

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

12TH APRIL 2017

Present:

Councillor SG Hirst - Chairman
Councillor Tina Stevenson - Vice-Chairman (until 4.30 p.m.)

Councillors -

AW Berry	David Fowles
AR Brassington	M Harris
Sue Coakley	RL Hughes
Alison Coggins	Mrs. SL Jepson
PCB Coleman	Juliet Layton
RW Dutton	MGE MacKenzie-Charrington

Substitutes:

T Cheung

Observers:

Julian Beale (invited to speak on Minute PL.134)	R Theodoulou (from 10.05 a.m. until 12.40 p.m.)
Maggie Heaven (until 12.40 p.m.)	LR Wilkins (from 12.15 p.m. until 3.35 p.m.)

Apologies:

Jenny Forde

PL.124 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor Alison Coggins declared an interest in respect of application CD.9616, because she knew the Applicants socially, and she left the Meeting while that item was being determined.

Councillor David Fowles declared an interest in respect of application CT.1645/G, because he knew the Applicant socially, and he left the Meeting while that item was being determined.

Councillor David Fowles declared an interest in respect of application CT.5231/B, because he had a business relationship with the Agents who were marketing the property.

Councillor David Fowles declared an interest in respect of application CT.9209, because he was acquainted with the Applicants and other third parties, and he left the Meeting while that item was being determined.

Councillor SG Hirst declared an interest in respect of application CT.1645/G, because he was a Trustee of the Dolphins Hall and a Member of Tetbury Town Council, and he left the Meeting while that item was being determined.

Councillor Tina Stevenson declared an interest in respect of application CT.1645/G, because she was a Trustee of the Dolphins Hall and a Member of Tetbury Town Council. Councillor Stevenson was invited to address the Committee in her capacity as Ward Member and she then left the Meeting while that item was being determined.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.125 SUBSTITUTION ARRANGEMENTS

Councillor T Cheung substituted for Councillor Jenny Forde.

PL.126 MINUTES

RESOLVED that, subject to the following two amendments, the Minutes of the Meeting of the Committee held on 8th March 2017 be approved as a correct record:-

(i) by the addition of the words '(absent on other Council business)' after the name of Councillor Sue Coakley in the list of apologies for absence from the Meeting;

(ii) by deletion of the word 'with' in the sixth line of the fifth paragraph of the preamble to application CD.2729/T, and its substitution by the word 'without' (Minute PL.121, page 165 referred).

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

PL.127 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that he intended to vary the order of the Agenda, and that Agenda Item (9) (Appeals Against Refusal of Planning Permission and Enforcement Notice - The Old Quarry, Broadwell - Retention of Permanent Rural Worker's Dwelling) would be taken following consideration of the Schedule of Planning Applications.

PL.128 PUBLIC QUESTIONS

No public questions had been submitted.

PL.129 MEMBER QUESTIONS

No questions had been received from Members.

PL.130 PETITIONS

No petitions had been received.

PL.131 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.0807/1/E**Erection of covered storage area in yard of retail unit at Carted Barn, High Street, South Cerney -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the layout and elevations. The Case Officer displayed an aerial photograph of the site, and a photograph illustrating a view into the site.

The Ward Member, who served on the Committee, was invited to address the Committee, and explained that this application constituted one of a series of amendments which had been submitted over a number of months. The Ward Member stated that, if the Committee was minded to approve this application as recommended, the proposed development would result in the loss of one of the five on-site parking spaces, which had formed part of the application discussed at length by the Committee in November 2014. The Ward Member reminded the Committee of the views expressed by the Parish Council, which had been included in the circulated report, and contended that the proposed development would have an adverse impact on the five residential properties which were in close proximity to the site. The Ward Member expressed the view that the proposal would result in noise and the loss of an on-site parking space, as well as creating the potential for deliveries to be made to the rear of the store. The Ward Member further contended that the works undertaken to the property so far in connection with the development of a convenience store had resulted in disruption in the village, and had involved the Council in the consideration of a number of retrospective applications and negotiations. The Ward Member

reminded the Committee that this residential area was in close proximity to a Conservation Area, and stated that the residents should be able to enjoy a modicum of peace and quiet. In conclusion, the Ward Member urged the Committee to refuse this application.

