



30 July 2025

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## **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, 13 August 2025 at 2.00 pm.**

Jane Portman  
Interim Chief Executive

To: Members of the Planning and Licensing Committee  
(Councillors Dilys Neill, Ian Watson, Ray Brassington, Nick Bridges, Patrick Coleman, Daryl Corps, David Fowles, Julia Judd, Andrew Maclean, Michael Vann and Tristan Wilkinson)

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 relating to items to be considered at the meeting.

4. **Minutes** (Pages 5 - 22)

To confirm the minutes of the meeting of the Committee held on 9 July 2025.

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 one minute. 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 in which they were received but 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. **Appointment to Sub-Committee** (Pages 23 - 32)

Purpose

To invite the Licensing Committee to confirm the appointment of Sub-Committees for the 2025/26 municipal year.

Recommendations

That the Planning and Licensing Committee resolves to:

1. Appoint five members of the Committee to the Licensing Sub-Committee (Taxi, Private Hire and Street Trading) in accordance with political proportionality and the wishes of political groups (3 Liberal Democrat, 2 Conservative);
2. Note that Licensing Sub-Committee (Licensing Act 2003) membership will comprise the Chair or Vice Chair of the Planning and Licensing Committee and two other members of the Planning and Licensing Committee drawn on a rota basis from the remaining members of the Planning and Licensing Committee (subject to their availability and completion of licensing training prior to participation in a Licensing Sub Committee (Licensing Act 2003) meeting).

9. **Tree Preservation Order 25/00001/IND** (Pages 33 - 68)

To consider comments of objection and support to the making of Tree Preservation Order 25/00001/IND Corner Cottage Church Westcote Chipping Norton Gloucestershire OX7 6SH

10. **Sites Inspection Briefing**

Members for 3 September 2025 (if required)

Councillors Dilys Neill, Ray Brassington, Daryl Corps, Julia Judd, Michael Vann.

11. **Licensing Sub-Committee**

Members for 21 August (if required)

Councillors Dilys Neill, David Fowles, Ray Brassington.

(END)

Planning and Licensing Committee  
09/July2025



**COTSWOLD**  
District Council

## **Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 9 July 2025**

### Members present:

Dilys Neill (Chair)	Ian Watson (Vice-Chair)	
Ray Brassington	Daryl Corps	Andrew Maclean
Nick Bridges	David Fowles	Michael Vann
Patrick Coleman	Julia Judd	Tristan Wilkinson

### Officers present:

Leonie Woodward, Head of Legal	Kristina Carter, Career Grade Planner
Harrison Bowley, Head of Planning Services	Helen Cooper, Senior Planning Case Officer
Julia Gibson, Democratic Services Officer	Martin Perks, Principal Planning Officer
Kira Thompson, Election and Democratic Services Support Assistant	Graham Smith, Planning Case Officer
Marie Barnes, Lawyer	

### **150 Apologies**

There were no apologies for absence.

### **151 Substitute Members**

There were no substitute Members.

### **152 Declarations of Interest**

Councillor Fowles noted that the Town and Parish speaker for the first application was a former Cotswold District Councillor and a member of the Conservative Party. He declared that he had no pecuniary interest.

### **153 Minutes**

The minutes of the meeting held on 11 June 2025 were reviewed. It was noted that there had been a duplicate attendance entry for Councillor Michael Vann.

Councillor Brassington proposed that the amended minutes be approved. This was seconded by Councillor Fowles and, following a vote, the Committee agreed the proposal.

RESOLVED: To APPROVE the amended minutes of the meeting held on 11 June 2025.

Minutes (Resolution)		
For	Ray Brassington, Patrick Coleman, David Fowles, Julia Judd, Andrew Maclean, Dilys Neill, Michael Vann and Ian Watson	8
Against	None	0
Conflict Of Interests	None	0
Abstain	Daryl Corps and Tristan Wilkinson	2
Carried		

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#### **154 Chair's Announcements**

The Chair announced that the agenda for the afternoon was full and reminded Members to be brief and to the point. Members were asked to avoid repeating comments already made.

The Chair advised that votes on the applications would be taken electronically to ensure the results were visible. In the event of a technical failure, voting would revert to a show of hands.

#### **155 Public questions**

There were no public questions

#### **156 Member questions**

There were no Member questions.

#### **157 24/03501/OUT - Land North of The Wern, Lechlade**

##### Proposal

The proposal was for the residential development of up to 54 residential dwellings at Land North of The Wern, Lechlade.

Case Officer : Martin Perks

Ward Members: Councillor Helene Mansilla and Cllr Tristian Wilkinson

Original recommendations : REFUSE

The Chair invited the Case Officer to introduce the application.

- Additional pages containing further information on biodiversity net gain were received. Although this information was under review, the current recommendation remained one of refusal.
- Various supporting documents were presented, including location maps, extracts from the Local Plan, photographs of neighbouring land and roads, the site location plan, a roadworks plan, the Design and Access Statement, details of listed buildings, photographs of recent flooding, and information on recently refused applications.

### Public speakers

#### Speaker 1

Councillor Steve Trotter – Lechlade on Thames Town Council.

He stated that Lechlade is a small principal settlement with limited infrastructure, and that the Local Plan strategy supports only small-scale development within the defined settlement boundary. It was noted that a previously allocated site within the boundary, controlled by the same landowner, remained undeveloped.

Councillor Trotter expressed concern that speculative applications outside the settlement boundary undermined both the Local and Neighbourhood Plans. He advised that the site had a history of applications, one withdrawn and two refused and continued to raise significant landscape, ecological, heritage, and drainage issues. The current application had attracted strong objections from three councils and approximately 100 residents.

While acknowledging the housing land supply position, he emphasised that the NPPF allowed refusal where the harms outweighed the benefits. He noted that proposed community infrastructure benefits had been reduced or removed in successive applications, while adverse impacts, including flooding concerns and harm to the setting of a Grade II listed building and the conservation area remained significant. He urged the Committee to support the officer's recommendation for refusal, in order to uphold the integrity of local planning policy and avoid setting a precedent for speculative development in the countryside.

#### Speaker 2

Alick Kitchen – Objector

A local resident, living in a listed building near the proposed site, spoke in objection to the application and raised eight main concerns:

1. The proposal breached the housing limits set out in the Lechlade Neighbourhood Plan (2016–2031), undermining its purpose and potentially opening the door to further greenfield development.
2. CDC's 2021 SHLAA highlighted the need to preserve the rural character of Lechlade's western approaches.

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3. Lechlade already faced issues with traffic, limited parking, and overstretched services. The town lacked key infrastructure such as a secondary school, railway station, and major employers.
4. Development on the Thames floodplain posed increased flood risk, especially in light of recent severe flooding and climate change.
5. Despite ecological assessments, the speaker reported recent illegal habitat destruction on the site, allegedly under investigation.
6. The landowner had not developed nearby sites with existing permission, raising concerns about motives and delivery.
7. With all matters reserved, there was no detail on housing numbers, parking, or design, making it unclear what was actually proposed.
8. The application was materially identical to previously refused schemes, with the latest objection deadline having fallen on Christmas Day.

The speaker urged refusal.

### Speaker 3

On behalf of Councillor Helene Mansilla – Ward Member

The Ward Member supported Lechlade Town Council's objections and the Case Officer's recommendation to refuse the application.

She stated that the proposal was fundamentally incompatible with both the adopted Cotswold District Local Plan and the Lechlade Neighbourhood Plan. It proposed major housing development on a greenfield site outside the settlement boundary, with no allocation, demonstrated local need, or overriding justification.

She noted that the officer's report identified clear conflicts with Local Plan policies DS2, EN6, and H1, as well as Neighbourhood Plan policy H2. The proposal was considered to cause unjustified harm to the rural landscape, adversely impact heritage assets, and failed to demonstrate the required biodiversity net gain.

Councillor Mansilla emphasised that previous applications for the site had already been refused, most recently application 23/02917/OUT. She stated that the current proposal had not addressed the previous reasons for refusal and that additional concerns had since emerged, including flood risk and the absence of a secured Section 106 agreement.

She concluded by stating that planning decisions should support long-term sustainability rather than speculative development that strained infrastructure, lacked integration, and failed to meet policy objectives. She urged the Committee to uphold the officer's recommendation and refuse the application in order to maintain the integrity of the planning system and public confidence.

### Members questions

A Member queried the proposed housing density of the site, noting that the Design section had described it as very high. They asked what the proposed density was and what level would be considered unacceptable.



The Case Officer explained that while housing density figures can be misleading the proposed density of over 20 dwellings per hectare was relatively high for a rural edge-of-settlement location. By comparison, the allocated site to the south, just over half the size, had been agreed at nine dwellings. The Case Officer noted that accommodating 54 dwellings on the current site would represent a significant increase and would be difficult to deliver without harming the site's context, especially given its proximity to a listed building.

