

9 October 2023

Committee	Planning
Date	Tuesday, 17 October 2023
Time of Meeting	9:30 am
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

Agenda

1. ANNOUNCEMENTS

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (during office hours staff should proceed to their usual assembly point; outside of office hours proceed to the visitors' car park). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and advise of any substitutions.

3. DECLARATIONS OF INTEREST

Pursuant to the adoption by the Council on 24 January 2023 of the Tewkesbury Borough Council Code of Conduct, effective from 1 February 2023, as set out in Minute No. CL.72, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

	Item	Page(s)
4.	MINUTES	1 - 26
	To approve the Minutes of the meeting held on 19 September 2023.	
5.	DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL	
	(a) 21/01307/FUL - Moat Farm, Malleson Road, Gothington	27 - 56
	PROPOSAL: Erection of four dwellings following the demolition of existing agricultural buildings.	
	OFFICER RECOMMENDATION: Permit.	
	(b) 21/01496/FUL - Almsbury Farm, Vineyard Street, Winchcombe	57 - 111
	PROPOSAL: Redevelopment and conversion of Almsbury Farm Barns to provide a mixed residential and commercial development, comprising circa. 900sqm of Class E commercial floor space and 18 new residential units including demolition of non-historic portal framed barns and the provision of new car parking, landscaping and associated infrastructure.	
	OFFICER RECOMMENDATION: Delegated permit.	
	(c) 23/00044/OUT - Land at Horsbere Drive, Longford	112 - 140
	PROPOSAL: Residential development of up to 21 apartments, associated infrastructure, ancillary facilities, open space and landscaping with all matters reserved (amended description).	
	OFFICER RECOMMENDATION: Delegated permit.	
	(d) 22/01004/APP - Parcel 2988 Downfield Lane, Twyning	141 - 162
	PROPOSAL: Reserved matters application for 47 zero carbon dwellings including layout, scale, appearance and landscaping pursuant to original outline application 19/01084/OUT granted at appeal ref: APP/G1630/W/21/3280979	
	OFFICER RECOMMENDATION: Approve.	
6.	CURRENT APPEALS AND APPEAL DECISIONS UPDATE	163
	To consider current planning and enforcement appeals and Department for Levelling Up, Housing and Communities appeal decisions.	

DATE OF NEXT MEETING
TUESDAY, 21 NOVEMBER 2023
COUNCILLORS CONSTITUTING COMMITTEE

Councillors: M Dimond-Brown, M A Gore, S Hands (Vice-Chair), D J Harwood, M L Jordan, G C Madle, J R Mason, G M Porter, P E Smith (Chair), R J G Smith, R J E Vines, P N Workman and I Yates

Substitution Arrangements

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

Recording of Meetings

In accordance with the Openness of Local Government Bodies Regulations 2014, please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Chair will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 19 September 2023 commencing
at 9:30 am**

Present:

Chair
Vice Chair

Councillor P E Smith
Councillor S Hands

and Councillors:

H J Bowman (Substitute for M Dimond-Brown), M A Gore, D J Harwood, M L Jordan,
G C Madle, J R Mason, G M Porter, R J G Smith, R J E Vines, P N Workman and I Yates

also present:

Councillor N D Adcock

PL.29 ANNOUNCEMENTS

- 29.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 29.2 The Chair gave a brief outline of the procedure for Planning Committee meetings, including public speaking.

PL.30 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 30.1 Apologies for absence were received from Councillor E M Dimond-Brown.
Councillor H J Bowman would be acting as a substitute for the meeting.

PL.31 DECLARATIONS OF INTEREST

- 31.1 The Committee's attention was drawn to the Tewkesbury Borough Code of Conduct which was adopted by the Council on 24 January 2023 and took effect on 1 February 2023.
- 31.2 The following declarations were made:

Councillor	Application No./Agenda Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
M A Gore	Item 5b – 22/01317/FUL – 3 Consell Green, Tewkesbury Road, Toddington.	Had received correspondence from, and had discussed the application with, local residents but had not expressed an opinion.	Would speak and vote.

M A Gore	Item 5d – 23/00476/PIP – Hales Farm, Malleson Road, Gotherington.	Had received an email from the applicant providing additional information which had also been shared with Officers.	Would speak and vote.
S J Hands	Item 5c – 22/01343/OUT – Land at Chestnut Tree Farm, Twigworth.	Is a Borough Councillor for the area. Had received correspondence in relation to the application but had not expressed an opinion.	Would speak and vote.
M L Jordan	Item 5a – 22/01104/FUL – Elms Farm, Main Road, Minsterworth.	Had received correspondence from the Harvey Centre in relation to the application but had not expressed an opinion.	Would speak and vote.
R J E Vines	Item 5f – 23/00187/FUL – Barn at Cold Pool Lane, Badgeworth.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.

31.3 There were no further declarations made on this occasion.

PL.32 MINUTES

32.1 The Minutes of the meeting held on 15 August 2023, copies of which had been circulated, were approved as a correct record and signed by the Chair.

PL.33 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

33.1 The objections to, support for, and observations upon the various applications as referred to in Appendix 1 attached to these Minutes were presented to the Committee and duly taken into consideration by Members prior to decisions being made on those applications.

22/01104/FUL - Elms Farm, Main Road, Minsterworth

33.2 This application was for residential development of 37 dwellings (Class C3); vehicular and pedestrian access; landscaping; drainage attenuation; and other associated works. The application was deferred at the Planning Committee meeting on 15 August 2023 in order to obtain full information in relation to the drainage strategy for the site and for a Planning Committee Site Visit. The Planning Committee had visited the application site on Friday 15 September 2023.

33.3 The Senior Planning Officer noted that a question had been raised by Members regarding the community contributions figure of just under £17,000 and explained this came from a standard formula applied by the Council's Community team

through consultation and was not earmarked for any particular spending, therefore, it could feasibly be spent on the Harvey Centre or other community needs. Since the last meeting, the applicant's agent had submitted a thorough explanation as to how the drainage system would work in terms of foul and surface water disposal, as set out in the Committee report along with an explanation from the Lead Local Flood Authority and the Council's Flood Risk Management Engineer who had looked at the scheme in detail and raised no objections. With regard to the Harvey Centre, the applicant had engaged with the trustees following the last meeting and had volunteered to safeguard a small section of land which would appear in the approved plans and be supported by an additional condition. The applicant's agent had also spoken to the Harvey Centre about highway improvements and County Highways raised no objection in principle regarding removal of the central reservation, shown hatched on the plan, from the A48 outside the Community Centre which would allow eastbound traffic to turn directly into the access, although that would be subject to formal agreement with County Highways.

- 33.4 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that the Committee would be aware of the current challenges in the borough regarding the amount of housing needed and the necessary pace of delivery required. During the consultation stages of the Tewkesbury Borough Plan preparation, his clients had worked proactively with Minsterworth Parish Council and the Borough Council's Officer team to demonstrate how this site was an appropriate development location in the village. This had culminated in the site being included within the defined settlement boundary, to pave the way for this planning application following adoption of the Tewkesbury Borough Plan. As such, this proposal was plan-led and the principle of development was established in accordance with the Tewkesbury Borough Plan. The scheme would deliver 37 quality new homes, including 15 affordable homes, which complied with policy at 40%. The houses were designed to a very high specification, incorporating solar panels and air-source heat pumps, and the scheme represented a vast improvement over and above building regulation requirements. The submitted energy assessment showed the scheme's energy demand would be 89% less than the national benchmark with carbon emissions reduced by 94%. The scheme was framed by generous landscaping and public open space, including new planting to reinvigorate the existing orchard and recreational walking loops to connect to the A48, Church Lane and into the adjacent play area. The proposal also delivered 55% biodiversity net gain – significantly above the mandatory 10% requirement from November. The scheme had been amended during the determination period to ensure that a brick barn, identified by the Conservation Officer as having heritage value, was retained. This barn remained within the application boundary but would be transferred back into the ownership of Elms Farmhouse so the buildings could retain their historic association. As detailed in the Committee report, the additional clarifications requested following deferral of the application at August Planning Committee had been submitted and, in addition to these updates, the applicant's agent confirmed that he and his clients had met with the Harvey Centre representatives again last week. The Harvey Centre representatives had confirmed they were happy with the proposals to safeguard the land to enable widening of the access for two cars passing, entering and exiting the site, and dialogue between the parties would continue in recognition of the mutual benefits that could arise during the development delivery stage. He hoped the Committee would agree with the Officer recommendation by concluding that the application was policy compliant with no technical objections and supported in principle by the Parish Council.

- 33.5 The Chair indicated that the Officer recommendation was that authority be delegated to the Development Management Manager to permit the application, subject to the completion of a Section 106 Agreement, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Development Management Manager to permit the application in accordance with

the Officer recommendation and, upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Management Manager to **PERMIT** the application, subject to the completion of a Section 106 Agreement.

22/01317/FUL - 3 Consell Green, Tewkesbury Road, Toddington

- 33.6 This application was for construction of two dwellings. The application had been deferred at the Planning Committee meeting on 18 July 2023 to obtain additional information regarding highway safety and for the County Highways representative to attend a site visit with local Ward Councillors. The Planning Committee had visited the application site on Friday 14 July 2023 and the site had been visited by the County Highways Officer, Planning Officer and local Ward Member on 8 August 2023.
- 33.7 The Development Management Team Manager (East) advised that the Officer recommendation had been changed from delegated permit, as set out in the Committee report, to defer to allow Officers to assess further information in respect of highways; he explained that new information had come to light around third party land and ownership that required clarification and discussion with the applicant's agent, the landowners and County Highways.
- 33.8 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that, with regard to highway safety, County Highways had stated on 30 August 2023 that a site visit had been carried out and that the Highways Authority had undertaken a robust assessment of the planning application. She pointed out that the Planning Committee had requested additional information regarding highway safety, including accident records and speed measurements, and Members could not be expected to make an informed decision if that had not been presented. She wanted to see the robust assessment of the planning application that had taken place in August and felt it should be available for others to view and comment upon. She wished to revisit the calculations in the access statement dated 11 July 2023 which set out that the speed survey had been undertaken using a handheld speedometer on Wednesday 25 May 2022 between 1400 hours and 1510 hours, and on Thursday 26 May 2022 between 1040 hours and 1200 hours, with the average speed calculated to be 36mph. As per the highways report and data collected, the stopping sight distance was reported as 81m – the absolute minimum – and 103m – desired – and the maximum stopping sight distance shown on the drawing representing the site was 83.4m. She explained that, not only was the data taken during the quietest time of the day but a handheld speedometer was a very poor way to take accurate data as it was well known that motorists would slow down when noticing it. More accurate data from the speed sign recording unit for two hours every morning from 1 December to 5 December 2022 between 0600 and 0800 hours showed 228 cars with an average speed of 40.9mph resulting in an absolute minimum stopping distance of 102m. She reiterated there was only 83.6m available so almost 20m was required to meet the absolute minimum stopping distance and she questioned how that could be deemed by County Highways to be safe - observations from the site visit would have shown how poor the visibility was. She went on to indicate that the houses to either side of the proposed two-storey dwellings would be impacted by loss of light with 1 Consell Green losing morning light into the back rooms of their house and Mayfield losing late afternoon light. She asked whether a daylight and sunlight assessment had been undertaken and noted that, under the Rights of Light Act 1959, any property having uninterrupted enjoyment of light for more than 20 years acquired rights to light. If the development was to go ahead, the original single storey of plot one needed to be reinstated and plot 2 should also be single storey. The bedroom windows on the first floor of plot 1 would look

directly into the top floor bedroom windows of Mayfield and Mallory which was another reason that plot 1 should revert back to a single storey.

