



PL.95 SUBSTITUTION ARRANGEMENTS

Councillor RG Keeling substituted for Councillor SG Hirst.

PL.96 MINUTES

**RESOLVED that, subject to the insertion of the name of Councillor Mrs SL Jepson in the list of Observers present at the Meeting, the Minutes of the Meeting of the Committee held on 10<sup>th</sup> January 2018 be approved as a correct record.**

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

PL.97 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.98 PUBLIC QUESTIONS

No public questions had been submitted.

PL.99 MEMBER QUESTIONS

No questions had been received from Members.

PL.100 PETITIONS

No petitions had been received.

PL.101 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:-**

**17/00842/FUL**

**Redevelopment of former scrap yard for the erection of 10 dwellings at land adjacent to Fosse Lodge, Stratford Road, Moreton-in-Marsh -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications, and reminded the Committee that this application had been subject to a Sites Inspection Briefing.

The Case Officer also reminded the Committee of the location of the site and outlined the proposal, drawing attention to access, elevations and the extant permission. The Case Officer displayed an aerial photograph of the site and photographs highlighting the views of the site looking north and to the south.

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

The Ward Member, who served on the Committee, was invited to address the Committee. The Ward Member reminded the Committee that the site was not located within the remit of Moreton-in-Marsh Town Council and, as a result of the site's location with limited pedestrian access, explained that notices relating to the application had not been noticed by residents. The Ward Member contended that the proposal for 10 dwellings represented over-development owing to the area of footprint being doubled and expressed her view that the town already had a plentiful housing supply. The Ward Member further contended that the issue of the adjacent 60mph A429 road meant pedestrian access was greatly restricted and stated that residents should be able to walk into and from the town centre to their homes in safety and added that recent comments by local residents on social media relating to the application had reiterated this concern. The Ward Member concluded that no objections had been received relating to the existing site's condition and urged Members to refuse the application and support the permission for three homes on the site that had already been granted.

In response to various questions from Members it was reported that a total of 13 spaces had been provided on the site which equated to 11 for residents and 2 for visitors, and that this had been achieved following examination of the Census data (which had stated an average car ownership in the area of 1.1 per unit) and which had consequently received no objection from the Highways Officer; the application had been advertised in the normal manner for a site classified as a major site; initial comments received from the Town Council had been very brief but further comments had been received by the Case Officer in January 2018 with no other third party responses received until 13<sup>th</sup> February 2018; tracking diagrams provided had shown that a lorry and car could pass at the site entrance, and the Highways Officer had no objections; and a viability report regarding contamination costs could be requested by the Case Officer if deemed necessary by the Committee. The Case Officer informed the Committee that a footway had also been deemed not necessary by the Highways Officer on three previous applications and the installation of a 1.8m footway could require the removal of trees; cycle storage had been recommended; a reduction in the speed limit from 60 mph to 30 mph would be the responsibility of the County Highways; and the use of a footpath along an adjacent old railway line for a footpath might not be possible due to land ownership.

Some Members expressed the view that the proposed development of the site presented concerns regarding road safety and issues relating to the lack of pedestrian access. Those Members referred to the number of road accidents that had occurred within the vicinity and explained that they considered this factor a key reason why the site had remained undeveloped.

Other Members expressed support for this application. Those Members reminded the Committee of the support for the proposed development by the Parish Council and the existing permission for three properties on the site. Those Members also commented that the application offered a variety of affordable housing; the opportunity to transform an unattractive site; and reminded the Committee that an existing residential property was already situated next to the site.

A Proposition, that this application be approved, was duly seconded.

A Member referred to the movement of HGVs on the adjacent road and explained that he considered there to be a need for research into a joint foot and cycle path and a consequent condition that any properties located on the proposed site remain unoccupied until the completion of a shared path linking the site to the town centre. This suggestion was supported by the Proposer and Seconder, and incorporated within the original Proposition.

An Amendment, that this application be deferred, was not Seconded.

The Ward Member was invited to address the Committee, but informed the Committee she had no further comments to make.

