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COTSWOLD
DISTRICT COUNCIL

Tuesday, 6 April 2021

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PLANNING AND LICENSING COMMITTEE

A meeting of the Planning and Licensing Committee will be held remotely, via Cisco Webex on **Wednesday, 14 April 2021 at 2.00 pm.**

Rob Weaver
Chief Executive

To: Members of the Planning and Licensing Committee
(Councillors Ray Brassington, Patrick Coleman, Stephen Hirst, Nikki Ind, Sue Jepson, Julia Judd, Richard Keeling, Juliet Layton, Dilys Neill, Gary Selwyn and Clive Webster)

Due to the current social distancing requirements and guidance relating to Coronavirus Regulations 2020 – Part 3 – Modification of meetings and public access requirements this meeting will be conducted remotely using Cisco Webex.

Members of the public will be able to follow the proceedings through a broadcast on [Cotswold District Council Facebook account](#) (You do not need a Facebook account for this).

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the date of the meeting.

AGENDA

1. **Apologies**
2. **Substitute Members**
To note details of any substitution arrangements in place for the Meeting.
3. **Declarations of Interest**
To receive any declarations of interest from Members and Officers, relating to items to be considered at the meeting.
4. **Minutes (Pages 5 - 10)**
To confirm the minutes of the meeting of the Committee held on 10 March 2021.
5. **Chair's Announcements (if any)**
6. **Schedule of Applications (Pages 11 - 48)**
To consider and determine the applications contained within the enclosed schedule:

Application No:	Description:	Ward Councillor(s):	Case Officer:
20/03198/FUL	Erection of 1 no. detached dwelling and associated works at Land Parcel Adjacent to 10 De Havilland Road, Upper Rissington	Councillor Andrew Maclean	David Ditchett
21/00751/FUL	Proposed two storey extension and single storey extension (renewal of 17/04737/FUL) at The Fennings, Back Ends, Chipping Campden, GL55 6AU	Councillors Mark Annett and Gina Blomefield	Amy Hill
20/04249/FUL	Change of use to beauty salon to include body piercing and tattoos (sui generis) (part retrospective) at Room 28, Moreton Area Centre, High	Councillor Clive Webster	Rachel Gaskell

	Street, GL56 0AZ		
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7. **Sites Inspection Briefing (to be held virtually)**
Members for Wednesday 5 May 2021 (if required)

Councillors Juliet Layton, Sue Jepson, Richard Keeling, Dilys Neill and Clive Webster.

8. **Licensing Sub-Committee**
Members for Wednesday 19 May 2021 (if required)

Councillors Juliet Layton, Stephen Hirst, Julia Judd, Dilys Neill and Clive Webster.

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COTSWOLD
DISTRICT COUNCIL

Planning and Licensing Committee
10 March 2021

Minutes of a meeting held remotely of Planning and Licensing Committee held on 10 March 2021

In accordance with relevant legislation, these minutes are a record of decisions taken. They are not intended to be a verbatim account of the meeting. A full recording of the meeting can be accessed at the Facebook link at www.cotswold.gov.uk.

Councillors present:

Juliet Layton - Chair
Patrick Coleman
Stephen Hirst
Nikki Ind
Sue Jepson

Ray Brassington - Vice-Chair
Julia Judd
Richard Keeling
Dilys Neill
Gary Selwyn

Clive Webster

Officers present:

Team Leader - Development
Management
Legal Services Manager
Democratic Services

Senior Case Officer
Service Leader - Licensing

Observers:

Jenny Forde, Steve Trotter.

PL.98 No apologies had been received.

PL.99 Substitute Members

There were no substitute Members.

PL.100 Declarations of Interest

Councillor Jepson declared an other interest in respect of application 20/02374/FUL, as she had previously undertaken election duties with the Applicant, who was a former Member of the Council.

Councillor Judd declared an other interest in respect of application 20/02374/FUL, as she was acquainted and had previously socialised with the Applicant and his wife, though had not met with them for a number of years.

PL.101 Minutes

RESOLVED that the Minutes of the Meeting of the Meeting of the Committee held on 10 February 2021 be approved as a correct record.

Record of Voting - for 11, against 0, abstention 0, absent 0.

PL.102 Chair's Announcements

There were no announcements from the Chair.

PL.103 Cotswold District Council's Hackney Carriage and Private Hire Licensing Policy Review

The Committee was requested to review the Draft Common Standards for Licensing Hackney Carriage and Private Hire Drivers in Gloucestershire in advance of a consultation exercise.

The Service Leader – Licensing introduced the report and responded to various questions from Members. In doing so, she explained that a knowledge test was only required to be undertaken by applicants on a new application or if they failed the test twice; Licensing Officers were in regular communication with the taxi trade and a partition screen and other Covid-19 measures had been published within a separate Policy.

Members commented that they considered the Policy to be a well-written document and thanked the Service Leader for her work in relation to the Review.

RESOLVED that the Committee, having considered the draft Common Standards for Licensing Hackney Carriage and Private Hire Drivers in Gloucestershire approve a consultation exercise to seek the views of the trade and relevant stakeholders on the revised policy.

Record of Voting - for 11, against 0, abstention 0, absent 0.

PL.104 Amendment to Cotswold District Council's Street Trading Policy

The Committee was requested to amend the annual renewal date for Street Trading Consents.

The Service Leader – Licensing introduced the report and responded to various questions from Members. In doing so, she explained that in one particular case, a case had been brought forward to the Committee which approved the relation of the 30 minute limit for street traders and instead to operate via a rota; in the case of ice cream vans it was not considered appropriate to require the affixing of public notices; each trader was responsible for waste generated and was required to remove any waste at the end of trading; selling a vehicle on a private driveway was a form of street trading consent and required the appropriate policy to do so; whilst the five year review of the previously adopted Policy was due in 2019, this had been delayed due to the pandemic and a review of the Policy was still scheduled and

Officers would engage with the Council's Economic Development Lead Officer to ensure a holistic approach to the Policy.

RESOLVED that the Committee amend the current renewal date from 1 April to 31 March to a period of 12 months from the date the Street Trading Consent is issued.

Record of Voting - for 11, against 0, abstention 0, absent 0.

PL.105 **Schedule of Applications**

20/02374/FUL

Change of use of agricultural buildings to flexible office & storage use, construction of new office hub building & new agricultural buildings, along with associated infrastructure at Land at Calmsden Estate, Calmsden, North Cerney.

The Case Officer drew attention to additional information and then displayed a map of the site and aerial photograph, layout plan, barn diagrams, proposed building drawings, landscape plans, an artist's impression of the proposals and photographs of the site from various vantage points.

The Applicant 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 believed the Council had a duty to the residents of the District to carefully consider applications when a decision needed to be finely balanced. She added that the application represented a compelling case for the Calmsden Connect project, which she considered was a great initiative and one that should be applauded. The Ward Member commented that she did consider that the application site would not be a sustainable location and that it remained a very remote site accessed by narrow lanes. She continued that with increased working from home arrangements, a technology hub, as contained within the proposals would serve a good purpose, but the site would not be accessible by the majority of users, unless using a car, and very rarely by bicycle. The Ward Member added that it was unusual for the Highway Authority to object so strongly to an application, but they had on this occasion owing to the site's unsustainable nature, and concluded that the Council need to balance these concerns against those of the climate emergency and carefully consider any potential harm caused in full when making a decision.

In response to various questions from Members it was reported that small scale development was not defined within national policy nor the Council's Local Plan and therefore each case needed to be determined on an individual basis; Highway Officers had made a judgement objecting to the application but the Case Officer considered the benefits of the application to outweigh the harm identified; the Highway Authority objection was dated July 2020 and had not been updated since, despite being sent further amended schemes by the Case Officer, to which no response had been received; the 64 car parking spaces had been based on daily movements, although it was recognised this data was based on pre-pandemic travel levels; the car parking space number was lower than the 71 maximum requirement set out in Local Plan parking standards; phasing of the car park construction would be difficult, in the view of Officers, due to landscaping complexities and it was

considered a more beneficial option to approach holistically and construct in one; there was no retail proposed for the site; the car park surface would be crushed stone and this had raised no objection from the Drainage Officer; no concerns had been raised by Highway Officers in relation to highway capacity and no response had been received to the additional visibility splay information; the Committee could, if minded to approve, condition broadband provision, but it was expected this would be in the interest of the Applicant to acquire the best possible service; the Case Officer did not consider that had Highway Officers responded to the further amended plans for the site, that this would have altered their existing view; the Applicant had provided potential income for the site but this was based on 40% occupancy of some of the space and it was understood the Applicant was seeking flexibility in terms of use.

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

Various Members expressed support for the proposal commenting that it was a well-thought out application and looked to ensure farming continued at the site. Whilst recognising the comments of Highway Officers, Members commented that they considered the benefits arising from the site outweighed those concerns.

Various Members expressed disappointment that Highways Officers had failed to respond to the amended schemes and were not present at the meeting.

In response to a specific question from a Member, the Case Officer confirmed that it would be reasonable for the Committee to condition the use of the site for office and storage purposes, but not for office use only. Members were also advised that there would be flexibility within the Use Class for uses other than office and storage use.

A Member commented that he considered the application represented the right application in the wrong location and for reasons relating to the climate emergency, expressed that he could not support approval of the application.

An Amendment, that the application be approved, subject to the use of the buildings identified being limited to office and/or storage use only to ensure any other uses are appropriately considered, was duly Seconded.

The Ward Member was invited to address the Committee again and thanked the Committee for its detailed consideration of the application. She explained that she had a great deal of respect for the Applicant and his family and the work they did in the area and that if approved, she hoped the application would be a success.

On being put to the vote, the Amendment was CARRIED; the record of voting was as follows: For 10, against 0, abstentions 1, absent 0.

Approved, subject to the use of the buildings identified being limited to office and/or storage use only to ensure any other uses are appropriately considered.

Record of voting – for 10, against 0, abstentions 1, absent 0.

(ii) Public Submissions

Public submissions were made or read to the Committee as follows:-

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.106 Sites Inspection Briefings (Members for Wednesday 7 April 2021)

It was noted that Councillors Juliet Layton, Ray Brassington, Stephen Hirst, Julia Judd and Gary Selwyn would represent the Committee at the virtual Sites Inspection Briefing, if required.

PL.107 Licensing Sub-Committees (Members for 28 April 2021)

It was noted that Councillors Ray Brassington, Patrick Coleman, Nikki Ind, Sue Jepson and Richard Keeling would represent the Committee at the virtual Licensing Sub-Committee on 28 April 2021, if required.

It was also noted that Councillors Layton, Hirst and Selwyn had agreed to represent the Committee at the virtual Licensing Sub-Committee meeting on 24 March 2021.

PL.108 Other Business

The Chair commented that she was disappointed with the poor response of the Highway Officers in relation to the application considered at the meeting and advised that she would be requesting the Chief Executive write to the Officers expressing concern on behalf of the Committee. It was hoped a response letter would also contain an update about any change of policy recently undertaken by the Highways Authority.

The Meeting commenced at 10.00am and closed at 11.55am.

Chair

(END)

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PLANNING AND LICENSING COMMITTEE 14th April 2021

SCHEDULE OF APPLICATIONS FOR CONSIDERATION AND DECISION (HP)

- **Members are asked to determine the applications in this Schedule. My recommendations are given at the end of each report. Members should get in touch with the case officer if they wish to have any further information on any applications.**
- **Applications have been considered in the light of national planning policy guidance, the Development Plan and any relevant non-statutory supplementary planning guidance.**
- The following legislation is of particular importance in the consideration and determination of the applications contained in this Schedule:
 - **Planning Permission:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 - special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest.
 - **Listed Building Consent:** Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 - special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest.
 - **Display of Advertisements:** Town and Country Planning (Control of Advertisements) (England) Regulations 2007 - powers to be exercised only in the interests of amenity, including any feature of historic, architectural, cultural or similar interest and public safety.
- The reference to **Key Policy Background** in the reports is intended only to highlight the policies most relevant to each case. Other policies, or other material circumstances, may also apply and could lead to a different decision being made to that recommended by the Officer.
- Any responses to consultations received after this report had been printed, will be reported at the meeting, either in the form of lists of **Additional Representations**, or orally. Late information might result in a change in my recommendation.
- The **Background Papers** referred to in compiling these reports are: the application form; the accompanying certificates and plans and any other information provided by the applicant/agent; responses from bodies or persons consulted on the application; other representations supporting or objecting to the application.

PLANNING AND LICENSING COMMITTEE 14th April 2021
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION

Parish	Application	Schedule No.
Upper Rissington	Land Parcel Adj To 10 De Havilland Road Upper Rissington Gloucestershire 20/03198/FUL Full Application	01
Chipping Campden	The Fennings Back Ends Chipping Campden Gloucestershire 21/00751/FUL Full Application	02
Moreton In Marsh	Room 28 Moreton Area Centre High Street Moreton-In-Marsh Gloucestershire 20/04249/FUL Full Application	03

Item No 01:-

20/03198/FUL

**Land Parcel Adj To 10 De Havilland Road
Upper Rissington
Gloucestershire**

Item No 01:-

Erection of Ino. detached dwelling and associated works at Land Parcel Adj To 10 De Havilland Road Upper Rissington Gloucestershire

Full Application 20/03198/FUL	
Applicant:	Miss Hannah Maclean
Agent:	
Case Officer:	David Ditchett
Ward Member(s):	Councillor Andrew Maclean
Committee Date:	14th April 2021
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of Development
- (b) Design, Character and Appearance
- (c) Impact on Residential Amenity
- (d) Highway Safety and Parking Provision
- (e) Impact to Trees
- (f) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)
- (g) Community Infrastructure Levy (CIL)

Reasons for Referral:

The Council's Scheme of Delegation states that an application should not be decided under delegated powers if the application is 'submitted by or on behalf of a Member of the Council or by a relative or partner of a Member'.

The applicant is the daughter of Councillor Maclean, a serving Member of the Council and current Ward Councillor for 'The Rissingtons'. As such, this application must be referred to the Planning Committee for decision.

I. Site Description:

Upper Rissington is identified as a Principal Settlement within the Local Plan and is located approximately 3.5km south east of Bourton-on-the-Water. It is a relatively high density urban area that benefits from its own primary school, village hall and a number of recently constructed amenities such as shops, allotments and green spaces.

The development site itself is described on the application form as 'Land Parcel Adjacent to 10 De Havilland Road', Upper Rissington. However, the land in question appears to have formed part of the residential curtilage of 5 Avro Road until its recent sale. The site is bounded by fencing and hedging on its eastern, northern and western boundaries. The southern boundary is partially fenced which partially separates the plot from the 5 Avro Road, a detached dwelling to the south. The land does not currently benefit from a separate vehicular or pedestrian access and can only be accessed via 5 Avro Road.

The site is located within the Upper Rissington Development Boundary, within the Cotswolds Area of Outstanding Natural Beauty and within flood zone I. Also, within the plot are a number of trees of varying sizes and species, four of which are protected by individual tree protection orders.

