

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

10<sup>TH</sup> APRIL 2019

Present:

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

Councillors -

SI Andrews	SG Hirst
AR Brassington (until 3.00 p.m.)	RC Hughes
Sue Coakley	Mrs. SL Jepson
Alison Coggins	MGE MacKenzie-Charrington
PCB Coleman (from 9.32 a.m.)	Dilys Neill
RW Dutton	LR Wilkins
David Fowles	

Observers:

Julian Beale (until 11.00 a.m.)	RG Keeling (from 11.30 a.m. until 3.35 p.m.)
AW Berry (until 11.35 a.m.)	NJW Parsons (from 9.30 a.m. until 10.10 a.m.)

PL.122 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor MacKenzie-Charrington declared an interest in respect of application 18/04983/FUL, as he was acquainted with the Objector and a neighbour of the property which was the subject of the application. He left the room while the application was being determined.

Councillor Hirst declared an interest in respect of application 19/00017/FUL, as he socialised with the Agent.

Councillor Fowles declared a Disclosable Pecuniary Interest in respect of applications 18/04240/FUL and 18/04241/LBC, as he was professionally associated, and also socialised, with the Objector. He left the room while the applications were being determined.

Councillor Fowles declared an interest in respect of application 19/00017/FUL, as he socialised with the current tenant of the property.

Councillor RL Hughes declared an interest in respect of application 18/04696/FUL, as he was acquainted with the Agent, who had also undertaken work for him at a property he owned.

Councillor Brassington declared an interest in respect of application 18/04696/FUL, as he was acquainted with the Agent as she was a previous Officer of the Council.

Councillor Brassington declared an interest in respect of applications 18/04240/FUL and 18/04241/LBC, as he was acquainted with the Agent and his wife socialised with the Agent's wife. He left the room while the items were being determined.

Councillor Andrews declared an interest in respect of application 19/00017/FUL, as he was acquainted with the Chairman of Arkell's Brewery, who owned the public house. He left the room while the item was being determined.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.123 SUBSTITUTION ARRANGEMENTS

No substitute arrangements had been put in place.

PL.124 MINUTES

**RESOLVED that:**

**(a) subject to the following amendments, the Minutes of the Meeting of the Committee held on 13<sup>th</sup> March 2019 be approved as a correct record:-**

**(i) insertion of the words 'and added that a condition had been made clear to mitigate, via landscaping, the views of the roadway from the terraced homes.' to the last line of the tenth paragraph of the preamble in relation to application 17/04151/FUL (Minute PL.116, page 117);**

**(ii) deletion of the words 'its original location in Ireland' and their substitution by the words 'the home town in Ireland of the solidier which it commemorated' in the 26<sup>th</sup> line of the fourth paragraph of the preamble in relation to application 18/04977/FUL (Minute PL.116, page 120);**

**(iii) deletion of the date '6<sup>th</sup> March' and its substitution by the date '3<sup>rd</sup> April' in the third line of the paragraph in relation to Minute PL.119 (page 128).**

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

PL.125 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.126 PUBLIC QUESTIONS

In accordance with Council Procedure Rule 10, a question had been submitted, and a response provided, as follows:-

- (1) From Cllr. Richard Harrison, on behalf of the Planning Committee of Fairford Town Council to Councillor RL Hughes, Chairman of Planning and Licensing Committee

'Unauthorised works were commenced last March for a single storey extension to Fayre Court (a NDHA) in Fairford, including demolition of parts of a stone wall within the conservation area and fronting onto a green space which is a key feature of the CA as well as the Special Landscape Area. The partial demolition of the wall within the CA without the required planning permission is an offence under section 196D of the Town & Country Planning Act 1990 (as amended), as referred to in Fairford Town Council's objection comments dated 22 November 2018 on the planning application (18/04042/FUL). We understand this has been subject of an enforcement investigation. However, in the meantime the site remains an eyesore detracting from a key part of the conservation area and potentially impacting tourism here.

Given that key information (including Proposed Elevations) required for a valid planning application (with reference to the relevant validation checklist) has still not been submitted to the local planning authority as part of this partly (at least) retrospective application, and that in any case section 196D(9) of the Act states "Where, after a person commits an offence under this section, planning permission is granted for any development carried out before the grant of the permission, that grant does not affect the person's liability for the offence.", **what is holding up the enforcement action and what action is the planning authority now intending to take?**

The duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant

Response from Councillor Hughes

'Thank you for your question in respect of Fayre Court, Fairford.

The Council was made aware of works taking place at the site in July 2018 and visited the site soon thereafter. The property is considered to be a non-designated heritage asset. It was established that the demolition of the rear boundary wall, the extension under construction at that time and the gates and gate piers to the front of the property required planning permission. The owner of the site was advised of the requirement for planning permission and, in turn, advised the Council that a retrospective planning application would be submitted to regularise the unauthorised works. On that basis, Officers determined that it would not be expedient to initiate enforcement action to remedy the breaches at that time.

