

# Public Document Pack



**COTSWOLD**  
DISTRICT COUNCIL

Tuesday 3 September 2024

Tel: 01285 623553

e-mail: [democratic@cotswold.gov.uk](mailto:democratic@cotswold.gov.uk)

## PLANNING AND LICENSING COMMITTEE

A meeting of the Planning and Licensing Committee will be held in the Council Chamber - Council Offices, Trinity Road, Cirencester, GL7 1PX on **Wednesday, 11 September 2024 at 2.00 pm.**

Rob Weaver  
Chief Executive

To: Members of the Planning and Licensing Committee  
(Councillors Ray Brassington, Patrick Coleman, Dilys Neill, Michael Vann, Mark Harris, Ian Watson, Gary Selwyn, Julia Judd, David Fowles, Daryl Corps and Andrew Maclean)

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**  
To receive any apologies for absence.  
  
The quorum for the Planning and Licensing Committee is 3 members.
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 7 August 2024.
5. **Chair's Announcements**  
To receive any announcements from the Chair of the Planning and Licensing Committee
6. **Public questions**  
A maximum of 15 minutes is allocated for an “open forum” of public questions at committee meetings. No person may ask more than two questions (including supplementary questions) and no more than two such questions may be asked on behalf of one organisation. The maximum length of oral questions or supplementary questions by the public will be two minutes. Questions must relate to the responsibilities of the Committee but questions in this section cannot relate to applications for determination at the meeting.  
  
The response may take the form of:
  - a) A direct oral response (maximum length: 2 minutes);
  - b) Where the desired information is in a publication of the Council or other published work, a reference to that publication; or
  - c) Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.
7. **Member questions**  
A maximum period of fifteen minutes is allowed for Member questions. Questions must be directed to the Chair and must relate to the remit of the committee but may not relate to applications for determination at the meeting.

Questions will be asked in the order notice of them was received, except that the Chair may group together similar questions.

The deadline for submitting questions is 5.00pm on the working day before the day of the meeting unless the Chair agrees that the question relates to an urgent matter, in which case the deadline is 9.30am on the day of the meeting.

A member may submit no more than two questions. At the meeting the member may

ask a supplementary question arising directly from the original question or the reply. The maximum length of a supplementary question is one minute.

The response to a question or supplementary question may take the form of:

- a) A direct oral response (maximum length: 2 minutes);
- b) Where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

8. **Gambling Act 2005 Statement of Principles (Policy) Review 2024** (Pages 11 - 44)

Purpose

The report details the statutory requirement to review the current Policy and provide Committee with a draft document for consultation.

Recommendations

That the Committee:

1. Considers the draft Statement of Principles at Annex A; and,
2. That, subject to any further amendments, a consultation exercise to seek the views of the trade and relevant stakeholders on the revised Policy be approved.

### Schedule of Applications

To consider and determine the applications contained within the enclosed schedule:

9. **24/00834/FUL - Wyck Cottage, Wyck Rissington** (Pages 47 - 66)

Proposal

Erection of single-storey rear extension to replace existing and associated works at Wyck Cottage Wyck Rissington Cheltenham Glos GL54 2PN.

Case Officer

Mark Fisher

Ward Member

Councillor Andrew Maclean

Recommendation

Refuse

10. **24/00835/LBC - Wyck Cottage, Wyck Rissington** (Pages 67 - 86)

Proposal

Erection of single-storey rear extension to replace existing and associated works at Wyck Cottage Wyck Rissington Cheltenham Glos GL54 2PN.

Case Officer

Mark Fisher

Ward Member

Councillor Andrew Maclean

Recommendation

Refuse

11. **24/01915/SPANOT - Prior Approval Notification (Solar Panels) Cirencester Leisure Centre (Pages 87 - 98)**

Proposal

Prior Approval for the Installation of 676No. roof mounted solar PV panels of total installed capacity 300.82kWp on Cirencester Leisure Centre roof at Cotswold Leisure Centre Old Tetbury Road Cirencester Glos GL7 1US.

Case Officer

Kristina Carter

Ward Member

Councillor Ray Brassington

Recommendation

Prior Approval Not Required

12. **24/01689/LBC - Corinium Museum Cirencester (Pages 99 - 112)**

Proposal

Works including gutter repairs, and roof structure repairs. Alterations to chimney, rooflights and rainwater goods at Corinium Museum Park Street Cirencester Glos GL7 2BX.

Case Officer

Justin Ayton

Ward Member

Councillor Mark Harris

Recommendation

Approve

13. **Sites Inspection Briefing**  
Members for 9 October 2024 (if required)

Councillors Ray Brassington, Patrick Coleman, David Fowles, Dilys Neill, Michael Vann.

14. **Licensing Sub-Committee**  
Members for 26 September 2024 Licensing Sub-Committee (Taxis, Private Hire and Street Trading Consent Matters) (if required)

(END)

Planning and Licensing Committee  
07/August2024



COTSWOLD  
DISTRICT COUNCIL

## Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 7 August 2024

### Members present:

Ray Brassington - Chair  
Roly Hughes  
Mike Evely  
Ian Watson

Patrick Coleman – Vice-Chair  
Gary Selwyn  
David Cunningham  
David Fowles

Daryl Corps  
Andrew Maclean

### Officers present:

Helen Blundell, Interim Head of Legal Services  
Andrew Brown, Democratic Services Business  
Manager  
Andrew Moody, Senior Planning Case Officer

Helen Cooper, Senior Planning Case Officer  
Ana Prelici, Governance Officer  
Malcolm Jones, Gloucestershire County  
Council Highways

### 26 Apologies

Apologies were received from Councillors Dilys Neill, Mark Harris, Michael Vann and Julia Judd.

### 27 Substitute Members

Councillor Roly Hughes substituted for Councillor Dilys Neill, Councillor Mike Evely substituted for Councillor Michael Vann and Councillor David Cunningham substituted for Councillor Julia Judd.

### 28 Declarations of Interest

There were no declarations of interest.

### 29 Minutes

The minutes of the previous meeting on 10 July 2024 were considered by the Committee as part of the supplement update provided to the Committee.

There was no discussion on the minutes.

RESOLVED: That the Planning and Licensing Committee APPROVED the minutes of the meeting held on 10 July 2024.

To approve the minutes of the meeting held on 10 July (Resolution)		
For	Ray Brassington, Patrick Coleman, Daryl Corps, Mike Evely, David Fowles, Andrew Maclean and Ian Watson	7

Against	None	0
Conflict Of Interests	None	0
Abstain	David Cunningham, Roly Hughes and Gary Selwyn	3
<b>Carried</b>		

### **30 Chair's Announcements**

The Chair stated that a Training Session which would be open to all members would take place on 11 September immediately prior to the Committee.

There were no further announcements.

### **31 Public questions**

There were no public questions.

### **32 Member questions**

There were no member questions.

### **33 23/03792/FUL - The Green Cottage, The Crescent, Maugersbury, Cheltenham, Gloucestershire**

The proposal was for the installation of 32 solar panel array and associated works at The Green Cottage, The Crescent, Maugersbury, Cheltenham, Gloucestershire, GL54 1HR.

The Case Officer introduced the item.

Wei Yan, an objector, addressed the Committee. The objector addressed the hedge height, which the condition did not specify, they stated that this should be a minimum of 1.8m.

The Governance Officer read out the Ward Member's Statement. The Ward Member's statement raised points about the impact on the setting of the listed building and the public benefit from the reduction in carbon emissions. The statement also included a declaration of non-pecuniary interest. As the applicant was a friend of the ward member, they would not have taken part in the debate.

Members who attended the Site Inspection Briefing summarised their findings:

They stated that Listed Building and surrounding area were attractive, but members who attended the site visit were able to see the slope and how the solar panels would be concealed.

#### Member Questions

Members asked questions, which officers responded to as below;

- There was no height within the hedgerow condition as vegetation was liable to change e.g. it could die, but the condition required the applicant to submit a Hedgerow Planting and Management Plan, which would need to be maintained by the applicant.

The Landscape Officer had reviewed both the applicant's proposed plans and ones submitted by a neighbour and had no preference over them.

- Repairs to the solar panels would be permissible without requiring planning permission.
- The NPPF supported green energy without requiring figures on scale.

#### Member Comments

Members made the following comments;

- Solar panels created waste, which was not taken into consideration as part of the report, and the energy produced was relatively small, so some members did not think that the public benefit was large enough to outweigh harm on the Cotswold National Landscape. Others did not agree with this, stating that climate change posed the largest threat to the national landscape, so every mitigation of climate change should be welcomed by the Committee.
- The solar panels would look old fashioned within their 30-year life span, but this was not a view shared by all.
- The Parish Council had objected to the application, and it was felt by some that this should be given more weight.

Councillor Andrew Maclean proposed permitting the application, stating that it would always be preferable to place solar on brownfield sites instead of the open countryside, but that this was a small domestic application and that the panels would be concealed.

Councillor Mike Evemy seconded the proposal, agreeing that the panels would be concealed and therefore have a minimal impact on the landscape.

RESOLVED: That the Planning and Licensing Committee PERMITTED the application.

To permit the application (Resolution)		
For	Ray Brassington, Patrick Coleman, Mike Evemy, Roly Hughes, Andrew Maclean, Gary Selwyn and Ian Watson	7
Against	Daryl Corps, David Cunningham and David Fowles	3
Conflict Of Interests	None	0
Abstain	None	0
<b>Carried</b>		

#### **34** 23/02101/FUL - Land And Properties At Berkeley Close, South Cerney

The proposal was for the demolition of 56 no. existing REEMA non-traditional residential units and 21 lock up garages, stopping up of existing highway and the erection of 82 no. new residential units, the retention and refurbishment of 2 existing residential units, together with associated new proposed adopted highway, access drives, open space, external works and landscaping at Land and Properties at Berkeley Close, South Cerney, Gloucestershire, GL7 5UN.

The Chair introduced amended wording to recommendation, which now included a delegation to the Development Management Manager (in italics):

Permit subject to the completion of a S.106 unilateral undertaking to control the future occupancy of the dwellings as affordable housing and the provision of a financial contribution

Planning and Licensing Committee  
07/August2024

towards library facilities *with delegated authority to Development Management manager to finalise the wording of the conditions and/or S.106 clauses for a scheme of mitigation displaced parking and delivery and maintenance of public open space.*

The Case Officer introduced the item.

Councillor Ray Williamson of South Cerney Parish Council addressed the Committee and stated that the Parish Council accepted the green space provision but raised road safety elements relating to the primary school.

Chris McNulty, the agent, introduced the item. They stated that the applicant had worked with the Council to mitigate previous concerns about the green space and added that no objection had been raised from the primary school.

The Ward Member, Councillor Juliet Layton, addressed the Committee and welcomed the revised application which provided more green space than the prior one. However, she raised highway safety concerns and asked the Committee to consider mitigations of this.

#### Member Questions

Members asked questions, which officers responded to as below;

- The Highways Officer stated that they had proposed a condition to mitigate parking concerns. The Chair stated that the delegation in the amended recommendation allowed this to happen.
- The Applicant, Bromford Housing, could be conditioned to maintain the upkeep of the play area and provide play equipment and this would also be dealt with through the delegation to officers.
- REEMA was a type of pre-fabricated concrete, it was considered by officers that this would improve the carbon footprint of the development (through energy efficiency).
- 56 houses were to be demolished and replaced by 82 dwellings, the remaining 2 dwellings within the application site would be upgraded, as they were both parts of semi-detached houses where the other half was in private ownership.
- The proposed recommendation was suggested replacement for the condition in the additional pages, which would allow officers to deal with the play area and lay-by details.
- The CIL conditions required the houses to remain as socially rented houses but were not exempt from national legislation on right to buy.

#### Member comments

It was stated that it was regrettable that the application had taken so long to agree, but that the applicant could have avoided the situation by engaging with the Council on the green space issues in the first instance.

Councillor Andrew Maclean proposed the recommendation to permit, as introduced by the Chair earlier in the debate. He welcomed the application, deeming it to be an improvement on the one put forward at March's Planning and Licensing Committee meeting and endorsing the amended recommendation with delegation to officers to ensure conditions on the displaced parking and play area.

Councillor David Fowles seconded the proposal.



RESOLVED: That the Planning and Licensing Committee PERMITTED the application, subject to the completion of a S.106 unilateral undertaking to control the future occupancy of the dwellings as affordable housing and the provision of a financial contribution towards library facilities, with delegated authority to Development Management manager to finalise the wording of the conditions and/or S.106 clauses for a scheme of mitigation displaced parking and delivery and maintenance of public open space.

To permit the application subject to S106 agreements and delegation (Resolution)		
For	Ray Brassington, Patrick Coleman, Daryl Corps, David Cunningham, Mike Every, David Fowles, Roly Hughes, Andrew Maclean, Gary Selwyn and Ian Watson	10
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

### **35 Sites Inspection Briefing**

There was no sites inspection briefing required at present.

### **36 Licensing Sub-Committee**

The Governance Officer stated that a Licensing Sub-Committee was unlikely but that they needed to confirm this with Licensing colleagues and would contact the Committee in due course.

The Meeting commenced at 2.00 pm and closed at 3.28 pm

Chair

(END)

This page is intentionally left blank

# Agenda Item 8



**COTSWOLD**  
DISTRICT COUNCIL

Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>PLANNING AND LICENSING COMMITTEE – 11 SEPTEMBER 2024</b>
Subject	<b>GAMBLING ACT 2005 STATEMENT OF PRINCIPLES (POLICY) REVIEW 2024</b>
Wards affected	All
Accountable member	Councillor Juliet Layton – Cabinet Member for Finance Planning and Regulatory Services Email: <a href="mailto:juliet.layton@cotswold.gov.uk">juliet.layton@cotswold.gov.uk</a>
Accountable officer	Jon Dearing – Assistant Director for Resident Services Email: <a href="mailto:jon.dearing@cotswold.gov.uk">jon.dearing@cotswold.gov.uk</a>
Report Author	Mandy Fathers – Business Manager for Environmental, Welfare and Revenues Email: <a href="mailto:mandy.fathers@cotswold.gov.uk">mandy.fathers@cotswold.gov.uk</a>
Summary/Purpose	The report details the statutory requirement to review the current Policy and provide Committee with a draft document for consultation.
Annexes	Annex A – Draft Statement of Principles
Recommendation(s)	That the Planning and Licensing Committee: <ol style="list-style-type: none"> <li>1. Considers the draft Statement of Principles at Annex A; and,</li> <li>2. That, subject to any further amendments, a consultation exercise to seek the views of the trade and relevant stakeholders on the revised Policy be approved.</li> </ol>
Corporate priorities	<ul style="list-style-type: none"> <li>• Delivering Good Services</li> <li>• Supporting Communities</li> </ul>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Leader, Cabinet Member for Planning and Regulatory Services, Chief Executive and Deputy Chief Executive, Monitoring Officer, Interim Head of Legal Services, Interim Assistant Director, Interim Managing Director (Publica)



## **1. EXECUTIVE SUMMARY**

- 1.1 Section 340 of the Gambling Act 2002 (the “Act”) requires licensing authorities before each successive period of three years to:
- a) Prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period, and
  - b) Publish the statement.
- 1.2 The next “successive period” starts on 31 January 2025. However, the Statement needs to be adopted by 31 December 2024 as it must be published at least 4 weeks before the date on which it comes into effect on the authority’s website and also be available for inspection by the public.
- 1.3 Before determining its Policy, the Authority is required to consult with the police, persons who represent the interests of gambling businesses and those who represent the interests of persons who are likely to be affected by gambling businesses.

## **2. BACKGROUND**

- 2.1 The Gambling Act 2005 (the “Act”) came into effect on 1 September 2007, and amongst other changes, have to Local authorities new extended powers for licensing premises for gambling, including betting shops, family entertainment centres, casinos, bingo premises and gaming machine arcades. Local Authorities are also responsible for registering small society lotteries and for issuing permits to pubs and clubs for gaming machines.
- 2.2 The Act contains three licensing objectives which underpin the functions that the Gambling Commission and the Licensing Authority must perform. They are:
- a) Preventing gambling from being a source of crime or disorder, being associated with crime and disorder, or being used to support crime.
  - b) Ensuring that gambling is conducted in a fair and open way; and
  - c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

## **3. MAIN POINTS**

- 3.1 Annex A of the report sets out, for consultation, the proposed Statement of Policy, and Principles by which this Authority will exercise its functions during the period 2025 – 2028.
- 3.2 The proposed Statement largely mirrors the existing Statement of Policy and Principles. The opportunity has been taken to strengthen the policy in a number of areas as detailed below:



- 1) Amendments to paragraph 11.2, page 9, expanding on the functions of others that are outside of the control of Local Licensing Authorities.
- 2) New addition at paragraph 13.5, page 17 has been added to provide more details on gambling prevalence and social responsibility. This section lists key areas that operators of gambling premises must focus on to promote socially responsible gambling, and these should also reduce the risk of, and seek to identify, problem gambling.

**3.3** Due to time constraints, it is proposed to carry out a reduced consultation period of 6 weeks. Comments will be reported back to the Licensing Committee in November 2024, with a view to a recommendation being made to Full Council to adopt the Policy at its meeting on 27 November 2024.

**3.4** Licensing will consult with:

- All current licence holders
- Ward Members
- Town/Parish Councils
- Authorities e.g. Gloucestershire Constabulary
- Any relevant parties e.g. Gamcare
- The review will be published on the Council's website

#### **4. FINANCIAL IMPLICATIONS**

**4.1** There are no financial implications associated with this report.

#### **5. LEGAL IMPLICATIONS**

**5.1** All legal implications are set out in this report, above.

#### **6. RISK ASSESSMENT**

**6.1** Should the Licensing Authority fail to carry out a review it will fail to meet its statutory obligations under the Act.

#### **7. EQUALITIES IMPACT**

**7.1** These are statutory functions and are applied nationally.



**8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

8.1 None.

**9. ALTERNATIVE OPTIONS**

9.1 None.

**10. BACKGROUND PAPERS**

**10.1** The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

Agenda item 8 – Full Council, 19 January 2022.

**10.2** These documents will be available for inspection at the Council Offices at Trinity Road during normal office hours for a period of up to 4 years from the date of the meeting. Please contact the author of the report.

(END)



# **GAMBLING ACT 2005**

## **Statement of Principles**

This Statement of Principles applies from 31 **Jan 2025**  
until 30 **Jan 2028**  
(unless revised sooner)

## CONTENTS

### CONTENTS GLOSSARY

#### PART A: GENERAL MATTERS

1.	The Licensing Objectives.....	4
2.	Introduction.....	4
3.	The Local Area	
3.1	The Cotswold District.....	5
4.	Consultees .....	6
5.	Declaration .....	6
6.	Effective period.....	6
7.	Responsible Authorities.....	6
7.1	Protection of children from harm .....	6
7.2	Contact details .....	7
8.	Interested parties .....	7
9.	Information Exchange.....	8
10.	Enforcement .....	8
11.	Functions under the 2005 Act .....	9
11.1	Functions of the Licensing Authority .....	9
11.2	Others' functions.....	9

#### PART B: PREMISES LICENCES

1.	Premises Licence .....	10
2.	Applications .....	10
3.	Local Risk Assessments .....	10
4.	Local Area Profile.....	11
5.	Plans of the Premises.....	11
6.	Decision Making.....	12
7.	Other Mechanisms to address unruly behaviour .....	12
8.	Location.....	12
9.	Meaning of "Premises" .....	13
10.	Premises "ready for gambling" .....	14
11.	Planning.....	14
12.	Duplication with other regulatory regimes.....	15
13.	Licensing Objectives .....	15
13.1	Prevention of crime and disorder objective.....	15
13.2	Ensuring that gambling is conducted in a fair and open way objective .....	15
13.3	Protection of children and other vulnerable persons objective.....	16
13.4	Vulnerable Persons.....	16
13.5	Gambling Prevalence and Social Responsibility .....	17
13.6	Door Supervisors .....	18
13.7	Adult Gaming Centres.....	18
13.8	(Licensed) Family Entertainment Centres.....	19
13.9	Casinos .....	19
13.10	Bingo Premises .....	19
13.11	Betting Premises.....	20
13.12	Tracks .....	20
13.13	Travelling Fairs.....	21
13.14	Provisional Statements .....	22
13.15	Reviews .....	22
13.16	Complaints against Licensed Premises.....	23



PART C: PERMITS, TEMPORARY & OCCASIONAL USE NOTICES

1.	Unlicensed Family Entertainment Centre gaming machine permits .....	24
2.	(Alcohol) Licensed Premises - Gaming Machine Permits .....	25
3.	Prize Gaming Permits .....	26
4.	Club Gaming and Club Machines Permits .....	26
5.	Temporary Use Notices.....	27
6.	Occasional Use Notices .....	27
7.	Small Society Lotteries.....	28
Appendix 1 – Licensing Authority delegations – Cotswold District.....		29
Appendix 2 - Responsible Authorities .....		30

## **GLOSSARY**

<b>Council</b>	Cotswold District Council
<b>Guidance</b>	The Gambling Commission's "Guidance to Licensing Authorities" Latest edition
<b>Licensing Authority</b>	The Licensing Authority of Cotswold District Council
<b>The 2005 Act</b>	Gambling Act 2005
<b>The 2003 Act</b>	Licensing Act 2003

## **PART A: GENERAL MATTERS**

### **1. The Licensing Objectives**

The Gambling Act 2005 (“the Act”) requires that in exercising its functions under the Act, the Licensing Authority must have regard to the licensing objectives set out in Section 1.

The licensing objectives are: -

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is carried out in a fair and open way;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority is aware that, as required by section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling:

- in accordance with any relevant Codes of Practice under section 24;
- in accordance with any relevant Guidance issued by the Commission under section 25;
- in accordance with this Statement of Principles, and reasonably consistent with the licensing objectives.

### **2. Introduction**

The Act requires the Licensing Authority to prepare and publish a Statement that sets out the principles that the Licensing Authority proposes to apply when exercising its functions.

The Statement must be published at least every three years. This Statement will come into effect from the 31 January 2025 and will continue until 30 January 2028. It must also be reviewed from “time to time” and any amended parts re-consulted upon. The Statement must be then re-published before any revision is given effect.

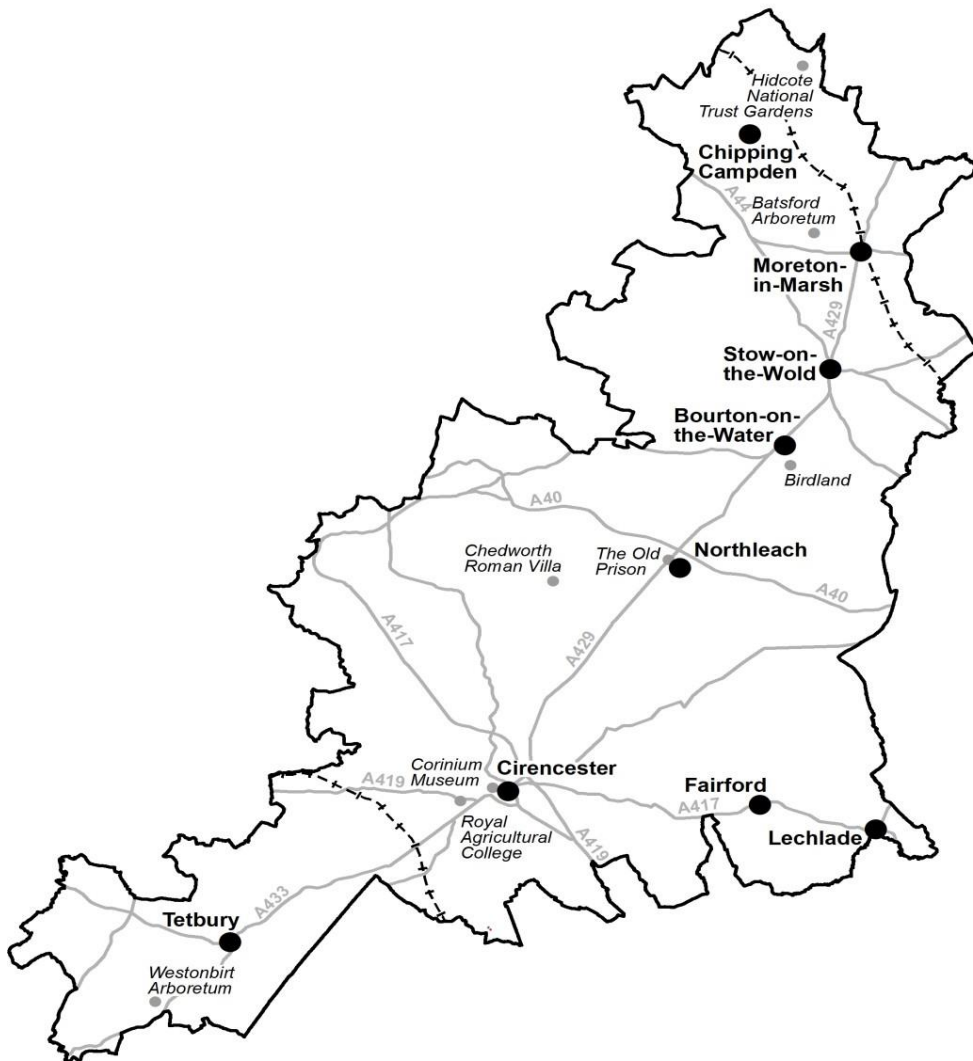
This document was approved by Full Council on XXX.

### 3. The Local Areas

#### 3.1 The Cotswold District

The Authority is one of six district Councils within Gloucestershire. The Cotswold District is mainly a rural area based around 9 market towns, Cirencester, Bourton-on-the-Water, Chipping Campden, Fairford, Lechlade, Moreton-in-Marsh, Northleach, Stow-on-the-Wold and Tetbury. It has a population of 85,000 with a strong economy and one of the lowest unemployment rates in the country. Tourism plays a major role in the district's economy, and the industry is worth over £1 billion across the Cotswolds Tourism area. A map of the area [450 sq. miles] is shown below:

#### COTSWOLD DISTRICT



Scale: NTS @ A4

© Crown copyright and database rights 2017  
Ordnance Survey, LA No. 100018800



#### **4. Consultees**

The 2005 Act requires each Licensing Authority to consult the following parties:

- the chief officer of police for the authority's area
- one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act

Before finalising and publishing this policy statement, the Council consulted the following:

- Gloucestershire Police
- Gloucestershire Safeguarding Children Partnership; Individual licensed bookmakers
- Parish and Town Councils
- Elected Members
- Representatives of the Gaming Machine Trade and Betting Industry
- Public Health Body
- The Gambling Commission
- H M Revenues and Customs
- Planning Authority
- Environmental Health department
- Fire Service
- Consultation took place from XX to XX

This Statement of Principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each matter will be considered on its own merits and according to the statutory requirements of the 2005 Act.

#### **5. Declaration**

In producing this Statement of Principles, the Licensing Authority declares that it has had regard to the licensing objectives of the Act, Guidance, and any responses from those consulted on the policy statement.

#### **6. Effective period**

This Statement of Principles becomes effective on 31 January 2025.

It will remain effective for three years (or any longer period in accordance with the 2005 Act) unless replaced sooner by a revised version that the Council adopts. At the date of publication, this licensing policy is expected to last until 30 Jan 2028.

#### **7. Responsible Authorities**

##### **7.1 Protection of children from harm**

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers (2005 Act, s.157(h)) to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance to Local Authorities, this Authority designates the Gloucestershire Safeguarding Children Partnership (GSCP) for this purpose, comprising of Gloucestershire Clinical Commissioning Group, Gloucestershire County Council and Gloucestershire Constabulary.

The GSCP Executive will review and delegate its duties as Responsible Authority to the most suitable safeguarding partner for this purpose every three years setting out its arrangements in its own 'Published Arrangements' document.

## 7.2 Contact details

Appendix 3 lists details for all the Responsible Authorities under the 2005 Act that have a role in the Licensing Authority's area.

## 8. Interested parties

Interested parties can make representations about licence applications or apply for a review of an existing licence. The 2005 Act (s.158) defines interested parties as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

- lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- has business interests that might be affected by the authorised activities, or
- represents persons who satisfy paragraph (a) or (b)"

Regulations require the Licensing Authority to state the principles it will apply in exercising its powers under the 2005 Act to determine whether a person is an interested party. Those principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities at 8.9 to 8.17 (*if the authority does not wish to follow the Gambling Commission's guidance in any respect it is advised to state this in its statement. Note though that decisions on premises licences and temporary use notices must be "in accordance" with Gambling Commission Guidance (Section 153)*). It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing department.

## 9. Information Exchange

Licensing Authorities are required to include in their Statement the principles to be applied by the Licensing Authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act in relation to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

This Licensing Authority will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 2018 will not be contravened. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.

The Licensing Authority does not currently have any established protocols regarding the exchange of information with other bodies, however, should any such protocol be adopted, it will be published.

Full details of those persons making representations will be made available to applicants to allow for negotiation and, in the event of a hearing being held, will form part of a public document. Anyone making representations or applying for the review of a premises licence will be informed that their full details will be disclosed.

## 10. Enforcement

Licensing authorities are required by Regulation under the Act to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under Section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This Licensing Authority's principles are that it will be guided by the Gambling Commission's Guidance (the Guidance) to Licensing Authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem and minimise side effects.

As per the Guidance to Licensing Authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes as far as possible.

This Licensing Authority has adopted and implemented an intelligence-based inspection programme, based on:

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this Statement of Principles

The main enforcement and compliance role for this Licensing Authority in terms of the Act 5 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the Licensing Authority but should be notified to the Gambling Commission.

This Licensing Authority also keeps itself informed of developments relating to the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

Bearing in mind the principle of transparency, this Licensing Authority's enforcement/compliance protocols/written agreements are available upon request to the licensing department.

## **11. Functions under the 2005 Act**

### **11.1 Functions of the Licensing Authority**

The 2005 Act gives Licensing Authorities the following functions:

- Licensing premises where gambling activities are to take place by issuing Premises Licences
- Issuing Provisional Statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities, by issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to Commercial Clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving notifications of the use of two or fewer gaming machines, from premises licensed (under the 2003 Act) to sell/supply of alcohol (for consumption on the premises other than with a meal).
- Issuing Licensed Premises Gaming Machine Permits where more than two machines are required for premises licensed (under the 2003 Act) to sell/supply alcohol (for consumption on the premises other than with a meal).
- Registering small society lotteries below prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to the Gambling Commission on details of licences issued (see section above on 'information exchange')
- Maintaining registers of permits and licences issued under these functions.

### **11.2 Others' functions**

The local licensing authorities are not involved in licensing remote gambling activities (e.g. internet gambling). This will fall to the Gambling Commission. Neither are they involved in licensing the National Lottery nor in regulating spread betting. Consequently, local authorities do not have any powers to deal with the following gambling-related activities and licenses:

- Remote (online gambling)
- The National Lottery
- Gambling advertisements on television or other media
- Football pools
- Gaming machine manufacturers
- Gaming machine suppliers
- Gambling software
- Operating licences
- Personal functional licences
- Personal management licences



## **PART B: PREMISES LICENCES**

### **1. Premises Licence**

A premises licence can authorise the provision of facilities at the following:

- casino premises;
- bingo premises;
- betting premises, including betting tracks;
- adult gaming centres;
- family entertainment centres

Other than an application for a betting premises licence in respect of a track, the Council is not able to issue a premises licence unless the applicant holds the relevant operating licence from the Gambling Commission.

Premises licences will be subject to the requirements set out in the Act and Regulations, as well as specific mandatory and default conditions which will be detailed in Regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

### **2. Applications**

Other than an application for a premises licence in respect of a track, applications for a premises licence can only be made by a person who either holds:

- an operating licence authorising them to carry on the activity in respect of which a premises licence is sought, or
- has made an application for an operating licence which has not yet been determined.

