



Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 8 March 2023.

Councillors present:

Ray Brassington (Chair)
Mark Harris
Sue Jepson
Julia Judd

Patrick Coleman (Vice-chair)
Dilys Neill
Gary Selwyn
Steve Trotter

Gina Blomefield
Juliet Layton

Officers present:

David Morren, Interim Development Manager
Tracey Birch, Career Grade Planner
Caleb Harris, Senior Democratic Services Officer

Andrew Moody, Senior Planning Case Officer
Alexander Kirk, Lawyer
Ana Prelici, Democratic Services Officer

174 Apologies

Apologies were received from Councillors Stephen Hirst, Clive Webster and Andrew Maclean.

175 Substitute Members

Councillor Juliet Layton substituted for Councillor Webster and Councillor Gina Blomefield substituted for Councillor Hirst.

176 Declarations of Interest

Councillor Ray Brassington declared a non-pecuniary interest in the application at Wood Stock Lane, as he was acquainted with the agent, Andrew Miles, due to Mr. Miles's previous employment at the Council.

177 Minutes

Members pointed out a correction in the attendance record, as Stephen Hirst was absent but marked as in attendance.

Democratic Services also raised that the meeting was not held remotely, and therefore that phrasing should be removed.

RESOLVED: To approve the minutes with amendments.

Voting Record- For 6, Against 0, Abstentions 3, Absent- 1

178 Chair's Announcements (if any)

The Chair announced that the date of next meeting would be moved from 19 April to 26 April at 10am and explained that this is due to a clash with an upcoming Planning inquiry taking place in the Council Chamber.

The Chair also explained that Democratic Services were putting together a members induction and training programme and invited the committee members to get in touch with any feedback they had on the training they received, which would be used to inform the upcoming programme.

179 Public questions

There were no public questions.

180 Member questions

There were no member questions.

181 Land Parcel at Woodstock Lane (21/02281/FUL)

The application was for the Conversion of agricultural barn into dwelling at Land Parcel Easting 387517 Northing 198301 Woodstock Lane Avening Gloucestershire.

The Committee Members introduced themselves.

The Senior Planning Case Officer then introduced the item and highlighted the additional representations that had been made since the Agenda was published. Natural England had responded to state that they had no objection to the application. There was an additional representation, as set out in the supplementary pack from a member of the public who restated their previous comments.

Public Speakers

Councillor Tony Slater, representing Avening Parish Council, made a statement of objection to the proposal. Councillor Slater highlighted concerns over harm of the AONB as well as whether the original application in 2015 met the requirements for agricultural use, stating that it seemed to fit the specification of a dwellinghouse and stated that redundant use had not been proven.

Mr. James Rodgers made a statement of objection on the item. Mr. Rodgers highlighted concerns over the original application in 2015. He raised issues of light pollution and highways impacts.

Mr. Alex Bowles made a statement of support of the item, highlighting that he believed the impact from the conversion to be very small. He added that the quality of the building was due to pre-application advice received from the Council in 2014 which was sought to inform a building which was in keeping with the AONB, and that there were no features of a dwellinghouse e.g. insulation. Mr. Bowles stated that alternative use e.g. as a storage facility would increase the traffic more than a dwellinghouse would.

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Mr. Andrew Miles, who was the agent on the application made a statement on the application. He directly addressed the objection comments made by the Parish Council. Mr. Miles Stated that the building was used for Agricultural purposes, and highlighted that he believed there were no material considerations for rejecting the applications.

The Ward member, Councillor Richard Morgan, was not present at the meeting.

Member Questions

Members asked whether it was possible that the barn application was made with the future view of eventually converting it to residential use. The Senior Case Officer answered that planning officers had to determine applications based on the information presented to them, and that the previous decision cannot be revisited. The case officer also highlighted that Local Plan Policy EC6 did not require alternative uses to be considered to demonstrate redundancy.

Members also asked whether the lighting concerns could be alleviated, and the case officer confirmed that this could be restricted through conditions.

The Senior Case Officer also confirmed that each case is confirmed on its own merits, that the proposal would not create a precedent, and added that the fact that the applicant does not live in Avening is irrelevant to the consideration of the application.

