

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

8TH MARCH 2017

Present:

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

Councillors -

AW Berry	David Fowles
AR Brassington	M Harris
Alison Coggins	RL Hughes
PCB Coleman (from 9.35 a.m.)	Mrs. SL Jepson
RW Dutton	Juliet Layton
Jenny Forde	MGE MacKenzie-Charrington

Substitutes:

SI Andrews

Observers:

JA Harris (from 10.30 a.m. until 11.45 a.m.) LR Wilkins

Apologies:

Sue Coakley (absent on other Council business)

PL.113 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor Juliet Layton declared an interest in respect of Agenda Item (9) (Proposed Adoption of Mandatory Safeguarding Training for all Licensed Drivers in the Cotswold District), because two members of her family were licensed Hackney Carriage drivers.

Councillor Tina Stevenson declared an interest in respect of Agenda Item (9) (Proposed Adoption of Mandatory Safeguarding Training for all Licensed Drivers in the Cotswold District), because she was a licensed Hackney Carriage driver.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.114 SUBSTITUTION ARRANGEMENTS

PL.115 Councillor SI Andrews substituted for Councillor Sue Coakley.
MINUTES

RESOLVED that the Minutes of the Meeting of the Committee held on 8th February 2017 be approved as a correct record.

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

Arising thereon:

(i) Minutes - 8th February 2017 (PL.105)

In response to a comment from a Member, it was reported that it was not the Council's practice to record the representations made by public speakers in the Minutes. Public speakers were requested to submit 'hard' copies of their representations to the Committee Administrator; their names and status would then be recorded in the Minutes and copies of the representations would be made available on the Council's Website in those instances where copies had been made available to the Council.

(ii) Sites Inspection Briefings (PL.111(1))

It was noted that Councillor Jenny Forde had substituted for Councillor M Harris at the Sites Inspection Briefing held on 1st March 2017.

PL.116 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.117 PUBLIC QUESTIONS

No public questions had been submitted.

PL.118 MEMBER QUESTIONS

No questions had been received from Members.

PL.119 PETITIONS

No petitions had been received.

PL.120 PROPOSED ADOPTION OF MANDATORY SAFEGUARDING TRAINING FOR ALL LICENSED DRIVERS IN THE COTSWOLD DISTRICT

Further to Minute PL.13 of 8th June 2016, the Committee was requested to consider whether Hackney Carriage/Private Hire drivers should be required to undertake mandatory safeguarding training.

Officers amplified various aspects of the circulated report and, in response to various questions from Members, it was reported that the requirement to undertake the training would apply to existing licensed drivers as well as new drivers; there would not be any additional cost to existing drivers; a nominal fee of £15 per delegate would be applied to new drivers undertaking the training after July 2017; licensed drivers in Oxfordshire were subject to a different training

regime; and the need for additional, future training would be reviewed in light of national developments.

It was noted that, while the training would be structured for licensed drivers, Councillors would be welcome to take part, if they so wished, and details of the training sessions would be circulated in due course.

RESOLVED that all Hackney Carriage/Private Hire drivers (new and existing) be required to undertake mandatory safeguarding training.

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

PL.121 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 outlined the proposals, drawing attention to existing off-road parking provision for fifteen vehicles. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the site from various locations.

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

The Chairman referred to the Sites Inspection Briefing carried out 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 not have any significant impact on the surrounding area, but one Member considered that it would have an adverse visual impact.

In response to various questions from Members, it was reported that, in determining this application, the Committee should balance any potential harm in terms of highways and design against policy and the opportunity to deliver an additional dwelling unit; a recent Government White Paper had re-emphasised emphasis on the need to deliver houses; Officers were confident that the Council could currently demonstrate approximately seven and a half years' supply of housing land but a slow-down in the delivery of 'windfall' sites would have an adverse impact on the predicted delivery targets; consideration had not been given to the suggestion by the Applicants that the proposed dwelling could be set back from the existing terrace as, in the opinion of Officers, the current proposal would not have any adverse impact as the built development could be viewed as an addition to the existing terrace; and it was unlikely that approving this application as recommended would set a precedent as any future, similar applications would have to be considered on their merits and it was possible that some such application(s) could cause more easily-identifiable harm.