**Approved as recommended, subject to the additional conditions requiring that prior to the occupation of any dwelling hereby approved a shared footpath/cycleway linking the site to the town shall be constructed in accordance with details to be submitted to and approved by the Council.**

**Record of Voting - for 10, against 2, abstentions 1, absent 2.**

**17/03045/FUL**

**Retrospective mobile home for temporary accommodation for a rural worker at Staple Farm, Withington -**

At this juncture, the Vice-Chairman took the Chair as the application had been referred to the Committee by the Chairman as the Ward Member.

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications, reminded the Committee of the location of the site, and outlined the proposal.

The Case Officer displayed an aerial photograph of the site and photographs highlighting the mobile home and adjacent listed barn.

A Member of the Parish Council and a speaker on behalf of the Applicant were invited to address the Committee.

The Ward Member, who served on the Committee, was invited to address the Committee. The Ward Member reminded the Committee that the application highlighted the essential need for a rural worker to be based at the site until the

lease expired on 1<sup>st</sup> February 2019 and that the adjacent listed barn building was rented by the Applicant on a short-term tenancy from the Colesbourne Estate. The Ward Member stated that the intention of the estate was to breed 15,000 pheasants and 8,000 partridges from one-day old, and that the shooting seasons ran from 1<sup>st</sup> October and 1<sup>st</sup> September to 1<sup>st</sup> February respectively. The Ward Member added that the Estate operated shooting on 25 working days per year. The Ward Member concluded by stating that he fully supported the Application and recognised the benefits that an additional worker would contribute to the daily workings of the site and their ability to assist with emergencies, if required.

In response to various questions from Members, it was reported that, if temporary permission was granted, the Applicant would be entitled to submit a subsequent application for a permanent residency and that approval of temporary permission would establish a benchmark for any future permanent permission. It was also reported that a Business Plan was not considered necessary for this application as the application was for short-term permission as oppose to the usual three years.

A Member thanked the Ward Member for bringing the item to the Committee, but expressed his view that the application should have been dealt with under delegated powers. The Member added that he supported the application and hoped the Applicant would submit a further application upon the expiration of the temporary lease, for the Committee to review.

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

Other Members expressed the view that they did not consider there to be a need for a second member of staff to be present on the site full-time and made reference to the related points within the Officer's report. Those Members added they did not wish to see any enforcement action take place prior to the end of the lease on 1<sup>st</sup> February 2019, to enable the shooting season to continue.

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

Some Members commented that, aside from being a well-established shoot, there was a requirement for a member of staff to be present to manage the large number of birds and the application presented the opportunity for the Committee to consider the item, despite the possibility that many unknown similar cases of mobile homes for workers would not be presented to the Committee.

The Ward Member was invited to address the Committee again, and reiterated his earlier comments regarding the large scale of the breeding which was intended to be undertaken by the Applicant. The Ward Member contended that the application for a temporary period was not unreasonable and, in conclusion, stated his view that it was critical to accept the application to ensure the business continued to support the local economy.

**Approved, contrary to the Officer recommendation, for a temporary period with occupancy restricted to a rural worker.**

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

Notes:

- (i) This decision was contrary to the Officer recommendation for the reasons stated above.
- (ii) The description of development was amended at the Meeting, omitting the reference to an 'agricultural worker' and substituting reference to a 'rural worker'.

**17/04358/FUL**

**Change of Use of land to equestrian use, construction of stables, a replacement building for an indoor manege and a 3-year temporary use of land for the stationing of a temporary structure to provide residential accommodation necessary for the management of the site at Brockhill Quarry, Naunton -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the existing building, the surrounding grasslands and the site entrance.

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

The Ward Member, who did not serve on the Committee, was invited to address the Committee. The Ward Member reminded the Committee of the application proposals and informed Members that he considered the proposed size and the required employment for the site to be very ambitious. The Ward Member referred to the fact the Committee had not seen a business plan and concluded by stating that the application was too forward-looking and speculative.

In response to various questions from Members, it was reported that Gloucestershire County Council had no concerns regarding flooding as water would be dealt with on the site; the weight to be given to the business was for Members to determine, though in the opinion of the Case Officer, the proposal was acceptable; the existing buildings would be removed; the site already had permission for equestrian use and this had been taken into account when assessing the impact of the proposed development, and there were already a number of existing equestrian sites within the vicinity; no objections had been received from the Highways Officer who had made reference to the site's previous use as a quarry; the Applicant would receive a fixed income for any horses stationed at the site; and there was considered to be no impact on the AONB from the proposed development.

