

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

13TH JULY 2016

Present:

Councillor SG Hirst - Chairman
Councillor Miss AML Beccle - Vice-Chairman

Councillors -

AR Brassington	David Fowles
AW Berry	M Harris
Sue Coakley	RL Hughes
Alison Coggins	Mrs. SL Jepson
PCB Coleman	Juliet Layton

Substitutes:

SI Andrews	RG Keeling
Julian Beale	

Observers:

JA Harris (from 9.40 a.m.)

Apologies:

RW Dutton	Tina Stevenson
MGE MacKenzie-Charrington	

PL.19 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor David Fowles declared an interest in respect of application CT.6746/K, because he was acquainted with the Objector, and he left the Meeting while that item was being determined.

Councillor JA Harris declared an interest in respect of application CT.6746/K, because he was acquainted with the Objector and the Applicant. Councillor Harris was invited to address the Committee in his capacity as Ward Member.

Councillor M Harris declared an interest in respect of application CT.6746/K, because he was acquainted with the Objector and the Applicant, and he left the Meeting while that item was being determined.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.20 SUBSTITUTION ARRANGEMENTS

Councillor SI Andrews substituted for Councillor Tina Stevenson.

Councillor Julian Beale substituted for Councillor MGE MacKenzie-Charrington.

Councillor RG Keeling substituted for Councillor RW Dutton.

PL.21 MINUTES

RESOLVED that the Minutes of the Meeting of the Committee held on 8th June 2016 be approved as a correct record.

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

PL.22 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.23 PUBLIC QUESTIONS

No public questions had been submitted.

PL.24 MEMBER QUESTIONS

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

From Councillor AW Berry to Councillor SG Hirst, Chairman of the Planning and Licensing Committee

'Given that the Local Plan runs to 2031, is it possible for the Planning Committee to set time scales for developments to be carried out? We currently normally add a condition that a development has to be commenced with 3 years of the approval, could we not also (to ensure a steady flow of new properties) condition that development can only start in (say) 2025?'

The following response had been provided by Councillor Hirst:-

'I can fully understand the reasoning behind the question regarding the phasing of developments in an attempt to ensure a steady flow of new properties.

However, all conditions attached to Planning Approvals must meet the six tests as set out in Paragraph 206 of the National Planning Policy Framework. Our condition that a development has to be started within a three-year window meets all the necessary planning tests.

A condition that restricts commencement to a forward date, especially one so far ahead as to say 2025, is against the spirit of the National Planning Policy Framework and therefore unreasonable and could be said to place unjustifiable and disproportional burdens on an applicant. Phasing control is a natural part of planning management; the current reasoning behind the national planning policy is to bring forward sustainable developments into as

short a time frame as is possible. Any attempt to delay natural progress could be challenged by a developer and the imposition of delaying conditions is highly unlikely to find favour with a Planning Inspector.'

Councillor Berry thanked the Chairman for his response and commented that, on this basis, it would not therefore be reasonable to ask the Council to provide detailed information on the sites which would be used to achieve the 8,400 new houses for the Local Plan. By way of a supplementary question, Councillor Berry asked why should the Council not set up a challenge along these lines for an Inspector to rule on, and concluded by requesting that this was a discussion that should include all the Members of the Planning and Licensing Committee.

The Chairman confirmed that a written response would be provided.

Note:

Subsequent to the Meeting, and prior to a response being provided, Councillor Berry advised that he had withdrawn his supplementary question.

PL.25 PETITIONS

No petitions had been received.

PL.26 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:-

CD.9536**Alterations and extension to create a new dwelling at Bier House, Lower Street, Blockley -**

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 the boundary of the site; its proximity to 1 Lower Terrace; its location within the Conservation Area; elevations; layout; the percentage increases proposed in relation to floor space and ridge height; parking; funding for repairs to the Church belfry and the installation of additional bells; and various Listed Buildings in the vicinity. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the site from various locations and views from within the site, including of the nearby Church.

