

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

13TH NOVEMBER 2019

Present:

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

Councillors -

Tony Berry	Julia Judd
Claire Bloomer (until 2.40 p.m.)	Richard Keeling
Patrick Coleman (from 10.05 a.m.)	Dilys Neill
Stephen Hirst	Gary Selwyn
Roly Hughes	Steve Trotter
Nikki Ind	Clive Webster
Sue Jepson	

Observers:

Julian Beale (from 10.15 a.m. until 2.40 p.m.)	Tony Dale (from 10.25 a.m. until 11.25 a.m.)
Jenny Forde (from 10.15 a.m. until 1.35 p.m.)	Joe Harris (from 12.10 p.m. until 1.00 p.m.)

PL.49 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor Berry declared an interest in respect of application 19/01184/FUL, as he was acquainted with the Objector.

Councillor Berry declared an interest in respect of applications 18/03095/FUL and 19/03096/LBC, as he was the Applicant. He left the room while these items were being determined.

Councillor Brassington declared an interest of application 18/04188/FUL, as his wife knew and socialised with the Agent's wife. He left the room while this item was being determined.

Councillor Brassington declared an interest in respect of application 19/02817/FUL, as he was acquainted with the Applicant through his membership of the A417 Noise Action Group.

Councillor Forde had previously declared an interest in respect of application 19/02817/FUL, as she was related to the Applicant. She was therefore not present at the Meeting for this item.

(2) Officer Declarations

There were no declarations of interest from Officers.

PL.50 SUBSTITUTION ARRANGEMENTS

No substitution arrangements had been put in place for this Meeting.

PL.51 MINUTES

RESOLVED that, subject to the following amendments, the Minutes of the Meeting of the Committee held on 9th October 2019 be approved as a correct record:

(i) **deletion of the line, ‘he was concerned that a further application would be presented for a permanent application in the future, as the application’s benefit outweighed any potential harm’ in the eighth paragraph of the preamble in relation to application 19/02186/FUL in Minute PL.45;**

(ii) **deletion of the Meeting start time of ‘9.30 a.m.’ and its substitution by the time ‘10.00 a.m.’.**

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

PL.52 CHAIR’S ANNOUNCEMENTS

The Chair advised the Committee that there would be no Committee Meeting taking place on 11th December 2019, as previously scheduled, owing to the general parliamentary election which would take place on 12th December 2019.

The Chair then informed the Committee of the outcome of a planning appeal in relation to the site at Braecroft, Upper Oddington, which had previously been determined by the Committee. Following the Committee’s refusal of the application for planning permission, the Applicant had appealed to the Planning Inspector who had allowed the appeal.

PL.53 PUBLIC QUESTIONS

No Public Questions had been submitted.

PL.54 MEMBER QUESTIONS

No questions had been received from Members.

PL.55 PETITIONS

No petitions had been received.

PL.56 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:-

18/01681/FUL**Redevelopment of existing scrap yard and haulage depot to create Electric Vehicle Charging Station and Associated Works at Scrap Haulage Yard Gilder, Fosseyway, Lower Slaughter, GL54 2EY -**

The Case Officer drew attention to additional information received since publication of the Schedule of Planning Applications. The Case Officer displayed an aerial view of the site, proposed site and floor plans, proposed three-dimensional views and photographs of the site from various vantage points.

A representative from the Parish Council, the Objector and the Agent 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 explained that there had been much debate on the application and he had referred the application to the Committee for the following reasons: (i) The application raised issues regarding the future use of electric cars; (ii) he was of the understanding that the proposed use for the site was not opposed in general; (iii) Highway Officers had recommended refusal of the application due to the unsustainability of the site; (iv) 65 objections had been received to the application, including from three nearby Parish Councils; and (v) five letters of support had been submitted to the application.

