

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

9<sup>TH</sup> AUGUST 2017

Present:

Councillor RL Hughes - Chairman  
Councillor Juliet Layton - Vice-Chairman

Councillors -

SI Andrews	RW Dutton
AW Berry	David Fowles
AR Brassington	SG Hirst
Sue Coakley	MGE MacKenzie-Charrington
Alison Coggins	LR Wilkins
PCB Coleman (from 9.35 a.m.)	

Substitutes:

Dilys Neill

Observers:

Mrs. SL Jepson (until 10.50 a.m.)

Apologies:

Andrew Doherty

M Harris

PL.28 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor Sue Coakley declared an interest in respect of application 17/02108/FUL, because she was acquainted with the Applicant.

Councillor David Fowles declared an interest in respect of application 17/02108/FUL, because he was acquainted with the Applicant and some of the third parties associated with this application.

Councillor Mrs. SL Jepson declared an interest in respect of application 17/01439/FUL, because she was acquainted with the Applicants.

Councillor Dilys Neill declared an interest in respect of application 17/02108/FUL, because she had been employed as a GP at the Surgery.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.29 SUBSTITUTION ARRANGEMENTS

Councillor Dilys Neill substituted for Councillor Andrew Doherty.

PL.30 MINUTES

**RESOLVED that the Minutes of the Meeting of the Committee held on 12<sup>th</sup> July 2017 be approved as a correct record.**

**Record of Voting - for 11, against 0, abstentions 2, absent 2.**

Arising thereon:

Advance Sites Inspection Briefings (PL.26(2))

It was reported that, subsequent to the Meeting of the Committee held on 12<sup>th</sup> July 2017, all Members of the Committee had been invited to undertake an advance Sites Inspection Briefing on 2<sup>nd</sup> August 2017 in respect of application 17/02108/FUL.

PL.31 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.32 PUBLIC QUESTIONS

No public questions had been submitted.

PL.33 MEMBER QUESTIONS

No questions had been received from Members.

PL.34 PETITIONS

No petitions had been received.

PL.35 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:-**

**17/02108/FUL**

**Erection of a Primary Healthcare Centre (Doctors' Surgery) and associated infrastructure, car parking and landscaping at Land Parcel Stow Fair Site between Mangersbury Road and A436 Mangersbury Road, Stow-on-the-Wold -**

The Team Leader drew attention to the extra representations received since publication of the Schedule of Planning Applications. It was explained that an equality of votes had been cast both for and against this application at a recent Meeting of Stow-on-the-Wold Town Council and, therefore, the Town Council had not submitted any representations in relation to this application. The Team Leader summarised two additional representations submitted by the Doctors and by the Applicant. The representation submitted by the Doctors had repeated some points made previously; stated that the proceeds arising from the sale of Rose Cottage would be used to fit out the surgery; and pointed out that the District Valuer's 'value for money' report had not yet been issued. In respect of this latter point, the Team Leader drew the Committee's attention to an update from the NHS Gloucestershire Clinical Commissioning Group which had been included in the extra representations. In conclusion, the Doctors had urged the Committee to approve this application. The Applicant had pointed out that there was no guarantee that the proposed surgery at the Tall Trees site would be delivered as, in his opinion, little progress had been made over the past two years.

The Team Leader reminded the Committee of the location of this site and outlined the proposals, drawing attention to the proposed layout; its relationship with the town and the Tall Trees site; site plans; and sections through the site. The Team Leader displayed an aerial photograph of the site, and photographs illustrating views of the site from various vantage points and along the adjacent highway.

A Member of Mangersbury Parish Council, an Objector, a Supporter and a representative of the Applicant were invited to address the Committee.