The Case Officer explained that the scheme was not considered to be 'enabling' development and that the finances raised from the proposed sale of the building was not therefore a material planning consideration.

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

The Chairman referred to the Sites Inspection Briefing undertaken in relation to this application and invited those Members who had attended that Briefing to express their views. All the Members agreed that the building was in a very poor state of repair. A majority of those Members considered that the proposed development would not have any adverse impact on the street scene but one Member expressed the view that it would be overbearing in terms of its impact on an adjacent dwelling.

The Ward Member, who served on the Committee, was invited to address the Committee. The Ward Member contended that the building was in need of renovation to prevent its further deterioration, and that the proposed development would create a desirable one-bedroom dwelling which could be of benefit to the local community as it would help to finance maintenance and updating works at the Church. The Ward Member suggested that the proposed dwelling could be suitable for occupation by first-time buyers, or people seeking to downsize, and she commented that the front façade would be retained. The Ward Member stated that Blockley was a sustainable village with a number of facilities and that the proposed development would create a perfect use of a redundant building in the heart of the village. The Ward Member did not agree that the proposed development would have an adverse impact on the Area of Outstanding Natural Beauty, the Conservation Area, other heritage assets or the amenities of neighbouring buildings. The Ward Member pointed out that part of the charm of Blockley was the various 'nooks and crannies' and differing roof heights, and she commented that very few buildings in the village had straight walls. The Ward Member noted that the building was set back off the road and reminded the Committee that there was adequate space in front of it to accommodate three parked cars. The Ward Member referred to the expressions of support for the application from the Parish Council and the local community, referred to the

potential benefit that could accrue to the community, and concluded by urging the Committee to support this application.

In response to various questions from Members, it was reported that, as the building was a non-designated heritage asset, the level of demolition proposed was considered to be harmful; neglect of a building was not a material planning consideration; Officers had expressed concerns over the scale and impact of the proposed development, and considered an increase of over 400% in the size of the floor space to be excessive; the proposed development was considered to be contrary to guidance in the National Planning Policy Framework (NPPF); enabling development should be the least harmful way of achieving repairs to the Church; it was considered that the proposal would cause harm to the non-designated heritage asset, the Conservation Area and the surrounding Listed Buildings; if the Committee was minded to approve this application, a Condition requiring the re-use of existing natural stone could be attached to any Decision Notice; there was no objections to the principle of conversion of this building but, in the opinion of Officers, conversion at the level proposed was not acceptable; if the Committee was minded to approve this application, the development would not benefit from any allocated parking spaces; if the Committee was minded to refuse this application, as recommended, Officers would seek a dialogue with the owners of the building to try and achieve a more appropriate scheme for its restoration; in the opinion of Officers, the building was not yet 'at risk' as it was considered to be structurally sound and capable of repair; historically, the building had been used to store coffins and had recently been rented to a local person and used for storage; Officers had not discussed any other potential alternative uses with the Applicant; if the Committee was minded to approve this application, it was likely that the Applicant would seek to sell the building with the benefit of planning permission; and the issue of 'enabling development' was not a material consideration in the determination of this application.

Whilst agreeing that the building was in a very poor state of repair, some Members expressed support for the Officer Recommendation. Those Members contended that it should be possible to safeguard the future of the building through a more modest improvement scheme which would be more in keeping with the scale of the existing building and would not compromise adjacent buildings nor views of the Church. They also suggested that alternative potential uses should be explored, including the potential for use as a small craft or workshop, and stated that any development should not exacerbate any existing overbearing impacts.

Other Members suggested that the proposed development would solve a predicament for the Parochial Church Council. Those Members referred to the success of other 'community' projects in Blockley and contended that the adjacent buildings and views of the Church had already been compromised by a previous garage development which, they considered, to be overbearing. They noted the current state of the building and expressed the view that the proposed development would not have any adverse impact on parking in the area and would result in the renovation of a redundant non-designated heritage asset. They contended that the proposed development represented a good use of the building as it would result in the retention of its external appearance and represented an imaginative use of the space.

