

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

10TH FEBRUARY 2016

Present:

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

Councillors -

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

Substitutes:

RG Keeling

Observers:

Julian Beale	SDE Parsons (from 9.55 a.m. until 11.20 a.m.)
JA Harris (until 10.50 a.m.)	
NJW Parsons (from 10.15 a.m. until 11.55 a.m.)	NP Robbins (from 9.40 a.m. until 10.20 a.m.)

Apologies:

Alison Coggins

PL.97 DECLARATIONS OF INTEREST

(1) Member Declarations

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.

Councillor SDE Parsons declared a Disclosable Pecuniary Interest in respect of application CT.9142, because he was one of the Applicants. Councillor Parsons left the Meeting prior to the determination of this item.

(2) Officer Declarations

PL.98 There were no declarations from Officers.
SUBSTITUTION ARRANGEMENTS

Councillor RG Keeling substituted for Councillor Alison Coggins.

PL.99 MINUTES

RESOLVED that the Minutes of the Meeting of the Committee held on 13th January 2016 be approved as a correct record.

Record of Voting - for 12, against 0, abstentions 3, absent 0.

PL.100 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.101 PUBLIC QUESTIONS

No public questions had been submitted.

PL.102 MEMBER QUESTIONS

No questions had been submitted by Members.

PL.103 PETITIONS

No petitions had been received.

PL.104 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 a Guest/Granny' Annexe at 24 Chester Crescent, Cirencester -**

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 explained that the application had been referred back to the Committee for determination because the Applicant wished to retain the door opening onto Chester Street. However, the Applicant had submitted an amended design and the Case Officer displayed an illustration of the proposed door and a photograph illustrating a view of a similar door in the vicinity.

The Applicant was invited to address the Committee.

The Ward Member, who did not serve on the Committee, was invited to address the Committee and stated that he understood the concerns raised by the Town Council in relation to the proposed door. The Ward Member was aware of other, similar doors in the vicinity of this site and he concluded by expressing the view that approval of a door in the location proposed would have an adverse impact on the street scene.

In response to a question from a Member, it was reported that, if the Committee was minded to approve this application as recommended, use of the proposed annexe as a holiday let would be precluded by a Condition attached to any Decision Notice.

A Member expressed support for the revised design of the door and a Proposition, that this application be approved as recommended, was duly Seconded.

Approved, as recommended.

Record of Voting - for 13, against 0, abstentions 0, interests declared 2, absent 0.

CT.3955/W**Erection of a boundary wall measuring 0.9 metres and 2 metres in height and removal of a section of the existing boundary wall to the rear and front of the property at 32 Savory Way, Cirencester -**

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 suggested visibility splay and suggested Conditions in the event that the Committee was minded to approve this application, as recommended. The Case Officer displayed photographs illustrating views of the site from various vantage points.

The Ward Member, who did not serve on the Committee, was invited to address the Committee. The Ward Member stated that the Residents' Association had been set up to look after the interests of all of the residents within this development and commented that, if this application was approved as recommended, it could set a precedent for similar developments elsewhere within the estate.

In response to various questions from Members, it was reported that, as each application was considered on its merits, granting permission in respect of this site would not set a precedent for similar developments elsewhere within this estate; Officers did not have any information relating to the potential number of properties within this estate that could seek a similar development; in its determination of this application, the Committee should take note of the representation submitted on behalf of the Residents' Association but that no greater weight should be attached to that representation than would be attached to any other third party representations; there were a number of 'soft' landscaped areas elsewhere within this estate; the issue of a Restrictive Covenant at this site was not a material planning consideration in the determination of this application; and the Applicant could build a wall of up to one metre in height under Permitted Development Rights.

A Member expressed support for this application. The Member considered it reasonable for the Applicant to seek to create a secure, safe garden to his property and that the location of the proposed wall and the creation of a visibility splay would preserve the 'soft' landscaping. 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 3, against 12, abstentions 0, absent 0.