Anyone wishing to make an objection to an application must do so by writing to the Licensing Authority and would normally be expected to relate their objection to one or more of the Licensing Objectives, or to issues raised within this Statement of Principles, the Guidance or Codes of Practice before the Licensing Authority will be able to consider it.

Where an application attracts an objection conditions will only be considered where they are necessary to promote the Acts objectives and proportionate to the circumstances.

Where it is necessary to attach conditions to a licence in order to promote the Act's objectives such conditions will not be overly onerous and will be proportionate to the risks involved.

The Licensing Authority will not, as a general rule, seek to attach conditions to a licence to mitigate concerns that are already adequately covered by other legislation.

The Council, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and promote equality and good relations between persons of different ethnic groups.

### **3. Local Risk Assessments**

The Commission's Licence Conditions and Code of Practice (LCCP) which were revised and published in February 2015 formalised the need for operators to consider local risks.

Social Responsibility (SR) code 10.1.1 requires licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures, and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this policy statement.

Licencees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:

- when applying for a variation of a premises licence;
- to take account of significant changes in local circumstances, including those identified in this policy statement; and
- where there are significant changes at a licensee's premises that may affect their mitigation of local risks.

This authority will expect the local risk assessment to consider as a minimum:

- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
- the demographics of the area in relation to vulnerable groups;
- whether the premises is in an area subject to high levels of crime and/or disorder
- how vulnerable people, including people with gambling dependencies are protected

This authority will also expect local risk assessments to include, specifically, any relevant information about:

- Self-exclusion details
- Attempts to gamble by under 18s
- Outcome(s) of test purchase results
- ASB issues on incident logs
- Police reports and call outs
- Sharing information with nearby agencies e.g. treatment centres
- Any protections in place when footfall is the highest
- Details of any best practise schemes such as Betwatch or similar

The SR provision is supplemented by an ordinary code provision that requires licencees to share their risk assessment with the licensing authority when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the Licensing Authority. Both provisions took effect from 6 April 2016.

Where concerns do exist, perhaps prompted by new or existing risks, the licensing authority will request that the licensee share a copy of its own risk assessment which will  
Statement of Principles - Gambling Act 2005 (2021) set out the measures the licensee has in place to address specific concerns.

This practice should reduce the occasions on which a premises review and the imposition of licence conditions are required.

#### **4. Local Area Profile**

The Licensing Authority has not undertaken a local area profile at this stage as there are a very low number of premises licensed under the Gambling Act 2005 in the district. However, if a profile is produced in the future it will be a separate document to this Statement of Principles and will be circulated to all licensed premises and available on the Local Authority's website. If a local area profile is produced it is expected that local risk assessments will take account of the local area profile.

#### **5. Plans of the Premises**

All new applications for a premises licence, and where relevant variation applications, must include a plan of the premises. This Authority expects the plan to show the outline of the premises defined in red, all exit/entrance points, any fixed structures and the position of counters, gaming machines etc.

The plans become part of the premises licence and the Licensing Authority expects the plans to be available for inspection by an authorised officer at the premises.

If there are major changes to the layout of a premises a variation application must be made, and new plans submitted. If there is a minor change to the layout the licence holder should contact the Licensing Authority for advice. If the minor change has no impact on the Licensing Objectives the Licensing Authority may accept an updated plan. However, if there is a possibility that the change will impact on a Licensing Objective the licence holder must make a variation application. This could include the moving of gaming machines which impacts on the line of sight for staff.

## **6. Decision Making**

When making decisions about premises licences this Licensing Authority will permit the use of premises for gambling as far as it is:

- in accordance with any relevant Code of Practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the Licensing Authority's Statement of Principles.

In determining an application this Licensing Authority may not have regard to the expected demand for the facilities which it is proposed to provide.

## **7. Other Mechanisms to address unruly behaviour**

In carrying out its licensing functions the Licensing Authority also recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including: -

- Planning controls;
- Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other departments of this Licensing Authority;
- Regular liaison with the Police on law enforcement issues regarding disorder and anti-social behaviour;
- The power of the Police, other responsible authorities or local residents and businesses to seek a review of the licence.

## **8. Location**

In determining an application or a request to review a Premises Licence, the Licensing Authority will have regard to:

- Proximity to institutions, places, or areas where the presence of young persons should be expected such as schools, youth clubs, parks, playgrounds etc
- Proximity to residential area where there may a high concentration of families with children
- Proximity to premises frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctors' surgeries, addiction clinics, help centres etc

The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits and if an applicant can effectively demonstrate how they might overcome Licensing Objectives concerns, this will be taken into account.

## 9. Meaning of “Premises”

In the Act, "premises" is defined as including "any place". Section 152 therefore, prevents more than one premises licence applying to any place. However, a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, track, or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, Licensing Authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in its Guidance to Licensing Authorities Part 7 that: “In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. However, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”

This Licensing Authority takes particular note of the Guidance in Part 7 which states that: “Licensing Authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third Licensing Objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.”

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Is a separate registration for business rates in place for the premises?
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This Licensing Authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

This authority will take account of the Guidance in Part 7 which details the relevant access provisions for each premises type. These include

### Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises.

## Betting Shops

- Access must be from a street (as per para 7.23 Guidance) or from another premises with a betting premises licence.
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

## Family Entertainment Centre

- No customer must be able to access the premises directly from:
  - a casino;
  - an adult gaming centre;
  - a betting premises, other than a track.

### **10. Premises “ready for gambling”**

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the Licensing Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this Authority will determine applications on their merits, applying a two-stage consideration process: -

- First, whether the premises ought to be permitted to be used for gambling;
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this Authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found in Part 7 of the Guidance.

### **11. Planning**

The Guidance to Licensing Authorities states in Part 7:

“In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.”

This Authority will not take into account irrelevant matters as per the Guidance. In addition this Authority notes the following excerpt from Part 7 Guidance:

“When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.”

## **12. Duplication with other regulatory regimes**

This Licensing Authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This Licensing Authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise. When dealing with a premises licence application for finished buildings, this Licensing Authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

## **13. Licensing Objectives**

### **13.1 Prevention of crime and disorder objective**

This Licensing Authority places a considerable importance on the prevention of crime and disorder and will fulfil its duty under s17 of the Crime and Disorder Act 1998. A high standard of control is, therefore, expected to be exercised over licensed premises.

This Licensing Authority will, when determining applications, consider whether the grant of a Premises Licence will result in an increase in crime and disorder.

In considering licence applications, this Licensing Authority will particularly take into account the following: -

- The design and layout of the premises;
- The training given to staff in crime prevention measures appropriate to those premises;
- Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
- Where premises are subject to age restrictions, that procedures are in place to conduct age verification checks;
- The likelihood of any violence, public order, or policing problem if the licence is granted.

### **13.2 Ensuring that gambling is conducted in a fair and open way objective**

Generally, the Gambling Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way. This will be a matter for either the management of the gambling business (and therefore relevant to the Operating Licence) or will be in relation to the suitability and actions of an individual (and therefore relevant to the Personal Licence). Both of these options fall under the remit of the Gambling Commission.

Where this Licensing Authority has concerns that gambling at any premises is not being conducted in a fair and open way this Licensing Authority will bring those concerns to the attention of the Gambling Commission.

### **13.3 Protection of children and other vulnerable persons objective**

#### **Access to Licensed Premises**

With limited exceptions, the access of children and young persons to those gambling premises which are adult only environments will not be permitted.

This Licensing Authority may seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.

This Licensing Authority may consult with the County's Safeguarding Children Board on any application that may give cause for concern over access for children or vulnerable persons.

This Licensing Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

This Licensing Authority will judge each separate application on its own merits before deciding whether to impose conditions to protect children on particular categories of premises. This may include such requirements as: -

- Supervision of entrances;
- Segregation of gambling areas from areas frequented by children;
- Supervision of gaming machines in non-adult gambling specific premises.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

### **13.4 Vulnerable Persons**

This Licensing Authority does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children, but it will assume for regulatory purposes, that "vulnerable persons" include:

1. People who gamble more than they want to;
2. People who gamble beyond their means; and
3. People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol, or drugs.

This Licensing Authority will expect, (if appropriate for the type of licence or permit being applied for), that an applicant will show that there are policies and procedures in place to protect vulnerable persons.

These may include:

- A training programme for staff to enable them to identify persons who may be vulnerable and where appropriate to take action to protect such vulnerable persons from being harmed or exploited by gambling
- Display Gamcare helpline stickers on all gaming machines
- Display Gamcare posters in prominent locations on the premises

Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.”

### **13.5 Gambling Prevalence and Social Responsibility**

Gambling related harm is defined as any type of repetitive gambling that disrupts or damages a person, family, or recreational pursuits. It can have many and varied impacts, including on an individual’s physical and mental health, relationships, housing and finances and affect a wide range of people, such as families, colleagues and wider local communities (for example, where problem of gambling is associated with crime or homelessness) and society as a whole (in terms of the costs that may be created by problem gambling). Evidence suggests that certain groups are more vulnerable to problem gambling including children and young people, people with mental health issues, certain minority ethnic groups, the unemployed, homeless people, those with low intellectual functioning, people with financially constrained circumstances and those living in deprived areas. Harms may include financial hardship, relationship breakdown, domestic violence, mental health problems and suicidal thoughts.

Gambling Operators must comply with the Gambling Commission’s Licence Conditions and Codes of Practice – Gambling Commission (LCCP). The Social Responsibility Code 3 requires gambling operators to have and put into effect policies and procedures to promote socially responsible gambling and these should reduce the risk of, and seek to identify, problem gambling.

The requirements on gambling premises under the social responsibility code are based upon key areas:

- Provision of information on gambling responsibility – for example, the availability of time or monetary limits for players and information on where to get help and advice about gambling.
- Customer interaction – licensees are required to have policies and procedures in place governing customer interaction where there are concerns that a customer is displaying signs of problem gambling. These will include staff training and the types of behaviour that may trigger an intervention or where staff may consider reducing services to customers.
- Layout of the premises – operations must ensure that the layout of a gambling premises supports the effective supervision of the premises.
- Self-exclusion – licensees must have procedures for self-exclusion that ensure that individuals who wish to self-exclude from gambling are prevented from participating in gambling. In addition to operating their own self-exclusion schemes all licensees must offer the facility for customers to self-exclude on a multi-operator basis, meaning that an individual who self-excludes from one operator should be able to self-exclude from all operators offering the same type of gambling in the same locality. Trade bodies for different sectors of the gambling industry have led on the development of multi-operator self-exclusion arrangements for each sector.



Any marketing communications for gambling must be socially responsible, with particular regard to the need to protect children, young persons, and other vulnerable persons being harmed or exploited. Licensees are required to comply with the Social Responsibility Code 5 of the LLCP.

### **13.6 Door Supervisors**

The Guidance advises that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.

This Licensing Authority will normally expect door supervisors employed at Gambling Premises to be Security Industry Authority (S.I.A.) registered (or any subsequent equivalent). It is noted though that 'in house' door supervisors at casinos or bingo premises are exempt from the requirement to be licensed by the S.I.A. (or any subsequent equivalent). Where applicants propose to employ door supervisors who are not S.I.A. registered this Licensing Authority will expect the Applicant to show that they (the door supervisors) are trained to S.I.A. standards (or any subsequent equivalent.)

### **13.7 Adult Gaming Centres**

This Licensing Authority will have regard to the need to protect children, young persons and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy it (the Licensing Authority) that there will be in place sufficient measures to, for example, ensure that under 18-year-olds do not have access to the premises.

This Licensing Authority will expect applicants to offer in their application appropriate measures that they propose to take that will promote the licensing objectives, measures which could cover issues such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific Opening hours;
- Self-exclusion schemes;
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

### **13.8 (Licensed) Family Entertainment Centres:**

This Licensing Authority will specifically have regard to the need to protect children, young persons and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Licensing Authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas

This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives, such measures cover issues such as:

- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;

- Location of entry;
- Notices / signage;
- Specific opening hours;
- Self-barring schemes;
- Measures / training for staff on how to deal with suspected truant school children on the premises and how to recognise signs of child sexual exploitation
- Clear policies that outline the steps to be taken to protect children from harm

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

This Licensing Authority will, in accordance with the Guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This Licensing Authority will also make itself aware of any mandatory or default conditions on these premises' licences, where they have been published.

### **13.9 Casinos**

There are currently no casinos operating within the district.

At present this Licensing Authority has passed a resolution not to issue casino premises licences generally in the district. However, the Licensing Authority reserves the right to review this situation and may, at some time in the future, revoke that resolution. Any such revocation would be made by the Full Council and this Statement of Principles would be updated.

### **13.10 Bingo Premises**

The Guidance in Part 18 states:

“Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.”

This authority also notes the Guidance in Part 18 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular, that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

In Part 18 the Guidance states:

“Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.”

### **13.11 Betting Premises**

Betting machines – This Licensing Authority will, in accordance with the Gambling Guidance, take into account the size of the premises, the number of counter positions available for person-to- person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

## 13.12 Tracks

Tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. In accordance with the Guidance, this Licensing Authority will especially consider the impact upon the third licensing objective i.e. the protection of children, young persons and vulnerable persons from being harmed or exploited by gambling and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This Licensing Authority will, therefore, expect the premises licence applicant to demonstrate suitable measures to ensure that children and young persons do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This Licensing Authority also expects applicants to volunteer their own measures to meet the licensing objectives such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Location of entry;
- Notices / signage;
- Specific opening hours;
- Self-barring schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

### a) Gaming machines –

Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

### b) Betting machines –

This Licensing Authority will, as per Part 6 of the Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

### c) Applications and plans -

The Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance, para 20.28).

Plans for tracks do not need to be in a particular scale but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance, Part 20).

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied,

track premises licence holders may erect temporary structures to restrict access to premises. (See Guidance, Part 20).

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined. (See Guidance, Part 20).

This Licensing Authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this Licensing Authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan. (See Guidance, Part 20)

### **13.13 Travelling Fairs**

It will fall to this Licensing Authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Licensing Authority will consider whether the applicant falls within the statutory definition of a travelling fair and if it does will require all gaming machines at travelling fairs to acquire a permit.

It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether the same or different travelling fairs occupy the land. This Licensing Authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

### **13.14 Provisional Statements**

Developers may wish to apply to this Authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

S204 of the Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are

constructed, altered, or acquired. The Licensing Authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement;
- stage, or
- they reflect a change in the applicant's circumstances.

In addition, the Licensing Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the Licensing Authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Licensing Authority notes that it can discuss any concerns it has with the applicant before making a decision.

### 13.15 Reviews

Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Licensing Authority to decide whether the review is to be carried-out. This Licensing Authority will consider requests for a review of a premises licence only where that request is relevant to the matters listed below.

- in accordance with any relevant Code of Practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with one or more of the licensing objectives; and
- in accordance with the Licensing Authority's Statement of Licensing Policy.

The Licensing Authority will take into consideration whether the request is frivolous or vexatious, or whether it is substantially the same as previous representations or requests for review. Where it considers this is the case it will certainly not cause this Licensing Authority to alter/revoke/suspend the licence,

This Licensing Authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28-day period. This period begins 7 days after the application was received by the Licensing Authority, who will publish notice of the application within 7 days of receipt.

The Licensing Authority must carry out the review as soon as possible after the 28-day period for making representations has passed.

The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Authority are:

- (a) add, remove, or amend a licence condition imposed by the Licensing Authority;
- (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence.

In determining what action, if any, should be taken following a review, the Licensing Authority must

have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

In particular, the Licensing Authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the Licensing Authority must, as soon as possible, notify its decision to:

- the licence holder;
- the applicant for review (if any);
- the Commission;
- any person who made representations;
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs.

### **13.16 Complaints against Licensed Premises**

The Licensing Authority will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, this Licensing Authority will, where appropriate, seek to arrange a conciliation meeting to address and clarify the issues of concern.

This process will not override the right of any interested party to ask that the Licensing Authority consider their objections, or for any licence holder to decline to participate in a conciliation meeting.

## **PART C: PERMITS, TEMPORARY & OCCASIONAL USE NOTICES**

### **I. Unlicensed Family Entertainment Centre gaming machine permits**

Premises that do not hold a premises licence but wish to provide gaming machines may apply to the Licensing Authority for an Unlicensed Family Entertainment Centres permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238 of The Act).

The Act 2005 states that a Licensing Authority may prepare a Statement of Principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this Statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Part 24. The Guidance also states: "In their three-year licensing policy statement, Licensing Authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits...., Licensing Authorities will want to give weight to child protection issues."

Guidance also states: "...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. Licensing Authorities might wish to consider asking applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and

- that staff are trained to have a full understanding of the maximum stakes and prizes.

It should be noted that a Licensing Authority cannot attach conditions to this type of permit.

Statement of Principles - This Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include:

- training for staff as regards suspected truant school children on the premises,
- training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.
- training for staff for identifying and how to report safeguarding and child sexual exploitation concerns

This Licensing Authority will also expect applicants to:

- Provide a detailed plan with the application showing the boundaries of the unlicensed FEC, the location of the gaming machines and any other fixed structures, plus the nature of any adjoining areas if relevant. There must be no direct access from an unlicensed FEC and an Adult Gaming Centre
- demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
- staff are trained to have a full understanding of the maximum stakes and prizes.

If there is a change in the layout of the premises after the permit is granted the Licensing Authority expects the permit holder to provide the Licensing Authority with updated plans. This will include if gaming machines are moved within the area covered by the permit. If there is a significant change that could impact on the licensing objectives a new application may have to be submitted.

## **2. (Alcohol) Licensed Premises - Gaming Machine Permits**

The Act allows premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines of categories C and/or D. The premises merely need to notify the Licensing Authority.

The Licensing Authority expects alcohol licensed premises with gaming machines to adhere to the Codes of Practice. In particular there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines and all gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.

The Licensing Authority would consider the removal of the automatic authorisation in respect of any particular premises if:

- the provision of the machines is not reasonably consistent with the pursuit of the Acts' licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Act (i.e. that written notice has been provided to The Licensing Authority, that a fee has been provided and that any relevant Code of Practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Act has been committed on the premises.

Any premises wishing to have more than 2 machines must apply for a permit. Where the Licensing

Authority receives such an application the Licensing Authority will consider that application based upon the licensing objectives, any guidance by the Gambling Commission issued under Section 25 of The Act, and such matters as it may think relevant. Such matters will be determined on a case-by-case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Licensing Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Licensing Authority that there will be no access may include the adult machines are in sight of any bar, or that the machines are capable of continuous monitoring being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be helpful. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

The Licensing Authority will expect the applicant for a permit to provide a detailed plan with the application showing the boundaries of the area to be covered by the permit, the location of the gaming machines and any other fixed structures, plus the nature of any adjoining areas if relevant.

If there is a change in the layout of the premises after the permit is granted the Licensing Authority expects the permit holder to provide the Licensing Authority with updated plans. This will include if gaming machines are moved within the area covered by the permit. If there is a significant change that could impact on the licensing objectives a new application may have to be submitted

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

### **3. Prize Gaming Permits**

The Act 2003 states that a Licensing Authority can decide to prepare a Statement of Principles that they propose to apply in exercising their functions under this schedule which may in particular specify matters that the Licensing Authority proposes to consider in determining the suitability of the applicant for a permit.

Statement of Principles - This Licensing Authority requires applicants to set out the types of gaming that they are intending to offer, and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law;
- and they have clear policies that outline the steps to be taken to protect children from harm

In making its decision on an application for a permit the Licensing Authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

### **4. Club Gaming and Club Machines Permits**

Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines, equal chance gaming and games of chance as set-out in Regulations. A Club Gaming machine permit will enable the premises to provide gaming machines Commercial clubs are not permitted to provide non-machine gaming (other than exempt gaming under section 269 of



the Act) so they should apply for a club machine permit,

Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

This Licensing Authority will only refuse such an application if:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Commission or the police.

When considering whether the applicant fulfils the requirements for a members' or commercial club or miners' welfare institute it will take account of the factors listed in section 25 of the Guidance.

The Act also provides for a 'fast-track' procedure for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). The Guidance for local authorities' states:

"Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which a Licensing Authority can refuse a permit are reduced."

This Licensing Authority will refuse such applications if:

- the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

When considering whether the club is established primarily for gaming the Licensing Authority will take account of the factors listed in section 25 of the Guidance.

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder of such a permit complies with any relevant provision of a Code of Practice regarding the location and operation of gaming machines.

## **5. Temporary Use Notices**

Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming

is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the Licensing Authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

This Licensing Authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Guidance.

## **6. Occasional Use Notices**

The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded.

When receiving such notices this Licensing Authority will consider the definition of a 'track' and whether the notice giver is permitted to avail him/herself of the notice.

## **7. Small Society Lotteries**

This Licensing Authority will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. This Licensing Authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- submission of incomplete or incorrect returns
- breaches of the limits for small society lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

by, or on behalf of, a charity or for charitable purposes

to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact this Licensing Authority for further advice.

## APPENDICES

Appendix 1 – Licensing Authority delegations for Cotswold District

Appendix 2 – Responsible Authorities

### Appendix 1 – Licensing Authority delegations – Cotswold District Council

MATTER TO BE DEALT WITH	Full Council	Licensing Committee	Licensing Sub-Committee	Officers
Licensing policy	X			
Policy not to issue casino premises licences	X			
Fee Setting – when appropriate				(To be approved by Cabinet)
Application for premises licences			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence			Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Request to review a premises licence				(in consultation with the Head of Legal and Democratic Services)
Review of a premises licence		X		
Application for club gaming/club machine permits			Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X		
Applications for other permits				X
Cancellation of licensed premises gaming machine permits				X
Consideration of temporary use notice				X
Decision to give a counter notice to a temporary use notice				X

## Appendix 2 - Responsible Authorities

The Responsible Authorities under the 2005 Act and their contact details are as follows.

Responsible Authority	Address	Telephone number and email address
Gambling Commission	Gambling Commission Victoria Square House Victoria Square Birmingham B2 4BP	0121 230 6666 info@gamblingcommission.gov.uk
Gloucestershire Constabulary	Licensing Unit Community Engagement Dept Police Headquarters No 1 Waterwells Quedgeley Gloucester GL2 2AN	01452 754482 licensing@gloucestershire.pnn.police.uk
Gloucestershire Fire and Rescue Service	Service Delivery Support Gloucestershire Fire and Rescue Service Head Quarters Waterwells Drive Quedgeley Gloucester GL2 2AX	01452 753333 fire.safety@glosfire.gov.uk
Gloucestershire Children Safeguarding Partnership		Police are a member of the partnership and will act on behalf of GCSP – see Police contact above
Environmental Services - Public Protection	Operations Team Environmental and Regulatory Services Cotswold District Council Trinity Road Cirencester GL7 1PX	01285 623000 <a href="mailto:ers@publicagroup.uk">ers@publicagroup.uk</a>
Planning and Regulatory Services	Development Control Cotswold District Council Council Offices Trinity Road Cirencester GL7 1PX	01285 623000 <a href="mailto:planning@cotswold.gov.uk">planning@cotswold.gov.uk</a>
Public Health	Public Health Department Block 4, 2nd Floor Gloucestershire County Council Shire Hall, Westgate Street, Gloucester GL1 2TG	publichealth@gloucestershire.gov.uk

## PLANNING AND LICENSING COMMITTEE 11 September 2024

---

### 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 11 September 2024  
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION**

Parish	Application	Schedule Order No.
Wyck Rissington	Wyck Cottage Wyck Rissington Cheltenham Gloucestershire GL54 2PN 24/00834/FUL Full Application	01
Wyck Rissington	Wyck Cottage Wyck Rissington Cheltenham Gloucestershire GL54 2PN 24/00835/LBC Listed Building Consent	02
Cirencester	Cotswold Leisure Centre Old Tetbury Road Cirencester Gloucestershire GL7 1US 24/01915/SPANOT Prior Approval Notification (Solar Panels)	03
Cirencester	Corinium Museum Park Street Cirencester Gloucestershire GL7 2BX 24/01689/LBC Listed Building Consent	04

**Erection of single-storey rear extension to replace existing and associated works at Wyck Cottage Wyck Rissington Cheltenham Glos GL54 2PN**

<b>Full Application 24/00834/FUL</b>	
Applicant:	Mr and Mrs Lathe
Agent:	Ashleigh Clarke Architects Ltd
Case Officer:	Mark Fisher
Ward Member(s):	Councillor Andrew Maclean
Committee Date:	11 September 2024
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**1. Main Issues:**

- (a) Design and Impact on the Character and Appearance of the Area/Heritage Assets
- (b) Impact on Residential Amenity
- (c) Impact on the Cotswolds National Landscape (AONB)

**2. Reasons for Referral:**

2.1 The applications have been referred to the Planning and Licensing Committee following consideration at the Review Panel of 2<sup>nd</sup> August 2024, following a request by Cllr Maclean, where it was concluded that:

*The Review Panel agreed the request for the application to be heard by the Planning and Licensing Committee on the grounds that the consideration of the impact of, and benefits arising from such development, including in terms of heritage & energy efficiency, was appropriate for the Committee to assess in this instance.*

2.2 The reasons for the referral request set out by Cllr Maclean were:

2.2.1 *Wyck Cottage is a grade II listed building which has been severely neglected over the past 20 to 30 years and was uninhabited for over 2 years prior to Mr & Mrs Lathe purchasing the property in March 22. The property has suffered with subsidence, a failing roof, wood rot, dilapidated dormers and windows and has been a total eye sore in the centre of Wyck Rissington for years.*

2.2.2 *CDC have been incredibly slow in dealing with this application given that the owners first submitted their plans in August 2022.*

2.2.3 *The plan is simply to replace a rear, unsightly and incongruous 20th Century south facing glass conservatory with a slightly bigger, more in-keeping oak framed garden room.*

2.2.4 *A south facing glass conservatory is not practical as temperatures exceeded 56 degrees last summer and zero degrees in the winter and a like-for-like replacement will not improve the energy efficiency of Wyck Cottage at all. The energy inefficiency of a glass conservatory goes against the Council's priority of trying to mitigate climate & ecological emergencies and would not provide a comfortable inhabitable living area for large parts of the year. Improving energy efficiency is also a key issue in planning*

(NPPF14) and this planned improvement would increase the performance of the overall building without detracting from the original features of the cottage as it would replace the very out of keeping conservatory.

- 2.2.5 Historic England advises that “a new extension should not dominate a historic building: this usually means it should be lower and smaller. Some small buildings such as lodges and cottages can easily be swamped by an extension, unless very carefully designed. There is no rule on the ideal percentage increase in size: it all depends on the size, character and setting of your house. There will be some cases where a new extension will not be possible. An extension will usually have less effect on your historic house if it is built onto the back and not seen from the front. This is because the back is usually less important for its architecture than the front. Side extensions may also work well. Permission for an extension that projects to the front is rarely given as this is usually the most important and most visible part of the house.” This proposed garden room is at the rear of the house totally out of sight from the public and therefore cannot be said to dominate the existing house in any way.
- 2.2.6 There has been a huge amount of permitted development work on practically all the listed buildings in Wyck Rissington as is documented in the attached PDF. This could be said to set a precedent for what is allowable in the village especially as many of these buildings are immediate neighbours to Wyck Cottage. Why, therefore, is this simple garden room being refused when it will have no impact at all on the character of the conservation area and the village green.
- 2.2.7 The Lathe’s heritage impact statement makes a very valid point that the 1994 planning permission to grant an extension to the south-east (replacing a garage and single storey store) and a glass conservatory to the rear demonstrates the cottage has been subject to considerable change over the years as a consequence of change of use and having been made a single cottage. The best way now of preserving the inherent and architectural interest of this lovely cottage is surely to facilitate the optimum viable use and long-term preservation of the cottage as a residential premises by allowing the owners to upgrade it to a 21st century standards as proposed.

### **3. Site Description:**

- 3.1 Wyck Cottage is a two-storey detached dwelling situated on the south-western side of the main road running through the village of Wyck Rissington. The property, which was listed as grade II in 1960, historically comprised a pair of symmetrical cottages, each with a small offshoot on the gable ends (that at the north-western end apparently surviving as the utility room), and a smaller structure projecting, forwards from these offshoots (a fragment of which may survive in the external wall projecting north-east from the utility, and which is proposed for demolition). At first floor each cottage is divided into two bays by a raised cruck truss, each substantially encased within historic lath-and-plaster. Though the two cottages have since been combined into a single-dwelling, it is in the character of the building as a pair of traditional estate-workers cottages that its significance as a listed building primarily rests.
- 3.2 In addition to its listing, the property is located within both the Wyck Rissington Conservation Area and the Cotswolds National Landscape (AONB).



#### **4. Relevant Planning History:**

- 4.1 CD.7762 - Demolition of part of Listed Building and erection of extension; Permitted 10.03.1994
- 4.2 CD.7762/A - Demolition of existing garage and single storey store and erection of new extension; Permitted 10.03.1994
- 4.3 CD.7762/B - Erection of an amdega conservatory; Permitted 21.09.1994
- 4.4 CD.7762/C - Erection of amdega conservatory; Permitted 21.09.1994
- 4.5 05/01863/AGFO - Extension to barn to provide agricultural vehicle and hay storage; Refused 06.09.2005
- 4.6 22/02719/FUL and 22/02720/LBC - Demolition and replacement of conservatory, extension of existing outbuilding and alteration/refurbishment of existing dwelling; Permitted 19.05.2023

#### **5. Planning Policies:**

- TNPPF The National Planning Policy Framework
- CDCLP CDC LOCAL PLAN 2011-2031
- 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

#### **6. Observations of Consultees:**

- 6.1 Conservation Officer: Recommends refusal

#### **7. View of Town/Parish Council:**

- 7.1 No comments received at the time of writing

#### **8. Other Representations:**

- 8.1 No comments received at the time of writing

#### **9. Applicant's Supporting Information:**

- Existing and proposed plans and elevations (including revisions)
- Design and Access Statement
- Heritage Statement

## **10. Officer's Assessment:**

- 10.1 The Local Planning Authority is statutorily required to have special regard to the desirability of preserving the buildings, their settings, and any features of special architectural or historic interest they may possess, in accordance with Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.
- 10.2 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.

### *Proposed Development*

- 10.3 The application seeks planning permission and Listed Building Consent for the erection of a single-storey rear extension.
- 10.4 The proposed extension would be of flat roof design and would measure approximately 5.9 metres in width, 3.9 metres in depth and 3.3 metres in height (3.9 metres including roof lantern). It would be constructed using an oak frame over low Cotswold Stone walls.

## **(a) Design and Impact on the Character and Appearance of the Area/Heritage Assets**

- 10.5 Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality. This conforms to the design considerations of National Planning Policy Framework (NPPF) Section 12.
- 10.6 Local Plan Policy EN10 requires consideration of proposals that affect a designated heritage asset and/or its setting with a greater weight given to more important assets.
- 10.7 Local Plan Policy EN11 seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials and the retention of positive features.
- 10.8 NPPF Section 12 requires good design, providing sustainable development and creating better place to live and work in.
- 10.9 NPPF Section 16 states that historical 'assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'.
- 10.10 Wyck Cottage comprised a modest linear pair of agricultural workers' cottages, which have been converted into a single dwelling, and massively extended to the south-east in 1994 (application references 94.00285 and 94.00286), enormously increasing the length of the building, but retaining its linear form. A fully glazed, lean-to conservatory was permitted on the rear elevation the same year (94.01155 and 94.01156). Whilst

the location broke the linear footprint of the building, this was mitigated by the visually permeable, light-weight appearance, and modest lean-to form were deferential to the historic, linear character. The scale of these extension was such that they accounted for approximately 37% of the footprint of the total building.