The Ward Member was invited to address the Committee again and expressed the view that, as there were two business parks in close proximity to this site, there was no requirement for a commercial unit in the centre of the village. The

Ward Member concluded by reiterating her previous comments on the need for a small unit of accommodation, the retention of the façade and impact on views of the Church.

A Proposition, that this application be refused as recommended, was duly Seconded. On being put to the vote, that Proposition was LOST. The Record of Voting in respect of that Proposition was - for 6, against 7, abstentions 1, Ward Member unable to vote 1, absent 0.

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

Approved, subject to Conditions to be specified by the Case Officer, including design, the re-use of existing natural stone, removal of Permitted Development Rights and details of how the external doors would be secured.

Record of Voting - for 7, against 6, abstentions 1, Ward Member unable to vote 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 any overpowering impact on neighbouring properties or Listed Buildings, and that the objections to the proposal were outweighed by the expressions of community support.

CD.6316/V

Removal of Condition 2 of CD.6316/C (90.00218) to allow occupation of annex as a separate dwelling at Wycomb Cottage, Syreford, Whittington -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the existing occupancy condition; sustainability issues; public transport services; access to facilities, employment and amenities; and the relevant planning history.

The Applicant was invited to address the Committee.

The Ward Member, who served on the Committee, was invited to address the Committee and amplified the reasons why he had referred this application to the Committee for determination. The Ward Member contended that the supply of small, two-bedroomed cottages was limited in the Cotswolds, and that some small-scale developments were needed in villages to house young people or those of retirement age. The Ward Member reminded the Committee that the building stood in its own grounds and had its own parking, but was tied by Condition to the occupancy of the larger house. The Ward Member suggested that it might be appropriate to defer consideration of this application for a Sites Inspection Briefing to assess the building in the context of the larger house, and he concluded by stating that appeals had been allowed in respect of similar applications in other areas.

In response to various questions from Members, it was reported that the cottage was currently occupied by the Applicant's Father-in-Law; sustainability issues

were relevant to open-market housing; in the opinion of Officers, no economic benefits would accrue from this proposal, there were no amenities in the village; the application was contrary to the National Planning Policy Framework (NPPF); and the size of the building and its associated curtilage were material in the consideration of this application, but that the development was considered to be situated in an 'unsustainable' location

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

(a) Deferred for a Sites Inspection Briefing to assess the sustainability credentials of the village and the accessibility of neighbouring settlements;

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

Record of Voting - for 12, against 0, abstentions 2, Ward Member unable to vote 1, absent 0.

Note:

It was considered appropriate for all Members of the Committee to attend this Sites Inspection Briefing in order to assess the sustainability issues and access.

CD.6316/W

Subdivision of property to provide two dwellings at Wycomb Cottage, Syreford, Whittington -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the floor plans, and garden area. The Case Officer also displayed photographs illustrating views of the access and views into the site, and reiterated issues in relation to sustainability and Policy 19.

The Applicant was invited to address the Committee but explained that he had made all of his comments in relation to the previous application (CD.6316/V above referred).

The Ward Member, who served on the Committee, was invited to address the Committee but explained that he had also made all of his comments in relation to the previous application (CD.6316/V above referred).

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

(a) Deferred for a Sites Inspection Briefing to assess the sustainability credentials of the village and the accessibility of neighbouring settlements;

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

Record of Voting - for 12, against 0, abstentions 2, Ward Member unable to vote 1, absent 0.

Note:

It was considered appropriate for all Members of the Committee to attend this Sites Inspection Briefing in order to assess the sustainability issues and access.

CT.1698/A

Outline application for the erection of up to 6 dwellings (appearance and landscaping to be reserved for future consideration) at Nettlestead, Burford Road, Lechlade -

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 Conservation Area; its location within the Development Boundary; and proposed layout and elevations. The Case Officer displayed an aerial photograph and photographs illustrating views into the site, views of the access and existing boundary treatments, and views from within the site and along the adjacent highway.

