

# Parish Council comments

18/01681/FUL – Redevelopment of existing scrap yard and haulage depot to create Electric Car Charging Station and Associated Works – Scrap Haulage Yard  
Gilder Fosseway Lower Slaughter GL54 2EY

An extraordinary parish council meeting was held to gauge parishioners views on the proposal which was attended by a significant number of residents, Mr Gilder and his agent confirming the importance of the proposal to the parish.

Following an extensive discussion and the strong feeling against the proposal Lower Slaughter Parish Council unanimously agreed to object to the planning application for the following primary reasons:

a) Electric vehicle charging business.

In principle the Parish supports the proliferation of electric vehicles, however the entry into law of the Automated and Electric Vehicles Act 2018, which places a requirement on large fuel retailers to introduce charging points will make the notion for dedicated "charging stations", redundant. Companies such as BP are already installing charging stations across their network'. Rapid improvements in battery technology have meant that vehicle charging capacity for 300 miles of travel can now be achieved in approximately 10 minutes.

As a result we believe that the charging centre in this isolated location is unsustainable. The business model is fundamentally flawed.

Sites with easy access to retail and /leisure destinations are far more preferable, such as the extensive car parks in Bourton where occupants can charge their vehicles whilst visiting facilities to the benefit of the local economy. This would negate the need for a remote "park and ride" facility that the site would become along with the resulting increase in vehicle trips, and air and noise pollution.

The Tesco store in Stow and the Coop store in Bourton already provide charging facilities and off peak home charging will become available to all motorists

b) Reference Cycle hire centre

The general arrangement drawings show a cycle hire facility whilst the applicants own transport report states:-

"As for cycle and motorcycle parking none is proposed as the site is not designed to be used by cyclists or motorcyclists".

The applicants updated traffic report and recent safety audit also make no reference to cyclists. Lower Slaughter Parish Council therefore agree with the applicants traffic consultant that the provision of a cycle hire facility and the presence of cyclists on the site are unacceptable.

d) Issues with submitted technical information

Conflicts between the layouts and the traffic engineers input result in significant design issues. Vehicle tracking is shown for a 12m rigid vehicle passing below the building but there is insufficient clearance for this to occur as the vehicle height is 3.928m and only approximately 2.7m is provided. The building level or external levels would therefore need to be adjusted significantly to satisfy the proposed tracking whilst providing acceptable levels at the site entrance. A second tracking proposal appears unsafe. Articulated vehicle access has not been considered.

Re : Mr. Gilder's application to redevelop his scrap yard, number 18/01681.

*Objector's  
comments*

I wish to object to this application, on four grounds :

1. Firstly, its adverse impact on the AONB.
  - a. The current site, is in a highly visible position in the AONB, alongside the busy A421, screened by a large hedge, with beech trees behind.



- b. The proposal would remove the hedge and trees, flaunting the "motorway services style" facilities and exposing the buildings beyond plus all vehicles parked or being charged :



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- c. It would be highly visible, and audible, in what currently appears to be a rural location,
    - d. It would be lit, and the light pollution it created would be contrary to the Cotswold objective of enhancing its "dark sky".

**So it would damage the AONB and cause a significant loss of amenity to this rural part of the Cotswolds.**

CDC PLANNING COMMITTEE MEETING, 13 NOVEMBER 2019

19/01184/FUL, Land Parcel E419306 N212935, North of Midford House, Windrush

SUMMARY OF KEY OBJECTIONS

Introduction

- My name is Constance Mead. I live with my husband and two young children at Church Cottage, Church Lane, Windrush, about 60m from the site.
- I speak on behalf of a number of objectors.
- Due to time limits, I will focus on key errors in the Planning Officer's Report.
- The objectors assume that the Members of the Committee will have read all of their written objections, which were prepared with considerable care and with regard to the applicable rules and guidance, and which refer to other points of serious concern such as highway safety and noise impact.

