

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

9TH MARCH 2016

Present:

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

Councillors -

Miss AML Beccle	David Fowles (until 2.45 p.m.)
AW Berry	M Harris
AR Brassington	Mrs. SL Jepson
Sue Coakley	Juliet Layton
Alison Coggins	MGE MacKenzie-Charrington
PCB Coleman (from 9.35 a.m.)	Tina Stevenson
RW Dutton	

Observers:

JA Harris (from 11.25 a.m. until 2.55 p.m.) RG Keeling

PL.107 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor David Fowles declared an interest in respect of application CT.2412/P, because he was acquainted with the Agent, and he left the Meeting while this item was being determined.

Councillor David Fowles declared an interest in respect of application CT.1321/K, because he was acquainted with all of the parties involved. He was invited to make representations on behalf of the Parish Council, and in his capacity as Ward Member. He then left the Meeting while this item was being determined.

Councillor David Fowles declared an interest in respect of application CT.1247/R, 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.1247/R, because he was acquainted with the Applicant, and he left the Meeting while this item was being determined.

(2) Officer Declarations

The Senior Planning/Enforcement Officer had previously declared a Disclosable Pecuniary Interest in respect of application CT.9147, because he was one of the Applicants. He was not present at the Meeting while this item was being determined.

PL.108 SUBSTITUTION ARRANGEMENTS

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

PL.109 MINUTES

RESOLVED that the Minutes of the Meeting of the Committee held on 10th February 2016 be approved as a correct record.

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

PL.110 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.111 PUBLIC QUESTIONS

In accordance with Council Procedure Rule 10, questions had been submitted, and responses provided, as follows:-

- (1) From Mr. P Moylan of Cirencester to Councillor RL Hughes, Chairman of the Planning and Licensing Committee

'In January, Councillor Sue Jepson reported in the Standard that the outline application by Bathurst would be managed by a planning performance agreement that would facilitate a 9-month period before the application could be considered and to facilitate a further period to discuss infrastructure contributions. Hidden away in the depths of the council's web site is the agreement, which was signed on 23rd December.

It would appear that CDC have once again been opaque in their communications. A planning performance agreement is of course much more far reaching and significant than merely a timescale of events. It is a very different way of dealing with planning applications. Other local planning authorities have given a much more comprehensive explanation of the agreements they have entered into. Will the Chairman tell us why CDC have been so elusive and will he undertake, on behalf of the Committee, to be more transparent with the community?'

Councillor Hughes provided the following response:-

'The Planning Performance Agreement (PPA) was put on the Website with the other planning documentation when it was registered. There was no attempt to hide it.

PPAs are commonly used by Local Planning Authorities (LPAs) when dealing with major planning applications as they allow for LPAs to work with Applicants on applications that will take longer to determine than the statutory thirteen-week period. It does not have any implications on how an application is processed or on the recommendations/decisions taken by Members and Officers.

The Government supports the use of PPAs, and the National Planning Policy Guidance states:

A planning performance agreement is a project management tool which the local planning authorities and applicants can use to agree timescales, actions and resources for handling particular applications. It should cover the pre-application and application stages but may also extend through to the post-application stage. Planning performance agreements can be particularly useful in setting out an efficient and transparent process for determining large and/or complex planning applications. They encourage joint working between the applicant and the local planning authority, and can also help to bring together other parties such as statutory consultees. A planning performance agreement is agreed voluntarily between the applicant and the local planning authority prior to the application being submitted, and can be a useful focus of pre-application discussions about the issues that will need to be addressed.

The timescale within the PPA will be reviewed and any updates to the PPA will be added to the on-line documentation. Similarly, other relevant documents relating to the application (for example, amended plans, consultation responses etc.) will be published when received, as is the case with all applications.

For clarity, the PPA was not accompanied by any additional payments from the Applicant to the LPA.'

Mr. Moylan thanked Councillor Hughes for his response and stated that he had a supplementary question, even though he had not had sight of such response until just before the start of this Meeting. In this connection, the Head of Democratic Services reminded the Committee of the provisions of Council Procedure Rule 10, and explained that both this and the subsequent public question had been submitted after the deadline for a guaranteed response at the Meeting and that such responses had not been finalised until immediately prior to the start of the Meeting. The Head of Democratic Services also explained that, in the event that Councillor Hughes was unable to respond to any supplementary questions arising out of either the original questions or the responses thereto, written responses would be provided, in accordance with Council Procedure Rule 10.

By way of a supplementary question, Mr. Moyland commented that PPAs for large and complex schemes like the Bathurst one might provide a basis for contributions that might be asked for, and voluntary contributions which might be offered, to pay to assist with the costs of processing the application. Mr. Moyland asked if any such contributions been discussed, agreed or taken place and for what purposes.

Councillor Hughes explained that a written response to the supplementary question would be sent to Mr. Moyland in due course.