Both Ward Members were invited to address the Committee. One of the Ward Members, who served on the Committee, suggested that this application should be considered in the context of the adjacent buildings in order to achieve a sense of the appropriate density for the area. The Ward Member referred to a previous development on Station Road, Lechlade where permission had been granted for three four-bedroom dwellings on a site of a similar size. The Ward Member expressed concern that there would not be any contribution in respect of affordable housing provision from this development, and stated that no community, environmental or economic benefits would accrue. The Ward Member further contended that a minimal level of landscaping was being proposed to mitigate against the loss of existing trees and that there was no justification for six three-bedroomed houses in this location which, in her opinion, constituted overdevelopment. The Ward Member stated that there would be little opportunity for the Committee to influence the design of the proposed units at the reserved matters application stage. In conclusion, the Ward Member stated that she supported the principle of development on this site but that such development should be of an appropriate size, sensitive, and result in an enhancement of the surrounding area.

The other Ward Member, who did not serve on the Committee but was serving as a Substitute Member at this Meeting, supported the comments of his fellow Ward Member. The Ward Member pointed out that, while the circulated report relied on comparisons of detail with the surrounding area, it did not guarantee that such detail would be carried through to the development if the Committee was minded to approve this application, as recommended.

In response to various questions from Members, it was reported that layout was not a reserved matter; if the Committee was minded to refuse this application for reasons relating to overdevelopment, it would need to specify the harm that would be caused; the emerging Lechlade Neighbourhood Plan was not a material consideration in the determination of this application as it had not yet been adopted but, nevertheless, it had been afforded relevant weight in the assessment of the application; in the opinion of Officers, the scale, layout and access

proposed would not be harmful in this location; the proposed density was 40 per hectare; there was a mix of designs and a variation in the character of buildings in the vicinity of the site; there was a need for additional housing within the District; the Council was required to make provisions to meet future housing needs; and, in the event that the Committee was minded to approve this application as recommended, it was suggested that a Condition requiring the prior submission of a Bat and Bird Mitigation Scheme be attached to any Decision Notice.

A number of Members considered that this application should be refused. Those Members contended that the proposed density was too high, the development would have an adverse impact on the street scene, and the size of the plots proposed would not provide suitable accommodation for families. Concern was also expressed that the proposal did not include any contribution towards the provision of affordable housing.

In response, the Case Officer reminded the Committee that proposals comprising sites of six dwellings (1,000 sqm) or less did not require contributions towards affordable housing. It was reported that the number of dwellings proposed was a material consideration for the Committee and, whilst the Committee could consider issues including the impact on the street scene of the proposed scale and layout, in the opinion of Officers there was no defined character in this area of the town. The Committee was reminded that the site was not in the Conservation Area and that densities would be expected to be higher in principal settlements. In that context, a Member commented that density rarely reached 30 units per hectare in the District.

Other Members expressed concern over the cumulative impact of other applications which had been approved in the town, and they contended that the garden spaces were not commensurate with the size of the properties proposed.

A Proposition, that this application be refused, was duly Seconded.

The Ward Members were invited to address the Committee again. One of the Ward Members suggested that, if the Committee was minded to refuse this application as proposed, the issue of car parking could be considered because, in her opinion, it would be difficult to manoeuvre vehicles within the site. The Ward Member contended that there was a clear message on the massing of developments in the Cotswold Design Code, and reiterated her previous comments regarding the Committee's ability to influence design at a future reserved matters application stage. The Ward Member concluded by also reiterating her previous comments in respect of the principle of development on this site.

The other Ward Member reiterated his previous comments relating to reliance in the circulated report on comparisons with design elements of neighbouring properties.

Refused, for reasons to be specified by the Case Officer, including impact on the street scene and lack of amenity space.

Record of Voting - for 12, against 0, abstentions 1, Ward Members unable to vote 2, absent 0.

Note:

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

CT.5679/C

Demolition of existing outbuildings and erection of 1 no. dwelling, detached garage building, vehicular access, landscaping, parking and associated works at Old Barn, 33 Gloucester Road, Stratton -

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 proposed layout, elevations, floor plan, and garage. The Case Officer displayed an aerial photograph of the site and photographs illustrating views into the site from various vantage points, views along the highway, views from within the site including into an adjacent garden, views of the building proposed for demolition, views of an existing boundary wall.

