

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

12<sup>TH</sup> OCTOBER 2016

Present:

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

Councillors -

AR Brassington	David Fowles (until 12.20 p.m.)
AW Berry	M Harris (until 2.02 p.m.)
Sue Coakley	Mrs. SL Jepson
Alison Coggins	Juliet Layton
PCB Coleman	Dilys Neill
RW Dutton	Tina Stevenson

Substitutes:

SI Andrews

Observers:

Julian Beale (until 2.25 p.m.)	RG Keeling (until 12.05 p.m.)
JA Harris (from 9.45 a.m.)	R Theodoulou (from 10.50 a.m. until
RL Hughes (from 11.00 a.m. until	1.15 p.m.)
1.15 p.m.)	

Apologies:

MGE MacKenzie-Charrington

PL.52 INTRODUCTION AND WELCOME

The Chairman introduced Councillor Dilys Neill, who had recently been elected to serve the Stow Ward, and welcomed her to her first Meeting of this Committee.

PL.53

DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor PCB Coleman declared an interest in respect of Agenda Item (9) (The Mobile Homes Act 2013 - Introduction of New Licensing Provision), because his Wife stored a mobile caravan at one of the sites under discussion.

Councillor Dilys Neill declared an interest in respect of application CD.0070/3/E, because she was acquainted with the Town Councillor who had registered to speak on that item.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.54 SUBSTITUTION ARRANGEMENTS

Councillor SI Andrews substituted for Councillor MGE MacKenzie-Charrington.

PL.55 MINUTES

**RESOLVED that, subject to the inclusion of the word ‘be’ between the words ‘this application’ and ‘approved’ in the seventh paragraph of the preamble to application CT.4936/1/B (Minute PL49, page 66 refers), the Minutes of the Meeting of the Committee held on 14<sup>th</sup> September 2016 be approved as a correct record.**

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

PL.56 CHAIRMAN’S ANNOUNCEMENTS

There were no announcements from the Chairman at this juncture.

PL.57 PUBLIC QUESTIONS

It was reported that notice had been received of two public questions, but that the questions had not subsequently been submitted. The questioners had been advised that such questions could possibly be submitted to the Cabinet Meeting which was scheduled to be held on Thursday 20<sup>th</sup> October 2016. The Head of Democratic Services would ensure that the questions would be addressed.

PL.58 MEMBER QUESTIONS

No questions had been received from Members.

PL.59 PETITIONS

No petitions had been received.

PL.60 THE MOBILE HOMES ACT 2013 - INTRODUCTION OF NEW LICENSING PROVISION

The Committee considered a report detailing proposals to introduce the provisions of the Mobile Homes Act 2013, including a charging regime in respect of site licensing and enforcement of licensing conditions.

It was noted that the proposal accorded with Government guidance, and that the suggested charging regime reflected the actual cost of regulatory work.

**RESOLVED that:**

**(a) the report be noted;**

**(b) the 2020 Partnership Managing Director be authorised to deal with the matters specified in paragraph 11.2 of the circulated report;**

**(c) the Council be requested to incorporate the approved delegations in the Officer Delegation Rules of the 2020 Partnership Joint Committee;**

**(d) the Mobile Homes Site Licence Fee Policy, attached at Appendix 'A' to the circulated report, be approved.**

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

PL.61 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.3366/H**

**Conversion of former Inn to 2 no. residential dwellings and erection of 2 no. residential dwellings within Inn car park, with car parking and associated works at The Old White Horse Inn, Stroud Road, Frampton Mansell -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications.

The Case Officer explained that this application was linked to the subsequent application (CT.1503/X below referred), and that the County Highways Officer had withdrawn an objection to this current application due to the availability of an alternative access arrangement. It was reported that, if the Committee was minded to refuse this application as recommended, Officers should be authorised to specify an additional refusal reason relating to highways. However, if the Committee was minded to approve this current application, the subsequent application (CT.1503/X) would also have to be approved if this current application was to accord with the requirements of the County Highways Officer.