Three key ways in which the Planning Officer has erred:

1. **Apparent re-characterisation of the site since the last application**

- The Planning Officer ('PO') suggests that the boundary treatment has changed since the applicant's appeal was dismissed in 2015 and that as a result of this change, the site is no longer 'open countryside'. This is simply not correct as a matter of fact, and the objectors have serious concerns that the Committee may be misled by PO's report on this point. PO's error may be because she has relied on what she has been told by the applicant (on this point, see 7.15 of the applicant's Design and Access Statement) without independent verification, which could have been achieved by reference to the photographs submitted with the applicant's previous applications.
- Carla Pether, South View, contacted PO on receipt of report, and Members should have received a copy of her email dated 7 November 2019 (further copy attached) setting out the history of the boundary treatments (by reference to photographic evidence) which is contrary to the version in the report to which PO appears to attach so much weight.
- Further, PO has not taken into account the fact that the site is an open space, which forms an important element of the local built environment.
- Contrary to the Report, the site makes a significant contribution to the appearance of a holloway or sunken lane at this stretch of the lane, when approaching and leaving the village, with banks on each side and some stone walls, trees and hedges. It is a transitional green space, which helps to break up the built environment and forms an important linking element to the wider landscape.
- The Government's position is that such spaces '*maintain the distinction between the countryside and built up areas and prevent the coalescence (merging) of adjacent places*'.
- CDC's Local Plan (at 6.2.6), states that open spaces '*can provide settings for buildings, variety in the street scene, vistas, and buffers between developed areas. Cotswold settlements derive much of their character from open spaces within the built-up area and it is important that they are protected from inappropriate development*'.

be a private benefit”.

- We would highlight the following:
  - The proposed development would create a private benefit to the applicant in the transfer of an existing business from a rented site to a site which he already owns. This is simply a business decision, involving the relocation of an existing business, and does not add to the local economy.
  - The applicant has stated that he has an intention to take on an apprentice, but there is no proposed condition that he should do so. He could lawfully not employ an apprentice at all, without being in breach of any condition.
  - The alleged intention to take on an apprentice is unsupported by any evidence such as a Business Plan or proposed infrastructure for the facilities which are required by law on premises where there are employees (e.g. toilets and washbasins).
  - PO appears to have accepted without question the applicant’s statement that it is only the saving of the rent which the business currently pays which would enable it to afford the cost of an apprentice. But the latest (publicly available) business accounts show that the retained earnings in the business are nearly £800,000, and it has just under £250,000 sitting in the bank. It is obvious that the business could readily afford an apprentice now.
  - Even taking on a single long-term employee (which there is no stated intention to do) would in itself be negligible in terms of employment generation; in this application there is only a suggestion that the applicant might offer a single apprenticeship, which by definition is only a short-term fixed contract. Such small-scale and limited employment is not within the definition of ‘public benefit’ as it would not benefit the public at large, and in any event is so negligible that it would not outweigh the identified ‘harm’.
  - In summary, if (which she does not make clear) PO concluded that the applicant has provided ‘*clear and convincing justification*’ of public benefit, as the applicant is required to do, she was wrong to do so.

Conclusion

- In relation to each of these 3 issues, PO’s recommendation to approve the application is so flawed that it is beyond the bounds of what is reasonable.
- If a stated intention to employ a single apprentice could qualify as a ‘public benefit’, then anyone in an AONB or a Conservation Area could express a mere intention to take on an apprentice and obtain planning permission. With this in mind, granting permission for this application would set a very dangerous precedent.
- It goes without saying that businesses such as the applicant’s have an important place in the Cotswolds, but not on sites such as this. Policy EC3 encourages positive development of small rural employment premises, but in ‘appropriate locations’ (see 9.3.4). For a joinery business, we would suggest that this might include converted farm or estate buildings, for example the one occupied by the applicant at Sherborne at present, or one of the established employment sites identified in the Local Plan, rather than a small, constrained site within an otherwise exclusively residential area of a small village. Other issues such as highway safety and noise impact could be addressed more effectively at such established employment sites as well.

Dear Ms Williams

**RE: Planning application reference 19/01184/FUL – Land Parcel E419306 N212935  
North of Midford House, Windrush, Gloucestershire, OX18 4TS**

I write with regard to Item No 02 of the agenda which is due to be heard at the Planning Committee meeting on the 13<sup>th</sup> November 2019.

May I introduce myself as Carla Pether and my husband is Piers Pether. We have lived at Southview, Windrush since May 2012.