The planning application to retain the part-built extension was received in October 2018 (application reference: 18/04024/FUL) but was found to be lacking in some detail in relation to the heritage implications of the works, and additional plans were also sought. Additional details and drawings have now been received and are under consideration by the Council's Planning Case Officer, in consultation with a Conservation Officer. Fairford Town Council has been re-consulted on the revised details and will have a further

opportunity to comment on the scheme. Whilst the planning application is under consideration, it would not be expedient to pursue enforcement action. The District Council will consider its position with regards to the expediency of initiating enforcement action once the current planning application has been determined.

The issue of whether or not it would be expedient to initiate enforcement action in relation to the unauthorised gates and gate piers to the front of the site is being considered separately.'

Town Councillor Harrison was in attendance, and asked the following supplementary question:-

'Given the original claim about Permitted Development Rights in relation to this application, what is the Council's policy on meeting its obligations under sections 69 and 71 of the Planning (Conservation Areas and Listed Buildings) Act 1990 [as amended] concerning Conservation Area Appraisals and Management Plans, to help provide clarity to developers, and will it give serious consideration to Article 4 Directions to help prevent further damage to sensitive parts of our Conservation Areas and historic landscapes due to the unintended and undesirable consequences of Permitted Development Rights in such cases?'

The Chairman stated that, given the detailed nature of the question and the associated legal implications, he would provide a comprehensive written response within five working days.

Note:

The following response was subsequently provided by the Chairman to Town Councillor Harrison:-

'1. The Council's policy on meeting its obligations under section 69 and 71 of the P(CA&LB) Act 1990 concerning Conservation Area (CA) appraisals and management plans is laid out in the Council's Historic Environment Strategy (2016), which was approved by Cabinet on 21/4/16. The strategy can be found at - <https://www.cotswold.gov.uk/media/1624885/5201-Historic-Environment-Strategy-%E2%80%93-Apr-2016.pdf> and the relevant Cabinet papers at - <http://www.cmis.cotswold.gov.uk/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/4435/Committee/858/Default.aspx>. In summary the Cabinet agreed a pilot scheme to trial a new approach to the preparation of CA appraisals. One of the three appraisals has been completed (Somerset Keynes), one has very recently been the subject of informal consultation with the Parish Council (Ebrington) and the third is currently being drafted (Down Ampney). The timetable for this project has slipped due to competing resource demands, but it is hoped that it will be completed by the end of 2019. In addition the Conservation Area appraisals and management plans for Cirencester are also under review as part of the Cirencester Futures project.

2. Article 4 directions. Article 4 directions remove permitted development rights for the types of development specified in the direction for that particular property. They are used in a range of situations, for example preventing private houses becoming houses in multiple occupation and for conservation reasons. They should not be served lightly as they have a number of important consequences - they reduce a property owner's rights to undertake work to their

property and mean that they have to submit a planning application (with a fee) for those works, which would normally not require an application and they add to the planning application workload for the local authority. They are also expensive and bureaucratic to serve. There are certain compensation rights, which may mean that the Council has to pay out to compensate the property owner if the required works are now more costly or limit their ability to maximise the value of their property. However notwithstanding all that, the Council will serve conservation-based Article 4 directions where it is felt that a particularly important historic building (which is not listed) is under threat, for example the Wilts and Glos Standard building in Cirencester, where an Article 4 direction was served last year. If there are similar important historic non-listed buildings, that are at threat of inappropriate permitted development, the Council will continue to consider whether it is expedient to serve an Article 4 direction. (Alternatively if a local community considers that a building is of very high historic value they can request that Historic England lists the building - <https://www.historicengland.org.uk/listing/apply-for-listing> .)

I hope that provides the clarification that you require, I understand that Fairford Town Council and the Ward Member met with the Council's Heritage and Design Manager in October 2018 to discuss these matters and that further discussions are underway between Officers and the Town Council on innovative ways to progress a Conservation Area appraisal and management proposals for Fairford. If you require any further information please contact Sophia Price, Heritage and Design Manager, Cotswold District Council.'

PL.127 MEMBER QUESTIONS

No questions had been received from Members.

PL.128 PETITIONS

No petitions had been received.

PL.129 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.

The Planning and Development Manager drew attention to the general update provided in the first set of Additional Representations relating to progress with the Local Plan, and the fact that receipt of the Inspector's Final Report meant that the Plan, in its modified form, could now be afforded substantial weight in decision-making, both at Officer level and in the work of the Committee.

**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:-**

**18/01615/FUL**

**Residential re-development consisting of 26 residential (C3) units and associated works at Land at Ullenwood Court, Ullenwood -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to an amendment to a condition as listed on page 8 of the application report. The Case Officer displayed a map and aerial photograph of the site, proposed layout and a virtual Google Street View of the site and informed the Committee that the recommendation was to approve the application, subject to the completion of a legal agreement between Officers and the Developer for off-site affordable housing, education and library contributions.

The Chairman then invited those Members who had attended a Sites Inspection Briefing at the site to express their views. Those Members commented that they considered it appropriate to have undertaken a site visit to understand further the elevations and views from the site. They added that the proposals seemed appropriate and drew attention to the fact that outline permission for 20 houses at the site already existed and concluded that, in their view, a further six would make little difference at this, considered strategic, site.

