

**TO EACH MEMBER OF THE
PLANNING COMMITTEE**

05 February 2018

Dear Councillor

PLANNING COMMITTEE- TUESDAY 13 FEBRUARY 2018

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the following:

Agenda Item	Description	
5a	Schedule	1 - 137
	To consider the accompanying Schedule of Planning Applications and proposals, marked Appendix "A".	

Should you have any queries regarding the above please contact Democratic Services on
Tel: 01684 272021

Yours sincerely



Lin O'Brien
Head of Democratic Services



**APPENDIX A
Agenda Item No. 5A**

TEWKESBURY BOROUGH COUNCIL

Schedule of Planning Applications for the consideration of the **PLANNING COMMITTEE** at its meeting on 13 February 2018

	(NORTH)	(SOUTH)
General Development Applications Applications for Permission/Consent	(566 - 607)	(608 -651)

PLEASE NOTE:

1. In addition to the written report given with recommendations, where applicable, schedule of consultation replies and representations received after the Report was prepared will be available at the Meeting and further oral reports may be made as appropriate during the Meeting which may result in a change to the Development Manager stated recommendations.
2. Background papers referred to in compiling this report are the Standard Conditions Booklet, the planning application documents, any third party representations and any responses from the consultees listed under each application number. The Schedule of third party representations received after the Report was printed, and any reported orally at the Meeting, will also constitute background papers and be open for inspection.

CONTAINING PAGE NOS. (566 - 651)

Codes for Application Types

OUT	Outline Application
FUL	Full Application
APP	Application for Approval of Reserved Matters
LBC	Application for Listed Building Consent
ADV	Application for Advertisement Control
CAC	Application for Conservation Area Consent
LA3/LA4	Development by a Local Authority
TPO	Tree Preservation Order
TCA	Tree(s) in Conservation Area

National Planning Policy

National Planning Policy Framework (NPPF)

Technical Guidance to the National Planning Policy Framework

Planning Policy for Traveller Sites

Planning Policy Statement 10: Planning for Sustainable Waste Management

Planning Policy Statement 11: Regional Spatial Strategies

INDEX TO PLANNING SCHEDULE (RECOMMENDATIONS) 13th February 2018

Parish and Reference	Address	Recommendation	Item/page number
Ashchurch Rural 17/01184/APP Click Here To View	Land South of A46 Pamington Lane Ashchurch	Approve	5 / 593
Bishops Cleeve 17/00449/OUT Click Here To View	Local Centre Plots 7 & 8 Cleevelands Bishops Cleeve	Delegated Permit	12 / 645
Bishops Cleeve 17/01293/FUL Click Here To View	Land at Stallards Butts Evesham Road Bishops Cleeve Cheltenham	Permit	9 / 611
Churchdown 16/00738/OUT Click Here To View	Parcel 3745 Cheltenham Road East Churchdown	Delegated Permit	11 / 623
Great Witcombe 17/01223/FUL Click Here To View	Land adjacent to Farthing Cottage Farm Lane Great Witcombe Gloucester	Permit	8 / 608
Hawling 17/01339/FUL Click Here To View	Tug Hill House Hawling Cheltenham	Permit	6 / 598
Oxenton 17/01042/APP Click Here To View	Crane Hill Farm Woolstone Cheltenham	Prior Approval Approved	7 / 604
Southam 17/01348/FUL Click Here To View	Kayte Farm Southam Lane Southam Cheltenham	Permit	10 / 618
Stanway 17/01078/FUL Click Here To View	Land off Broadway Road Part Parcel 9070 Toddington	Refuse	1 / 566
Toddington 16/01025/FUL Click Here To View	Wellington Meadows Olde Lane Toddington	Delegated Permit	2 / 577

Winchcombe
17/00187/FUL
[Click Here To View](#)

The Abbey Old House Cowl Lane Winchcombe

Permit

3 / 584

Winchcombe
17/00188/LBC
[Click Here To View](#)

The Abbey Old House Cowl Lane Winchcombe

Consent

4 / 589

17/01078/FUL

Land off Broadway Road, Part Parcel 9070, Toddington

1

Valid 05.10.2017
Grid Ref 404906 232502
Parish Stanway
Ward Winchcombe

The erection of 6 dwellings with associated vehicular access.

Mr W Holmes
C/O Agent

RECOMMENDATION Refuse

Policies and Constraints

National Planning Policy Framework
Planning Practice Guidance
Joint Core Strategy (2017): Policies SP1, SP2, SD4, SD7, SD10, SD12, INF1
Tewkesbury Borough Local Plan to 2011 (March 2006):
Human Rights Act 1998 - Article 8 (Right to Respect for Family and Private Life)
The First Protocol, Article 1 (Protection of Property)
Area of Outstanding Natural Beauty

Consultations and Representations

Toddington Parish Council - No objection, but concern that it does not reflect the linear style of the existing village and is an urban style development that could set a precedent thus eroding the character and identity of the village.

County Highway Authority - No objection subject to conditions in relation to parking and turning, access, footway links and visibility.

County Archaeologist - No objection. No archaeological investigation or recording required in connection with this scheme.

Environmental Health - No objection, subject to the erection of an acoustic fence on the eastern boundary to mitigate noise from the Gloucestershire & Warwickshire steam railway.

Urban Design Officer - Objection in principle - Development in the village generally addresses the main road and is of single depth plot. This proposal goes against the settlement patterns and represents back land development, which can feel isolated and disconnected. In design terms the dwellings would be visually contained, their appearance is appropriate and the layout respects residential amenity.

Landscape Officer - Object - The development would encroach into the rural surrounding countryside setting of this part of Toddington village that is within the AONB and provides part of the foreground setting to the Cotswold AONB escarpment. The development would erode and weaken the existing rural soft edge to the village. The inter-visibility of the proposal would increase in winter months particularly from the main viewpoints along the norther highway approaches to the village.

Housing Enabling Officer - If the total floor space created by the development exceeds 1000 square metres 40% affordable housing should be sought.

Wales & West Utilities - No objection.

Severn Trent Water - No objection subject to conditions to deal with foul and surface water drainage.

Local Residents - The application was advertised by means of a site notice. Three letters of objection have been received. The matters raised are summarised below:

- Proposal for 11 dwellings rejected because it was an estate, but the proposed six houses with the existing consent for 2 dwellings is 8, which amounts to the same.
- 39 houses are permitted/ under construction in the village which already exceeds the 15 previously identified in the proposed Tewksbury Borough Plan. An additional 6 dwellings would be gross overdevelopment.
- Piecemeal development of our Hamlet making it feel like an urban not rural area.

- Development will be out of character with Toddington. The design does not adopt the linear layout of the village or modest dwellings characteristic of a country village.
- Government wants to preserve the rural charm and character of villages in the AONB.
- The site is elevated above the B4077 and B4632 and would be conspicuous and visible over a distance to the detriment of the AONB.
- Increased pressure on educational and health services: Didbrook school is full and is not on a bus route. Doctors surgery at Winchcombe struggling to cope.
- Additional car movements generated will add to traffic, noise and pollution.
- The new road junction close to the existing roundabout will be hazardous; vehicles queue down the road at rush-hour.
- There would be light pollution from the new dwellings.
- Concerns about drainage/ sewage systems not being able to cope.
- Site straddles a high pressure gas pipeline which could be hazardous.
- Hard to see how the development contributes to sustainable growth.
- Only one site notice posted which may account for low number of objections.

Councillor Mason has requested Committee determination to assess the impact of the development on surrounding properties.

Planning Officers Comments: Catherine Ashby

1.0 Introduction

1.1 The rectangular site forms part of a larger agricultural field, laid to grass, sited to the rear of Harrington House and four new dwellings currently under construction along the frontage of the B4077. To the west lies the B4362 with residential properties beyond. To the northwest and directly abutting the site planning permission was granted to the same applicant for two new dwellings but construction has not commenced. An agricultural building is sited on the western side which is owned by the applicant. To the east in a cutting lies the line of the Gloucestershire and Warwickshire steam railway and to the north is cultivated, open agricultural land. A mains gas pipeline runs north/south under the site.

1.2 The site is accessed off an existing track from the B4362 and there is an existing lay-by off the B4362 which lies adjacent to the site.

1.3 The site is located adjacent to Newtown/Toddington which is identified as a Service Village within the Joint Core Strategy (JCS). The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB).

2.0 Planning History

2.1 Two detached dwellings were granted planning permission on a smaller site to the north of Harrington House and fronting the B4632 on 11/04/2017 to the same applicant (ref: 15/01359/FUL). The site is located to the north of the proposed access road into the current application site. The applicant submitted amended plans for two dwellings after officers confirmed that the original proposals for 11 dwellings on a larger application site were unacceptable. The wider site for 11 dwellings includes a large proportion of the current application site.

2.2 A S73 application was subsequently received and approved in respect of the above permission for two dwellings (ref: 17/00524/FUL). The application proposed to reposition the access to the south of the dwellings further south along the B4632 by varying condition 2. The vehicular access provides access to agricultural land and buildings to the east of the dwellings. The application also proposed alterations to the dwellings facilitating the provision of an additional two bedrooms at second floor level and a dormer on the rear elevation. This increased the gross floor space of each dwelling to approximately 369 square metres.

2.3 A further S73 application has been received and is currently under consideration in respect of the permissions for the two approved dwellings (ref: 18/00032/FUL). The application seeks to add 'orangery' extensions to the rear of each dwelling, increasing the gross floor space of each dwelling to 397 square metres.

3.0 Current Application

3.1 Full planning permission is sought for the erection of six detached, two-storey dwellings. The dwellings would be accessed off the B4362 via a new access road to the north of the proposed dwellings and become a private road where it serves the last two units. The access road would benefit from a large turning head sited over the gas main/ easement. Four dwellings would have integrated garages and two would have no garages. Two car parking spaces per dwelling is proposed to the front of each dwelling.

3.2 Four of the dwellings would be 4-bedroom properties and two 5-bedroom. All would have pitched roofs and would be orientated such that the principal elevations face north onto the proposed new estate road. The dwellings would be principally faced in stone and roof finishes would be in reconstituted stone tiles.

3.3 The applicant submitted additional plans following discussions with the County Highway Authority concerning access and visibility arrangements.

4.0 The Community Infrastructure Levy Regulations

4.1 The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from developers undertaking new building projects in their area. Whilst Tewkesbury Borough Council has not yet developed a levy the regulations stipulate that, where planning applications are capable of being charged the levy, they must comply with the tests set out in the CIL regulations. These tests are as follows:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

4.2 As a result of these regulations, Local Authorities and applicants need to ensure that planning obligations are genuinely 'necessary' and 'directly' related to the development'. As such, the Regulations restrict Local Authorities ability to use Section 106 Agreements to fund generic infrastructure projects, unless the above tests are met. Where planning obligations do not meet the above tests, it is 'unlawful' for those obligations to be taken into account when determining an application. The need for planning obligations is set out in relevant sections of the report.

4.3 The CIL regulations also provide that as from 6 April 2015, no more contributions may be collected in respect of an infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy.

5.0 Policy Context

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The key consideration in assessing the principle of development therefore are the existing and emerging plans for the area and Government policy in respect of new housing development.

5.2 The Joint Core Strategy (JCS) was adopted in December 2017 and is part of the Development Plan for the area. Various policies in the JCS superseded some of the policies in the Tewkesbury Borough Local Plan (TBLP) to 2011 which had hitherto been saved by the Secretary of State.

5.3 The JCS sets out the key spatial policies for the JCS area over the period of 2011-2031 and the preferred strategy to help meet the identified level of need. Policy SP1 sets out the overall strategy concerning the amount of development required, and Policy SP2 sets out the distribution of new development. These two policies, combined with Policy SD1 on the economy, provide the spatial strategy for the plan. This strategy, together with its aims, is expressed in relevant policies throughout the plan and will be supported by forthcoming district plans and neighbourhood plans.

5.4 Tewkesbury Borough's needs (at least 9,899 new homes) will be provided through existing commitments, development at Tewkesbury Town in line with its role as a market town, smaller-scale development meeting local needs at Rural Service Centres and Service Villages.

5.5 Policy SP2 provides that in the remainder of the rural area Policy SD10 will apply to proposals for residential development. Toddington (including New Town) is identified as a Service Village in the settlement hierarchy of Policy SP2.

5.6 Policy SD10 sets out that on sites that are not allocated, housing development and conversions to dwellings will be permitted on previously-developed land in the existing built-up areas of Gloucester City, the Principal Urban Area of Cheltenham and Tewkesbury Town, rural service centres and service villages except where otherwise restricted by policies within district plans. Housing development on other sites will only be permitted subject to certain exceptions, none of which apply in this case, as set out below - (see section 6).

5.7 The saved policies of the TBLP also comprise part of the Development Plan for the area in respect of the application site.

5.8 Other material policy considerations include National Planning Guidance contained within the National Planning Policy Framework (NPPF). The NPPF aims to promote sustainable growth and requires applications to be considered in the context of sustainable development and sets out that there are three dimensions to sustainable development: economic, social and environmental.

- the economic role should contribute to building a strong, responsive and competitive economy;
- the social role should support strong, vibrant and healthy communities; and
- the environmental role should protect and enhance the natural, built and historic environment.

These roles should not be undertaken in isolation, because they are mutually dependant.

5.9 Paragraph 12 of the NPPF clarifies that it does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that accords with the development plan should be approved, and proposed development that conflicts should be refused unless other material circumstances indicate otherwise. In this case the presumption is against the grant of planning given the conflict with Policy SP10 and as such permission should be refused unless material circumstances indicate otherwise.

5.10 Paragraph 14 of the NPPF sets out that at the heart of the NPPF there is a presumption in favour of sustainable development and that for decision-taking this means (unless material considerations indicate otherwise) that development proposals that accord with the development plan should be permitted without delay; and that where the development plan is absent, silent or out-of-date, permission should be granted subject to certain caveats.

5.11 In terms of housing delivery, the NPPF sets out that local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing. Paragraph 49 sets out that housing applications should be considered in the context of the presumption in favour of sustainable development.

5.12 The Council is able to demonstrate a five year housing land supply and therefore, aside from approving development proposals that accord with the development plan without delay (unless material considerations indicate otherwise), the presumption in favour of sustainable development set out in paragraph 14 of the NPPF does not apply.

5.13 Framework Paragraph 115 advises that 'great weight' should be given to conserving the landscape and scenic beauty of AONB's. The advice regarding conservation and enhancement of the beauty of the AONB landscape is reflected in Policy SD7 of the JCS.

5.14 Other relevant Development Plan policies and that of the NPPF are set out in the appropriate sections of this report.

6.0 Analysis

6.1 The main issues are considered to be the principle of the development in this location, the form, character and design, the landscape impact, the impact on highway safety, the impact on residential amenity, drainage, noise, affordable housing and planning obligations.

Principle of the development

6.2 Toddington (including Newtown) is a named Service Village in the JCS. Policy SP2 states that Service Villages will accommodate lower levels of development, proportional to their size and function, and also reflecting their proximity to Cheltenham and Gloucester. New development is to be allocated through the Tewkesbury Borough Plan and Neighbourhood Plans.

6.3 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. Toddington/ Newtown contains some services facilities including a village hall, a shop and a public house and is serviced by bus routes to larger centres.

6.4 The Framework also recognises the need to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development (paragraph 28) and also that opportunities to maximise sustainable transport solutions will vary from urban to rural areas and that there is a need to balance this against other objectives set out in the Framework, particularly in rural areas. Although it is accepted that the new residents would to a large extent be reliant on the car, this would be in common with all the Service Villages and is not sufficient reason in itself to prevent any further residential development in such communities. Rather, it is one of the many considerations that need to be taken into account when assessing specific proposals.

6.5 The application must nevertheless be considered on its own merits in the context of the current Development Plan.

6.6 The proposal is considered to be in clear conflict with Policy SD10 of the JCS, which allows for housing *on previously-developed land in the existing built-up areas of ... Tewkesbury Town, rural service centres and service villages except where otherwise restricted by policies within district plans*. In the context of the current application, the site is not previously developed land. Furthermore, it's location on the edge of the settlement is not considered to fall within what could be considered to be the 'existing built up area' of the village.

6.7 Outside such areas, and any allocations in the Development Plan, Policy SD10 sets out certain exceptions such that new housing development will only be permitted where:

- i. It is for affordable housing on a rural exception site in accordance with Policy SD12, or
- ii. It is infilling within the existing built up areas of the City of Gloucester, the Principal Urban Area of Cheltenham or Tewkesbury Borough's towns and villages except where otherwise restricted by policies within district plans, or
- iii. It is brought forward through Community Right to Build Orders, or
- iv. There are other specific exceptions/circumstances defined in district or neighbourhood plans.

6.8 It is considered that the site does not meet any of these exceptions. In relation to criteria (i), (iii) and (iv) it is not promoted as a rural exception site, it has not been brought forward through a Community Right to Build Order; and there are no policies in existing development plans which allow for the type of development proposed.

6.9 In relation to criterion (ii) the judgement is whether the site is considered to represent 'infilling' within the 'existing built up area' of Toddington/ New Town. The reasoned justification of the JCS (paragraph 4.11.5) states that, *"for the purpose of this policy (4 ii), infill development means the development of an under-developed plot well related to existing built development"*. The NPPF does not contain a definition of infilling. The generally accepted definition in planning terms (often cited by Planning Inspectors in decisions) is *"the development of a small gap in an otherwise continuous built-up frontage, or the small-scale redevelopment of existing properties within such a frontage."*

6.10 As described above, the site is agricultural land in the open countryside located on the edge of the settlement. By its very nature it forms part of the rural setting of the village but is not considered as falling within the existing built up area of the village. Its location on the edge of the settlement means that it is, by definition, adjacent to existing and permitted housing development (located to the south and west), but this is not considered sufficient justification in itself to redefine the site as an underdeveloped plot. Furthermore, the

placement of six dwellings on the site is not considered small scale in the context of what might ordinarily be considered to represent 'infill' development. The application site is therefore considered contrary to Policy SD10 (4 ii) as it does not fulfil the JCS definition of infill development in a village.

6.11 The applicant argues to the contrary due to the location of dwellings to the south, permitted (but not constructed) dwellings to the west and the presence of the railway cutting to the east. They suggest that the railway cutting is 'built development' and that this would result in the site being well-related to built development on three sides. This argument is not considered to hold weight as the railway cutting is long-established and well integrated into the surrounding landscape to the extent that it is not apparent as built development and does not therefore fulfil the JCS definition.

6.12 It is clear that the proposal does not meet the JCS strategy for the distribution of new development since it is in conflict with Policies SP2 and SD10. In spite of the location of the site on the edge of a named Service Village, with access to local services and facilities, the failure of the site to fulfil the definition of an 'infill' site means that it is not automatically considered to be suitable for housing development in principle.

6.13 Furthermore, in the current planning policy context the Council can demonstrate a five year supply of deliverable housing sites and the Development Plan is not absent, silent or out-of-date in respect of new housing development.

6.14 The JCS states that the role of Service Villages is to provide in principle for some limited residential development proportionate to its size and function. It is notable that Toddington/ Newtown has recently accommodated a significant quantum of new housing growth in fulfilling this role. A total of 39 new dwellings have received consent in the 'New Town' part of the settlement within close vicinity to the application site, representing 20% growth over and above the number of existing dwellings in the village. Indeed, committed housing developments within the Service Villages as a whole have already delivered almost all the 880 dwellings required in Policy SP2 of the JCS, despite the end of the plan period being some 13 years hence.

6.15 Therefore, notwithstanding the need for suitable and sustainable sites to come forward to maintain a robust five year housing land supply, it is clear that there is no urgent need at this present time for the site in relation to the contribution it could make to the rolling supply of housing, in Toddington/ New Town or the Service Villages overall. Promotion of the site would instead be more appropriate via the current review of the Development Plan as part of the spatial strategy for the Borough as a whole.

6.16 The applicant claims that the Council's decision to refuse permission for the development would be wholly inconsistent with its previous recent decisions to grant permission for new housing in the village, including on the adjacent site where two dwellings have been permitted. However, each case must be considered on its own merits and in the current policy and housing land supply context. Previous permissions were granted at a time when the Council could not demonstrate a five year supply of deliverable housing sites and the presumption in favour of sustainable development applied. That is not the case now. The presumption is in favour of refusal given the conflict with the development plan. Furthermore, as explained above, these recent permissions amount to a substantial contribution of housing land supply by Toddington/ New Town as a Service Village. It does not follow that previous decisions, in an entirely different policy context, set a future precedent for unrestricted provision of housing in the village when it is clear that there is no current urgent need for additional sites in the context of the Service Village or wider housing land supply.

6.17 It is considered that the conflict with the Development Plan set out above is therefore a matter that weighs heavily against the proposal.

Form, character and design of the development

6.18 Policy SD4 criterion (i) of the JCS requires that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type and density and materials appropriate to the site and its setting. This advice is consistent with the one of the Core Principles of the NPPF which seeks to secure high quality design that responds to local character and history, reflecting the identity of local character and surroundings (paragraph 58). It is also proper to promote or reinforce local distinctiveness (paragraph 60).

6.19 The surrounding area is characterised by traditional two-storey detached/semi-detached dwellings with pitched roofs which are in a linear form fronting the highway and of a single plot depth, set back from the highway with a front garden/driveway and generous rear gardens. The traditional dwellings are generally modest in scale.

6.20 The Urban Design Officer advises that proposed location, layout and density of the development would not reflect the traditional settlement pattern of the village and represents a back land form of development. This is accentuated by the fact it would only be accessible via a new access road off the main highway running to the north of the proposed dwellings. Development of this nature can feel isolated and disconnected from the existing settlement and can lead to an unnecessary encroachment into the countryside. Notwithstanding the siting/ layout/ density, the design, scale and appearance of the proposed dwellings are considered acceptable in the local context.

6.21 The applicant has responded to the Urban Design Officer's comments citing the 33 dwellings that have been granted permission along the B4077, to the east of west of the Toddington roundabout, as an example of a development that does not address the main road network. They consider this example of the evolution of the form and character of the village should be a strong material consideration.

6.22 It is acknowledged that the B4077 development is a departure from the traditional design pattern of the village as the site was formerly a greenfield site free of development. However, the new development is not piecemeal back land development but has been designed as a distinctive new extension to the village that references but does not entirely replicate the traditional settlement pattern. Importantly, the design creates a strong frontage to the highway with dwellings in well-spaced plots reflective of development on the opposite side of the road, with the rear plots collectively but not substantially deeper than the existing urban form. It is considered a positive design response to the extension of a small village that reinforces local distinctiveness and is not justification for the gradual erosion of the traditional form and character of the village by isolated pockets of back land development that encroach into the surrounding countryside setting, as proposed in the current application.

6.23 In conclusion it is considered that the proposed back land development is not a positive design response as it would not reflect the traditional form, layout and density of the village. It would not therefore reinforce local distinctiveness or the character and appearance of the village and its surroundings. It is therefore contrary to Policy SD4 of the JCS and the objectives of the NPPF and is a matter that weighs heavily against the proposal.

Impact on the landscape of the AONB

6.24 The site is located wholly within the AONB and the proposal would be visible from a number of public vantage points as well as from private property. The NPPF states that great weight should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection in relation to landscape and scenic beauty. Policy SD7 of the JCS reflects this advice.

6.25 The application site is in a prominent location when entering Newtown from the north along the B4632, albeit the site is partly screened by existing vegetation and is read against the backdrop of dwellings to the south.

6.26 The Landscape Officer objects to the scheme as it would encroach into the rural surrounding countryside setting of this part of Toddington village that is within the AONB and provides part of the foreground setting to the Cotswold escarpment. The uncharacteristic form of back land development, as described above, through encroachment would erode and weaken the existing rural soft edge to the village. The inter-visibility of the proposal would increase in winter months particularly from the main viewpoints along the northern highway approaches to the village.

6.27 Due to the prominence of the site, a scheme was previously rejected by Officers for an application for 11 dwellings by the same applicant on a slightly larger site (occupying the whole of the agricultural field), including a 6 metre wide driveway to the north, on the grounds that it would have an unacceptable impact on the landscape of the AONB. On the advice of Officers this scheme was scaled back to two detached dwellings that address the highway frontage, which was considered an appropriate design response to this sensitive site. It was however acknowledged that the scheme would result in limited harm to the AONB.

6.28 The current application occupies a slightly reduced footprint than that of the proposed 11 dwellings. However, when combined with the two approved dwellings to the west the development would total 8 dwellings and, in actual fact, represents a very similar footprint. The impact of the development on the AONB is not therefore substantively different to the scheme for 11 dwellings that was previously rejected by Officers.

6.29 The issue of the impact of an infill development on the AONB has been examined in a recent appeal decision on an adjoining site to the south for a single dwelling (Land at Ashgrove, Toddington). In the decision the Inspector notes the existing spacious and open character of the village as a distinctive attribute of this developed part of the AONB. He considers that the development would result in an uncharacteristic row of dwellings in closer proximity to each other than most in the area, which would cause unacceptable harm to the character and appearance of the surrounding area, including the AONB. As such it would be contrary to policies SD6 and SD7 of the JCS which together require development to, amongst other things, avoid detrimental effects on types, patterns and features which make a significant contribution to the character of a settlement or area, and for all development in the AONB to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. It would also be contrary to the Framework in respect of paragraph 115 and paragraph 17 which states that planning should, amongst other things, take account of the different character of different areas. He concluded that the unacceptable harm that would be caused to the character and appearance of the surrounding area, including the AONB, would not be a sustainable form of development.

6.30 Whilst the current application represents a back land form of development rather than the frontage development it is considered that the harms cited in the 'Ashgrove' appeal decision apply equally to the current application. As already explained in this report the proposed development by reason of its siting, form and design would not reflect the traditional form, layout and density of the village. It would not therefore enhance local distinctiveness or the character and appearance of the village and its surroundings. The encroachment into the rural setting of the village would cause it to be prominent from key viewpoints on the northern approach to the village and in the foreground setting to the Cotswolds AONB escarpment. Accordingly, it is considered that the development would cause unacceptable harm to the character and appearance of the surrounding area including the landscape and scenic beauty of the Cotswolds AONB and this is a matter that weighs heavily against the proposal.

Impact on highway safety

6.31 Policy INF1 of the adopted JCS requires developers to provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. The County Highway Authority has been consulted on the application and does not object to the proposal subject to the imposition of conditions to secure parking and turning, access, footway links and visibility.

6.32 Each unit provides off-street parking for 2- 3 cars and this level of parking is considered acceptable. The applicant has demonstrated through the submission of additional plans that the required vehicle tracking and visibility splays can be achieved to the satisfaction of the Highway Authority.

6.33 A number of local residents have raised concerns about the safety of the access in proximity to the junction with the Toddington roundabout but, as stated, the Highway Authority is satisfied that the appropriate visibility splays can be achieved.

6.34 In light of the above, it is considered that the proposed development would have an acceptable impact on highway safety subject to relevant conditions.

Impact on residential amenity

6.35 The NPPF requires new development to be designed to have regard to its impact on the amenity of existing and future residents, which is reflected by Policy SD4 (ii) of the JCS. The application site adjoins the back gardens of residential properties to the south one of which is owned by the applicant, one is privately occupied, and four are currently under construction/ unoccupied. No objections have been received on the grounds of impact on residential amenity.

6.36 The proposed dwellings are two-storey, detached properties with rear facing windows. The rear gardens vary between 10 and 12 metres in length between the rear elevation of the dwelling and the rear boundary. The length of rear gardens of the dwellings they back on to is similar and results in a distance of between 21m and 26m between the rear facing elevations of the existing and proposed dwellings. These distances are considered to be broadly acceptable in terms of potential overlooking/ loss of privacy between dwellings. Whilst some dwellings would benefit from existing mature boundary treatments some plots do not. The rear boundary treatments are not indicated on the plan but these could be conditioned together with a landscaping scheme to provide increased screening between rear gardens.

6.37 It is considered that the proposed dwellings would not have an unacceptable impact on existing residents by reason of overbearing or over-dominating impact. On balance there would not be an unacceptable detrimental impact on the living environment of existing/ future occupiers.

Drainage

6.38 Concerns have been raised about the drainage of the site and capacity of the existing sewerage system to cope with the number of dwellings proposed. Severn Trent Water has not raised any objection to the proposed scheme but require conditions to deal with the foul and surface water drainage. A condition could be imposed to secure a comprehensive evidence based detail drainage design including a SuDS/drainage management plan.

Noise

6.39 The Environmental Health Officer has raised concerns that the proximity of the Gloucestershire and Worcestershire steam railway to the east, could give rise to a reduction in amenity by reason of noise. It is suggested that an acoustic fence could be constructed along the eastern boundary to mitigate the impact. In considering this request it is noted that the GWR railway is an amenity railway that operates intermittently and the housing development to the south of the application that is currently under construction was not required to provide any acoustic screening. Furthermore, the erection of an acoustic fence would represent a visual intrusion into the AONB and exacerbate the harms identified above. On this basis it is not considered the requirement for an acoustic fence as part of the development would be reasonable.

Affordable Housing

6.40 Policy SD12 of the JCS sets out that on sites with a maximum combined gross floor space of greater than 1000 sqm a minimum of 40% affordable housing will be sought within the Cheltenham Borough and Tewkesbury Borough administrative areas. The Tewkesbury Borough Council Affordable Housing SPG states: *"An application for planning permission for development that forms, or might at some future date become part of, a more substantial development, will be treated as an application for planning permission for part of the more substantial development and the appropriate threshold will apply. In line with recent planning appeal decisions this will apply even if the applicant does not have a legal interest in part of the larger site, as long as there is a possibility that the larger development could take place"*.

6.41 Whilst the proposal is for only six dwellings, the combined gross floor space of the development amounts to approximately 1500 square metres. The scheme in itself therefore triggers the requirement for affordable housing in accordance with policy SD12 of the JCS.

6.42 A previous application (ref: 15/01359/FUL) for 11 dwellings, and which included the current application site, was reduced to 2 two-storey dwellings following Officer objections. A revised approved scheme for 2 three-storey dwellings (ref: 17/00524/FUL) amounted to approximately 738 square metres of combined gross floor space. It is notable that a further revised scheme is currently under consideration which would increase the combined gross floor area of the 2 dwellings to 794 square metres. None of the iterations of this scheme trigger the threshold for affordable housing.

6.43 Of particular relevance to this application is the case of *Westminster City Council v F.S.S. and Branford* which outlines the tests to be applied in determining whether two proposals are phased parts of a larger whole. These tests are: (i) are the sites within the same ownership (ii) are the sites a single site for planning purposes and (iii) whether the proposals constitute a single development.

6.44 In terms of the first test, the site for the 2 approved dwellings and current application was entirely within the original red line site plan for the initial application for 11 dwellings. The scaled down permission for 2 dwellings, permitted in April 2017, resulted in a reduction of the red line site plan. The original and scaled down site was all in the ownership of the applicant in this case. In respect of the second test it is considered that, as the current scheme is sited immediately adjacent to the previous site, the sites can be considered as a single site for planning purposes. This is also relevant in respect of the third test in that the scheme can easily be read to constitute a single development.

6.45 Of note in this respect is an appeal at the Kings Head site in Norton (ref: 15/00639/FUL) where the applicant contested the reason for refusal relating to affordable housing. The application sought to construct additional dwellings adjacent to the existing permission for dwellings but the applicant refuted the Council's view that this constituted a single development for affordable housing purposes. The Inspector dismissed the appeal, which was subsequently challenged unsuccessfully in the High Court.

6.46 The Strategic Housing and Enabling Officer has requested 40% affordable housing be provided as part of the current application. However, in planning terms it is considered that the site forms part of the larger development with the adjacent housing. On that basis, the recently approved 2 dwellings should be taken into account in calculating the affordable housing liability which would increase from 2.4 affordable dwellings to 3.2 affordable dwellings.

6.47 In light of the above it is considered that the current application and the previously permitted site for 2 dwellings constitutes a single site for planning purposes and for the assessment as to what affordable housing contribution is required. No affordable housing contribution has been put forward and as such, the proposal is contrary to Policy SD12.

Other matters

6.48 Concerns have been raised concerning the danger posed to residents of the location of a high pressure gas main on the eastern side of the site. The layout of the site has been designed to take account of the required easement around the gas main. The development will be required to be implemented in accordance with the advice of the statutory undertaker and the Construction Design and Management Regulations and should not therefore pose any undue risk.

7.0 Conclusions

7.1 It is acknowledged that there would be benefits arising from the proposal in respect of the contribution to the economic and social elements of sustainability as defined in the NPPF which must be afforded some weight. However, this would be limited by the scale of the development and the fact that the Council can demonstrate a five year housing land supply. Further the development would not adversely impact on residential amenity, drainage nor would it be prejudicial to highway safety.

7.2 Nevertheless, the location of the site is contrary to Policies SP2 and SD10 of the JCS, which seek to promote development in more sustainable locations, and it would result in unacceptable harm to the character and appearance of the village and to the landscape and scenic beauty of the Cotswolds AONB. Furthermore it would not make suitable provision towards affordable housing. It is considered that the harms identified in this report are not outweighed by other considerations and the application is therefore recommended for **REFUSAL**.

RECOMMENDATION Refuse

Reasons:

- 1 The proposed development conflicts with Policies SP2 and SP10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017) in that the proposed development does not meet the strategy for the distribution of new development in Tewkesbury Borough and the application site is not an appropriate location for new residential development.
- 2 The proposed backland development would cause unacceptable harm to the traditional character and appearance of the village and its surroundings by virtue of its location, form, layout and density that would not enhance local distinctiveness. As such the proposal conflicts with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017) and the NPPF.
- 3 The proposed development would cause unacceptable harm to the landscape and scenic beauty of the Cotswolds Area of Outstanding Natural Beauty by virtue of its impact on the traditional character and appearance of the village, encroachment into the rural edge and prominence in key viewpoints. As such the proposal conflicts with Policy SD7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017) and the NPPF.
- 4 The application does not provide housing that would be available to households who cannot afford to rent or buy housing available in the existing housing market. As such the proposal conflicts with Policy SD12 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017).

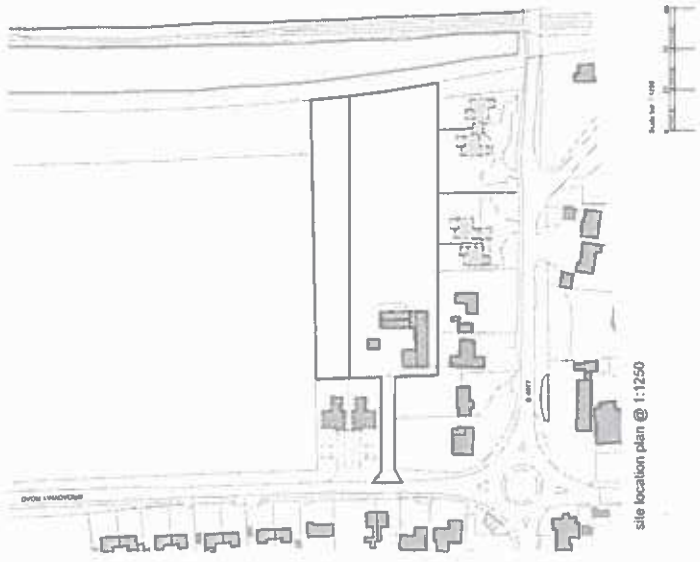
Note:

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding. However, as a consequence of the clear conflict with Development Plan Policy no direct negotiation during the consideration of the application has taken place.

Land to the Rear of Harrington House
New Residential Development

17/01078/FUL



16
576/A



Project	New Residential Development Harrington House Tisbury
Client	W&J Holmes
Scale	1:1250 @ A1
Date	September 2017
Draw no	PL001

Drawing title	Existing Block Plan + Site Location Plan
Drawn by	W&J/DK
Checked by	T/C
Job number	17.20.029

comber, everitt architects

17/01078/FUL

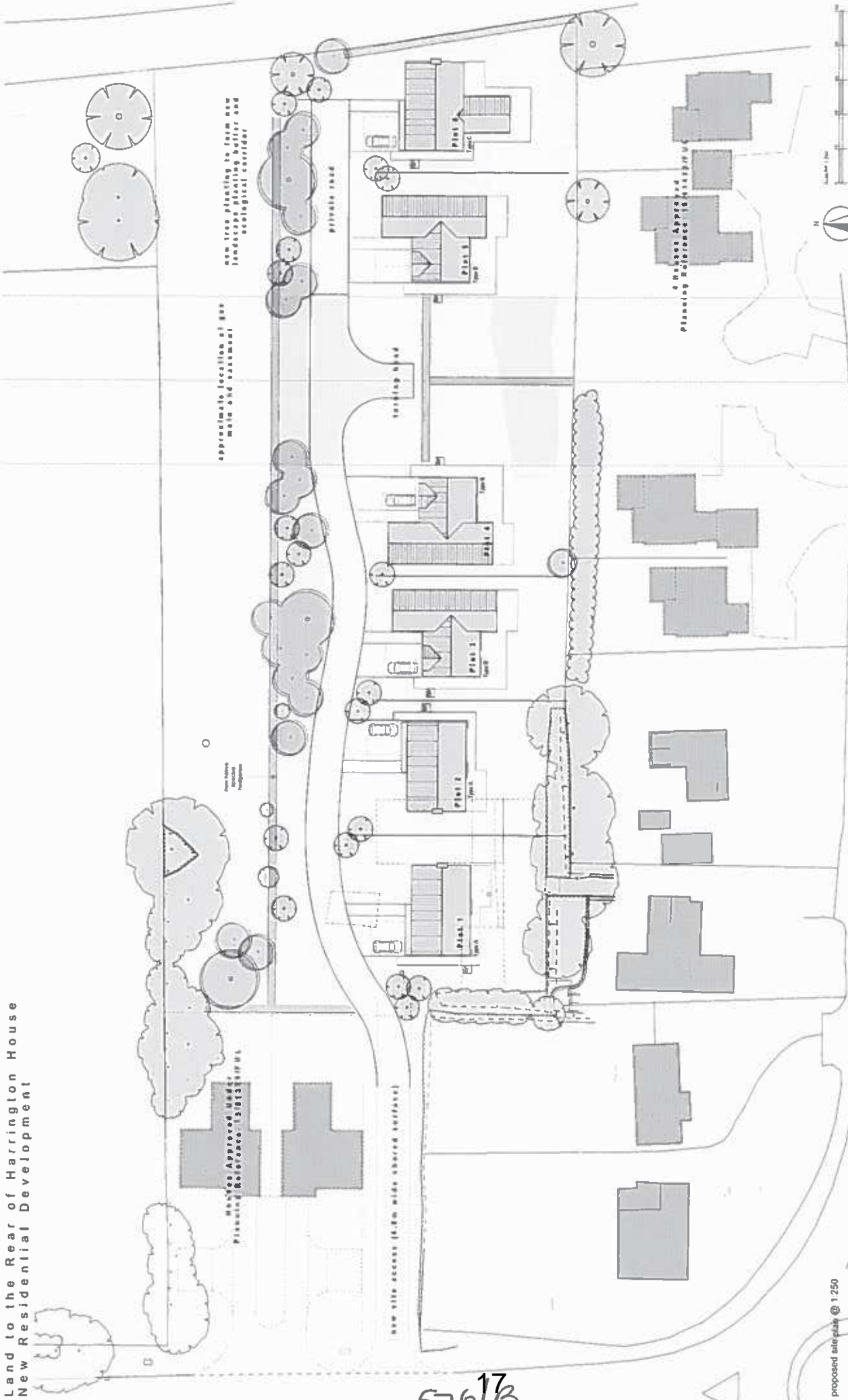
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Preliminary
 Feasibility
 Planning
 Building Regulations
 Tender
 Construction Issue
 As Built

Land to the Rear of Harrington House
New Residential Development



proposed site plan @ 1:250

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Project	New Residential Development Harrington House Tockington
Client	Will Halliwell
Scale	1:250 @ A1
Drawn by	LJ/DK
Checked	TC
Date	September 2017
Job number	17.20.029
Draw no	PL003

57613

Land to the Rear of Harrington House
New Residential Development

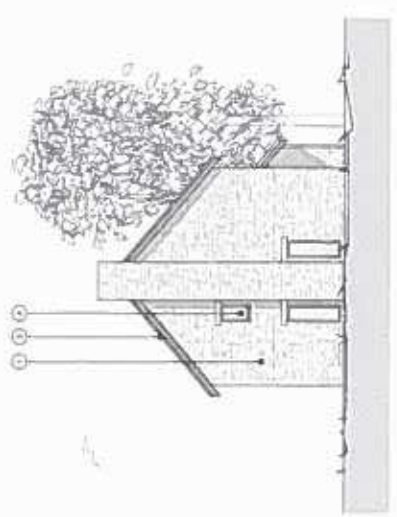
- indicated by:
- 1. main levels
 - 2. external walls
 - 3. window and door locations
 - 4. external water features and steps
 - 5. external paving areas
 - 6. boundary



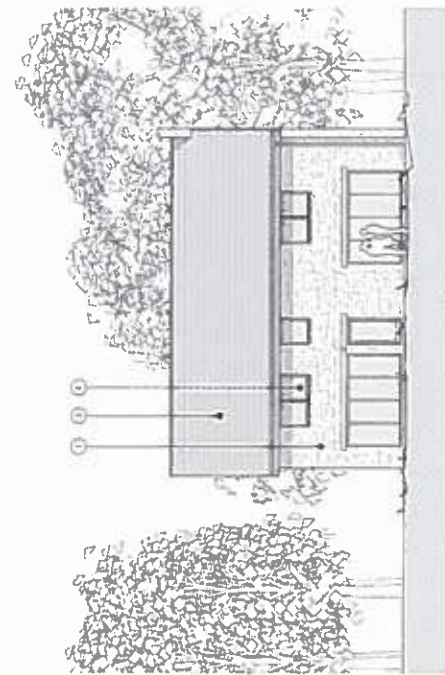
proposed ground floor plan



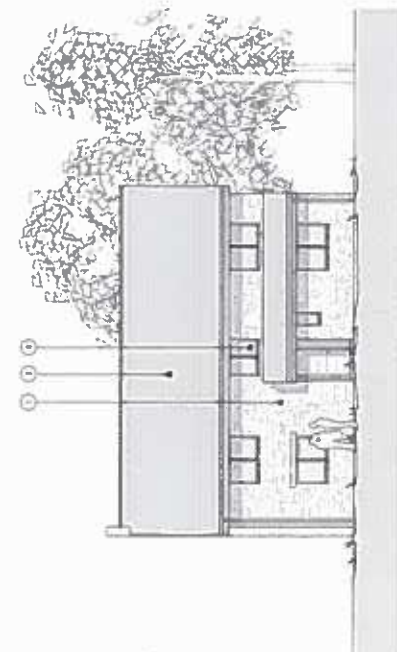
proposed first floor plan



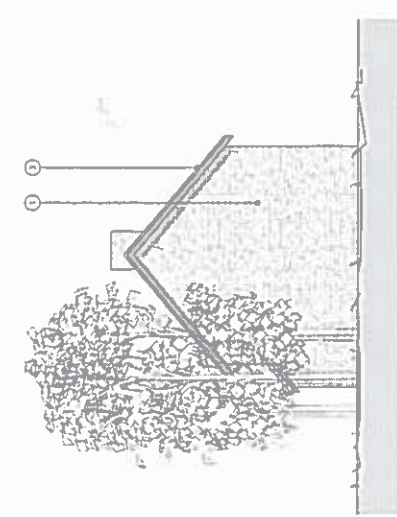
proposed side elevation



proposed rear elevation



proposed front elevation



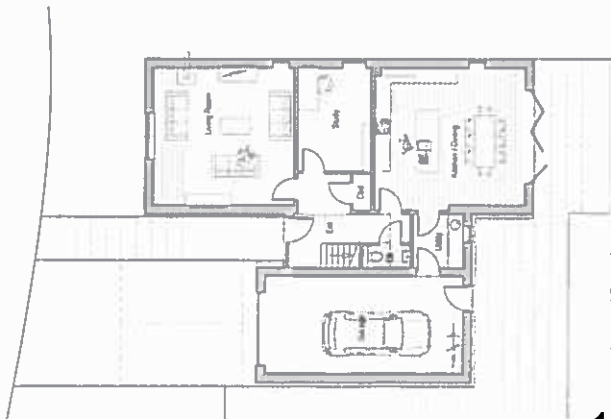
proposed side elevation

5761c
18

<p>coombes everitt architects limited Unit No. 1, The Old Dairy Rushley Lane Witchampton Gloucestershire GL54 5JE t: 01242 801727 f: 0845 537433 e: info@coombes-everitt.co.uk www.coombes-everitt.co.uk</p>		<p> <input type="checkbox"/> Preliminary <input type="checkbox"/> Feasibility <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Building Regulations <input type="checkbox"/> Tender <input type="checkbox"/> Construction Issue <input type="checkbox"/> As Built </p>	
<p> <small>The drawing and content is copyright of all authors. No part of this drawing or content may be reproduced without the prior written consent of the author.</small> RIBA <small>Chartered Institution of Building Architects</small> </p>		<p> Project: New Residential Development Harrington House Tewkesbury </p>	
<p> Drawing title: TYPE A - Proposed House Plans </p>		<p> Scale: 1:100 @ A1 Date: September 2017 Draw no: PL004 </p>	
<p> Client: Will Holmes Drawn by: L J DK Job number: 17.20.029 </p>		<p> Checked: T C </p>	