- 10.11 Applications for various works was submitted in 2022 (22/02719/FUL & 22/02720/LBC), which initially included a replacement rear extension virtually identical to the current proposal. Concerns were raised over the cumulative scale of the existing extensions, and following a suggested compromise, the proposal was amended to comprise a fully glazed lean-to of similar depth to the previous, but slightly greater width; this was approved, and is the footprint shown in the current survey drawings.
- 10.12 The re-submitted proposal still raises concerns with regard to the depth of the projection and the more box-like form with a substantially solid roof. The result of these would be a large addition dominating the rear elevation and eroding the simple, linear form of the building. Despite the level of mid height glazing, the solid roof would render the interior darker, and thus the addition would be very considerably less visually permeable than a conservatory, reading as a more solid, flat-roofed and rather box-like extension, disruptive to the historic linear form of the host building.
- 10.13 Furthermore, it is now also proposed to increase the opening through the historic rear wall, so that the appearance is not a delicate addition to the rear of the historic building, but a substantial penetrating extension. There would also be loss of the definition of the rear wall, as well as loss of masonry.
- 10.14 The applicant's justification for the development's impact concludes that the replacement extension would "engender long term committed ownership of the property". No public benefits to outweigh the harm arising have been put forward by the applicant as they claim the development would have a beneficial impact upon the Listed Building. Officers do not agree with this contention, and do not consider that the very limited extension or improvement of personal accommodation within the building would set out any clear public benefit to potentially outweigh the clear harm identified.
- 10.15 In regard to the comments made within his referral request regarding the improved 'energy efficiency... performance' of the building that he anticipates to arise, no such case or evidence has been provided by the applicant. It may be that the opposite is true, as the existing conservatory is an external room, accessed by external openings through the solid wall of the host building, whereas the proposed development would create larger full openings in the existing curtain wall fabric and join the remainder of the house to a partially glazed structure, possibly exerting greater heating and cooling demands. Notwithstanding this uncertainty, the potential effects in regard to energy efficiency are not considered to represent a public benefit (if they did actually exist in this case), so should not be weighed against the disbenefits / harm of the proposed development.
- 10.16 The proposed development would therefore fail to accord with Section 16(2) in specific regard to the Listed Building Consent, and otherwise Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, Sections 12 and 16 of the NPPF and Local Plan Policies EN2, EN10 and EN11.

## **(b) Impact on Residential Amenity**

- 10.17 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, in conformity to the amenity requirements of Section 12 of the NPPF.
- 10.18 Owing to the scale, siting and position relative to neighbouring properties, the proposed development is considered not to impinge on the residential amenities of the neighbouring properties having regard to loss of light, loss of privacy or overbearing. The proposed development is considered to accord with the residential amenity considerations of Local Plan Policy EN2 and Section 12 of the NPPF.

## **(c) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)**

- 10.19 Section 85(A1) of the Countryside and Rights of Way (CROW) Act 2000 (as amended by Section 245 of the Levelling-up and Regeneration Act 2023) states that relevant authorities have a duty to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.
- 10.20 Local Plan Policy EN4 states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape, and requires that it takes account of landscape character, visual quality and local distinctiveness.
- 10.21 Local Plan Policy EN5 relates specifically to the National Landscape (AONB), and states that in determining development proposals within the National Landscape (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. This conforms to the considerations of NPPF Section 15, which seeks to conserve and enhance the natural environment.
- 10.22 The proposed development does not materially encroach into open countryside nor harm the character or appearance of the Cotswolds National Landscape (AONB). As such, the proposal is considered to accord with Local Plan Policies EN4 and EN5, and Section 15 of the NPPF.

## **11. Conclusion:**

- 11.1 The current proposal, by virtue of the scale and design would dominate the rear elevation, erode the linear form and further add to the already considerable cumulative mass of modern extensions, thereby neither preserving the special architectural or historic interest of the Wyck Cottage, nor preserving nor enhancing the character and appearance of the Wyck Rissington Conservation Area, nor sustaining the significance of either as designated heritage assets. The harm would be less-than-substantial albeit considerable, and not be outweighed by any resultant public benefits that are dependent upon that harm. In this regard, the proposals are considered to fail to accord with Sections 12 and 16 of the NPPF, Local Plan Policies EN2, EN10 and EN11 and Sections 16(2), 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

## **12. Reasons for Refusal:**

1. Wyck Cottage is a Grade II listed building, comprising an already massively extended, but still linear former pair of agricultural workers' cottages, and lies within the designated Wyck Rissington Conservation Area. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, there is a statutory duty for the Local Planning Authority to pay special attention to the desirability of both preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, and preserving or enhancing the character or appearance of the conservation area.
2. The current proposal, by virtue of the scale and design would dominate the rear elevation, erode the linear form and further add to the already considerable cumulative mass of modern extensions, thereby neither preserving the special architectural or historic interest of the Wyck Cottage, nor preserving nor enhancing the character and appearance of the Wyck Rissington Conservation Area, nor sustaining the significance of either as designated heritage assets. The harm would be less-than-substantial albeit considerable, and not be outweighed by any resultant public benefits that are dependent upon that harm. In this regard, the proposals are considered to fail to accord with Sections 12 and 16 of the NPPF, Local Plan Policies EN2, EN10 and EN11 and Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

This page is intentionally left blank

**Change Manager:**

Rev	Issue Status	Date	By	Ch'd
A	Planning	02/07/2022	AC	AC
B	Planning	06/09/2023	AC	AC



01

Location Plan

1:1250

**Drawing Scale:**

1:5 = 0.25m	1:25 = 1.25m	1:200 = 10.0m	1:1000 = 50.0m
1:10 = 0.5m	1:50 = 2.5m	1:250 = 12.5m	1:1250 = 62.5m
1:20 = 1.0m	1:100 = 5.0m	1:500 = 25.0m	1:2500 = 125m

Check scale by measuring line above



**ASHLEIGH CLARKE**  
Architects

# Alterations and Extensions

**Client Name:**

Mr and Mrs A Lathe

**Drawing Name:**

Site Location Plan

**Contact:**

e. [info@ashleighclarkearchitects.com](mailto:info@ashleighclarkearchitects.com)  
t. 01451 828 419  
w. [ashleighclarkearchitects.com](http://ashleighclarkearchitects.com)

**Site Address:**

Wyck Cottage Wyck Rissington Cheltenham GL54 2PN

**Print Size:**

A4

**Project No.**

22\_007

**Drawing No.**

0001

**Status:**

Planning

**Revision:**

B

**Office:**

Cotswold Business Centre  
2 A P Ellis Road  
Upper Rissington  
Cheltenham  
GL54 2QB

This page is intentionally left blank





**Alterations and Extensions**

**Client Name:** Mr and Mrs A Lathe  
**Drawing Name:** Existing Elevations

**Site Address:**  
Wyck Cottage Wyck Rissington Cheltenham GL54 2PN

**Print Size:** A1  
**Project No.:** 22\_007  
**Drawing No.:** 0020

**Status:** Planning  
**Revision:** C

**Drawing Scale:**  
1:5 = 0.25m  
1:10 = 0.5m  
1:20 = 1.0m  
1:25 = 1.25m  
1:50 = 2.5m  
1:100 = 5.0m  
1:250 = 12.5m  
1:500 = 25.0m  
1:1000 = 50.0m  
1:1250 = 62.5m  
1:2500 = 125m

Check scale by measuring line above

Do not scale from this drawing. Refer to figured dimensions only. Drawing copyright of Ashleigh Clarke Architects Limited. Company registered in England and Wales | Company No. 12878847.

**Change Manager:**  
Change Description: CH-017 Drawings updated.  
By: AC

C	Planning	06/09/2023	AC	AC
B	Planning	12/06/2022	AC	AC
A	Planning	06/07/2022	AC	AC
Rev	Issue Status	Date	By	CRD

**Contact:**  
e. info@ashleighclarkearchitects.com  
t. 01451 828 419  
w. ashleighclarkearchitects.com

**Office:**  
Cotswold Business Centre  
2 A P Ellis Road  
Upper Rissington  
Cheltenham  
GL54 2QB



01 Existing South-East (Side) Elevation 1:100



02 Existing North-East (Front) Elevation 1:100



03 Existing North-West (Side) Elevation 1:100



04 Existing South-West (Rear) Elevation 1:100

This page is intentionally left blank

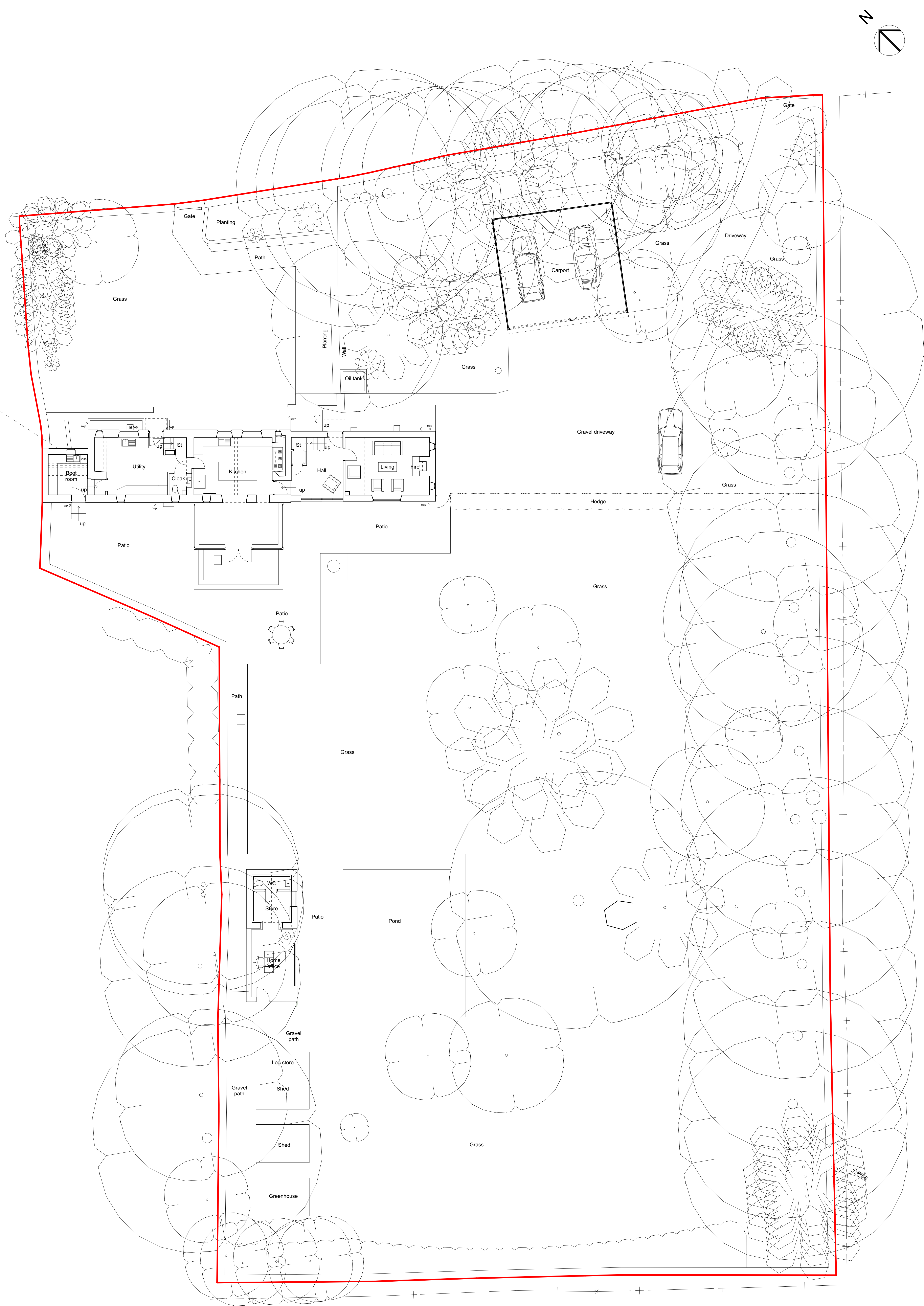




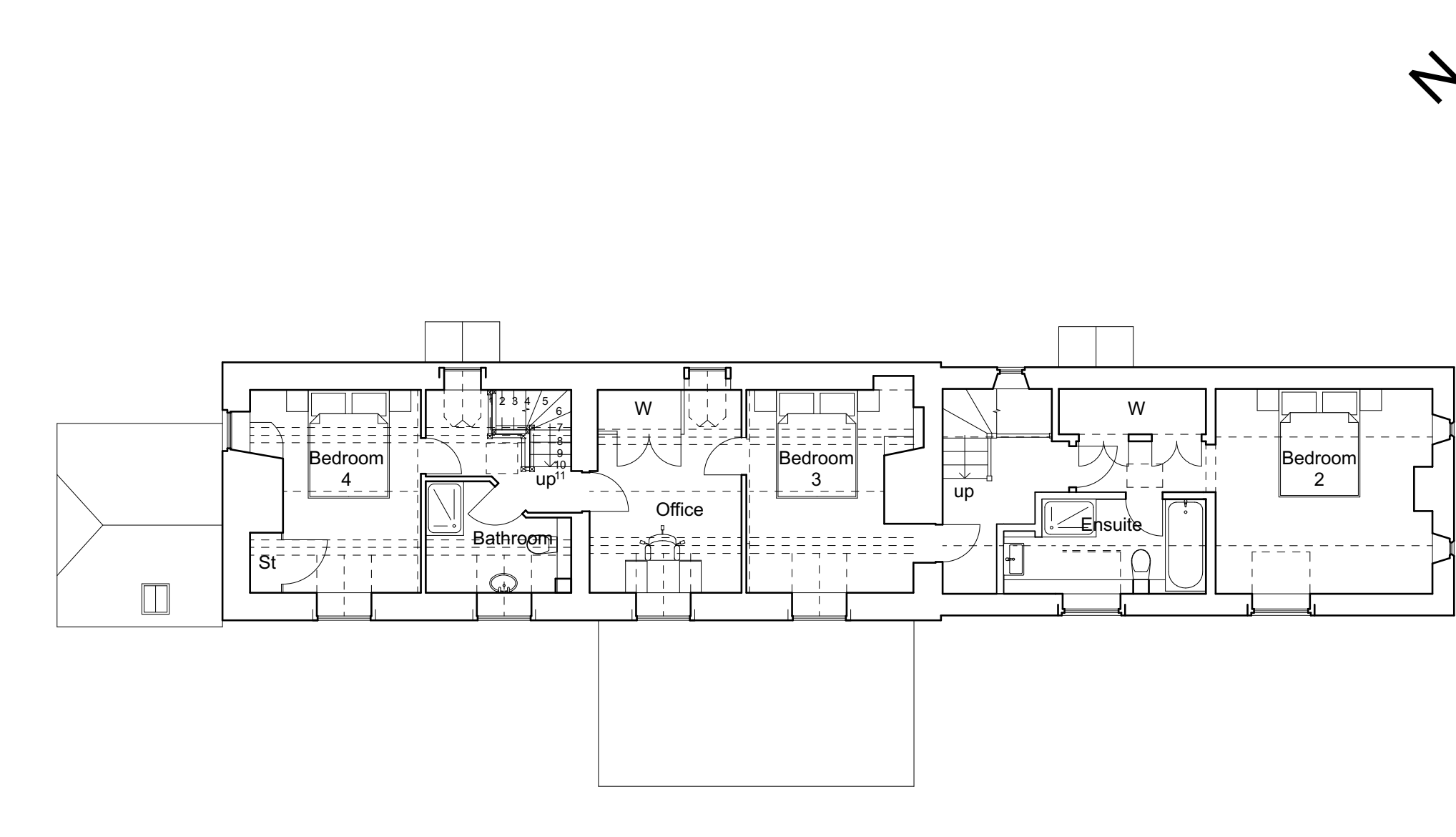
Alterations and Extensions

<b>Client Name:</b> Mr and Mrs A Lathe	<b>Drawing Name:</b> Existing Floor Plans	
<b>Site Address:</b> Wyck Cottage Wyck Risington Cheltenham GL54 2PN		
<b>Print Size:</b> A0	<b>Project No.:</b> 22_007	<b>Drawing No.:</b> 0015
<b>Status:</b> Planning	<b>Revision:</b> B	
<b>Drawing Scale:</b> 1:5 = 0.25m    1:25 = 1.25m    1:200 = 10.0m    1:1000 = 50.0m 1:10 = 0.5m    1:50 = 2.5m    1:250 = 12.5m    1:1250 = 62.5m 1:20 = 1.0m    1:100 = 5.0m    1:500 = 25.0m    1:2500 = 125m		
Check scale by measuring line above		
Do not scale from this drawing. Refer to figured dimensions only. Drawing copyright of Ashleigh Clarke Architects Limited. Company registered in England and Wales   Company No. 12878847.		

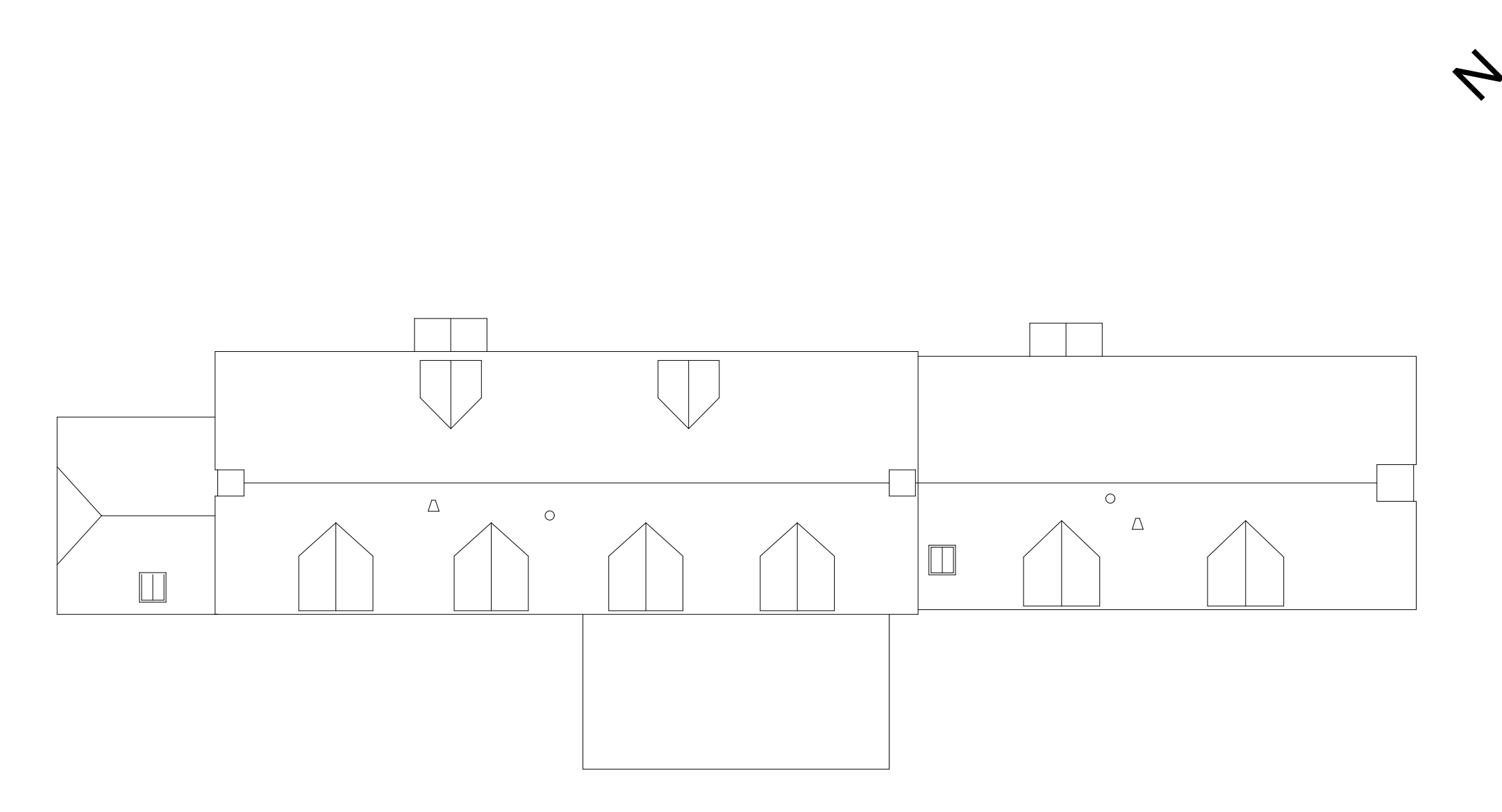
<b>Change Manager:</b> Change Description Chk 017 Drawings updated.	<b>By:</b> AC
---	------------------



01 Existing Ground Floor Site Plan 1:100



02 Existing First Floor Plan 1:100



03 Existing Roof Plan 1:100

B	Planning	06/09/2023	AC	AC
A	Planning	05/07/2022	AC	AC
Rev	Issue Status	Date	By	Chk

**Contact:**  
e. info@ashleighclarkearchitects.com  
t. 01451 828 419  
w. ashleighclarkearchitects.com

**Office:**  
Cotswold Business Centre  
2 A P Ellis Road  
Upper Risington  
Cheltenham  
GL54 2QB



This page is intentionally left blank



**Alterations and Extensions**

**Client Name:** Mr and Mrs A Lathe  
**Drawing Name:** Proposed Elevations

**Site Address:**  
Wyck Cottage Wyck Rissington Cheltenham GL54 2PN

**Print Size:** A1  
**Project No.:** 22\_007  
**Drawing No.:** 0060

**Status:** Planning  
**Revision:** O

**Drawing Scale:**  
1:5 = 0.25m  
1:10 = 0.5m  
1:20 = 1.0m  
1:25 = 1.25m  
1:50 = 2.5m  
1:100 = 5.0m  
1:250 = 12.5m  
1:500 = 25.0m  
1:1000 = 50.0m  
1:1250 = 62.5m  
1:2500 = 125m

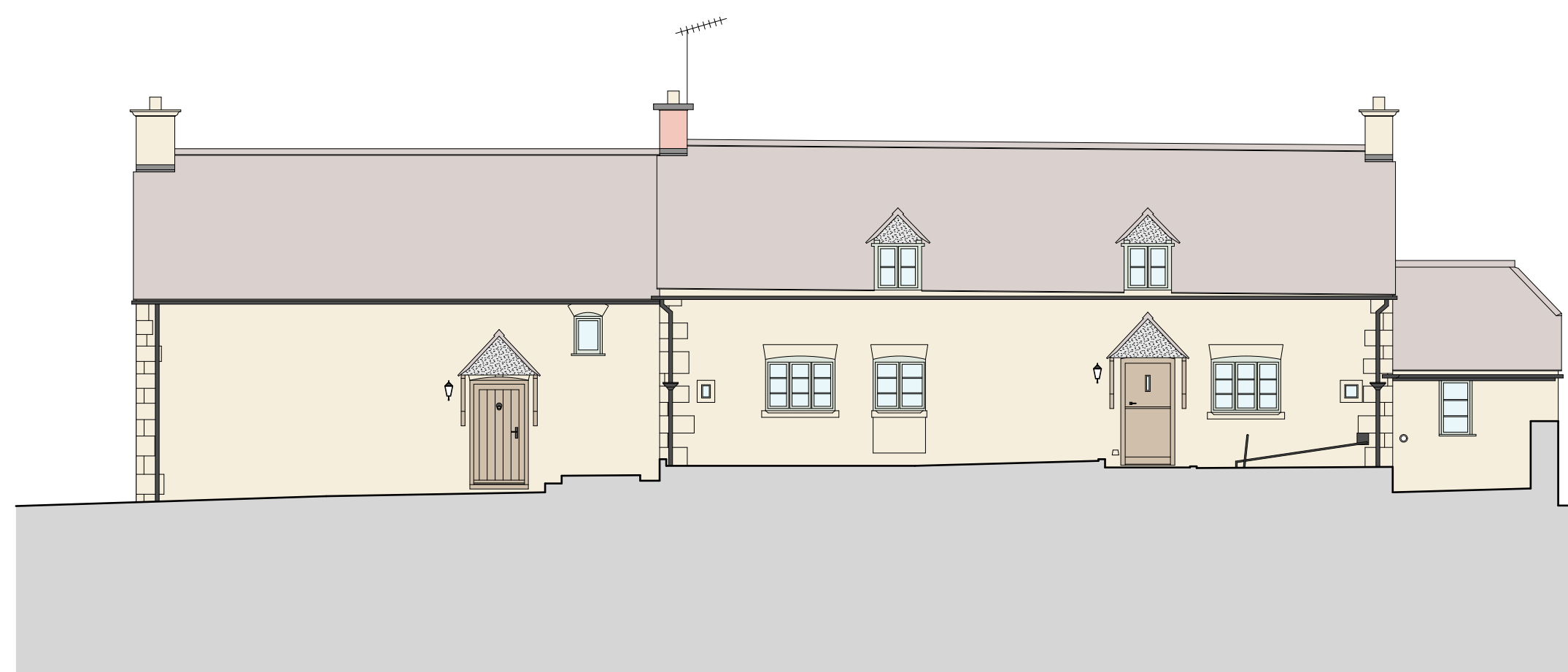
Check scale by measuring line above

Do not scale from this drawing. Refer to figured dimensions only. Drawing copyright of Ashleigh Clarke Architects Limited. Company registered in England and Wales | Company No. 12878847.

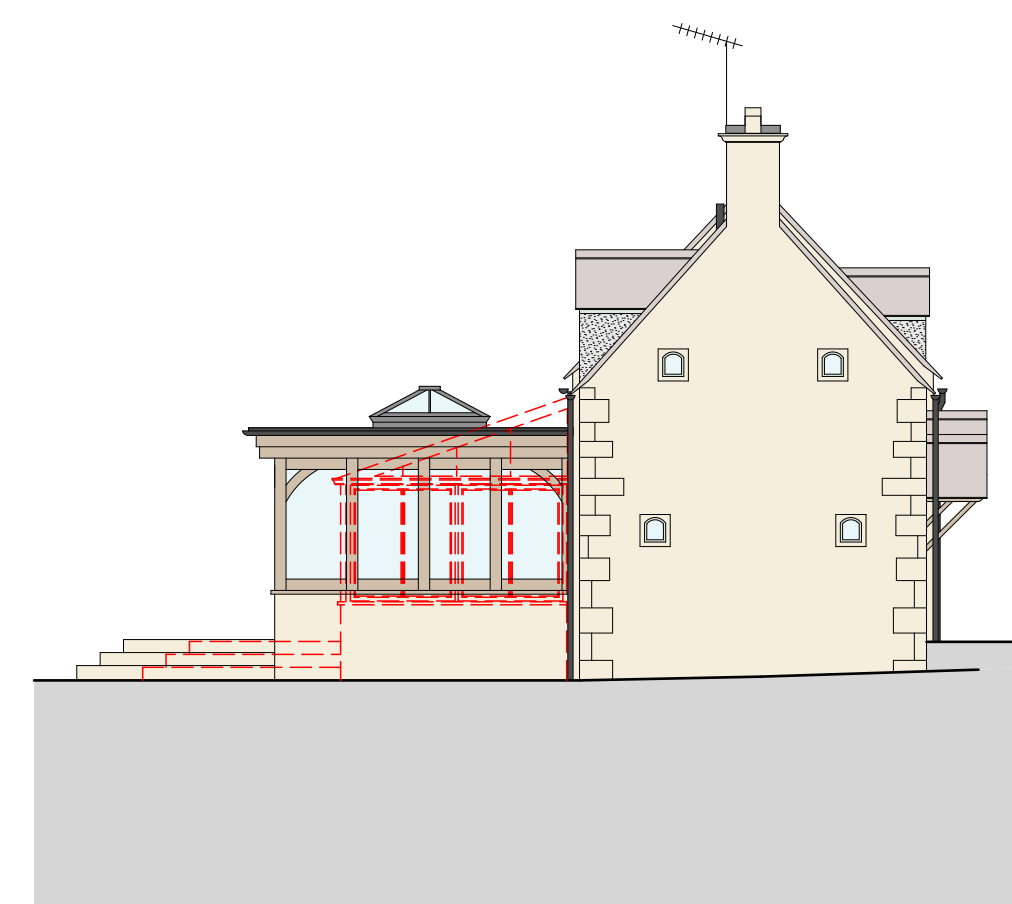
**Change Manager:**  
Change Description: CH-016 New rear extension design.  
By: AC



