

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

11TH MAY 2016

Present:

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

Councillors -

Miss AML Beccle	David Fowles (from 9.50 a.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.)
RW Dutton	Tina Stevenson

PL.130 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor AW Berry declared an interest in respect of application CT.0117/1/M, because he was a Trustee of the Friends of the Corinium Museum.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.131 SUBSTITUTION ARRANGEMENTS

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

PL.132 MINUTES

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

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

PL.133 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.134 PUBLIC QUESTIONS

No public questions had been submitted.

PL.135 MEMBER QUESTIONS

In accordance with Council Procedure Rule 11, the following Member Question had been submitted:-

From Councillor JA Harris to Councillor RL Hughes, Chairman of the Planning and Licensing Committee

‘Two applications in my County Division that were passed by the Planning Committee in the last two years have produced severe parking problems for local residents because of contractors using residential streets to park all day.

The developments for a care home on Somerford Road and a new hotel and restaurant on the former lorry park site have resulted in safety issues, residents not being able to get their cars off their drives or out of the street, and general nuisance.

What guidance do the planning department give to developers and contractors to avoid parking issues and what powers do we have to stop this happening in future?’

The following response had been provided by Councillor Hughes:-

‘This Council consults Gloucestershire County Council’s (GCC) highways engineers on planning applications where it is considered there could be an impact on the local highway network as a result of the development. In the two cases cited by Councillor Harris, the Kingsmeadow lorry park (planning permission reference 15/00595/FUL) and Somerford Court (planning permission reference 14/02224/FUL) in Cirencester, GCC highways engineers were consulted for their expert advice.

In the case of the Kingsmeadow lorry park application, a Condition was attached to the permission requiring a Construction Method Statement (CMS) to be submitted to and approved by the Local Planning Authority (LPA). The Condition required, inter alia, that provision be made on-site for ‘the parking of vehicles of site operatives and visitors’. Details of this parking provision were submitted by the Applicant and approved by GCC and the LPA. Once the Planning Case Officer was made aware of the issues around on-street parking in the vicinity of the site, he contacted the Applicant’s Agent to reinforce the requirements of the Condition, and was assured that site operatives would be reminded of the importance of considerate parking.

The Somerford Court application was assessed as not requiring a CMS and thus, there was no requirement on the developer to provide a parking area on site. It must be assumed that the GCC highways engineer considered that there was sufficient on-street parking to accommodate any additional vehicles generated during the construction phase of the development.

Notwithstanding the advice from GCC Highways, this Council could impose Conditions requiring temporary parking facilities if there was evidence to demonstrate that this was reasonable and compliant with the required tests. Failure to have sound reasons for doing so would leave the Council open to potential challenge and costs. Officers and Members would have to make an assessment on a case-by-case basis.

Clearly, the LPA would respond to any complaints received regarding possible breaches of Conditions, and consider the expediency of taking enforcement action against any identified breaches. However, it must be noted that in the absence of parking restrictions on the surrounding roads, it is acceptable for members of the public to park on public highways and the LPA has no powers to intervene. If local residents considers there may be highway safety issues as a result of on-street parking, they would be advised to contact GCC's local highway engineers in the first instance.'

Note:

There was no supplementary question as Councillor Harris was not present at the Meeting

PL.136 PETITIONS

No petitions had been received.

PL.137 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.5864/P

Removal of Condition 18 to outline planning permission 13/03363/OUT for the provision of a pedestrian footway along Cirencester Road at Quercus Park, Quercus Road, Tetbury -

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed photographs illustrating views of the Quercus Park development; views along the adjacent highway; and views of the existing grass verge.

In response to various questions from Members, it was reported that the outline application relating to this development had been approved by the Planning Inspector on appeal; the Inspector had required the provision of a footpath from the development towards the town as a condition of such outline permission; there was an alternative pedestrian route from the development towards the town, which was some 500 metres longer than the route under discussion; there had been no material change in circumstances relating to this application since outline permission had been granted; the former Planning Committee had requested that any application to amend Condition 18 should be referred to the Committee for determination; and there was a bus stop further along Cirencester Road towards the town.

It was considered that there had not been any material changes since outline permission had been granted by the Planning Inspector for this development, and that the suggested route was the correct one for the footpath. A Proposition that this application be refused, was duly Seconded.

(a) Refused, as recommended;

(b) a Breach of Condition Notice be served under Section 187A of the Town and Country Planning Act 1990 in light of the failure by the developer to comply with Condition 18 of the outline planning permission which required submission of details of the footway prior to commencement of works on the development.

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

CD.6972/C

Erection of a new detached dwelling and double garage with accommodation over at land parcel north of Field Cottage, Fyfield -

The Team Leader reported that, since finalisation of the Schedule of Planning Applications, the Officer Recommendation had been reviewed in the light of recent appeal decisions relating to the assessment of accessibility. As such, the Officer Recommendation had been amended to one of 'deferral', in order to enable the circulated report to be updated. The Team Leader suggested that, if the Committee was minded to defer this application as recommended, consideration should also be given to carrying out a Sites Inspection Briefing in order to assess the character of the site and local highways.

