

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE  
(HELD AT THE MORETON AREA CENTRE, MORETON-IN-MARSH)

11<sup>TH</sup> OCTOBER 2017

Present:

Councillor RL Hughes - Chairman

Councillors -

SI Andrews	David Fowles (from 9.40 a.m.)
AW Berry	M Harris (from 9.40 a.m.)
AR Brassington	SG Hirst (from 9.35 a.m.)
Sue Coakley	MGE MacKenzie-Charrington
Alison Coggins	Dilys Neill
PCB Coleman	LR Wilkins
RW Dutton	

Observers:

RG Keeling (until 11.00 a.m.)	R Theodoulou (from 9.40 a.m. until 10.15 a.m.)
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Apologies:

Juliet Layton

Absent:

NP Robbins (Notified Substitute)

PL.51 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor AR Brassington declared an interest in respect of application 17/02979/FUL, because he was a friend of the Objector.

Councillor Dilys Neill declared an interest in respect of application 16/05169/FUL, because she was a friend of the Applicant.

Councillor LR Wilkins declared an interest in respect of applications 17/02402/LBC and 17/02401/FUL, because he had employed the Agent to carry out some work on his behalf.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.52 SUBSTITUTION ARRANGEMENTS

Councillor NP Robbins had been notified as a Substitute for Councillor Juliet Layton, but he was not present at the Meeting.

PL.53 MINUTES

**RESOLVED that, subject to the inclusion of the names of Councillors Andrew Doherty and M Harris in the list of Members present at the Meeting, the Minutes of the Meeting of the Committee held on 13<sup>th</sup> September 2017 be approved as a correct record.**

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

PL.54 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that the first item on the Schedule of Applications, application 16/05169/FUL, had been deferred so that Officers could address some procedural issues relating to the advertisement of the application and the responses from the Highways Authority and Flood Authority.

There were no other announcements from the Chairman.

PL.55 PUBLIC QUESTIONS

No public questions had been submitted.

PL.56 MEMBER QUESTIONS

No questions had been received from Members.

PL.57 PETITIONS

No petitions had been received.

PL.58 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:-**

**16/05169/FUL**

**Extension to garden centre shop, new open sided canopy, soft play facility, new events space building, new office and staff facilities, mezzanine storage area, new storage building, change of use of existing storage area to retail, relocated outdoor sales area, extension to car park, new entrance and exit and relocation of existing polytunnel at Fosseyway Garden Centre, Stow Road, Moreton-in-Marsh -**

This application had been deferred following publication of the Schedule of Applications, but prior to the start of the Meeting, so that Officers could address some procedural issues relating to the advertisement of the application and the responses from the Highways Authority and Flood Authority.

**17/02402/LBC**

**Conversion of a redundant agricultural building to provide a single residential unit and associated works including internal and external alterations (revised scheme) at Bee Furlong Barn, Southrop -**

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 a block plan; an extant scheme; elevations; the residential curtilage; access; and parking. The Case Officer displayed an aerial view of the site and photographs illustrating views of the site from various vantage points and a virtual Google street view.

The Applicant was invited to address the Committee.

The Ward Member, who did not serve on the Committee, was invited to address the Committee and amplified his reasons for referring this application to the Committee for determination. The Ward Member reminded the Committee that the Government encouraged the conversion of redundant farm buildings, and referred to the extant permission in respect of this site. The Ward Member expressed the view that, if the extant permission was to be implemented, the resulting development would provide restricted accommodation which would not be sympathetic to modern living. He contended that the current application proposed an imaginative scheme which would create a property which was fit for modern living. The Ward Member further stated that the property, which had been empty for some time, was decaying and had been subject to a number of thefts. The Ward Member considered that this current application represented an opportunity to develop the property to create what he considered would be a pleasing residence, and he reminded the Committee that this proposal had been supported by the local community. The Ward Member further contended that the

proposal would result in the preservation of some of the historic features of the property which, he considered, would be lost for ever if the building was to collapse. The Ward Member expressed the view that the public interest would be served if the building was brought back into use, as proposed, as it would be maintained and the historic features would be publicly visible. The Ward Member suggested that, in its determination of this application, the Committee should consider the social and community benefit that would accrue through the occupation of this property by a family, and he concluded by suggesting that it might be appropriate for consideration of this application to be deferred for a Sites Inspection Briefing.

In response to various questions from Members, it was reported that a Cotswold stone roof had been proposed for the glazed area; although the existing columns would be visible, in the opinion of Officers the proposed extension would change the historic form of the shelter shed; the extant scheme would provide a three-bedroom dwelling which, in the opinion of Officers, would be appropriate for occupancy by a family; account had been taken of the impact of this current proposal on the form, character and design of the existing building in the assessment of this application; a public benefit would accrue through bringing a Listed Building back into use; the Council would have to consider the available options for the protection of the Listed Building in the event that it continued to deteriorate; the Parish Council had not raised any objections in relation to the proposed development; and it was for the Committee to decide if this application represented a viable option.