(2) From Mr. M Pratley of Cirencester to Councillor RL Hughes Chairman of the Planning and Licensing Committee

'I ask you to consider the following three points:

- 1. The Health and Safety Executive have now expressed concern over the high pressure gas main that runs across the Chesterton site. They demand that adjustments are made to the Bathurst masterplan to move specific buildings and recreation areas out of the exclusion zone.*

2. *Thames Water have said that there must be no development of the site until a new sewer line is established down to Shorncote.*
3. *Thames Water have also expressed that the current freshwater supply has insufficient capacity to meet the additional demands for the proposed development.*

Is it now clear to the Council that Bathurst Development Ltd's Outline Planning Application should be modified?'

Councillor Hughes provided the following response:-

'Any amendment to an application is a decision of the Applicant. An Applicant will be made aware of any consultation responses and other comments received, together with any Officer views thereon.

However, we cannot force any changes to be made and, ultimately, the Local Planning Authority will be required to make a decision on the application before it, having regard to all the material considerations and all available information.'

Mr. Pratley thanked Councillor Hughes for his response and, by way of a supplementary question, he asked why it was that although only 55 hectares of the 120 hectare site could be built on, the Council was still insisting on 2,350 houses and that, in light of the Health and Safety Executive's submission, was the Council now going to actively reduce the risk by reducing the numbers.

Councillor Hughes explained that a written response to the supplementary question would be sent to Mr. Pratley in due course.

PL.112 MEMBER QUESTIONS

No questions had been submitted by Members.

PL.113 PETITIONS

No petitions had been received.

PL.114 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.6491/M

Change of Use from agricultural use to car park, providing 333 spaces; associated landscaping, lighting and boundary treatments; new access road from A429 and new pedestrian access route to station (amended scheme and red line) at Land Parcel adjacent to the Tavern Public House, Station Road, Kemble -

The Case Officer drew attention to the extra representations received since the 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 its proximity to a Site of Special Scientific Interest, the Conservation Area, the Area of Outstanding Natural Beauty, various Listed Buildings and structures, public rights of way, and existing residential developments; access; and policy constraints. The Case Officer displayed an aerial photograph of the site, together with photographs illustrating views of the site from various vantage points, views of the existing and proposed accesses; and views of on-street parking in the vicinity of the railway station.

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

The Ward Member, who served on the Committee, was invited to address the Committee, and he thanked the Case Officer for her hard work in respect of this application. The Ward Member stated that he supported this project which, he considered, to be a strategic development and a gateway to people arriving by train in the south Cotswolds. The Ward Member considered there to be no alternative options available to create additional parking at the railway station and commented that the station was also used by people who travelled from Cheltenham and Swindon to catch London-bound trains from Kemble. The Ward Member explained that it had been suggested that it would be preferable for the issue of car parking at both of those railway stations to be addressed, rather than developing a green field site at Kemble. However, the Ward Member contended that people from Cheltenham would continue to catch trains from Kemble Station until journey times between London and Cheltenham were improved. The Ward Member welcomed the comment from the Applicant's Representative that new rolling stock would be introduced on this line, commented that there would be a need for additional car parking at this site in the future and that the proposed landscape planting would mature over time, and concluded by reiterating his support for this application.

In response to various questions from Members, it was reported that there was potential for further, future development on this site; the need for any such development would be balanced against the potential impact on the Conservation

Area, the setting of the Area of Outstanding Natural Beauty and the setting of the various Listed Buildings and structures; if the Committee was minded to approve this application as recommended, a Condition relating to spillage from the proposed external lighting could be attached to any Decision Notice; the issue of controlling on-street parking in the vicinity of the station would be addressed through the submitted Transport Assessment; and the Case Officer did not know if the damage to the grass verges in the vicinity of the station would be reinstated.

A Member expressed the view that the economic and social benefits that would accrue from this development would outweigh any adverse impact. Another Member expressed concern over the impact of on-street parking in the vicinity of the station and commented that it would be difficult for that issue to be addressed through the measures outlined in the Traffic Assessment. In that context, a Member commented that it was unfortunate that the County Highways Officer had been unable to attend this Meeting.

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

The Head of Planning and Strategic Housing be authorised to specify additional Conditions, and to approve as recommended, subject to no new objections/issues being raised in relation to the re-advertisement of this application.

Record of Voting - for 14, against 0, abstentions 0, Ward Member unable to vote 1, absent 0.

CD.0691/J

Erection of 4 no. stables, hay storage barn and turnout area (part retrospective) at Glebe Farm, Saintbury, Broadway -

The Case Officer reminded the Committee of the location of this site and outlined the proposals drawing attention to existing development on the site. The Case Officer displayed photographs illustrating views of the site from various vantage points and views of existing buildings and a partially-constructed riding arena within the site.