The Ward Member, who was serving on the Committee as a Substitute Member at this Meeting, was invited to address the Committee and stated that the issue of the siting of the proposed development had divided the local community. The Ward Member contended that the town required a new Doctors' surgery as a matter of urgency; reminded the Committee that two years had elapsed since permission had been granted on the Tall Trees site; commented that the Committee was not being asked to choose between the two sites; and explained that the Doctors had requested that this current application be submitted. The Ward Member reiterated that the current surgery premises were inadequate and suggested that this current application could be approved as a 'fall back' position in the event that development of the Tall Trees site did not proceed. The Ward Member explained that the Tall Trees team had evidenced its financial support

following the due diligence process but stated that the Doctors were not convinced that a surgery on that site would be operational by August 2018, a view which the Ward Member contended was supported by the local MP and County Councillor amongst others. The Ward Member contended that this application should be approved if the Committee considered it to be reasonable. She drew attention to a petition which opposed the application, and to the recent advance Sites Inspection Briefing. The Ward Member reminded the Committee of the Applicant's assertion that the remainder of the Gypsy field would either remain in its current ownership or might be bought by a local consortium, and that the Applicant had no connection with Bovis Homes; and she asked the Committee to consider if the harm arising from this proposal would be outweighed by the benefits that would accrue to the local community. The Ward Member contended that the access arrangements relating to this site were preferable to those relating to the Tall Trees site, and that there was room for the proposed building to be expanded outwards, thereby retaining it as a single-storey building. However, the Ward Member reiterated that the Doctors had co-operated with the Applicant on the Tall Trees site and were likely to proceed with that development in the event that significant progress was made. She reminded the Committee that the circulated report had stated that there was a reasonable chance of the Tall Trees site being delivered and questioned if that was an adequate response to the concerns raised. In conclusion, the Ward Member expressed the view that some members of the local community would be disappointed by whatever decision the Committee reached in respect of this application.

In response to various questions from Members, it was reported that, if the Committee was minded to approve this application, pre-commencement conditions would be dealt with as quickly as possible; issues such as financing and a 'value for money' report, which were reliant on the input from other bodies such as the NHS Gloucestershire Clinical Commissioning Group, were outside the control of the Council; an assurance had been given that funding was in place for the Tall Trees site; a previous application for a Doctors' surgery on this site had been recommended for approval because, at that time, it had been the only option available to enable the provision of a new surgery, which had been considered to have considerable social benefits; it was likely that an application for an office building on this site would be recommended for refusal for reasons relating to landscape impact; the Tall Trees site had been supported by the NHS Gloucestershire Clinical Commissioning Group and, currently, both sites had the support of the relevant Doctors; the County Highways Officer had not objected to the access proposals relating to this site or the Tall Trees site; land within the Applicants' control could allow for potential future expansion at both this site and the Tall Trees site; the Applicant had an option to purchase the land required for this development only; any future applications for development on the remaining area of land would be determined on their own merits; if the Committee was minded to approve this application on an 'exceptional' basis, a condition restricting use to a surgery could reasonably be attached to any Decision Notice because of the site's location within the Area of Outstanding Natural Beauty; it would be difficult to prevent the use of the building for another type of medical use as exceptional justification would be required for such a fine split; if the Committee was minded to refuse this application, as recommended, the Applicant could submit further applications for a Doctors' surgery in the future; if the Committee was minded to approve this application, there was no guarantee that it would be developed before the Tall Trees site; Officers had sought further information on access and land contamination at the Tall Trees site and there was no reason why development should not begin on that site following approval of any pre-commencement conditions; this application was the same as that which had been

refused in June 2016; and, if the Committee was minded to approve this application, the Applicant would be required to go through the same 'value for money' process as had been required for the Tall Trees application.

It was considered that a new, adequate Doctors' surgery was important for the town. Some Members expressed the view that such a surgery should be in the correct location, and it was suggested that a period of two years was a reasonable length of time for the Applicant to seek to secure funding and begin work in relation pre-commencement conditions. Those Members contended that there was every reason to assume support for the Tall Trees site and that, further, construction works would commence shortly. In that context, it had been noted that there was evidence of some preparatory work in relation to access to that site. The Members were mindful that the Committee had refused two previous applications for a Doctors' surgery on this current site for reasons relating to its impact on the Area of Outstanding Natural Beauty. Those Members considered that, if the Committee was minded to approve this application, any future applications for development on the remainder of the Gypsy field would be determined in the light of such permission. They contended that this application would require approval from the NHS Gloucestershire Clinical Commissioning Group, the timeline would need to be commenced, and due diligence would also be required. Those Members considered that the planning process required this application be refused, as recommended, in light of the previous refusals relating to this site.