In response to various questions from Members it was reported that no discussions had been undertaken by Officers regarding the use of the footpath on the Old Railway as a pedestrian link to Bourton; Highway Officers did not consider there to be a need for an electric vehicle service station on this scale at the site and there was no reasoning presented behind the exclusion of HGVs from the site; Officers were not aware of any fast charging points being proposed as the intention was for visitors to park at the site and use cycle and bus routes to visit nearby visitor facilities; Officers did not consider there to be a need for a future application to be submitted should the installation of fast charging points

be required; the proposals included the removal of non-native trees currently at the site; the proposed opening hours would be from 6 a.m. until 10 p.m. Monday to Saturdays and 8 a.m. to 8 p.m. on weekends and Bank Holidays and Officers had negotiated a 9 p.m. closing time should planning permission be granted; there was no street lighting proposed on the A429 as the site was located within a dark skies area; no business model was required to be submitted for the site and the choice lay with the Applicant if they wished to do this; a need could be highlighted by the fact the government's intention was to cease the selling of petrol and diesel powered cars by the year 2040; the proposals for 102 charging points would result in the site being the largest site of its type in the country, which compared against the current largest charging points of 7 and 10 charging points located in Milton Keynes and Dundee; the current national need was calculated at 1,050 charging points nationally and the application's proposals, if approved, would therefore result in 10% of the national current requirement being provided on this site; the current estimation was that 4,400 electric vehicles would be required for the site to operate all 102 charging points at full capacity, going against a current rate of 2.8% of all vehicles currently being electric; there was considered by Officers to be a current absence of cycling and walking routes along the A429; there were no current proposals to re-route any existing bus routes to include the site; and that Members must be mindful that a development of this type and scale would fall to be considered as strategic infrastructure and the provision of such large-scale development as this, must be strategy-led and based on evidence.

A Member commented that given the explanation provided by Officers, she considered that the application should be refused, as recommended.

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

Various Members expressed their support for the Proposition and explained that whilst mindful of the Council's commitment to the climate change emergency, the development of electric vehicle charging points for vehicles needed to be strategically led by the government and in other more suitable locations than what had been proposed.

Another Member expressed their view that the issue that there were no sustainable walking and cycling routes to and from the site and that the nearby railway path had not been further investigated were also key reasons why the application should be refused.

A different Member stated that the application was one designed for the future and that as demand for charging points would only increase in the future, the application should be approved.

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

The Ward Member was invited to address the Committee again. He explained that current petrol stations were located in the surrounding area and that these should be considered as ideal locations for the conversion to electric vehicle charging points initially, before new sites were constructed. The Ward Member concluded by drawing attention to the large number of objections to the application, including those of the nearby parish councils, and urged the Committee to refuse the application.

Refused, as recommended.

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

19/01184/FUL

Erection of a joinery workshop at Land Parcel E419306, North of Midford House, Windrush, OX18 4TS -

The Case Officer drew attention to additional information received since publication of the Schedule of Planning Applications and informed the Committee that Highway Officers had since reviewed the speed data from the survey taken at the site and had raised no objection. The Case Officer also highlighted the recommendation of an additional suggested condition regarding HGVs, and advised that the Council's ERS Team had advised yesterday that a noise assessment was now required to be undertaken - the agent had confirmed they would provide this assessment. The Case Officer then displayed block and location plans, a Google virtual street view and photographs of the site from various vantage points.

The Chair then invited those Members that had attended a Sites Inspection Briefings at the site to express their views. Those Members commented that, as the Applicant owned the land, the site would be convenient to them and was adequately set back from the road with a small driveway, suitable for small and medium-sized vehicles. It was also stated that the site was situated on a quiet lane and there could potentially be an issue of noise arising from any machinery used at the site, but Members explained the noise assessment would ensure this potential issue was investigated before any possible approval was given for the site.

The Chair then informed the Committee that she would Propose that consideration of the application be deferred to (i) enable the noise assessment to be undertaken and, (b) to ensure all the members of the public who had made representations on the application receive invitations to speak at the next Meeting of the Committee, given a previous administrative oversight in relation to this application. This Proposition was duly Seconded.

Deferred.