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

Neither Ward Member served on the Committee nor had they been able to attend the Meeting. The Committee Services Manager read out comments from one of the Ward Members who had commented that it was fortunate that the Committee had had the benefit of a Sites Inspection Briefing which had enabled Members to see what the Ward Member considered to be the unique landscape of Saintbury on rising ground within the Area of Outstanding Natural Beauty (AONB). The Ward Member expressed the hope that the Committee had also been able to gain an appreciation of the listed heritage assets within the Saintbury Conservation Area, which had been referred to in the Officer report and he contended that this was exactly the sort of site which the National Planning Policy Framework (NPPF) was seeking to protect. In that context, the Ward Member stated that he would give significant weight to protecting the AONB vista and the setting of the Listed Buildings. Accordingly, he could not support this application which, he considered, would intensify 'shack-like' development in what he considered to be a sensitive landscape area. The Ward Member further considered that approving

this application could set a dangerous precedent both for this site and for others situated on rising ground. The Ward Member contended that there were multiple options available to the Applicant on other sites for equestrian use within a mile or two of this site. The Ward Member concluded by further contending that, as those sites were outside the AONB, they would not be subject to the same degree of sensitivity from the local community or the NPPF.

In response to various questions from Members, it was reported that work on the proposed development had commenced before the recent Sites Inspection Briefing; Officers had previously responded to third party concerns relating to the authorised and unauthorised use of this site and were satisfied that the buildings on the left-hand side of the site had been refurbished and repaired, a gable end had been demolished and that those works had no bearing on this current application; Officers had not had any dialogue with the Applicant or her Agent in respect of the repositioning of structures and were satisfied that the proposed development would not have a harmful impact on the AONB or listed heritage assets; the Applicant owned other equestrian units which were used for commercial purposes; the intention was that this site would be for her own personal use so any relocation would not meet her needs on this site; Local Plan Policy 31 was generally permissive of this type of development; and, in the event that the Committee was minded to approve this application as recommended, a Condition relating to the re-instatement of the turn-out area in the event that it was no longer required for the turn-out of horses, could be attached to any Decision Notice.

Some Members considered that this site was situated in a very special part of the AONB. Those Members understood the concerns expressed by local residents and considered that this proposal could lead to the site becoming part of the Applicant's commercial activities. In response to a comment regarding the investigation of complaints relating to this site, the Chairman confirmed that such complaints had been investigated by the Council's Enforcement Officer.

Other Members expressed support for this application. Those Members considered that the proposed development would not have any harmful impact on the setting of the heritage assets or the AONB and that there was a good spread of buildings across the site. A Member expressed concern over the potential for 'creeping' development and another Member reminded the Committee that the Council could investigate allegations of breaches of planning conditions which were supported by evidence, and could take appropriate action. The Member appreciated the significance of the village but expressed the view that this proposal was not unreasonable and would not be intrusive.

A Proposition that this application be approved as recommended subject to an extra Condition relating to the future re-instatement of the turn-out area, was duly Seconded.

Approved as recommended, subject to an extra Condition relating to the future re-instatement of the turn-out area.

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

CT.7047/Q

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 building and the relocation of the existing stable building at Land Parcel opposite Windmill Farm, Hartley Lane, Leckhampton Hill -

The Case Officer drew attention to the extra representations received since the 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 its proximity to the A435; the temporary permission granted in December 2014; the number of pitches and caravans that had been permitted under that temporary permission; layout; fencing; supplementary landscaping; and the legal definition of a 'caravan' and a 'mobile home', including dimensions. The Case Officer displayed photographs illustrating views of the site from various vantage points.

A Representative of the Objectors and the Agent were invited to address the Committee.

The Committee Services Manager read out comments submitted by the Ward Member, who did not serve on the Committee and had been unable to attend the Meeting. The Ward Member amplified the reasons for referring this application to the Committee for determination and quoted the Planning Inspector's comments in relation to an appeal on an adjacent site, when the Inspector had 'found that the establishment of a residential home and its ancillary structures caused considerable harm to the Area of Outstanding Natural Beauty (AONB) and that attracted great weight'. The Ward Member contended that the southern site, the subject of the appeal, was less exposed to public views than this current site, which was more exposed and therefore the proposed development could, potentially, have more of an adverse impact on the AONB. The Ward Member stated that he disagreed with the Officer opinion that this current application proposed an amendment to a previous application and that, therefore, the new Planning Policy for Traveller Sites (August 2015) did not apply. The Ward Member contended that no reference had been made on the submitted application form to any amendment to an approved scheme but, rather, that it was a full application which had included retrospective elements. The Ward Member referred the Committee to paragraph 27 of Policy H (Determining Planning Applications to Traveller Sites) which, he suggested, made it clear that greater protection was given to the Area of Outstanding Natural Beauty, even if the local authority could not demonstrate an up-to-date five-year supply of deliverable sites. The Ward Member quoted a footnote to that Policy which stated that 'there was no presumption that a temporary grant of planning permission should be granted permanently'. The Ward Member suggested that the changes should be examined against the overarching aim of the new Planning Policy and he contended that the Parish Council had made a very sensible and measured submission to the Committee, which he supported. The Ward Member drew the Committee's attention to the Parish Council's submission relating to the legal definition of a 'caravan', which included mobile homes, and suggested that it could leave the Council with the prospect of six mobile homes being placed on the site if this application was approved. The Ward Member suggested that the Committee should consider what harm, if any, would be caused by the proposed development. The Ward Member contended that the extent of the enlargement of the site and the significant increase in the footprint for the mobile homes

represented a further incursion into the open countryside within the AONB and created demonstrable harm to the landscape character. The Ward Member further contended that this current application was contrary to policy relating to the AONB and that the Committee should follow previous Inspector's findings that the issue should 'attract great weight'. The Ward Member concluded by stating that he did not support the Officer Recommendation to permit this application.