2. Relevant Planning History:

None relevant

3. Planning Policies:

TNPPF The National Planning Policy Framework
DS2 Dev within Development Boundaries
H1 Housing Mix & Tenure to meet local needs
EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN5 Cotswolds AONB
EN7 Trees, Hedgerows & Woodlands
EN14 Managing Flood Risk
INF3 Sustainable Transport
INF4 Highway Safety
INF5 Parking Provision

4. Observations of Consultees:

Gloucestershire County Council Highways: No objection subject to conditions securing an electric vehicle charging point and cycle storage facilities

Drainage Engineer: No Objection subject to a condition securing a surface water drainage strategy

Tree Officer: No Objection subject to conditions securing replacement trees and tree protection measures

5. View of Town/Parish Council:

Upper Rissington Parish Council: No objections other than concerns raised for the access on to De Havilland Road

6. Other Representations:

None received

7. Applicant's Supporting Information:

Design and Access Statement
Arboricultural Assessment
Tree Plan

8. Officer's Assessment:

Proposed Development

The applicant seeks full planning permission for the erection of one detached five bed dwelling and associated works.

The dwelling is proposed to be approximately 9.3m in width, 9.1m in height and 7m in depth. A single storey rear element is also proposed with approximate dimensions of 4.7m in width, 4m in height and 3m in depth. A canopy type front porch is also proposed.

The dwelling is proposed to be set back from De Havilland Road by approximately 11m. A new vehicular access is proposed, and a block paved driveway that could accommodate two vehicles.

The dwelling is proposed to be constructed from brickwork elevations, with uPVC windows and doors under a pitched concrete tiled roof.

(a) Principle of Development

Policy DS2 (Development within Development Boundaries) sets out the locational strategy for development in the district. New development is directed towards existing urban areas and defined settlements. As the site is located within the defined Development Boundary for Upper Rissington, new-build residential development is supported in this location. As such, based solely on the location of the site, the principle of the development is acceptable. Notwithstanding this, further assessment in regards to design, character and appearance, highway safety, trees, landscape and residential amenity is required, and this is completed below.

(b) Design, Character and Appearance

Local Plan Policy EN2 'Design of the Built and Natural Environment' states that development will be permitted which accords with the Cotswold Design Code (Appendix D). In particular, proposals should be of a design quality that respects the character and distinctive appearance of the locality.

Section 12 of the NPPF also seeks to achieve well-designed places, and considers good design to be a key aspect of sustainable development.

The Cotswold Design Code advises that new development should pay attention to the density, grain, scale and form of the site, its setting, and the landscape surrounding it. To the north of the dwelling (on both sides of De Havilland Road), is a strong linear character of detached dwellings that front the road, creating a strong building line. Most of these dwellings benefit from relatively open frontages, most with parking areas and front gardens or landscaping located between the principal elevations and the road.

The dwelling as proposed would continue this pattern of development, sitting adjacent to the road, with the bulk of the dwelling broadly in line with the dwellings immediately to the north. In terms of the general scale of the proposal, in footprint terms this would also be broadly in line with the dwellings in the area. Furthermore, a modest amount of landscaping with a block-paved driveway is proposed between the dwelling and the roadside, thereby bringing the new dwelling in line with its immediate neighbours.

In terms of materials and details, the supplied information states that the elevations will be constructed from dark brickwork with uPVC windows and doors, and the roof would be covered with concrete tiles, all of which would match or would be similar to the materials present in the area. Officers acknowledge that the proposed dwelling would not benefit from the front gables that are prevalent in the immediate area, and that the dwelling would include two front dormers that are somewhat wider and shorter than traditional dormers, and are not typical of the area. However, this is a relatively high density area with a number of varying designs and alterations present throughout the development. Furthermore, the area has no historic interest or designations that warrant protection, or would warrant a rigid adherence to the traditional dormer guide, or to attempt a pastiche of the dwellings in the immediate area, especially as what is proposed is quite modest, is of a suitable scale, and is of a design and appearance that would successfully integrate into its surroundings.

Taking all of this into account, Officers are satisfied that the new dwelling would read comfortably as part of the streetscene and would integrate successfully into the site and its immediate surroundings, with no harm caused to the character and appearance of the area. The proposal therefore accords with Local Plan Policy EN2 of the Local Plan and the provisions of the NPPF which seeks to achieve well-designed places.

(c) Impact on Residential Amenity

Local Plan Policy EN2 (Design Code) states that development should respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect. Similarly, paragraph 127 of the NPPF also states that planning decisions should ensure that developments create places that are safe, inclusive and accessible, with a high standard of amenity for existing and future users.

The dwelling would be erected broadly in line with the building line to the north, with a relatively large dwelling already in situ to the south. As such overbearing, loss of light or overshadowing impacts are considered unlikely.

New windows are proposed within the principal elevation of the new dwelling. However, these would look out upon the public highway. One new first floor side elevation window is proposed on the south elevation. However, this will serve a bathroom and will be conditioned to be obscure glazed. New windows are also proposed within the rear elevation of the new dwelling, but these would not face any windows serving neighbouring dwellings. Indeed, except for the obscure glazed window previously mentioned, no new windows would be within the 22m distance between facing windows of one and two storey dwellings advised by Local Plan Policy EN2. Nevertheless, as the distance between the new rear elevation windows of the dwelling and the rear garden of 3 Avro Road is just 14m at its nearest point, some views may be possible between these properties. However, the resultant impacts would be somewhat limited as 3 Avro Road benefits from a 200sqm rear garden, much of which would be unaffected by the possible views highlighted. Furthermore, in light of the existing trees being retained, and the proposed Cherry tree to be planted, these views would be filtered and quite limited, such that while views may be possible to some of the garden serving 3 Avro Road, a detrimental loss of privacy or overlooking impact is unlikely to occur.

Regarding the relationship between the rear garden serving the new dwelling and the windows within the rear elevation of 5 Avro Road, as the separation distance is just 6m between these at the nearest point, some views between the windows on the first floor rear elevation of 5 Avro Road and the rear garden of the new dwelling will be possible. These are not possible at ground floor as a boundary fence is already in situ and restricts these views.

There are six first floor windows that may result in loss of privacy and overlooking impacts. One of these windows serves the staircase, and it appears that three windows serve bathrooms or en-suites. One further window to the far east of 5 Avro Road will look upon the side elevation of the new dwelling. While direct views from these five windows to the garden area of the new dwelling may not be possible, due to the number of windows and their proximity to the garden, and despite the rooms that they serve (staircase and bathrooms), they may result in an impression of being overlooked.

This leaves one window which will look directly into the rear garden of the new dwelling, and this will result in loss of privacy and overlooking impacts to a section of the garden serving the new dwelling. While that is the case, in a similar vein as the impacts to 3 Avro Road, as the proposed dwelling would benefit from a 110sqm garden area, these views would be contained to a small area of the rear of the garden only. Furthermore, two existing trees would reduce the views possible. Taking this into consideration, while some views between the occupier of one bedroom on the first floor of 5 Avro Road, and users of the rear garden of the new dwelling may be possible, these would be filtered, and limited to a small section of the proposed garden. Taking all of these issues into consideration, officers are content that no overriding material harm would be caused as a result of any potential loss of privacy that would justify refusal.

The new dwelling would reduce the garden available to serve 5 Avro Road. However, the existing dwelling benefits from a large garden to the side, and some to the rear such that this loss would still leave around 200sqm of garden to serve 5 Avro Road. The new dwelling is proposed to benefit from a 110sqm garden area. These amounts of garden area will provide appropriate private amenity space, space for the drying of washing and domestic storage to accommodate the needs of each dwelling respectively.

Taking all of this into account, officers are satisfied that the development will not detrimentally impinge on the residential amenities of the area in regards loss of privacy, overlooking, or loss of light, overbearing or overshadowing impacts, noise, pollution (including light), odours or vibration. In addition sufficient private external amenity space is proposed for each dwelling. The proposal therefore accords with Local Plan Policy EN2 of the Local Plan and paragraph 127(f) of the NPPF which seeks to achieve a 'high standard of amenity for existing and future users'.

(d) Highway Safety and Parking Provision

Policy INF4 states that development will be permitted that provides safe and suitable access and has regard, where appropriate, to the Manual for Gloucestershire Streets. Policy INF5 states that development will provide residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network.

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The dwelling is proposed to have five bedrooms, and just two parking spaces are proposed. However, there are no parking restrictions in the immediate area such that, should the two parking spaces be insufficient to accommodate the parking requirements of the dwelling, there is sufficient on street parking in the area that could accommodate any overspill without impacting on highway safety or creating local congestion.

As a turning circle is not proposed, it is acknowledged that vehicles may reverse onto the highway from these parking spaces. However, this is a relatively high density area which is subject to a 30mph speed limit. In addition, De Havilland Road is approximately 140m in length, with a relatively sharp turn to the north, and a 'T' junction to the south. With that in mind, vehicles are likely to be travelling at low speeds, and vehicular movements either in a forward or reverse gear either into, or out of the site is unlikely to cause conflict. Indeed, a number of properties in the immediate area utilise similar parking spaces, as such, these vehicular movements are common in the area. Officers also note that Gloucestershire County Council Highways has not objected to the proposal, subject to securing an electric vehicle charging point and cycle storage by condition.

Taking all of the above in to account, officers are satisfied that a new dwelling in the proposed location would not result in an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would be severe. As such, the development is acceptable in transport terms.

(e) Impact to Trees

Policy EN7 of the Local Plan seeks to conserve and enhance trees, hedgerows and woodlands that are veteran, or are of high landscape, amenity, ecological or historical value.

Within the plot are a number of trees of varying sizes and species, four of which are protected by individual tree protection orders. Two of these protected trees are proposed for removal, and this is contrary to Policy EN7 of the Local Plan. However, the applicant has proposed replacement tree planting with an existing Whitebeam to the front of the plot allocated for protection, and a new Cherry planted to the rear. Officers are satisfied that this is an acceptable in mitigation for the trees being removed. The planting of these, their retention, and should they fail, replacement, is recommended to be secured by condition.

A further condition is recommended to secure compliance with the submitted tree protection plan and arboricultural method statement during construction of the dwelling in order to protect the remaining trees on site.

While two protected trees are being lost, there is acceptable mitigation for this loss, and the protection proposed for the remaining trees is also acceptable. With that in mind, the proposal accords with Policy EN7 of the Local Plan.

(f) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way Act (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Local Plan Policy EN4 (the Wider Natural and Historic Landscape) states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) and that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets.

Local Plan Policy EN5 'Cotswolds Area of Outstanding Natural Beauty' states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

The site is bound by built form in all directions and the proposal will not encroach into open countryside. The development therefore is not considered to be harmful to the character or appearance of the Cotswolds AONB

(g) Community Infrastructure Levy (CIL)

This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

9. Conclusion:

The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

10. Proposed conditions:

1. The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be implemented in strict accordance with the following approved plans: Location Plan (Unnumbered, received by the Council on 12/10/2020); South and East Elevations (Drawing No. 1a, received by the Council on 07/01/2021); Block Plan (Unnumbered), Ground Floor Plan (Unnumbered), First Floor Plan (Unnumbered), Second Floor Plan (Unnumbered), and North and West Elevations (Drawing No. 2A) (All received by the Council on 25/01/2021).

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

3. Prior to the commencement of the development hereby approved, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme, and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first use of the development hereby approved.

Reason: In light of the above details not being submitted at determination stage for consideration and approval, this condition, which has been agreed with the applicant, is necessary to ensure the proper provision for surface water drainage and/or to ensure flooding is not exacerbated in the locality in accordance with Local Plan Policy EN14, The Cotswold Strategic Flood Risk Assessment, The National Planning Policy Framework and Planning Practice Guidance.

4. The brickwork and roof tiles to be used in the construction of the external surfaces of the new dwelling hereby permitted shall match, as close as possible, to those used in 10 De Havilland Road and shall be retained as such thereafter.

Reason: To ensure a satisfactory standard of external appearance and to accord with Policy EN2 of the Cotswold District Local Plan and the National Planning Policy Framework.

5. The existing Whitebeam Tree and the proposed Cherry Tree as shown as T12 and T10 respectively on the submitted 'Tree Plan' (Received by the Council on 04/01/2021) are to be adequately staked, protected and mulched. All works to accord with 'BS 3936-1:1992 Nursery stock. Specification for trees and shrubs' and 'BS 4428:1989 Code of practice for general landscape operations (excluding hard surfaces)' and 'BS 8545:2014 Trees: from nursery to independence in the landscape Recommendations'.

The tree planting scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

Should existing Whitebeam Tree or the proposed Cherry Tree as shown as T12 and T10 respectively on the submitted 'Tree Plan' (Received by the Council on 04/01/2021) be removed, die or become severely damaged or seriously diseased, all within 5 years of planting, it/they must be replaced by a tree of a similar size and species to that originally planted. Any modifications to the requirements of this condition must be agreed in writing with the Local Planning Authority.

Reason: To ensure that the tree cover on the site is maintained for the benefit of the amenity of the area in accordance with Cotswold District Local Plan Policy EN7.

6. Prior to the commencement of any works on site (including demolition and site clearance), the tree protection as detailed on 'Drawing No. TP 2593/2002/TPP Rev A' and within the 'Arboricultural Assessment' (Written by Tim Pursey, Revision A 13th May 2020) shall be installed in accordance with the specifications set out within the plan and 'BS5837:2012 Trees in relation to design, demolition and construction - recommendations' and shall remain in place until the completion of the construction process. No part of the protection shall be removed or altered without prior written approval of the Local Planning Authority.

Reason: To safeguard the protected trees in accordance with Cotswold District Local Plan Policy EN7.

7. Prior to the first occupation of the development hereby approved, the first floor window in the south elevation, as shown on Drawing No. 1a shall be fitted with obscure glazing (and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed) and shall be permanently retained as such thereafter.

Reason: To protect the residential amenities of the occupants of neighbouring dwellings in accordance with Cotswold District Local Plan Policy EN2 and the National Planning Policy Framework.

8. Prior to the first occupation of the development hereby approved, the new dwelling shall be fitted with an electric vehicle charging point. The charging point shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging point shall be retained for the lifetime of the development unless it needs to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities in accordance with Local Plan Policies INF3 and INF4; and the National Planning Policy Framework.

