

PLANNING AND INFRASTRUCTURE WORKING GROUP (PIWG)

Summary: To review the progress of the Planning and Infrastructure Working Group and planning-related activity.

Recommendation: That the Executive Committee notes the report.

Report by: John Mills, Planning Lead

MEMBERS OF THE GROUP

- Nigel Adcock, Local Authority Board Member
- Martin Haywood, Local Authority Board Member
- Liz Hodges, Parish Council Board Member
- Graham Hopkins, Secretary of State (SoS) Board Member (Chair)
- Cate Le Grice Mack, SoS Board Member
- Caroline Mumford, Cotswold Voluntary Warden
- Officers: John Mills, Planning Lead; Simon Joyce, Planning Officer

PIWG MEETINGS SINCE THE LAST EXECUTIVE COMMITTEE

- There have been two PIWG meetings since the last PIWG report to the Executive Committee – these were on 16 January 2024 and 16 April 2024. At the meeting on 16 January, we discussed: the Executive Committee paper on the Levelling Up and Regeneration Act 2023; the review of planning decisions in 2023/2024; the installation of poles by broadband providers in areas that already have underground provision; the selling off of important historical and biological sites into smaller parcels of land. At the meeting on 16 April, we discussed the ‘seek to further’ duty.

KEY PERFORMANCE INDICATOR (KPI) DATA

- In Q4 (January – April 2024) we provided a substantive response to 83% (25/30) of pro-active planning applications consultations, above our primary consultation thresholds, by the original deadline. For 2023/24 as a whole, this figure was 86% (86/100). Our target range for 2023/24 was 70-94%. For reference, the average for 2022/23 was 91%.

OTHER PLANNING-RELATED QUARTERLY DATA

- In Q4, we commented on 36 ‘major’ planning applications. The total for 2023/24 was 89 responses. For reference, the total for 2022/23 was 98 responses.
- In Q4, we commented on 28 ‘minor’ planning applications. The total for 2023/24 was 100 responses. The total for 2023/23 was 91 responses.
- In Q4, decisions were made on 14 development management proposals that we had objected to and hadn’t withdrawn our objection to. 10 of these were refused, withdrawn or disposed of (i.e. in line with the Board’s recommendations) and four were permitted. Of the four that were permitted, we had provided holding objections to two of them, for which our concerns were addressed through planning conditions. So, in Q4, 71% (10 out of 14) were in line

with the Board's recommendations. The average for 2023/24 was 54% (15 out of 28).

OTHER PLANNING-RELATED ACTIVITY

- Other planning-related activity since the last PIWG report for the Executive Committee meeting on 23 January 2024 includes:
 - **National Landscapes Association (NLA) Secondment:** Since 22 January 2024, John has been on a part-time secondment with the NLA. This has involved producing a survey on the 'seek to further' duty, which John circulated to all national landscapes and national parks in England. Responses were provided by 18 national landscapes (53%) and by four national parks (40%). John has compiled the survey responses and shared the compiled responses with the national landscapes and national parks. As part of this work, John has set up a Task & Finish Group, which has met on 1 March and 26 April and will be meeting again later this month. John has also arranged a meeting with national landscape lead officers and planning officers on 16 May. John has had several meetings with Ruth Larbey (NLA) and Andrew Baker (Defra) to discuss the 'seek to further' duty – this has included commenting on (and providing suggested text for) the draft Defra guidance on the 'seek to further' duty. The main outputs from the secondment will be two reports – one focussing on the survey responses and one focussing on potential implications for relevant policies in the National Planning Policy Framework. It is anticipated that these reports will be produced by the end of May, at which point the secondment will come to an end.
 - **Local Plan consultations** (N.B. In all our responses we highlighted the new 'seek to further' duty):
 - **South Gloucestershire Local Plan - Phase 3 consultation** (responded on 26 February 2024): One of our key 'asks' was for the Local Plan to include a policy specifically for the Cotswolds National Landscape (CNL). We supported the identified priorities and objectives (with some minor tweaks) and the proposed spatial approach to development. We raised concerns about: some of the proposed allocations in the CNL; the way in which the draft Plan seems to treat the 'standard method' housing need figure as a target; the approach taken to renewable energy, primarily the fact that the identification of 'suitable areas' isn't currently underpinned by a landscape sensitivity assessment.
 - **Cheltenham, Gloucester and Tewkesbury Strategic & Local Plan – Issues and Options consultation** (responded on 12 March 2024): We supported (with some minor tweaks) the proposed Vision and Strategic Objectives and the proposed measures to address climate change and nature recovery. We recommended a requirement to deliver at least 20% biodiversity net gain. We set out additional recommendations in relation to renewable energy, housing and the spatial development strategy.