In response to various questions from Members, it was reported that the stables on this site had not been positioned in accordance with the approved plan and the fence constructed in the central area of the site accorded with the current amended plan; in the event that the Committee was minded to refuse this application, it should consider the impact on the AONB of the development as built against what had been approved; the overall intention was to provide two pitches to accommodate six caravans; in principle, the Applicant could choose to locate six caravans of the maximum dimensions on this site but, in the opinion of Officers, that would not be practicable due to constraints within the site; the Applicant was seeking to retain the stables in their current positions; the Government had sought to afford greater protection to the AONB through the introduction of the revised policy; in determining this application, the Committee should consider the changes proposed in relation to the boundary, rather than the principle of development on this site, which had already been established by the temporary permission granted in December 2014; the temporary permission on the adjacent site was due to expire in August 2016 and on this site in December 2017; if no further applications were submitted, the caravans and structures would have to be removed and the sites re-instated; however, the Applicants could choose to seek permission to create permanent sites; this current site had been identified as a reserve site in the emerging Local Plan; and the Council would be seeking a total of twenty-six Gypsy and Traveller pitches up to 2031, with permission having been granted for eleven to date.

Some Members expressed concern that this application represented 'creeping' development, and over the potential impact on the AONB if large mobile homes were installed on this site. Another Member, while supporting the concerns expressed, considered the site to be tidy, and that it appeared to be well looked after. In response, the Committee was reminded that up to six caravans/mobile homes could be installed on this site under the current temporary permission and that, in the opinion of Officers, the proposed increases in the boundary was not materially harmful.

Other Members expressed the view that an application from a householder to relocate a garage would not attract such a level of concern and that it would not be reasonable to seek the demolition of the stables. A Proposition that this application be approved, as recommended, was duly Seconded.

Approved, as recommended.

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

CT.2412/P

Extensions and alterations to provide additional (Class B1) office accommodation and associated development at Lumley St. Aubyn Insurance Services Ltd., South Way House, South Way, Cirencester -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its proximity to residences in The Walled Garden; elevations; and differences to a previous application which had been refused in April 2015, with an appeal being dismissed in January 2016. The Case Officer displayed photographs illustrating views of the existing building, and views of the site from various vantage points, including from within The Walled Garden.

The Agent was invited to address the Committee.

In response to a question from a Member, it was reported that if the Committee was minded to approve this application as recommended, the number of on-site car parking spaces would reduce from six to three.

Some Members referred to the need to retain growing businesses within the town and that this application presented an opportunity to achieve some improvements in the appearance of the building. Other Members expressed concern over the potential impact of the proposed development on the residential properties at The Walled Garden. A Member reminded the Committee that the adjacent commercial building would soon become vacant and suggested that it could be used by the Applicant to provide additional accommodation.

The Ward Member, who did not serve on the Committee, was invited to address the Committee. The Ward Member considered this current application to be an improvement over the previous scheme and reminded the Committee that residents in The Walled Garden still had concerns relating to the loss of sunlight.

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

Approved, as recommended.

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

CD.9510

Erection of 64 bed care home (Use Class C2), together with associated vehicular access, parking and landscaping (revised scheme) at land adjacent to Fosseyway Garden Centre, Stow Road, Moreton-in-Marsh -

The Case Officer drew attention to the extra representations received since the 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 North Cotswold Hospital to the north, Fosseyway Garden Centre to the south, and agricultural land and public rights of way to the east and west; its proximity to the Development Boundary for Moreton-in-Marsh, the Conservation Area; the site was within the Cotswold Area of Outstanding Natural Beauty (AONB); and access.

The Case Officer displayed photographs illustrating views of the site from various vantage points, including the public rights of way and the AONB. The Case

Officer also displayed a photomontage illustrating various design proposals and views of the current site and following development from key vantage points.

A Member of the Town Council, a Supporter and a representative of the Applicant were invited to address the Committee.