- 33.9 The Chair indicated that the Officer recommendation was for a deferral and he sought a motion from the floor. A Member noted that the reason for deferral was to do with land ownership and he asked for more detail in relation to that as his understanding was that you did not need to be the landowner to apply for planning permission. In response, the Development Management Team Manager (East) confirmed that it was possible to apply for planning permission without owning the land, provided the requisite notice was served on the landowner; however, the issue in this instance was in relation to achieving the required visibility splays and there was ambiguity around the plan detail and the measurements which had been taken at the site visit. It was necessary to clarify who owned the land as the visibility splays must be maintained in perpetuity – if that could not be controlled it would be an unsafe access, as such, it was necessary to establish if it could be achieved through land ownership. Another Member pointed out that part of the reason for the deferral, and included within the resolution, was to obtain accident records and speed measurements which were not included in the Committee report. The local resident speaking in objection to the proposal had clear information on that which should be provided to the Committee. Furthermore, Page No. 80, Paragraph 8.35 of the Committee report stated that the application site benefited from good walking and cycling connectivity with bus stops, places of employment, schools and convenience stores all within 10 minutes walking distance; however, the school had closed eight years ago so that information was incorrect and she asked that it be updated as part of any deferral. Accordingly, it was proposed and seconded that the application be deferred to allow Officers to assess further information in relation to highways, including clarification of land ownership to ensure the required visibility splays could be maintained in perpetuity and for accident records and speed measurements to be obtained. Upon being put to the vote, it was

RESOLVED That the application be **DEFERRED** to allow Officers to assess further information in relation to highways, including clarification of land ownership to ensure the required visibility splays could be maintained in perpetuity and for accident records and speed measurements to be obtained.

22/01343/OUT - Land at Chestnut Tree Farm, Twigworth

- 33.10 This application was for erection of up to 85 dwellings with public open space; landscaping and sustainable drainage system (SuDS); all matters reserved except for means of vehicular and pedestrian access from Sandhurst Lane and a pedestrian access onto the A38.
- 33.11 The Senior Planning Officer advised that this application was brought to the Planning Committee further to the applicant's appeal against non-determination of the application to the Secretary of State. The Council must therefore advise the Secretary of State of its views on the proposal. The application site comprised a field of approximately 5.3 hectares, located on the northern side of the A38, Tewkesbury Road, Twigworth. Existing residential properties on Tewkesbury Road lined the site and the site backed onto them. Sandhurst Lane bounded the site to the east and the site was bounded by the tree-lined, private access lane to the west which led to the 'Nature in Art' Gallery and Museum; open fields/farmland lay to the northern boundary. The supporting Design and Access Statement noted that the site was currently in use as agricultural land for arable crop production use. It did not fall within any national or local landscape designation and the south-western corner of the site, and the adjoining land beyond to the west and the north, were within Flood Zone 2 with the adjoining fields to the north and west within Flood Zone

3. The village settlement boundary, as defined by the adopted Down Hatherley, Norton and Twigworth Neighbourhood Development Plan (NDP), ran along the southern and eastern boundaries of the site. As such, the site itself, with the exception of a small portion which lay between existing built development fronting the A38, fell outside of the identified settlement boundary. A Public Right of Way ran parallel and just beyond the northern boundary of the site, continuing across Sandhurst Lane in an easterly/south-easterly direction until it reached the A38. The Twigworth Strategic Allocation site, which had been granted outline planning permission for 725 dwellings, was on the opposite side of the A38.

- 33.12 A number of heritage assets lay in relatively close proximity to the site including Twigworth Court, which lay to the western side of the Nature in Art access, and The Manor House, located towards the entrance to Sandhurst Lane on its eastern side. Furthermore, a number of existing utilities either crossed the site or were located in close proximity to it. A public sewer ran along the eastern site edge at the rear of the existing housing and a water main and low voltage cable ran along the southern boundary to the 'Nature in Art' access/lane. In addition, existing electricity and BT services run along the Sandhurst Lane frontage. The current application sought outline planning permission for the erection of up to 85 dwellings and an indicative masterplan had been submitted to accompany the application which proposed a single point of vehicular access off Sandhurst Lane. The accompanying Design and Access Statement noted the presence of a remnant orchard within the south-eastern and eastern parts of the site adjoining the A38, containing a pond and mature trees which were proposed for retention within the indicative masterplan as part of new 'wildlife areas' to serve the development. An assessment of the main material considerations was set out at Pages No. 99-115 of the Committee report and a number of key harms and benefits had been identified. In terms of the principle of development, the application site was not allocated for housing development and did not meet any of the exceptions of Policy SD10 of the Joint Core Strategy or Policy RES3 of the Tewkesbury Borough Plan. The application therefore conflicted with Policies SP2 and SD10 of the Joint Core Strategy, Policy RES3 of the Tewkesbury Borough Plan and Policy H2 of the Down Hatherley, Norton and Twigworth Neighbourhood Plan. With regard to landscape and visual impact, Officers had sought the advice of an external landscape consultant who had concluded that, whilst the A38 provided a strong and defensible boundary and the landscape impact was, on balance, acceptable, it did not meet the landscape protection aims and objectives of Policy SD6 of the Joint Core Strategy and Policy E2 of the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan. The application site comprised approximately 4.2 hectares of grade 2, 3a and 3b best and most versatile land; such land had some protection from development by virtue of national policy. The applicant's argument to negate these concerns was that the site was small and the loss was not significant but that argument could be repeated for any land, leading to the gradual loss of such land to agricultural production and the suggested reasons for putative refusal reflected this issue. In terms of highways and access, Officers noted that, whilst County Highways had some concerns relating to details of access to the site, the harms identified were not such that the application should be refused on the basis of highway danger or road safety for all users and it was considered that the concerns raised could be appropriately addressed through conditions recommended by the County Highways at the reserved matters stage. Officers therefore considered that the access arrangements put forward at this outline stage were acceptable in principle and would accord with relevant development plan policy. In relation to design and layout, Paragraph 50 of the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan stated that *"A matter of profound importance to Twigworth is that, whatever growth level is ultimately determined, it should be delivered steadily over the plan's period through a series of modest developments and not on a large site delivered in a short space of time. The NDP proposes an organic, piece by piece, approach to support sustainable growth in Twigworth in line with the available*

infrastructure.” Notwithstanding the applicant’s attempts to argue that the submitted revised proposal overcame the previous reason for refusal, Officers considered that the quantum, non-linear character, layout, and location of the development proposed remained contrary to Joint Core Strategy Policy SD4, Policies RES3 and RES4 of the Tewkesbury Borough Plan and Policy H2 of the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan with regard to the location and character of development in the area. In terms of residential amenity, Officers considered that the level of maximum residential development proposed, as set out on the illustrative masterplan, could be accommodated within the site without detriment to the residential amenity of existing adjoining occupiers within the village. Officers were satisfied that the application was acceptable in terms of affordable housing, biodiversity and ecology, drainage and flood risk and heritage impact and were not contrary to policy. Putative refusal reasons 4 and 5 addressed the fact that a Section 106 Agreement had not yet been completed; however, it was expected that those reasons could be satisfied prior to the inquiry.

- 33.13 The Chair indicated that there were no public speakers for this item. The Officer recommendation was minded to refuse and he sought a motion from the floor. A Member noted that Page No. 101, Paragraph 8.9 of the Committee report stated that the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan had been made on 28 May 2019; Paragraph 14 of the National Planning Policy Framework stated that Neighbourhood Development Plans needed to be two years or less, therefore, she sought clarification as to whether it was correct that it could be used as a reason for refusal and if that would be tested at appeal. In response, the Senior Planning Officer confirmed that, whilst the Neighbourhood Development Plan would be said not to be up to date, it was a relevant matter in so far as it contained the views of the local community as to where development should be located and would be tested at appeal. The Legal Adviser explained that the plan period for the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan was 2011-2031 but it had only been formally made and adopted in 2019 and was still applicable. The weight those policies could be afforded in terms of the five year housing land supply position would be explored at appeal but, just because the tilted balance was engaged did not mean those policies should be ignored; they may attract less weight when other factors were taken into account, for example, if they did not comply with the National Planning Policy Framework, but the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan was made at the time of the National Planning Policy Framework so it should be in compliance and Officers would have considered this when producing the report and balanced it in the round. In this case, the policies should still apply and be given weight in the decision-making process. In terms of the updated position regarding the lack of a five year housing land supply, the Senior Planning Officer explained that was not so important here as the Council had, in its previous decision taken not too long ago, decided that the proposal for development of the land was objectionable and that decision was also taken at a time when the Council was unable to demonstrate a five year housing land supply. The Legal Adviser explained that the policies within the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan did not allocate housing and were not, therefore, the important policies for applying the tilted balance in this case so she confirmed it was appropriate to reference the plan in the refusal reasons.

- 33.14 It was proposed and seconded that the Council be minded to refuse the application in accordance with the Officer recommendation and, upon being put to the vote, it was

RESOLVED That the Council be **MINDED TO REFUSE** the application in accordance with the Officer recommendation.