A number of Members considered that this application should be approved, as recommended, because of the majority view expressed by those Members who had attended the Sites Inspection Briefing. Some other Members considered that this proposal would have an adverse impact on the street scene, and they contended that the existing building line should be preserved.

The Ward Member, who did not serve on the Committee, was invited to address the Committee, and he referred to a recent collision in the vicinity of this site which had resulted in the demolition of a lamp-post which had been situated outside 150 Roman Way. The Ward Member expressed the view that this road, which was joined along its length by a number of other roads, was extremely busy and that this proposal would have an adverse impact on drivers' visibility. The Ward Member contended that any additional on-street parking would further exacerbate existing highway problems in the vicinity of this site, particularly when school children were being picked up and dropped off, and that the proposed development would have an adverse impact on the street scene as it would not preserve the original building line. In that context, the Ward Member expressed the view that the three terraces of houses in the vicinity of the site matched, and suggested that the proposed development would be out of character with the existing houses and would have an 'odd' appearance. The Ward Member also regretted the loss of what he considered to be a small but important open space. He reminded the Committee that work was about to commence on a new development comprising 122 new starter homes, and he concluded by expressing his opinion that an additional unit in this location was not required.

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

Approved, as recommended.

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

CD.2729/T**Realignment of supermarket service yard exit lane to Station Road approved under permission 14/00654/FUL and alterations to adjacent boundary treatment to George Moore Community Centre at Salmondsbury House, Station Road, Bourton-on-the-Water -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the location within the site of the new store, which was under construction; the approved and amended plans; design; and the two protected trees which were proposed for removal. The Case Officer displayed photographs illustrating views of the two protected trees and views along the adjacent highway.

A Member of the Parish Council 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 explained that felling the two protected trees would enable lorries to exit this site without the need to turn in the centre of the road. The Ward Member referred to the narrowness of the existing footpath on the opposite side of the road and commented that this proposal would lead to an improvement in road safety in the vicinity of this site, as it would result in a safer exit for lorries, and that the area would benefit from the proposed drainage works. He contended that the two trees which were proposed for felling were not the 'best-loved' trees in the village. He referred to other, existing trees in the vicinity of this site and commented that the Applicant had proposed to replace the two trees through planting within the site. In conclusion, he quoted from the comments submitted by the County Highways Officer in relation to this application.

In response to various questions from Members, it was reported that the Council's Tree Officer had raised objections to the proposed felling of the two beech trees at this site; they were mature beech trees which were between 80 and 100 years old and had a potential life expectancy of another 40 years; one of the trees appeared to be in a poor condition which, in the opinion of the Tree Officer, could be the result of the drainage problems in this location; in the opinion of Officers, the Applicant could achieve a safe means of access under the approved scheme and the proposed drainage works and boundary treatment works could be carried out without the need to fell the trees; the current speed limit along Station Road was 30 mph; the access approved under the permitted scheme had been designed to accommodate lorries of up to 14.4 metres in length; as the Applicant had stated that the maximum length of lorries visiting the site would be 13.7 metres, it was considered that lorries exiting the site would not encroach into the central area of the road to any significant degree; in the opinion of Officers, whilst this current proposal could result in some betterment, it did not warrant the loss of the two trees and their loss would have an adverse impact on the character and appearance of the area; and, if the Committee was minded to approve this application, any new trees planted could be protected by conditions attached to the Decision Notice and consideration could be given to the service of a Tree Preservation Order in respect of those trees.

A number of Members considered that this application should be approved. Those Members contended that the benefits of this proposal outweighed the loss of the trees, and would lead to improvements in highway safety in this area. Other Members considered that this application should be refused, as recommended. Those Members reminded the Committee that the proposed drainage and boundary treatment works could be carried out without the need to fell the trees, and that safe access/egress could already be achieved under the approved scheme.

