

SPECIAL COUNCIL MEETING
12th December 2017

ADDITIONAL PAGES (3) – Update 8th December 2017

Representations

Additional representations received between the afternoon of the 6th December 2017 and the morning of the 8th December are summarised below. The representations can be viewed in full on the Council's Online Planning Register.

Objections

Fifteen representations, including one from the Campaign to Protect Rural England (CPRE) have been received raising matters already listed within the Council report and the previous set of Additional Pages, along with the following:

- Financial considerations are irrelevant to the consideration of the OPA;
- How can a service charge for the maintenance of the green spaces be justified? How does that fit in with providing affordable homes and how will it affect the resale value?;
- If this OPA is allowed to proceed, there will be a legal challenge, costing CDC many thousands of pounds of council tax payers' money e.g GCC's Javelin Park;
- Highways impact of the use of Chesterton Primary School before temporary school opens;
- Lack of transparency regarding zero rating for CIL;
- Conditions and procedures should be imposed regarding the scale and nature of "material considerations" referred to in the Officer recommendation;
- It is legally correct that powerlines have not officially been proven as affecting human health there have been papers published that have found links between living near to power lines and a range of health problems;
- Many people will drive children to school, even if it only a few hundred yards;
- Café, sport facilities etc will draw people in from outside the site;
- Local delivery drivers from the east will use the car park for deliveries in the west;
- Car park will not be large enough;
- There will be a 500% increase in traffic crossing the SAM;
- On the assumption that house will remain for 40-50 years, who will deal with legal complications on this site in 2073?;
- 70% of housing need would be delivered by 2021 and only half of Chesterton site would be needed to be delivered in the rest of the plan period to meet the need;
- Any excess housing over the actual need would just increase the already unsustainable levels of out-commuting from the District;
- The plan allows any allocated/windfall site to be developed as soon as the applicant wishes and there is therefore a high risk that the current excessive front loading of development will continue;

- The Chesterton site is the main level CDC has to ensure delivery of housing is properly spread over time and modulated to meet the needs of the District even if this means delaying some of the development beyond 2031;
- It is therefore essential that a condition of approval of the total scheme is that the development be divided into phases and each of the phases be subject to release by CDC at its discretion;
- Two roads are proposed to cross the PRow no. 30 to allow cars and all other vehicles to access properties in one of the middle sections of the site (3a on the indicative phasing diagram), given the new bus gate restrictions on the main road from the western entrance to the middle of the site, significantly more cars would have to use these two roads crossing the public bridleway;
- Convoluted route to access those properties, and it also puts the PRow users at risk;
- Is building roads across public bridleways permitted? How will it work? Who has priority?;

Cirencester Town Council

Cirencester Town Council has submitted the following comments in response to the amended plans:

“Cirencester Town Council Planning Committee Members noted the new details to the outline planning application at Land at Chesterton Farm...The Committee discussed concerns relating to phasing of the primary school and the impact of the relocation of the bus gate, which would be identified in the Chairman's presentation at the Cotswold District Council's Special Meeting to consider the application on 12th December 2017. It was noted that the Committee had no objection to the new details as prima facie they appear to address the principal planning reasons for deferring the Outline Planning Application on 26th September”.

Revisions to the Update Report

Officer Recommendation

The Officer recommendation on page 12 of the Update Report states the following:

IN THE EVENT OF PERMISSION BEING GRANTED BY THE COUNCIL –

(b) that if, by 12th April 2018, one or both of the Section 106 legal agreements have not been completed and an extension of time for completion has not been agreed, delegated authority being given to the Head of Planning and Strategic Housing to refuse the application, with the reason for refusal to be based upon the failure to secure the required infrastructure to support the development.

The Planning Performance Agreement sets out a time period of 6 months to complete the S106 following a recommendation to approve the OPA. Following the

deferral of the decision of the OPA to December, the Applicant has agreed a further extension of time to **12th June 2018**.

Members should refer to this revised date when considering the Officer recommendation.

Amendment to Conditions

The requirements for conditions 8 (Distribution Plan for Affordable Housing) and 9 (Distribution Plan for Elderly Persons Accommodation) are currently proposed to be included within the S106 and as such these conditions are not required.

Additional conditions regarding employment uses are proposed as follows:

1) Any Reserved Matters application, pursuant to the outline planning application hereby approved, including Use Classes A1, A2, A3, A4, A5, D1, D2, B2, and/or B8 floorspace shall be accompanied by a details of the hours of operation of the said use(s) including hours of delivery. The use(s) shall be operate in accordance with the approved details.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy 5 of the Cotswold District Local Plan 2001-2011, Policy EN15 of the emerging Cotswold District Local Plan 2011-2031 and the National Planning Policy Framework.

2) Each Reserved Matters application, pursuant to the outline planning application hereby approved, for Use Class B2 or B8 floorspace shall be accompanied by a scheme for treating fumes and odours so as to render them innocuous before their emission to the atmosphere. The scheme shall be implemented in full prior to occupation of the development and retained permanently thereafter.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy 5 of the Cotswold District Local Plan 2001-2011, Policy EN15 of the emerging Cotswold District Local Plan 2011-2031 and the National Planning Policy Framework.

3) Each Reserved Matters application, pursuant to the outline planning application hereby approved, for Use Class A3, A4, or A5 shall be accompanied by details of the proposed extract ventilation and filter, together with a timetable for installation. The extract ventilation and filter shall be installed, maintained and retained in accordance with the approved scheme thereafter.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy 5 of the Cotswold District Local Plan 2001-2011, Policy EN15 of the emerging Cotswold District Local Plan 2011-2031 and the National Planning Policy Framework.

4) Each Reserved Matters application, pursuant to the outline planning application hereby approved, for Use Class A4, D1, D2 B2 and/or B8 floorspace shall be accompanied by a scheme for the control of noise emitted from the use. The scheme of mitigation shall be based on the noise rating and methodology laid out in BS 4142: 2014 'Methods for rating and assessing industrial and commercial sound. The scheme should ensure that noise levels in gardens and public open spaces do not exceed 55 dB LAeq 1 hour when measured at any period (in accordance with the WHO figure contained in BS8233:2014). The scheme shall be implemented in full prior to occupation of the development the subject of the approved reserved matters application and retained as approved.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy 5 of the Cotswold District Local Plan 2001-2011, Policy EN15 of the emerging Cotswold District Local Plan 2011-2031 and the National Planning Policy Framework.

Consultee Responses

The Environment Agency has no objections to the amended plans.