

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

8TH FEBRUARY 2017

Present:

Councillor SG Hirst - Chairman
Councillor Tina Stevenson - Vice-Chairman

Councillors -

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

Observers:

LR Wilkins (until 10.35 a.m.)

Apologies:

RW Dutton

MGE MacKenzie-Charrington

PL.103 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor AR Brassington declared an interest in respect of application CD.3893/G, because he was acquainted with the Agent, and he left the Meeting while that item was being determined.

(2) Officer Declarations

The Group Manager - Land, Legal and Property declared an interest in respect of application 06/00158/TPO, because she was the Head of Service with responsibility for the land concerned.

PL.104 SUBSTITUTION ARRANGEMENTS

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

PL.105 MINUTES

RESOLVED that the Minutes of the Meeting of the Committee held on 11th January 2017 be approved as a correct record.

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

PL.106 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported that an appeal had been lodged against the decision to refuse an application for the construction of up to 92 dwellings (with 50% affordable housing) and associated works at Berkeley Close, South Cerney (application 16/02598/OUT referred).

The Chairman also drew attention to a revised procedure for dealing with propositions that were contrary to Officer recommendations, and the issue of Decision Notices.

PL.107 PUBLIC QUESTIONS

No public questions had been submitted.

PL.108 MEMBER QUESTIONS

No questions had been received from Members.

PL.109 PETITIONS

No petitions had been received.

PL.110 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.2240/7/J**Erection of one dwelling at the end of an existing terrace at 150 Roman Way, Bourton-on-the-Water -**

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 displayed an aerial photograph of the site and photographs illustrating views of the existing dwellings and street scene.

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

The Ward Member, who did not serve on the Committee, was invited to address the Committee. The Ward Member contended that this proposal was contrary to paragraph 32 of the National Planning Policy Framework (NPPF) as, in his opinion, it would have a severe and adverse impact on the corner of one of the busiest residential roads in the village. The Ward Member stated that the County Highways Officer had objected to a proposal for a dropped kerb at this location, and that work was due to start on another development to the rear of this property which would provide a number of two-bedroom units. The Ward Member explained that Roman Way was a mature development comprising large houses along a crescent-shaped road which was single-track in parts due to on-street parking. The Ward Member referred to the number of vehicle movements in the vicinity of this site, and reminded the Committee that it was situated in close proximity to a school, a bus stop and a unit providing accommodation for elderly people, all of which added to the volumes of traffic in the area. He suggested that this proposal could result in at least two additional vehicles having to be parked on the road and he concluded by expressing concern over the impact of the proposed development on the existing street scene.

In response to various questions from Members, it was reported that no objections had been raised to this revised scheme by the County Highways Officer; the proposal was deemed to be safe in terms of highway visibility, but car parking could become an issue if a severe impact could be demonstrated; the existing dropped kerb in the vicinity of this site was for the benefit of pedestrians; if the Committee was minded to approve this application, as recommended, the garden area would be enclosed; in its determination of this application, the Committee should have regard to any impact on the street scene; the building line was not consistent along the entire length of Roman Way; Officers had concluded that this proposal would not have any detrimental impact on the street scene; the original development included an area which could provide off-street parking for up to fourteen vehicles; a number of the dwellings along Roman Way did not have any access to off-street parking facilities; at the time Roman Way was constructed, the use of the land had not been maximised; and green spaces with planting had been created to give a 'nice' approach to the development.

A number of Members commented that there was not a consistent building line in Roman Way, and that further development was not precluded. Those Members considered this proposal to be a modest one which would blend in with the existing houses, and they noted that no objections had been raised by the County Highways Officer in respect of on-street parking.

Other Members contended that this application was contrary to Local Plan Policy 42 as, in their view, the proposed unit would not be in keeping with the existing terrace and would therefore have an adverse impact on the local distinctiveness of the area. Those Members considered there to be a clear building line, the green spaces should be valued and that local knowledge should be taken into account. In conclusion, they stated that the harm would outweigh any benefits accruing from the proposals.

Another Member commented that the existing buildings could, in the future, represent the 'Cotswolds vernacular'. The Member considered the scale of the proposed dwelling to be in keeping with the existing development.

A Proposition, that this application be approved 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 0, absent 2.

A second Proposition, that this application be refused for reasons relating to impact on the street scene and because it was contrary to Policy 42, was duly Seconded. On being put to the vote, that Proposition was LOST. The Record of Voting in respect of that second Proposition was - for 6, against 7, abstentions 0, absent 2.

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

Deferred for a Sites Inspection Briefing to assess the impact of the proposed development on the street scene and the loss of open space.

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

Note:

Members of the Sites Inspection Briefing Panel were invited to attend this Sites Inspection Briefing as an approved duty.

CD.9447/A

Proposed barn conversion to dwelling house, replacement roof and proposed extension at Field Barn, Hidcote Boyce, Ebrington -

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications, including an extra condition relating to the protection of the Walnut trees during the construction period in the event that the Committee was minded to approve this application as recommended. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the proposed and extant layouts and elevations. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the site and existing building from various vantage points and the Walnut trees, and conceptual views which had been submitted by the Agent.

