

**PLANNING AND LICENSING COMMITTEE**

**13<sup>th</sup> July 2016**

**ADDITIONAL PAGES**

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**ADDITIONAL PAGES - CIRCULATED TO MEMBERS BY POST**

**AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE  
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Additional Representations on Schedule Items

Pages 1 - 16

**PLANNING AND LICENSING COMMITTEE**

**13<sup>th</sup> July 2016**

**ADDITIONAL PAGES ON SCHEDULE ITEMS**

<b>Item</b>	<b>Ref. No</b>	<b>Content</b>
<b>05</b>	<b>15/04899/FUL CT.5679/C</b>	<b>Additional information from the Applicant's Agent forwarded to Members of the Planning Committee – Please see attached email dated 4<sup>th</sup> July 2016 together with photomontage</b>
<b>07</b>	<b>16/01366/FUL CT.0108/2/H</b>	<b>Additional information from applicant</b>
<b>08</b>	<b>16/00357/FUL CD.2250/K</b>	<b>Letters from the applicants' agent and solicitor querying the accuracy of the photographs included within the Case Officer's report. Extracts taken from the submitted 'Landscape and Visual Overview Report' (dated 2<sup>nd</sup> June 2016) and the Design &amp; Access Statement</b>
<b>09</b>	<b>16/01314/FUL CT.6746/K</b>	<b>Case Officer Update:</b> The final paragraph on page 132 and the first paragraph on page 133 has been misprinted and should read:  'Whilst the applicant has not been able to provide evidence of declining profits for the business, a letter from the brewery has been provided to support the application setting out that there has been a high turnover of tenants and that beer sales have fallen significantly. The rent charged by Hook Norton had also been reduced as landlords were unable to make the business successful. The Oddfellows also traded as a bed and breakfast to help maintain the viability of the business but given the competitive market within the town this also failed to ensure the long term success of the public house.'

**From:** Rob Ellis }

**Sent:** 04 July 2016 16:39

**To:** Abigail Beccle; Alison Coggins; Tony Berry; Ray Brassington; Sue Coakley; Patrick Coleman; Robert Dutton; David Fowles; Mark Harris; Stephen Hirst; Robin Hughes; Sue Jepson; Juliet Layton; Mark MacKenzie-Charrington; Tina Stevenson

**Cc:** Claire Baker; Kevin Field

**Subject:** 15/04899/FUL - The Old Barn, Stratton, Cirencester - Committee Site Visit

**Importance:** High

Dear Members,

We write following your request to defer the decision for a site visit on the above planning application at the Planning Committee on 8<sup>th</sup> June 2016. The Committee Site Visit is due to take place on Wednesday 6<sup>th</sup> July 2016 at 12.15pm, prior to the Planning Committee on 13<sup>th</sup> July 2016.

Prior to the site visit, we have been instructed by the applicant to circulate some additional visual information in order to clarify points made by the neighbouring objectors to the proposed development.

Members will be aware that the neighbour at Glebe House submitted a massing model depicting how the proposed dwelling and detached garage could look in their view (Page 29 of the Additional Representations to 8<sup>th</sup> June 2016 Committee). We responded in an email to the case officer dated 6<sup>th</sup> June 2016 (Pages 30 & 31 of the same Additional Representations), highlighting the inaccuracies in this submission. We do not intend to rehearse these concerns in full here.

Since the deferral of the decision, the applicant has sought to prepare their own massing model/photomontage to more accurately depict the proposed dwelling and garage as it would be viewed from Glebe House. For clarity, we have provided three figures:

- Figure 1 – Objector’s Massing Model (grey) with the applicant’s “wireframe” outline overlaid.
- Figure 2 – Applicant’s “wireframe” outline only
- Figure 3 – Applicant’s Photomontage including use of proposed materials and landscaping

As you can see, the objector has significantly overstated the size of the proposed garage building and sited the development much further south that it would be in reality.

Furthermore, the objector’s use of a grey block is not a realistic view of the dwellings proposed. The applicant has already agreed the materials to be used for the walls (natural Cotswold stone) and roof (conservation stone slates) with the Council’s officers and these have been used in the photomontage (Figure 3) to more accurately depict the buildings as proposed. As a result the proposals will be in character with the built form in the surrounding area and will have a much softer impact on Glebe House than the objector has suggested. A sample panel of the materials to be used, has been constructed and is available to view on the application site during the site visit.

In addition, the objector did not include any landscaping within their massing model. Specifically, there is existing landscaping within the garden of Glebe House (removed from the objector’s massing model) and proposed landscaping along the shared boundary which would further soften and mitigate the visual impact of the proposed dwelling and garage. The proposed landscaping can be secured by condition as part of any permission. We have included this landscaping detail within the photomontage (Figure 3).