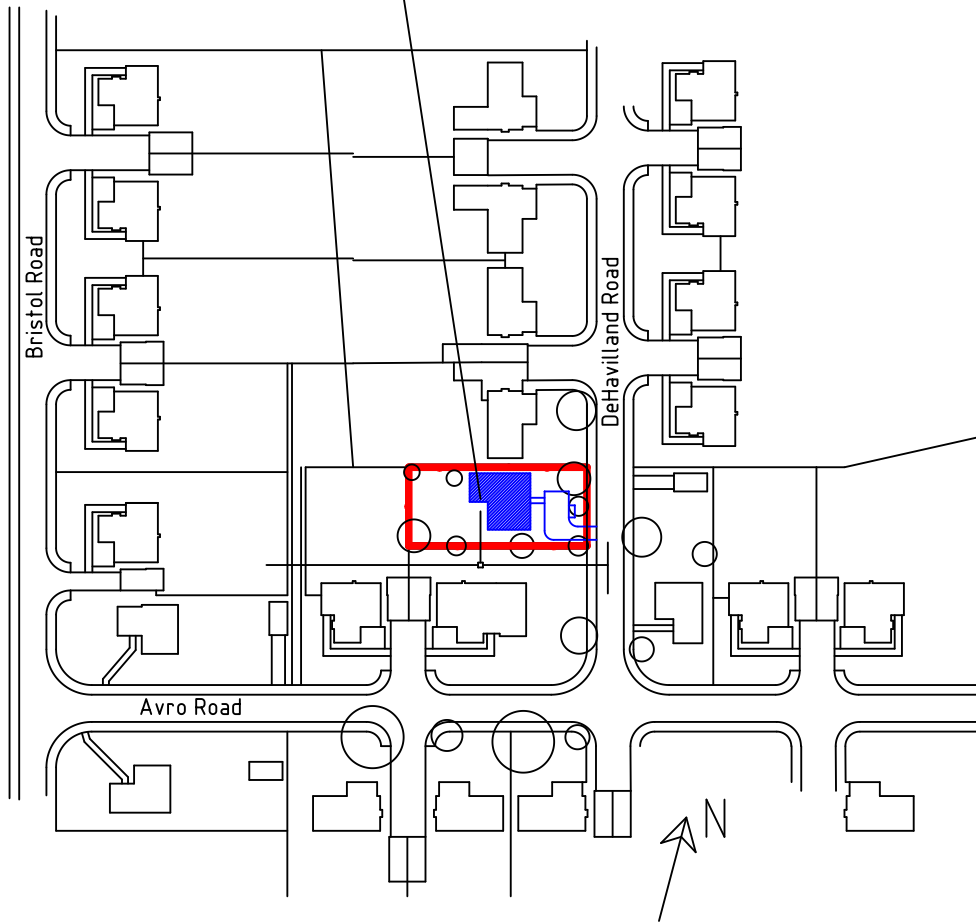
9. Prior to the first occupation of the development hereby approved, details of secure and covered cycle storage facilities for a minimum of 2 no. cycles shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in line with the approved details and shall be retained as such thereafter.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with Local Plan Policies INF3 and INF4; and the National Planning Policy Framework.

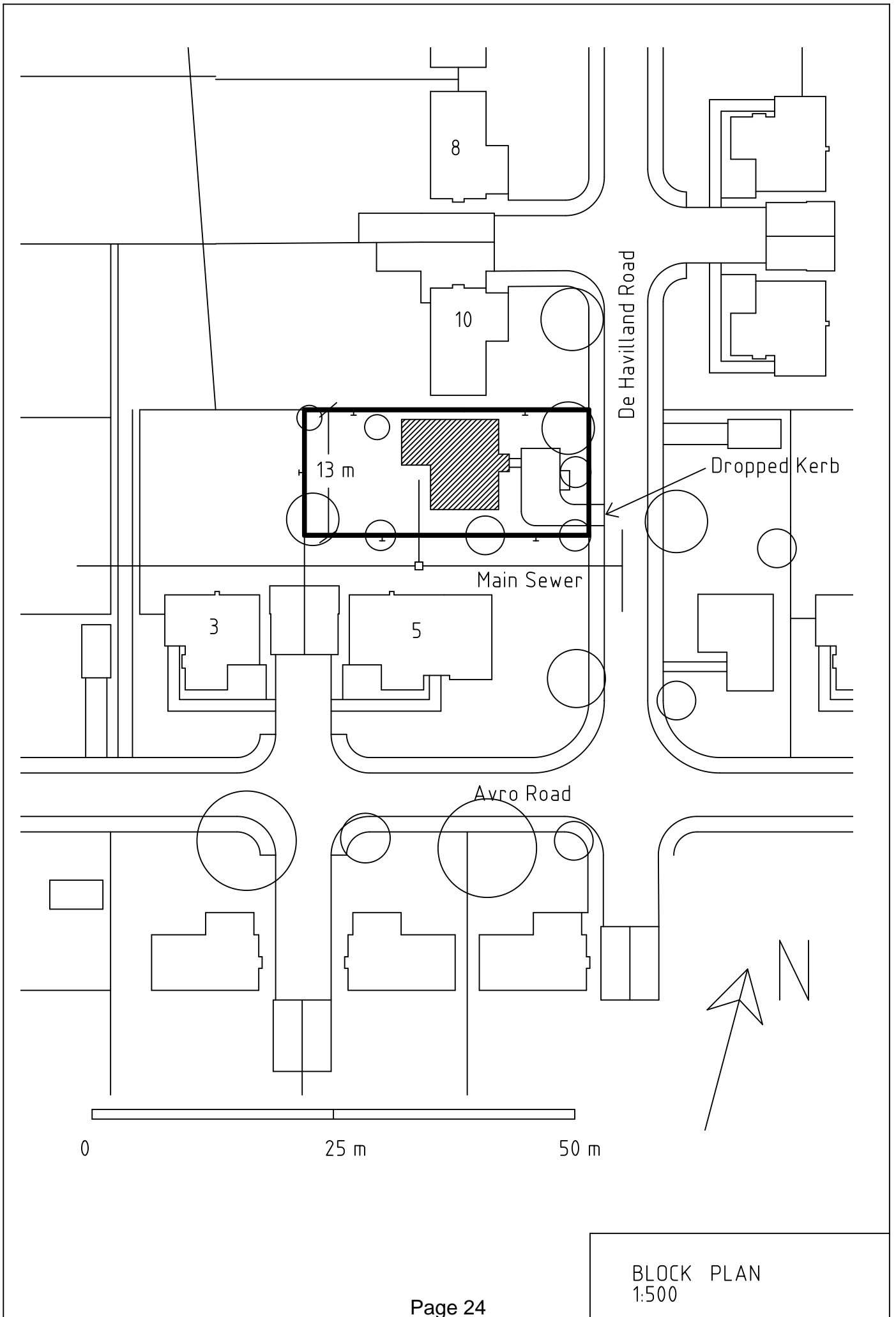
Informatives:

I. Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, under separate cover. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate. There are further details on this process on the Council's website at www.cotswold.gov.uk/CIL.