I would like to urgently bring to your attention an inaccuracy within your report. You have referred to our boundary treatment (Southview) which comprises a beech hedge to the north of the application site. You have stated that *'The character and appearance of the lane and Conservation Area has changed since the previous appeal. Notably the occupants of South View have updated their garden boundary treatments which run to the northern boundary of the application site and rather than a rural hedgerow this is now a formal maintained domestic hedge.'* This statement is incorrect.

I can confirm that in the summer of 2013, Piers and I erected a temporary 2 no. 6ft willow hurdles adjacent to Mr A Mustoe's land in order to fill a gap to prevent our daughter from going onto the road. In May 2014 we removed the leylandii trees that ran adjacent to the road and planted a young indigenous beech hedge.

Looking at the dates of the planning history, application 13/03424/FUL was refused on the 27.09.2013 when the willow hurdles were in place and application 14/03623/FUL was refused on the 17.10.2014 and dismissed at appeal on the 06.08.2015 when the young beech hedge and temporary willow hurdles were in place. We have dated photographic evidence to demonstrate this. Indeed, if you refer to the Design and Access statement attached to planning application reference 14/03623/FUL, you will clearly see from the photographs that the beech hedge and willow hurdles were in place. Therefore your statement that there was previously a rural hedge when considering the appeal is factually incorrect. Given that there has been no change in the character and appearance of the area (other than that our hedge has matured and the willow hurdles have been removed) I would also question the following statement in respect of the impact upon the AONB *'Due to the change in the character and appearance of the area since the appeal decision, it is considered that the proposal would not now result in an encroachment of development into the open countryside or have an adverse impact on the AONB in this village location'*. This statement is clearly contrary to the views of the Planning Inspectorate, as the beech hedge was in place at the time of the planning appeal and the planning application to which it relates.

In conclusion, this factual error is evidently a material consideration in the case, and needs to be brought to the attention of the Planning Committee by way of addendum to your report (and published on line) without delay, so that the Members of the Planning committee can take it into account.

I look forward to hearing from you.

# Applicant's comments

**Committee Presentation – 13<sup>th</sup> November 2019**

**The Pigeon House – 19/03095/FUL and 19/03096/LBC**

**Schedule Items 6 and 7**

I would like to start by stating at the outset that I have and always will look to protect our heritage in the Planning Committee, but also recognise that we must allow appropriate change where warranted. We must remember that these are people's homes, in this particular case mine!

The United Nations Resolution that underpins the principle of sustainable development is summarised as – “meeting the needs of the present without compromising the ability of future generations to meet their own needs”.

Historic England's “Conservation Principles” guidance similarly says that:

Each generation should therefore shape and sustain the historic environment in ways that allow people to use, enjoy and benefit from it, without compromising the ability of future generations to do the same.

Therefore sustainable solutions and conservation of the historic environment are not incompatible.

The Officer report for the full planning application covers the matters of relevance, and the heritage considerations are repeated in the report for the Listed Building Consent.

As regards the provision of renewable energy it is accepted by Officers, as a matter of principle, that this should be supported, and both the Local Plan and the NPPF are positively worded to this effect. Policy recognises that even small scale renewable and low carbon solutions can make a valuable contribution to cutting greenhouse gas emissions. At a full Council meeting in July this year it was unanimously agreed that the Council would play its part in addressing the climate emergency.

The house is already energy efficient to the extent possible in a Listed Building, and we have just replaced the oil fired cooker with an electric alternative.

In addition, I have considered a number of options for renewable energy generation.

- Installing solar panels to the main house, barn or stable would be more harmful to the aesthetic values of these buildings. Such an alteration would also be more visible given the higher roofs.
- Installation on the unlisted detached garage would be closer to the house and more visible from public viewpoints.
- There is nowhere to put free standing solar panels in the gardens without them being directly in front of the listed buildings and would detract markedly from their pleasant landscaped setting.
- A wind turbine would be a particularly jarring feature and would need to be of some height to maximise efficiency. This is not a suitable option in this sensitive context, (as well as the site being surrounded by trees!).

The building in question is attached to the listed barn and stables, but is not referred to in the List description, and is not listed in its own right. It has no particular merit and is functional in appearance with part stone walls and a corrugated iron roof. It is not in any way remarkable, but does reflect agricultural and utilitarian construction locally.

