



PLANNING COMMITTEE

MINUTES of the meeting of the Planning Committee held on Thursday 12 May 2022 commencing at 10.00 am.

**PRESENT
MEMBERSHIP:**

Cllr Phil Awford	Cllr Chris McFarling
Cllr Paul Baker	Cllr Dr Andrew Miller
Cllr David Brown	Cllr Graham Morgan
Cllr Linda Cohen	Cllr Gill Moseley
Cllr Bernard Fisher	Cllr Pam Tracey MBE
Cllr Terry Hale	Cllr Robert Vines
Cllr Nick Housden	Cllr Susan Williams
Cllr Mark Mackenzie- Charrington	

Officers: Simon Excell (Assistant Director of Planning & Economic Development), Rob Ayliffe (Monitoring Officer), Carrie Denness (Principal Lawyer), Kevin Phillips (Team Manager Minerals & Waste Planning), Sarah Pearse (Principal Planning Officer), Nick Bainton (Senior Planning Officer) and Andrea Griffiths (Democratic Services Officer).

8. DECLARATIONS OF INTEREST

No declarations of interest were made.

9. PUBLIC QUESTIONS

No public questions were received.

10. MEMBERS' QUESTIONS

No member questions were received.

11. MINUTES OF PREVIOUS MEETING

Resolved

That the minutes of the meeting held on the 27th January 2022 be approved as a correct record.

12. MEMBERS SITE VISIT

The Committee received and noted the member site visit notes.

13. APPLICATION REFERENCE: 20/0056/STMAJW (DISTRICT REFERENCE S.20/2711/CM) SITE: LIMEKILN FARM MIDDLE LYPIATT STROUD GL6 7LR

A summary of the application was presented by Nick Bainton, Senior Planning Officer aided by a power point presentation. (A copy of the presentation is attached to the signed minute book).

This was a planning application, reference number: 18/0065/CWMAJM relating to a proposed use of a field as a pet cemetery. The use of the site was for a waste transfer station for the temporary storage of clinical waste; retention of 2no. Cremators for clinical waste burning (ABP Cat 1 material – domestic pets) and extended office building, together with associated works, at Lime Kiln Farm, Middle Lypiatt, Stroud, Gloucestershire.

The Committee were advised that pages 1 & 2 of the report outlined the details of the judicial review application in respect of the previous determination of this matter in 2021. In addition, the Committee had received an update report circulated via email prior to the Committee meeting. The case officer also referred to the additional representations made in respect of the application following a further round of public consultation in January 2022 at paragraph 7.102 onwards in the report. At this juncture the Chairman called for a brief adjournment (10:07am) to allow members the opportunity to read the update report.

The Case officer advised members that it was important that the Committee considered the balance between the harm to the AONB and the benefits of permitting this development.

The Committee reconvened at 10:12am.

The various elements of the application were described as the following:

- Pet cemetery: In planning terms, the land use was classified as landfill. In real terms, this would involve the burial of fully combusted ashes in the ground. There would be associated minor memorials if requested by owners. The use of the land for waste disposal dictates that the proposal was a county matter.
- Waste Transfer Station (WTS): there was currently temporary storage of clinical waste: animals prior to cremation and bandages, coverings, etc. The proposal allowed for that to continue on site. It was noted this had been occurring in excess of 20 years.
- Cremators: The existing Stroud District Council permission limited the use to specified cremators. The use of the replacement cremator represented a technical breach of condition of the district council permission.
- Buildings: No further built forms were proposed. It was noted that no visible changes were proposed to the site. The buildings and ancillary equipment had been on site for a period exceeding 4 years.

The Committee were referred to the plan of the application site. The sites proximity to the surrounding towns and villages were explained in detail. The site was situated on a prominence in the landscape between a number of valleys, but due to the existing mature vegetation and the topography, there were no far reaching views of the site.

In terms of the block plan, it was explained that the application site was central to the plan, which contained the reception building, storage building, incinerator building and field where the proposed cemetery would be located. Members were advised that the public highway ran north to south past the site, it was essentially a rural lane. The access was shown as were the two public footpaths, which do not use the access road because they terminate either end of it. The committee noted the two closest dwellings were Little Limekilns and The Limekilns.

Members noted at slide 6 the view looking to the north from the end of the access, to the left was the office building, central was the main parking area and to the right was the storage building. The Committee were provided with numerous photographs of the site and the surrounding area during the course of the presentation.

Slide 7 displayed a photograph of the incinerator building, with the access road leading off east to the left. The view to the west, where the footpath began towards the direction of Stroud was displayed at slide 8.

Slide 9 showed the view from The Lime Kilns, with the top of the incinerator building visible. It was noted the incinerator was undertaking a burn cycle at this time.

At slide 10 the view from the public footpath to the west of the site was shown and the Lime Kilns was visible to the left of the picture. Members were advised that the application site was behind the large clump of trees.

Slide 11 displayed the view along the public footpath to the west of the site, looking north, it was noted the mature hedgerow was continuous. Slide 12 was the view from the access road, into the field where the proposed cemetery would be located, it was explained that the path was not a designated footpath.

Slide 13 – 17, gave various views of the field and the junction of the access track with the public highway, looking east. The public footpath began on the other side of the road. Views of the access road looking west from the public highway were clearly displayed in various directions.

Slide 18 showed the view from public footpath looking North West in the direction of the application site. This footpath joined the public highway south east of the site and north of Middle Lypiatt Manor.

It was highlighted at slide 19 there was limited view in the distance from a gap in the hedge along a minor road running east to west from Middle Lypiatt Manor. Slide 20 showed the view towards the site from Middle Lypiatt Manor. Grade 1 listed

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building. Slide 21 displayed the view north along the public highway, from a point north of the application site.

The case officer once again reminded members that it was important that the Committee considered the balance between the harm to the AONB and the benefits of permitting this development.

The case officer concluded and recommended that planning permission should be granted for the proposed use of the field as a pet cemetery. Including the use of the site as a waste transfer station for the temporary storage of clinical waste; retention of 2no. Cremators for clinical waste burning (ABP Cat 1 material – domestic pets) and extended office building, together with associated works, for the reasons summarised in paragraphs 7.54 to 7.56 of the report.

The Chairman invited the following registered speakers to address the Committee:

The committee clerk advised the Chairman that Jo Stringer had not registered to speak with Democratic Services prior to the meeting and it was at the Chairman's discretion to allow her the opportunity to address the Committee. Ms Stringer also wished to circulate photographs to the Committee, she was advised that this wasn't permitted at this late stage.

Objecting: Jo Stringer:

Ms Stringer held photos up during the course of her presentation.

"I have been a resident of Lypiatt for 10 years and I have been living in Stroud for over 40, pretty much my whole life and a mum of four kids. I'm currently a partner at KPMG, the firm who facilitated and advised on the sale of the business to Time Right. I come here only in my personal capacity however it's worth noting that I don't believe a business hires one of the big four accounting firms to manage a transaction like this unless they're deeply serious on strong commercial expansion, which is much to be applauded but not in an AONB.

Specifically, we've talked about what the application covers, we're here today, me and several of my neighbours, to add weight to this letter with our personal testament as a sample of the local residents who are passionate about protecting this area.

All of my children learnt to ride their bikes on this little lane, it's also the lane which comes up against Gifford's circus, a treasure of our county. Whilst I can't circulate these pictures, I hope it's okay for me to hold them up as part of my speech.

We talked about no far reaching views, this in fact is photographs of the smoke from the incinerator, so this is what it actually looks like, this is taken from the top of Brimscombe Hill. so whilst there may be limited impact on the landscape, when the insulator is not in operation of course it is somewhat different when it's operating. I should also say there is community anger to the idea of this decision once rejected, now being reconsidered.

Minutes subject to their acceptance as a correct record at the next meeting

There are strong legal reasons for this anger, everyone it seems agrees that some harm will come from this. So the question is only really about the benefit, we would like to focus each four minutes on three key points, the harm to the landscape which my friend Steve is going to cover, the harm to the community and the traffic which Richard will cover and harm the pollution, specifically in the land and the air which Daniel will cover.

We believe that the proposal is in clear conflict with the NPPF, insofar as the proposal causes clear and irreparable and indeed permanent harm to our AONB. This decision which should wait greatly on your shoulders I'm afraid because this is not something we need to put up with just for the next couple of years, this is something which will have a lasting and permanent impact on the landscape and indeed questionable impact on the waste for the surrounding towns and villages.

Some of whom those communities rely on water sources, that pass through lime kiln, it's our unequivocal view and that of our legal advisors that the proposal does not comply with the development plan. we should also like to set in context the history of noncompliance with planning at this site. Indeed, the planning breaches specifically with regards to the incinerator which was approved I believe for agricultural use but not for the use of cremating animal waste, which has a very different chemical profile.

I think the committee should be under no illusion that any proposed mitigants work in practice here, the mitigants suggested are scant and are admitted to be ineffective to remedy the extent of the harm. there will also be no ability to monitor or police them. yes, we are local residents of Lypiatt we are also residents of Stroud and we represent the wider community. There may only be five of us here today but there are many more of us standing behind this proposal.

You all know the issues that came with the Stroud incinerator proposal and the debate, the heat that that caused in the community if this were passed today I have no doubt that this issue is not going away, it will get louder, there will be more protest, many of my friends and colleagues from the local area will be keen to express their views more strongly than they have done to date."

Objecting: Mr Steve Lee

"I live at Lime Kilns which you can see on the image on the top left. I'm going to speak about the harm to the landscape that will be caused through the development of a cemetery and its associated change from sheep pasture to commercial land fill.