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

Some other Members expressed support for this application. Those Members commented that the Doctors were in support of this edge-of-town site for a new surgery and that this site offered sufficient space for its future expansion. They contended that the Doctors had 'gone along with' the Tall Trees site because, at that time, there was no viable, alternative site, they had been frustrated by the lack of progress and would not get the premises they wanted with room for future expansion. They considered that this application would result in better access arrangements than could be achieved at the Tall Trees site and that the public benefit that would accrue from this development would outweigh any harm.

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

**Refused, as recommended.**

**Record of Voting - for 9, against 3, abstentions 1, absent 1, did not vote 1.**

**17/01439/FUL**

**Erection of a single dwelling and garage with new access and driveway at The Mill Garden, Station Road, Blockley -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications. The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the access; other residential properties in the vicinity; elevations; and landscaping. The Case Officer displayed a virtual Google Street view and photographs illustrating views of the site from various vantage points.

The Ward Member, who did not serve on the Committee, was invited to address the Committee, and reminded the Committee that this site was located in a Conservation Area and the Area of Outstanding Natural Beauty but outside the Development Boundary for the village. The Ward Member therefore considered that the area should be protected because of its location in the Area of Outstanding Natural Beauty and Conservation Area, and that the Council, as planning authority, should seek to protect such areas. The Ward Member expressed her view that this proposal would cause harm to the visual aspect of Draycott Road which, she contended, could never be undone. The Ward Member referred to the undeveloped nature of the land to the south of Draycott Road from the Station Road junction which, she considered, made a positive contribution to the character and appearance of the Conservation Area. The Ward Member referred to the tree-lined and old wall approach to the village from Draycott and suggested that development on the south side would create an urban street view against the current rural view. The Ward Member drew attention to the design and impact on the character and appearance of the Blockley Conservation Area, as detailed in the circulated report, and reiterated that development within or affecting a Conservation Area should preserve or enhance the character or appearance of the area as a whole, or any part of the designated area. The Ward Member strongly contended that this current proposal would not enhance or preserve the character; and would result in harm to the Area of Outstanding Natural Beauty, as well as open views towards the cemetery which headed the village end of Draycott Road. The Ward Member expressed the view that the village had a special character, and that any building must be of benefit to the area and help to keep its heritage intact. The Ward Member considered that the photo montage gave a false view of the impact the application would have, and that the Committee could not fully appreciate that impact without visiting the village. In conclusion, the Ward Member stated that, in her opinion, the proposal would alter the view and make-up of a part of Blockley which she considered to be a vital part of the character of the village, the Area of Outstanding Natural Beauty and the Conservation Area.

In response to various questions from Members, it was reported that, in the opinion of Officers, this scheme was acceptable in this location; and the mass of the proposed building would not be overbearing when viewed from Draycott Road.

A Member expressed the view that Officers had worked hard to negotiate an improved scheme, and it was noted that the Parish Council had not objected to this development.

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

**Approved, as recommended.**

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

**17/02205/FUL**

**Change of Use from A1 to 7 one-bedroom flats and associated works at 50-52 Lewis Lane, Cirencester -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the proximity of the site to the town centre and

public car parks; elevations; and existing boundary treatments. The Case Officer displayed an aerial photograph of the site, photographs illustrating views of the existing building and virtual Google Street views.

In response to various questions from Members, it was reported that the site was in close proximity to The Waterloo and Forum Car Parks; some on-street parking was available in Carpenters Lane; in considering the issue of on-site parking, the Committee should consider the fall-back position in relation to this site and a previously-approved scheme, and the opportunity to provide some much-needed housing facilities; in the opinion of Officers, the consequences of requiring on-site parking on this occasion would compromise the proposed development; there were a number of existing residential properties in close proximity to this site; the restriction of the highway when deliveries were being made to properties was a matter for the Police; and, if the Committee was minded to approve this application as recommended, a condition requiring the submission of a Construction Method Statement could be attached to any Decision Notice.