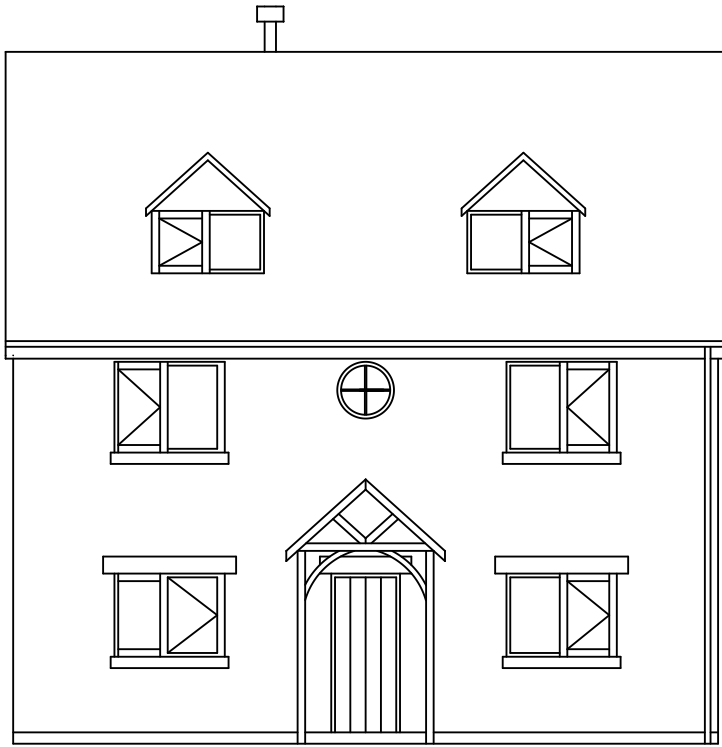
Proposed Site



Upper Rissington



BLOCK PLAN
1:500

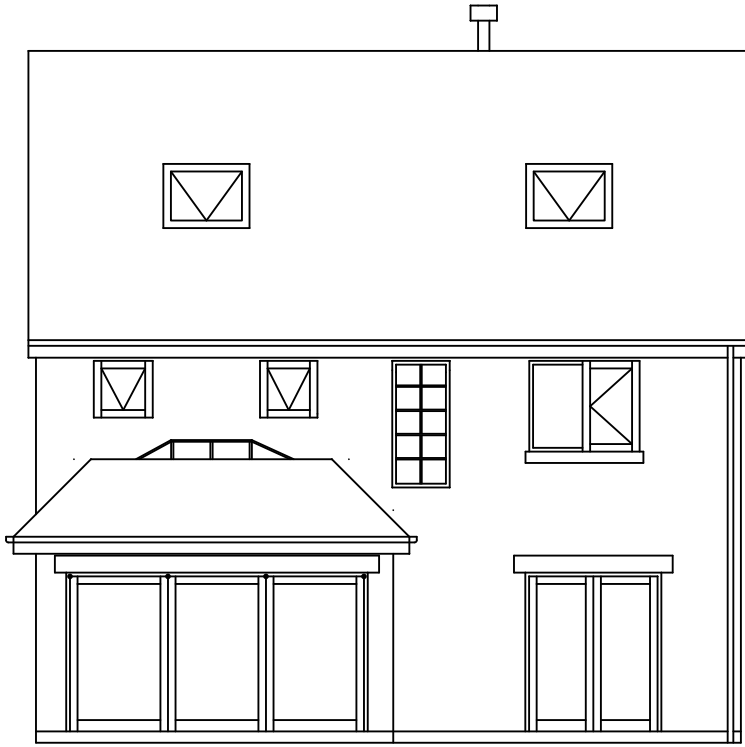


East Elevation

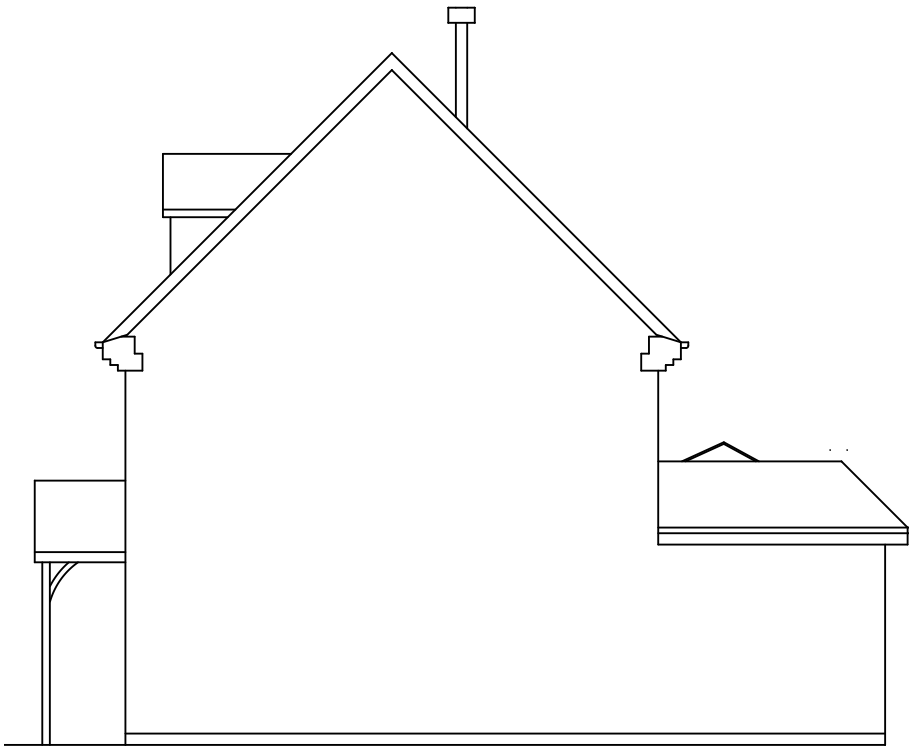


South Elevation

Elevations 1a
1:100

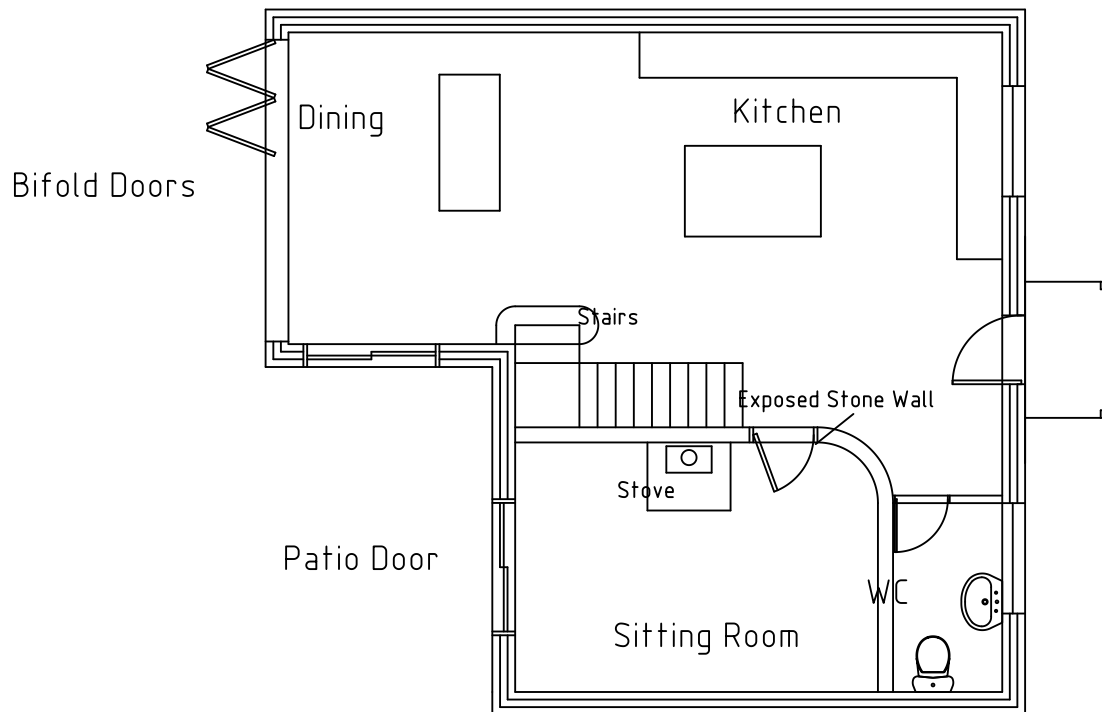


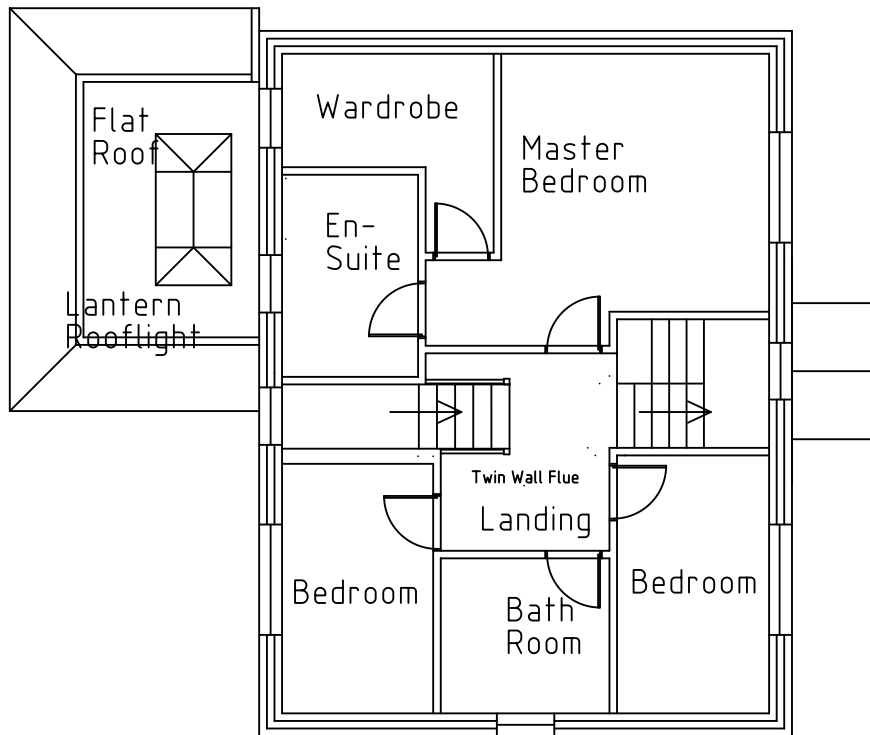
West Elevation



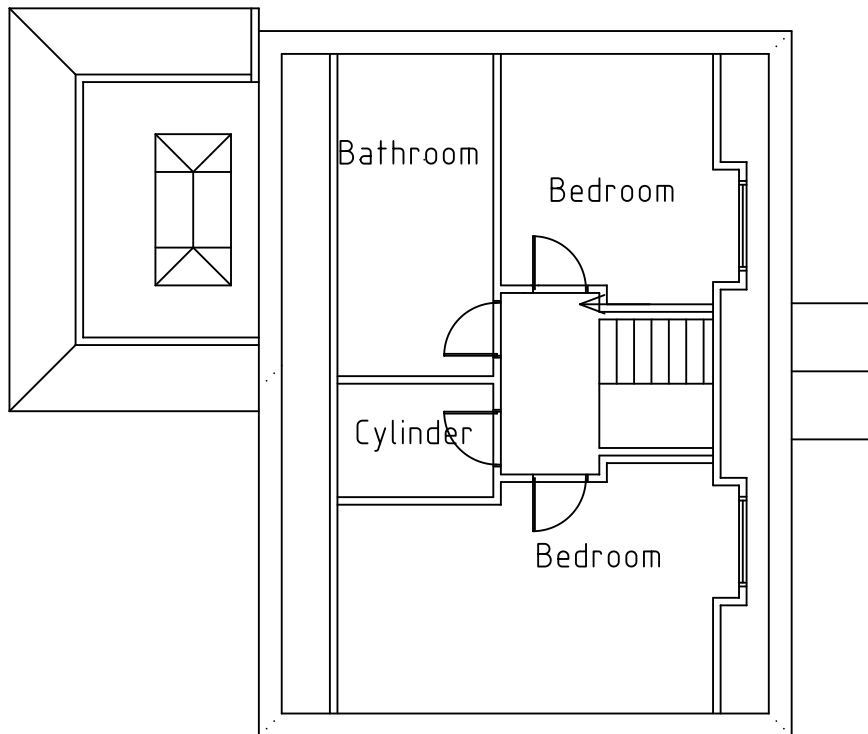
North Elevation

Elevations 2a
1 : 100





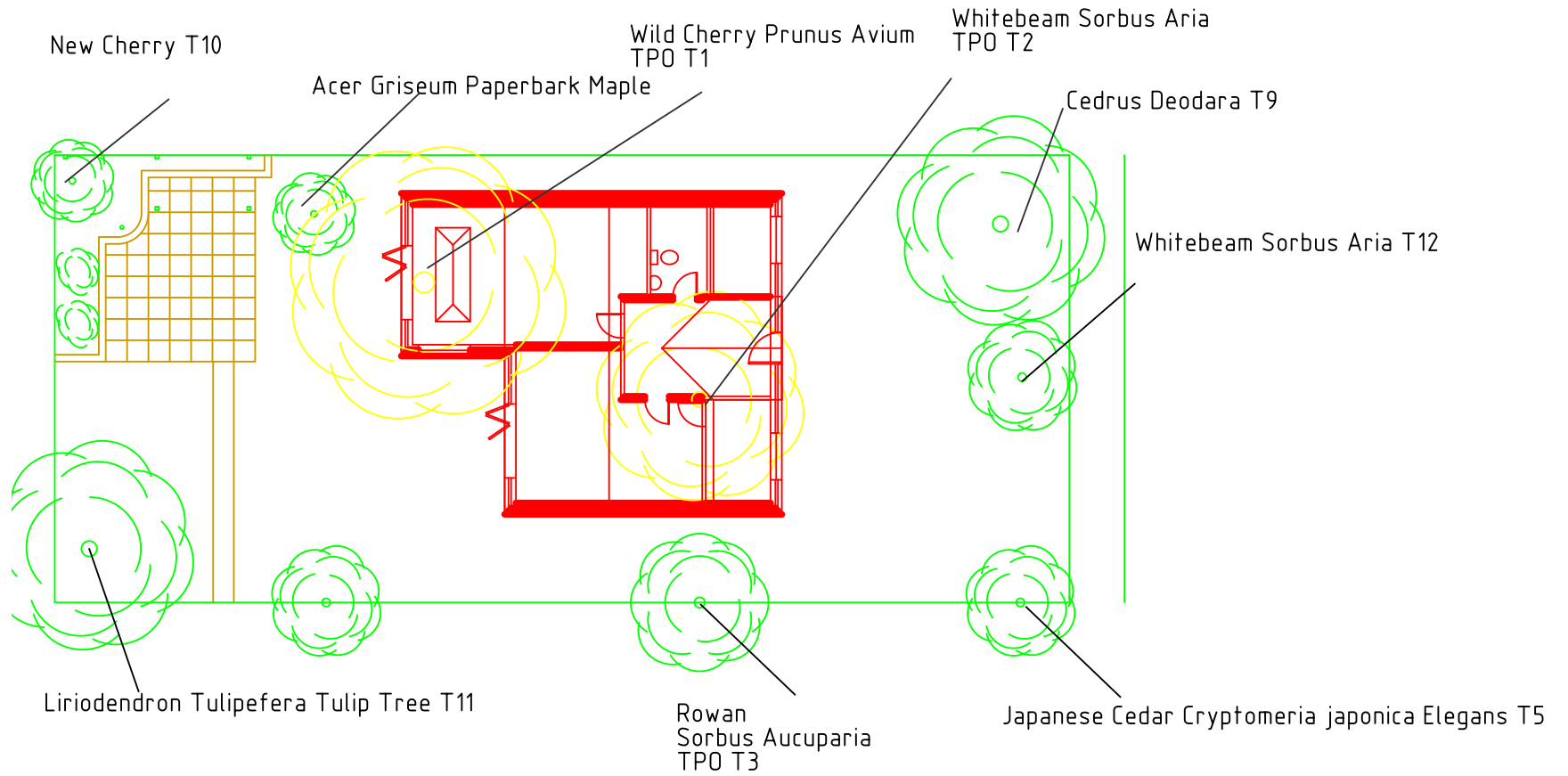
First Floor
1 : 100



Second Floor
1 : 100

○ Existing Trees and Shrubs

○ Trees to be removed



Item No 02:-

21/00751/FUL

**The Fennings
Back Ends
Chipping Campden
Gloucestershire
GL55 6AU**

Item No 02:-

Proposed two storey extension and single storey extension (renewal of 17/04737/FUL) at The Fennings Back Ends Chipping Campden Gloucestershire GL55 6AU

Full Application 21/00751/FUL	
Applicant:	Mr & Mrs Mark Annett
Agent:	Christopher Stone MCIAT Ltd
Case Officer:	Amy Hill
Ward Member(s):	Councillor Mark Annett Councillor Gina Blomefield
Committee Date:	14th April 2021
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Character and Appearance
- (b) Impact on Area of Outstanding Natural Beauty (AONB)
- (c) Impact on Residential Amenity

Reasons for Referral:

The application has been referred to the Planning Committee for determination as the applicant is one of the Ward Councillors, Councillor Mark Annett.

1. Site Description:

The site comprises a modern detached property within the Development Boundary of Chipping Campden. The property is accessed via a private drive off Backends and is set well back from the road, behind a burial ground. The property is finished in a combination of natural Cotswold stone and render, with a concrete tile roof, in keeping with the area.

The site lies within the Cotswolds Area of Outstanding Natural Beauty (AONB). It is just outside the Chipping Campden Conservation Area (approximately 13m to the South), which also contains a number of listed buildings.

2. Relevant Planning History:

CD.2591/P: Erection of a single storey rear extension. Permitted March 1995

15/00768/FUL: Proposed two storey side extension. Permitted April 2015

17/04737/FUL: Two storey extension and single storey extension. Permitted February 2018

3. Planning Policies:

TNPPF The National Planning Policy Framework

CDCLP CDC LOCAL PLAN 2011-2031

DS1 Development Strategy

DS2 Dev within Development Boundaries

EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN5 Cotswolds AONB
EN10 HE: Designated Heritage Assets
EN11 HE: DHA - Conservation Areas

4. Observations of Consultees:

N/A

5. View of Town/Parish Council:

Not received at time of writing.

6. Other Representations:

I General Comment:

- i) Issues with website
- ii) Site Location Plan out of date (there is no contractors yard - it is the entrance to the old Catholic burial ground and Green Dragons has been replaced with a dwellinghouse)

7. Applicant's Supporting Information:

Design and Access Statement (from 2017)

8. Officer's Assessment:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031. The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

Background and Proposal

The application is a resubmission of an application approved in 2017 (17/04737/FUL) effectively to renew the permission.

The proposal includes a two-storey side extension, with single-storey element to the front, and a single-storey rear extension on the other side of the dwellinghouse.

The two-storey extension would be approximately 4.4m wide and 7.4m deep, with eaves and ridge heights of approximately 4.9m and 8.1m respectively. The roof line would extend across from the existing roof as a double gable, with a gable addition to the rear.

The single-storey element to the front would be dual pitched, approximately 4.9m wide (overlapping the principal elevation of the existing dwellinghouse) and 3.1m deep. It would have eaves and ridge heights of approximately 2.5m and 3.6m respectively.

The single-storey rear extension would be approximately 2.3m deep and 5.8m wide (of which 1.4m would be a canopy). It would have eaves and ridge heights of approximately 2.4m and 3.4m respectively.

The extensions would be rendered, with stone quoins and interlocking concrete tiled roof, and metal windows.

(a) Character and Appearance

Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

Section 12 of the NPPF requires good design, providing sustainable development and creating better place to live and work in.

The two-storey side extension has the same scale, form and design to that previously approved. The two-storey extension would follow the ridge and eaves of the existing roof with a gable to the rear. Although not necessarily subservient, the scale, proportions, form and design of the extension is considered to be in keeping with the character and appearance of the existing building.

The single-storey extension is proposed to the rear of the garage and would link to an existing rear extension. The extension is small in scale, relative to the existing dwellinghouse, and subservient in form. The pitched roof would keep the height of the roof low and be in keeping with the single-storey front extension. Both extensions would be constructed in stone, render and concrete tiles to match the existing dwelling.

Overall, the proposed design, scale, form, proportions and use of materials of both extensions is considered to respect the character and appearance of the existing dwelling.

The site is close to heritage assets including the Chipping Campden Conservation Area and the listed building within this. Due to the development around the site, and scale of the proposal, the impact of the proposal on the setting of these is considered to be neutral.

The proposed works are considered to accord with the design objectives of Cotswold District Local Plan Policy EN2 and Section 12 of the NPPF.

(b) Impact on Area of Outstanding Natural Beauty (AONB)

The site is located within the Cotswolds AONB. Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Local Plan Policy EN4 supports development where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. Local Plan Policy EN5 relates specifically to the Cotswolds AONB, and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight. These policies accord with the requirements of NPPF Section 15, which seeks to conserve and enhance the natural environment.

The proposed development is contained within the clear residential curtilage of the site and relates closely to the existing built form on the site. It is within a built up area of Chipping Campden and it does not encroach into open countryside nor harm the character or appearance

of the Cotswolds AONB. As such, the proposal is considered to accord with Local Plan Policies EN4 and EN5, and Section 15 of the NPPF.

(c) Impact on Residential Amenity

Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect. Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.

The two-storey side extension would reduce the distance between the side of the property and Berrington Lodge and Berrington House to the west. It is acknowledged that The Fennings lies on higher ground than these dwellings and that the extension would marginally break the 25 degree rule (although it is noted that the provided plan showing the 25 degree line is taken from the wrong position). Nevertheless, there is considered to be adequate distance between the buildings to avoid a significantly adverse impact on the residential amenity of these neighbours with regard to loss of light and overbearing. Additionally, no first floor or above windows are proposed on the side elevation and as such, the impact with regard to loss of privacy is also considered acceptable.

The single-storey extensions are of a scale and siting relative to the neighbouring properties, that the impacts with regard to loss of light, loss or privacy and increased overbearing are considered not to harm the amenity of the neighbouring properties.

The proposed extensions are the same as that previously approved by the Planning Committee (in accordance with the Officer recommendation). Whilst a new Local Plan has been adopted, and national policy and guidance updated since the last application, the overall aim of protecting residential amenity remains similar and as such it is considered there is no reason for the recommendation to change.

The proposed development is therefore considered to accord with the residential amenity considerations of Cotswold District Local Plan Policy EN2 and Section 12 of the NPPF.

9. Conclusion:

The proposal is considered to comply with national guidance and the relevant policies of the Development Plan. As such, the application is recommended for permission.