The Ward Member, who served on the Committee, was invited to address the Committee, and she commended the Case Officer on her report. The Ward Member stated that she supported the views expressed on behalf of the Town Council and the public objections. The Ward Member considered that this application constituted a viable proposal in principle, given the proximity of the site to the North Cotswold Hospital and medical centre. However, she contended that the proposed buildings were too large; the development was not proportionate to identified needs; there was insufficient capacity within the medical centre to accommodate the additional potential patients; the site was outside the Development Boundary for the town; and the proposed development did not constitute 'in fill'. The Ward Member further contended that the proposal would have an adverse impact on the AONB and views of the escarpment, because of its size and massing, and that it would appear larger than the existing hospital building. The Ward Member reminded the Committee that the hospital had been approved as an exception and expressed the view that the benefits accruing from that development had outweighed any adverse impact on the AONB. The Ward Member commented that, whilst the hospital facilities were available to all, the proposed care home would only serve a small proportion of the community, based on their ability to pay and would, in effect, be an elitist establishment unless local authority rates were accepted. The Ward Member did not consider there to be any 'exceptional' circumstances in relation to this current application to justify permission being granted. The Ward Member considered there to be good local support for care in the community, suggested that a smaller development on an alternative site might be acceptable, and concluded by expressing her view that this application should be refused, as recommended, because the harm outweighed the limited benefits and because the proposal would not preserve the AONB.

In response to various questions from Members, it was reported that a Transport Assessment had been submitted in respect of this application; the level of on-site car parking proposed was considered to be appropriate for the number of trips likely to be generated by such a development; some of the employment to be created would be through part-time posts, and staff would work shifts; in determining this application, the Committee should have regard to economic and social benefits and environmental impact; in the opinion of Officers, the housing impact and social benefits which would accrue from this proposal would not outweigh the adverse environmental impact of the development; a representation of support for this proposal had been submitted by another provider in the vicinity; the proposed use required a building of a particular size and massing; and the massing of the proposed building would be similar to that of the adjacent hospital, but the buildings would have different footprints and the hospital building was taller than the proposed building.

A number of Members referred to the objections received from the Town Council, the NHS Trust and the Cotswolds Conservation Board. Those Members considered that the proposed building would be large and would have an adverse impact on the landscape. One Member commented that some of the potential residents might already be patients of the adjacent medical centre and that, whilst

this current application should not be approved, there was a growing need for such a facility in Moreton-in-Marsh.

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.

CT.1321/K

Erection of new detached dwelling together with associated ancillary development at land adjacent Alberta, Bell Lane, Poulton -

The Case Officer drew attention to the extra representations received since the 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 the Conservation Area, a Listed Building and public rights of way. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the site from various vantage points, including from the gardens and from within the adjacent properties.

A Representative 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 he referred to the planning history relating to this site. The Ward Member contended that the principle of development on this site had been established, and that a single-storey building might be acceptable. The Ward Member reminded the Committee that the adjacent properties were close to the site boundaries and he congratulated the Case Officer on her report. He noted that the orientation of the proposed building sought to maximise solar gain but he did not agree with that orientation. The Ward Member considered there to be an eclectic mix of buildings along Bell Lane, which had been developed over the past one hundred years. The Ward Member commented that attempts at dialogue between the Applicants and the owners of the adjacent properties had been unsuccessful, and he contended that a two-storey building on this site would have a significant impact on those adjacent properties in terms of its height, width and size, resulting in a loss of light and privacy. The Ward Member further contended that the orientation of the proposed building should be revised, and that it should be relocated towards the centre of the site. The Ward Member reminded the Committee of the views expressed by the Parish Council and the Objector, and he concluded by suggesting that it might be appropriate to defer consideration of this application for a Sites Inspection Briefing.

Note:

At this juncture, having previously declared an interest in this application, the Ward Member left the Meeting while this item was being determined.

In response to various questions from Members, it was reported that the proposed development would follow the building line of 'Little Orchard', one of the adjacent properties; the proposed building would sit within 1 metre of the boundaries with

the adjacent properties; the distances between the proposed building and 'Alberta' and 'Little Orchard' would be approximately 7 metres and 8 metres respectively; and, in the opinion of Officers, there were no grounds to refuse this application for reasons relating to size or the location of the proposed building within the plot.

Some Members suggested that consideration of this application should be deferred for a Sites Inspection Briefing to assess the impact of the proposal on the adjacent properties and within the site.

Other Members considered that the proposed development would follow the natural building line along Bell Lane, and that the design and orientation would maximise the rear garden space. Those Members further considered there to be adequate space between the proposed building and the boundaries with the adjacent properties.

A Proposition, that this application be deferred for a Sites Inspection Briefing, was duly Seconded. On being put to the vote, that Proposition was LOST. The Record of Voting in respect of that Proposition was - for 4, against 7, abstentions 3, interest declared 1, absent 0.

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

Approved, as recommended.

Record of Voting - for 10, against 2, abstentions 2, interest declared 1, absent 0.

CD.4550/A

Erection of five dwellings and upgrading of existing allotments at Camp Gardens, Stow-on-the-Wold -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its location within the Development Boundary for Stow-on-the-Wold and the Conservation Area; and its proximity to a Scheduled Ancient Monument. The Case Officer displayed photographs illustrating views along the private lane which was controlled by the Applicant, and views into the site from various vantage points.