Some Members expressed support for the Officer recommendation. Those Members considered that the columns should not be incorporated into the glazed extension. They referred to the extant permission which, they considered, would help meet the need for smaller residential properties and would retain the integrity of the shelter shed. They also expressed the view that an improved scheme could come forward if the Committee was minded to refuse this application, as recommended.

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

Other Members considered that this application should be approved. They expressed the view that this proposal would help to enhance and preserve the building.

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

A Member expressed support for bringing this building back into use, but suggested that there were better options for achieving that. The Member contended that the benefits that would accrue from this proposal did not outweigh the harm to the Listed Building, and that it might be possible to achieve a compromise through negotiation which could preserve the uniqueness and historic importance of the shelter shed and that, in that context, a refusal might encourage the submission of a 'better' scheme.

Another Member contended that there was no market for the type of property proposed under the extant scheme and that, in his view, the benefits of the current proposal would outweigh the harm. A third Member expressed the view that the development proposed under the extant scheme was unsuitable for

occupation by a family, and that this current proposal would address that issue and would ensure the maintenance of the building.

The Ward Member was invited to address the Committee again, and stated that the building was already in an advanced state of decay. In conclusion, the Ward Member contended that it would be better for the building to be maintained and lived in, and that the columns referred to were not visible from the road.

On being put to the vote, the Proposition to refuse this application was LOST. The Record of Voting in respect of that Proposition was - for 3, against 8, abstentions 3, absent 1.

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

**Record of Voting - for 8, against 3, abstentions 3, absent 1.**

Note:

This decision was contrary to the Officer recommendation because a majority of the Committee considered that the degree of harm that would arise from the development would not be 'significant', and that the proposal represented a satisfactory solution to bring a Listed Building back into use and to preserve its features in perpetuity.

### **17/02401/FUL**

**Conversion of a redundant agricultural building to provide a single residential unit and associated works including internal and external alterations (revised scheme) at Bee Furlong Barn, Southrop -**

The Case Officer reminded the Committee of the location of this site.

The Applicant was invited to address the Committee, but explained that he had made all of his representations in respect of the previous application (17/02402/LBC above referred).

The Ward Member, who did not serve on the Committee, was invited to address the Committee, but explained that he had made all of his representations in respect of the previous application (17/02402/LBC above referred).

A Proposition, that this application be approved subject to conditions, was duly Seconded.

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

**Record of Voting - for 11, against 2, abstentions 1, absent 1.**

Note:

This decision was contrary to the Officer recommendation because a majority of the Committee considered that the degree of harm that would arise from the development would not be 'significant', and that the proposal represented a satisfactory solution to bring a Listed Building back into use and to preserve its features in perpetuity.

**17/02979/FUL****Two-storey side extension and single-storey front extension at Windrush View, Hilcote Drive, Bourton-on-the-Water -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the proposed elevations and dimensions of the extensions, and the relationship between the property and other dwellings in the vicinity.

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 commented that the delegated authority report and the circulated report were substantially different in respect of the issue of overlooking. The Ward Member suggested that consideration of this application should be deferred for a Sites Inspection Briefing prior to any decision to approve it as recommended, in order for Members to assess the mass of the proposed side extension. The Ward Member contended that moving the proposed extension back by 1.5 metres would align it with the existing frontage, thereby alleviating the majority of the objections. The Ward Member commented that the proposed extension would be much larger than the building proposed for demolition, and would only be 1 metre from the boundary with the neighbouring property while the existing building was 7 metres from that boundary. The Ward Member commented that relations between the Applicant and the neighbours were good, but that issues had been caused by the proposed location of the side extension. In conclusion, the Ward Member suggested that this application could be refused on that basis or that, if the Committee was minded to approve this application as recommended, it should consider deferment in order to carry out a Sites Inspection Briefing.

In response to various questions from Members, it was reported that the proposed extension would be 7 metres from the window referred to by the Objector; the application had been assessed, as submitted; there was a similar extension on another building in the vicinity of this site, which was some distance from the dwellings on the opposite side of the road; some factual inaccuracies in the circulated report had been addressed; if the Committee was minded to approve this application as recommended, the proposed extension could be used either as an annexe or as a 'master suite'; it would be ancillary to the main dwelling and any application to use it as a separate dwelling would have to be considered on its merits; in determining this application, the Committee should consider if the proposed extension was acceptable in its current location and, if not, what justification there would be for seeking its relocation; the two windows on the side elevation of the neighbouring property were situated above the current height of the existing hedge; and the proposed extension would be subservient to the main building.

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

Some Members contended that it would be difficult to argue that this proposal would have an overriding impact on the neighbouring property in terms of loss of sunlight. A Member commented that locating the extension further back by 1.5 metres would have an impact on the connection to the main building.