Other Members commented that the estate had been designed as an open plan estate and they stressed the importance of preserving areas of 'soft' landscaping, given the amount of 'hard' landscaping that existed within this estate. One Member commented that the site already had the benefit of a secure garden area, and that this proposal was against the ethos of an open plan estate. Another Member commented that the proposed wall would overpower the narrow walkway and would have an adverse impact on the street scene.

Some Members expressed the view that consideration of this application should be deferred for a Sites Inspection Briefing, and a further Proposition to that effect was duly Seconded. On being put to the vote, that further Proposition was LOST. The Record of Voting in respect of that further Proposition was - for 3, against 12, abstentions 0, absent 0.

Another Proposition, that this application be refused for reasons relating to its impact on the street scene and on the open aspect of the estate, was duly Seconded.

Refused, for reasons relating to the impact of the proposed development on the street scene and on the open aspect of the estate.

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

Note:

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

CD.2846/B

Erection of a replacement poultry building at Dovers Orchard Farm, Hoo Lane, Chipping Campden -

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications. The Case Officer drew the Committee's attention to the Additional Pages Update and the fact he had changed his Officer Recommendation to a delegated permission, subject to receipt of a formal response from the Environmental Health Officer. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the proximity of the site to the town and the Cotswold Way; an existing building on the site; an extant permission for a two-storey poultry building; and a floor plan showing the extant permission overlaid on the existing building. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views into the site from various vantage points.

An Objector and the Applicant were invited to address the Committee.

The Committee Services Manager read out comments submitted on behalf of both Ward Members, neither of who served on the Committee nor had been able to attend the Meeting. The Ward Members had expressed their thanks to the Committee for undertaking a Sites Inspection Briefing in relation to this application which, they considered, had enabled the Committee to see how best the concerns expressed by local residents could be addressed. The Ward Members recognised that the options available to the Committee on this occasion could be constrained by the extant permission on this site and concluded by suggesting that if the Committee was minded to approve this application as recommended, the Conditions attached to any Decision Notice should be sufficiently robust to ensure protection for local residents.

In response to various questions from Members, it was reported that, if the Committee was minded to approve this application as recommended, the Ward Members could be consulted in respect of the details to be submitted for compliance with the landscaping condition; views of the site from Chipping Campden were obstructed by existing developments and landscaping; the floor area of the proposed building would be greater than that approved under the extant permission; grey cladding was proposed for the walls of the building and the roof would be dark blue in colour; a farm would be expected to have a contract to control vermin but, if the Committee was minded to approve this application as recommended, a Condition relating to the control of vermin could be attached to any Decision Notice; the proposed building would be located some 75 metres from the boundary wall of the Objectors' property; the overall impact of the proposed building would be less than that of the extant permission because it would be a single-storey building which would be set into the ground and screened by existing landscaping; and a report proposing noise mitigation measures in relation to the fans had been submitted but Officers had not yet had time to consider that report.

It was considered that the proposed building would be less imposing than the one proposed under the extant permission and that it was important to encourage local farmers to thrive and for working farms to continue. A Member commented that he had studied the submitted odour and noise assessments and was satisfied that there would be no issues in those respects, subject to the proposed mitigations being put in place.

A Proposition, that this application be approved under delegated authority, was duly Seconded.

The Head of Planning was authorised to approve, as recommended, subject to extra amended Conditions relating to the control of noise, odour and vermin and to the landscaping scheme being the subject of consultation with the Ward Members.

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

CT.3452/B

Outline application for the erection of one detached dwelling (all matters reserved except access) at 7 Empire Villas, Ashton Road, Siddington -

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 site curtilage and access. The Case Officer displayed an aerial view of the site and photographs illustrating views of the site and along Ashton Road.