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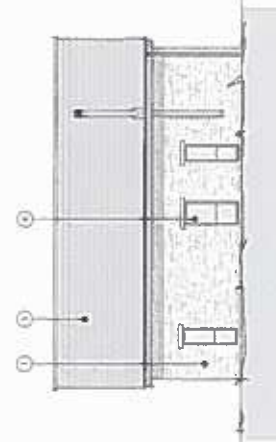
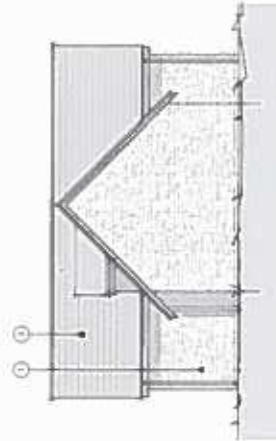
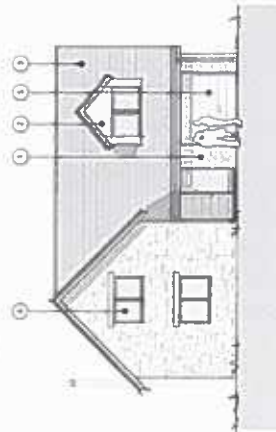
Land to the Rear of Harrington House
New Residential Development



proposed first floor plan

proposed ground floor plan

- noted by
1. floor level
 2. window levels
 3. external door levels
 4. internal door levels
 5. ground level
 6. finish level



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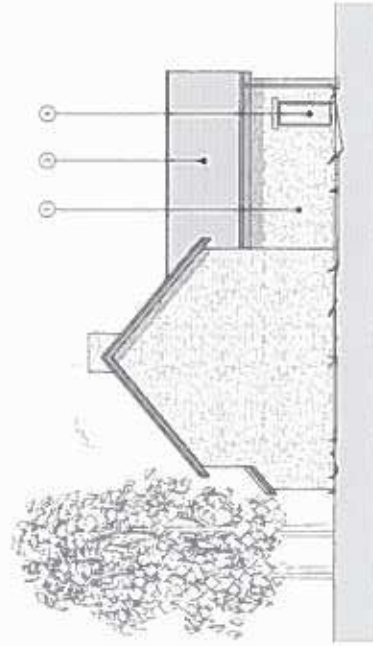
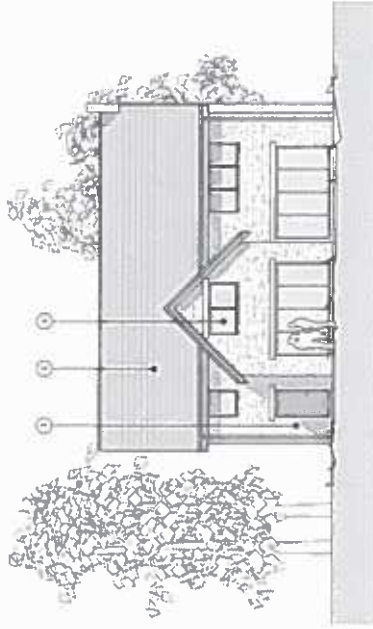
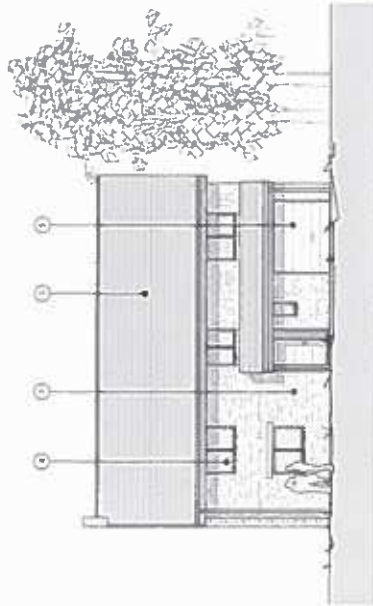
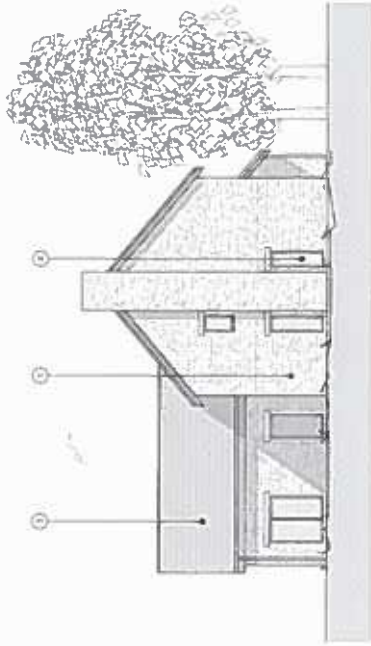
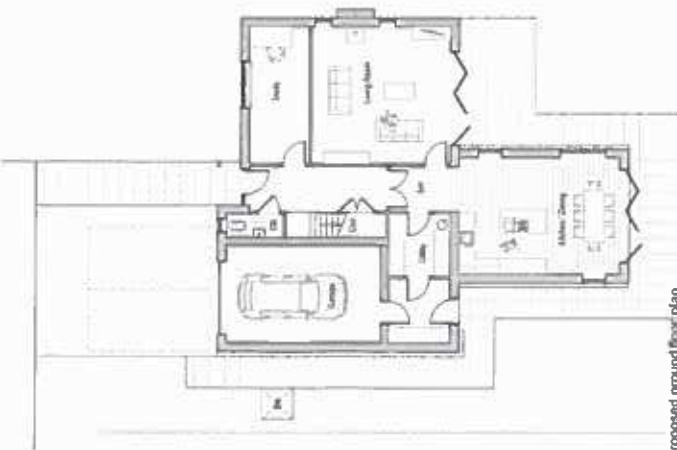
Drawing title: TYPE B - Proposed House Plans
Client: Will Holmes
Drawn by: L J DK
Job number: 17.20.029
Checked: TC
Date: September 2017
Scale: 1:100 @ A1
Project: New Residential Development
Harrington House
Fosburyton

Date no: PL005
coombes : overitt architects

57610 19

Land to the Rear of Harrington House
New Residential Development

- Notes:
1. All rooms are to be finished to a high standard.
 2. All rooms are to be finished to a high standard.
 3. All rooms are to be finished to a high standard.
 4. All rooms are to be finished to a high standard.
 5. All rooms are to be finished to a high standard.



Scale: 1:100

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Project	New Residential Development Harrington House Tottenham
Drawing title	TYPE C - Proposed House Plans
Client	W&H Holmes
Drawn by	LJ/DK
Checked by	TC
Job number	17.20.029
Date	September 2017
Scale	1:100 @ A1
Drawn no	PL006

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20
576/E

16/01025/FUL

Wellington Meadows, Olde Lane, Toddington

2

Valid 21.09.2016
Grid Ref 403403 232776
Parish Toddington
Ward Isbourne

Proposed agricultural building

Mr W Holmes
Harrington House
Stow Road
Toddington
GL54 5DT

RECOMMENDATION Delegated Permit

Policies and Constraints

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Policy Framework
Planning Practice Guidance
Adopted Joint Core Strategy (AJCS) - Policies SD7, INF1 and INF2
Tewkesbury Borough Local Plan to 2011 - March 2006 - Policy AGR5
TBC Flood & Water Management SPD (Adopted December 2014)
Cotswolds AONB
Toddington Manor Registered Park Grade II
Flood Zones 2 & 3
Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Toddington Parish Council (summarised) - Objection to the original proposal on the basis that the proposal would result in significant harm to the historic parkland of Toddington Manor, and the wider setting of the Cotswolds AONB. No comments have been received in relation to the revised proposal.

County Highways - No objection to the revised proposal.

Land Drainage - No comments received.

Landscape Officer - The revised proposal, which is significantly smaller than the previous scheme, is acceptable in landscape terms and does not negatively affect the landscape setting of the registered park. No objection subject to conditions.

Conservation Officer - No objection to the revised proposal subject to standard material considerations.

Historic England - No comments received for the revised proposal. No objection raised to previous iterations on heritage grounds although it was questioned why the building can't avoid the flood zone without being located centrally within the field.

County Archaeologist - The revised proposal has low potential to have any adverse impact on archaeological remains therefore it is recommended that no archaeological investigation or recording is required in connection with the scheme. No further observations.

The Garden Trust (via Gloucestershire Garden and Landscape Trust (GGLT)) (summarised) - On the basis of the consultation responses made by Heritage England and the Council's Conservation Officer, it is recognised that the strength of any heritage refusal is seriously compromised. GGLT regrets this is yet another element in the decline in the heritage and aesthetic value of Toddington Manor's listed parkland.

Natural England - No objection.

Public Representations - Fourteen letters of objection have been received over the course of the application. The following comments have been received in relation to the original and revised proposals:

- The site is located in the AONB
- Understand that no building should take place in historic parkland and AONB.
- Concerns relating to size and design of building.
- Subject to flooding from the river and surface water.
- Why was agricultural building allowed in 1994 and not built.
- No form of agriculture in operation over last 20 years.
- Never seen sheep in the fields in last 2 years.
- Proposed location ideal situation for a domestic dwelling.
- Building could be easily converted to a dwelling.
- Olde Lane in poor condition and unsuitable for farm traffic
- Build area will disturb ecological interests at the site.
- The owner of the land has no right of way over the private lane 'Olde Lane' which is the only access to the land.
- There is no requirement for a permanent shelter on this site.
- Ancient trees would be in danger of damage and need full protection.

Planning Officers Comments: Mrs Helen Stocks

1.0 Application Site

1.1 The application site lies to the north of Olde Lane in Toddington and comprises a 1.4 hectare field located immediately east of the River Isbourne (see attached site location plan). The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) and comprises land within Flood Zones 2 and 3.

1.2 The application site also sits within the boundary of Toddington Manor Registered Park and Garden (Grade II), and is within the wider setting of Grade I Toddington Manor, the Toddington Manor Gatehouse Scheduled Ancient Monument (SAM), and the Grade I Church of St Andrew; just outside the designated park but within 300 metres of the proposed building.

1.3 The site itself is relatively flat and has become overgrown with vegetation, including a number of trees spread across the site, with several mature Wellingtonia sited along the north-east boundary. There are open fields to the east of the site, the closest of which contains a field shelter and stables, and residential properties to the south-east, accessed from Olde Lane.

2.0 Planning History

2.1 In October 1994 planning permission was granted for the erection of a barn to be used for the storage of hay and as a winter shelter for lambs (ref: 94/6064/0802/FUL). The siting of the building was to the front of the site, along the south boundary with Olde Lane. The building itself was never constructed although the concrete hardstanding had been laid and remains in place. This is deemed to constitute a material operation which signifies the start of development. As such, the 1994 permission is deemed to be extant and could be implemented.

2.2 More recently, planning permission was refused in February 2016 for the erection of a detached agricultural building which was to be sited in the same location as the previously approved 1994 scheme (ref: 15/00828/FUL). The reasons for refusal include the significant harm to the setting of the historic parkland and AONB, flood risk and impact on trees.

3.0 Current Application

3.1 The current application seeks planning permission for the erection of an agricultural building in the centre of the field with an access track from Olde Lane. The proposed building is required for the keeping of livestock (namely sheep) and for the associated storage of hay, feed and farming equipment.

3.2 The application has been subject to various revisions, with the original proposal for an open-sided structure with a footprint of 60 square metres. Revised plans were then submitted in August 2017 for a larger building (14 metres by 8 metres, providing a floorspace of approximately 112 square metres) that would be enclosed on three sides with concrete panels and timber boarding. This revision did not alter the siting of the proposed building but sought to provide an apron covering (70 square metres) to the front of the building.

3.3 The latest revision (submitted January 2018) is more akin to the original scheme although it would be a three bay open-fronted building with a footprint of 60 square metres (10 metres by 6 metres). It would have shallow pitched roof, with an eaves and ridge height of approximately 3.1 metres and 4.4 metres respectively. External materials would comprise green stained timber boarding and dark green coloured metal roof sheets (see attached plans).

3.2 The access track would require a new entrance to be created off Olde Road. This would utilise the existing area of concrete hardstanding within the site to create the entrance and would extend 90 metres in length 3 metres in width. The proposed track would be constructed using cellular grasscrete mesh system.

4.0 Policy Context

4.1 Section 3 of the NPPF seeks to support a prosperous rural economy through the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings. This section also looks to promote the development and diversification of agricultural and other land-based rural businesses.

4.2 Section 10 of the NPPF relates to climate change and flooding. It makes clear that inappropriate development should be directed away from areas at highest risk of flooding. Planning Practice Guidance (PPG) requires the application of the sequential test in cases where the proposed development is located in flood zones 2 and 3 unless the proposal relates to minor development or change of use. This is in line with the requirements of Policy INF2 of the AJCS which reiterates that development proposals must avoid areas at risk of flooding in accordance with a risk-based sequential approach.

4.3 Section 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, inter alia, protecting and enhancing valued landscapes. It follows that great weight should be given to conserving the landscape and scenic beauty of Areas of Outstanding Natural Beauty.

4.4 Section 12 of the NPPF (Conserving and enhancing the historic environment) sets out that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation.

4.5 Policy AGR5 (New Agricultural Buildings) of the Local Plan states that proposals for the erection of agricultural buildings will be permitted provided that the proposed development is well related to existing buildings in order to minimise adverse impact on the visual amenity of the area paying particular regard to the AONB and SLA. Proposals should also be sympathetically designed and have adequate operational access.

4.6 Policy INF1 of the AJCS requires all proposals to ensure safe and efficient access to the highway network. It sets out that planning permission will be granted only where the impact of development is not considered to be severe.

4.7 The above local planning policies are considered to be consistent with the NPPF.

5.0 Analysis

Impact on Historic Environment and Cotswolds AONB

5.1 The application site is located within Toddington Manor Registered Park and the Cotswolds AONB and is therefore an area of high landscape sensitivity. A number of concerns had been raised in relation to the original proposal and the first revision (which increased the size of the proposed building) on heritage and landscape grounds. It was contested that there was insufficient justification for an agricultural building to be erected in such a sensitive location and the proposed access track would have a harmful impact on the special landscape qualities of the Registered Park and Cotswolds AONB.

5.2 In response to these concerns, the applicant's agent submitted a second set of revised plans which amended the size, scale and materials of the proposed building, reducing the footprint from 112 square metres to 60 square metres. This reduction in size is deemed to be more proportionate to the need and size of this particular land parcel and would reduce the visual prominence of the structure in the landscape, with external facing materials to be green stained timber boarding and dark green metal roof sheets to assimilate to surrounding trees.

5.3 The latest revision has not amended the siting of the proposed building and it would remain centrally placed within the site. The applicant's agent has submitted supporting information to justify this location which, taking into account the site's constraints, is to avoid areas of the site at greatest risk of flooding (see para 5.11) while also avoiding pockets of mature vegetation and the root protection areas (RPAs) of the well established Wellingtonia trees which extend along the north-east site boundary.

5.4 It is considered that by virtue of the positioning and amended design, the proposed building would not appear overly prominent in its surroundings as existing mature vegetation along the site boundaries would provide a sufficient level of screening. The proposed building would be visible from Olde Lane but it is considered that the reduced size of the building would not be intrusive or out of keeping with the rural landscape. This is further aided by the use of a cellular grasscrete mesh system for the proposed access track which is deemed more appropriate than a hard surfaced access road. The Landscape Officer is satisfied that the use of grasscrete meshing would minimise the engineered appearance of the access track, thus reducing its visual impact within Toddington Manor Registered Park and the AONB, and would not harm the numerous mature trees within the site subject to a condition requiring works to be carried out in accordance with the Arboricultural Implications Assessment submitted as part of the planning application. For these reasons, it is considered that the proposed building would not result in significant visual harm to the AONB landscape. The proposal is of a design which is common in AONB locations and external materials can be controlled through relevant conditions. As such, the proposal is deemed to accord with Policy AGR5 of the Local Plan and Policies SD7 and SD8 of the JCS. Nevertheless there would be a degree of harm as a result of the proposal and this would be exacerbated should the extant permission granted in 1994 be implemented. As the application is predicated on the basis that the current proposal would effectively replace that permitted in 1994, it is reasonable that a section 106 obligation be agreed so that the 1994 permission is not fully implemented and that the existing hardstanding which was laid pursuant to the permission is removed from the site.

5.5 In terms of the potential impact to heritage assets, including Toddington Manor Registered Park, the Conservation Officer considers that the revised proposal has largely overcome the previous objection. Whilst the in-principle reservations remain over the building's siting within the Registered Park, the Conservation Officer considers the revisions to the scheme's size and design would result in less than substantial harm to the significance of this heritage asset as the impact of the proposal would be relatively localised in relation to the Park as a whole. In terms of nearby listed buildings, the impact of the proposal is deemed to be neutral on the basis that the development is within a woodland setting which provides a significant level of screening thus reducing the intervisibility and prominence of the proposal in the setting of the listed buildings. Historic England have not provided any comments on the latest revision but previously concluded in relation to the first revision (for a much larger building) that the proposal would have a largely neutral impact on the Registered Park and listed buildings by virtue of the building being largely screened within historic woodland. As such, Historic England raised no objection to the proposal on heritage grounds. It is considered that the revised proposal is an improvement on the scheme previously considered by Historic England and would continue to have a neutral impact on designated heritage assets. This recommendation is also subject to the non-implementation of the 1994 permission and removal of the hardstanding.

5.6 Paragraph 134 of the NPPF sets out that where a proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In this case, the main public benefits resulting from the scheme would be the support to rural economic growth, with the provision of the agricultural building presenting an opportunity for the application site to be effectively farmed and managed rather than continuing its existence as overgrown scrubland which serves no real purpose and does little to enhance the Registered Park. It is therefore considered in this particular case that the proposal would offer public benefits that outweigh the less than substantial harm to the designated heritage asset in accordance with the NPPF.

Impact on Residential Amenity

5.7 The proposed building would be located approximately 115 metres north and 125 metres west of residential dwellings. Given the separation distance and the likely traffic movements, it is not considered that the proposal would give rise to a detrimental impact on residential amenities. It is however considered necessary to impose a condition to restrict external lighting on the proposed building to protect the amenity of nearby residents.

Highways and Access

5.8 The proposal requires a new access point to be created onto Olde Lane, with a single track to be constructed using a cellular grasscrete mesh system in order to provide vehicular access to the proposed building. The County Highways Authority have been consulted on the proposal and comment that the proposed access arrangements would involve a private road (Olde Lane) which is not maintained as public highway. Nevertheless, the visibility from the proposed track to Olde Lane would conform to the required standard and the impact of the increased traffic generation would be minimal. The proposal would not have a severe impact on the highway in line with Policy INF1 of the JCS and no objection has therefore been raised by County Highways.

5.9 It is recommended that a condition is imposed to ensure the building is only used for agricultural use and not for any commercial purpose.

Flooding

5.10 The application site is located in Flood Zones 2 and 3. As such, there is a requirement to apply the Sequential Test (ST) to the proposed development in line with Policy INF2 of the AJCS, the NPPF and PPG. Although agricultural land and buildings are classified as 'Less Vulnerable Use' which could be suitable in Flood Zones 2 and 3, it remains necessary to consider whether there are any alternative sites that could accommodate the proposed development which are at lower risk of flooding. Thus, the overall purpose of the Sequential Test is to steer new development to areas with the lowest probability of flooding.

5.11 The applicant's agent has undertaken and submitted a Sequential Test for the proposed development. This considers all land within the applicant's ownership and assesses whether there are sequentially preferable sites. It is concluded that while there is land within the applicant's ownership that is within Flood Zone 1, this site has recently been refused planning permission (ref: 17/00758/FUL) due to harm caused to the Cotswolds AONB by virtue of its siting. It should be noted that the current proposal and this previously refused scheme are not directly comparable as although both intended for agricultural use, the refused scheme was for a much larger building (approximately 297 square metres) which undoubtedly heightened its visual impact on the AONB. Nevertheless, this alternative parcel of land is considered to be more visually prominent in the landscape and it is advocated by the applicant's agent that a smaller building on this site would not overcome the landscape constraints which means this site cannot be considered a reasonably alternative. The submitted 'Flood Risk Sequential Test' (dated December 2017) is deemed to sufficiently demonstrate the reasons why the proposed development cannot be accommodated on land at lower risk of flooding. As such, it is accepted that in these particular circumstances, the Sequential Test has been met. It is not necessary to apply the Exceptions Test given the proposal is for an agricultural building which is defined as a 'Less Vulnerable Use'. This is in accordance with Policy INF2 of the AJCS and the guidance set out in PPG Table 3: Flood risk vulnerability and flood zone 'compatibility' (Paragraph: 067 Reference ID: 7-067-20140306).

5.12 In terms of flood risk within the site, the proposed building has been positioned wholly within Flood Zone 2. This has been a key consideration throughout the application process which has significantly influenced the siting of the proposed building. Concerns have been raised in relation to the building's position within the centre of the field, particularly as the extant 1994 permission is for a building to be sited along the southern boundary of the site closest to Olde Lane. However, there have been a change in circumstances since the 1994 permission and this part of the site is now at greater risk of flooding and classified as Flood Zone 3. In line with Policy INF2 of the AJCS and the NPPF, new development should be directed to areas at lowest risk of flooding which in this particular case in those parts of the site within Flood Zone 2. Furthermore it would be a benefit of the current proposal subject to non-implementation of the 1994 permission and removal of the hardstanding associated with it.

5.13 The Environment Agency (EA) has been consulted on the application but have not provided any comments. Given the scale and nature of the proposal, it is not considered that the proposed building and associated access track would exacerbate flooding or increase the level of risk to the safety of the wider environment. Similarly, it is not deemed necessary in this case to require the development to incorporate sustainable drainage systems (SuDS).

Agricultural Need

5.14 Concern has been expressed regarding the need for the development and the size of the proposed building. The applicant's agent has submitted supporting information which indicates the proposed building is needed for accommodating livestock, storing feed and agricultural equipment. It is noted that the applicant

has reduced the size of the building at the request of the local planning authority and it is considered that the reduced footprint is appropriate for the applicant's agricultural requirements, taking into account their wider landholding.

6.0 Conclusion

6.1 The size, design and external materials of the proposed building have been amended over the course of the application and it is considered that the latest revision presents an acceptable solution which meets the agricultural needs of the land holding without causing undue harm to the landscape character and scenic beauty of the Cotswolds AONB. The siting of the building within the centre of the field would not normally be encouraged but there is clear justification for its positioning which, taking into account the site constraints, is deemed acceptable in this instance. There remains an in-principle reservation to the proposed building being sited within the Registered Park which would cause less than substantial harm to the designated heritage asset. However, in line with Paragraph 134 of the NPPF, this harm has been weighed against the public benefits of the proposal and it is accepted on balance that the provision of an agricultural building in this locality would strengthen the rural economy and secure the optimal viable use of the land. This has been factored into the planning balance and taking into account all other relevant national and local planning policies, it is therefore recommended that permission is **delegated to the Development Manager subject to a s106 obligation being signed to secure non-implementation of the extant planning permission reference 94/6064/0802/FUL and the removal of the existing hardstanding.**

RECOMMENDATION Delegated Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 18.30.001-PL001, 18.30.001-PL002 and 18.30.001-PL003, received by the Local Planning Authority on 5 January 2018.
- 3 All external timbers shall be stained in a colour to be first approved by the Local Planning Authority in writing and shall thereafter be maintained in the approved colour unless an alternative is approved in writing by the Local Planning Authority.
- 4 Prior to the commencement of development, samples of the metal roof cladding proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to the sample(s) so approved.
- 5 The proposed access track shall be constructed of a cellular grasscrete mesh system in accordance with the details submitted to the Local Planning Authority on 1 September 2017. The access track shall thereafter be maintained in accordance with these details.
- 6 The development hereby permitted shall only be used for agricultural use and the storage of associated equipment and feed and shall at no time be used for any commercial purpose (other than agriculture) whatsoever, including for livery.
- 7 The development hereby approved shall be carried out strictly in accordance with the proposed mitigation and recommendations detailed in Sections 3, 4 and Appendix 2 of the Arboricultural Impact Assessment and Tree Protection Plan prepared by Bosky Trees (dated 1st September 2016).
- 8 No external lighting shall be installed on this site except in accordance with full details which have first been submitted to and approved in writing by the Local Planning Authority. All lighting shall thereafter be maintained in accordance with the details so approved.
- 9 No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site without the prior approval in writing of the Local Planning Authority.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that the external appearance of the proposed development will be in keeping with the character of the area in the interests of visual amenity in accordance with the NPPF.
- 4 To ensure that the external appearance of the proposed development will be in keeping with the character of the area in the interests of visual amenity in accordance with the NPPF.
- 5 To preserve the rural character of the area and in the interests of visual amenity.
- 6 To ensure that no commercial business is established without the further consideration of the Local Planning Authority in the interests of highway safety and residential amenity
- 7 To safeguard the root systems of the trees to be retained and in the interests of visual amenity and the character of the area.
- 8 To minimise light pollution in order to protect the AONB, residential amenity and the rural landscape.
- 9 In order to protect the AONB and the rural landscape.

Note:

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating the size, design and external appearance of the proposed building and the surfacing details of the proposed access track.

new agricultural barn
wellington meadows, toddington



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583/A



site location plan 1:1250 @ A1



existing block plan 1:500 @ A1

- Preliminary
- Feasibility
- Planning
- Building Regulations
- Tender
- Construction Issue
- As Built

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Project		New Agricultural Barn, Wellington Meadows, Toddington	
Client:	W & H Holmes	Scale:	1:500 - 1:1250 @ A1
Drawn by:	JR	Date:	January 2019
Checked by:	es	Drawn no:	PL001
Job number:	18.30.003		

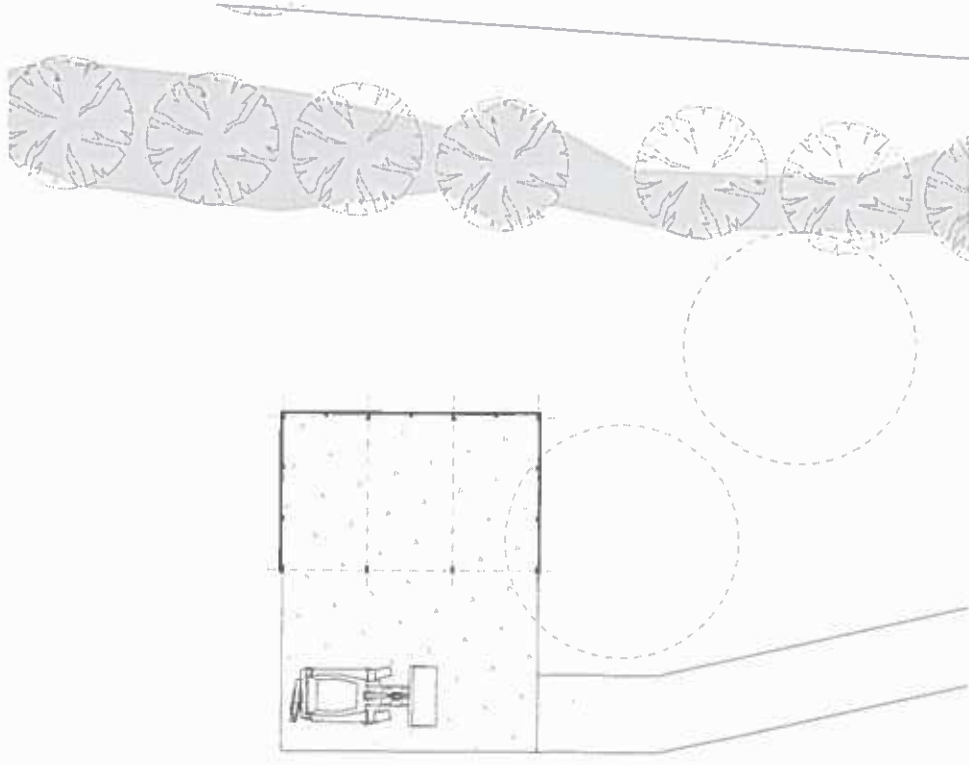
Drawing title		Site Location Plan - Block Plan	
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new agricultural barn
wellington meadows, toddington

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583/B



proposed floor plan 1:100 @ A1



proposed block plan 1:500 @ A1

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Preliminary
 Feasibility
 Planning
 Building Regulations
 Tender
 Construction Issue
 As Built

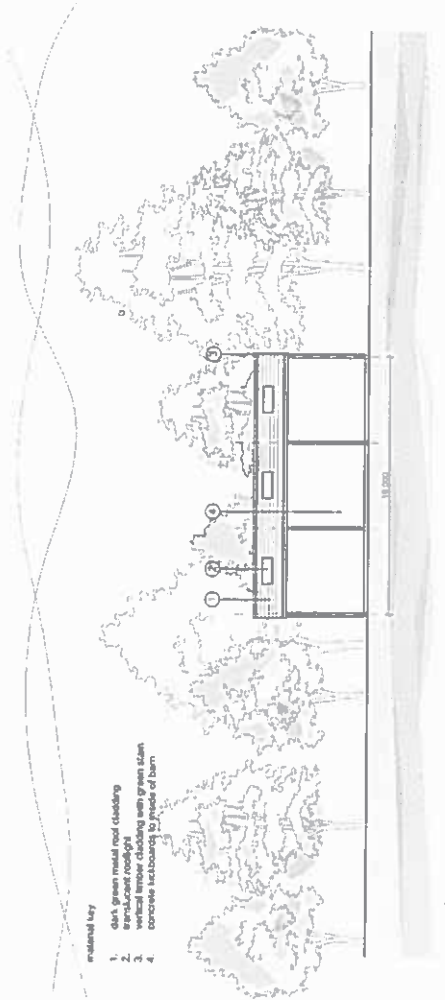
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Drawing title	Proposed Block Plan
Client	W&B Holmes
Drawn by	JR
Checked by	
Job number	18.20.011

Project	Project
New Agricultural Barn Wellington Meadows, Toddington	
Scale:	1:100 + 1:500 @ A1
Date	January 2018
Draw no	PL002

coombes : eventit architects

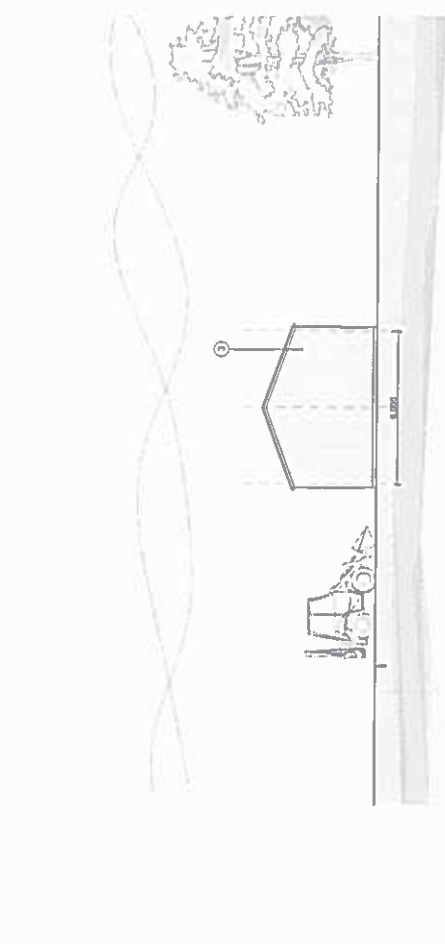
**new agricultural barn
wellington meadows, toddington**



- material key
1. dark green metal roof cladding
 2. vertical timber cladding with green stain
 3. concrete (excluding to provide of barn)
 - 4.



30
583/c



coombes : eventit architects limited Unit No. 1, The Old Dairy Church Lane Wincobcombe Gloucestershire GL54 5JE t: 01752 607703 o: 0145 5575633 e: info@eventitarchitects.co.uk www.coombes-architects.co.uk	<input type="checkbox"/> Preliminary <input type="checkbox"/> Feasibility <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Building Regulations <input type="checkbox"/> Tender <input type="checkbox"/> Construction Issue <input type="checkbox"/> As-Built	No drawings and content is copyright to © coombes : eventit architects limited. All drawings are the property of coombes : eventit architects limited. No part of this drawing, all drawings to be included on any print to reproduction any way without the written consent of coombes : eventit architects limited.	Project New Agricultural Barn Wellington Meadows, Toddington
	Drawing title Proposed Elevations	Client W&H Holmes	Scale: 1:100 @ A1
	Drawn by JA	Checked by JC	Draw no PL003
	Job number 18.20.001		

Valid 23.10.2017

Demolition of single storey wing, lean to glass house and low garden wall, and erection of single storey extension

Grid Ref 402338 228362

Parish Winchcombe

Ward Winchcombe

Mr David Gray
 Abbey Old House
 Cowl Lane
 Winchcombe
 Cheltenham
 Gloucestershire

RECOMMENDATION Permit

Policies and Constraints

NPPF

Planning Practice Guidance

Joint Core Strategy (JCS) 2017 - Policies SD4, SD7, SD8, SD9

Tewkesbury Borough Local Plan to 2011 (TBLP) - March 2006 - Policies HEN2, HOU8

Winchcombe and Sudeley Neighbourhood Plan (WSNP) - Policies 5.1, 5.3, 5.5

Planning (Listed Buildings and Conservation Areas) Act 1990

Ancient Monuments and Archaeological Areas Act 1979.

Abbey Old House Grade II* Listed Building NHLE ref. 1305465

Scheduled Monument of the Former Winchcombe Abbey (SM)

Winchcombe Conservation Area

Cotswolds Areas of Outstanding Natural Beauty (AONB)

Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Historic England: - No objection, although careful selection of materials and finishes will be critical to its success.

Conservation Officer: - No objection subject to conditions in respect of: Walling sample panel (stonework), roofing material sample, glazed screen details, joinery details (doors) and rainwater goods details.

County Archaeologist: - No objection.

Winchcombe Town Council: Objection. The proposed single storey extension sits incongruously alongside the historic façade in particular the three double patio doors are not in keeping. The height of the patio doors should also respect the existing fenestration. In design terms the height of the roof may need to be higher. It is important to get the advice of the Conservation Officer and County Archaeologist.

Planning Officers Comments: Catherine Ashby

1.0 Introduction

1.1 Abbey Old House is a Grade II* listed building of medieval origins with extensive 20th Century remodelling. It is located within the precinct of the former Winchcombe Abbey which was an important monastic community in the Saxon and early medieval period. The Abbey complex is protected as a Scheduled Monument (SM). The site also falls into the wider Winchcombe Conservation Area and Cotswolds Area of Outstanding Natural Beauty (AONB). The dwelling is sited in the northern part of a large residential plot and is accessed down a private drive off Cowl Lane that serves several residential properties.

2.0 Relevant Planning History

2.1 There is a long planning history associated with alterations to the listed building. Recent listed building consent was granted in 2016 for the re-covering of the north roof elevation of the main house in Welsh slate.

3.0 Current Application

3.1 The application proposes the demolition of a 20th Century single storey wing, lean-to conservatory and a walled yard on the north-east elevation and its replacement with a modest single storey, double-pile extension to create replacement living accommodation, to include some minor internal alterations. The extension would cover the entire area of the existing courtyard. The alterations would be contained within the domestic curtilage of the property.

3.2 The extension would be constructed in natural stone and the roof finished in Welsh slate and lead. The sliding glazed doors would have minimal powder coated aluminium frames with oak posts in the opening. Internal access to the extension would utilise the same double doors currently used to access existing single storey wing. The external landscaping works proposed is minimal. A low-level garden wall would be removed and an area of paving would be extended around the north-east corner of the extension to create a new terrace area adjacent to the glazed openings.

4.0 Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

4.2 The development plan comprises the Joint Core strategy (2017), The Winchcombe and Sudeley Neighbourhood Plan 2011 - 2031 and saved policies of the Tewkesbury Borough Local Plan to 2011 - March 2006.

4.3 Other material policy considerations include the National Planning Policy Framework (NPPF) national Planning Practice Guidance.

4.4 Other relevant policies are set out within this report.

5.0 Analysis

Principle of the development

5.1 The application proposes a modest sized domestic extension. Policy HOU8 of the TBLP is generally supportive of this form of development subject to the satisfaction of the relevant policy criteria. The site is subject to a number of constraints posed by local and national designations and the presence of heritage assets (Listed Building, SM, Conservation Area, AONB). The significance of the impact of the development on these constraints/ assets must therefore be considered in assessing if the principle of the development is acceptable.

5.2 Having regard to the policy and legislative framework set out above and the views of consultees it is considered that the main issues are:

- Impact on Heritage Assets: Listed Buildings, Archaeology & Conservation Area
- Design and Visual Impact
- Residential Amenity
- Landscape Impact
- Other matters

Impact on Heritage Assets

5.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. As the site lies within the Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant. This requires that special attention is paid to the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of the Conservation Area. This requirement is reflected in Policy SD8 of the JCS, Policy HEN2 of the TBLP and Policy 5.3 of the WSNP.

5.4 The NPPF states: 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of details should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance...' (para 128)

5.5 Historic England's 2016 Advice Note 2 'Making Changes to Heritage Assets' states that 'the main issues to consider in proposals for additions to heritage assets...are proportion, height, massing, bulk, use of materials ... relationship with adjacent assets and ... treatment of setting. Replicating a particular style may be less important, though there are circumstances where it may be appropriate. It would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate' (para 41).

5.6 Historic England (HE) confirms that the proposed design approach of the extension of the Grade II* listed building is supported as this continues the linear character of the evolved house whilst maintaining subordinate massing and architecture; the design is deliberately simple. The Conservation Officer concurs with this advice. The detailed execution of the scheme will be key to its success (walling sample panel (stonework), roofing material sample, glazed screen details, joinery details (doors) and rainwater goods). This can be controlled by condition.

5.7 HE also consider that the submitted Statement of Significance and Impact Assessment gives a comprehensive and proportionate appraisal of the phasing of the house and its heritage values that constitute its overall significance. On the basis of this and the SMC consent the application for the replacement extension is supported.

5.8 It is noted that HE, ideally, would not wish to see the loss of existing fabric without good reason and advocate that the proposed bathroom could be accommodated within the existing structure without re-build and there is a case for the re-use of a re-cycled C17th window that is present in the C20th extension. These comments have been communicated to the applicant who has not amended the scheme to incorporate this advice. On the basis that HE considers that the development in its proposed form is supportable it is not considered reasonable to require that the scheme be amended.

5.9 The views of Winchcombe Town Council on the proposed design and their impact on the listed building are noted. Their response also refers to the need to seek the views of the Conservation Officer and HE, both of whom support the development. As a consequence, no alterations have been sought to the scale and design of the proposed extension, other than amending the roofing material to Welsh slate on both roof planes. Therefore in this instance it is not considered reasonable to seek any further amendments to the scheme as sought by the Town Council.

5.10 In view of the appropriateness of the proposed extension in relation to the Listed Building, as detailed above, the wider impact of the development on the character or appearance and setting of Winchcombe Conservation Area is also considered acceptable.

Archaeology

5.11 As stated, the site falls within the Winchcombe Abbey Scheduled Monument (SM). Under Section 2 of the Ancient Monuments and Archaeological Areas Act 1979 any works within the protected area require the consent of the Secretary of State of the Department of Culture, Media and Sport. The application for Scheduled Monument Consent (SMC) is separate to the planning consent process. HE confirm that SMC has been issued for the development and includes a number of conditions.

5.12 Para 128 of the NPPF advises that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

5.13 The planning application is supported by an Archaeological Evaluation Written Scheme of Investigation. The results of the investigation were positive in that they revealed both walling and flooring slabs relating to the medieval Winchcombe Abbey as well as archaeological deposits relating to the Abbey's demolition, which has been reviewed by HE and the County Archaeologist. HE confirms that they have no comments to make on the report. The County Archaeologist also recommends no further conditions be attached to any planning permission on the basis of the results of the archaeological evaluation and the SMC. The conditions of the SMC are not proposed to be attached to any planning permission as it is not good practice to repeat conditions that are dealt with under a separate consent regime.

Design and Visual Impact

5.14 One of the NPPF's core principles is to ensure a good standard of amenity for all existing and future occupants of land and buildings. Section 7 of the NPPF also makes it clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF also makes it clear that obviously poor designs should be refused. Policy SD4 of the JCS closely reflects this advice. Policy HOU8 of the TBLP supports the principle of residential extensions subject to satisfying certain design criteria. Similarly, WSNPD Policy 5.1 sets out that new development should reflect the character of its surroundings and should complement and enhance the prevailing size, height, scale, materials, layout, density and access of surrounding development.

5.15 The proposed design of the extension has been the subject of consultation with the Council and its advisors, including HE and the Conservation Officer, both of whom express support for the proposed design approach which is deliberately simple, continuing the linear character of the evolved house whilst maintaining subordinate massing and architecture. Amendments to the external roofing material have been negotiated to ensure the consistent use of Welsh slate on both roof planes and conditions are proposed which would control the detailed execution of the extension.

5.16 The extension would be viewed wholly in the context of the residential curtilage of the host dwelling and due to its scale and location down a private drive would be largely unseen in the wider street scene. It is therefore considered to be of an acceptable design which would have a positive impact on the character and appearance of the host dwelling and the wider area.

Residential Amenity

5.17 As already stated one of the defined core principles of the NPPF is that a good standard of amenity for all existing and future occupants of land and buildings be achieved. Policy SD4 of the JCS and Policy HOU8 of the TBLP closely reflects this advice.

5.18 The extension would be sited close to the eastern boundary of the property curtilage but over 20m from the nearest neighbour to the south east. The scale and design of the extension, combined with its location distant from the neighbouring property ensures that there would be no loss of residential amenity in respect of neighbouring occupiers.

Landscape Impact

5.19 The application site is located within the Cotswolds AONB which over-washes a large part of Winchcombe. One of the NPPF's core principles is the need to take into account the different roles and character areas recognising the intrinsic character and beauty of the countryside (fifth bullet point) and to contribute to conserving and enhancing the natural environment (seventh bullet point). Paragraph 115 of the NPPF provides that great weight should be given to conserving landscape and scenic beauty in AONBs. Policy SD6 and SD7 of the JCS is consistent with this advice and seeks to ensure new development is appropriate to the landscape character of the locality and contributes to local distinctiveness.