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

The Chairman referred to the Sites Inspection Briefing undertaken in relation to this application and invited those Members who had attended that Briefing to express their views. A majority of those Members considered that the proposed development would have an overbearing impact on an adjacent Listed Building. One Member expressed a contrary view, whilst another expressed concern that the space between the proposed building and the existing boundary wall would be inadequate for the proposed landscaping and that the amenity space relating to Old Barn was inadequate.

The Ward Member, who served on the Committee, was invited to address the Committee and stated that he shared the view that the proposed development would have an intrusive and overbearing impact on the Listed Building. The Ward Member considered that the access was situated too close to Old Barn and would therefore have as intrusive impact as a result of this application as it would have as a result of a previous application which had been refused and dismissed on appeal. The Ward Member stated that he did not have any objections to the principle of development on this site and he concluded by suggesting that an improved scheme could be submitted.

In response to various questions from Members, it was reported that the provision of a new dwelling would be of benefit to the area; Officers had concluded that the Applicant had satisfactorily addressed the harm identified by the Inspector at the appeal into the refusal of the previous application on this site; and the Council's Landscaping Officer had reviewed the landscaping plan submitted as part of this application.

It was suggested that, whilst it would be difficult to sustain a refusal of this application for reasons relating to its impact on the Listed Building alone, it would have an unacceptable impact on Old Barn. It was accepted that this current application constituted an improvement over the previous application on this site but, because the access was too close to Old Barn, it was considered that it would have a real and continuing adverse impact. Concern was also expressed in respect of the adequacy of the garden space of Old Barn and that, overall, the application should be refused because the cumulative impact on Old Barn was

unacceptable because it constituted overdevelopment of this site, and because it would harm the setting of Glebe House.

A Proposition, that this application be refused, was duly Seconded.

Refused, for reasons to be specified by the Case Officer relating to its impact on Glebe House and Old Barn and an adjacent Listed Building.

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

Note:

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

CD.6707/C

Change of Use from a chapel to form 4 holiday flats and a retirement flat; including external alterations and roof extension at Methodist Chapel, Sheep Street, Stow-on-the-Wold -

The Team Leader reminded the Committee of the location of this site and outlined the proposals, drawing attention to the building, which was considered to be a non-designated heritage asset. The Team Leader displayed an aerial photograph of the site and photographs illustrating views of the existing building from various vantage points and views of the existing bin storage area.

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

The 'Acting' Ward Member, who did not normally serve on the Committee but was serving as a Substitute Member at this Meeting, stated that his views were aligned with the views articulated by the Town Council.

In response to various questions from Members, it was reported that, although no on-site parking was proposed for this development, there was on-street parking available in close proximity to, and a public car park within a reasonable walking distance of, this site; in the opinion of Officers, there was adequate space to provide a bin store, as proposed; it was expected that arrangements for the bin store would be the same as for any other residential unit; fenestration for the proposed 'retirement flat' would be by way of a window and roof lights; if the Committee was minded to approve this application as recommended, a further application would be needed for a Change of Use of the holiday lets to permanent residential accommodation; the permitted use of the 'retirement flat' would be as a residential unit; and the proposal included a ramped access to the ground floor units.

Some Members expressed concern at the lack of on-site parking associated with this development, and commented that existing car parking was already under pressure within the town. Some other Members contended that the proposal did not represent an appropriate use of the existing building, and expressed concern over the fenestration proposed for the 'retirement flat' and the adequacy of the external space.

Other Members considered that the proposal represented a good use of the existing building. Those Members contended that there was adequate parking available within the town for potential occupiers and that holiday lets could be moderately welcome in Stow-on-the-Wold. Those Members noted that holiday lets would generate fewer vehicle trips than permanent dwellings over a period of a year, and that it was likely that a commercial use would generate a higher number of vehicle movements.

