contended that the paddock was an ideal site for the proposed camping pods as it was not visible from many public vantage points and had its own access. In addition, the Ward Member reminded the Committee that the surrounding land was in the ownership of the Notgrove Estate which, the Ward Member considered, had tried to improve and enhance the village. The Ward Member further considered that the proposed development would lead to an increase in tourism in the area, and concluded by suggesting that consideration be given to deferring this application for a Sites Inspection Briefing.

In response to various questions from Members, it was reported that, in the opinion of Officers, the introduction of the proposed pods, car parking and outdoor activities in this area would have a harmful impact on both the Area of Outstanding Natural Beauty and the Conservation Area; the Council had a statutory duty to conserve and enhance the Area of Outstanding Natural Beauty and the setting of the Conservation Area and, in the opinion of Officers, this proposal would not achieve such conservation and/or enhancement; as the proposed development would be on site on a permanent basis, it would be difficult to resist any further encroachment in this area; the land was currently agricultural; in the opinion of Officers, the proposed development would have an urbanising effect on the area; the proposed site was approximately 60-70 metres away from the nearest houses; and Officers had concerns over the impact of the introduction of additional activities in this location.

A Proposition that consideration of this application be deferred for a Sites Inspection Briefing, was duly Seconded. On being put to the vote, an equality of votes was cast, the Record of Voting being - for 6, against 6, abstentions 1, Ward Member unable to vote 1, interest declared 1, absent 0. Attention was drawn to Council Procedure Rule 36 relating to voting at Meetings of the Planning and Licensing Committee and/or Council Meetings where development control matters were being decided, and it was explained that, as the Chairman was also the Ward Member, he could not be invited to exercise his casting vote. In those circumstances, the Proposition fell as it could not be determined.

Note - in response to a question from a Member, it was reported that, under the Council's Constitution, there was no requirement for the Chairman to vacate the Chair at Meetings of the Planning and Licensing Committee if he/she was also the Ward Member in respect of a particular application.

Some Members considered that the Applicant was seeking to diversify his business, as promoted in various policies and that, as such, this application should be supported. Those Members contended that the proposed development would not have a harmful impact on the Area of Outstanding Natural Beauty or the setting of the Conservation Area and that, further, the Area of Outstanding Natural Beauty policies were too rigid. It was suggested that, if the Committee was minded to approve this application, Conditions relating to the removal of the pods and restoration of the land on cessation of the use, landscaping, occupancy and materials should be attached to any Decision Notice in order to reduce any urbanising of this site.

Approved, subject to the Council's standard Conditions and Conditions including landscaping, occupancy, maintenance, external lighting, removal of the pods and restoration of the land following cessation of the use, and materials.

Record of Voting - for 12, against 1, abstentions 0, Ward Member unable to vote 1, interest declared 1, absent 0.

Note

This decision was contrary to the Officer Recommendation because, on this occasion, a majority of the Committee was satisfied that the proposed development would not cause any significant visual harm and that any such harm would be outweighed by the economic benefits that would accrue from the development.

CD.2917/2/H

Erection of 26 dwellings with access road, footpaths and associated works (Reserved Matters details relating to layout, scale, appearance and landscaping of development approved under permission 13/02227/OUT) at Land Parcel north of Berrington Mill, Easting 415937, Northing 239283, Station Road, Chipping Campden -

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its proximity to a Scheduled Ancient Monument and the Conservation Area; an indicative layout; landscaping; the mix of housing types proposed; and materials.

A representative of the Applicant was invited to address the Committee.

The Committee Services Manager read out comments received from one of the Ward Members, who did not serve on the Committee and had been unable to attend the Meeting. The Ward Member considered the detailed plans for this development to be satisfactory but requested Officers to address the issues relating to highways and footpaths which had been flagged up in recent correspondence by local residents.

In response to various questions from Members, it was reported that the proposed dispersal of the affordable housing units on this site was considered to be acceptable, given the size of the development; and that the issues referred to by one of the Ward Members had been addressed.

A Proposition that this application be approved, as recommended, was duly Seconded.

Approved, as recommended, subject to no objections being raised by the County Highways Officer.

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

CD.9408/A

Outline planning application for a residential development of 57 dwellings with all matters reserved except access at land to the rear of Templefields and Crossfields, Andoversford -

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the constraints of the site; its location within a flood plain; and its proximity to various Listed Buildings, public rights of way and protected trees. The Case Officer displayed an aerial view of the site and photographs illustrating views of the access and views into the site from various vantage points.

A Member of the Parish Council, an Objector and the Agent were invited to address the Committee.