5.20 Since the application site is located within the urban area and has been found to be of an acceptable design in the context of the host dwelling and wider area it is considered that it would have no unacceptable adverse impact on the character and appearance of the Cotswolds AONB.

Other matters

5.21 The applicant submitted a Preliminary Ecological Appraisal and Bat Survey (dated July 2016) with the application which surveyed habitats and flora, bats, nesting birds and hedgehogs. The survey identified no features of significance and makes no specific recommendations in relation to the proposed extension.

6.0 Conclusion and Recommendations

6.1 It is considered that the principle of the proposed development is acceptable in this location. There is no impact on residential amenity or the Cotswold AONB. The impact on visual amenity and heritage assets is considered acceptable subject to appropriate conditions.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 This decision relates to the following plans and documents:

Drawing No. 2085.002 Rev A Site Location Plan, received 16.02.2017
Drawing No. 2085.100 Rev A Proposed Site Plan, received 16.02.2017
Drawing No. 2085.114 Rev C Proposed Floor Plans, received 16.03.2017
Drawing No. 2085.115 Rev C Proposed Elevations, received 15.01.2017
Statement of Significance & Impact Assessment, by Justin Ayton Ltd., dated June 2017, received 26.07.17
Archaeological Evaluation Written Scheme of Investigation, by Cotswold Archaeology, dated June 2017, received 26.07.17
- 3 Notwithstanding the submitted plans and details, building operations shall not be commenced until a walling sample panel (stonework), sill/coping material sample, roofing material sample, timber post sample, rainwater goods details, including the finished colour, proposed to be used for the extension have been prepared on site and/or submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the samples so approved.
- 4 Notwithstanding the submitted plans, no works shall commence on site until the design and details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - details of all the windows and glazed screens;
 - joinery details (doors); and
 - threshold details.

The elevations shall be at a minimum scale of 1:20 and the sections shall be at a minimum scale of 1:5 and shall indicate moulding profiles at full size. The works shall be carried out in accordance with the approved details and retained as such thereafter.
- 5 Notwithstanding the submitted details, no development shall commence until full details of the surfacing materials proposed to be used for the terrace area have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and retained as such thereafter.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt to ensure that the development is carried out in accordance with the approved plans
- 3 To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the listed building in accordance with the NPPF.
- 4 To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the listed building in accordance with the NPPF.
- 5 To safeguard the original character and appearance of the listed building in accordance with the NPPF and the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Note:

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating improvements to the roof finish.

17/00187 (FUL) & 17/00188 (LBC)

General Notes:

1. To be read in conjunction with other consultants drawings.
2. Check site conditions prior to commencement of work.
3. Any discrepancies to be reported directly to the architect.
4. Do not scale off drawing (Except for Planning purpose only). Use figured dimensions only.
5. WARNING: This drawing is issued in colour.

IF IN DOUBT ASK.

KEY



Existing Buildings



Application Site



Land in the same ownership as the Application Site

PLANNING AND DEVELOPMENT SERVICES

Officer:
 Scanned:
 Rec'd: 16 FEB 2017

ACK'd
 ANS'd
 FILE

Rev	Date	By	Description
A	03/02/17	JM	Planning Issue
B			Revised
C			Final

Scale: 1:1250 @ A3
 0 50m 100 150m

CAI Panel Number: 33907

YIANGOU ARCHITECTS

Plot Area: 8.0m x 10.0m
 Plot No: 50/1
 Plot Area: 800.00sqm

Client: Mr Gray
 Project Address: The Abbey Old House, Great Lane, Chichester, GL54 5PU
 Project Description: Alterations
 Drawing Title: Site Location Plan
 Drawing No: 20186.002
 Rev: A

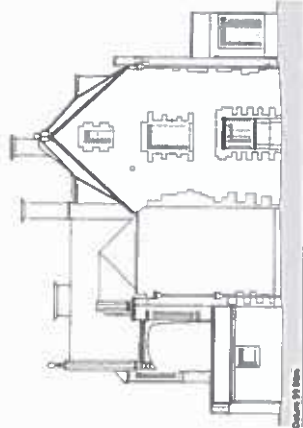


General Notes:

1. All work shall be in accordance with other documents attached.
2. Check all conditions prior to commencement of work.
3. Dimensions must be reported directly to the Architect.
4. All work shall be in accordance with the approved drawings.
5. The contractor shall be responsible for obtaining all necessary permits.



NORTH-WEST ELEVATION



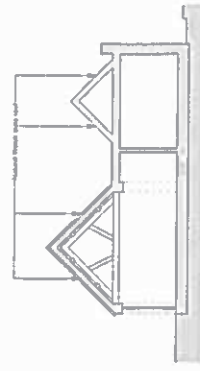
SOUTH-WEST ELEVATION



SOUTH-EAST ELEVATION



NORTH-EAST ELEVATION



SECTION AA

38
S88/C

C. 15.11.15	Client Name	YANGOU
S. 15.11.15	Project Name	YANGOU
A. 15.11.15	Project Number	YANGOU
Site Code	Site	YANGOU
Scale	Scale	1:100 @ A1
Sheet	Sheet	01 of 02

Client Name	YANGOU
Project Name	YANGOU
Project Address	The Albany Old House, Level 1, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

17/00188/LBC

The Abbey Old House, Cowl Lane, Winchcombe

4

Valid 23.10.2017

Demolition of single storey wing, lean to glass house and low garden wall, and erection of single storey extension

Grid Ref 402338 228362

Parish Winchcombe

Ward Winchcombe

Mr David Gray
Abbey Old House
Cowl Lane
Winchcombe
Cheltenham
Gloucestershire

RECOMMENDATION Consent

Policies and Constraints

NPPF

Planning Practice Guidance

Joint Core Strategy (JCS) 2017 - Policy SD8

Tewkesbury Borough Local Plan to 2011 (TBLP) - March 2006 - Policies HEN2

Winchcombe and Sudeley Neighbourhood Plan (WSNP) - Policies 5.3

Planning (Listed Buildings and Conservation Areas) Act 1990

Abbey Old House Grade II* Listed Building NHLE ref. 1305465

Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Historic England: - No objection, although careful selection of materials and finishes will be critical to its success.

Conservation Officer: - No objection subject to conditions in respect of: Walling sample panel (stonework), roofing material sample, glazed screen details, joinery details (doors) and rainwater goods details.

County Archaeologist: - No objection.

Winchcombe Town Council: Objection. The proposed single storey extension sits incongruously alongside the historic façade in particular the three double patio doors are not in keeping. The height of the patio doors should also respect the existing fenestration. In design terms the height of the roof may need to be higher. It is important to get the advice of the Conservation Officer and County Archaeologist.

Planning Officers Comments: Catherine Ashby

1.0 Application Site

1.1 Abbey Old House is a Grade II* listed building of medieval origins with extensive 20th Century remodelling. It is located within the precinct of the former Winchcombe Abbey which was an important monastic community in the Saxon and early medieval period. The Abbey complex is protected as a Scheduled Monument. The site also falls into the wider Winchcombe Conservation Area and Cotswolds Area of Outstanding Natural Beauty. The dwelling is sited in the northern part of a large residential plot and is accessed down a private drive off Cowl Lane that serves several residential properties.

2.0 Planning History

2.1 There is a long planning history associated with alterations to the listed building. Recent listed building consent was granted in 2016 for the re-covering of the north roof elevation of the main house in Welsh slate.

3.0 Current Application

3.1 The application proposes the demolition of a 20th Century single storey wing, lean-to conservatory and a walled yard on the north-east elevation and its replacement with a modest single storey, double-pile extension to create replacement living accommodation, to include some minor internal alterations. The extension would cover the entire area of the existing courtyard. The alterations would be contained within the extensive domestic curtilage of the property.

3.2 The extension would be constructed in natural stone and the roof finished in Welsh slate and lead. The sliding glazed doors would have minimal powder coated aluminium frames with oak posts in the opening. Internal access to the extension would utilise the same double doors currently used to access existing single storey wing. The external landscaping works proposed is minimal. A low-level garden wall would be removed and an area of paving would be extended around the north-east corner of the extension to create a new terrace area adjacent to the glazed openings.

4.0 Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

4.2 The development plan comprises the Joint Core strategy (2017), The Winchcombe and Sudeley Neighbourhood Plan 2011 - 2031 and saved policies of the Tewkesbury Borough Local Plan to 2011 - March 2006.

4.3 Other material policy considerations include the National Planning Policy Framework (NPPF) national Planning Practice Guidance.

4.4 Other relevant policies are set out within this report.

5.0 Analysis

5.1 Having regard to the policy and legislative framework set out above and the views of consultees the main issue is the impact on the Grade II* Listed Building.

5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. As the site lies within the Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant. This requires that special attention is paid to the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of the Conservation Area. This requirement is reflected in Policy SD8 of the AJCS, Policy HEN2 of the TBLP and Policy 5.3 of the WSNP.

5.3 The NPPF states: 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of details should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance...' (para 128)

5.4 Historic England's 2016 Advice Note 2 'Making Changes to Heritage Assets' states that 'the main issues to consider in proposals for additions to heritage assets...are proportion, height, massing, bulk, use of materials ... relationship with adjacent assets and ... treatment of setting. Replicating a particular style may be less important, though there are circumstances where it may be appropriate. It would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate' (para 41).

5.5 HE confirms that the proposed design approach of the extension of the Grade II* listed building is supported as this continues the linear character of the evolved house whilst maintaining subordinate massing and architecture; the design is deliberately simple. The Conservation Officer concurs with this advice. The detailed execution of the scheme will be key to its success (walling sample panel (stonework), roofing material sample, glazed screen details, joinery details (doors) and rainwater goods). This can be controlled by condition.

5.6 HE also consider that the submitted Statement of Significance and Impact Assessment gives a comprehensive and proportionate appraisal of the phasing of the house and its heritage values that constitute its overall significance. On the basis of this and the SMC consent the application for the replacement extension is supported.

5.7 It is noted that HE, ideally, would not wish to see the loss of existing fabric without good reason and advocate that the proposed bathroom could be accommodated within the existing structure without re-build and there is a case for the re-use of a re-cycled C17th window that is present in the C20th extension. These comments have been communicated to the applicant who has not amended the scheme to incorporate this advice. On the basis that HE considers that the development in its proposed form is supportable it is not considered reasonable to require that the scheme be amended.

5.8 The views of Winchcombe Town Council on the proposed design and their impact on the listed building are noted. Their response also refers to the need to seek the views of the Conservation Officer and HE, both of whom support the development. As a consequence, no alterations have been sought to the scale and design of the proposed extension, other than amending the roofing material to Welsh slate on both roof planes. Therefore in this instance it is not considered reasonable to seek any further amendments to the scheme as sought by the Town Council.

5.9 In view of the appropriateness of the proposed extension in relation to the Listed Building, as detailed above, the wider impact of the development on the character or appearance and setting of Winchcombe Conservation Area is also considered acceptable.

6.0 Conclusion and Recommendation

6.1 It is considered that the impact of the proposed extension on the listed building is, on balance, acceptable subject to appropriate conditions.

RECOMMENDATION Consent

Conditions:

- 1 The works hereby granted listed building consent shall be begun not later than the expiration of five years beginning with the date of this consent.
- 2 This decision relates to the following plans and documents:

Drawing No. 2085.002 Rev A Site Location Plan, received 16.02.2017
Drawing No. 2085.100 Rev A Proposed Site Plan, received 16.02.2017
Drawing No. 2085.114 Rev C Proposed Floor Plans, received 16.03.2017
Drawing No. 2085.115 Rev C Proposed Elevations, received 15.01.2017
Statement of Significance & Impact Assessment, by Justin Ayton Ltd., dated June 2017, received 26.07.17
- 3 Notwithstanding the submitted plans and details, building operations shall not be commenced until a walling sample panel (stonework), sill/coping material sample, roofing material sample, timber post sample, rainwater goods details, including the finished colour, proposed to be used for the extension have been prepared on site and/or submitted to and approved by the Local Planning Authority and all materials used shall conform to the samples so approved.
- 4 Notwithstanding the submitted plans, no works shall commence on site until the design and details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - details of all the windows and glazed screens;
 - joinery details (doors); and
 - threshold details.

The elevations shall be at a minimum scale of 1:20 and the sections shall be at a minimum scale of 1:5 and shall indicate moulding profiles at full size. The works shall be carried out in accordance with the approved details and retained as such thereafter.

- 5 Notwithstanding the submitted details, no development shall commence until full details of the surfacing materials proposed to be used for the terrace area have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and retained as such thereafter.

Reasons:

- 1 To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990.
- 2 For the avoidance of doubt to ensure that the development is carried out in accordance with the approved plans
- 3 To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the listed building in accordance with the NPPF.
- 4 To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the listed building in accordance with the NPPF.
- 5 To safeguard the original character and appearance of the listed building in accordance with the NPPF and the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Note:

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating improvements to the roof finish.

17/01184/APP

Land South of A46, Pamington Lane, Ashchurch

5

Valid 06.12.2017

Reserved matters to outline planning permission 14/00972/OUT relating to appearance, landscaping, layout and scale of the proposed development of plot numbers 46-54; 69-87; 96-102; 107-109; 118-123; 132-150.

Grid Ref 393477 233311

Parish Ashchurch Rural

Ward Ashchurch With Walton
Cardiff

Linden Limited (Trading As Linden Homes Western)

Linden House
The Jacobs Building
Clifton
Bristol
BS8 1EH

RECOMMENDATION Approve

Policies and Constraints

National Planning Policy Framework (2012)

Planning Practice Guidance

Joint Core Strategy (2017) - SP1, SP2, SD3, SD4, SD6, SD10, SD11, SD14, INF1, INF2, INF3, INF5, INF6, INF7

Tewkesbury Borough Local Plan to 2011 (March 2006) - TPT3, TPT6

Flood and Water Management SPD

Affordable Housing SPD

Human Rights Act 1998 - Article 8

The First Protocol - Article 1

Flood Zone 2 & 3

Public Right of Way

Consultations and Representations

Ashchurch Rural Parish Council - No comment to make on the application.

Highways Agency - Recommends that conditions should be attached to any planning permission that may be granted.

Urban Design Officer - Overall no objection to the proposed house type substitutions.

County Archaeologist - In connection with the outline application an archaeological field evaluation was undertaken which established the presence of significant Roman archaeological remains. Condition 9 is attached to the outline permission granted for application 14/00972/OUT in order to secure a programme of archaeological mitigation recording. Therefore there is no need to attach the same condition to any permission granted for this reserved matters scheme.

Housing Enabling Officer - There has been no changes to the affordable housing details, therefore there is no further comment required.

Representations Received - None

Planning Officers Comments: Victoria Stone

1.0 Site Description

1.1 The application site comprises three distinct field parcels covering approximately 12.7ha of land located on the southern side of the A46, east of M5 junction 9 at Ashchurch and opposite the existing MOD Ashchurch Depot.

1.2 Pamington Lane bisects the site running north/south which provides access to Pamington village to the south east. Aston Cross lies to the East and the Tirl Brook defines the southern boundary.

1.3 Two public rights of way traverse the site from the A46 to the south/south east and another passes alongside the western boundary (see location plan).

1.4 Immediately adjacent to the eastern boundary is the sites only residential neighbour, No.1 Thirlebrook Cottages; this is a post war semi-detached property sitting in a large plot extending the full length of the sites eastern boundary. The western boundary is defined by a private 'no-through' lane, immediately to the west of which is Ashchurch View Care Home. The northern boundary is defined by the A46. The southern part of the site is located in Flood Zone 2 and 3.

2.0 Planning History

14/00972/OUT - Outline planning application for the proposed development of up to 150 dwellings including access, landscaping, open space, and associated infrastructure with all matters reserved other than access - Permitted - 02.04.15.

15/01002/APP - Reserved matters to outline planning permission 14/00972/OUT relating to appearance, landscaping, layout and scale of the proposed development of 150 homes at the site. Access approved under outline planning permission - Permitted - 13.05.16.

3.0 Details of Proposal

3.1 This application has been made as an amendment to the previously approved reserved matters, and is identical other than a change in the house types of 74 dwellings. The approved application for 150 dwellings was based on Linden Homes Western developing 76 homes and Bloor Homes developing 74. Bloor Homes have opted not to progress with construction of their approved units and Linden Homes Western has acquired the development of all 150 dwellings.

3.2 A plan has been submitted which identifies the areas subject to the change as part of this revised reserved matters application (this will be displayed at Committee).

4.0 Policy Context

4.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of The Town and Country Planning Act 1990. Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which "indicate otherwise". Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other materials considerations."

4.2 The development plan comprises the Joint Core Strategy (JCS) (2017) and saved policies in the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP).

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework.

4.4 The relevant policies are set out in the appropriate sections of this report.

5.0 Analysis

5.1 The principle of residential development for 150 houses at the site has already been established through the grant of outline planning permission. Reserved matters for the appearance, scale, layout and landscaping for 150 properties at the site has already been approved. In light of the planning history, this application in essence seeks consent for amendments to the previously approved scheme. This application relates solely to the approval of the appearance, scale, layout, and landscaping of 74 houses at the site.

Scale

5.2 The term 'Scale' is defined in Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as "the height, width and length of each building proposed within the development in relation to its surroundings."

5.3 The scale parameters set out in the submitted Design and Access Statement as part of the outline consent indicated the development would be predominantly two storeys in height, with some two and a half storey (dormer) properties appropriately located in the site. The proposals generally accord with the scale parameters set out in the outline documentation.

5.4 The location of some of the two and a half storey properties differs to the previously approved layout however the taller properties would still be interspersed within the development which adds to the variety and interest of the development. In light of this, it is considered that these scale changes are acceptable.

Landscape and Visual Impact

5.5 One of the core planning principles of the NPPF sets out that the planning system should recognise the intrinsic character and beauty of the countryside. Section 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, amongst other things, protecting and enhancing valued landscapes. This advice is reflected by Policy SD6 of the JCS which highlights a need to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. New development proposals should ensure that the design of landscaped areas, open space and public realm are of high quality.

5.6 A landscape scheme has been approved for the previous reserved matters application. The latest layout would accommodate the same landscape scheme with just some minor tweaking to on-plot planting plans. No changes have been made to the distribution or type of boundary treatments.

5.7 The changes to the previously approved landscaping scheme would be minimal therefore officers consider the revised proposals are acceptable.

Layout and Appearance

5.8 All development is expected to be of a high design quality. Good design, including appropriate attention to detail, typically makes the difference between a high-quality and successful development and a mediocre or unsuccessful one. Development at any scale and location should make a positive contribution to providing better places for communities.

5.9 Criterion 1(i) of Policy SD4 'Design Requirements' of the JCS states that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting. Design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live.

5.10 The layout of the site remains as previously approved. It would provide pedestrian and cycle links through the site as well as direct links onto Pamington Lane and the A46 to encourage these sustainable modes of travel. The existing public rights of way traversing the site would be retained. The movement strategy is essentially unchanged from that of the approved reserved matters application, with some minor adjustment to road alignment to accommodate the revised house types. All points of access, road widths and movement routes through the site are unaffected.

5.11 The density and alignment of the buildings is consistent with the previously approved scheme, maintaining a strong building frontage along the A46 street elevation. Site boundary features are retained wherever possible, and new tree planting is proposed within an extensive area of retained green space in the southern part of the site.

5.12 In respect to the appearance of the revised house types, the overall scheme provides nineteen different house types; this would add interest to the development. The house types reflect a 'traditional' style with a range of design features to provide variation and featuring throughout the development, such as pitched roofs, gable projections, dormer windows, porches and bay windows. The Design and Access Statement sets out that no changes have been made to the distribution of type of materials. Whilst specific details have not been provided, the elevation plans demonstrate a variety of external finishes would be used, which includes brick, render, reconstituted stone and tiles. A condition securing satisfactory materials is recommended. As such, it is reasonable to conclude that the detailing and materials, whilst slightly different to the approved scheme, would be appropriate to its context.

5.13 Some of the proposed dwellings on the site have been re-orientated but the plots remain similar in size and the re-positioning can be accommodated without detriment to the visual amenity.

5.14 Overall, the revised house types represent a satisfactory design quality. Accordingly the development would comply with the aims and objectives of national and local design advice.

Impact upon Residential Amenity

5.15 In respect of the impact of the development upon residential amenity, Criterion 1 (iii) of Policy SD4 of the JCS states that new development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.

5.16 The only residential property to adjoin the site can be found on the eastern boundary, No.1 Thirlebrook Cottages. Whilst the amended proposal includes changes to the proposed dwellings along this boundary the siting and design of the properties has been carefully considered to ensure the development should not cause any undue harm upon the residential amenity of this neighbouring property.

5.17 In addition, having carefully assessed the proposal the development should not cause any harm upon residential amenity of any future occupiers of the new dwellings.

Highways and parking issues

5.18 Policy INF1 of the JCS advises that proposals should ensure safe and efficient access to the highway network is provided for all transport modes and that the impact of development does not have a severe impact upon the highway network.

5.19 The access to the development from the A46 was approved as part of the outline permission. The road layout, parking allocations and refuse strategy remains the same as previously approved with only some very minor tweaks to plot drives to incorporate the plot substitutions.

5.20 Highways England have recommended a condition requiring the submission of a detailed lighting specification to ensure any lighting does not cause a hazard to motorists using the A46.

5.21 At the time of writing this report no formal response has been received from the County Highways Authority. However, given the development would not result in any changes to the approved internal road layout, parking provision or refuse strategy it is unlikely any concerns would be raised.

6.0 Conclusion

6.1 In light of the above, it is therefore recommended that a grant of reserved matters approval is appropriate subject to the conditions set out below.

RECOMMENDATION Approve

Conditions:

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in Appendix 1 - Submission List set out in the supporting covering letter (dated 24 November 2017).
- 2 Prior to its/their installation as part of the development hereby approved, details of the materials/render to be used in the construction of the external surfaces of the properties and garages hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials as approved.
- 3 All planting, seeding or turfing in the approved details of landscaping featured on Drawing Numbers 6157-L-05 Rev F, 6157-L-06 Rev F, 6157-L-07 Rev F shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

- 4 Prior to the commencement of the development, a detailed lighting specification plan shall be submitted to and approved by the Local Planning Authority. The design and installation of the lighting columns within the proposed development site must conform to guidelines on reducing light trespass, as outlined by the Institute of Lighting Professionals in Guidance Notes for the Reduction of Obtrusive Light GN01:2011. The development shall be carried out in accordance with the approved details.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), there shall be no planting, structures or other obstructions above 600mm within the forward visibility splays as shown on the approved plans with any trees set back behind the visibility splay, such provision shall be permanently maintained thereafter.

Reasons:

- 1 To define the permission.
- 2 Reason - To ensure that the new materials are in keeping with the surroundings and/or represent quality design.
- 3 Reason - To ensure the development does not have an adverse effect on the character and appearance of the area.
- 4 To enable the A46 Trunk Road to continue to be an effective part of the national system of routes for through traffic in accordance with Section 10(2) of the Highway Act 1980 and to protect users of the A46 Trunk Road in the interests of road safety.
- 5 In the interests of highway safety.

Note:

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

17/0118+APP



PLANNING

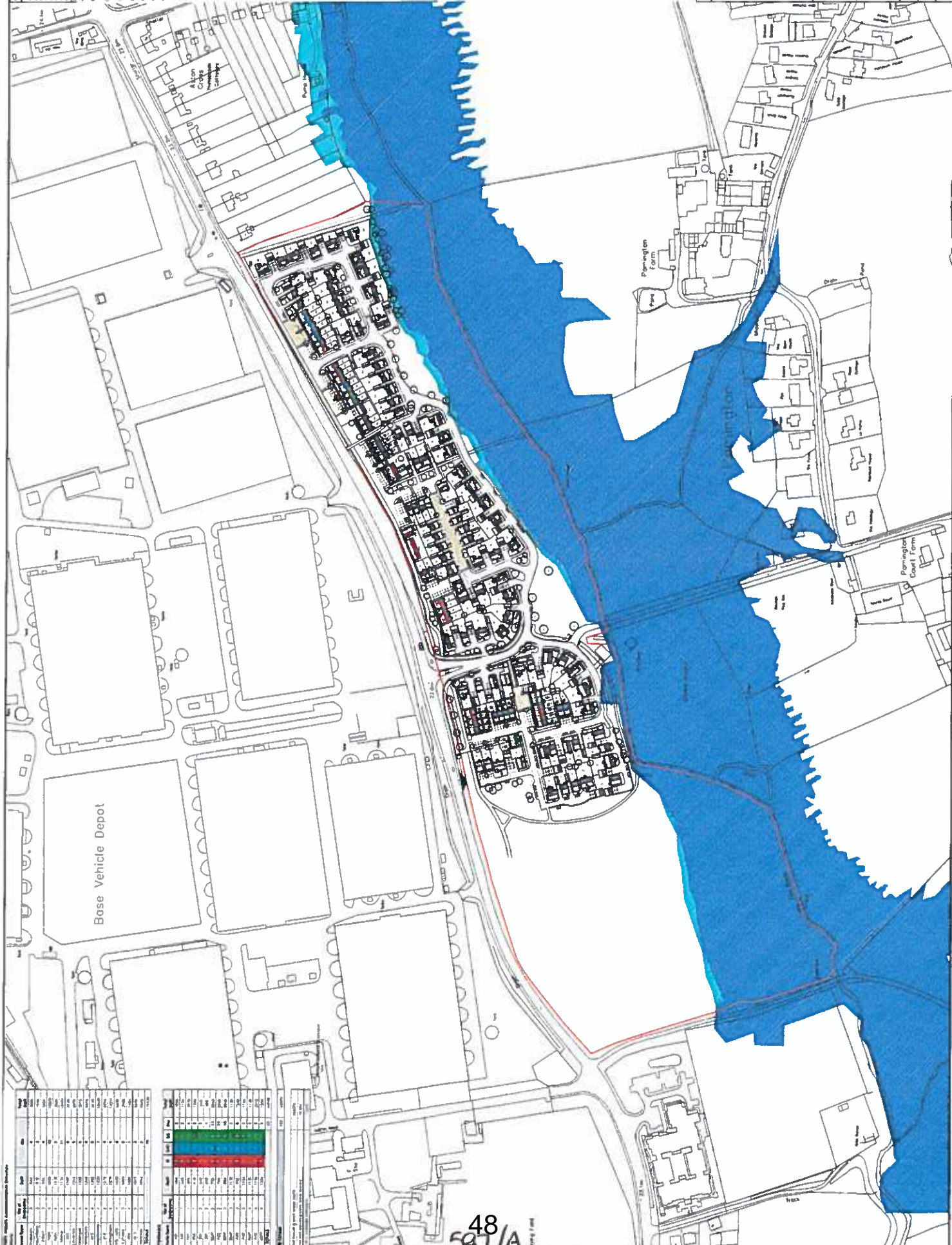


For Urban Form & Design
Feedback
Lead off the 441, Ashleigh
Site Layout
1:10000 A3 Aug 15 BP TM
LMD190004 EL03

NOTES

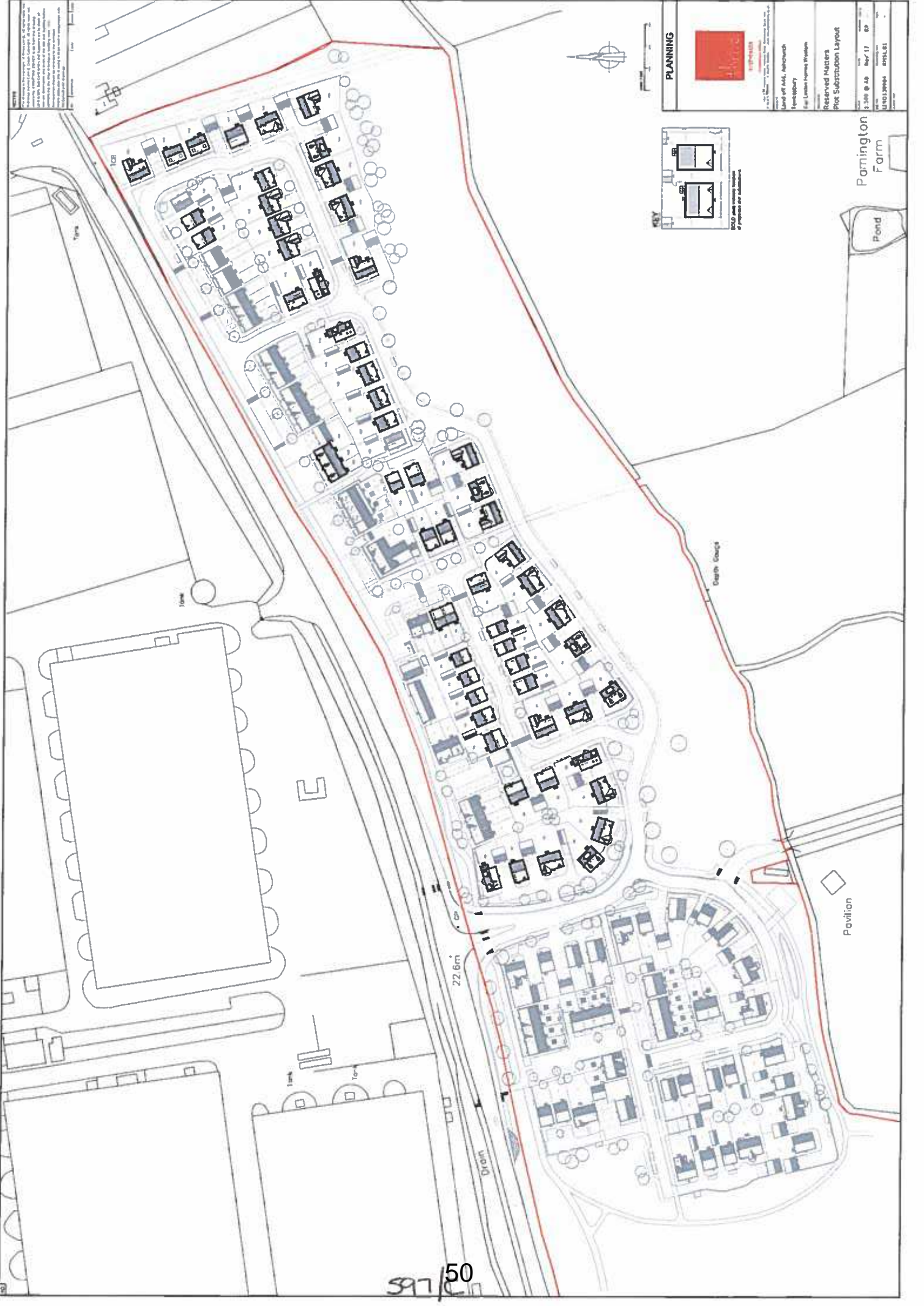
1. This site plan is a preliminary design and is subject to change without notice.
2. The site plan is based on the information provided by the client and is not to be used for any other purpose.
3. The site plan is not to be used for any other purpose.
4. The site plan is not to be used for any other purpose.

Item	Quantity
...	...



Item	Quantity	Unit	Notes
...

Item	Quantity	Unit	Notes
...



1. All buildings shall be constructed in accordance with the Building Regulations and the Building Act 2004.
 2. All buildings shall be constructed in accordance with the Planning Conditions and the Planning Act 2008.
 3. All buildings shall be constructed in accordance with the Local Planning Authority's policies and objectives.
 4. All buildings shall be constructed in accordance with the relevant Building Regulations and the Building Act 2004.
 5. All buildings shall be constructed in accordance with the relevant Planning Conditions and the Planning Act 2008.
 6. All buildings shall be constructed in accordance with the relevant Local Planning Authority's policies and objectives.
 7. All buildings shall be constructed in accordance with the relevant Building Regulations and the Building Act 2004.
 8. All buildings shall be constructed in accordance with the relevant Planning Conditions and the Planning Act 2008.
 9. All buildings shall be constructed in accordance with the relevant Local Planning Authority's policies and objectives.
 10. All buildings shall be constructed in accordance with the relevant Building Regulations and the Building Act 2004.

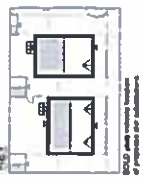
1:1000
 1:500
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 1:100
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 1:20
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 1:5
 1:2
 1:1



PLANNING

Land off A44, Northwich
 Cheshire
 For Lister Farms Waston
 Reserved Matters
 Plot Substitution Layout

3.300 @ A0 Rev 17 03
 UNOL/2024/001/21



Parrington Farm

Pond

Depth Gauge

Pavilion

22.6m

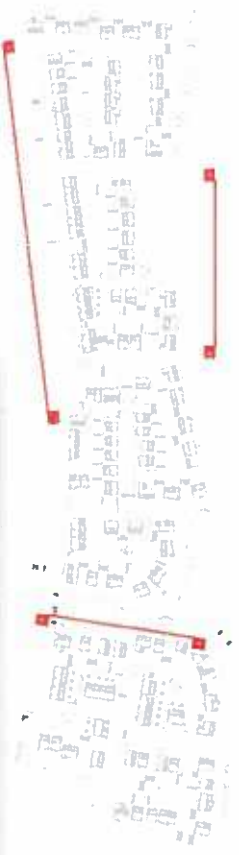
Drain

397/50

NOTES

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 All drawings are to be read in conjunction with the Client's Brief.

No.	Description	Date	Author	Check
1	Overall Elevation A - A	19/09/15	GP	GP
2	Overall Elevation B - B	19/09/15	GP	GP
3	Overall Elevation C - C (part 1)	19/09/15	GP	GP
4	Overall Elevation C - C (part 2)	19/09/15	GP	GP



Scale 1:200

PLANNING



thrive architects
 1, 10-15, 20-25, 30-35, 40-45, 50-55, 60-65, 70-75, 80-85, 90-95, 100-105, 110-115, 120-125, 130-135, 140-145, 150-155, 160-165, 170-175, 180-185, 190-195, 200-205, 210-215, 220-225, 230-235, 240-245, 250-255, 260-265, 270-275, 280-285, 290-295, 300-305, 310-315, 320-325, 330-335, 340-345, 350-355, 360-365, 370-375, 380-385, 390-395, 400-405, 410-415, 420-425, 430-435, 440-445, 450-455, 460-465, 470-475, 480-485, 490-495, 500-505, 510-515, 520-525, 530-535, 540-545, 550-555, 560-565, 570-575, 580-585, 590-595, 600-605, 610-615, 620-625, 630-635, 640-645, 650-655, 660-665, 670-675, 680-685, 690-695, 700-705, 710-715, 720-725, 730-735, 740-745, 750-755, 760-765, 770-775, 780-785, 790-795, 800-805, 810-815, 820-825, 830-835, 840-845, 850-855, 860-865, 870-875, 880-885, 890-895, 900-905, 910-915, 920-925, 930-935, 940-945, 950-955, 960-965, 970-975, 980-985, 990-995, 1000-1005

PROJECT
 Land off the A46, Ashchurch
 Tewkesbury
 For: Linden Homes Western

DATE	BY	APPROVED BY
1:200 @ A1	Aug '15	RP TM
DRAWING NO	DATE	REV
LIND130904	SE 01	E

59510

17/01339/FUL

Tug Hill House, Hawling, Cheltenham

6

Valid 13.12.2017

Demolition of garage and annex. Erection of single and double storey side and rear extension.

Grid Ref 406627 223116

Parish Hawling

Ward Winchcombe

Mr C Montiero De Barros

Tug Hill House

Hawling

CHELTENHAM

GL54 5SZ

RECOMMENDATION Permit

Policies and Constraints

Adopted Joint Core Strategy (AJCS) - November 2017 - Policies SD4 & SD7

Tewkesbury Borough Local Plan to 2011(TBLP) - March 2006 - Policy HOU8

National Planning Policy Framework

Planning Practice Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

Human Rights Act 1998 - Article 8 (right to Respect for Private and Family Life)

The First Protocol, Article 1 (Protection of Property)

Within 50m of multiple listed buildings

Area of Outstanding Natural Beauty

Public Right of Way

Consultations and Representations

Hawling Parish Council - Neither objects nor supports application

Conservation officer - No objection - Subject to conditions

Local residents - Six letters of objection have been received from 5 separate objectors, the objections are summarised below:

- Previous refusal reasons not addressed
- Road safety issues regarding construction traffic
- Extension would over dominate existing building
- Scheme would erode character of original building
- Unacceptable impact on neighbouring property
- Extension would result in the property being out of scale with others in the village
- Increase in footprint over existing is unacceptable
- Regency features of extension not in keeping with original building
- Building would be conspicuous, overbearing and visually intrusive
- Extension would harm the character of the street scene
- Extension would harm the wider area, conflicting with provisions in NPPF
- Contrary to policy HOU8 of TBLP in terms of design, size, scale and mass
- Adverse impact on setting of listed building
- Visible from public rights of way
- Eaves heights are higher than main dwellinghouse
- Issues around the road outside flooding

Three letters of support have also been received from 2 separate commentators.

Councillor Allen has requested Committee determination to assess the impact on the adjoining listed building, and to assess the effect that the enlargement of Tug Hill House would have on the street scene.

Planning Officers Comments: Mr James Lloyd

1.0 Application Site

1.1 Tughill House is located within a ½ acre plot to the north of the village of Hawling. The property is approached via a dead-end road that leads on to the bridleway and footpath, Windrush Way.

1.2 Tughill House is not statutorily listed or located in a Conservation Area, but liaison with the Council's Conservation Officer indicates that the building should be regarded as a non-designated heritage asset. The property is also located in the Cotswolds Area of Outstanding Natural Beauty (AONB) and adjacent to a Grade II Listed Building (Littlefield). Hawling Methodist Church is located to the south of the site, whilst a scheduled monument relating to a Medieval and later settlement is located to the east of the application site.

1.3 There are a number of trees within the site adjacent to its north-west boundary in addition to a minor watercourse which runs through the site in an easterly direction.

2.0 Relevant Planning History

2.1 Tughill House has undergone several phases of extension, most recently following permission for demolition of existing stables and erection of building to be used as ancillary accommodation which was permitted in 2007 (ref: 07/01037/FUL).

2.2 Application reference 16/01079/FUL - Two storey front, rear and side extensions including orangery to rear and associated landscaping works - was refused in 2016, following which the applicant sought pre-application advice.

3.0 Current Application

3.1 The main element of this application is to replace the previous extensions, permitted in 2007 (ref. 07/01037/FUL). This is an amended scheme following the 2016 refusal and subsequent pre-application discussions. The application is essentially split into 4 elements outlined below:

Single storey extension to replace existing glazed 'link' extension

3.2 The applicant proposes the construction of a replacement extension 'linking' the original dwelling with the proposed 1.5 storey extension (detailed below). The link would be constructed from cut-stone with a natural Cotswold stone tile roof.

Replacement extension set over 1.5 storeys

3.3 This element proposes the replacement of the existing annexe (granted permission in 2007 ref. 07/01037/FUL), which is a 1.5 storey structure. The proposed extension would face 'gable on' towards the road (south-western elevation) and would have a ridge height of approximately 6.85 metres. The extension would be larger than the existing building, increasing in size from approximately 290sqm to 332sqm (in increase of approximately 14.4%). The extension would be constructed using natural stone and Cotswold stone tiles for the roof.

Rear orangery extension

3.4 This would be a single storey extension on the rear elevation to provide additional living accommodation. The orangery would be constructed with a pitch roof and parapet constructed from Cotswold rubble stone.

Single storey boot room extension

3.5 This element consists of a single storey extension located on the north western elevation of the proposed 1.5 extension. This would be constructed with a hipped roof from natural stone tiles. The D&A statement advises that this extension would be constructed from a un-mortared stone to give the appearance that it is a continuation of the existing garden wall.

4.0 Policy Context

4.1 The application site is located within the Cotswolds AONB which over-washes a large part of Hawling. One of the NPPFs core principles is the need to take into account the different roles and character areas recognising the intrinsic character and beauty of the countryside (fifth bullet point) and to contribute to conserving and enhancing the natural environment (seventh bullet point). Para 115 of the NPPF advises

that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. Policies SD6 and SD7 of the JCS is consistent with this advice and seeks to ensure new development is appropriate to the landscape character of the locality and contributes to local distinctiveness.

4.2 One of the NPPF's core principles is to ensure a good standard of amenity for all existing and future occupants of land and buildings. Section 7 of the NPPF also makes it clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF also makes it clearly that obviously poor designs should be refused. Policy SD4 of the JCS closely reflects this advice. Saved policy HOU8 of the TBLP supports the principle of residential extensions subject to satisfying certain design criteria.

4.3 Another of the defined core principles of the NPPF is that a good standard of amenity for all existing and future occupants of land and buildings be achieved. Policy SD4 of the JCS and Policy HOU8 of the TBLP closely reflects this advice.

4.4 Other relevant national guidance includes the advice at paragraph 135 of the NPPF stating that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5.0 Analysis

5.1 A previous scheme for a replacement 1.5 storey extension (with basement) and other alterations was refused in 2016. The refusal reason at the time was as follows:

"The proposed extension, by reason of its size, scale, siting and appearance, would dominate the host building and lead to an erosion of its character. This would result in unacceptable harm to the character of the existing dwelling and consequently the character and appearance of the surrounding area within the Cotswolds AONB, and would also lead to less than substantial harm to nearby heritage assets. As such the proposed development would be contrary to Policy HOU8 of the Tewkesbury Borough Local Plan to 2011 (March 2006) and the advice contained within the National Planning Policy Framework."

5.2 Having regard to the site constraints and policy context set out above it is considered that the main issues for consideration are those associated with the scale and design of the proposal and its relationship with the existing property. It is also necessary to consider the impacts of the proposed development on the natural environment including the AONB and the impact on the setting of the nearby Grade II Listed Building (Littlefield).

Design and Visual Impact

5.3 Whilst the property is not listed, it is considered to represent a good example of its type and is in an attractive part of the AONB. As such, careful consideration must be given to the potential impact of any extensions on its character. The Conservation Officer has advised that the property is shown on all editions of historic Ordnance Survey maps and the adjacent garage building and bothy were both present by 1903. However, the form of the house is consistent with much earlier (C16-C17) types in the area so it undoubtedly fulfils the NPPF's definition of a heritage asset, and like many buildings in Hawling should be considered as a candidate for local listing. The NPPF requires a balanced judgement to be applied to the development of non-designated assets having regard to the scale of any harm or loss and the significance of the heritage asset.

5.4 Historic England's 2016 Advice Note 2 'Making Change to Heritage Assets' states that 'the main issues to consider in proposals for additions to heritage assets...are proportion, height, massing, bulk, use of materials...relationship with adjacent assets and...treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate' (paragraph 41).

5.5 Tughill House has undergone several phases of extension, most recently in 2007, and notwithstanding the 'dovecote' added to the north-east gable, they have all broadly followed the vernacular character of the original building. This has a long pedigree in the Cotswolds, and there are many examples locally of alterations taking this approach, well into the C20.

5.6 The current application seeks to address the concerns previously raised by officers outlined in the most recent refusal decision. Since the refusal decision the applicants architect has entered into further pre-application discussions with officers.

5.7 The proposed additions are still larger than the existing extensions on site and by virtue of their height would have a more dominant appearance when the property is viewed as a whole. However, the current scheme proposes turning the larger block through 90 degrees, gable facing onto the road. This change, coupled with the reduction in height from the previous scheme, would provide a design that presents the gable of the building to the south west elevation that would be more in keeping with the array of gables to the main house and bothy. This change and the decision to remove the linear form of the 2007 and refused scheme (principle elevation onto the road) would result in a less competitive status of the extension in relation to the host building. It is therefore considered that this element of the proposal addresses the previous concern that the 1.5 storey extension would dominate the original asset which would result in harm to its significance.