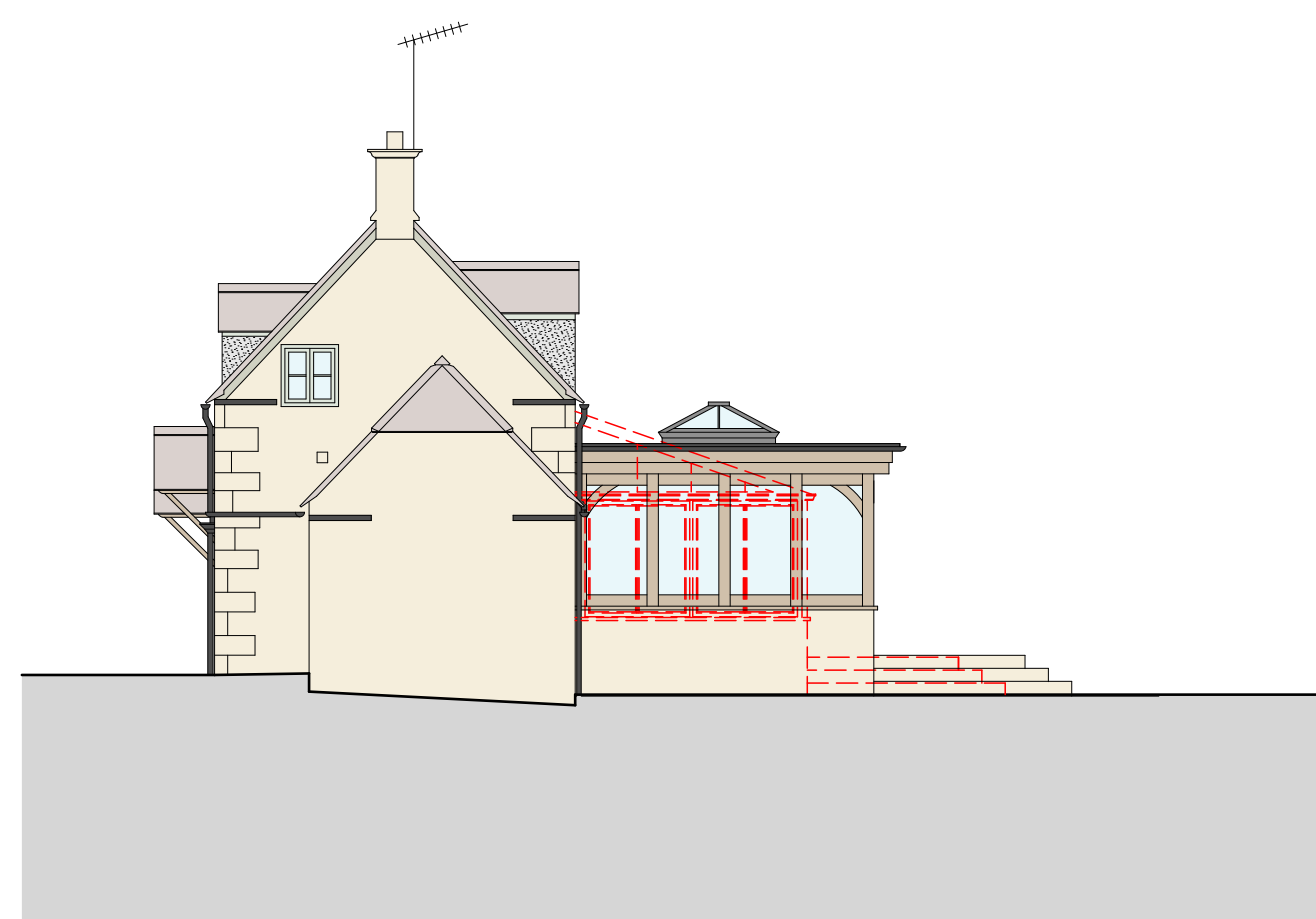
05 Key Plan 1:1250



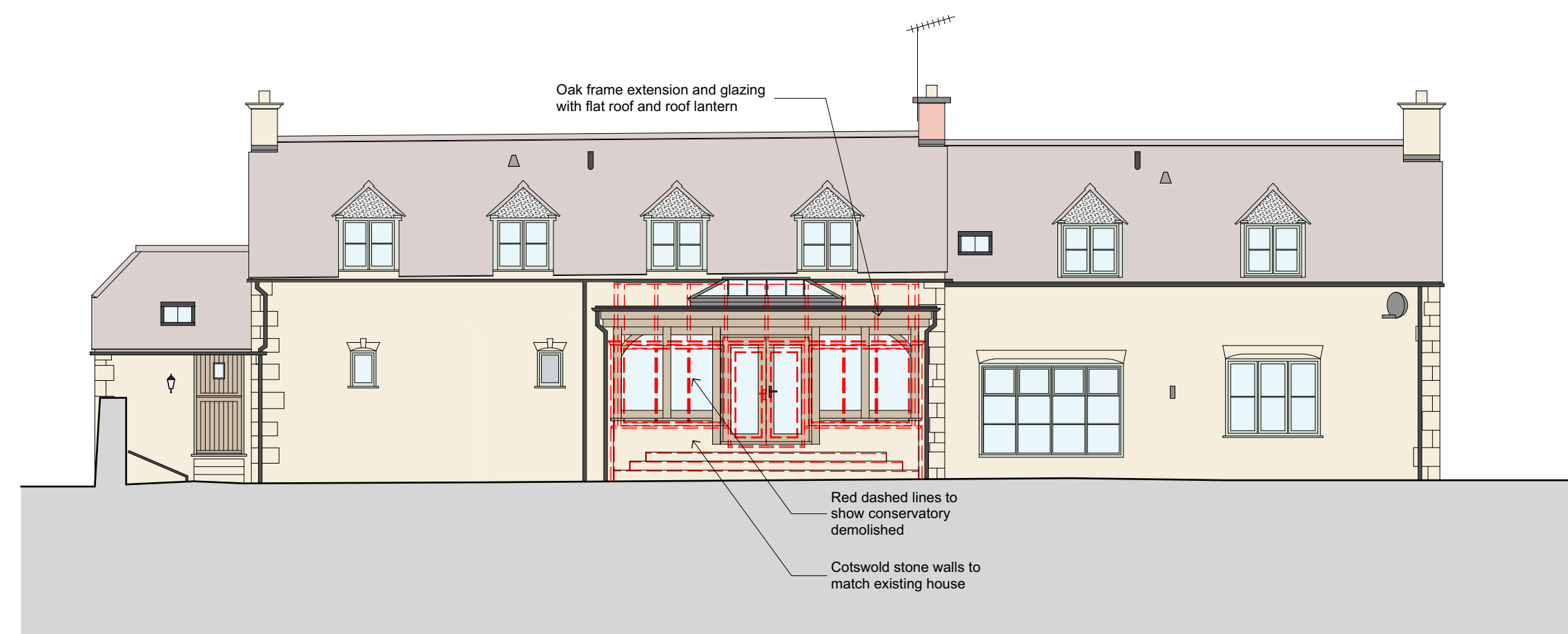
01 Proposed North-East (Front) Elevation 1:100



02 Proposed South-East (Side) Elevation 1:100



03 Proposed North-West (Side) Elevation 1:100



04 Proposed South-West (Rear) Elevation 1:100

Rev	Issue Status	Date	By	CHK
O	Planning	06/09/2023	AC	AC
N	Planning	24/04/2023	AC	AC
M	Planning	23/03/2023	AC	AC
L	Planning	16/03/2023	AC	AC
K	Planning	15/03/2023	AC	AC
J	Planning	15/03/2023	AC	AC
I	Planning	02/01/2023	AC	AC
H	Planning	26/12/2022	AC	AC
G	Planning	15/08/2022	AC	AC
F	Planning	12/08/2022	AC	AC
E	Planning	29/07/2022	AC	AC
D	Planning	26/07/2022	AC	AC
C	Planning	08/07/2022	AC	AC
B	Planning	06/07/2022	AC	AC
A	Planning	02/07/2022	AC	AC

**Contact:**  
e. info@ashleighclarkearchitects.com  
t. 01451 828 419  
w. ashleighclarkearchitects.com

**Office:**  
Cotswold Business Centre  
2 A P Ellis Road  
Upper Rissington  
Cheltenham  
GL54 2QB

This page is intentionally left blank





Alterations and Extensions

**Client Name:** Mr and Mrs A Lathe  
**Drawing Name:** Proposed Ground Floor Plan

**Site Address:** Wyck Cottage Wyck Risington Cheltenham GL54 2PN

**Print Size:** A0  
**Project No.:** 22\_007  
**Drawing No.:** 0055

**Status:** Planning  
**Revision:** M

**Drawing Scale:**  
 1:5 = 0.25m    1:25 = 1.25m    1:200 = 10.0m    1:1000 = 50.0m  
 1:10 = 0.5m    1:50 = 2.5m    1:250 = 12.5m    1:1250 = 62.5m  
 1:20 = 1.0m    1:100 = 5.0m    1:500 = 25.0m    1:2500 = 125m

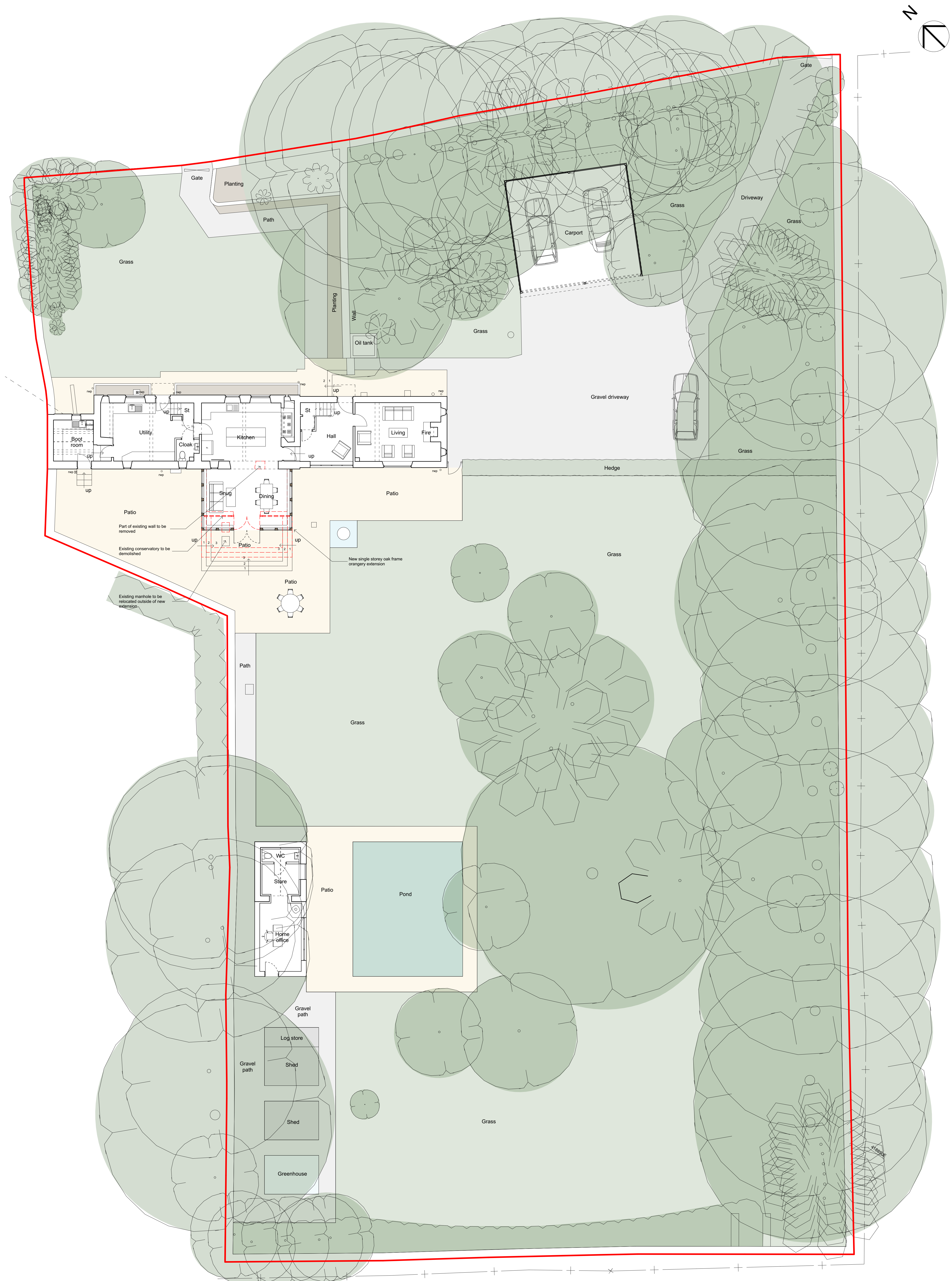
Check scale by measuring line above

Do not scale from this drawing. Refer to figured dimensions only. Drawing copyright of Ashleigh Clarke Architects Limited. Company registered in England and Wales | Company No. 12878847.

**Change Manager:**  
 Change Description: CH-016 New rear extension design.    By: AC



02 Block Plan 1:500



Rev	Issue	Date	By	CHK
M	Planning	26/06/2023	AC	AC
L	Planning	23/05/2023	AC	AC
K	Planning	16/05/2023	AC	AC
J	Planning	16/05/2023	AC	AC
I	Planning	16/05/2023	AC	AC
H	Planning	22/01/2023	AC	AC
G	Planning	20/10/2022	AC	AC
F	Planning	13/06/2022	AC	AC
E	Planning	28/07/2022	AC	AC
D	Planning	28/07/2022	AC	AC
C	Planning	28/07/2022	AC	AC
B	Planning	28/07/2022	AC	AC
A	Planning	22/07/2022	AC	AC
Rev	Issue	Date	By	CHK

**Contact:**  
 e. info@ashleighclarkearchitects.com  
 t. 01451 828 419  
 w. ashleighclarkearchitects.com

**Office:**  
 Cotswold Business Centre  
 2 A P Ellis Road  
 Upper Risington  
 Cheltenham  
 GL54 2QB



This page is intentionally left blank





**Alterations and Extensions**

**Client Name:** Mr and Mrs A Lathe  
**Drawing Name:** Proposed Floor Plans

**Site Address:** Wyck Cottage Wyck Rissington Cheltenham GL54 2PN

**Print Size:** A1  
**Project No.:** 22\_007  
**Drawing No.:** 0056

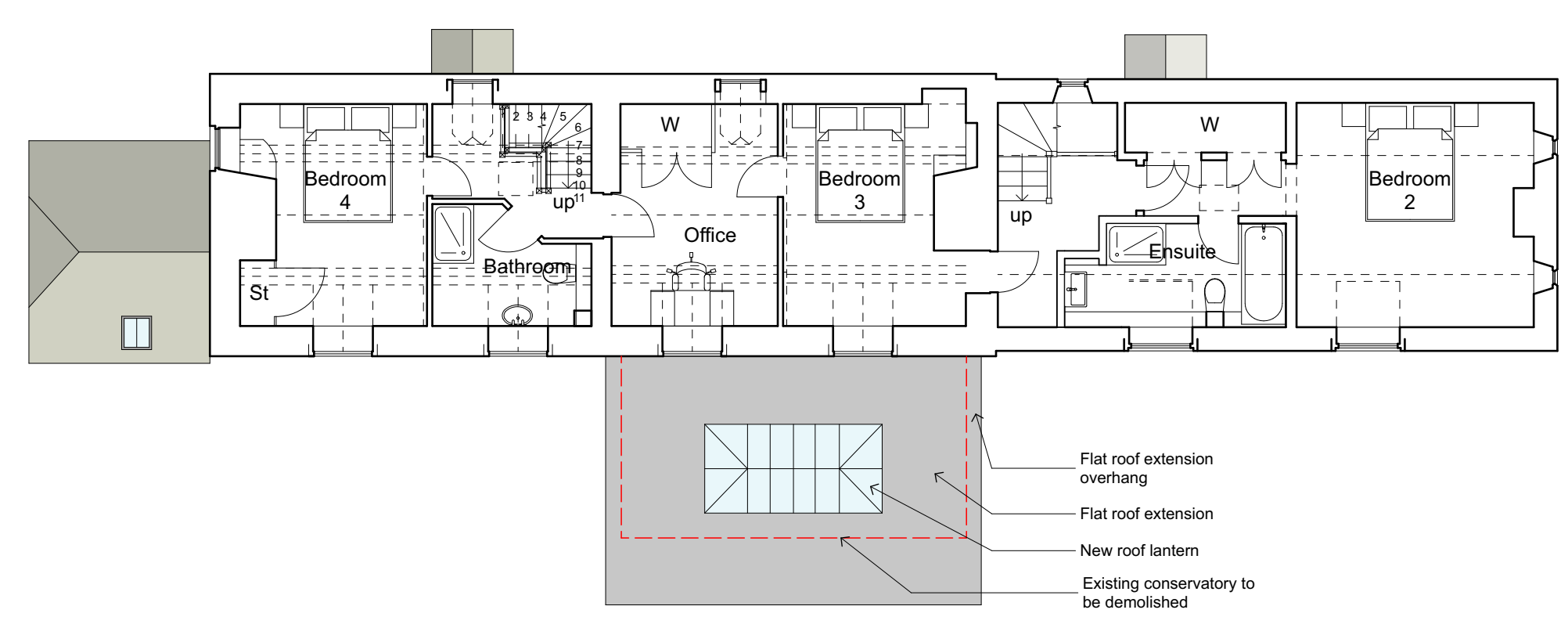
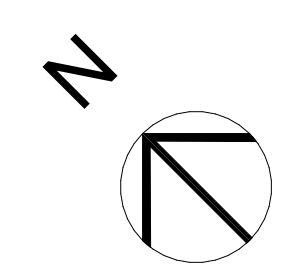
**Status:** Planning  
**Revision:** K

**Drawing Scale:**  
1:5 = 0.25m  
1:10 = 0.5m  
1:20 = 1.0m  
1:25 = 1.25m  
1:50 = 2.5m  
1:100 = 5.0m  
1:200 = 10.0m  
1:250 = 12.5m  
1:500 = 25.0m  
1:1000 = 50.0m  
1:1250 = 62.5m  
1:2500 = 125m

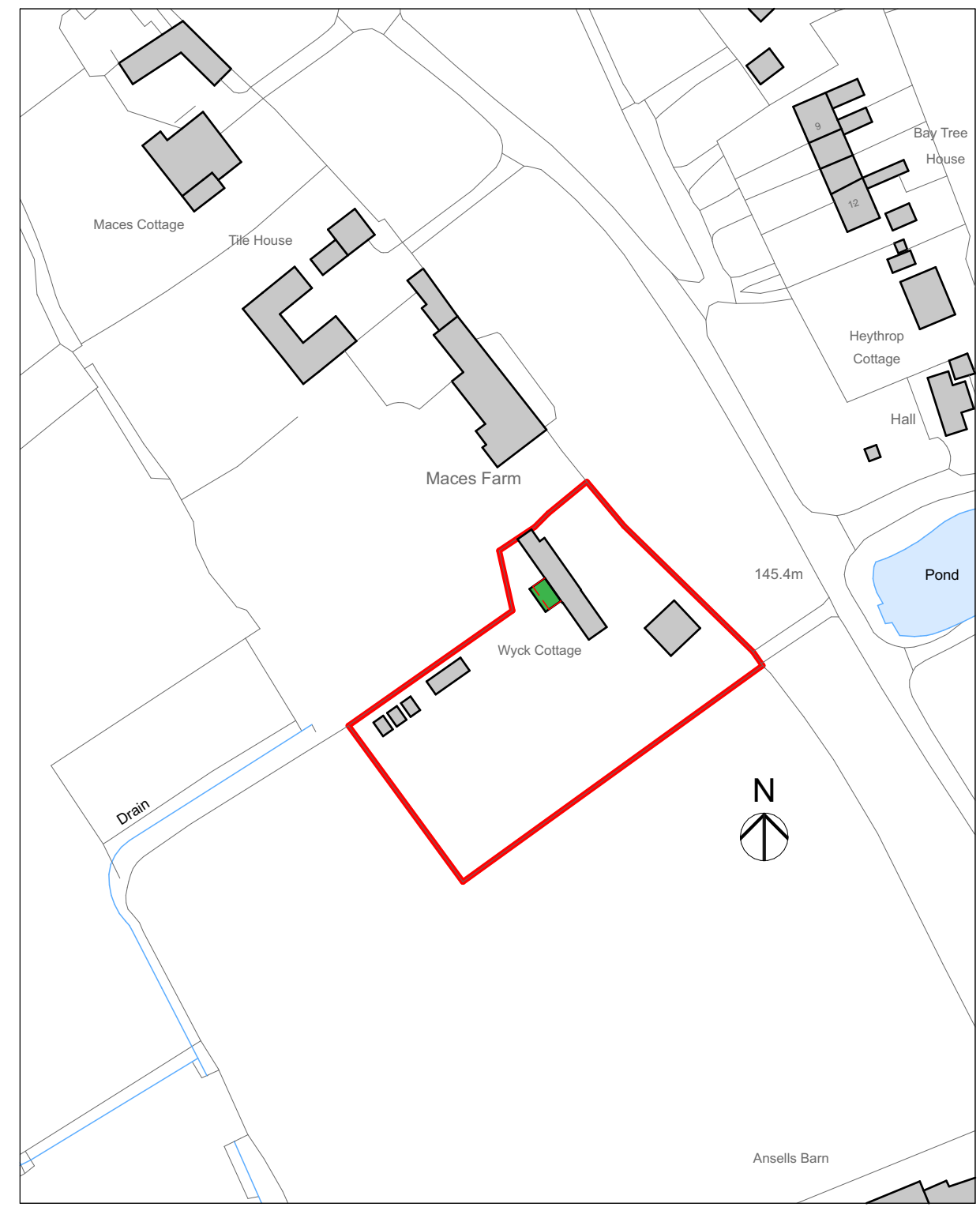
Check scale by measuring line above

Do not scale from this drawing. Refer to figured dimensions only. Drawing copyright of Ashleigh Clarke Architects Limited. Company registered in England and Wales | Company No. 12878847.

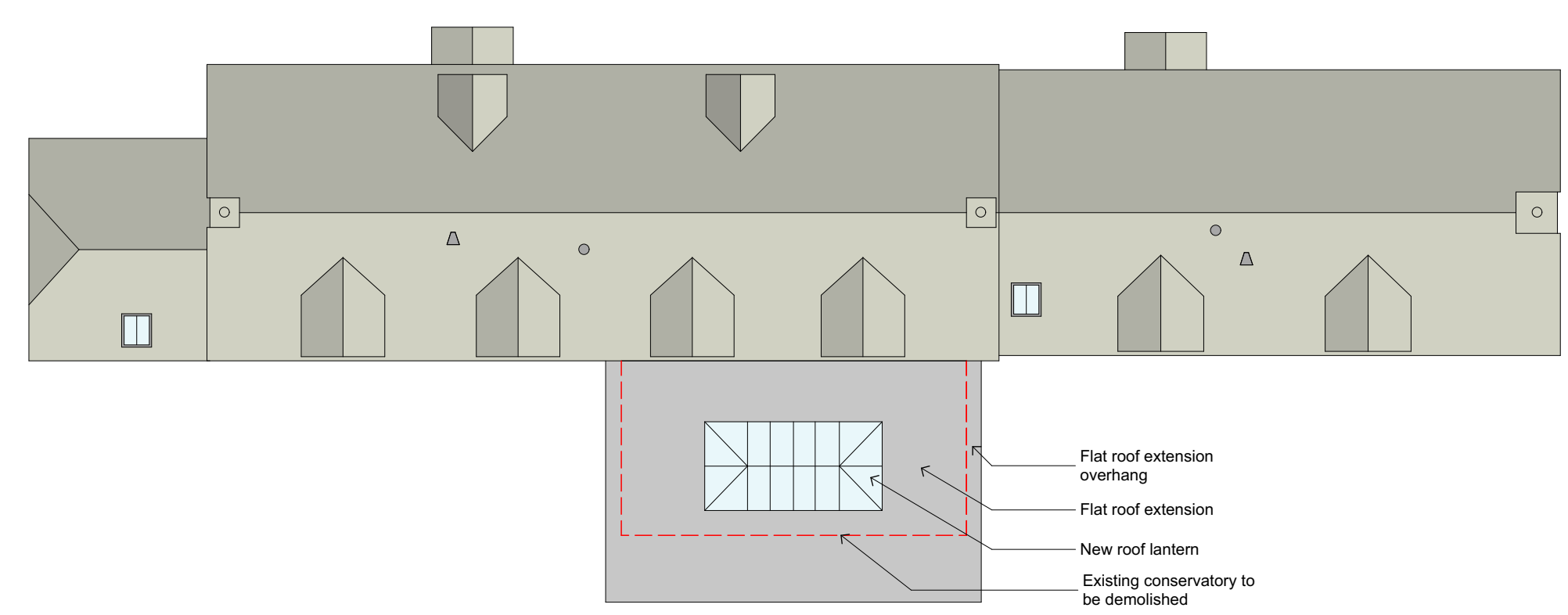
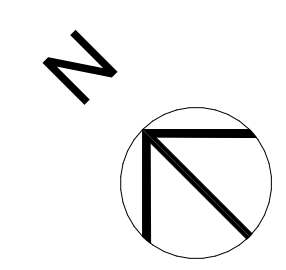
**Change Manager:**  
Change Description: CH-016 New rear extension design.  
By: AC



01 First Floor Plan 1:100



03 Key Plan 1:1250



02 Roof Plan 1:100

Rev	Issue Status	Date	By	CHK
K	Planning	06/09/2023	AC	AC
J	Planning	23/03/2023	AC	AC
I	Planning	15/03/2023	AC	AC
H	Planning	15/03/2023	AC	AC
G	Planning	26/12/2022	AC	AC
F	Planning	12/08/2022	AC	AC
E	Planning	29/07/2022	AC	AC
D	Planning	26/07/2022	AC	AC
C	Planning	08/07/2022	AC	AC
B	Planning	05/07/2022	AC	AC
A	Planning	02/07/2022	AC	AC

**Contact:**  
e. info@ashleighclarkearchitects.com  
t. 01451 828 419  
w. ashleighclarkearchitects.com

**Office:**  
Cotswold Business Centre  
2 A P Ellis Road  
Upper Rissington  
Cheltenham  
GL54 2QB

This page is intentionally left blank

**Erection of single-storey rear extension to replace existing and associated works at Wyck Cottage Wyck Rissington Cheltenham Glos GL54 2PN**

<b>Listed Building Consent 24/00835/LBC</b>	
Applicant:	Mr and Mrs Lathe
Agent:	Ashleigh Clarke Architects Ltd
Case Officer:	Mark Fisher
Ward Member(s):	Councillor Andrew Maclean
Committee Date:	11 September 2024
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**1. Main Issues:**

- (a) Design and Impact on the Character and Appearance of the Area/Heritage Assets
- (b) Impact on Residential Amenity
- (c) Impact on the Cotswolds National Landscape (AONB)

**2. Reasons for Referral:**

2.1 The applications have been referred to the Planning and Licensing Committee following consideration at the Review Panel of 2<sup>nd</sup> August 2024, following a request by Cllr Maclean, where it was concluded that:

*The Review Panel agreed the request for the application to be heard by the Planning and Licensing Committee on the grounds that the consideration of the impact of, and benefits arising from such development, including in terms of heritage & energy efficiency, was appropriate for the Committee to assess in this instance.*

2.2 The reasons for the referral request set out by Cllr Maclean were:

2.2.1 *Wyck Cottage is a grade II listed building which has been severely neglected over the past 20 to 30 years and was uninhabited for over 2 years prior to Mr & Mrs Lathe purchasing the property in March 22. The property has suffered with subsidence, a failing roof, wood rot, dilapidated dormers and windows and has been a total eye sore in the centre of Wyck Rissington for years.*

2.2.2 *CDC have been incredibly slow in dealing with this application given that the owners first submitted their plans in August 2022.*

2.2.3 *The plan is simply to replace a rear, unsightly and incongruous 20th Century south facing glass conservatory with a slightly bigger, more in-keeping oak framed garden room.*

2.2.4 *A south facing glass conservatory is not practical as temperatures exceeded 56 degrees last summer and zero degrees in the winter and a like-for-like replacement will not improve the energy efficiency of Wyck Cottage at all. The energy inefficiency of a glass conservatory goes against the Council's priority of trying to mitigate climate & ecological emergencies and would not provide a comfortable inhabitable living area for large parts of the year. Improving energy efficiency is also a key issue in planning*

(NPPF14) and this planned improvement would increase the performance of the overall building without detracting from the original features of the cottage as it would replace the very out of keeping conservatory.

- 2.2.5 Historic England advises that “a new extension should not dominate a historic building: this usually means it should be lower and smaller. Some small buildings such as lodges and cottages can easily be swamped by an extension, unless very carefully designed. There is no rule on the ideal percentage increase in size: it all depends on the size, character and setting of your house. There will be some cases where a new extension will not be possible. An extension will usually have less effect on your historic house if it is built onto the back and not seen from the front. This is because the back is usually less important for its architecture than the front. Side extensions may also work well. Permission for an extension that projects to the front is rarely given as this is usually the most important and most visible part of the house.” This proposed garden room is at the rear of the house totally out of sight from the public and therefore cannot be said to dominate the existing house in any way.
- 2.2.6 There has been a huge amount of permitted development work on practically all the listed buildings in Wyck Rissington as is documented in the attached PDF. This could be said to set a precedent for what is allowable in the village especially as many of these buildings are immediate neighbours to Wyck Cottage. Why, therefore, is this simple garden room being refused when it will have no impact at all on the character of the conservation area and the village green.
- 2.2.7 The Lathe’s heritage impact statement makes a very valid point that the 1994 planning permission to grant an extension to the south-east (replacing a garage and single storey store) and a glass conservatory to the rear demonstrates the cottage has been subject to considerable change over the years as a consequence of change of use and having been made a single cottage. The best way now of preserving the inherent and architectural interest of this lovely cottage is surely to facilitate the optimum viable use and long-term preservation of the cottage as a residential premises by allowing the owners to upgrade it to a 21st century standards as proposed.

### **3. Site Description:**

- 3.1 Wyck Cottage is a two-storey detached dwelling situated on the south-western side of the main road running through the village of Wyck Rissington. The property, which was listed as grade II in 1960, historically comprised a pair of symmetrical cottages, each with a small offshoot on the gable ends (that at the north-western end apparently surviving as the utility room), and a smaller structure projecting, forwards from these offshoots (a fragment of which may survive in the external wall projecting north-east from the utility, and which is proposed for demolition). At first floor each cottage is divided into two bays by a raised cruck truss, each substantially encased within historic lath-and-plaster. Though the two cottages have since been combined into a single-dwelling, it is in the character of the building as a pair of traditional estate-workers cottages that its significance as a listed building primarily rests.
- 3.2 In addition to its listing, the property is located within both the Wyck Rissington Conservation Area and the Cotswolds National Landscape (AONB).

#### **4. Relevant Planning History:**

- 4.1 CD.7762 - Demolition of part of Listed Building and erection of extension; Permitted 10.03.1994
- 4.2 CD.7762/A - Demolition of existing garage and single storey store and erection of new extension; Permitted 10.03.1994
- 4.3 CD.7762/B - Erection of an amdega conservatory; Permitted 21.09.1994
- 4.4 CD.7762/C - Erection of amdega conservatory; Permitted 21.09.1994
- 4.5 05/01863/AGFO - Extension to barn to provide agricultural vehicle and hay storage; Refused 06.09.2005
- 4.6 22/02719/FUL and 22/02720/LBC - Demolition and replacement of conservatory, extension of existing outbuilding and alteration/refurbishment of existing dwelling; Permitted 19.05.2023

#### **5. Planning Policies:**

- TNPPF The National Planning Policy Framework
- CDCLP CDC LOCAL PLAN 2011-2031
- 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

#### **6. Observations of Consultees:**

- 6.1 Conservation Officer: Recommends refusal

#### **7. View of Town/Parish Council:**

- 7.1 No comments received at the time of writing

#### **8. Other Representations:**

- 8.1 No comments received at the time of writing

#### **9. Applicant's Supporting Information:**

- Existing and proposed plans and elevations (including revisions)
- Design and Access Statement
- Heritage Statement

## **10. Officer's Assessment:**

- 10.1 The Local Planning Authority is statutorily required to have special regard to the desirability of preserving the buildings, their settings, and any features of special architectural or historic interest they may possess, in accordance with Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.
- 10.2 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.

### *Proposed Development*

- 10.3 The application seeks planning permission and Listed Building Consent for the erection of a single-storey rear extension.
- 10.4 The proposed extension would be of flat roof design and would measure approximately 5.9 metres in width, 3.9 metres in depth and 3.3 metres in height (3.9 metres including roof lantern). It would be constructed using an oak frame over low Cotswold Stone walls.

## **(a) Design and Impact on the Character and Appearance of the Area/Heritage Assets**

- 10.5 Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality. This conforms to the design considerations of National Planning Policy Framework (NPPF) Section 12.
- 10.6 Local Plan Policy EN10 requires consideration of proposals that affect a designated heritage asset and/or its setting with a greater weight given to more important assets.
- 10.7 Local Plan Policy EN11 seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials and the retention of positive features.
- 10.8 NPPF Section 12 requires good design, providing sustainable development and creating better place to live and work in.
- 10.9 NPPF Section 16 states that historical 'assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'.
- 10.10 Wyck Cottage comprised a modest linear pair of agricultural workers' cottages, which have been converted into a single dwelling, and massively extended to the south-east in 1994 (application references 94.00285 and 94.00286), enormously increasing the length of the building, but retaining its linear form. A fully glazed, lean-to conservatory was permitted on the rear elevation the same year (94.01155 and 94.01156). Whilst

the location broke the linear footprint of the building, this was mitigated by the visually permeable, light-weight appearance, and modest lean-to form were deferential to the historic, linear character. The scale of these extension was such that they accounted for approximately 37% of the footprint of the total building.