A Member of the Town Council and the Agent were 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 had stated that he had no further comments to add to those already submitted.

In response to various questions from Members, it was reported that, whilst the remaining allotments did not form part of the site proposed for development, the Applicant could submit an application for a Change of Use for that land; as the potential alternative access referred to by the Town Council was not in the control of the Applicant, permission would have to be obtained from the appropriate landowner to cross the land in order to implement such access; and if the

Committee was minded to approve this application as recommended, the private lane would be surfaced for part of its length, refuse bins would be brought to the kerbside as currently happened, and the Applicant would be required to provide additional fire safety measures such as sprinklers.

In response to concerns about the impact on Greystones Cottage of resurfacing the private lane, it was explained that, if the Committee was minded to approve this application as recommended, a Condition could be attached to any Decision Notice requiring the details of the surface of the private lane to be approved by the County Highways Officer.

It was considered that a number of benefits would accrue from the proposed development, including delivery of two affordable housing units and mains water to the remaining allotments. A Proposal that this application be approved, subject to the additional Condition, was duly Seconded.

Approved, as recommended, subject to a Condition requiring the details of the surface of the private lane to be approved by the County Highways Officer.

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

CT.1247/R

Retention of retaining wall for terraced garden, erection of balustrading at Valley View, 2A Gallows Pound Lane, Stratton -

The Case Officer drew attention to the extra representations received since the 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 a block plan. The Case Officer also displayed photographs illustrating views of the site from various locations, views from within the site and a view of another structure in the vicinity.

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

The Ward Member, who served 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 contended that, whilst the development would be visible from within the special landscape area, its impact could be mitigated by appropriate planting. The Ward Member further contended that the proposal would help with on-street parking problems in this area, and he concluded by reiterating his view that it would not have any adverse impact.

In response to various questions from Members, it was reported that, if the Committee was minded to approve this application, a Condition requiring the wall to be rendered could be attached to any Decision Notice; and the proposal was for the retention of two retaining walls and the erection of a glass balustrade. A number of Members considered that the proposed development would not have any adverse impact on the area, subject to appropriate render, planting and the erection of a clear glass balustrade.

A Proposition that this application be approved, subject to appropriate Conditions, was duly Seconded.

Approved, subject to appropriate Conditions, including samples of render and glazing and the submission of a planting scheme.

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

Note:

This decision was contrary to the Officer Recommendation because a majority of the Committee considered that the proposed development would not have an adverse impact.

CD.1543/Y

Demolition of garages and erection of two two-bedroom semi-detached cottages at Brocks Menswear, The Old Forge, Church Street, Stow-on-the-Wold -

The Case Officer drew attention to an error in the plans appended to the circulated report in the Schedule of Planning Applications. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to a block plan; the layout of the proposed cottages; floor plans; and elevations. The Case Officer displayed an aerial photograph and photographs illustrating views across the courtyard, and views of the existing garages on the site, including from neighbouring properties.

A Member of the Town Council and the Agent were 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 had stated that he had no further comments to add to those already submitted.

In response to various questions from Members, it was reported that the existing garages on the site were being used for storage; the proposed development would not result in the loss of parking for existing dwellings as there was no formal arrangement in respect of parking on the site; in the opinion of Officers, it would be unreasonable to require two parking spaces per dwelling and the provision of parking for the existing dwellings, given the central location of the site and no objections from the County Highways Officer; and access across the site to the rear of the existing buildings would be retained.

Some Members considered that, if the Committee was minded to approve this application as recommended, two parking spaces per dwelling should be provided. In response, it was reported that Stow-on-the-Wold was considered to be a principal, sustainable settlement in terms of the rurality of the District, with access to public transport and some opportunities for on-street parking. It was further considered that the proposed units would be unlikely to generate high numbers of vehicle movements and that the proposed car parking arrangements were commensurate with the size of the units.

In response to a further question from a Member, it was reported that it had not been considered appropriate to require an off-site contribution in lieu of affordable housing as the scheme would not be viable as confirmed by a viability assessment which had been reviewed by the District Valuer.

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.

CD.2483/M

Family room extension at Dower House, Maugersbury -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the elevations of the proposed extension. The Case Officer displayed photographs illustrating views of the rear elevation, together with a visualisation of the proposed scheme, which had been submitted by the Agent.

The Agent was invited to address the Committee, and he explained that he would be speaking on this application, and the subsequent application (CD.2483/L referred).

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 had stated that he had no further comments to add to those already submitted.

In response to a question from a Member, it was reported that Officers had objected to this development on the grounds of design and the loss of the original fabric and features, including the loss of three stone mullion window openings, two of which dated from the nineteenth century.

Some Members commented that the visual appreciation of the windows concerned had already been lost as they were hidden from view by the existing conservatory. Those Members considered the proposed development was intended to make the house more appropriate for the twenty-first century, the loss of the window openings would not have an adverse impact, and the design of the proposed extension would be an improvement over the design of the existing conservatory

Other Members disagreed with the above comments, expressing a preference for retention of the original features and fabric of this Grade II Listed Building.