The Ward Member, who did not serve on the Committee, was then invited to address the Committee. The Ward Member explained that he wished to congratulate the Case Officer on what he considered to have been a difficult application in regard to rules around vacant buildings. The Ward Member added that the loss of the riding school at the site had been regretful as he considered it had been a good community facility and explained that the school's site on the opposite side of Greenway Lane was now coming to an end due to an upcoming application for residential development. He added that the educational and library contributions which would result from the development had been amended and that whilst he fully supported funding being awarded to Coberley Primary School, this had not been permitted, and that Birdlip Primary School would now be the beneficiary. The Ward Member continued that the affordable housing contribution would be for off-site development in a total of £744,000 and concluded that he was satisfied the application proposals would result in a good end result and urged the Committee to support the application, as recommended.

In response to various questions from Members it was reported that no reference had been made to Community Infrastructure Levy (CIL) as it would not commence until June 2019; the management of the site would be sourced from a private management company and residents would pay a fee towards the maintenance of the site; residents could, if unanimously unsatisfied, move

to a different management company and a condition could be written into the legal agreement, but that this was not currently envisaged at the present time; there were eight housing types proposed within the application all of which included various variations and all plans had been published on the Council's website; the landscape plan indicated where the housing types were located; the Case Officer confirmed that a historic building record had been produced; outline permission for 20 houses at the site had already been granted and whilst an increase in houses was now being proposed, the footprint of each house had been reduced since the previous permission had been granted; a condition could be implemented regarding there being no locked gate at the site, providing there were sufficient planning reasons for doing so; and Highway Officers had raised no objection to the proposals.

A Member commented that whilst the site was complex, the Ward Member had given his support to the application proposals and to the off-site contributions to the local community. She also added that, as outline permission already existed at the site and there would be no increase in floor space arising from the additional homes, the application should be supported, as recommended.

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

The Ward Member was invited to address the Committee again, but explained he had no further comments to make on the application.

**Approved, as recommended.**

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

**18/04983/FUL**

**Erection of a single dwelling and associated works at Land West of Brans Cottage, Brans Lane, Upper Oddington -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications and informed the Committee that the Applicant was still undertaking a reptile survey, but reported that nothing had been found as yet. The Case Officer then displayed a map of the site (highlighting the conservation area), proposed house scales and elevations and photographs of the site from various vantage points, including from an adjacent public right of way.

An Objector, Supporter and the Agent were then invited to address the Committee.

The Chairman then invited those Members who had attended a Sites Inspection Briefing at the site to express their views. Some Members explained that whilst they considered the design to be impressive, they felt that it was not well-suited to the site and questioned the proposed access; whilst another Member explained that he considered the design would compare well against the variety of homes in the village representing the different periods of development.

The Ward Member, who did not serve on the Committee, was then invited to address the Committee. The Ward Member explained that he wished to thank the Case Officer for a thorough and helpful report and explained that, upon reflection, he considered that the proposed greenfield site could accommodate one new dwelling. He added that, whilst he considered the size of the

proposals and the proposed access to be reasonable and not dangerous, he did not consider either the design or the materials to be appropriate. The Ward Member concluded that he considered the proposals, if approved, would not sit comfortably within the village and urged the Committee to refuse the application, to enable a more traditional approach to be sought.

In response to various questions from Members it was reported that no information had been provided to Officers in regard to how the proposed materials would weather over time; as a single-storey dwelling, Officers did not consider there would be any adverse effect in regard to light pollution on the AONB; the 2004 Oddington Conservation Area Statement described the site as an 'uncultivated field which had taken on the appearance of wasteland'; Officers could condition details of the proposed materials as, at present, only photographs had been received by Officers; as the site was located within the village, the proposals did not have to be truly outstanding or innovative to warrant approval; the site was considered relatively discreet by Officers and any development would be most visible from the adjacent public right of way; Officers considered that the application, if approved, would help to advance the architecture of the area; in the view of Conservation Officers, a limited number of modern architectural buildings could be considered acceptable within a conservation area as supported by the 2019 National Planning Policy Framework (NPPF); if approved, the use of the dwelling as a single holiday let or second home would not require planning permission; the finish of the material was believed to be a rough cast form of concrete as opposed to a polished finish; Officers did not consider that, if approved, the application would set a precedent for development on other agricultural land as Policy DS3 could support new buildings in villages and that the site in question was bordered on three sides by existing housing; and explained the village's Conservation Statement also stated that the site seemed visually less related to the adjoining agricultural land than the village.

A Member commented that he could not support the application owing to, what he considered to be, the critical loss of green space which contributed to the lives of those residents of the village. He added that the land was considered valuable by the local residents and that the proposals constituted a large building and site to be developed; and requested the Committee refuse the application.