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the highways in close proximity to the site;

layout; elevations; access; and car parking. The Case Officer displayed an aerial photograph of the site, and photographs illustrating the existing building, the original and extended car parks, access off Rodmarton Lane and the access road within the site. The Case Officer reminded the Committee that, notwithstanding the views of the County Highways Officer that the existing access arrangements would address all of the highways issues, the application proposed access from and egress onto Rodmarton Lane.

One of the Applicants was 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 stated that he did not support the Officer Recommendation on this occasion because he considered the location to be sustainable as there were comparatively frequent bus services travelling along the A419 between Cirencester and Stroud; there were some twelve independent residential units, either existing or recently permitted, in the vicinity of this site; and the proposed new-build accommodation would support the viability and growth of the existing commercial enterprise on this site, as well as leading to the removal of a flat-roofed extension to the former public house which, the Ward Member considered, would be to the specific benefit of the Cotswold Area of Outstanding Natural Beauty. The Ward Member contended that the public benefit arising from the proposed development would tip the fine balance referred to in the circulated report in favour of the application, and he reiterated that he did not support the Officer recommendation on this occasion.

The Chairman referred to the advance Sites Inspection Briefing undertaken in relation to this application and invited those Members who had attended that Briefing to express their views. They considered the site to be in a sustainable location and that the issues were finely balanced.

In response to various questions from Members, it was reported that there was no safe access to the site for pedestrians and cyclists; the timing of the bus services between Cirencester and Stroud would be restrictive for people wishing to travel to the site for employment purposes; the application had not been tested as being truly 'enabling' development; the Applicants had not put forward an argument that their business would fail without the enabling development; and consideration should be given to the social impact of the proposed development.

A Member expressed the view that additional residents would help to improve social issues in the vicinity of this site. The Member reminded the Committee that this site was located adjacent to the A419, and suggested that the proposed development would enhance an already vibrant area.

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

Other Members expressed support for this application. Those Members considered this site to be a unique site, which was sustainable. In response to a comment about an extant permission on this site for the conversion of the public house into four apartments, it was reported that such conversion had been supported by policy and had not proposed an open market, new-build development in the countryside. One Member commended the Case Officer on her report but stated that he did not support this application because it was contrary to policy.

**Approved, subject to Conditions to be specified by the Case Officer.**

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

Note:

This decision was contrary to the Officer Recommendation because a majority of the Committee considered that the proposal would result in an environmental improvement, the site was sustainable due to existing employment and bus services, and it would be of benefit to existing dwellings.

**CT.1503/X**

**Retrospective Change of Use of agricultural land to provide vehicular access and reconfiguration of car parking at Jolly Nice, A419 Stroud Road, Frampton Mansell -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the access, the parking arrangements, as approved and as applied for, and a block plan. The Case Officer displayed an aerial photograph of the site. It was reported that, in its determination of this application, the Committee should be mindful of the landscape impact of the proposals, and its decision in relation to the previous application above (CT.3366/H above referred).

One of the Applicants was 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. With reference to the existing car parking arrangements for the public house, the Ward Member explained that car parking would be contained within the boundaries of the old car park, and that the new incursion into agricultural land would constitute a vehicular access running through a grassed area. The Ward Member contended that, providing suitable materials were conditioned for that track, it would not present a visually prominent encroachment into the open countryside given the extent of the existing public house car park, and he concluded by stating that he did not support the Officer Recommendation to refuse this application.

The Chairman referred to the advance Sites Inspection Briefing undertaken in relation to this application and invited those Members who had attended that Briefing to express their views. The Members considered the proposed access/egress onto Rodmarton Lane to be acceptable for reasons relating to highway safety.

In response to various questions from Members, it was reported that the proposal was to allow vehicles to access and leave the site via Rodmarton Lane; the existing exit onto the A419 would be closed; no complaints had been received in relation to the urbanisation of this site; and it was not illegal to undertake unauthorised works.

