



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

Councillors present:

Ray Brassington –Chair
Dilys Neill
Michael Vann
Mark Harris

Patrick Coleman – Vice-Chair
Ian Watson
Gary Selwyn
Julia Judd

David Fowles
Daryl Corps
Andrew Maclean

Officers present:

Helen Blundell, Interim Head of Legal Services
James Brain, Forward Planning Manager
Charlie Jackson, Assistant Director - Planning
and Sustainability

Andrew Moody, Senior Planning Case Officer
Caleb Harris, Senior Democratic Services
Officer
Ana Prelici, Democratic Services Officer

Observer:

Councillor Juliet Layton

44 Apologies

The Chair asked Members of the Committee to introduce themselves.

There were no apologies.

45 Substitute Members

There were no substitute members.

46 Declarations of Interest

Councillor David Fowles stated that the objector for the second item was a friend but that this was a non-pecuniary interest.

Councillor Julia Judd stated that they had noticed a friend sitting in the public gallery, but had not discussed whether they would be addressing the Committee.

47 Minutes

The Committee stated that the text for the 'apologies' item had been replicated under 'the substitute item' and suggested rephrasing the wording describing member introduction for syntax.

RESOLVED: To APPROVE the minutes of the meeting held on 10 January 2024, subject to the minor amendment described above.

Voting record- For 10, Against 0, Abstentions 1*

*The voting breakdown was not available for this item due to a technical error with the electronic voting system.

48 Chair's Announcements (if any)

The Chair stated that there would be a training session at 12:30pm on 13 March and encouraged all members to attend. The Chair also stated that lunch would be provided and invited all members to attend.

49 Public questions

There were no public questions.

50 Member questions

Councillor Dilys Neill asked a question to the Chair, which had been submitted in advance of the meeting. The question was as follows;

At the December 2023 planning committee, I raised some questions about the number of empty properties in developments which are exclusively for older people which are within Cotswold District. I am still awaiting a written response. I can provide the full text of the questions if needed. I have two further questions. 1. What is the council's position on empty properties in general? There is a property in the centre of Stow, the Old Funeral Directors, & the adjacent Shepherds Cottage which have been empty for many years, probably ten. They have fallen into a state of disrepair & have been vandalised. The owner was required to make them safe, which was done, but they have been broken into again & there are beer cans etc inside. I have reported this on numerous occasions to the empty properties team but nothing further has been done. 2. Two applications in my ward were submitted to me with a request to permit. They are both within 50 metres of a listed building & objectors questioned why a heritage statement had not been provided. In both cases, the application was declared invalid & a heritage statement requested. It seems that officers are not aware of their requirement & I would like some clarification about when a heritage statement is required.

A response had been provided from Officers stating;

Question 1: Empty homes are monitored by the Revenues Team. There are premiums applied to those properties which have been empty and unfurnished for 2 years or more. Legislation has recently been changed to reduce this period down to 1 year. A report is due in Cabinet on 7 March outlining this change with proposals for the Council to implement the new legislation. Officers liaise with owners of empty properties and give advice where possible to encourage the properties be brought back. The Council used to have a shared dedicated resource specifically to manage and monitor long term empty properties, but this was a grant funded post, and the funding is no longer available. Officers are aware of the individual property referred to by Cllr Neil and considering what action, if any can be taken.

