



Minutes of a meeting held remotely of Planning and Licensing Committee held on 10 March 2021

In accordance with relevant legislation, these minutes are a record of decisions taken. They are not intended to be a verbatim account of the meeting. A full recording of the meeting can be accessed at the Facebook link at www.cotswold.gov.uk.

Councillors present:

Juliet Layton - Chair
Patrick Coleman
Stephen Hirst
Nikki Ind
Sue Jepson

Ray Brassington - Vice-Chair
Julia Judd
Richard Keeling
Dilys Neill
Gary Selwyn

Clive Webster

Officers present:

Team Leader - Development
Management
Legal Services Manager
Democratic Services

Senior Case Officer
Service Leader - Licensing

Observers:

Jenny Forde, Steve Trotter.

PL.98 No apologies had been received.

PL.99 **Substitute Members**

There were no substitute Members.

PL.100 **Declarations of Interest**

Councillor Jepson declared an other interest in respect of application 20/02374/FUL, as she had previously undertaken election duties with the Applicant, who was a former Member of the Council.

Councillor Judd declared an other interest in respect of application 20/02374/FUL, as she was acquainted and had previously socialised with the Applicant and his wife, though had not met with them for a number of years.

PL.101 **Minutes**

RESOLVED that the Minutes of the Meeting of the Meeting of the Committee held on 10 February 2021 be approved as a correct record.

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

PL.102 Chair's Announcements

There were no announcements from the Chair.

PL.103 Cotswold District Council's Hackney Carriage and Private Hire Licensing Policy Review

The Committee was requested to review the Draft Common Standards for Licensing Hackney Carriage and Private Hire Drivers in Gloucestershire in advance of a consultation exercise.

The Service Leader – Licensing introduced the report and responded to various questions from Members. In doing so, she explained that a knowledge test was only required to be undertaken by applicants on a new application or if they failed the test twice; Licensing Officers were in regular communication with the taxi trade and a partition screen and other Covid-19 measures had been published within a separate Policy.

Members commented that they considered the Policy to be a well-written document and thanked the Service Leader for her work in relation to the Review.

RESOLVED that the Committee, having considered the draft Common Standards for Licensing Hackney Carriage and Private Hire Drivers in Gloucestershire approve a consultation exercise to seek the views of the trade and relevant stakeholders on the revised policy.

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

PL.104 Amendment to Cotswold District Council's Street Trading Policy

The Committee was requested to amend the annual renewal date for Street Trading Consents.

The Service Leader – Licensing introduced the report and responded to various questions from Members. In doing so, she explained that in one particular case, a case had been brought forward to the Committee which approved the relation of the 30 minute limit for street traders and instead to operate via a rota; in the case of ice cream vans it was not considered appropriate to require the affixing of public notices; each trader was responsible for waste generated and was required to remove any waste at the end of trading; selling a vehicle on a private driveway was a form of street trading consent and required the appropriate policy to do so; whilst the five year review of the previously adopted Policy was due in 2019, this had been delayed due to the pandemic and a review of the Policy was still scheduled and

Officers would engage with the Council's Economic Development Lead Officer to ensure a holistic approach to the Policy.

RESOLVED that the Committee amend the current renewal date from 1 April to 31 March to a period of 12 months from the date the Street Trading Consent is issued.

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

PL.105 **Schedule of Applications**

20/02374/FUL

Change of use of agricultural buildings to flexible office & storage use, construction of new office hub building & new agricultural buildings, along with associated infrastructure at Land at Calmsden Estate, Calmsden, North Cerney.

The Case Officer drew attention to additional information and then displayed a map of the site and aerial photograph, layout plan, barn diagrams, proposed building drawings, landscape plans, an artist's impression of the proposals and photographs of the site from various vantage points.

The Applicant was then invited to address the Committee.

The Ward Member, who did not serve on the Committee, was then invited to address the Committee. The Ward Member explained that she believed the Council had a duty to the residents of the District to carefully consider applications when a decision needed to be finely balanced. She added that the application represented a compelling case for the Calmsden Connect project, which she considered was a great initiative and one that should be applauded. The Ward Member commented that she did consider that the application site would not be a sustainable location and that it remained a very remote site accessed by narrow lanes. She continued that with increased working from home arrangements, a technology hub, as contained within the proposals would serve a good purpose, but the site would not be accessible by the majority of users, unless using a car, and very rarely by bicycle. The Ward Member added that it was unusual for the Highway Authority to object so strongly to an application, but they had on this occasion owing to the site's unsustainable nature, and concluded that the Council need to balance these concerns against those of the climate emergency and carefully consider any potential harm caused in full when making a decision.

