



Minutes of a meeting of the Planning and Licensing Committee held on Wednesday, 8 December 2021.

Councillors present:

Ray Brassington

Tony Berry

Patrick Coleman

Mark Harris

Julia Judd

Sue Jepson

Juliet Layton

Andrew Maclean

Gary Selwyn

Steve Trotter

Clive Webster

Officers present:

David Ditchett, Senior Planner

Susan Gargett, Interim Head of Legal Services

Caleb Harris, Strategic Support Officer

Mike Napper, Major Developments Delivery & Appeals Manager

Martin Perks, Principal Planning Officer

Eleanor Ward, Senior Conservation & Design Officer

54 Apologies

Apologies for absence had been received from Councillors Dilys Neill and Stephen Hirst.

55 Substitute Members

Councillor Mark Harris was substituting for Councillor Dilys Neill.

Councillor Tony Bery was substituting for Councillor Stephen Hirst.

56 Declarations of Interest

Councillor Clive Webster declared an interest in relation to items 1 and 4 of the Schedule of Applications. Councillor Webster was a Member of Moreton-in-Marsh Town Council and reserved his right to change his mind based on any evidence presented at this meeting. Councillor Webster had made this clear at a previous Moreton-in-March Town Council meeting.

Councillor Patrick Coleman declared an interest in relation to item 2 of the Schedule of Applicants. Councillor Coleman was a member of the steering group of the Cirencester Community Railway and was also a member of the Cotswold Canal Trust.

57 Minutes

The Minutes of the meeting held on the 10 November 2021 were agreed as a true, accurate record.

Record of Voting – for: 8, against: 0, abstention: 3, absent: 2.

58 Chair's Announcements (if any)

The Committee noted that a training session related to heat pumps would be taking place in advance of the next meeting on Wednesday 12 January 2022.

The Committee further noted that this would be David Ditchett's (Senior Planner) final meeting before he left the Council. The Committee wished to place on record their thanks for all of the work undertaken by Mr Ditchett during his employment with the Council.

59 Schedule of Applications

21/03283/FUL

13-30 Stockwells Moreton-In-Marsh Gloucestershire GL56 0HQ

The Principal Planning Officer, Martin Perks, introduced the application:

Demolition of 24 no. existing defective non-traditional houses and maisonettes and construction of 28 no. new affordable 2 and 3 bedroom houses, together with associated external works and landscaping at 13-30 Stockwells Moreton-In-Marsh Gloucestershire GL56 0HQ.

The Committee noted the Update Report, which highlighted the additional correspondence in relation to drainage between Town and Parish Councils and the Case Officer.

The Committee further noted the location relating to the application, the current view of the site and the proposed style of the new buildings.

The Committee noted that the application had been submitted for Committee consideration due to the Council having agreed to grant-fund the applicant to provide additional energy efficiency measures to ensure the development was net-zero in terms of carbon emissions. This agreement was separate to the planning application and would be managed directly between the applicant and the Council.

Officers had assessed the application based on if the energy efficiency measures associated with the Council grant were implemented and also if agreement was not reached and the additional measures were not included.

The Committee noted that the application did meet current energy efficiency regulations without the additional measures being incorporated.

A statement submitted by the Ward Member was read out by Democratic Services.

In response to a Member query, the Committee noted that the concerns raised by the Town and Parish Councils in relation to the flooding issue had been addressed sufficiently. The concerns related to foul land surface water drainage.

The Committee noted that it was preferable for surface water to be directed to an existing water-course wherever possible. The potential flow-rate associated with the development had been calculated which had determined that the flow-rate would not cause any further issues in terms of flooding at the southern end of the site.

The Committee noted that any development condition breaches were reported to Town and Parish Councils automatically.

The Committee noted that in relation to the Cotswold design code, this had to be given sufficient consideration and weighting when any application was considered. Certain designs would not be appropriate in different areas and so applications had to be considered on the merits of whether or not the proposed designs were appropriate for the specific area in which they would be located.

It was the view of the Officer that the proposed designs would not be harmful (from a design perspective) to the area in which they would be located.

The Committee noted the views of Members both in favour and opposed to the proposed designs of the development.

In relation to the Cotswold vernacular, the Committee noted that a training session on this topic would be beneficial.

The Committee noted the differences associated with operating a heat pump system as opposed to a gas-fired boiler heating system.

Councillor Mark Harris proposed that the Committee accepted the Officers recommendations, noting the potential energy performance of the development with and without a grant-finding agreement being reached between the Council and the applicant.

This was seconded by Councillor Juliet Layton.