Question 2: In considering the need for a heritage statement, Officers have regard to Paragraph 200 of the National Planning Policy Framework which states: 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate deskbased assessment and, where necessary, a field evaluation.' The need to undertake a heritage statement is considered on a case by case basis. The size, scale, nature of the proposed development and its relationship Page 3 Agenda Item 7 with heritage assets will differ for each proposal and site. It is not therefore simply a case of a heritage statement being requested if a proposed development is located within 50m of a listed building. For example, the erection of a building within the historic parkland setting of a listed building may have an impact on the setting of the heritage asset despite the proposed building being 200-300m from the listed building. Equally, an extension to a property located within 50m of a listed building may not affect the setting of the heritage asset because other larger modern development lies between the application site and the listed building. It is therefore necessary to assess each proposal on its individual merits and it will not always be possible to pick up whether a heritage statement is required at the validation stage. Depending on the site context and the nature of the proposal, it may then be necessary to request a heritage statement during the course of the application process. For clarification, a heritage statement is different to a Design and Access Statement. The latter is required in the following circumstances: (a) Development which is major development, or (b) Where any part of the development is in a designated area, development consisting of – (i) the provision of one or more dwellinghouses; or (ii) the provision of a building or buildings where the floor space created by the development is 100 square metres or more. In some instances, applicants will include a heritage assessment within a Design and Access Statement. Annex 2: Glossary of the NPPF states: Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Councillor Neill stated they were satisfied with the answers, and with the performance of committee.

A heritage road show was suggested.

51 **23/02370/FUL - New Farm, Daylesford, Aldestrop**

The Case Officer introduced the item, highlighting the planning history of the site, which was extensive, and summarising the application.

The application was for the temporary siting for a two-year period of seven cabins for staff accommodation with associated works including timber bin store, hardstanding and new landscaping (retrospective) at New Farm Daylesford Aldestrop Gloucestershire GL56 0YG.

The Case Officer's recommendation was to refuse the application.

Robert Pierce Jones, an objector, addressed the Committee.

The agent for the application also addressed the Committee, highlighting the need for employee accommodation.

The Ward Member had sent their apologies to the Chair and did not address the Committee.

Member questions

Members asked questions related to the proposed use of the site as staff accommodation and made reference to the need to support economic growth as identified in the local plan. The Case Officer advised that members could take a different view to their recommendation if they saw fit, but that the reason they had referred it to the Committee was due the site's planning history.

Members asked about the relationship between the application and the enforcement notice. The Case Officer explained that the enforcement notice took effect in April 2020 with a 12 month period for compliance, but that this had yet to be pursued by the courts due to delays caused by COVID-19. Due to the passage of time, the current application proposed a revised justification for the development, which Officers considered should be determined by Committee. The Officer confirmed that even though an Enforcement Notice had been served, the application should be decided on its own merit.

Members asked if the Town and Parish Council had been engaged with. The Case Officer stated that the Adlestrop had a Parish meeting (as opposed to a Parish Council), which has not responded.

Members also asked about the nature of the application, which was entirely retrospective (i.e. the works had been completed in full prior to the submission of the application). The Case Officer explained that the structures had been noticed by the former Ward Member after completion, and dated these back to 2019. Members expressed concern that the applicant may have, in their view, been trying to conceal the works from the Council, but the Case Officer advised that this was not a material planning consideration and that the application should be considered the same as a non-retrospective application.

Member Comments

Members stated that the structures were away from the main complex, and in the open countryside, and that harm was caused by this.

Members stated that they appreciated that Daylesford Organic was a valued local business, but that they could not see value in the application. Members stated that they believed a need for accommodation could be met in other ways, as the business owned 11 holiday homes.

Members stated that they agreed with the officer recommendation that the proposal was considered to conflict with the Development Plan and national policy included within the NPPF, which were not outweighed by other material planning considerations.

Councillor Mark Harris proposed refusing the application, stating that if employees did not earn enough to live in the area, this could be resolved by the business increasing their wages.

Councillor Julia Judd seconded the recommendation.

RESOLVED: To REFUSE the application.

Voting record – For 11, Against 0, Abstain 0

| For | Against | Abstain |
|----------------------------|---------|---------|
| Councillor Andrew Maclean | | |
| Councillor Daryl Corps | | |
| Councillor David Fowles | | |
| Councillor Dilys Neill | | |
| Councillor Gary Selwyn | | |
| Councillor Ian Watson | | |
| Councillor Julia Judd | | |
| Councillor Mark Harris | | |
| Councillor Michael Vann | | |
| Councillor Patrick Coleman | | |
| Councillor Ray Brassington | | |

52 **22/00393/FUL - Land At Oakleaze, South Cerney Road, Siddington**

The application was for the erection of 5 Holiday lodges and associated works at Land at Oakleaze, South Cerney Road, Siddington, Cirencester, Gloucestershire, GL7 6HT.