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

Another Member commented that the site was considered part of the village and would be developed at some stage in the future. She drew attention to the fact that there had been a previous application on the site for between five and six properties and that she shared the view of the Ward Member that one property on the site was a much better option. The Member concluded that the only real concern regarding the application was the design and materials that would be used and that a clear condition had been included in the application that no development would take place at the site until the proposed materials had been seen and approved by Officers. She added that the Committee needed to be mindful that villages evolved over time and that the proposals were considered by Officers not to undermine the picturesque quality of the village but to add to the architectural development of the village over time.

A Further Proposition, that the application be approved, was duly Seconded.



The Planning and Development Manager informed the Committee that the site was not one of the important green space sites identified within the Conservation Area Statement.

The Ward Member was invited to address the Committee again. The Ward Member reiterated his comments that he was satisfied that the location, size and access proposed for the application were, in his view, all suitable but added that he considered the application would make an impact on the village and that the proposed design and materials were subjective, and not examples of those which he could support.

**Refused, for reasons relating to the inappropriate design as considered under Local Plan Policy EN11; the untested and inappropriate materials proposed for use within the conservation area; the harm (in part) to the conservation area; the importance of the open space and the contribution made to the conservation area and the consequent views of any development on the site from a public footpath.**

**Record of Voting - for 9, against 4, abstentions 1, interest declared 1, absent 0.**

Note:

This decision was contrary to the Officer recommendation for the reasons outlined above.

**18/04696/FUL**

**Conversion of 4 barns to 5 dwellings, construction of detached garage, relocation of access track and change of use of land to residential at Hullasey Barns, Tarlton -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals, drawing attention to the updated recommendation to permit the application, subject to the signing of the legal agreement and condition for a £16,458.75 off-site housing provision. The Case Officer displayed a map and aerial photograph of the site, Google virtual Street View of the site and photographs of the site from various vantage points.

The Agent was then invited to address the Committee.

The Chairman then invited those Members who had attended a Sites Inspection Briefing at the site to express their views. Those Members explained that the site was on a slight incline from the largest building at the site which created a natural enclave which, if redeveloped, would also help to respect the original agricultural use. The Members also drew attention to the fact the site's buildings were currently empty and, as the site had extensive views redevelopment would help to enhance this area of the AONB.

The Ward Member, who did not serve on the Committee, was then invited to address the Committee. The Ward Member explained that he was pleased to see the additional representations in regard to the application and stated that he had no issue with the three stone barns as these were 'ripe for conversion'. He added that there was benefit to be gained from removing the empty barn building but stressed that, once removed, the large Dutch barn would stand out and this had caused some concern. The Ward Member explained that the

Dutch barn was located on good quality foundations but that, owing to the size of the building, it was expected a large amount of light would be generated by the development and he also drew attention to the objection made by Highway Officers. The Ward Member concluded that he considered there was great benefit in having the three structures of Cotswold Stone brought back into use but that there would be real problems of the conversion of the Dutch barn, owing to its visibility.

In response to various questions from Members, it was reported that each end of the Dutch barn would feature Cotswold Stone; the difference between a barn conversion and new build was dependent on the amount of work required and, as Dutch barns were usually based on earth ground, this application was an exception as the Barn was situated on a deep concrete foundation (as it had been used to store a high number of tonnes of grain) and there was therefore no need for any additional structural supports to be added, hence why the application was not a new-build; the site was not located near a bus route, there was no footpath and the walking distance to facilities would be greater than was recommended, but the re-use of the buildings was considered to outweigh these matters; a condition would be included if there was any external lighting proposed, to suggest the minimum amount of lighting be required; the demolishing of one barn would be to enable an access point to garages which would fall under the ownership of barn 5 and a landscaping condition was also included to enhance this area of the site; there was no condition proposed regarding the retention of the concrete at the site as it was considered by Officers that the removal of this material would be unlikely given the scale and associated cost; the intention of the application was to convert the buildings into residential use, but retain the agricultural appearances, hence the materials suggested to be used; the roof material would be replaced with a matt-finish material which would be left to naturally weather; there was no other access to the site aside from the main highway access and there would be no connectivity of the site except from necessary access required for the maintenance of a nearby ancient monument; and that it was considered by Officers that if the site continued to be for agriculture, traffic movement on the site would be greater than any residential use, as proposed.

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

A Member commented that, whilst she appreciated the concerns of the Ward Member, the barn causing most concern could be demolished today, causing the Dutch barn to become visible; and that the application did not change this. She added that the application would include sympathetic materials and would be a good improvement to the site.

Another Member commented that he did not support the Highway Officer recommendation of a segregated pedestrian route at the site.

The Ward Member was invited to address the Committee again and explained that he accepted the Committee's comments but that he still considered there to be an issue with the visibility of the Dutch barn, following any of the proposed works at the site.

**Approved, as recommended.**

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

**18/04770/FUL****Demolition of agricultural buildings and the construction of two new dwellings at Grain Dryer and Storage Barns, Back Lane, Ampney Crucis, Cirencester -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications and explained that the recommendation was one to permit, subject to the agreement of the two additional conditions within the extra representations and no adverse comments being received during the consultation period which closed that evening. The Case Officer then displayed a map and aerial view of the site, the proposed site and house plans and photographs of the site from various vantage points.