- 10.11 Applications for various works was submitted in 2022 (22/02719/FUL & 22/02720/LBC), which initially included a replacement rear extension virtually identical to the current proposal. Concerns were raised over the cumulative scale of the existing extensions, and following a suggested compromise, the proposal was amended to comprise a fully glazed lean-to of similar depth to the previous, but slightly greater width; this was approved, and is the footprint shown in the current survey drawings.
- 10.12 The re-submitted proposal still raises concerns with regard to the depth of the projection and the more box-like form with a substantially solid roof. The result of these would be a large addition dominating the rear elevation and eroding the simple, linear form of the building. Despite the level of mid height glazing, the solid roof would render the interior darker, and thus the addition would be very considerably less visually permeable than a conservatory, reading as a more solid, flat-roofed and rather box-like extension, disruptive to the historic linear form of the host building.
- 10.13 Furthermore, it is now also proposed to increase the opening through the historic rear wall, so that the appearance is not a delicate addition to the rear of the historic building, but a substantial penetrating extension. There would also be loss of the definition of the rear wall, as well as loss of masonry.
- 10.14 The applicant's justification for the development's impact concludes that the replacement extension would "engender long term committed ownership of the property". No public benefits to outweigh the harm arising have been put forward by the applicant as they claim the development would have a beneficial impact upon the Listed Building. Officers do not agree with this contention, and do not consider that the very limited extension or improvement of personal accommodation within the building would set out any clear public benefit to potentially outweigh the clear harm identified.
- 10.15 In regard to the comments made within his referral request regarding the improved 'energy efficiency... performance' of the building that he anticipates to arise, no such case or evidence has been provided by the applicant. It may be that the opposite is true, as the existing conservatory is an external room, accessed by external openings through the solid wall of the host building, whereas the proposed development would create larger full openings in the existing curtain wall fabric and join the remainder of the house to a partially glazed structure, possibly exerting greater heating and cooling demands. Notwithstanding this uncertainty, the potential effects in regard to energy efficiency are not considered to represent a public benefit (if they did actually exist in this case), so should not be weighed against the disbenefits / harm of the proposed development.
- 10.16 The proposed development would therefore fail to accord with Section 16(2) in specific regard to the Listed Building Consent, and otherwise Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, Sections 12 and 16 of the NPPF and Local Plan Policies EN2, EN10 and EN11.

## **(b) Impact on Residential Amenity**

- 10.17 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, in conformity to the amenity requirements of Section 12 of the NPPF.
- 10.18 Owing to the scale, siting and position relative to neighbouring properties, the proposed development is considered not to impinge on the residential amenities of the neighbouring properties having regard to loss of light, loss of privacy or overbearing. The proposed development is considered to accord with the residential amenity considerations of Local Plan Policy EN2 and Section 12 of the NPPF.

## **(c) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)**

- 10.19 Section 85(A1) of the Countryside and Rights of Way (CROW) Act 2000 (as amended by Section 245 of the Levelling-up and Regeneration Act 2023) states that relevant authorities have a duty to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.
- 10.20 Local Plan Policy EN4 states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape, and requires that it takes account of landscape character, visual quality and local distinctiveness.
- 10.21 Local Plan Policy EN5 relates specifically to the National Landscape (AONB), and states that in determining development proposals within the National Landscape (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. This conforms to the considerations of NPPF Section 15, which seeks to conserve and enhance the natural environment.
- 10.22 The proposed development does not materially encroach into open countryside nor harm the character or appearance of the Cotswolds National Landscape (AONB). As such, the proposal is considered to accord with Local Plan Policies EN4 and EN5, and Section 15 of the NPPF.

## **11. Conclusion:**

- 11.1 The current proposal, by virtue of the scale and design would dominate the rear elevation, erode the linear form and further add to the already considerable cumulative mass of modern extensions, thereby neither preserving the special architectural or historic interest of the Wyck Cottage, nor preserving nor enhancing the character and appearance of the Wyck Rissington Conservation Area, nor sustaining the significance of either as designated heritage assets. The harm would be less-than-substantial albeit considerable, and not be outweighed by any resultant public benefits that are dependent upon that harm. In this regard, the proposals are considered to fail to accord with Sections 12 and 16 of the NPPF, Local Plan Policies EN2, EN10 and EN11 and Sections 16(2), 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.



## **12. Reasons for Refusal:**

1. Wyck Cottage is a Grade II listed building, comprising an already massively extended, but still linear former pair of agricultural workers' cottages. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, there is a statutory duty for the Local Planning Authority to pay special attention to the desirability of both preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
2. The current proposal, by virtue of the scale and design would dominate the rear elevation, erode the linear form and further add to the already considerable cumulative mass of modern extensions, thereby neither preserving the special architectural or historic interest of the Wyck Cottage, nor sustaining its significance as a designated heritage assets. The harm would be less-than-substantial albeit considerable, and not be outweighed by any resultant public benefits that are dependent upon that harm. In this regard, the proposals are considered to fail to accord with Sections 12 and 16 of the NPPF, Local Plan Policy EN10 and Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

This page is intentionally left blank

**Change Manager:**

Rev	Issue Status	Date	By	Ch'd
A	Planning	02/07/2022	AC	AC
B	Planning	06/09/2023	AC	AC



01

Location Plan

1:1250

**Drawing Scale:**

1:5 = 0.25m	1:25 = 1.25m	1:200 = 10.0m	1:1000 = 50.0m
1:10 = 0.5m	1:50 = 2.5m	1:250 = 12.5m	1:1250 = 62.5m
1:20 = 1.0m	1:100 = 5.0m	1:500 = 25.0m	1:2500 = 125m

Check scale by measuring line above



**ASHLEIGH CLARKE**  
Architects

# Alterations and Extensions

**Client Name:**

Mr and Mrs A Lathe

**Drawing Name:**

Site Location Plan

**Contact:**

e. [info@ashleighclarkearchitects.com](mailto:info@ashleighclarkearchitects.com)  
t. 01451 828 419  
w. [ashleighclarkearchitects.com](http://ashleighclarkearchitects.com)

**Site Address:**

Wyck Cottage Wyck Rissington Cheltenham GL54 2PN

**Print Size:**

A4

**Project No.**

22\_007

**Drawing No.**

0001

**Status:**

Planning

**Revision:**

B

**Office:**

Cotswold Business Centre  
2 A P Ellis Road  
Upper Rissington  
Cheltenham  
GL54 2QB

This page is intentionally left blank



**Alterations and Extensions**

**Client Name:** Mr and Mrs A Lathe  
**Drawing Name:** Existing Elevations

**Site Address:**  
Wyck Cottage Wyck Rissington Cheltenham GL54 2PN

**Print Size:** A1  
**Project No.:** 22\_007  
**Drawing No.:** 0020

**Status:** Planning  
**Revision:** C

**Drawing Scale:**  
1:5 = 0.25m  
1:10 = 0.5m  
1:20 = 1.0m  
1:25 = 1.25m  
1:50 = 2.5m  
1:100 = 5.0m  
1:250 = 12.5m  
1:500 = 25.0m  
1:1000 = 50.0m  
1:1250 = 62.5m  
1:2500 = 125m

Check scale by measuring line above

Do not scale from this drawing. Refer to figured dimensions only. Drawing copyright of Ashleigh Clarke Architects Limited. Company registered in England and Wales | Company No. 12878847.

**Change Manager:**  
Change Description: CH-017 Drawings updated.  
By: AC

Rev	Issue Status	Date	By	CHK'd
C	Planning	06/09/2023	AC	AC
B	Planning	12/06/2022	AC	AC
A	Planning	06/07/2022	AC	AC

**Contact:**  
e. info@ashleighclarkearchitects.com  
t. 01451 828 419  
w. ashleighclarkearchitects.com

**Office:**  
Cotswold Business Centre  
2 A P Ellis Road  
Upper Rissington  
Cheltenham  
GL54 2QB



01 Existing South-East (Side) Elevation 1:100



02 Existing North-East (Front) Elevation 1:100



03 Existing North-West (Side) Elevation 1:100



04 Existing South-West (Rear) Elevation 1:100

This page is intentionally left blank





Alterations and Extensions

<b>Client Name:</b>	Mr and Mrs A Lathe		<b>Drawing Name:</b>	Existing Floor Plans	
<b>Site Address:</b>	Wyck Cottage Wyck Risington Cheltenham GL54 2PN				
<b>Print Size:</b>	A0	<b>Project No.:</b>	22_007	<b>Drawing No.:</b>	0015
<b>Status:</b>	Planning	<b>Revision:</b>	B		

**Drawing Scale:**

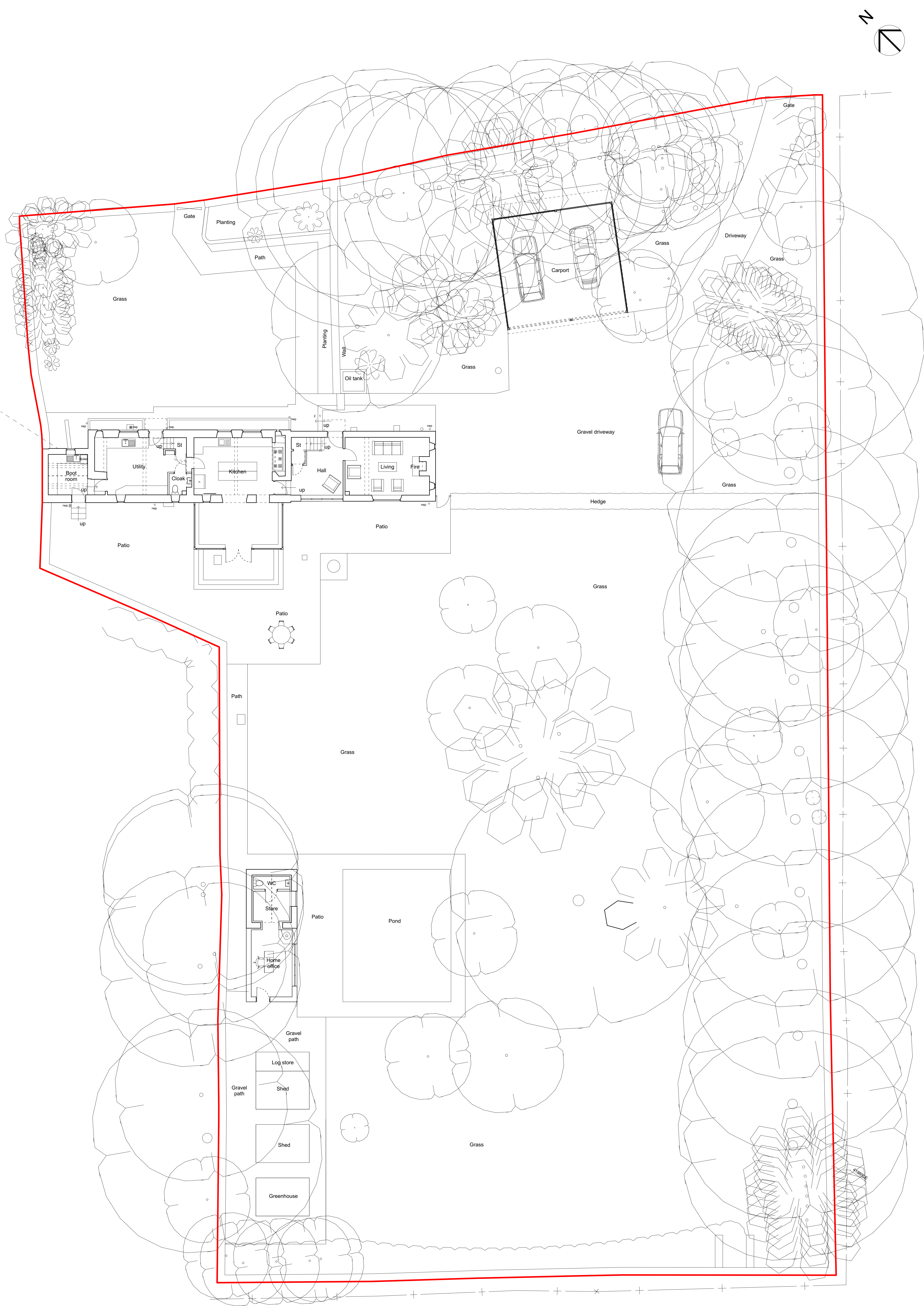
1:5 = 0.25m	1:25 = 1.25m	1:200 = 10.0m	1:1000 = 50.0m
1:10 = 0.5m	1:50 = 2.5m	1:250 = 12.5m	1:1250 = 62.5m
1:20 = 1.0m	1:100 = 5.0m	1:500 = 25.0m	1:2500 = 125m

Check scale by measuring line above

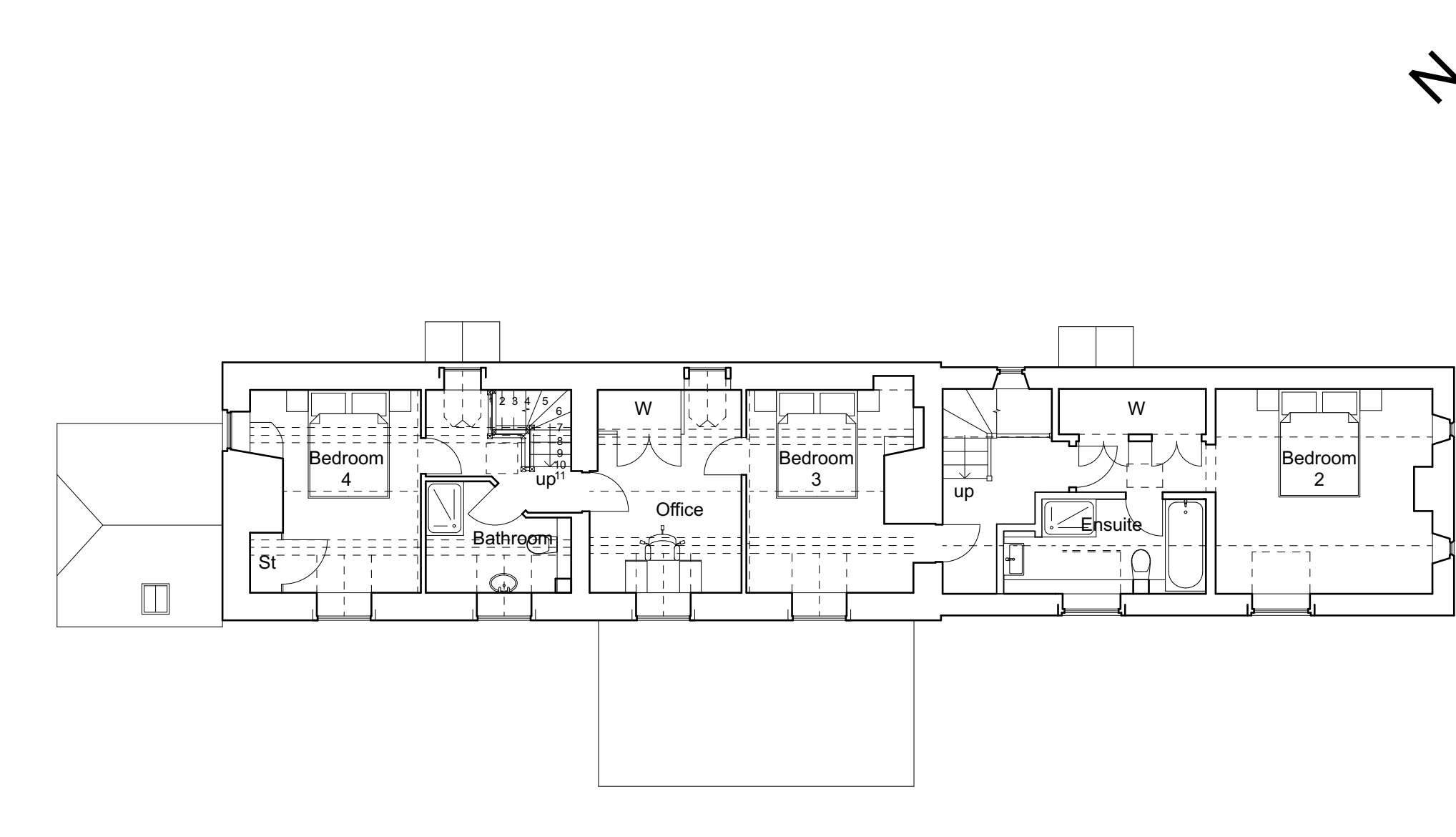
Do not scale from this drawing. Refer to figured dimensions only. Drawing copyright of Ashleigh Clarke Architects Limited. Company registered in England and Wales | Company No. 12878847.

**Change Manager:**

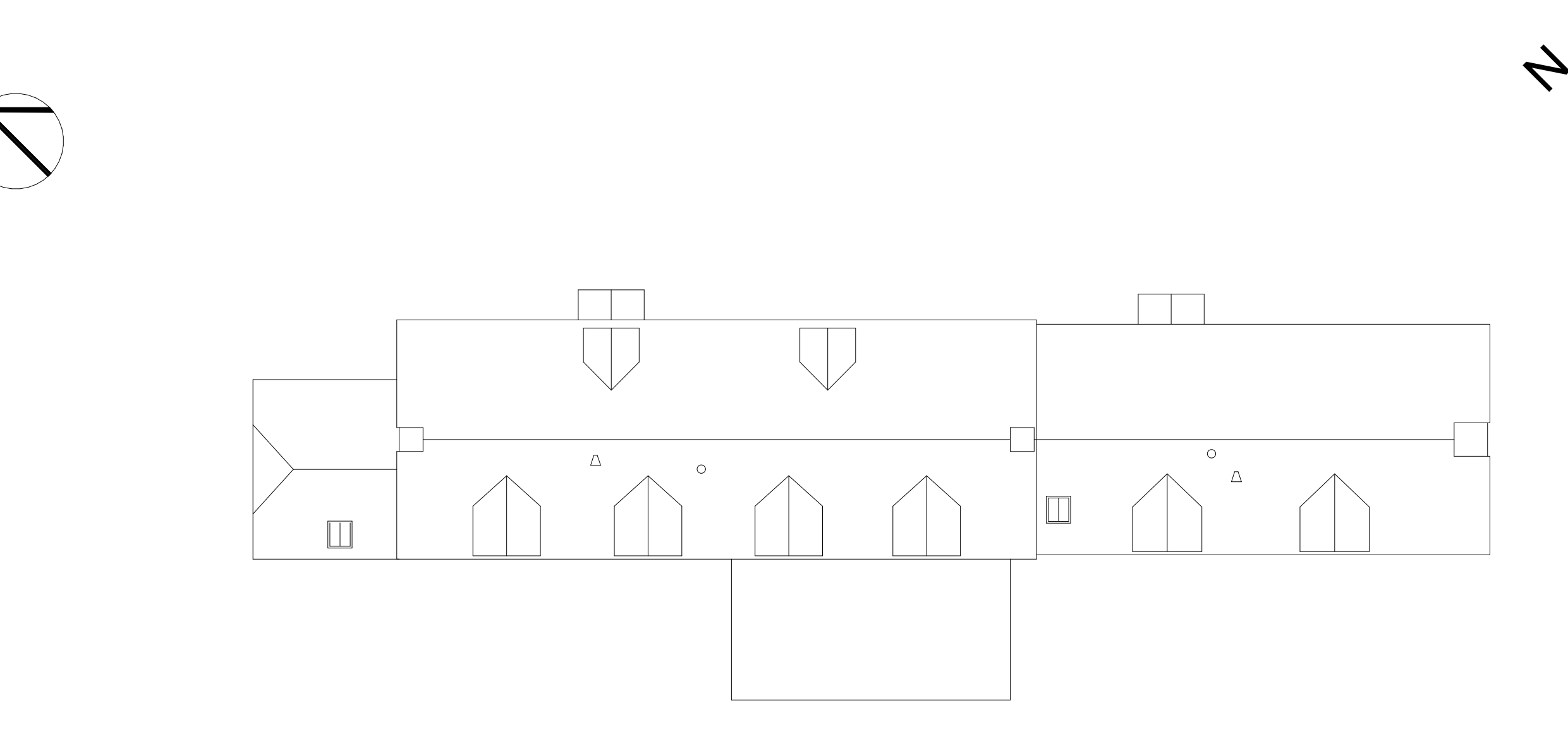
Change Description	By
Chk 017 Drawings updated	AC



01 Existing Ground Floor Site Plan 1:100



02 Existing First Floor Plan 1:100



03 Existing Roof Plan 1:100

B	Planning	06/09/2023	AC	AC
A	Planning	05/07/2022	AC	AC
Rev	Issue Status	Date	By	Chk

**Contact:**  
e. info@ashleighclarkearchitects.com  
t. 01451 828 419  
w. ashleighclarkearchitects.com

**Office:**  
Cotswold Business Centre  
2 A P Ellis Road  
Upper Risington  
Cheltenham  
GL54 2QB



This page is intentionally left blank





Alterations and Extensions

Client Name: Mr and Mrs A Lathe  
Drawing Name: Proposed Elevations

Site Address: Wyck Cottage Wyck Rissington Cheltenham GL54 2PN

Print Size: A1  
Project No: 22\_007  
Drawing No: 0060

Status: Planning  
Revision: O

Drawing Scale:  
1:5 = 0.25m  
1:10 = 0.5m  
1:20 = 1.0m  
1:25 = 1.25m  
1:50 = 2.5m  
1:100 = 5.0m  
1:200 = 10.0m  
1:250 = 12.5m  
1:500 = 25.0m  
1:1000 = 50.0m  
1:1250 = 62.5m  
1:2500 = 125m

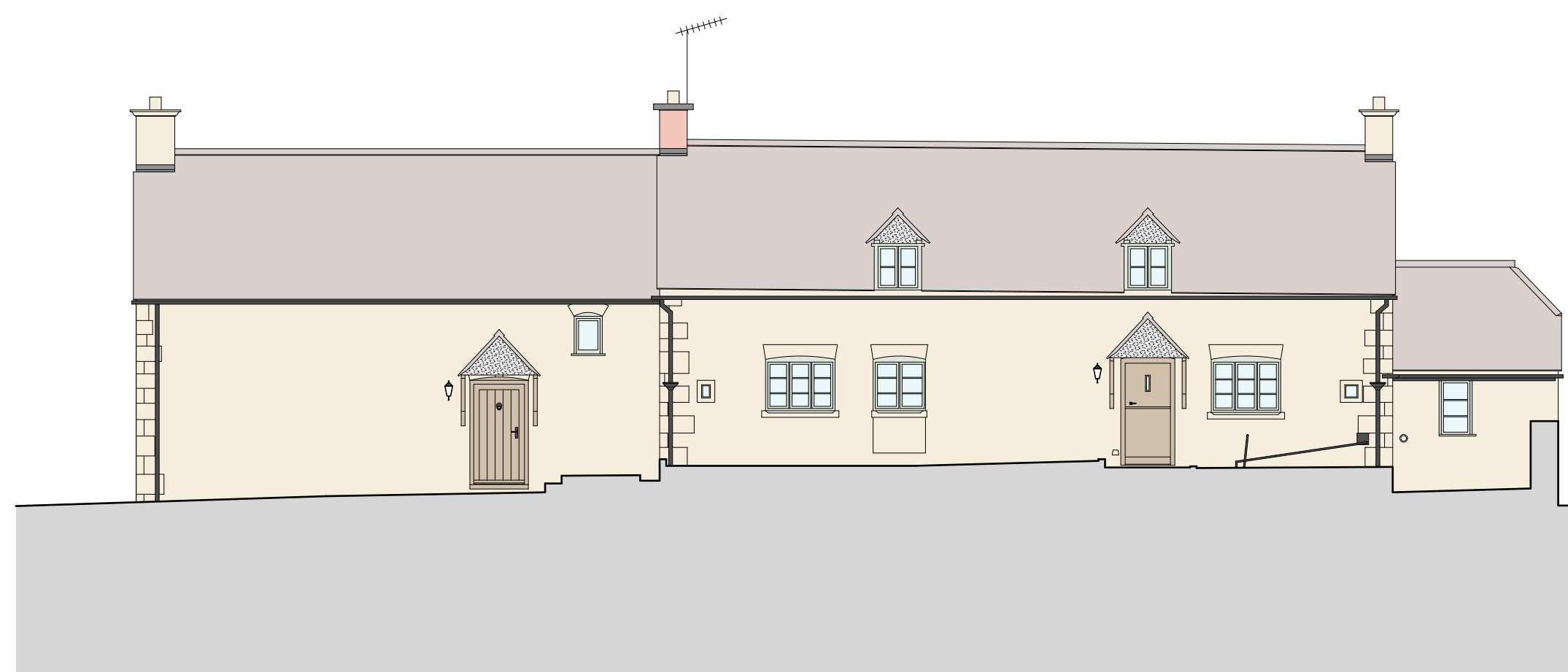
Check scale by measuring line above

Do not scale from this drawing. Refer to figured dimensions only. Drawing copyright of Ashleigh Clarke Architects Limited. Company registered in England and Wales | Company No. 12878847.

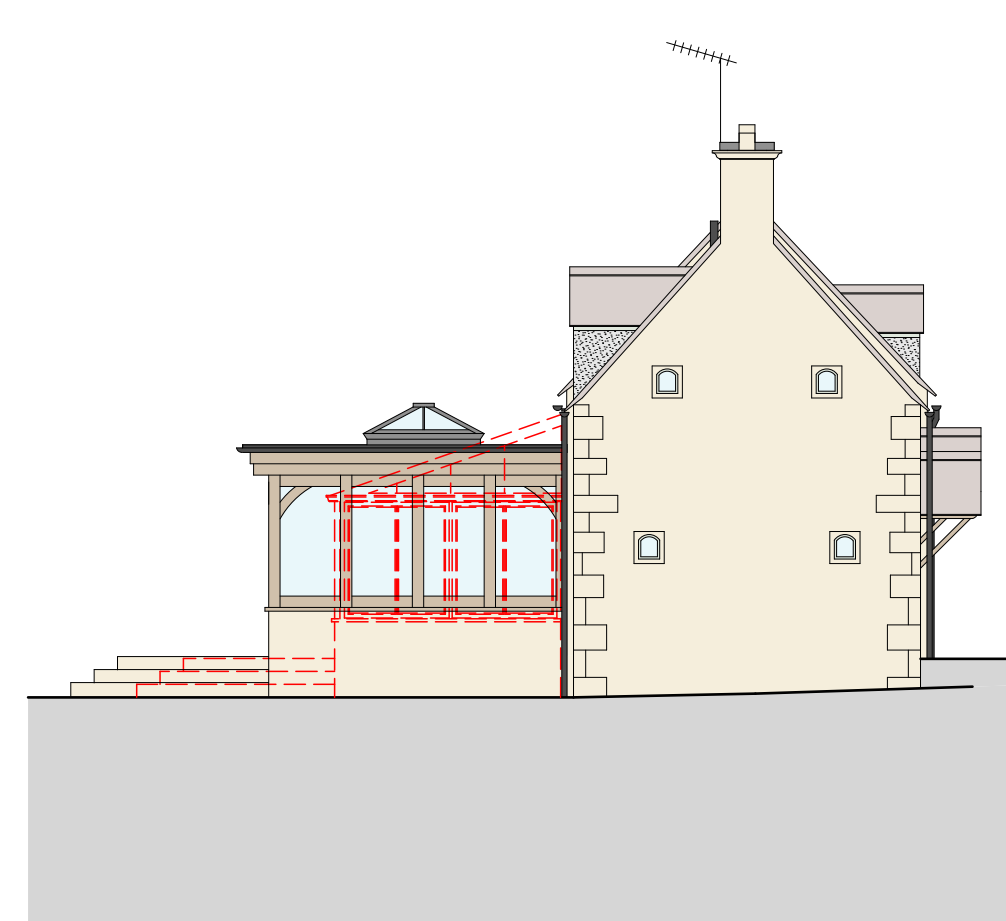
Change Manager:  
Change Description: CH-016 New rear extension design.  
By: AC



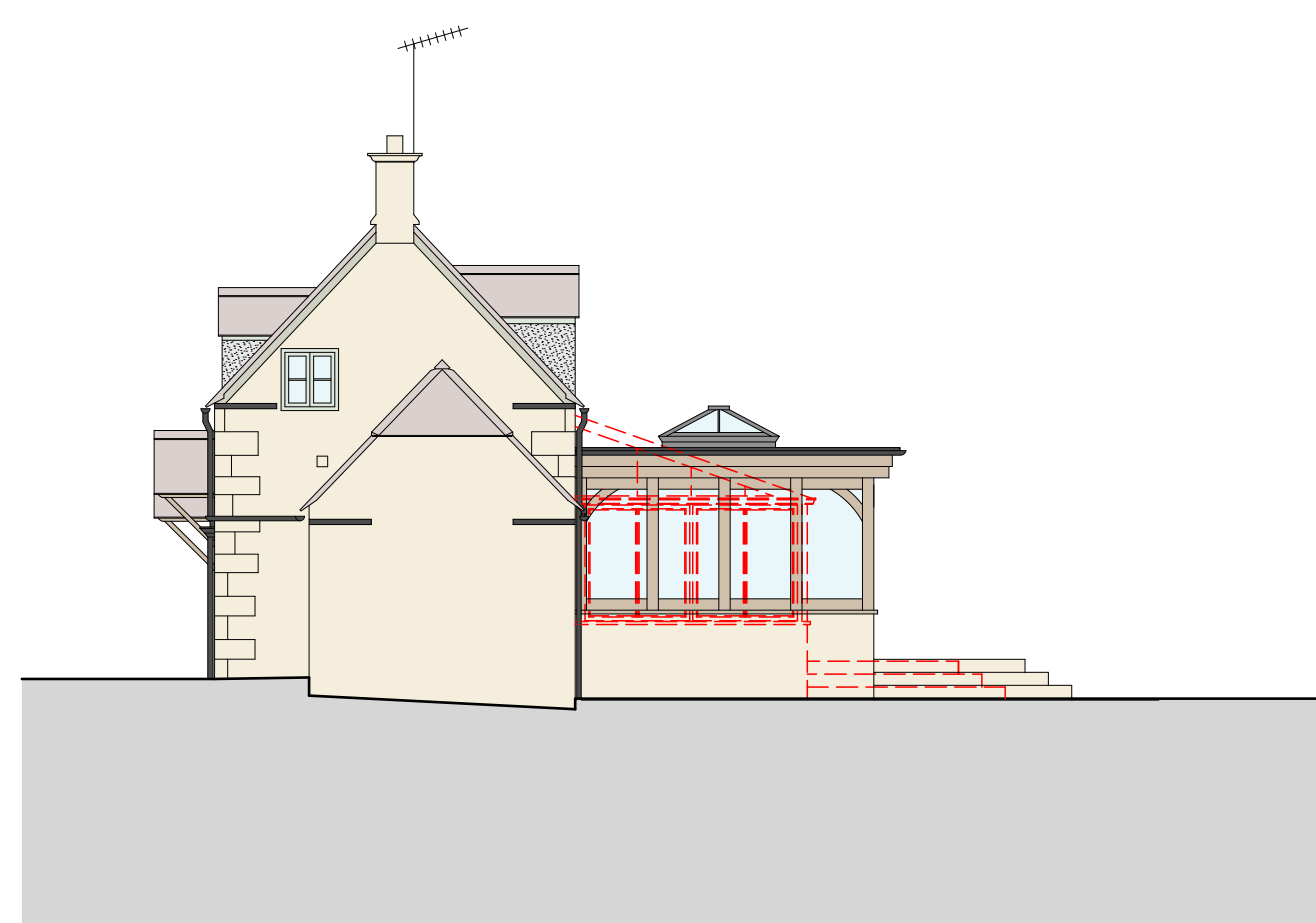
05 Key Plan 1:1250



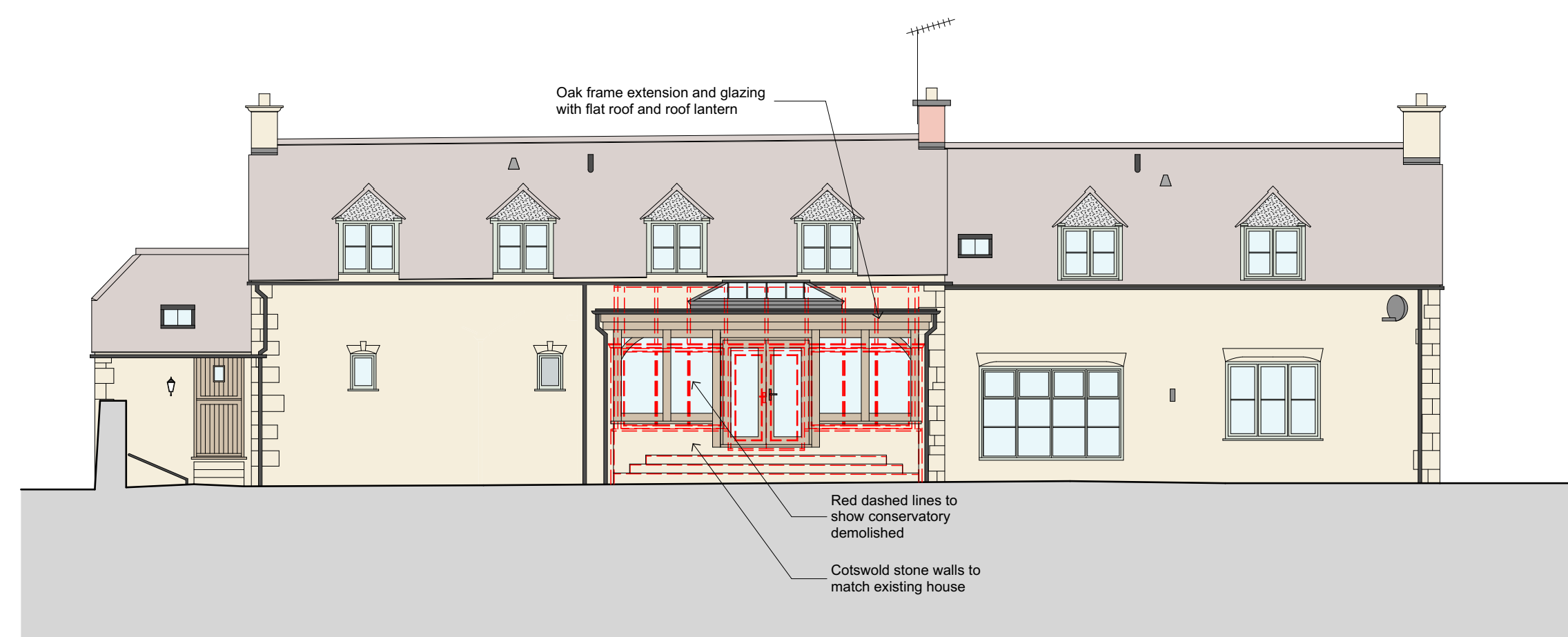
01 Proposed North-East (Front) Elevation 1:100