A Member commented that the application highlighted the concerns of the Parish Council and the potential of a future application being presented to expand the site, but drew attention the site's former use as a quarry; the equestrian permission already held by the Applicant; the opportunity to remove the existing unsightly buildings; and increased security on the site regarding the temporary use of residential accommodation.

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

**Approved, as recommended.**

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

**17/04377/FUL**

**Retrospective use of part of stables as grooms' accommodation at Stables at Alyworth Manor, Aylworth, Naunton -**

The Planning and Development Manager informed the Committee that circumstances had resulted in part of the files being revisited in respect of this application. The Planning and Development Manager explained that the original application had been a householder application, and conditioned to restrict the use to be incidental to the enjoyment of the dwelling house. If part of the building was being used separately, this might not be classified as a change of use if a separate planning unit was not formed. The Planning and Development Manager therefore recommended that the Committee impose a Condition to restrict the use and that the Officer's recommendation be changed to one of permit.

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. The Case Officer displayed photographs illustrating views of the site from various vantage points.

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

The Ward Member, who was substituting for Councillor Hirst, was invited to address the Committee. The Ward Member informed the Committee that, in light of the change to the Officer's recommendation, he now had no objections. The Ward Member proceeded to explain to the Committee that the Applicant ran an extremely successful business and, in reference to the proposal, informed the Committee that the stables were situated 100 metres from the Applicant's house. The Ward Member drew attention to the fact there was no oversight onto the adjacent bridlepath and the opportunity of a groom being present restricted the risk of rural crime. The Ward Member concluded that the suggestion for the groom to live in the main dwelling would be damaging to the Applicant's business, which supported the local economy, and that, consequently, he fully supported the Officer's recommendation.

A Proposition that this application be approved in line with the Officer's revised recommendation, was duly Seconded.

**Approved, in line with the Officer's revised recommendation.**

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

**17/04737/FUL**

**Two-storey extension and single-storey extension at The Fennings, Back Ends, Chipping Campden -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed an aerial photograph of the site, photographs illustrating views of the site from various vantage points and in relation to the neighbouring dwelling.

In response to various questions from Members, it was reported that access to the property was from a private road; and the property was currently situated 17 metres from the neighbouring property and with the proposed extension this distance would be reduced to 14.5 metres, which in the opinion of the Case Officer, was considered a reasonable distance.

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

**Approved, as recommended.**

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

**17/04930/FUL**

**Erection of a single-storey café building at Priory Court, Poulton -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the site from various vantage points.

A Member of the Parish Council was invited to address the Committee.

The Ward Member, who served on the Committee, was invited to address the Committee. The Ward Member informed the Committee that he had referred the item to the Committee in light of the views of the Parish Council and of nearby residents. The Ward Member explained that the Business Park was visible from the village as the site was situated on a hill, but had received much support from residents when permission had been granted for its construction in 2000. The Ward Member expressed his view that the proposal raised a significant risk for an increased volume of traffic passing through the village and that the Park had operated well without a café for 18 years. The Ward Member added that staff had access to sufficient kitchens within the Park and the village hall, shop and pub were situated within an eight-minute walking distance of the site. The Ward Member referred to the number of responses received to the application, and expressed his belief that the proposed construction was not in keeping with the buildings in the vicinity. The Ward Member concluded by requesting the Committee to take into account the issues of increased traffic, light pollution, the open and transparent area of the proposed site and the proposed opening and closing times, and stated that he would be willing to work with the Applicant to relocate the site within the Business Park.

In response to various questions from Members, it was reported that in reference to weight given to the business and location, there was no policy restricting competition although, in the opinion of the Case Officer, there was insufficient demand to limit service to other businesses located within the Business Park; an alternative site location outside of the car park was considered unacceptable owing to limited space; the track situated at the far right side of the car park led to a property; there were no specific footpaths by the car park area; the Applicant had not specified if the café would be licensed or not and would be required to apply for



a licence separately if it was to be licensed; and, in the opinion of the Case Officer, the site was considered a suitable and attractive location for the proposed building.