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

It was suggested that, if the Committee was minded to approve this application as Proposed, such conditions should include landscaping within the site to replace the two beech trees with the size and species of the replacement trees being agreed with the Council; details of drainage; and boundary treatment. In response to a question, it was reported that it would be unreasonable to seek to require the Applicant to ensure the existing overhead cables were relocated underground as such works would not be within the control of the Applicant.

Approved, subject to conditions to be specified by the Case Officer.

Record of Voting - for 9, against 6, abstentions 0, absent 0.

Note:

This decision was contrary to the Officer Recommendation because a majority of the Committee considered that the public benefits accruing from the proposal outweighed the loss of the two protected trees.

CT.0078/1/X

Change of Use of gym (Use Class D2) to create 6 no. apartments (Use Class 3) at First Floor, 27 Dyer Street, Cirencester -

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 in the second line of the first paragraph under the 'Officer's Assessment' on page 30 of the circulated report to refer to 'three one bed roomed and three two bed roomed units'. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its proximity to an existing public car park; access; existing and proposed elevations, floor and roof plans; and a proposed amenity space. The Case Officer displayed an aerial photograph of the site and photographs illustrating views of the existing building from various vantage points.

The Agent was invited to address the Committee.

The Ward Member, who did not serve on the Committee, was invited to address the Committee. The Ward Member stated that he was not against this proposal in principle, but he expressed concern that once a large commercial space in this location was lost, it would never be restored. The Ward Member contended that one parking space per proposed apartment was not acceptable, and would lead to an exacerbation of the parking problems that already existed within the town. In conclusion, the Ward Member stated that, if the Committee was minded to

approve this application as recommended, the Council should seek to maximise on-site parking provision.

In response to various questions by Members, it was reported that the proposed fire escape would have to comply with Building Control Regulations; the proposal for six parking spaces to the rear of this site was in accordance with the Council's requirements; the County Highways Officer had not raised any objections in relation to parking, given the town centre location of this site; the proposal included some additional windows on the south-eastern elevation of the existing building; the existing windows would be changed to match the additional windows being proposed; as the building was in a town centre location, there was potential for it to be put to a number of uses under the current Use Class but a proposal for an office use would require permission; and the proposed residential use was supported by policy.

A Member commented that the Council was aware of, and was seeking to address, the issue of car parking provision within the town. The Member agreed with the concerns expressed by the Ward Member that, once lost, it was unlikely that this commercial space would be restored, and expressed the view that it could be suitable for use other, potential uses, including as a restaurant. The Member reminded the Committee of the requirements of the National Planning Policy Framework that a sequential approach be taken in relation to the provision of leisure facilities, and commented that the loss of this space prevented that from happening. The Member also commented that, if a development did not provide adequate parking, the County or District Councils would be required to do so.

Other Members reminded the Committee that each application should be considered on its merits. Those Members commented on the varied uses within this building in the past, and commented that this current proposal accorded with policy.

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

The Ward Member was invited to address the Committee again, and explained that the building could be put to various uses within Use Class D2, including for entertainment and leisure. The Ward Member contended that there was an issue with parking in the town, and that the Council should seek to ameliorate the loss of parking within this site. The Ward Member concluded by suggesting that, if the Committee was minded to approve this application, as recommended, the Council could require the Applicant to approach adjacent occupiers over the use of their car parks by residents of this building.

In response to that latter issue, it was reported that the Council could only require the Applicant to follow such an approach if it was likely that the application would otherwise be refused.

Approved, as recommended.

Record of Voting - for 9, against 5, abstentions 1, absent 0.

CD.9513/A**Extension and alteration to existing property, including demolition of existing garage at Lane House, Sawpits Lane, Lower Oddington -**

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 Objectors' premises and the existing and proposed elevations. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the existing building from various locations and views from within the site.

