

Summary of the notes taken at the Questions & Answer session held on 20th October 2006 with Bob Austin, Chief Executive, Cotswold District Council during the Public Recess.

Parish Council Questions

Coates:

- 1. May we have your views on Policy 19 of the Local Plan which seems especially restrictive to smaller communities?**

Government legislation required CDC to take particular account of national planning policy, regional planning guidance & County Council Structure Plan. 6 Districts within County take shares of total allocation for housing. Sustainability key principle – development discouraged unless have sufficient infrastructure or proven need. Regional Government for SW required CDC to restrict development to Cirencester & 9 principle settlements. 900 allocated units were allowed in the Local Plan, 50% in Cirencester & rest in principle settlements. This took account of open market development over the previous 10 yrs. CDC also had to have confirmation from GCC that the Local Plan was compliant with Structure Plan which restricts development to principle settlements.

Can still consider other developments on following grounds: exceptional sites, within GRCC's Parish Plans, diversification of agricultural buildings, social & economic housing need & housing for key workers. Of the 900 allocation, Kingshill North development in Cirencester will take up 640, of which 50% will be affordable. Station Road site in Kemble permitted before Local Plan adopted – has proportion of affordable homes.

- 2. We have become increasingly concerned over the summer about the lack of activities for the young. I am prepared to offer my swimming pool and tennis court for an afternoon/evening but for the best to be achieved we need coaches. Can CDC provide trained staff and at what cost to the Parish and will this help with the difficulty of obtaining public liability insurance?**

Said CDC could help as they have a trained coach – Scott Burry –who can offer to help with events. He has run coaching at many sites during school holidays – free up to now but in future may be small charge for these. Also have life guards who could offer trained support & this would help with insurance issue. CDC also has many links with sporting organizations which might be sources of aid. Parish should contact Bob Austin when their plans are ready. [Possibility of link up with Kemble to share facilities suggested by Jenny Courts].

Sapperton:

- 1. Our Parish Council is concerned that although we are consulted on planning applications and we return the form with our views, these seem to be largely ignored in the decision making process.**

It is important to relate Parish objections to Local Plan policies. As the statutory planning authority, CDC required to take account of other planning guidance and Structure Plans etc. 1947 Planning Act presumes permission unless grounds for refusal, & then can be challenged via Appeal. Reasons for refusal have to be on planning policy grounds.

Scheme of delegation means 93 % now decided by Officers. Same planning policy grounds applied whether decided by Committee or by officer.

Agreed that where decision is contrary to Parish Council's views, would be better if feedback from CDC could be given but pressure of number of applications being dealt with makes this difficult. He will do his best to improve feedback on controversial cases, or perhaps a planning officer could come to the Parish Council to give feedback periodically.

Average Appeal costs CDC approx £40,000. Therefore have to be very careful about deciding applications on non-planning grounds which can then become grounds for Appeal.

2. Now that funds have become available for the start of the restoration of the Thames & Severn Canal are you able to throw any light on the likely timetable for the Golden Valley and Summit Level works? Can you give us any assurance that the small, unclassified roads in this Ward will be protected from irreparable damage?

CDC's stated policy to support the restoration of the canal – LPP3 refers. No longer gives financial support to Canal Trust as seen to be inappropriate use of council money. Any restoration will require planning consent and GCC will be a statutory consultee as Highways Authority. Suggested the Parish Council approach GCC as well on this issue. Estimated that the timescale for this work, in view of the huge costs involved, is some way off, perhaps even a decade.

Kemble:

1. This council is becoming increasingly concerned about what appears to be CDC's reluctance to vigorously tackle enforcement issues & when there is a blatant case of work being done without permission why is a stop notice not used?

Considered CDC had a good record on enforcement. Retrospective applications can be a ploy by applicant but there has been a recent case in Cirencester where CDC has refused a retrospective application. The law requires CDC to seek retrospective applications & to act reasonably when doing so: of those received, approx 75% are permitted. Considered there are limited but adequate resources for enforcement. Have 750 cases of non-compliance at present to deal with.