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

The Ward Member, who served on the Committee, was invited to address the Committee and amplified her reasons for referring this application to the Committee for determination. The Ward Member contended that the existing building was a unique, very rare Cotswold stone low barrel roof barn, rather than a Dutch barn which would have a pitched roof. The Ward Member referred to other examples of similar barns in Chipping Campden and Mickleton, and expressed the view that changing the roof style, as proposed, would take away the unique feature of the roof. The Ward Member contended that a pitched roof in this location would have an adverse impact on the settings of the Area of Outstanding Natural Beauty (AONB) and the Conservation Area, both of which the Council was required to protect. The Ward Member reminded the Committee that the current building had a long, low profile which, she considered, fitted in well with the sloping grass field and the surrounding area. The Ward Member suggested that, in order to avoid harm to the AONB and Conservation Area, the low barrel roof should be retained, and she expressed her surprise that Officers considered the look of the proposed roof to be acceptable. The Ward Member considered that this proposal would have an adverse impact on the area, and commented that Hidcote Boyce had a unique setting within the AONB. The Ward Member further considered that the proposal approved under the extant permission would not have as much of an adverse impact on the AONB as this current proposal, and she suggested that any extension to the barn should have the same low barrel roof. The Ward Member referred to the concerns expressed by the Parish Council and local residents regarding a lack of clear plans, and she concluded by expressing the view that the Walnut trees should be protected through the service of a Tree Preservation Order.

In response to various questions from Members, it was reported that, while Officers had considered the low barrel roof to be an interesting feature, it was a modern addition which did not have any historical merit or architectural form; the barn itself possibly dated from the late nineteenth century; Officers were not aware of any similar barns where the roof form had been preserved following conversion for residential use; the access had been approved under the extant permission; objections had been submitted in respect of the original application relating to a number of issues including access, conversion, loss of trees and sustainability; the barn was still in use so it did not constitute a redundant building; in the opinion of Officers, the barn would have originally had a pitched roof; and the extant permission had been assessed on its merits.

A Member commented that the principle of development on this site had been established, and referred to the extant permission. Another Member pointed out that an adjacent building had a pitched roof. A Proposition, that this application be approved as recommended, was duly Seconded.

The Ward Member was invited to address the Committee again and expressed the view that a pitched roof on this building would not preserve its rarity. The Ward Member reiterated her previous comment that, if Members did not know the hamlet, they would not have any concept of the impact of this proposal on the AONB, and she contended that it would result in the urbanisation of its rural setting. In conclusion, she reiterated her view that this was a rare example of this type of barn.

Approved, as recommended, subject to an additional condition relating to the safeguarding of the Walnut trees during the construction phase.

Record of Voting - for 8, against 3, abstentions 0, interest declared 1, Ward Member unable to vote 1, absent 2.

CD.3893/G

Outline with all matters reserved for the demolition of the existing youth club and construction of up to 5 one-bedroom units at Stow Youth Centre, Fosseyway, Stow-on-the-Wold -

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications, including an amendment to the description of development to refer to '5 one-bedroom units'. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to indicative and sketch layouts. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the existing building.

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

In response to various questions from Members, it was reported that a Unilateral Undertaking was an alternative to a Section 106 Agreement, which could be used to secure the provision of a replacement youth club facility on an alternative site; a Unilateral Undertaking was a legally binding document which had been drafted to ensure that a temporary facility would be provided while a permanent site was being sought; as the Neighbourhood Plan for Stow-on-the-Wold was at an early stage, little weight could be attached to it in the determination of this application, which should be determined in accordance with current policies; the five-year time period referred to in the draft Undertaking corresponded with the period of the outline planning permission; in the opinion of Officers, the Committee could take a degree of comfort from the indicative sketch plan which had been submitted by the Applicant as the illustrated proposals were considered to be 'fit for purpose' and met with the Council's design standards; the current building dated from the 1980s and was considered to make a 'positive' contribution to the town; Clause 3c of the Undertaking required the Applicant to provide a youth centre for the town in the event that the current building was sold; the Committee should determine this application in accordance with current planning policy; if the Committee was minded to approve this application as recommended, such decision could be subject to verification of the wording of the Unilateral Undertaking or to the negotiation of a Section 106 Agreement; and the Applicant could be sued for breach of covenant in the event that the provisions of the Undertaking were not complied with.

A Proposition that consideration of this item be deferred for submission of an amended Unilateral Undertaking was not Seconded.

Some Members expressed concern that no provision had been made for a replacement facility. Those Members considered that it would take time to find premises and set up a temporary facility and/or a permanent facility on an alternative site. The Members also expressed concern that a cohesive operation was required for a youth centre in order to maintain some regularity for the young people attending and they contended that a better understanding of the community's needs was required before this application could be approved. Some Members considered that the proposed housing development could be sold for use as holiday lets, rather than for providing accommodation for local people.