A representative from the Parish Council and an Objector were then invited to address the Committee.

The Ward Member, who served on the Committee, was then invited to address the Committee. The Ward Member commented that he wished to thank the Chairman of the Parish Council for his work in relation to the application and drew attention to the 32 letters of objection received by the Council. He added that the community was convinced that a previous application that had been refused at Back Lane meant that no further applications would come forward at the site and that if the Committee approved this application, it would set a precedent given a previous Committee decision regarding a site at Elkstone in September 2017 to refuse planning permission. The Ward Member informed the Committee that Back Lane was not a residential area but that there were existing buildings along the Lane that lay beyond the village that were not in residential use. The road through the village had now become a 'rat run' for driving at speed and additional traffic from the proposed houses would add further to traffic problems. The Ward Member concluded that with regard to Policy DS4, the proposal would not enhance the village and did not satisfy numerous paragraphs of the NPPF. He added that the reason that approval of the application had been recommended was the risk of potential appeal, if the application was refused, and that permitting the application would 'open the floodgates' for redundant farm buildings being converted under the Class Q use and then replaced by new dwellings.

In response to various questions from Members, it was reported that two properties previously granted permission had abutted existing buildings at the site; the present application would replace two buildings with prior approval for conversion into three dwellings; the site at Elkstone was considered an isolated site as the nearest property was 200 metres away and the site was located 550 metres from the village and therefore had no real similarities to this application; in relation to Class Q application, if there were no objections to the proposals, then the development would have to be permitted; the original application at the site had been for three dwellings in Cotswold Stone but this was not considered to be in keeping with the area; whilst not considered picturesque by Officers, the farm buildings were considered to be of the style of the area; the area of concrete hard standing where permission had been granted for two dwellings was adjacent to the site was also under the ownership of the Applicant; if there had been no previous Class Q approval granted there, the fact the site would be isolated would be taken into account by Officers, however this approval and the two dwellings had been granted and had to be taken into consideration; the surrounding buildings to the application site were agricultural, but Officers understood that a recent application had been approved to convert one building

to residential; and the reason why works could commence on the site before surface water drainage plans had been approved was in relation to the fact that pre-commencement conditions would have to have the agreement of the applicant, which in this instance, had not been forthcoming.

A Member commented that she considered it important that the Parish Council and the residents understood that previous permission had been granted at the site and that development on the site had been accepted. She added that whilst she accepted that permission had been granted for two cottages on the hard-standing area, this did form a boundary to the village and that, consequently she considered the farm buildings which were the subject of this application to be on open countryside; and that she therefore considered the application should be refused.

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

Another Member expressed his view that a very thorough presentation had been made by the Parish Council but, as consent had already been granted for three homes, this represented a conversion and should be supported.

A different Member added that conversion of the buildings would be acceptable and therefore the traffic consideration would not be relevant as there would only be three buildings on the site.

The Ward Member was invited to address the Committee again. The Ward Member explained that he accepted that traffic needs dictated the use of the Lane and that there was already consent for development on the site, which he hoped would look pleasant once completed. He added that he supported the Proposition that had been made and highlighted to Members the risk that, if the application was approved, the development boundary for the village could easily continue to be extended indefinitely.

**Refused, for reasons relating to the undermining of the Council's strategy in the application site being outside of the settlement and therefore contrary to Policy DS4.**

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

Note:

This decision was contrary to the Officer recommendation for the reasons outlined above.

**18/04714/FUL**

**Single-storey rear extension and reconfiguration of entrance steps at Clematis Cottage, Keytes Acre, Ebrington, Chipping Campden -**

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 this site and outlined the proposals. The Case Officer displayed a map and aerial photograph of the site, proposed floor plans, front, rear and side elevations, sunlight assessment, tree survey and photographs of the site from various vantage points.

A representative from the Parish Council and the Agent were then invited to address the Committee.

The Chairman then invited those Members who had attended a Sites Inspection Briefing at the site to express their views. Those Members explained that the cottage, whilst picturesque, was surrounded by modern development and that there was sufficient room at the rear of the property for the proposed extension. A Member also expressed concern that the trees at the rear of the property were fairly substantial, but explained that permitted works could be undertaken to the trees, if considered necessary by Officers.

The Ward Member, who served on the Committee, was then invited to address the Committee. The Ward Member thanked the panel of Members who undertook the site visit, but explained that she, the Parish Council and local residents took a different view. The Ward Member explained that the Parish Council had fully investigated the application and had considered that it represented over-development of the site and would harm the appearance of the historic cottage. She added that the application, if approved, would leave little amenable space and concluded that the height of the revised application's proposals were of little difference to the previously submitted application.

In response to various questions from Members, it was reported that the current width proposed for the extension was not considered to be harmful; the cottage was a designated heritage asset as curtilage listed; the trees at the site were protected, but the Beech Tree had not been protected via a Tree Preservation order (TPO); the trees were, in the view of the Tree Officer, close to the proposed extension, but as they were located to the east of the cottage there would be limited shade caused; and the extension would measure approximately twenty five square metres, should the application be approved.

