

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

11TH SEPTEMBER 2019

Present:

Councillor Juliet Layton	-	Chair
Councillor Ray Brassington	-	Vice-Chair

Councillors -

Tony Berry	Julia Judd
Claire Bloomer	Richard Keeling
Patrick Coleman	Gary Selwyn
Roly Hughes	Steve Trotter
Nikki Ind	Clive Webster

Substitutes:

Mark Annett

Observers:

Jenny Forde (from 9.30 a.m. until 11.45 a.m.)

Apologies:

Stephen Hirst	Sue Jepson
Dilys Neill	

PL.27 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor Robin Hughes, whilst not present at the Meeting had previously declared an interest in respect of application 19/0619/FUL, as he was both the Applicant and the Ward Member.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.28 SUBSTITUTION ARRANGEMENTS

Councillor Annett substituted for Councillor Jepson.

PL.29 MINUTES

RESOLVED that the Minutes of the Meeting of the Committee held on 10th July 2019 be approved as a correct record.

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

PL.30 CHAIR'S ANNOUNCEMENTS

The Chair informed the Committee of the upcoming all-Committee Member Sites Inspection Briefing taking place on Wednesday 2nd October 2019 and which would enable Members of the Committee to visit previous Committee-decided applications and to inspect progress. The Chair added that details would be provided shortly regarding timings for the day and she requested that any Member who considered a particular site to be worthy of visiting, (in addition to those already proposed), to inform either herself or the Development Manager as soon as possible.

Following a request by a Member, the Chair, Committee and all those present, stood for a one minute silence at 10.00 a.m. in memory of those who died 18 years previously in the September 2001 terrorist attacks in New York.

PL.31 PUBLIC QUESTIONS

No Public Questions had been submitted.

PL.32 MEMBER QUESTIONS

No questions had been received from Members.

PL.33 PETITIONS

No petitions had been received.

PL.34 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:-

19/02195FUL**Change of use from public house to 4 x 2 bed flats and associated demolitions and alterations at Waggon & Horses, 11 London Road, Cirencester, GL7 2PU -**

The Case Officer drew attention to an extra representation received since publication of the Schedule of Planning Applications from County Council Highway Officers and informed the Committee that a previous application at the site had been refused at the March 2019 Committee Meeting. The Case Officer added that there had been no physical changes to the application that had been submitted in March 2019, but explained that a further viability report had been submitted. The Case Officer displayed a site map and location plan, proposed site block plans and photographs of the site from various vantage points.

The Agent, and a Member of the Committee, representing the Town Council in his capacity as a Town Councillor, were then invited to address the Committee.

A Member, who was not the Ward Member, but who had referred the application to the Committee, was then invited to address the Committee. The Member explained that the Applicants were a company who owned a large number of public houses nationally and explained that they were currently selling off properties in order to regain costs against the properties. He added that this had resulted in ongoing difficulties in appointing tenants to the property and that it was therefore unsurprising that an application for development had now been resubmitted for the site. The Member informed the Committee that there were a number of residential properties in close proximity to the site and that, as a facility used for both accommodation and food; this would be increasingly sought after given the number of new developments within the town. He concluded that he wished to urge Members not to take great notice of the viability assessment given the level of detail it contained and urged Members to refuse the application enabling the pub to return to providing a service to nearby residents.

The Ward Member was not present at the Meeting.

In response to various questions from Members, it was reported that there was no limit to the number of times applications for a site could be submitted and in regard to this application, the Applicant had submitted additional information to attempt to mitigate the earlier concerns of the Committee; Highway Officers had been contacted prior to the application being presented to the Committee and concern had been raised by them in regard to parking as no evidence had been provided by the Applicant despite the application being marketed as 'car-free' development, which was not considered possible outside of the boundaries of London; as there was an option of private parking nearby for the cost of £50 per year, Highway Officers were satisfied that this was acceptable and had therefore raised no concern; Highway Officers were working with the Town Council in order to address current concerns regarding loading nearby to the property, but a permanent solution was not considered necessary should the application be approved; resident parking permits for use in a nearby Council-run car park were issued on a postcode entitlement and there was no entitlement for parking permits for residents of London Road; a condition could be attached to the application by the Committee in regard to increasing secure cycle storage to one secure space per bedroom; the property retained the original windows but double glazing had been installed on the interior of the windows; the property was not a

listed building, but was a non-designated heritage asset and the Council's Conservation Officer considered the proposals amended since the previous application to be an improvement.

A Member commented that many public houses had closed across the country and that despite various marketing attempts; there had been no interest to re-open the property as a public house. He therefore explained that he considered the Committee should support the Officer recommendation of approval.

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

Another Member commented that whilst the Council was attempting to increase the number of smaller properties within the District, he considered the issue that parking may cause to nearby residents would only exacerbate existing parking issues and that there were also issues around loading nearby to the property.

The Member who had referred the application to the Committee was then invited to address the Committee again. He thanked the Committee for its discussion in regard to the application and urged the Committee to consider the facilities the property as a public house would provide to nearby residents and therefore urged the Committee to refuse the application.