A Proposition that this application be approved, subject to Conditions, was duly Seconded.

Approved, subject to appropriate Conditions to be specified by the Head of Planning and Strategic Housing.

Record of Voting - for 9, against 5, abstentions 1, absent 0.

Note:

This decision was contrary to the Officer Recommendation because a majority of the Committee did not consider that the proposed development would have an adverse impact on the Grade II Listed Building.

CD.2483/L

Family room extension at Dower House, Maugersbury -

The Agent was invited to address the Committee but explained that he had made all of his comments in relation to the previous application (CD.2483/M referred).

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 had stated that he had forwarded some notes to the Case Officer. The Ward Member had stated that he had no further comments to add to those already submitted.

A Proposition that this application be approved, subject to Conditions, was duly Seconded.

Approved, subject to appropriate Conditions to be specified by the Head of Planning and Strategic Housing.

Record of Voting - for 9, against 5, abstentions 1, absent 0.

Note:

This decision was contrary to the Officer Recommendation because a majority of the Committee did not consider that the proposed development would have an adverse impact on the Grade II Listed Building.

PL.115 **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 14, against 0, abstentions 0, absent 0, did not vote 1.

PL.116 **SCHEDULE OF APPLICATIONS (CONTINUED)**

RESOLVED that the remaining applications be dealt with in accordance with Minute PL.114 above.

CT.2609/Z

Retention and alterations of external racking at The Colt Car Company Ltd., Watermoor Road, Cirencester -

The Case Officer drew attention to the extra representations received since the publication of the Schedule of Planning Applications. The Case Officer reminded the Committee of the location of this site and displayed photographs illustrating views of the racking from various vantage points, including from the garden of an adjacent property.

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

The Ward Member, who did not serve on the Committee, was invited to address the Committee. The Ward Member expressed strong concerns that the previous application in relation to this site had not been resolved in accordance with the Committee's decisions taken in November 2015. The Ward Member contended that this sent the wrong message to the public and had resulted in residents having to endure the unauthorised racking for a period of twenty months to date. The Ward Member also expressed concern that the Applicant had not sought to engage with the residents over the racking and he expressed his view that, if the Committee was minded to approve this application as recommended, the outcome for residents would be worse than it would have been if the previous application had been approved due to the loss of more off-street parking spaces and an increased number of residents being affected by noise from within the site. The Ward Member stated that the proposal was unacceptable in a location adjacent to residential properties and that there were other, more suitable alternative locations available within the site which the Applicant had chosen to ignore. The Ward Member also expressed the view that the Applicant had not taken any steps to soften the impact of the racking and concluded by urging the Committee to refuse this application and take enforcement action.

In response, the Team Leader had sympathy for the frustrations expressed by the Ward Member but reminded the Committee of the need for fairness to all parties, and the processes to be followed, when considering the expediency of taking enforcement action. The Team Leader also reminded the Committee that the Applicant could lodge an appeal against any decision to refuse this current application and, in that event, the Council would be unable to take enforcement action until such appeal had been determined.

In response to various questions from Members, it was reported that this current application had been submitted following negotiations with Officers, in order to overcome the previous reason for refusal; the occupiers of the adjacent residential properties had not been involved in such negotiations; if the Committee was minded to approve this application as recommended, a Condition relating to the use of the roof of the racking for storage could be attached to any Decision Notice; in the event that the Committee decided to refuse this application and an appeal was lodged against that decision, enforcement action would be held in abeyance until such time as that appeal had been determined; and the current application proposed a reduction in the height of the racking but an increase in the scale over that proposed under the previous application.

A number of Members expressed concern over the height of the racking and the open views thereof from the adjacent residential gardens. Those Members considered that this application should be refused, for reasons relating to the

scale and height of the proposed development. In response to a question, the Committee was reminded that no objections had been received in respect of noise or the displacement of parking.

Refused, for the same reason as application CT.2609/Y (November 2015), amended to include reference to the scale and height of the racking.

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

Note:

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

CT.9147

Two-storey annexe extension with habitable loft space at 24 Bowling Green Crescent, Cirencester -

The Case Officer reminded the Committee of the location of this site and displayed an aerial photograph of the site and photographs illustrating views of the site from various vantage points.

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

The Ward Member, who served on the Committee, was invited to address the Committee and amplified aspects of the reasons why he had referred this application to the Committee for determination. The Ward Member contended that similar applications elsewhere in Cirencester had resulted in the overdevelopment of plots, but he stated that he did not consider that would be the case in relation to this application, and he concluded by expressing support for the Officer Recommendation.

In response to a question from a Member, it was reported that, in the opinion of Officers, the proposed development would not result in a loss of privacy for, or have an adverse impact on the amenities of, the adjacent residents.

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

Approved, as recommended.