A Member commented that the plan on page 31 of the Schedule of Planning Applications did not accurately reflect the assertion that the application was proposing access off and egress onto Rodmarton Lane. It was suggested that, if

the Committee was minded to approve this application, such decision should be subject to the submission of an amended plan. The Member contended that Officers should also ensure that the County Highways Officer supported that element of the proposed development and that traffic entering the site from Rodmarton Lane should be restricted to use of the overflow car park. Other Members expressed the view that it would be unreasonable for the Council to seek to restrict vehicle movements within the site. In response to that specific issue, it was reported that this was not a severely-constrained site, and that the Committee should be guided by the County Highways Officer who supported access off the A419, and access off and egress onto Rodmarton Lane.

A Proposition that this application be approved, subject to Conditions to be specified by the Case Officer, was duly Seconded.

An Amendment, that any such approval be subject to further engagement with the County Highways Officer to ensure that s/he was satisfied with the whole scheme, was duly Seconded. In the light of the Amendment, the original Proposition was withdrawn.

A composite Proposition, that this application be approved, subject to Conditions to be specified by the Case Officer, and to further engagement with the County Highways Officer to ensure that s/he was satisfied with the whole scheme, was duly Seconded.

**Approved, subject to Conditions to be specified by the Case Officer, subject to the submission of a plan showing all of the access details and to the County Highways Officer being consulted on all aspects of the proposed development.**

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

Note:

This decision was contrary to the Officer Recommendation because a majority of the Committee was satisfied that the proposed development would not have any significant adverse landscape impact.

**CD.0070/3/F**

**Reserved Matters pursuant to outline permission granted under ref. 13/05360/OUT for the erection of 44 extra care apartments, green open space, car parking and landscaping at land north of Tesco, Fosseyway, Stow-on-the-Wold -**

The Team Leader drew attention to the extra representations received since publication of the Schedule of Planning Applications. The Chairman allowed a period of time for the Committee to read those representations that had been circulated at the Meeting, and it was reported that the Officer Recommendation had been amended to 'permit, subject to Conditions' following the satisfactory resolution of the outstanding design and landscaping issues.

The Team Leader reminded the Committee of the location of this site and outlined the proposals, drawing attention to the outline planning permission; the issues to be addressed under this Reserved Matters application; the proximity of this site to the Tesco site, the Fosseyway and Broadwell Lane; access; screening; protected

trees in the vicinity of the site; the illustrative plan; revised elevations, which had been amended to include more vernacular features; and floor plans. The Team Leader displayed an aerial photograph of the site, and photographs illustrating the proposed access; the boundary of the site with the adjacent care home site; an existing stone wall which was to be rebuilt; and views along the highway. In response to comments submitted by the Town Council, it was reported that Officers were satisfied that the proposed development was in accordance with the scope of the outline permission. It was further reported that, as the use of this site had been established by such permission, the Committee could only consider issues relating to scale, appearance, landscaping and layout.

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

The Ward Member, who served on the Committee, and a Member representing an adjacent Ward, who did not serve on the Committee but had acted as 'caretaker' Ward Member during the period of the illness of the previous Ward Member and the election of the current Ward Member, were invited to address the Committee. The 'caretaker' Member explained that he had been involved in discussions in relation to this application, and that he supported the concerns expressed by the Town Council.

The Ward Member stated that car parking, and the need for affordable housing were the primary concerns. The outline planning application had been welcomed by the local community as the proposed development had been perceived as being a replacement for Ashton House, which had closed in 2012, and the need for 'extra' care in the town. The proposed development would offer a limited 'extra' care package, with additional 'extra' care being made available at a cost which, the Ward Member contended, constituted a missed opportunity to address the need for affordable 'extra' care accommodation in the town. The Ward Member reminded the Committee that this was a prominent site, and expressed concern at the potential adverse impact arising from light pollution. The Ward Member considered the on-site parking provision to be inadequate, and stated that it was unlikely staff and/or visitors would cycle to this site. The Ward Member explained that limited public transport services operated from The Square in the town, and suggested that residents would be unable to walk to The Square from this site. The Ward Member expressed disappointment that this development opportunity would be offered to the wealthier end of the housing market and concluded by stating her view that there were few affordable options available for residents of the town.