23/00476/PIP - Hales Farm, Malleson Road, Gotherington

- 33.15 This was a permission in principle application for development of the site to provide between one and five dwellings. The Planning Committee had visited the application site on Friday 15 September 2023.
- 33.16 The Principal Planner advised that the application site was located on the north side of Malleson Road in Gotherington, partly within, but mostly outside of, the settlement boundary and partly within the Special Landscape Area. The site consisted of a previous farmyard and part agricultural field with the former used as a builder's yard and for storage. The site was generally level, although dipped slightly into the adjacent field to the actual trodden path of the defined Public Right of Way. The applicant had provided a number of illustrative plans for potential different layouts - although these were not for consideration at this point - most of which retained the non-designated heritage assets of the traditional agricultural buildings on the site. It was not within the scope of this application to determine the details of site layout, design, access, landscaping or drainage. As explained in the Committee report, the application for permission in principle was limited to consideration of location, use and amount and, on that basis, it was considered that the proposal complied with the National Planning Policy Framework and Policy SD10 of the Joint Core Strategy and, whilst there were tensions with Policy RES3 of the Tewkesbury Borough Plan and the Gotherington Neighbourhood Development Plan, the proposal was considered by Officers to be acceptable.
- 33.17 The Chair invited the representative from Gotherington Parish Council to address the Committee. The Parish Council representative noted that 37 letters of objection had been received, as well as 17 letters of support, and he confirmed that the Parish Council had objected to the application so he did not intend to repeat the objections highlighted in the written submission. He explained that the Gotherington Neighbourhood Development Plan was created on the basis of an indicative requirement of 86 dwellings over the plan period 2011 to 2031. To date, 98 dwellings had been built and occupied; a further 95 dwellings on the Meadow and Trumans Farm had been consented; and, including this application, a total of 20 dwellings had been validated but not decided. This amounted to approximately 213 dwellings against an indicative requirement of 86. The Inspector's report on the Trumans' Farm appeal was published on 11 September 2023 and the Parish Council disagreed strongly with the decision but his comments were relevant to this application, specifically in paragraph 65 where he stated: "*65. There is evidence before me indicating that various local clubs or associations are stretched to, or beyond, capacity (including the local football, cricket and history clubs).* Inexplicably, the Inspector had not taken a precautionary approach and had allowed the appeal, adding a further 45 dwellings to the already consented 50 dwellings on the Meadow. Anyone with a passing knowledge of Gotherington would know that it was not a suitable location for unconstrained development, given issues around parking and playing field and hall sizes with little prospect of any expansion to those facilities. Unconstrained development also shattered trust in the planning system - why bother to produce a Neighbourhood Plan if this was what happened? It may seem a small increment in terms of numbers but the Parish Council view was that it was significant and needed to be taken into account. In summary, Gotherington Parish Council had objected to this application on the grounds that Gotherington had taken a large number of additional dwellings in the past two years with a further 95 dwellings yet to be delivered. There was no qualitative or quantitative evidence to suggest that Gotherington could accommodate additional residents and the community should be allowed to integrate new residents before further applications were consented. On a precautionary basis, the Parish Council representative urged Members to refuse the application.

- 33.18 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that the proposal was presented following a comprehensive discussion with Officers on the matters relevant to this application for permission in principle which were restricted to location, land use and amount of development. As part of this process, further information had been provided on ecology, the existing use of the site, and further indicative plans. The applicant's agent recognised the comments of the Council's Conservation Officer and, should permission in principle be granted today, they would work with Officers to ensure a successful development in due course through the technical details consent process. In relation to location and land use, the Committee report set out that the application site was partially previously developed land, the redevelopment of which was strongly encouraged by planning policies. In addition, there were a number of other advantages associated with the redevelopment of the site. Firstly, in terms of removing a non-conforming and unfettered builders yard use from a predominantly residential area which would improve the amenity of neighbouring properties. The removal of this use would also result in the removal of larger vehicles, and would reduce overall traffic. In addition, the applicant's agent had allowed for an expanded red line either side of the existing drive for the access road to be widened if that was deemed necessary – this would be something to discuss further with Officers at the technical details consent stage. In relation to the amount of development, the application was for the development of between one and five dwellings and the removal of the modern sheds and stables to the north would provide a site that was more than capable of accommodating this level of development, with suitable landscaping and biodiversity net gain. In conclusion, the applicant's agent concurred with Officers that the site related well to the built form of Gotherington; the grant of permission in principle would create an opportunity to remove a non-conforming use and provide a much better landscape setting to the northern edge of the village. He hoped that Members could support the Officer recommendation and resolve to grant permission in principle.
- 33.19 The Chair invited a local Ward Councillor for the area to address the Committee. The local Ward Councillor indicated that, although not a planning consideration, there was strong local opposition to the application. The main concerns related to the narrow entranceway which would cause issues if two cars were entering and exiting the site at the same time resulting in an unsafe situation where the one entering from Malleson Road might be forced to reverse into the path of oncoming traffic. Furthermore, it was a brownfield site and contained a farm building – a stone barn with some historical value – and its loss would be felt deeply in the village. He indicated that the footpath line at the top of the development was not the original as the dropping of rubble had forced people to move away and he felt that the original line should be considered. Most important, any infill to the north of Malleson Road should be avoided as it was viewed from the Area of Outstanding Natural Beauty and could set a precedent for the loss of other parcels on the northern site; the local community sought to preserve the linear nature of the village on the northern side.
- 33.20 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. A Member queried why there was no response from the Landscape Officer, given the sensitivity of the site within the Special Landscape Area and its visibility from the Area of Outstanding Natural Beauty. In response, the Development Management Team Manager (East) advised that the Landscape Officer was not specifically consulted on all applications and, in this case, the Planning Officer had made an assessment themselves based on the relevant policies and using their judgement. Another Member raised concern that the legal footpath route was not shown on the plan as it may impinge on the location of any future dwellings and, in response, the Principal Planner confirmed she was aware of the legal route but the trodden path was shown clearly on the site and on Google Earth; there would need to be a diversion of the formal route which was a separate process. The Legal Adviser agreed that, if needed, a diversion was a separate legal process and it would not prevent the scheme from going ahead

should Members be minded to permit the application. The Member asked who would be responsible for making the decision and the Legal Adviser explained there were a number of ways to apply to divert or stop-up a footpath; in this case she suggested a diversion would be needed and, for an application of this nature, the process would normally be that Tewkesbury Borough Council would make the order to do that.

- 33.21 It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. The proposer of the motion indicated that, whilst there were clear objections to the proposal, they were subject to discussion later on in the process and at this stage he could see no planning reason to refuse permission in principle. Upon being put to the vote, it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

23/00212/FUL - Station House, 7 Newdawn Close, Bishops Cleeve

- 33.22 This application was for raised ridge height and installation of rear roof dormer and front rooflights.

- 33.23 The Planning Assistant advised that a Committee determination was required due to an objection from Bishops Cleeve Parish Council on design and amenity grounds. The proposal would see an increase in the ridge height to facilitate the installation of a rear box roof dormer which would allow for a bathroom and two additional bedrooms within the loft space. The dormer would extend across much of the rear roof slope but would be set back from the eaves and finished with hanging roof tiles to match the existing, softening its appearance and limiting harm to the appearance of the dwelling. The proposal would see elevated rear facing windows installed facing toward the frontages of the dwellings on Newdawn Close to the rear. The proposed windows would be approximately 20m from the front of those properties to the rear. Due to the relationship and orientation of these plots, the main outdoor amenity space of rear properties would not be impacted given the dwellings would block views to the rear. As a result of the separation distances between the properties, it was not considered that undue harm would arise from the residential amenity enjoyed by the neighbouring occupants. As such, the proposal would not result in undue harm to the character and appearance of the host dwelling, or the residential amenity of neighbouring occupants, and it was therefore recommended that Members permit the application in line with the Officer's recommendation.

- 33.24 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. In response to a query regarding permitted development rights, the Planning Assistant advised that a rear dormer could be carried out under permitted development rights in principle but planning permission was necessary in order to achieve the required headspace so it may not be achievable in practice. Upon being put to the vote, it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

23/00187/FUL - Barn at Cold Pool Lane, Badgeworth

- 33.25 This application was for rebuild of a barn and subsequent use in C3 residential along with associated infrastructure – resubmission of application 21/01263/FUL.
- 33.26 The Development Management Team Manager (South) advised that this application sought full planning permission for the erection of a three bedroom dwelling. The site was located outside of a designated settlement boundary, within the open countryside and in the Green Belt. The site was previously occupied by a barn which was granted planning permission for conversion to a dwelling; however, the existing structure had been completely dismantled and the site cleared. As a result, the previous permission for the conversion could no longer be implemented and the application stood to be considered on the basis of a new dwelling in the countryside. The site lay outside of any defined settlement and would not accord with any exception for dwellings in rural areas. Furthermore, the proposal would constitute inappropriate development in the Green Belt and no very special circumstances existed which would outweigh the harm to the Green Belt by way of inappropriateness. The site was presently clear of development and the construction of a new dwelling would, by its presence, impact openness and the purposes of the Green Belt. Whilst it was noted that the Council could not demonstrate a five year housing land supply, as set out in the Additional Representations Sheet, attached at Appendix 1, it was considered that the harms of the development in terms of its location, impact on Green Belt, unsustainable location and potential impact on highway safety would not significantly and demonstrably outweigh the benefits of the development. It was therefore recommended that planning permission be refused for the reasons set out in the report and the additional reason set out in the Additional Representations Sheet.
- 33.27 The Chair invited the applicant to address the Committee. The applicant advised that he had purchased The Old Barn on Cold Pool Lane in April 2021 and it had come with planning permission to build his dream family home; however, this was during a time of lockdown due to the pandemic and he had been unable to find a builder that could start the build within the required timeframe to keep the planning permission alive, so he had decided to at least start the build himself. After reading up on building regulations, he had concluded that poured concrete foundations were required. He had not been able to find any foundations in place beneath the existing barn and, whilst looking for the foundations, part of the roof had collapsed when he had opened one of the large barn doors. He had decided that the only way to safely install the foundations was to carefully take down the barn, dig the footings, pour the concrete and then rebuild the barn into a solid, structurally sound and well insulated dwelling, using as much of the original building materials as possible. He had carefully disassembled the barn, storing all the timber, tiles and stones blocks on pallets and under cover. The footings had been dug and they had been inspected by Building Control on 19 July 2021 when he had been given the green light to pour the concrete, which had been done the next day. The following day, he received an email from a Planning Enforcement Officer telling him to immediately cease all works and the resulting emails between himself and the Officer had led to the realisation that he had made a huge mistake in taking down the barn to which he had held his hands up, admitted the error and stopped all building work. He had been working since then to get back his planning permission which was a very stressful and expensive process. He had been able to find two very similar cases where Tewkesbury Borough Council had approved the rebuild of an old building such as his and he wished to reassure the Committee that his re-application was for the exact same plans that had previously been submitted and granted permission – the same size footprint as the original barn, in the exact same location. He had provided an artist impression based on these plans and believed it would vastly improve the appearance of the area when compared to what was there before. Given that a solid foundation, along with power, water, sewers and drainage, was

now already in place, he felt it would be huge waste of resources for this project to stop here. The Old Barn was included on the first ever Ordnance Survey map which was drawn between 1844 and 1888 and it would be a great shame if this piece of history was not rebuilt. The applicant indicated that he was truly very sorry for his mistake and begged Members to give him permission to rebuild The Old Barn into the dream family home he had excitedly purchased nearly two and half years ago. With reference the recent comment made by County Highways he confirmed he had been accessing the site for the last two years without issue, but the hedge in question was on his land so could be easily trimmed back to give greater visibility.