The Ward Member, who did not serve on the Committee, was invited to address the Committee and referred to what he considered to be pragmatic objections to this application. The Ward Member explained that this site was in the vicinity of the local Post Office, which was well-used, resulting in vehicles parking along Ashton Road. The Ward Member referred to two forthcoming planning applications in respect of 1 Empire Villas and expressed concern that permission could be sought at some time in the future to create an additional access to 7 Empire Villas. The Ward Member commented that the site was located at a narrow point on Ashton Road and he concluded by stating that it would not be practical to seek to restrict parking along Ashton Road.

In response to various questions from Members, it was reported that the Case Officer had discussed the issues of speed, visibility, road width, on-street parking and the proximity to an existing bus stop with the County Highways Officer; if the Committee was minded to refuse this application for highway reasons, evidence of 'severe' highway impact would be required in order to defend such reasons at any subsequent appeal; and few houses had off-street parking along this section of Ashton Road.

Some Members expressed support for this application. Those Members considered that it was in accordance with policy and a Proposition, that this application be approved as recommended, was duly Seconded.

Other Members referred to the highway safety issues and expressed concern that the proposed development would have an adverse impact on the street scene. The Members contended that Empire Villas constituted an unspoiled row of

cottages with gardens on a main approach to the village and they expressed concern that approving this application could lead to applications from other residents in the row seeking off-road parking. One Member commented that the application had not been supported by either the Ward Member or the Parish Council.

The Ward Member was invited to address the Committee again, and he concurred with the comments made in respect to the potential impact on the street scene.

In response to a further comment relating to the volume of traffic using Ashton Road, the Planning and Development Manager reminded the Committee that, despite the perception that this was a busy road, at an appeal the Inspector would consider issues relating to visibility, traffic flows and road width and would make an objective assessment of the situation. The Planning and Development Manager expressed his view that it was unlikely that an Inspector would conclude the proposed development would have a 'severe' highway impact. The Planning and Development Officer also reminded the Committee that there were other examples of breaches of garden walls in the vicinity of this site, some of which were in close proximity.

A Member gave notice of a further Proposition, that this application be refused for reasons relating to the adverse impact on the street scene, and that was duly Seconded. Another Member expressed the view that consideration of this application should be deferred for a Sites Inspection Briefing.

Approved, as recommended.

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

CT.9142

Proposed extensions and alterations at Glebe Cottage, Notch Road, Winstone -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its location on the edge of the village and access. The Case Officer displayed an aerial view of the site and photographs illustrating views of the site from various vantage points, views along an adjacent Public Right of Way and views of a neighbouring residential property.

The Ward Member, who did not serve on the Committee, was invited to address the Committee and he expressed his support for this application.

There were no questions from Members.

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

Approved, as recommended.

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

CT.7047/G**Change of Use to mixed use for the keeping of horses and for Gypsy and Traveller residential purposes, together with the development of a stable and the relocation of the existing stable building at Land Parcel opposite Hartley Farm, Hartley Lane, Leckhampton Hill, Coberley -**

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 original and amended site layouts. The Case Officer displayed photographs illustrating views into the site from various vantage points, views of the access and existing buildings on the site, and views across and from within the site.

An Objector and the Agent were invited to address the Committee.

The Ward Member, who did not serve on the Committee, was invited to address the Committee, and he amplified the reasons why he had referred this application to the Committee for determination. The Ward Member concurred with the Officer assessment of the Applicant's human rights issue and expressed the view that the Committee should consider if this current application would cause greater harm to the Area of Outstanding Natural Beauty than would be caused by the previous scheme which had been permitted in December 2014. The Ward Member expressed support for the comments submitted by the Parish Council, and he suggested that consideration of this application should be deferred in order to allow time for the Parish Council to consider the revised layout. The Ward Member contended that the mobile home illustrated in a photograph included in the extra representations did not appear to be a temporary structure and concluded by expressing his opinion that the extended site as proposed would cause more harm to the Area of Outstanding Natural Beauty than would be caused by the permitted scheme.