An Objector 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 not been able to attend the Meeting. The Ward Member welcomed the concept of investment in the sympathetic development of what he considered to be an 'attractive' property but expressed his concern over the proposed design. The Ward Member suggested that, while the proposed design could be considered 'boldly contemporary', the counter view which he concurred with was that it would conflict with its surroundings in the Conservation Area. The Ward Member referred to the planning history of this site, and expressed his surprise that a proposal to enlarge and refurbish this dwelling should include what he considered to be controversial features which risked to damage the harmony of this part of the village. The Ward Member contended that this application should be refused and, in conclusion, suggested that it might be appropriate to defer a decision for a Sites Inspection Briefing in order to be helpful to all the parties involved.

A 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 on the Conservation Area and neighbouring Listed Buildings.

Record of Voting - for 11, against 3, abstentions 1, absent 0.

CD.6115/K**Demolition of existing conservatory and erection of single-storey side extension at Willow House, Clapton Row, Bourton-on-the-Water -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications, and the Chairman allowed a period of time for Members to read those representations that 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 proposed elevations and boundary treatments. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the existing building from various vantage points.

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

The Ward Member, who did not serve 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 expressed the view that the proposal constituted overdevelopment of this site, and he reminded the Committee that four out of nine previous applications on this site had been refused. The Ward Member contended that the proposed development would dominate the two adjacent properties and, in conclusion, expressed concern over transparency issues in respect of this application.

In response to various questions from Members, it was reported that anyone was entitled to comment on a planning application; the person from Hereford who had objected to this proposal was possibly familiar with the property; the transparency issue referred to by the Ward Member related to comments submitted in respect of some plans which, in the opinion of Officers, were accurate; the Committee should consider the scale, design and height of the proposed extension in its consideration of this application; the proposed extension would replace the existing conservatory; and this application could not be constructed under Permitted Development Rights because of the width of the proposed extension.

A 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 on the neighbours' amenity.

Record of Voting - for 12, against 2, abstentions 1, 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 CD.9513/A.

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

Councillor JA Harris was invited to speak on application CT.0078/1/X.

Councillor LR Wilkins was invited to speak on applications CD.2240/7/J, CD.2729/T and CD.6115/K.

(iii) Public Speaking

Public speaking took place as follows:-

<u>CD.2240/7/J</u>)	Councillor R Hadley (Parish Council)
)	Mrs. R Senior (Applicant)
<u>CD.2729/T</u>)	Councillor B Sumner (Parish Council)
)	Mr. S Cox (Agent)
<u>CT.0078/1/X</u>)	Mrs. K Pflieger (Agent)
<u>CD.9513/A</u>)	Mrs. G Tose (Objector)
<u>CD.6115/K</u>)	Mr. J Rathbone (Objector)
)	Ms T Herbert-Davis

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.122 SITES INSPECTION BRIEFINGS

1. Members for 5th April 2017

It was noted that Councillors AR Brassington, Sue Coakley, Alison Coggins and Juliet Layton, together with the Chairman, would represent the Committee at the Sites Inspection Briefing on 5th April 2017.

Note:

Councillor Tina Stevenson would substitute for Councillor Sue Coakley in the event that Councillor Coakley was not able to attend the above-mentioned Sites Inspection Briefing.

2. Advance Sites Inspection Briefings

It was noted that an advance Sites Inspection Briefing would take place on Wednesday 5th April 2017 in respect of the following application:-

16/04529/FUL - conversion and extension of Dutch barn to form a single dwelling; conversion and alteration of barn 2 to form 3 dwellings to be used as holiday lets and extension; use of barn 1 for purposes falling within class B1 (business) and for stabling of horses and creation of new access at Barns To East Of Grange Farm, Horn Lane, Evenlode - to examine the access to and from the site.

PL.123 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m., adjourned between 11.05 a.m. and 11.15 a.m., and closed at 12.17 p.m.

Chairman

(END)