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

Other Members drew attention to the reasons why the Ward Member had referred this application to the Committee for determination. Those Members suggested that consideration of this application should be deferred to enable consideration of the impact on the light and amenities of the neighbouring property.

A third Proposition, that the application be deferred, was duly Seconded.

The Ward Member was invited to address the Committee again, and expressed the view that while the bulk and size of the proposed extension was marginally subservient to the main building, it would be damaging to the neighbouring building. The Ward Member concluded by reiterating that the Committee should undertake a Sites Inspection Briefing prior to approving this application.

On being put to the vote, the Proposition to defer consideration of this application for a Sites Inspection Briefing was LOST. The Record of Voting in respect of that Proposition was - for 3, against 8, abstentions 3, absent 1.

**Approved, as recommended.**

**Record of Voting - for 7, against 6, abstentions 1, absent 1.**

### **17/03275/LBC**

#### **Signage for proposed beauty salon/spa business and associated internal alterations at Compton House, High Street, Moreton-in-Marsh -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications, and explained that the Officer recommendations in respect of this application and the third application relating to this site (application 17/03211/ADV referred) had been amended to 'permit' and that the suggested conditions had been amended, following submission of detailed drawings relating to the hanging sign.

The Ward Member, who served on the Committee, was invited to address the Committee. The Ward Member stated that she welcomed the proposed facility, which would bring the building back into use, and that she supported this and the two subsequent applications (applications 17/03213/FUL and 17/03211/ADV referred).

In response to various questions from Members, it was reported that the Committee was able to determine these applications in accordance with its role as Local Planning Authority, notwithstanding the Council's interest as owner of the building; the proposal was to hang a sign on the right of the front elevation of the building, approximately 10 feet above the ground; and it was not considered that the proposed sign would have a significant adverse impact on an existing sign on the adjacent building.

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

**Approved, as recommended.**

**Record of Voting - for 14, against 0, abstentions 0, absent 1.**

**17/03213/FUL**

**Change of Use of existing offices to part beauty salon/spa and part offices at Compton House, High Street, Moreton-in-Marsh -**

The Case Officer reminded the Committee of the proposed development.

The Ward Member, who served on the Committee, was invited to address the Committee and stated that she had made all of her representations in relation to the previous application (application 17/03275/LBC referred).

**Approved, as recommended.**

**Record of Voting - for 14, against 0, abstentions 0, absent 1.**

**17/03211/ADV**

**Signage for proposed beauty salon/spa business at Compton House, High Street, Moreton-in-Marsh -**

The Case Officer reminded the Committee of the proposed development.

The Ward Member, who served on the Committee, was invited to address the Committee and stated that she had made all of her representations in relation to application 17/03275/LBC.

**Approved, as recommended.**

**Record of Voting - for 14, against 0, abstentions 0, absent 1.**

**Notes:**

(i) Additional Representations

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

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

Councillor RG Keeling was invited to speak on application 17/02979/FUL.

Councillor R Theodoulou was invited to speak on applications 17/02402/LBC and 17/02401/FUL.

(iii) Public Speaking

Public speaking took place as follows:-



17/02402/LBC ) Mr. P Rippin (Applicant)

17/02401/FUL ) Mr. P Rippin (Applicant)

17/02979/FUL ) Mrs. C Mitchell (Objector)

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.59 SITES INSPECTION BRIEFINGS

1. Members for 1<sup>st</sup> November 2017

It was noted that Councillors AW Berry, Sue Coakley, Alison Coggins and SG Hirst, together with the Chairman, would represent the Committee at the Sites Inspection Briefing on 1<sup>st</sup> November 2017.

2. Advance Sites Inspection Briefings

It was noted that advance Sites Inspection Briefings would take place on Wednesday 1<sup>st</sup> November 2017 in respect of the following applications:-

17/01218/REM - Reserved Matters application (providing details of appearance, landscaping, layout and scale) pursuant to outline permission 13/05031/OUT for the development of a Continuing Care Retirement Community consisting of extra care accommodation, communal facilities, internal highways, car parking and associated works at Land Parcel adjacent to Bretton House, Station Road, Stow-on-the-Wold - to assess the relationship of the development to neighbouring residential development to the east;

17/01689/FUL - Redevelopment to provide the erection of a 64 bed care home, 8 care suites, 34 assisted living units, ancillary accommodation and associated works - Variation of Condition 2 (Approved drawings) pursuant to planning permission ref. 15/03052/FUL to revise drawings to include a lift overrun and associated change to the roof form of the care home and revised eaves height (east elevation) at Stratton Place, Cirencester - due to the planning history of the site and to assess the impact of the development, which is partly retrospective, on local residents.

Note:

These advance Sites Inspection Briefings would be undertaken by the Sites Inspection Briefing Panel.

PL.60 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m., adjourned between 11.00 a.m. and 11.05 a.m., and closed at 11.22 a.m.

Chairman

(END)