ITEM 05 - 15/04899/FUL - CT.5679/c

Finally, I can also advise that the applicant will "peg out" the footprint of the dwelling and garage, as well as constructing temporary scaffolding to depict the correct height. To assist members, this will be ready and available to view on the site visit.

Many thanks.

Kind regards,

**Rob Ellis MRTPI**

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Massing Model View

Rear garden of Glebe House showing proposed house

1 MEM 05 - 15/04/8991/R/L - G.5679/c

Figure 1 Photomontage - With Wireframe Overlaid  
16071.003 33 Gloucester Road, Cirencester



Massing Model View

Rear garden of Glebe House showing proposed house

Figure 2 Photomontage - Wireframe Only  
16071.003 33 Gloucester Road, Cirencester

ITEM 05 - 15/04/8991/RUL - CT.56791c



Massing Model View

Rear garden of Glebe House showing proposed house

NOTES:

- 1) Silhouetted trees illustrated in foreground are on the boundary within Glebe House garden
- 2) Windows on first floor elevation represent bathrooms and are to be frosted glass.

19EM 05 - 15/078991HL - CT.5675/C

**Figure 3** Photomontage - Rendered Including Mitigation  
16071.003 33 Gloucester Road, Cirencester

**From:** Andrew Dike  
**Sent:** 29 June 2016 16:54  
**To:** Mike Napper  
**Subject:** RE: Packer's Leaze, South Cerney (16/01366/FUL)

Hi Mike,

With regards to the questions, I can offer the following responses;

1/ Following items have been identified for storage within proposed containers: Blowers, Quad bike, Shovels, Brushes, Refuse sacks, Recycling boxes/bags etc. Mechanical sweeper replacement brushes, Road signs, Uniform Tool kits, Road salt, recycled/refurbished vehicle parts (i.e. springs/rams etc.). They are currently stored on the temporary depot site where there is not sufficient storage space. The portacabin would be used for staff to carry out operational management duties relating to equipment being stored.

2/ The existing building is scheduled to be refurbished and will become a construction site once a contractor is selected to carry out the works. Due to Health and Safety & construction operations reasons, access to both personnel and storage will be restricted

3/ Reconfiguration and refurbishment of internal layout in line with approved client requirements. This will include the following: increased staff welfare facilities, office facilities, storage area, general Mechanical & Electrical improvements.

Regards

Andy

**Andrew Dike**

**Joint Property & Facilities Manager  
Cotswold & West Oxford District Councils**

ITEM 07 - 16/01366/FUL - CT. 0108/2/H





Oakwood Planning

JAYNE CASHMORE  
BSC, MA, MRTPI

Mr Kevin Field and Mr Nigel Adams  
Cotswold District Council  
Trinity Road  
Cirencester  
Gloucestershire  
GL7 1PX

7 July 2016

Dear Mr Field and Mr Adams

**Braecroft, Upper Oddington**

**16/00357/FUL – Erection of ancillary building**

**Applicant – Mr P. Wilsdon**

This application is due to be determined at Planning and Licensing Committee on 13 July 2016. I am writing to you as the photographs contained within the committee report, which was published yesterday, are misleading, inaccurate and highly damaging to the applicant's proposal. I require your urgent attention to rectify this.

The one key issue relates to the visual impact of the development and the report incorporates a number of photographs taken by officers. The published photos are zoomed in and in no way accurately reflect the visual impact of the proposal. As an example, compare officer photo 127 to Tyler Grange photo viewpoint 2. Photo 127 seems just to the right of Tyler Grange viewpoint 2. Look at the difference?!

It is unjust and completely wrong to ask Members to make a decision on the application based on those published photos. They are a gross exaggeration of the reality. As the photographs are now in the public domain, it also means that the Parish Council, Councillor Beale (Ward Member) and other members of public will have viewed them and will be forming a view based on them. This is not acceptable to us and should not be acceptable to you either.

S & J Cashmore, Trading as Oakwood Planning

ITEM 8 - 16/00357/FUL - CD. 2250/K

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The Landscape Institute has published guidelines on taking photographs (attached). How have these been followed by the Council? And if they haven't, the Council should not be publishing those photos.

The applicant has gone above and beyond the requirements for what should be a simple householder application and, during the course of the application, commissioned his own Landscape and Visual Overview Report. This was carried out by Tyler Grange, who are independent, professional and are responsible to their Institute. They have properly followed the Institute guidelines and provided an accurate reflection of the visual impact of the proposal. The photo viewpoints supplied are not biased in any way – they are a true and accurate reflection of the situation, and could have been used by the Council. Instead, the committee report photos substantially distort the truth.