The field situated as people have seen on the site visit last week in the Area of Outstanding Natural Beauty and lies adjacent to a public right of way, which you can see on that linking the footpath with Stroud and the Toadsmoor valley. It is very popular with walkers, joggers and indeed horse riders, pretty much everyone agrees that some harm will result from this development.

Minutes subject to their acceptance as a correct record at the next meeting

The application itself in its landscape and visual impact appraisal considers the effects of visual amenity in some detail and concludes that for visitors the open view across the field is highly valued and admits that over time the field appearance would alter, due to its use as a cemetery.

The GCC landscape and visual architect consultant concurs with the LVIA and also states that such an alteration would not be acceptable in visual terms. The officers report also agrees with the LVIA the proposed amendment would have minor adverse effects on the landscape character of the Cotswold AONB and on the visual amenity for visitors to it.

It also states that there will be adverse effect even after any mitigations, Stroud District Council state the development has potential to have a detrimental impact on setting and character of a Cotswold AONB and it will change the landscape over a period of time. perhaps most importantly reasonable consideration should be given to the impact on the people who actually live and regularly visit the AONB.

Of the 35 public comments received, all of them objected to the application and virtually all of them highlight significant landscape impact and damage to the AONB as a reason.

It is very difficult to reverse the establishment of a large cemetery and so this damage should be assumed to be permanent and irreversible.

So what are the benefits of a pet cemetery, Time right in their application make little attempt to explain what they are, but they do mention a wider range of services to pet owners and reduced vehicle movements associated with the production of carbon dioxide emissions. Dealing with the second point first, any savings of carbon dioxide emissions will be more than offset by the additional vehicle movements with customers attending pet funerals and attending the grave thereafter and will in fact lead to an increase in CO2 emissions.

So we are really left with a wider range of services to pet owners and Time right admit themselves that only a small percentage of their customers will actually use this service. So at best for the community at large any benefit is severely limited.

Weighing up the harm caused by this limited benefit we must take into account the NPPF which explains that great weight should be given to conserving and enhancing landscape and scenic beauty in the AONB, which has the highest state of protection.

In addition to Gloucestershire's WCS14, states proposals for waste development within the Cotswold AONB will only be permitted where it can be demonstrated that there is a lack of alternative sites not affecting the AONB to serve the market need and where the impact can be satisfactory mitigated. There are at least six pet crematoriums within 30 minutes of Stroud, not one of which are within the AONB.

So on one hand a wider range of services for a very limited number of Time right customers and on the other hand a significant adverse impact on the AONB, which

Minutes subject to their acceptance as a correct record at the next meeting

cannot be fully mitigated. And which we must apply great weight as well as the existence of alternative sites outside of the AONB.

I hope you will agree that the harm outweighs any benefits and you will reject the application. Thank you."

Objecting: Richard Claridge

"I believe the current highways report to be sadly lacking, we've all seen the size of the road, its tiny and as residents we already have trouble getting down this road. The things that are bothering me is that there are no limits to the amount of burial sites, thus with mourners and visitors to the site, staff and deliveries to the site to the graves - the traffic will grow exponentially.

You have all seen it.

Current incinerators are capable of producing 960 kilogrammes of waste per 24 hours. The planning officer currently states there would be no more than two burials per week. This is based on the idea that burials at approximately 560 pounds per burial will not be commercially viable at greater volume than this.

But there is nothing stipulating the method or approach for this which creates this price point and to optimise commercials, which shows that there are surely going to do, they may very well then change their approach decrease the price and this increase their volume.

Other pet burial sites run at a frequency of up to one per hour, which is the potential impact we must consider. Assuming one an hour:

- *24 usual vehicle movements per day, as per the officer report, that equates to 120 extra cars weekly going up that tiny road.*
- *10 extra vehicle movements per burial, allow one per hour so we've got 80 extra per day, which equates to an extra 400 cars going up that tiny road plus the 120 which is 500 cars per week that can grow exponentially and this is what we are so worried about in the AONB.*

Specifically, the officer report states in 2:10 "an additional 4 vehicular movements per day would be generated by visitors, with a maximum of ten journeys when a burial is taking place. These are figures purely for when a burial occurs.

An extra 14 journeys maximum purely associated with a burial, in addition to the usual staff movements. Burials are anticipated to occur approximately twice a week, again there are no limits on the amount of burials.

When combined with daily staff vehicular movements, the total baseline traffic flows associated with the existing operations is estimated to be maximum of 24 movements per day.

Yet quotes further in 7.16 "It is considered that there are clear benefits in terms of vehicle movements and associated reduction in carbon dioxide emissions." Can I lay that at your door as there is clearly a conflict.

Minutes subject to their acceptance as a correct record at the next meeting

The roads to Lime Kilns is already too small at present, it's difficult to pass even a car. This road is used by walkers, cyclists, horse riders, children playing and of course the local pony club. The increased amount of traffic to the site will significantly hinder residential traffic and community use.

I would ask the members to seriously consider when voting, about making this road extremely dangerous. Thank you."

Objecting: Daniel Burgon

"As Jo said, everyone it seems but the applicant agrees that some harm will result from the development.

Whilst we are all concerned about all the various dimensions of harm that will be caused, I would like to focus specifically on the pollutant harm, especially regarding that from both air pollution and clinical waste stored on site and buried in the ground.

The NPPF states (at para 170) that "Planning ... decisions should contribute to and enhance the natural and local environment by: ... e) preventing new ... development from contributing to ... unacceptable levels of ... air ... pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality ..."

The application does not address these satisfactorily at all, and seems instead to rely on the fact that the incinerators are already being in use as evidence either that they do not cause health issues and pollution or that they should in any event be allowed to be retained and expanded. However, as the application concedes, the incinerators that are on site are there partly in contravention of current planning - and so this is an inappropriate assumption for the applicant to make and there has been no evidence of this at all.

As you were shown by the photos from Jo, this is some of the smoke produced by the incinerators. These photographs provided by a local Parish Councillor are from 2018, 2019 and 2020 and clearly show excess black smoke likely to be laden with particulates emerging from the incinerator. A local resident confirms that this is a regular occurrence, rather than exceptional events. A photograph in 2019 resulted in a visit by Stroud District Council Environmental Health, Officers who issued instructions on measures to prevent re-occurrence. The photos from 2020 indicate that the practice has continued and more photos are available.

The concern is that the existing planning permission seems to be for an agricultural incinerator where as it seems there are two on site used for veterinary/pet waste and the current application is an attempt to legalise this. It is not clear whether the incineration equipment is suitable for pet cremation along with associated wrapping that may contain plastics. It is also not clear what controls are in place to ensure the clinical waste which is collected and transferred on site is never incinerated.

Minutes subject to their acceptance as a correct record at the next meeting

Why should mismanagement of these incinerators which is clearly shown go without the necessary planning permission being granted for their increased future use.

Finally, let's remind ourselves of the geology of the site. The proposed pet cemetery is on limestone under laid with layers of clay, hence the adjacent 'Claypits Lane'. This allows significant lateral movement of water and defined spring lines. One of the nearest spring to the site feeds the domestic drinking supply of two of the nearby houses in the 'Heavens' and from there feeds the small brook in the Heavens Valley. This is a popular place for local families to come and play with their toddlers and young children in this small stream on a warm day.

This is critical because the majority of animals buried at the site will have been euthanised. Their remnants will contain a mixture of central nervous system agents, paralytic agents and local anaesthetics. It is clinical waste that will stored on the site and there has been no evidence to show that it will stored safely. Specialist advice suggests that the barbiturate type pharmaceuticals normally used for animal euthanasia are particularly persistent in the wider environment and groundwater. They couldn't have chosen a worse site for this type of cemetery, as it would be on top of a hill that leads down to the surrounding area which has a very small layer of top soil and a lot brash, which allows for fast water movement, so I advise that you do not allow permission to be granted. Thank you."

Agent: Mr Jon Wilks:

"Time Right are one of the country's leading pet crematorium companies, but nonetheless pride themselves on delivering a local service to their customers They have invested heavily in the latest equipment available to the industry to meet environmental standards and reduce their impact on the wider environment, operating successfully within a heavily regulated industry, and achieving all best practice standards.

They take pride in dealing with all the pets entrusted to their care with dignity and respect. As part of their services they also provide training to the veterinary industry on end of life care so they can support their customers with compassion and understanding.

As the officer has detailed in his report, there has been a pet cremation business at the site for some 30 years, following planning approval in the early 1990s. The operation of the site as a pet crematorium, including the transportation of animal carcasses to the site for burning within an incinerator, and the transportation of resulting clinical waste from the site for disposal, are therefore lawful, and are not up for consideration as part of this application.

In terms of the day to day operation of the existing pet cremation business, all that this application seeks planning permission for is the regularisation of a small extension to the office, the incinerators used, and the use of a small, internal area of the existing storage shed for the temporary storage of waste, known as a Waste Transfer Station.

Minutes subject to their acceptance as a correct record at the next meeting

The need for the regularisation of the incinerators has arisen as a result of a discord with the original planning permission which specified a particular make and model of incinerator. The current incinerators are more reliable, efficient, and environmentally friendly than previous models and have been operating successfully from the site for several years. They form part of this application simply for regularisation purposes.

With regard the waste transfer station, this is effectively a grand-sounding title for a small, internal area within the storage barn where clinical waste would be temporarily stored before being transferred off-site.

Neither the regularisation of the incinerators, nor the waste transfer station, would therefore result in any additional operational traffic movement above and beyond the 4 vans which currently travel to and from the site on a daily basis, or result in any increase in staff or visitor traffic.

The proposed pet cemetery represents a new element to the use. It would however be extremely limited in its physical form as detailed by the Officer. There would be minor physical changes to provide access to the cemetery field and parking near this access. Some customers may choose to lay headstones, albeit these would need to be flat to the ground. The cemetery would hold between 1 and 2 burials a month and may generate 1 to 2 visitors a day on average. Traffic movement arising from the cemetery would therefore be extremely limited.