On being put to the vote, the Proposition to approve this application, in addition to increasing secure cycle storage, was LOST. The Record of Voting in respect of that Proposition was - for 6, against 7, abstentions 0, absent 2.

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

On being put to the vote, the further Proposition to refuse this application, was also LOST. The Record of Voting in respect of that Proposition was - for 6, against 7, abstentions 0, absent 2.

On the basis that the Committee had no reason on which to defer the application, and given its decision neither to support approval or refusal of the application, the Group Manager - Land, Legal and Property advised the Committee that the application would now be required to be deferred to full Council for a decision at its Meeting on 25th September 2019.

Deferred by the Committee to full Council for a decision at its Meeting on Wednesday 25th September 2019 at 2.00 p.m.

18/04876/FUL

Proposed new dwelling within the existing garden of Perrotts Brook House, Perrotts Brook, North Cerney, GL7 7BS -

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed a map, proposed elevations and drawings and photographs of the site from various vantage points, including a Google Virtual Street View.

The Agent was 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 she wished to extend

her thanks to the Case Officer for his work in relation to the application and explained that she hoped a solution had been reached which would meet with the Committee's approval. The Ward Member explained that the application was not one from a developer who sought to make a profit, but from residents of the village who had lived within the village for the past 40 years and now wished to plan for their future. She added that the Applicants were well aware of the site's possible options and the consequent impact of any development at the site and explained that she considered the resulting application to be one that was designed with thought to its surroundings, and with an eye to the future. The Ward Member informed the Committee that there had been nine dwellings built within the village since adoption of the Council's Local Plan and that three of those were in a similar style to the building proposed in this application. The Ward Member concluded that there had also been no objections to the application and that this was a testament to the hard work relating to, and merit of, the application.

In response to various questions from Members it was reported that gardens within the AONB were not considered as Brownfield sites but that gardens within open countryside were; the proposed entrance had been considered by Officers and was considered to be harmful and the Committee, if minded to approve the application, could delegate authority to Officers to negotiate with the Applicants regarding the entrance; the application's design did not need to be considered 'truly outstanding' as the application was being assessed under Policy DS3; multi-generational homes did relate to a history of family occupancy of a property, but this was not relevant to the current application as the proposal was for a new, separate dwelling, and a condition could not be placed on the neighbouring parcel of land to the application site as this was not relevant to the application presented before the Committee.

A Member commented that as the design, in his view, was not truly outstanding and given the personal justification of the Applicants for the application and the fact the site was located in the AONB, the application should be refused.

A Proposition, that the application be refused, was duly Seconded. Another Member commented that as the application had received no objections and had the support of the Ward Member, he considered there were no grounds for refusing the application and expressed his support for approval of the application.

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

Another Member commented that he considered, should the application be approved by the Committee, that Officers be given delegated authority to undertake discussions with the Applicants in regard to the walling and access to the property.

The Ward Member was invited to address the Committee again. The Ward Member explained that the field beyond the application site was not part of the residential curtilage of the property and was used by a local charity farm for livestock. She reminded the Committee that there had been no objections from any residents and explained that the previous use of the site had been as a tennis court, which had gone largely unnoticed. The Ward Member concluded that the Applicants were open to including any adjustments to the proposals and urged the Committee to support the application.

Refused, as recommended.

Record of Voting - for 7, against 6, abstentions 0, absent 2.

19/01317/FUL

Erection of ancillary accommodation at Churnside Estate, Cowley, GL53 9NJ -

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed a map, proposed site and floor plans, proposed 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 invited to address the Committee and explained that she had referred the item to the Committee as the application was unique and felt that it warranted scrutiny by the Committee.

In response to various questions from Members, it was reported that the community tennis court located nearby to the site was not linked to the application; Officers had not been made aware of any archaeology in the area and approval of the application would result in no intensification of the site.

A Member commented that he did not consider there to be a risk of the application causing harm to the site.

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

Approved, as recommended.

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

19/01619/FUL

Conversion of Former Poultry Barn to two holiday accommodation units with internal connectivity at Little Paddocks, Kilham Lane, Shipton Oliffe, GL54 4HX -

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed a map, proposed site plan and elevations, and photographs of the site from various vantage points.

There were no questions from Members.

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

Approved, as recommended.

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

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:-

19/02195/FUL)	Mr. C Brown (Objector)
)	Mr. I Woodward-Court (Agent)
18/04876/FUL)	Mr. S Firkins (Agent)
19/01317/FUL)	Mr. I Woodward-Court (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.35 SITES INSPECTION BRIEFINGS

1. Members for 2nd October 2019

The Chair reiterated her comments to the Committee made under PL.30 regarding the October 2019 Sites Inspection Briefing.

2. Advance Sites Inspection Briefings

No advance Sites Inspection Briefings had been notified.

PL.36 LICENSING SUB-COMMITTEES

1. Members for 16th October 2019

It was noted that Councillors Stephen Hirst, Nikki Ind, Richard Keeling, Juliet Layton and Clive Webster would represent the Committee at the Licensing Sub-Committee Meeting of 16th October 2019, if required.

PL.37 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.30 a.m., adjourned between 10.45 a.m. and 10.55 a.m., and closed at 12.25 p.m

Chair

(END)