

PLANNING AND LICENSING COMMITTEE

11th January 2017

ADDITIONAL PAGES

ADDITIONAL PAGES - CIRCULATED TO MEMBERS BY POST

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LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Additional Representations on Schedule Items

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PLANNING AND LICENSING COMMITTEE

11th January 2017

ADDITIONAL PAGES ON SCHEDULE ITEMS

Item	Ref. No	Content
04	16/03437/FUL CD.1236/1/F	Supporting letter from Applicant and one letter of objection and two letters of support – Please see attached.
06	16/04270/FUL CT.0807/1/B	Case Officer - Error on page 112 of the agenda. The recommendation is to PERMIT.

Planning Application reference: 16/03437/FUL

Dear Planning Committee Members,

Following the recent site visit the case officer has provided feedback on the issues discussed on site. Further detail on these is provided below:

Parking:

Parking for the stables and the honeymoon suite is sited between the stables and lakeside. The proposed parking area is currently overgrown which will be cut back and the septic tank will be lowered, reinforced and gravelled over to improve the access and appearance.

Honeymoon Suite Access:

Access to the honeymoon suite is via a hoggin and bark chipping path set behind the drystone wall (see landscape plan) so it is not visible from the road. Guests are provided with a "meet & greet" service by the Fossebridge Inn which includes transporting the guest's luggage by cart.

Case Officer's Report:

Having had sight of the revised report we have found that as with the previous report, a number of key facts have several interpretations, of which not all have been included in the report, which may have an effect on the final decision. This note seeks to address these issues so that a fair a balanced decision can be made.

Site Description – The officer claims that the site was sold as two separate sites. This is not correct. A number of the structures adjacent to the Inn were retained by the original owner. Therefore the Inn and lake are shared between three owners, not two.

Planning Policies 19 & 26 – The officer acknowledges that these policies are out of date and therefore the NPPF requires a balancing exercise to allocate weight to any relevant criteria. This balancing exercise is entirely absent from the officer's report as no weighting has been allocated.

View of Parish Council – These comments are recycled from the original consultation. The Parish Council have not commented on the current proposal.

Use Class – The officer considers the existing self-contained accommodation adjacent to the Inn to be C1, but the proposed additional self-contained accommodation to be C3. This is inconsistent.

Ownership – The officer claims that if the lake were owned by the Inn then there would be a stronger case. Ownership is not a material consideration for planning applications, and the Inn manages existing holiday accommodation adjacent to the lake that they do not own.

Competition – it is claimed that if the Inn and lake were sold to different owners then the businesses would be in competition. Opposition to business competition is not a material consideration, and the Inn already manages accommodation that they do not own.

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CO.123611/F

Sustainability – The officer claims the proposal is unsustainable, and discusses the three roles used to assess sustainability (Economic, Social and Environmental) with the following errors:

Economic Role – The officer claims *“there would be no direct income stream from the proposed development into the Fossebridge Inn...”* This is not true. The Inn will manage the units, providing a direct income that benefits the heritage asset.

Social Role – The officer claims that the proposed units are targeted at Cripps Barn, and uses information from their website to suggest that there is no need for the proposed accommodation. No part of the submitted justification mentions Cripps barn. The Honeymoon suite serves the Fossebridge Inn, which is a wedding venue on the same site.

Social, Walking Distance – The officer claims that the Gloucestershire Manual for Streets states that the *“sustainable walking distance”* to services is 800m. The term *“sustainable walking distance”* is not mentioned anywhere in the cited document. 800m is the preferred maximum walking distance for town centres, not rural holiday locations. For sightseeing the maximum is 2000m, and *“elsewhere”* it is 1200m. The Chedworth Farm shop is 1500m from the site, which is a perfectly suitable for holidaymakers.

Social, Cycling – Cycling is a popular holiday activity that has been completely ignored in the report. The farm shop can be reached in 11 minutes by bicycle, but the officer jumps straight from an incorrectly referenced walking distance to car use.

Environmental Role – The case officer has incorrectly recorded the conservation officer’s comments in the committee report. The conservation officer commented on the current proposal:

“...the character and appearance of the conservation area, would be preserved”

This has been removed from the conservation comments in the report, and replaced with

“...significantly lowers the harm cause to the character and appearance of the Fossebridge Conservation Area and the setting of the nearby listed buildings”

This is an earlier comment on a different set of drawings. It incorrectly implies that *“harm”* is caused by the proposal when this is not the case. The correct and original conservation officer comments are included in the appendices.

NPPF paragraph 130 – The officer has summarised this paragraph, although the correct wording has not been included. The full and correct policy states:

“130. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision”

Using the full context, there is no evidence of deliberate neglect or damage, so this paragraph does not apply.