The 'Acting' Ward Member was invited to address the Committee again and he stated that he was sad the building could not be retained for its original use. The 'Acting' Ward Member commented that the building was in a prominent position in the town and contended that this proposal constituted overdevelopment. The 'Acting' Ward Member concluded by stating his preference for conversion to provide larger family units.

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

Approved, as recommended.

Record of Voting - for 12, against 2, abstentions 0, 'Acting' Ward Member unable to vote 1, absent 0.

CT.0108/2/H

The siting of 1 x Portacabin 9.75 x 3.04 x 3.04m, 1 x storage container 9.75 x 3.04 x 3.04m, and 3 x storage containers 6.09 x 2.43 x 2.43m, at part of site previously used as a fuel storage compound, together with associated landscaping at Packers Leaze, Broadway Lane, South Cerney -

The Team Leader drew attention to the extra representations received since the publication of the Schedule of Planning Applications.

In response to various questions from Members, it was reported that the development itself would not generate any additional vehicle movements and the submission of a noise assessment was not justified on this occasion as the storage units in themselves would not materially increase noise levels from the site; the intended use of the portacabins was for the storage of vehicles; it was considered that the portacabins would have minimal visual impact on the sail lake and existing houses to the north-east of the site; if the Committee was minded to approve this application as recommended, the Applicant's stated intention was to carry out additional landscaping to the frontage of the site but the visual impact of the storage units would not justify the imposition of a condition to require this to be done; an existing noise condition on the established use of the site would remain; and, as this application was for a temporary permission, the portcabins could be removed at some time in the future or the Applicant could submit an application to extend the temporary permission or to make it permanent.

A Proposal, 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.2250/K**Erection of ancillary building at Brae Croft, Upper Oddington -**

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 the dimensions of the proposed building; the facilities to be housed therein; and the proximity of the site to a public right of way. The Case Officer also displayed photographs illustrating views of the site from various locations, and views along the adjacent highway. The Case Officer explained that the photographs included in the circulated report gave a representation which was similar to views of the site with the naked eye and a reasonable representation of the view from the nearby public footpath.

The Agent was invited to address the Committee.

The Ward Member, who did not serve on the Committee but was serving as a Substitute Member, was invited to address the Committee and stated that consideration could be given to deferring this application for a Sites Inspection Briefing. The Ward Member expressed the view that the property had been developed in an imaginative way over a number of years, and that the proposal had been equally imaginatively designed. The Ward Member contended that netting relating to the existing tennis court was visible but that a building would be more noticeable. The Ward Member considered there to be good reasons why the existing tennis court could not be used and that it was therefore fair for the Applicants to seek an alternative use. However, the Ward Member suggested that there could be other, more appropriate locations within the site for the proposed building, and he concluded by reiterating his comments in respect of deferral for a Sites Inspection Briefing.

In response to a question from a Member, it was reported that the location of the proposed building had been discussed with the Landscape Officer. In response to a question relating to the submission of a Solicitor's letter on behalf of the Applicants, it was reported that the Applicants were entitled to seek their own legal advice on the application and the Council's handling of that application, and to submit such advice to the Council. Further, it was for the Committee to listen to the views expressed and to decide if any prejudice had been caused.

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

(a) Deferred for a Sites Inspection Briefing to assess the impact of the proposed development on the character and appearance of the Area of Outstanding Natural Beauty;

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

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

Note:

It was considered appropriate for all Members of the Committee to attend this Sites Inspection Briefing in order to clarify any misunderstandings between the Council and the Applicants.

CT.6746/K

Change of Use from public house to one residential dwelling at Oddfellows Arms, 14 Chester Street, Cirencester -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its location in the context of the town centre and its proximity to a number of other public houses. The Case Officer displayed photographs illustrating views of the street scene in the vicinity of this site.