5.8 It is acknowledged that there is a cumulative increase in the floor area when the scheme is looked at as a whole. Concerns have been raised that the foot print and scale of the extensions do not respect the character of the original building which conflicts with the NPPF and local policies. The proposal would extend the footprint over the existing 2007 extensions, however, it is considered that the change in position of the 1.5 storey extension and the removal of the garage building to the front of the site would result in a more sympathetic relationship with the host dwelling than already exists. The applicants are seeking to construct the extensions from materials that are sympathetic to the existing dwelling and the design has been simplified as to not overly dominate the appearance when read against the host dwelling.

5.9 Concerns have also been raised as to the height of the proposed 1.5 storey extension. The ridge height would exceed that of the original host dwelling by approximately 0.30m. This would cause the extension to be partly visible when seen from views to the south east of the property (from the Methodist chapel). However, whilst this is an increase it is considered that the extension would appear detached from the host dwelling as a result of the single storey 'link' and the difference in height would not be readily perceptible when viewed from the wider context in the public realm.

5.10 The proposed single storey extensions are simple in form and would read as subservient additions to the building. The proposed materials are considered acceptable and would not harm the significance of the undesignated heritage asset.

5.11 On the whole it is considered that whilst the proposal would be larger than the existing 2007 addition, the changes to the design have overcome officers' previous concerns outlined in the 2016 refusal reason. It is considered that the additions would not over dominate the host dwelling and would still read hierarchically as extensions. It is considered that the changes would be in proportion to the existing site and the removal of the garaging would help mitigate the increase in size in the extensions. Therefore the proposal would not cause significant harm to the character of the undesignated heritage asset or the character and appearance of the AONB. Consequently, the scheme would not conflict with Policy HOU8 of the TBLP, policies SD4 and SD6 of the JCS and the provisions within the NPPF.

Residential amenity

5.12 The nearest dwelling to the proposed development would be Littlefield's, located to the North of the application site.

5.13 The owners of Littlefield's have raised concerns regarding the potential for overbearing impacts from the proposed extension. The proposal has changed since the 2016 refusal in that the wider flank of the extension would be more visible from the garden of Littlefield. However, this flank would be approximately 30 metres away from Littlefield with an intervening boundary wall. The applicants have advised that they would provide additional planting along the boundary to assist with screening. Notwithstanding this offer it is not considered that the proposed extension would cause an unacceptable impact in terms of loss of amenity to the neighbouring property that would warrant refusal in this instance.

5.14 Concerns were also raised regarding the potential for overlooking, however, it is noted that there are no windows at first floor level on the north western elevation that would face towards the garden and front elevation of Littleworth. It is noted that any window above ground floor level that may be proposed in the future would either require full planning permission or if carried out under permitted development rights would need to be obscure glazed and non-opening unless positioned more than 1.7 metres above floor level of the room that it serves.

5.15 It is considered that the proposal would not unreasonably affect the amenity of adjoining occupiers in terms of overshadowing or overbearing impact and would therefore comply with the NPPF and policy HOU8 and SD4 of the JCS in this respect.

Impact on the Setting of Listed Building & scheduled monument

5.16 Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires Authorities to have special regard to the desirability of preserving any listed building or its setting or any features of architectural or historic interest which it processes.

5.17 The conservation Officer has commented on the pre-application scheme and the current application. Having visited the site of Tug Hill House he also made a site visit to the neighbouring listed building (Littlefield) to assess the impact of the new scheme. The Conservation Officer acknowledges that the current scheme would present a longer-north west flank elevation towards the aspect of Littlefield, however, advises that whilst this represents change it would not cause harm the scale is of a similar order to the existing block and it will be seen in the context of a series of parallel existing roofs. He goes on to add that the visibility cannot be construed as harm in itself and the current scheme would have a neutral impact on the setting of the listed building.

6.0 Conclusion

6.1 For the reasons set out above, it is considered that the application has addressed the previous reasons for refusal. Taking into account all of the above, the proposal is considered to be acceptable in light of the development plan and the provisions of the NPPF. The application is therefore recommended for **PERMISSION**.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the details on the application form and approved Drawings: 103 - 001 - A, 103 - 001 - B, 103 - 002 - A, 103 - 304, 103-000, 19374/2, 19374/3, 19374/4, 19374/5, 19374/6, 19374/7, 19374/8, 19374/9 & AATUGTOPO1 all received by the Local Planning Authority on 13th December 2017 and approved Drawing 100 - 003 received by the Local Planning Authority on 24th January 2018 and approved Drawing 103-303 REV A received by the Local Planning Authority on 30th January 2018.
- 3 Notwithstanding the submitted plans and details, building operations shall not be commenced until a walling sample panel (stonework - including common walling and dressed stone, pointing and workmanship), sill/coping material sample, roofing material sample (Stone tile samples) and rainwater goods details, including the finished colour, proposed to be used for all of the extensions hereby permitted have been prepared on site and/or submitted to and approved by the Local Planning Authority and all materials used shall conform to the samples so approved.
- 4 Notwithstanding the submitted plans, no works shall commence on site until the design and details of the windows (casements & sash), doors and ridge lanterns have been submitted to and approved in writing by the Local Planning Authority. The elevations shall be at a minimum scale of 1:20 and the sections shall be at a minimum scale of 1:5 and shall indicate moulding profiles at full size. The works shall be carried out in accordance with the approved details and retained as such thereafter.

- 5 No development shall take place before a fully detailed landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. This should include details of existing landscaping which is to be retained. The development shall be implemented in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.
- 6 All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the undesignated heritage asset in accordance with the NPPF.
- 4 To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the undesignated heritage asset in accordance with the NPPF.
- 5 To ensure that the new development will be visually attractive in the interests of amenity.
- 6 To ensure that the new development will be visually attractive in the interests of amenity.

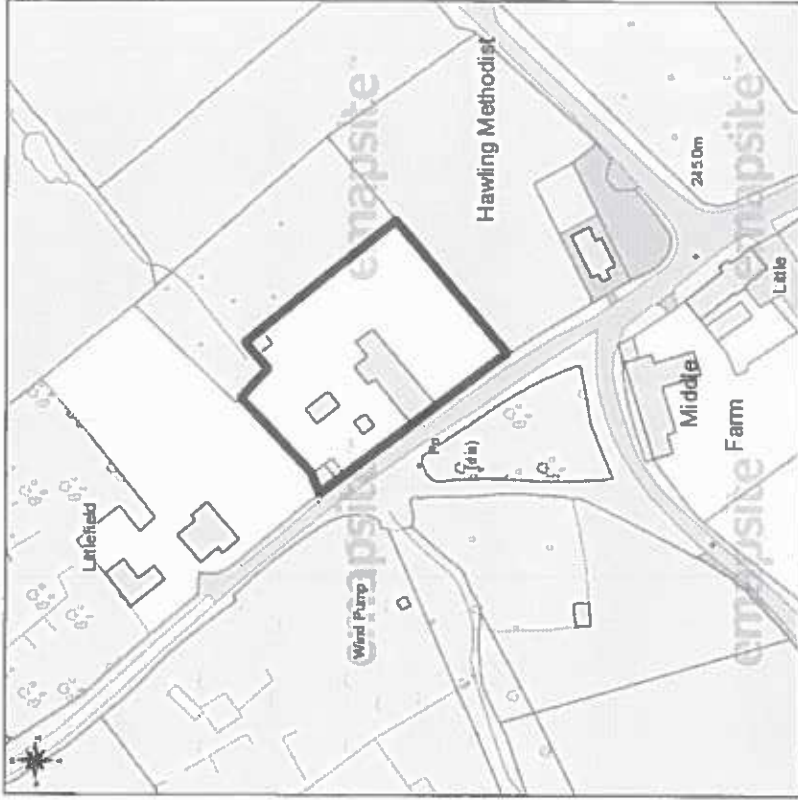
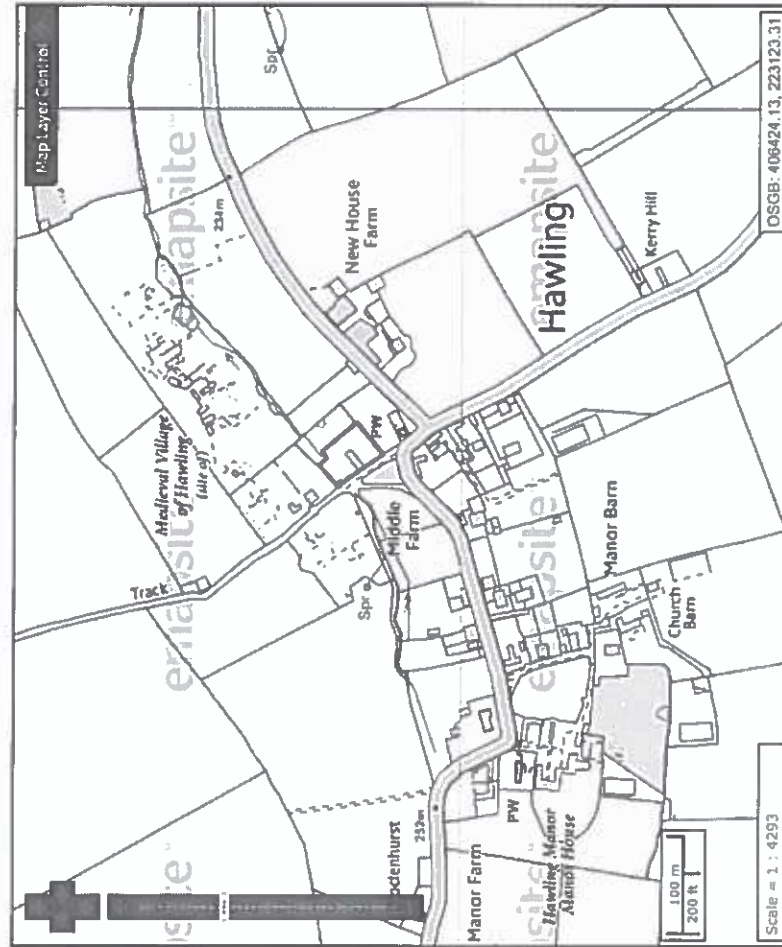
Notes:

1 **Statement of Positive and Proactive Engagement**

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

- 2 A fee is payable where written confirmation is required that one or more conditions imposed on this permission have been complied with. The fee is £34 per request. The fee must be paid when the request is made.
- 3 This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.
- 4 The developer is referred to the Tewkesbury Borough Council "Code of Good Practice: Building and Demolition Site Operators".

103 - 000 - Location Plan



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Scale: 1:1250, paper size: A3

Title: Location Plan: Tughill House, Hawling, GL54 5SZ

Date: April 2015

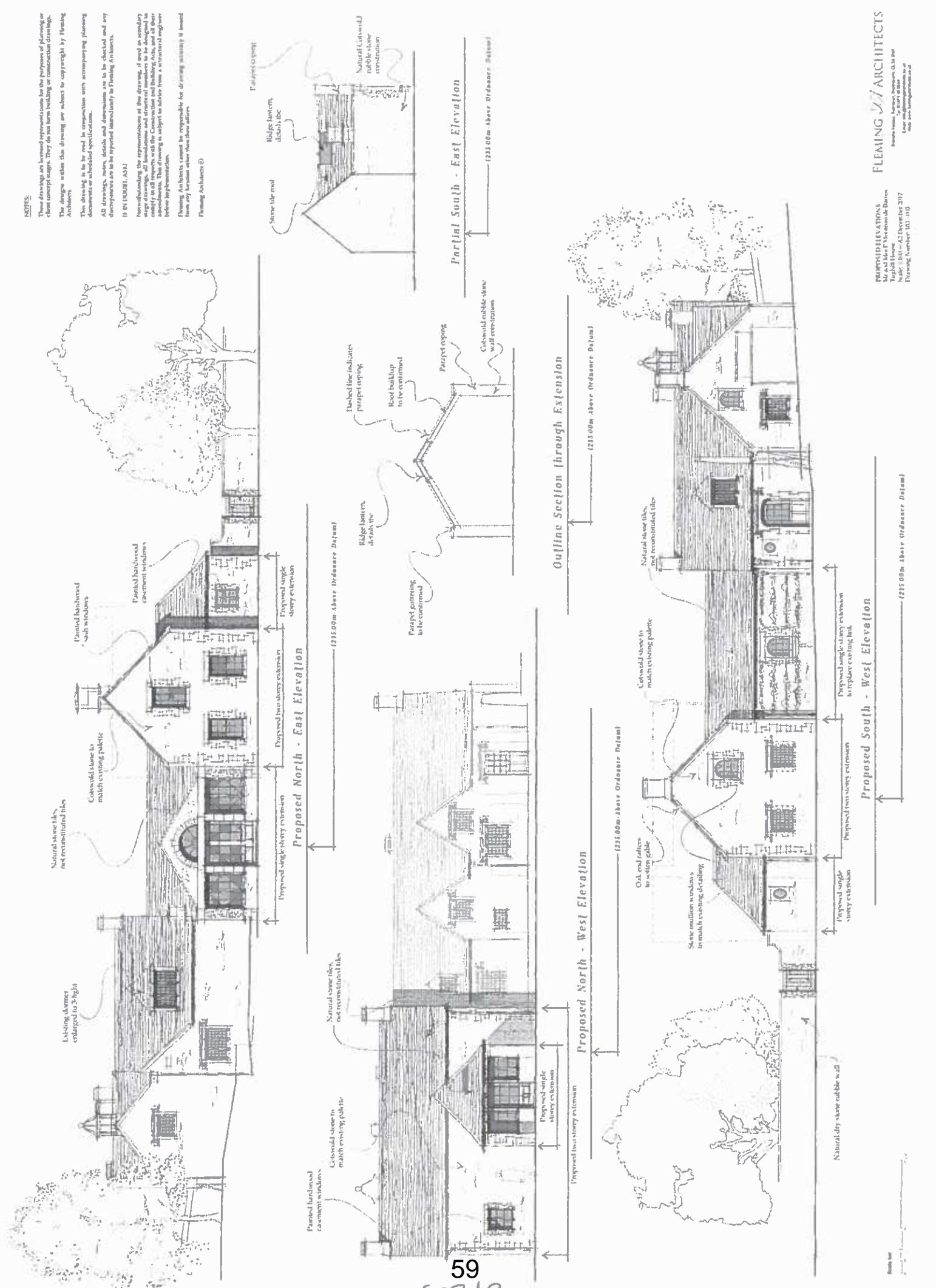
17/01339/FUL

plans ahead by **emapsite**

Prepared by: christian firming, 02-06-20

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6031B

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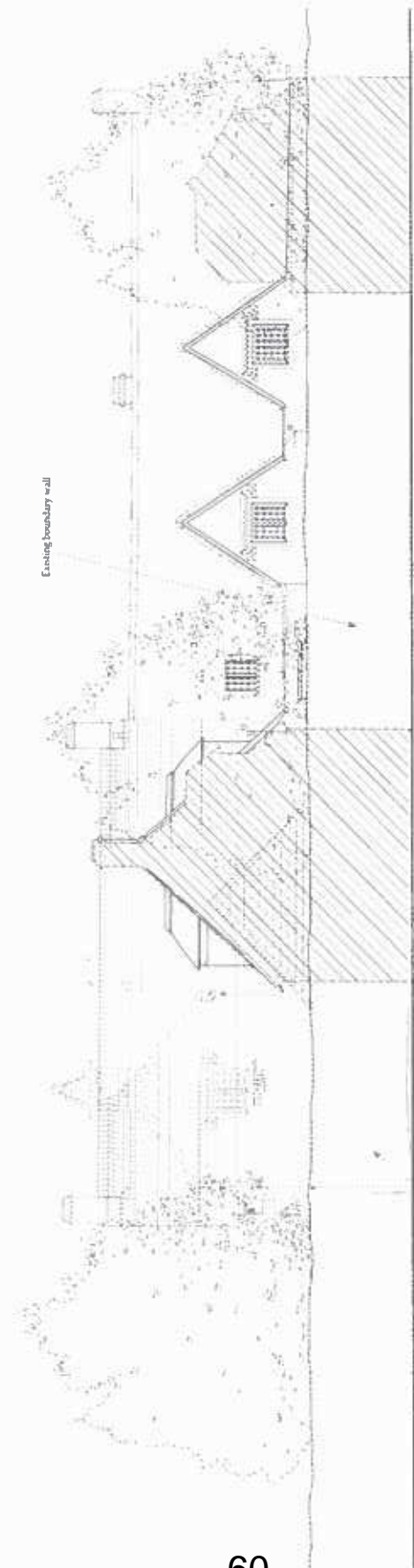
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Key:

- Existing retained part of house (in use & ground)
- Existing part(s) of house being demolished
- Proposals / extensions



General view between window obscured by existing boundary wall

NORTH - WEST ELEVATION

(1:10) (See Above/Outline Drawings)

6031C

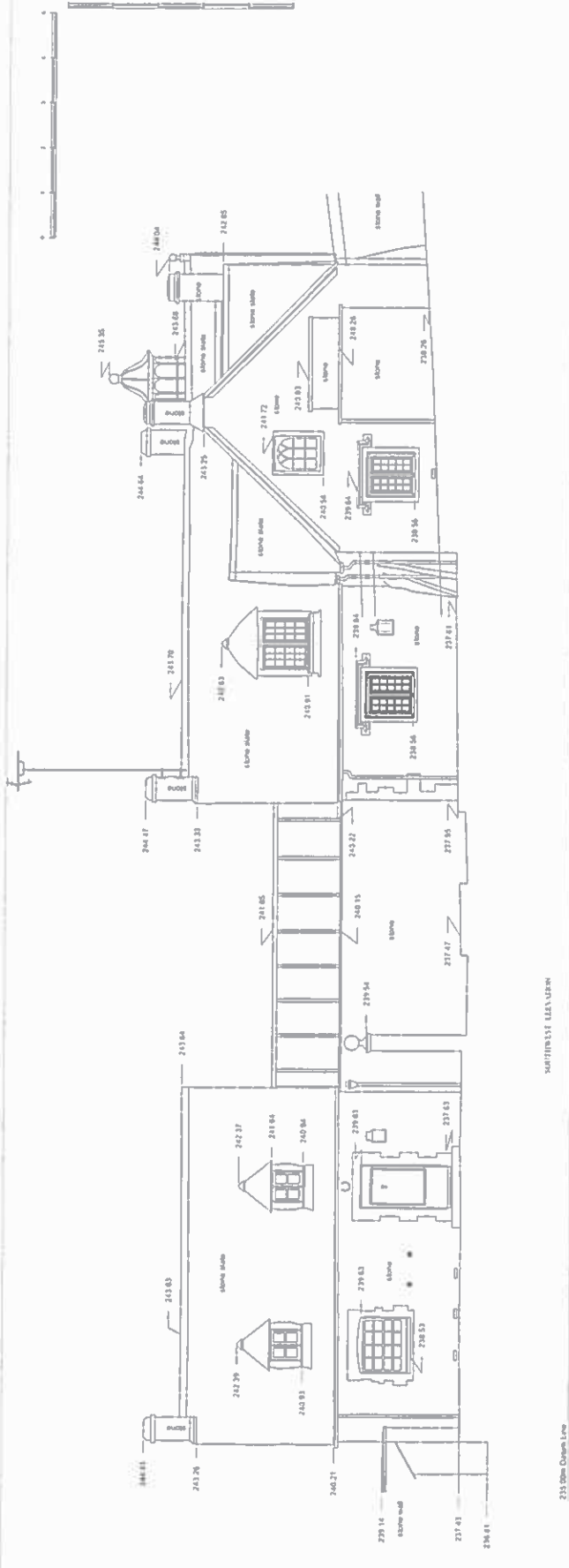
FLEMING FA ARCHITECTS

Fleming Architects Ltd
 101511 04 1004
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Proposed NW elevation (showing garden wall height)

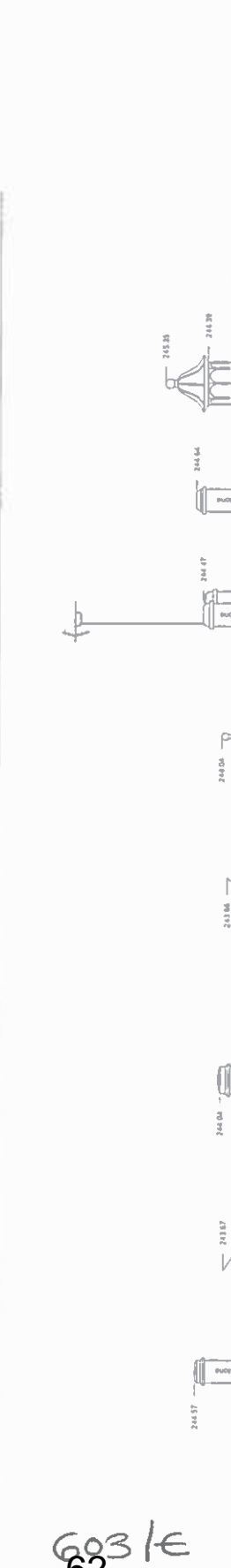
Project	Highall House, Hasling
Client	Mr and Mrs P Mounsey de Borne
Date	November 2017
Scale	1:10 (as A3)
Drawn	RC
Checked	CS
Project No	101 303 Rev A

1. This drawing is a preliminary drawing and is not to be used for construction. It is subject to change without notice. The contractor shall verify all dimensions and conditions before construction. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for the accuracy of all information provided. The contractor shall be responsible for the completion of all work in a timely manner. The contractor shall be responsible for the safety of all workers and the public. The contractor shall be responsible for the protection of all property. The contractor shall be responsible for the cleanup of all debris. The contractor shall be responsible for the disposal of all waste. The contractor shall be responsible for the maintenance of all equipment. The contractor shall be responsible for the insurance of all workers and equipment. The contractor shall be responsible for the payment of all bills. The contractor shall be responsible for the completion of all work in a timely manner. The contractor shall be responsible for the safety of all workers and the public. The contractor shall be responsible for the protection of all property. The contractor shall be responsible for the cleanup of all debris. The contractor shall be responsible for the disposal of all waste. The contractor shall be responsible for the maintenance of all equipment. The contractor shall be responsible for the insurance of all workers and equipment. The contractor shall be responsible for the payment of all bills.



NORTHVILLE LIBRARY
 WEST WING

Room No.	Room Name	Area	Volume
215.35	Staircase		
215.34	Staircase		
215.33	Staircase		
215.32	Staircase		
215.31	Staircase		
215.30	Staircase		
215.29	Staircase		
215.28	Staircase		
215.27	Staircase		
215.26	Staircase		
215.25	Staircase		
215.24	Staircase		
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215.22	Staircase		
215.21	Staircase		
215.20	Staircase		
215.19	Staircase		
215.18	Staircase		
215.17	Staircase		
215.16	Staircase		
215.15	Staircase		
215.14	Staircase		
215.13	Staircase		
215.12	Staircase		
215.11	Staircase		
215.10	Staircase		
215.09	Staircase		
215.08	Staircase		
215.07	Staircase		
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215.03	Staircase		
215.02	Staircase		
215.01	Staircase		

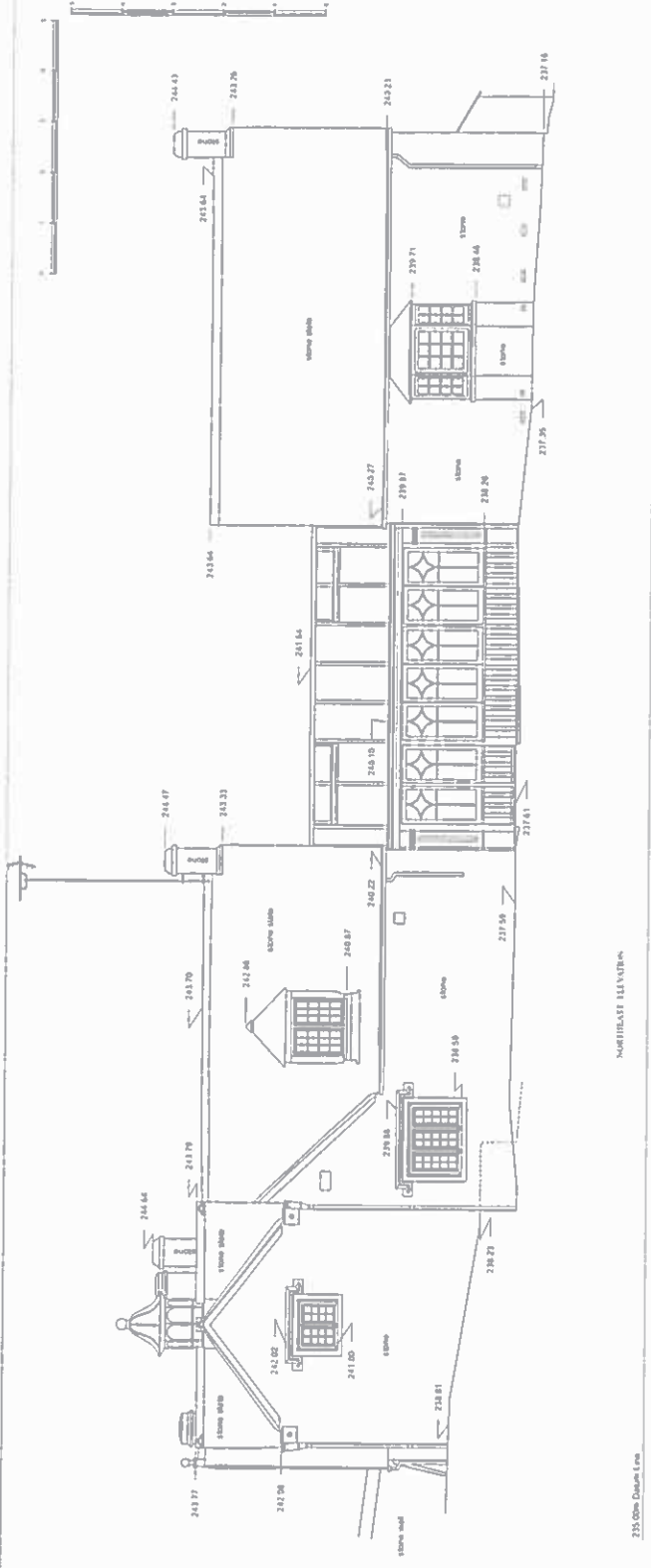


NORTHVILLE LIBRARY
 EAST WING

Room No.	Room Name	Area	Volume
216.35	Staircase		
216.34	Staircase		
216.33	Staircase		
216.32	Staircase		
216.31	Staircase		
216.30	Staircase		
216.29	Staircase		
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216.06	Staircase		
216.05	Staircase		
216.04	Staircase		
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216.02	Staircase		
216.01	Staircase		

NORTHVILLE LIBRARY
 WEST WING
 EAST WING

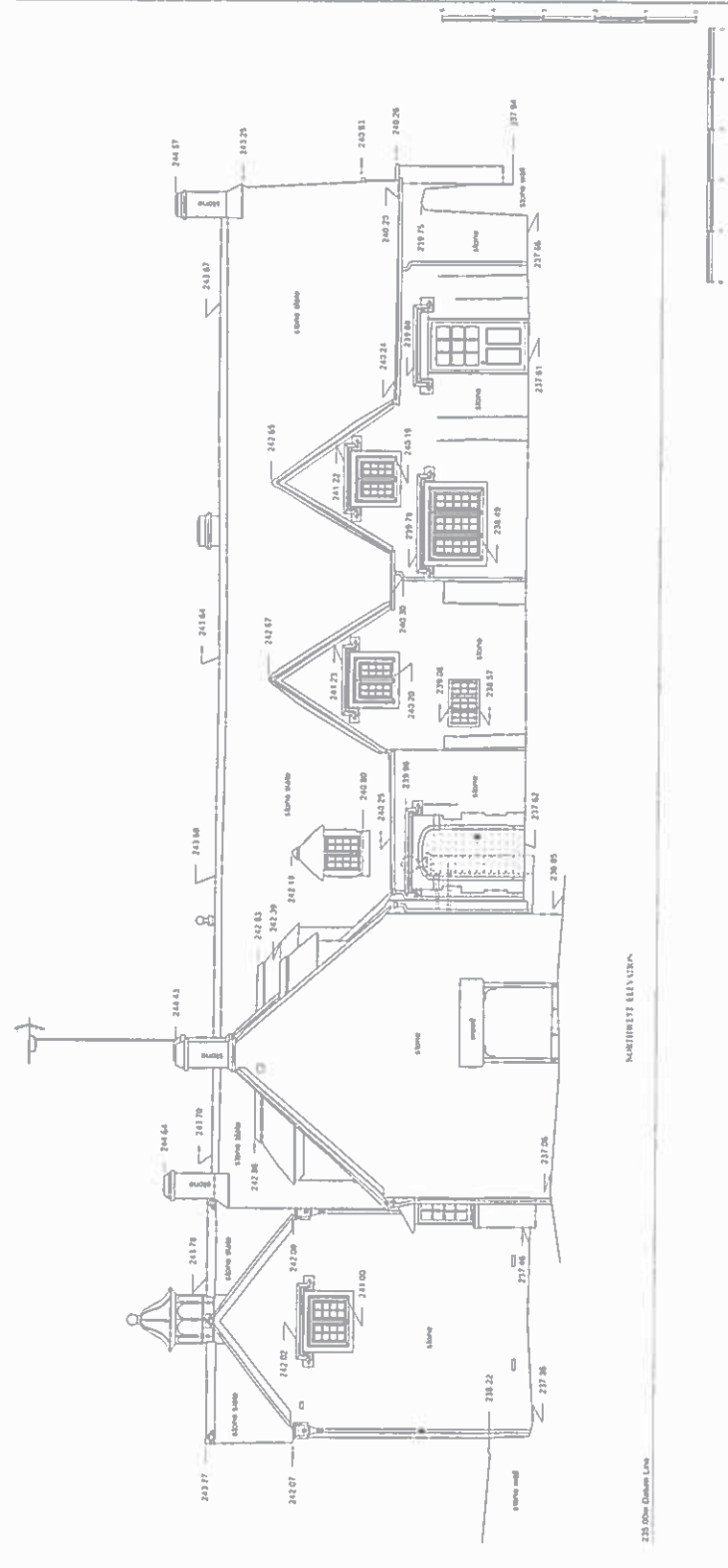
6031E



NORTHEAST ELEVATION

235.00m Datum Line

603/F
63



NORTHEAST ELEVATION

235.00m Datum Line

NOTES:
1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
2. FINISHES ARE TO BE AS SHOWN IN THE DRAWINGS.
3. ALL WORK IS TO BE IN ACCORDANCE WITH THE SINGAPORE BUILDING CODE.
4. THE CONTRACTOR IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.
5. THE CONTRACTOR IS TO MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
6. ALL MATERIALS AND WORKMANSHIP ARE TO BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.
7. THE CONTRACTOR IS TO BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
8. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
9. THE CONTRACTOR IS TO MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
10. ALL MATERIALS ARE TO BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.

NO.	DESCRIPTION	QTY	UNIT	REMARKS
1	Concrete	100	m ³	
2	Reinforcement	50	kg	
3	Brick	10000	nos	
4	Block	5000	nos	
5	Tile	1000	nos	
6	Paint	100	liters	
7	Plaster	100	m ²	
8	Roofing	100	m ²	
9	Window	10	nos	
10	Door	5	nos	

GENERAL NOTES:
1. ALL WORK IS TO BE IN ACCORDANCE WITH THE SINGAPORE BUILDING CODE.
2. THE CONTRACTOR IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.
3. THE CONTRACTOR IS TO MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. ALL MATERIALS AND WORKMANSHIP ARE TO BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.
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6. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
7. THE CONTRACTOR IS TO MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
8. ALL MATERIALS ARE TO BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.

PROJECT INFORMATION:
Project Name: [REDACTED]
Client: [REDACTED]
Address: [REDACTED]
Site No: [REDACTED]
Scale: 1:100
Date: [REDACTED]

DESIGNER:
[REDACTED]
ARCHITECT:
[REDACTED]
ENGINEER:
[REDACTED]

APPROVALS:
Architect: [REDACTED]
Engineer: [REDACTED]
Client: [REDACTED]



Valid 25.09.2017
 Grid Ref 396446 230352
 Parish Oxenton
 Ward Oxenton Hill

Erection of general purpose agricultural building

Rachel Slater
 Crane Hill Farm
 Woolstone
 Cheltenham
 Gloucestershire
 GL52 9RG

RECOMMENDATION Prior Approval Approved

Policies and Constraints

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended),
 Schedule 2 Part 6 Class A
 National Planning Policy Framework
 Planning Practice Guidance
 Adopted Joint Core Strategy (AJCS) - Policy SD7
 Tewkesbury Borough Local Plan to 2011 - Policy AGR5
 Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
 The First Protocol, Article 1 (Protection of Property)
 Cotswolds AONB
 Public Right of Way

Consultations and Representations

Landscape Officer - No objection on landscape grounds subject to further information regarding the landscaping scheme, tree and hedge protection and materials.

Oxenton Parish Council - Objects to the proposed development for the following reasons:

1. There has already been recent significant development at Crane Hill Farm prior to this application including erection of a barn and conversion of pre-existing barns into housing accommodation so that the size of the site is already significant. The proposed development of a barn 30x5.5m will further increase the density of buildings on the site.
2. There would be a further deleterious effect on the view of the South facing slope of Crane Hill as seen not only from all the surrounding high viewpoints, such as Nottingham and Cleeve Hills but also from properties at the East end of Gotherington Village in the Gretton road area. Crane Hill Farm lies in an AONB so that the above comments should be taken into consideration with regard to the effects on the skyline when reaching a decision on the application.
3. The proposed position of the building would be directly in the sight line of Hill Farm Cottage, the property immediately opposite Crane Hill Farm on the S side of the road running through Woolstone.

Gotherington Parish Council - Objects to the proposed development for two main reasons:

- Visibility from locations within Gotherington Parish, particularly the PROW which descends Nottingham Hill to Manor Lane.
- Impact on the views our parish residents experience when walking through Woolstone and up past Crane Hill Farm to Crane Hill.

Public Representations - A site notice was displayed for no less than 21 days in accordance with the requirements of paragraph A.2 (2) (iv) of Part 6, Schedule 2 of the GPDO 2015 (as amended). Three letters of representation have been received which raise objections to the proposed development on the following grounds:

- The site is in the Cotswolds AONB.
- The proposed position of the building almost on the top of Crane Hill will enable it to be seen for miles. Any development, agricultural or otherwise, should be carefully restricted to a position where it causes the least intrusion.
- This building because of its size and position will break the skyline of the hill and should be refused.

- The proposal will have an adverse impact on the visual amenity of the area.
- The proposed building should be sited against the existing agricultural building as this would make the infrastructure far less invasive and able to use existing roads.
- The farm is only a small holding which does not hold the capacity for an extensive amount of livestock so the existing agricultural building should be ample for this operation.
- Access to the property is extremely limited which results in large vehicles using the neighbouring property to manoeuvre for access which they do not have permission for.

Councillor Gore has requested for this application to be taken to Committee to assess the impact in the Cotswolds AONB and the wider countryside.

Planning Officers Comments: Mrs Helen Stocks

1.0 Application Site

1.1 The application site relates to Crane Hill Farm; an agricultural unit of 14.97 hectares located on the eastern outskirts of Woolstone, approximately 7 miles north of Cheltenham. The landholding comprises pasture/grazing land, which extends to the north of the main dwelling, and benefits from one agricultural building which is primarily used for machinery storage **see attached site location plan.**

1.2 The site itself is located in the Cotswold Area of Outstanding Natural Beauty (AONB). The natural topography of the site is relatively steep and site levels rise to the north with open countryside surroundings and a public right of way (PROW) along the western edge of the site (footpath no. AOX14). There is an existing farm track which runs through the centre of the landholding to east of the main dwelling.

2.0 Planning History

2.1 Planning permission was granted in 2011 for the conversion of former agricultural barn buildings to 1no. residential dwelling (ref: 11/00012/FUL)

2.2 An application was submitted in February 2015 for the erection of a steel framed, clad agricultural building (12.1 metres in width and 35 metres in length). It had been submitted for prior notification under Part 6, Schedule 2 of the GPDO 2015 but the Local Planning Authority intervened on 19 February 2015 due to officer concern regarding the proposed siting of the new building and its impact on the landscape value of the Cotswold AONB. The application was later withdrawn prior to a decision being issued (ref: 15/00129/APP).

2.3 A revised application for prior notification under Class A, Part 6 Schedule 2 of the GPDO 2015 (as amended) was submitted in August 2015 for a smaller agricultural building (ref: 15/00887/AGR). The proposal met the necessary requirements and was deemed to constitute permitted development and no intervention was requested by the Local Planning Authority.

3.0 Current Application

3.1 The current application was submitted as a prior notification under Class A, Part 6, Schedule 2 of the GPDO 2015 (as amended). However, the Local Planning Authority intervened on 18 October 2017 and notified the applicant that prior approval would be required as to the siting, design and external appearance of the building given the site constraints, namely its location in the Cotswolds AONB. The applicant has subsequently provided further information (photomontages, site levels and cross section drawings) in support of the proposal.

3.2 The proposed agricultural building would be located on the hillside, directly opposite the existing agricultural building and approximately 85 metres north-east of the main dwelling. It would have a floor space of approximately 360 square metres and a shallow pitched roof, with an eaves and ridge height of 4 metres and 5.5 metres respectively. External materials would comprise concrete base panels, timber boarding and fibre cement roof sheets. It would be accessed from the existing farm track which runs immediately south-west of the proposed building.

4.0 Policy Context

4.1 This is not an application for full planning permission; it is a request to determine only whether or not prior approval should be granted or refused for the siting, design and external appearance of the proposed building. This type of application is normally dealt with under delegated powers as it is largely a technical

assessment of the issues outlined in paragraph A.1 (Class A, Part 6) of the GPDO 2015 which grants planning permission subject to the proposal's compliance with a number of conditions. These are considered in Section 5 of the Committee Report.

4.2 The principle of development is not for consideration as part of the prior approval procedure although due regard can be given to national and local planning policies in so far as siting, design and external appearance are concerned.

4.3 Policy AGR5 of the Local Plan supports the erection of new agricultural buildings provided that the proposals are well sited in relation to existing buildings, ancillary structures and landscape features in order to minimise adverse impact on the visual amenity of the locality, paying particular regard to the AONB. It also sets out that new agricultural buildings should be sympathetically designed in terms of height, mass, materials, colour and landscaping and there should be adequate operational access for vehicles, machinery and stock.

4.4 Policy SD7 of the AJCS requires all development proposals to conserve, and where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. This is consistent with Section 11 of the NPPF which states great weight should be given to conserving landscape and scenic beauty in the AONB which has the highest status of protection in relation to landscape and scenic beauty.

5.0 Analysis

5.1 The proposed development has been assessed under Class A, Part 6 of Schedule 2 of the GPDO 2015 (as amended) and is deemed to satisfy all of the criteria set out in paragraph A.1. In this case, prior approval of the siting, design and external appearance of the proposed building was deemed necessary given the site's hillside location in the Cotswolds AONB.

Siting

5.2 Policy AGR5 of the Local Plan requires new development to be well sited in relation to existing buildings, ancillary structures and works and landscape features in order to minimise adverse impact on the visual amenity of the locality, particularly the AONB.

5.3 The proposed building has been sited approximately 50 metres north-east of the existing building that is also used in connection with the agricultural holding. It has been positioned in close proximity to the existing access track and would be sited behind existing hedgerow which forms the natural field boundary. Officers raised initial concerns over the proposed siting and questioned whether the building could be located closer to the existing building, either immediately north-west or north-east. However, having visited the site with the Landscape Officer, the alternative options for siting the building were considered to be more visually intrusive due to the changing site levels and the applicant has therefore provided additional information in support of the proposal in its original location.

5.4 The submitted information indicates that a small amount of excavation works would be required in order to provide a level platform to accommodate the building on site. As such, the proposed building would be set lower in the ground thus reducing its prominence in the landscape. The Landscape Officer has considered the proposal in light of the additional information and considers the landscape and visual impacts of the proposed building can be suitably mitigated by additional landscaping in the form of hedgerow enhancement to the existing field boundary. This would partially filter views of the building during the summer months and would soften its appearance in the wider landscape.

5.5. Concerns have been raised by Oxenton and Gotherington Parish Councils and local residents in regard to the siting of the proposed building and the potential harm to the intrinsic value of the AONB. However, it is considered that the proposal would have an agricultural appearance which is not out of place in rural locations and would not cause undue harm to the locality. The Landscape Officer considers the proposal would be seen within the wider context of the buildings at Crane Hill Farm and the neighbouring farm when viewed from public vantage points. Furthermore, it is accepted that the current siting of the building is the most preferable location in landscape terms with the only alternatives being to site the building on the higher slopes of the escarpment which would cause greater harm to the landscape character of the AONB.

Design and External Appearance

5.6 The proposed building would be 30 metres in length and 12 metres in width, providing a footprint of approximately 360 square metres. It would have a shallow pitched roof with an eaves and ridge height of 4 metres and 5.5 metres respectively. The proposal is not of an industrial scale and is deemed to be of an appropriate size and design that would meet the needs of agricultural holding, with the building required for the storage of fodder for the sheep and cattle that are grazed within the farm on surrounding land.

5.7 External materials would comprise concrete base panels, timber boarding and fibre cement roof sheets. These materials are typical of a building used for agricultural purposes and the applicant is willing to agree the colour of external facing material, particularly the roof sheets, to minimise the appearance of the building in the wider landscape. This can be controlled by condition.

6.0 Conclusion

6.1 For the reasons cited above, the siting, design and external appearance of the proposed building is deemed to be acceptable and complies with Policy AGR5 of the Local Plan and SD7 and SD8 of the AJCS. It is therefore recommended that prior approval should be **granted subject to conditions**.

RECOMMENDATION Prior Approval Approved

Conditions:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and information: Site Location Plan (dated 25 September 2017), Covering Letter (dated 5th December 2017), PL1001_B 'Proposed Site Plan' and 17.30.009 'Proposed Site Sections', received by the Local Planning Authority on 18 December 2017.
- 2 Prior to the commencement of development, details of the external materials to be used for the proposed building shall be submitted to and approved in writing by the Local Planning Authority.
- 3 Prior to the commencement of development, a landscaping scheme, including full details of the hedgerow improvements and specifying the seed mix and type, shall be submitted to and approved by the Local Planning Authority.

Reasons:

- 1 For the avoidance of doubt and in the interests of proper planning.
- 2 To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with the NPPF.
- 3 To protect the rural appearance of the AONB and in the interests of visual amenity.