The Case Officer introduced the item, and highlighted the location and history of site.

The Officer's recommendation was to permit the application.

Andrew Pywell, an objector, addressed the committee, making reference to policies 3 and 4 in EC11 'tourist accommodation' and the impact on the rural landscape.

Trevor Webb, who was a friend of the applicant spoke on their behalf, highlighting the history of the site and supporting the application.

The Ward Member was unable to attend the meeting, and instead the Democratic Services Officer read out a statement on their behalf;

"I'm sorry that I can't be with you this afternoon as I am away from the District at an LGA peer challenge.

I am pleased that the Committee is considering this application as the officers' recommendation conflicts with Policies 3 and 4 in EC11 'Tourist Accommodation' in the Local Plan.

Whilst there was historic use of the site for touring caravans, that this was at least ten years ago and prior to the adoption of the current local plan in 2018.

In addition, in my view, this is not a suitable site for holiday caravan provision as there is no safe walking or cycling route from the site.

For these reasons, I would ask members to refuse this application."

Members asked about the existing screening hedge, referring to the visibility of the site and road safety aspects. The Case Officer stated that they had consulted with the highway authority, and following a speed survey, the new access was proposed, leading the highway authority to raise no objection to the application. The Case Officer stated that the highway authority was satisfied with the visibility splays.

Members asked whether the site could be reverted to a caravan site without seeking permission. The Planning Officer stated that the Caravanning and Camping Club were responsible for issuing Caravan licenses, and up to 5 could be permitted without requiring planning permission.

Members made reference to the objection received from the Parish Council, which stated that the proposed lodges were not in fitting with the Cotswold Design Code. The Case Officer stated that as there was no landscape designation for the area, and similarly designed lodges existed in the district, this was not grounds for refusal, in their view.

Member Comments

Councillor Julia Judd proposed refusing the application, referencing the policies within the Local Plan adopted in 2018, after the original caravans were put in place, the site was not within a development boundary and the fact that there were nearby tourist amenities.

Members discussed the proposal, and stated that the reasons for refusing would be referencing Policy EC11 of the Local Plan, which stated;

“Self-Catering Accommodation:

3. Proposals for self-catering accommodation, will only be permitted where it:

a. is provided through the conservation and conversion of existing buildings, including agricultural buildings; or b. is appropriately located within Development Boundaries.

4. Exceptionally, proposals for new-build, short stay, self catering units that are directly associated on-site with a tourist attraction, and required to sustain the viability of the tourist attraction, will be acceptable.”

Members felt that the application was contrary to these policies.

Councillor Patrick Coleman seconded the proposal.

Councillor Mark Harris proposed permitting the application, as per the officer’s recommendation. Councillor Dilys Neill seconded the proposal. The Committee voted on the proposals in the order they were proposed. The Committee first voted to agree to refuse the application, so the proposal to permit the application was not voted on.

Voting record – For 6, Against 5

RESOLVED: to REFUSE application

| For | Against | Abstain |
|-------------------------|---------------------------|---------|
| Councillor Daryl Corps | Councillor Andrew Maclean | |
| Councillor David Fowles | Councillor Dilys Neill | |

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|----------------------------|----------------------------|--|
| Councillor Ian Watson | Councillor Gary Selwyn | |
| Councillor Julia Judd | Councillor Mark Harris | |
| Councillor Michael Vann | Councillor Ray Brassington | |
| Councillor Patrick Coleman | | |

53 Sites Inspection Briefing

Officers would write to confirm if a sites inspection briefing was required.

Members suggested that the colours of the maps be amended for the ease of use of those who are colour blind.

54 Licensing Sub-Committee

The meetings were confirmed by the Democratic Services Officer.

The Meeting commenced at 2.00 pm and closed at 3.35 pm

Chair

(END)