In response to various questions from Members, it was reported that, in its determination of this application, the Committee should only attach limited weight to the emerging Design Guide for the town; in the opinion of Officers, this was a 'functional' building with a 'challenging' design due to the need to provide various facilities for residents on one level and within a single building, although it was an improvement over the original proposal; the flat roof elements would not be visible; 'extra' care units were in Use Class C2, but that was not a matter for discussion at this stage as the principle of the use had already been established; Officers had reviewed all of the paperwork relating to the outline application and could not find any commitment to taking forward The Order of St. John as the provider on this site so it was available to any open market provider who was able to adhere to the various planning conditions and the requirements of the Section 106 Agreement; there was no requirement to provide affordable housing on this site; in the opinion of Officers, this current application would offer the same type of

development as had been approved at the outline stage, but with a different provider; planning permissions ran with the land and not with a particular Applicant; correspondence received from both the M.P. and the local County Councillor endorsed the stance taken by the Town Council but Officers had taken a different position; the Team Leader had not been party to all of the discussions which had taken place between the Town Council and the previous Applicant so had relied on the submitted paperwork in her assessment of this application and the previous application, having rigidly applied the appropriate tests, and it was advisable for third parties to also rely on the submitted paperwork; the outline application had been considered to comply with guidance and the requirements of the National Planning Policy Framework (NPPF) and had been approved because it would provide a dementia care home and 'extra' care units; the significant impact of the proposed building had been taken into account at the outline application stage, but it had been considered that any environmental harm would be outweighed by the benefits that would accrue from the development; the Applicant had opted for a vernacular approach to the design and, as the amended scheme was considered to be acceptable, Officers had not explored the options for a contemporary design approach with the Applicant; the key elements of the Section 106 Agreement were detailed in the circulated report; all Members of the Committee, and the previous Ward Member, had been invited to attend a Sites Inspection Briefing prior to the determination of the outline application; and a Condition requiring a lighting scheme to be approved had been attached to the outline planning permission.

A Member considered the proposed design to be inappropriate in a gateway location, and expressed concern over the volume of on-site parking provision. Another Member stated that it was unfortunate that the closure of Ashton House had left a perception in the town that there was a lack of provision of affordable housing for the elderly and that there had been an expectation that this development would be more affordable. The Member considered the design, which had been driven by the outline permission for forty-four apartments, to be acceptable, and contended that concerns might well have been expressed in some quarters had a contemporary design been put forward. The Member suggested that the current design was the best that could be achieved and concluded by expressing the view that it represented a significant improvement over the design originally submitted.

A Proposition, that this application be approved as recommended, was duly Seconded. A Further Proposition, that this application be refused for reasons relating to the appearance, scale and massing of the proposed building, and its harmful impact on the character and appearance of the Area of Outstanding Natural Beauty, was duly Seconded, and the votes were taken in the order that the Propositions had been made.

On being put to the vote, the Proposition that this application be approved, as recommended, was LOST. The Record of Voting in respect of that Proposition was - for 5, against 9, abstentions 0, Ward Member unable to vote 1, absent 0.

**Refused, for reasons to be specified by the Team Leader, including in relation to the design, scale and massing of the proposed building, and its impact on an approach to the town and the Cotswold Area of Outstanding Natural Beauty.**

**Record of Voting - for 9, against 5, abstentions 0, Ward Member unable to vote 1, absent 0.**



Notes;

- (i) This decision was contrary to the Officer Recommendation, for the reasons stated.
- (ii) It was suggested that the developer should seek to engage with the local community over the options for a more contemporary design.

**CD.9438/B****Reserved Matters application in pursuance of Condition 1 of planning permission ref. no. 14/02365/OUT (APP/F1610/A/14/2228762) for the erection of 90 dwellings, and associated infrastructure and Public Open Space at Land Parcel off Broad Marston Road, Mickleton -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its proximity to the primary school; an illustrative master plan; layout; materials; and elevations. The Case Officer displayed an aerial photograph, and photographs illustrating views along the highway, the access into the site, and views from within the site.