Picking up some of the points raised by the third party objectors, particularly in respect of the number of burials and potential for traffic generation, having discussed that matter with the applicant they would be prepared to accept a planning condition that would limit the number of burials on site in accordance with the submission. In terms of the issue of the smoke from the incinerator, referencing the photos from the objectors that is not a normal representative of the operation of the incinerators.

Whilst therefore the concerns of neighbouring residents are recognised, the reality is that this application is limited in its scope and is promoted by an existing, established business to enable it to continue to operate and provide a limited expansion to its services, in a manner which is respectful of its location. I would therefore urge you to support the application in line with your officer's recommendation. Thank you."

County Councillor Chloe Turner:

Councillor Turner stated that it would have been courtesy for a copy of the update report to be circulated to the local member and the registered speakers prior to the meeting.

"I'm pleased that the Planning Committee has had the opportunity to visit the site in person this time, and to understand and appreciate its situation in the Cotswolds Area of Outstanding Natural Beauty.

Minutes subject to their acceptance as a correct record at the next meeting

Like others, I am none the wiser from the application and other documents as to what the benefit of this new waste site (the pet cemetery) is, that benefit which must outweigh the harm to the AONB in terms of loss of views, additional traffic movements, additional development in the form of the cemetery. Even the applicant's Landscape and Visual Appraisal does acknowledge that there would be "minor adverse effects". My understanding is that this harm must be given greater weight in order to conserve and enhance the landscape and scenic beauty of the AONB, so I am left wondering what is the benefit that outweighs this harm, such that the application could be approved.

Hopefully the site visit also afforded members the chance to see for themselves the nature of the access lanes, their consistent use by vulnerable road users including pedestrians and horses, and their patent unsuitability for increased large motor traffic. By this, I mean the small number of additional traffic movements which have been suggested by the applicant, which we are required to accept, even though I struggle to understand how there is a business case for this new waste facility with so few customers. But also the additional movements which have not yet been supplied by the applicant, in the form of visits by former customers to the resting place of their pet.

On this latter point, a quick perusal of the website of Pet Cremation Services the trading name of the applicant, Time Right Ltd, shows that at their other cemeteries around the country, bereaved pet owners are at liberty to, and in fact encouraged to, make return visits. For example, at their Cornish site, St Francis Pet Cemetery, the brochure suggests that pet owners might return to "place floral tributes or just spend some quiet moments, reflecting on fond memories, sitting in the gardens or by our ornamental pond during daylight hours." It even goes as far as to say that "The Tree of Remembrance is also lit-up during the Christmas period," an action clearly marketed at visitors. At their Surrey site, the brochure notes that "the Garden of Remembrance is always open as a tranquil place to gather your thoughts and memories 365 days of the year" – again, this clearly recognises that a pet cemetery is not just about the burial, it is about having a place to come back to.

Stroud District Council note in their response that "there is the potential for an increase in vehicular movements associated with the intensification of uses at the site including visits by members of the public using proposed pet cemetery facilities. The assessment of this application should carefully consider the impact of any increased vehicular movements over and above the use of the local highway network and in particular consider the potential conflict to recreational users."

This then is my primary concern, that what we are in fact looking at is a much higher number of cumulative movements, as yet undisclosed, relating to bereaved pet owners with a clear incentive to return. Given the impact on vulnerable road users and the character of the AONB, I urge the Committee to refuse this application. Thank you."

The Chairman invited questions from Members following the presentations.

Minutes subject to their acceptance as a correct record at the next meeting

Councillor Williams wished to know what percentage of cremations were from local vets in the five valleys area. The case officer explained that he was unable to answer that question. The Chairman explained that a large percentage were from local vets and the ashes were returned to the veterinary practice.

The Principal Lawyer advised the Committee if they felt this information was key to their deliberations then they could ask for this information.

At the Chair's discretion, the agent was asked for clarity on these points, Mr Wilks explained there were only a small number of walk in clients and over 90% were from vet practices and this area covered a 60-mile geographical radius.

The Chair also asked the agent what proportion of the cremated ashes were collected by individuals or by the vets. The agent confirmed that the ashes were collected in their entirety by the collection service and returned to the veterinary practices.

Councillor Miller requested clarification on the elements of the application i.e. could the different elements of the application be determined separately. The Principal Lawyer explained there was one application for determination, therefore couldn't separate out the different elements of the application. Also members were reminded that there was already an extant District Council permission in existence for some of the activities on the site.

Councillor Miller also questioned the sustainable development context of the application. The case officer advised that pets could be incinerated, they could also be placed in landfill waste or buried in the garden, as there were no other ways of dealing with the remains.

Councillor Miller asked whether there were any alternative sites within the county. The case officer clarified for the avoidance of doubt, there were no other pet cemeteries within the county boundary of Gloucestershire. Other cremations facilities were available but not a cemetery. It was noted that the nearest pet cemeteries were in Trowbridge, Bristol and Ledbury.

Councillor Miller also asked about the visual amenity impact. It was noted that the landscape advisor had applied conditions to limit the impact, in terms of ecology and appearance.

Councillor Tracey wondered how many calls had been received regarding the smoke and dust. The committee were informed that the case officer is partially involved in an Enforcement role for GCC and any complaints regarding this application would have been reported to Stroud District Council and complaints regarding the emission of smoke would have been reported to the Environmental Health Officer (EHO), it was the EHO had been consulted on the application and no objection had been raised.

Minutes subject to their acceptance as a correct record at the next meeting

Councillor Tracey wished to know how many were walk in customers. The Chairman referred to the earlier question and clarified that this information was unavailable.

Councillor Tracey questioned who would maintain the pet cemetery, members were informed that the site would be maintained by the applicant.

Councillor Tracey asked about the clinical waste, it was confirmed that only the animal carcasses would be incinerated and any ancillary items such as bandages, lines, etc. would be removed prior to incineration and disposed of appropriately.

Councillor Tracey also asked if a condition could be applied to upgrade the road, the Principal Lawyer confirmed this was not possible. The case officer confirmed there were no highways objections on the number of predicted vehicular movements.

Councillor Fisher wondered if there were any winter pictures, as the officer presentation clearly showed summer photographs and the view in winter would be very different. The case officer confirmed there were no winter pictures available, and the pictures used were from the previous application last summer. He added that it was down to councillors to make an informed judgement, he continued to advise the Committee that some of the hedges were leylandi and provided year round coverage.

Councillor Fisher also asked if the Cotswold AONB Board had been consulted, the case officer confirmed they had been consulted but did not respond.

As a point of clarity, the case officer explained if permission was refused for the cemetery, the cremation side of the business would continue from the site. The case officer once again, reiterated there was not another pet cemetery within 60 miles. It was noted once a carcass had been cremated, it was inert material and there was no chemical residue.

Councillor McFarling questioned why the second incinerator was operating without regularisation and were the exhaust gases monitored. The Committee were informed that the incinerator had been operating prior to 2018 and until 2020 GCC weren't aware of the site, as it was originally a matter for Stroud District Council (SDC). However, there had been a delay due to the pandemic in respect of the applications determination. The case officer explained in terms of emissions, the regulator was SDC and they monitored the emissions.

Councillor McFarling remarked that the remains were being dealt with at the moment without the need for a cemetery. The Committee were advised that pet owners could bury their pets at home in their gardens, whether that was in the form a carcass or ash. It was noted that approved cemetery facilities were outside of Gloucestershire.

Councillor Baker felt it was a question of balancing the impact on the AONB versus rural enterprise, he wondered how many local jobs would be created and what the

finish of the field would be. The Committee were informed that there was a balance to be struck and the detail was within the report. The case officer didn't believe that additional jobs would be created, it was a case of continuing the business in the current location that would provide the sustainability of local jobs. It was noted that the field was currently being used for agricultural purposes and if granted it would be transferred to short cut grass. In addition, the biological consultants had raised no concerns on this element.

Councillor Housden questioned the highways element and acknowledge that highways were the experts. The case officer advised that the Committee could decide to overrule the Highway Authority, but it would be a question of councillor's judgement versus the professional expert technical advice. The Principal Lawyer advised that the applicant would have the right to an appeal any determination of the application, it would fall to members to provide their reasoning as to highway concerns in any appeal, which may require them to provide evidence at appeal Councillor Housden felt that the Highway Authority were the professionals and their advice should be taken.

Councillor Housden asked about the SDC planning history of this site. The case officer explained there were many permissions granted prior to the millennium, however SDC had no archive of these permissions. It was ascertained over time there were two incinerators in situ as of 2018 and beyond that it is conjecture. Air quality monitoring information would possibly be available from 2018 onwards.

The Case officer referred to paragraph 4.5 of the report and clarified that development should not be refused on highway grounds unless there was an unacceptable impact on the highway safety or the residual cumulative impact on the road network would be severe.

It was clarified that in terms of air quality, it was noted that SDC had not objected to the application and they would continue to monitor the emissions. Members had concerns regarding the smoke referred to by the objectors and felt it would have been useful to have that information. The case officer explained it was not possible to corroborate the pictures as there was no proof as to where or when they were taken and that these matters were outside of GCC's control and were controlled by SDC.

Councillor Williams questioned the grass being mowed and the impact on ground nesting birds and the additional of memorials and flowers. It was explained that the ground would be maintained and memorial stones would be laid flat, and as the cemetery grew there would be less space for ground nesting birds, however no objections had been raised by the biodiversity consultant or Natural England. In addition, it was noted that memorials would be limited to flat headstones due to the impact on the AONB.