33.28 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. A Member asked for clarification as to whether planning permission for the conversion of an existing barn had been granted but since expired and the Development Management Team Manager (South) advised that it was not that it had expired but it could no longer be implemented by virtue of the fact that the building was no longer there so, technically, there was no planning permission. The Member indicated that similar cases had been brought to the Committee before and, in those cases, she understood that the principle of development on site had been established through the previous planning permission so she asked why that was not the case here. In response, the Development Management Team Manager (South) explained that the principle of conversion of an agricultural dwelling in a rural location was compliant with policy, subject to the caveat that the building was structurally sound to be converted which had not proven to be the case. As the building was no longer in existence, implementation of that planning permission was no longer possible and Members were required to determine the application before them – as there was no longer a building to convert, the previous conversion policies were not applicable and it was necessary to apply new dwelling policies which would not allow permission to be granted in this location. A Member noted that the applicant had stated that the materials from the original building had been preserved for reuse and she asked if that provided mitigating circumstances. The Development Management Team Manager (South) advised that, unfortunately, that was not the case; Officers had assessed the application on its own merits and, whilst technically the building would appear the same, it was not an appropriate location for a new dwelling. Another Member sought confirmation as to whether the planning permission would stand if the site had not been cleared and had been left in a state of collapse and the Legal Adviser explained that if the building, or part of, was still there, planning permission would stand; unfortunately, the building was no longer there so there was nothing left to convert and the original planning permission could not be carried out so it was necessary to start afresh which required assessing the application on the basis of a clear site in the open countryside. She recognised it was a very difficult situation, and she had sympathy with the applicant, but the position would not be altered by using the same materials and rubble did not amount to a building which could be converted in terms of planning legislation. In response to a query as to whether demolition of the building constituted the start of development, the Development Management Team Manager (South) advised that was not true in this instance as the planning permission was for conversion rather than demolition and rebuild.

33.29 A Member expressed the view that planning permission had already been granted, the work had been started at a strange time during the pandemic and the applicant had been in the process of implementing the build when the building had become unsafe and he been told by the Planning Enforcement Officer to stop. The applicant had confirmed that he intended to put the building back as it was and had retained the materials to do that and he questioned whether the Council should be encouraging work to be undertaken when the conditions made that dangerous. In response, the Legal Adviser explained that it was the applicant's responsibility to take all steps necessary to make the building safe. She appreciated it was a very

difficult period of time but scaffolding would usually have been put up to retain some part of the building to allow it to be converted. The current position was that the building had gone and it would be necessary to start again from scratch. A Member questioned whether this meant that Members' hands were tied and it was not legally possible to give consent to go ahead with the application. In response, the Development Management Team Manager (East) advised that the relevant National Planning Policy Framework and Joint Core Strategy policies were set out within the Committee report and it was for Members to determine the application based on what was before them. The Legal Adviser added that, whilst it was within Members' gift to go against the Officer recommendation, as the site was located within the Green Belt, very special circumstances were required in order for planning permission to be granted and, based on Officer's advice, none had been put forward to warrant that. If Members considered there were very special circumstances, that may lend itself to an alternative motion. A Member drew attention to the recommended refusal reasons, set out at Page No. 198 of the Committee report, and suggested that these needed to be considered as a whole without focusing solely on the conversion aspect.

- 33.30 It was proposed and seconded that the application be refused in accordance with the Officer recommendation. The proposer of the motion acknowledged the difficult situation and sympathised with the applicant but, by his own admission, the applicant had demolished the building of his own accord – this was not his fault and had not been intentional but planning permission had been granted to allow conversion of an existing building to be utilised as a dwelling and there was now no existing building so erection of a new dwelling would be at the expense of the Green Belt and protection policies were in place for that very reason. A Member made reference to the malicious demolition of Crooked House near Dudley, and the calls for the person responsible to rebuild it on the basis that it was a heritage asset, and she asked if Tewkesbury Borough Council would have required a rebuild in that scenario. In response, the Development Management Team Manager (South) reminded Members that it was necessary to look at the application before them and to make an assessment based on its own merits and the relevant planning policies. Another Member recognised this was a complicated application and raised concern that planning permission had previously been granted for conversion of the existing building on the basis that it was structurally sound and capable of conversion which had evidently not been the case. He had great sympathy with the applicant but noted that this application was for a new building in the Green Belt which conflicted with policy; however, if Members were minded to refuse the application in line with the Officer recommendation, he was sure the applicant would appeal and the Inspector may take a different view given the five year housing land supply position. In addressing the points raised, the proposer of the motion indicated that if the building had been a heritage asset then it was possible that the Council would require a rebuild but that was not the situation here. There was no suggestion that the barn had been unsafe for conversion, and he presumed the relevant checks had been carried out in that regard, rather the applicant had felt the appropriate thing to do was to deconstruct the existing building. The application was now for a new dwelling in the Green Belt and, although it may seem heartless, Members needed to assess the proposal before them today. The Development Management Team Manager (East) advised that the previous application was a prior approval application which was a permitted development application to convert a building and the tests for that were slightly different to a full planning permission application. He confirmed that the necessary information had been provided in terms of a structural study on the basis of what was proposed at that stage and that type of application did not look at the Green Belt or locational tests in strategic policies for housing so Members were considering a different raft of policies in relation to this application.

- 33.31 A Member noted that Officers had got the recommendation right based on policy but, looking at it in the round, he felt it would be harsh to refuse the application given that there was no ill will on the part of the applicant and it was a very unfortunate situation – if permitted, the barn would be reinstated and he felt that was the right thing to do. Another Member asked whether permitting the application would set a precedent and was advised that each application must be considered on its own merits based on interpretation of planning policy. With regard to the earlier comment regarding the five year housing land supply, a Member expressed the view that this was a single home in the Green Belt with other objections, including highway grounds, so she did not feel that would apply in the same way as it would for a development of 20 houses outside of the Green Belt - in her opinion, the planning balance was weighted the other way. Another Member indicated that she considered that the principle of development had already been established on this particular site and, taking into account the purpose of the Green Belt - to check unrestricted sprawl of large built up areas, prevent neighbouring towns merging, assisting with safeguarding the countryside from encroachment, preserving the setting and special character of historic towns and assisting with urban regeneration - she did not feel that permitting the application would go against the fundamental principles of Paragraph 138 of the National Planning Policy Framework. It was a sad situation and one which had happened before with a similar barn being taken down in Twigworth where the Planning Committee had resolved that the principle of development had been agreed. As such, she believed that planning permission should be granted on the basis that it did not go against the fundamental aims of the Green Belt. Another Member indicated that he could not support the motion as the applicant had taken down the building with good intentions and had kept the materials for the rebuild; he did not consider it to be a new building as there had been one there previously. Upon being put to the vote, the motion to refuse the application was lost.
- 33.32 The Legal Adviser indicated that a new motion must now be put forward and Members needed to demonstrate why the Committee considered that very special circumstances outweighed the harm to the Green Belt and the issues around transport choices and the fact that the site was unsustainable. In response to a Member comment regarding the original reasons for planning permission being granted, the Legal Adviser explained that the policy and legislation was different when there was an existing building on the site and what was being considered today was a vacant site with no development which was the basis for the policy applied – had there been an existing building the Officer recommendation may have been different. A Member expressed the view that building had already been started due to the footings being poured and the Legal Adviser reiterated that the position was that the building had been removed and the planning permission was for conversion as opposed to removal and rebuild. Building Control was a separate legislative process – it did not give consent for development but controlled what was being done to ensure it was in accordance with the proper regulations; it was not their remit to pick up on the unauthorised removal of the building and that was why the Planning Enforcement Officer would have gone out the following day. A Member noted that the building had been dismantled but was still in situ, as could be seen from Google Earth, and the Legal Adviser explained that legally there was no building on site. The Development Management Team Manager (East) advised that the policies which would have applied in 2017 were the rural conversion policies and building needed to have commenced to be able to apply those policies in this instance; he appreciated there was material on the ground but there was nothing to convert.