02 Proposed South-East (Side) Elevation 1:100



03 Proposed North-West (Side) Elevation 1:100



04 Proposed South-West (Rear) Elevation 1:100

Rev	Issue Status	Date	By	CHK
O	Planning	06/09/2023	AC	AC
N	Planning	24/04/2023	AC	AC
M	Planning	23/03/2023	AC	AC
L	Planning	16/03/2023	AC	AC
K	Planning	15/03/2023	AC	AC
J	Planning	15/03/2023	AC	AC
I	Planning	02/01/2023	AC	AC
H	Planning	26/12/2022	AC	AC
G	Planning	15/08/2022	AC	AC
F	Planning	12/08/2022	AC	AC
E	Planning	29/07/2022	AC	AC
D	Planning	26/07/2022	AC	AC
C	Planning	08/07/2022	AC	AC
B	Planning	06/07/2022	AC	AC
A	Planning	02/07/2022	AC	AC

Contact:  
e. info@ashleighclarkearchitects.com  
t. 01451 828 419  
w. ashleighclarkearchitects.com

Office:  
Cotswold Business Centre  
2 A P Ellis Road  
Upper Rissington  
Cheltenham  
GL54 2QB

This page is intentionally left blank





Alterations and Extensions

**Client Name:** Mr and Mrs A Lathe  
**Drawing Name:** Proposed Ground Floor Plan

**Site Address:** Wyck Cottage Wyck Risington Cheltenham GL54 2PN

**Print Size:** A0  
**Project No.:** 22\_007  
**Drawing No.:** 0055

**Status:** Planning  
**Revision:** M

**Drawing Scale:**  
 1:5 = 0.25m    1:25 = 1.25m    1:200 = 10.0m    1:1000 = 50.0m  
 1:10 = 0.5m    1:50 = 2.5m    1:250 = 12.5m    1:1250 = 62.5m  
 1:20 = 1.0m    1:100 = 5.0m    1:500 = 25.0m    1:2500 = 125m

Check scale by measuring line above

Do not scale from this drawing. Refer to figured dimensions only. Drawing copyright of Ashleigh Clarke Architects Limited. Company registered in England and Wales | Company No. 12878847

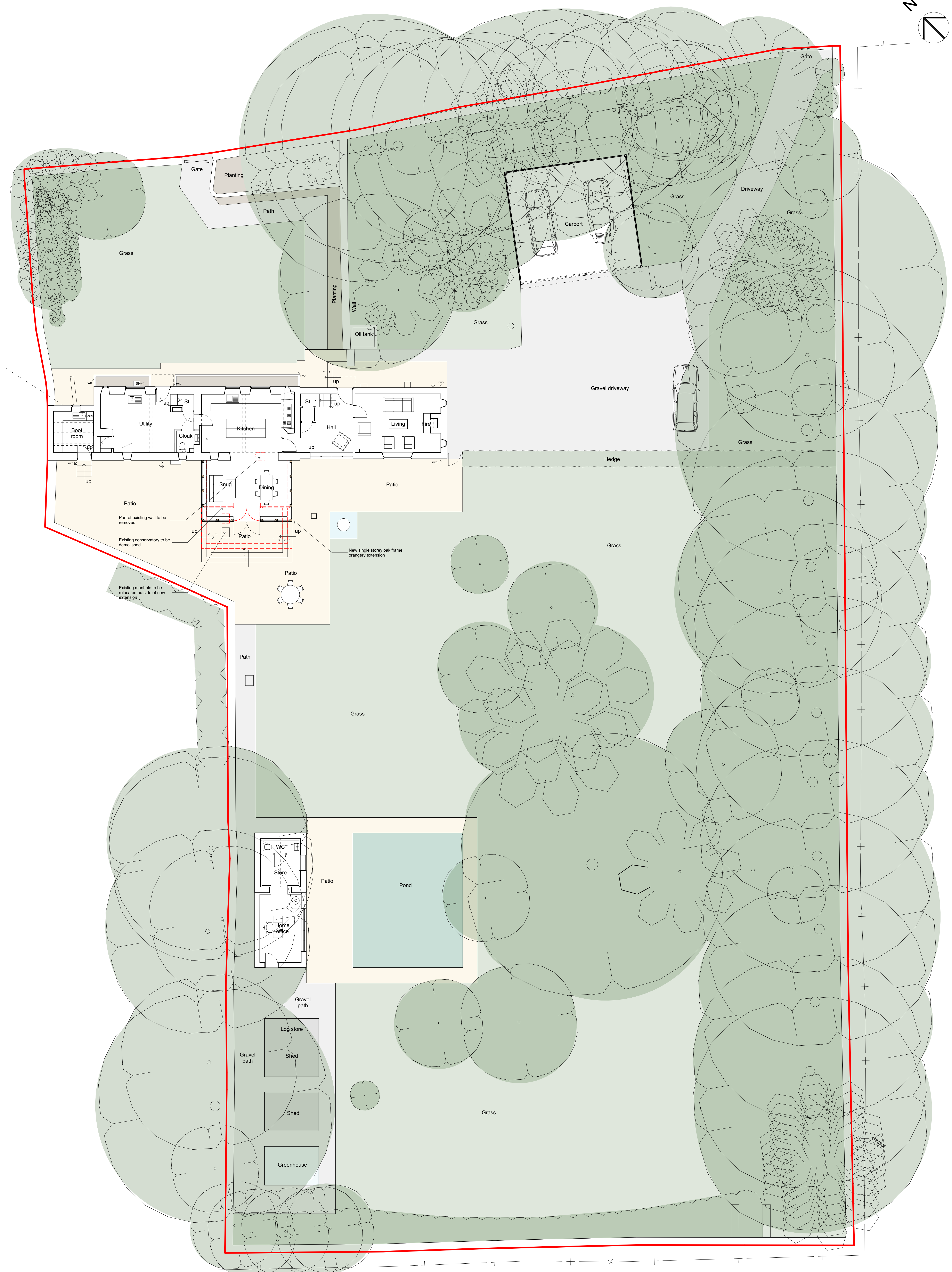
**Change Manager:**

Change Description: CH-016 New rear extension design.    By: AC



**Key:**  
 - - - - - Boundary line  
 - - - - - Demolition lines  
 ■ ■ ■ ■ ■ New extensions

02 Block Plan 1:500



M	Planning	26/06/2023	AC	AC
L	Planning	23/05/2023	AC	AC
K	Planning	16/05/2023	AC	AC
J	Planning	16/05/2023	AC	AC
I	Planning	16/05/2023	AC	AC
H	Planning	22/01/2023	AC	AC
G	Planning	20/10/2022	AC	AC
F	Planning	13/06/2022	AC	AC
E	Planning	28/07/2022	AC	AC
D	Planning	28/07/2022	AC	AC
C	Planning	28/07/2022	AC	AC
B	Planning	28/07/2022	AC	AC
A	Planning	22/07/2022	AC	AC
Rev	Issue Status	Date	By	Chg

**Contact:**  
 e. info@ashleighclarkearchitects.com  
 t. 01451 828 419  
 w. ashleighclarkearchitects.com

**Office:**  
 Cotswold Business Centre  
 2 A P Ellis Road  
 Upper Risington  
 Cheltenham  
 GL54 2QB



This page is intentionally left blank



Alterations and Extensions

Client Name: Mr and Mrs A Lathe  
Drawing Name: Proposed Floor Plans

Site Address: Wyck Cottage Wyck Rissington Cheltenham GL54 2PN

Print Size: A1  
Project No: 22\_007  
Drawing No: 0056

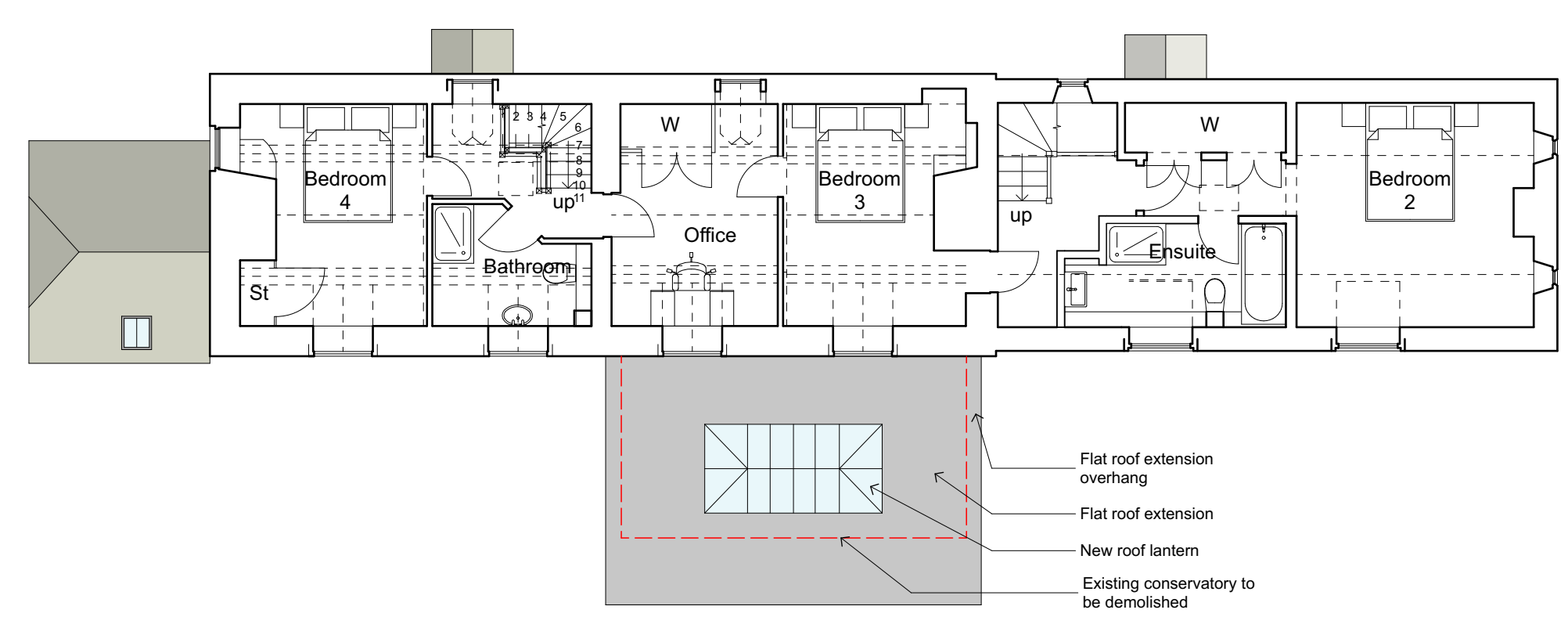
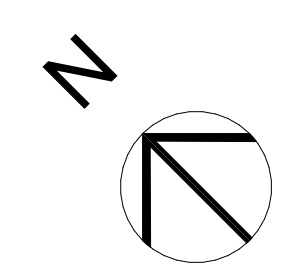
Status: Planning  
Revision: K

Drawing Scale:  
1:5 = 0.25m  
1:10 = 0.5m  
1:20 = 1.0m  
1:25 = 1.25m  
1:50 = 2.5m  
1:100 = 5.0m  
1:200 = 10.0m  
1:250 = 12.5m  
1:500 = 25.0m  
1:1000 = 50.0m  
1:1250 = 62.5m  
1:2500 = 125m

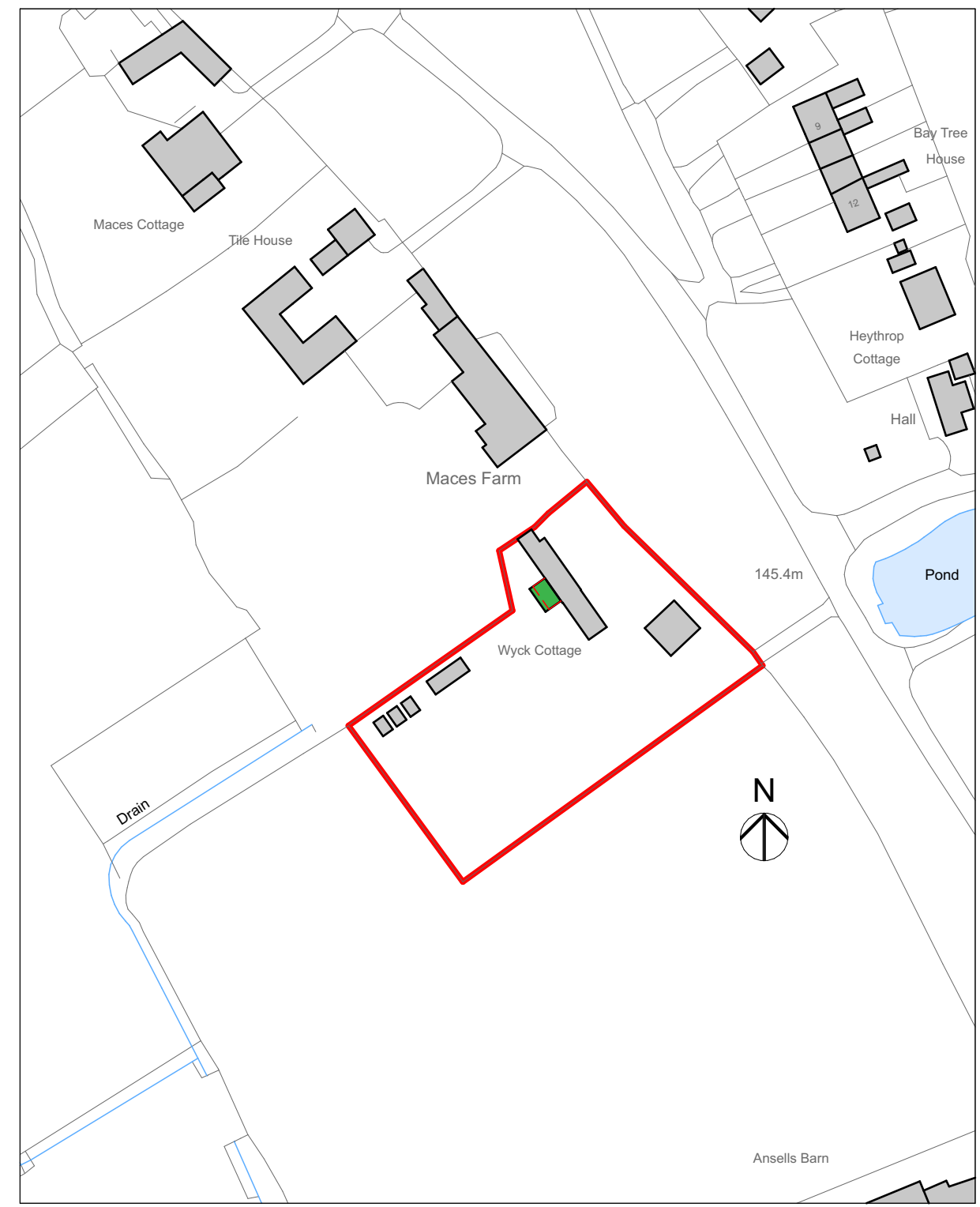
Check scale by measuring the above

Do not scale from this drawing. Refer to figured dimensions only. Drawing copyright of Ashleigh Clarke Architects Limited. Company registered in England and Wales | Company No. 12878847.

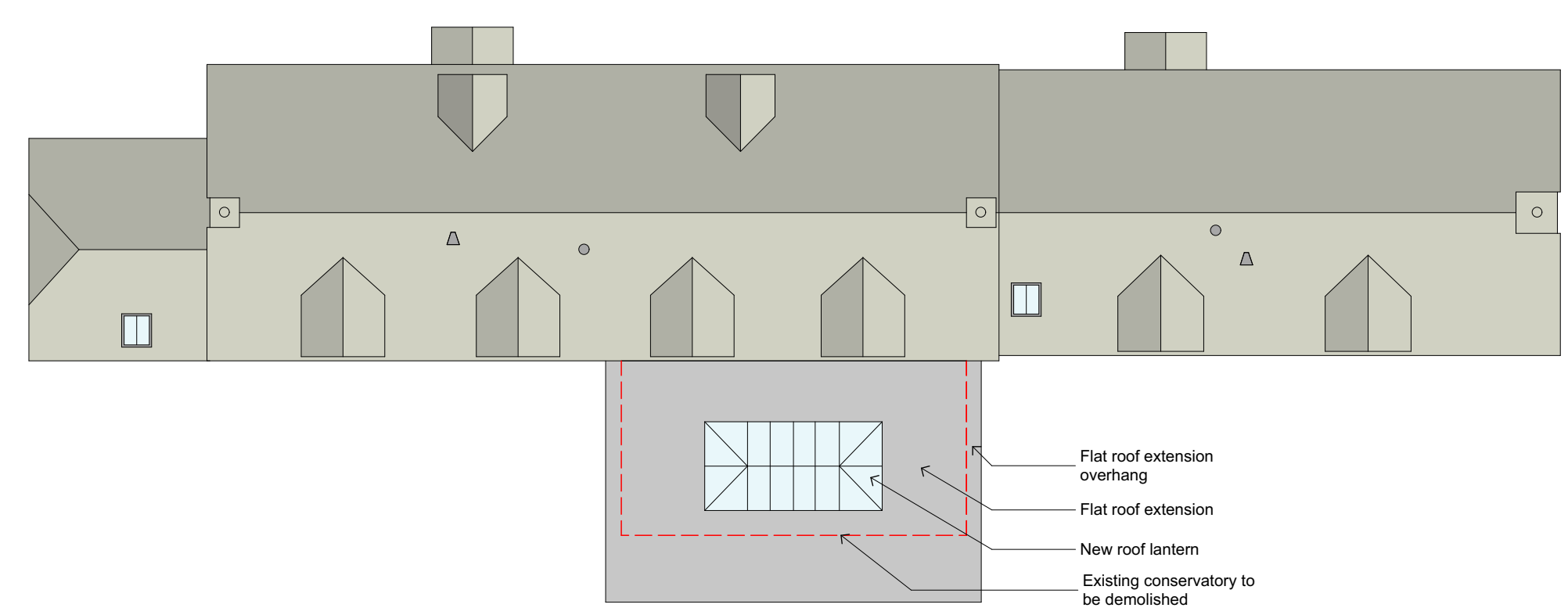
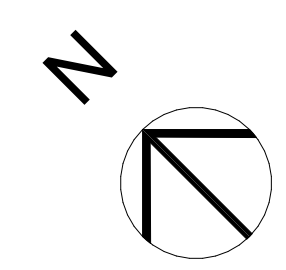
Change Manager:  
Change Description: CH-016 New rear extension design.  
By: AC



01 First Floor Plan 1:100



03 Key Plan 1:1250



02 Roof Plan 1:100

Rev	Issue Status	Date	By	CHK
K	Planning	06/09/2023	AC	AC
J	Planning	23/03/2023	AC	AC
I	Planning	15/03/2023	AC	AC
H	Planning	15/03/2023	AC	AC
G	Planning	26/12/2022	AC	AC
F	Planning	12/08/2022	AC	AC
E	Planning	29/07/2022	AC	AC
D	Planning	26/07/2022	AC	AC
C	Planning	08/07/2022	AC	AC
B	Planning	05/07/2022	AC	AC
A	Planning	02/07/2022	AC	AC

Contact:  
e. info@ashleighclarkearchitects.com  
t. 01451 828 419  
w. ashleighclarkearchitects.com

Office:  
Cotswold Business Centre  
2 A P Ellis Road  
Upper Rissington  
Cheltenham  
GL54 2QB

This page is intentionally left blank

**Prior Approval for the Installation of 676No. roof mounted solar PV panels of total installed capacity 300.82kWp on Cirencester Leisure Centre roof at Cotswold Leisure Centre Old Tetbury Road Cirencester Glos GL7 1US**

<b>Prior Approval Notification (Solar Panels) 24/01915/SPANOT</b>	
Applicant:	Cotswold Leisure Centre
Agent:	Solarsense UK Ltd
Case Officer:	Kristina Carter
Ward Member(s):	Ray Brassington
Committee Date:	11 September 2024
<b>RECOMMENDATION:</b>	<b>Prior Approval Not Required</b>

**1. Main Issues:**

- (a) Whether prior approval is required as to the design or external appearance of the development and the impact of glare on the occupiers of neighbouring land

**2. Reasons for Referral:**

- 2.1 The application site is occupied by a Council-owned building.

**3. Site Description:**

- 3.1 This application relates to the Cotswold Leisure Centre, a modern building located on Tetbury Road on the edge of the town centre of Cirencester. The application site is located within Cirencester Development Boundary.
- 3.2 The site lies outside of a conservation area. The boundary of Cirencester (The Park) Conservation Area is located approximately 40m to the north-west of the application building. The boundary of the Grade I Cirencester Park Registered Park and Garden is also located approximately 40m to the north-west of the leisure centre.
- 3.3 Long Barrow and Roman Amphitheatre and Cemetery Scheduled Ancient Monument is located approximately 30m to the south-east of the application building.
- 3.4 The application site is located outside of the Cotswolds National Landscape.

**4. Relevant Planning History:**

- 4.1 17/01662/FUL - Installation of 2 no. external combined heat and power plant with 250mm dia. flue and compressor unit within secure open air external compound, permitted 30.05.2017
- 4.2 21/04248/SPANOT - Prior approval notification for the installation of Solar Photo-Voltaic panels (total installation 114kwp), approved 14.12.2021

**5. Planning Policies:**

- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- INF10 Renewable & Low Carbon Energy Development

**6. Observations of Consultees:**

N/A.

**7. View of Town/Parish Council:**

- 7.1 *'No objection to installation of roof mounted solar PV panels on Cirencester Leisure Centre roof. CTC welcomes the installation of PV panels, enabling generation of renewable energy. CTC would like to see steps taken to avoid bird damage to the solar panels, in light of the recent serious Bristol Museum roof fire, apparently caused by bird damage to solar panels.'*

**8. Other Representations:**

- 8.1 Cirencester Civic Society: General comments:

*'It is clearly desirable for buildings such as this to maximise opportunities for generating renewable energy. It is assumed that the solar panels that will cover most of the remaining areas of roof will not be visible from ground level, as no elevations of the building have been provided. In the light of the recent serious Bristol Museum roof fire, apparently caused by bird damage to solar panels, will access from inside the building be possible to allow regular inspections to be made without the need for specialist equipment to be brought in to obtain access from the outside?'*

**9. Applicant's Supporting Information:**

- Proposed Plans

**10. Officer's Assessment:**

**Proposed Development**

- 10.1 This application is seeking to establish whether prior approval is required for the installation of 676 solar panels to the roof of the Cotswolds Leisure Centre. The panels proposed are monocrystalline solar PV panels, with a total installed capacity of 300.82 kWp. The 2015 General Permitted Development Order sets out the following requirements in regard to this type of development:

*J.4— (1) Class J development is permitted subject to the following conditions—*

*(a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and*



*(b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.*

*(2) Class J(c) development is permitted subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land, and the following sub-paragraphs apply in relation to that application.*

10.2 Because of the level of power generated, the development falls within the J(c) class of development.

**(a) Whether prior approval is required as to the design or external appearance of the development and the impact of glare on the occupiers of neighbouring land**

10.3 The installation of solar panels on a non-domestic building does not require the benefit of planning permission subject to their installation according with the requirements of Schedule 2 Part 14 Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). If such requirements are satisfied the Council must determine whether prior approval is required as to the design or external appearance of the development, and the impact of glare on occupiers of neighbouring land.

10.4 In the case of this proposal, the proposed panels, would be installed on a low-pitched roof and would not protrude more than 0.2 metres above the slope nor be installed within 1 metre from the edge of the roof. The proposal meets the requirements of the aforementioned Order in these respects.

10.5 Whilst the application building is not a heritage asset nor is it sited within a conservation area, it is noted that it lies just outside Cirencester (The Park) Conservation Area, located approximately 40m to the north-west, and Cirencester Town Centre Conservation Area, 110m to the east. Furthermore, there is a Scheduled Ancient Monument (SAM) 'Long Barrow And Roman Amphitheatre And Cemetery' to the south-east of the application site and registered park and garden to the north-west.

10.6 The application building is a modern structure, with a low-pitched roof and is located adjacent to other recently completed office development, a ring road and a footbridge. The design and position of the panels is considered to be in keeping with the plain and functional form of the host building and its immediate surroundings, and would therefore not have an adverse impact on the character and appearance of the area, nor on the setting of the nearby heritage assets. It is further noted that solar panels have already been installed on the roof of the building following the 2021 application, therefore the introduction of further solar panels is not inconsistent with the existing building.

10.7 The solar panels are of a design/form which can be removed in the future, and are obligated under the terms of the Order to be removed when 'no longer needed'. The development is therefore reversible and allows the building to be returned to its current status if required.

- 10.8 The solar panels are designed to absorb sunlight in order to maximise their efficiency and to reduce the potential for reflection/glare and the submitted plans declare the panels to be of a black coloured lower reflectivity type, or similar. Whilst the height of the site building roof relative to the office building to the north means that there is the potential for glare at certain times of the day/year, the use of black, low reflectivity panels is considered to adequately limit that impact on occupiers of neighbouring land.
- 10.9 The comments made by the Cirencester Town Council (CTC) and Cirencester Civic Society (CCS) regarding the safety of the solar panels and the measures necessary to prevent bird damage that might lead to fire risk is noted, however, this would fall outside the remit of the prior approval application so is not a matter that can be considered.
- 10.10 It is considered that the design and external appearance of the development will not have an adverse impact on the application building or designated heritage assets and that the scheme will not cause a materially harmful level of glare that would adversely affect the amenity of the occupiers of neighbouring land.

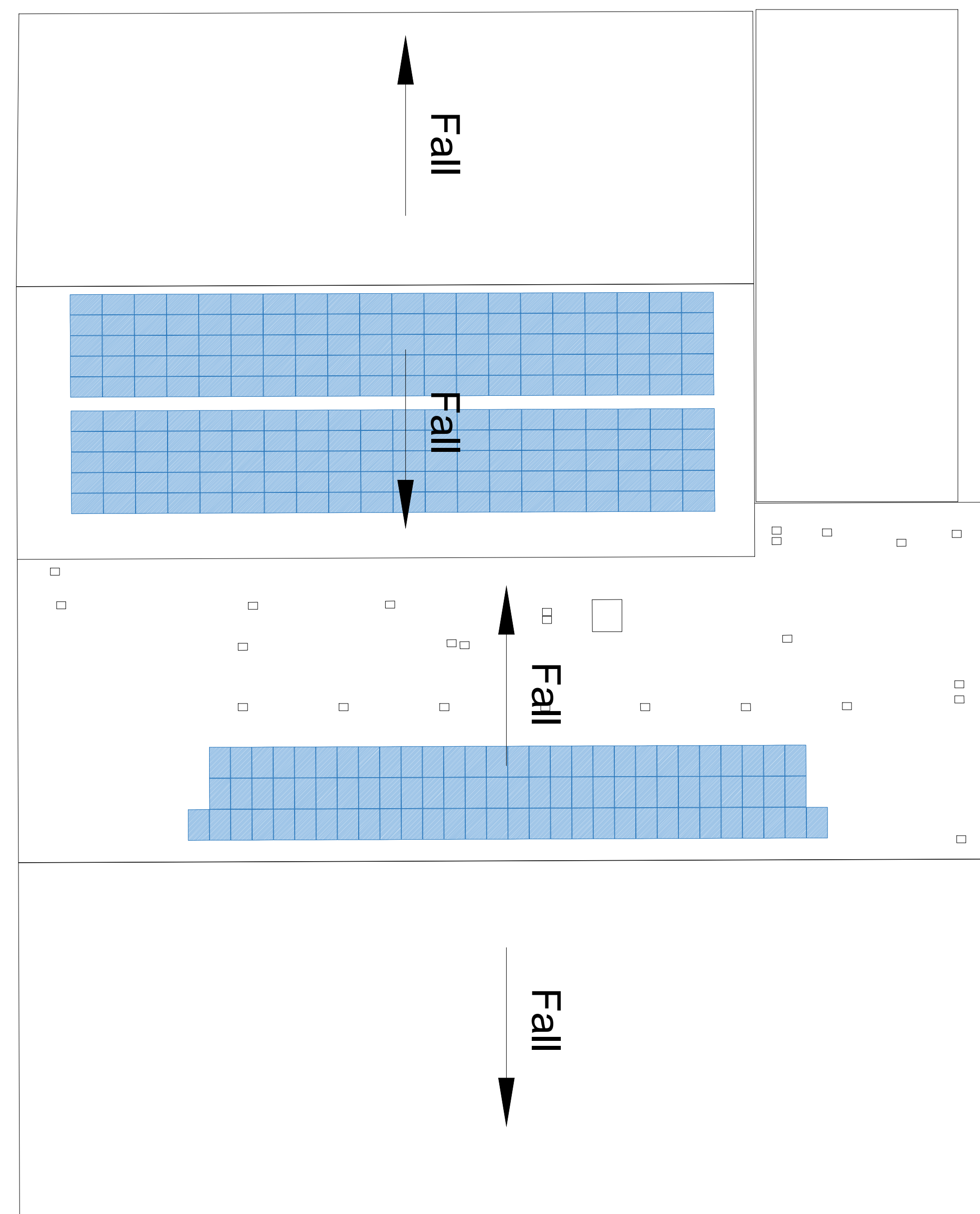
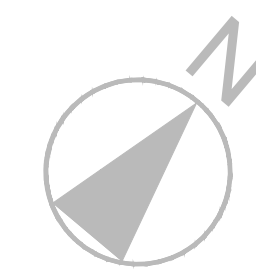
## **11. Conclusion:**

- 11.1 Overall, it is considered that the proposed scheme accords with the requirements of Schedule 2 Part 14 Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015. It is considered that prior approval is not required for the proposal. An informative shall be attached to the decision to remind the applicant that this conclusion is contingent on the use of the specified black low reflectivity panels, or 'similar' panels of a dark colouring and low reflectivity rating.