In response to various questions from Members, it was reported that the County Highways Officer had not raised any objections to this proposal; the Council would need to demonstrate 'severe' highways and noise impacts if the Committee was minded to refuse this application on highway and/or noise grounds; a separate application had been submitted in respect of lighting and works to the shop-front; a floodlight to the rear was due to be approved under the Scheme of Delegation; the proposal was to create a temporary holding area for goods which had been delivered to the front of the shop; there was no other external space available for the proposed storage area within this site; in the event that the Committee was minded to approve this application, a condition restricting deliveries to the opening hours of the store could be attached to any Decision Notice; and the parking requirement for an A1 Use was one space per 60 square metres.

A Proposition, that this application be approved subject to additional conditions relating to delivery times and the restoration of the parking space in the event that the storage area was no longer required in the future, was duly Seconded.

Some Members considered that the application should be refused for reasons relating to noise impact. Those Members suggested that an alternative could be to store the goods inside the existing shop building and commented that it was likely that customers would use their cars to travel to the shop. While noting the proposed development would result in the loss of an on-site parking space, and appreciating the comments in respect of the noise impact on residents, other Members nevertheless expressed support for the Proposition that this application be approved. A Member commented that the shop was not yet open for trading and reminded the Committee that each application should be determined on its merits. The Member also reminded the Committee of the recent planning history relating to this site, including a decision in 2011 to refuse an application for housing.

The Ward Member was invited to address the Committee again, and commented that the village was a strategic employment area. The Ward Member considered that people from the employment site might drive to the shop, and reminded the Committee that a 2014 traffic report which pre-dated the employment site and a residential development at The Mallards, had stated that 14,000 vehicles used this road every week. The Ward Member explained that there was a pedestrian crossing in front of the shop, which she hoped would be protected and, in conclusion, queried how goods would be moved to the storage yard if they were delivered to the front of the shop.

Approved as recommended, subject to additional conditions relating to delivery times and removal of the storage area if it was no longer required in the future.

Record of Voting - for 8, against 4, abstentions 2, Ward Member unable to vote 1, absent 0.

Note:

The wording of the additional conditions was to be agreed in consultation with the Ward Member.

CT.3135/C

Proposed garage, garden works and car port (part retrospective) at 135 Cheltenham Road, Stratton -

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the elevations of the proposed garage; land levels within the site; and the height of other structures in close proximity to this site and Gallows Pound Lane. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the existing building on the site; into the site; and of neighbouring properties.

The Ward Member, who served on the Committee, was invited to address the Committee, and he reported representations submitted to him by a third party who had not been able to attend the Meeting. In summary, those representations detailed objections to this proposal for reasons of impact on the character of Gallows Pound Lane; the proposed garage would be wider and higher than an existing fence which, the third party had contended, would result in it appearing to be excessive and at odds with surrounding developments; no provision had been made for the turning of vehicles within the site; and it would not be in keeping with the surrounding rural area. The Ward Member contended that, due to the land levels within the site, the proposed garage would appear to be out of keeping with other structures on Gallows Pound Lane; and it constituted an intrusive development which would have an adverse impact on the street scene and the amenities of residents. The Ward Member considered the proposed garage was too substantial and too wide and, in conclusion, suggested that a better design could be sought.

In response to various questions from Members, it was reported that the overall ridge height of the proposed garage would be 7.5 metres from within the site and 4.7 metres at Gallows Pound Lane; the Applicant had a right of vehicular access over Gallows Pound Lane; and the site was not in the Conservation Area.

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

A further Proposition, that this application be refused for reasons relating to its significant and detrimental impact on the surrounding area, was duly Seconded.

In light of such further Proposition, the first Proposition was withdrawn.

Refused, for reasons relating to the significant and detrimental impact on the surrounding area.

Record of Voting - for 10, against 0, abstentions 4, Ward Member unable to vote 1, absent 0.