- 33.33 It was proposed and seconded that authority be delegated to the Development Management Manager to permit the application on the basis that very special circumstances existed as there had been a longstanding structure on the site and the principle of development had already been established; there was no conflict with the fundamental aims of the Green belt policy and would be no impact on its openness; and the proposal would accord with the Tewkesbury Borough Plan and Planning Policy Guidance which recognised there were thriving rural communities which did not have public transport options and had to rely on private vehicles, subject to conditions. The Development Management Team Manager (East) drew attention to the additional refusal reason, outlined on the Additional Representations Sheet, in relation to the failure to demonstrate that safe and suitable access could be achieved. He was unsure whether this could be dealt with by condition so it may be necessary to obtain further information in relation to that. The proposer and seconder of the motion indicated that they were happy for this to be included within the delegation and brought back to the Committee if it could not be resolved by condition. In terms of conditions, the Development Management Team Manager (South) suggested it would be necessary to refer to commencement of development, the development being carried out in accordance with approved plans, details of materials, details of new windows and doors, highways conditions regarding visibility splays and parking, landscaping, restriction of permitted development rights, and ecological enhancements and protection and mitigation measures as set out in the Ecological Protection Report. The proposer of the motion asked for provision of an electric vehicle charging point to be required by condition and the Development Management Team Manager (South) advised that this was a requirement under building regulations so would not require a condition. The proposer and seconder of the motion confirmed they were happy with the suggested conditions. With regard to the visibility issue, the County Highways representative advised that the previous condition was for a very large visibility splay of 147m which seemed excessive and could impact the hedgerow – that had been based on an approach speed of 60mph so, if the true approach speed could be ascertained, it may be possible to reduce the size of the splay.
- 33.34 A Member asked that it be noted that, in his view, if the application was permitted, the Council was essentially giving licence to the demolition and rebuild of existing buildings in the Green Belt. Another Member disagreed with this view and felt it was about different interpretation of policies. The Development Management Team Manager (South) clarified that the building was not being replaced with the same use – there were caveats to Green Belt policy which applied to the conversion of buildings which did not apply to this application. Upon being put to the vote, it was

RESOLVED

That authority be **DELEGATED** to the Development Management Manager to **PERMIT** the application on the basis that very special circumstances existed as there had been a longstanding structure on the site and the principle of development had already been established; there was no conflict with the fundamental aims of the Green belt policy and would be no impact on its openness; and the proposal would accord with the Tewkesbury Borough Plan and Planning Policy Guidance which recognised there were thriving rural communities which did not have public transport options and had to rely on private vehicles, subject to conditions in relation to commencement of development, the development being carried out in accordance with approved plans, details of materials, details of new windows and doors, highways conditions regarding visibility splays and parking, landscaping, restriction of permitted development rights, and ecological enhancements and protection and mitigation measures as set out in the Ecological Protection Report.

23/00477/FUL - Land to the South of Blacksmith Lane, East of Cyder Press Farmhouse, The Leigh

- 33.35 This application was for the erection of a 1.5 storey, one bedroom, oak-framed dwelling.
- 33.36 The Development Management Team Manager (East) advised that the application site related to a parcel of land to the south of Blacksmith Lane, The Leigh. The site had an existing access from Blacksmith Lane, to the northeast of the site, and featured many established trees and boundary hedgerow, as identified within the submitted tree survey. To the west lay Cyder Press Farmhouse, which was a Grade II listed building. The land was separated from the main building by Mary's Cottage, a detached annex building within the curtilage of the listed building. The dwelling would have a bedroom and bathroom in the loft and would be constructed with an oak frame, painted black, with brick and weatherboard walls, slate roof tiles and oak-framed windows and doors. The building was in the form of a traditional timber weatherboarded building but with a flat roof extension down one side. The application was recommended for refusal for the reasons stated within the Committee report. As set out in the Additional Representations Sheet, attached at Appendix 1, since the publication of the Committee report the Council could not currently demonstrate a five year housing land supply and the application of Paragraph 11(d) of the National Planning Policy Framework had been assessed and considered in the planning balance in terms of this proposal. Whilst a single new dwelling would contribute to the shortfall, it would be negligible and the harms identified were considered to outweigh the benefits of the scheme. The site was considered to be in an unsustainable location and there would be harm to the setting of the listed building, as well as landscape harm. Furthermore, there were highways issues in terms of substandard access and questions over whether adequate visibility splays could be achieved. Updated ecology and tree assessments were required in order to fully assess the proposals.
- 33.37 The Chair invited the applicant to address the Committee. The applicant explained that she had withdrawn her previous application in January, based on the Conservation Officer's comments, and had incorporated all of the recommendations, reducing both bulk and height - with a smaller footprint on the same site and the same access, the previous surveys and tree reports remained relevant. According to The Leigh Neighbourhood Development Plan, priority was given to existing residents; it asked that houses were aesthetically in-keeping and provided infill between existing houses and she believed this application ticked all of the boxes. The site was a small strip of land that was bought by the previous owners of Cyder Press Farm in the 1980's to extend their garden, with a wood store, chicken run and large concrete pig sty. In the 1990's it had become a substantial vegetable garden with two greenhouses and two sheds. In 2017, she had removed most of the vegetable garden and two greenhouses as they were too much to manage and it had been laid to lawn with smaller vegetable plots and two sheds ever since. She had made a pre-planning application to Tewkesbury Borough Council in 2019 to build an art studio with occasional sleep-out. The Conservation Officer had agreed, subject to obtaining the appropriate planning permission, that a structure measuring 4m x 6m, with substantial glazing to the south side, would be acceptable. The applicant indicated that, whilst she was now seeking residential use, the application was based on the confidence she had gained at that meeting. She wanted to build a sustainable timber frame house with an electric car charging point, a self-contained sewage system, a heat pump and drainage on site, thus allowing her to live a simple life with a reduced carbon footprint. She had already established a nature reserve on the south side of the site and planted 400 trees and, if she was able to build her house, this land would remain within the title. She indicated that the list of previous applications in the Committee report related to Cyder Press Farm as a whole, not the site she was

referring to. Unfortunately, her experience with the planning office has been unorthodox and, should she need to appeal, she would be using a documented timeline that would look like sharp practice in a commercial situation, for example, her application had been validated within hours of being submitted, but her agent was not notified and they were told it was too late to go to Committee but then given only a few hours to put her case together, she was then told that her letter of representation, sent on 20 July, was too late for the Committee meeting. In conclusion, she hoped Members would support her vision for a small project that was considerate, well thought through and put the environment at the forefront of planning.

33.38 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be refused in accordance with the Officer recommendation. A Member indicated that he could not see any stairs within the plans and the Development Management Team Manager (East) explained that the application had been amended to include a first floor, making it 1.5 storey, and it appeared that the plan of the first floor had been omitted from the Committee report. Notwithstanding this, the internal layout of the building did not have to be determined through the planning process. A Member sought clarification of the date of the appeal referenced at Page No. 215, Paragraph 8.7 of the Committee report, and was informed the Inspector's decision had been issued on 3 September 2021 – the tilted balance had been engaged at that point which was the same situation as currently. The Member questioned whether that was before or after the adoption of the Tewkesbury Borough Plan and was advised it was before, with the Tewkesbury Borough Plan having been adopted in June 2022; however, the plan was emerging at that point and the policies within the emerging plan had been taken into consideration, albeit with less weight. The Member indicated that Tewkesbury Borough Plan Policy RES4 allowed small scale development and she could see no reason why The Leigh should not be considered within that context; however, she appreciated that Officers did not feel that the scale and form of this particular property was appropriate for the area – Policy RES4 stated that it needed to be proportionate to its size and function. On that basis, she was not adverse to a planning application if the plans could be changed to address the concerns. In response, the Development Management Team Manager (East) advised that, as set out in the Committee report, there was an issue with the building in terms of its impact on the setting of the listed building but there were also locational issues – the Inspector had given Policies RES3 and RES4 notable weight despite the tilted balance being engaged, thus considering it an unsuitable location, and Officers continue to recommend refusal on sustainability grounds. A Member asked if the applicant was on the self-build register and was advised that, as far as Officers were aware, she was not.

33.39 Upon being put to the vote, it was

RESOLVED That the application be **REFUSED** in accordance with the Officer recommendation.

PL.34 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

34.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Page No. 234. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and Communities appeal decisions issued.

34.2 A Member wished to record her thanks to Enforcement Officers for their exceptional work in relation to the enforcement appeal at Plot 19, Warren Fruit Farm; residents had felt that they had been listened to and that the matter was being dealt with.

34.3

It was

RESOLVED

That the current appeals and appeal decisions update be
NOTED.

The meeting closed at 11:52 am

Appendix 1

ADDITIONAL REPRESENTATIONS SHEET

Date: 19 September 2023

The following is a list of the additional representations received since the Planning Committee Agenda was published and includes background papers received up to and including the Monday before the meeting.

A general indication of the content is given but it may be necessary to elaborate at the meeting.

Agenda Item No	
	<p>General Update</p> <p>Since the last meeting of the Committee, the Council has received the appeal decision relating to an application (22/00650/FUL) for the development of 45 dwellings at Trumans Farm Gothington. The Inspector, in allowing the appeal, confirmed an independent view from the Planning Inspectorate that the Council cannot currently demonstrate a five year housing land supply.</p> <p>In light of this appeal decision, it is considered that the Council cannot at this time demonstrate a five year supply of deliverable housing land. The Council's policies for the provision of housing should not therefore be considered up to date in accordance with footnote 8 of the National Planning Policy Framework (NPPF).</p> <p>Paragraph 11(d) of the NPPF therefore applies and states that, where policies which are most important for determining the application are out of date, permission should be granted unless: i) the application of policies in the Framework that protect assets of particular importance provides a clear reason for refusing the development; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.</p> <p>The application of Paragraph 11(d) in respect of each Agenda item before the Committee has been assessed by Officers and considered in the planning balance, which has been updated. Officers will address the revised balance for each item in this update sheet below and the Officer presentations.</p>
5b	<p>22/01317/FUL - 3 Consell Green, Tewkesbury Road, Toddington</p> <p><u>Revised Recommendation:</u></p> <p>Following the publication of the Agenda further highway information is required for assessment. It is therefore recommended that this item is DEFERRED to allow the necessary assessment of such additional information, prior to planning Committee determination.</p>
5c	<p>22/01343/OUT - Land At Chestnut Tree Farm, Twigworth</p> <p>An additional representation has been received from Twigworth Parish Council - the comments reiterate the concerns that have already been taken into account as part of the assessment of relevant planning considerations as part of the published Committee report. A copy of the additional comments is attached to this Additional Representations Sheet.</p>