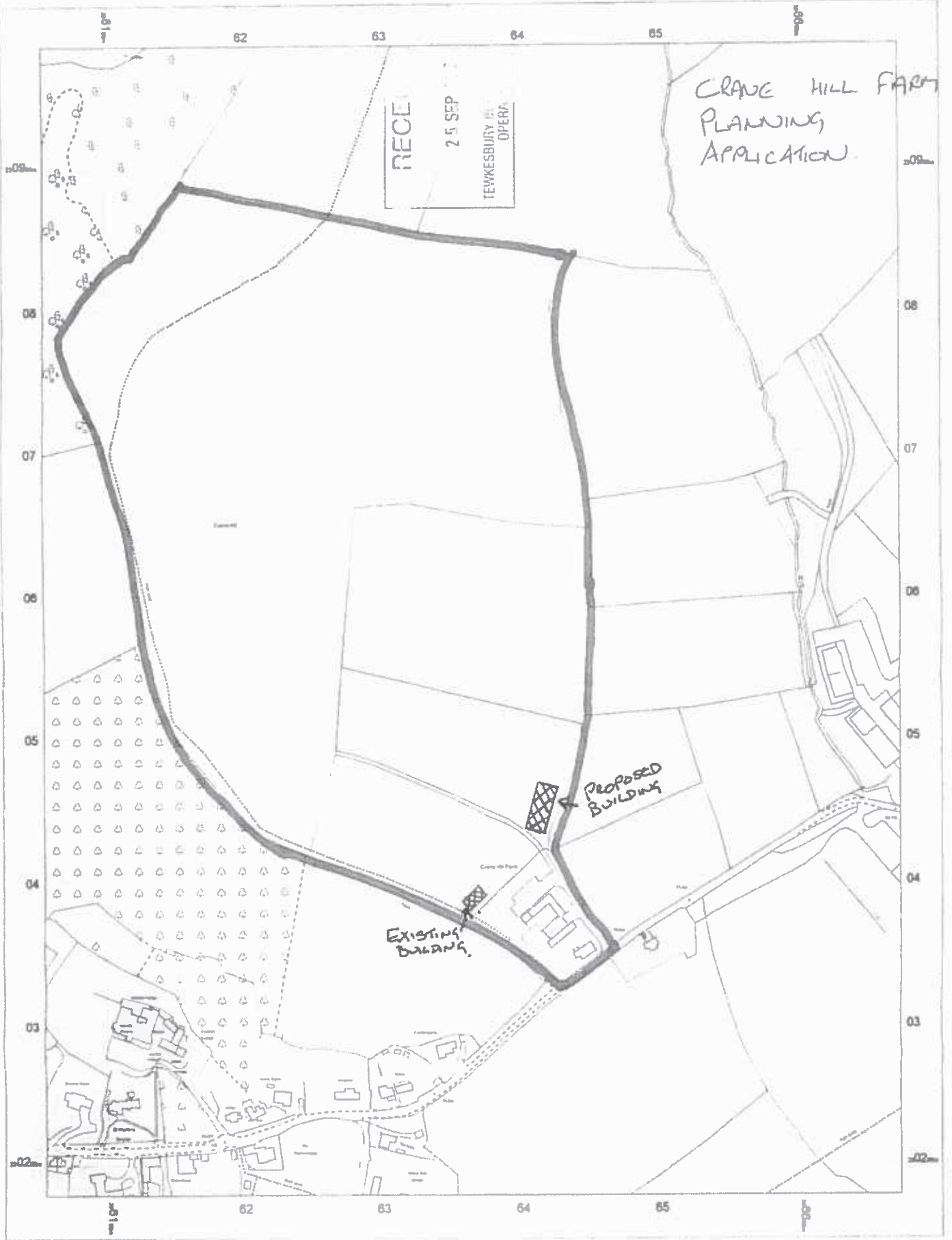
Note:

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating the design and external appearance of the proposed building.

17/01042/APP
SITE PLAN

O.S. MASTERMAP - 1:2500 SCALE



PROPERTY BOUNDARY N

68
607/A

The Map Shop
Upton upon Severn
www.themapshop.co.uk

OS MasterMap 1:2500/10000 scale
20 February 2015, ID CM-00-000000
www.osdataopenline.co.uk
1:2500 scale print of A3, Centre 398364 E 230582 N

TEL: 01694 683148

Crane Hill Farm, Oxenton
Cheltenham, GL52 9RG



Proposed Site Plan @ 1:250



60/18

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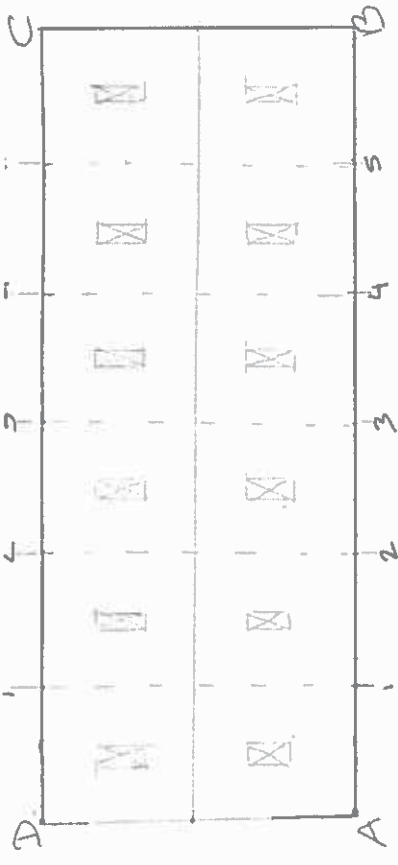
Proposed Block Plan @ 1:500

<p>coombes - eventit architects limited Used No.1, The Old Dairy Rushley Lane Winchcombe Gloucestershire GL54 5JE t: 012 807727 f: 0145 551533 e: info@coombes-architects.co.uk www.coombes-architects.co.uk</p>	<p><input type="checkbox"/> Preliminary <input type="checkbox"/> Feasibility <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Building Regulations <input type="checkbox"/> Tender <input type="checkbox"/> Construction Issue <input type="checkbox"/> As Built</p>	<p>RIBA </p>	<p>1. New drawing and content is copyright of coombes - eventit architects limited and should not be 2. Drawn with the intention of submission to the planning authority for approval as per the conditions set out 3. The user must be aware that drawings are not to be used for construction without the written consent of coombes - eventit architects limited 4. Engineering information is indicated on this plan and should be taken from structural engineers reports.</p>	<p>REV A - 1c - 15.12.2017 section lines added to proposed site plan REV B - 1c - 15.12.2017 updated with client comments</p> <p>Drawing title: Proposed Site Plan Client: Mr + Mrs Bell Drawn by: JE Checked: JE Scale: 1:500 @ A1 Date: November 2017 Project / Drawing No: PX10018</p>
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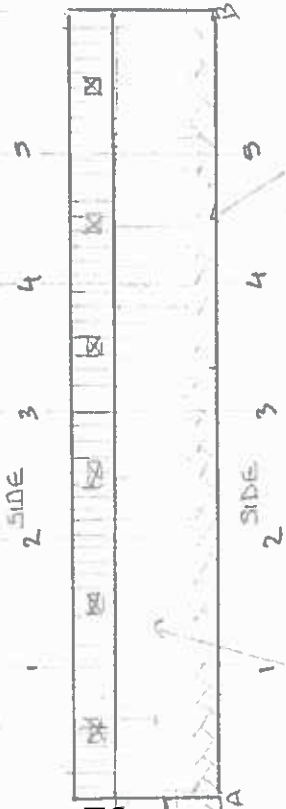
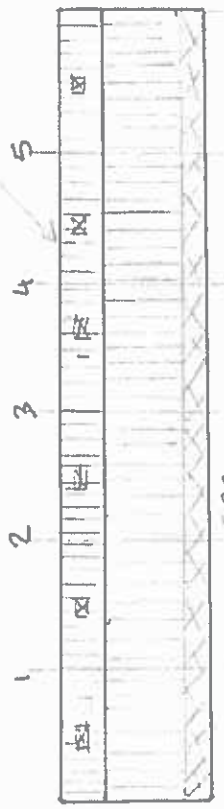
SCALE 1:200

PROPOSED AGRICULTURAL
BUILDING
CRANE HILL FARM
WOOLSTONE

ELEVATIONS + ROOF
PLAN

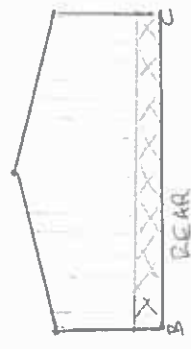


FIBRE CEMENT SHEETS



CONCRETE PANEL

YORKSHIRE BOARD



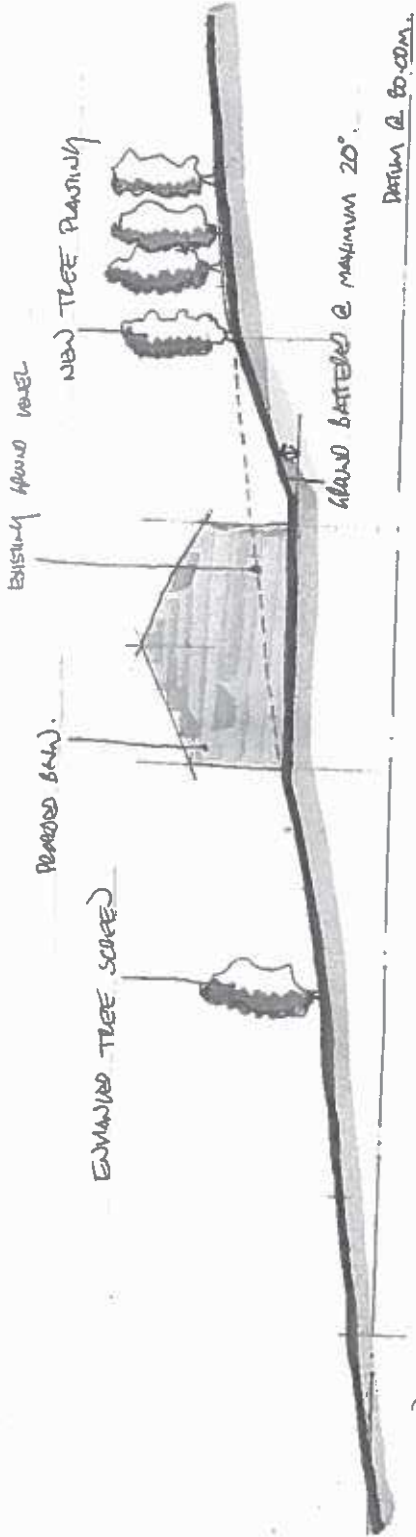
CONCRETE PANEL

YORKSHIRE BOARDING

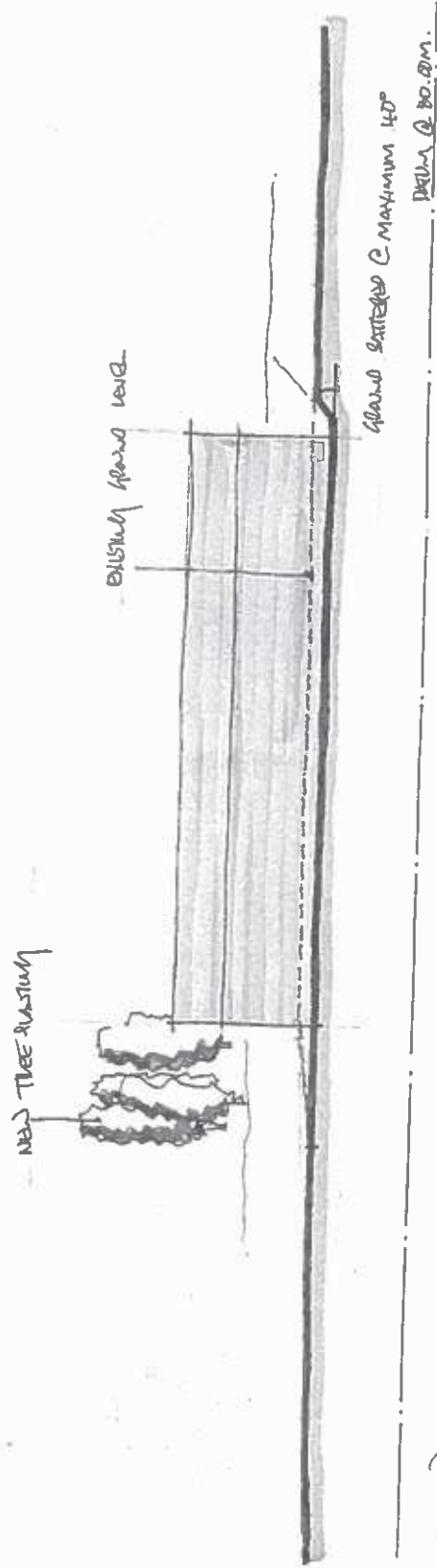
RECEIVED
25 SEP 1977
TEWKESBURY DISTRICT COUNCIL
CIVIL ENGINEERING

607/670

55.4



SECTION A-A.



SECTION B-B.

17.30.009: CLARE HILL FARM.
 PEPPERED SITE SECTIONS.
 1:250 CAB: 15.12.2017.

17/01223/FUL

Land adjacent to Farthing Cottage, Farm Lane, Great Witcombe 8

Valid 27.11.2017
Grid Ref 390693 215327
Parish Great Witcombe
Ward Badgeworth

Extension to holiday let and associated works.

Paul Stamp & Helen Froggatt
C/O Agent

RECOMMENDATION Permit

Policies and Constraints

NPPF

Planning Practice Guidance

Tewkesbury Borough Local Plan to 2011 - March 2006 - Policy TOR2

Flood and Water Management SPD

Joint Core Strategy - December 2017 - SD4, SD6, INF1

Human Rights Act 1998 - Article 8 (right to Respect for Private and Family Life)

The First Protocol, Article 1 (Protection of Property)

Area of Outstanding Natural Beauty

Consultations and Representations

Great Witcombe Parish Council - Object to the proposal, raising the following points:

- Would set a precedent
- Potential for the building to be sold off as a residential unit
- Adverse impact on the adjacent cricket club
- Adverse impact on the character of the AONB
- Proposed extension is large

Representations - 1 letter of objection received, raising the following points:

- Adverse impact on the AONB
- Adverse impact due to the size, scale and massing of the proposed extension on the existing dwelling and the surroundings

Planning Officers Comments: Suzanne D'Arcy

1.0 Introduction

1.1 Farthing Cottage is sited outside any identified housing boundary and within the Area of Outstanding Natural Beauty (AONB).

1.2 The site is adjacent to the Great Witcombe Cricket Club to the rear.

2.0 Relevant Planning History

2.1 Planning permission was granted in 2014 for the erection of extensions to the outbuilding (ref: 14/01251/FUL). This permission has not been implemented.

2.2 Planning permission was granted in 2017 for the use of the building as a holiday let. The application was amended following submission to remove the proposed extensions. The applicant has provided evidence that the permission has been implemented.

3.0 Current application

3.1 This is a full application for the erection of extension to the building. The proposed extension would be sited to the southern end of the building. They would project 3.5m from the existing building and be 4.5m wide. The proposed eaves would match the existing eaves at a height of 2.4m, rising to a height of 5m at the ridge to match the existing. All materials to match.

4.0 Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

Development Plan

4.2 The development plan comprises the Joint Core Strategy (December 2017) and saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006). Policy SD4 requires new development to be of an appropriate scale and appearance for its location. Policy SD7 requires development within the AONB to conserve its landscape and scenic beauty. Policy HOU8 requires domestic extensions to be of an appropriate scale to the host building and not have a significant adverse impact on the residential amenity of existing occupiers.

National Planning Policy Framework (NPPF)

4.3 The NPPF gives great weight to conserving the landscape and scenic beauty of the AONB, which has the highest status of protection in relation to landscape and scenic beauty.

5.0 Analysis

5.1 The main issues to be considered are the impact on the AONB, impact on residential amenity and highway safety.

Impact on the AONB

5.2 Following the granting of planning permission in 2017, the building is currently in use as a holiday let. There are no restrictive policies within the Development Plan (except within the Green Belt) to restrict the extension of non-residential buildings, provided they are in compliance with JCS Policies SD7 and SD10.

5.3 These policies allow for new development, provided that they are of an appropriate scale and appearance, respect the local character and conserve the scenic beauty of the AONB. The proposed extension would not dominate the host building and would be constructed of appropriate materials, therefore is in compliance with Policy SD10. Due to the limited nature of the extension and its proposed appearance, it is not considered that the proposed extension would have an adverse impact on the scenic beauty of the AONB.

5.4 The proposed extension would be of a similar scale and appearance to those approved under the 2014 permission.

Impact on residential amenity

5.5 The existing dwelling is considered to be sufficiently distant from the resultant building, so there would not be an adverse impact on residential amenity as a result of this proposal.

5.6 There are no other nearby residential neighbours that would be affected by the proposed extension.

5.7 Concerns have been raised by the adjacent cricket club regarding the potential impact on the amenity of future occupiers and the impact of cricket being played on the adjacent ground. The building would not be used for permanent occupation. It is therefore not considered that this would warrant a reason for refusal.

Impact on highway safety

5.8 The proposed building would not increase the number of bedrooms available to let and is not therefore considered to represent an intensification in the use. The existing access is considered to be sufficient to accommodate the increase in size of the unit.

Other matters

5.9 The Parish Council have raised concerns that the proposed extension would set a precedent, especially given the change of use was granted retrospectively. Any future applications would be considered on their own merits and on the basis of the relevant policy context at the time. It is not therefore considered that the proposed application would represent a precedent.

5.10 The Parish Council has also raised concerns that the resultant building could be used as a residential dwelling. The application for the change of use included a condition restricting the use of the building to holiday let accommodation as the size was not considered sufficient to offer a good standard of amenity for permanent residential occupiers. Any permanent residential occupation would require a further application to remove this condition and it would be assessed on its own merits.

6.0 Conclusion

6.1 The proposed extension would be of an appropriate scale and appearance and would conserve the scenic beauty of the AONB. There are no nearby residential neighbours that would be adversely affected by the proposed development and it would not be prejudicial towards highway safety. The application is therefore recommended for **PERMISSION**.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission

- 2 The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Drawings numbered 1407_300, _303, _304, 1415_303_a and 1415_304_a, received by the Council on 24th November 2017.

Reason: To define the terms and extent of the permission.

- 3 All external walling and roofing materials to be used shall match those of the existing building in respect of type, size and colour.

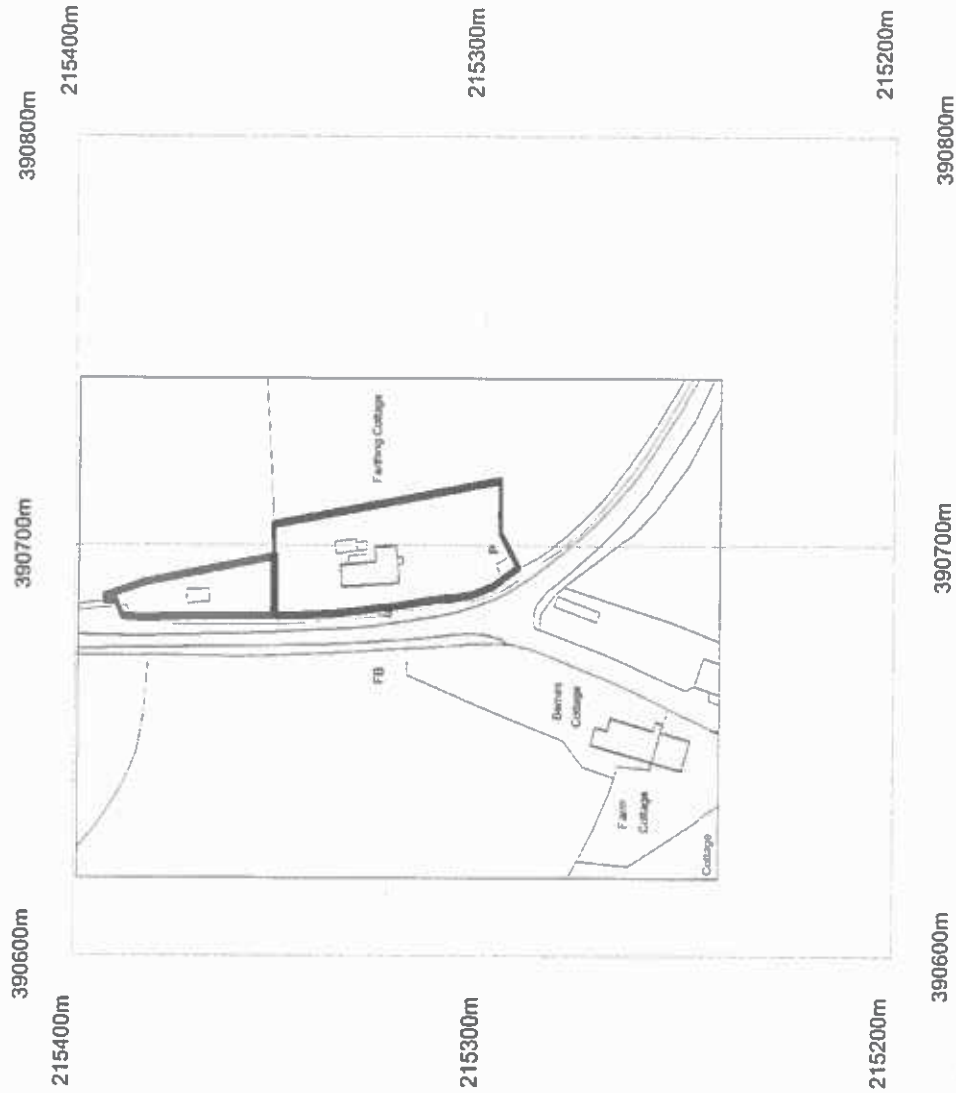
Reason: In the interests of the appearance of the development and the surrounding area

Note:

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

17/01223/FUL



NORTH

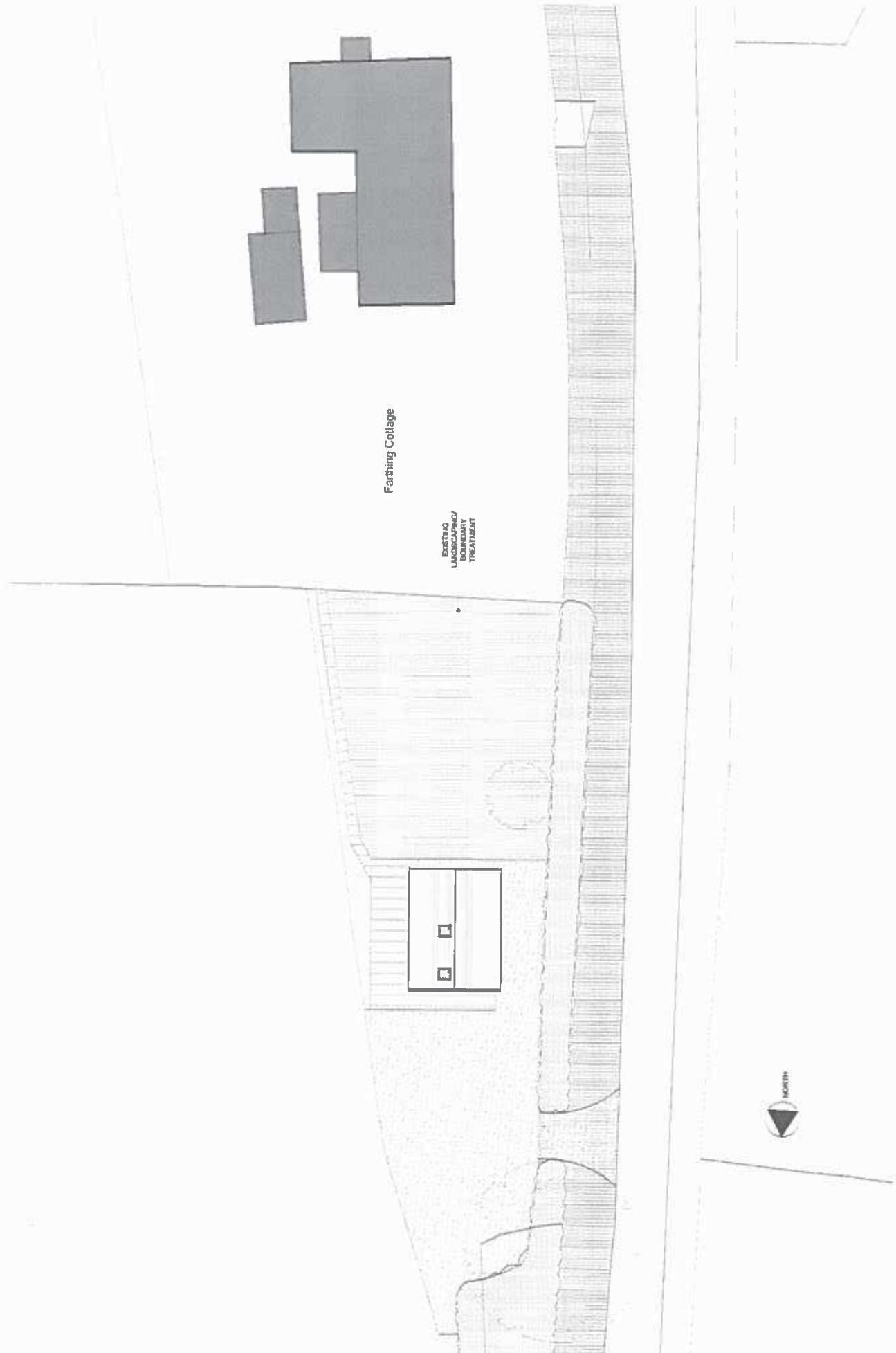
APPLICATION AREA OUTLINED IN RED
SITE AREA = APPROX 414m² [0.0414ha]

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100019980

<p>© Crown Copyright and database rights 2017 OS 100019980</p> <p>Edge Design Workshop Ltd Number 07 Rydal Road Cleveland, Co. Durham, UK, DL20 3LN Tel: 0191 242 0211 www.edgedesignworkshop.com</p>		<p>Project: FARMING COTTAGE, GREAT WITCOMBE, GLOS. GL3 4TP</p> <p>Drawing title: SITE LOCATION PLAN</p> <p>Date: 04.07.2017</p> <p>Scale: 1:1250 @ A3</p> <p>Drawn By: JBP</p> <p>Checked By: JBP</p>		<p>Status: PLANNING</p> <p>Job No: 1407_300</p> <p>Edge Design Workshop</p>
<p>Client: [Redacted]</p> <p>Address: [Redacted]</p> <p>Postcode: [Redacted]</p> <p>Project: [Redacted]</p> <p>Drawn: [Redacted]</p> <p>Checked: [Redacted]</p> <p>Date: [Redacted]</p> <p>Scale: [Redacted]</p> <p>Drawn By: [Redacted]</p> <p>Checked By: [Redacted]</p>	<p>Author: [Redacted]</p> <p>Editor: [Redacted]</p> <p>Checker: [Redacted]</p> <p>Approver: [Redacted]</p> <p>Date: [Redacted]</p> <p>Scale: [Redacted]</p> <p>Drawn By: [Redacted]</p> <p>Checked By: [Redacted]</p>	<p>Project: [Redacted]</p> <p>Location: [Redacted]</p> <p>Client: [Redacted]</p> <p>Drawn: [Redacted]</p> <p>Checked: [Redacted]</p> <p>Date: [Redacted]</p> <p>Scale: [Redacted]</p> <p>Drawn By: [Redacted]</p> <p>Checked By: [Redacted]</p>	<p>Project: [Redacted]</p> <p>Location: [Redacted]</p> <p>Client: [Redacted]</p> <p>Drawn: [Redacted]</p> <p>Checked: [Redacted]</p> <p>Date: [Redacted]</p> <p>Scale: [Redacted]</p> <p>Drawn By: [Redacted]</p> <p>Checked By: [Redacted]</p>	

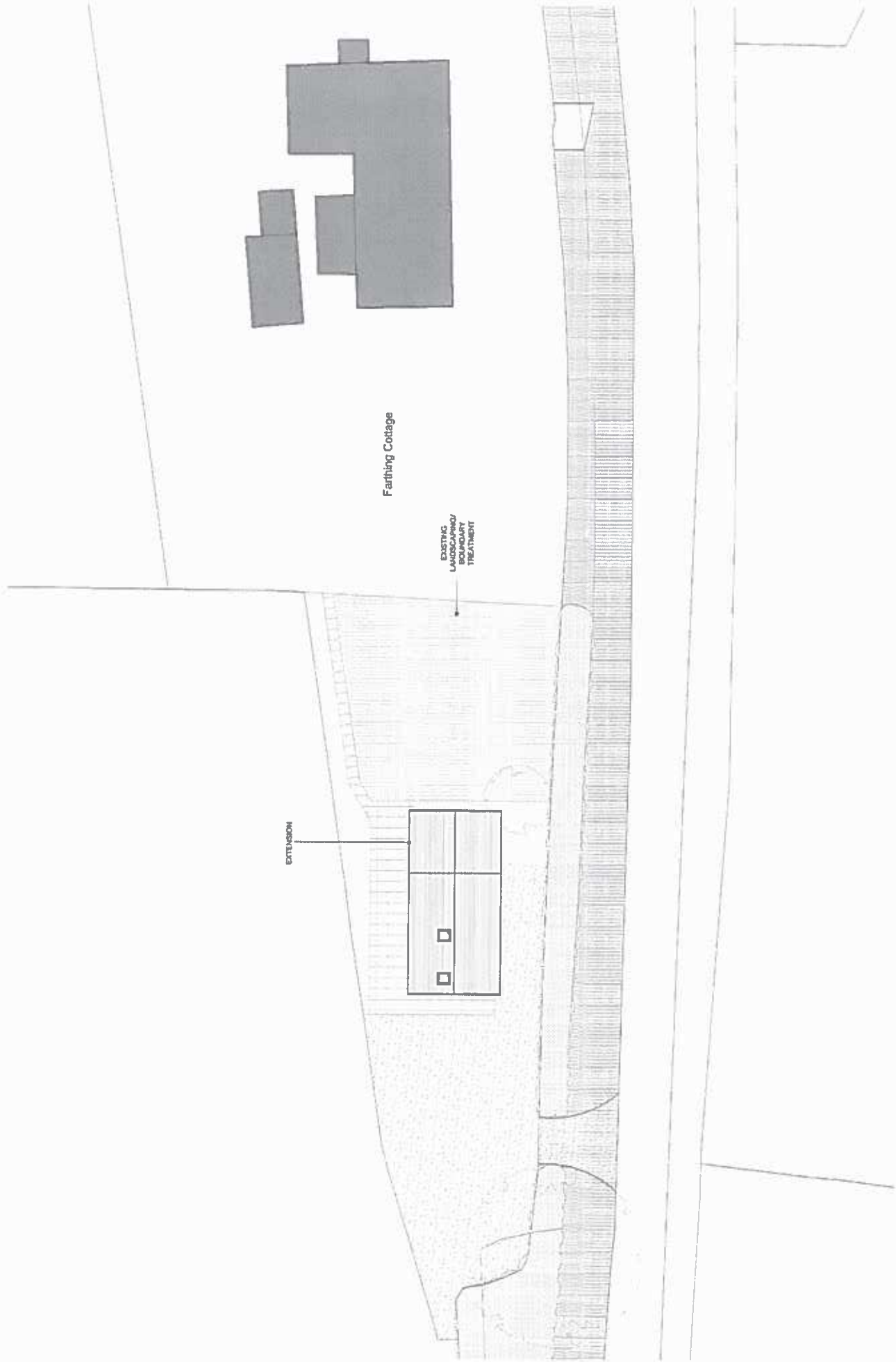
61075A

6101B⁷⁶



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						<p>Issue 08/09/2017</p>
<p>Project Title EXISTING BLOCK PLAN</p>						

61072



PROPOSED BLOCK PLAN
 Date: 04.07.2017 Scale: 1:200 @ A3
 Drawn by: SC
 Checked by: JBP

PROJECT FARTHING COTTAGE, GREAT WINDHOUSE, GLOS. GL5 6TP

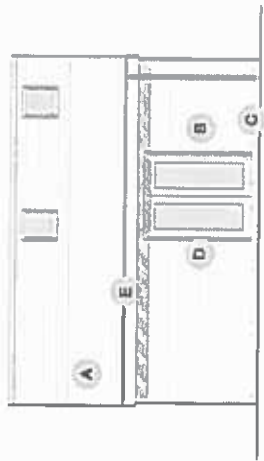
CLIENT Edgemoor Farm Ltd
 1044 Edgemoor Lane
 Cheltenham, Glos. GL53 7DH
 01452 810000
 www.edgemoorfarm.co.uk

DATE 04.07.2017
SCALE 1:200 @ A3
PROJECT NO. 1407_303
JOB NO. 1407_303
DESIGNER FOG DESIGN WORKSHOP

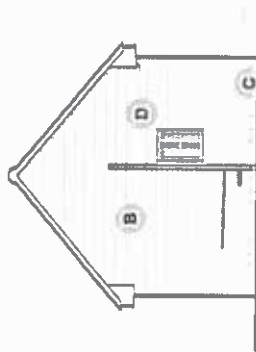
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KEY:

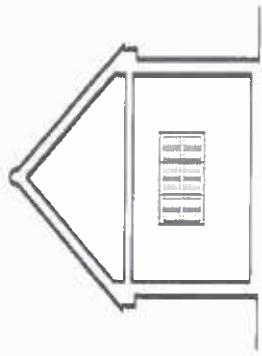
- A** EXISTING ROOF TILES
- B** EXISTING PAINTED HORIZONTAL TIMBER CLADDING
- C** EXISTING STONEWORK PLINTH
- D** EXISTING WHITE UPVC WINDOWS AND GLAZED DOORS
- E** EXISTING BLACK DRAINAGE GOODS



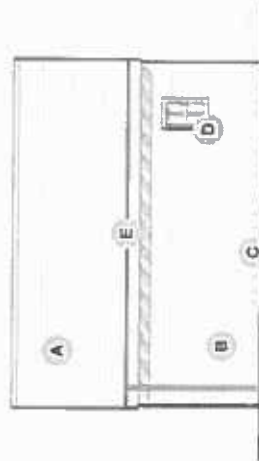
EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION

SECTION A-A



FLOOR PLAN

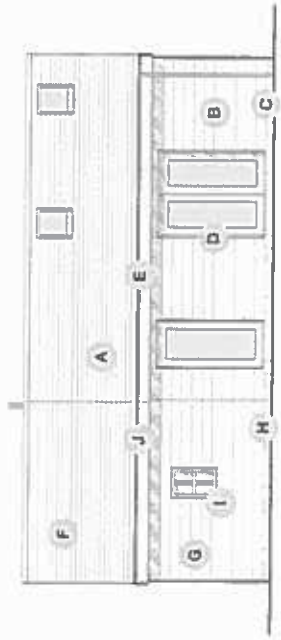
<p>Copyright © 2017 Edge Design Architects Ltd. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior written permission of Edge Design Architects Ltd.</p>	<p>Project: FARTHING COTTAGE, GREAT WITCOMBE, GLOS. GL5 4TP</p>	<p>Client: Edy Design Workshop Ltd</p>	<p>Scale: 1:100 @ A3</p>	<p>Date: 08.09.2017</p>	<p>Drawn by: TK</p>	<p>Checked by: JH</p>
	<p>Drawn by: TK</p>	<p>Checked by: JH</p>	<p>Project File: EXISTING FLOOR PLAN, ELEVATIONS AND SECTION A-A</p>	<p>Scale: 1:100 @ A3</p>	<p>Date: 08.09.2017</p>	<p>Drawn by: TK</p>
<p>Project: FARTHING COTTAGE, GREAT WITCOMBE, GLOS. GL5 4TP</p>	<p>Client: Edy Design Workshop Ltd</p>	<p>Scale: 1:100 @ A3</p>	<p>Date: 08.09.2017</p>	<p>Drawn by: TK</p>	<p>Checked by: JH</p>	<p>Project File: EXISTING FLOOR PLAN, ELEVATIONS AND SECTION A-A</p>
<p>Project: FARTHING COTTAGE, GREAT WITCOMBE, GLOS. GL5 4TP</p>	<p>Client: Edy Design Workshop Ltd</p>	<p>Scale: 1:100 @ A3</p>	<p>Date: 08.09.2017</p>	<p>Drawn by: TK</p>	<p>Checked by: JH</p>	<p>Project File: EXISTING FLOOR PLAN, ELEVATIONS AND SECTION A-A</p>

PLANNING
1415_304_A
Edge Design Architects

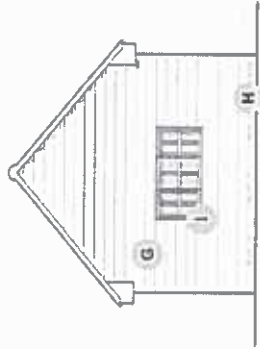
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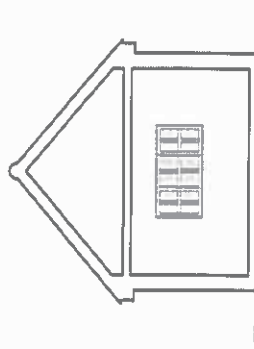
- A** EXISTING ROOF TILES
- B** EXISTING PAINTED HORIZONTAL TIMBER CLADDING
- C** EXISTING STONERWORK PLINTH
- D** EXISTING WHITE UPVC WINDOWS AND GLAZED DOORS
- E** EXISTING BLACK DRAINAGE GOODS
- F** PROPOSED ROOF TILES TO MATCH EXISTING
- G** PROPOSED PAINTED HORIZONTAL TIMBER CLADDING TO MATCH EXISTING
- H** PROPOSED STONERWORK PLINTH TO MATCH EXISTING
- I** PROPOSED WHITE UPVC WINDOWS AND GLAZED DOORS TO MATCH EXISTING
- J** PROPOSED BLACK UPVC DRAINAGE GOODS TO MATCH EXISTING



PROPOSED EAST ELEVATION



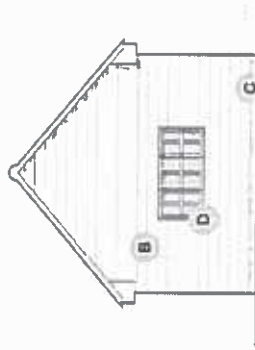
PROPOSED SOUTH ELEVATION



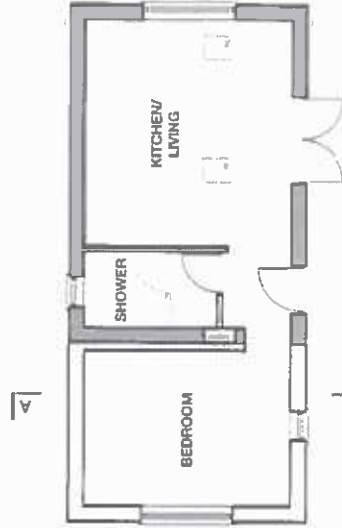
PROPOSED SECTION A-A



PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED FLOOR PLAN

61079

<p>1407079 1407079</p> <p>Copyright © Edge Design Workshop Ltd. 2017</p> <p>This drawing is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Edge Design Workshop Ltd.</p> <p>All dimensions are to be taken from the finished work unless otherwise stated.</p> <p>Approved for construction on 04/07/2017 by JOP</p>	<p>Project: FARTHING COTTAGE, GREAT WITCOMBE, GLS 4TP</p> <p>Client: PROPOSED FLOOR PLAN, ELEVATIONS AND SECTION A-A</p> <p>Date: 04/07/2017</p> <p>Scale: 1:100 @ A3</p> <p>Drawn by: SC</p> <p>Checked by: JOP</p>	<p>Company: Edge Design Workshop Ltd</p> <p>Number: 07 Royal Well Place</p> <p>Location: Cheriton, Glos. GL30 2DN</p> <p>Phone: 01453 811233</p> <p>Website: www.edgedesignworkshop.com</p>
	<p>Job No: 1407_304</p> <p>Job Date: 14/07/2017</p> <p>Job Title: Edge Design Workshop</p>	<p>Project: PLANNING</p>

17/01293/FUL

Land at Stallards Butts, Evesham Road, Bishops Cleeve

9

Valid 01.12.2017

Erection of 5 detached houses and construction of new vehicular access (revised proposal to 17/00858/FUL to reduce the garage size to plot 1).

Grid Ref 395493 228585

Parish Bishops Cleeve

Ward Cleeve West

Knarsboro Homes LTD

C/O Agent

RECOMMENDATION Permit

Policies and Constraints

NPPF

Planning Practice Guidance

Joint Core Strategy - December 2017 - SD4, SD6, SD10, INF1, INF2

Flood and Water Management SPD

Human Rights Act 1998 - Article 8 (right to Respect for Private and Family Life)

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Bishops Cleeve Parish Council - Object to the proposed development, raising the following points:

- Reminds the Council of its very strong objections to the original proposal, particularly in relation to access and flooding
- Strongly object to the revision in relation to affordable housing
- Urge any highways conditions are rigorously enforced

Gotherington Parish Council - No comments received.

Housing and Enabling Officer - The combined floor area of the scheme is 997sqm. and therefore contributions are not required.

County Highway Authority - No objection, subject to conditions.

Representations - None received.

Planning Officers Comments: Suzanne D'Arcy

1.0 Introduction

1.1 The site is a triangular parcel of land, adjacent to the A435, Evesham Road. The site is adjacent to the Clevelands development.

1.2 The site is located outside any defined settlement boundary. Part of the site is located within Flood Zone 2.

1.3 The site features a cluster of redundant outbuildings. The boundaries are marked by hedges and there is a brook to the north of the site.

2.0 Relevant Planning History

2.1 An application for five detached houses on the site (ref: 17/00041/FUL) was withdrawn prior to determination.

2.2 An identical application (ref: 17/00858/FUL) was permitted at Planning Committee in October 2017. The permission was subject to a s106 obligation requiring a contribution of £280,000 to be paid within 14 days of the first occupation of the second dwelling constructed on the site.

3.0 Current application

3.1 This is a full application for the erection of five dwellings and a new access. The proposed scheme consists of 2 four bedroom dwellings and 3 five bedroom dwellings, each with a detached garage.

3.2 The application differs from the previously permitted scheme, as the garage for plot 1 has been reduced in footprint.

3.3 Plots 1 and 2 are proposed to be four bed dwellings, with a footprint of 9.5m by 9.1m. They would be 5m high to the eaves and rise to a height of 8.6m at the ridge.

3.4 Plots 3 and 4 would be five bed dwellings. They would have an L shaped footprint with a maximum width of 12.4m and maximum depth of 11.7m. The proposed dwellings would be 5m high to the eaves and rise to a height of 8m at the ridge.

3.5 Plot 5 would be a five bed dwelling, with a footprint of 13.4m by 7.6m. It would be 5m high to the eaves and rise to a height of 8.6m at the ridge.

3.6 The detached garage for plot 1 would have a footprint 6.6m by 3.5m. It would be 2.6m high to the eaves and rise to a height of 5.5m at the ridge. The remaining garages would have a footprint of 6.3m by 6.2m. The garages would be 2.4m to the eaves and rise to a height of 5.5m at the ridge.

3.7 All the buildings on site would be constructed of red clay faced bricks with concrete roof tiles.

4.0 Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

4.2 At the heart of the NPPF is a presumption in favour of sustainable development, of which there are three dimensions: economic, social and environmental. The NPPF does not change the statutory status of the development plan as the starting point for decision making but emphasises the desirability of local planning authorities having an up-to-date plan. According to paragraph 215 of Annex 1 of the NPPF, due weight should be given to relevant policies in existing development plans according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given).

4.3 In so far as it relates to this application, the development plan comprises the Joint Core Strategy (JCS) and the saved policies of the Tewkesbury Borough Local Plan. These are all currently at varying stages of development. The JCS sets out the preferred strategy over the period of 2011- 2031. This document, inter alia, sets out the preferred strategy to help meet the identified level of need. Policy SP2 sets out the overall level of development and approach to its distribution. Policy SD10 refers to the siting of new residential development, with point 3 setting out the position in terms of housing development within the rural service centres.

4.4 Section 7 of the NPPF makes it clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

4.6 Section 11 of the NPPF seeks to protect and enhance valued landscapes and the requirement to protect landscape character is echoed within Policy SD6 of the JCS.

5.0 Analysis

5.1 The main issues to be considered are the principle of development, impact on the character of the area, highway safety, impact on residential amenity, flood risk and affordable housing.

Principle of development

5.2 Since the determination of the previous application, there has been a change in material planning considerations, following the adoption of the JCS in December 2017, The Council can demonstrate a five year supply of housing, even including the 20% buffer. In these circumstances, aside from approving development proposals that accord with the development plan without delay (unless material considerations indicate otherwise); the presumption in favour of sustainable development set out at paragraph 14 of the NPPF does not apply.