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

The Committee Services Manager read out comments received from one of the Ward Members, who did not serve on the Committee and had been unable to attend the Meeting. The Ward Member stated that he had been appalled at the decision to allow the outline planning application on appeal, and that he had been even more appalled at the lack of consultation by the Applicant. The Ward Member contended that such lack of consultation was due to the Applicant's perception that the Reserved Matters application would be approved no matter what, and that this was apparent by the Applicant not being prepared to consider 'sensible' amendments, particularly in respect of what the Ward Member considered to be worrying safeguarding concerns. The Ward Member contended that some re-positioning of housing would result in an improved scheme which he, and the local community, might have been able to support. He stated that he concurred with the comments of the Parish Council, and he expressed the view that the very sensible course of action would be for the Committee to defer its determination of this application and to invite the Applicant to consider listening to the local community. The Ward Member considered that the National Planning Policy Framework (NPPF) supported an approach whereby a better solution for the environment and local community was achievable, and he stated that he genuinely believed it was. He concluded by stating that, otherwise, this application would be an exemplar for failure by the 'decision by appeal' regime the Council now operated under.

In response to various questions from Members, it was reported that no concerns over the indicative framework or safeguarding issues had been raised during consultation in respect of the outline application nor at the subsequent planning inquiry, when the location of houses adjacent to the primary school had been considered to be 'appropriate'; in the opinion of Officers, therefore, there was now no scope for negotiations in those respects; the Applicant had been made aware

of the concerns raised; the Parish Council, the Primary School and neighbouring properties had been consulted over the outline application, and the Parish Council and neighbouring properties had been consulted over the current application, as well as there having been publicity relating to the planning inquiry relating to the outline application; at the outline application stage, Gloucestershire County Council had advised that there was no requirement for additional land for education; the developer had made land available for a community building to be commissioned by the Parish Council; and the developer was required to make a financial contribution to such a building in accordance with the terms of the Section 106 Agreement.

Some Members expressed support for the concerns made by one of the Ward Members and the Parish Council. Those Members suggested that consideration of this application be deferred to give the developer the opportunity to consult the local community, and a Proposition to that effect was duly Seconded.

In response, it was reported that a lot of effort had gone into the preparation of this application and that, should a decision be delayed, the Applicant could appeal against non-determination. It was further reported that there was no guarantee that any consultation with the local community would take place, or changes be made, should consideration of this application be deferred.

Other Members considered that this application should be approved, as recommended. Those Members reminded the Committee that the application included 50% affordable housing and the creation of a substantial area of open space, and that the site was in close proximity to a primary school. They considered primary schools to be part of their local communities, and noted that they were often in close proximity to housing.

A Further Proposition, that this application be approved as recommended, was duly Seconded, and the votes were taken in the order that the Propositions had been made.

On being put to the vote, the Proposition that this application be deferred was LOST. The Record of Voting in respect of that Proposition was - for 4, against 8, abstentions 1, absent 1, did not vote 1.

**Approved, as recommended, subject to additional Conditions to be specified by the Case Officer relating to landscaping and the removal of Permitted Development Rights.**

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

#### **CD.9360/A**

#### **Installation of 2 x 18m wind turbines at Withington Estate, Withington -**

Having referred to the advance Sites Inspection Briefing undertaken in relation to this application, the Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its location within the Conservation Area; and its proximity to existing electricity pylons, a public footpath, highways and residential properties. The Case Officer displayed photographs illustrating views of the site from various public vantage points. The Case Officer reminded the Committee that this site had not been identified as being an area which was suitable for the installation of wind turbines. In the

opinion of Officers, the benefits of renewable energy production did not outweigh the objections from the Landscape Officer and the local community, and the Case Officer suggested that, if the Committee was minded to refuse this application, as recommended, an additional refusal reason relating to the recent Ministerial Statement be attached to any Decision Notice.

A Member of the Parish Council, an Objector, a Supporter and one of the Applicants were invited to address the Committee.