Councillor McFarling questioned the inertness of the remains and the concerns over chemicals. Members were informed that the cremation process, given the high temperatures and time controls denatures the remains, and makes the remains completely inert material. The Chairman advised the Committee that the incinerator

reached temperatures of 850 degrees centigrade, so there were no issues relating to the aquifer.

Councillor Cohen questioned the suggested two burials per months as quoted within the report, as she felt it was not realistic.

The Principal Lawyer explained that the information was available in the report as provided by the applicant and it was not possible to ask the registered speakers to clarify further at this point. The case officer confirmed that the application was based on the submitted information and the applicant had stated two per month and there was no other information to the contrary, as the applicant owned the field they had no ongoing costs.

Councillor Moseley referred to the hedge between the field and the footpath and asked if a periphery hedge would provide biodiversity for the birds. It was noted that Condition 16 referred to the landscape and after care management of the site and the County Ecologist would ensure a natural hedge was installed through conditions.

On there being no further questions, the Committee entered into debate.

Councillor Fisher stated it was a cemetery for ashes and that the business would continue although he wondered what value was added to the business by this addition. He noted that the company operated many sites and it was their decision to do this for a couple of burials per month and there was no control over the highways element. He continued to refer to the solicitor's letter as submitted by the objectors regarding the damage to the AONB and that NPPF paragraph 176, was to conserve and preserve the AONB. It was noted as a pet owner he had previously scattered his pet's ashes where they used to walk. He felt the application didn't comply with paragraph 176 and he wouldn't support the application.

Councillor Vines remarked that a lot of issues had been raised regarding the cemetery location in the AONB and that he had attended the site visit. He noted that the stone settings would remain flat to the ground and he felt there was no significant impact on the AONB and he proposed to accept the officer's recommendation in the report.

Councillor Housden referred to the balance of the AONB and he felt the officer had provided a good report and presentation, however he was not convinced that the benefits of the pet cemetery outweighed the harm which would be caused by its introduction and he questioned whether there was a need for a pet cemetery locally. He had concerns over the fact that two incinerators had been operating on the site with no planning permission, although he acknowledged this was a SDC issue, and he objected on balance to the harm caused to the AONB, he felt the benefits did not outweigh the negatives.

The Principal Lawyer confirmed that there was consent for one incinerator on the site and the later incinerator was a different type. The Chairman added that the latest model would be more efficient.

Councillor Williams agreed with Cllr Housden's comments, stating that there was no information to show how the cemetery would serve the local community she was concerned about the impact on ground nesting birds.

Councillor McFarling referred to paragraph 7.48 of the report and he noted the climate emergency and the need to reduce travel. He continued to refer to the update report as circulated at the meeting in relation to the solicitor's letter on behalf of the local residents, WCS 14 and the impact on the AONB not being fully mitigated. Councillor McFarling stated that the proposal was neither outstanding or beautiful and questioned whether the loss to the AONB had been satisfactorily mitigated, that landscapes needed to be preserved given that they were being impacted with each passing year, he felt that the loss to the AONB would grow as the site was promoted. He felt it was necessary to enhance what remained and given the impact on sky larks and the decline in biodiversity, he wished to refuse the application.

Councillor Baker stated it was highly regarded as an AONB for a reason, on balance he felt there was no business case to allow the application to go ahead in the AONB and referred to NPPF 172 & 176.

The Principal Lawyer explained that the NPPF had been updated (July 2021) paragraph 176 of the NPPF was prior to the update numbered paragraph 172, therefore they were the same advice.

Councillor Tracey added that the site would still continue operating if the application was refused and that pets could be placed in bin bags to go to landfill, which she found upsetting as an animal lover. She continued to suggest that an application for housing could be submitted or the application could be deferred.

The Principal Lawyer advised the Committee that it was not possible to use supposition, they had to determine the application before them. Members were reminded that if they chose to refuse the application, the incineration part would continue as there was consent already in place and this was subject to SDC enforcement. The applicant could seek to appeal the determination to the Planning Inspectorate and the costs involved would be outside of the council's control.

Councillor Fisher remarked that the reason for refusal was not down to the cost of an appeal. The Principal Lawyer confirmed that any cost relating to an appeal was not a material planning consideration when determining the application.

Councillor Hale supported Councillor Vines' proposal and was concerned for those who had to travel considerable distance for the disposal of their pets. As an animal lover, he added that people treasured their pets and felt there should be pet cemetery in Gloucestershire.

Councillor Morgan added that he attended the site visit with an open mind and as a pet owner he had his pet's ashes at home, as did many people. He thought it was unkind to put a pet into landfill and having looked at the site he felt it was peaceful

and he couldn't see the impact a pet cemetery would have. He felt there would be a greater impact on climate change expecting people to travel vast distances to an alternative cemetery in another county.

Councillor Housden stated that he couldn't see that the business case for this proposal outweighed the impact on the AONB and the guidance in the NPPF, great weight had to be afforded to the AONB and on balance this proposal didn't mitigate such an impact, therefore he proposed to reject the application given the impact on the AONB in relation to the NPPF paragraph 176. This was seconded by Councillor Williams.

At this point Councillor Vines, referred to his initial proposal and that it was seconded by Councillor Hale, therefore he felt his proposal should be taken first. The clerk and other officers referred to their notes and were unable to confirm, whether it had been seconded during the debate.

At this point, the meeting was briefly adjourned (12:15pm) to seek further advice from the County Council's Monitoring Officer.

The meeting reconvened (12:30pm) and the Monitoring Officer advised that the first proposal needed clarification, he confirmed with Councillor Hale that it was his intention to second Councillor Vines' initial proposal.

On that point, Councillor Vines' proposal, as seconded by Councillor Hale to accept the officer recommendation as detailed in paragraph in 7.107 – 7.109 of the report, was put to the vote and was lost (6 in favour, 9 against).

The Chairman recapped that the proposal was lost and moved to Councillor Housden's proposal as seconded by Councillor Williams, to reject the application as it did not accord with the provisions of paragraph 176 of the NPPF. On being put to the vote the proposal to refuse the application was carried (9 in favour, 6 against).

The Planning Committee therefore:

Resolved

That Planning Permission be refused in accordance with the provisions of Paragraph 176 of the NPPF.

14. APPLICATION NO: 22/0011/CHR3MJ SITE: WARDEN HILL PRIMARY SCHOOL, DURHAM CLOSE, CHELTENHAM, GLOS GL51 3DF

A summary of the application was presented by Sarah Pearse, Principal Planning Officer aided by a power point presentation. The planning application number: 22/0011/CHR3MJ was made under Section 73 of the Town and Country Planning Act (TCPA) by the Governing Body of Warden Hill Primary School and GCC's Asset Management and Property Services for the variation of condition 3 (Scope of Development) relating to planning consent 21/0024/CHR3MJ dated 08/09/2021 for the removal of time restrictions in full, to allow the new school to continue operating

unrestricted hours that have been in place since the school opened in 1962 at Warden Hill Primary School Durham Close Cheltenham Gloucestershire GL51 3DF.

It was explained that Warden Hill Primary School was an existing 2-Form of Entry (2FE) school located in the Warden Hill ward of Cheltenham at the southern end of the town. The original school was constructed in the late 1960s. The aerial photograph at slide 2 showed that the former infants and junior school now operated as one.

The school was located within a residential area (the Cathedrals Estate) constructed at the same time as the school and was accessed from Lincoln Avenue via Durham Close, a residential cul-de-sac of bungalows with a pedestrian only alley to Lichfield Drive to the east.

To the north west there were flats, a veterinary practice and small shopping centre to the rear of Durham Close fronting onto Salisbury Avenue and St. Christophers Church and Church Hall lay on the corner of Salisbury Avenue and Lincoln Avenue.

Members were informed that the existing school buildings were a mixture of single and two storey flat-roof buildings, temporary classrooms, other ancillary structures and a large playing field to the south of the site. The school was rated as an 'outstanding' school by Ofsted, however, surveys of the buildings showed that the school was in need of extensive refurbishment. Consequently, planning permission for new school buildings was granted permission in September 2021 (planning reference 21/0024/CHR3MJ). The existing school buildings remain in place and operational while the new school building is being constructed and would be demolished upon completion of the new school building. There would be no increase in the numbers of pupils attending the school and all other aspects of the school would remain the same.

The approved new school building would be located in the centre of the site indicated by the dotted purple line (as displayed on Slide 3), set further back from the road (Durham Close). A new car park would be constructed at the front of the site, utilising the existing vehicular access from Durham Close.

It was noted the construction of the new school building had commenced and it was hoped that it would be possible to occupy the new building from January 2023.

Slide 4 of the presentation displayed a view of ongoing construction works from the playing field. Slide 5 showed a photograph and it noted that much of the front of the school has been given over to accommodating the construction operation.

The Committee were informed that the application has come to the Planning Committee at the request of the Local Member, Cllr Emma Nelson as she felt that "there is now considerable local interest in this application both from the school's operational perspective, and the potential impact upon the amenity of local residents." It was noted that further detail was given in the report.

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The Case Officer explained the proposal before Committee was for the variation of condition 3 attached to planning permission 21/0024/CHR3MJ granted permission on 9th September 2021.

She proceeded to explain when the original application 21/0024/CHR3MJ was considered, as it was an existing school and having regard to consultation responses from Statutory Consultees and the public, it was not considered necessary to impose a school opening hours' condition as there would be no increase in pupil numbers and the school would continue to operate as it has in previous years.

However, condition 3 referred to the submitted planning documents including the application form (dated 26/03/2021). The Committee were advised that Question 19 of the application form related to hours of opening. Generally, for a school this answer would be No. However, the yes box was ticked and a start time of 0700 and end time of 1800 hours was selected with nothing on Saturday, Sunday and Bank holidays.