Within the 'impact on the landscape character within the AONB' section of the officer report, the officer report has failed to take proper account of the Tyler Grange report (attached for ease) and considerably overplays the visual impact. The suggestion of the new planting belt taking time to establish is simply untrue - it is completely possible and achievable to use semi-mature stock of native plants that are in keeping with the landscape character. They are more expensive and need care in establishment but they are available and could be used in this instance to provide a quick screening element. Why has this not been considered?

The report also does not correctly advise Members of the intervisibility from the Farmed Slopes and consequently misrepresents the sensitivity of the landscape (this is all set out in the Tyler Grange report ZTV Plan 2).

Clearly the committee report is inaccurate and misleadingly. Please urgently inform me what steps you intend to take to rectify this situation to ensure that Members, the Parish Council and local Councillor do not take into account the misleading information and photographs. I also request that Members of the committee visit the site for themselves, in advance of next Wednesday's committee, including from the viewpoints which have been published in the report so they can see just how inaccurate they are. For these reasons, the applicant is also considering legal action on the report content.

I await your reply.

Yours sincerely

Jayne Cashmore MRTPI  
Oakwood Planning.

Cc Cllr Beale

TANNERS  
SOLICITORS LLP

2047458

Our Ref : AAH/RMB/W2544-1

Your Ref :

Lancaster House  
Thomas Street  
Cirencester GL7 2AX

08 July 2016

Head of Planning  
Cotswold District Council  
DX 144421 CIRENCESTER 2

**BY EMAIL AND DX**

Dear Sir

**Braecroft, Main Road, Upper Oddington  
Our clients: Peter and Clare Wilsdon**

We act for Peter and Clare Wilsdon of Braecroft, Main Road, Upper Oddington, Gloucestershire, GL56 0XJ and are writing in connection with your authority's handling of their planning application dated 30<sup>th</sup> January 2016 and registered under reference 16/00357/FUL.

The application concerns the proposed erection of an ancillary building and was submitted by a planning agent and is supported by a detailed landscape and visual overview report prepared by Tyler Grange LLP and dated 2<sup>nd</sup> June 2016.

We understand that the application is due to be determined by the Planning and Licencing Committee sitting on 13<sup>th</sup> July 2016. Our clients have been made aware of the report prepared for the committee which appears to incorporate a number of photographs taken by or on behalf of your officers. The published photographs appear to be taken in a way through lenses and/or magnification such that they distort the true visual impact of the proposal by exaggerating the potential impact. You will be aware that decisions based on a procedural impropriety (within in the definition of Lord Diplock in Council of Civil Service Unions vs Minister for the Civil Service [1985]) can be set aside. In essence, the key issue with regard to this proposed application is that of visual impact and the published photographs taken by or on behalf of your officers are manifestly unfair. As such, Article 6 of the European Convention on Human Rights would also be engaged in terms of considering fairness.

Our clients have no wish for this application to be dealt with other than fairly and objectively

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**ITEM 8 - 16/00357/FUL - CD.2250/K**

Continued:  
Head of Planning  
Cotswold District Council

08 July 2016

and do not seek to interfere with that process. However, we should make clear that they will not hesitate to take action to appeal or to seek to quash any decision which is taken unfairly and which breaches their Article 6 rights. Should such action be necessary then they will also be seeking an order for the costs of and occasioned by such action be borne by your authority and we must put you on notice of such accordingly.

Can we invite you please to take immediate steps to obviate the unfairness in relation to the misleading material that has been circulated to your members, to mitigate its effect and to otherwise confirm to us the action being taken.

We shall look forward to hearing from you as a matter of urgency.