A Member asked how much consideration could be given to potential revised layouts due to the application being an outline application. The Case Officer explained that the applicant had submitted an indicative layout in an updated Design and Access Statement but this had not addressed Officer concerns about the level of development being proposed and its impact on the area, including the setting of the nearby listed buildings.

A Member inquired how much of the site would be located within Flood Zone 3. The Case Officer confirmed that none of the proposed residential development would be within Flood Zone 3.

A Member asked what the use class of the allocated employment land was. The Case Officer explained that it was Class E(g), which would be compatible with nearby residential properties.

The Conservation Officer outlined serious concerns regarding the impact of the proposed development on the setting of Butler's Court, a high-status listed farmhouse. They explained that the building was historically surrounded by open countryside, but that development to the east in 2005 had already compromised its setting. The remaining open aspect to the west, where the proposed site is located was the only side retaining a meaningful rural relationship. If developed, the listed building would be enclosed by suburban housing, with its approach altered to a road through a housing estate. This, the Officer advised, would cause significant harm to its setting and could affect its long-term viability as a single dwelling.

A Member raised concerns about the predicted traffic movements, noting that only 27 vehicle movements had been forecast despite the site being at the opposite end of Lechlade from the school. They highlighted the lack of proposed cycle provision and limited footpath access, suggesting that the development would likely lead to greater car dependency and traffic impact.

The Case Officer responded that the applicant had been asked to undertake further movement studies to assess access routes into the town centre. Several walking options had been identified, and Gloucestershire County Highways had reviewed the data and found it acceptable. Highways officers considered the site to offer reasonable pedestrian and cycle access to local facilities, with distances of around one kilometre

falling within acceptable thresholds under national guidance. The site was therefore not considered unsustainable in terms of accessibility.

#### Members comments

Members made the following comments on the application:

- One Member expressed support for the Town Council's objection, emphasising the importance of adhering to the Lechlade Neighbourhood Plan.
- Another Member described the proposal as a misuse of the planning process, suggesting it lacked planning merit and appeared to rely on persistence rather than substance.
- A further Member commented that the proposal did not integrate with the existing village and welcomed the Committee's stance in supporting the officer's recommendation and the objections raised by the parish councils.

Members discussed the nature of the applications coming before the Committee and whether some applications were seeking to manipulate constitutional proceedings around major applications.

A proposal to REFUSE the application in line with the officer recommendations was proposed by Councillor Judd and seconded by Councillor Fowles.

This proposal was put to the vote and agreed by the Committee.

<b>24/03501/OUT - Land North of The Wern - Refuse (Resolution)</b>		
For	Ray Brassington, Nick Bridges, Patrick Coleman, Daryl Corps, David Fowles, Julia Judd, Andrew Maclean, Dilys Neill, Michael Vann, Ian Watson and Tristan Wilkinson	11
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
<b>Carried</b>		

#### **158 25/00650/FUL - Land at Nos. 26 To 48 Austin Road Cirencester**

##### Proposal

The proposal was for the demolition of existing 12 flats and construction of 14 new houses and flats at Land at 26 – 48 Austin Road, Cirencester, GL7 1BT

Case Officer: Martin Perks

Ward Member: Councillor Claire Bloomer

Original recommendation: PERMIT

The Chair invited the Case Officer to introduce the application.

- Late papers were received containing comments from Gloucestershire Archaeology, who raised no objections.
- The Case Officer shared location maps, site location, various photographs of the existing buildings, similar local developments and elevation drawings.

#### Public Speaker

Millie Nicholls Agent – Bromford Housing.

The speaker addressed the Committee in support of the application to redevelop the existing flats at Austin Road.

They stated that the current buildings did not meet modern building regulations and were not viable for refurbishment. The block experienced high levels of antisocial behaviour, which affected staff resources and negatively impacted resident wellbeing. The physical condition of the buildings required substantial ongoing investment to maintain basic standards.

The speaker noted that similar blocks in the vicinity had already been successfully redeveloped. The proposed scheme would deliver 100% affordable housing, using a fabric-first design approach to improve energy efficiency and reduce heating costs. Bromford, the applicant, highlighted their strong track record, financial capacity, and continued investment in affordable housing across the Cotswolds. The application was presented as an opportunity to replace substandard housing with high-quality, sustainable homes that met current standards and supported long-term community wellbeing.

#### Member Questions

A Member asked about the anticipated timescale for the proposed development. The Case Officer and the Chair advised that, based on their experience of similar Bromford developments, completion was typically achieved within a relatively short timescale.

A Member questioned whether the proposed scheme could accommodate a greater number of homes, suggesting that the site appeared to have capacity for additional units.

The Head of Planning advised that the Committee could only consider the application as submitted.

A Member welcomed the replacement of the existing block but raised a concern about the environmental impact of demolition. They asked whether any provision had been made for managing waste materials.

The Head of Planning explained that, although the District Council did not have a specific waste minimisation policy, the County Council did. The applicant would be responsible for managing demolition and construction waste, with the disposal of materials governed by separate legislative frameworks.

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A Member asked whether progress was being made on completing the Section 106 legal agreement relating to biodiversity net gain.

The Case Officer confirmed that the agreement was in progress and would be completed shortly.

### Member Comments

A Member welcomed the applicant's commitment to high energy performance standards and expressed support for the scheme, highlighting the benefit of providing energy-efficient homes for people on lower incomes in the centre of Cirencester.

A proposal to PERMIT the application in line with the officer recommendations was proposed by Councillor Brassington and seconded by Councillor Fowles.

This proposal was put to the vote and agreed by the committee.

<b>25/00650/FUL - Land at Nos. 26 - 43 Auston Road, Cirencester - Permit (Resolution)</b>		
For	Ray Brassington, Nick Bridges, Patrick Coleman, Daryl Corps, David Fowles, Julia Judd, Andrew Maclean, Dilys Neill, Michael Vann, Ian Watson and Tristan Wilkinson	11
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
<b>Carried</b>		

## **159 24/03111/FUL - The Saddlery, Kineton, Guiting Power**

### Proposal

Removal of stables, erection of a dwelling.

Case Officer: Helen Cooper

Ward Member: Councillor Len Wilkins

Original Recommendation: PERMIT

The Chair invited the Case Officer to present the application:

- The Case Officer shared site location plan, aerial photograph, original and revised design and layout, existing building, surrounding views and surrounding highways.

### Public speakers

#### Speaker 1

Councillor Liza Hanks – Temple Guiting Parish Council

The Parish Councillor spoke in objection, describing the site as a well-maintained, cherished green space, not a brownfield or neglected plot. They noted that 74% of the

hamlet's residents had submitted formal objections, fearing loss of this valued landscape.

The speaker argued that the proposed development did not reflect local building traditions or landscape character, disrupting the village's historic pattern. They referenced relevant local plan policies that call for proportionate and respectful development, stating the proposal was out of scale and context.

The speaker acknowledged the challenge of meeting housing targets but urged the Committee to protect the site and refuse the application.

### Speaker 2

James Emtage – Objector

The speaker highlighted that the site was small, with the proposed development nearly three times the height of the existing stables and was prominently visible from the road, especially if a large tree screening the site were removed. The speaker expressed concern that the new building would dominate the area, leaving little space for parking or gardens.

They requested that if development were permitted, it should be limited to a bungalow matching the current stables' height and footprint to preserve the character of the site. The stables had been rented by the speaker's parents for over 35 years and had served as an open, community-focused space used by local families, children with special needs, and others to engage with animals and nature. The speaker questioned whether replacing this valued community asset with housing that might increase patronage at a local pub truly benefited the community. They urged the Committee to protect the stables as an important rural asset rather than allowing an out-of-character, dominant new build.

### Speaker 3

Mark Pettit – Agent

The Agent described the site as a natural infill plot within Kineton's built-up area, proposing one additional dwelling on previously developed land amid a housing land supply shortage.

The speaker noted that the scheme had been refined through officer engagement and no statutory consultees, except the parish council, had objected. The proposed dwelling, though larger than the existing stables, was consistent in scale with nearby properties and was designed in a traditional barn-like style using local materials to blend with the area.

They highlighted the scheme's alignment with Local Plan policies allowing small-scale development, its lack of adverse impacts on landscape, amenity, or heritage, and the applicant's willingness to accept recommended conditions. The speaker requested the Committee approve the application in line with officer recommendation, emphasising its positive contribution to the rural community.

Speaker 4

Councillor Len Wilkins – Ward Member

The Ward Member, representing Kineton, objected to the proposal, clarifying that Kineton was a hamlet with limited amenities; a pub and a saddlery. They stated the proposed building was out of scale and dominant, located on a prominent high bank. The Ward Member emphasised the breach of Cotswolds National Landscape policies, the loss of a much-loved stable used by local children and visitors, and potential negative impacts on biodiversity, including loss of trees, a pond, and wildlife movement. They also raised concerns about light pollution and the design being out of character with the area.