	<p>Five year housing land supply - given the updated position whereby the Council cannot demonstrate a five year housing land supply, it is considered that Paragraph 11(d)ii. of the NPPF is engaged and there are significant and demonstrable harms resulting from the proposed development, as set out in the report, that are not outweighed by the benefits. It is considered that the recommendation should therefore still be minded to refuse for the reasons set out in the published report.</p>
5f	<p>23/00187/FUL - Barn at Cold Pool Lane, Badgeworth</p> <p>The Highways Officer has further reviewed the site and the proposed development and has raised concerns in respect of visibility from the proposed site access. The Officer has advised that it is likely that a significant length of hedgerow would need to be removed to achieve necessary visibility splays and that this may be over third-party land over which the applicant may have no control.</p> <p>In the absence of a an up to date speed survey to inform any reduction in visibility splays and plans to accurately reflect what is achievable, the Highways Officer objects to the proposal.</p> <p>Five Year Housing Land Supply - the provisions of NPPF Paragraph 11(d) i. (relating to Green Belt) are relevant to refusing this application and the tilted balance therefore needs to be assessed in light of this. The balance of the policies and the weight to be attributed to them is therefore reassessed as follows:</p> <p>The main benefits of the scheme are the provision of a single dwelling.</p> <p>The NPPF sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. As set out in the Committee report, there is clear conflict with Green Belt policy.</p> <p>Furthermore, the proposal is also considered to be in an unsustainable location for residential development and it has not been demonstrated that adequate visibility splays can be achieved.</p> <p>Whilst a new dwelling would contribute to meeting the housing shortfall, this contribution of a single dwelling would be negligible. It is therefore considered that the harms identified above significantly and demonstrably outweigh the benefits of the development. As such para 11 d) ii of the NPPF would also apply.</p> <p>In conclusion it is considered that the tilted balance is engaged and that in considering the planning balance overall, the harms of the proposal clearly outweigh the benefits.</p> <p><u>Additional Reason for Refusal</u></p> <p>Refusal Reason 4</p> <p>The applicant has failed to demonstrate that safe and suitable access can be achieved. The proposal would therefore conflict with policy INF1 of the of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031</p>

5g	<p>23/00477/FUL - Land To South of Blacksmith Lane, East of Cyder Press Farmhouse, The Leigh</p> <p>The provisions of NPPF Paragraph 11(d) i. (relating to listed buildings) are relevant to refusing this application and the tilted balance therefore needs to be assessed in light of this. The balance of the policies and the weight to be attributed to them is therefore reassessed as follows:</p> <p>The main benefit of the scheme is the provision of a single dwelling.</p> <p>Notwithstanding this, the site is within the setting of Grade II listed building and as such a judgement must be made as to whether the proposal would sustain and enhance the significance of the heritage asset, and whether any impacts provide a clear justification for refusing permission.</p> <p>As set out in the Committee report, following consultation with the Council's Conservation Officer, the proposal in its current form would cause a moderate degree of less than substantial harm to the setting of the nearby Grade II Listed Building which would not be outweighed by the public benefits attributed to the proposal and would be contrary to paragraph 202 of the NPPF and the statutory duty set out at s66 of the Listed Buildings and Conservation areas Act 1990.</p> <p>It is therefore considered that applying the NPPF policies for designated heritage assets here provides a clear reason for refusing the proposed development.</p> <p>With this in mind, whilst a new dwelling would contribute to meeting the housing shortfall, it must also be acknowledged that this contribution of a single dwelling would be negligible. It is therefore considered that the harms identified above and in the published Committee report significantly and demonstrably outweigh the benefits of the development. As such para 11 d) ii of the NPPF would also apply.</p> <p>In conclusion it is considered that the tilted balance is engaged and that in considering the planning balance overall, the harms of the proposal clearly outweigh the benefits.</p> <p><u>Amendments to refusal reasons</u></p> <p><i>Refusal Reason 2 (Amendment):</i></p> <p>The proposal, by virtue of its siting, layout and design would have a harmful impact on the character and the setting of the listed building. A moderate degree of less than substantial harm would be generated and this would not be outweighed by the public benefits of the scheme. As such the proposal would be contrary to Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017), Policy HER2 of the Tewkesbury Borough Local Plan 2011-2031 (2022) and policies H1 and E3 of The Leigh Parish Neighbourhood Plan 2020-2031 (2022).</p> <p><i>Refusal Reason 7 (New Additional Reason):</i></p> <p>7. The location of the proposed development results in no realistic transport choices other than the private vehicle to gain access to the site and to access local and community facilities. The scheme is therefore contrary to Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) and would conflict with the sustainable transport aims of the NPPF.</p>
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Updated Information from Agent

The agent would like the Planning Committee to know that they have seen the comments in regards to Drainage and Trees and would like to issue the following reply:

Drainage – due to timescale between comments submitted and committee a new drainage survey/statement cannot be provided. Suggest a pre-commencement condition regarding an updated drainage report should the Council support the application to demonstrate that drainage issues can be adequately addressed.

Trees – disagree with some concerns raised. Suggest a pre-commencement condition regarding an updated tree survey is suggested should the Council support the application to demonstrate that tree issues can be adequately addressed.

Updated Information from Applicant

Infill - as per the submitted photographs (on the planning portal), the proposed site is a small area of vacant land wedged between Mary's Cottage and Stonehouse Cottage and has a significantly narrower frontage than the property opposite. The site was a former vegetable plot between 1998 and 2015, with a tennis court-sized area of raised beds around a large fruit cage plus two greenhouses and a shed. Prior to that, there was a large concrete farm building for pigs, a three metre square folly and between 1998 - 2010 there was also a manmade pond approximately 20 metres in diameter. Since 2015, the plot has had no other use.

Street scene - set back at an angle, six - nine meters from the road, the proposed building would be behind a high hedge, several trees, and a fence. There would be no visibility to the street during the summer and only partial visibility in the winter months. Windows are minimal on the street side and the construction is wooden clad and barn-like in appearance.

Access and traffic - with an existing driveway already in daily use for many years, the access is proven to be safe. It blends in neatly with the local scene and has a wide splay, allowing offroad parking in front of the gate. The visibility extends in excess of 50 metres one way and 27 metres the other. The road is on a circular loop at the end of the village and services two or three other dwellings, depending on which way they are exiting the village, as there are two exit points.

Height of proposed dwelling - the comparable height of buildings erected in recent history are closer to the listed building.

1. The neighbouring house (Mary's Cottage) is situated between Cyder Press Farm and the proposed site. It was built in 1989, is a two-storey building and is 7.5 metres high.

2. The triple garage with an additional lean-to, built in 2004 and situated adjacent to the listed building is 6.5m high.

Bulk of proposed dwelling - the revised proposal is significantly reduced in overall size, as requested by the former conservation officer.

Hidden flat roof on proposed dwelling - it was felt that this was an ideal solution to further reduce the bulk of the proposed building.

Ecological impact by access - there are overhanging shrubs and trees on the access drive which have been assessed in the tree survey and are on the tree report. Currently, cars and delivery vans pass easily beneath, however, the lower canopies can all be safely cut back, without harm, to allow greater access if needed. The proposal is based around the conservation of nature,

	<p>and the dwelling is a sustainable eco-house, constructed mainly off-site. The modules can be reduced in size and brought in on smaller vehicles if needed, however, there is an additional driveway to the proposed site on the southwest side, which currently provides access for lorries and a full-sized oil tanker that delivers heating oil to Mary's Cottage and Cyder Press Farm several times a year.</p>
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Item 5c - 22/01343/OUT - Land At Chestnut Tree Farm, Twigworth- Additional representation from Twigworth Parish Council

Comments for Planning Application 22/01343/OUT

Address: Land At Chestnut Tree Farm Twigworth

Proposal: The erection of up to 85 dwellings with public open space, landscaping and sustainable drainage system (SuDS). All matters reserved except for means of vehicular and pedestrian access from Sandhurst Lane and a pedestrian access on to the A38.

The Twigworth Parish Council **OBJECTS** to this application.

Comments

Severn Trent Water - Sewage issues in Down Hatherley & Twigworth

In Zoom meetings in March and May 2021, residents showed [REDACTED] of STW (and other agencies) evidence of floodwater bursting up through manholes in properties in Ash Lane during the winter of 2020/1, and reported the distress and difficulty caused to residents. At the same time Twigworth's northern two pumping stations caused sewage to back up in people's houses – this is a routine event in times of moderate or worse rainfall.

The system was not fit for purpose at that point, and this was prior to the addition of a hundred plus houses at Yew Tree Farm in Twigworth and in Down Hatherley.

The Ash Lane sewage pumping station is particularly vulnerable, for it is the convergence point for multiple other sewage pumping stations, including Twigworth's, with the exception of Twigworth Green, whose new pipeline runs directly to Innsworth. Since the pumping station failures in 2020/1, several new sites have been added to the system, and other applications are in process.

Planning

Brook Lane, Down Hatherley

There is currently an application for a further 160 houses at Brook Lane (21/00976/OUT) seeking to discharge to three outpoints: Ash Lane, Twigworth, and Innsworth via the new Twigworth Green pipeline.

Surely Ash Lane is already at critical point? And do not Twigworth's pumping stations only channel sewage back to Ash Lane? Moreover, the new pipeline for Twigworth Green failed in January 2023, overwhelming the local meadows and public right of way with sewage pouring out of a manhole.

We understand that STW is not a statutory consultee, but that should not serve as an excuse to duck the issue. As Cllr Bocking explained on Wednesday, planning committees do listen to what STW says, and most of STW's comments up until now have failed to acknowledge the reality of this area's predicament, but waved applications through regardless. We understand that STW is a business and needs to be profit-minded, but we believe that this policy is leading to catastrophe for this area.

Chestnut Tree Farm, Twigworth

A further alarming example of STW's failure to acknowledge the scale of the problem arose recently, relating to STW comments (6th June 2023) on a development at Chestnut Tree Farm:

I can confirm that we have no objections in principle to the proposals subject to the inclusion of the following condition:

The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority

[Twigworth (STW ref P-230104-38824 / 22/01343/OUT / Land At Chestnut Tree Farm, Twigworth GL2 9PL)]

Surely this is wholly misleading? If STW does not report accurately to planning teams the limitations of its service, they will of course be ignored.

Twigworth Green pipeline

██████████ of STW emailed ██████████ (18.01.23) to say he would respond with a report on the failure of the new Twigworth Green pipeline. Residents would like to have an explanation of cause, and what the developer needed to do to prevent a repeat. Has this remedial work been carried out? Presumably STW commented on sewerage at the planning stage? Had the work been done as STW guided?

STW review of the area infrastructure

We appreciate that STW is now undertaking a much-needed review to establish what can be done to ameliorate the service, and that this will take some years.

Until this is completed and necessary works then carried out, we ask how STW can reach a view of 'no objection in principle' to 100s more houses being added to the network.

Size and location of the development

The proposed location of the development is adjacent to the Twigworth Settlement Boundary and totally inappropriate for a site so close to other residential properties in the rural village of Twigworth.

The visual impact of such a large housing development would fundamentally change the tranquil character of the area.