The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

10. Proposed conditions:

1. The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be implemented in accordance with the following drawing number(s): 01 Rev A and 02

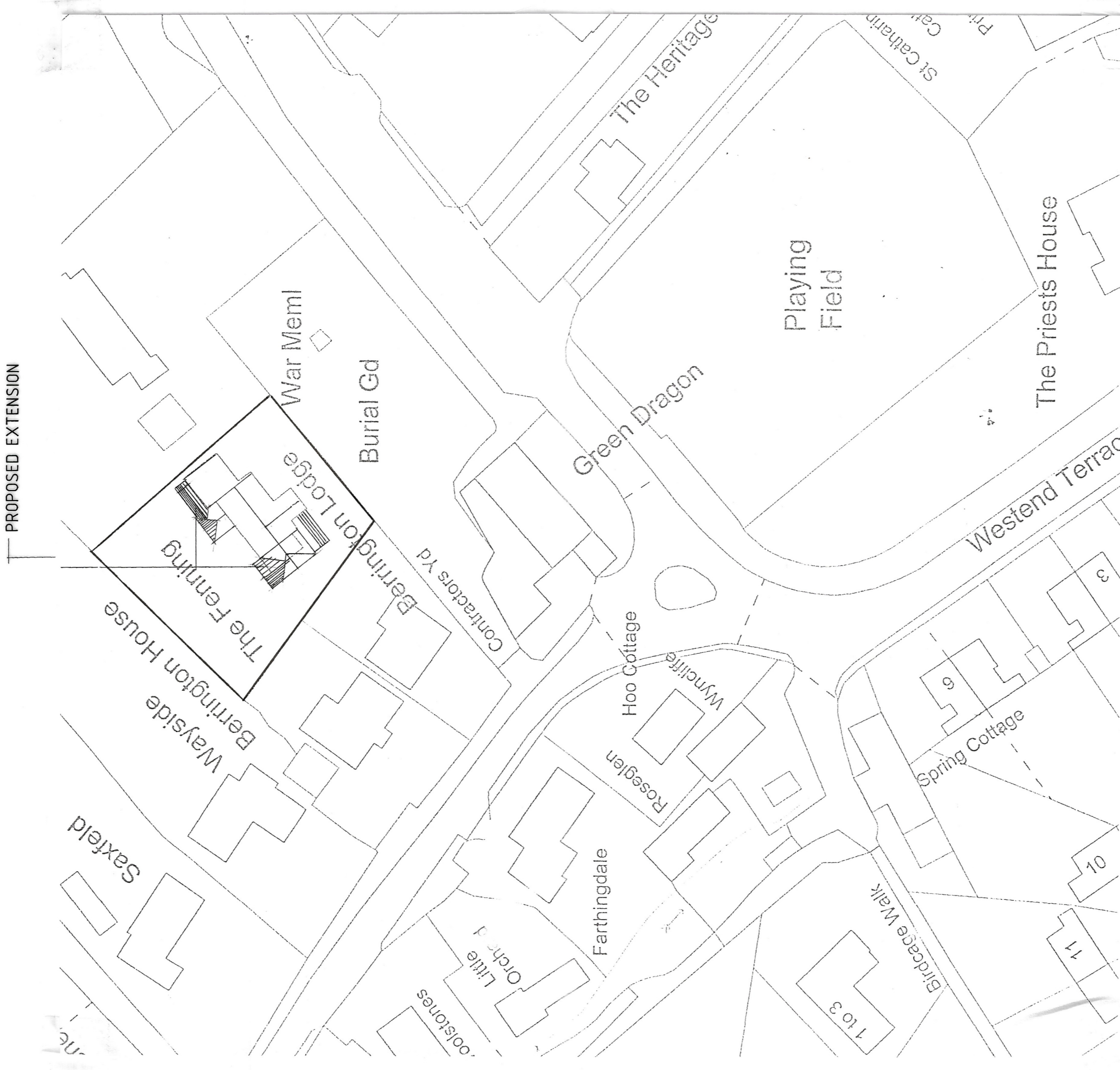
Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

3. The materials to be used for the external walls and roof of the development hereby permitted shall match those used in the existing building and shall be permanently retained as such thereafter.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.

Informatives:

1. Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.



PROPOSED SITE PLAN 1:500



EXISTING SITE PLAN 1:500

SCALE	DATE	NORTH
1:500	8/11/17	
JOB No.	DRWG. No.	REV. No.
506	02	

This drawing must not be scaled. All dimensions must be checked on site before commencing work or preparing shop drawing. Any errors or discrepancies must be brought to the Designers attention.

PROJECT

**THE FENNING
 BACK END
 CHIPPING CAMPDEN
 GL55 6AU**

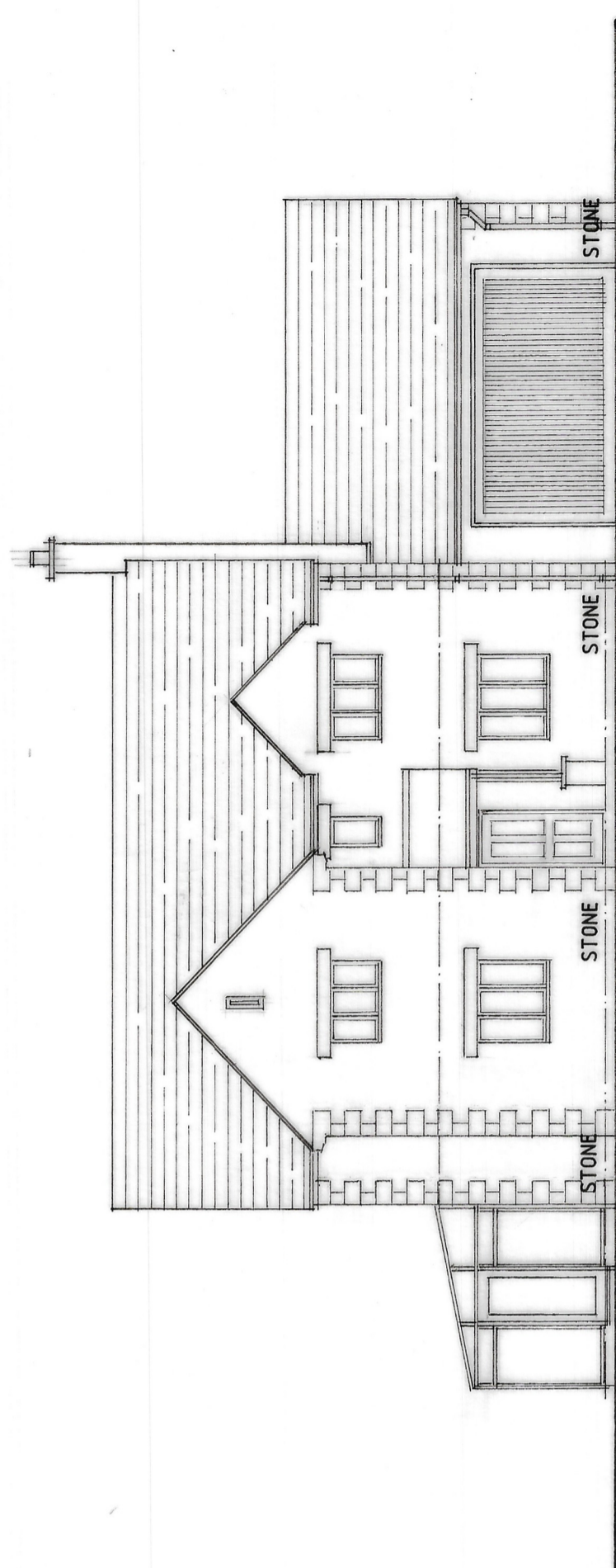
TITLE

SURVEY

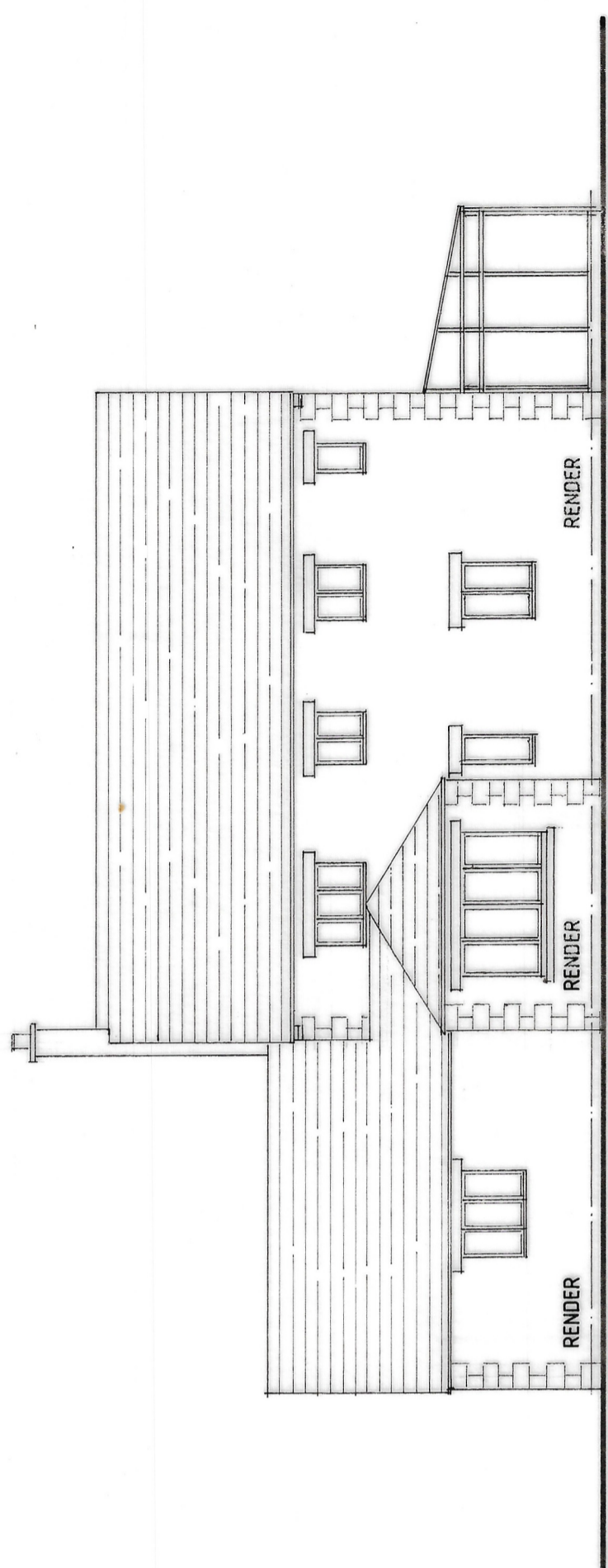
REVISIONS

SCALE	DATE	NORTH
1:50	1:100	22/10/14
JOB No.	DRG No.	REV No.
438	01	

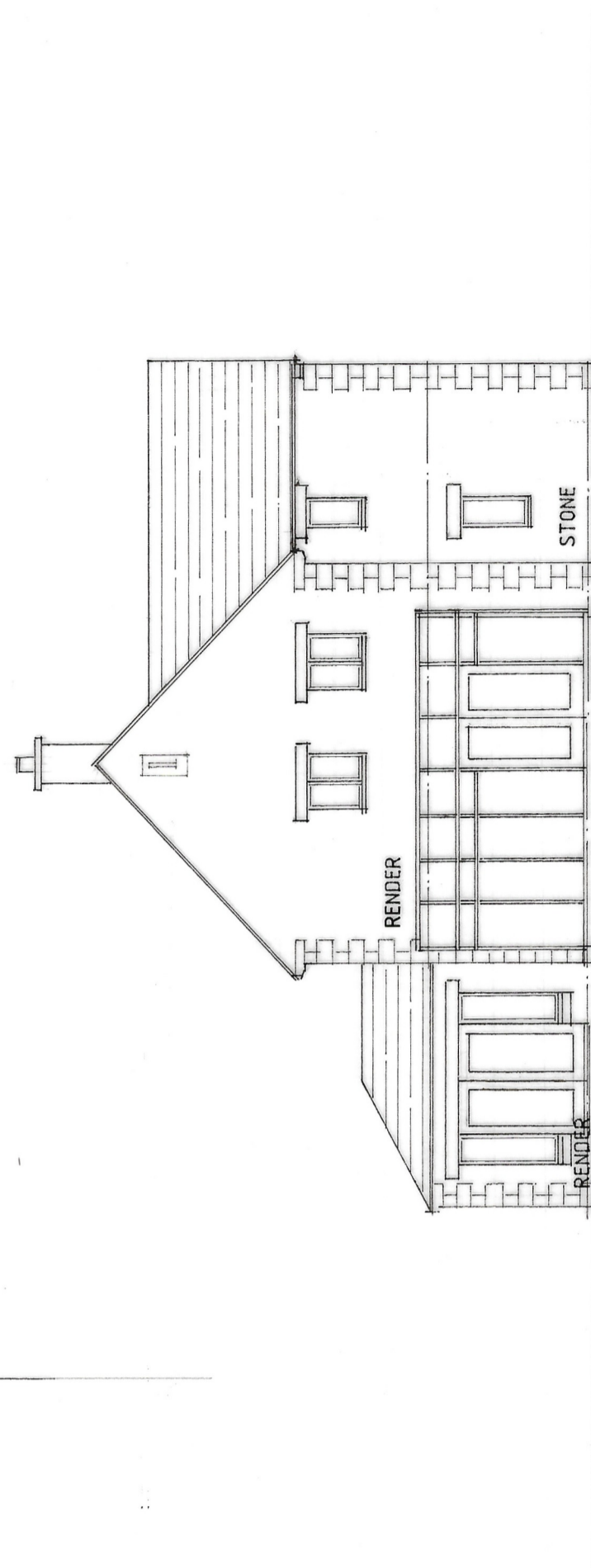
This drawing must not be scaled. All dimensions must be checked before commencing work or preparing shop drawings. Any errors or discrepancies must be brought to the Designer's attention.