A Member commented that owing to the fact the area surrounding the site had been subject to a large development in the 1990s, he considered the harm to the historic cottage to have already been caused and that he could see no reason why the application should not be approved.

Another Member explained that, whilst respecting the view of the Parish Council and Ward Member, the Committee could not accept that any change would be bad and explained that following the Committee's previous doubt regarding the size of the extension, the proposals had now been reduced and the application should therefore be approved.

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

Other Members expressed their concern regarding the application, considering it to still be too large for the site.

The Ward Member was invited to address the Committee again but explained she had no further comments she wished to make.

**Approved, as recommended.**

**Record of Voting - for 7, against 4, abstentions 3, absent 1.**

Post-Meeting Note:

Subsequent to the close of the Meeting, it was determined that the application would be re-presented at the next Meeting of the Committee in June 2019.

**18/04240/FUL**

**Alterations and enlargement of the existing dwellinghouse and a two-storey side extension at The Summer House, Green Lane, Chedworth -**

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 this site and outlined the proposals. The Case Officer displayed a map and aerial photograph of the site, existing and proposed elevations and floor plans, and photographs of the site from various vantage points.

An Objector and the Agent were then invited to address the Committee.

The Committee Officer then read out comments on behalf of the Ward Member, who did not serve on the Committee. The Ward Member explained that the Applicants had bought the property with planning permission already existing in 2015 and had since come up against land ownership issues which had necessitated a revision to the design. The Ward Member informed the Committee that the Applicants had worked with Officers to find a design that met their needs and yet was to a scale and proportion suitable to the landscape. She added that, in her view, the proposals were proportionate to the host building and clearly subsidiary in their height and design. The Ward Member concluded by stating that it was the Committee's previous view that good, sympathetic architecture should not be hidden, but should sit comfortably in the environment and, after drawing attention to a supporter's comments, urged the Committee to permit the application as recommended.

In response to a Member's question, it was reported that if the application was permitted, there would be an increase in floor space of approximately 100 square metres, from about 200 to about 300 square metres.

A Member commented that the application represented a relatively modest change from the approved scheme to what had previously been presented and that this was owing to the fact that the proposals could not be built within the confines of the already existent permission. She also drew attention to the support of the Ward Member, Parish Council and Village Trust.

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

**Approved, as recommended.**

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

**18/04241/LBC**

**Alterations and enlargement of the existing dwellinghouse and a two-storey side extension at The Summer House, Green Lane, Chedworth -**

Officers and Members had nothing further to add to their deliberations under the previous item.

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

**Approved, as recommended.**

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

**18/04188/FUL**

**Demolition of extensions to rear of cottage and erection of a single-storey link to a two storey extension at lower level at Bliss Cottage, Lower Chedworth, Chedworth -**

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 this site and outlined the proposals. The Case Officer displayed a site location plan, block plans, a conservation character map, Google virtual Street View and photographs of the site from various vantage points.

A Supporter and the Applicant were then invited to address the Committee.

The Committee then noted the Ward Member comments which had been included within the extra representations. The Ward Member explained that Bliss Cottage was very visible and somewhat of a landmark in the village. She added that it represented a perfect Cotswold village cottage and that her initial reaction, upon seeing the proposals for the extension, was that it was excessive and would change both the character of the area and the cottage itself. The Ward Member highlighted that the new extension, if permitted, would form a dominant and prominent feature when viewed both from the road and the footpath to the north and that the Council should be encouraging retention of smaller cottages and not turning them into excessively-sized homes. The Ward Member then drew attention to the fact there had already been a smaller extension and conservatory added to the cottage and that the proposals would seek to remove these out-of-keeping additions and replace with the more desirable proposed extension. She concluded that the Applicants had worked hard to ensure that traditional, local quality materials would be used throughout the design and the fact the building would also be brought up to date in a traditional style represented key reasons why the architecture of the local area should be enhanced by approval of the application.

In response to various questions from Members, it was reported that there had been no neighbour objections to the application and five letters of support; and, in the view of Conservation Officers, the application included a lower, but bigger mass, of building with an unbroken ridgeline and that the style was not considered either innovative or contemporary and in no way did it therefore preserve or enhance the conservation area.

A Member commented that the cottage had previously had modern additions which were not in keeping with the property and that the proposals presented now sought to address these with an extension he considered to be of suitable materials, meeting modern energy regulations. He added that he could therefore see no reason why the application should be refused.

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

Another Member commented that the proposals equated to a second building which was almost independent of the main cottage and artificially linked to the cottage. She added that the village society and Campaign for Rural England (CPRE) had both raised objections and that the replacement did not represent the replacing of an existing extension with a more suitable extension, but a replacement by another building which would be harmful to the conservation area.

A Further Proposition, that the application be refused, was duly Seconded.

Some Members expressed their support for approval of the application commenting that it represented an innovative extension which would interpret the historic elements of the cottage well.

Other Members explained that they supported the Officer recommendation of refusal as they considered it important for the Council to maintain and preserve small cottages in Cotswold villages and that there was only a very small overlap between the proposals and a barn that existed at the site approximately 100 years previously.