Other Members pointed out that the application had been submitted by a Trust which provided youth facilities in the town. Those Members expressed concern that the money available for the provision of a new facility could be reduced by the cost of providing a temporary facility, but they accepted that the current building did not meet the needs of the youth centre. The Members considered that the Trust was acting in the best interests of the local youth population, and that the proposed replacement facility would be of benefit to the local community.

A Proposition, that this application be approved, subject to the prior completion of a Section 106 Agreement relating to the provision of housing which local people would be more able to purchase and the provision of an effective youth centre in an alternative location, was duly Seconded. On being put to the vote, that Proposition was LOST. The Record of Voting in respect of that Proposition was - for 5, against 8, abstentions 0, absent 2.

A second Proposition, that this application be refused for reasons relating to a lack of satisfaction with the information available relating to the provision of suitable, alternative premises within the time frame specified, was duly Seconded.

Refused, for reasons relating to a lack of satisfaction with the information available relating to the provision of suitable, alternative premises within a satisfactory time frame.

Record of Voting - for 9 against 2, abstentions 2, absent 2.

Note:

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

CT.0507/1/M

Loft conversion to include staircase, landing, bathroom and bedroom; installation of 4 no. conservation roof windows in north-west elevation and reinstatement of original second floor window to the north-east elevation at Mill House, Cotswold Mill, Lewis Lane, Cirencester -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the elevations and floor plans as existing, and as proposed. The Case Officer displayed photographs illustrating views of the current roof space, the timbers proposed for removal, the exterior of the building, and the interiors of two other buildings which had been subject to a similar proposal.

In response to various questions from Members, it was reported that Listed Buildings were protected in their entirety due to their historical and architectural interest, including internal features; the trusses in the roof of this building dated back to the nineteenth century and formed part of the historic construction of the building; in the opinion of Officers, the limited public benefits that would accrue from the conversion as proposed was outweighed by the harm that would be caused to the fabric of the Listed Building; in the event that the Committee was minded to approve this application, the beam and the joists on the right-hand side of the loft space would remain but, in the opinion of Officers, the overall integrity of the Listed Building would be eroded by the proposed removal of the timbers, which would be unacceptably harmful; the timbers performed a structural role,

meaning that steel works would be required to hold the roof in place; and, in the opinion of Officers, the roof structure constituted a significant element of the Listed Building, which was functional and related to its use as a former mill.

Some Members considered that this application should be refused, as recommended. Those Members noted that Officers did sometimes support the sensitive conversion of Listed Buildings but that, on this occasion, there was a need to preserve the integrity of the building. A Member commented that, while the roof structure was not visible to the public, it formed part of a building which had been listed for particular reasons, and that the structure should not be sacrificed in order to achieve an additional two rooms in a building which already provided ample accommodation.

Another Member commented that this was a privately-owned building, and that the roof space was not visible to the public. The Member suggested that removal of the joists from one side of the roof space would not have an adverse effect on the integrity of the Listed Building as the joists on the other side would remain.

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

Refused, as recommended.

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

CT.0507/1/L

Loft conversion to include staircase, landing, bathroom and bedroom; installation of 4 no. conservation roof windows in north-west elevation and reinstatement of original second floor window to the north-east elevation at Mill House, Cotswold Mill, Lewis Lane, Cirencester -

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

Refused, as recommended.

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

06/00158/TPO

Various tree works to 6 trees (1 x Ash, 3 x Lime, 2 x Norway Maple) at Beeches Car Park, Beeches Road, Cirencester -

The Case Officer reminded the Committee of the location of this site and displayed photographs of the subject trees. The Case Officer amplified the works proposed in relation to the subject trees.

In response to a question from a Member, it was reported that the Council's Tree Officer would be requested to address the issue of ivy growing on the various trees in this car park.

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

Approved, as recommended.

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

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

Councillor LR Wilkins was invited to speak on application CD.2240/7/J.

(iii) Public Speaking

Public speaking took place as follows:-

<u>CD.2240/7/J</u>)	Councillor B Sumner (Parish Council)
)	Mr. S Senior (Applicant)
<u>CD.9447/A</u>)	Councillor ADM Boyse (Parish Council)
)	Mr. A French (Objector)
)	Mrs. W Hopkins (Agent)
<u>CD.3893/G</u>)	Councillor M Moseley (Parish Council)
)	Miss V Norwood (Objector)
)	Mr. A Eastabrook (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.111 SITES INSPECTION BRIEFINGS

1. Members for 1st March 2017

It was noted that Councillors AW Berry, AR Brassington, M Harris and Mrs. SL Jepson, together with the Chairman, would represent the Committee at the Sites Inspection Briefing on 1st March 2017.

2. Advance Sites Inspection Briefings

No advance Sites Inspection Briefings had been notified.

PL.112 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m., adjourned between 11.10 a.m. and 11.20 a.m., and closed at 12.45 p.m.

Chairman

(END)