The Chairman referred to the advance Sites Inspection Briefing, and invited those Members who had attended that Briefing to express their views. The Members considered this to be a suitable site for the location of wind turbines, given its open nature, sloping land, and existing woodland and electricity pylons, and the benefits that would accrue to the community from the provision of renewable energy.

The Ward Member, who did not serve on the Committee, was invited to address the Committee and he amplified the reasons why he had referred this application to the Committee for determination. The Ward Member contended that this was one of the very few locations where wind turbines could work well, without being easily seen, there was a strong prevailing wind, and it was not overlooked by the nearby residential properties. The Ward Member commented that the proposed turbines would be dwarfed by the existing electricity pylons which crossed the site. The Ward Member referred to the advance SIB, and to concerns expressed by Officers in relation to the massing effect of the proposed turbines and existing pylons. The Ward Member expressed the view that the turbines would have more of an adverse impact if the proposition was to locate them in an open field site. The Ward Member also referred to Officer comments at the advance SIB in respect of the upholding of refusals on appeal for similar applications elsewhere in the country, and he reminded the Committee that each application had to be considered on its merits, commenting that applications for wind turbines and mobile telephone masts would always receive a mass of objections. The Ward Member contended that the benefits of the proposed turbines outweighed any adverse impact, and he concluded by expressing the view that this application should be approved.

In response to various questions from Members, it was reported that the response from the Parish Council had been inadvertently logged as a 'neighbour comment'; the Ministerial Statement constituted Ministerial advice, which would normally carry less weight than the National Planning Policy Framework (NPPF) but, in its determination of this application, the Committee should bear in mind the dates on which the various documents had been published; and Officers and the Cotswolds Conservation Board considered that, on this occasion, the landscape impact outweighed the benefits that would accrue from renewable energy. In response to a question on the allocation of suitable sites for wind farms in the emerging Local Plan, the Planning and Development Manager stated that he would raise the issue with the Council's Forward Planning Team.

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

Some Members considered there to be clear evidence of local consultation in relation to this application which, they contended, would have an adverse impact on the landscape and tourism. They further considered that the massing of the turbines and pylons would add to the existing landscape harm caused by the

pylons; local opinion did not support this application; any surplus energy would be returned to the National Grid; and there were other means of providing renewable energy.

Other Members considered that the Council should seek to address the issue of climate change. Those Members contended that the benefits which would accrue from renewable energy outweighed any environmental impact, and that approval of this application would not set a precedent for similar proposals elsewhere, and one Member

**Refused, as recommended, subject to an additional refusal reason relating to the Ministerial Statement.**

**Record of Voting - for 6, against 5, abstentions 3, absent 1.**

**CT.8919/A**

**Erection of one house with parking and turning area at 6 Trewsbury Road, Coates -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the site plan and proposed elevations. The Case Officer displayed an aerial photograph of the site, and photographs illustrating protected trees in the vicinity of the site, the position of the proposed access, the street scene and views into and across the site.

A Member of the Parish Council and one of the Applicants were invited to address the Committee.

The Ward Member, who served on the Committee, was invited to address the Committee. The Ward Member referred to two previous applications for single dwellings on similar sites elsewhere in his Ward which had recently been refused, in line with the Officer recommendations. The Ward Member suggested that, for consistency, this current application should also be refused. The Ward Member expressed his view that the two applications referred to by the Applicant as examples of other exceptions were very different, and he pointed out those differences on a photograph which had been submitted by the Case Officer. The Ward Member reminded the Committee that the protected trees in the vicinity of this site were deciduous and would, therefore, lose their leaves during the winter months. He contended that this application constituted infill development in a residential garden. The Ward Member reminded the Committee that the site was part of a row of six, semi-detached houses, some of which had been extended, and he considered that the construction of a Cotswold 'vernacular' building from reconstructed stone in this location would have an adverse impact on the street scene. The Ward Member contended that this application was contrary to policy, and he concluded by referring to two recent appeal decisions relating to applications in Andoversford and Bourton-on-the-Water for infill developments.