The proposed development conflicts with Policies SP2 and SP10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017)

The proposed development contravenes Neighbourhood Development Plan 2011-23 Policy H2

Significant negative visual impact for residents living adjacent to the site boundary

There are a number of residential properties located adjacent to the site boundary.

The development will have a significant adverse visual impact to these properties, especially from first floor windows.

The proposed development contravenes Neighbourhood Development Plan 2011-23 Policy H2

Negative impacts on landscape character

The housing development would significantly and adversely, impact the character and appearance of the local landscape.

We consider the proposed development contravenes Neighbourhood Development Plan 2011-23 Policy H2

Negative visual impact for users of the footpath and bridleway across the site

The site cuts across a Public Right of Way running from Sandhurst Lane (nr Telephone Exchange), to the Nature in Art access Lane; which is well used by dog-walkers from the local area, ramblers as well as people from further afield.

Currently there are extensive open views of green fields and agricultural farmland.

We consider the proposed development contravenes Neighbourhood Development Plan 2011-23 H2

Loss of Productive Arable Land

It is very important to prevent arable land being lost to development, which would otherwise allow food to be grown in the UK and thereby reduce the reliance on imported food.

Agricultural Land Classification (ALC) is a system used in England and Wales to grade the quality of land for agricultural use. The proposed site has a mix of Graded Land and is capable of producing moderate yields of a narrow range of crops, principally: cereals and grass, lower yields of a wider range of crops. high yields of grass which can be grazed or harvested over most of the year.

We consider the proposed development contravenes Neighbourhood Development Plan 2011-23 H2 Policy

Traffic Concerns

The proposed development will create a significant impact on Sandhurst Lane and the A38 during development.

The proposed access route to the site is via the A38 which is a busy road, this section of the road is within a 40mph limit, heavy lorries will undoubtedly bring mud and debris onto this section of road, presenting a serious traffic safety issue.

The junction from Sandhurst Lane onto the A38 has poor visibility when turning onto the A38 due to existing hedgerows and the bends in the A38.

Heading southbound on the A38 the turn into Sandhurst Lane is very blind due to the hedgerows and sharp corner.

The village is popular with walkers, cyclists, pedestrians and horse riders and are already overburdened and totally unsuitable for large vehicles.

The access route will be significantly impacted by the noise and vibration caused by the very large increase in HGV traffic during the construction phase.

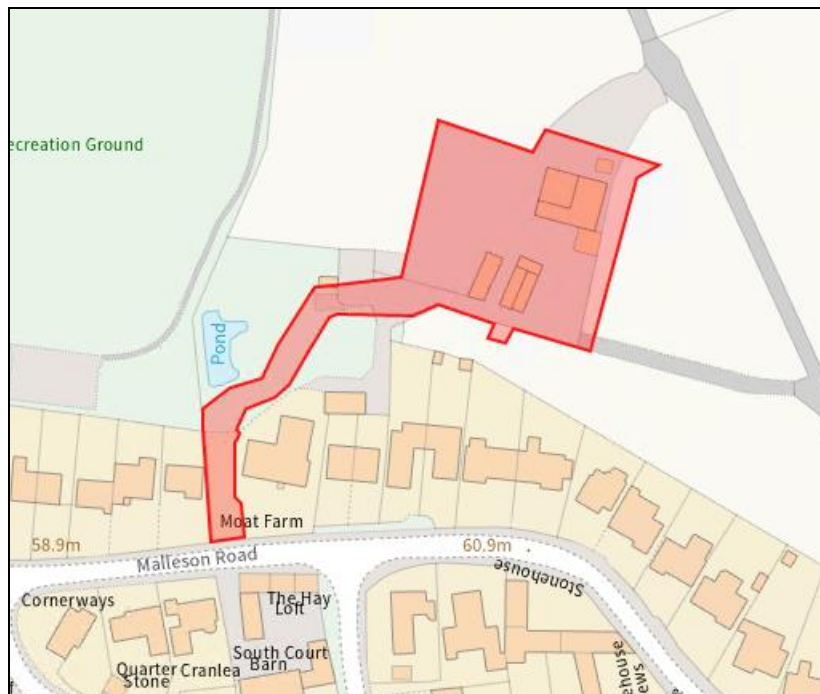
Local community

Residents living adjacent to the site will have a significant adverse visual impact from the site, whilst there will also be a loss of the rural amenity of the extensive open views along the footpath crossing the site.

Planning Committee

Date	17 October 2023
Case Officer	James Lloyd
Application No.	21/01307/FUL
Site Location	Moat Farm, Malleson Road, Gotherington
Proposal	Erection of 4 dwellings following the demolition of existing agricultural buildings.
Ward	Cleeve Hill
Parish	Gotherington
Appendices	Site Location Plan Proposed Site Plan Proposed Site Overview Plot 1 Elevations Plot 2 Elevations Plot 3 Elevations Plot 4 Elevations Garage Elevations Appeal Comparison Plan
Reason for Referral to Committee	The application requires a Committee determination as the Parish Council has objected to the proposal as outlined in Paragraph 4.1.
Recommendation	Permit

Site Location



1. The Proposal

Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R1P0FPQDHO000>

- 1.1 The application seeks full planning permission for the redevelopment of the site with 4 detached dwellings. The site would be laid in a courtyard arrangement and the proposed amenity space would project out from the dwellings, leading to a concentrated built form in the centre of the site (**See attached site plan**).
- 1.2 The buildings are designed to reflect the existing functional agricultural character of the site (**See attached elevation plans**). The finished materials would include timber cladding, standing seam roofs and metal sheet cladding in order to maintain the functional appearance of the site.
- 1.3 The development is designed to be accessed from the existing entrance to the southwest of the site. This is served from Malleson Road, which leads out of the village and joins with the A435.

Previous Planning Application (14/00749/OUT) & Dismissed Appeal

- 1.4 A planning application was submitted in July 2014 seeking outline consent for a residential development of up to 42 dwellings and associated infrastructure. The application site comprised of a parcel of land at Moat Farm, located to the northern edge of the village of Gotherington. This site encompassed the area of Moat farm that the current planning application relates to (**See attached site comparison plan**).
- 1.5 The application was recommended for refusal by Officers on several grounds, these are summarised below;
 - The proposal would not respect the form, character and history of the adjacent area and fail to achieve high quality and inclusive design.
 - The proposal would have a harmful impact upon the character and appearance of the landscape within a Special Landscape Area on the basis that it would encroach into the rural landscape.
 - Would not provide appropriate affordable housing
 - Would not provide adequate provision for on or off site play pitches and sports facilities.
 - Would not make provision for the delivery of secondary education infrastructure and library provision
 - The application does not make provision for improved local public transport, highway improvements and access.

1.6 Members resolved to refuse the application at committee in November 2014. Following the Council's refusal an appeal was submitted to the Planning Inspector. A Public Inquiry followed in which the appellants reduced the scheme to 35 units (although the application site remained the same size).

1.7 The Inspector subsequently dismissed the appeal on the following grounds;

- Whilst the Council could not demonstrate a 5-year housing land supply at the time, and there was a strong requirement for affordable housing, it was judged that the proposed development would cause **substantial harm to the valued landscape** (Special Landscape Area) and to the **setting of the non-designated heritage asset**. The Inspector concluded that the harm would significantly and demonstrably outweigh the scheme's benefits in terms of housing provision and any associated economic benefits.

1.8 The appeal was dismissed, the full decision can be found here;

[14/00749/OUT | Outline planning application for a residential development of up to 42 dwellings and associated infrastructure, including the demolition of an annex to the existing property in order to enable vehicular access. | Moat Farm Malleson Road Gotherington Cheltenham Gloucestershire GL52 9ET \(tewkesbury.gov.uk\)](#)

2. Site Description

2.1 The application relates to a parcel of land at Moat Farm (approximately 0.4 hectares) which is located to the northern edge of the village of Gotherington (see attached location plan). The site has previously been utilised for agricultural and equestrian uses and currently comprises of a number of existing agricultural buildings that are formed around a yard area, which are associated with the surrounding agricultural land that is also in the applicant's control. The site is generally flat with a gradual fall towards the south. The site is currently accessed off Malleson Road via an existing domestic access and a via a farm track to the southwest.

2.2 Immediately to the south of the site is existing residential development which straddles Malleson Road. To the west is a large playing field and to the north and east are open fields and countryside. The north-western corner of the site is located within a designated Special Landscape Area which provides the foreground setting for the Area of Outstanding Natural Beauty (AONB) to the north of Gotherington. To the east of the site is a public footpath which links to Malleson Road. The nearby Moat Farmhouse is considered to be a Non-designated Heritage Asset. The site is wholly located within Flood zone 1.

2.3 The existing buildings on site vary in scale and means of construction, with elements of concrete block, timber and metal cladding utilised as walling materials. Roofing materials generally comprise a mix of metal cladding and cement fibreboard. Buildings on site are single storey, with the largest of the barns on site positioned to the northeast portion of the site. This has been most recently used for the storage of machinery and tools used on the holding.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
14/00749/OUT	Outline planning application for a residential development of up to 42 dwellings and associated infrastructure, including the demolition of an annex to the existing property in order to enable vehicular access.	Refused (Committee Decision)	11.11.2014
15/00004/DECISI	Outline planning application for a residential development of up to 42 dwellings and associated infrastructure, including the demolition of an annex to the existing property in order to enable vehicular access.	Appeal Dismissed	23.09.2015

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

4.1 Gotherington Parish Council – Objection on the following grounds:

- The Gotherington NDP allows for redevelopment of existing buildings.
- The proposal buildings are of no architectural merit and will stand prominently in the landscape when viewed from Woolstone Hill.
- They do not replace the 25% occupancy of the site as at present.
- A Change of use has not been applied and we are concerned that the storage provided by these barns and the yard will need to be replaced elsewhere.

4.2 **Building Control** – No objection – Building Regulations Approval required.

4.3 **Environmental Health (Air Quality)** – No adverse comments to make.

4.4 **Environmental Health (Noise & Nuisance)** – No objection.

4.5 **County Highways** – No objection, subject to conditions.

4.6 **Conservation Officer** – No objection.

4.7 **Flood Risk & Drainage Officer** – No objection, subject to conditions.

4.8 **Landscape Officer** – Additional information requested and received, no objections, subject to conditions.

4.9 **Ecology** – No objection, subject to conditions.