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

19/02620/FUL

Conversion of agricultural building to two dwellings at Banks Farm, Upper Oddington, Moreton-in-Marsh, GL56 0XG -

The Case Officer drew attention to additional information received since publication of the Schedule of Planning Applications. The Case Officer displayed an aerial view of the site, block plans and proposed elevations, a Google virtual street view and photographs of the site from various vantage points. The Case Officer then informed the Committee of an amendment to the Plan regarding the landscaping of the site.

An Objector and a speaker on behalf of 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 there had been substantial support from the community for the application and that they were largely supportive of the proposals. The Ward Member explained that the buildings were largely redundant for modern farming use and the proposed conversion to two dwellings was imaginative, as highlighted by the support from the Parish Council. The Ward Member highlighted to the Committee the issue regarding the nearby bend in the road, but stated that it was not the role of the Committee to re-design the application submitted. The Ward Member concluded however that the proposed access would adequately serve the five dwellings it needed to and that he considered the conditions should be strongly enforced should the application be approved.

In response to various questions from Members, it was reported that Officers did not consider it necessary to install warning signs on the proposed private access as these would be on a private drive and occupants would be familiar with the driveway and thus, know that there was a lane at the bottom; there were no recorded accidents on the bend referred to by the Ward Member which had required police attendance; if more than five dwellings were proposed at the site, then the road would need to be upgraded to adoptable highway standards.

A Member commented that given the issues raised were concerning highways and that Highway Officers were satisfied that there were no issues arising from the proposals, and that there was a benefit to the conversion of redundant farm buildings, the application should be approved.

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

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

Approved, as recommended.

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

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, GL54 4AN -

The Case Officer drew attention to additional information received since publication of the Schedule of Planning Applications. The Case Officer displayed site location plan, block plans, a historic photograph of the cottage, the Chedworth Conservation Area Character Map and photographs of the site from various vantage points, including from a nearby Public Right of Way.

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

The Chair then invited all Members who had attended the all-Member Sites Inspection Briefing at the site to express their views. Members explained that the existing extension at the property was not unsightly and had weathered in well to the historic parts of the cottage; the extension could be considered to cause harm in the AONB and would be visible from the road and across the valley; the proposals could not be considered to be a 'like for like' replacement, despite the intention to remove the existing extension; the proposals would use traditional materials in a sympathetic approach; in comparison to modern new-builds, the proposals could be considered excessive and would also have the possibility of being overbearing to the nearby Public Right of Way.

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 her work in relation to this application and also to all Committee Members who had attended a Sites Inspection Briefing at the site. The Ward Member informed the Committee that Bliss Cottage was clearly situated on a bend in the village and still retained many original features. She added that the property was currently a three bedroom cottage which sat comfortably alongside its neighbouring cottages and that the proposed extensions would change the character of the area and the cottage itself, if approved. The Ward Member continued that there was a need to ensure care for these cottages and to not turn them into large homes but there was also the opportunity for this application to remove the existing extension and conservatory which, in her view, should be welcomed. The Ward Member concluded that if approved, the building would also be brought up to modern efficiency standards and would allow modern living at the property and she also reminded the Committee of the support for the application from the local community.

In response to a specific Member's question, it was confirmed by Officers that the intention by the Applicant was to enable life-long living at the property.

A Member commented that, whilst there was strong argument from the local community in favour of approval of the application, the Officer recommendation of refusal should be supported given the large volume of work and investigation by the Case Officer in reaching the recommendation.

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

Another Member commented that as the cottage was not listed, and given the support from the local community, including the Chedworth Association, he considered the application should be approved.

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

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

Refused, as recommended.

Record of Voting - for 7, against 7 (including the Chair exercising her casting vote, abstentions 0, absent 1.

19/02890/FUL

Erection of indoor riding arena at Cherry Orchard, Fosse Cross, Chedworth, GL54 4NP -

The Case Officer drew attention to additional information received since the publication of the Schedule of Planning Applications, including representations made by the applicant's agent with regards to the accuracy of some of the information presented within the Officer's report. The Case Officer informed the Committee that whilst the southern portion of the hedgerow had been removed, the northern portion of south eastern hedgerow had not been removed, but that the recommendation was unchanged, and then proceeded to display a map of the site, aerial photograph and proposed site and elevations and photographs of the site from various vantage points.