In response to a question from a Member, the Case Officer reminded the Committee of the buildings on the site.

A Member expressed support for the suggestion by the Ward Member that consideration of this application should be deferred to allow time for the Parish Council to consider the revised layout. Another Member suggested that it might be appropriate to defer consideration of this application for a Sites Inspection Briefing, and a Proposition, that consideration of this application be deferred for further consultations and a Sites Inspection Briefing, was duly Seconded.

(a) Deferred, for further consultations and a Sites Inspection Briefing to assess the impact of this current proposal against the impact of the previously-approved proposal;

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

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

Note:

All Members of the Committee were invited to attend this Sites Inspection Briefing because it was considered that this was a sensitive site, which was adjacent to the Cotswold Way, a national public footpath; and, following the local government elections in May 2015, there had been a significant change in the membership of the Committee and a Sites Inspection Briefing would enable those Members who had not previously served on the Committee to gain an appreciation of the issues and location of this site and to assess the degree of change being proposed.

CD.5090/1/X

Proposed new building for office/child care facility ancillary to New Farm B1(a)/D1(b) at New Farm, Daylesford, Adlestrop -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to other land in the Applicant's ownership. The Case Officer displayed photographs illustrating views of the site from various vantage points, views across the site, the proposed access, and previous structures on the site.

There were no questions from Members.

A Member suggested that, if the Committee was minded to approve this application, as recommended, the Council should not seek to restrict use of the facility on Sundays and Bank Holidays, and a Proposition to that effect was duly Seconded.

A Member commented that an improved access should be sought between the proposed facility and the existing car park. In response, it was reported that the route proposed constituted the safest one. Another Member referred to the history of development on this site and questioned whether further planning applications might be submitted in the future. In that context, a Member referred to the location of this site in the Area of Outstanding Natural Beauty, and suggested that the Council could request the Applicant to submit a master plan. In response to that point, it was reported that Local Plan Policy 19 allowed for development in the countryside if certain criteria were met. Policy 19 did not rule out 'new build' and previous experience was that the development of this site responded to prevailing economic circumstances which, in the opinion of Officers, would make it difficult to predict how development would evolve in the future.

Approved, as recommended, subject to the omission of the suggested Condition restricting use of the facility on Sundays and Bank Holidays.

Record of Voting - for 13, against 1, abstentions 1, 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 CT.8347/A, CT.3955/W and CD.2846/B.

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

Councillor Julian Beale was invited to speak on application CD.5090/1/X.

Councillor JA Harris was invited to speak on application CT.8347/A.

Councillor NJW Parsons was invited to speak on applications CT.9142 and CT.7047/G.

Councillor SDE Parsons was invited to speak on application CT.3452/B.

Councillor NP Robbins was invited to speak on application CT.3955/W.

(iii) Public Speaking

Public speaking took place as follows:-

<u>CT.8347/A</u>)	Mr. R Blackaller (Applicant)
<u>CD.2846/B</u>)	Mr. B Richie (Objector)
)	Mr. SR Wheatcroft (Applicant)
<u>CT.7047/G</u>)	Mr. D Jones (Objector)
)	Mr. M Hargreaves (Agent)

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.105 SITES INSPECTION BRIEFINGS

1. Members for 2nd March 2016

It was noted that all Members of the Committee had been invited to attend the Sites Inspection Briefing on Wednesday 2nd March 2016 as an approved duty.

2. Advance Sites Inspection Briefings

15/04968/FUL - erection of five dwellings and upgrading of existing allotments at Camp Gardens, Stow-on-the-Wold - to assess the highway and safety implications of this proposal.

Notes:

(i) All Members of the Committee were invited to attend these Sites Inspection Briefings in order for them to assess the locality and the impact of the proposed development on the street scene.

(ii) This advance Sites Inspection Briefing would be cancelled in the event that the application was determined under delegated authority.

P.106 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 closed at 12.10 p.m.

Chairman

(END)