The Team Leader reminded the Committee of the location of this site and outlined the proposals, drawing attention to its proximity to a number of Listed Buildings and public rights of way; its location within the Area of Outstanding Natural Beauty; its relationship with Southrop; and the proposed layout and elevations. The Team Leader displayed an aerial photograph of the site, and photographs illustrating views of the site from various locations; views of the access; views into and across the site; and views from the site towards the adjacent highway.

A Member of the Parish Council and an Objector 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 who had been unable to attend the Meeting. The Ward Member explained that the application was for the

construction of a single dwelling on a site located at the end of a no-through lane, along an unadopted track which extended beyond the paved section of the lane. The Ward Member contended that the plans provided did not give a true reflection of the situation as regards the lane and track, and reminded the Committee that a telephone exchange was situated along the lane. The Ward Member considered that the proposed development would exacerbate the situation in relation to congestion along the lane, and that the proposed development would result in the loss of an existing area currently used for the turning of vehicles. He referred to the refusal reasons detailed in a Decision Notice dated 15th March 2001, and contended that such reasons were still appropriate to this site. The Ward Member therefore suggested that this application be refused because, in his opinion, it constituted overdevelopment of the site. The Ward Member commented that Fyfield was already an unsustainable settlement because it did not have any shops or employment, and no public transport to speak of, and he contended that this application would simply add to those deficiencies. The Ward Member concluded by requesting that, if the Committee was minded to approve this application as originally recommended, it should consider deferral for a Sites Inspection Briefing in order for Members to obtain a far better idea of why so many local residents had objected to this application.

In response to various questions from Members, it was reported that the County Highways Officer did not consider a further traffic assessment to be necessary, and there might not be sufficient time available to conduct a further such assessment; as the Council was currently able to demonstrate a five-year supply of housing land, the potential opportunity to provide an additional dwelling was not considered to be significant and, in its determination of this application, the Committee should therefore concentrate on issues relating to the suitability of the development in terms of its suitability; if the Committee was minded to approve this application, the Applicant could be required to bring the access track up to an appropriate standard but the Highways Officer had not recommended a Condition to require this and provision of a turning area for vehicles could be negotiable, if the application would not be approved without such improvements and if such a turning area could be provided on land within the Applicant's ownership; a previous residential use of this site did not carry any weight as such use had been abandoned and the site had been returned to greenfield land; and, in the opinion of Officers, the remains of a previous building on the site did not cause visual harm.

Some Members commented that provision of a turning area should be considered, and that the issue of the sustainability of an additional single dwelling should also be addressed as there were already a number of residents in this settlement, and that further information should be provided on when the site was last used for residential purposes. Another Member contended that this application should be refused because this was not a sustainable settlement as there was no full time shop or public transport facilities, pedestrian access to Southrop was along an unrestricted, narrow road with no footpath, and there was no room to provide a turning area for vehicles.

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

(a) Deferred to allow Officers to update the circulated report and for a Sites Inspection Briefing to consider accessibility issues and the visual impact of the site;

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

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

Note:

It was considered appropriate for all Members of the Committee to attend this Sites Inspection Briefing because of the need for Members to obtain an insight into the challenges that would be faced by the Council over the next twelve months in light of policy changes proposed in the emerging Local Plan.

CT.0117/1/M

Internal alterations on the ground floor and modifications to front door and external step at Corinium Museum, Park Street, Cirencester -

The Case Officer drew attention to the location of this site and outlined the proposals, drawing attention to the existing and proposed groundfloor plans. The Case Officer displayed photographs illustrating views of the front elevation of the building and images of the proposed shop, reception area and internal architecture.

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 expressed his support for this application, which he considered to be crucial to the future development of the Museum, the town and the District.

In response to a question from a Member, it was reported that some contemporary archways towards the rear of the building, which were currently blocked up, would be re-opened under the proposed scheme, and that an existing wall, which was not considered to be of specific significance and had previously been partially removed, would be demolished.

It was considered that the proposed development would be of benefit to the Museum, and would enhance its role within the local community. A Proposition that this application be approved, as recommended, was duly Seconded.

Approved, as recommended.

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

CT.4672/G

Change of Use from Day Care Centre (D1) to residential dwelling (C3) at 33 Querns Lane, Cirencester -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its proximity to a number of Listed Buildings; the Conservation Area boundary; and areas of Scheduled Ancient Monument. The Case Officer displayed an aerial view of the site and photographs illustrating views of the existing and adjacent properties; along Querns Lane; into the site;

the rear elevation and courtyard; and the relationship between the property and some adjacent properties.

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.

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 at the Meeting in respect of application CD.6972/C.

(ii) Public Speaking

Public speaking took place as follows:-

<u>CD.6972/C</u>)	Councillor P McHugh (Parish Council)
)	Mrs. S Seymour (Objector)
<u>CT.0117/1/M</u>)	Sir Edward Horsfall bt (Supporter)
)	Mrs. A Hart
)	(representing the 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.138 SITES INSPECTION BRIEFINGS

1. Members for 1st June 2016

All Members of the Committee were invited to attend the Sites Inspection Briefing on 1st June 2016 as an approved duty.

2. Advance Sites Inspection Briefings

No advance Sites Inspection Briefings had been notified.

PL.139 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m. and closed at 10.25 a.m.

Chairman

(END)