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

The Ward Member, who did not serve on the Committee, was invited to address the Committee and expressed the view that the loss of a public house was a tragedy. The Ward Member stated that numerous public houses had closed in recent years due to a decline in trade, and that the operation of this public house had failed, despite the efforts of a number of different managers who had tried various initiatives. The Ward Member contended that it was difficult for 'back-street' public houses to be successful because of parking and viability issues, and that the submission of an application for the building to be registered as an asset of community value was not a material consideration for the Committee. The Ward Member concluded by stating that the Committee should take a realistic view of the situation and that the proposal could result in a good use of the building.

In response to various questions from Members, it was reported that the application for this building to be registered as an asset of community value had been made after the current planning application had been submitted; the Committee should be aware of such application but it was not a material consideration in the determination of this planning application; as the building was located in a 'principal' settlement, it accorded with the tests of Policy 25 and, as such, there was no requirement for evidence of viability and there was no justification to require submission of evidence of marketing of the property; it was considered that the loss of a public house in this location would not have any adverse impact on the vitality or viability of the town; and the previous owners had taken over the premises in 2007.

Some Members considered that the success of a public house depended on individual landlords, and it was noted that an application for a Change of Use of a public house in Northleach had been refused by the previous Planning Committee despite evidence of its decline having been submitted in support of that application. The Members contended that this public house was unique in Cirencester and should be retained as there was a real danger that the diversity in this location, and a bed and breakfast establishment in the town, would be lost.

In response to the reference to an application for a Change of Use of a public house in Northleach, it was reported that such application had been allowed on appeal.

Other Members noted that successive landlords had failed to improve trade at this public house. Those Members pointed out that behaviour patterns had changed over the years and more people were travelling to public houses in private vehicles.

The Ward Member was invited to address the Committee again, and commented that residents of a nearby housing complex could use another public house in the vicinity for their meetings. The Ward Member referred to the number of public houses in Cirencester and concluded by stating that they needed to be used if they were to continue in business.

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

Approved, as recommended.

Record of Voting - for 9, against 3, abstentions 1, interest declared 2, 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 CT.1698/A.

(ii) Public Speaking

Public speaking took place as follows:-

<u>CD.9536</u>	)	Rev. Canon D Delap
	)	(Applicant's Representative)
<u>CD.6316/V</u>	)	Mr. G Pinchen (Applicant)
<u>CD.6316/W</u>	)	Mr. G Pinchen (Applicant)
<u>CT.5679/C</u>	)	Mr. Bawtree (Objector)
	)	Mr. S Firkins (Agent)
<u>CD.6707/C</u>	)	Councillor M Moseley (Town Council)
	)	Mr. S Sharp (Agent)
<u>CD.2250/K</u>	)	Mrs. J Cashmore (Agent)
<u>CT.6746/K</u>	)	Mr. R Blackaller (Objector)
	)	Mr. H James
	)	(Applicant's Representative)

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

PL.27 SITES INSPECTION BRIEFINGS

1. Members for 3rd August 2016

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

2. Advance Sites Inspection Briefings

It was noted that advance Sites Inspection Briefings would take place on Wednesday 3rd August 2016 in respect of the following applications:-

16/01777/FUL - erection of a dwelling at land to the rear of Hillcrest, Bourton-on-the-Hill GL56 9AG - to view the site in the context of the Conservation Area, Listed Buildings and the Area of Outstanding Natural Beauty;

16/01883/FUL - conversion of 1 flat and 8 bedsits to 7 self-contained apartments including alterations to rear elevation at 3-5 Queen Street, Cirencester - to assess if the scheme constitutes unacceptable overdevelopment and to consider the impact on the locality and the amenities of the adjoining residential properties;

16/01509/FUL - erection of a single-storey dwelling on land to the south-west of Firs Farm, Todenham - to assess the impact of the proposed development on the setting of Listed Buildings and the character and appearance of the Moreton-in-Marsh Surrounds Special Landscape Area

It was considered appropriate for all Members of the Committee to attend these advance Sites Inspection Briefings as an approved duty 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

PL.28 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m., adjourned between 11.00 a.m. and 11.05 a.m., and again between 12.55 p.m. and 1.00 p.m., and closed at 2.10 p.m.

Chairman

(END)