

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

- Liz Hodges, Parish Council Board Member
- Nigel Adcock, Local Authority Board Member
- Martin Haywood, Local Authority Board Member
- Graham Hopkins, SoS Board Member
- Cate Le Grice Mack, SoS Board Member
- Caroline Mumford, Cotswolds Voluntary Warden
- Officers: John Mills, Planning Lead, Simon Joyce, Planning Officer

PIWG MEETINGS SINCE THE LAST EXECUTIVE COMMITTEE

- A PIWG meeting was held on 13 September 2023, where we discussed the PIWG update paper that was going to be presented to the Executive Committee on 19 September 2023.

KEY PERFORMANCE INDICATOR (KPI) DATA

- In Q3 (October–December 2023) we provided a substantive response to 92% (24/26) of pro-active planning applications consultations, above our primary consultation thresholds, by the original deadline. For Q2 (July–September 2023), this figure was 87% (20/23) and, for Q1, it was 81% (17 out of 21). The average for 2023/24, to date, is 87% (61/70). These are all within our target range, for 2023/24, of 70-94%. For reference, the average for 2022/23 was 91%.

OTHER PLANNING-RELATED QUARTERLY DATA

- In Q3, we commented on 18 'major' planning applications. In Q2, this figure was 19 and, in Q1, it was 16. The total, to-date, in 2023/24 is 53. The total for 2022/23 was 98 responses.
- In Q3, we commented on 25 'minor' planning applications. In Q2, this figure was 16 and, in Q1, this figure was 31. The total, to-date, in 2023/24 is 72. The total for 2023/23 was 91 responses.
- In Q3, decisions were made on two development management proposals (one planning and one planning appeal) that we had objected to and hadn't withdrawn our objection to. These were the planning appeal relating to the truck-stop proposal near Daglingworth, which was dismissed, and a proposal for seven dwellings in Long Compton (23/02211/FUL), which was withdrawn. So, in Q3, 100% (2 out of 2) were in line with the Board's recommendations. In Q2, this figure was 25% (2 out of 8) and in Q1, this figure was also 25% (1 out of 4). The average for 2023/24, to-date, is 38% (5 out of 14).

OTHER PLANNING-RELATED ACTIVITY

- Other planning-related activity since the last PIWG report for the Executive Committee meeting on 19 September 2023 includes:
 - **Discussions with the National Landscape Association (NLA), Natural England and Defra to support national-level planning work:** These discussions have primarily revolved around the new statutory duty on relevant authorities to seek to further the purpose of designation.¹ There is a key opportunity, at present, to influence any forthcoming guidance or secondary legislation relating to this new duty. John has been proactive in liaising with the NLA, Natural England and Defra to see how he can play a role in this. The key outcome of these discussions is that he will be starting a three-month secondment with the NLA, on a part time basis (0.4 FTE) starting on 22 January. He has also been involved in discussions with the NLA to help establish a Planning and Placemaking 'Community of Practice' across the national landscapes family.
 - **Cotswold Symposium:** John gave a presentation at the Cotswold Symposium, at the Royal Agricultural University, on 23 November. The Symposium was celebrating the 50th anniversary of the book 'The Cotswolds: A New Study'. John's presentation focussed on key planning issues within the Cotswolds, past, present and future.
 - **Climate Action Workshops:** John participated in the Board's climate workshops, including the climate action workshop on 17 October and the energy workshop on 8 November.
 - **Local Plan consultations:**
 - **West Oxfordshire Local Plan – Ideas and Objectives consultation (response = 25/10/23):** In principle, we supported the draft objectives set out in the Plan, although we identified that further work was required in relation to the biodiversity objective to make it more aspirational.
 - **Cherwell Local Plan Review – Regulation 18 consultation (response = 3/11/23):** Overall, we supported the objectives and aspirations set out in the Plan, albeit with some suggested amendments.
 - **Wiltshire Local Plan – Pre-submission draft consultation (response = 22/11/23):** We objected to a proposed allocation adjacent to the Cotswolds National Landscape, near Malmesbury. The Local Plan evidence indicated that the proposed development would be harmful to the setting of the National Landscape. We didn't consider that there was sufficient evidence to demonstrate that the benefit of the development would outweigh the harm.
 - **Neighbourhood Plan consultations:**
 - **Stow-on-the-Wold and the Swells Neighbourhood Plan – Regulation 16 consultation (response = 5/1/24):** objected to the proposed allocation of 170 dwelling (plus car park and community centre) at Land North East of Stow; we are concerned about the

¹ See Agenda Item 9 (Levelling Up and Regeneration Act 2023) of the Executive Committee meeting.

scale and extent of development being proposed and do not accept that exceptional circumstances have been demonstrated to justify this major development.

- **Significant planning-related decisions in Q3 of 2023/24:**
 - **APP/F1610/W/22/3306694 (Truck Stop, Gloucester Road, Stratton) (Planning Inspectorate / Cotswold District Council):** The planning inspector dismissed the appeal because of the harm caused to the Cotswolds National Landscape and because the appellant had failed to demonstrate that exceptional circumstances apply to justify the proposed development. This decision – and the reasons for it – were in line with our comments and recommendations.
- **Significant planning applications that we have objected to (since the last Executive Committee meeting):**
 - **23/03071/FUL (37 dwellings; Land South of Forest Road, Charlbury) (West Oxfordshire District Council):** We considered that insufficient evidence had been provided to demonstrate 'exceptional circumstances' for what we considered to be a major development. Development proposals at this site have previously been subject to a judicial review, relating to the proximity of the development to ancient woodland. A further judicial review will take place in February 2024. If that judicial review is successful then the original outline planning application will, in effect, become void.
 - **PL/2023/07741 (Solar PV array, batter energy storage system and EV charging station; Land at Ashley Garage, Bath Road, Box) (Wiltshire Council):** The proposed development was in a visually prominent location. We considered it to be major development and argued that exceptional circumstances had not been demonstrated to justify the scheme.
 - **23/03558/EFUL (Sporting, leisure and cultural stadium, Bath Recreation Ground) (Bath and North East Somerset Council):** We provided a holding objection, requesting further information on potential impacts of the lighting on the dark skies of the National Landscape.
 - **22/02169/EOUT (290 dwellings, Coombe Hay, Bath) (Bath & North East Somerset Council):** This was a further consultation on a proposal that we have already objected to, with the applicant providing further supporting information. We maintained our objection on the basis that exceptional circumstances have not been demonstrated to justify this major development.

DECISIONS REQUIRED

- No decisions required.

NEXT STEPS

- A PIWG meeting is scheduled for 16 January 2024.
- Key work areas over the next few months will include:
 - The secondment with the NLA.
 - Responding to the current consultation on the South Gloucestershire Local Plan and the forthcoming consultation on the Gloucester, Cheltenham and Tewkesbury Strategic and Local Plan.
 - Drafting a new Minerals and Waste Position Statement and a new Biodiversity and Planning Position Statement. (timescales to be reviewed in light of John's secondment).

NO SUPPORTING PAPERS

JANUARY 2024