“Harmful” – We have shown that the officer has incorrectly recorded the conservation officer’s comments in order to claim that the proposal is harmful, when it is not. This is then combined with the edited NPPF para 130 and used to suggest that the necessary improvements to the site, should be considered irrelevant to the decision. This is not an accurate reflection of the proposal.

Flooding – Throughout this process the case officer has ignored the FRA report which shows that the Inn (a listed building) is at risk of flooding. The proposed improvements will protect the heritage asset, and should not be ignored.

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Public Transport – The officer suggests that there is nowhere for a bus to stop in the vicinity of the Fossebridge Inn. Please refer to the appendices which show a photo of the bus stop adjacent to the Inn, the location of all the stopping points in the area, and a drawing showing the lay-by where buses stop on a day-to-day basis. This information has been submitted to the case officer, but the facts have not been amended in the report

Summary:

We have demonstrated that the case officer has misinterpreted not only the proposal, but also national policy, published guidance, and the comments of other CDC officers in the justification for recommending refusal on sustainability grounds. Sustainability has three dimensions:

Environmental:

The conservation officer has confirmed that the character and appearance of the conservation area would be preserved. Therefore the environmental dimension has been fulfilled and this is confirmed by the report.

Economic:

The officer admits to a “modest economic role” but attempts to downplay this by incorrectly stating that the Inn will not benefit from a direct revenue stream. As the owner of the Inn at Fossebridge demonstrated, when speaking at the Committee meeting on 12th December, the Inn will manage and economically benefit from the proposal, therefore the economic dimension has been fulfilled.

Social:

The officer claims that the social dimension has not been fulfilled. The reasoning given is:

- **Because one unit is named “the honeymoon suite” the accommodation is in part targeted towards Cripps Barn, but it is too far away and there is other accommodation closer.**
 - This is not true. The honeymoon suite is for weddings held at the Fossebridge Inn which is need of additional accommodation, and has been designed for couples and small family use in addition to Wedding accommodation. Cripps Barn has never been referenced in any part of the justification for the proposal.
- **The accommodation is 1500m from the farm shop, which is double the “sustainable walking distance of 800m” as stated in the Gloucestershire Manual for Streets.**
 - This is not what the cited documents states “800m is the maximum distance for town centres,” not rural locations.
- **“There are no public transport options available”**
 - This is not true. Information showing the location of bus stops adjacent to the Inn are included in the appendices.
 - The Cotswold County Council website, Visitors, Getting Around section states: “..some local transport services are infrequent. Many visitors want to use their own car to get around..”

The argument put forth is also an incorrect interpretation of the social dimension. The NPPF states:

“...by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being;”

- The proposal is high quality and brings with it significant improvements to the quality of the site as a whole, including consideration to the conservation area and the hamlet of Fossebridge.
- Access to services is tied to the needs of the community. A point entirely absent from the officer’s assessment. The occupants of short-term holiday lets do not require the same level of access to services that a permanent resident would. The site is served by public transport and the Chedworth farm shop can be accessed within a reasonable walking distance.
- The proposal provides accommodation that directly benefits the Fossebridge Inn, which is a heritage asset and the social and cultural hub of Fossebridge.

There is now only one reason for refusal cited, sustainability. Sustainability is based on three dimensions, two of which the officer has had to admit are fulfilled by the proposal. The third dimension (social) is focused on housing and communities and so whilst relevant, it is the least applicable of the three when considering to short term holiday lets only.

Unfortunately, the misinterpretation of a number of key facts has constructed a somewhat unconvincing argument that the social dimension has not been fulfilled.

If the case office has not presented an accurate and robust argument against the weakest of all the criteria, under the solitary reason for refusal, then this demonstrates that the proposal has stood up to scrutiny and should be deemed sustainable.

We hope that this summary of the issues identified in the report, along with the contents of the appendices provide a more accurate picture of the proposal.

Appendices:

1 – Financial Background

2 – Photo of Bus Stop

3 – Plan showing Bus Stop locations & layby

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Appendix 1:

Financial Background.

It is considered necessary to highlight the history of development and changes in ownership that have led to the current scenario:

- As the Inn was generating little income, in 2003 proposals were submitted to convert it to dwellings. This was refused under the weight of public objection to losing the Inn. As the owner could not generate sufficient income the site was sold.
- The new owner invested heavily in the site with multiple applications to add bedrooms and convert outbuildings adjacent to the Inn. This was specifically to provide additional rental income to keep the Inn afloat.
- The Inn was not generating sufficient income to cover the maintenance of the site as a whole so it was put on the market again, as a single site including the lake. It did not sell because potential purchasers saw the disparity between the turnover and the running costs.
- Therefore the site was split and the Inn sold separately to the lake. In order to make the sale of the Inn a viable proposition, the original owner retained ownership of some of the outbuildings. Therefore the site as a whole is broken into three separate ownerships, an important point that the officer does not acknowledge.
- The Inn's planning history clearly demonstrates the need to expand in order to generate sufficient revenue to survive, and that attempts to change the use to something more stable have been rejected. The officer claims that the Inn has no financial issues and that the necessary repairs to the weir and lake can be funded by some other means. This is incorrect and assumptive.