- **Cotswold District Local Plan – Update Consultation** (responded on 12 April 2024): We supported (with some minor tweaks) the draft objectives, the proposed spatial development strategy. We expressed concerns about the draft Vision being heavily orientated towards economic and social objectives (more so than environmental objectives) and about the proposals relating to renewable energy. We commented on the draft policies relating to housing, design, biodiversity, dark skies, Moreton in Marsh, the Royal Agricultural University and Sherborne Estate. We also set out some over-arching principles relating to the CNL and the wording of the CNL policy.
- **Bath and North East Somerset Local Plan - Options Consultation** (responded on 25 April 2024): We recommended that the Plan should have a policy specifically for the CNL and the Mendip Hills National Landscape. We expressed concerns about the 'standard method' housing need figure being treated as a target and several of the proposed allocations in the CNL and its setting. We supported some aspects of the policies relating to renewable energy but expressed concern about the renewable energy targets. We commented on a range of other policies including those relating to housing, biodiversity, lighting and minerals. We also set out some key principles relating to the CNL.
- **West Oxfordshire Local Plan:** Following on from our response to the 'Ideas and Objectives' consultation in October 2023, John had a meeting with Chris Hargraves, Planning Policy Manager at West Oxfordshire District Council, on 10 May 2024, to discuss relevant issues ahead of the next round of consultation.
- **Neighbourhood Plan consultations:**
 - **Cirencester Neighbourhood Plan – Regulation 14 consultation** (responded on 6 March 2024): This was a 'light touch' response setting out key considerations relating to the CNL.
 - **Leckhampton with Warden Hill Neighbourhood Plan – Regulation 16 consultation** (responded on 6 March 2023): This was a 'light touch' response setting out key considerations relating to the CNL.
- **Significant planning-related decisions:**
 - **22/02169/EOUT - 290 dwellings at Combe Hay, Bath (Bath & North East Somerset Council):** This application was refused by BANES Planning Committee, against the recommendation of its officers. The Board has consistently objected on the basis that the exceptional circumstances to justify a major development within the CNL for a number of dwellings significantly above the number the site is allocated for within the BANES Core Strategy had not been demonstrated by the applicant. The Board liaised with local Parish Councils, Ward Members who opposed the application and the local campaign group, the South of Bath Alliance, providing

additional advice in relation to exceptional circumstances and the AONB designation.

- **PL/2023/04816 - 25,000sqm of commercial floorspace at Corsham (Wiltshire Council):** This application for a large commercial development on unallocated greenfield land within the setting of the CNL was withdrawn by the applicant. Both the Board and the Council's Landscape Officer has objected on the basis the applicant had not adequately assessed the proposal's potential impact upon the natural beauty of the CNL.
- **Appeal ref. 3332089 - 40 dwellings at land west of London Lane, Ascott under Wychwood (West Oxfordshire District Council / Planning Inspectorate):** This appeal was dismissed following a public inquiry in February/March 2024. In refusing the application last year WODC concurred with the Board's assessment that the applicant had not adequately demonstrated that exceptional circumstances existed for a major development in this West Oxfordshire village within the CNL. The Inspector agreed and considered that the scheme would also have had unacceptable landscape and visual impacts.
- **Significant planning applications that we have objected to (since the last Executive Committee meeting):**
 - **S.23/2428/OUT - 2,550 dwellings at Whaddon (Stroud District Council):** The Board has objected to this application within the setting of the CNL south of Gloucester due to its potential impact on views to and from the Escarpment and also on grounds of prematurity. The land is a safeguarded allocation in the emerging Stroud District Local Plan Review to meet future housing needs of neighbouring Gloucester City, should Gloucester City Council conclude it cannot meet its housing needs within its own boundaries through the emerging Cheltenham, Gloucester and Tewkesbury Strategic Local Plan. The level of housing need within Gloucester has yet to be established as the Strategic Local Plan is in its very early stages.
 - **23/03071/FUL - 37 dwellings at Forest Road, Charlbury (West Oxfordshire District Council):** The Board objects to the latest application at this site in West Oxfordshire which has a long planning history. We consider that the applicant has not demonstrated that the exceptional circumstances exist to justify a major development within the CNL and have concerns regarding its landscape and visual impact and impacts upon neighbouring ancient woodland.
- **Miscellaneous:**
 - John has obtained a detailed quote from Land Use Consultants (LUC) for a Woodland Opportunity Mapping project for which funding has now been secured.

- John has provided case studies for a report that has been commissioned by Natural England in relation to the 'seek to further' duty.
- John has chaired two meetings of the Southern Protected Landscapes Planning Officers Group – 24 January 2024 and 1 May 2024.
- John has participated in two meetings (2 February and 27 February 2024) relating to the Cotswolds VIP project (the proposed undergrounding of high voltage cables and removal of pylons between Winchcombe and Cheltenham). The scheme is likely to have significant benefits for the CNL, particularly with regards to enhancement of views, but we are also trying to ensure that adverse impacts on priority habitats and ancient woodland are avoided.
- John has also participated in meetings relating to the A417 Missing Link scheme.

DECISIONS REQUIRED

- No decisions required.

NEXT STEPS

- It is anticipated that a PIWG meeting will be held in July 2024 – date and location to be confirmed.
- Key work areas over the next few months will include:
 - Concluding the secondment with the National Landscapes Association (NLA) with two reports - end of May 2024. (N.B. We will be discussing with NLA the potential need for a further secondment).
 - Liaising with local authorities on our local plan consultation responses and on the 'seek to further' duty – including South Gloucestershire Council on 27 June and Bath & North East Somerset Council on 1 July.
 - Further work on the 'seek to further' duty, including leading a workshop on this topic at the National Landscapes Annual Conference on 3 July 2024.
 - The Woodland Opportunity Mapping project (and possibly the Renewable Energy Opportunity Mapping project).
 - Drafting a new Minerals and Waste Position Statement (N.B. The Biodiversity and Planning Position Statement will be postponed until local authorities have produced their Local Nature Recovery Strategies – anticipated to be in early 2025).

NO SUPPORTING PAPERS

MAY 2024