Note:

This decision was contrary to the Officer recommendation because, having recognised the potential benefits that could accrue from this proposal, a majority of the Committee had considered that, on balance, it would have a significant and detrimental impact.

CD.9627/A**Two storey extension to the northern elevation and erection of detached outbuilding with external staircase and ancillary accommodation above at Doyle Cottage, Southrop -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the existing and proposed elevations. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the existing building, the neighbouring property, and into the site from the nearby public right of way.

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 reiterated the reasons why he had referred this application to the Committee for determination.

In response to various questions from Members, it was reported that no windows were proposed for the northern elevation and one window was proposed for the western elevation; in the opinion of Officers, the proposed development was considered to be acceptable in terms of its relationship with the neighbouring property; in the opinion of Officers, the proposed outbuilding would have a more adverse impact on the Applicant's property if its position was relocated within the site; if the Committee was minded to approve this application as recommended, a condition relating to its ancillary status would be attached to any Decision Notice; any future applications to make it a separate dwelling would be considered on their merits but, in the opinion of Officers, any separation of the buildings would have a significant adverse impact on the Conservation Area; and the distance between the proposed outbuilding and the neighbouring property was 13.5 metres.

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

Approved, as recommended.

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

CT.5679/D**Demolition of existing outbuildings and erection of 1 no. dwelling, detached garage building, vehicular access, landscaping, parking and associated works at Old Barn, 33 Gloucester Road, Stratton -**

The Case Officer drew attention to the extra representations received since 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 access; its proximity to a Listed Building; the appeal decision relating to a previous application on this site, which had been dismissed by the Planning Inspector; the current scheme overlaid onto that previous scheme; elevations; floor plan; land levels; and ridge heights. The Case Officer displayed an aerial photograph of the site and photographs illustrating views of Old Barn; the access; from within the site; from the adjacent property; and the buildings proposed for demolition.

The Ward Member, who served on the Committee, was invited to address the Committee, and expressed the view that this current proposal could have an adverse impact on Old Barn and the Area of Outstanding Natural Beauty. The Ward Member reminded the Committee of the Sites Inspection Briefing carried out in respect of the previous application, and stated that the objection from the occupants of Glebe House had been withdrawn. The Ward Member contended that the proposal would have some adverse impact on the setting of Glebe House, and that it would have a major adverse impact on the setting of Old Barn. The Ward Member referred to the refusal reasons relating to the previous application, and expressed the view that this application should be refused for reasons relating to access. The Ward Member explained that the current access to this site could not be altered but he commented that 31 Gloucester Road, Stratton, which he believed to be in the same ownership as this site, was currently empty and he suggested that combining the two sites could enable the creation of an alternative access to this current site without having any adverse impact on Old Barn. In closing, the Ward Member pointed out that Old Barn was not a Listed Building.

In response to various questions from Members, it was reported that Old Barn was considered to be a non-designated heritage asset; the County Highways Officer had not raised any objections in relation to the previous application; the proposed dwelling would be located closer to Old Barn than proposed by the previous application for two dwellings on this site, but the amenity space had been extended; the proposed dwelling would be located further away from the boundary with Glebe House; in the opinion of Officers, the issues raised by the Planning Inspector in relation to the previous application had been addressed; the ridge height of the proposed dwelling would be lower than that of Old Barn; in the opinion of Officers, this proposal would not have any adverse impact on the Area of Outstanding Natural Beauty; and, if the Committee was minded to refuse this application, the Council would need to defend every refusal reason at a subsequent appeal so 'make-weight' refusal reasons should not be included in any Decision Notice.

A Member expressed the view that, at the appeal against refusal of the previous application, the Planning Inspector had set a high bar, and that this current application had moved the proposed dwelling around the site.

A Proposition, that this application be refused for reasons relating to scale, design, and impact on a Listed Building and the character of the Area of Outstanding Natural Beauty, was duly Seconded.

In response, it was reported that no reference had been made to the impact on the Area of Outstanding Natural Beauty in respect of the previous application, and that many of the issues raised on that occasion had been addressed satisfactorily.