A Supporter and the Applicant were then invited to address the Committee. The Chair then invited those Members who had undertaken a Sites Inspection Briefing at the site to express their views. Those Members commented that the site was very well-maintained and had already been given permission for equestrian usage and would also not be clearly visible from the nearby access lane.

The Ward Member, who did not serve on the Committee, was then invited to address the Committee. The Ward Member explained that the proposals were not for a huge commercial enterprise and that the site was well-maintained by the owners and that the existing stable buildings were of the highest quality. She added that the site was well-screened and was not clearly visible, though commented that the proposed construction should be expected within the hamlet, given its equine link. The Ward Member commended the application to the Committee for approval.

In response to various questions from Members, it was reported that the proposals would only be for use by the site owners and not for commercial use; the Council's Landscape Officer considered the proposed lighting for the site to be harmful; hours of use could be conditioned, if considered necessary; and a landscaping scheme had been submitted and could include additional planting at the site.

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

Various Members commented that there were benefits to the application which outweighed any concerns raised by Officers.

The Ward Member was invited to address the Committee again and explained that the surrounding landscape was one that was naturally evolving and therefore the application should be supported to encourage the developing nature of the area.

Approved, subject to the planning conditions relating to restrictions on the personal use by the Applicants; implementation of the landscape strategy; ecological improvements; hours of operation; lighting strategy and materials to be used in the external construction of the building.

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

18/03095/FUL

Installation of solar panels to southern roof of outbuilding at Pigeon House, Church Road, Kemble, GL7 6AE -

The Case Officer reminded the Committee of the location of the site and displayed a map, aerial photograph, elevations and photographs of the site from various vantage points.

The Applicant was then invited to address the Committee.

In response to various questions from Members, it was reported that no comments had been received from the Parish Council; Officers considered the proposals to equate to considerable visual harm and therefore the Officer recommendation had been to refuse the application; whilst the removal of the panels would be possible, the visual harm arising from the proposed development should be assessed; there was little merit in personalising the permission to the current owner; and there were examples of where the Council had previously approved permission for solar panels on listed buildings within the District.

A Member commented that, whilst she acknowledged harm had been identified by Officers, she considered the benefits to outweigh the harm identified and explained that the application should therefore be approved.

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

Approved, on the basis the public benefit of the application outweighed any harm identified by Officers.

Record of Voting - for 9, against 2, abstentions 3, interest declared 1, absent 0.

19/03096/LBC

Installation of solar panels to southern roof of outbuilding at Pigeon House, Church Road, Kemble, GL7 6AE -

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, on the basis the public benefit of the application outweighed any harm identified by Officers.

Record of Voting - for 9, against 2, abstentions 3, interest declared 1, absent 0.

19/02989/FUL

Installation of solar panels to southern roof of outbuilding at 1 Fivebells, Church Street, Bledington, Chipping Norton, OX7 6XG -

The Case Officer reminded the Committee of the location of the site and displayed a map showing nearby listed buildings, aerial photograph, proposed elevations, a Google virtual street view and photographs of the site from various vantage points.

The Objector 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 the application should be refused owing to the possible damage to the surrounding area from the proposals and the fact that other alternative means of energy production had not been considered favourably by the Applicant. He concluded by urging the Committee to refuse the application.

In response to various questions from Members, it was reported that the property was not located in a prominent street scene, but that, in the view of Officers, the black solar panels would not be suitable when fitted to the lightly-coloured roof; a new roof had been fitted to the property in 2009 and this would need to be removed and replaced if solar slates were to be fitted and Officers understood that the Applicant did not want to install ground panels as this would cause damage to local wildlife.

A Member commented that visual harm of solar panels had reduced over time and that, in his view, the public benefit was greater than the harm identified.