Record of Voting - for: 10, against: 1, abstention: 0, absent: 2.

21/02735/FUL

Land At Grid Reference 398111 195688 Kemble Wick Kemble Gloucestershire

The Principal Planning Officer, Martin Perks, introduced the application:

Installation of a solar farm comprising an array of ground mounted solar PV panels with associated infrastructure including housing for inverters, transformers and electrical equipment, a substation compound, fencing, security cameras, access tracks, associated landscaping and cabling for grid route of approx. 7.9 kilometres in length at Land At Grid Reference 398111 195688 Kemble Wick Kemble Gloucestershire.

The Committee noted the Update Report, which highlighted a letter of objection and an associated appeal against the development.

The Committee further noted the location of the proposed development, the cabling route, the County boundary, the AONB (Area of Outstanding Natural Beauty), the special landscape area and the water parks. The Committee also noted the views of the area of the proposed development.

A statement submitted by Mr Alan Woodford (objector) was read out by Democratic Services.

The following people addressed the Committee:

Mr George Wilyman (Applicant)

Councillor Tony Berry (Ward Member)

The Committee noted that in relation to the proposed route of the cable, the trench carrying the cables was approximately half a metre in diameter and would be located around 1.5 metres below ground level. This would not impact on any potential future routes relating to a light railway. In relation to canals, the Committee noted that the applicant would need to be cognisant of the existing canal route when routing the cables.

The Committee acknowledged the importance of solar panel installations in relation to achieving the net-zero carbon target.

In relation to the location of the development, any impact on footpaths were located in Wiltshire and so authorities in that area would consider this aspect of the application. The Committee noted that the construction route would not impact on any footpaths in the District.

With regard to the community benefit fund, the Committee noted that this would be a matter between the local community and the developer.

The Committee noted that a decommissioning statement had been conditioned as part of the application prior to the removal of the solar panels (this would include an ecological statement). The Committee further noted that the replacement of panels would not require planning permission if they were being replaced on a like-for-like basis (as part of a future upgrade for example).

The Committee noted that the land would be returned to its previous state once electricity generation had ceased. 40 years was the timeframe associated with this application in terms of the length of time specified for electricity generation.

The Committee noted that in relation to the glare and glint from solar farm panels, there were no known reported issues in this regard.

The Committee noted that Officers had fully considered the letter of appeal against the proposed development and had addressed the points raised.

Councillor Juliet Layton proposed that the Committee accepted the Officers recommendations. This was seconded by Councillor Mark Harris

Record of Voting - for: 11, against: 0, abstention: 0, absent: 2.

21/00650/FUL

Land North East Of Chedworth Village Hall Chedworth Gloucestershire

The Principal Planning Officer, Martin Perks, introduced the application:

Application for Technical Details Consent for 2 No. dwellings (based on a Permission in Principle application (ref. 20/02017/PLP) for the erection of up to 3no. dwellings) at Land North East Of Chedworth Village Hall Chedworth Gloucestershire.

The Committee noted the Update Report, which highlighted an updated energy and sustainability statement provided by the applicant. The applicant had also stated that solar panels would be installed on the proposed buildings although the associated plans specific to this element of the application had not yet been provided.

The Committee further noted the location of the proposed development and that permission in principle for three dwellings to be built on this site had been granted in 2020. This was now the technical details aspect of the application for the Committee to formally consider.

The Committee noted the initial designs for the houses as submitted by the applicant along with the current proposals which reflected smaller houses and garages.

The following people addressed the Committee:

Councillor Annabel Heathcoat Amory (Parish Council)

Mr Robert Baker (Objector)

Mr Mark Godson (Agent)

Councillor Jenny Forde (Ward Member)

The Committee noted that electrical vehicle charging points had been included in the proposed development.

The Committee noted that individual applications were to be considered using current policies and legislation – Officers were required to make recommendations to the Committee based on the application of current planning legislation, of which this application was deemed to have complied with.

The Committee noted that some greenery would be retained at the front of the properties as part of the proposed designs.

The Committee further noted that in relation to the proposed height of the buildings, both would have second floors, with the eaves of each building being different sizes.

The Committee noted that each property would be required to be fitted with sufficient insulation/sound proofing so as to protect against noise from the tennis club and village hall.

The Committee noted that ERS Officers were satisfied that the application would mitigate against future noise complaints from residents in relation to the operations of both the village hall and the tennis club.

The Committee noted that the current application had been revised several times before being submitted with the applicant having been receptive to suggestions made by Officers in order to ensure the development was appropriate.