In response to various questions from Members, it was reported that the Council's policy in respect of infilling had been introduced in response to incidents of 'garden grabbing', in order to stop the overdevelopment of garden land considered to contribute to localities; this current site was not considered to be a 'back land' site; there was a mix of house styles and materials in the village; it was

considered that reconstituted stone would add to the variety; if the Committee was minded to approve this application, as recommended, an additional Condition relating to contaminated land would be attached to any Decision Notice; it was considered that one additional house would not have any adverse impact on the area, which was served by a regular bus service; the benefits accruing from this proposal would outweigh the reduced sustainability issues; each application should be considered on its merits; and there would be different considerations in relation to any application to build an additional property in the garden of 1 Trewsbury Road.

In response to a comment that this proposal would have an adverse impact on the street scene, the Committee was reminded of the location of this site. A number of Members considered the site to be well-screened by protected trees, and that the application was for a modest dwelling which would not be out of character with the existing dwellings.

The Ward Member was invited to address the Committee again and he reiterated his opposition to this application because, in his opinion, it was out of character and would not add value to the village.

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

**Approved, as recommended, subject to an additional Condition relating to contaminated land.**

**Record of Voting - for 7, against 3, abstentions 1, Ward Member unable to vote 1, absent 1, did not vote 2.**

PL.62 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 13, against 2, abstentions 0, absent 0.**

PL.63 SCHEDULE OF APPLICATIONS (CONTINUED)

**RESOLVED that the remaining applications be dealt with in accordance with Minute PL.61 above:-**

**CD.1019/S**

**Outline application for the demolition of stables and shop buildings and erection of 3 affordable and 7 market dwellings and associated works at The Quarry, Nether Westcote -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications, and reported that a total of 53 objections had been received in relation to this application. The Case Officer further reported that the Ministry of Defence had confirmed that there were no objections in relation to safeguarding.

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its proximity to Upper Rissington, the County boundary and other existing equestrian enterprises in the vicinity; layout; and existing buildings on the site. The Case Officer displayed an aerial photograph of the site, and photographs illustrating existing buildings on the site, the access, existing landscaping, and views along the adjacent highway and into the site.

The Agent was invited to address the Committee.

The Ward Member, who did not serve on the Committee, was invited to address the Committee, and stated that he concurred with the Officer Recommendation to refuse this application. The Ward Member amplified the reasons why he had referred this application to the Committee for determination, together with his recollection of the outcome of the Parish Meeting he had attended, which had been referred to by the Agent. The Ward Member explained that account had been taken of the views expressed by the local community in relation to this application and, as this was not designated as a 'principal' settlement in the emerging Local Plan, there was no compulsion on the settlement to accept any development. The Ward Member concluded by reiterating his view that this application should be refused, as recommended.

In response to various questions by Members, it was reported that equestrian uses could constitute previously-developed land; discussions between the Applicant and the County Highways Officer in respect of the proposed access had considered the issue of the ownership of the access; if the Committee was minded to approve this application, a Condition requiring the built development to reflect the indicative scale of development could be attached to any Decision Notice; and there was an identified need for three units of accommodation in this settlement.

Some Members suggested that this application should be refused, as recommended. Those Members considered that the issue of transparency had been satisfied and that, as the proposed development did not accord with the National Planning Policy Framework requirement to create sustainable communities as the scale was not in proportion to that of the existing community.

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

**Refused, as recommended.**

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

**CT.2609/1/A**

**Erection of single-storey extension to lobby at The Colt Car Company Ltd., Watermoor Road, Cirencester -**

The Case Officer reported that an appeal against the Council's decision to issue an Enforcement Notice in respect of the racking on this site had been allowed by the Planning Inspector. The Case Officer further reported that there were no objections on the grounds of ecology, subject to the addition of appropriate Conditions, and that, if the Committee was minded to approve this application as recommended, such decision should be subject to no objections being raised by the Environment Agency.

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to a tree to be felled, and elevations. The Case Officer displayed photographs illustrating views of the existing building.