They noted the proximity of the development to a 700-year-old listed building and the resulting loss of privacy. The Ward Member highlighted narrow local roads and limited parking as further issues. Overall, they urged the Committee to consider conservation policies and to protect the hamlet's character and natural environment.

Site Inspection Briefing

Councillors Corps, Vann, Maclean, Brassington, Watson

- The site was located on the edge of the village, located between tall farm buildings and an existing house. It was considered that a dwelling on the site would neither overlook nor be overlooked by neighbouring properties, as hedges provided screening from the adjacent house.
- Kineton was described as a village that blended naturally into the landscape. It was noted that the existing saddlery sat gently within the hillside, partially screened by trees, and harmonised with the surrounding Cotswold stone buildings. From the nearby footpath, Members observed that the proposed development would appear significantly larger and more prominent than the existing structure at the village entrance.
- The proposal involved demolition of the existing stables and the construction of a new build barn conversion designed to resemble a traditional barn conversion. Members also observed nearby redundant-looking modern farm buildings, expressing concern that approving this application might set a precedent for future development on adjacent sites.
- The existing stables were currently well screened by trees and vegetation when approaching the village from both the south and the north. A new, taller building positioned further forward on the plot would be significantly more prominent from multiple viewpoints, including from the nearby footpath.

Member questions

A Member asked whether the Conservation Officer could comment on how the design related to policies EN2 and EN4, particularly in terms of respecting local character, landscape quality, and tranquillity. Additional questions were raised regarding the acceptability of the design as it was still perceived to be a "fake barn conversion" rather than a traditional dwelling. Members asked the Officer to explain why this style was considered acceptable in a small village such as Kineton.

The Case Officer confirmed that, following consultation with landscape and conservation officers, the design was considered acceptable and not harmful to the landscape.

The Conservation Officer clarified the reasoning for supporting the proposed design:

- Kineton was not a conservation area, and the application site was not close enough to listed buildings to significantly affect their setting. The existing stable was not considered a non-designated heritage asset.
- Whilst the proposal was for a new build, the design approach taken had been to reflect the agricultural character of the site. The Cotswold threshing barn was considered to preserve the rural character which remained notably agricultural and open.
- Although the gable appeared tall, the house was effectively 1.5 storeys high. The design included minimal fenestration and modest materials to reduce its visual impact.
- A bungalow might have been lower in height but was considered to have a more domestic appearance, which was regarded as less appropriate in this rural setting.

The Conservation Officer concluded that, if a dwelling were to be permitted on this site, an agricultural-style design approach was considered appropriate.

A Member asked the Case Officer to clarify what was meant by “modest benefits” in the context of the proposal.

The Case Officer explained that the “modest benefits” referred to in the report included the provision of an additional dwelling, contributing to the housing supply, and the associated economic benefits from construction activity.

Members asked for clarification on the height of the existing and proposed buildings. The Case Officer explained that the existing stable was estimated to be 3.5 metres high, while the proposed new dwelling would be 8 metres to the ridge and 4.2 metres to the eaves.

In terms of floor space, the existing stable measured approximately 6.5 metres by 16.5 metres. The proposed dwelling measured approximately 8 metres by 18 metres and also included an additional storey, resulting in an increase in internal floorspace.

A Member questioned the location of the tree proposed for removal.

The Case Officer was unable to access the Arboricultural Survey, however, the Arboricultural Officer had advised that the proposal would result in the removal of one tree of low quality and a replacement tree could be secured by the recommended landscaping condition.

### Member Comments

Members made the following comments:

- This was not considered a modest Cotswold home, but rather a large, high-value property unlikely to serve local needs. It was felt it risked becoming a second

home, offering little benefit to the community, while resulting in the loss of a much-loved amenity.

- Some Members expressed surprise that Corpus Christi College had supported the removal of trees and a valued community amenity, suggesting that the proposal appeared to be motivated by profit rather than community interest.

The Case Office informed Members that the Saddlery could not be considered a community facility, as its planning history related solely to use as a stable block.

A Member expressed the view that the proposed development was contrary to several key Local Plan policies:

- **Policy EN1:** It was considered that the proposal failed to promote the protection, conservation, and enhancement of the historic and natural environment. The removal of an established community amenity and its replacement with a large, incongruous dwelling was seen as undermining these objectives.
- **Policy EN2:** Members felt that the design did not reflect high-quality architecture or respect the distinctive character and appearance of the local area. Evidence from the site visit, local representations, and the parish council suggested that the scale, height, and visual prominence of the new building would result in a building which was out of keeping with the traditional rural form of the settlement.
- **Policy EN4:** The development was considered to have a detrimental impact on the local landscape. In particular, concerns were raised about its elevated and prominent position, the loss of rural openness, the removal of a tree, and the erosion of the quiet, countryside character of the hamlet.

These combined factors led Members to conclude that the proposal did not meet the standards set out in the Local Plan for development in sensitive rural locations.

A Member stated that the application did not support the vitality of the local community and it was not of a proportionate scale with regards to Local Plan Policy DS3. Officers referred Members to paragraph 11 of the NPPF, which was of relevance due to the Council's housing land supply position, and advised that any adverse impacts of granting permission would have to significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework.

Another Member added concerns around the sustainability of the proposal stating that the village was largely inaccessible without a car and lacked modern services. There were also biodiversity concerns, especially large windows that could cause light pollution and disrupted wildlife corridors used by bats and other animals, contrary to Policy EN8. Members were advised that the Biodiversity Officer had raised no objection to the proposal.

A Member found no grounds to oppose the Case Officer's recommendations finding no material planning considerations.



Councillor Corps proposed REFUSING the Case Offers recommendation and Councillor Fowles seconded the proposal.

The Case Officer summed up the reasons that had been given for refusal:

The site occupied an elevated and prominent position within the street scene on the approach to the village of Kineton. Due to its design, scale, and form of the proposed development it failed to protect or enhance the existing natural assets and their settings, contrary to policy EN1A. The design quality failed to respect the character and distinctive appearance of the locality and had a significant detrimental impact on the natural landscape and character of the village, contrary to Policies EN1 e), EN2 and EN4 of the Cotswold District Local Plan 2011-2031 and Section 12 of the NPPF.

The proposal to refuse the application was put to the vote and agreed by the Committee.

RESOLVED: To REFUSE the application

<b>24/03111/FUL - The Saddlery, Kineton, Guiting Power - Refuse (Resolution)</b>		
For	Ray Brassington, Nick Bridges, Daryl Corps, David Fowles, Julia Judd, Andrew Maclean, Michael Vann and Tristan Wilkinson	8
Against	Patrick Coleman and Ian Watson	2
Conflict Of Interests	None	0
Abstain	Dilys Neill	1
<b>Carried</b>		

16:02 – 16:14 break

Councillor Judd did not return to the Chamber

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## **160 25/01020/FUL - Duchy Home Farm, Tetbury**

### Proposal

Demolition of existing agricultural shed and redundant silage pits. Replacement calf shed with solar panels.

Case Officer: Martin Perks

Ward Member: Councillor Laura Hill-Wilson

Recommendation: PERMIT

The Chair invited the Case Officer to present the application:

- The Case Officer presented the additional pages from Tetbury Upton Parish Council in support of the application.
- The Case Officer presented the site location map, proposed elevations, photographs of existing shed.

Public speaker 1

Anthony Wright – Agent

The Agent explained how the proposed Agile Shed at Broadfield Farm was essential for improving calf housing, animal welfare, and environmental sustainability.

The farm, run by Mr. Gay under a long-term tenancy from His Majesty the King, was a flagship organic dairy operation producing 1.3 million litres of milk annually.

The new shed enhanced disease prevention, animal well-being, and growth by providing a clean, ventilated environment for around 200 dairy calves born each year. It was backed by DEFRA's Farming Investment Fund and the Waitrose head vet. Rooftop solar panels were planned to supply renewable energy and support the farm's ambition for carbon neutrality.

Carefully designed to fit within the existing farmyard and to reflect the rural character of the Cotswolds, the building replaced outdated structures and avoided greenfield development. It represented a model for modern, high-welfare, environmentally responsible farming.

Public speaker 2

Councillor Laura Hall-Wilson – Ward Member

The Ward Member stated that having reviewed the application and noting no objections from the Parish Council or local residents, she supported this proposal.

Duchy Home Farm had identified the need to improve calf housing and was addressing it with a design that enhanced animal welfare and included rooftop solar panels for renewable energy.

The Ward Member endorsed that the application also demonstrated strong environmental credentials, with a 72.74% biodiversity net gain, well above the 10% requirement. Duchy Home Farm was transparent and informative about its practices.

Councillor Maclean proposed accepting the Case Officer's recommendation to PERMIT the application and Councillor Brassington seconded the proposal.