Yours faithfully

TANNERS SOLICITORS LLP



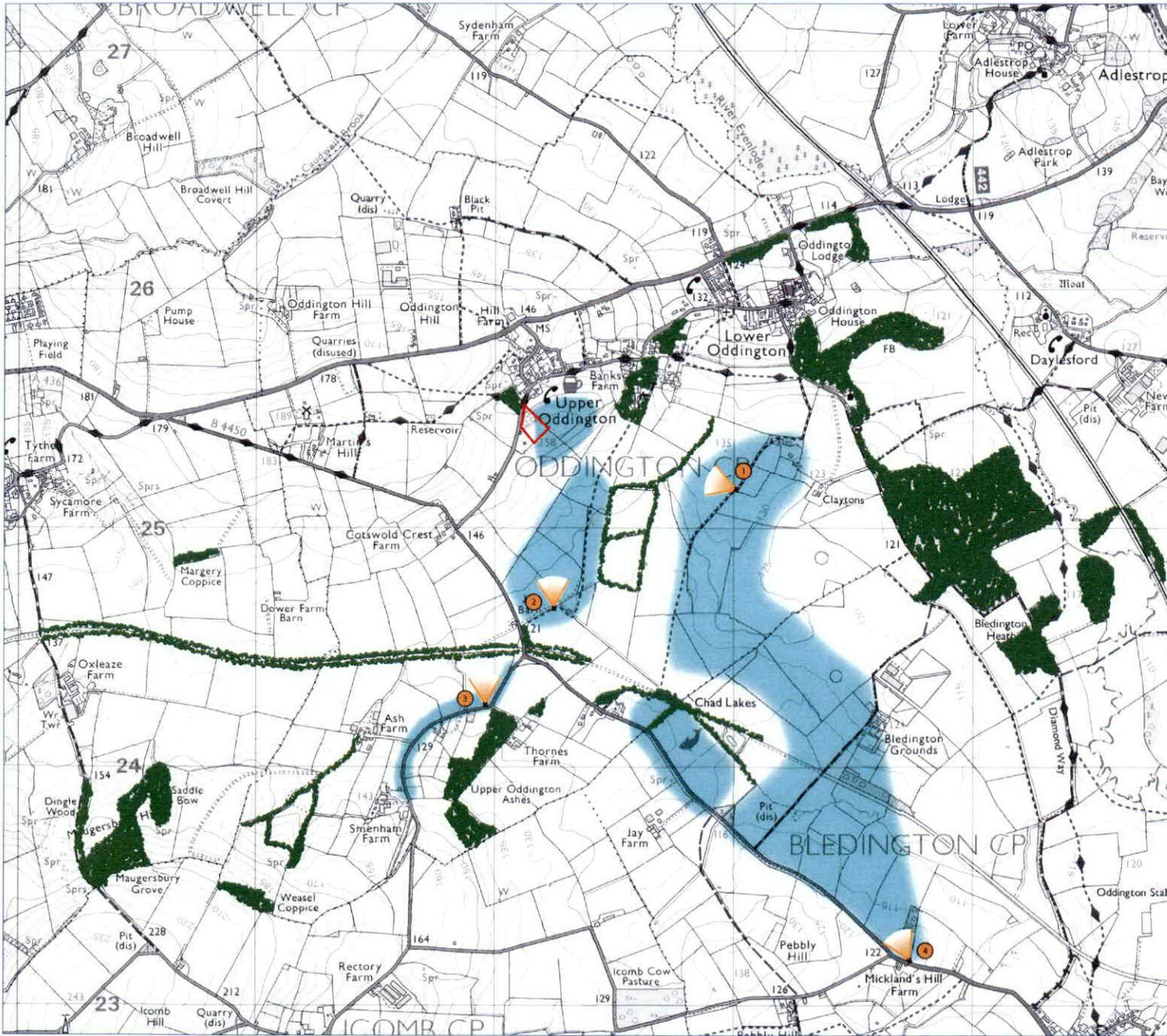
Item 08  
16/00357/FUL CD.22501/12

16/00357/FUL  
Erection of Ancillary building at Braecroft



Item 19880357/HUL CD. 225014. 13

Extracts from applicant's Landscape Report



-  Site Boundary
-  Photoviewpoint Locations
-  Approximate Visual Envelope
-  Intervening Vegetation Screening/Filtering Views



Project	Braecroft, Upper Oddington, Gloucestershire
Drawing Title	<b>Plan 3: Viewpoint Location, Approximate Visual Envelope and Significant Screening</b>
Scale	As Shown (Approximate)
Drawing No	10135/P03
Date	June 2016
Checked	JC/AW



Unit House, Rowanhill, Braecroft, Gloucestershire, GL5 2BP  
 T: 01453 761 333 E: info@tylgrange.co.uk W: www.tylgrange.co.uk

Item 03  
 16/000957/FUL  
 CO.22501K



<b>Photoviewpoint 1:</b> View from Public Right of Way with Braecroft and beech tree below the skyline amidst a cluster of maturing garden vegetation.	<b>Distance from Site:</b> 900m
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<b>Photoviewpoint 2:</b> View from Public Right of Way with Braecroft and beech tree visible amidst a cluster of maturing garden vegetation. Mitigation may assist - additional planting	<b>Distance from Site:</b> 800m
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Hemmer  
 16/000357  
 CD.22501K





<b>Photoviewpoint 3:</b>	View from road. Note yellow rape seed in front of Braecroft and beech tree on skyline and maturing garden vegetation.	<b>Distance from Site:</b>	1.2km
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<b>Photoviewpoint 4:</b>	View from road (Micklands Hill). Note this is a panorama with Braecroft and beech tree visible as a small component of a wide view.	<b>Distance from Site:</b>	2.7km
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Hem 08  
 16/03/2017  
 CD. 22501K