



Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 13 March 2024

Councillors present:

Ray Brassington – Chair

Dilys Neill

Michael Vann

Mark Harris

Ian Watson

Gary Selwyn

Julia Judd –Vice-Chair (acting)

David Fowles

Daryl Corps

Andrew Maclean

Officers present:

Mark Fisher, Planning Case Officer
Adrian Harding, Interim Development
Management Manager

Andrew Moody, Senior Planning Case Officer
James Felton, Principal Solicitor
Ana Prelici, Democratic Services Officer
Kira Thompson, Elections and Democratic
Services Support Assistant

Observers:

Councillor Juliet Layton

55 Apologies

Apologies for absence were received from Councillor Patrick Coleman.

56 Substitute Members

There were no substitute members.

57 Declarations of Interest

Councillor Selwyn declared an interest in Agenda Item 8, as they sat on the Steadings Community Management Trust, and would abstain on the item.

58 Minutes

The minutes of the 7 February meeting were considered as presented in the pack.

An amendment was made to item number 8 where it stated “11 holiday homes the number was believed to be in excess of this”

RESOLVED: That the Planning and Licensing Committee **APPROVE** the minutes as a true and correct record.

Voting record

For 10, Against 0, Abstain 0, I Absent/ Did not vote

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

59 Chair's Announcements (if any)

There were no Chair's announcements.

60 Public questions

There were two public speakers.

David Hindle, introduced themselves as a resident of Tetbury, and asked the Committee;

"It may be recalled that in early November 23, Committee resolved to grant planning permission for a new Healthcare Centre, and facilitating residential in Tetbury, subject to the completion of a Section 106 Agreement. Most people in Tetbury and the surrounding area were thankful for that decision.

All the matters to be in the Agreement were known. The applicant has not yet received even a first draft of the Legal Agreement from the Legal people acting on behalf of CDC, although 4 months has passed. The applicant, has just received, a first draft from Gloucestershire County Council, for matters that are the responsibility of GCC.

1. Is the Chair aware of who within CDC monitors the progress from resolution, to signing a Legal Agreement?

2. Will the Chair consider requesting Councillor Juliet Layton, as the appropriate Cabinet Member, to promote the introduction of new Key Performance Indicators for different complexities of Section 106 Agreements (3 or 4), setting target times for each level of complexity from resolution, to planning permission being issued, % performance against each?"

The Chair stated that a written response would be circulated from the Legal team.

Bella Amory, who introduced themselves as a resident of the Chedworth and Churn Valley Ward

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I am concerned about an application for Rendcomb Airfield. Various iterations of it have been with the Planning Department since 2021. Rendcomb Airfield was granted planning permission in 1990 for private use. Any notion of commercial activity was to be confined to aircraft storage with operations planned elsewhere. The current application is for 1,000 commercial wing-walking flights. The flights can be anywhere in class G airspace. Just this week, Councillor Michael Dentith of Chedworth Parish Council, who flew for Rendcomb Airfield, confirmed residents' worst fears that these flights can descend as low as 60 metres above the airfield and as low as 152 metres above our homes. The stress caused by this application keeps me and my neighbours awake at night.

There have been nearly 100 objections, many of whom live adjacent to this site. The Civil Aviation Authority (CAA) has a statutory duty to promote aviation and Rendcomb got permission from the CAA to operate commercial wing-walking flights to the public in October 2015. Rendcomb didn't also apply for planning permission from CDC, instead, in 2016 it started to operate unlawful commercial wing-walking flights. Enforcement notices from the Cotswold District Council followed suit. The current unlawful flights create a noise that is unbearable in the summer months. For locals who live nearby, the stress caused by the noise is oppressive. I have sought hypnotherapy, I have been told it won't work. You can't keep your window open nor be in the garden, and the applicant wants to fly five days a week during the day, including Saturdays on the nicest days of the year.