In the opinion of Officers, the issue of the impact on Old Barn was a relevant consideration due to changes made to the access and the impact of traffic in close proximity to that building. The Proposer and Seconder duly confirmed that they wished to remove reference to the impact on the Area of Outstanding Natural Beauty from their Proposal. Another Member commented that the Committee had recognised the work done by the Applicant to address the concerns expressed in relation to the previous application on this site. The Member considered the fundamental concern to be the adverse impact on Old Barn, a non-designated heritage asset, due to the proximity of the access to that building.

Some other Members contended that the issues raised in respect of the previous application had been satisfactorily addressed and a further Proposition, that this application be approved as recommended, was duly Seconded.

Refused, for reasons to be stated by the Case Officer relating to the impact on the property known as Old Barn.

Record of Voting - for 11, against 3, abstentions 0, Ward Member unable to vote 1, absent 0.

Note:

This decision was contrary to the Officer recommendation, for the reasons stated.

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, 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 its proximity to a number of Listed Buildings and the Conservation Area boundary; a block plan; existing and proposed elevations; and a previous scheme which had been refused planning permission. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views into the site.

The Chairman referred to the Sites Inspection Briefing undertaken in respect of this application, and he invited those Members who had attended that Briefing to express their views. All of those Members considered that this proposal would not have any detrimental impact on the Conservation Area or the neighbouring Listed Buildings.

An Objector was invited to address the Committee.

The Ward Member, who did not serve on the Committee, was invited to address the Committee and expressed his sympathy for the comments made by the Objector. The Ward Member stated that the principal concern related to the size and design of the proposed extension. The Ward Member contended that renovation and sympathetic development was welcomed in the village, and commented that the Parish Council was active, and that the local community was

keen to preserve and enhance the village environment. However, the Ward Member considered this proposal to be out of keeping with the village environment, and he expressed his opinion that it would create a much larger building, incorporating contemporary textures which, he suggested, would be unsightly and unsuitable in this location. The Ward Member concluded by requesting the Committee to refuse this application for reasons relating to design and adverse impact on the surrounding area.

In response to various questions from Members, it was reported that contemporary extensions could be considered in the Conservation Area; in the opinion of Officers, the original building did not constitute a traditional Cotswold building; the proposed extension would be low and of a sympathetic scale which would reflect and enhance the exposed red brick of the original building; in the opinion of Officers, this proposal would not have any adverse impact on the setting of The Old Bakery; and large areas of glazing were becoming more commonplace, and such a treatment was considered to be acceptable in this location.

Some Members expressed the view that the original building did not constitute a traditional Cotswold house, and that the existing external staircase did not enhance the Conservation Area. Those Members considered this proposal to be sympathetic to the style of the existing building and that, further, it would not have any adverse impact on neighbouring properties and that it would make the original building conducive to modern living.

Other Members expressed support for the comments made by the Ward Member and contended that this proposal would detract from, and have an adverse impact on, the Area of Outstanding Natural Beauty.

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

The Ward Member was invited to address the Committee again, and he reiterated his appreciation of the comments made by the Objector.

Approved, as recommended.

Record of Voting - for 10, against 4, abstentions 1, absent 0.

CT.1645/G

Proposed extension and alterations at Dolphins Hall, New Church Street, Tetbury -

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications, and stated that the Officer recommendation had been amended to one of 'permit'.

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the adjacent residential Listed Buildings; its proximity to the Grade II* Listed Church; and its location within the Conservation Area. The Case Officer displayed an aerial view of the site, photographs illustrating views of the building from various vantage points, views of the Grade II* Listed Church and a virtual Google Street view of the area.