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

Some Members commented that they were concerned about the position of the site being visible from the village and expressed the view that the proposed building should be located behind the trees, with the loss of car parking being dealt with by the adjacent overflow car park. Those Members also commented that the proposed building was unnecessary on the site as the Park already had suitable kitchen facilities; and also highlighted the consequent damage the café could have to the business of the existing village shop.

On being put to the vote, the Proposition was LOST, with the record of voting being; for 3, against 9, abstentions 0, absent 3.

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

**Refused, for reasons relating to the inappropriate design and siting of the proposed building.**

**Record of Voting - for 9, against 3, abstentions 0, absent 3.**

**17/04977/LBC**

**Replacement of glazing to the glazed links, replacement of glazed doors to the front elevation at Cotswold Heritage Centre, Old Prison, Fosseway, Northleach -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed photographs illustrating views of the site from various vantage points.

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

**Approved, as recommended.**

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

**17/04976/FUL**

**Replacement of glazing to the glazed links at Cotswold Heritage Centre, Old Prison, Fosseway, Northleach -**

The Case Officer reminded the Committee of the location of the application and outlined the proposals.

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

**Approved, as recommended.**

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

**17/03139/FUL****Erection of two-storey side extension and single-storey rear extension and new vehicle access at 177 St. Marys Road, Tetbury -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed an aerial photograph of the site, and photographs illustrating views of the existing building and highlighting the current access arrangements.

As the Ward Member was absent from the Meeting, the Committee Officer read out comments previously submitted by the Ward Member in relation to this application. The Ward Member had expressed his concern in relation to the proposed access onto London Road and had highlighted the large volume of traffic, including HGVs, that used the road, drawing reference to photographs contained within the Case Officer's report showing the road in use. The Ward Member had made reference to the existing access arrangements at the rear of the property and concluded the safest option was to site the garage further back in the Applicant's garden.

In response to a Member's question as to whether the applicant would be willing to accept a split decision, it was reported that the access was fundamental to the design of the application and that the Agent had not been willing to entertain the suggestion to allow two-storey element and refuse the proposed access.

A number of Members considered that this application should be refused. Those Members expressed concern at the proposed access onto London Road which, they commented, presented a risk to both the Applicants and other road users alongside users of the footpath, which needed to be crossed to enable vehicle access to the Applicant's property. Those Members also expressed their concern at the demolition of a Cotswold stone wall and the resulting lack of continuation of design from neighbouring properties; and made reference to the existing vehicle access and garage to the rear of the property.

The Planning and Development Manager explained that the site was not located within the conservation area and that the Highways Officer had not considered there to be sufficient harm with the application as the footpath contained a grass verge and there was sufficient space to provide a turning area within the front garden of the Applicant's property.

Some Members commented that, as there were no sufficient reasons for refusal, the application should be approved as recommended by the Case Officer.

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

**Refused, for reasons relating to the distinct character of the area being damaged by the proposed access.**

**Record of Voting - for 10, against 3, abstentions 0, absent 2.**

**17/04410/FUL**

**Proposed barn conversion to dwelling-house, alterations to access track (revised scheme) at Field Barn, Hidcote Boyce, Ebrington -.**

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed aerial photographs of the site from 2000, 2006 and 2014; photographs illustrating views of the existing building and highlighting the existing and previous access arrangements; and a virtual Google Street view of the area. The Case Officer also informed the Committee that previous applications for barn conversions had been submitted and approved in 2014 and 2017.

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

As the Ward Member was absent from the Meeting, the Committee Officer read out comments previously submitted by the Ward Member in relation to this application. The Ward Member had expressed her support for the application and for the comments made by the Parish Council. The Ward Member had stated that, whilst the application was in a rural setting, the least harm to the AONB had been considered by the Applicant when submitting the application. The Ward Member urged the Committee to consider undertaking a Sites Inspection Briefing to fully appreciate the comments made in support of the application.