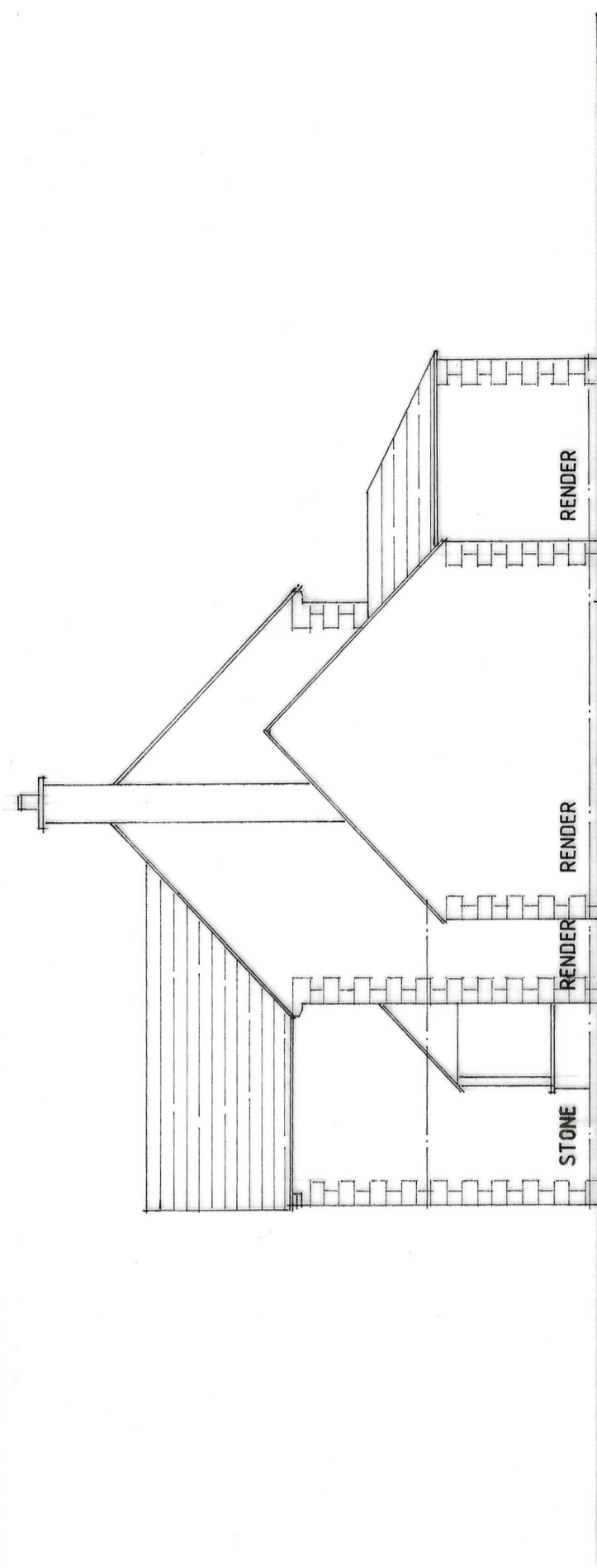
FRONT ELEVATION



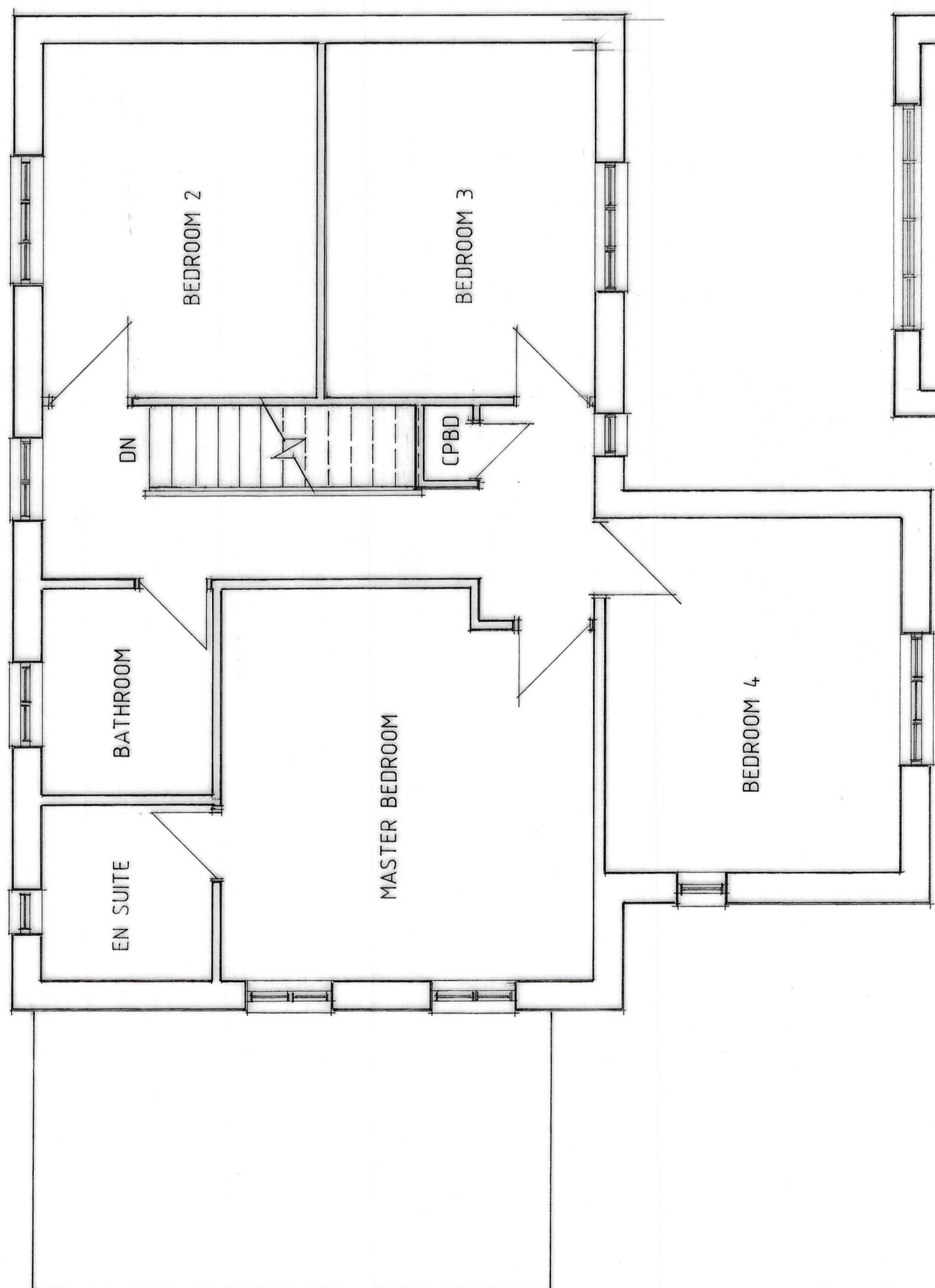
REAR ELEVATION



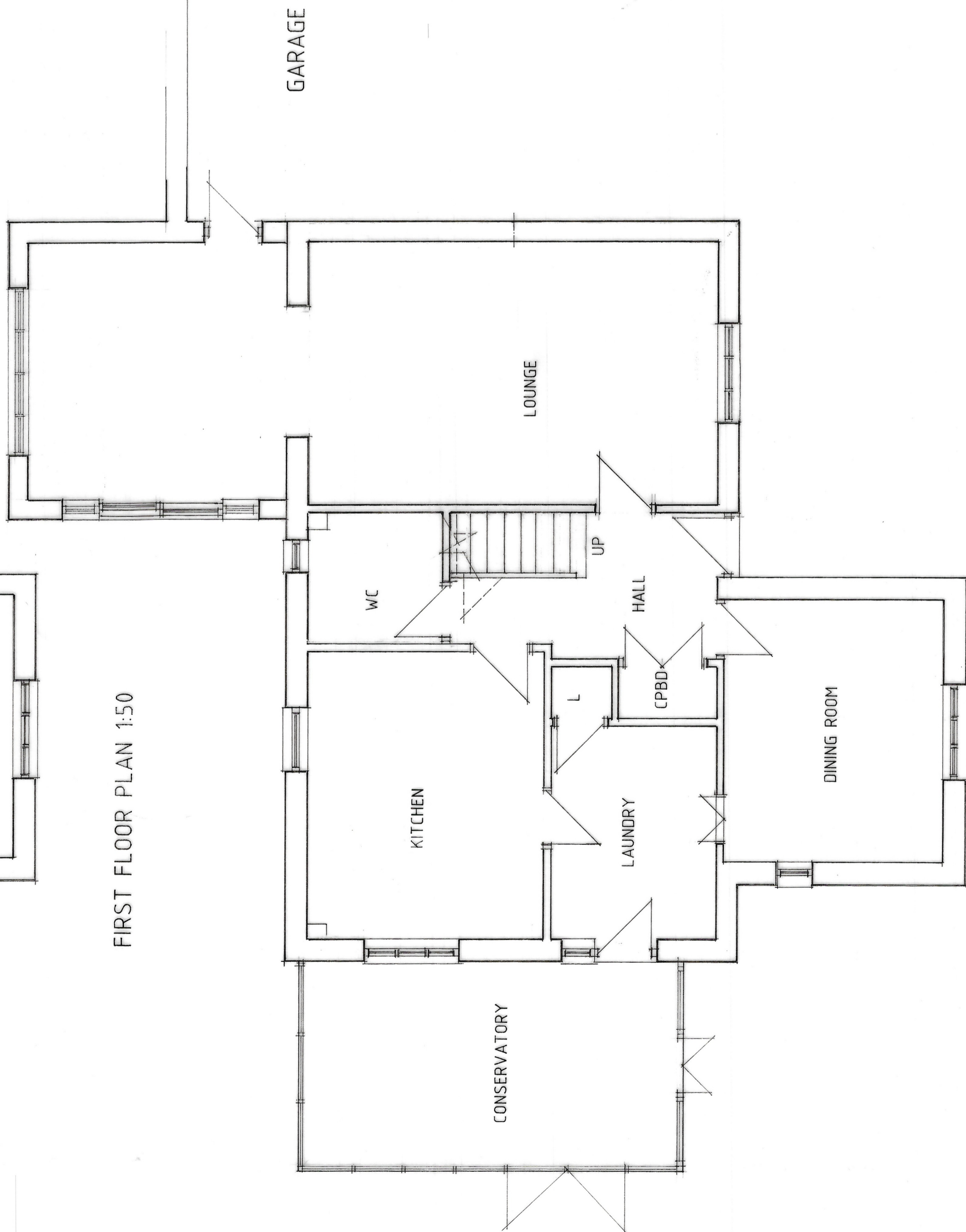
SIDE ELEVATION



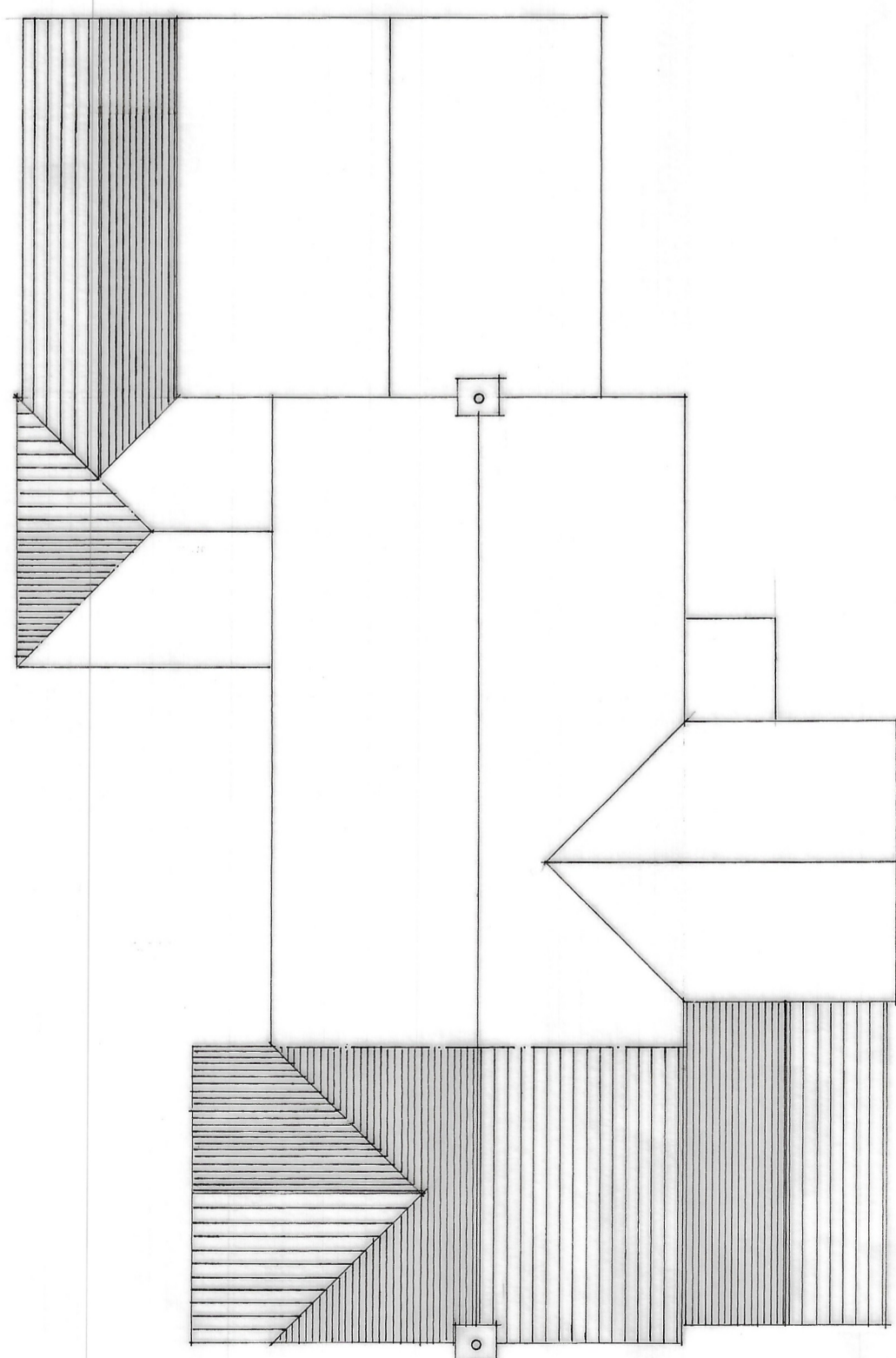
SIDE ELEVATION



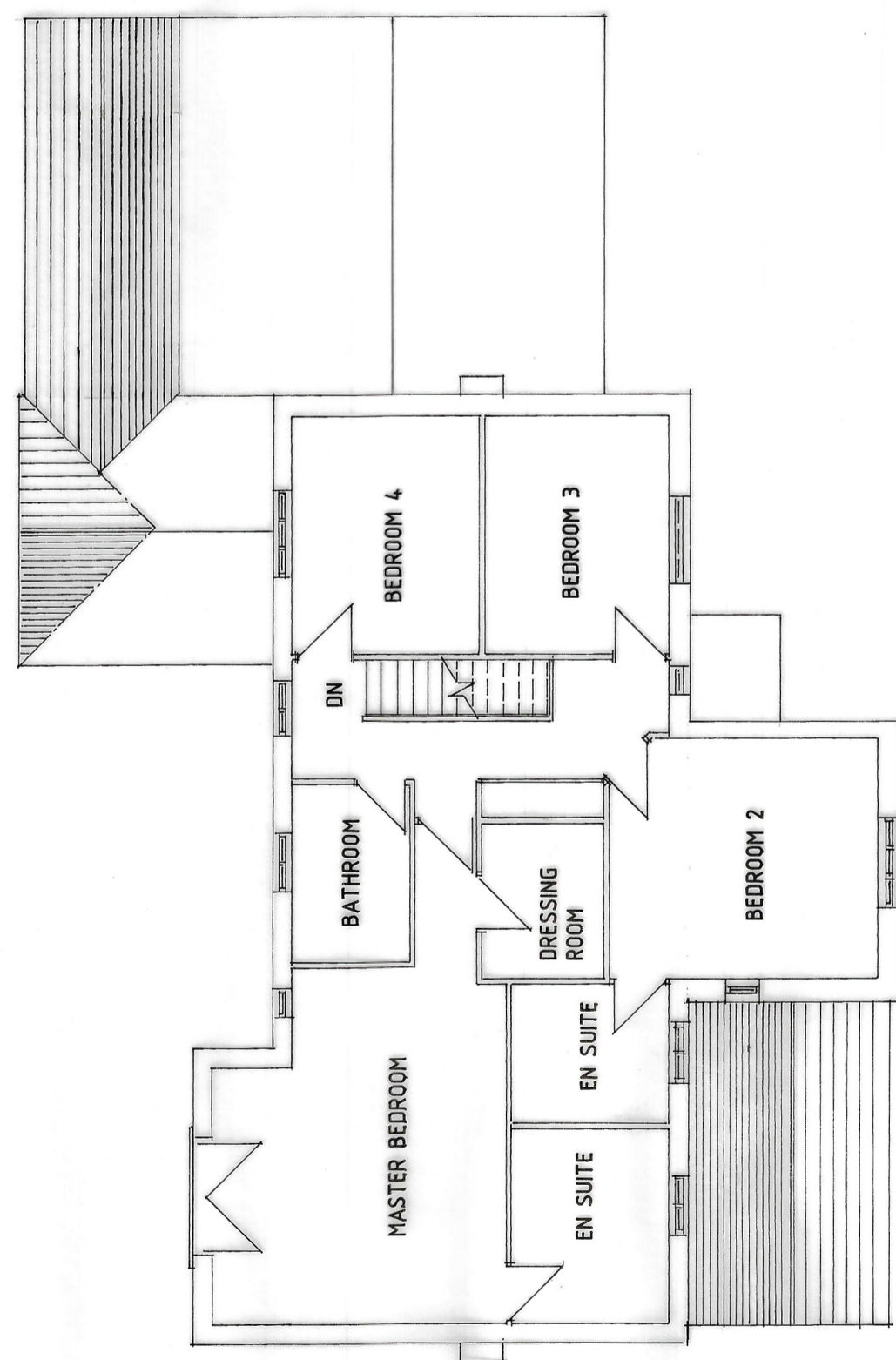
FIRST FLOOR PLAN 1:50



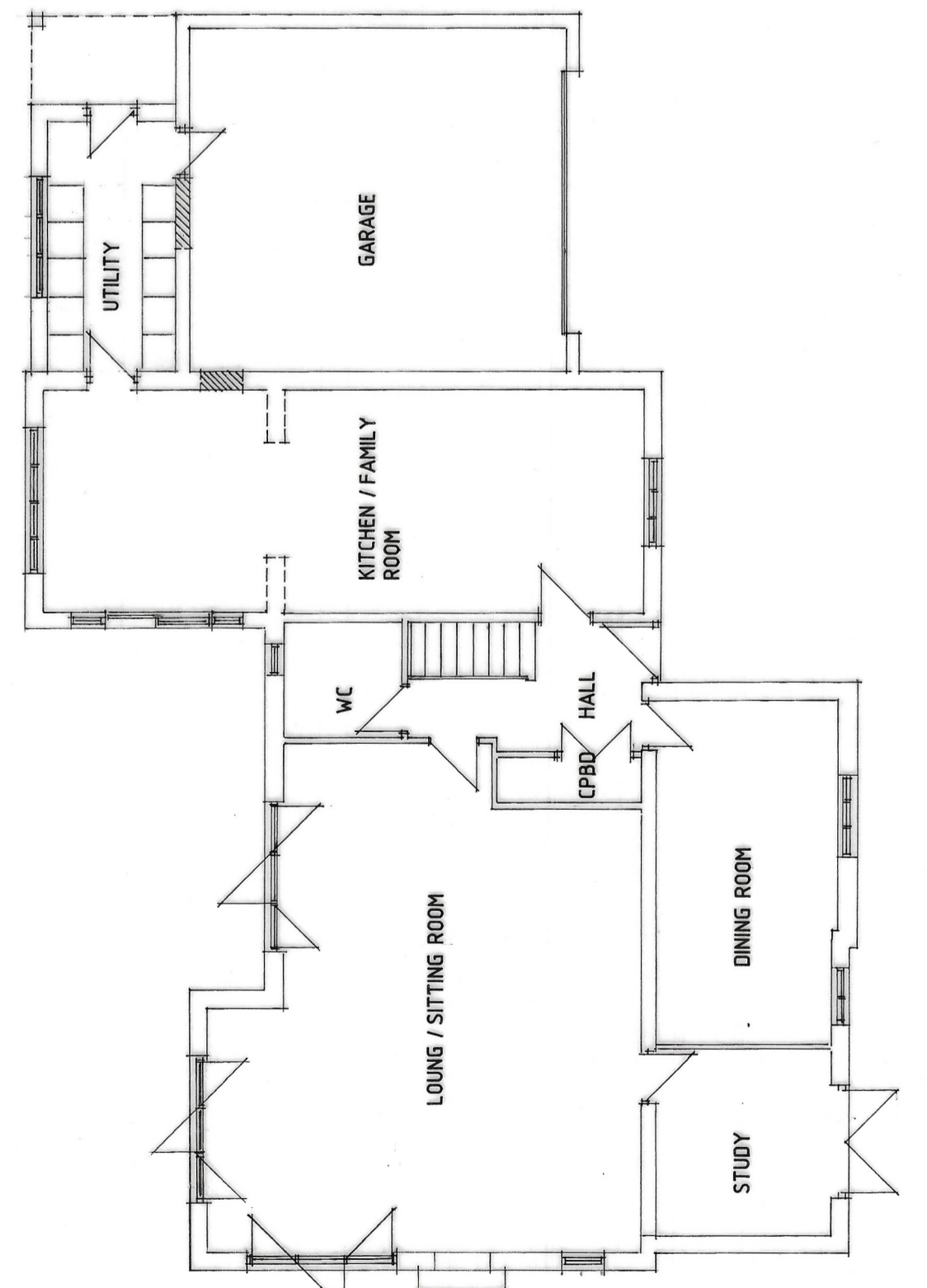
GROUND FLOOR PLAN 1:50



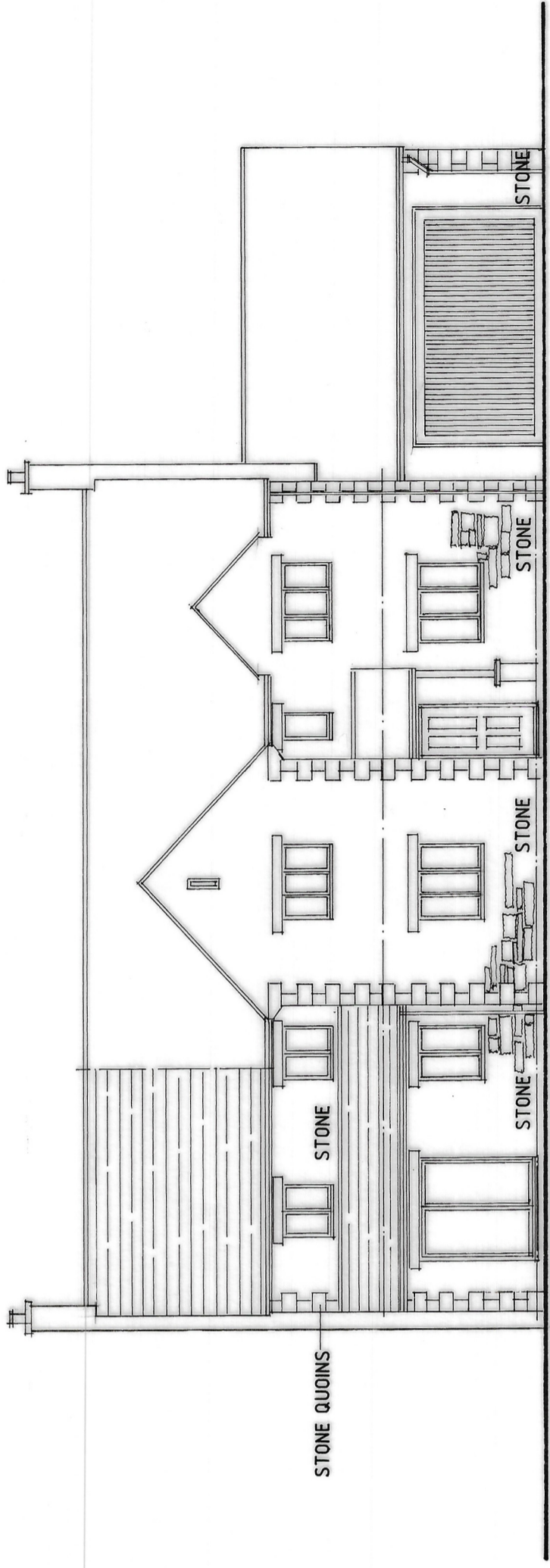
ROOF PLAN



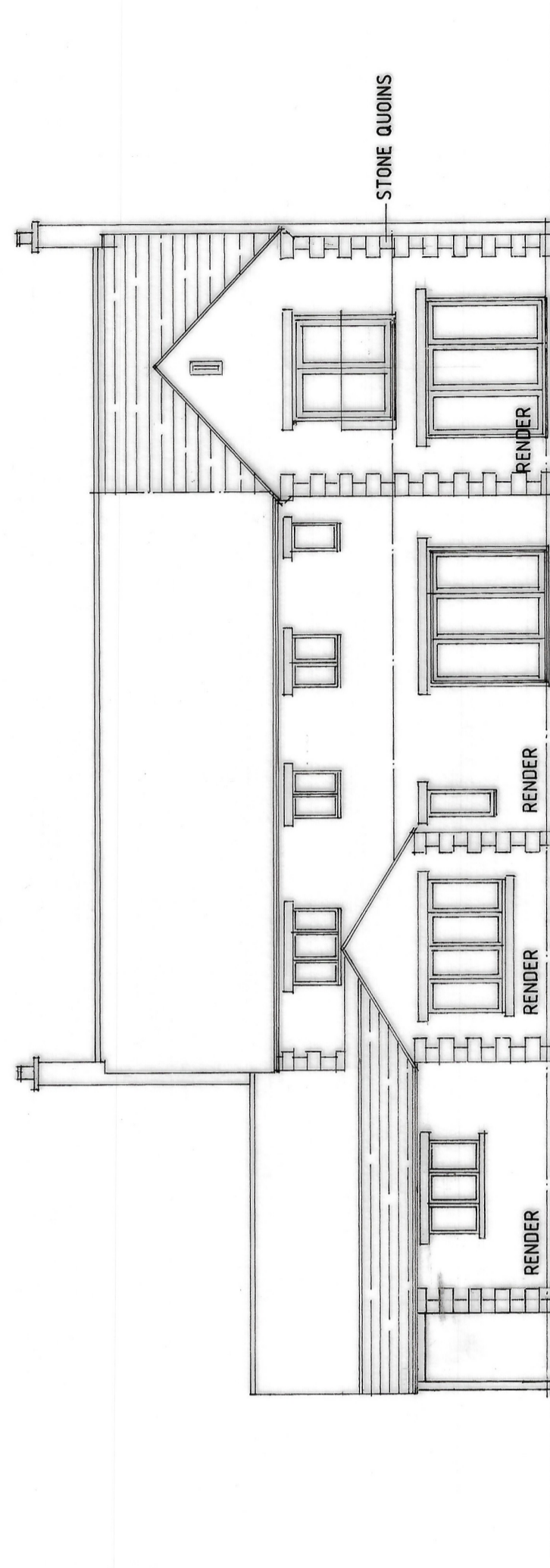
FIRST FLOOR PLAN



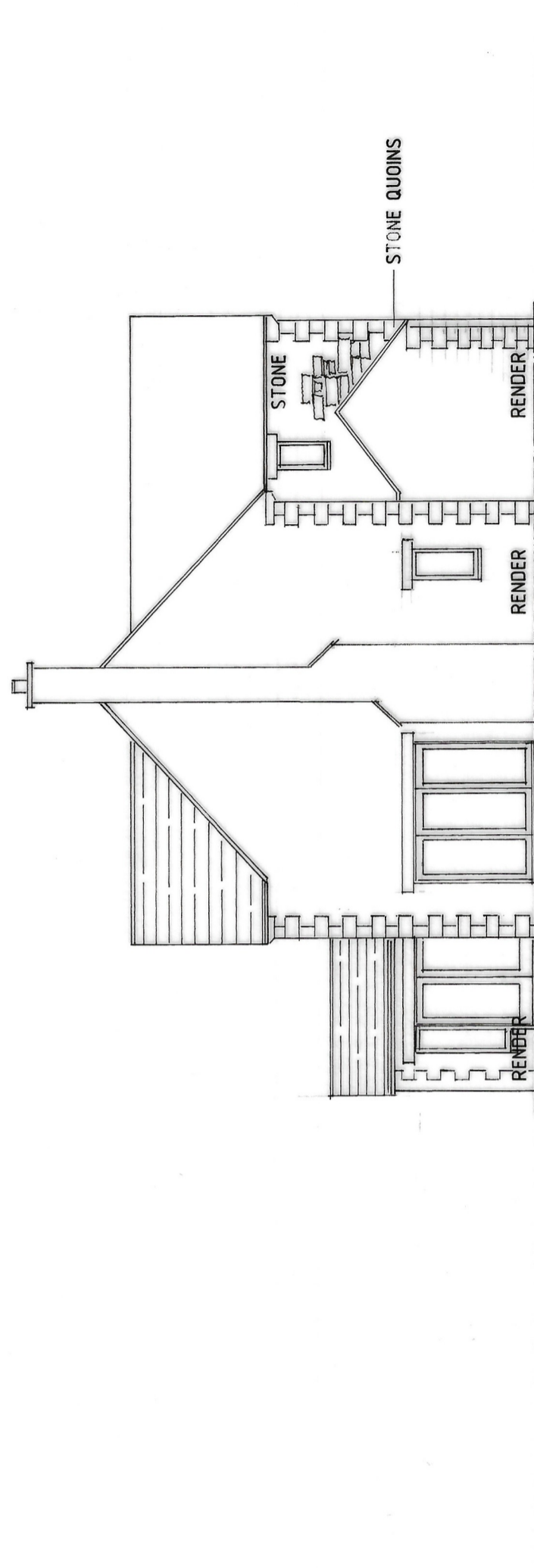
GROUND FLOOR PLAN



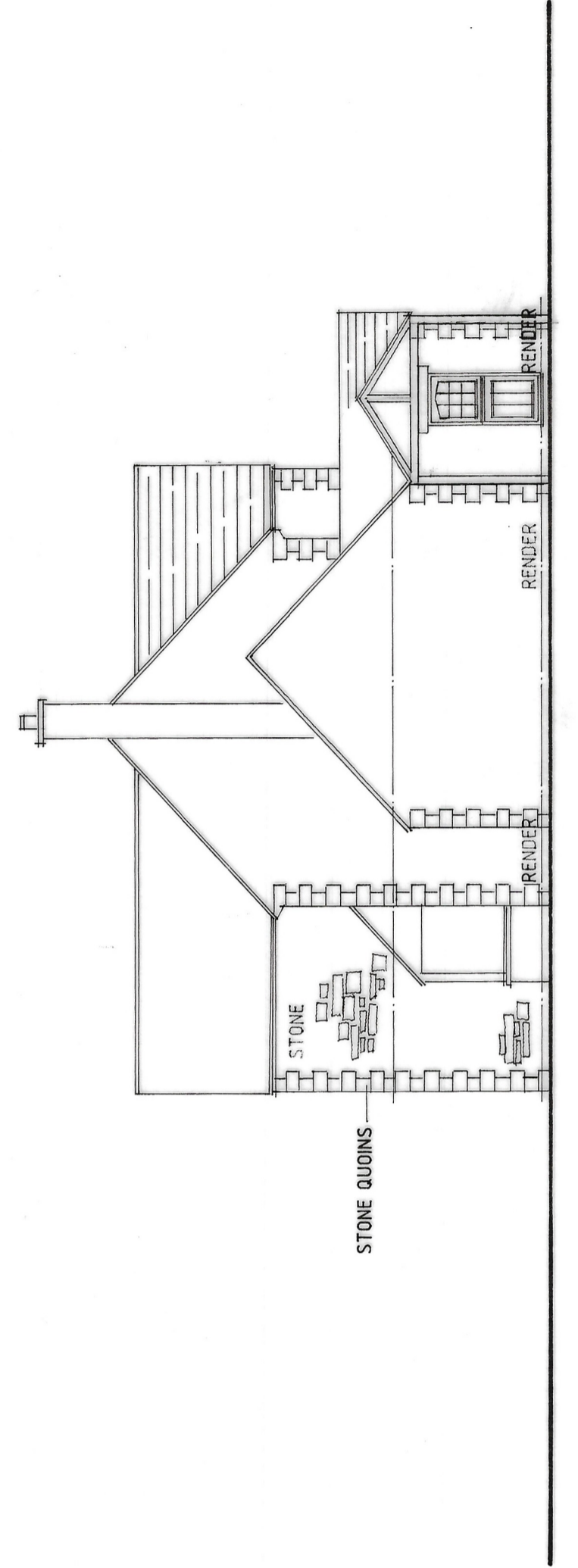
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



CHRISTOPHER R STONE MCIAT, LTD
CHARTERED ARCHITECTURAL TECHNOLOGIST

The Design Studio
Hemel Hempstead • Stratford Road • Mickleton • Gloucestershire • GL55 6FR
Tel: 01386 438428 • Fax: 01386 438920
Email: christopher@stonesmciat.co.uk

PROJECT

THE FENNINGS
BACK END
CHIPPING CAMPDEN
GL55 6AU

TITLE

PROPOSED SCHEME

REVISIONS

A 29/01/18 MATERIALS ADDED TO ELEVATIONS

SCALE	DATE	NORTH
1 : 100	8 / 11 / 17	
JOB No.	DRG. No.	REV. No.
506	01	A

This drawing must not be scaled. All dimensions must be checked against the original drawing. Any errors or discrepancies must be brought to the Designer's attention.



