

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

13TH JANUARY 2016

Present:

Councillor RL Hughes - Chairman
Councillor SG Hirst - Vice-Chairman

Councillors -

Miss AML Beccle	RW Dutton
AW Berry	David Fowles
AR Brassington	M Harris
Sue Coakley	Mrs. SL Jepson
Alison Coggins	MGE MacKenzie-Charrington
PCB Coleman	

Substitutes:

Jim Parsons

Apologies:

Juliet Layton

Tina Stevenson

PL.87 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor AW Berry declared a Disclosable Pecuniary Interest in respect of applications CT.1571/N and CT.1571/M, because he was one of the Applicants. Councillor Berry was invited to speak on both applications in that capacity and he then left the Meeting while those items were being determined.

Councillor David Fowles declared an interest in respect of application CT.8347/A, because he was acquainted with the Applicant, and he left the Meeting while this item was being determined.

Councillor M Harris declared an interest in respect of application CT.8347/A, because he was acquainted with the Applicant, and he left the Meeting while this item was being determined.

(2) Officer Declarations

There were no declarations from Officers.

PL.88 SUBSTITUTION ARRANGEMENTS

Councillor Jim Parsons substituted for Councillor Tina Stevenson.

PL.89 MINUTES

RESOLVED that the Minutes of the Meeting of the Committee held on 9th December 2015 be approved as a correct record.

Record of Voting - for 13, against 0, abstentions 1, absent 1.

PL.90 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.91 PUBLIC QUESTIONS

No public questions had been submitted.

PL.92 MEMBER QUESTIONS

No questions had been submitted by Members.

PL.93 PETITIONS

No petitions had been received.

PL.94 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:-

CT.8347/A**Erection of Guest/‘Granny’ Annexe at 24 Chester Crescent, Cirencester -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the existing and proposed site plans; a floor plan; and revised elevations. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views into the site and of the corner of Chester Crescent and Chester Street.

A Member of the Town Council and the Applicant were invited to address the Committee.

In response to various questions from Members, it was reported that Officers could seek to negotiate the relocation of the proposed door from the Chester Street elevation to an existing passageway; in the opinion of Officers, the door would not have any adverse impact on the Conservation Area and would fit in with the Victorian aesthetics of the main building; if the Committee was minded to approve this application as recommended, details of the finish of the door would be sought; the design of the proposed building was considered to be appropriate in this location as it would be ancillary to the main house; in the opinion of Officers, it would be difficult to justify the use of the proposed building as a self-contained unit; permission would be required if the owners wanted to use the building as a separate unit in the future; and any such application would be determined on its merits.

A number of Members considered that an uninterrupted wall along the boundary with Chester Street would be consistent with the street scene, and suggested that, if the Committee was minded to approve this application, such permission should be subject to negotiations to relocate the door from the Chester Street elevation to the elevation facing onto an existing passageway. Other Members considered that the proposed door would enhance the street scene and that the proposed development would result in small, noticeable improvements to the building, making it practical for modern use.

A Proposition, that this application be approved subject to successful negotiations over the relocation of the door from the Chester Street elevation, was duly Seconded.

The Head of Planning and Strategic Housing was authorised to approve as recommended, subject to successful negotiations over the relocation of the door from the Chester Street elevation to the elevation facing onto an existing passageway.

Record of Voting - for 6, against 5, abstentions 1, interest declared 2, absent 1.

Note:

It was requested that this application be referred back to the Committee for determination in the event that the Applicant did not agree to relocate the door.

CT.5335/H**Retrospective Change of Use from office to C4 residential use at 105 Cricklade Street, Cirencester -**

The Case Officer reminded the Committee of the location of this site and outlined the proposal, drawing attention to the extant permission; parking arrangements; access; and layout. The Case Officer also displayed photographs illustrating views of the front and rear elevations of the building.

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

In response to various questions from Members, it was reported that permission to convert this building into three flats had been granted in October 2014; if the Committee was minded to approve this application as recommended, the property would add one unit of accommodation to the Council's five-year land supply as opposed to the three units that would have been added if the extant permission had been implemented; the proposal included provision of five parking spaces and the omission of an extension that had been proposed as part of the development approved under the extant permission; and, if the Committee was minded to refuse this application for reasons relating to the protection of the retail commercial core of the town, it would be difficult to defend any subsequent appeal in light of the extant permission and evidence relating to the marketing of the property as a business unit that had been submitted previously, demand for the type of accommodation that this proposal would provide, and an indication from the Applicant that the previously-approved scheme could be implemented.