The Ward Member, who served on the Committee, was invited to address the Committee and expressed the view that the Officer Recommendation was aligned with local concerns raised in respect of this application. The Ward Member contended that the proposal constituted too many houses in the wrong location and referred to flooding in the village in July 2007 which had been caused by run-off from this site. The Ward Member concluded by reminding the Committee that, as the site was in close proximity to Ossage Farm, the proposed dwellings would have an adverse impact on the hounds that were kennelled there, and vice-versa.

In response to various questions from Members, it was reported that part of this site was situated in a flood plain and was expected to flood in extreme conditions, including other existing properties located within the flood plain; there was no requirement to seek a reduction in the speed limit along Gloucester Road as, in the opinion of the County Highways Officer, safe access could be achieved; the site would be subject to noise emanating from the kennels at Ossage Farm but that it was unlikely to be significant over and above the existing situation; Officer advice was that a 'split' decision would not be appropriate but, in the event that the Committee was minded to refuse this application as recommended, the refusal reasons should refer to the specific harm that would occur; Officers were confident that there were reasonable grounds to defend an appeal against refusal of this application; this was not the only development site in the village; this application was considered to be unsuitable because of the size of the development being proposed and its related impacts; the majority of the site was in Flood Zone 1; and some of the issues relating to the potential for flooding at

this site might have been addressed through other schemes undertaken in the village.

Some Members referred to the advance Sites Inspection Briefing undertaken in respect of this application. Those Members considered that development on all three fields would not be appropriate, given the location of one of the fields in Flood Zones 2 and 3, and the biodiversity present on that field. However, the other two fields could be considered appropriate for some level of development on a smaller scale than that currently proposed.

A Proposition that this application be refused, as recommended, was duly Seconded.

Refused, as recommended.

Record of Voting - for 13, against 0, abstentions 1, Ward Member unable to vote 1, absent 0.

Note:

Councillor RL Hughes vacated the Chair during the determination of this item because he was also the Ward Member. In the circumstances, Councillor SG Hirst took the Chair in his capacity as Vice-Chairman.

PL.37 DURATION OF MEETING

Attention was drawn to Council Procedure Rule 9, and a vote was taken as to whether the Meeting should continue.

RESOLVED that the Meeting be continued.

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

PL.38 SCHEDULE OF APPLICATIONS (CONTINUED)

RESOLVED that the remaining applications be dealt with in accordance with Minute PL.36 above.

CD.3390/T

Outline planning application for the erection of up to 30 residential units and associated infrastructure (all matters reserved except access) at land south of Gloucester Road, Andoversford -

This application had been withdrawn following publication of the Schedule of Planning Applications but prior to the Meeting.

CD.3048/D

Extension of The Old Police Station to form two dwellings and erection of a pair of holiday units and double carport in the rear garden at Police Station, Moore Road, Bourton-on-the-Water -

The Team Leader reminded the Committee of the location of this site and outlined the proposals, drawing attention to the proposed elevations and on-site car

parking arrangements. The Case Officer displayed an aerial photograph of the site and photographs illustrating existing buildings on the site, views from within the site, and view into the site from various public vantage points.

A Member of the Parish Council was invited to address the Committee.

The Committee Services Manager read out comments received from the Ward Member, who did not serve on the Committee and had been unable to attend the Meeting. The Ward Member explained that he had referred this application to the Committee for determination for reasons relating to overdevelopment of the site, parking and highway safety. The Ward Member reminded the Committee that a previous application on this site had proposed to replace the existing building with a single three-bedroom house. He contended that the current proposal would 'cram' two houses with seven bedrooms, and two holiday lets, onto a site which, he considered, was appropriate for one three/four bedroomed house, and that the current proposal would result in the overdevelopment of the site. The Ward Member also pointed out that the proposed holiday let units would be two-storey as the submitted plans had indicated that the two bedrooms therein would form part of the roof space of those buildings. The Ward Member further considered that the existing sewage system would not be able to cope with discharge from the proposed development, and that accommodating parking for eight vehicles on-site would have an adverse impact on the ability of vehicles to manoeuvre safely within the site and the potential for disturbance to be caused to nearby residents. The Ward Member suggested that the proposed parking arrangements could result in vehicles having to reverse onto Moore Road in order to exit the site which, he contended, would be a highly dangerous proposition. The Ward Member also expressed concern that the Conditions suggested in respect of the proposed holiday units would be unenforceable, and he concluded by suggesting that the Committee should consider this application as being for four individual units, providing eleven bedrooms, on a relatively small site.

In response to various questions from Members, it was reported that amenity space for the proposed dwellings would be commensurate for the size and location of those dwellings; amenity space for the proposed holiday units would be limited; as the proposal complied with policy, Officers had not sought negotiations with the Applicant in respect of the Parish Council's stated objectives for this site; 'residential accommodation' and 'holiday lets' fell into different Use Classes under planning law; in the opinion of Officers, vehicles would be able to exit the site in a forward gear; and there were no occupation restrictions on accommodation for holiday purposes.