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Appendix 2:

Photograph showing the physical bus stop adjacent to the Fossebridge Inn.



"It is considered unlikely that bus drivers would be willing to stop their vehicle..."

"There are no public transport options available"

– Joseph Seymour, Case Officer.

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16/03/437/FUL
CD.1236/11F

Comments for Planning Application 16/03437/FUL

Application Summary

Application Number: 16/03437/FUL

Address: Land Rear Of The Inn At Fossebridge Fossebridge Chedworth Cheltenham
Gloucestershire GL54 3JS

Proposal: Erection of two detached self-catering holiday accommodation buildings, revised access and parking area and other works

Case Officer: Joe Seymour

Customer Details

Name: Mrs Susie Moore

Address: The Old Forge Fossebridge Cheltenham

Comment Details

Commenter Type: Objection Comments

Stance: Customer objects to the Planning Application

Comment Reasons:

- Design
- Highway access and parking
- Impact on Conservation Area
- Impact on Listed Building
- Loss of general amenity
- Other
- Over development
- Privacy light and noise
- Trees and landscaping

Comment: In addition to reiterating my previously-submitted objections on the grounds of negative impacts on the Fossebridge Conservation Area and on the setting of listed buildings, susceptibility to flooding, highways and access problems and the strong likelihood of any approved dwellings becoming market housing at some point in the future contrary to current policy, I would like to comment that many of the Applicant's assertions are disputable. As one example: would Health & Safety and DDA requirements really permit holiday accommodation to function without external lighting and hard surfacing especially so close to deep and running water??

And contrary to the assertion that Fossebridge boasts three bus-stops I can assure you that there is only one and this is a request stop on an infrequent service.

Thank you for the opportunity to comment

Susie Moore

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Hen 04
16/03437/FUL
CD.1236/1/F:



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1st December 2016

RE: Fossebridge accommodation planning application

Dear Andrew,

Following our conversations regarding your planning application for self-catering holiday lets in the Fossebridge area, please find here my supporting comments.

I can confirm that Cripps Barn hosts an average of 150 events spread though out the year. There is a peak period between May and August where we can run up to 7 events per week. Our core business is weddings.

Guest numbers per event can be up to 200 individuals, many of whom do not live locally and are often seeking accommodation convenient to our venue for wedding parties and guests.

Having a variety of local accommodation options is of interest to Cripps Barn due to the different criteria each wedding party looks to fulfil. Therefore the more local options there are, the better in our view.

I can also confirm that if the self-catering properties, once complete, meet or exceed Cripps standards, we would be interested in adding them to our recommended suppliers listing on our website.

In addition to the above, Cripps Barn Group is also looking to extend its offering in the Fossebridge area by way of another bespoke barn venue within the next few years. The addition of bookings for this venue will result in an increased demand for local accommodation.

Your sincerely,

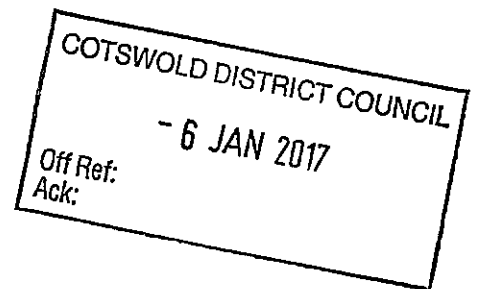
Helen Neal

Head of Administration, Cripps Barn Group Ltd.

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Fiona Duggan
Brook Cottage
Fossebridge
Cheltenham



Ref: Planning Application 16/03437/FUL

On 23rd December I received another letter regarding the planning application for the land at the rear of the Inn at Fossebridge. As a result I went online to see how the application was going.

When looking at comments, I did notice comments in relation to bus stops. Fossebridge does have 3 bus stops. I know there is one at Hampleet House, just along the road at the turning to Coln St Dennis, and one at the Yanworth Road turning with a bus stop sign present. I also believe there is another bus service that goes to Yanworth along the road past the lake.

As per my previous comments, I have lived in Fossebridge for 20 years and think this would be good for the area economically and would definitely be a benefit to the Inn at Fossebridge, bringing more customers.

The lake does need a lot of work i.e. de-silting which will help the local conservation area. Having looked at the design of the buildings, they will be sympathetic to the area and will not affect the openness of the setting

If the Inn garden and lake are not restored and looked after it might be lost which would be a loss to the local residents.

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