RESOLVED: To PERMIT the application.

<b>25/01020/FUL - Dutchy Home Farm, Tetbury - Permit (Resolution)</b>		
For	Ray Brassington, Nick Bridges, Patrick Coleman, Daryl Corps, David Fowles, Andrew Maclean, Dilys Neill, Michael Vann, Ian Watson and Tristan Wilkinson	10
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
<b>Carried</b>		

**161 25/01049/FUL - Compton Farm, Compton Abdale**

Proposal

Demolition of existing building and erection of replacement building for the storage of logs.

Case Officer: Graham Smith

Ward Member: Councillor Paul Hodgkinson

Recommendation: PERMIT

The Chair invited the Case Officer to present the application:

- The Case Officer shared the site location map, existing and proposed elevations, photographs of existing shed, floor plan.

Member Questions

A Member asked for clarification on the liability for Biodiversity Net Gain for this application. The Case Officer explained that the site was already developed with hard standing and therefore this did not apply.

Members asked for clarification on the employment use of the site. The Case Officer confirmed that the operation was employment use B2 with ancillary B8, but the B2 uses were all undertaken elsewhere on the site.

Councillor Maclean proposed accepting the Case Officer's recommendation to PERMIT the application and Councillor Corps seconded the proposal.

RESOLVED: to PERMIT the application.

<b>25/01049/FUL - Compton Farm, Compton Abdale (Resolution)</b>		
For	Ray Brassington, Nick Bridges, Patrick Coleman, Daryl Corps, David Fowles, Andrew Maclean, Dilys Neill, Michael Vann, Ian Watson and Tristan Wilkinson	10
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
<b>Carried</b>		

Councillor Judd did not vote on the application.

**162 National Scheme of Delegation**

The Head of Planning introduced the report setting out the Council's responses to the questions posed within the Reform of planning committees: technical consultation, published by The Ministry of Housing, Communities & Local Government (MHCLG) in May 2025. The technical consultation would end at the end of July 2025:

Members were invited to comment:

A Member questioned whether, given that second-tier authorities were due to be abolished, third-tier authorities might be more involved in planning decisions going forward.

The Head of Planning responded by saying that the consultation applied to district-level Planning Committees. If Cotswold District Council was succeeded by a unitary authority, the context would change. The National Scheme of Delegation would apply to all planning authorities whether district, borough, or unitary.

A Member enquired whether Planning Committee Members would need certification. The Head of Planning explained that a national certificate would be acceptable if it covered the basics of the planning system. However, it must not replace locally focused training and guidance.

Members agreed to submit any suggestions to the Head of Planning by 15 July for consideration by the Chair and Vice-Chair.

Councillor Coleman proposed accepting to delegate the response to the Head of Planning with consultation with the Chair and Vice-Chair and Councillor Maclean seconded the proposal.

16:46: Councillor Judd returned to the Chamber.

RESOLVED: to PERMIT the delegated response of the Head of Planning with consultation with the Chair and Vice-Chair

<b>To delegate authority to the Head of Planning following Member consultation - Permit (Resolution)</b>		
For	Ray Brassington, Nick Bridges, Patrick Coleman, Daryl Corps, David Fowles, Julia Judd, Andrew Maclean, Dilys Neill, Michael Vann, Ian Watson and Tristan Wilkinson	11
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
<b>Carried</b>		

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## **163 Sites Inspection Briefing**

The Chair advised members to keep the 6 August 2025 free for a possible Site Inspection Briefing.

Councillors Dilys Neill, Nick Bridges, Patrick Coleman, David Fowles, Michael Vann

**164    Licensing Sub-Committee**

There were no licensing sub-committees planned.

The Meeting commenced at 2.00 pm and closed at 4.51 pm

Chair

(END)

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Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>PLANNING AND LICENSING COMMITTEE - 13 AUGUST 2025</b>
Subject	<b>APPOINTMENTS TO LICENSING SUB-COMMITTEES</b>
Wards affected	None
Accountable member	Councillor Dilys Neill, Chair of Planning and Licensing Committee Email: <a href="mailto:democratic@cotswold.gov.uk">democratic@cotswold.gov.uk</a>
Accountable officer	Andrew Brown, Business Manager - Democratic Services Email: <a href="mailto:democratic@cotswold.gov.uk">democratic@cotswold.gov.uk</a>
Report author	Julia Gibson, Democratic Services Officer Email: <a href="mailto:democratic@cotswold.gov.uk">democratic@cotswold.gov.uk</a>
Summary/Purpose	To invite the Licensing Committee to confirm the appointment of Sub-Committees for the 2025/26 municipal year.
Annexes	Annex A – Nominated Members for Licensing Sub-committee (Taxi, Private Hire and Street Trading) Annex B – Rota for Licensing Sub-Committee (Licensing Act 2003 Matters)
Recommendation(s)	That the Planning and Licensing Committee resolves to: <ol style="list-style-type: none"> <li>1. Appoint five members of the Committee to the Licensing Sub-Committee (Taxi, Private Hire and Street Trading) in accordance with political proportionality and the wishes of political groups (3 Liberal Democrat, 2 Conservative);</li> <li>2. Note that Licensing Sub-Committee membership will comprise the Chair or Vice Chair of the Planning and Licensing Committee and two other members of the Planning and Licensing Committee drawn on an alphabetical rota basis from the remaining members of the Planning and</li> </ol>

	Licensing Committee (subject to their availability and completion of licensing training prior to participation in a Licensing Sub Committee (Licensing Act 2003) meeting).
Corporate priorities	Delivering Good Services
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Political groups that are entitled to seats on the sub-committee were asked to nominate members.



## **1. EXECUTIVE SUMMARY**

- 1.1** The Council's Constitution provides that the Planning and Licensing Committee will appoint to two Sub-Committees which have certain functions and responsibilities:
- Licensing Sub Committee (Licensing Act 2003)
  - Licensing Sub Committee (Taxi, Private Hire and Street Trading)
- 1.2** The power to appoint members to Sub-Committees lies with the parent committee i.e. the Planning and Licensing Committee.

## **2. LICENSING SUB COMMITTEE (TAXI, PRIVATE HIRE AND STREET TRADING)**

- 2.1** This Sub-Committee is responsible for determining taxi, private hire and street trading applications in certain circumstances e.g. where relevant offenses feature on the Disclosure and Barring Service (DBS) check, or where representations are made on the review of a license. The provisions of the Local Government Act 1972 relating to sub-committees apply to this licensing sub-committee, meaning the membership must be appointed for a specified period of time (usually the duration of a municipal year), in accordance with political proportionality. Meetings of this sub-committee are scheduled to take place monthly, c. 2 weeks after each meeting of the Planning and Licensing Committee, but these meetings will only go ahead where there are applications to determine.
- 2.2** It is proposed that the Planning and Licensing Committee appoints five members of the committee to the Licensing Sub Committee (Taxi, Private Hire and Street Trading) for the 2025/26 municipal year, in accordance with political proportionality, as set out in Table 1 below.

**Table 1: Political proportionality on a five member Sub-Committee**

Group	Liberal Democrat	Conservative	Green	Independent	Total
Real entitlement	3.09	1.47	0.29	0.15	5 <sup>†</sup>
Rounded entitlement	3	1	0	0	5
Seats allocated	3	2	0	0	5

*\*Non-grouped independent members impact overall proportionality but do not have an automatic entitlement to seats on committees and sub-committees.*

*<sup>†</sup>figure not summable due to rounding to two decimal places*

- 2.3** Three seats were initially allocated to the Liberal Democrat Group, and one to the Conservative group, leaving a final seat to be allocated. No independent members sit on the Planning and Licensing Committee. The Conservative Group has the largest proportional entitlement to the final seat (0.47), so the final seat is allocated to the Conservative Group.

### **3. LICENSING SUB-COMMITTEE (LICENSING ACT 2003)**

- 3.1** The Licensing Sub Committee (Licensing Act 2003) is responsible for determining Personal Licenses and Premises Licenses where representations are received, and for considering whether to grant Temporary Event Notices where objections are received from the Police or Environmental Health. This sub-committee meets on an ad hoc basis when there are applications to consider.
- 3.2** The Licensing Sub-Committee (Licensing Act 2003) is a sub-committee which is governed by the provisions of the Licensing Act 2003 rather than the Local

Government Act 1972. Under the Licensing Act 2003, the Planning and Licensing Committee must establish one or more sub-committees comprising three members of the Planning and Licensing Committee. This sub-committee is not subject to political proportionality and the membership does not have to be fixed for a specified period of time. It is a requirement of the Council's Constitution that the members participating in Licensing Sub Committee (Licensing Act 2003) meetings have completed licensing training.