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

Note:

One of the Applicants was an employee of the Council. The Committee was reminded that, at its Meeting on 10th August 2013, the former Planning Committee had approved a revised Scheme of Delegation, which had included the delegation of applications by Officers (Minute P.36 referred). However, that aspect could be reviewed if the Committee so wished.

CD.9412/F

Proposed detached garage, construction of greenhouse and shed, installation of external boiler and oil tank; installation of a roof light, replacement roof to privy and guttering to the rear and associated landscaping at Apricot Cottage, Upper Slaughter -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the proximity of surrounding residential properties; elevations; and materials. The Case Officer displayed photographs illustrating views of the existing building from various vantage points and views of the street scene prior to the commencement of the works.

A Member of the Parish Council 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 stated that his views were aligned to those of the Parish Council and Objectors. The Ward Member explained that the Conservation Officer had advised that the original structure should be refused. Retrospective amendments had been made in relation to materials but no amendments had been made in relation to the size and massing, which were considered to be inappropriate. The Ward Member contended that enclosing the walkway between the shed and greenhouse would increase the adverse impact of the development and reiterated that objections to the siting, scale, form and proportion had not been addressed. The Ward Member referred to the existence of other outbuildings within this site, including a Listed potato store which, he contended, had been left to deteriorate. The Ward Member stated that a number of trees within the site had been felled without consent which, he contended, had given the site a characteristic which was in keeping with a cottage garden. The Ward Member suggested that it might be appropriate for consideration of this application to be deferred for a Sites Inspection Briefing in order for Members to assess the impact of the development on the site, and he concluded by stating that it should be refused as it was contrary to policy.

In response to various questions from Members, it was reported that some alterations had been proposed to the garage on this site; the assessment of an application for a shed on another site in the vicinity of this property had concluded that the site was smaller and that a wooden shed there would have had an adverse impact on a Listed privy; each applications should be determined on its merits; notification of the intention to carry out works to trees at this site had not been submitted; in the opinion of the Tree Officer, the trees felled would not have been deemed to be significant; and, in the event that the Committee was minded to approve this application as recommended, a Condition relating to the planting of additional landscaping to mitigate against the impact of the shed and greenhouse could be attached to any Decision Notice.

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

Deferred for a Sites Inspection Briefing to assess the impact of the development on the Conservation Area and on the setting of a Listed Building.

Record of Voting - for 10, against 3, abstentions 1, absent 1.

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.6491/M, CD.0691/J, CT.7047/Q, CD.9510, CD.4550/A, CD.1543/Y, CD.2483/M, CD.2483/L and CT.2609/Z.

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

Councillor JA Harris was invited to speak on applications CT.2412/P and CT.2609/Z.

Councillor RG Keeling was invited to speak on application CD.9412/F.

(iii) Public Speaking

Public speaking took place as follows:-

<u>CT.6491/M</u>	)	Mr. M Barnes (Applicant)
<u>CD.0691/J</u>	)	Mr. J Rutherford (Objector)
	)	Mr. S Bond (Agent)
<u>CT.7047/Q</u>	)	Mr. D Jones
	)	(Objectors' Representative)
	)	Mr. M Hargreaves (Agent)
<u>CT.2412/P</u>	)	Mr. A Pywell (Agent)
<u>CD.9510</u>	)	Councillor M Lucas (Town Council)
	)	Mr. A Smith (Supporter)
	)	Mr. D Thorne (Applicant)
<u>CT.1321/K</u>	)	Councillor David Fowles
	)	(Parish Council Representative)
	)	Mr. S Smith (Objector)
	)	Mr. A Pywell (Agent)
<u>CD.4550/A</u>	)	Councillor A White (Town Council)
	)	Mr. S Firkins (Agent)
<u>CT.1247/R</u>	)	Councillor S Tarr (Town Council)
	)	Mrs. H Milliner (Applicant)
<u>CD.1543/Y</u>	)	Councillor A White (Town Council)
	)	Mrs. L Warden (Agent)
<u>CD.2483/M</u>	)	Mr. N Worlledge (Agent)
<u>CD.2483/L</u>	)	Mr. N Worlledge (Agent)
<u>CT.2609/Z</u>	)	Councillor S Tarr (Town Council)

	)	Mr. J Peacock (Objector)
<u>CT.9147</u>	)	Councillor S Tarr (Town Council)
<u>CD.9412/F</u>	)	Councillor P Von Holzing
	)	(Parish Council)
	)	Mr. J Jackson (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.117 SITES INSPECTION BRIEFINGS

1. Members for 6th April 2016

It was noted that Councillors AW Berry, AR Brassington, M Harris, RL Hughes and Mrs. SL Jepson would represent the Committee at the Sites Inspection Briefing on 6th April 2016.

2. Advance Sites Inspection Briefings

No advance Sites Inspection Briefings had been notified.

P.118 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m., adjourned between 11.10 a.m. and 11.20 a.m., and again between 1.10 p.m. and 1.30 p.m., and closed at 3.24 p.m.

Chairman

(END)