In May 2021, a noise survey which monitored the unlawful flights was conducted by nearby residents in Rendcomb and in Chatsworth, and we recorded on average 60 decibels of noise pollution from the unlawful flight flights (Often it was more). The World Health Organisation states that 55 decibels causes a critical health effect.

CDC has a statutory duty to follow the NPPF and the Local Plan. So my questions are;

- 1) When are you going to follow the policies, the planning documents and reject the latest application, and
- 2) When are you going to enforce the current Section 106 agreement?

The Chair stated that the application was due to come to Committee, but that a date had not yet been set. The Chair explained that an officer response would be provided.

61 Member questions

There were no Member Questions.

62 22/02749/REM - Employment Land East of Spratsgate Lane, Cirencester

The Planning Consultant introduced the site's history and context. The application was for the approval of appearance, landscaping, layout and scale of the employment area to the east of Spratsgate Lane, Cirencester, Gloucestershire.

Public Speakers

James Hicks, the agent on the application addressed the committee. They stated that the applicant had been working with the Council to address concerns of the application, which included acoustic elements of the application. They also explained that the car parking provision met the requirements of Gloucestershire County Council.

The Ward Member did not comment on the application.

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Member Questions

Members stated that the area was classed for employment use and asked what types of businesses would fall within this. The Planning Consultant explained that this would be use classes B2 (general industrial use) and B8 (storage or distribution)

Members asked about uses such as tool stations, with a small outlet for the public, and how much of this retail use could be carried out without seeking planning provision. The Planning Consultant explained that there were established guidelines for when storage use became retail, but that this essentially required it to be ancillary use.

Members discussed the parking issues. The Planning Consultant explained that the policy parameters around parking, and that the parking was maximum for B8, not B2. The parking required for what the Council deemed to be safe would be in excess of what would be fair on the applicant and cause increased damage to the environment. Therefore the condition of a TRO (traffic regulation order) was added in. Other mitigations included were increased cycle parking and a travel plan.

The acoustics report was discussed. The Planning Consultant explained that the Council's acoustics specialist stated that the applicant's mitigation was insufficient, so this was included within the reserved matters of the application.

Members asked the Planning Consultant how the unilateral undertaking related to the conditions with the report. The Planning Consultant explained that this related to financial contributions to the parking and the pedestrian link that the applicant had offered to build.

Members asked whether all subsequent applications on the site would be considered by the Committee. The Planning Consultant stated that the scheme of delegation, which addressed such matters was being reconsidered by the Council at present. The reason the application was brought to the Committee was due to objections on the contentious parking and noise issues, and so it was deemed to bring the specific application to committee.

Members also discussed the lighting aspects of the application.

Member Comments

Members welcomed the additional employment opportunities within the District but stated that caution should be taken that the development should not evolve into retail use.

Councillor Andrew Maclean proposed permitting the application, welcoming the employment opportunities it provided.

Councillor Fowles seconded the proposal.

It was discussed that the agent had been cut off after three minutes, as customary for the Committee. Members felt they would have wanted to hear the remainder of the agent's statement, specifically about the BREAM statement. Members suggested that the process potentially be re-evaluated, so that they could ask questions of the agent or applicant, as at other Local Authorities.

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Members stated that Cirencester was a 'net importer' of employees, and that traffic implications existed. They also urged that if any issues existed as a result of the proposals, that residents report these to environmental health.

RESOLVED: That the Planning Committee **DELEGATES AUTHORITY** to the Interim Head of Planning Services to determine this application subject to:

- a) the completion of a UU prior to the Decision Notice being issued, which secures a financial contribution sufficient to enable the local highway authority to progress and implement the parking restrictions described in this report, and which also secures the submission of (and the opportunity to determine) an RMA for the additional landscaping described in this report; b) agreement of a satisfactory scheme for controlling noise emitted from the development, if such a scheme has not already been agreed prior to the Planning Committee meeting;
- c) the suggested draft conditions set out in this report;
- d) delegated authority being given to the Interim Head of Planning Services to amend and/or add to the suggested draft conditions prior to the Decision Notice being issued, where such amendments would be legally sound and would not deviate significantly from the purpose of the draft conditions;
- e) expiry of the necessary additional public consultation exercise;
- f) careful consideration being given to any further representations received in response to that additional public consultation exercise; and
- g) referring the application back to the Planning Committee if any new or altered material considerations arise before the grant of reserved matters approval which, in the view of the Interim Head of Planning Services, may have the effect of altering the resolution.