- 3.3** It is proposed that the membership of this sub-committee will continue to comprise the Chair or Vice-Chair of the Planning and Licensing Committee (who will chair the sub-committee) and two other members of the Planning and Licensing Committee drawn on a rota basis from the remaining members of the Planning and Licensing Committee (subject to their availability and completion of licensing training prior to participation), as illustrated in Annex B. Officers will also seek to identify a fourth Member of the Planning and Licensing Committee to be on standby for each meeting should any of the three sub-committee members be unable to participate in the determination of an application at late notice. The standby member will be based on availability rather than a rota.

#### **4. CONCLUSIONS**

- 4.1** The Planning and Licensing Committee is asked to confirm the appointment of members to the Licensing Sub Committee (Taxi, Private Hire and Street Trading) Sub-Committee and note the membership arrangements for the Licensing Sub Committee (Licensing Act 2003).

#### **5. FINANCIAL IMPLICATIONS**

- 5.1** There are no financial implications arising directly from the recommendations in this report.

#### **6. LEGAL IMPLICATIONS**

- 6.1** The legal issues relating to licensing sub-committees are detailed in the body of the report, specifically paragraphs 2.1 and 3.2.

## **7. RISK ASSESSMENT**

- 7.1** Appointing sub-committees in accordance with the provisions of the law and the Constitution will help to ensure that licensing applications can be determined in a timely fashion and reduce the risk of challenge to decisions.

## **8. EQUALITIES IMPACT**

- 8.1** The Committee is advised to have due regard to the need to promote equality when appointing sub-committees with responsibility for determining licensing applications.

## **9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 9.1** There are no climate or ecological implications arising directly from the recommendations in this report.

## **10. ALTERNATIVE OPTIONS**

- 10.1** If the Planning and Licensing Committee wishes to change the size of the Licensing Sub Committee (Taxi, Private Hire and Street Trading) Sub-Committee or membership arrangements for the Licensing Sub Committee (Licensing Act 2003) it could pass a resolution requesting that officers bring a report to a future meeting with alternative proposals.

## **11. BACKGROUND PAPERS**

- 11.1** None

**Annex A: Nominations for Appointments to Licensing Sub-Committee 2025/26**

TAXI, PRIVATE HIRE AND STREET TRADING

Liberal Democrat Group (3)	Conservative Group (2)	Green Group (0)	Non-aligned Independents (0)
1. Ian Watson (Chair) 2. Michael Vann 3. Ray Brassington	1. Julia Judd (Vice-Chair) 2. David Fowles		

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**LICENSING SUB-COMMITTEE (LICENSING 2003 ACT MATTERS) ROTA: August 2025 - May 2026**

<b>Sub-Committee 1</b>	<b>Sub-Committee 2</b>	<b>Sub-Committee 3</b>	<b>Sub-Committee 4</b>	<b>Sub-Committee 5</b>
Dilys Neill (Chair) David Fowles Ray Brassington	Ian Watson(Chair) Julia Judd Michael Vann	Dilys Neill (Chair) Daryl Corps Andrew Maclean	Ian Watson (Chair) Patrick Coleman Tristan Wilkinson	Dilys Neill (Chair) Patrick Coleman Nick Bridges

**NOTES**

1. The rota for the sub-committee is set out above, and will rotate every time a sub-committee is needed. I.e. If a Sub-committee is only needed in June, and December and March, Sub-committee 1 will serve in June, Sub-committee 2 in December and Sub-Committee 3 in March.
2. If a Licensing Sub-Committee is needed, it will be held approximately 2 weeks after Planning and Licensing Committee. The rota at Licensing sub-committee (Licensing 2003 Act Matters) will be confirmed by the Planning and Licensing Committee at its preceding Meeting, when notice will also be given of any advance LS-Cs.
3. Any Members unable to attend an LS-C are requested **to notify the Chair and/or Democratic Services as soon as possible before the date** of the LS-C so that arrangements can be made for other Members of the Committee, or named Substitutes, who will attend the LS-C.
4. Licensing Act 2003 Matters require three Members to serve
5. The Chair or Vice-Chair of Planning and Licensing should be present and chair the meeting unless apologies are given. If neither the Chair nor Vice-Chair are in attendance, a Chair should be elected at the start of the meeting.

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**COTSWOLD**  
District Council

Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>PLANNING AND LICENSING COMMITTEE – 13 AUGUST 2025</b>
Subject	<b>Tree Preservation Order 25/00001/IND</b>
Wards affected	Fossebridge
Accountable member	Cllr David Cunningham Email: <a href="mailto:david.cunningham@cotswold.gov.uk">david.cunningham@cotswold.gov.uk</a>
Accountable officer	James Tyson Email: <a href="mailto:james.tyson@cotswold.gov.uk">james.tyson@cotswold.gov.uk</a>
Report author	James Tyson (Trees Officer – Heritage and Design)
Summary/Purpose	To consider comments of objection and support to the making of Tree Preservation Order 25/00001/IND Corner Cottage Church Westcote Chipping Norton Gloucestershire OX7 6SH
Annexes	Annex 1 – Location Plan Annex 2 – Google Maps Images Annex 3 – Photograph from site visit Annex 4 - TPO Appraisal form Annex 5 – The Order Annex 6 – Objections Annex 7 – 2016 Image Annex 8 – VALID Report
Recommendation(s)	That Planning and Licensing Committee resolves to: Confirm TPO 25/00001/TPO
Corporate priorities	<ul style="list-style-type: none"> <li>• Delivering Good Services</li> <li>• Responding to the Climate Emergency</li> <li>• Supporting Communities</li> </ul>
Key Decision	NO



Exempt	NO
Consultees/ Consultation	<p>Heritage and Design Manager, Chair of the Planning and Licensing Committee, Ward Member, and Parish Council.</p> <p>Landowner and all interested parties were also served with a copy of the TPO and Notice as per section 6 of the Town and Country Planning (Tree reservation) (England) Regulations 2012.</p>



## **1. EXECUTIVE SUMMARY**

- 1.1 This report is to appraise Members of a Tree Preservation Order (TPO) served at Corner Cottage, Church Westcote, Chipping Norton, Glos, OX27 6SH.
- 1.2 Following the submission of a Section 211 Conservation Area Notification to fell a large mature Pine tree in the garden of Corner Cottage, a site visit was undertaken to assess and appraise the tree for worthiness of a TPO.
- 1.3 The TPO appraisal indicated that the tree was worthy of a TPO due to its high public amenity value and being consistent with the Conservation Area which contains many large skyline feature trees.
- 1.4 The TPO was served on 11.03.2025.
- 1.5 Objections to the making of the TPO have been submitted to the Council.
- 1.6 The Council has a legal obligation to thoroughly consider objections and/or representations made regarding the TPO.
- 1.7 This report considers and responds to the grounds for objections.
- 1.8 The conclusion of the report is a recommendation that the TPO is confirmed.

## **2. BACKGROUND**

- 2.1 Corner Cottage sits at the corner of a road from A424 to Corner Cottage and the main road through the village of Church Westcote.

### **Refer to Annex 1 - Location Plan**

- 2.2 A Conservation Area Notification of proposed tree works (CDC Ref: 25/00349/TCONR) was received by the Council on 04.02.2025 notifying of the intent to *Coriscan Pine tree- Fell, Multi stem Cypress tree – Fell*.
- 2.3 A desktop check of maps showed The Corsican Pine tree is visible along the approach road and the main road through the village.

### **Refer to Annex 2 - Google Maps Images**



- 2.4 A site visit was undertaken on 27.02.2025 to assess the trees in relation to condition, visibility and to assess the potential for a Tree Preservation Order.

**Refer to Annex 3 – Photographs from site visit**

- 2.5 To assess whether a TPO was expedient to make, a CDC TPO Appraisal Form was completed. The results of the appraisal indicated that the Corsican Pine was suitable for a worthy TPO. The multi stemmed Cypress was deemed not worthy of a TPO.

**Refer to Annex 4 - TPO Appraisal Form**

- 2.6 An email was sent to Mr David Lewis (the Agent for the notice) on 28.02.25 explaining that a site visit had been undertaken and that assessment indicated that the Pine was worthy of a TPO. The email asked if Mr Lewis would consider removing the proposal to fell the Pine from the notification.

- 2.7 Mr Lewis replied on 28.02.25 explaining the reasons for the notice and stating that the trees should be removed for the reasons summarised:

- The tree leans
- Would cause severe damage if it was to blow over
- Presence of deadwood

- 2.8 The case was discussed amongst the CDC Tree Team and after considering the results of the TPO Appraisal, permission to serve the TPO was sought from the Head of Planning, Ward Member and Heritage and Design Manager. It was unanimously agreed to proceed with serving the order.

- 2.9 The TPO and relevant paperwork was serviced on all interested parties on 11.03.2025.