On being put to the vote, the Proposition to approve this application was LOST. The Record of Voting in respect of that Proposition was - for 6, against 7 (including Chairman's Casting Vote), abstentions 3, absent 0.

**Refused, as recommended.**

**Record of Voting, for 7 (including Chairman's Casting Vote), against 6 abstentions 3, absent 2.**

#### **18/04737/FUL**

**Demolition of the existing single-storey extension, and replacement with a 1.5 storey mono pitch and 2 storey gable extension with a glazed area infill, insertion of dormer windows to rear, and alterations to boundary walls at 8 Wraggs Row, Stow-on-the-Wold -**

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 this site and outlined the proposals. The Case Officer displayed a map and aerial photograph of the site, existing and proposed floor plans and elevations and photographs of the site from various vantage points.

The Agent was then invited to address the Committee.

The Ward Member, who served on the Committee, was then invited to address the Committee. The Ward Member explained that the application represented a necessary balance of opinion between the Conservation Officers who wished to conserve the fabric of the historic building against the requirements of modern living at the house. The Ward Member explained that the Applicant had been working with Officers to find a suitable approach to family living at the property, though she considered the plan agreed with Officers to be a step too far. She explained that the Applicant had previously purchased the house at an auction, assuming he could extend the property at the rear in line with the other houses in Wraggs Row which already had extensions. The Ward Member informed the Committee that the property was becoming rapidly derelict and



needed a complete overhaul and, as a mid-terrace property, the decaying of the property was causing effects to the residents adjacent to it. With regard to the proposals, the Ward Member explained that the application sought to mirror the extension at 7 Wraggs Row and to use Cotswold Stone for its construction. She added that the proposals would plan to retain most of the original elements of the house whilst also modernising the house for family living and commented that the current permitted proposals did not produce a house that would be suitable for family living. The Ward Member concluded by requesting the Committee to approve the application as, without which, the property would fall into disrepair.

In response to various questions from Members, it was reported that there had been a number of extensions to the other properties of Wraggs Row throughout different periods; the current state of the building and the result of unauthorised works by the Applicant had been taken into account when reaching the Officer recommendation; and most of the properties featuring extensions had not had permission and as the buildings were listed, there was great interest to preserve them.

A Member expressed her view that as the cottage was viable, was not considered to be falling down and was of capable family use, she supported the Officer recommendation of refusal.

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

Another Member commented that he considered the extension to be of a modest scale and that the rear of the property did not have the same visual appeal and importance of the front of the property.

A Further Proposition, that the application be approved, was duly Seconded.

Various Members added that they supported approval of the application as there needed to be a balance between historic importance and the requirements of modern day living.

The Ward Member was then invited to address the Committee again and explained that there had been a reason why several of the properties adjacent to the site had had extensions as this was because they needed to be adapted for modern day living requirements.

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 4, against 11 abstentions 0, absent 0.

**Approved.**

**Record of Voting - for 11, against 4, abstentions 0, absent 0.**

Note:

This decision was contrary to the Officer recommendation for the reasons outlined above.

**18/04738/LBC**

**Demolition of the existing single-storey extension, and replacement with a 1.5 storey mono pitch and 2 storey gable extension with a glazed area infill, insertion of dormer windows to rear, and alterations to boundary walls at 8 Wraggs Row, Stow-on-the-Wold -**

Officers and Members had nothing further to add to their deliberations under the previous item.

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

**Approved.**

**Record of Voting - for 11, against 4, abstentions 0, absent 0.**

Note:

This decision was contrary to the Officer recommendation for the reasons outlined above.

**19/00017/FUL**

**Alterations to street elevation including replacing existing street-facing ground floor windows and doors at 20 Black Jack Street, Cirencester -**

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 this site and outlined the proposals. The Case Officer displayed proposed and existing floor plans and elevations and photographs of the site from various vantage points.

The Applicant was then invited to address the Committee.

The Chairman then read out comments on behalf of the Ward Member, who was not present at the Meeting.

In response to various questions from Members, it was reported that the comments included by a Town Councillor were the views of the Town Council.

A Member commented that he considered the application should be approved as the application had the support of the Ward Member; and he supported the gradual redevelopment of the town centre which over time had seen, in his view, a great improvement to Black Jack Street.

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

Another Member expressed his support for the Proposition, explaining that the nature of the Street had changed given that it had now been pedestrianised and, as a vibrant pub, the application should be supported.

A different Member commented that she supported the Officer recommendation of refusal as the town centre was popular because of its quaint nature and that, as there was already agreement to change the windows of the property, she could not see how a change to this application would help to improve the

business. The Member also drew attention to the comments of the Town Council who no longer supported the application.

A Further Proposition, that the application be refused, was duly Seconded.

**Approved.**

**Record of Voting - for 11, against 2, abstentions 1, interest declared 1, absent 0.**

Note:

This decision was contrary to the Officer recommendation for the reasons outlined above.

**19/00585/FUL**

**Change of use to dual use B1 office and D1 treatment room at Room 1.91 South Wing, Cotswold District Council, Trinity Road, Cirencester -**

The Case Officer outlined the proposals and explained that there were no updates to present in relation to the application.