The Ward Member, who served on the Committee, was invited to address the Committee. The Ward Member contended that the hall was in dire need of renovation and that the proposed extension would help to meet the needs of the young people of Tetbury, as well as future generations. The Ward Member considered it to be a community hall which was out of date, and she reminded the Committee that funding had been made available to the Trustees which would meet the cost of the proposed extension and refurbishment. The Ward Member expressed the view that a majority of residents of the town were supportive of the Trustees' aim to bring the hall back to life, and she commented that it was well-used throughout the day and evening, and that bookings had increased. The Ward Member stated that the youth club had used a 'pod' which constituted a container with a portaloos to the side, on the edge of the adjacent recreation ground since it had vacated its original base in The Chippings when Gloucestershire County Council had sold that building to a developer. The Ward Member considered the current situation to be disgraceful and stated her view that the youth club needed its own space which, she believed, the proposed extension would provide. The Ward Member explained that the funding allocated by Gloucestershire County Council to the community and youth club had to be spent by July 2017 otherwise it would be lost. The Ward Member contended that the Trustees and residents had worked hard to ensure that the hall was back on track and in profit, and were moving quickly to make it a sustainable community facility. The Ward Member stated that she was baffled at how some sections of the community could make negative comments about the young people of the town, and suggested that they should be given the respect they deserved and the facilities they required. In conclusion, the Ward Member quoted the second paragraph of the conclusion of the circulated report. At this juncture, having previously declared an interest in this application, the Ward Member left the Meeting while it was being determined.

An Objector and a representative of the Applicant were invited to address the Committee.

In response to various questions from Members, it was reported that the Grade II* Listed Church was still open; the original proposal had been to build a replacement hall within the existing site then demolish the current building; Historic England considered that this proposal would have a limited impact on the Grade II* Listed Church and had not objected to it; and the Case Officer was not aware of the time limit on the expenditure of the Gloucestershire County Council funding.

A number of Members expressed support for the application. A Member stated that the comments made by the Objector in respect of the Town Council's procedures was not a matter for this Council. The Member expressed the view that there could be an increase in anti-social behaviour within the town if there were no youth facilities and that, while he considered the design of the proposed extension to be functional, an improved facility would look better. Another Member commented that design was an issue in central locations and he stated that he shared the concerns expressed by the Objector that the proposed extension would not enhance the area. In that connection, a third Member commented that an amended design could come forward.

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

Approved, as recommended.

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

As both the Chairman and Vice-Chairman had declared interests in respect of this item and had left the Meeting while it was being determined, Councillor Juliet Layton had been elected Temporary Chairman. At the conclusion of the consideration of this item, Councillor SG Hirst had resumed the Chair.

CT.5231/B**Change of Use of public house (A4) to a single dwelling (C3(a)) at Red Lion, Ampney St. Peter -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications, and stated that this building had been removed from the Council's Register of Assets of Community Value. The Case Officer reminded the Committee of the location of this building and outlined the proposals, drawing attention to its residential curtilage; the existing layout and trading areas; external facilities; and other public houses in the area. The Case Officer displayed an aerial photograph of the site and photographs illustrating the interior of the building and views of the building from various vantage points.

The Ward Member, who served on the Committee, was invited to address the Committee and stated that this was a unique public house which, he contended, was prized by the Campaign for Real Ale (CAMRA) and local residents. The Ward Member further contended that the building had been part of the fabric of the community for over 200 years, and he referred to its original use as a toll station. The Ward Member reminded the Committee that this was a Grade II Listed Building, and he referred to a number of policies which, in his opinion, supported a refusal of this current application. The Ward Member stated that, if this application was approved, there were no alternative public house facilities available in close proximity to the settlement. The Ward Member referred to the operation of the public house by the former licensee; its estimated value, both as a public house and a private dwelling; the value of another public house in Cirencester which had a kitchen and was thriving; expressions of interest from within the commercial sector to maintain this building as a public house; an offer to purchase the building, which had been accepted by the owners; and the submitted accounts which showed a diminished profit as the public house had been run as a hobby by the former licensee. The Ward Member concluded by urging the Committee to refuse this application.

In response to various questions, it was reported that the property had been marketed for a period of approximately six months, both as a public house and as a residential property and the owners had received some expressions of interest; there were other public house facilities in the area; this public house had served a limited market; there were a number of hamlets within the vicinity of the property; and Listed Building Consent would be required to expand the trading area.

