



**MINUTES OF THE PLANNING COMMITTEE MEETING
HELD on TUESDAY 2nd JULY 2024
at FAIRFORD COMMUNITY CENTRE, FAIRFORD**

Present: Cllr Harrison Cllr Thornhill Cllr Shankland
Cllr Foxall Cllr Rymer

In attendance: Roz Morton (Clerk), 4 x MOP

PL036 24/25 To note Apologies for absence.
Cllr Stroud

PL037 24/25 Declarations of Interest in items on the agenda.
None received.

PL038 24/25 To confirm the minutes of the meeting held on 18th June 2024
It was **RESOLVED** to confirm the minutes of the meeting held on the 18th June 2024 are a true and accurate record of the proceedings. Proposed Cllr Thornhill, seconded Cllr Foxall– three in favour, two abstentions.

PL039 24/25 Matters Arising.

- **Update on meeting to Adrian Harding & District Cllrs re planning process.** Cllr Wilkinson is pushing for a meeting to take place. Date still tbc.
- **S106 queries raised with CDC.** Jasper Lamoon has sent an initial reply and will respond fully in due course.

PL040 24/25 To agree to adjourn the meeting for Public Participation - there is a 5-minute time limit.
Agreed, all in favour.
Residents discussed the application at Faulkner's Close. Cllr Harrison outlined the objection being submitted by the Town Council. The residents were urged to email Cllr Tristan Wilkinson to request that the application is considered by the CDC Planning Committee.

PL041 24/25 To agree to reconvene the meeting following Public Participation.
Agreed, all in favour.

PL042 24/25 To review decision notices for PERMITS / CONSENTS received:
Noted without comment.

24/01491/TCONR | 1. Portuguese Laurel - Fell 2. Yew - Fell to ground 3. Row of Leylandii - remove the very last tree in the row. | Byways Back Lane Fairford Gloucestershire GL7 4AG – **No Objection**

24/01302/TPO | 3 - Common Horse Chestnut - Perform approx. 2.0m tip prune on the 2 limbs growing to the West over the road to minimise end weight and potential limb failure 4 - Common Horse Chestnut -

Perform approx. 2.0m tip prune on the crown growing to the West over the road to minimise end weight and potential limb failure. | 1 Fayre Gardens Fairford Gloucestershire GL7 4NU – **PERMIT 24/01390/CLPWL** | Certificate of Lawfulness of Proposed Works to a listed building for the existing chimney to be dismantled and rebuilt in exactly same design, dimensions, finish and detailing | Colston House Market Place Fairford Gloucestershire GL7 4AB – **PERMIT 24/01247/FUL** | Erection of two single storey garages ancillary to Manor House | Manor Farm London Road Lechlade Gloucestershire GL7 3DU - **PERMIT**

PL043 24/25 To consider NEW PLANNING APPLICATIONS:

24/01209/REM | Erection of No. 3 dwellings and associated works (Reserved Matters application) | Land Parcel E415213 N200428 Faulkners Close Horcott Fairford

(Received CDC 23.04.2024. Validated CDC 20.06.2024. Notification FTC 21.06.2024 Deadline for response 15.07.2024)

The Committee RESOLVED to submit the following OBJECTION. Proposed Cllr Foxall, seconded Cllr Shankland all in favour.

Fairford Town Council OBJECTS to this application on grounds of (1) inconsistency with CDLP policy EN2 and Cotswold Design Code D.67 p (re overlooking of The Nook), (2) failure to provide the drainage information required by Fairford Neighbourhood Plan policy FNP4 (by reference to the NPPF footnote¹ regarding 'other sources' of flooding) before full approval and (3) the failure to provide/accommodate suitable recreational space (as has been such for about 60 years) either within the site layout or elsewhere as required by CDLP policy INF2 part 2.

- 1) The distance between the relevant (rear/side) facing windows is clearly significantly less than the 22 metres specified and the very limited 'landscaping' details provided in the Layout drawings (without details of the height of the hedge or other planting and how this are to be maintained) fail to show how the overlooking and loss of privacy to the Nook is to be avoided, as shown in the drawing submitted by the Bodios which we have independently validated (at least to the accuracy required to substantiate the point being made). This on its own should be grounds for refusal of the current proposal.
- 2) There are well established problems of surface water drainage in the vicinity (Horcott, including the Trading Estate) due to high ground water levels at certain times of year (causing problems with sewage flooding in nearby Lakeside etc, which are being addressed by the recently set up Fairford Water and Sewage Issues Joint Working Group). Although soakaways have been used on the estate before, the high groundwater levels (with the correction to 200 year maximum expected level required by the FNP policy) may mean they cannot meet current standards in this location, and highways authority consent would be required for discharge of surface water to the highway and hence to the highway drains system (which they have hitherto been reluctant to give). The proposed hard surfaced driveway is of particular concern. Therefore, it is unclear what form the 'sustainable drainage system' would take and what implications this may have for the possible layout. It would seem much better to find this out now (in accordance with the policy FNP4 requirement) rather than have to make significant modifications to the layout later before development can be commenced.
- 3) Regarding the loss of the recreational open space, we are concerned that CDC in granting the outline permission was relying on a long-lapsed planning permission for the principle of development, when the current local plan and national policies on this are significantly different. We would also point out that the 'principle of development' is not the only consideration when determining an application. After about 60 years of apparently unrestricted public access to the site based on its intended use, there would seem to be an established right of access by law. Given that layout and scale are reserved matters, we would also point out that it is not unreasonable to suggest that this issue should be addressed now. In principle it would still be possible to accommodate some recreational space (maybe with suitable improvements) on the site, with less housing development.