The Ward Member, who did not serve on the Committee, was invited to address the Committee, and he contended that the Applicant was not a good neighbour. The Ward Member expressed his disappointment at the recent appeal decision and contended that this current proposal would put further pressure on car parking within the site and would have a potential, adverse impact on off-site car parking demand. The Ward Member further contended that the proposal would generate more visits to the site, and a consequent need for additional car parking, due to people visiting the proposed 'museum'. The Ward Member expressed support for employment in the locality but stated that companies should not ride roughshod over local communities, and he stated that the Applicant had not sought to engage or consult with the local community, and had not sent a representative to address the Committee at this Meeting. The Ward Member contended that the Company should use this land to provide additional on-site parking spaces, and he concluded by suggesting that it should consider relocating to a larger site elsewhere within the town.

In response to various questions by Members, it was reported that there had not been any discussions between Officers and the Applicant over alternative uses for this site as, in the opinion of Officers, this current proposal was acceptable; this proposal would not result in the loss of on-site parking; and it was unlikely that the proposal would become a visitor attraction.

Some Members, while expressing their disappointment at the recent appeal decision and the unfortunate history on this site, considered that this application should be approved, as recommended. A Proposition to that effect was duly Seconded.

**Approved, as recommended.**

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

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 applications CT.3366/H, CT.1503/X, CD.0070/3/F and CD.1019/S.

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

Councillor Julian Beale was invited to speak on application CD.1019/S.

Councillor JA Harris was invited to speak on application CT.2609/1/A.

(iii) Other Members not on the Committee - Invited to Speak

Councillor RG Keeling was invited to speak on application CD.0070/3/F.

(iii) Public Speaking

Public speaking took place as follows:-

<u>CT.3366/H</u>	)	Mrs. R Wilson (Applicant)
<u>CT.1503/X</u>	)	Mrs. R Wilson (Applicant)
<u>CD.0070/3/F</u>	)	Councillor A White (Town Council)
	)	Mr. A Eastabrook (Objector)
	)	Ms L Matthewson (Agent)
<u>CD.9438/B</u>	)	Councillor C Morecroft (Parish Council)
	)	Mrs. H Dawkins (Applicant)
<u>CD.9360/A</u>	)	Councillor Lady Mavis Dunrossil
	)	(Parish Council)
	)	Mr. T Wilton-Steer (Objector)
	)	Mr. R Pile (Supporter)
	)	Mr. B Brenninkmeijer-McKenzie
	)	(Applicant)
<u>CT.8919/A</u>	)	Councillor R Harrison (Parish Council)
	)	Mr. B Oxley-Brown (Applicant)
<u>CD.1019/S</u>	)	Mr. H Wolton (Agent)

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.64 SITES INSPECTION BRIEFINGS

1. Members for 2<sup>nd</sup> November 2016

It was noted that Councillors AW Berry, Alison Coggins, RW Dutton and Tina Stevenson, together with the Chairman, would represent the Committee at the Sites Inspection Briefing on Wednesday 2<sup>nd</sup> November 2016.

2. Advance Sites Inspection Briefings

It was noted that an advance Sites Inspection Briefing would take place on Wednesday 2<sup>nd</sup> November 2016 in respect of the following application:-

16/03435/FUL - construction of a single dwelling and detached garage at Blockley Water Works, Bell Bank, Blockley - to assess the impact of the proposal on the character and appearance of the Blockley Conservation Area and the Cotswolds Area of Outstanding Natural Beauty.

Note:



This advance Sites Inspection Briefing would be undertaken by the Members of the Sites Inspection Panel.

PL.65 OTHER BUSINESS

There was no other business that was urgent.

PL.66 COUNCILLOR RL HUGHES

The Chairman reminded the Committee that Councillor RL Hughes had stood down from the Committee. On behalf of the Committee, the Chairman thanked Councillor Hughes for his service to the Committee over a number of years, including as a previous Vice-Chairman and Chairman.

The Meeting commenced at 9.30 a.m., adjourned between 10.55 a.m. and 11.05 a.m., and again between 1.15 p.m. and 1.35 p.m., and closed at 2.40 p.m.

Chairman

(END)