This page is intentionally left blank

Do not scale this drawing for construction purposes  
 In all cases figured dimensions are to be followed  
 All dimensions to be checked on site before work commences  
 © This drawing is the copyright of Solarsense UK Ltd and may not be reproduced in part or in whole without prior written permission



Notes:

**Existing Roof Materials:**

Light grey coloured trapezoidal profile roofing at 12° pitch.

 Existing Solar PV panels

**PLANNING**

Revision	Description	Date	Drawn



Solarsense UK Ltd  
 Unit 1A Tweed Road Ind Est, Clevedon, BS21 6RR  
 ☎ 01275 461800 ✉ info@solarsense-uk.com

Client: Cirencester Leisure Centre

Project: Cirencester Leisure Centre  
 Roof mounted Solar PV System

Drawing: Existing Roofs Plan

Scale: 1:200 @ A1 Drawn by: MV

Date: June 2024 Checked by:

Drawing Number: CBP / 02 Revision: A

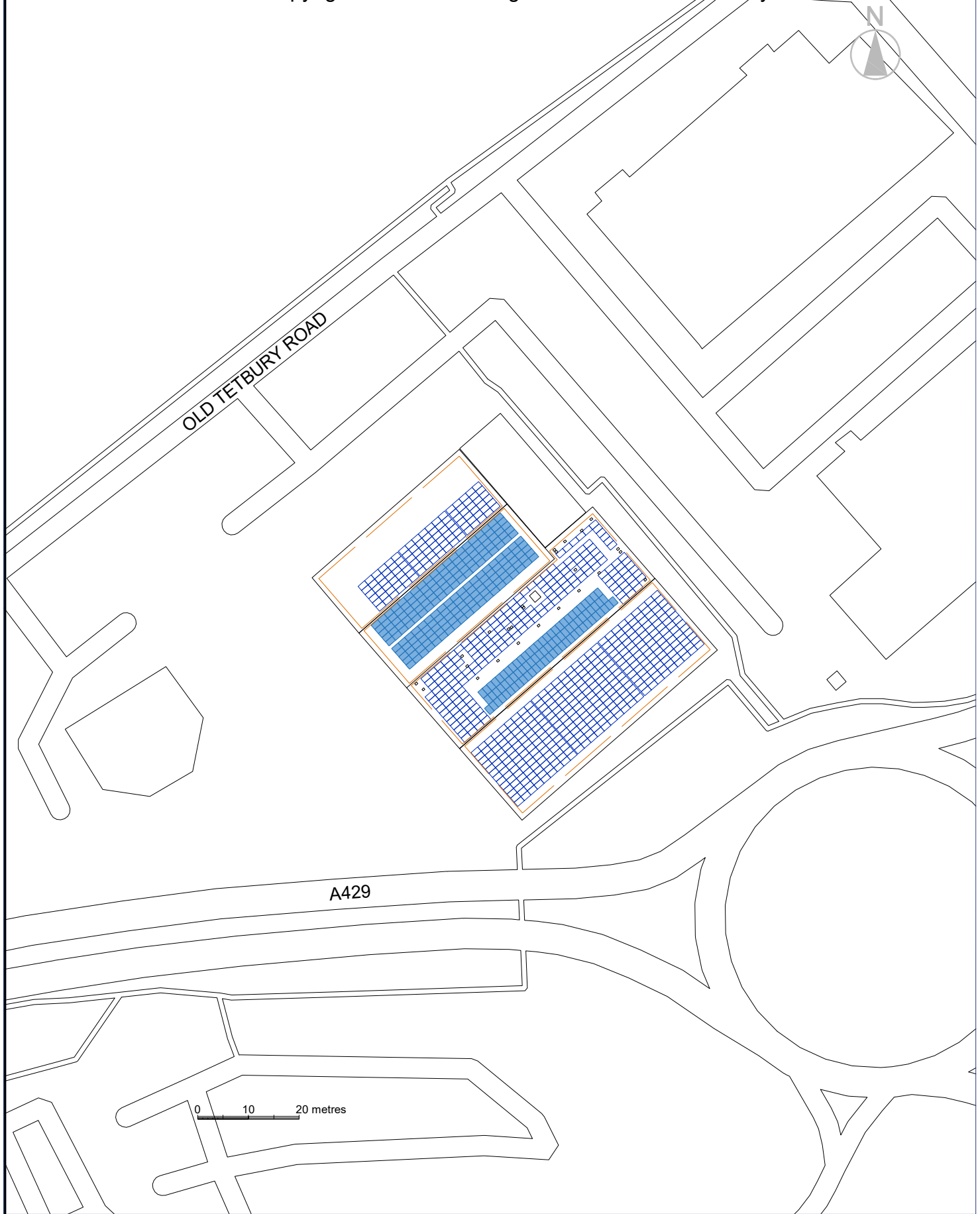
Existing Roof Plan



This page is intentionally left blank

Do not scale this drawing for construction purposes. In all cases figured dimensions are to be followed. All dimensions to be checked on site before work commences.  
 © This drawing is the copyright of Solarsense UK Ltd and may not be reproduced in part or in whole without prior written permission

© Crown copyright and database rights 2023 Ordnance Survey



Client:	Cirencester Leisure Centre
Project:	Cirencester Leisure Centre Roof Mounted Solar PV
Drawing:	Proposed Site Plan

Scale:	1:1000 @ A4
Date:	June 2024
Drawn by:	MV
Checked by:	
Revision:	A
Drawing Number:	CBP / 04

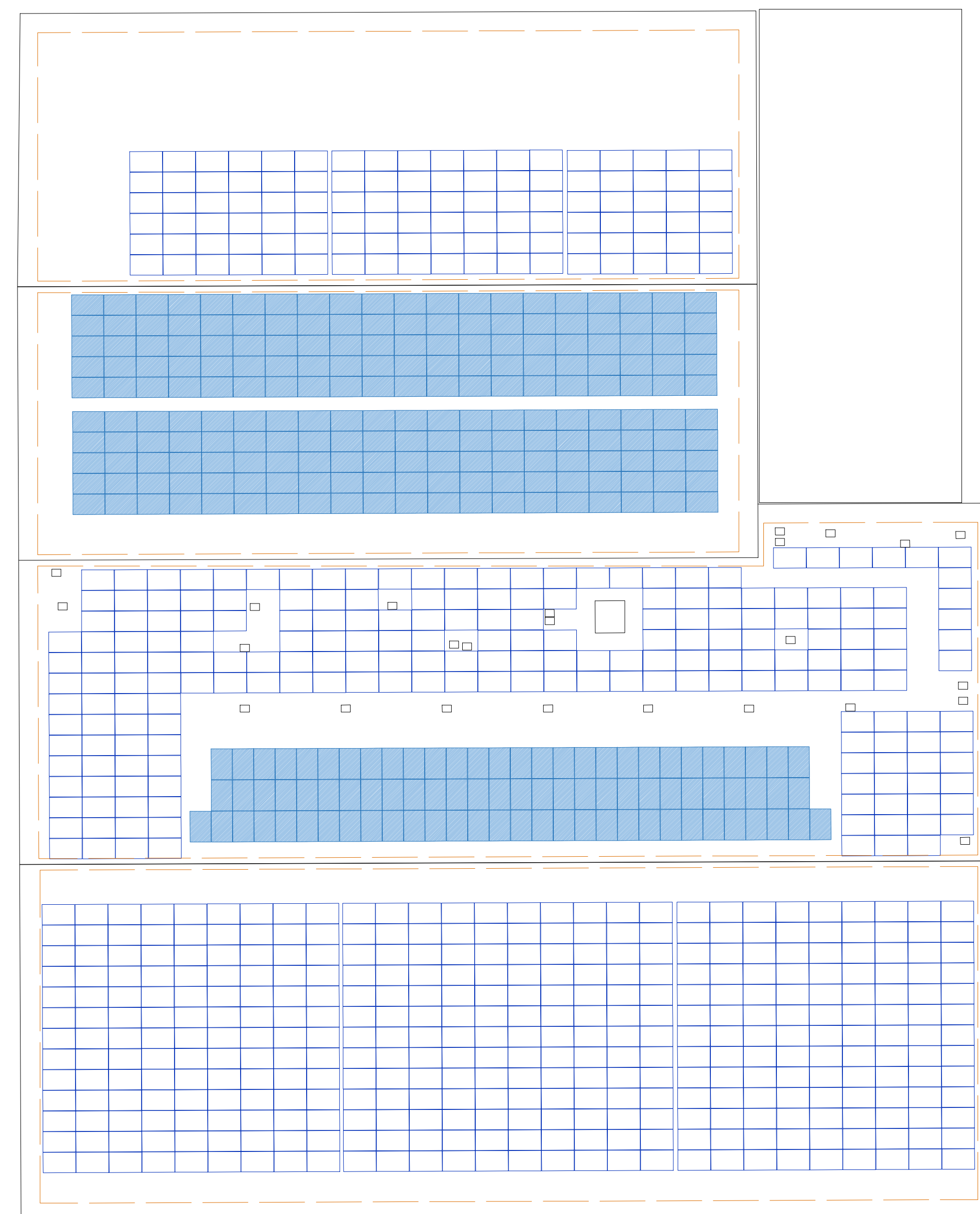
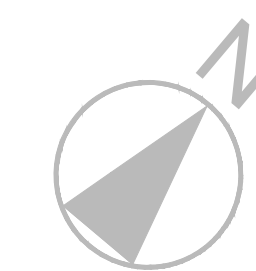
Revision		Date	Drawn



**Solarsense UK Ltd**  
 Unit 1A Tweed Road Ind Est, Clevedon, BS21 6RR  
 ☎ 01275 461800 ✉ info@solarsense-uk.com

This page is intentionally left blank





**Notes:**

**Proposed Roof Materials:**

676 No. monocrystalline solar PV panels, DMEGC DM445M10RT-54HSW/HBW (or similar), with a total installed capacity of 300.82 kWp

Panels will be clamped to extruded aluminium mini mounting rails with anodised aluminium clamps. Mounting rails will be stitch screwed to crowns of profiled roof sheeting.

DC string cables will be run under panels and clipped to mounting rails then taken through roof to internally mounted inverters connected to building electrical system.

Panels will be minimum of 1000mm from external roof edges and will project less than 1000mm above roof plane.

- Minimum 1.0 metre external roof edge distance
- DM445M10RT-54HSW/HBW (or similar) solar panels
- Existing Solar PV panels

PLANNING

Revision	Description	Date	Drawn

Proposed Roof Plan



**Solarsense UK Ltd**  
 Unit 1A Tweed Road Ind Est, Clevedon, BS21 6RR  
 ☎ 01275 461800 ✉ info@solarsense-uk.com

Client: Cirencester Leisure Centre

Project: Cirencester Leisure Centre  
 Roof mounted Solar PV System

Drawing: Proposed Roof Plan

Scale: 1: 200 @ A1 Drawn by: MV

Date: June 2024 Checked by:

Drawing Number: CBP / 03 Revision: A

This page is intentionally left blank

**Works including gutter repairs, and roof structure repairs. Alterations to chimney, rooflights and rainwater goods at Corinium Museum Park Street Cirencester Glos GL7 2BX**

<b>Listed Building Consent 24/01689/LBC</b>	
Applicant:	Cotswold District Council
Agent:	James Slater & Co
Case Officer:	Mr Justin Ayton
Ward Member(s):	Councillor Mark Harris
Committee Date:	11 September 2024
<b>RECOMMENDATION:</b>	<b>APPROVE</b>

**1. Main Issues:**

- (a) Impact on the listed building and its setting
- (b) Impact on Protected Species

**2. Reasons for Referral:**

- 2.1 The application has been referred to the Planning and Licensing Committee for determination, in accordance with the Council's adopted Scheme of Delegation, because Cotswold District Council own the building in question.

**3. Site Description:**

- 3.1 The application site, the Corinium Museum, comprises a three-storey, seven-bay eighteenth-century Palladian house to the east (Abberley House), with a three-bay, nineteenth-century building to the west, with later additions to the rear. The site lies within the Cirencester (Town Centre) Conservation Area.

3.2 List entry:

SP0202 PARK STREET 578-1/4/276 (North side) 14/06/48 No.29 Corinium Museum and attached gateway.

GV II

Museum, formerly house. Mid C18 with later alterations. Limestone ashlar, coursed rubble to right side, coursed squared limestone to left side; stone slate hipped parapeted roof, concrete tile to rear range to left; rebuilt brick stacks on gables to left and right of front range, brick left end stack to rear range to left. 7-bay Palladian villa with 3 bays to centre broken forward with pediment over. 3 storey 7-window range. First floor has seven 6/6-pane horned sashes, 3 to centre in moulded stone architraves with keyed lintels and stone cills, to left and right in plain reveals with stone cills. Second floor has seven similar 3/3-pane sashes. Ground floor has six C19 2/2-pane horned sashes in plain reveals with stone cills; Doric doorcase with open

pediment to centre now infilled with C20 glazing. Shallow plinth; chamfered rustication to ground floor forming voussoirs over window heads; band courses over ground and first floors. Bracketed eaves cornice, parapet; blocking course. Entrance is to C20 addition to rear left via round-headed opening in C19 screen wall with moulded architrave, impost bands and bracket keystone; aedicule of 2 Ionic columns, full entablature and dentil cornice, blocking course; pair of C19/C20 iron gates. INTERIOR has undergone major C20 alteration for museum use.

**4. Relevant Planning History:**

4.1 There is no relevant planning history

**5. Planning Policies:**

- TNPPF The National Planning Policy Framework

**6. Observations of Consultees:**

6.1 Historic England: No comment

**7. View of Town/Parish Council:**

7.1 *'No objection to the proposed works which CTC agrees are required in order to safeguard this historical asset and prevent further deterioration or loss of historical fabric occurring. The applicant (CDC) is proposing to use traditional methods wherever possible and inappropriate cement mortar and plastic rainwater goods, within the scope of works, will be replaced for lime mortar and metal rainwater goods, which is an improvement. Cllr R Hughes and P Coleman declared an interest, as District Councillors, and so abstained.'*

**8. Other Representations:**

8.1 Biodiversity Officer's comments are included with the Officer Assessment

**9. Applicant's Supporting Information:**

- Bat Survey Report; received 15 June 2024
- Design and Access Statement & Heritage Statement, received 7 June 2024
- Photograph Schedule, received 7 June 2024

**10. Officer's Assessment:**

10.1 The application seeks listed building consent for partial reroofing, with various remedial repairs, of the 18th-century Abberley House, the eastern portion of the Corinium Museum.

**(a) Impact on the listed building and its setting**

10.2 The Corinium Museum 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 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 10.3 The building also lies within the Cirencester (Town Centre) 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 1990 Act.
- 10.4 Considerable weight and importance must be given to the aforementioned legislation.
- 10.5 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 205 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, irrespective of whether any potential harm amounts to *substantial* harm, total loss or *less-than-substantial* harm to its significance. Paragraph 207 states that where a proposed development will lead to *substantial* harm applications should be refused unless it is demonstrated that the harm is necessary to achieve substantial public benefits. Paragraph 208 states that where a development proposal will cause harm to the significance of a designated heritage asset that is *less-than-substantial* harm, that harm is weighed against the public benefits of those works, including, where appropriate, securing its optimum viable use.

*Current condition:*

- 10.6 The current condition of the roof of Abberley House is a cause of some concern. The front valley gutter has been leaking, causing decay of the 18th-century roof structure and damage to the lath-and-plaster ceilings, front wall & window lintels at second floor (which has been concealed behind plasterboard linings). The parapet gutter is divided into two by the central pediment, and the western half is not readily accessible for regular maintenance.
- 10.7 The chimney of the house, which are red brick, are in need of minor repairs and repointing, although the rear chimney on the west side of the house has sufficient lean to cause some concern over its structural stability.

*Proposed remedial works:*

- 10.8 The current proposal, which has been refined following discussions, would entail the reroofing of the front and side slopes of the principal (front) structure with natural stone tile, to match the existing. This would allow a thorough inspection and repair of the roof structure, which would predominantly entail the doubling up of any failing timbers; the existing roof-structure is elm, but due to the scarcity of new elm any new timbers would be oak, which is equally historically appropriate. The falls and leadwork of the front valley gutter would be adjusted to ensure proper drainage; this would be undertaken by adding structure to make additional falls where necessary, retaining existing structure, and the new structure would still be entirely contained behind, and concealed by the blocking course (low parapet). The existing roof-light access to the

eastern side of the front (southern) slope would be reduced to the minimum size necessary, and a matching roof-light would be added to the western side, maintaining symmetry, which would allow access to the entire front parapet gutter; due to the low position of the new roof-lights and the limited long-views available of the building, it would be discrete and their visual impact negligible. A discrete, low-level fall arrest system would also be added to facilitate safe maintenance. The rear of the pediment would be clad in lead to help prevent water ingress; this would be a change from the historic construction, but it would only be visible from the roof itself, and would not harm the special interest of significance of the building.

- 10.9 The chimneys would be repointed as necessary, and vented clay chimney pots would be added. The rear, west chimney, which is leaning, would have the red brick stack carefully dismantled, and then rebuilt perpendicular, reusing any sound bricks, and making good any shortfall on a like-for-like basis. Minor repointing to verges would take place as necessary, all in lime mortar.
- 10.10 Internally, there would be some disruption to the lath-and-plaster ceilings at second floor, in order to repair the existing, decayed joists, but this would be kept to the minimum necessary, and would all be reinstated on a like-for-like basis. The front wall at second floor would have the modern linings removed in order to allow investigation of the wall behind and the window lintels therein; any subsequent repairs that are required would be undertaken on a like-for-like basis. The repaired ceilings would then have new, breathable sheep wool insulation added.
- 10.11 Due to the nature of the building, the precise extent of some of the works will not be absolutely clear until opening-up has taken place; agreeing details of the precise extent and nature of these repairs could be addressed by appropriately-worked conditions.

**(b) Impact on Protected Species**

- 10.12 Local Plan Policy EN8 seeks to safeguard biodiversity within the district. In particular, development proposals where the primary objective is to conserve or enhance biodiversity will be encouraged. Where there are opportunities for enhancements, which benefit nature conservation and biodiversity, appropriate measures to secure them will be sought. Development that would cause significant harm to biodiversity, which cannot be mitigated or (as a last resort) adequately compensated for, will be refused.
- 10.13 Chapter 15 (paragraph 186) of the NPPF states that when determining applications, local planning authorities should apply the principle that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Conversely, development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

10.14 A licence can only be agreed if the proposed development is able to meet the three tests:

1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 55(2)(e))
2. there must be 'no satisfactory alternative' (Regulation 55(9)(a)); and
3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 55(9)(b)).

10.15 The Council's Biodiversity Officer has reviewed the Bat Survey Support submitted in support of the application, and commented as follows, thereby accepting that the third test is satisfied:

*'The agent's response does adequately address my concerns. The ecology report has confirmed the likely absence of roosting bats, however, I would suggest that a bat informative is included on the decision notice, ensuring the applicant is made aware of the legal protection afforded to roosting bats in the event one is discovered.'*

*Informative: The applicant is advised to consider the legislation surrounding roosting bats. If at any time during the proposed works, bats, or signs of bats (e.g. droppings) are found then all works must stop and advice must be sought from Natural England before any further work proceeds. All bats and their roost sites are protected under the Wildlife and Countryside Act 1981 (as amended) and The Conservation Habitats & Species Regulations 2017 (as amended) from disturbance and harm.'*

## **11. Conclusion:**

- 11.1 With regard to the first two of these tests, the proposed repairs will secure the long-term future of a listed building which is in the public interest. It is not possible to undertake the works elsewhere as they are specific to the essential repair of this listed building. The works do not result in harm to the designated heritage assets affected.
- 11.2 Overall, the proposals represent an appropriate repair and reroofing of the listed building, and would preserve its special interest, thereby sustaining its significance as a designated heritage asset. The works would also preserve the character, appearance and significance of the surrounding designated conservation area.
- 11.3 The development is not considered liable to exert an adverse impact upon protected species.
- 11.4 The proposed works are considered to accord with the requirements of section 16 of the National Planning Policy Framework. In particular, the works would preserve the special interest of the listed Corinium Museum, thereby sustaining its significance as a designated heritage asset. The works would not impact upon the Cirencester Town Centre) Conservation Area, thereby preserving its character and appearance and sustaining its significance.

## 12. 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the recladding of the roof, or the reconstruction of the chimney, samples of the proposed natural stone tiles and red bricks used to make up any shortfall shall be submitted to be approved in writing by the Local Planning Authority and only the approved materials shall be used and shall be permanently retained as such thereafter.

**Reason:** To ensure that the development will be constructed of materials that are appropriate to the building which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.

3. No repairs to the timber roof structure, or the second-floor ceiling, wall and lintels, shall be undertaken until details of their extent and a specification and method statement for their execution have been submitted to and approved in writing by the Local Planning Authority.

The development shall only be carried out in accordance with the approved details and retained as such at all times.

**Reason:** To ensure that the design of the aforementioned details are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. These are important details which need to be undertaken in a manner which ensures that they serve to preserve the special merit of the building.

4. The repointing shall not start until a sample of the proposed repointing has been inspected on site by an Officer of the Local Planning Authority and approved in writing, and all the repointing shall be carried out as approved and shall be permanently retained as such thereafter.

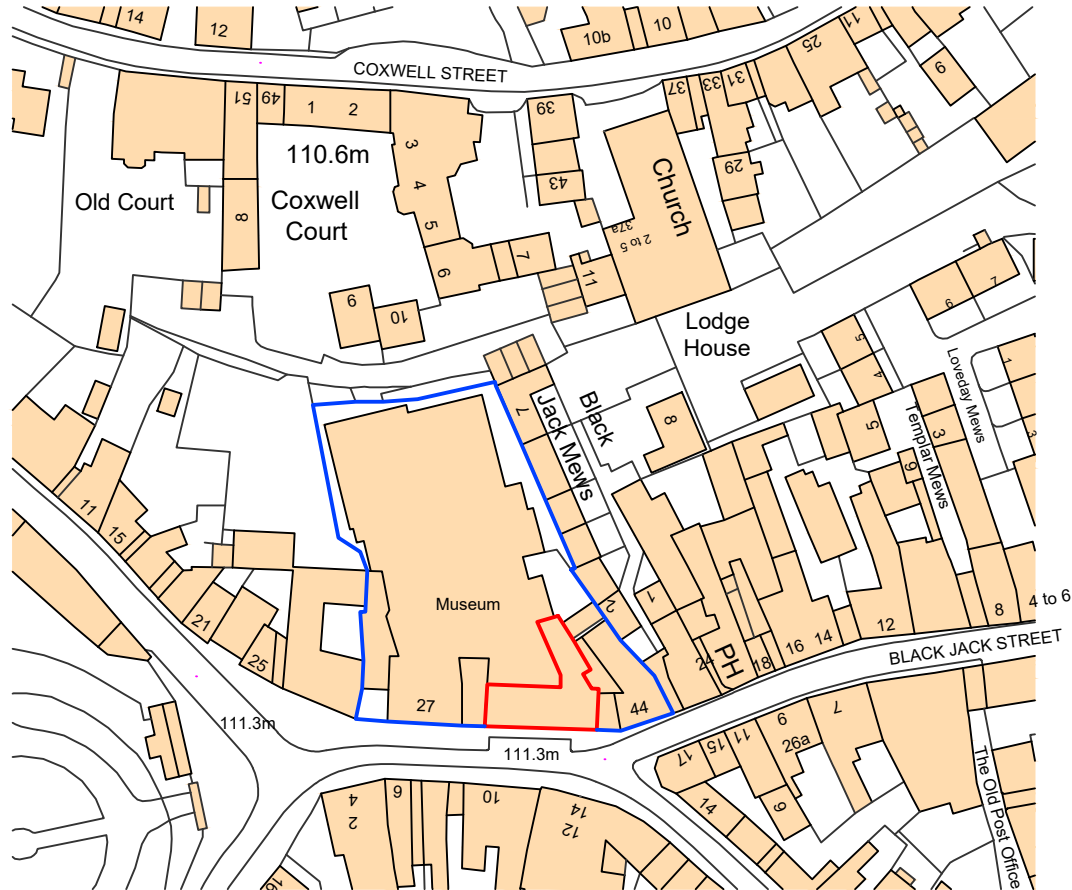
**Reason:** To ensure that the building is repointed using materials and a finish that is appropriate to the building which is listed as being of architectural and historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.



## **Informatives:**

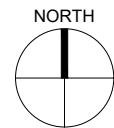
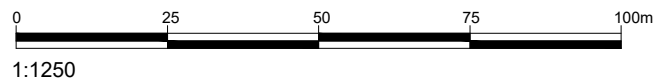
1. This decision notice relates to the following approved plans and details: Drawings: 22-097-201 (Location Plan); 22-097-202 (Survey Plans, Elevations and Sections); 22-097-203 rev.C (Proposed Second and Attic Floor Plans); 22/097-204 rev.C (Proposed Roof Plan); 22-097-205 rev.C (Proposed Elevations).
2. The applicant is advised to consider the legislation surrounding roosting bats. If at any time during the proposed works, bats, or signs of bats (e.g. droppings) are found then all works must stop and advice must be sought from Natural England before any further work proceeds. All bats and their roost sites are protected under the Wildlife and Countryside Act 1981 (as amended) and The Conservation Habitats & Species Regulations 2017 (as amended) from disturbance and harm.'

This page is intentionally left blank



Ordnance Survey, (c) Crown Copyright 2024. All rights reserved. Licence number 100022432

**SITE LOCATION PLAN**



- NOTES:
1. Figured dimensions to be taken in preference to scaled dimensions.
  2. Large scaled drawings to be taken in preference to small scale.
  3. Critical dimensions to be taken from site.
  4. If in doubt, the contractor must ask for clarification.
  5. These drawings and designs are the copyright of James Slater & Co. and may not be reproduced or used without permission.


Rev.ID	Rev.date	Rev.by	Comment
--------	----------	--------	---------


CLIENT:  
Cotswold District Council

TITLE:  
Site Location Plan

STAGE:  
Listed Building Consent

SITE:  
Abberley House  
Park Street  
Cirencester  
GL7 2BX



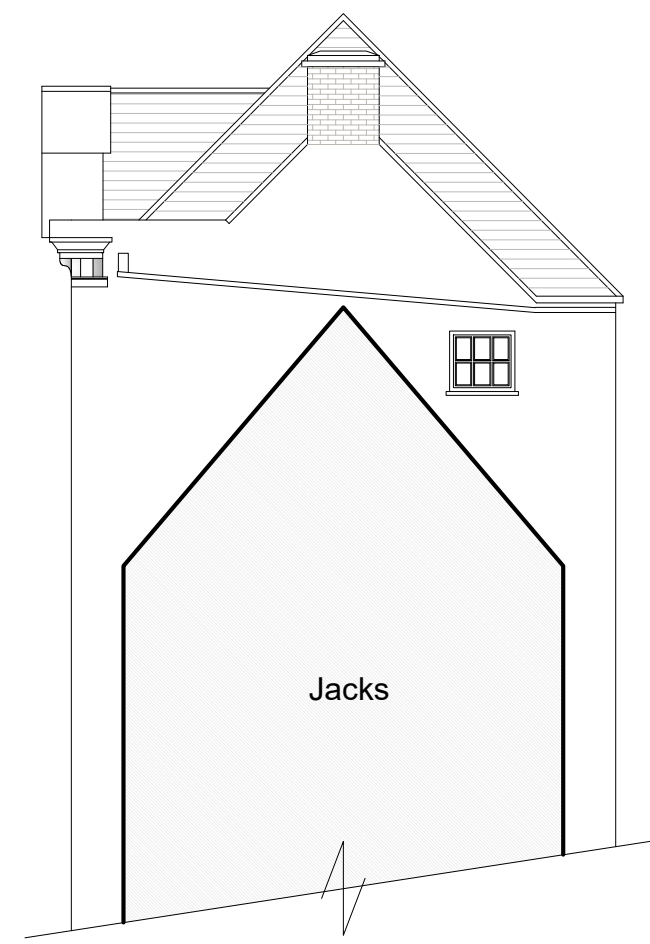
19 Dyer Street  
Cirencester  
Gloucestershire  
GL7 2PP  
Tel: 01285 650686  
Fax: 01285 644212