Members asked whether there was a danger of 'development creep', which the Senior Case Officer explained was protected by removing permitted development rights.

Members asked why the Cotswold National Landscape were not consulted. The Senior Case Officer explained that there is no legal requirement, but they receive the list and are welcome to comment. The Senior Case Officer explained that Cotswold National Landscape tend to not get involved in small scale applications.

The Interim Development Manager explained that if members felt that there had not been sufficient consultation, the Committee could vote on to defer the application. The Interim Development Manager noted that the Cotswold National Landscape generally looked for impact on undeveloped sites, where the damage had been done from development on this particular application, this had already been done by the original erection of the barn, and that the main potential damage would be from lighting and domestic paraphernalia. In regard to highways impact, the Senior Planning Case Officer added that agricultural use would have, in Officer's opinion, greater impact on highways.

Members asked whether the land was still considered agricultural, since it had been sown with wildflowers. The Interim Development Manager answered that, since wildflowers are not considered agricultural, the site was considered in nil use.

Members also asked whether there needed to be any proof that the building was redundant. The Senior Planning Case Officer stated that there was nothing in the Local Plan and NPPF requiring this.

Members' comments

Members discussed the consultation process, and whether additional opportunity for the responding should be provided to the Highway Authority and National Landscape Board.

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Members commented that they could understand the Parish Council's comment, but that it was not the Committee's remit to make judgement on the intent of the 2015 application. The Committee therefore needed to make a judgement on the material planning considerations. Members addressed that in the future more training could be provided on dealing with agricultural conversions, as there seemed to be a discomfort with judging these applications.

Councillor Sue Jepson proposed a full members' site inspection briefing, to allow members to evaluate the impact on the AONB and dark skies, and allow consultees additional response time.

Councillor Julia Judd seconded.

RESOLVED: That a site inspection briefing was not required.

Voting record- Against 6, For 4, Abstentions 0, Absent 1

Members discussed landscaping, and whether it could be further controlled past the conditions mentioned, to protect from excessive domestication of the landscape, such as non-native trees, and excessive lighting. The Interim Development Manager advised that this was possible, but reminded members that although lighting could be controlled, any planting could only be controlled for 5 years.

Councillor Patrick Coleman proposed accepting the officer recommendation, with additional conditions on lighting.

Councillor Juliet Layton seconded.

RESOLVED: To Permit subject to the completion of a S.I.I.I agreement to secure a financial contribution towards mitigating the impact of development upon the Cotswold Beechwoods special area of conservation and the inclusion of additional conditions on lighting.

Voting Record; For 6, Against 4, Abstentions 0, Absent 1

182 Abbey Grounds (23/00289/TPO)

The application was for a crown reduction on a London Plane at Abbey Grounds, Dugdale Road, Cirencester, Gloucestershire.

The Case Officer introduced the item and explained that the applicant was Cotswold District Council. The Case Officer explained that the reason for the application was to prevent any damage to neighbouring residential properties due to root growth, and that this was regular maintenance carried out. There had been a prior application for crown reduction, which had been submitted and permitted in 2021.

Member Questions

Members asked if the application was granted when the schedule of works would take place. The Case Officer advised that this would have to be carried out within a 2 year period and the Interim Development Manager added that this was a standard condition.

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Members asked why there had been a previous application less than 12 months prior, to which the Case Officer advised that the current application was to carry out more extensive works than the prior.

Member Comments

Members stated that crown reductions often benefit the health of the tree, and so they welcomed the application.

The resolution was proposed by Councillor Mark Harris and seconded by Councillor Dilys Neill.

RESOLVED: To permit the application.

Voting Record: For 10, Against 0, Abstentions 0, Absent 1

183 Sites Inspection Briefing

No site inspection briefing was required.

184 Licensing Sub-Committee

Although the Licensing Sub-Committee on 22 March was not required, members had been advised by Democratic Services that the licensing sub-committee on the 26th of April would likely be required. The Democratic Services Officer would advise of the members required at this meeting by email.

The Meeting commenced at 10.00 am and closed at 11.20 am

Chair

(END)