Members were informed as indicated by the Applicant in section 2.2 of the case officers report "within the original application form it was stated the school operating times were 07:00 – 18:00 Monday to Friday. This reference was made to be consistent with the information contained within the School Travel Plan provided by Cotswold Transport Planning." It was not their intention for these hours to be applied to the ongoing operations at the whole school. Following this inaccuracy being brought to the attention of, and investigated by, the County Planning Authority (CPA) this current application was submitted to address this situation.

The Case Officer explained in essence the school wished to continue as it had previously with the flexibility of no restrictions on their working / opening hours for the reasons set out in section 2 of the officer's report. The impact of the restricted hours would have on the school were set out and discussed in the case officers report.

It was highlighted that this application had evoked strong feelings in the local community. This was evidenced through the numerous representations highlighted in section 5 of the officer's report, the school was clearly very well thought of and the new buildings and learning environment welcomed in the neighbourhood. However, the principal concern raised by residents living in the immediate vicinity of the school, and in particular Durham Close, the only access to the school, related to noise disturbance from school associated activities taking place during unsocial hours i.e. before 7am and beyond 10pm in the evening. Those objecting to the proposal had experienced disturbance by noise and deliveries before 7am including bin lorries and milk deliveries to the school causing sleep loss, stress and anxiety and PTA fund raising activities in the evening, and therefore they felt that unrestricted access was unacceptable.

It was noted at the Member Site Visit (MSV) A local resident asked what does the school need to do between the hours of 10pm and 7am?

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A response to the question raised by the local resident had been provided by the Head teacher:

The following activities do require access after 10pm:

- Children returning from Young Voices in Birmingham (once a year) but that's not to say there may be more opportunities like this in the future.
- Late returning from PGL due to unforeseen circumstances or any school trip for that matter that might come back late.
- Late Governor meetings (as we are only referring to the variation request – NOT the recommended condition)
- Tidying up after a PTA event (a few core members would stay behind to do this)
- In the future rising costs of living would mean we would potentially need to re-think our PGL/Outward bound activities. Some schools already have a sleep over on their own sites.
- It's not that we are actively looking to do activities during these hours every day of the week, but as and when the need arises we should be able to proceed without hindrance, without compromise and without 'conditions' and be allowed to work flexibly and respond appropriately as the needs arise – like any other primary school. A condition placed on the school would have a detrimental impact on its ability to provide the children of the school with the level of education it has up until now.

The PTA had also contributed to the response:

We have managed perfectly well over the years and with the exception of 1 maybe 2 occasions of a later finish than was anticipated – we have got on just fine.

The Case Officer advised the Committee that parent parking was not provided onsite and the school was part of the School Streets Scheme, whereby Experimental Traffic Regulation Orders, to legally close the road(s) around the school to most of the traffic at school opening and closing times. Durham Close (from its junction with Lincoln Avenue) had been made a pedestrian and cycle-friendly environment, Monday – Friday prohibiting motor vehicles between 8:15am to 9:15am and 2:45pm - 3:30pm. Residents who live directly in the affected street (Durham Close) still had access to their properties during the closure times with a valid permit.

Slide 9 displayed photographs of the surrounding area. Including the parking area to the rear of the shops behind Durham Close and St. Christophers Church and Church Hall.

Members were advised there were no objections from Leckhampton with Warden Hill Parish Council or Cheltenham Borough Council, and their full comments could be viewed through public access.

In terms of representations, the Case Officer explained that 309 neighbouring residential properties were consulted, 229 public comments were received. 23 Objecting and 205 supporting. It was noted that a summary of the comments were set out in the Officers report and could be viewed in full through public access.

At this point the Case Officer referred to additional email representation received on the 10th May 2022 from Mrs Deborah Hughes. A copy of this correspondence was circulated to members prior to Planning Committee. It contained a series of e-mails, a print screen of the school web page and two short videos of refuse collection vehicles.

It was explained that the e-mails covered a period from 2019 to 2022 and did not include the replies from all that were copied in. The e-mails corroborated issues already raised by objectors in their representations summarised in the report, and covered issues which the school had already tried to address through negotiating with suppliers and service providers. It was noted that there was no indication of what day, date or time the videos were recorded.

The Case Officer had spoken to the Manager at Andigestion (the contractor for waste collection at the school) regarding the video of the refuse vehicles and he stated "Their food waste collections are scheduled on weekdays; on occasion we do collect at weekends but only in exceptional circumstances due to driver shortages etc. The only time this year that we collected from this site on a weekend was at 08:48 on Saturday 12th March 2022. In any case, the collection vehicles do not leave our site until 07:00 so the earliest a collection is likely to take place is 07:30."

The Committee were informed that although a planning authority's powers under Section 73 were more limited than when dealing with an ordinary application for permission, it was nonetheless right to consider relevant planning considerations and policies as at the date of its Section 73 determination, especially in light of the points made by consultees and third parties during the course of the application.

The Case Officer stated that Policy SD14 of the adopted Gloucester, Cheltenham & Tewkesbury Joint Core Strategy 2011-2031 (adopted 11th Dec 2017), along with Policy SL1 of the Cheltenham Plan (adopted July 2020) and the NPPF were concerned to ensure that development would cause no unacceptable harm to local amenity including the amenity of neighbouring occupants; or result in no unacceptable levels of air, noise, water, light or soil pollution or odour, either alone or cumulatively, with respect to relevant national and EU limit values. NPPF paragraph 55 related to planning conditions and obligations and suggested that LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions.

A compromised solution was proposed to impose a new condition on opening hours, which provided for the limited restrictions suggested at paragraph 7.12 of the officer's report. In coming to a decision, Members had to be aware that there is no right of appeal for a decision on an application made under Regulation 3, and to attribute appropriate weight to the issues raised when coming to a decision. This balanced recommendation to impose a condition with limited opening hours was proposed by taking into consideration the concerns of the local Member and the representations made by local residents, alongside the needs of the school and its wider role in the local community.

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The case officer concluded that planning permission be granted in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 and for the reasons set out in the report and summarised at paragraph 7.19 to 7.22 subject to the conditions set out in the report.

The case officer suggested a new condition 4 “Notwithstanding the information set out on the planning application form identified in condition 3 of planning consent 21/0024/CHR3MJ relating to school opening hours, with the exception of school employees and school governors, there shall be no access to the school site other than between the hours of:

- Monday to Friday 0700 to 2200
- Saturday 0900 to 1800
- On Sundays and public holidays there shall be no public access to the school for social events, fund raising events or other activities other than with the prior written approval of the County Planning Authority.”

It was explained the reason for this condition was to safeguard the residential amenity of the area in accordance with Policy SD14 of the adopted Gloucester, Cheltenham & Tewkesbury Joint Core Strategy 2011-2031 (adopted 11th Dec 2017), along with Policy SL1 of the Cheltenham Plan (adopted July 2020) and the aims and interests that paragraph 185 and 187 of the National Planning Policy Framework seeks to protect and promote in respect of mitigating and reducing to a minimum potential adverse impacts resulting from noise and disturbance.

The Committee noted this would allow teachers and school staff unlimited access, but public access was restricted. If activities needed to take place on a Saturday after 6pm, on a Sunday or Bank Holiday the school would need the prior written approval of the Local Planning Authority (i.e the county council).

The Chairman invited the following registered speakers to address the Committee:

Objecting: Deborah Hughes:

“I am primarily representing the residents of Durham Close, although it was not solely residents of the Close who submitted objections to this proposal.

On the 25th March I went into the School to discuss the School Streets Scheme, and in the same conversation, in an effort to be open and honest, I made them aware that the Residents were unhappy with the new Planning Variation to allow the School to operate unrestricted hours. I explained that this was primarily as we feared the return of the late night and early morning disturbances the Residents had experienced over more than four years and that these disturbances were still occurring now and they were not just milk floats.

At that same meeting, we also made the School aware that Residents did not support the error in the planning application and in fact I believe, I myself am the only person to question this error, in my letter to Planning in June 2021.

Minutes subject to their acceptance as a correct record at the next meeting

We discussed the Residents suggested hours, and how it would give some opportunity for us to be granted days when we could plan and enjoy undisturbed time in our homes and gardens as well as the assurance that we would have our sleep undisturbed.

My impression during that visit, was that the School were amenable to the Sunday and Bank holiday suggestion but perhaps the other hours might require wiggle room. I suggested that there was a conversation to be had, and said that I hoped now, that the School and Residents could look forward to rebuilding what has become in recent years, a very strained relationship. I genuinely felt buoyant at the prospect of renewed good relations between all.

The Planning Variation, a number of newspaper adverts and 5 bright Orange Planning Notices on Durham Close, had been in the public arena since around the 2nd March - No Supporting Comments at all, from the School Community or beyond had been submitted to the Planning Portal prior to 30th March. This changed when a Letter from School dated 1st April, was sent out to approximately 500 people.

If I may quote: "So here's the urgent ask - let would be very much appreciated if you could use the following link to go onto the planning portal and put in a supporting comment to try and balance the list of "objections" from the residents of Durham Close", Final paragraph reads "For factual information, in case you read the objecting comments, the deliveries that are mentioned causing lack of sleep is an electric milk float that also delivers to the other residents in Durham Close."

It seems the School failed to relay to the Staff and Parents, that Residents did not support the hours in the planning error, nor were the suggested hours mentioned that would easily enable school life to continue unhindered.

The letter also misrepresented the nature and length of time the disturbances had occurred, resulting in Residents' concerns being dismissed by the School Community. Hundreds of Supporting Comments, with a number of unfair, unkind and untrue comments, were subsequently uploaded to the Planning Portal. There have been multiple submissions by some, and at least 3 further requests by the School asking for further support.