A Member reminded the Committee that approval had already been granted for a Change of Use from business to residential at these premises. The Member contended that, on this occasion, the Committee would not be justified in seeking additional off-street parking for this development, given the proximity of the site to the town centre, or additional soundproofing.

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

Approved, as recommended.

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

CD.5090/1/X**Proposed new building for office/child care facility ancillary to New Farm B1(a)/D1(b) at New Farm, Daylesford -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the layout of the site; its proximity to a public right of way; the proposed elevations; access; materials; and landscaping. The Case Officer displayed photographs illustrating views into the site from various locations, and views across the site.

A Representative of the Parish Meeting 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 not been able to attend the Meeting. The Ward Member congratulated the Applicant on the widespread applause it had received for its imaginative enterprise which had been developed over a number of years. However, he suggested that there was a legitimate concern over the physical size and spread of the business which, he contended, was already dominant in the locality. The Ward Member stated that there was a fear that the business would seek to grow much larger and further contended that it could subsume the character of the quintessential village of Adlestrop into what he considered to be an alien culture. The Ward Member expressed support for the specific objections that had been put forward on behalf of the Parish Meeting and suggested that the Committee should consider issues relating to the adequacy of the existing office facilities at this site; the scale of the proposed development; its proposed location; and the monitoring of Conditions prohibiting use of the proposed child care facilities on Sundays and Bank Holidays. The Ward Member concluded by suggesting that consideration of this application should be deferred for a period of two months in order to allow time for further negotiations between the Applicant's Agent, himself, Officers and the Parish Meeting to explore the areas of concern highlighted.

In response to various questions from Members, it was reported that the proposed child care facilities were intended for use by employees and customers of the enterprise; the proposed use was considered to be ancillary to the existing enterprise; if the Committee was minded to approve this application as recommended, any advertising of the proposed facility to the general public would constitute a breach of the planning permission; the Applicant was satisfied with the restriction proposed in respect of use of the facility on Sundays and Bank Holidays; there was evidence that there had been a hard standing on this site since at least 2010; the proposed development would be some 370 metres from the nearest residential properties; the issue of a deferral, as suggested by the Ward Member, had not been discussed; and the Applicant had not submitted any master plan in respect of development on this site.

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 an area of open countryside within the Area of Outstanding Natural Beauty;

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

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

Note:

All Members of the Committee were invited to attend this Sites Inspection Briefing because it was considered that the application constituted a 'major' development within the Area of Outstanding Natural Beauty.

CT.1571/N**External and internal alterations to facilitate conversion of barn to residential annexe at Pigeon House, Church Road, Kemble -**

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 Listed Buildings within the site, and its proximity to the Listed Church and to other Listed Buildings; the Conservation Area boundary; and an area of special landscape interest. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the barn from various vantage points. The Case Officer also amplified aspects relating to the potential impact of the proposal on a neighbouring residential property and another residential property in close proximity to the site in terms of residential amenity and overlooking.

An Objector and one of the Applicants were invited to address the Committee.

Note:

Both the Objector and Applicant spoke on this, and the subsequent application (CT.1571/M). Having previously declared a Disclosable Pecuniary Interest in this application and the subsequent application, Councillor AW Berry then left the Meeting while they were being determined.

In response to various questions from Members, it was reported that the garden elevation of the Listed barn was considered to be its principal elevation; in the opinion of Officers, the insertion of roof lights in the principal elevation would have a significant, detrimental impact thereon, would appear 'cluttered', and had not therefore been supported; it was accepted that the proposed conversion would have an impact on the Listed Building, but Officers had attempted to seek the least-harmful solution; the rear roof slope and elevation were not considered to be of such significant interest as the principal elevation; the Committee could take a different view to that expressed by Officers if there was justification for doing so; the proposal was for flush-fitting roof lights to be installed; the submitted application was for three roof lights; the site was in an area containing a mix of building types, including post-war modern and Listed Buildings; there were examples of other buildings with roof lights in the vicinity of this site; if the Committee was minded to approve this application, Officers could seek to negotiate the removal of one of the roof lights proposed to be inserted over a stairwell as that area would also benefit from light through a glazed area in the principal elevation; and, having considered all the relevant considerations, the Committee could reach different conclusions in respect of this, and the subsequent application (CT.1571/M).

Some Members expressed support for this application, subject to negotiations to reduce the number of roof lights proposed to two. Those Members concurred with the views expressed by Officers in relation to the impact on the principal elevation, and contended that two roof lights, as suggested, would not have an adverse

impact on the rear elevation. Other Members expressed a preference for the roof lights to be installed in the principal elevation. Those Members agreed that conversion would help to preserve the building, but they contended that the current proposal would have an adverse impact on the residential amenities of the neighbouring property and that the unspoiled rear elevation should remain intact.

