

**PLANNING AND LICENSING COMMITTEE**  
**10 June 2026**  
**ADDITIONAL PAGES** (*Published 08.06.2026*)

**AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

<b>ADDITIONAL REPRESENTATIONS ON AGENDA ITEMS</b>		
<b>Agenda No:</b>	<b>Ref No:</b>	<b>Content:</b>
<b>8</b>	<p><b>25/02687/FUL</b></p> <p><i>(Land parcel East of Willersey Business Park Willersey)</i></p>	<p><b>Additional comments received from Willersey Parish Council</b> – see attached</p> <p><b>Email correspondence received from Willersey Parish Council</b> on 29 May 2026:</p> <p><i>‘The Parish Council requests that Cotswold District Council secures a S106 contribution for the installation of a bus shelter at the existing bus stop on Collin Lane.</i></p> <p><i>The application site lies approximately 200 metres from this bus stop, well within the accepted 400-metre walking catchment used in national and local transport policy. The development will therefore increase passenger use of this stop.</i></p> <p><i>The Parish Council owns the land adjoining the pavement at this location and confirms that it is willing to facilitate installation of the shelter. This removes any land-ownership constraints and enables straightforward delivery by Gloucestershire County Council as Highway Authority.</i></p> <p><i>The current stop has no weather protection, which disproportionately affects older residents, schoolchildren and those with mobility issues. A shelter would support sustainable transport objectives under NPPF paragraphs 112–113 and the Gloucestershire Local Transport Plan.’</i></p>

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<p align="center"><b>8</b></p>	<p><b>25/02687/FUL</b></p> <p><i>(Land parcel East of Willersey Business Park Willersey)</i></p>	<p><b>Other Representations</b></p> <p><b>1 objection received:</b></p> <p><i>'I do not consider that the applicant has demonstrated that this proposal complies with the development plan when read as a whole. Whilst the site forms part of Local Plan allocation W_7A/WIL_E1C, allocation alone does not create an automatic entitlement to planning permission. The submitted scheme must still satisfy all relevant planning policies and material considerations.</i></p> <p><i>My principal concerns are as follows.</i></p> <p><i>Firstly, the proposal exceeds the housing provision identified within Policy S19. The Local Plan allocation envisaged approximately 49 dwellings alongside employment land, whereas this application seeks permission for 60 dwellings. This represents a significant increase in development intensity. The applicant has not adequately justified why a scheme around 22% larger than that considered through the Local Plan process should be regarded as acceptable. Such an increase inevitably raises concerns regarding landscape impact, infrastructure capacity, traffic generation, parking demand and overall compatibility with the vision established for the allocation.</i></p> <p><i>Secondly, the landscape impacts have been understated. The applicant's own Landscape and Visual Impact Appraisal acknowledges that the site contributes to the setting of the Cotswold National Landscape and that the surrounding landscape possesses a high degree of sensitivity. The site occupies a prominent gateway location on the approach to Willersey from the north-east, where open countryside currently provides a clear and attractive transition to the</i></p> <p align="right"><b>Cont/.....</b></p>

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## ADDITIONAL REPRESENTATIONS ON AGENDA ITEMS

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8	<p><b>25/02687/FUL</b></p> <p><i>(Land parcel East of Willersey Business Park Willersey)</i></p>	<p><i>With regards to Infrastructure, GCC will cover that from the point of view, of Education, and Library Provision. If they consider Transport inadequate, GCC could also specify what they would wish to see in terms of financial contribution. The bulk CIL will go to CDC, with an element to the Parish, with the use decided by the Parish, providing the use is covered by what is permitted, under the NCIL, part of the Legislation.'</i></p>
10	<p><b>25/02389/PROWOR</b></p> <p><i>(Worwell Farm Tetbury)</i></p>	<p><b>Addition to Case Officer Report – Annex C (Site Photographs)</b> – please see attached</p> <p><b>4 representations received in support</b> of the application from one member of the public, raising the following comments:</p> <ul style="list-style-type: none"> <li>• Welcome the proposed changes, in particular the gap between the proposed route and the nearby road</li> <li>• Requests that there are 'no cycling' signs erected at the Cirencester Road end of the path</li> <li>• No concerns over access to the Worwell</li> </ul> <p><b>1 general comment</b> has also been received, raising the following matters:</p> <ul style="list-style-type: none"> <li>• Pleased that access to Worwell is now included, but query how this allows access by carriages as per the original rights</li> </ul>

# Comments for Planning Application 25/02687/FUL

## Application Summary

Application Number: 25/02687/FUL

Address: Land Parcel East Of Willersey Business Park Willersey Gloucestershire

Proposal: Residential development comprising 60 dwellings with associated roads, accesses, parking and servicing, open space, landscaping and drainage infrastructure

Case Officer: Martin Perks

## Customer Details

Name: Kevin O'Donoghue

Address: Willersey Parish Council Broadway wr127pw

## Comment Details

Commenter Type: General Comments

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

- Other

Comment: Parish Council Comment:

The PC does not accept the applicant's interpretation of national or local planning policy in respect of either allotments or recreation ground mitigation.