Some Members commented that a vibrant and sustainable town could lead to a reduction in car ownership, and that the provision of these residential units would contribute to the provision of housing within the District. Those Members considered that on-site parking was not necessarily a requirement for every residential property; there was a demand for smaller, affordable residential units; and this proposal would result in a significant improvement over the existing building.

Other Members expressed concern over the lack of on-site parking. Those Members pointed out that the site was situated adjacent to a busy road and that on-street parking in Carpenters Lane was restricted. They contended that residents of, and visitors to, the properties would be required to park elsewhere in the town, which already had a shortfall in off-street parking, and they concluded by reiterating their preference for some on-site parking provision on this occasion.

A Proposition, that this application be approved as recommended subject to an extra condition relating to the submission of a Construction Method Statement, was duly Seconded.

**Approved as recommended, subject to an extra condition relating to the submission of a Construction Method Statement.**

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

**17/02203/FUL**

**Replacement dwelling at Willow House, Cowley -**

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 and of the existing buildings.

The Agent was invited to address the Committee.

The Committee Services Manager read out comments received from the Ward Member, who did not serve on the Committee and had been unable to attend the Meeting. The Ward Member had considered that, given the isolated position of this site within the Area of Outstanding Natural Beauty and village, and the

concerns expressed by the Parish Council in relation to the proposed design, an objective decision by the Committee would be more appropriate than a 'delegated' decision.

In response to various questions by Members, it was reported that, if the Committee was minded to approve this application as recommended, an extra condition relating to additional 'soft' landscaping could be attached to any Decision Notice; the draft report had been considered and endorsed by a number of Officers; it was considered that the proposed design was appropriate in this location and would result in an improvement over the existing building; and the proposed building was similar in size and scale to the existing building, which was not of a 'traditional' Cotswold design or materials.

Some Members commented that this site was overlooked by other dwellings. Those Members referred to the objections to this application which had been submitted, and expressed the view that an innovative design might not be the correct solution on this site.

Other Members considered the design to be appropriate, expressed their view that the proposed development would blend in with the surrounding buildings, and referred to the environmental credentials of the development.

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

**Approved, as recommended.**

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

Notes:

(i) Additional Representations

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

Further representations were reported at the Meeting in respect of applications 17/02108/FUL and 17/02203/FUL.

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

Councillor Mrs. SL Jepson was invited to speak on application 17/01439/FUL.

(iii) Public Speaking

Public speaking took place as follows:-

<u>17/02108/FUL</u>	)	Councillor Mrs. H Webb (Maugersbury
	)	Parish Council)
	)	Mr. A Eastabrook (Objector)
	)	Mr. K Cuthbert (Supporter)
	)	Dr. T Healy (representing the
	)	Applicant)



17/02203/FUL ) Mr. J Everitt (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.36 SITES INSPECTION BRIEFINGS

1. Members for 6<sup>th</sup> September 2017

It was noted that Councillors SI Andrews, AR Brassington, M Harris and Juliet Layton, together with the Chairman, would represent the Committee at the Sites Inspection Briefing on 6<sup>th</sup> September 2017.

2. Advance Sites Inspection Briefings

It was noted that advance Sites Inspection Briefings would take place on Wednesday 6<sup>th</sup> September 2017 in respect of the following two applications:-

16/05371/FUL - The Hare and Hounds, Fosse Cross, Chedworth GL54 4NN - Erection of 28 hotel bedrooms and dining pavilion, creation of car parking and new access and use of barn as plant room - to assess the impact of the proposed development on a Listed Building, the character and appearance of the Area of Outstanding Natural Beauty and highway safety;

16/05372/LBC - The Hare and Hounds, Fosse Cross, Chedworth GL54 4NN - Erection of dining pavilion and hotel accommodation extensions and use of barn as plant room - to assess the impact of the proposed development on a Listed Building, the character and appearance of the Area of Outstanding Natural Beauty and highway safety.

Note:

It was considered that the Sites Inspection Briefing Panel should undertake these Sites Inspection Briefings.

PL.37 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m., adjourned between 10.50 a.m. and 10.55 a.m., and closed at 11.35 a.m.

Chairman

(END)