Front and North-East Side Elevations



Rear and South-West Side Elevations

Item No 03:-

20/04249/FUL

**Room 28
Moreton Area Centre
High Street
Moreton-In-Marsh
Gloucestershire
GL56 0AZ**

Item No 03:-

Change of use to beauty salon to include body piercing and tattoos (sui generis) (part retrospective) at Room 28 Moreton Area Centre High Street Gloucestershire GL56 0AZ

Full Application 20/04249/FUL	
Applicant:	Miss Katie Woropaj
Agent:	
Case Officer:	Rachel Gaskell
Ward Member(s):	Councillor Clive Webster
Committee Date:	14th April 2021
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of the Change of Use
- (b) Impact upon Listed Building

Reasons for Referral:

In accordance with the Council's Scheme of Delegation, the application has been referred to the Planning Committee for determination, as it relates to the Moreton Area Centre, a property of Cotswold District Council.

1. Site Description:

Moreton Area Centre is located in the High Street in Moreton-In-Marsh, and is a Grade II listed building within the Moreton-In-Marsh Conservation Area.

The site is located within both the Development Boundary and Key Centre Boundary of Moreton-In-Marsh. The room proposed for the change of use is located on the ground floor to the rear of the building and has previously been granted planning permission for mixed use as an office and Chiropractic clinic room, as such the use class is deemed to be sui generis on account of the mix of use classes. The applicant has been operating as a beauty salon, which also falls within a sui generis use, at the premises since March 2019; however, as there is no permitted change between sui generis uses, retrospective planning permission is required.

2. Relevant Planning History:

18/00184/FUL - Change of use from Class B1 office to a mixed use - office (B1) and Chiropractic clinic room (D1) - permitted 14 March 2018

3. Planning Policies:

TNPPF The National Planning Policy Framework
DS2 Dev within Development Boundaries
S18 S18 - Moreton-in-Marsh
EC7 Retail
EC8 MainTown Centre Uses

EN10 HE: Designated Heritage Assets

EN11 HE: DHA - Conservation Areas

4. Observations of Consultees:

None received

5. View of Town/Parish Council:

No response received

6. Other Representations:

None received

7. Applicant's Supporting Information:

Application form

Photographs

8. Officer's Assessment:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.

The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

Background and Proposed Development

The proposal seeks planning permission for the change of use (part retrospective) of Room 28 at the Moreton Area Centre, High Street, Moreton-in-Marsh from mixed Class BI office/DI chiropractic clinic (sui generis) to beauty salon to include body piercing and tattoos (sui generis). The applicant has stated that (subject to COVID-19 restrictions) the salon currently offers beauty treatments such as manicure, pedicure, facials, waxing, body massage, and is hoping to add body piercing, microblading and brow tattooing. The applicant works as a sole trader at the premises and no physical changes are proposed.

(a) Principle of the Change of Use

Section 7 of the National Planning Policy Framework (NPPF) seeks to ensure the vitality of town centres by taking a positive and proactive approach to their growth.

The application site is located within Moreton-in-Marsh adopted development boundary where Policy DS2 applies. Policy DS2 states that "Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle".

The application site lies within Moreton-in-Marsh Key Centre Boundary as identified on the Policies Map Inset 17. In this area Policy SA9 (Moreton in Marsh) supports proposals for 'Main

Town Centre' uses, that maintain the position of Moreton-in-Marsh as a 'Key Centre' in the District's retail hierarchy.

Policies EC7 and EC8 seek to concentrate 'Main Town Centre' uses such as those providing services within the identified centres including Moreton-In-Marsh.

Due to the location of the application within the Moreton-in-Marsh development boundary and the Moreton-in-Marsh Key Centre there is no objection to the principle of the conversion of this part of the building to a beauty salon offering additional sui generis services that are complementary to the retailing offer of the Centre, subject to the proposal's compliance with other relevant policies.

(b) Impact upon Listed Building and Moreton-in-Marsh Conservation Area

Moreton Area Centre is a Grade II Listed Building. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The site lies within the Moreton-in-Marsh Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Section 16 of the National Planning Policy Framework requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 193 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 194 states that any harm to, or loss of, the significance (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 196 states that where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy EN10 of the Local Plan - Designated Heritage Assets states:

1. In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.
2. Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.
3. Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:
 - The importance of the asset;
 - The scale of harm; and
 - The nature and level of the public benefit of the proposal.

Local Plan Policy EN11 Designated Heritage Assets - Conservation Areas states:

'Development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they: Page 44

- a. Preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;
- b. Include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;
- c. Will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.
- d. Have regard to the relevant Conservation Area appraisal (where available); and
- e. do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.'

The proposal, relates only to the change of use of part of the building, which is already in use for a variety of services, with no physical works proposed. There should, therefore, be no impact upon the historic character or fabric of the listed building or character and appearance of the conservation area.

9. Conclusion:

The proposal is considered to accord with the policies in the Development Plan, in addition to the NPPF, which are not outweighed by other material planning considerations.

The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). This is because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

10. Proposed conditions:

1. The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

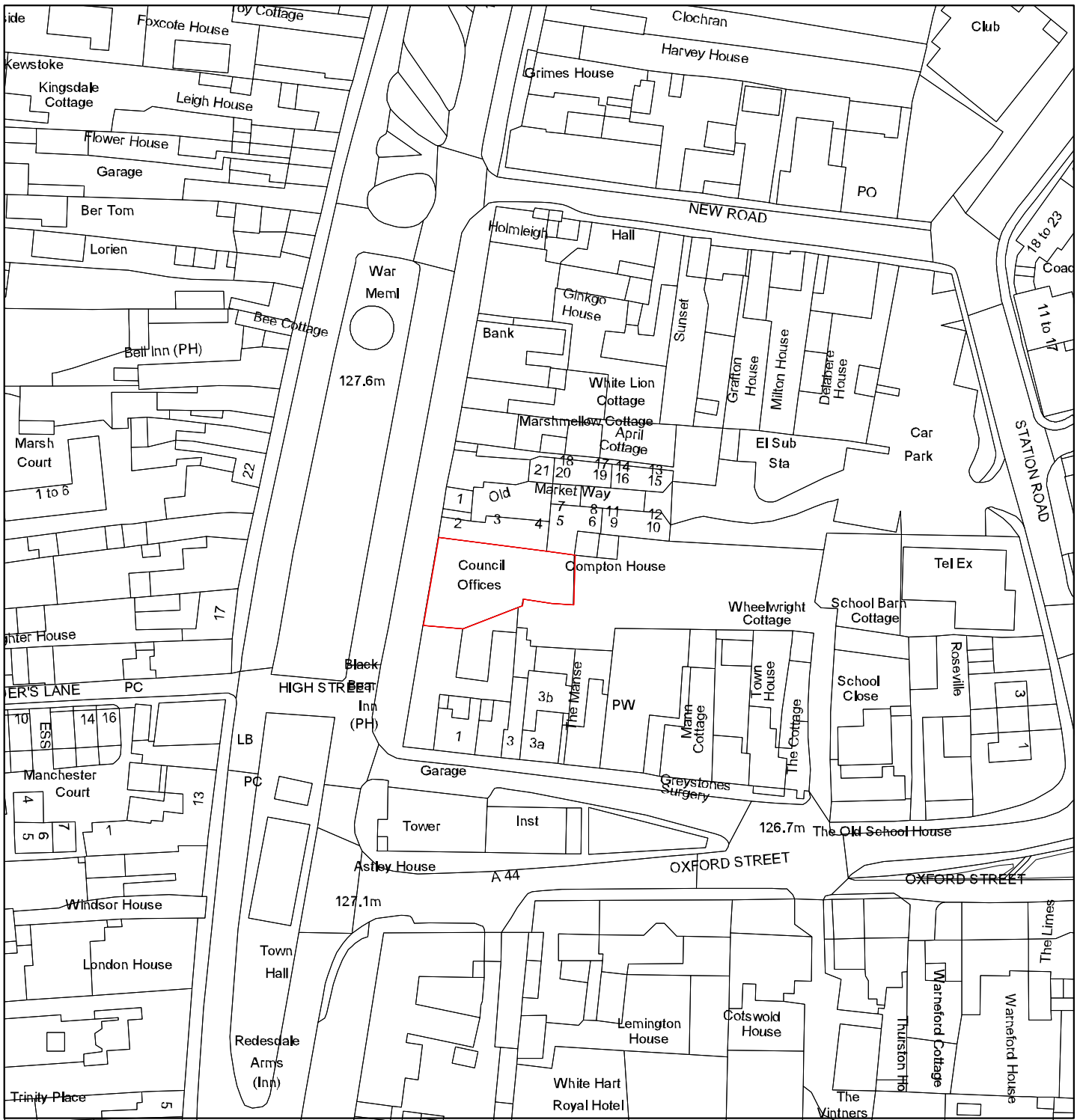
2. The development hereby approved shall be carried out in accordance with the following drawing number(s): Site Location Plan, Floor Plan identifying room location, both received 25 November 2020

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

Informatives:

1. Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is:

less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.



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Organisation	Cotswold District Council
Department	Property Services
Comments	
Date	15 July 2011

DATE	DESCRIPTION
15/01/2018	ISSUED FOR CONSTRUCTION

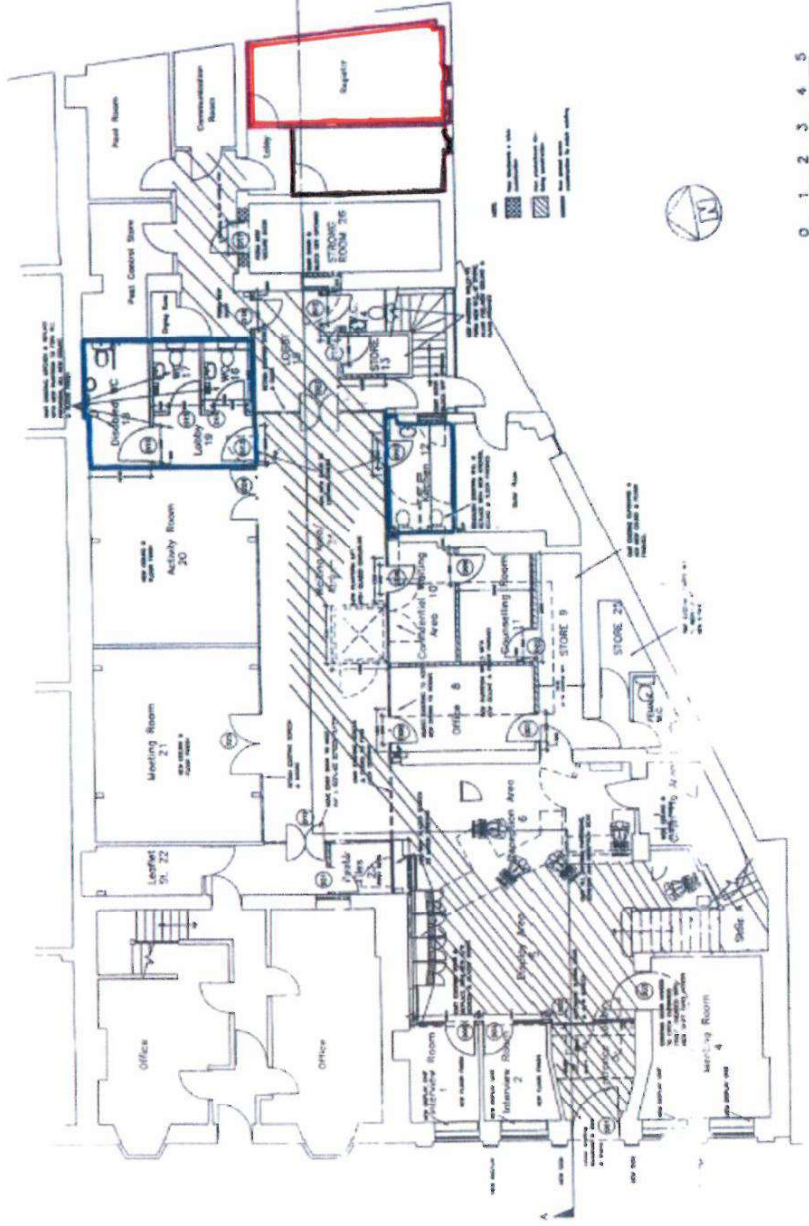
Construction Is

WORKING ON THE BUILDING WITH THE
 FOLLOWING ARE THE AREAS TO BE
 CONSTRUCTED AS SHOWN ON THE
 DRAWING. THE WORK IS TO BE
 COMPLETED BY THE DATE
 STATED IN THE DRAWING.

CONSTRUCTION IS TO BE
 COMPLETED BY THE DATE
 STATED IN THE DRAWING.

DATE: 15/01/2018
 DRAWN BY: [Name]
 CHECKED BY: [Name]

PB
 P.B. Kennedy & Daniels
 A Planning & Construction Firm
 80000000/002



20/04249/FUL – Front elevation of Moreton Area Centre, Moreton-In-Marsh