In reality, the question of whether 3 houses as proposed, or indeed any, can be satisfactorily accommodated on the site in accordance with all the relevant policies has not been properly addressed or demonstrated – it has only been suggested that it 'should be' possible – and we believe the planning authority were only creating a problem for themselves and for others by approving the outline application (under delegated authority without advance notice so it could be publicly challenged through proper process) on this basis.

¹ Footnote 59 to NPPF paragraph 173, in the most recent (December 2023) version

Indeed, we had every reason to expect, on the basis of the objections we submitted, that the application would be refused.

If it is intended to recommend approval of this application, we believe it needs to be referred to CDC's Planning Committee for decision, because of strongly expressed public concern over the loss of the open space and since it seems to represent a number of significant deviations from development plan policies (including Fairford Neighbourhood Plan policy FNP4), which would preclude it from determination under delegated authority, particularly as it may have implications for many other small recreational open spaces on estates around the District.

ACTION: Clerk to submit the above objection and copy it to District Councillors.

24/01665/CLOPUD | Certificate of Lawful Proposed Use or Development under Section 192 of the Town and Country Planning Act 1990 for reconfiguring the garage doors and windows to facilitate refurbishment/conversion works | Byways Back Lane Fairford GL7 4AG

(Received CDC 05.06.2024. Validated CDC 19.06.2024. Notification FTC xxxx Deadline for response 18.07.2024)

The Committee RESOLVED to OBJECT to this application as the proposal appears to be to create a new permanent dwelling and therefore should be subject to a full planning application and not dealt with as a CLOPUD.

Proposed Cllr Foxall, seconded Cllr Thornhill, all in favour.

ACTION: Clerk to submit the above objection

24/01374/LBC | To affix non-illuminated shop name sign to external wall | Bank House High Street Fairford Gloucestershire GL7 4AD

(Received CDC 10.05.2024. Validated CDC 17.06.2024. Notification FTC 20.06.2024 Deadline for response 18.07.2024)

The Council has requested a photomontage of the proposed sign.

24/00605/OUT | Outline planning application (some matters reserved) for up to a flood resilient self-build dwelling with garage and ancillary accommodation | Land Parcel South East Of 28 Moor Lane Fairford Gloucestershire – NEW DETAILS

The Committee RSOLVED to main the previous submitted objection and add the following:

In the revised layout a wing of one of the building is shown clearly extending outside the development boundary (for both the Local Plan and the Fairford Neighbourhood Plan). This seems unnecessary and a deliberate challenge to these policies (DS4 and FNP1) and approval would set an undesirable precedent which would weaken these. Because of the flood risk zone and groundwater level issues (noting the comments of the Drainage Officer and Environment Agency) it seems highly unlikely that it would be considered appropriate to amend the development boundary in this location to accommodate this.

The Council would also like to make the following comment:

The potential risk of surface water flooding from the risk area shown extending north of the site on Moor Lane seems to be mitigated by the presence of 2 highway drain gullies near where the Court Brook culvert goes under the road, although as the authorities have observed the latter backs up at times due to flooding from the river downstream. However, although it is unlikely there will be a repeat of the event of 2007, when water from the river flowed through the town and (with or without additional surface water) down the lane next to the site, it is to be noted that the location where the buildings are now proposed is actually a low area (although this is not currently obvious due to vegetation growth), so careful consideration (and possible modification) of the ground topography here and for the proposed entrance from the highway is needed to minimise the risk of surface water flooding from any new extreme event.

Proposed Cllr Shankland, seconded Cllr Rymer, all in favour.

ACTION: Clerk to submit the above objection

PL044 24/25 Items the Chairman considers urgent.

Draft Letter to SofS – Cllr Harrison circuited a draft letter to the new SofS. It was agreed to wait and see what polices emerge over the coming months.

Cllr Harrison mooted the idea of writing an article for the Guardian regarding the positive work that is emanating from the joint water & sewage working group. The Committee agreed that now wasn't the right time for the article.

Cllr Shankland gave a brief update on the Transport Plan.
The Drain cover at the junction with Milton St & Horcott Road has been fixed and work to fix the drain cover by The Railway Inn is planned for w/c 01/07/24.
The Primary School have confirmed that they would be happy for a new path to be created from the woods at Leafield Rd to the school boundary.

ACTION: Clerk to contact Fairford Rugby Club to get permission for the path to cross their leased field and to contact ECT in due course and report back.

PL045 24/25 Date of next meeting 16th July 2024.
There being no further business, the meeting closed at 7.30pm

.....Chairman2024