The Parish Council therefore requests that CDC secure a policy compliant package of mitigation in accordance with the NPPF, the Local Plan, and the CIL Regulations.

Our position is set out below.

Summary

Allotments

- The NPPF requires either a surplus assessment or equivalent or better replacement provision.
- No surplus assessment exists and we have shown that they are not surplus to requirements.
- Replacement allotments are mandatory mitigation, not a discretionary offer.

Recreation Ground

- The £8,000 contribution is not proportionate, not policy compliant, and not aligned with local precedent.
- A lawful, evidence based contribution is in the region of £72,000-£90,000.
- CIL receipts do not alter or reduce the S106 requirement.

### 1. Allotments

The applicant's position is legally and policy incorrect.

The applicant asserts that there is "no development plan policy basis" for requiring replacement allotments.

This is not supported by national policy, local policy, or case law.

## 1.1 National Planning Policy Framework

- the statutory test applies regardless of allocation.

NPPF paragraph 99 states that existing open space, sports and recreational land "should not be built on unless":

- "an assessment has been undertaken which has clearly shown the open space to be surplus to requirements", or
- "the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality."

Allotments fall within the NPPF definition of open space.

The NPPF test is mandatory and applies irrespective of site allocation.

Allocation does not extinguish existing uses nor remove the requirement to mitigate their loss.

No surplus assessment has been undertaken.

Therefore, replacement provision is required as a matter of national policy.

## 1.2 Cotswold District Local Plan

Multiple policies are relevant:

The following adopted policies apply:

- EN2 - Design of the Built and Natural Environment

Requires protection and enhancement of green infrastructure assets.

- EN8 - Biodiversity and Geodiversity

Requires avoidance of loss of features of biodiversity value, which allotments provide.

- INF3 - Infrastructure Delivery

Enables planning obligations to secure infrastructure necessary to mitigate development impacts, including community facilities and open space.

The Local Plan's Green Infrastructure Strategy identifies allotments as part of the district's green infrastructure network.

## 1.3 Legal position

The Parish Council therefore rejects the suggestion that replacement allotments are a "voluntary" matter.

They are policy required mitigation arising from:

- NPPF para 99
- Local Plan policies EN2, EN8 and INF3

We welcome the applicant's willingness to discuss potential provision, but this must be understood as a requirement arising from the planning application process - specifically, policy required mitigation under NPPF paragraph 99 and Local Plan policies EN2, EN8 and INF3 - rather than a voluntary gesture by the applicant and should form part of the formal planning approval.

## 2. Recreation Ground

The proposed £8,000 contribution is not lawful mitigation

The applicant states that the on site facilities "make a significant contribution to meeting local

needs" and that £8,000 is "reasonable and fair".

This position is not supported by evidence, policy, or local precedent.

2.1 The on site facilities do not mitigate the impact on the existing recreation ground.

The applicant concedes that the proposed facilities do not replicate the role or function of the established village recreation ground.

However, the development will:

- increase population
- increase demand for sports and recreation especially for older children and adults.
- increase pressure on the existing recreation ground located within a few minutes walk.

This triggers the legal tests under Regulation 122 of the Community Infrastructure Levy Regulations 2010:

A planning obligation must be:

1. Necessary to make the development acceptable
2. Directly related to the development
3. Fairly and reasonably related in scale and kind

The £8,000 offered does not meet these tests as shown by:

2.2 Evidence from comparable developments

Recent S106 agreements in comparable rural settlements (Broadway, Mickleton, Honeybourne, Pebworth, Chipping Campden) show consistent recreation ground contributions of £1,200-£1,500 per dwelling.

In particular we cite W/25/02076/OUT, previously sent to you, in neighbouring Broadway Wychavon, approved recently on 25/3/2026, an application for 60 homes where the contribution to leisure facilities is a total of £182767 in addition to the provision of a POS.

For a development of this scale, the minimal contribution would be:

£72,000 - £90,000

This is the only range that is:

- consistent with local precedent
- compliant with Reg.122
- proportionate to the scale of impact

An £8,000 contribution is manifestly inadequate and would not withstand scrutiny.

2.3 CIL does not replace S106

The applicant's reference to the Parish Council's CIL share which is capped at £45k for all the current applications is misconceived.

National guidance and CDC's own framework confirm:

- CIL cannot be used to mitigate site specific impacts
- CIL does not remove the need for S106 where direct mitigation is required

CIL and S106 serve different statutory purposes

Therefore, CIL receipts are irrelevant to the S106 requirement.

### 3. Defibrillator

A defibrillator and provision for its maintenance should be part of the planning conditions

### 4. Bus Stop

Should be provided 200 mtrs away at Collin Lane

**25/02389/PROWOR – Annex C (Photographs)**



**Existing View from Cirencester Road**



**New path as constructed (1)**



**New path as constructed (2)**



**New path as constructed (3)**



**Path as constructed linking to existing public right of way**



**Existing route of public right of way (1)**



**Existing route of public right of way (2)**



**Existing route of public right way (3)**



**Wor Well**