This doesn't feel much like balance. Please don't let the shouts of that majority drown out the Resident's voices.

The Residents have seen the hours of operation extend significantly, with activity starting from early morning and into the evening. This has been done as an assumed right, and without thought, consultation or consideration, even though the Schools location is in a Cul-de-Sac.

We have already had so much forced upon us, the private lettings, the activity clubs during the holidays. But we do understand and to a degree support the Schools need to continue to raise money via these lettings and PTA Fundraising activities. The Principal Planning Officers proposal suggests an 85-hour window, offering

Minutes subject to their acceptance as a correct record at the next meeting

plenty of options and flexibility for the School, even our County Police Stations and Hospitals are only open to the public ten hours a day between 0800-1800.

This is no longer a School operating as they did in the 1960s. Parents and to a degree Staff are transient users of the School. The Residents are the most directly affected by every activity day and night, with every pedestrian and vehicle needing to pass closely to our homes in order to access the School and its grounds.

We respectfully ask you to consider your decision here today and the impact of permitting unrestricted access is likely to have on the health and mental wellbeing of the people living so close. Thank you."

Objecting: Wendy Yeates

"I have lived in Durham Close for 43 years. Both my children attended the school. I was a volunteer 'helper' in the infant School and worked at the Junior School. I was a member of the PTA. After leaving there I worked for 35 years at another local school and since retiring I have become a School Governor.

So, I completely understand how important all the extra-curricular activities are, how they enhance the education of all the pupils. I understand the importance of the breakfast and after school clubs in supporting the working parents. I know how much 'extra' time staff put in outside their working hours planning and preparing the lessons which will provide those best educational experiences.

I appreciate the need for schools to generate additional income from private lettings and fundraising activities, especially as it has been impossible to do this for the last 2 years. None of the residents want to limit in any way these opportunities for the local children.

It doesn't need to be done at the expense of the local resident's wellbeing and their right to some peaceful times. The school does not need to be open 24hrs a day 365 days of the year to provide for the pupils and fulfil its' community function. Warden Hill is rated outstanding by Ofsted and this would not change if it was open for the suggested hours. 0700 - 2200 Monday to Friday 0900 – 1700 Saturdays and closed on Sundays and Bank Holidays.

It has been suggested that this would set a precedent and I would argue that it is a precedent that perhaps needs to be set when granting planning permission for schools being built or rebuilt in an area completely enclosed by residential properties. Times have changed. If the school was treated as a business it would have restricted opening hours. What is the school planning to do overnight?

In 1962 when the school was built, just after the bungalows, the caretaker would open up in the morning around 7.30 and lock up before 6.00. There may have been a couple of evenings a term when it was open for parent's evenings or fund raising activities, but the rest of the time the area was quiet. Most parents walked their children to school and back as they lived locally. This was the same into the 80s and 90s but things have changed drastically since then. Residents used to get

Minutes subject to their acceptance as a correct record at the next meeting

letters from the school telling us of upcoming events and inviting us to come along. Residents shouldn't have to look on the website to see if it will be OK to invite people round to sit in their gardens or to find out if they are going to be kept awake late that evening because of the traffic, car doors banging and shouting from people leaving the premises. Not all the residents have the internet. The residents are just asking for their health and wellbeing to be considered and that they can have set times when they know they will be able to relax and recuperate. There is only one way in and out of the school so everything passes along the Close.

On Page 3. Section 1.7 of the Principal Planning Officer's report it was mentioned that there is a School Streets Trial in place and the residents are allowed access to their own properties at the restricted times with a valid permit. Just to clarify, what it doesn't say is that the residents are denied access for their visitors, builders, repairmen, deliveries and friends at these times.

Section 4 recommends a proposed compromise which I feel would not negatively impact on the pupils and would address the resident's concerns. It appears that the school was not in favour because of the extra administrative procedures needed but surely they would only be necessary when the school wanted to apply for LPA approval for anything outside the suggested hours.

I read most of the published supporting comments submitted to the committee and it was apparent that many hadn't read the objections, as their comments implied or stated that we, the residents, wished to stop all extra-curricular activities. Was this because the letters and emails from school, asking them to write in support implied that this was the case? I am sorry that they may have been unwittingly misled as this has led to some acrimonious comments being made to and about the residents.

As residents all we want is for our community school to be just that - part of our community so we all live and work together harmoniously."

Objecting: Warren Ball:

"I moved into Durham Close in 2014 and was happy for many years - until these out of hours' non-educational disturbances.

It has been an absolute nightmare, I just want the basic right to be able to sleep 10:00pm to 07:00am, for example, I've had two disturbances of bin lorries to the school, before 6am in the last week.

So, I implore you to advise the planning department to insert a planning condition for access:

- Monday -Friday 07:00-22.00*
- Saturdays 09.00-16.00*
- No access on Sundays and Bank Holidays.*

Thank you."

Supporting: Mrs Georgina Flooks Head teacher:

Minutes subject to their acceptance as a correct record at the next meeting

“The original planning variation that went in, simply requested the removal of the 'main operating hours of 0700- 1800.' The reason for this removal was due to a clerical error on the original planning application, as schools do not have operating hours placed on them.

The vast majority of the County's primary schools are located in residential areas; Harewood Infant and Junior Schools are in exactly the same position as us in a cul-de-sac lined with Bungalows, St James Primary School Cheltenham and Dunalley both located in a cul-de-sac. Naunton Park Primary, St Marks Primary, St James Junior School Gloucester, Lakeside Primary, Elmbridge and Kingsholm are all set within and surrounded by residential properties. The schools were built to serve these residential areas are seen as the heart of the community and Warden Hill Primary is no different. Nor are the facility services required to run it e.g. refuse collection food deliveries etc. With GCC we have tried hard to address the concerns raised by our neighbours on and off over the last few years linked to noise disturbances and will continue to do so.

Unrestricted simply put just means not limited. Schools have a duty to provide unlimited opportunities for their pupils in and out of the classroom. As times have changed over the years, so have the opportunities for the children. With the government's agenda so clearly focused on education, and I quote from the Secretary of State “A great education unlocks potential. It helps spread opportunity evenly to everyone in society - whatever their background - and it lies at the heart of the pledges the government has made about levelling up”.

The pupils of Warden Hill will not see this 'even opportunity' if the variation is not upheld. The Government are also looking to extend the school day - who knows what the future Government agendas will hold. One thing is clear - we need to be able to move with these agendas and without compromise so our pupils are not disadvantaged.

If the variation is not granted; it will unequivocally limit our statutory duties:

- 1. extracurricular opportunities (as outlined by OFSTED) to support their wider personal development*
- 2. Parents evenings*
- 3. governing board meetings*

Change and the unknown are part of our lives. Nobody saw the pandemic coming and, over the last two years, our school worked incredibly hard to change its working practices, to ensure that our children continued to receive an outstanding education through this period. In responding to the Government's directives, we were on site during bank holidays looking after our children so our NHS parents and all key workers could carry out their services during the lockdowns. Our school was fogged every weekend during the pandemic, sometimes on a Sunday. Who knows what awaits us in future years, but if the variation is not upheld –It would restrain our flexibility in serving our community on a need by need basis, now and in years to come.

Minutes subject to their acceptance as a correct record at the next meeting

A condition as set out in the planning report, would have a detrimental impact on the development of our school and its ability to provide an outstanding level of education it has up until now. Any restrictions that involves having to make applications for use, seriously impede on the ability of the school to continue to develop. The school would have to use its time to make these applications when it should be using its time to establish and develop the school and to provide education to the children. Does any other school have to worry about this? No - I find this to unreasonable and very restrictive.

Warden Hill Primary School's day to day function is educating its children and is no different to any other school. It's current operating hours are no different to any other school. We should be able to operate without hindrance, without compromise and without 'conditions' allowing us to continue to work flexibly and respond appropriately to the needs of our children and the wider community as they arise now and in the future - like any other primary school."

Supporting: Andrew Jones (Parent Representative)

"I am speaking on behalf of the 840 strong parent body in support of the variation request for the removal of the 'main operating hours' of 7am-6pm as this was due to a clerical error in the original planning application.

Warden Hill Primary school (WHPS) has been in situ since 1962 and has operated (like all other primary schools) without restricted hours. I have 2 children, 1 attended WHPS and is now at Sir Thomas Rich's and my youngest is still at WHPS.

Both of them received (and still receive) a 'fabulous' well-rounded education at Warden Hill and this is due to the school's capacity to offer not only the 'school day' education but also a plethora of wider personal development opportunities which are crucial now, more than ever for children's well-being and mental health.

The whole school community feel very strongly about this error and the fact that so many of them went onto the portal to make their views known shows the passionate feelings regarding this clerical error and the potentially catastrophic impact it could have on our children and their education as a result.

Covid had a massive impact on all of us. Our children were really fortunate to have had the brilliant remote learning offer that they did and this was down to the school operating in a timely fashion to the Government's directives. This also included being open and indeed onsite and looking after key worker children on bank holidays - I know as I was one of these key workers that benefited from that provision.

As we have come out of 'Covid' times the children have been able to engage in the much needed after school activities. Most of these run from 3:15 - 4:15, however, there are times when they run beyond 6pm: Film nights, Leavers'

Minutes subject to their acceptance as a correct record at the next meeting

plays, school discos, choirs, family fun bingo night and Christmas Fayres. These activities are the types of activities that any other primary school (indeed school) offer their children. Why should the children of Warden Hill be treated differently due to a clerical error?