Voting Record

8 for, 1 against, 1 abstention, 1 Absent/did not vote

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

63 23/02101/FUL - Land and Properties at Berkeley Close, South Cerney

The Case Officer introduced the application, highlighting the design of the houses and apartments. The application was for the demolition of 56 no. existing REEMA non-traditional

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residential units and 21 lock up garages, stopping up of existing highway and the erection of 84 no. new residential units, the retention and refurbishment of 2 existing residential units. It also included an associated new proposed adopted highway, access drives, open space, external works and landscaping at Land and Properties at Berkeley Close, South Cerney Gloucestershire GL7 5UN.

Public speakers

An Objector, Nigel Bailey addressed the Committee, highlighting the loss of green space.

Councillor Philip Nicholas, from South Cerney addressed the Committee, also highlighting the loss of green space .

A representative of the applicant, Millie Nicholls, (employed by Bromford Housing) addressed the Committee. They explained that there would be additional housing and improved accommodation resulting from the proposal.

The Ward Member, Councillor Layton addressed the Committee supporting the application. Councillor Layton explained that the application fits in with the corporate strategy of additional affordable housing, and explained that it was deferred to the Committee solely due to the areas of land shown on page 107 being owned by the Council.

Member Questions

Members asked what REEMA was. It was explained that this was reinforced prefabricated concrete housing.

Members discussed biodiversity net gain, making reference to the mandatory requirement which had recently been introduced. The Case Officer explained that the biodiversity officer had no objections to the application, and that biodiversity net gain was not mandatory at the time the application was submitted.

Members asked officers about the loss of green space, and whether the Case Officer felt that the development was suitable in light of this.

The Case Officer stated that in their view, the improvement in the environmental credentials of the housing, the play areas provided and the highway crossing near the junction of Broadway Lane and High Street, which on balance overrode the loss of green space, but it was ultimately up to Members to decide for themselves.

Members asked whether it would have been possible to refurbish the existing houses, which were not in good condition, to improve the environmental credentials. The Case Officer stated that two were being refurbished but that they were not privy to such discussions in terms of how this would be done.

Members asked what would happen to the four houses that were in private ownership. The Case Officer explained that they would remain the same.

Members asked if any agreements were in place in regard to the Council's ownership of the footpaths. The Case Officer stated that the footpath only became apparent whilst the unilateral undertaking was being drafted. However, and tthis was not a material planning consideration, and would be a matter for the Council's Assets team.

Members discussed the South Cerney Neighbourhood Development Plan, POLICY SC10 of which designated the area as a local green space, development of which would be supported only in specific circumstances. Officers noted that the green space allocated was believed to not be greatly utilised.

Members asked what the tenure for affordable housing was. The Case Officer explained that the application was for a mix of social and shared ownership.

Member Comments

Councillor Andrew Maclean proposed refusing the application. Councillor Maclean commended the houses, stating they were great quality houses, and energy efficiency. However, parking concerns and the contradiction with Policy SC10 of the Neighbourhood Development plan led them to propose refusing it.

Councillor David Fowles seconded the proposal, agreeing with Councillor Maclean's statements and stating that the applicant should have done more to engage with the Town and Parish Council and the Objector.

Some members disagreed, stating that they felt that the much improved quality of housing overrode these concerns.

The Interim Development Management Manager drew the committee's attention to the lack of quality of the open space, and suggested that the Committee may wish to defer the item in order to allow the applicant to engage with community concerns.