The Committee noted that thick fencing would be utilised on the boundary of the development in order to mitigate against excessive noise. It would retain the look of a standard fence. A solid wooden barrier would be more effective than the installation of a natural hedgerow. The Committee noted that a condition associated with the application was to include a certain degree of natural planting.

Due to the relatively small size of the proposed development, the Committee noted that it would not create a material impact in relation to the provision of affordable housing. The Committee noted that the area had not been subject to over-development in relation to the local plan.

The Committee noted the importance of ensuring that the design of any proposed development should be in keeping with the existing surroundings.

The Committee noted that natural stone would be used for walling purposes.

The Committee further noted the concessions which had already been made by the applicant in terms of this development (including the reduction in scale) and a view was expressed that the proposed development, meeting all current legislative requirements, should be permitted.

Councillor Clive Webster proposed that the Committee accepted the Officers recommendations, including the conditions that the applicant:

- 1) Specified the type of materials to be used in the fencing and;
- 2) Installed PV panels as part of the development.

This was seconded by Councillor Juliet Layton.

Record of Voting - for: ?, against: ?, abstention: 0, absent: 2.

Councillor Julia Judd proposed that the Committee refused the application.

This was seconded by Councillor Andrew Maclean.

The following reasons were provided to outline the reasons why the application should be refused:

- Design: Some Members expressed a view that the proposed designs did not fit with the existing street scene due to the frontages of the proposed properties being too close to the street.
- It was the view of some Members that there should be additional, smaller dwellings on the site.

The Major Developments Delivery & Appeals Manager advised the Committee that Members proposing refusal of the application could only base this view on the designs submitted for formal consideration at this meeting.

Record of Voting - for: 7, against: 4, abstention: 0, absent: 2.

The application was refused.

The Committee adjourned for a short comfort break at 4:20pm

The Committee reconvened at 4:30pm

21/02766/REM

Land To East Of Evenlode Road Moreton-In-Marsh Gloucestershire

The Principal Planning Officer, Martin Perks, introduced the application:

Erection of 67 dwellings, open space, and landscaping (Reserved Matters application) at Land To East Of Evenlode Road Moreton-In-Marsh Gloucestershire.

The Committee noted that this was a reserved matters application – planning permission had already been granted with this item seeking to address matters of design, landscaping and scale.

The Officer's presentation covered the location of the site, the existing view of the site and the proposed look of the development including the properties which were to be built.

A statement submitted by Chris Rycroft (objector) was read out by Democratic Services.

The following people addressed the Committee:

Mr Guy Wakefield (Agent)

A statement submitted by Councillor Rachel Coxcoon (Ward Member) was read out by Democratic Services.

The Committee noted that a private management company would be responsible for the upkeep of the development who would work to the specified management regime in relation to open areas. An ecological management plan had been submitted. The costs of this would be met via a service charge being paid by residents of the development.

The Committee noted that the proposed proportions, scale and form of the properties met the Cotswold vernacular requirement.

The Committee further noted that the proposed development met current spacing requirements.

The Committee noted that the layout of the development would result in groups of similar styles of houses being located in the same area.

The Committee further noted that the developer was proposing to offer residents the opportunity to install solar panels on their properties – this would be a matter for the residents to negotiate with the developer.

The Committee acknowledged the importance of the developer ensuring that solar panels could be easily installed to all properties.

In relation to walkways, the highways authority had stated they were content with the provisions made in relation to the development.

The Committee noted that there had been no objections received in relation to the drainage plans associated with the development.

The Committee noted that the development would be undertaken using the same materials for each property.

The Committee acknowledged the work undertaken by Officers with the developer in ensuring that appropriate climate impact mitigation steps had been included as part of the development.

The Committee noted that developers were generally more receptive to adopting carbon reduction measures as part of new developments.

Councillor Mark Harris proposed that the Committee accepted the Officers recommendations, including the addition of a condition that the applicant should ensure that solar panels are installed on all dwellings as they are constructed (as opposed to being installed after the buildings had been completed).

This was seconded by Clive Webster.

Record of Voting - for: 11, against: 0, abstention: 0, absent: 2.

21/04248/SPANOT

Cotswold Leisure Centre Tetbury Road Cirencester Gloucestershire GL7 1US

The Senior Planner, David Ditchett, introduced the application:

Prior approval notification for the installation of Solar Photo-Voltaic panels (total installation 114kwp) at Cotswold Leisure Centre Tetbury Road Cirencester Gloucestershire GL7 1US.

The Officer outlined the overhead views of the site.