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

A Member commented that whilst he supported the recommendation, he noted that Officers had previously recommended against an application in Moreton-in-Marsh where a change of dual use from B1 office to D1 had been requested. He added that this therefore gave a poor public view of the Council in regard to this application where the site was the Council's own offices and the recommendation was to approve.

**Approved, as recommended.**

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

**18/04597/FUL**

**Erection of two-storey rear extension at Lavender Cottage, 15 Mill Lane, Lower Slaughter -**

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 this site and outlined the proposals. The Case Officer displayed a map and aerial photograph of the site (highlighting the conservation area, nearby listed buildings and Public Right of Way), proposed and existing elevations, and photographs of the site from various vantage points.

A representative from the Parish Council, the Objector and the Applicant were then invited to address the Committee.

The Ward Member, who did not serve on the Committee, was then invited to address the Committee. The Ward Member explained that the application represented the second application that had been submitted as it had been considered that the first application was too over-bearing. He added that, after

much consultation, a slightly smaller scheme had been proposed and that since this, the eight original objections had still been upheld for the subsequent application. The Ward Member informed the Committee that the Case Officer had applied the relevant tests to the application and that the properties at Mill Lane had been built in the 1970s and, in his view, could not be considered as 'pillars' of ancient buildings, but did have a cottage element to them. He concluded that the cottages did fit in well to the village scene however and that given the over-bearing nature of the application and number of objections from the various parties including the Parish Council, suggested the Committee undertake a Sites Inspection Briefing to understand the site further.

In response to various question from Members, it was reported that the site was located to the North East of number 16 Mill Lane; the recommendation would have been the same regardless of the Applicant's personal circumstances as these had not been disclosed to the Case Officer at the time and therefore had not been considered when making the recommendation; the extension at number 17 Mill Lane had a difference of approximately 300mm from the proposals contained within this application; and as number 16 was set back from number 17 Mill Lane, the application would therefore arguably have less impact.

A Member commented that as the Officer recommendation was one of approval, the health matters of the Applicant were therefore incidental and in her view not relevant. She also added that, whilst she did have sympathy with the Objector who had made a representation, the properties should be expected to be changed over time and that the proposals constituted a modern extension.

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

Another Member commented that he had sympathy with the Objector who had spoken and therefore commented that he would not be supporting approval of the application.

A different Member explained that, whilst mindful of the potential delays due to the upcoming local elections, he agreed with the Ward Member that a site visit be undertaken.

A Further Proposition, that the application be deferred to enable a Sites Inspection Briefing to be undertaken, was duly Seconded.

The Ward Member was invited to address the Committee again and explained that he would be disturbed if there was any suggestion that it would be inappropriate not to undertake a site visit due only to the fact there could be potential delays from upcoming elections.

**Approved, as recommended.**

**Record of Voting, for 8, against 2, abstentions 4, 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.

(ii) Public Speaking

Public speaking took place as follows:-

18/04983/FUL	)	Mr. P Davis (Objector)
	)	Miss Nikki Hall (Supporter)
	)	Mr. D Maguire (Agent)
18/04696/FUL	)	Ms. J Pembroke (Agent)
18/04770/FUL	)	Cllr. Holt (on behalf of the Parish Council)
	)	
18/04714/FUL	)	Cllr. T Boyse (on behalf of the Parish Council)
	)	
18/04240/FUL	)	Mr. M Booth (Objector)
	)	Mr. A Miles (Agent)
18/04241/FUL	)	Mr. M Booth (Objector)
	)	Mr. A Miles (Agent)
18/04188/FUL	)	Ms. S Bradbury (Supporter)
	)	Dr. C Powell (Applicant)
18/04737/FUL	)	Mr. N Worrledge (Agent)
18/04738/LBC	)	Mr. N Worrledge (Agent)
19/00017/FUL	)	Mr. M Lindsey (Applicant)
18/04597/FUL	)	Cllr. Sinclair (on behalf of the Parish Council)
	)	Ms. A Higginson (Objector)
	)	Mr. D Tansley (Applicant)

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.130 SITES INSPECTION BRIEFINGS

1. Members for 5<sup>th</sup> June 2019

It was noted that, if required, four Members would be appointed to represent the Committee, together with the Chairman, on 5<sup>th</sup> June 2019.

2. Advance Sites Inspection Briefings

No advance Sites Inspection Briefings had been notified.

PL.131 LICENSING SUB-COMMITTEES

1. Members for 17<sup>th</sup> April 2019

It was noted that Councillors SI Andrews (substituting for Councillor MGE MacKenzie-Charrington), Alison Coggins, Dilys Neill, RC Hughes and RL Hughes would represent the Committee at Licensing Sub-Committee Meeting of 17<sup>th</sup> April 2019.

2. Advance Licensing Sub-Committees

No advance Licensing Sub-Committee meetings had been notified.

PL.132 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 11.07 a.m., and again between 12.45 p.m. and 1.10 p.m., and closed at 3.35 p.m.

Chairman

(END)