5.3 Bishops Cleeve is defined as a Rural Service Centre in the emerging JCS which (Policy SP2) advises that rural service centres will accommodate 1860 new homes within the plan period as set out in paragraph 4.4 above. Over the plan period to date 1,564 dwellings have been consented in Bishops Cleeve which exceeds the expected requirement set out in the Housing Background Paper which supports the emerging Borough Plan.

5.4 In the accompanying Design and Access Statement, the applicant contends that Local Plan Policy HOU4 is out of date, as the Council cannot currently demonstrate a five year supply of deliverable housing and the application should therefore be considered in the context of paragraph 14 of the NPPF. The applicant states that the delivery of housing is a significant positive element, in terms of the economic and environmental roles in the NPPF and the close proximity to services and infrastructure within Bishops Cleeve and the recently approved housing schemes at both Cleavelands and Evesham Road. It should be noted that the Design and Access Statement has not been updated since the granting of planning permission to reflect either the extant permission or the change in the policy context following the adoption of the JCS.

5.5 In January 2018, the Council granted planning permission for the erection of five dwellings on the site (ref: 17/00858/FUL). The extant permission is identical to the scheme proposed by this application, other than the change to the garage detailed in paragraph 3.2.

5.6 Point 3 of JCS Policy SD10 refers to housing development within the rural centres and states that such development will be permitted on *"previously developed land in the existing built-up areas of ... rural services centres and service villages, except where otherwise restricted by policies within district plans."* The existing site has some redundant buildings on it, though it is largely vacant. The NPPF defines previously development land as *"land which is or was occupied by a permanent structure, including the curtilage of the development land (although it should not be assumed that the whole curtilage should be developed."* In view of this, it is considered that the site could in part meet the definition of previously developed land.

5.7 The policy also requires that the site is located within the existing built-up areas of the rural service centres. The site is located outside of the settlement boundary as defined in the Local Plan. Furthermore, the site is separated from the Cleavelands development by the proposed green corridor. In view of this, the site is not considered to for part of the existing built-up area.

5.8 Section 38(6) of the Town and Country Planning Act 1990 provides that the determination must be made in accordance with the development plan unless other material circumstances indicate otherwise. In this case, as reiterated by paragraph 12 of the NPPF, the presumption is against the grant of permission given the conflict with policy SD10 and as such permission should be refused unless material planning considerations indicate otherwise. In this case, whilst the proposed development is contrary to policy SD10 of the JCS, permission exists on the site which could be implemented within three years from the decision which was dated 4th January 2018. This is a significant material consideration which must be considered in the overall planning balance.

Impact on the character and appearance of the area.

5.9 The Design and Access Statement submitted alongside the application sets out that in terms of landscape and visual considerations, the proposed development would *"not cause any material planning harm given the substantial screening that currently exists along all three boundaries of the site and which would ensure that any views into the site would be fleeting and transitory. The proposed development relates well to the established pattern of development in this part of the village and respects the character and form of the village."*

5.10 In permitting the previous application (ref: 17/00858/FUL), the Planning Committee considered that the site was derelict and did not add to the important green space. It considered that the proposed development would fit well with the proposed development, both at Cleavelands and Evesham Road opposite.

5.11 Policy SD10 requires development to seek to protect landscape character for its own intrinsic beauty, whilst Policy SD4 requires new development to respond positively to the local character and context. The proposed dwellings would be constructed in a style and appearance that would be in keeping with the surrounding developments and subject to conditions requiring the submission of samples, the proposed development is in accordance with the requirements of these policies.

Highway safety

5.12 The proposed development would be accessed from the A435, which has a speed limit of 50mph. The Parish Council have reiterated their concerns regarding the safety of the proposed junction, due to its proximity to the junction between the A435 and Evesham Road and the volume of traffic using the A435. The proposed development would be accessed by a new junction. The applicant has demonstrated that the required visibility splays, both to the existing carriageway and within the development itself are achievable. The trip generation from the proposed development would not have a severe adverse impact on the safety of the highway network.

5.13 In terms of pedestrian accessibility of the site, there is a public footpath on this part of the A435 and as such, it is considered that there would be safe access for pedestrians into the development. The site is located within 2km of Bishops Cleeve centre and this is in accordance with the desired comfortable walking distances specified by the Institute for Highways and Transportation.

5.14 There would be parking at each of the proposed dwellings, though it has not been demonstrated on the drawings. It appears that there would be sufficient parking at each dwelling, including spaces for cycles and a condition could be imposed on any planning permission to ensure that parking provision is provided to cater for the proposed development.

Impact on residential amenity

5.15 The proposed dwellings are considered to have sufficient space to provide a good standard of amenity for future occupiers. There is an adequate level of private amenity space for each dwelling.

5.16 There are no existing or future occupiers outside of the site that would be affected by the development.

Flood Risk

5.17 The constraints mapping indicates that the site is within Flood Zone 2. The application has been accompanied by a Flood Risk Assessment (FRA) that includes flood modelling to show that the site is located outside of Flood Zone 2 and as such, a sequential test is not required.

5.18 The Parish Council has reiterated its concerns with regards to the site's vulnerability to flooding, raised as part of the previous application. The FRA has been produced by specialist flood consultants and its conclusions were previously accepted. In particular, the Planning Committee accepted the Applicant's submissions relating to improvements that were required as part of a nearby development to deal with surface water issues along Evesham Road. There has been no change in material planning considerations in respect of flood risk issues since the previous application.

Affordable housing

5.19 Policy SD12 of the JCS states that *"outside of the strategic allocation sites, on sites of 11 dwellings or more, or sites with a maximum combined gross floor space of greater than 1000sqm; ... a minimum of 40% affordable housing contribution will be sought."* The comments of the Parish Council in respect of affordable housing are noted, however the development now proposed would have a floor area of 996.5sqm and as such no contributions are required for this application.

6.0 Conclusion

6.1 The site is located outside the existing built-up area and as such, the principle of new housing development in this location is contrary to Policy SD10, which seeks to guide development towards more sustainable locations. Given the Council can demonstrate a five year housing land supply, the proposed development is contrary to the adopted Development Plan. Thus, the presumption is that planning permission should be refused unless material considerations indicate otherwise.

6.2 It is recognised that housing development contributes to economic growth, both directly and indirectly. New employment would be created during construction and businesses connected with the construction industry would also benefit. Future occupiers would also spend some of their income locally, which would boost the local economy. Given the small scale nature of the proposal, these benefits are considered very minor.

6.3 The proposal would make a contribution towards the housing need of the Borough, though the benefits of five additional dwellings would be limited, particularly in light of the five year supply position and the number of dwellings consented at Bishop's Cleeve already during the plan period. The site is adjacent to Bishops Cleeve which is a Rural Service Centre identified in the JCS and the site is well located to take advantage of the facilities and services in the village.

6.4 Crucially, the site has extant planning permission granted in January 2018 for a scheme that is very similar to that proposed by this application and this is a matter which weighs heavily in favour of the application.

6.5 The Council has previously accepted that the proposed development would integrate well with the surrounding development and would not be vulnerable to flooding. The proposed development would not be prejudicial to highway safety.

6.6 In light of the above, the application is recommended for **PERMISSION**.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission.

- 2 The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Drawings numbered A27/01 Rev A, A35/01, A42/01, GARAGE/01, GARAGE/02 and KHL/001/1201 Rev A, received by the Council on the 1st December 2017.

Reason: To define the terms and extent of the permission.

- 3 No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area.

- 4 No development hereby permitted shall start until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development.

- 5 All hard and/or soft landscape works shall be carried out in accordance with the detail approved under condition 4 above. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained.

- 6 The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 160m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided.

- 7 The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan KHL/001/201A, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided.

- 8 No building on the development shall be occupied until the carriageways including surface water drainage/disposal, vehicular turning heads and street lighting providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footways to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians.

- 9 No dwelling hereby permitted shall be occupied until a fire hydrant (served by mains water supply) serving that property has been provided in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

- 10 No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians.

- 11 The vehicular access hereby permitted shall not be brought into use until details of the provision has been made within the site for the catchment and disposal of surface water has been submitted to and approved in writing by the Local Planning Authority. Such provision shall be implemented prior to the access being brought into use and maintained for the duration of the development.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians.

- 12 No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been submitted to and approved in writing by the Local Planning Authority. The SuDS Strategy shall include a detailed design, maintenance schedule, confirmation of the management arrangements and a timetable for implementation. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before any dwelling hereby permitted is occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

- 13 No development shall commence until details, including elevations, of the proposed ridge heights/finished floor levels/eaves heights/slab levels in relation to datum points have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: For the avoidance of doubt and to clarify the finished height of the development

- 14 Notwithstanding the submitted information, the development hereby approved shall not exceed a gross combined maximum floor space of 1000 square metres.

Reason: Development larger than 1000 square metres would exceed the threshold for contributions to be sought in relation to affordable housing.

Notes:

1 Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

- 2 The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

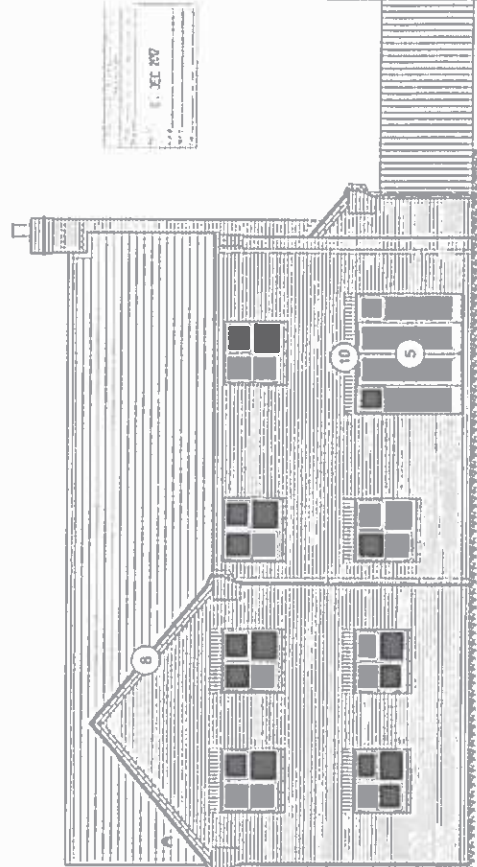
ARCHITECTS
BY DAVID PAYNE
 10000 Highway 100, Unit 100
 Richmond, BC V6V 2G9
 Tel: (604) 273-1100 Fax: (604) 273-1101
 www.davidpayne.com

Sheet: A1
 Date: Nov 16 Scale: 1:50, 1:100
 Drg No: A35 / 01

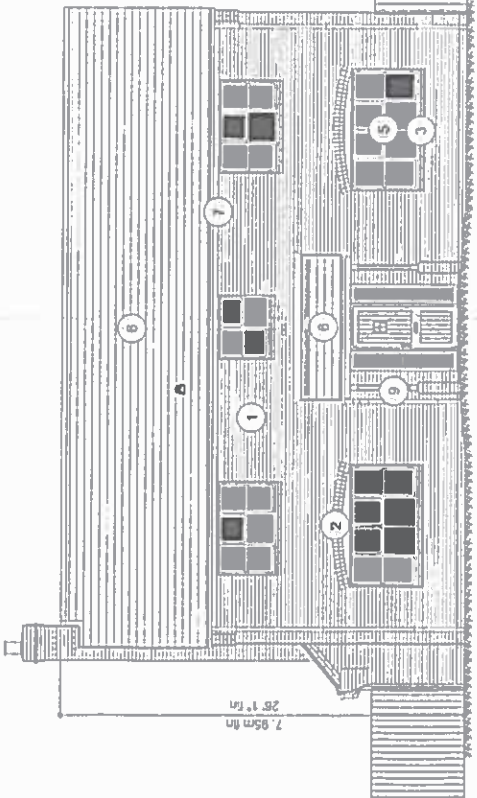
SITE: PLOTS:
 TYPE A35 V2 - THE BROOKTHORPE 5 BED DETACHED PLANNING DRAWING WITH DETACHED GARAGE & INGLEHOOK CHIMNEY

Rev	Description	By	Date

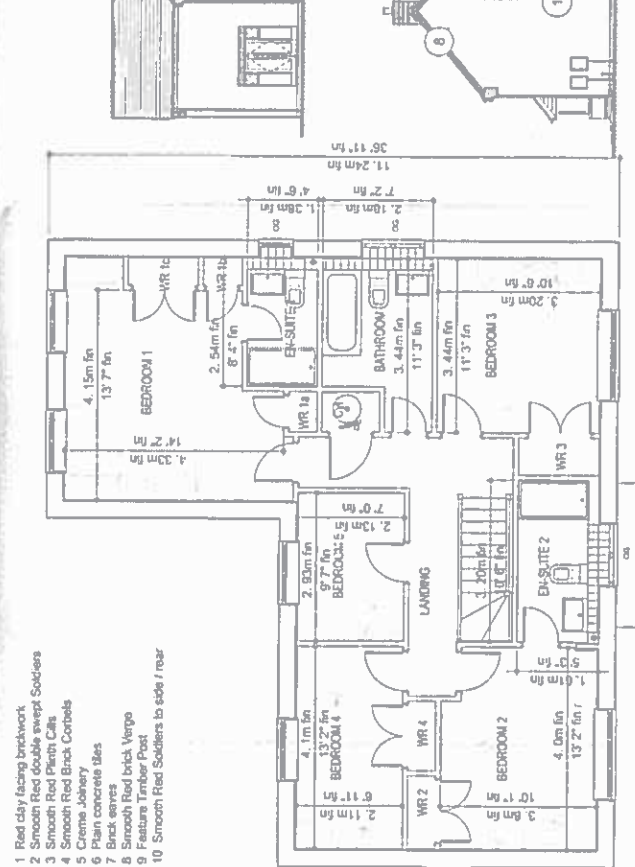
OG = Obscure Glazing
 Internal Floor Area = 165m²
 External Floor Area = 217m²



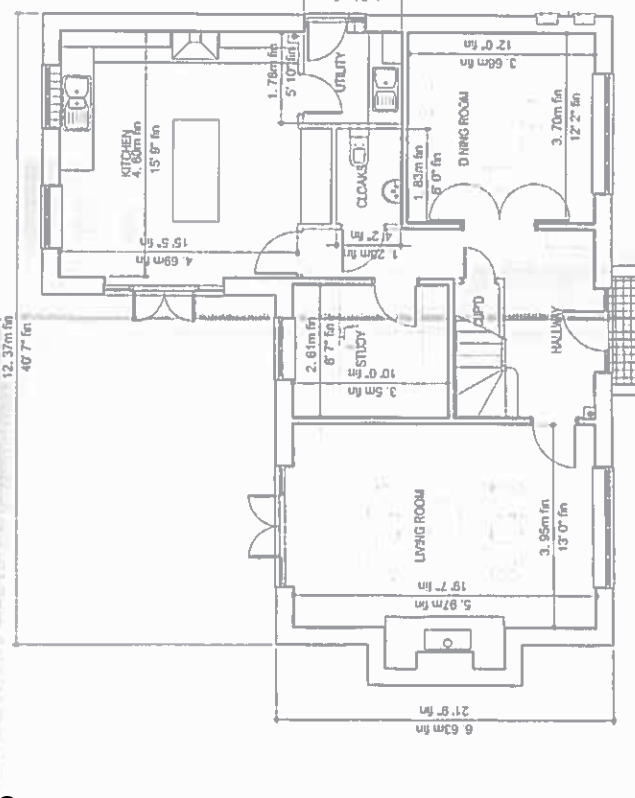
REAR ELEVATION



FRONT ELEVATION



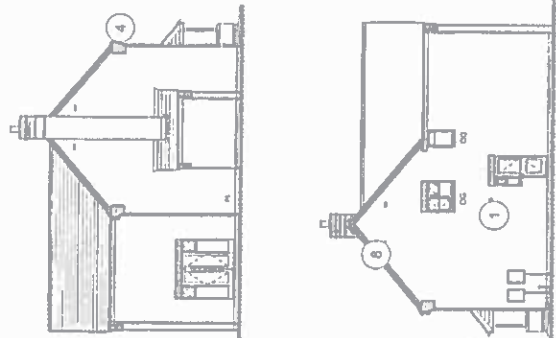
FIRST FLOOR PLAN



GROUND FLOOR PLAN

KEY FOR MATERIALS
 1 Red clay facing brickwork
 2 Smooth Red double sweep Soffices
 3 Smooth Red Plinth Calls
 4 Smooth Red Brick Cornells
 5 Creme Jambery
 6 Plain concrete tiles
 7 Black garage
 8 Smooth Red Jack Verge
 9 Feature Timber Post
 10 Smooth Red Soffices to side / rear

SIDE ELEVATIONS



Drg No A35 / 01

689/c

A27 / 01

INDUS BY DAVID PAYNE
 ARCHITECTS
 1000 University Avenue, Suite 100
 Westport, Oregon 97143
 Tel: (503) 251-1550 Fax: (503) 251-4248
 www.indusbydavidpayne.com

Drawn: R. Propp Date: Aug 15 Scale: 1:50 & 1:10

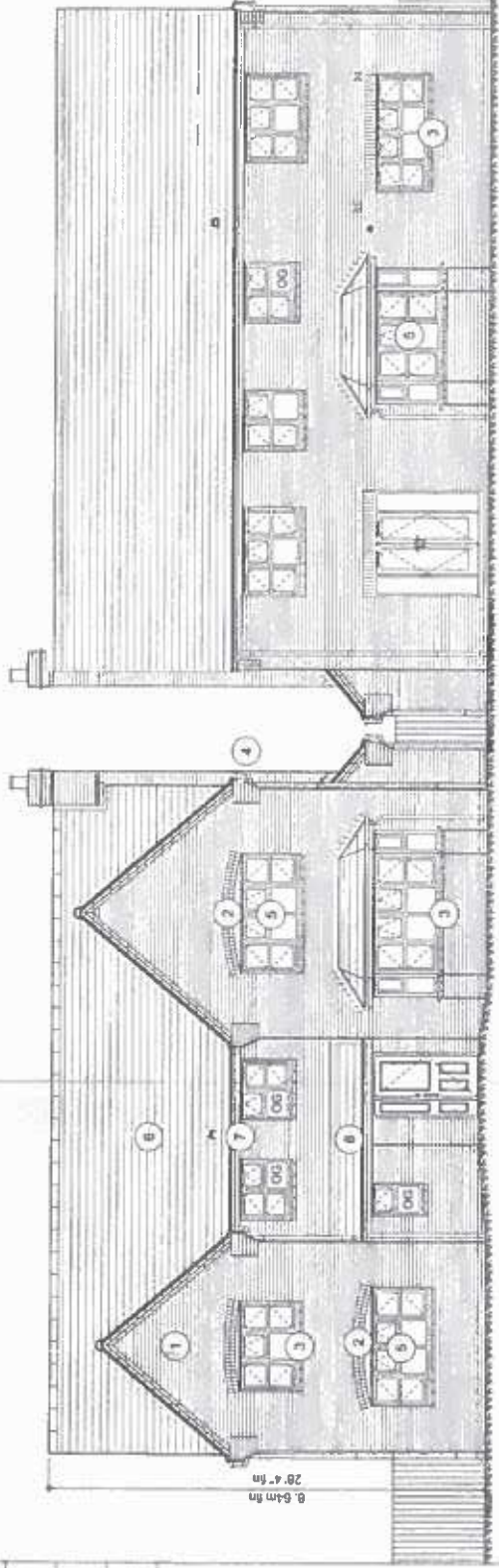
Drg No: A27 / 01 Sheet: A1

SITE PLOTS:

TYPE A27 - 5 BED THE BREEDON PLANNING DRAWING

Rev	Description	Inc	Date

Drawing Status: **TITLE/AM**
 Internal Floor Area = 186,762sq2
 External Floor Area = 186,533sq2

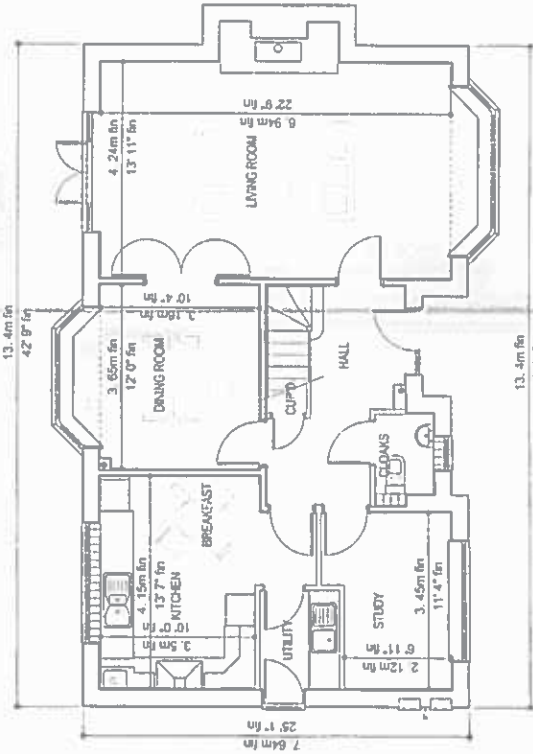


FRONT ELEVATION

REAR ELEVATION

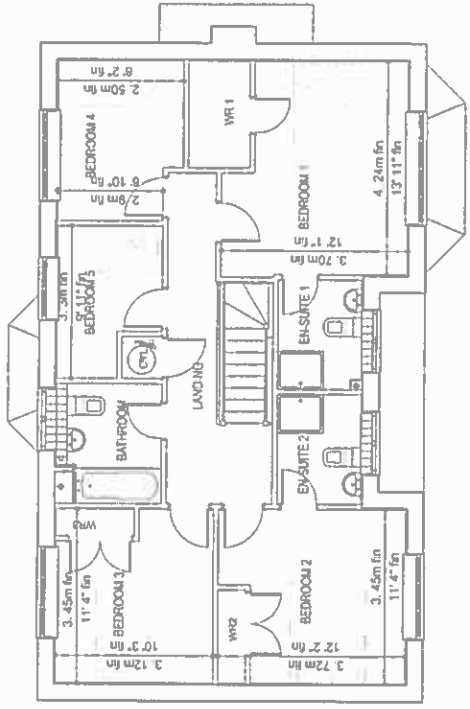
KEY FOR MATERIALS

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- 2 Smooth Red double sweep Soffers
- 3 Smooth Red Plain Cbs
- 4 Smooth Red Brick Corbels
- 5 Crema Joinery
- 6 Plain concrete (Bz)
- 7 Brick eaves
- 8 Smooth Red brick Venge
- 9 Feature Timber Post
- 10 Smooth Red Soffers to side / rear



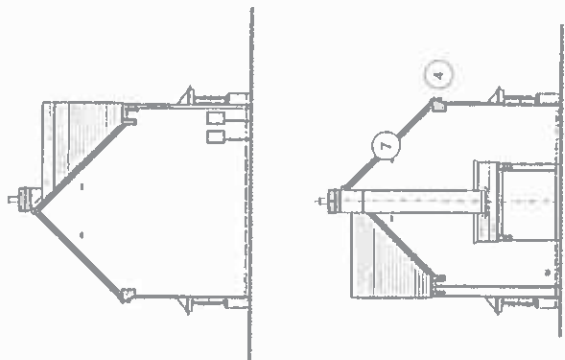
GROUND FLOOR PLAN

GROUND FLOOR PLAN



FIRST FLOOR PLAN

FIRST FLOOR PLAN



SIDE ELEVATIONS

01208

Drg. No. **GARAGE / 01** Sheet **A3**

Drawn **Rob Phipps** Date **Nov 16** Scale **1:50 & 1:100**

DETACHED DOUBLE GARAGE PLANNING DRAWING

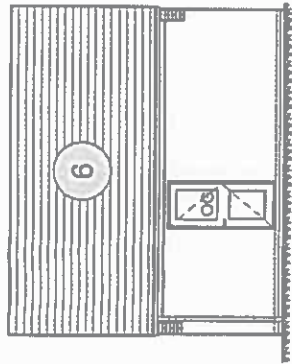
**SITE:
 PLOTS:**

OG = Obscure Glazing

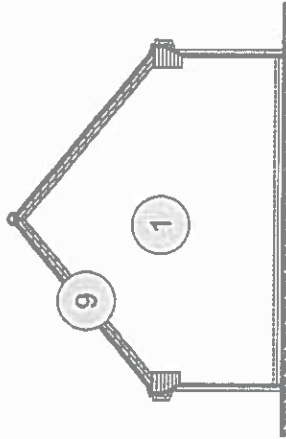
KEY FOR MATERIALS

- 1 Red clay facing brickwork
- 2 Facing brick Soldiers
- 3 Smooth Red Plinth Cliffs
- 4 Facing Brick Corbels
- 5 Creme Joinery
- 6 Plain concrete tiles
- 7 GRP Canopy
- 8 Open timber rafters to eaves
- 9 Facing brick Verges
- 10 Closed eaves

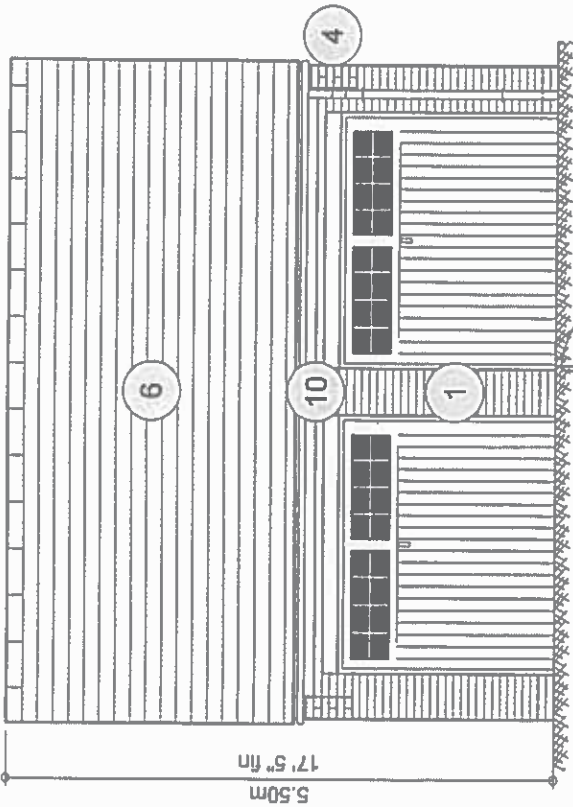
TEWKESBURY BOROUGH C OPERATIONS	
Officer	Scanned
File #	01 DEC 2017
Arch #	
File #	



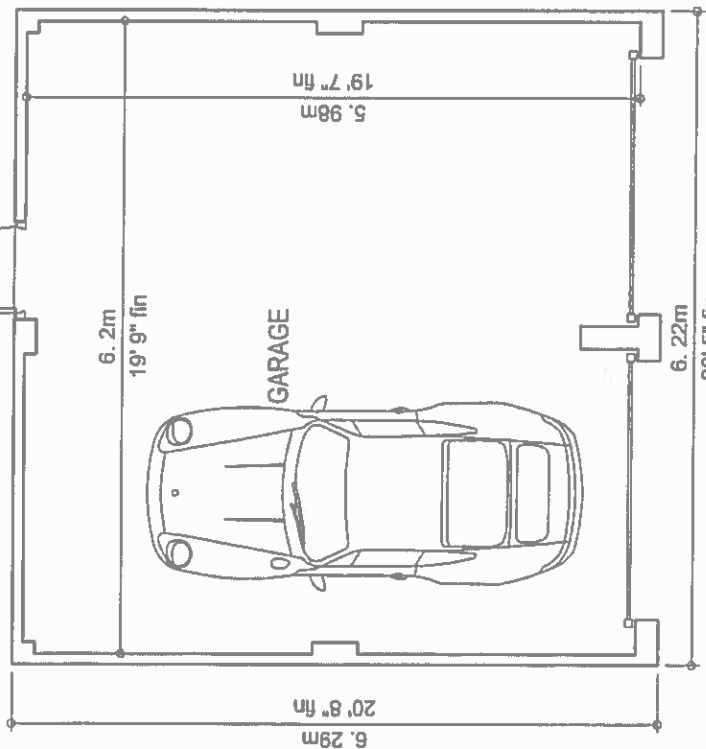
REAR ELEVATION



SIDE ELEVATIONS



FRONT ELEVATION



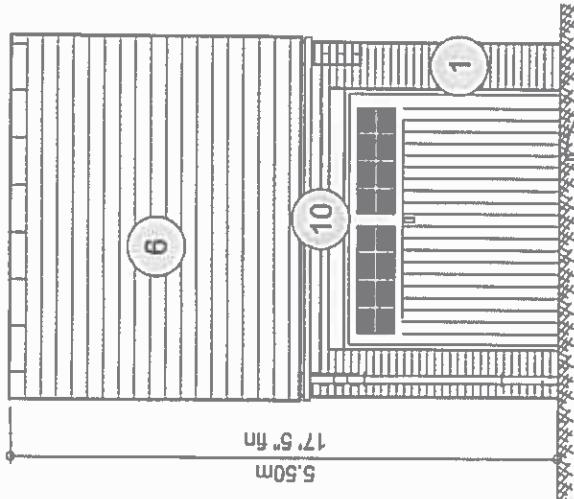
Floor Area = 18.87m² (201ft²)

Knarsboro Homes
BY DAVID PAYNE
Knarsboro Homes Limited
The Old Granary, Whittinge Farm,
Whittinge Lane, Hartlebury, Worcs DY10 4HD
Tel: 01299 251 655 E: rob@knarsborohomes.com
www.knarsborohomes.com

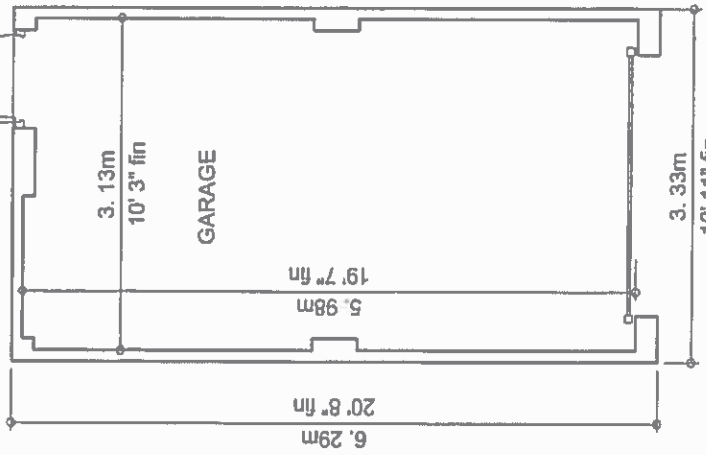
Drg. No.	GARAGE / 02	Sheet	A3
Drawn	Rob Phipps	Date	Dec 17
		Scale	1:50 & 1:100

DETACHED SINGLE GARAGE PLANNING DRAWING

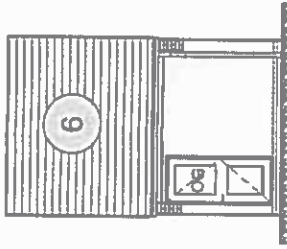
SITE: **EVESHAM ROAD, BISHOPS CLEEVE**
PLOTS: **1**



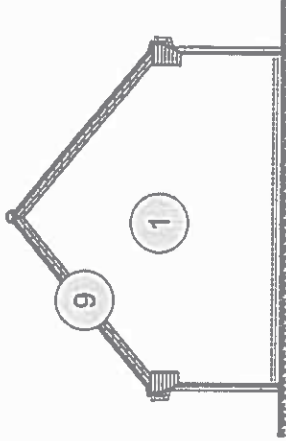
FRONT ELEVATION OG



GROUND FLOOR PLAN



REAR ELEVATION

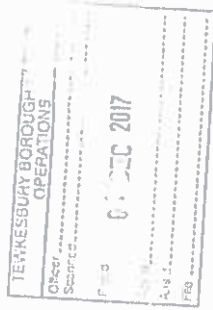


SIDE ELEVATIONS

OG = Obscure Glazing

KEY FOR MATERIALS

- 1 Red clay facing brickwork
- 2 Facing brick Soldiers
- 3 Smooth Red Flinth Clifs
- 4 Facing Brick Corbels
- 5 Crame Joinery
- 6 Plain concrete tiles
- 7 GRP Canopy
- 8 Open timber rafters to eaves
- 9 Facing brick Verge
- 10 Closed eaves



19217/F

17/01348/FUL

Kayte Farm, Southam Lane, Southam

10

Valid 02.01.2018
Grid Ref 395901 225870
Parish Southam
Ward Cleeve Hill

Change of use of existing agricultural building for the storage of caravans.

Mrs Holloway
Kayte Farm
Southam Lane
Southam
Cheltenham
Gloucestershire

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework (2012)
Planning Practice Guidance
Joint Core Strategy (2017) - SD1, SD4, SD5, SD14, INF1
Tewkesbury Borough Local Plan to 2011 (March 2006) - AGR6, AGR7
Human Rights Act 1998 - Article 8
The First Protocol - Article 1
Green Belt

Consultations and Representations

Southam Parish Council - No comment received.
Environmental Health - No objection in terms of noise/nuisance.
County Council Highways Officer - No objection is raised.

This application is brought before the Planning Committee as the applicant is an elected member of the Council.

Planning Officers Comments: Victoria Stone

1.0 Introduction

1.1 This application relates to Kayte Farm, which is located along Southam Lane (**See attached location plan**). The farm comprises approximately 25 hectare of pasture and arable land. There are a number of modern agricultural buildings located close to the farmhouse.

1.2 The farm was developed as a dairy farm with large livestock buildings, concrete yards and silage pits. Cattle have not been kept on the holding since 1997. The buildings have since been used for equestrian use and agricultural storage.

1.3 Currently, a small area is farmed by the applicant with the majority of the land being let on short term tenancy agreements.

1.4 A public footpath is located approximately 250 metres to the east of the site running parallel to Kayte Lane and the site is wholly located within the Gloucestershire Green Belt.

2.0 Planning History

12/00799/FUL - Proposed new agricultural vehicle access off Southam Lane, Southam. New timber post and rail fence both sides of the access - Permitted - 21.02.13

3.0 Current Application

3.1 This application seeks permission for the change of use of one of the agricultural barns for the storage of caravans. Caravan storage may include motor homes, boats and other vehicles belonging to private individuals.

3.2 The agricultural building subject to this change of use has a length of 50 metres and a width of 11.6 metres, thus occupying a floor space of approximately 590 square metres. The building has a ridge height of 5.2 metres and an eaves height of 3.8 metres. It has a concrete floor, has part concrete, part clad walls and the roof consists of profile sheeting.

3.3 The development would include minor changes to the external appearance of the building. An existing gate access on the east facing elevation would be replaced with two concrete panels and cladding to match the existing building.

3.4 As part of the proposal, the applicant proposes to plant a native hedge with hedgerow trees on the eastern boundary of the farm.

3.5 There is currently external security lighting on the site therefore no additional external lighting is proposed.

3.6 An existing access point off Southam Lane would be utilised.

4.0 Policy Context

4.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of The Town and Country Planning Act 1990. Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which "indicate otherwise". Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other materials considerations."

4.2 The development plan comprises the Joint Core Strategy (JCS) (2017) and saved policies in the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP).

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework.

4.4 The relevant policies are set out in the appropriate sections of this report.

5.0 Analysis

5.1 The main issues to be considered are the principle of the development in the Green Belt, the principle of the change of use of the agricultural building and the impact upon the landscape, amenity and highway safety.

Green Belt

5.2 Policy SD5 of the JCS sets out that, to ensure the Green Belt continues to serve its key functions, it will be protected from harmful development. Within its boundaries, development will be restricted to those limited types of development which are deemed appropriate by the NPPF, unless it can be demonstrated that very special circumstances exist to outweigh the harm automatically caused to the Green Belt by virtue of the development being inappropriate and any other harm actually caused.

5.3 The NPPF provides that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the NPPF provides that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.4 Paragraph 90 of the NPPF sets out various development exceptions which are considered to not be inappropriate in the Green Belt providing they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. One such exception is the re-use of buildings provided that the buildings are of permanent and substantial construction. As such the harm to the openness and the purposes of including land as Green Belt and the structural state of the building must be considered to establish if the development would be harmful by reason of inappropriateness.

Preservation of openness

5.5 This proposal seeks permission for the change of use of an existing building. No extensions to the building or external storage is proposed. As such there would be no change to the openness of the Green Belt.

Purposes of including land as Green Belt

5.6 The Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.7 As the proposal only includes the change of use of the building, hence no new built form, the development would not conflict with any of the purposes set out above.

Is the building of a permanent and substantial construction?

5.8 Whilst no structural survey has been submitted with the application, given the building appears to be in a sound condition and the materials used in its construction (concrete floor and part wall) it is reasonable to conclude the building is of a permanent and substantial construction.

Green Belt conclusions

5.9 Given the above, the proposed development would not represent inappropriate development in the Green Belt and it would not have a harmful impact upon its openness. Accordingly there is no need to advance very special circumstances and the principle of the development is acceptable.

Principle of the change of use

5.10 In terms of economic growth, one of the 'core principles' of the NPPF is to proactively drive forward and support sustainable development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that planning should operate to encourage and not act as an impediment to sustainable growth.

5.11 Paragraph 28 of the NPPF recognises the need to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. It advises that local plans should promote the development and diversification of agricultural and other land-based rural businesses.

5.12 The vision for the borough, set out in the JCS, is underpinned by three specific strategic objectives to support a thriving economy. The third objective is to support a prosperous rural economy. To facilitate rural employment generation and diversification the local planning authority should, amongst other requirements, support the needs of agricultural businesses and encourage farm diversification and the conversion of existing buildings for rural business use.

5.13 The application site is located in the wider countryside. In this location, criterion (vi) of Policy SD1 'Employment - except retail development' of the JCS sets out that employment-related development will be supported when it is employment-generating farm diversification projects, which are of an appropriate scale and use, particularly where they involve the re-use of appropriate redundant, non-residential buildings.

5.14 Policy AGR6 of the TBLP further supports the conversion of rural buildings to employment uses where buildings are permanent, capable of converting without major or complete reconstruction and would not adversely affect the rural environment or residential amenity.

5.15 As mentioned in paragraph 5.4, the building is considered to be a permanent structure capable of being adapted for the re-use without major or complete reconstruction. The submitted Design and Access Statement confirms the building is currently underutilised and this was evident during the site visit. In addition to this, given the relatively small size of the building and the nature of the proposed use it is

considered the storage of caravans in the existing building would be of an appropriate scale and use in this location. Fundamentally, the change of use of the building would help meet one of the strategic objectives of the JCS by supporting rural economic growth and therefore the principle of the change of use is acceptable.

Impact upon visual amenity

5.16 The existing barn is set back approximately 85 metres from the roadside therefore would not be seen readily from Southam Lane. A public footpath is located approximately 250 metres to the east of the building. This distance, coupled with the proposed supplementary screening and as the caravans would be stored within the existing building would ensure the development proposal would have negligible, if any, impact upon the visual amenity and landscape character of the locality. The supplementary landscaping will be secured via condition should members resolve to approve the application.

Impact upon residential amenity

5.17 The nearest residential properties to the agricultural building, No.1 and No.4 Kayte Cottages, are located approximately 50 metres to the south of the site. There are a number of properties to the east of the building, located approximately 250 metres from the building.

5.18 The proposed use (storage of caravans) is not known to be a noisy activity and as mentioned previously the use would not have an adverse visual impact. When taking account of the authorised use of the building and what it could be used for, such as the keeping of livestock, storage of farm machinery, the proposed use should not generate any harm upon residential amenity over and above that already experienced from the occupiers of the neighbouring properties.

5.19 The Environmental Health Officer has confirmed the change of use should not cause an unacceptable noise/nuisance.

Highway Safety

5.20 Policy INF1 of the JCS advises that proposals should ensure safe and efficient access to the highway network is provided for all transport modes and that the impact of development does not have a severe impact upon the highway network.

5.21 The existing access off Southam Lane would be utilised. This has good visibility in both directions. The applicant estimates that each caravan would have about 8 vehicle movements per annum. This would lead to 112 vehicle movements per annum.

5.22 The County Highways Officer has raised no objection to the proposal therefore it is considered the development could be accommodated at the site without compromising highway safety.

6.0 Conclusions

6.1 Taking into account all of the above, the proposal would result in an acceptable change of use of an existing under-used agricultural building which is capable of being converted without any substantial works. The development would support rural economic growth without adverse impacts upon the Green Belt, on amenity, highway safety or the character of the area. It is therefore recommended that planning permission is **Permitted** subject to the conditions set out below.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

- 2 Unless where required or allowed by other conditions attached to this permission/consent, the development hereby approved shall be carried out in accordance with the information (including details on the proposed materials and landscaping) provided on the application form and the following plans/drawings/documents -
 Location Plan (1:1250)
 Proposed Block Plan (1:1250)
 Proposed Landscape Plan (1:1250)
 001 - Proposed Elevations - South & North View
 001 - Proposed Elevations - East & West View, Proposed Floor Plan and Roof Plan
 002 - Existing Elevations - South & North View
 003 - Existing Elevations - East & West View, Existing Floor Plan and Roof Plan
- 3 Prior to the first use of the development hereby approved, full details of the landscaping works should be submitted to and approved in writing by the Local Planning Authority. The details submitted must include:
- i) a plan(s) showing the layout of proposed tree, hedge and shrub planting.
 - ii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
 - iii) a written specification outlining cultivation and other operations associated with plant establishment.
 - iv) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.
- All planting shall be carried out in accordance with the approved details in the first planting season following the completion or first occupation/use of the development, whichever is the sooner.
- Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The storage of caravans/motor homes/vehicles associated with the B8 use hereby permitted shall only take place within the building, as identified by the red line on the approved location plan, and there shall be no such storage outside of this building whatsoever.