In response to various questions from Members it was reported that small scale development was not defined within national policy nor the Council's Local Plan and therefore each case needed to be determined on an individual basis; Highway Officers had made a judgement objecting to the application but the Case Officer considered the benefits of the application to outweigh the harm identified; the Highway Authority objection was dated July 2020 and had not been updated since, despite being sent further amended schemes by the Case Officer, to which no response had been received; the 64 car parking spaces had been based on daily movements, although it was recognised this data was based on pre-pandemic travel levels; the car parking space number was lower than the 71 maximum requirement set out in Local Plan parking standards; phasing of the car park construction would be difficult, in the view of Officers, due to landscaping complexities and it was

considered a more beneficial option to approach holistically and construct in one; there was no retail proposed for the site; the car park surface would be crushed stone and this had raised no objection from the Drainage Officer; no concerns had been raised by Highway Officers in relation to highway capacity and no response had been received to the additional visibility splay information; the Committee could, if minded to approve, condition broadband provision, but it was expected this would be in the interest of the Applicant to acquire the best possible service; the Case Officer did not consider that had Highway Officers responded to the further amended plans for the site, that this would have altered their existing view; the Applicant had provided potential income for the site but this was based on 40% occupancy of some of the space and it was understood the Applicant was seeking flexibility in terms of use.

A Proposition, that the application be approved, was duly Seconded.

Various Members expressed support for the proposal commenting that it was a well-thought out application and looked to ensure farming continued at the site. Whilst recognising the comments of Highway Officers, Members commented that they considered the benefits arising from the site outweighed those concerns.

Various Members expressed disappointment that Highways Officers had failed to respond to the amended schemes and were not present at the meeting.

In response to a specific question from a Member, the Case Officer confirmed that it would be reasonable for the Committee to condition the use of the site for office and storage purposes, but not for office use only. Members were also advised that there would be flexibility within the Use Class for uses other than office and storage use.

A Member commented that he considered the application represented the right application in the wrong location and for reasons relating to the climate emergency, expressed that he could not support approval of the application.

An Amendment, that the application be approved, subject to the use of the buildings identified being limited to office and/or storage use only to ensure any other uses are appropriately considered, was duly Seconded.

The Ward Member was invited to address the Committee again and thanked the Committee for its detailed consideration of the application. She explained that she had a great deal of respect for the Applicant and his family and the work they did in the area and that if approved, she hoped the application would be a success.

On being put to the vote, the Amendment was CARRIED; the record of voting was as follows: For 10, against 0, abstentions 1, absent 0.

Approved, subject to the use of the buildings identified being limited to office and/or storage use only to ensure any other uses are appropriately considered.

Record of voting – for 10, against 0, abstentions 1, absent 0.

(ii) Public Submissions

Public submissions were made or read to the Committee as follows:-

Copies of the representations by the public speakers would be made available on the Council's Website in those instances where copies had been made available to the Council.

PL.106 Sites Inspection Briefings (Members for Wednesday 7 April 2021)

It was noted that Councillors Juliet Layton, Ray Brassington, Stephen Hirst, Julia Judd and Gary Selwyn would represent the Committee at the virtual Sites Inspection Briefing, if required.

PL.107 Licensing Sub-Committees (Members for 28 April 2021)

It was noted that Councillors Ray Brassington, Patrick Coleman, Nikki Ind, Sue Jepson and Richard Keeling would represent the Committee at the virtual Licensing Sub-Committee on 28 April 2021, if required.

It was also noted that Councillors Layton, Hirst and Selwyn had agreed to represent the Committee at the virtual Licensing Sub-Committee meeting on 24 March 2021.

PL.108 Other Business

The Chair commented that she was disappointed with the poor response of the Highway Officers in relation to the application considered at the meeting and advised that she would be requesting the Chief Executive write to the Officers expressing concern on behalf of the Committee. It was hoped a response letter would also contain an update about any change of policy recently undertaken by the Highways Authority.

The Meeting commenced at 10.00am and closed at 11.55am.

Chair

(END)