At this juncture, it was reported that the impact on the Listed Building would be a consideration for the Committee in its determination of the subsequent planning application relating to this site (CT.1571/M). In that context, it was noted that the Committee could consider refusing that subsequent application for reasons relating to the impact on a Listed Building if the decision in respect of this current application was to refuse. However, in both respects, a decision to refuse would have to be justified by the application of the appropriate tests for each.

A Proposition, that this application be approved subject to negotiations to a reduction in the number of roof lights to two, was duly Seconded. A Member expressed the view that the insertion of roof lights would spoil this simple stone barn completely and gave notice of a further Proposition that this application be refused, in the event that the current Proposition was not supported by a majority of the Committee.

The Head of Planning and Strategic Housing was authorised to approve as recommended, subject to successful negotiations to reduce the number of roof lights proposed to two.

Record of Voting - for 8, against 5, abstentions 0, interest declared/Ward Member unable to vote 1, absent 1.

CT.1571/M

Conversion of barn to residential annexe at Pigeon House, Church Road, Kemble -

There were no further updates from the Case Officer in respect of this application, who had made all of her comments relating to this application in her presentation on the previous Listed Building application relating to this site (CT.1571/N).

An Objector and the Applicant, who had both registered to speak on this application, had made all their comments when they spoke on the previous Listed Building application relating to this site (CT.1571/N).

In response to various questions from Members, it was reported that, if the Committee was minded to approve this application, a Condition requiring the installation of non-opening roof lights could be attached to any Decision Notice; the proposed roof lights were shown as being 1.9 metres from the ground on the submitted plans; in the view of Officers, the installation of roof lights in the principal elevation of this building would have a more detrimental effect than if they were installed as proposed; roof lights were considered to be the least-obtrusive method of achieving light for the proposed rooms; the rear elevation of this building was not considered to be as important as the principal elevation; there was more scope for the development, as proposed, to have an adverse impact on the residential amenities of the neighbouring property; the proposed roof lights would not result in the overlooking of the neighbouring property; Officers had considered the full-time occupation of this building by family members in their assessment of this application; permission would be required for

the future sub-division of the building to create a separate unit; and the proposed unit could be used to provide holiday accommodation in association with the use of the main residence, as 'guest accommodation' had already been conditioned albeit as ancillary to The Pigeon House.

A Member referred to the Committee's decision in relation to the previous application (CT.1571/N), and expressed the view that a reduction in the number of roof lights to two would be acceptable, and a Proposition to that effect was duly Seconded. Other Members stated that they had not supported the previous application (CT.1571/N), and that they considered that this application would have an unacceptable adverse impact on the residential amenities of the neighbouring property, as well as a significant adverse impact on the Listed Building.

The Head of Planning and Strategic Housing was authorised to approve as recommended, subject to successful negotiations to reduce the number of roof lights proposed to two.

Record of Voting - for 8, against 5, abstentions 0, interest declared/Ward Member unable to vote 1, absent 1.

Note:

At this juncture, Councillor Berry rejoined the Meeting.

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:-

<u>CT.8347/A</u>)	Councillor S Tarr (Town Council)
)	Mr. R Blackaller (Applicant)
<u>CT.5335/H</u>)	Councillor S Tarr (Town Council)
<u>CD.5090/1/X</u>)	Mr. J Main (Parish Meeting)
<u>CT.1571/N</u>)	Mr. R Watling (Objector)
)	Mr. AW Berry (Applicant)
<u>CT.1571/M</u>)	Mr. R Watling (Objector)
)	Mr. AW Berry (Applicant)

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

PL.95 SITES INSPECTION BRIEFINGS

1. Members for 3rd February 2016

It was noted that all Members of the Committee had been invited to attend the Sites Inspection Briefing on Wednesday 3rd February 2016 as an approved duty.

2. Advance Sites Inspection Briefings

15/02829/FUL - erection of a replacement poultry building at Dovers Orchard Farm, Hoo Lane, Chipping Campden - to assess the impact of the proposed development on the Area of Outstanding Natural Beauty.

Note:

Consideration of this item had been deferred for a Sites Inspection Briefing at the Committee's Meeting on 9th December 2015 and all Members of the Committee had been invited to attend the Briefing as an approved duty. Subsequent to that Meeting, the proposed Sites Inspection Briefing had been deferred until Wednesday 3rd February 2016, in order to allow sufficient time for the Applicant to submit an odour assessment.

P.96 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m., adjourned between 11.25 a.m. and 11.30 a.m., and closed at 11.47 a.m.

Chairman

(END)