Members noted that the Committee were required to consider the application due to the building being owned by the Council.

The Committee acknowledged the associated environmental benefits of the application.

Councillor Mark Harris proposed that the Committee accepted the Officers recommendations.

This was seconded by Councillor Tony Berry.

Record of Voting - for: 11, against: 0, abstention: 0, absent: 2.

21/04250/SPANOT

**Bourton Leisure Centre Station Road Bourton-On-The-Water Cheltenham Gloucestershire
GL54 2BD**

The Senior Planner, David Ditchett, introduced the application:

Prior approval notification for the installation of Solar Photo-Voltaic panels (total installation 64 kwp) at Bourton Leisure Centre Station Road Bourton-On-The-Water Gloucestershire GL54 2BD

Members noted that the Committee were required to consider the application due to the building being owned by the Council.

The Committee acknowledged the associated environmental benefits of the application.

Councillor Mark Harris proposed that the Committee accepted the Officers recommendations.

This was seconded by Councillor Tony Berry.

Record of Voting - for: 11, against: 0, abstention: 0, absent: 2.

21/00522/FUL

Dutch Barn Nr Hookshouse Lane Charlton Down Tetbury Gloucestershire GL8 8TZ

The Senior Planner, David Ditchett, introduced the application:

Conversion of Dutch barn to restaurant/café and associated works at Dutch Barn Nr Hookshouse Lane Charlton Down Tetbury Gloucestershire GL8 8TZ.

The Committee noted the Update Report which included the appeal decision from 2017, in relation to the application.

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The Committee noted that a further three objections to the application had been received.

The Officer notified Members of the formatting errors which were present in the report and outlined the conditions which were applicable to the application.

The Officer's presentation covered the location of the site including aerial imagery, other buildings in the surrounding areas, access to the site, the proposed elevations and look of the proposed works and images of the site visit undertaken in March 2021.

The Officer also covered the planning history of the site from 2016 through to the present day. Different uses for the site had been applied for over several years. The reasons associated with previous planning refusals were also outlined to the Committee.

The Committee noted that the application was dealing with the potential operational aspect of the site only.

The following people addressed the Committee:

Mr Mark Saxton (objector)

Mr David Morris (applicant)

The Committee noted that the proposed development would include a sufficient number of building supports to maintain the structure of the Dutch Barn and associated structures.

The Committee further noted that the proposed development under existing legislation could not be classed as a conversion of the existing structure. This was due in part to the floor space of the property.

The Committee noted that the application met the relevant criteria to ensure it could be used as proposed by the applicant (as a café and restaurant).

The Committee noted that any future planning applications related to this site would have to be considered on their merits at that particular time. Members could only take a decision on the application which had been presented to them at this meeting.

In relation to highways, the Committee noted that due to the size of the building, original objections related to highways concerns were not applicable to the site. Members noted that Officers were aware of the original highways concerns.

The Committee noted that the building could be used as a 'pop-up' café under the existing permissions associated with the site. The purpose of this application was to ensure that building could be used exclusively as a permanent restaurant/café.

The Committee further noted that for the purposes of this application, the two buildings were classed as being separate.

The Committee noted that the building had been utilised for agricultural use up until July 2012.

The Committee noted that the applicant was not required to produce a business plan as part of the application process. The Committee further noted that environmental permits would

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be required if the applicant were to utilise the building and associated land on a 'pop-up' café/restaurant basis.

The Committee noted that Class R status resulted in the site currently being able to be utilised for a variety of uses.

The Committee further noted that as part of the application, the physical alterations required to the building were required to be considered by Members when determining whether to approve or reject the application.

Because the application related to the proposed use of the building, the Committee noted that they could not condition the installation of solar panels, although the application had outlined some voluntary energy saving measures to be implemented by the applicant should the application be approved.

Councillor Sue Jepson proposed that the application be rejected on the basis of the negative impact the design would have on the heritage asset and the associated negative impact on the AONB. This was specifically related to the proposed windows, doors and the associated materials to be used as part of the proposed works. The proposed alterations would be incongruous and would fail to respect the appearance of the existing building.

This was seconded by Councillor Julia Judd.

Record of Voting - for: 8, against: 1, abstention: 2, absent: 2.

The application was refused.

60 Sites Inspection Briefing

The Committee noted that no Sites Inspection Briefing was planned.

61 Licensing Sub-Committees

The Committee noted the rota for attendance at the Licensing Sub-Committee on the 15 December 2021 (if the meeting was required).

The Meeting commenced at 2:00pm and closed at 6:10pm

Chair

(END)