**Refer to Annex 5 - The Order**

- 2.10 The reasons for making the TPO were given on the relevant TPO notice as: *'A Section 211 Notice has been submitted to fell this tree. The tree is worthy of a TPO by virtue of its public amenity value. The tree is a prominent arboricultural feature and a highly visible asset to the Church Westcote*



*Conservation Area. The TPO is appropriate to ensure that thorough justification is provided in any future decisions that affect the tree.'*

- 2.11 Under the provisions of the legislation the TPO takes effect immediately but must be confirmed by the Council within six months if it is to take permanent effect. Prior to confirming a TPO, the Council must thoroughly consider any objections and/or representations that have been made.
- 2.12 The regulations relating to TPOs allow for a 4-week consultation period from the date the TPO is served for written representations to be submitted to the council. After this period has passed, it is for the Council to determine whether to take account of any further representations.
- 2.13 Within the 4-week period 7 objections from the public were received along with objections from the owner Mrs Lewis and the Agent Mr Lewis.

### **3 THE GROUNDS FOR OBJECTION TO THE TPO**

- 3.1 To assist Members, the grounds for objections are summarised below:
- The tree is leaning
  - The tree is unstable and could fall damaging property or causing harm to persons and is causing anxiety to resident
  - The tree contains deadwood
  - The tree is non-native

**Refer to Annex 6 - Objections**

### **4 OFFICER RESPONSE**

- 4.1 The grounds for objection are considered below:
- The tree leans because it grew alongside another tree which was removed with permission in 2020 under reference 20/01732/TCONR. Officer comments at the time were "*The tree to be removed is in poor condition with several large dead branches and a sparse upper crown. It has a limited safe life expectancy and is unlikely to survive more than 10 – 15 years.*"



- Where trees grow together, they often grow in a manner slightly leaning away from each other in search of light. The removed tree was the weaker of the two. As shown in Google image from August 2016.

**Refer to Annex 7 – 2016 Image**

- Trees will regulate growth patterns in response to conditions. The lean was developed over many years and the formation of new wood in the main trunk will reflect this. There is no evidence that the tree has a more pronounced lean in recent times. No evidence of ground heave was present and there were no cracks in the soil which could signify the tree beginning to uproot. No evidence of fibre buckling or cracks in the trunk of the tree were found which would evidence the tree is likely to snap.
- A VALID risk assessment was carried out by your Tree Officer to assess the risk to the property. VALID is an internationally recognised tree risk assessment system which CDC Trees Officers are authorised users. The report concluded the risk is acceptable.

<https://www.validtreerisk.com/>

**Refer to Annex 8 - VALID report**

- A tree of this age and species is likely to contain deadwood. The production of deadwood is a natural process which occurs as branches die off as a result of a trees natural growth processes. Lower branches on a Pine will die off as they become shaded out or are no longer required as a source of energy production to aid the trees growth.
- Under Regulation 14(1)(b) of The Town and Country Planning Act the removal of dead branches from a living tree is an exception to notification. No permission is required to remove deadwood.
- There is nothing in the regulations that places more importance on native trees over non-native trees. The main purpose of the TPO is to preserve the public amenity value provided by the tree. We consider the Pine in this context provides a high level of public amenity. The tree is a tall and prominent feature clearly visible from public vantage points. Church Westcote is characterised by a number of tall trees as skyline features including other Pines in the grounds of St Mary the Virgin Parish Church.



## **5 ALTERNATIVE OPTIONS**

- 5.1 To not confirm the Order

## **6 FINANCIAL IMPLICATIONS**

- 6.1 There are no financial implications for the Council

## **7 LEGAL IMPLICATIONS**

- 7.1 There are no legal implications of this report beyond those associated with the serving of a TPO.

## **8 EQUALITIES IMPACT**

- 8.1 There are no equalities impacts related to this report.

## **9 CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 9.1 In July 2019 Cotswold District Council declared a climate emergency. The protection and retention of trees can provide both climate emergency and nature recovery benefits.