Some Members considered that the appropriate tests had not been satisfied and that, on this occasion, the viability issue was not of relevance as the former licensee had run the public house as a hobby and not as a business. A Member

commented that there were a number of public houses across the District which formed part of the make-up of the area but were not situated in villages. The Member considered that the uniqueness of this public house should be protected and that it should be marketed as a going concern. This latter comment was supported by a number of Members. Another Member commented on its location alongside a main road with off-street parking. The Member contended that there were few public houses with historic interiors and reminded the Committee that it had not been run as a viable business in recent times.

Other Members considered that this public house could be viable in a different location but that it had not been a viable business in this location for some considerable time. The Members contended that the local population was not sufficient to sustain this building as a public house and that the changes required to make it viable as a business would result in the loss of a unique local asset. They reminded the Committee that it was no longer considered to be an asset of community value and, as it was a Listed Building, Listed Building Consent would be required for any works. The Members contended that the marketing exercise had been successful as it had resulted in an offer to buy from a commercial enterprise, and that the Committee should be realistic and should seek to protect those assets it could.

A Proposition, that this application be approved as recommended, was not Seconded.

A further Proposition, that this application be refused for reasons relating to the loss of a community facility and because the viability of the public house had not been proven, was duly Seconded.

The Ward Member was invited to address the Committee again, and expressed his view that the property had not been marketed as a public house for a sufficiently long enough period. The Ward Member considered this property to be an asset which outweighed its catchment area, and he expressed his view that it was perfect for updating while retaining its unique character.

Refused, for reasons relating to the loss of a community facility and viability.

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

Note:

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

CD.9616

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 the east of Grange Farm, Horn Lane, Evenlode -

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 Evenlode; a number of public rights of way; and an extant permission. The Case Officer displayed photographs illustrating views of the access and of the existing buildings within the site.

A Member of the Parish Council 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 expressed the view that benefits could accrue to the local community from the proposals, which would add to the existing business and help to keep it within Evenlode. The Ward Member referred to an extant permission to convert the Dutch barn to residential use. He expressed the view that this current proposal would have an adverse effect on vehicle movements through the village which, he contended, could already be more testing at certain times of the year. In conclusion, the Ward Member suggested that, if the Committee was minded to approve this application as recommended, consideration of the holiday lets element should be deferred; an existing access should be used; and the access lane should be widened.

The Chairman referred to the Sites Inspection Briefing undertaken in respect of this application, and he invited those Members who had attended that Briefing to express their views. Two Members considered the access lane to be narrow with few passing places. One Member commented that there was sufficient room to pass a parked vehicle, the lane was currently used by large agricultural vehicles, and that the entire route through the village was narrow. Another Member supported the comments made by the Ward Member in respect of access to this site.

In response to various questions from Members, it was reported that the Dutch barn had been deemed to be capable of conversion without the need for any new build elements; the existing buildings on the site could be converted to the uses currently being proposed for those buildings; the current lawful use of the buildings was in connection with agriculture; the lane was not used by through traffic; if this application was approved, use of the B1 unit would be restricted; the County Highways Officer had taken on board the traffic concerns raised by the Parish Council and had not objected to this proposal on highway grounds; the proposed design for the converted buildings was considered to be appropriate in this setting; the proposed access arrangement had been assessed and was considered to be acceptable; this was currently a working farm; and any future proposal to construct agricultural buildings on neighbouring fields would require planning permission or prior approval.

A number of Members expressed support for this proposal. A Member expressed the view that this was an exciting project for holidaymakers and, in that context, journeys to and from the site would be staggered. The Member noted that horseboxes would use the access lane. Another Member commented that the Applicants currently lived and worked within 100 metres of this site. The Member considered that rural enterprises should be encouraged and that there were benefits to using the existing access. A third Member welcomed the submission of a complete plan for the entire site, pointed out that the access lane constituted an unclassified highway, and commented that an existing equestrian facility was situated at the end of the lane.

A Proposition, that this application be approved subject to deletion of the proposed access, was duly Seconded but subsequently withdrawn because the

drainage scheme would have to be redesigned in order for an existing access to be used to gain access to this site.

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

Approved, as recommended.