After hearing this, the proposer and seconder of the proposal both agreed that they wished to change their proposal to deferring the application instead.

Some Members disagreed, stating that this would slow down the process.

RESOLVED: That the Planning and Licensing Committee agree to defer the application for a period of up to 6 months to explore the possibility of green space retention.

Voting Record

For 6, Against 4, abstention 0, 1 absent/ did not vote

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

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Councillor Richard Harrison from the Town and Parish Council addressed the Committee to object to the application.

Philip Braiden, an objector addressed the Committee.

Councillor Michael Vann as the Ward Member addressed the Committee.

The Case Officer outlined the application. The Application was for the Proposed demolition of existing buildings and the conversion of an existing building to dwelling and four new dwellings (Resubmission of 22/00025/FUL) at Land at Grid Reference 415682 201136 London Road Fairford Gloucestershire GL7 4AS

Members who attended the Sites Inspection Briefing summarised it. They stated that the site was derelict and more suitable for residential than industrial use. Members believed that the site would benefit from the proposal, and that they could not see any highways issues.

Member Questions

Members discussed that Unit 4 of the was considered a non-designated heritage asset.

Members asked what the fallback position of the proposal would be, which the Case Officer explained that this would be in Class B2 use. The issue of the access track was a private one between the applicant and the landowner, which the Council had no say in.

Members stated that car parking garages existed and that if they were used there would be no car parking issues.

Member Comments

Councillor Mark Harris proposed permitting the application, explaining that they felt the fallback position would be detrimental to the site.

Councillor Ian Watson seconded the proposal.

RESOLVED: That the Planning and Licensing Committee PERMIT the application.

**Voting Record,
For 10, Against 0, Abstentions 0, 1 Absent/ did not vote**

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

65 **23/03336/FUL- 15 Smiths Field, Cirencester**

The Vice Chair took the as the Chair was the Ward Member.

A supporter of the application addressed the committee. They explained that they were a neighbour, and that the application would provide more accommodation for a local family.

The applicant addressed the Committee and explained that the purpose of extension would improve their quality of life due to improved accommodation. They felt that the application was in keeping with the area.

The Officer explained the application. The application was for the erection of two storey front extension with single storey projection, and single storey rear extension to replace existing conservatory at 15 Smiths Field Cirencester Gloucestershire GL7 1XX.

Councillor Ray Brassington, as the Ward ember addressed the application, raising concerns over the size of application and its prominent position.

Member Questions

Members discussed the design of the application. The Case Officer had stated in their report that the application was appropriate, but the Ward Member had disagreed. The Case Officer stated that ultimately design was subjective. As part of this, it was discussed whether the design code required an extension to be visually subservient to the main property. The Case Officer stated that subservience was one consideration but that considering the property was a modern property, and not in a conservation, area they considered the extension appropriate.

The extension would result in an increased footprint of 49%, but the Case Officer explained that this was over two stories, with most of the increase on the ground floor, so considered it appropriate by them.

Members stated that they believed that there was limited street scene which would be impacted by the proposal.

Member Comments

Members stated that they liked the application and were not concerned about visual impact. They added that the neighbour supporting the application was unusual and proved that there was little concern amongst local residents.

Councillor Mark Harris proposed permitting the proposal. Councillor David Fowles seconded the proposal.

RESOLVED: That the Planning and Licensing Committee PERMIT the application.

Voting Record

For 9, Against 0, Abstain 0, 2 Absent/Did not vote

*Councillor Ray Brassington had left the room, so did not vote

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| 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 | | |

66 Sites Inspection Briefing

Planning Officers would confirm if a Sites Inspection Briefing would be required at a later date.

67 Licensing Sub-Committee

A Licensing Sub-Committee would take place on Wednesday 28 March with Councillors David Fowles, Dilys Neill, Ray Brassington.

The Meeting commenced at 2.00 pm and closed at 5.30 pm

Chair

(END)