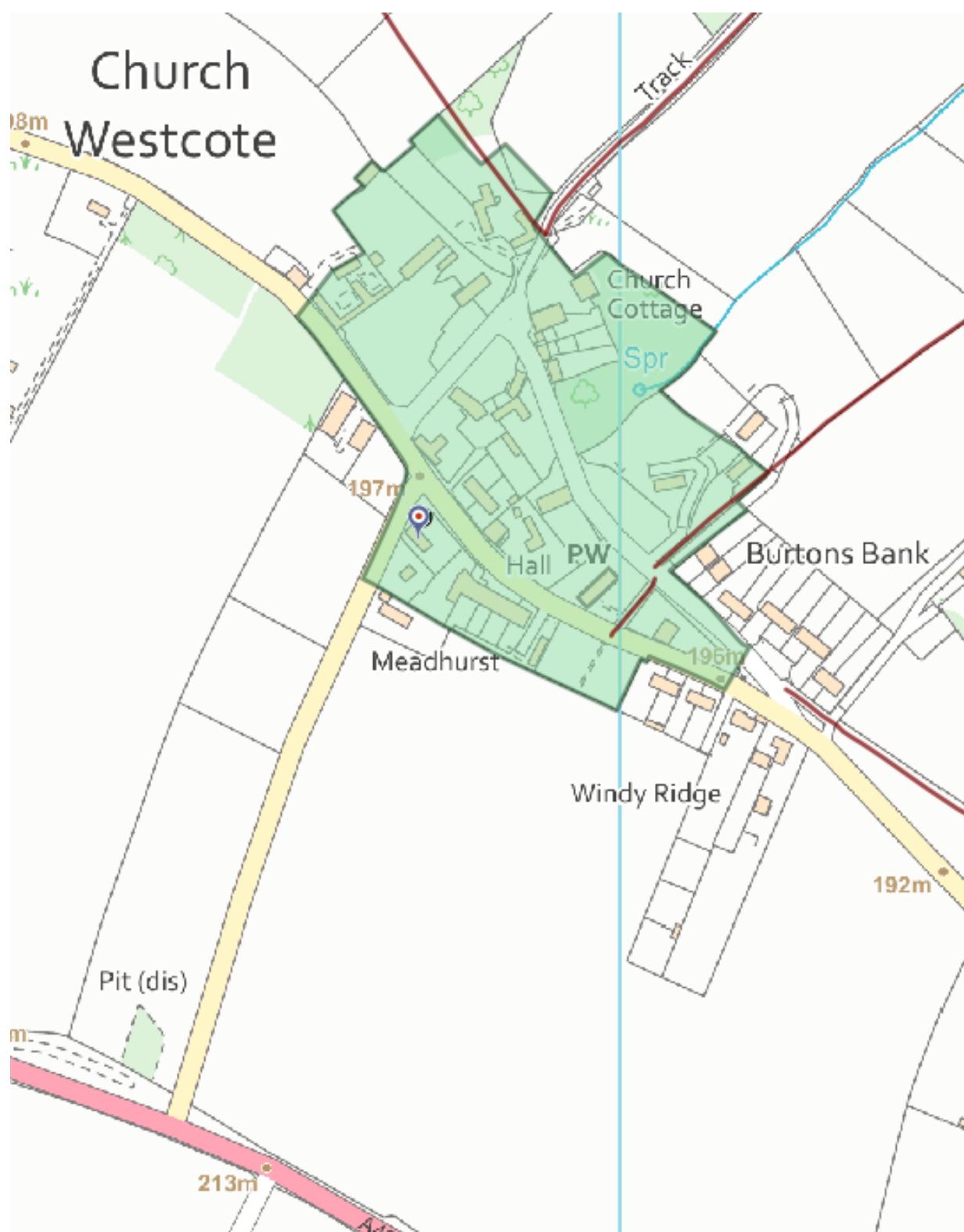
## **10 BACKGROUND PAPERS**

- 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:
- None

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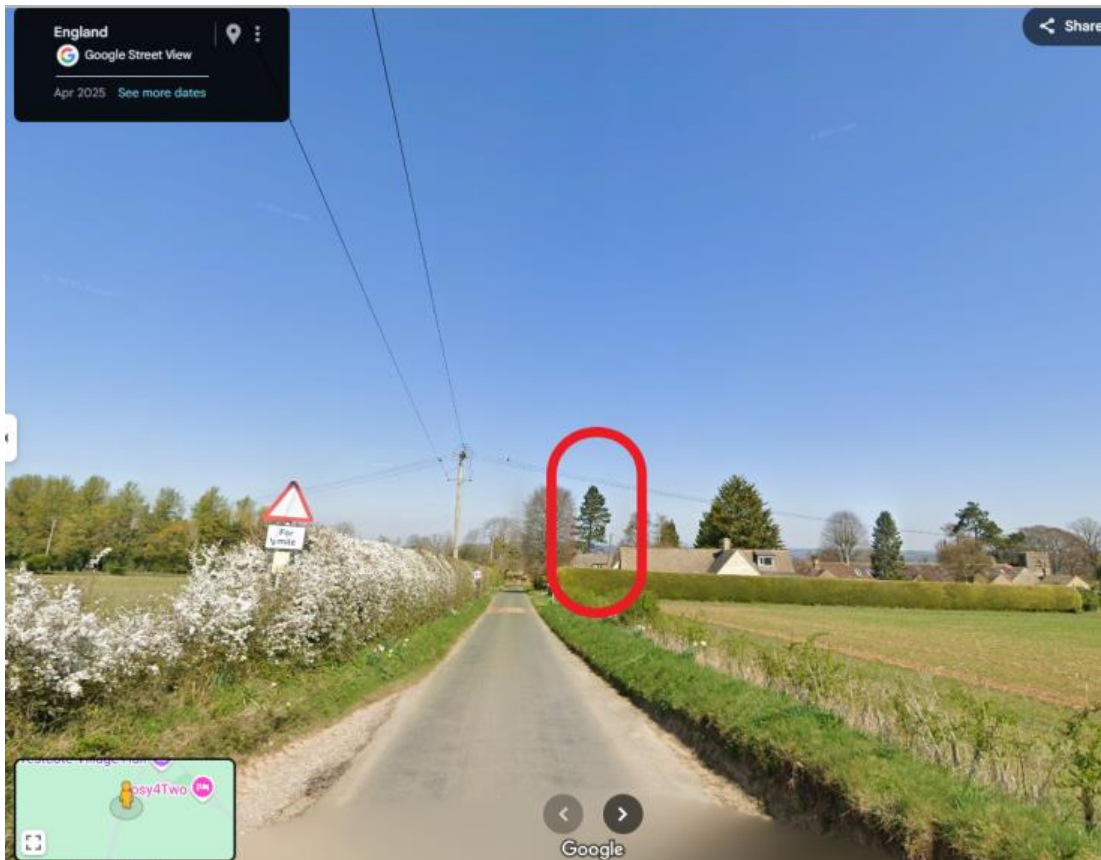


## Annexe 1. Corner Cottage Church Westcote



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## Annexe 2. Google earth images



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## Church Westcote 27.02.25















## Cotswold District Council Tree Preservation Order Appraisal

Site: **Corner Cottage  
Church Westcote**

Date: **27-2-25** Officer: **JT**

General Description of Tree(s) (or group of trees/woodland):

**Single mature pine in garden**

### 1 Public Visibility

Public places from which the tree can be seen (including future considerations such as development)

**Yes**

Is/are the tree/trees a skyline feature?

**Yes**

Is/are the tree/trees seen against a backdrop of other trees?

**No**

Is/are the tree/trees a visual feature in a Conservation Area or AONB?

**Y**

### 2 Arboricultural Quality

Is/are the tree/trees in reasonable arboricultural condition?

**Yes**

Is/are the tree/trees an appropriate species for the character of the locality and landscape?

**Yes**

Is/are the tree/trees a particularly old or large example of its species and/or does the tree have veteran characteristics?

**No**

Does/do the tree/trees have specific cultural, historic or biodiversity interest?

**No**

### 3 Life Expectancy and Replaceability

Has/have the tree/trees a biological life expectancy of more than 20 years?

**Yes - no signs of dysfunction or disease**

Is/are the tree/trees growing in sufficient space to be allowed to grow for a further 20 years?

Yes

Could the visual amenity value of the tree/s be replaced by new planting within 10 years?

No

Is there clear evidence of structural damage to property caused by the tree(s) that could only be resolved by removal of the tree(s)?

No

#### **4 Impact of Removal**

Would the loss of the tree(s) be noticeable from public places?

Yes

Would the removal of the tree(s) harm or benefit the health or stability of other trees?

N/A

Would the removal of the tree(s) result in loss of screening of an eyesore or poor quality landscape feature?

No

Is/are the tree/trees part of an agreed landscape/ tree retention scheme or replacement planting scheme subject to a planning condition?

No

#### **Conclusions**

Would the removal of the tree(a) have a significant negative impact on the local environment and its enjoyment by the public?

Yes

Would protection with a TPO bring a reasonable degree of public benefit in the present or future?

Yes



**COTSWOLD  
DISTRICT COUNCIL**

**Dated 11th March 2025**

**COTSWOLD DISTRICT COUNCIL  
TREE PRESERVATION ORDER NO 25/00001**

**Corner Cottage, Church Westcote, Gloucestershire 2025**

**Town and Country Planning Act 1990**

**The Town and Country Planning (Tree Preservation)(England)  
Regulations 2012**

---

**TREE PRESERVATION ORDER**

**relating to**

**Corner Cottage, Church Westcote, Gloucestershire 2025**

**TOWN AND COUNTRY PLANNING ACT 1990  
THE TOWN AND COUNTRY PLANNING (TREE  
PRESERVATION)(ENGLAND) REGULATIONS 2012**

**COTSWOLD DISTRICT COUNCIL TREE PRESERVATION ORDER  
NO 25/00001**

**Corner Cottage, Church Westcote, Gloucestershire 2025**

The Cotswold District Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order-

**Citation**

1. This Order may be cited as **TPO Number 25/00001 Corner Cottage, Church Westcote, Gloucestershire 2025**

**Interpretation**

2. (1) In this Order "the authority" means the Cotswold District Council.  
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.  
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall-

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this **11<sup>th</sup> March 2025**

The Common Seal of the COTSWOLD DISTRICT COUNCIL)  
was hereunto affixed to this order in the presence of -



13698

Robert Weaver – Chief Executive; ~~David Stanley – Deputy Chief Executive;~~

**CONFIRMATION OF ORDER**

This Order was confirmed by the Cotswold District Council without modification on  
the \_\_\_\_\_ day of \_\_\_\_\_ 20

OR

This Order was confirmed by the Cotswold District Council, subject to the  
modifications indicated by

on the \_\_\_\_\_ day of \_\_\_\_\_ 20

Signed on behalf of The Cotswold District Council

.....  
Robert Weaver – Chief Executive; David Stanley - Deputy Chief Executive; Helen  
Blundell – Legal Services Manager; Angela Claridge -Monitoring Officer  
Authorised by The Council to sign in that behalf

**DECISION NOT TO CONFIRM ORDER**

Signed on behalf of The Cotswold District Council

## VARIATION OF ORDER

by a variation order under reference number [*insert reference number to the variation order*] a copy of which is attached]

Robert Weaver – Chief Executive; David Stanley - Deputy Chief Executive; Helen Blundell – Legal Services Manager; Angela Claridge -Monitoring Officer  
Authorised by The Council to sign in that behalf

## REVOCATION OF ORDER

under the reference number

Robert Weaver – Chief Executive; David Stanley - Deputy Chief Executive; Helen Blundell – Legal Services Manager; Angela Claridge -Monitoring Officer  
Authorised by The Council to sign in that behalf

## SCHEDULE

## **SPECIFICATION OF TREES**

### **TREES SPECIFIED INDIVIDUALLY (encircled in black on the map)**

<b>Reference on map</b>	<b>Description</b>	<b>Situation</b>
<b>T1</b>	<b>Pine</b>	<b>Frontage of property, North of dwelling.</b>

### **TREES SPECIFIED BY REFERENCE TO AN AREA (within a dotted black line on the map)**

<b>Reference on map</b>	<b>Description</b>	<b>Situation</b>
<b>None</b>		

### **GROUPS OF TREES (within a broken black line on the map)**

<b>Reference on map</b>	<b>Description</b>	<b>Situation</b>
<b>None</b>		

### **WOODLANDS (within a continuous black line on the map)**

<b>Reference on map</b>	<b>Description</b>	<b>Situation</b>
<b>None</b>		



COTSWOLD DISTRICT COUNCIL

# **Tree Preservation Order**

Corner Cottage, Church Westcote, Gloucestershire.

Scale: 1:1250

Plan No: TPO 25/00001

Date: 04 March 2025

0 10 20 40 60 80 Mtrs



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From: Rosemary Armstrong

Sent: 18 March 2025 14:27

To: Planning Mail (CDC) <[planning@cotswold.gov.uk](mailto:planning@cotswold.gov.uk)>

Subject: TPO 25/00001 Corner Cottage Church Westcote

For the attention of the Tree Officer,

I am writing with regard to the Corsican pine TPO 25/00001. This tree stands tall and exposed making it vulnerable and at risk of falling given the frequent high winds experienced here on the escarpment. It does not appear healthy as it is unbalanced and has very few, and dead, branches on one side. If this tree were to fall, given its position in the village, it would cause damage to several properties and the surrounding area. I am also aware of the high level of anxiety this tree is now causing the property owner as she fears for her own safety. I believe, therefore, permission to fell it should be granted.

Regards

Rosemary Armstrong

**From:** Stephen Blake

**Sent:** 17 March 2025 15:14

**To:** Planning Mail (CDC) <[planning@cotswold.gov.uk](mailto:planning@cotswold.gov.uk)>

**Subject:** Cotswold District Council Tree Preservation Order TPO 25/00001 - objection

Dear Sirs

I have concerns regarding the recent imposition of a TPO on two trees at Corner Cottage, Church Westcote OX76SE. I write as a neighbour and local clergyman.