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

PL.132 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 15, against 0, abstentions 0, absent 0.

PL.133 SCHEDULE OF APPLICATIONS (CONTINUED)

RESOLVED that the remaining applications be dealt with in accordance with Minute PL.131 above:-

CD.9209

Outline application (with appearance, landscaping and layout reserved for further consideration) for the erection of an agricultural worker's dwelling at land north-west of Manor Farm, Driffield -

The Chairman amplified the reasons why he had referred this application to the Committee for determination.

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to its proximity to the Applicants' current residence and to the indicative layout. The Case Officer displayed an aerial photograph of the site and photographs illustrating views of the existing buildings on the site.

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

The Ward Member, who served on the Committee, had previously declared an interest in respect of this application and had left the Meeting while it was being determined.

In response to various questions from Members, it was reported that this was an outline application with all matters reserved; the indicative layout suggested a two-storey building comprising 3-4 bedrooms with an approximate floor area of 275 metres squared; the existing two cottages on the site had been permitted in 1973, with an agricultural occupancy condition; the ownership of those cottages had not been clarified by the Applicants, who owned two other dwellings situated within a mile of this site; in the opinion of Officers, an additional dwelling on this site was not justifiable in planning terms; only one access was proposed for this site; in the opinion of Officers, there were sufficient grounds to support refusal of this application; the relevant policies did not refer exclusively to agricultural holdings

with animals; in its determination of this application, the Committee should consider if there was an essential need for another residential building on this site, which would restrict the occupation of such a building to an agricultural worker.

Some Members suggested that consideration of this application should be deferred for further information relating to the occupation of the existing cottages on this site. Those Members expressed the view that, if the occupants were employed by the Applicants, they could ensure the security of the site and that, therefore, there would not be a justifiable need for the proposed residential building.

A Proposition, that consideration of this application be deferred for further information, was duly Seconded.

The Case Officer expressed the view that it would be unreasonable to defer consideration of this application as proposed, as that could give the Applicants the impression that the Committee might be minded to approve it if it was established that the occupiers of the cottage were not employed by the Applicants. The Case Officer reiterated the Officer opinion that there was sufficient evidence for the Committee to refuse this application.

A Member agreed with the view expressed by the Case Officer. The Member referred to the professional report which had been submitted and supported the Officer recommendation, and stated that the Committee should take note of the technical advice that had been provided. The Member contended that the occupants of the existing cottages could raise the alarm in the event of an attempted burglary and suggested that there were adequate electronic devices available on the open market which did not therefore necessitate the construction of an additional dwelling on this site without a specific agricultural tie.

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

On being put to the vote, the Proposition that consideration of this application be deferred for further information was LOST. The Record of Voting in respect of that Proposition was - for 5, against 7, abstentions 2, absent 1.

Refused, as recommended.

Record of Voting - for 8, against 5, abstentions 1, absent 1.

CD.6115/K

Demolition of existing conservatory and erection of a 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 displayed an aerial photograph of the site and photographs illustrating views into the site from various vantage points.

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

The Chairman referred to the Sites Inspection Briefing undertaken in respect of this application, and he invited those Members who had attended that Briefing to express their views. A majority of those Members expressed the view that this proposal would constitute an improvement over the current conservatory on this site, and that it would have less impact on the amenities of the neighbouring property.

The Ward Member, who did not serve on the Committee, was invited to address the Committee and reiterated the reasons why he had referred this application to the Committee for determination.

In response to a question from a Member, it was reported that the neighbouring property would not suffer an unacceptable loss of light on the vertical plane when measured at an angle of 45 degrees.

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

Approved, as recommended.

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

Notes:

(i) Additional Representations

Lists setting out details of additional representations received since the Schedule of Planning Applications had been prepared were considered in conjunction with the related planning applications.

Further representations were reported at the Meeting in respect of application CT.5231/B

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

Councillor Julian Beale was invited to speak on applications CD.9513/A and CD.9616.

Councillor R Theodoulou was invited to speak on application CD.9627/A.

Councillor LR Wilkins was invited to speak on application CD.6115/K.