Some of the activities I have mentioned are run by the extremely active PTA and bring in much needed additional revenue for our school. This money provides the 'cherry on the top' experiences/resources for our children, ensuring that their early life experiences are full of different opportunities that couldn't always be funded by the school's shrinking budget. The revenue generated by the PTA also supports the school's ability to fund school trips to ensure that costs are kept to a minimum for all our parents. This is a real support for all our families in this current climate due to the increase in cost of living.

By not upholding the planning variation there would be a detrimental effect on the school's ability to enrich these opportunities and worryingly, make us different from every other primary school.

No parent thought that this would be the case when they were lucky enough in successfully gaining a place for their child at Warden Hill - which I know is still a very popular school amongst the wider community.

I would like to finish by saying that we have come here today in support of upholding the planning variation which requests the removal of the operating hours (7-6pm) therefore allowing the school back to unrestricted hours to keep us the same as every other Primary school. By even entertaining the idea of the condition as outlined in the planning report it would make us different from every other primary school; it would seriously impede the school going forwards in the way it needed to develop not in only in supporting and educating its children but offering wider opportunities and experiences. On behalf of the parents and future parents of Warden Hill Primary School - thank you."

Supporting: Matthew Pearce (School Governor)

"I am speaking in support of the variation request for the removal of the 'main operating hours' of 7am-6pm as this was due to a clerical error in the original planning application.

Warden Hill Primary school has been in situ since 1962 and has operated like all other primary schools without restricted hours.

The crux of issue is: Do we want a minor clerical error to set a precedent for all schools and, in this ever-changing world; do we want to restrict how our school could potentially operate in the future? Throughout this, we must also remember our children and our ability to continue to offer an outstanding education without restrictions.

Minutes subject to their acceptance as a correct record at the next meeting

I will show that the planning variation meets the 6 tests of planning conditions: that it is necessary, relevant, permitted, enforceable, precise and reasonable: Therefore, the school should continue with unrestricted hours. I seek to show the importance of operating under unrestricted hours as we have always done in contrast to the main operating hours listed on the planning documents.

The planning variation is necessary so that the school can continue as it always has done to provide an outstanding education. We want to operate as all other primary schools do in the county with unrestricted hours. We believe that Warden Hill is getting the building it deserves and it is necessary to protect how that is used by having unrestricted hours. The planning variation will allow us to perform our statutory duties of governor meetings, wider professional development and parent's evening. It will allow us to develop our curriculum with school trips that return out of hours further developing the children's cultural capital and not place limits on them. The unrestricted hours will allow the school and PTA to effectively fundraise and supplement our ever tightening budget we are all aware of. The return to our normal hours is necessary as we deem ourselves to be pretty good neighbours, who have worked with the other residents on parking, coaches, delivery times and noise.

This planning variation is relevant because we the existing site has always worked with the unrestricted hours. This is not a new school: this is a new building and we should access the site accordingly as we have always done. Additionally, this planning variation should be permitted because the building has already been started and we are seeking to amend a minor clerical error.

A return to unrestricted hours would also be effective and efficient because it would answer the question of who enforces the proposed restrictions? An unrestricted operating times means that the County Council would not need to enforce the restrictions and the school would not need to seek permission for every event but could operate a respectful and common sense approach towards activities.

Furthermore, the unrestricted hours would remove for the need to be precise with the times and allow the school to react when extraordinary meetings are needed such as when reacting to the pandemic.

This new planning variation is reasonable because we are good neighbours. We have worked with the residents and the local authority when the residents have concerns and we only use the site out of hours on very limited times throughout the year. We have a PTA quiz, Saturday fayre, once we had a circus on a Sunday because we could not secure on Saturday and we will continue to work with the residents as we have on the School Streets, deliveries and parking issues.

*A view from one our parent's captures the situation perfectly:
"Although residents may not like aspects of living near a school, an oversight in a planning application, should not be exploited to impact the education and community the school serves, nor place unnecessary burdens upon staff."*

Minutes subject to their acceptance as a correct record at the next meeting

The objections that the residents have are the same as living by any other school and not the result of the new build and therefore the times should not have new restrictions placed on them.

The view of the governing body is that a minor clerical error should not affect the running of our new replacement building which has cost Gloucestershire County Council £7.5m and that the infrequent and historic events listed in the planning document have been addressed and solutions sought. On behalf of the Governors of Warden Hill School, thank you for your time.”

Supporting: Kala Wilkes (Chair of PTA)

“I am speaking on behalf of the PTA in support of the variation request for the removal of the 'main operating hours' of 7am-6pm as this was due to a clerical error in the original planning application.

Our PTA events are community spirited and a reason for the whole community parents and residents included to get together. As a school, we are encouraged to foster strong links with the community and over the many years we have succeeded in doing this. If the stated hours in the planning committee document are granted, it will severely limit the operation of the school in meeting its community liaison duties. This is recognised by the Leckhampton with Warden Hill Parish Council on the planning portal, when they stated in their statutory consultation: "We are supportive of the return to unrestricted hours given the vital role the school plays in the community."

We ensure that residents are informed of upcoming events. We share start and finish times of our events along with offering free admission for residents and we will continue to do so as we return to normal after the Covid 19 pandemic. We ask the parents, volunteers, children and members of the wider community who attend these PTA events to leave the building in a respectful and courteous manner.

Yearly, the school PTA organise:

- . 2 quizzes which finish by 10:30pm*
- . 2 school discos which finish by 9:00pm*
- . 1 Family bingo evening which finishes by 8:30pm*
- . 1 Christmas fayre on a Friday night finishing by 8:30pm*
- . 1 Summer fayre on a Saturday which starts at 8:00am and finishes by 8pm.*

These events raise around £10,000 per annum, which are vital funds and these feedback directly into our children's education. We believe this number of events to be reasonable number of events and in line with other comparable school PTA events. Although these hours are broadly in line with the suggested hours, as a PTA we would not want to lose our flexibility in organising our events for children, parents, staff and the wider community.

We have previously fundraised for: iPads that the children have constant

Minutes subject to their acceptance as a correct record at the next meeting

access to during lessons enhancing their learning; a re-designed library which is constantly in use by all; current literature which has re-vamped class libraries and importantly engages our young readers. This valuable fundraising has also been used to subsidise travel to school residential which improves the children's cultural capital - giving the children the same opportunities as their peers. The PTA is currently fundraising for a wellbeing pod which would be the much needed, additional well-being learning space for our children. To place restrictions on the school would hamper this fundraising. We want to stress that without this essential funding, the children will cease to benefit from the extra opportunities provided by the PTA.

The PTA is run by volunteers. They offer an extensive amount of time to organise and run these events. Having to further request permission to stage events would make a complicated job, impossible!

We are only asking for the new building to operate under the same conditions as the current building.

I would like to finish by saying that we have come here today in support of upholding the planning variation which requests the removal of the operating hours (7-6pm) therefore allowing the school back to unrestricted hours to keep us the same as every other Primary school. By even entertaining the idea of the condition as outlined in the planning report it would make us different from every other primary school; it would seriously impede the school going forwards in the way it needed to run its essential fundraising events. This would ensure that all our pupils benefit from the monies raised keeping us the same as other PTAs in being able to work flexibly as a volunteer body. On behalf of the PTA and the future PTA of Warden Hill Primary School - thank you."

Applicant: Gareth Vine (GCC)

"The need for this application was simply to rectify a clerical error identified in the original application which is to provide the school and community with brand new modern, fit for purpose facilities. The vast majority of schools have no restrictions on their use or activities and we therefore strongly disagree with the proposed wording as set out in this officer's report as it will add unnecessary pressure, constraint and compromise to how the school currently operates.

I would like to reiterate that Leckhampton & Warden Hill Parish Council and Cheltenham Borough Council have both responded saying they have no objection to the proposal. It is really important that this is not overlooked. Schools are located at the heart of communities and have been serving the families living there for many years. The majority of residents surrounding school sites will have moved into the area aware of the presence of the school and for some this would have been a key deciding factor for them to locate. It is vital they remain flexible and are able to adapt in response to changing demands.

Minutes subject to their acceptance as a correct record at the next meeting

The government has recently announced further intentions to extend the school day – how this will manifest itself remains to be seen but we cannot support the placing of an onerous and unnecessary restraint on the staff and governing body.

There is a need to remember the great pressures the school are always under to maintain education especially during the pandemic, supporting keyworker families etc. It is a real testament to their dedication and this should not be underestimated and cannot be overlooked.

There is no evidence to show that the school has in the past acted in any way without due care and consideration for properties. They have been as proactive as possible to address any concerns of local residents.

Warden Hill Primary School is one of a handful of schools in the county which is part of the GCC Think Travel School Streets trial to reduce congestion and encouraging active travel and healthy lifestyles for children and families. The school is very supportive of the scheme and is very keen that this initiative continues.

Concerns have been raised regarding early deliveries and disturbances that have been reported to Cheltenham Borough Council Planning Enforcement and Environmental health teams who have in turn, investigated claims. It is important to understand that both departments found no grounds for further investigation or evidence of harm etc.

The school does receive deliveries by third party operators. The management of these contracts are through Gloucestershire County Council, there are terms specified within the operating contracts which specify permitted hours for deliveries to the school e.g. after 7am. There have been instances where deliveries have occurred earlier (outside the control of the school) however, those cases have been reported and dealt with through the appropriate channels at GCC – these are not matters the school is responsible for.

There have also been cases of minor disturbance through milk deliveries to the school. The electric vehicle that delivers the milk early also delivers to other residential properties in Durham Close on the same run. The school has arrangements for the safe storage of the milk until staff arrive later and the head teacher went to great lengths to ask the Dairy to put the school delivery on a later delivery route. The only downside of this is that now, the pupils don't always get their milk during morning break time, when they are supposed to.

Schools are an asset to the community and where possible look to offer their facilities for private hire. The school gives due consideration to the nature and type of premises use requested and would not be looking to allow anything that could be detrimental to the adjoining residents.