1. The Corsican Pine is causing anxiety to both Mrs Lewis, the property owner, and to her neighbours because of its apparent instability during recent stormy weather. An adjacent tree at the same property was felled by winds in the last few years and I understand the Corsican Pine moves alarmingly during high winds, such that the home owner has to move bedrooms for fear it may fall. I'm not sure the Tree Officer was aware of this concern when he visited as the owner was away when he called.

2. The multi-stemmed cypress, far from being an amenity, is to my mind an eye sore; an unattractive and ungainly tree that does nothing to enhance the beauty of the village.

I trust this order can be revoked giving Mrs Lewis, who is a keen gardener, the opportunity to replace these trees with something more suitable and attractive in the longer term.

Yours sincerely

Rev'd Dr Stephen Blake  
2 Burtons Bank  
Church Westcote  
Chipping Norton OX7 6SE

**From:** Angela Dix  
**Sent:** 15 March 2025 13:01  
**To:** Planning Mail (CDC)  
**Subject:** TPO

To whom it may concern.

Re Planning Application to fell a tree at Corner Cottage, Church Westcote, OX7 6SH.

The tree in question is approximately 60 feet high and leans. It could very easily fall especially in high winds damaging properties and injuring (or worse) any number of people, from a health and safety point of view it is a danger. Also it is very close to the owner's property. It already has several dead branches and is NOT a nesting site for birds. It needs to be removed as it serves NO useful purpose at all.

Angela Dix,6, The Covent, Church Westcote.

**From:** Roland Hodson

**Sent:** 15 March 2025 22:23

**To:** James Tyson <James.Tyson@cotswold.gov.uk>; planning@cotswold.gov.uk

**Subject:** Re: FW: TPO 25/00001/IND Corner Cottage, Church Westcote

Dear Mr Tyson, Tree Officer

With reference to the TPO order at Corner Cottage in Church Westcote, I refer you to the photo on Google Street View of Corner Cottage. You will see that the tree in question is leaning significantly to one side and is an obvious risk to the near by house. Our village is high on a ridge and during the last major windstorm a number of trees were blown down, blocking our lane for some days and threatening our electricity supply.

I kindly request that you reconsider the TPO and allow this tree to be cut for the sake of the safety of the residents of Corner Cottage.

Roland Hodson  
1 Hawkwell Cottages  
Church Westcote  
OX7 6SW

Lewis Forestry  
1, Battledown Approach  
Cheltenham  
Gloucestershire  
GL52 6QZ

4 April 2025

Dear Sirs

**Cotswold District Council Tree Preservation Order TPO 25/00001 Corner  
Cottage, Church Westcote, Gloucestershire  
Objection to the new proposed Tree Preservation Order**

I write as a forestry/ arboricultural adviser and son of Mary Lewis, the owner of Corner Cottage, Church Westcote, who you served with a new Tree Preservation Order as of 11 March 2025.

In my capacity as a professional forestry and arboricultural adviser, I am writing to object to this new Tree Preservation Order. By way of background, I am a qualified Chartered Forester and Chartered Surveyor with over 30 years' experience in the forestry sector. I currently advise a range of woodland and landowners on the management of their trees and woodlands and this advice includes tree safety management.

I am objecting to this new Tree Preservation Order on the following grounds: -

**1 The trees public amenity value.**

The tree is non-native and is a relatively poor specimen. Not only does it have a noticeable lean, but the distribution of its branches is unbalanced (as was clearly shown in the photographs included with Application for Tree works - trees in conservation areas .... submitted in January 2025). Furthermore, there are a number of dead branches within the tree (some of which are also evident in the above-mentioned photographs) and the foliage/ needle cover is also relatively sparse, further detracting from the appearance of the tree. I would also argue that the tree's size and height is now out of proportion to its setting- this pine tree now towers above my mother's house (and the other nearby houses), as well as the surrounding trees. Finally while I appreciate that beauty lies within the eyes of the beholder, based on the conversations that my mother has had with many of her neighbours, these people do not seem to share the tree officers view of the public amenity that this tree confers to the surrounding area - they too also believe that its distinctive lean and lopsided distribution of branches does not make this tree an attractive feature and one worth preserving. Furthermore, my mother's garden contains a number of other trees and shrubs - these are in good health and add to the amenity of garden and surrounding area.

**2 The future safety of the tree**

As set out in the above-mentioned application, the primary driver for wanting to have permission to be able to fell this tree and in turn for objecting to the new TPO, is future health and safety. There has been a noticeable decline in the health of this tree over the last 5 years. An increasing number of dead and dying branches is evident and the foliage (ie the needles) have become more sparse. Added to that is the lean of the tree and the unbalanced distribution of the tree's branches. Furthermore, due to the height of the tree and the fact that it stands above the surrounding trees and that Corner Cottage is located in a relatively elevated and exposed location (sitting near the top of a ridge), further increases the chances

of future wind blow - indeed some nearby poplars (on another property), blew over in the December 2024 storms. This risk coupled with its size (both height and weight), together with its proximity to Corner Cottage (which is the direction that the tree is most likely to fall, owing to its lean and branching distribution), further increases the overall risk. This tree is also within falling distance of the public highway and there is also an electricity wire within the immediate vicinity of this tree. Whilst it is difficult/ impossible to quantify the exact likelihood of this risk (or any tree blowing over), within the next 10 years, I would argue in my capacity as a professional advisor on such matters, that this tree would be considered to be at least "moderate risk" and that action should be taken to reduce or remove this risk. I do not believe it is feasible or desirable to prune this tree and/ or reduce its height or crown (as such action would make it look even more unsightly), so hence we applied for consent to be able to fell this tree.

As a concluding remark, I was surprised at the tree officer's refusal to grant consent to fell this pine tree, and even more surprised at being served with a TPO. I have submitted many applications for works to trees in conservation areas over the years within a range of district authorities, including an application to fell a Corsican pine in similar/better health and posing no more of a future safety risk, in Church Westcote just under 10 years ago - this application was duly granted. Furthermore, my mother, as she will testify in her objection, is passionate about trees and plants (and indeed inspired me to get involved in the forestry sector) and so would only elect to fell trees where they pose a potential threat/damage to people or property. I thus very much hope that the committee will reconsider this TPO and also be minded to grant consent for this tree to be felled.

I look forward to hearing from you.

Yours faithfully

David Lewis MPhil, MRICS, MICFor, FAAV  
Land Management and Forestry Consultant,  
Tel 07801 562069

**From:** Mary Lewis  
**Sent:** 01 April 2025 14:18  
**To:** Planning Mail (CDC)  
**Subject:** New Tree Preservation Order

Dear Sir,

Re: New Tree Preservation Order - TPO 25/0000/1 - Corner Cottage, Church Westcote.

Gloucestershire

I am disappointed and upset that you have seen fit to place a Tree Preservation Order on my Corsican pine tree. I am passionate about the environment and have been a Cotswold warden helping to protect and maintain the countryside for nearly twenty years.

There is no way that I would want this pine tree cut down if it wasn't for the fact that it is potentially dangerous. This tree is too close to the house and is also extremely tall.

In addition, the tree has developed a lean. Church Westcote is on a ridge and trees can be very vulnerable during high winds of which we get many more these days. Very recently four tall poplars very near me came down in the last storm. The tree is old and has many dead branches and sways alarmingly in strong winds. In fact, I am so concerned about this tree that I am forced to sleep at the other end of the house when the wind blows fiercely. I should not have to have this anxiety each time there is a storm warning.

Also, I wonder whether you would take responsibility for severe damage to the property, or even worse, injury or loss of life if the tree fell?

I implore you to reconsider your decision as my neighbours are also concerned about the safety of this tree.

Yours sincerely

Mary Lewis

**From:** Charles Ward  
**Sent:** 17 March 2025 11:20  
**To:** Planning Mail (CDC) <[planning@cotswold.gov.uk](mailto:planning@cotswold.gov.uk)>  
**Subject:** TPO 25/0001

To the Planning Officer.

Dear Sir or Madam.

I would like to comment on the recent TPO that has been made for Corner Cottage, Church Westcote, Chipping Norton OX7 6SH.

The tree referred to in this order is a "Corsican Pine", (*Pinus nigra* subsp. *laricio*) which is not native to England or the UK.

This tree presents a clear and present danger to the cottage, and the public.

It is old, damaged, and clearly not stable - it has a 'lean' to it.

This tree needs to be urgently removed.

I hope that this comment may be of assistance to you.

Yours,

Charles Ward.  
Middlemarch,  
Church Westcote,  
OX7 6SF





**Annexe 7. Google street view August 2016**

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