Some Members expressed support for the principle of redevelopment on this site. However, those Members considered that this proposal would result in the overdevelopment of the site. Other Members expressed support for the development, as proposed.

A Proposition that this application be approved as recommended, was duly Seconded. On being put to the vote, that Proposition was LOST. The Record of Voting in respect of that Proposition was - for 7, against 8 (including the Chairman's Casting Vote), abstentions 1, absent 0.

Note - An equality of votes was cast in respect of the Proposition and the Chairman was invited to consider using his Casting Vote. The Chairman exercised such Vote against the Proposition to approve this application.

Some Members suggested that consideration of this application be deferred for further negotiations to achieve a development which was more commensurate with the housing needs of the village, and a Proposition to that effect was duly Seconded. Officers drew the Committee's attention to the relative tests that needed to be applied in the determination of this application, and that Proposition was WITHDRAWN.

A further Proposition that this application be refused, was duly Seconded.

Refused, for reasons relating to overdevelopment of the site, lack of appropriate amenity space, and impact on the street scene.

Record of Voting - for 8, against 6, abstentions 1, absent 0.

Note:

This decision was contrary to the Officer Recommendation for the reasons stated.

CT.1479/R

Redevelopment and conversion of former pig farm buildings to provide 4 light industrial workshops (Use Class B1(c) and Ancillary B8) with associated car parking and access at Bagendon Downs Farm, Perrotts Brook, Bagendon -

The Team Leader drew attention to the extra representations received since publication of the Schedule of Planning Applications. The Team Leader reminded the Committee of the location of this site and outlined the proposals, drawing attention to its location in the Area of Outstanding Natural Beauty; its proximity to existing public rights of way; a permitted equestrian use on the site; elevations; and layout. The Team Leader displayed an aerial photograph of the site; photographs illustrating views of the existing buildings, including interior views thereof; the access; existing residential buildings; and across the site; and illustrative impressions of the finished scheme.

A Member of the Parish Council, an Objector and the Agent were invited to address the Committee.

In response to various questions from Members, it was reported that 'light industrial use' was defined as being uses which could operate in close proximity to existing residential properties without causing disturbance; this application sought to introduce a B1 use on the site; traffic from this site and the adjacent quarry would seek to access the main road via the shortest, most appropriate route; Officers considered the existing building on this site to be ancillary to the authorised equestrian use; this proposal would provide an opportunity for the adjacent Lyncroft Farm workshops, the subject of the subsequent application (CT.2339/1/P referred), to relocate to more modern accommodation on this current site; as the Applicant had not submitted any proposals to access this site from Welsh Way, the County Highways Officer had assessed this application as proposed; it might be possible to form an alternative access but that would most probably have landscape impact implications; and, in the event that the Committee was minded to approve this application as recommended, the Council's Environmental Health Officer had requested that Conditions relating to external lighting and noise be attached to any Decision Notice.

A Proposition that consideration of this application be deferred for a Sites Inspection Briefing, was duly Seconded.

(a) Deferred for a Sites Inspection Briefing to assess the impact of the proposed development on the existing uses of this site, nearby residential properties, and access;

(b) all Members of the Planning and Licensing Committee be invited to attend this Sites Inspection Briefing as an approved duty.

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

Notes:

(i) It was agreed that the County Highways Officer be invited to attend this Sites Inspection Briefing.

(ii) It was considered that all Members of the Committee should be invited to attend this Sites Inspection Briefing as an approved duty because of its potential impact on the surrounding area.

(iii) Officers were requested to raise the issue of a potential alternative access with the Applicant.

CT.2339/1/P

The demolition of existing workshops and erection of 2 detached dwellings and associated works at Lyncroft Farm Workshops, Perrotts Brook, Bagendon -

The Team Leader suggested that, in light of the Committee's decision in respect of application CT.1479/R above, consideration of this application be deferred for a Sites Inspection Briefing.

The Agent was invited to address the Committee but declined to do so in light of the Committee's decision in respect of the previous application (CT.1479/R above referred).

A Proposition that this application be deferred for a Sites Inspection Briefing, was duly Seconded.

(a) Deferred for a Sites Inspection Briefing to assess the impact of the proposed development on the existing uses of this site, nearby residential properties, and access;

(b) all Members of the Planning and Licensing Committee be invited to attend this Sites Inspection Briefing as an approved duty.

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

Notes:

(i) It was agreed that the County Highways Officer be invited to attend this Sites Inspection Briefing.

(ii) It was considered that all Members of the Committee should be invited to attend this Sites Inspection Briefing as an approved duty because of its potential impact on the surrounding area.