The school does not carry out any activities that would not be expected in any other school in the country. The ad-hoc nature of school activities also needs to be appreciated and understood. Whether this is collecting pupils who are returning

Minutes subject to their acceptance as a correct record at the next meeting

from competitive events, residential activities or holding fund-raising events. These are typical activities seen at all schools.

The school staff are extremely dedicated and need to retain the flexibility – their commitment and dedication should not be penalised in the restrictions being proposed. There is no reason to suggest the school would act in a way that requires such control – having to seek permission outside the suggested hours is not reasonable and simply adds another burden for the school to have to deal with.

The school already has a process for informing residents of planned events, and therefore we do not feel this is a justifiable extra. The main issues raised already have suitable control processes in place. Recognition must be given to the amount of work and effort the school has done to resolve the issues. Thank you.”

Leckhampton with Warden Hill Parish Council: Cllr Graham Beale (speech presented by the Chairman in Cllr Beale’s absence)

“The parish council supports the need to retain unrestricted operating hours for Warden Hill School given the broad and occasionally unpredictable services they provide to children, parents, teachers and the community.

Three residents from Durham Close have contacted me directly regarding pre-7am noise disturbances from the school’s day-to-day operation and I have spoken at length to 2 of those 3 residents.

I understand from Cllr Nelson the planning variation to restrict school hours was a clerical error and was not intended to provide a solution to pre-7am noise disturbances. Restricting the hours of the school, will not only constrain the school’s operation but also introduce an additional level of bureaucracy, process and cost without fully understanding the root cause(s). A few weeks ago I ask residents suffering noise disturbances to keep a log so we can review this following the election.

Cllr Nelson has also been working with GCC contracts to reduce noise disturbances. This dialogue has been successful however, there is more to do.

With my Borough Councillor hat on, working together with Cllr Tony Oliver we plan to survey the residents of Durham Close. Along with the noise disturbance logs, I expect this information to give us a greater insight into the impact and scale of the noise disturbances and enable us to assess whether further mitigations could assist.”

County Councillor: Emma Nelson

“I appreciate that the Planning Officer has already outlined the background to this application, but I’d like to re-iterate my reasoning for “calling it in to Committee”.

Minutes subject to their acceptance as a correct record at the next meeting

In completing the application form for the new school, the agent unfortunately entered Operating Hours in Question 19 and put Monday to Friday 7 am – 6 pm, apparently taken from the School Travel Plan.

What is most frustrating is that this error wasn't corrected when the application was out for consultation, before it was even approved, particularly as both local residents and me raised several questions at the time with the External Planning Consultant, regarding the permitted "operating hours" given in the original application.

There followed various challenges relating to early disturbances then apparently in breach of the approved times and it was ascertained that question 19 of the form should have been left blank; the application would then have been approved with no reference to operating hours and the unrestricted access currently in place at Warden Hill Primary would have continued. We would not be here.

However, what actually happened was that a significant amount of local interest was generated, such that a new application had to be raised to correct this clause which had the incorrect hours in.

If this error had not been identified and corrected by raising this additional application then, once the new building is complete, the school would be tied to the stated hours Monday to Friday 7 am – 6 pm which are clearly not workable.

Therefore, this application seeks to effectively remove any reference to operating hours and allow the school to continue to function as now, with unrestricted hours in line with other primary schools across the country.

I am here today as the elected local member for Leckhampton and Warden Hill.

Within this community there are staff who work at the school, parents who have children at the school and residents who live close by.

So - taking these groups in the community I represent, in turn.

The Staff: Both my parents were teachers and even way back then in the "old days" teaching was definitely not a term time only, school day only profession, it was and still is, very much a vocation not a job. Now, more than ever, teachers are under increasing pressure and work long hours to deliver an outstanding education to our youngsters. They provide vital extra-curricular activities, as well as meeting with parents to discuss their children's progress. Staff need to have access to set up and clear up. All this is part and parcel of the rewarding profession that teaching now is, moulding the children of our community to ensure they succeed and are the best they can be.

Warden Hill Primary is rated as outstanding by Ofsted, this is a testament to the hard work of the teachers and all the support staff who, understandably want the unrestricted hours to continue.

Minutes subject to their acceptance as a correct record at the next meeting

Next the Parents of children at the school, they are concerned that placing restrictions on the operating hours could have a serious impact on their children's education, and particularly the PTA.

As we've just heard, Warden Hill is fortunate to have a very active PTA who raise funds to subsidise numerous activities including school trips, swimming, attendance at the science and literature festivals and much, much more. Indeed, the PTA recently purchased a large quantity of brand-new reading books for the school library.

The PTA also organises clubs across the year groups including breakfast and afterschool care providing vital support to working parents, something we are sadly seeing an increasing need for.

As one parent put it to me:

"We cannot afford to curtail or constrain the future of our hardworking PTA fundraising opportunities, which will in turn impact our children – our future generations of scientists, Doctors, Teachers. They need supporting. Children will be missing out on things when their parents can't afford it.

If hours are restricted per original application, the children are going to be massively disadvantaged in terms of the extra experiences that the school can provide to them including various sporting skills, after school clubs, PTA events, school plays and leavers' events."

And the local residents some of who are understandably concerned that the school, once occupying the new building, might start hiring out the excellent facility over extended hours in term-time and at weekends as well as throughout the school holidays.

PTA events and fundraisers can go on late into the evenings with disturbance from the actual event and from people as they are leaving, both vocally and car doors banging etc.

As I have said I am here to represent staff, parents, and residents and, although I do have my own opinion, I felt it right to call this application in to Committee to ensure complete transparency of the planning process and my sincere hope is that whatever the decision today the whole school community, staff, parents and local residents can come together going forward."

The Chairman invited questions from Members following the presentation.

Councillor Fisher asked if this was deemed as positive discrimination if the operating hours were to be applied. The case officer explained that it was for members to consider the application on its own merit.

Councillor McFarling declared he was a Governor of the White Forest Federation but he maintained an open mind on this application. The principal lawyer explained that the member could continue providing he had not pre-determined the

Minutes subject to their acceptance as a correct record at the next meeting

application. Councillor McFarling confirmed he had not pre-determined the application.

The Chairman also declared he was a school governor and he also had not pre-determined the application.

Councillor McFarling suggested if all other schools didn't have restricted hours then this must be discrimination.

The Principal Lawyer explained that the report before members was the balance of residents' concerns versus the needs of the school and it was up to the committee to decide if Condition 4 was appropriate and it was within the committee's gift to remove it, if they saw fit.

The case officer explained that Condition 3 would impose hours of restricted use but the committee could choose to not accept but an alternative condition would need to be proposed.

Councillor Housden asked if there were any other schools in Gloucestershire with restricted operating hours or any within the country. The case officer explained that she was unable to answer that question without checking every application granted by the County Planning Authority and the District Planning Authorities, however the hours of operation would depend on what the District Council permission had been granted.

The principal lawyer clarified that a condition 4, would need to state there were no restrictions in respect of the school opening hours if the committee were minded to do so.

Councillor Cohen declared that she was a Director of 'Read with Me' but had not pre-determined the application.

The Committee entered into debate.

Councillor Miller wished to congratulate the School on being rated outstanding by Ofsted, as he was Chair of the Children and Families Scrutiny Committee he was delighted to hear this news. He urged the school to continue to have dialogue with the local residents and he felt it was strange to impose restricted hours on a school and noted it was a clerical error but one that could be remedied by a Condition 4 of unrestricted hours of operation.

Councillor Baker proposed to refuse the officers recommendation and proposed that the school be allowed to continue to operate under its previous arrangement of unrestricted operating hours. This was seconded by Councillor Fisher.

Councillor Baker reiterated that the Committee should not accept the officer's recommendation and the original situation be reverted to pre-application. He added that he was concerned at the number of hours that had been wasted due to a clerical error, which had placed unnecessary stress on the school. Councillor Baker

remarked that he was surprised that the Education Department was at logger heads with the Planning Department.

The principal lawyer clarified that this was not a Planning Department error, it was an error on the Applicant's part on filling in the application form. Councillor Baker apologised for the misinterpretation.

Councillor Vines stated that it appeared all members were of the same opinion to reject the officer recommendation, and required clarification from officers in terms of the new condition 4. The case officer confirmed that the officer recommendation for the wording of could be rejected and a new condition 4 could be proposed, for unrestricted hours to be reinstated.

The case officer suggested the following wording based on the Committee's view that "notwithstanding the information set out on the planning application form identified in Condition 3 of the planning consent 21/0024/CHR3MJ relating to the school opening hours, there shall be no time restrictions on the use of the school. The reason for this condition was to safeguard social and community infrastructure and in accordance with JCS policy INF4 and NPPF Chapter 8."

The principal lawyer confirmed that the report before the committee would be approved with the amendment of condition 4, allowing the school to operate with unrestricted hours. The Committee confirmed that was their intention.

On being put to the vote, the application was unanimously supported and the application was granted.

The Committee therefore:

Resolved

That the planning permission be granted in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 and for the reasons set out in the report and summarised at paragraph 7.19 to 7.22 subject to the conditions set in the report with the addition of Condition 4 "notwithstanding the information set out on the planning application form identified in Condition 3 of the planning consent 21/0024/CHR3MJ relating to the school opening hours, there shall be no time restrictions on the use of the school. The reason for this condition was to safeguard social and community infrastructure and in accordance with JCS policy INF4 and NPPF Chapter 8."

15. DELEGATED DECISIONS

Resolved

That the report be noted.

16. ENFORCEMENT REPORT

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Resolved

That the report be noted.

CHAIRPERSON

Meeting concluded at 2.00 pm