Reasons:

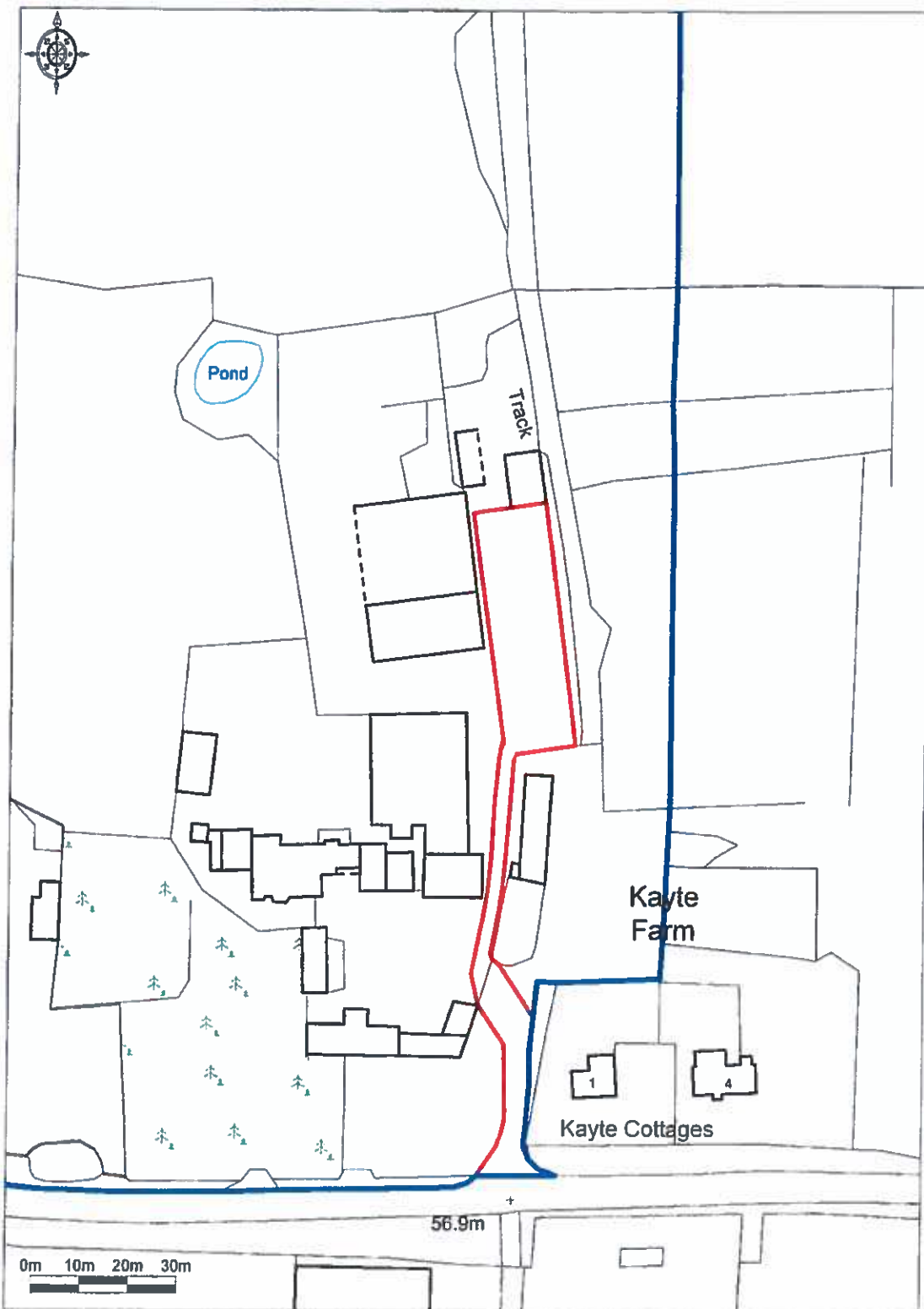
- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To define the permission.
- 3 To ensure the proposed development does not have an adverse effect on the character and appearance of the area.
- 4 To protect the visual amenities of the area and the openness of the Green Belt.

Note:

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Land at Kayte Farm Location Plan



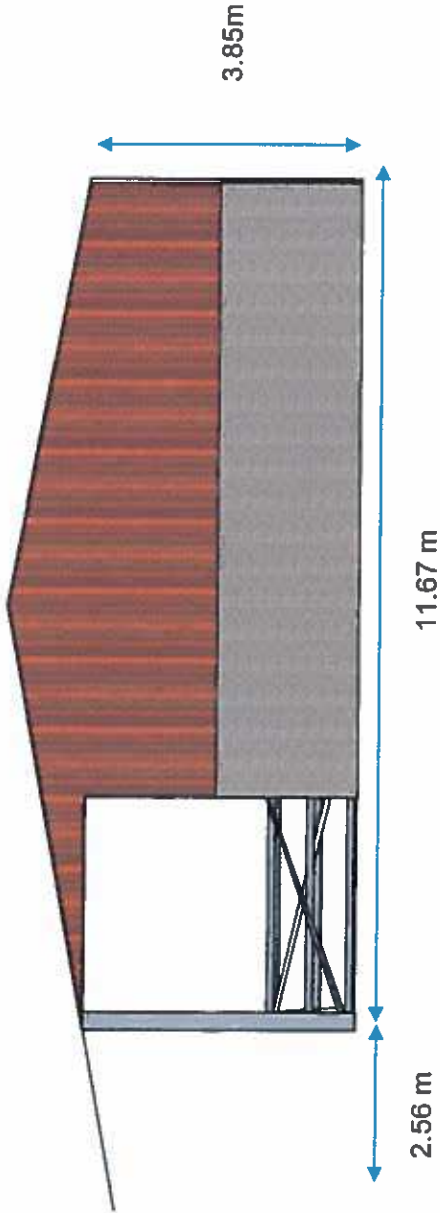
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Licence number 101422432. Printed Scale 1:1250

1:1250 @ A4

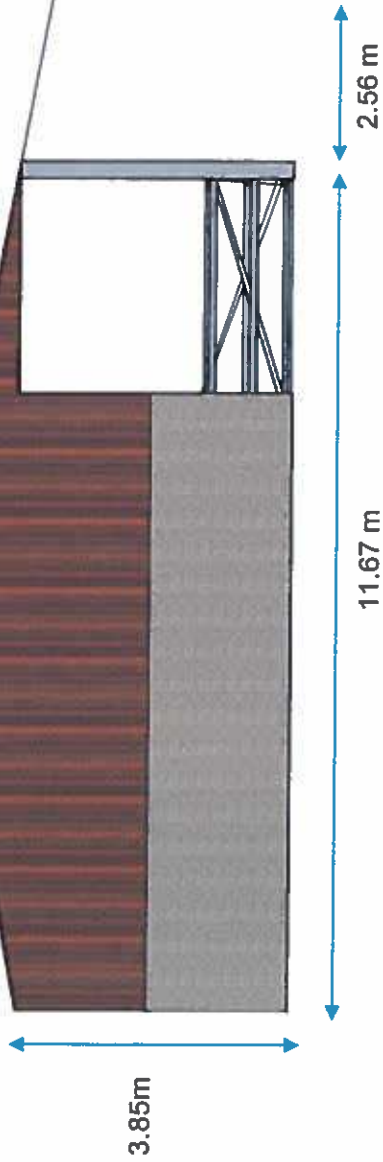
62298A

Proposed change of use of an agricultural building at Kaytes Farm, Southam

South View



North View



Not to Scale – For Identification Purposes Only

Title: Proposed Development
Client: A Holloway
DRWG 001 Date 31/10/2017
Scale: 1:100 @ A4

For Identification Purposes Only

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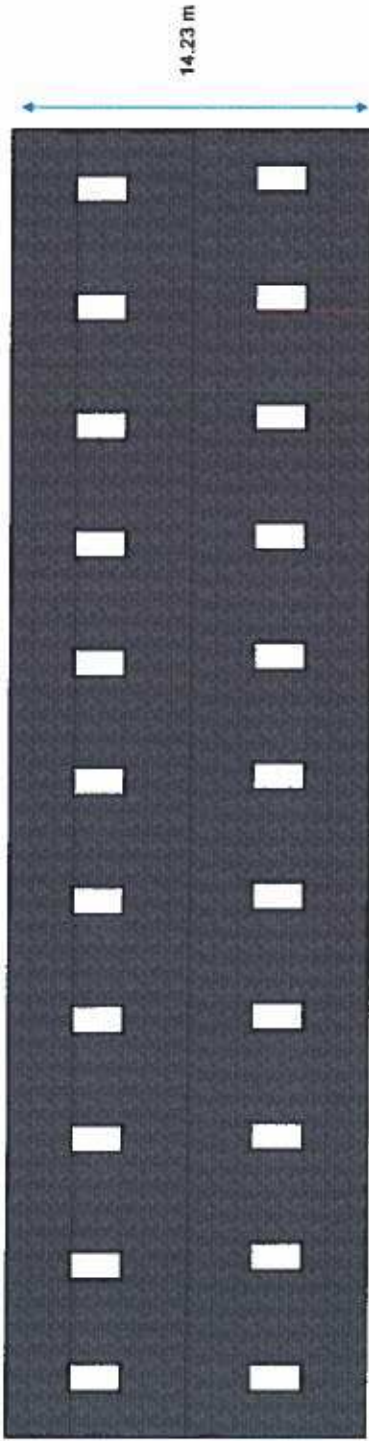


RURAL PROPERTY CONSULTANTS

Tel: 01684 853400 Fax: 01684 853401

Email: enquiries@carverknowles.co.uk

Roof



14.23 m

East View



5.21m

50.93 m

West View



5.21 m

50.93 m

Floor Plan



11.67 m

50.93 m

Title: Proposed Development
 Client: A Holloway
 DRWG 001 Date 31/10/2017
 Scale: 1:200 @ A3

For Identification Purposes Only

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 with the sanction of the Controller of HM Stationery
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Tel: 01684 853400 Fax: 01684 853401
 Email: enquiries@carverknowles.co.uk

6100/c

Valid 02.09.2016

Outline planning application for residential development comprising 465 (no) new family homes, public open space, landscaping, drainage and other facilities with associated vehicular and pedestrian access.

Grid Ref 386476 220537

Parish Churchdown

Ward Churchdown St Johns

Mactaggart & Mickel

1 Atlantic Quay

1 Robertson Street

Glasgow

G2 8JB

FAO Mr Ken Hopkins

RECOMMENDATION Delegated Permit

Policies and Constraints

Joint Core Strategy - SP1, SP2, SD3, SD4, SD6, SD8, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF4, INF6, INF7, SA1, A2.

Tewkesbury Borough Local Plan to 2011 (March 2006) - TPT3, TPT5, RCN1, RCN2, NCN3.

Affordable Housing SPD

National Planning Policy Framework

Planning Practice Guidance

The First Protocol, Article 1 (Protection of Property)

Human Rights Act 1998 - Article 8 (Right to Respect for Family and Private Life)

Consultations and Representations

Churchdown Parish Council - Object:

- Site is Green Belt land and JCS has not been finalised
- Preservation of Green Belt is paramount
- Issues concerning:
 - Vehicular access
 - Emergency access operation
 - Flooding the site already floods
 - SUDs will not mitigate the risk sufficiently
 - School provision
 - Location of play areas
 - Traffic
 - Lack of infrastructure
- One entrance from Cheltenham Road East is totally inadequate
- 400 houses gives a minimum of 1,000 inhabitants
- Children will require in extra form entry in a primary school
- Need to take account of other developments in area
- Concern with storm runoff
- Hopefully doctor's Surgery will be built before the development is completed

Innsworth Parish Council - Object:

- Site is in the Green Belt
- Site Flooded in 2007
- Development will lead to increased traffic congestion

Churchdown and Innsworth Neighbourhood Plan Steering Group:

- Emerging Neighbourhood Plan must be referred to
- NP steering group met with applicant as part of community engagement
- Range of environmental issues inc. retention of the mature hedgerow on Cheltenham Road East
- Want to remove 335 metres
- Residents want protection of green-ness
- The hedgerow is part of the character of area

- Damaging to the foraging bats and birds.
- Understand the need to remove some for visibility
- The new hedgerows will take a long time to reach maturity
- Hedgerow will help reduce noise and air pollution
- The site plan shows poor connectivity of green infrastructure
- A lot of the "green lines" in the centre aren't hedgerows at all
- Enhancement of water courses/swales, which is positive
- Neighbourhood plan calls for creation of ponds and pond complexes
- Only 5% of the houses will have integral bat boxes
- No mention of hedgehog-friendly fencing
- Fruity streets and a small community orchard would be welcome as well as foraging trails

Gloucester City Council - Site is part of the South Churchdown strategic allocation contained within the Joint Core Strategy (JCS).

- Inspector has indicated her support for this strategic allocation.
- The council does not wish to object to the principle of development at this location.
- Would provide for the needs of Gloucester residents.
- The public open space and green infrastructure is to the north west of the site on the Illustrative masterplan,
- Layout differs from indicative site layout in the JCS which places the open space to the west and south of the site.
- Green Infrastructure in the JCS Indicative site layout was to protect views from Churchdown Hill and to avoid areas prone to flooding.
- Flood Zones 2 and 3a (plus climate change) are located to the south of the site
- TBC Should consider the protection of views and also Flood Zones

Highways England - No objections.

County Highways Officer - No objections in principle, subject to S.106 contribution and conditions.

Strategic Housing and Enabling Officer - No objections subject to S.106 contribution.

County Archaeologist - No objections subject to conditions.

Historic England - No objections.

Environment Agency - No objections subject to conditions.

Urban Design Officer - No objections following receipt of amendments.

Landscape Officer - No objections subject to details.

Natural England - No objections.

Ecology Advisor - No objections.

Environmental Health Adviser - No objections subject to conditions.

Lead Local Flood Authority - No objections subject to condition.

CPRE Gloucestershire - Object:

- JCS allocation not finalised
- CPRE objected to allocation
- Total housing in JCS too high
- Contrary to purpose of Green Belt
- Critical to maintaining separation between Gloucester and Cheltenham
- Gloucester Northern bypass curbed expansion of Gloucester
- Development north of bypass built before Green Belt designation
- Adverse effect upon perceived gap
- Would reduce gap to less than 200 metres
- Planting unlikely to mitigate impacts
- Sense of coalescence increased by presence of fire station
- Proposed strategic gap will not provide adequate mitigation

- 656 dwellings are not 'infill'
- Should recognise intrinsic character and beauty of countryside
- No exceptional circumstances to alter the Green Belt

Sport England - Object:

- Proposal provides some open space including pitches
- No ancillary buildings or facilities are proposed
- More appropriate for contributions to be made for off-site facilities

Local Community representations

17 individual objections have been submitted and are summarised as follows:

- Roads in Churchdown are a nightmare
- Cheltenham Road East is already busy and difficult to access with queuing traffic
- Extra 1,000 vehicles using the road
- £7m refurb of Elmbridge Road roundabout is a wasted exercise if access is permitted off Cheltenham Road East
- Cumulative impact of this and other housing development and park and ride
- Roads near the two secondary schools are always blocked
- Pirton Lane is a cut through from Brockworth & Hucclecote
- Existing heavy goods vehicles and cars passing shake and rattle houses
- No proposed changes to existing roads
- Near to fire station and road used by ambulances
- Peak hour traffic will not be able to cope
- Will be daily queues along Cheltenham Road East.
- Most households have 2 or 3 cars plus visitors
- Plenty of parking should be made available to residents of the development.
- Pedestrian and vehicle access should not be provided onto Parkside Drive and Dancey Road.
- Emergency access only gates should also restrict pedestrian access
- Access road will cut the cycle path and walkway
- Potential accident blackspot where car vs. cycle vs. pedestrian meet
- Would impact on street parking in area, intense on street parking already
- Parkside Drive is characterised by large plots with large spacing between
- Development would be high density
- Will not integrate with 1930's housing
- Would impact amenity, loss of sunlight to properties near field
- Loss of village status and a separation from Gloucester
- The character of the area would change completely
- Would be out of keeping with existing development
- Extra disturbance to residents
- Disruption to community is not fair
- Will destroy views of Cathedral and May Hill
- Will bring light pollution, noise and traffic fumes
- Plan includes a play area at far side of the development
- POS more beneficial to be located nearer to Parkside Drive
- Consider screening the new development from existing housing by landscaping
- Noise pollution will be continuous from Gloucester to Staverton
- Objected to the JCS proposals
- Concerns with drainage, possibility of flooding
- Field often has surface water
- Underpass and parts of field flooded in 2007
- Cheltenham Road East was almost flooded near the site access
- Vale of Gloucester is full of water-courses
- If low lands are built on, the water will be forced elsewhere
- Surprised at the extent of flooding in 2007
- Flood attenuation proposals will not be sufficient
- Ditches will need to be maintained
- Not wise to build family houses and play areas so close to water
- Land is Green Belt which should be preserved to stop urban spread
- Brown Field sites should be used first
- No thought to the future generations
- Field last used/farmed in 2016

- Wildlife is in decline and will be impacted
- Detrimental for biodiversity wildlife
- Removal of too much hedgerow
- Tree works to will need to be done branches often fall on ash path between Parkside Close and school
- Schools are oversubscribed no new schools are planned
- Children come from several miles away due to the good Ofsted reports
- Doctor's surgery struggles with demand

Planning Officers Comments: Bob Ristic

1.0 The site and its location

1.1 The site is located to the north east of Gloucester immediately to the south west of Innsworth and to the southwestern edge of Churchdown Parish. The site lies to the north-western side of the B4063 - Cheltenham Road East (CRE) and to the southwest of Parkside Drive and Dancey Road. The A40 Gloucester Northern bypass lies approximately 100 metres to the west and the A40 Gloucester to Cheltenham Golden Valley bypass lies approximately 200 metres to the south of the site.

1.2 The application site is approximately 19.8 hectares (49 acres) in area and is currently in agricultural use. The site is relatively flat with a gentle slope downwards to the north-western corner. The site is defined by trees and hedgerows to all but the north-eastern boundary adjoining Parkside Drive and Dancey Road.

1.3 The site adjoins existing residential development at Luke Lane and Nicholson Close to the north and Parkside Drive and Dancey Road to the east whereas the land to the southern side of Cheltenham Road East (CRE) remains in agricultural use.

1.4 The site comprises the north-western part of a wider strategic allocation A3 - South Churchdown (SCUE) as allocated in the adopted Joint Core Strategy (JCS).

2.0 Planning History

2.1 There is no relevant planning history on this site other than its promotion and allocation through the JCS process.

3.0 The Proposals

3.1 The application seeks outline planning permission (with all matters reserved) for a residential development comprising 465 new family homes, public open space, landscaping, drainage and other facilities with associated vehicular and pedestrian access.

3.2 The application is accompanied by a series of illustrative parameters plans, including a Landscape & Movement Parameter Plan (**which is attached and will be displayed at Committee**), which indicate how the quantum of development could be delivered on the site.

3.3 The application is also supported by a Planning Statement; Affordable Housing Statement; Design and Access Statement; Statement of Community Involvement; Waste Minimisation Statement; and Travel Plan.

3.4 The application is also accompanied by an Environmental Statement required as the proposed development constitutes EIA (Environmental Impact Assessment) development in accordance with the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations.

3.5 The Environmental Statement (ES) assesses a range of social and environmental issues. The ES includes, Noise and Air Quality Assessments, Ecological reports, Transport Assessment; Landscape and Visual Impact Assessment; Archaeological appraisal (including Trial Trenching); and a Flood Risk Assessment among its appendices.

3.6 A number of the appendices have been updated with further information and assessments through the application process to address matters raised by consultees.

4.0 The Community Infrastructure Levy Regulations

4.1 The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from developers undertaking new building projects in their area. Whilst Tewkesbury Borough Council has not yet developed a levy the regulations stipulate that, where planning applications are capable of being charged the levy, they must comply with the tests set out in the CIL regulations. These tests are as follows:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

4.2 As a result of these regulations, Local Authorities and applicants need to ensure that planning obligations are genuinely 'necessary' and 'directly' related to the development'. As such, the Regulations restrict Local Authorities ability to use Section 106 Agreements to fund generic infrastructure projects, unless the above tests are met. Where planning obligations do not meet the above tests, it is 'unlawful' for those obligations to be taken into account when determining an application. The need for planning obligations is set out in relevant sections of the report.

4.3 The CIL regulations also provide that as from 6 April 2015, no more contributions may be collected in respect of an infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy.

5.0 The Development Plan/ National Planning Policy

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The key consideration in assessing the principle of development therefore are the existing and emerging development plans for the area and Government policy in respect of new housing development.

5.2 The development plan for the area comprises the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy, adopted in December 2017 and the saved policies of the Tewkesbury Borough Local Plan to 2011 (adopted March 2006). The Tewkesbury Borough Plan which is anticipated to go to public consultation in the Spring will effectively replace the saved Local Plan policies. The TBP can be given only very limited weight at this stage. A Neighbourhood Development Plan for Churchdown and Innsworth is being prepared however this is at an early stage of preparation and can be given no weight at this time.

Cheltenham, Gloucester and Tewkesbury Joint Core Strategy - December 2017

5.3 The Joint Core Strategy (JCS) was adopted in December 2017 and is part of the Development Plan for the area. Various policies in the JCS superseded some of the policies in the Tewkesbury Borough Local Plan to 2011 which had previously been saved by direction of the Secretary of State.

5.4 The JCS sets out the key spatial policies for the JCS area over the plan period of 2011-2031 and the preferred strategy to help meet the identified level of need. Policy SP1 sets out the overall strategy concerning the amount of development required, and Policy SP2 sets out the distribution of new development. These two policies, combined with Policy SD1 on the economy, provide the spatial strategy for the plan. This strategy, together with its aims, is expressed in relevant policies throughout the plan and will be supported by forthcoming district plans and neighbourhood plans.

5.5 Policy SP1 of the JCS sets out the need for new development and the overall housing requirement for each authority. Policy SP2 sets out the policy for the distribution of new development across the area. The needs of Gloucester City Council (at least 14,359 new homes) will be provided within the city administrative area and urban extensions at Innsworth and Twigworth, South Churchdown and North Brockworth within Tewkesbury Borough as defined in Policy SA1, as well as commitments covered by any Memoranda of Agreement.

5.6 Policy SP2 advises that the unmet needs of Gloucester and Cheltenham, beyond their administrative boundaries, will only be delivered on Strategic Allocation sites allocated through Policy SA1 and any other sites with an agreed sharing mechanism through a Memorandum of Agreement between the relevant local planning authorities.

5.7 Policy SA1 sets out that the South Churchdown Allocation (A2) is proposed to provide, 1,100 new dwellings and 17.4 hectares of employment land up to 2031.

5.8 Policy A2 sets out the specific requirements of the South Churchdown Strategic Allocation including the quantum of residential and employment, provision of community facilities, contribution to education, provision of sustainable drainage and mitigation of flood risk, protection of the natural environment and the provision and enhancement of transport routes.

5.9 Other relevant JCS policies are referred to in the relevant sections below.

National Planning Policy Framework and Planning Practice Guidance

5.10 The NPPF aims to promote sustainable growth and requires applications to be considered in the context of sustainable development and sets out that there are three dimensions to sustainable development: economic, social and environmental.

- the economic role should contribute to building a strong, responsive and competitive economy;
- the social role should support strong, vibrant and healthy communities; and
- the environmental role should protect and enhance the natural, built and historic environment.

These roles should not be undertaken in isolation, because they are mutually dependant.

5.11 Paragraph 12 of the NPPF clarifies that it does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that accords with the development plan should be approved, and proposed development that conflicts should be refused unless other material circumstances indicate otherwise. Paragraph 14 of the NPPF sets out that at the heart of the NPPF there is a presumption in favour of sustainable development and that for decision-taking this means (unless material considerations indicate otherwise) that development proposals that accord with the development plan should be permitted without delay; and that where the development plan is absent, silent or out-of-date, permission should be granted subject to certain caveats.

5.12 In terms of economic growth, one of the 'core principles' of the NPPF is to proactively drive forward and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that planning should operate to encourage and not act as an impediment to sustainable growth.

5.13 In terms of housing delivery, the NPPF sets out that local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing, including identifying key sites which are critical to the delivery of the housing strategy over the plan period (paragraph 47). Paragraph 49 sets out that housing application should be considered in the context of the presumption in favour of sustainable development.

5.14 Other specific relevant policies within the NPPF are set out in the appropriate sections of this report.

6.0 The Application Proposal and Policy Context

6.1 The Application site forms part of the South Churchdown Strategic Allocation which comprises three parcels of land (in separate ownerships) divided by the B4063 Cheltenham Road (running along the southern boundary of the application site) and the A40 Golden Valley, separating the central parcel from the eastern part of the allocation at Elmbridge Court.

6.2 The applicant has advised that the owners of the adjoining parcels of land are not in a position to bring that those parts of the allocation forward at this time and this has prevented a single application being brought forward across the whole allocation. The applicant has also advised that this parcel of land is the only part which of the allocation which is in a position to begin to deliver housing towards the JCS trajectory which projects 50 dwellings being delivered on the South Churchdown allocation during 2019.

6.3 Policy SA1 sets out inter alia the general requirements for applications at strategic allocations and advises that development should enable a comprehensive scheme to be delivered across the developable area within each strategic allocation and that proposals are accompanied by a comprehensive masterplan for

the entire strategic allocation. However the policy also advises that the JCS authorities will be flexible in considering different approaches to achieving a comprehensive masterplan providing that proposals still take fully into account the development and infrastructure needs of the wider allocation and demonstrate that it would not prejudice the sustainable delivery of the entire allocation.

6.4 As set out above the applicant has advised that due to the allocation being in separate ownerships they have been unable to prepare a masterplan for the whole allocation as those landowners are not in a position to bring their sites forward at this time. The applicant has referred to the master planning evidence submitted as part of the evidence base to the JCS for the allocation and have set out how their proposal would not prejudice the delivery of the aims set out in Policy A2. Consultees have been made aware that the application forms only part of a strategic allocation (SA) and have assessed the impacts of the proposal on ability of the wider allocation to be delivered.

6.5 Policy A2 sets out the specific requirements of this allocation which include, the delivery of 1,100 new homes, 17 hectares of employment, facilities to meet the needs of the community, contributions towards education, provision and protection of green infrastructure, biodiversity and heritage assets, flood risk management, access from CRE, traffic mitigation as well as public and sustainable transport enhancements.

6.6 The principle of development is therefore acceptable subject to compliance with policies A1 and A2 of the JCS, including whether the proposal would prejudice the development of the wider allocation and all other material planning considerations.

7.0 Layout & Design

7.1 The NPPF sets out that the Government attaches great importance to the design of the built environment (paragraph 56). Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 57 the NPPF advises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Similarly Policy SD4 of the JCS seeks to encourage good design and is consistent with the NPPF and so should be accorded considerable weight.

7.2 Policy SA1 of the JCS requires development proposals to enable a comprehensive development across each strategic allocation and include a comprehensive masterplan for the entire allocation, although the JCS authorities will be flexible in this regard. Policy A2 (South Churchdown) sets out various requirements for bringing forward the development of the site including (ix) a layout and form of development that respects landscape character.

7.3 The application has been accompanied by a Design and Access Statement and series of supporting drawings including a Landscape and Movement Parameter Plan which sets out the broad layout of the development, which have been revised and updated following discussions with officers.

7.4 The site would be accessed from a new junction T-junction off Cheltenham Road East. This would be the only vehicular access into the site, with access into the site being restricted from Parkside Drive and Dancey Road to emergency vehicles and pedestrians only.

7.5 The residential development would be sited to the central part of the site and would provide a mix of accommodation ranging from 1 bed apartments to 4 bed family homes with an average net density of 33.7 dwellings per hectare. The highest density development would be located towards the central part of the site with the lower density areas being located adjacent to Parkside Drive and Dancey Road and along Cheltenham Road East.

7.6 The principle roads within the site would include 'avenue' tree planting to soften the development and a series of open spaces and play areas provided throughout the site. The northern and western edges of the site would provide further public open space and SuDS drainage features and would serve to separate the development from the adjoining green buffer at Innsworth Ditch, between the site and the A40 Gloucester Northern bypass.

7.7 The proposal would entail the loss of an area of existing overgrown hedgerow to the south-eastern boundary of the site in order to provide adequate visibility for the proposed site access given the alignment of the road. The proposed dwellings on this frontage would be set back from the road and the area in front would be landscaped and would provide a continuation of the existing verge area to the front of properties at Dancey Road, allowing for the integration of the development with the existing street scene.

7.8 The proposal would allow for the re-routing of the existing Sustrans cycle route from the highway at Cheltenham Road East to a new route inside the site, with further linkage into Dancey Road, providing a safer route for cyclists and pedestrians.

7.9 The submitted details demonstrate how the development would be linked to the adjoining parcel of land on the southern side of Cheltenham Road East via three new pedestrian crossing points with refuge islands. These crossings would give future occupiers of that phase improved access to the cycle route and green infrastructure within the application site.

7.10 The submitted details have indicated how the proposal would provide pedestrian linkages to existing development to the north at Parkside Drive and Dancey Road and that there would be opportunities to create further new linkages to Luke Lane subject to intervening land owner's consent.

7.11 While this is an outline application with all matters reserved, it is considered that the submitted details demonstrates that an acceptable standard of design and layout can be achieved on the site, that the proposed layout would provide for appropriate linkages to the wider SA and would not prejudice the delivery of the adjoining parcels of land in design terms.

8.0 Accessibility and Highway Safety

8.1 Section 4 of the NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. It states at paragraph 29 that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 32 states that planning decisions should take account of whether opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure. Furthermore, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The NPPF also requires safe and suitable access to all development sites for all people.

8.2 Policy INF1 of the JCS requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. All proposals should provide for safe and efficient access to the highway network for all transport modes; encourage maximum potential use of walking, cycling and passenger transport networks to ensure that credible travel choices are provided by sustainable modes. Planning permission will be granted only where the impact of development is not considered to be severe. Policy INF1 further requires developers to provide transport assessments to demonstrate the impact, including cumulative impacts, of the prospective development along with travel plans where appropriate.

8.3 The access specific requirements of JCS Policy A2 include the provision of primary access from the B4063 Cheltenham Road East, provision of measures necessary to mitigate the traffic impacts of the site, public transport connections and pedestrian and cycle link enhancements.

8.4 The application is supported by a Transport Assessment (TA) and a Travel Plan (TP). The TA has assessed the potential impacts of the proposed development on the highway network and concludes that the site is in an accessible location in proximity to local services within Churchdown and is also in proximity to Cheltenham and Gloucester and associated retail employment and leisure facilities.

8.5 Furthermore the report identifies the availability of good public transport connections in the form of bus stops and proximity to Sustrans Cycle Route 41 thereby providing viable alternative means of transport to the car.

8.6 The traffic impacts have been modelled and the report concludes that the traffic from the development would disperse quickly over the wider highway network and that the overall traffic impact is considered to be small.

8.7 The submitted TP sets out a range of measures to encourage new residents to adopt sustainable modes of transport, including street designs to constrain vehicle speeds, provision of cycle parking, the re-location of a bus stop to the south-west of the site closer to the development, a residential travel plan webpage, notice boards and bus taster tickets.

8.8 The application has been reviewed by the Highway Agency who are satisfied that the development would not have a severe impact on the on the strategic road network (SRN) and that queues on the approaches to the SRN would only change marginally during the AM and PM peak hours.

8.9 The application has also been assessed by the Gloucestershire County Council as the Local Highway Authority (LHA) who have advised that the TA has assessed the development impact up to 2026 when the development is likely to be fully built out and that a further sensitivity test was undertaken up to 2031 which included the cumulative transport impacts of the full South Churchdown Urban Extension (SCUE) as allocated in Policy A2 of the JCS.

8.10 The assessment determined that the Pirton Fields development would have an impact on Cheltenham Road East approach arm to Elmbridge Court Roundabout in the 2026 future year. To mitigate this impact, the LHA advise that new signalisation would need to be provided in order to create sufficient capacity up to the 2031 future year and so as not to prejudice the ability of the remaining portion of the allocation to come forward.

8.11 The LHA acknowledges that the full SCUE is likely to have a material impact on Elmbridge Court and the local network at Parton Road and Pirton Lane and that the remaining portion of the SCUE would have to provide appropriate mitigation as part of any future planning application to mitigate its associated highway impact.

8.12 The applicant is presently discussing the particular signalisation design with the LHA and the results of the modelling of the proposed mitigation is awaited. Consequently, the LHA is not in a position to confirm the precise S.106 contributions required for these works or any necessary conditions however the LHA has advised that subject to agreement of satisfactory mitigation measures the development would not result in a severe impact upon the highway network or prejudice the delivery of the remaining allocation. It is considered that this matter can be resolved through officer delegated powers.

8.13 Overall, the LHA do not object to the application however further information is required and **an update will be provided at Committee.**

9.0 Landscape

9.1 Policy SD6 (Landscape) of the JCS provides that Development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. Proposals will have regard to the local distinctiveness and historic character of the different landscapes in the JCS area and will be required to demonstrate how the development will protect or enhance landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement or area. All applications for development will consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect. Policy SD4 (Design Requirements) sets out principles for achieving high quality design.

9.2 One of the core planning principles of the NPPF sets out that the planning system should recognise the intrinsic character and beauty of the countryside. Section 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, amongst other things, protecting and enhancing valued landscapes. The NPPF also sets out that the Government attaches great importance to the design of the built environment (paragraph 56). Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 57 the NPPF advises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

9.3 The site does not fall under any statutory or non-statutory landscape designation. The site has now been removed from the Green Belt by the JCS and allocated as part of strategic allocation A2 for housing development. Policy A2 requires, *inter alia*, the strategic allocation to deliver a green infrastructure network including habitat creation and management; a landscape buffer along the route of the A40 and a layout and form that respects landscape character.

9.4 The ES includes a chapter on Landscape and Visual Amenity (LVA) which assesses the impacts associated with the proposed development as well as consideration of the potential cumulative effects with the remainder of the SA to the south of the site if it were to come forward.

9.5 The ES advises that the site comprises large, irregular arable fields defined by hedgerows and trees to the boundaries with watercourses beyond the northern and western hedge and tree line. The report identifies that the site is heavily influenced by existing development including the highway network, adjoining residential development and street lighting.

9.6 The ES concludes that while the visual assessment found a small number of significant adverse cumulative visual effects as a result of the development, these would be limited to the local area and would be experienced by the residents who currently enjoy views over the site and the fields, and walkers, whose views would change from one of arable farmland to built-form however these effects would be limited to the local area and the effects of the development on the wider landscape would not be significant.

9.7 The proposed development would result in the loss of an existing arable field and an area of existing tree and hedge planting running through the centre of the site. A further 270 metre (approx.) length of hedgerow would be removed along the Eastern part of the site frontage adjacent to Cheltenham Road in order to provide visibility to the site access.

9.8 The trees and hedgerows on the site have been subject to an arboriculture assessment and the majority have been identified as Category C which indicates that the trees are 'unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories'. Furthermore, it is concluded that the trees are not subject to a tree preservation order or worthy of such protection.

9.9 The Council's Landscape Officer (LO) has been consulted on the application and has advised that the application proposes a landscape strategy of retaining and strengthening existing hedgerow boundary features where practical, providing landscape buffers, retaining watercourses, providing public spaces and landscaped areas, to integrate the development within the surrounding landscape setting.

9.10 The proposals take account of the setting and visual context of the site in relation to Tinkers Hill, a Special Landscape Area and the immediate landscape and urban setting. The landscape and visual impacts of the proposed development and the general approach within the Design and Access Statement and Illustrative Framework Masterplan, is considered acceptable and consistent with the requirements of Policy A2.

9.11 In conclusion on this point, while it is acknowledged that the development will result in harm in that the proposal would result the loss of a green field and hedgerow planting, it is considered that the applicant has demonstrated that the proposal can deliver an acceptably high-quality development. Furthermore, it is considered that the harm is outweighed by the provision of much needed housing, improved public access to the land and recreational facilities. The site has of course been allocated for development in the JCS. The proposal would also provide acceptable compensatory planting within the scheme as set out within the Design and Access Statement and accompanying Landscape and Movement Plan.

10.0 Flood Risk and Drainage

10.1 Policy INF2 of the JCS seeks to prevent development that would be at risk of flooding. Proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. For sites of strategic scale, the cumulative impact of the proposed development on flood risk in relation to existing settlements, communities or allocated sites must be assessed and effectively mitigated. Development should also aim to minimise the risk of flooding and provide resilience to flooding, taking into account climate change and where possible reducing overall flood risk. Where appropriate applications should be informed by a Flood Risk Assessment (FRA) and incorporate suitable Sustainable Drainage Systems (SuDS) to manage surface water drainage. Policy A2 of the JCS requires development proposals to deliver adequate flood risk management across the site and ensure that all more vulnerable development is located in Flood Zone 1.

10.2 The NPPF states at paragraph 100 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

10.3 The adopted Flood and Water Management Supplementary Planning Document (FWMSPD) has the following key objectives: to ensure that new development does not increase the risk of flooding either on a site or cumulatively elsewhere and to seek betterment, where possible; to require the inclusion of Sustainable Drainage Systems (SuDS) within new developments, which mimic natural drainage as closely as possible (e.g. permeable paving, planted roofs, filter drains, swales and ponds) and provision for their long-term maintenance, in order to mitigate the risk of flooding; to ensure that development incorporates

appropriate water management techniques that maintain existing hydrological conditions and avoid adverse effects upon the natural water cycle and to encourage on-site storage capacity for surface water attenuation for storm events up to the 1% probability event (1 in 100 years) including allowance for climate change. The FWMSPD is currently under review.

10.4 The application has been accompanied by a Flood Risk Assessment (FRA). The report advises that all vulnerable development would be located in Flood Zone 1, the zone with the lowest probability of flooding. The report identifies that due to the local geology the potential for infiltration drainage is limited and that surface water drainage will need to be discharged to watercourses to the northern and western boundaries of the site. In order to mitigate the impacts the report demonstrates suitable attenuation can be achieved upon the site through the use of a variety of SuDS techniques and the associated control of surface water discharge rates.

10.5 The Environment Agency have reviewed the ES in respect of hydrology, flood risk and SuDS. While raising no objections the EA acknowledges that that flood risk and surface water management are key consideration in determining this application. They advise that the surface water attenuation features should be designed to accommodate the 1 in 100 year flood level plus an allowance for climate change, which given the scale and nature of the development should be 40% in accordance with national guidance.

10.6 The EA concurs with the conclusions of the ES that the proposal provides for further mitigation measures with regards to water quality which will help reduce the risk of pollution to the water environment during construction and beyond.

10.7 The Lead Local Flood Authority (LLFA) have advised that the application has appropriately addressed the surface water flood risk at this stage and that the proposed use of ponds and swales, which are indicated to be constructed in the first phase of the development (where feasible) would provide appropriate flood mitigation as well as amenity, pollution control and biodiversity benefits.

10.8 The LLFA advise that while the submitted details provide an appropriate strategy for surface water drainage a detailed surface water drainage strategy for the site will be required and that this can be secured by a suitably worded condition.

10.9 In terms of the wider allocation, the LLFA have advised that each application/site is required to mitigate the risk of flooding on-site, in order to meet the national requirements to not increase flood risk to the site or elsewhere. As a result of this requirement the proposal would not prejudice the future development of the remaining SA.

11.0 Heritage Assets

11.1 Paragraph 128 of the NPPF advises that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation

11.2 The NPPF sets out at Paragraph 134 that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 135 advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

11.3 The ES includes a chapter on Archaeology and Cultural Heritage. While it is identified that there are no listed buildings in proximity to the application site, the site is of archaeological interest.

11.4 An archaeological evaluation of the site has been undertaken, including desk based and physical assessments. The desk based assessments identifies the presence of a former Second World War Heavy Anti-Aircraft Battery (HAA). Further geophysical survey work and trial trenching was undertaken which revealed concrete bases dating from the Second World War, medieval ridge and furrow features and a possible Iron Age Farmstead.

11.5 The report advises that a written scheme of investigation setting out three main areas of archaeological mitigation (excavation) has been prepared and to allow for proposed mitigation which would allow for appropriate preservation by record.

11.6 The County Archaeologist (CA) advises that sufficient information has been made available regarding archaeological impact to allow an informed planning decision to be made on that issue. A total of 80 trial-trenches were dug, as informed by the geophysical survey.

11.7 The result of the archaeological investigation identified several areas of archaeological interest. Within the eastern half of the application site, linear ditched boundaries were found which are likely to relate to a farmstead dating to the later prehistoric period.

11.8 In the western half of the application site the investigation confirmed the presence of surfaces and substructures relating to the demolished remains of a Second World War Anti-Aircraft battery, associated remains of which were also found at dispersed locations across the wider area.

11.9 The CA advises that while the application site contains significant remains, the archaeology is not of the first order of preservation since it has undergone erosion from later ploughing and demolition. Therefore it is not of the highest archaeological significance to merit preservation in situ. However, the archaeological deposits on this site have the potential to make an important contribution to the understanding of the archaeology of the locality and the wider region.

11.10 The appendix to the Environmental Statement includes a Written Scheme of Investigation (WSI) which proposes archaeological excavation and recording to be implemented if planning permission is granted. The CA has advised that the WSI proposes an appropriate programme of archaeological mitigation and that an appropriate programme of work to excavate and record any significant archaeological remains should be undertaken prior to the development in order to mitigate the ground impacts of the development and this can be secured by condition.

11.11 Considering the absence of listed buildings on or near the application site and the archaeological evaluation undertaken it is considered that the development would not result in harm to the significance of a designated heritage assets.

12.0 Ecology and Nature Conservation

12.1 Policy SD9 of the JCS seeks to protect and, wherever possible enhance biodiversity, including wildlife and habitats. The NPPF sets out, inter alia, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments. Furthermore, planning permission should be refused for development resulting in the loss of deterioration of irreplaceable habitats.

12.2 The ES includes a chapter on Ecology and Nature Conservation which considers the potential effects of the proposed development on ecological features of importance identified through a series of baseline assessments which are appended to the ES. Further documents have been received through the application process in response to comments from consultees. The suite of documents cover:

- Hedgerows
- Reptiles
- Bats
- Slow worms.
- Breeding birds
- Cotswold Beechwoods SAC;
- Severn Estuary SAC/SPA/Ramsar

12.3 The ES concludes that the site supports an assemblage of relatively common habitats with the most valuable being the network of hedgerows, scrub, watercourses, and grassland which to varying degrees support a number of protected species, including bats, reptiles and breeding birds.

12.4 the ES advises that the effects of the construction and operational phases of the proposed development, range from 'major' to 'minor' negative before identified mitigation works are implemented. These include the translocation of reptile populations; the protection of retained habitats and species with appropriate fencing; extensive landscape planting which would replace lost habitat; the implementation of a

Landscape and Ecological Management Plan (LEMP) for the site; and the creation of various habitats and habitat features for protected species. Once successfully implemented, it is considered that these proposed mitigation measures would reduce the negative effects to between 'neutral and minor positive levels'.

12.5 Furthermore, the potential cumulative impacts of developments at the site and the developments across the wider strategic allocation area, would have 'neutral to minor positive' effects on the valued ecological features and the cumulative impacts are anticipated to be 'not significant'.

12.6 Natural England (NE) have been re-consulted following the receipt of supplementary details requested and advise that the proposed development would not have significant adverse impacts on designated sites and raise no objection.

12.7 The Council's Ecology Adviser (ECA) has reviewed the submitted details and advised that subject to compliance with conditions there would be no likely significant effects on the Cotswolds Beechwood SAC or the Severn Estuary SAC, SPA and Ramsar site.

12.8 In respect of on-site ecology the ECA has confirmed that the impacts upon Bats, Reptiles, Hedges, Buffer zones and Nesting Birds can be suitably mitigated against through the imposition of conditions requiring a (CEMP) and (LEMP). Overall it is considered that subject to compliance with conditions the proposal would not result in harm to matters of ecology or nature conservation.

13.0 Noise and Air Quality

13.1 Policy SD14 of the JCS seeks to protect health and improve environmental quality. The NPPF states at paragraph 120 that to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. In respect of air quality it advises that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMAs), and the cumulative impacts on air quality from individual sites in local areas.

13.2 The ES includes chapters relating to noise impacts and air quality. The ES concludes that the air quality assessment focuses on key transport-related pollutants Nitrogen Dioxide (NO₂) and Particle Pollution less than or equal to 10 micrometers (PM₁₀). The assessment has shown that the additional traffic associated with the proposed development will have a negligible impact on NO₂ and PM₁₀ concentrations and the traffic forecasts have included all committed development traffic within the JCS. The impacts arising from construction activities are considered to be negligible and can be mitigated against by a construction management plan (CMP) which can be secured by condition.

13.3 In terms of noise, the ES has assessed the cumulative effect of committed development including the wider SA and the associated effects of the changes in noise at both existing and proposed noise sensitive receptors. External and internal noise levels have been assessed in accordance with the appropriate guidance and these criteria are likely to be exceeded at both existing and proposed noise sensitive receptors. However, the assessment has demonstrated that traffic generated by the proposed development and wider committed development would have 'negligible' impact on traffic noise levels within the study area. It is recommended that appropriate acoustic mitigation is incorporated into the design through a variety of measures. Overall, the ES concludes that the proposed development is unlikely to present significant detriment to noise levels in the immediate area based on the traffic generation and the impacts associated with the construction phase can be effectively managed as part of a CMP.