(iii) Public Speaking

Public speaking took place as follows:-

<u>CD.9627/A</u>	)	Mr. T Guest (Objector)
	)	Mr. C Moughton (Applicant)
<u>CD.9513/A</u>	)	Mrs. G Tose (Objector)
<u>CT.1645/G</u>	)	Mr. C Peacock (Objector)
	)	Mr. J Townsend (Applicant)

<u>CD.9616</u>	)	Councillor R Foulquies (Parish Council)
	)	Mr. P Thwaites (Applicant)
<u>CD.9209</u>	)	Councillor N White (Parish Council)
	)	Mr. T Norris (Supporter)
	)	Mrs. K Ford (Applicant)
<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.134 APPEALS AGAINST REFUSAL OF PLANNING PERMISSION AND ENFORCEMENT NOTICE - THE OLD QUARRY, BROADWELL - RETENTION OF PERMANENT RURAL WORKER'S DWELLING

The Committee was requested to consider whether the essential need for a worker to be housed permanently on site at The Old Quarry, Broadwell had been proven, in light of additional information submitted in support of the Appellants' appeals.

It was reported that, if the Committee decided that the need for a worker to be housed permanently on this site had now been proven, the Enforcement Notice would be quashed. However, the decision to refuse planning application CD.8481/J could not be rescinded, but the Council would not contest the appeal. The Planning and Development Manager reminded the Committee of the relevant timescales and stated that, to date, no expert witnesses had been engaged by the Council in respect of these appeals. The Planning and Development Manager stated that, in the event the Committee decided to maintain the Council's stance at the forthcoming appeal, Members would be required to assist with the drafting of the Council's case in the event that an expert witness could not be engaged, and to help present the Council's case at the hearing into the appeals.

The Ward Member, who did not serve on the Committee, was invited to address the Committee. The Ward Member expressed the view that the Committee's decision to refuse the application for planning permission and to serve an Enforcement Notice had been correct and that, further, the recent Statement submitted by the Appellant was unreliable and that therefore the need had not been proven. The Ward Member then amplified the reasons for such view.

Some Members contended that the need had not been proven and that the Council should maintain its stance at the forthcoming appeals. Those Members considered that the Appellant had not submitted sufficient evidence regarding the passage of animals through the site, including in respect of feeding and watering arrangements and the provision of animal welfare equipment.

Other Members contended that the Appellant's appeal statement provided sufficient details of the operation, and that the increase in business had created a need for the presence of a permanent stockman on this site. Those Members urged the Committee to be careful in going against the professional advice received by the Council, which would be relied on by the Inspector at the forthcoming Inquiry. Those Members concluded that the need had been proven and that the Enforcement Notice should be withdrawn.

A Proposition, that the essential need for a worker to be housed permanently on the site at The Old Quarry, Broadwell had been proven, 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 2, absent 0.

RESOLVED that the Committee remains of the view that the essential need for a worker to be housed permanently on the site at The Old Quarry, Broadwell is not proven.

Record of Voting - for 8, against 5, abstentions 1, absent 1.

PL.135 SITES INSPECTION BRIEFINGS

1. Members for 3rd May 2017

It was noted that Councillors AW Berry, RL Hughes, Mrs. SL Jepson and Tina Stevenson, together with the Chairman, would represent the Committee at the Sites Inspection Briefing on 3rd May 2017.

2. Advance Sites Inspection Briefings

It was noted that an advance Sites Inspection Briefing would take place on Wednesday 3rd May 2017 in respect of the following application:-

17/00321/OUT - Outline application for the development of up to 14 dwellings, public open space, landscaping and other associated works at Plum Orchard, Moreton Road, Longborough - to assess the impact of the development on the Area of Outstanding Natural Beauty and Longborough.

PL.136 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m., adjourned between 10.00 a.m. and 10.05 a.m.; 10.50 a.m. and 10.55 a.m.; 12.40 p.m. and 1.05 p.m.; 2.25 p.m. and 2.40 p.m.; and 3.35 p.m. and 3.40 p.m.; and closed at 4.40 p.m.

Chairman

(END)