I would stress that the installation would not remove any part of the existing building or require alteration to its existing fabric. The proposed panels would simply be attached to the roof surface. This is entirely reversible should a better solution present itself in the future, and there would be no detriment to the integrity of the building.

Officers suggest that solar slates, which mimic blue slate, would be an alternative. However, this would require complete re-roofing of the building in a combination of blue slate and solar slate. This is a substantial change. Since the building in its current form is considered by Officers to have significant merit, it is inconsistent that such a fundamental alteration would be suggested. A reversible installation is surely preferable.

The building is set well back from Church Road, and the south roof slope is screened by tall boundary walls to the property, presence of other buildings and mature vegetation. Officers frequently refer to a "prominent location" but this is simply not the case. If you look at the site on Google Streetview this gives an artificially elevated viewpoint from which the roof can be glimpsed. At ground level there is no public view that would be materially affected.

Officers consider that there would be no adverse effect on landscape character, as regards the Kemble and Ewen Special Landscape Area, no harm to the Conservation Area, no harm to neighbouring residential amenity, and no harm to the setting and significance of any other Listed Building. I agree- in fact it made me think of the famous Zen meditation – 'What is the sound of one hand clapping?'; in this instance - 'What is the harm caused by something you cannot see?'

The installation would only be visible in a private residential setting. Whilst I acknowledge that the proposed panels will have an effect on the appearance of the building and its aesthetic merit, in terms of the policy test, this is at the lower end of the less than substantial range, particularly given that the works are reversible and will not result in permanent alteration to the building.

The NPPF paragraph 196 requires that where a proposal will lead to less than substantial harm to significance that this harm is weighed against public benefits.

In this case the public benefits of reducing greenhouse gas emissions and making a meaningful contribution to addressing climate change clearly outweigh the harm that Officers find.

**The proposal is compliant with the policies referred to in the recommended reason for refusal, not contrary to them. I therefore respectfully request that you permit the applications. If you have any doubts as regards these applications and wish to assess the visual impact for yourselves I invite you to carry out a site visit.**

# Objector's comments

Comments on Full Application for installing of solar panels to outbuilding at 1 Fivebells Church Street Bledington Chipping Norton Glos for Mr Christopher Kubale **By Mr & Mrs Cross**

Ref: Item number 08 Application no :19/02989/FUL

The outbuilding is situated within the Cotswold Area of Outstanding Natural Beauty, and Conservation Area and forms part of the historic area of the village. Whilst this building is in the Applicants garden it forms part of the boundary of 'Jasmine Cottage' which is also a Grade 11 listed building. The outbuilding is within 35 metres of Jasmine Cottage and forms part of the view down the Garden towards the Grade 1 listed Church. When we extended Jasmine Cottage this was the aspect we favoured and the extension was designed accordingly. The visual impact of the solar panels is by far the greatest to this property than any other surrounding property mentioned in the Conservation Officers report or to Five Bells cottages and would be detrimental to its setting as a listed asset and to the enjoyment of our home and garden. There is no way that these panels could be screened and they would be extremely visible from the house and from within the garden because of the low nature of the building . The fact that they are being fitted on a corrugated metal roof means that installation with roof hooks and rails will lift the panels away from from the surface of the roof making them even more intrusive. The suggestion that the panels could be removed from the North West side of the building ( the applicants side) and left on the South West side does nothing to alleviate our concerns as this is the side visible to us. there is still the question of glare and the adverse and inappropriate impact on the recently permitted new dwelling house which would be even closer to the outbuilding. Due to the planning authority's desire to limit windows to the street side of this dwelling most of the rooms look out to the rear with large areas of glazing looking towards this outbuilding. there is no way we could have anticipated this when going for planning for this house and, once again, it would be detrimental to its setting and the use of the house and garden which was designed to give maximum light and views of the garden and provide a suitable setting for older age whilst still having room to accommodate our New Zealand family when they visit. The solar panels will be visible from Church Lane when the new dwelling is built and would have a harmful impact on this area of special interest, neither preserving or enhancing the character or appearance of the area whilst Possibly opening the doors to further applications of this nature within this historic setting

13/11/2009