In response to various questions from Members, it was reported that an alternative driveway had already been approved under previous applications. The Case Officer confirmed that, notwithstanding this, there had been objections to the access arrangements; however, there was no control over future planting of the site and it was considered the proposed access track would change the character of the AONB.

A Member expressed support for the Officer's recommendation and made reference to the applications previously approved and the issue of access. The Member commented that the access issues had been addressed by the Applicant in the current application.

A number of other Members also expressed support for the application, echoed comments made by the Ward Member and the Parish Council and made reference to the limited harm upon the AONB. Those Members commented that a negotiation was required over the physical access from the gate onto the road, if the road continued to be used with farm vehicles.

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

A Member commented that if the Committee approved the application, appropriate conditions should be included, owing to the site's location within the AONB.

**Approved, subject to a condition that an established track and access point be created that does not harm the site or the landscape within the AONB.**

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

**18/00276/TPO**

**T11 Sycamore - reduce crown; T29 Horse Chestnut - reduce crown; at Car Park south of Maugersbury Road, Maugersbury Road, Stow-on-the-Wold -**

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

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

**Approved, as recommended.**

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

**18/00280/TPO**

**T11 Yew - pollard to below main storm damaged branches and make good all storm damaged branches, tidy any broken stubs; T26 Snake Bark Maple - crown reduce by 25%; T27 Acer - crown reduce by 25%; T38 Prunus - remove split branches; at Abbey Grounds, Dugdale Road, Cirencester -**

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

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

**Approved, as recommended.**

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

**18/00282/TPO**

**T6 Lawson - fell; T18 Maple - fell; T19 Larch - fell; T20 Larch – fell; at Beeches Car Park, Beeches Road, Cirencester**

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

In response to a Member's question, it was reported that as the trees were situated alongside recycling bins located within the car park, there would be no direct loss of car parking space, but the Case Officer informed the Committee that some spaces may be coned-off during the works if considered necessary as a safety precaution.

A Member requested that a report be produced by the Council's Tree Officers in relation to any Council-owned trees situated in Council car parks within Cirencester. The Case Officer responded that a brief report was contained in the Appendices within the circulated report and that all Council-owned trees were subject to annual monitoring.

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

**Approved, as recommended.**

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

Notes:

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

Councillor RG. Keeling was invited to speak on applications 17/04358/FUL and 17/04377/FUL.

(ii) Public Speaking

Public speaking took place as follows:-

<u>17/00842/FUL</u>	)	Mr. N Collins (on behalf of the Parish Council)
	)	Mr. M Jones (Agent)
<u>17/03045/FUL</u>	)	Lady Mavis Dunrossil (on behalf of the Parish Council)
	)	Mr. T Kernon (on behalf of the Applicant)
<u>17/04358/FUL</u>	)	Ms. B Chance (on behalf of the Parish Council)
	)	Ms. L Binnie (Agent)
<u>17/04377/FUL</u>	)	Ms. B Chance (on behalf of the Parish Council)
	)	Mrs. J Ireland (Applicant)
<u>17/04930/FUL</u>	)	Mr. C Davies (on behalf of the Parish Council)
<u>17/04410/FUL</u>	)	Mr. H Elson (on behalf of the Parish Council)
	)	Ms. W Hopkins (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.102 SITES INSPECTION BRIEFINGS

1. Members for 7<sup>th</sup> March 2018

It was noted that Councillors SI Andrews, AR Brassington, RL Hughes and Juliet Layton would represent the Committee at the Sites Inspection Briefing on 7<sup>th</sup> March 2018.

No applications had been deferred for Sites Inspection Briefings arising out of the Meeting.

2. Advance Sites Inspection Briefings

It was noted that an advance Sites Inspection Briefing would take place on Wednesday 7<sup>th</sup> March 2018 in respect of the following application:-

17/03826/FUL - Reserved Matters Application in conjunction with outline planning permission reference 15/01567/OUT for demolition of redundant buildings and redevelopment with up to 44 dwellings at land at Broadway Farm, Down Ampney - to assess the impact of the development on existing residential properties in Linden Lea and the proposed road layout.

PL.103 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 11.10 a.m., and closed at 1.25 p.m.

Chairman

(END)