CT.9096

Proposed extension and alterations at 2 Woodlands Cottages, Easton Grey Road, Westonbirt -

The Team Leader reminded the Committee of the location of this site and outlined the proposals, drawing attention to an historic wall surrounding a park associated with a neighbouring property, and the elevations proposed. The Team Leader displayed an aerial photograph of the site and photographs illustrating views of the rear elevation of the property.

The Ward Member, who did not serve on the Committee, was invited to address the Committee and explained that the proposed extension would be in close proximity to an existing wall adjacent to the neighbouring property. The Ward Member considered that the proximity of the extension to that wall would not facilitate access to the properties in an emergency or for repairs. The Ward Member expressed concern over the use of red brick in this location, suggested that the size of the proposed extension should be reduced in order to ensure that it coincided with the building line of the adjacent property, and concluded by expressing the view that this application should be refused.

In response to various questions from Members, it was reported that the existing red brick extension was an historic addition to the cottage; historically, red brick had been used in the construction of subservient buildings in visible areas in and around this site; the proposal included the replacement of the 'modern' corrugated roof of the rear extension with a flat lead roof; in the opinion of Officers, the existing extension formed part of the historic integrity and hierarchy of the building; in the view of Officers, there were no justifiable reasons to seek to increase the space between the proposed extension and the adjacent wall; the alternative scheme put forward by the Applicant would lead to a reduction in the garden space available to the property; the existing buildings constituted a pair of semi-detached cottages; and the occupiers of the adjacent cottage had not objected to this application.

The Ward Member was invited to address the Committee again and commented that the occupiers of the adjacent cottage had objected to this application.

A Proposition that this application be approved as recommended, was duly Seconded.

Approved, as recommended.

Record of Voting - for 10, against 2, abstentions 0, interests declared 3, absent 0.

CT.9096/A

Proposed extension and alterations at 2 Woodlands Cottages, Easton Grey Road, Westonbirt -

A Proposition that this application be approved as recommended, was duly Seconded.

Approved, as recommended.

Record of Voting - for 10, against 2, abstentions 0, interests declared 3, absent 0.

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.

Further representations were reported in respect of applications CD.0691/H, CD.2917/2/H, CD.9408/A, CD.3048/D, CT.9096 and CT.9096/A.

(ii) Ward Members not on the Committee - Invited to Speak

Councillor Mrs. JM Heaven was invited to speak on applications CT.9096 and CT.9096/A.

(iii) Public Speaking

Public speaking took place as follows:-

<u>CD.0691/H</u>	)	Mrs. A Thomas (Parish Meeting)
	)	Mr. J Rutherford (Objector)
	)	Mrs. L Humphries (Agent)
<u>CD.2395/N</u>	)	Mr. L Penman (Objector)
<u>CT.1787/R</u>	)	Mrs. Tout/Mr. Pruett (Objectors)*
	)	Mr. N Cuthbert (Supporter)
	)	Mr. G Bendinelli (Agent)
<u>CD.3314/D</u>	)	Mrs. H Hortop (Supporter)
	)	Mrs. S Ayres (Applicant)
<u>CD.2638/H</u>	)	Mr. H Ackland (Applicant)
<u>CD.2917/2/H</u>	)	Miss E Evans (Applicant)
<u>CD.9408/A</u>	)	Councillor T Redman (Parish Council)
	)	Mr. C Adams (Objector)
	)	Miss C O'Hanlon (Agent)
<u>CD.3048/D</u>	)	Councillor B Sumner (Parish Council)
<u>CT.1479/R</u>	)	Councillor H Purkess (Parish Council)

) Mr. Hall (Objector)
) Mr. G Godwin (Agent)
CT.2339/1/P) Mr. G Godwin (Agent)**

* not present;

** declined to speak (see application CT.2339/1/P on page 57 above).

P.39 SITES INSPECTION BRIEFINGS

1. Members for 2nd September 2015

All Members of the Planning and Licensing Committee were invited to attend the Sites Inspection Briefings on Wednesday 2nd September 2015 as an approved duty.

2. Advance Sites Inspection Briefings

It was noted that advance Sites Inspection Briefings would take place on Wednesday 2nd September 2015 in respect of the following application:-

15/01923/FUL - Solar PV Farm at Land Parcel east of Witpit Lane, Preston, Cirencester - to enable Members to gain an appreciation of the landscape in which the development would be located, public views of it and the proximity to residential dwellings

Note:

It was considered to be appropriate for all Members of the Committee to attend this advance Sites Inspection Briefing on this occasion, as an approved duty, because of the potential impact on the Area of Outstanding Natural Beauty.

P.40 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m., adjourned between 10.50 a.m. and 11.00 a.m., and again between 12.50 p.m. and 1.15 p.m., and closed at 3.25 p.m.

Chairman

(END)