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

The Ward Member was invited to address the Committee again and urged the Committee to consider the Officer report and recommendation, in favour of refusal of the application. He added that he would disagree that the visual harm caused by the application would not be substantial and urged Members to bear in mind the potential damage to the street scene image.

Approved, on the basis the public benefit of the application outweighed any harm identified by Officers.

Record of Voting - for 7, against 5, abstentions 3, absent 0.

19/02290/LBC

Installation of solar panels to southern roof of outbuilding at 1 Fivebells, Church Street, Bledington, Chipping Norton, OX7 6XG -

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, on the basis the public benefit of the application outweighed any harm identified by Officers.

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

19/02864/LBC

Installation of A/C condenser to roof at Abberley House, Park Street, Cirencester, GL7 2BX -

The presenting Officer drew attention to additional information received since publication of the Schedule of Planning Applications and advised that there was a required amendment to condition 4 of the application. The presenting Officer displayed a site location plan and photographs of the site from various vantage points.

There were no public speakers.

The Ward Member was not present at the Meeting.

In response to a specific Member's question, it was reported that the amendment to the condition was in relation to the fact the condenser would not be used on Sundays.

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

Approved, as recommended.

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

19/02969/FUL

Installation of A/C condenser to roof at Abberley House, Park Street, Cirencester, GL7 2BX -

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, as recommended.

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

19/02817/FUL

Erection of a single storey garden room at Cutham Rise, Cutham Lane, Bagendon, Cirencester, GL7 7DY -

The Case Officer reminded the Committee of the location of the site and displayed a map, an aerial photograph, drawings of the proposed building, and photographs of the site from various vantage points.

There were no public speakers.

The Ward Member was not present at the Meeting for this item.

In response to various questions from Members, it was reported that there were no proposed services to be connected to the construction; the application could not be dealt with under permitted development rights as the property was in

excess of 20 metres from the main dwelling; in the view of Officers, the proposed building was considered an appropriate design for the area; no objections had been received to the application and Officers did not consider a future planning application would be required should the application wish to provide electric to the property in the future.

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

Approved, as recommended.

Record of Voting - for 14, against 0, abstentions 0, 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:-

18/01681/FUL	)	Mr. P Sinclair (on behalf of the
	)	Parish Council)
	)	Mr. Battersby (Objector)
	)	Mr. M Wildish (Agent)
19/02620/FUL	)	Mr. M Gabbertas (Objector)
	)	W Brodie (on behalf of the
	)	Applicant)
18/04188/FUL	)	Cllr. D Broad (on behalf of the
	)	Parish Council)
	)	Mr. A Miles (Agent)
19/02890/FUL	)	Mr. D Broad (Supporter)
	)	Mrs. S Morgan (Applicant)
19/03095/FUL	)	Mr. A Berry (Applicant)
19/03096/LBC	)	Mr. A Berry (Applicant)
19/02989/FUL	)	Mrs. Cross (Objector)
19/02990/LBC	)	Mrs. Cross (Objector)

Copies of the representations by the public speakers would be made available on the Council's Website in those instances where copies had been made available to the Council.

PL.57 SITES INSPECTION BRIEFINGS

1. Members for 4th December 2019

It was noted that Councillors Tony Berry, Ray Brassington, Sue Jepson, Juliet Layton and Richard Keeling would represent the Committee at the Sites Inspection Briefing, if required.

2. Advance Sites Inspection Briefings

No advance Sites Inspection Briefings had been notified.

PL.58 LICENSING SUB-COMMITTEES

1. Members for 18th December 2019

It was noted that Councillors Tony Berry, Ray Brassington, Patrick Coleman, Juliet Layton and Sue Jepson would represent the Committee at the Licensing Sub-Committee Meeting of 18th December 2019, if required.

PL.59 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 10.00 a.m., adjourned between 11.25 a.m. and 11.55 a.m., 1.20 p.m. and 1.45 p.m., and closed at 2.55 p.m.

Chair

(END)