SCALES:  
as stated @ A4

DATE: June 2024	DRAWN: GB	CHECKED: MW
DRAWING NUMBER: 22-097-201	REV: *	

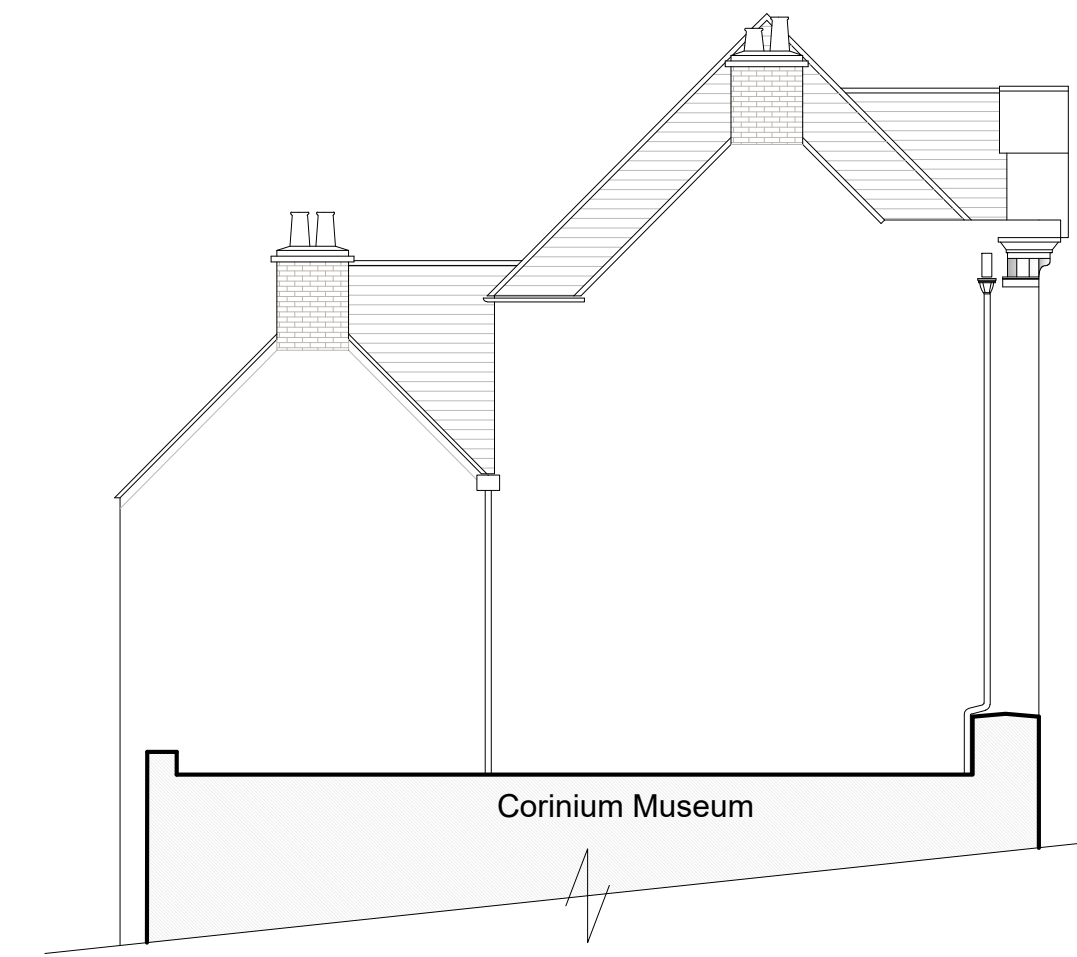
This page is intentionally left blank



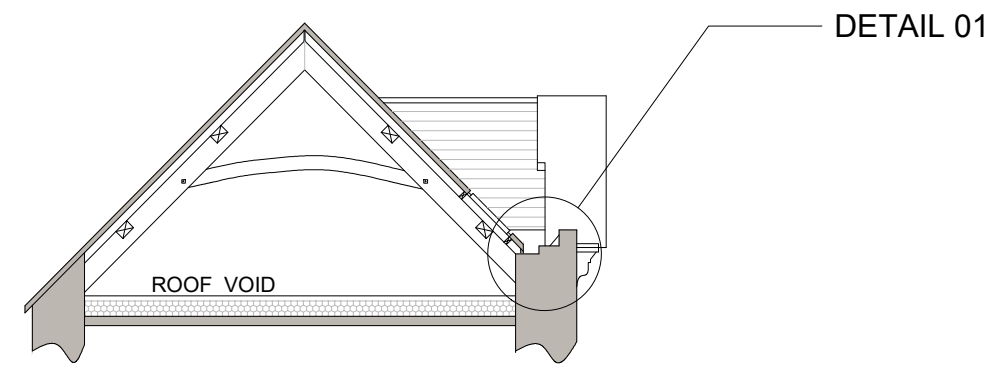
EAST ELEVATION  
scale 1/100



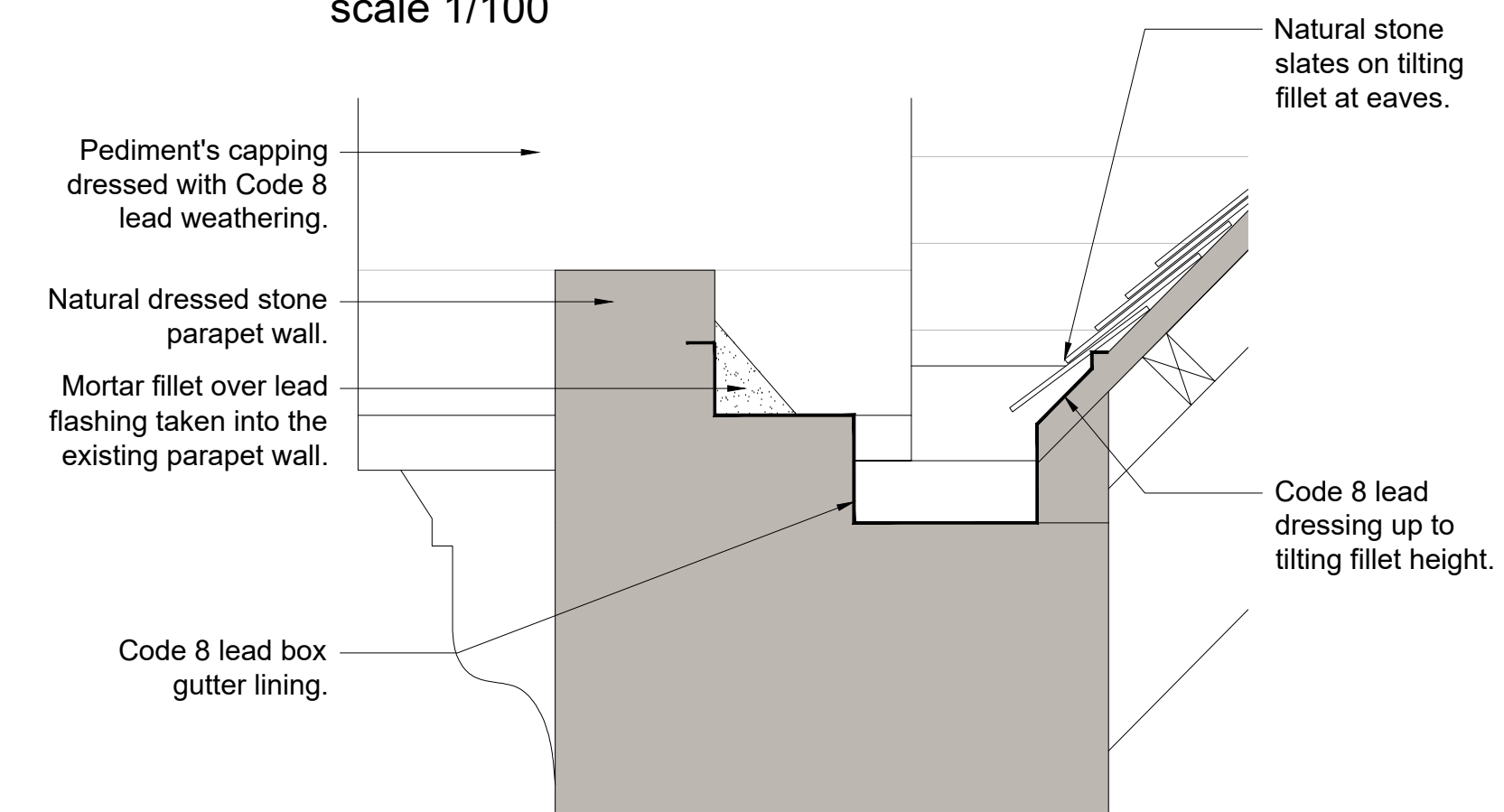
SOUTH ELEVATION  
scale 1/100



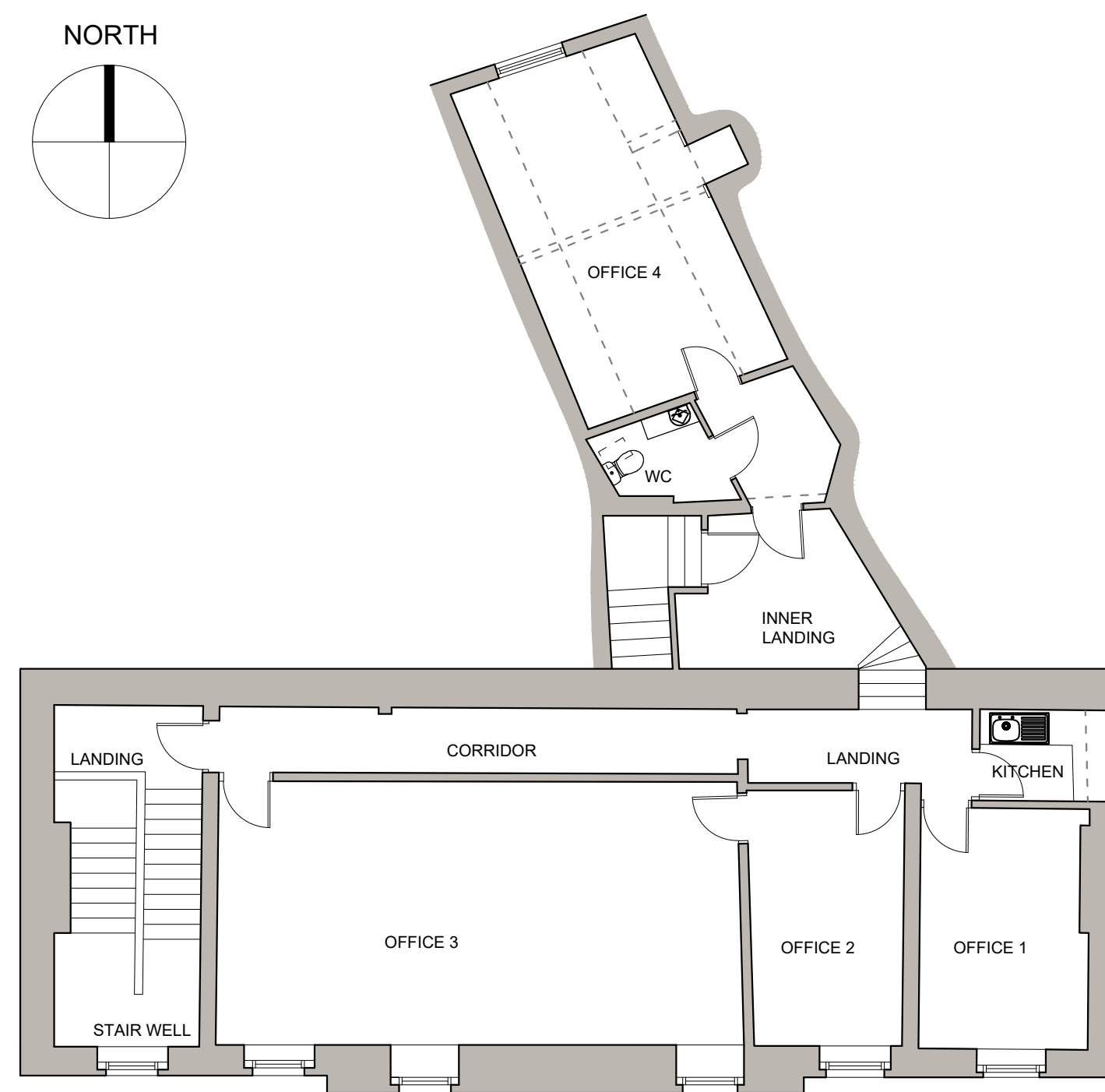
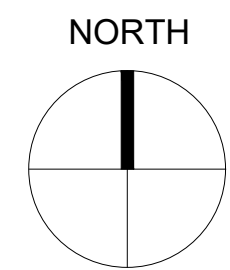
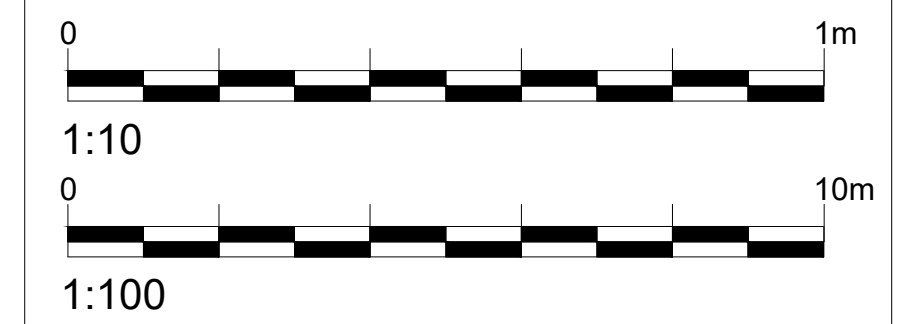
WEST ELEVATION  
scale 1/100



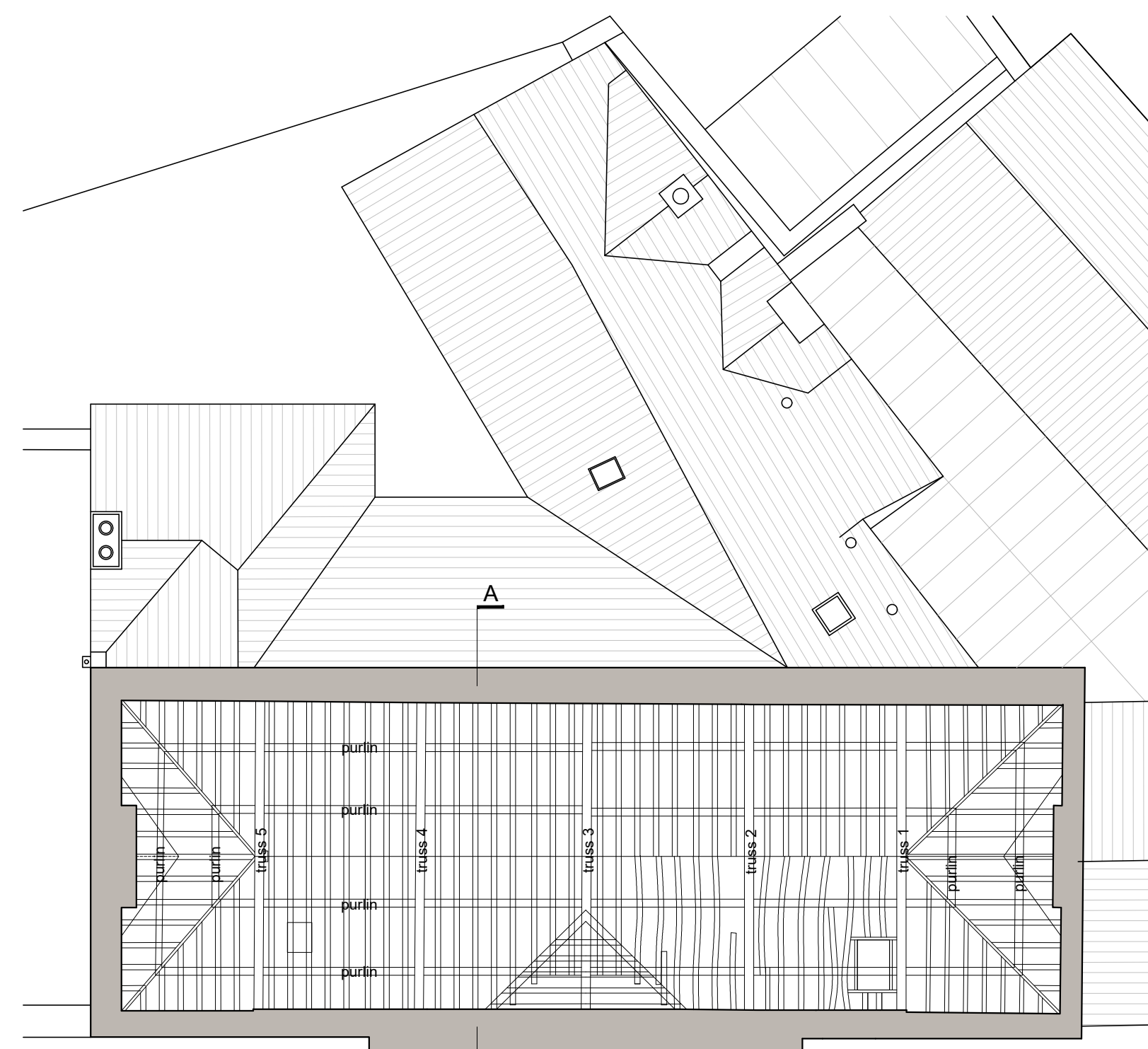
SECTION THROUGH A-A  
scale 1/100



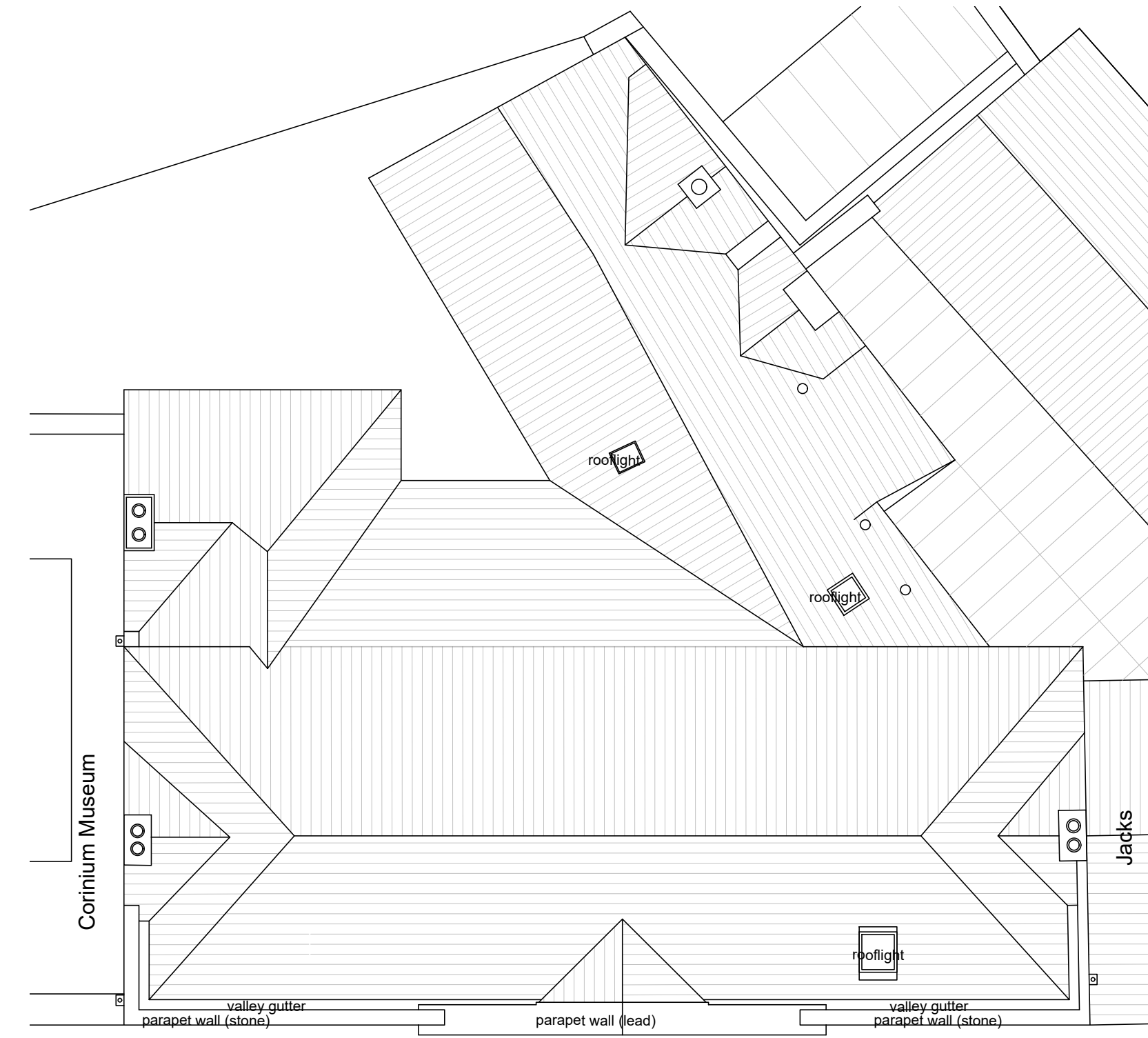
DETAIL 01  
scale 1/10



SECOND FLOOR PLAN  
scale 1/100



ATTIC PLAN  
scale 1/100



ROOF PLAN  
scale 1/100

- NOTES:
1. Figured dimensions to be taken in preference to scaled dimensions.
  2. Large scaled drawings to be taken in preference to small scale.
  3. Critical dimensions to be taken from site.
  4. If in doubt, the contractor must ask for clarification.
  5. These drawings and designs are the copyright of James Slater & Co. and may not be reproduced or used without permission.

Rev.ID	Rev.date	Rev.by	Comment

CLIENT:  
Cotswold District Council

TITLE:  
Survey  
Plans, Elevations & Section

STAGE:  
Listed Building Consent

SITE:  
Abberley House  
Park Street  
Cirencester  
GL7 2BX

**JAMES SLATER & CO**  
SURVEYING & ARCHITECTURE

19 Dyer Street  
Cirencester  
Gloucestershire  
GL7 2PP  
Tel: 01285 650686  
Fax: 01285 644212



www.james Slater.co.uk

SCALES:  
as stated @ A1

DATE: June 2024	DRAWN: GB	CHECKED: MW
DRAWING NUMBER: 22-097-202	REV: *	

This page is intentionally left blank



Undertake repairs to chimney. Allow to remove the slate over the top. Supply and fit new capping and 2no clay buff coloured roll top pots to disused flues with ventilated rain cap. New rain caps to be coloured to match existing pots. Reform lime mortar flaunching. Allow to fully remove the mortar fillets at the base of this chimney and form new lead flashings to LSA appropriate details.

Fit new conservation style rooflight, 'Fakro FWP/C P2' 550x980mm, for roof access. Size to enable egress for maintenance. Any removed timber will be reused elsewhere in the roof where timber repairs are required.

Repointing to existing stone parapet wall and pediment using lime mortar.

Proposed new horizontal lifeline system, 'Kee Line' from 'A2M Safety' or equal and approved. To be installed as per the manufacturer's instructions and set as low as possible of the roof slope behind the parapet.

Existing cast iron hopper and downpipe to be repaired and redecorated.


Proposed new horizontal lifeline system, 'Kee Line' from 'A2M Safety' or equal and approved. To be installed as per the manufacturer's instructions and set as low as possible of the roof slope behind the parapet.

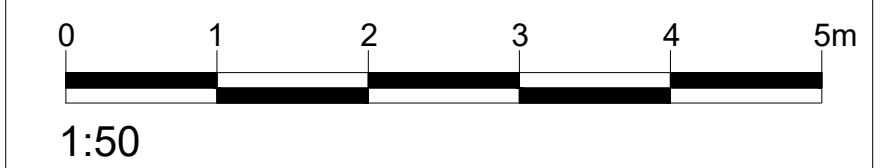
Undertake repairs to chimney. Allow to remove the slate over the top. Supply and fit new capping and 2no clay buff coloured roll top pots to disused flues with ventilated rain cap. New rain caps to be coloured to match existing pots. Reform lime mortar flaunching. Allow to fully remove the mortar fillets at the base of this chimney and form new lead flashings to LSA appropriate details.

Remove existing rooflight and reduce opening size. Fit new conservation style rooflight, 'Fakro FWP/C P2', 550x980mm, for roof access, matching opposite rooflight size. Size to enable egress for maintenance.

- NOTES:
1. Figured dimensions to be taken in preference to scaled dimensions.
  2. Large scaled drawings to be taken in preference to small scale.
  3. Critical dimensions to be taken from site.
  4. If in doubt, the contractor must ask for clarification.
  5. These drawings and designs are the copyright of James Slater & Co. and may not be reproduced or used without permission.

Rev.ID	Rev.date	Rev.by	Comment
C	01/08/24	GB	Horiz. Lifeline System added.
B	22/07/24	GB	Extg. rooflight size amended.
A	18/07/24	GB	Amendments as per the CO comments.

 Denotes roof slopes to have new covering on a like-for-like basis.



**SOUTH ELEVATION**  
scale 1/50

Undertake repairs to chimney. Allow to remove the slate over the top. Supply and fit new capping and 2no clay buff coloured roll top pots to disused flues with ventilated rain cap. New rain caps to be coloured to match existing pots. Reform lime mortar flaunching. Allow to fully remove the mortar fillets at the base of this chimney and form new lead flashings to LSA appropriate details.

Repoint roof verges using lime mortar and undertake timber repairs on a like-for-like basis.

Rebuild brick chimney on a like-for-like basis, matching existing detailing. Allow to hack of the existing mortar flaunching and reform new lime mortar flaunching. Existing chimney pot to be retained and ventilation cap to be fitted.

Repoint roof verges using lime mortar and undertake timber repairs on a like-for-like basis. Undertake timber repairs to verge.

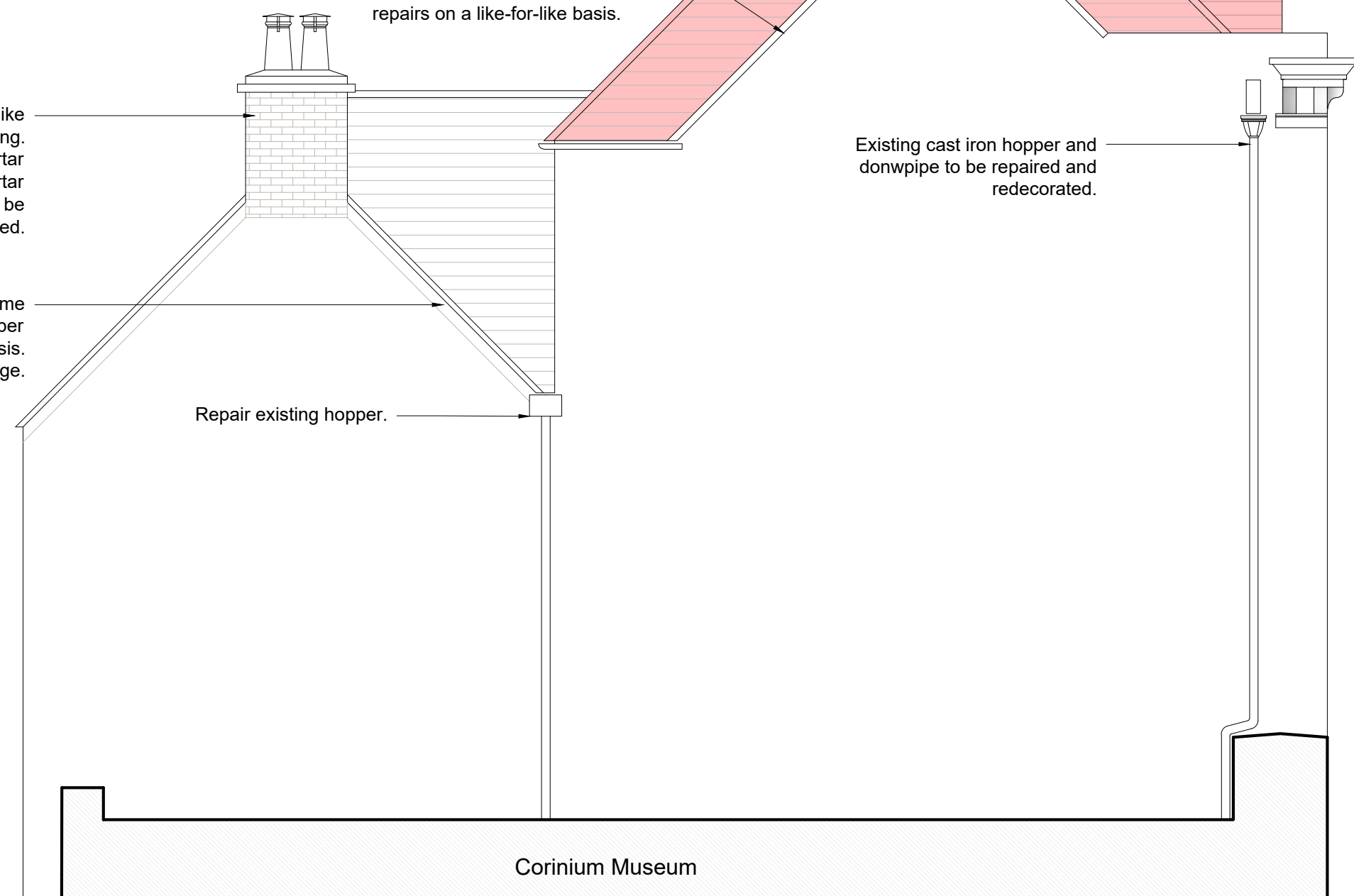
Repair existing hopper.

Existing cast iron hopper and downpipe to be repaired and redecorated.

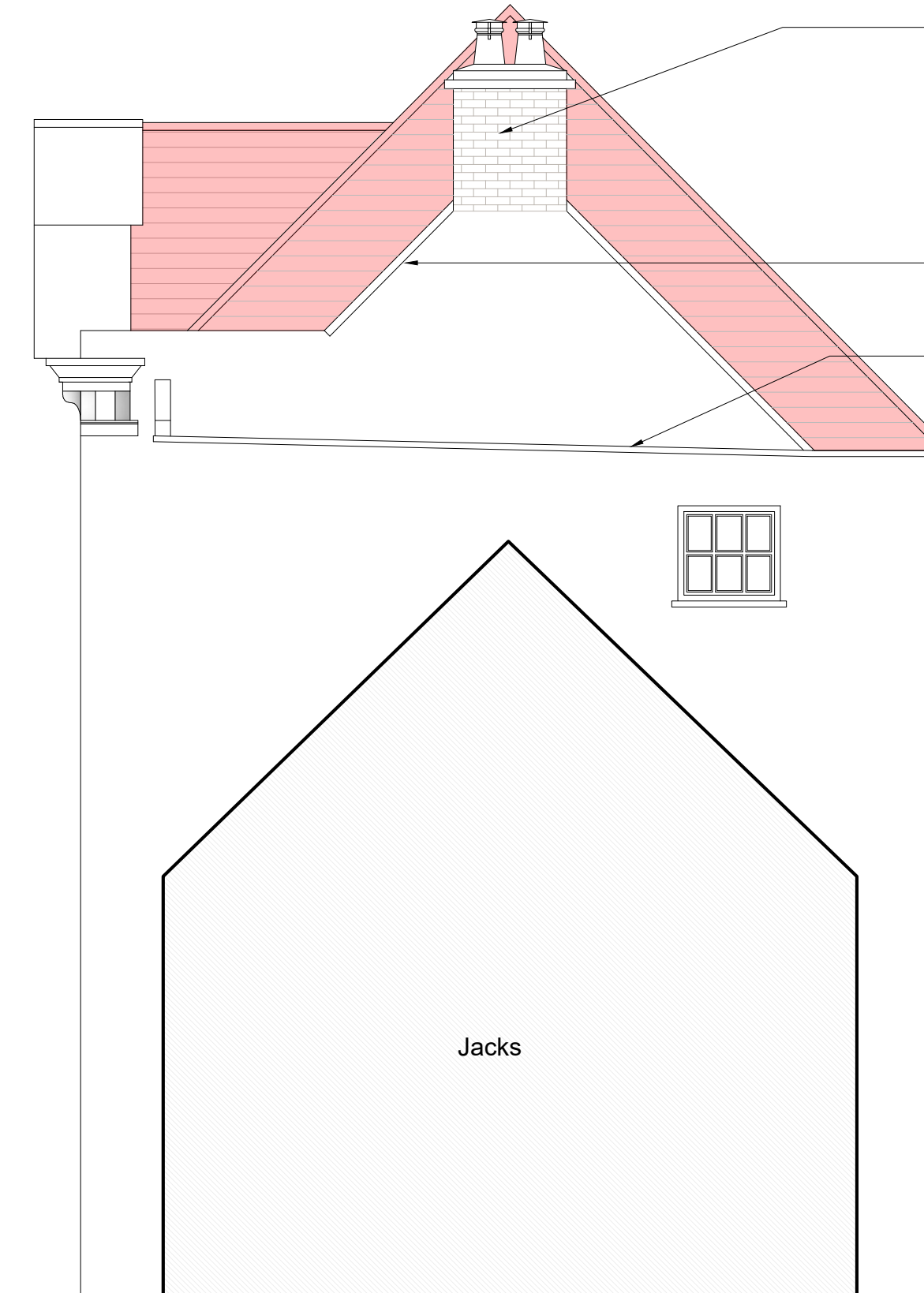
Undertake repairs to chimney. Allow to remove the slate over the top. Supply and fit new capping and 2no clay buff coloured roll top pots to disused flues with ventilated rain cap. New rain caps to be coloured to match existing pots. Reform lime mortar flaunching. Allow to fully remove the mortar fillets at the base of this chimney and form new lead flashings to LSA appropriate details.

Repoint roof verges using lime mortar and undertake timber repairs on a like-for-like basis.

Replace existing plastic rainwater goods with new cast iron 6" Heritage style rainwater goods, black painted.



**WEST ELEVATION**  
scale 1/50



**EAST ELEVATION**  
scale 1/50

CLIENT:  
**Cotswold District Council**

TITLE:  
**Proposed Elevations**

STAGE:  
**Listed Building Consent**

SITE:  
**Abberley House  
Park Street  
Cirencester  
GL7 2BX**

**JAMES SLATER & CO**  
SURVEYING & ARCHITECTURE

19 Dyer Street  
Cirencester  
Gloucestershire  
GL7 2PP  
Tel: 01285 650686  
Fax: 01285 644212



www.james Slater.co.uk

SCALES:  
as stated @ A1

DATE: June 2024	DRAWN: GB	CHECKED: MW
--------------------	--------------	----------------

DRAWING NUMBER: 22-097-205	REV: C
-------------------------------	-----------

This page is intentionally left blank