13.4 The Council's Environmental Health Adviser (EHA) has been consulted and has advised that the calculations in the accompanying noise report have been assessed against the correct standards (the World Health Organisation (WHO) and BS 8233: 2014 Guidance on Sound Insulation and Noise Reduction for Buildings) and the report takes into consideration the wider impact from all factors including the increase in traffic in the local area.

13.5 With effective mitigation as suggested in the noise report, it is considered that the proposed development can comply with the requirements of WHO and BS 8233 and the appropriate noise levels can be achieved for future occupiers by way of an appropriate conditions.

13.6 In terms of air quality the EHA has advised that due to the location of the proposed development, there would be no adverse impact associated with introducing sensitive receptors (i.e. residential properties) to the site as a result of existing local air quality. In order to avoid background "creep" in air pollution levels as well as providing opportunities for the use of more sustainable modes of transport, the EHO has proposed conditions relating to low NOX boilers and electric vehicle charging provision.

13.7 In conclusion and subject to compliance with conditions the proposal would not result in harm to existing and future occupiers and would have an acceptable impact in terms of noise and air quality.

14.0 Affordable Housing

14.1 Policy SD12 of the JCS requires a minimum of 35% affordable housing on sites within identified Strategic Allocations. The NPPF sets out that, LPAs should set policies for meeting affordable housing need on development sites.

14.2 The Strategic Housing & Enabling Officer (SHEO) has been consulted on the application and has advised that the development would generate a requirement for 163 affordable dwellings comprising the following mix:

House Type	Number
1B2P flats & bungalows	43
2B4P wheelchair bungalows	2
2B flats & houses	64
3B houses	34
4B+ houses	20
TOTAL	163

14.3 The applicant has proposed to deliver affordable 35% affordable housing on the site to comply with policy with 50/50 split between rent and intermediate forms of tenure as defined by the NPPF.

14.4 The SHEO has proposed a different tenure split with 70% affordable rented and 30% intermediate product which is based on identified housing needs. This matter will be subject to further negotiations in order to secure an acceptable mix of affordable dwellings to serve the needs of the community.

15.0 Open Space, Outdoor Recreation, Sports and Community Facilities

15.1 Saved policy RCN1 of the Local Plan requires the provision of easily accessible outdoor playing space at a standard of 2.43ha per 1000 population. The Council's adopted Playing Pitch Strategy sets out requirements for formal playing pitches. Policy INF4 of the JCS requires appropriate social and community infrastructure to be delivered where development creates a need for it. Policies INF6 and INF7 support this requirement. The NPPF sets out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

15.2 The application has been accompanied by an indicative Landscape and Movement Parameters Plan which outlines the proposed landscaping strategy for the site. The site would be laid out with a swathe of open space separating the dwellings from Cheltenham Road East and this belt would continue along the western and northern edges of the site, providing a landscaped buffer and trails around the site.

15.3 The proposal also includes a number of play spaces (LEAPs) within the development as well as a larger area of POS to the north-western corner of the site. The submitted drawings have indicated that two football pitches could be accommodated on the land.

15.4 The Community and Economic Development Manager has been consulted in respect of the provision that would be expected from the proposed development. A response is awaited and **an update will be provided at Committee**. Initial discussions have indicated that in place of the proposed on site pitches a contribution towards existing local facilities would be more appropriate in this area. This approach is considered appropriate in principle and would address concerns raised by Sport England.

15.5 Furthermore there will be a requirement for contributions towards local community facilities and the provision of recycling infrastructure, dog fouling bins and signs to cater for the needs arising from the development. This will need to be secured by S.106 agreement.

16.0 Community, Education and Library Provision

16.1 Policy INF4 of the JCS highlights that permission will not be provided for development unless the infrastructure and public services necessary to enable the development to take place are either available or can be provided. Policies INF6 and INF7 of the JCS support this requirement. The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.

16.2 The County Council Community and Economic Development Officer (CEDO) has advised that financial contributions towards education will be required to provide additional school places based on the number of pupils expected to need places arising from the development.

16.3 The CEDO has explained that in the pre-school/nursery and secondary school sectors this would be addressed through expansion or provision at nearby facilities, through a financial contribution. At the primary school sector, a contribution to expand the nearby primary schools would also be required, in the form of a £1.7M contribution. There would need to be some flexibility in the application of this contribution which could be secured through a planning obligation (S106 agreement). If other parcels of land within the strategic allocation come forward then the allocation would likely require an on-site primary school; if this happens relatively soon, then there would need to be flexibility to use the contribution towards this new school.

16.4 The application is likely to yield around 130 additional pupils who will require primary school places, which is insufficient in itself to require an on-site primary school. The wider strategic allocation however is sufficiently large to require a new primary school, but at present it is unclear as to when other schemes may come forward, and it is outside the control of the present application and applicant. As an additional mitigation measure, therefore, it will be necessary to secure some land within the development site to allow temporary provision of school places in the event that this is needed. This may be used as expansion of existing schools, or as a temporary location for a new school within the strategic allocation. These arrangements, secured through an appropriate s106 agreement, will allow decisions around school place provision to be taken to serve the needs of the new community.

16.5 In addition to the education provision a library contribution of £91,140 would be required in order to improve facilities in Churchdown to cater for the needs of the increased population.

16.6 The applicant has advised that they have no objections to these proposals in principle which could be secured by a s106 agreement.

17.0 Overall Balancing Exercise and Conclusion

17.1 Section 38(6) of the Town and Country Planning Act 1990 provides that, if regard is to be had to the development plan, the determination must be made in accordance with the development plan unless other material circumstances indicate otherwise. Section 70 (2) of the Act provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

17.2 The proposed development would broadly comply with Policies SA1 - Strategic Allocations and A2 - South Churchdown of the JCS and would allow for part of the allocation to be delivered in the short term. Furthermore, it has been demonstrated that the development of this site would not prejudice the wider allocation being brought forward as a separate application in the future.

Benefits

17.3 Considerable weight is given to the economic benefits that would arise from the proposal both during and post construction. Social benefits, namely the provision of new housing, including affordable housing which would contribute towards the housing needs identified within the JCS, would also arise. Furthermore the proposal will include additional benefits including the provision of public open space, the re-routing of the Sustrans cycle route away from the Highway and the provision of SuDS facilities which would improve drainage conditions and provide ecological benefits.

Harms

17.4 The proposal would result in the loss of an open field and extends the urban boundary of Churchdown. Furthermore and in the short term the proposal would result in the loss of hedges and trees at the site. The weight given to these harms must however be reduced given the allocation of the site in the JCS.

Neutral Effects

17.5 Subject to resolution of the issues set out in section 8 above, there would be an acceptable impact in transport terms subject to s106 obligations and the imposition of suitable planning conditions. Similarly, subject to the views of the Community and Economic Development Manager, contributions towards sports, recreation and community facilities would mitigate impacts on existing social infrastructure.

17.6 The County Council is satisfied that subject to flexible obligations relating to education and library contributions there is no objection to the proposals. In terms of ecology, there would be an acceptable impact on the Cotswolds Beechwood SAC and the Severn Estuary SAC, SPA and Ramsar site. The proposal would have an acceptable impact on archaeological remains and would not give rise to unacceptable impacts in relation to noise, vibration, dust, odour and air quality to existing and future occupiers.

18.0 Conclusion

18.1 It is considered that the delivery of much needed housing, including affordable housing, associated infrastructure and public open space would outweigh the harms identified.

18.2 It is therefore recommended that the decision is **DELEGATED to the Development Manager to permit the application subject to resolving the outstanding highways, open space and community facility contributions; additional/amended planning conditions; and the completion of a section 106 legal agreement to secure the following heads of terms:**

- Affordable Housing - 35%
- Pre-school - £512,629
- Primary Education - £1,766,773
- Secondary education - £1,632,969
- Libraries - £91,140
- Sports facilities - TBC
- Open space, playing pitches and facilities - TBC
- Community facilities and Infrastructure - TBC
- Highway improvements and signalisation - TBC
- Recycling - £73 per dwelling
- Dog bins & signs - 1 dog bin per 45 houses at £350 per bin and 1 sign per 10 houses at £50 per sign.

RECOMMENDATION Delegated Permit

Conditions:

- 1 As part of the first reserved matters application a phasing plan for the whole site shall be submitted to the local planning authority for approval in writing. The phasing plan shall include details of the intended number of market and affordable dwellings for each phase of development together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure, play facilities and access for pedestrians, cyclists, and vehicles. The phasing plan shall be based on the amended Landscape & Movement Parameters Plan contained within the Design and Access Statement Addendum dated February 2017 and received by the Local Planning Authority on 28th March 2017 except where other planning conditions specify otherwise. The development shall thereafter be carried out in accordance with the approved phasing plan.

Reason: To define the terms of the permission and ensure a satisfactory appearance to the development.

2 The development of each phase for which permission is hereby granted shall not be begun before detailed plans showing the appearance, means of access, landscaping, layout and scale (hereinafter referred to as "the reserved matters") have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with those approved details.

Reason: To define the terms of the permission and ensure a satisfactory appearance to the development.

3 Application for the approval of the reserved matters for phase 1 as identified by the phasing plan shall be made to the local planning authority before the expiration of 2 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of one year from the date of approval of the reserved matters for phase 1, whichever is the later.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

5 Application for the approval of reserved matters for the subsequent phases of development as identified by the phasing plan shall be made to the local planning authority before the expiration of 4 years from the date of this permission. The subsequent phases of development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

6 The first reserved matters application submitted pursuant to Condition 2 shall be accompanied by a detailed drainage strategy for the whole development hereby approved. The detailed drainage strategy must be/consider/include, but not be limited to:

- Compliant with National & Local Standards/Guidance including the NPPF, Non-Statutory Technical Standards for Sustainable Drainage, and Building Regulation H
- Sufficient evidence to demonstrate the system is technically feasible (e.g. sufficient runoff rate and volume management, appropriate use of climate change factors, system simulations, and construction drawings)
- a scheme of surface water treatment;
- management of exceedance flows for the 1 in 100 year event; and
- a construction method statement taking in to account but not limited to surface water management (quantity and quality) during the construction stage; The drainage scheme shall be carried out in accordance with the approved details

Reason: To ensure that the development is provided with a satisfactory means of drainage, as well as reducing the risk of flooding both on the site itself and the surrounding area, and to minimise the risk of pollution.

7 None of the residential units hereby permitted shall be occupied until a scheme for the maintenance of all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation. The approved SuDS maintenance scheme shall be carried out in full in accordance with the approved details.

Reason: To ensure that the development is provided with a satisfactory means of drainage, as well as reducing the risk of flooding both on the site itself and the surrounding area, and to minimise the risk of pollution.

- 8 Each application for reserved matters shall be accompanied by a plan setting out the existing and proposed ground levels and ground floor slab levels of the buildings relative to Ordnance Datum Newlyn. The development within that phase shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory and well planned development and in the interest of visual amenity.

- 9 For each phase of development the reserved matters submitted pursuant to condition 2 shall be accompanied by full details of both hard and soft landscape proposals. These details shall include, as appropriate:

Hard landscaping

- i. Proposed finished levels or contours;
- ii. Positions, design, materials and type of boundary treatment to be erected;
- iii. Hard surfacing materials;
- iv. The equipment layout and surfacing for the children's play areas; and
- v. Minor artefacts and structures (e.g. street furniture, refuse or other storage units and signs); and

Soft landscape details shall include:

- i. Planting plans including the positions of all tree, hedge and shrub planting;
- ii. Written specifications (including cultivation and other operations associated with plant and grass establishment);
- iii. Schedules of plants, noting species, planting sizes and proposed numbers;
- iv. Densities where appropriate; and
- v. Implementation timetables including time of planting.

The development shall be carried out only in accordance with the details so approved.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

- 10 If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

- 11 The first reserved matters application submitted pursuant to Condition 2 shall be accompanied by a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, (other than privately owned domestic gardens). The landscape management plan shall be implemented in accordance with those approved details.

Reason: In the interests of visual and residential amenity.

- 12 Land identified as Public Open Space in the landscape and movement parameters plan (Design & Access Statement Addendum February 2017) shall be safeguarded and retained as public open space.

Reason: To meet the requirements of the Habitats Regulations and to safeguard Biodiversity.

- 13 No development including demolition or site clearance shall be commenced on the site or machinery or material brought onto the site for the purpose of development until full details of measures to protect trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority. This shall include:
- (a) Protective fencing must be installed around trees and hedgerows to be retained on site. The protective fencing design must be to specifications provided in BS5837:2012 or subsequent revisions, unless agreed in writing with the Local Planning Authority. A scale plan must be submitted and approved in writing by the Local Planning Authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of development,
 - (b) The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the tree protection zone (TPZ). Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ, unless agreed in writing with the local planning authority. The TPZ shall be maintained during the course of development.

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

- 14 No works in any individual phase shall take place including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:
- a) Risk assessment of potentially damaging construction activities
 - b) Identification of "biodiversity protection zones" with reference, but not exclusively, to species and habitats identified in the Environmental Statement and subsequent ecological update reports.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d) The locations and timing of sensitive works to avoid harm to biodiversity features
 - e) The times during construction when specialist ecological or environmental need to be present on site to oversee works
 - f) Responsible persons and lines of communication
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
 - h) Use of protective fences, exclusion barriers and warning signs
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reasons: To safeguard Biodiversity.

- 15 At the first reserve matters stage in relation to each phase of development as set out in the Design & Access Statement addendum phasing parameters plan (February 2017) a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by, the Local Planning Authority prior to the commencement of that phase of development. The content of the LEMP shall include, but not exclusively, the following:
- a) Description and evaluation of features to be managed with reference, but not exclusively, to species and habitats identified in the Environmental Statement and subsequent ecological update reports.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management including those in relation to otters, reptiles, bats and nesting birds.
 - d) Appropriate management options for achieving aims and objectives including appropriate enhancement measures.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also identify the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reasons: To meet the requirements of the Habitats Regulations and safeguard Biodiversity.

- 16 The hard and soft landscaping scheme pursuant to Condition 9 shall take full account of the Landscape and Ecological Management Plan and Construction Environmental Plan for the relevant phase. Thereafter landscaping shall be implemented and maintained in accordance with the approved scheme.

Reasons: To safeguard Biodiversity and the natural environment.

- 17 The first reserved matters application in relation to each phase of development as set out in the Design & Access Statement addendum phasing parameters plan (February 2017), shall include an external lighting control scheme, to demonstrate measures to reduce impacts on existing and proposed features for bat foraging and flight corridors. The development shall be carried out in accordance with the approved scheme.

Reasons: To safeguard local character from increased light pollution and to safeguard Biodiversity.

- 18 Before each dwelling is occupied, an A4 sized colour leaflet setting out the location and sensitivities of the Cotswold Beechwoods SAC, how to avoid negatively affecting it and indicating alternative locations for off road cycling shall be submitted to and agreed in writing by the Local Planning Authority and thereafter two copies shall be issued to each new homeowner prior to the occupation of any new dwelling hereby permitted.

Reasons: To ensure no adverse effects on the integrity of the Cotswolds Beechwoods SAC as a result of the development.

- 19 Prior to the occupation of the 200th dwelling hereby permitted permanent SAC interpretation and mitigation measures, proportionate to the impact of the development, shall be agreed with the Local Planning Authority. The interpretation and mitigation measures shall be implemented in accordance with the approved details and shall be similarly maintained thereafter.

Reasons: To ensure no adverse effects on the integrity of the Cotswolds Beechwoods SAC as a result of the development.

20 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety.

21 No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with the document entitled 'Written Scheme of Investigation: Archaeological Mitigation' compiled by Armour Heritage (dated January 2016).

Reason: It is important to secure a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost.

22 If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority and the remediation of the site shall incorporate the approved additional measures.

Reason: To protect the living conditions of future occupiers.

23 No development above DPC level shall take place until a scheme of noise attenuation to achieve 50dB(A) 'desirable' criteria (and not to exceed the upper limit of 55dB(A)) as recommended by BS8233:2014, for enclosed outdoor private amenity areas (gardens), has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in accordance with the approved details and prior to the first occupation of each dwelling.

Reason: To ensure satisfactory the living conditions of future occupiers.

24 Prior to the first occupation of the development, details of Low Emission Boilers to be installed in each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The Ultra-Low NOx boilers (with maximum NOx Emissions less than 40 mg/kWh) shall be installed in accordance with the approved details prior to the first occupation of each property.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

25 Prior to first occupation, each dwelling hereby permitted shall be provided with an outside electrical socket to enable ease of installation of an electric vehicle charging point. All sockets shall comply with BS1363 (or other document which may replace or modify it), and shall be provided with a lockable weatherproof cover if located externally to the building.

Reason: To encourage sustainable transport modes and incorporate facilities for charging plug-in and other ultra-low emission vehicles.

26 No demolition, construction works or machinery (audible beyond the application site) shall be operated, or process carried out and no deliveries taken at or despatched from the site outside the following times 07.30 hours to 18.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the amenity of occupiers of nearby properties.

Notes:

1 Statement of Positive and Proactive Engagement


In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating an improved design and ensuring that highway safety and ecology issues have been addressed.

2 The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency.

3 Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

4 Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.



Drawn by:	Checked by:	Status:	Date:	Drawing no:	Rev:
JG	PJR	Planning	05/08/16	15-45-PL-219	0
Scale: 1:2500 @ A1					
100 m 200 m					

Revisions:

Rev 0 Initial creation

Title:

Wider Context Application Boundary

Project:

Piton Fields

the richards partnership

1 Agincourt Square, Morimouth, NP25 3BT

T: +44(0)1600 772251

17/00449/OUT

Local Centre Plots 7 & 8, Cleavelands, Bishops Cleeve

12

Valid 25.04.2017
Grid Ref 395321 228253
Parish Bishops Cleeve
Ward Cleeve West

The erection of up-to 30 dwellings (Class C3)

Welbeck Strategic Land LLP & Mrs Ruby Washbourne
Mr A Bouch
C/o Agent

DEFERRED AT LAST PLANNING COMMITTEE (Item No 8, Page No 561)

RECOMMENDATION Delegated Permit

Policies and Constraints

Adoption Joint Core Strategy M- Policies SP2, SD3, SD4, SD10, SD11, INF1, INF2
NPPF
Planning Practice Guidance
Flood and Water Management SPD
Human Rights Act 1998 - Article 8 (right to Respect for Private and Family Life)
The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Bishops Cleeve Parish Council - Objects to the proposal, raising the following comments;

- No evidence that there is no interest in the live/work units
- Employment should be the preference for this site
- TBC has a five year housing land supply
- Bishops Cleeve has fulfilled its quota until 2031 and does not need more housing

County Highway Authority - No objection subject to conditions.

Lead Local Flood Authority - No objection.

County s106 Monitoring Officer - Contributions are required as below:

Libraries - £5,880
Education - £224,881

Urban Design Officer - No objection, subject to conditions.

Strategic Housing Enabling and Policy Officer - 40% affordable housing is required, split between 70% affordable rent and 30% intermediate

Community and Economic Development Manager - Village Hall contribution of £40,974.90.

Representations - None received

Planning Officers Comments: Suzanne D'Arcy

1.0 Introduction

1.1 The application site is a parcel of land, sited within the Cleavelands development.

1.2 The application parcel had outline planning permission for 16 live work units. This has now expired.

2.0 Relevant Planning History

2.1 Outline planning permission was granted on appeal in 2012 for the wider Cleavelands site, which sought permission for the erection of up to 550 dwellings, retail and commercial floor space and associated open space provision (ref: 10/01216/OUT).

2.2 An outline application for the erection of up to nine dwellings was withdrawn in 2016 (ref: 16/01091/OUT).

3.0 Current application

3.1 This is an outline application for the erection of up to 30 dwellings, with all matters reserved. The application has been amended since submission to reserve access to a later stage.

4.0 Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

Development Plan

4.2 The development plan comprises of the Joint Core Strategy policies and the saved policies of the Tewkesbury Borough Local Plan to 2011. Policy SD10 of the JCS seeks to direct residential development to the most sustainable locations, as set out in Policy SP2. Policy SD11 seeks to ensure that an appropriate mix of housing is provided, with appropriate provision for affordable housing as set out in Policy SD12. Policies SD3 and 4 require high quality, sustainable design for new developments that respects the local context and provide a sufficient level of amenity. Policy INF1 requires that new development should safe and convenient access for all transport modes and that development should have an acceptable impact on the safety and satisfactory operation of the highway network. Policy INF2 ensures that new development does not result in an increase in the risk of flooding.

National Planning Policy Framework (NPPF)

4.3 The NPPF sets out the presumption in favour of sustainable development. Sustainable development has three dimensions: economic, social and environmental. Paragraph 14 of the Framework sets out that development proposals that accord with the development plan should be approved without delay. Paragraph 47 requires LPAs to identify a five year supply of deliverable housing sites. Paragraph 49 of the NPPF sets out that housing applications should be considered in the context of the presumption in favour of sustainable development. Where a five year supply cannot be demonstrated, relevant policies for the supply of housing should not be considered up to date.

5.0 Analysis

5.1 The main issues to be considered are the principle of development, impact on the character of the area, impact on residential amenity, highway safety and planning obligations.

Principle of development

5.2 The site is located outside any identified housing development boundary. JCS Policy SD10 allows for residential development within the built up areas of the rural service centres. This parcel of land forms part of the wider Cleavelands site and would be surrounded by development.

5.3 The original outline permission showed this area as 16 live/work units within the wider scheme. The outline permission did not restrict the use of these and as such, the loss of the live/work units would not have an adverse impact on the wider aims of the JCS in terms of employment space. The site has therefore already been deemed suitable for housing development.

5.4 The Cleavelands development includes provision for a range of services within walking distance of the site and there is access to public transport options. The site is therefore considered to be in a sustainable location.

5.5 The proposed development is considered to comply with JCS Policy SD10.

Impact on the character of the area

5.6 JCS Policy SD4 seeks to ensure that new development responds positively to the local context, character and sense of place. Matters relating to scale, layout and appearance have been reserved for consideration at a later stage. The proposed development is broadly in keeping with the intentions of the principle document of the previous outline. A condition is proposed to ensure that the proposed dwellings are limited to 2.5 storeys to ensure that the proposed development is in keeping with the wider Cleavelands development.

5.7 The indicative layout generally follows the illustrative plans set out in the principles document from the previous outline scheme. This layout includes parking courts, which would allow for a continuous frontage, which is considered to be essential in the context of the wider scheme.

5.8 The indicative layout shows flats over garages. It is not considered that these would be acceptable in the final scheme as they would have an adverse effect on the appearance of the frontage. The detail of the layout can be finalised at the reserved matters stage.

5.9 High quality materials and landscaping would be required to ensure that the proposed development would sufficiently reflect the existing context and conditions would be imposed to ensure that samples are submitted for approval.

Impact on residential amenity

5.10 The site is sited amongst other residential properties, within the local centre of Cleavelands. The size of the site is considered to be sufficient to accommodate 30 dwellings on the site whilst ensuring an acceptable standard of amenity for future occupiers.

Highway safety

5.11 Comments from the County Highways Authority are awaited and **an update will be provided at Committee.**

Affordable housing

5.12 AJCS Policy SD13 requires the provision of 40% affordable housing, which equates to 12 dwellings. This would be split as 8 units for affordable rented and 4 as intermediate units, with a mix of 1 and 2 bedroom flats. This is in accordance with the requirements of the policy and the applicant has agreed to enter into a legal agreement with the Council to secure this.

Planning Obligations

5.13 Policy INF4 of the JCS requires residential developments to meet identified provision for community facilities required to off-set the impacts it creates. Saved policies RCN1 and RCN2 of the Local Plan require appropriate provision to be made of outdoor playing space and sports facilities respectively. The site forms part of the wider Cleavelands site and as such contributions would be required towards open space, libraries and education. Following discussions with the County S106 Officer, contributions of £5,880 would be required towards libraries.

5.14 The application would generate the need for the additional provision of 21.2 education places, from pre-school through to post 16 provision. This results in a required contribution of £224,881 towards education. The applicant has agreed to enter into a s106 Agreement with the County Council for these contributions.

5.15 Due to the nature of the site, off-site provision for sports facilities would be required as they cannot be provided on site. This is split between playing pitches, which require a contribution of £43,918, sports facilities, which require a contribution of £27,334, a contribution of £802 per household for improvements to the nearest LEAP, and £13,641 towards the provision of the Community Centre in Bishops Cleeve. There would also be a requirement for commuted sums towards the maintenance of any public open space managed by the Council.

5.16 The applicant has not agreed to these contributions at this stage. They have set out that there is a high level of open space and sports provision on the wider Cleavelands site and as such, the contributions cannot be justified. Furthermore, the site is adjacent to a LEAP and additional contributions towards this cannot be justified. They have offered additional contributions towards the Community Centre. Discussions are ongoing between the applicant and Officers with regards to these contributions and **an update will be provided at Committee.**

Drainage and flood risk

5.17 Policy INF2 of the JCS seeks to prevent development that would be at risk of flooding. Proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. These aims are supported by the NPPF and the adopted Flood and Water Management Supplementary Planning Document.

5.18 Whilst the Environment Agency's maps show that the site is located within Flood Zones 2 and 3 evidence has been provided to show that the site is within Flood Zone 1. The LLFA has received confirmation from the Environment Agency that this is correct and the site is therefore considered to be within Flood Zone 1.

5.19 The original scheme (10/01216/OUT) included a SUDS proposal, which has been approved. This application proposes amending the proposal to connect the site to the northern attenuation basin and has provided evidence to show that it has sufficient capacity to cope with the additional flow.

5.20 The LLFA have been consulted and the proposed development is considered to be adequately protected from surface water flooding and any additional run-off can be contained within the site boundary. The application is therefore considered to be in accordance with the requirements of AJCS Policy INF2.

6.0 Conclusion

6.1 The proposed development is sited within the built up area of Cleavelands and would comply with JCS Policy SD10. The site is considered to be sufficient to satisfactorily accommodate 30 dwellings, subject to appropriate detailing at the reserved matters stage. The proposal would not result in an increase in surface water flooding.

6.2 The benefits of the scheme are set out in the report, including the provision of 30 dwellings towards the Council's housing supply and there is a lack of significant harms. It is therefore recommended that the application be **DELEGATE TO PERMIT**, subject to no adverse comments from the County Highways Authority and the completion of s106 Agreements to secure 40% affordable housing and contributions towards open space and community facilities (to be confirmed at the meeting), libraries (£5,880) and education (£224,881)

7.0 Update

7.1 At Committee in January 2018 members resolved to defer the application in order to investigate the marketing of the site for live-work units, to provide further advice generally on the site's status and for Officers to have further discussions with the developer.

7.2 Following January Committee the applicants' agent has submitted a letter which attaches a letter from Bruton Knowles (BK), who were the agents for the land and advise that they have been actively promoting the local centre at Cleavelands over the last 5 years. **These letters are attached in full.** The BK letter states that the sales details for the plots were prepared in March 2013 and were circulated to potential developers of local centres and those who may be interested in the live/work elements. They further advise that the details were widely marketed including in a specialist property journal and online, alongside marketing flyers being sent to appropriate contacts.

7.3 No interest has been expressed in the plots as a whole and the land was portioned into smaller plots to attract developers for individual land uses which BK advise usually improves marketing and deliverability. One serious expression of interest was received from a private developer considering a speculative development of small B1 commercial units. Ultimately the investor concluded the site was unsuitable, with BK advising that the reasons indicated were due to the scale not being sufficient to provide a critical mass; the high cost of the units making the site unviable; there was

unlikely to be sufficient owner occupier interest as an alternative to speculative development; and the proximity to nearby residential units being likely to dissuade potential occupiers due to the potential risk of complaints from nearby residents. Furthermore BK advise that in their view the layout of the site and the way the plots have been sub-divided does not provide an efficient layout for employment use.

7.4 Specifically in terms of the live/work units, BK advise that there has been no 'fulfilled interest'. BK consider this is due to difficulties in obtaining mortgages for these types of properties as the end units are difficult to sell and developers are not willing to purchase the land, an issue they have experienced elsewhere.

7.5 BK conclude that, given the prolonged marketing to date and the experience of other schemes, there is no reasonable prospect in their view of finding anyone willing to take the risk of developing live/work units now, or in the future.

7.6 Officers have discussed the potential for alternative commercial uses on the land with the developer however based on the advice from BK, they do not consider this would be a viable option for them.

7.7 In terms of the site's status, the land was originally used for agriculture. As members are aware, outline planning permission was granted for the land, as part of a major housing development ('Cleevelands'). The planning permission contained a condition which required reserved matters applications to be submitted on or before 15th July 2016. As this did not happen in relation to this particular plot, planning permission no longer exists on the site and it effectively reverts back to agricultural use. As such, there are no commercial use rights on the land.

7.8 The current application for housing must therefore be considered on planning policy merits in relation to what is being applied for; that is the erection of up to 30 dwellings. As set out in section 5 above, policy SD10 of the JCS allows for residential development infilling within the existing built up areas of Bishops Cleeve. Whilst it is acknowledged that not all of the remainder of the Cleevelands site has been fully built out, this land will be surrounded by built development (with the exception of the eastern boundary of the easternmost plot which adjoins the allotments). On that basis it is considered that the site can be properly considered to accord with policy SD10.

7.9 On this basis, and in the absence of any other identifiable harms, it is recommended that permission is delegated to the Development Manager in accordance with the recommendation set out at paragraph 6.2 subject to the comments in paragraph 7.10 below.

7.10 The applicant's agent queried the contributions towards the open space, on the basis that these matters are addressed within the wider Cleevelands scheme. Following discussions with the Council's Community and Economic Development Manager, it has been agreed that the contributions would be better directed towards the delivery of the village hall. The required contribution is £40,974.90.

RECOMMENDATION Delegated Permit

Conditions:

- 1 The development hereby approved shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the latest.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

- 3 Approval of the details of the access, appearance, landscaping, layout and scale, of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development is commenced.

Reason: This is an outline planning permission and these matters have been reserved for the subsequent approval of the Local Planning Authority under the provisions of Section 92 of the Town and Country Planning Act (as amended) and Parts 1 and 3 of the Development Management Procedure Order 2015.

- 4 Unless modified by condition elsewhere, the development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Drawing numbered 4080-L-18, received by the Council on 25th April 2017, and drawings numbered 30084/2002/501 rev B and /2002/502 rev B, received by the Council on 7th September 2017.

Reason: To define the terms and extent of the permission.

- 5 All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity.

- 6 Details of proposed levels, including finished floor levels, shall be submitted as part of the Reserved Matters application(s). All development shall be carried out in accordance with the approved details.

Reason: To ensure that the development integrates harmoniously with the surrounding development and safeguard the amenity of adjoining occupiers.

- 7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. specify measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the highway and accommodate the efficient delivery of goods and supplies

- 8 No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area.

- 9 The dwellings hereby approved shall be no more than 2.5 storeys in height.

Reason: In the interests of the appearance of the development.

10 No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

11 The details to be submitted for the approval of reserved matters shall include vehicular parking and turning facilities within the site, and the buildings hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians.

12 No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 10m of the proposed access roads, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians.

Notes:

1 Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating drainage details.

2 The applicant is advised that the layout shown on the illustrative masterplan is not considered to be acceptable.

3 The proposed development will be expected to involve works to be carried out on a public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

NOTES

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Scale 1:1250 @ A3



KEY Site Boundary

0.53ha

132
GSI/FA



21.04.2017
 File | Layers | Properties | Scale: 1:1250
 DWG | PDF | DWT



- environmental assessment
- landscape design
- site layout
- site plan
- site plan
- site plan

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17/04/19/OUT











client: **Welbeck Strategic Land**
 project: **Cleavelands Bishop's Cleeves**
 drawing no: **PLOT 7 & 8 RED LINE PLAN**
 scale: **1:1250 @ A3**
 drawing number: **4080-L-18**

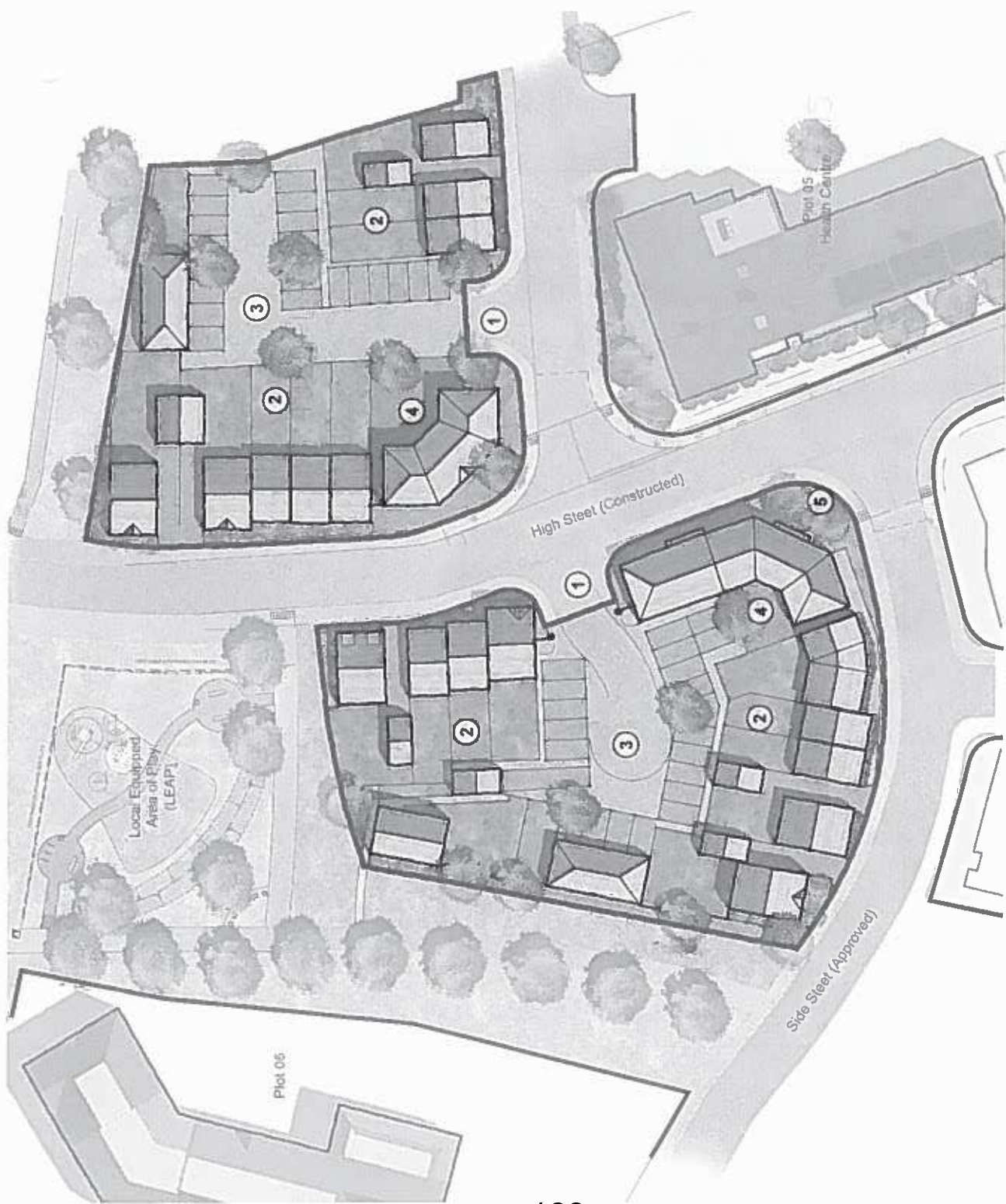
revision date: 24 April 2017

CAD file: J:\2018\04\4080-L-18.dwg

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-  Site Boundary 0.53ha
-  Welbeck Retained High Street Plots
-  Residential Dwellings
-  Private Front Gardens
-  Brick/Stone Walls
-  Primary Access
-  Private Rear Gardens
-  Shared Parking Area
-  Communal Space for Apartments
-  Public Seating



133
6511B

J:\4080\4080LAND\54080L-19 PLOT 07 & 8 ILLUSTRATIVE MASTERPLAN.dwg

Welbeck Strategic Land
Cleevefields
Bishop's Cleeve

HIGH STREET PLOT 7 & 8 - ILLUSTRATIVE MASTERPLAN

1:200 @ A3
23 August 2015
4080-L-19

FPCR Environment and Design Ltd
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Bruton Knowles

est. 1862

Date: 19 January 2018
Our ref: RS/
Your ref:

Property Consultants

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Dear Sir/Madam

RE: Deferred Decision at Cleavelands

I understand that the residential development for the 2 plots of land at the above site has been deferred by the planning committee with concerns raised in respect of the proposed loss of employment.

I have been leading with Scott Winnard the marketing and have co-ordinated all of the interest and commercial sales to date. My background is commercial agency and I have worked in the local market for the last 25 years.

I am based from Bruton Knowles head office in Gloucester. As a practice we are perhaps the largest commercial and development practice in Gloucestershire. We frequently act for the Council on commercial/employment advise.

Bruton Knowles have been actively promoting the local centre, which is the commercial land of Cleavelands over the last 5 years, from when the outline planning permission was granted (this excludes the healthcare centre which is a separate matter).

The original sales details were prepared in March 2013, once the legal challenge had been heard and they were circulated to potential local and national developers of local centres and those who might be interested in parts of the scheme, such as the retail or live/work elements.

The details of this commercial and part residential opportunity were widely marketed, including advertising in the Estates Gazette – a specialist property journal, internet advertising, including our own web site, and marketing flyers were sent to some 300 contacts.

The details of the commercial opportunity remained alive up until either an interest was secured or the lack of demand for a particular use had more than been demonstrated. In short, the normal and appropriate marketing of the site has been undertaken.

/cont'd.....

Regulated by RICS
Authorised and regulated by the Financial Conduct Authority

Bruton Knowles LLP is a limited liability partnership registered in England and Wales with registered number OC418768 and its registered office is Olympus House, Olympus Park, Quedgeley, Gloucester GL2 4NF

651/C
134



A list of Partners is available upon request

It is fair to say that the response to the marketing activities since 2013 have been underwhelming with no interest from any developer to develop all the commercial uses within the local centre as a single entity. For this reason, there has had to be partitioning of the land into plots within the local centre to attract potential developers for individual land uses. Such an approach usually improves marketing and deliverability.

During the extensive marketing period we only received 1 serious expression of interest from a private investor that was considering a speculative development of small commercial units within Class B1. We have received no other expressions of interest from potential owner/occupiers within Class B1 which reflects the low level of demand for this type of accommodation at Bishop's Cleeve, especially in a location which is situated away from the centre.

The investor considered the site in some detail, engaged with an architect to design a development scheme but eventually came to the conclusion that it was unsuitable. The reasons behind this decision indicated to us were:

1. The scale of the development was not sufficient to provide a critical mass with no prospect of it being enlarged in the future.
2. The high cost associated with providing small units made the site unviable.
3. There was unlikely to be sufficient owner occupier interest as an alternative to speculative development.
4. Even though Class B1 is supposed to coexist alongside housing, the immediate proximity to the new residential development may well dissuade parties from locating here, many would often require early morning starts or weekend working. They would not want to take the risk with complaints from residents.

Because of the layout of the roads within the local centre and the location of the medical centre agreed as part of the planning permission, the development plots has to be split into a configuration which in no way provides an efficient layout for employment units. Residential use is easier, in both layout and design terms, to accommodate on the irregular sized and disjointed plots that are the subject of the current planning application.

Given the prolonged marketing to date and with my knowledge of the local employment market, I am of the unequivocal opinion that this location is not sustainable for employment use with Class B1 and there is no reasonable no prospect of this changing in the future.

Turning to the 'Live/Work' element, we marketed this for the same number of years with no fulfilled interest. The main issue is that it is very difficult for mortgages to be obtained for this type of Property. As the end units are difficult to sell, there are no developers willing to risk the purchase the land.

Cleavelands is not an isolated example. We have had similar experiences trying to sell 'Live/Work' units at Wyre Piddle near Pershore and Larford Works, near Stourport on Severn. The same issue arises regarding the financing of live/work units, especially with the current restrictions and requirements associated mortgage.

/cont'd

Given the prolonged marketing to date and the experience at other schemes, there is no reasonable prospect of finding anyone willing to take the risk of developing the live/work units whether now or in the future.

To offer the Committee reassurance that there will be commercial uses and employment opportunities at Cleavelands, to date we have successfully negotiated sales to:-

- Castle Oak, the specialist care home operator, will be developing a 64-bedroom care homes on the plot of land originally identified for housing for the elderly (Ref No. 17/00374/FUL).
- Badham Pharmacy is proposing to develop the shops within the local centre and lease them to local businesses (Ref 16/00808/FUL).
- Marstons the national pub operator is seeking to develop a family friendly public house within the local centre. An application has yet to be submitted to the Council.
- As has already been referred to, there will be a medical centre within the local centre which, although based upon the relocation of an existing Practice, is expected to enlarge the services offered and with the associated creation of further job opportunities (Ref No. 16/00917/FUL). There has been no interest for other Class D1 uses.

I hope that this letter provides the necessary information that the commercial uses within the local centre, including the live/work units and the availability of land for Class B1 use, have been fully marketed. Despite these best efforts over almost a 5-year period, there has been a lack of demand from potential commercial/employment developers at this mainly residential location other than for the deals which have been successfully negotiated. With my knowledge and experience of the local market there is no reasonable prospect that this will change in the future.

Yours faithfully,

Robert Smith BSC MRICS – Registered Valuer
Associate

Scott Winnard MRICS FAAV – Registered Valuer
Partner
Development Land Specialist

BOROUGH COUNCILLORS FOR THE RESPECTIVE WARDS 2015-2019

Ward	Parishes or Wards of	Councillors	Ward	Parishes or Wards of	Councillors
Ashchurch with Walton Cardiff	Ashchurch Rural Wheatpieces	B C J Hesketh H C McLain	Hucclecote	Hucclecote	G F Blackwell
Badgeworth	Badgeworth Boddington Great Witcombe Staverton	R J E Vines	Innsworth with Down Hatherley	Down Hatherley Innsworth	G J Bocking
			Isbourne	Buckland Dumbleton Snowhill Stanton Teddington Toddington	J H Evetts
Brockworth	Glebe Ward Horsbere Ward Moorfield Ward Westfield Ward	R Furolo R M Hatton H A E Turbyfield	Northway	Northway	P A Godwin E J MacTiernan
			Churchdown Brookfield	Brookfield Ward	R Bishop D T Foyle
Churchdown St John's	St John's Ward	K J Berry A J Evans P E Stokes	Oxenton Hill	Gotherington Oxenton Stoke Orchard and Tredington	M A Gore
			Shurdington	Shurdington	P D Surman
Cleeve Grange	Cleeve Grange	S E Hillier-Richardson	Tewkesbury Newtown	Tewkesbury Newtown	V D Smith
Cleeve Hill	Prescott Southam Woodmancote	M Dean A Hollaway	Tewkesbury Prior's Park	Tewkesbury (Prior's Park) Ward	K J Cromwell J Greening
Cleeve St Michael's	Cleeve St Michael's	R D East A S Reece	Tewkesbury Town with Mitton	Tewkesbury Town with Mitton Ward	M G Szymiak P N Workman
Cleeve West	Cleeve West	R A Bird R E Garnham	Twyning	Tewkesbury (Mythe Ward) Twyning	T A Spencer
			Coombe Hill	Deerhurst Elmstone Hardwicke Leigh Longford Norton Sandhurst Twigworth Uckington	D J Waters M J Williams
Highnam with Haw Bridge	Ashleworth Chaceley Forthampton Hasfield Highnam Maisemore Minsterworth Tirley	P W Awford D M M Davies	Winchcombe	Alderton Gretton Hawling Stanway Sudeley Winchcombe	R E Allen J E Day J R Mason
			<p>20 October 2017</p> <p>Please destroy previous lists.</p>		