Clarified that if someone is working on a listed building & work does not require planning permission, cannot use a stop notice against them. In a recent ongoing case, he was aware that 5 officer visits had taken place, plus 3 visits with the owner, & these continued.

2. May we have an update on the CDC negotiations with Kemble Airfield?

Meeting held on Friday 13th October with operators & owners plus advisors. CDC was disappointed had to ask for meeting - operators had agreed to provide evidence of continued use & this had not been received. Decided to ask for meeting before taking further action. Airfield have to provide evidence by next Friday or CDC will take enforcement action. If such evidence is forthcoming it will be forwarded to our Q.C. for comment & guidance. Airfield confident that new evidence will mean enforcement not required. In this case it will not need Certificate of Lawful Use to carry on, & CDC cannot insist on it.

CAA recently issued airport certificate – confirmed that in law there is no difference between an airport & an airfield.

If intensification of use is shown by the evidence produced, then the Airfield will need planning permission. John Birch has a copy of the notes of the 13th October meeting. The highest level of take offs & landings at any time since 1943 would become the acceptable level of activity from now on.

3. When may Kemble have a plastic re-cycling container for the re-cycling complex in the station car park?

First Great Western own the land so their permission would need to be sought. If this can be obtained & ideally a financial contribution obtained from them, then CDC would support this. John Birch will contact First Great Western.

4. When will the Kemble Conservation Area Statement be completed?

There are 144 statements still to be done, & Kemble is in top 12. It is not a statutory requirement to provide these but have recently recruited an officer to do them. Will endeavour to make sure John Birch is kept up to date on where in the waiting list Kemble is & when it will be done.

There are 175 designated Conservation Areas in the District. Planning consent & conservation area consent needed for works here but there are no specific conservation policies in the Local Plan for an area unless it has a Conservation Area Statement. It gives the planning authority added strength to restrict or modify plans.

5. Why is planning permission often given without adequate provision for car parking resulting in more vehicles parking on the road side?

Government policy is to restrict car use & CDC obliged to implement this policy. Example of change in approach – new Kingshill development will see single garages & parking on drive for one car only. But also new bus routes be introduced to serve estate. Commercial development also has to implement restrictions, to encourage car sharing & use of public transport. St James' Place development has restricted parking for employees but also will have a busing in scheme.

Questions/observations from the public:

- a) Feel there is a lack of enforcement action from CDC.

Response: approximately handle 3,500 planning applications per year and probably 90% are put in before any work has been done. CDC has to be seen to be acting reasonably at all times & invite planning applications where work has been undertaken without permission. Have to give 8 weeks for applications to be submitted & if not received within this time, then can take enforcement action. Matter sub judice in relation to local property so would not comment further.

- b) To compare a small civilian airfield to an active airbase is bizarre & to have take offs and landings as the key criteria for assessment is also bizarre. Will testing engines/use of motor cycles & other current uses need separate planning applications? Also concern about July 2007 pop concert at the airfield.

Response: Very aware of local people's concerns. Intensity of use is established by frequency of take offs and landings.

Re the concert, would not be a planning issue but would need a site licence & a personal licence for the promoter, plus public entertainment licence & possibly alcohol licence. In considering a licence application, CDC would look at noise levels, traffic movements etc.

c) Wish to object to current airfield use. Is there any time limit on giving views?

Response: There is currently no planning application being considered so there is no time limit. CDC can be advised of local views & concerns at any time.

d) Wasn't there a material change of use to Class D2 at the Airfield when it was bought by a private developer? Crown does not need planning permission & only when becomes a civilian airfield are controls put on.

Response: Queen's Counsel view was that it was not change of use & the nature of flying - whether pleasure or military - is not a consideration. Will await information from the airfield & then use this to establish what use has been in the past. Not able to comment further apart from to emphasise that the matter will be open to public scrutiny, either when enforcement action is taken or when the decision to undertake this action is rescinded.

Isobel Yates
21/10/06