5. Third Party Comments/Observations

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

5.1 The application has been publicised through the posting of a site notice for a period of 21 days and 13 representations have been received. The contents of these are summarised below:

5.2 Objection

- This proposal is not included in Gotherington's NDP, the Tewkesbury Local Plan or the Joint Core Strategy of Gloucester, Cheltenham and Tewkesbury. Neither is it 'infill'.
- Loss of Farmland
- Outside of the settlement boundary
- Harmful impact upon views around Gotherington
- Gotherington has had sufficient housing and met its requirement for the plan period
- Impact upon the Special Landscape Area
- Impact upon the Non-designated Heritage Asset known as Moat Farmhouse
- The inspector concluded the benefits of using previously developed land for housing carry only modest weight in any decision
- The proposal will have substantial negative impact to the nature and character of the village but offers little benefit (i.e. only 4 houses) and should be refused.
- The proposal for having 4 dwellings is not the same as having farm buildings and will be incongruous
- The proposal will encourage further applications to build more housing on land surrounding these fields, which the village does not want or need, and it is not for affordable housing
- The development of this land is likely to increase surface run off and cause increase flood risk for the housing in the downstream village of Woollstone

5.3 Support

- The proposal would be a good use of a brownfield site
- The erection of dwellings would enhance the area

5.4 Natural

- Two factors that require consideration – where would the current machinery and equipment be stored? The height of the proposed hedge should be limited so as not to obstruct any views.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

Policy SP1 (The Need for New Development)
Policy SP2 (The Distribution of New Development)
Policy SD4 (Design Requirements)
Policy SD6 (Landscape)
Policy SD8 (Historic Environment)
Policy SD9 (Biodiversity and Geodiversity)
Policy SD10 (Residential Development)
Policy SD14 (Health and Environmental Quality)
Policy INF1 (Transport Network)
Policy INF2 (Flood Risk Management)
Policy INF3 (Green Infrastructure)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

Policy RES1 (Housing Site Allocations)
Policy RES2 (Settlement Boundaries)
Policy RES3 (New Housing Outside Settlement Boundaries)
Policy RES5 (New Housing Development)
Policy LAN1 (Special Landscape Area)
Policy LAN2 (Landscape Character)
Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features)
Policy ENV2 (Flood Risk and Water Management)
Policy TRAC9 (Parking Provision)
Policy DES1 (Housing Space Standards)
Policy HER5 (Locally Important Heritage Assets)
Policy COM4 (Neighbourhood Development Plans)

6.5 Neighbourhood Plan

Gotherington Neighbourhood Development Plan – 2011-2031

Policy GNDP01 (New Housing Development Within The Service Village)
Policy GNDP02 (Meeting Strategic Development Needs)
Policy GNDP03 (New Housing Development in the Open Countryside)
Policy GNDP04 (Securing A Suitable Mix Of House Types And Sizes In New Development)
Policy GNDP07 (Gotherington Design Principles)
Policy GNDP08 (Development Affecting Non-Designated Heritage Assets)
Policy GNDP09 (Protecting and Enhancing The Local Landscape)
Policy GNDP10 (Protecting Locally Significant Views)
Policy GNDP11 (Development Outside of the Defined Settlement Boundary)
Policy GNDP12 (Biodiversity)

7. Policy Context

7.1 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.

- 7.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 7.3 The relevant policies are set out in the appropriate sections of this report.
- 7.4 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

Principle of development

- 8.1 Gotherington is identified as a Rural Service centre in the JCS and Policy SP2 sets out that Service centres will accommodate lower levels of housing which will be allocated through the Tewkesbury Borough Plan and Neighbourhood Plans, proportional to their size and function, reflecting their proximity and accessibility to Cheltenham and Gloucester and considering the environmental, economic and social impacts including existing levels of growth over the plan period.
- 8.2 A small part of the application site, which would comprise of the access, is within the defined settlement boundary, the majority of the site is adjoining but outside of the defined settlement boundary.
- 8.3 As the site is not allocated in the TBP or a Neighbourhood Plan, Policy SP2(6) of the JCS states that in the remainder of the rural area, Policy SD10 of the JCS will apply for proposals for new residential development.
- 8.4 With relevance to the application, Policy SD10 follows that housing development on other sites will only be permitted where it is previously developed land in the existing built-up areas of Service Centres, or it is:
- 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
- 8.5 The site does not represent previously developed land within the built-up area of a service village. Whilst the site comprises of a range of rural buildings, paraphernalia and hardstanding, the NPPF states that land last occupied by agricultural or forestry buildings is not considered to be previously developed. The site not a rural exception scheme; and does not represent 'infilling'. It has not been brought forward for development through a Community Right to Build Order and there are no policies in the existing TBP or GNDP which would allow for the type of development proposed. The proposal therefore conflicts with Policies SP2 and SD10 of the JCS and Policies GNDP01, GNDP02, GNDP03 and GNDP011 of the Gotherington neighbourhood Development Plan.

8.6 In terms of the Borough Plan, Gotherington is identified as a Service Village. The site is not an allocated site as set out in Policy RES1, nor is it located within the defined settlement boundary of Gotherington and therefore Policy RES2 does not apply. Notwithstanding, the site is located adjacent to the settlement boundary of a defined Service Village; the application site is not located in an isolated rural location and future residents would have access to services in Gotherington, Bishops Cleeve and beyond. The NPPF seeks to promote sustainable development in rural areas and housing should be located where it will enhance or maintain the vitality of rural communities (Paragraph 79). The location of the site immediately adjacent to a defined Service Centre, which would have access to services, weighs in favour of the proposal.

Five Year Housing Land Supply

- 8.7** The NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites. Where local authorities cannot demonstrate a five year supply of deliverable housing sites, paragraph 11 of the NPPF sets out that housing policies contained within development plans should not be considered up-to-date.
- 8.8** Further to the recent Trumans Farm, Gotherington Appeal decision (ref. 22/00650/FUL), the Council's position is that it cannot at this time demonstrate a five year supply of deliverable housing land. The position of the recent appeal decision is that the Council's five year supply of deliverable housing sites is, at best, 3.39 years, and that this shortfall is significant, which is accepted. The Council's policies for the provision of housing should not therefore be considered up-to-date in accordance with footnote 8 of the NPPF.
- 8.9** It is notable that the Council is shortly due to publish its annual housing monitoring Housing Land Supply Statement which will confirm that the Council is unable to demonstrate a five year housing land supply. The final figure is not yet confirmed. A further update will be provided to Members at the Committee meeting.
- 8.10** Paragraph 11(d) of the NPPF therefore applies and states that where policies which are most important for determining the application are out of date, permission should be granted unless: i) the application of policies in the Framework that protect assets of particular importance provides a clear reason for refusing the development; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Status of the Gotherington Neighbourhood Development Plan (GNDP)

- 8.11** Paragraph 14 of the Framework states that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:
- I. the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
 - II. the neighbourhood plan contains policies and allocations to meet its identified housing requirement;

- III. the local planning authority has at least a three-year supply of deliverable housing sites (against its five-year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and
- IV. the local planning authority's housing delivery was at least 45% of that required over the previous three years.

8.12 The GNDP was adopted as part of the development plan on the 19th September 2017 and is therefore older than two years. Consequently, it no longer benefits from the protection that would have been afforded by paragraph 14 of the Framework. However, the GNDP remains an integral component of the adopted development plan and decision makers should continue to have full regard to it in determining planning applications.

Conclusions on Principle of Development

8.13 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.

8.14 The application conflicts with policies SP2 and SD10 of the JCS, Policies GNDP01, GNDP02, GNDP03 and GNDP11 of the Gotherington neighbourhood Development Plan and Policies RES1 and RES2 of the TBP, therefore the starting point is that the proposal should be refused in accordance with the development plan unless other material planning considerations indicate otherwise.

8.15 However, as set out above, the Council cannot at this time demonstrate a five year supply of deliverable housing land and therefore the most important policies for determining the application are deemed out of date in accordance with footnote 8 of the NPPF. On that basis the application must be determined in accordance with paragraph 11(d)(ii) of the NPPF (the tilted balance), i.e. planning permission should be granted unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of NPPF as a whole.

Landscape impact

8.16 Paragraph 174 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 in a manner commensurate with their statutory status or identified quality in the Development Plan.

8.17 JCS Policy SD6 states 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 local distinctiveness and historic character of different landscapes and proposals are required to demonstrate how the development will protect 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 area.

- 8.18** Policy RES5 bullet point 3 of the TBP states that new housing development should – where an edge of settlement is proposed – respect the form of the settlement and its landscape setting, not appear as unacceptable intrusion into the countryside and retain a sense of transition between the settlement and the countryside.
- 8.19** The application site is located outside and adjacent to the residential development boundary. Part of the site is located within the Special Landscape Area (SLA) as designated in Policy LAN1 of the TBP. SLAs are a local landscape designation and are defined as areas of high-quality countryside of local significance. The Reasoned Justification for Policy LAN1 states that while SLAs are of a quality worthy of protection in their own right, they also play a role in protecting the foreground setting for the adjacent Cotswolds AONB.
- 8.20** Policy LAN1 of the TBP states that proposals within the SLA will be permitted providing that the proposal would not cause harm to those features of the landscape character which are of significance; and the proposal maintains the quality of the natural and built environment and its visual attractiveness; and all reasonable opportunities for the enhancement of landscape character and the local environment are sought. Policy LAN1 goes on to state that where a proposal would result in harm to the SLA having regard to the above criteria, this harm should be weighed against the need for, and benefits from, the proposed development. Proposals causing harm to the SLA will only be permitted where the benefits from the development would clearly and demonstrably outweigh the identified harm. Policy LAN2 of the TBP states that all development must, through sensitive design, siting, and landscaping, be appropriate to, and integrated into, their existing landscape setting.
- 8.21** Policy GNPD09 of the GNP states that to protect and enhance the landscape of the Gotherington neighbourhood development plan area, where appropriate, development proposals will have to demonstrate, inter alia, that they would not have a detrimental impact on the views to and from surrounding hills (e.g. Crane Hill, Nottingham Hill, Prescott Hill and Cleeve Hill), or the Area of Outstanding Natural Beauty, and views of the Vale of Gloucester. The sense of enclosure found in Gotherington village should also be maintained along with the strong separation of Gotherington village from Bishop's Cleeve, Woolstone and the A435. It also states that existing settlement patterns should be preserved, including the strong east-west form of Gotherington, particularly by avoiding encroachment into open countryside ridgeline development, or development that intrudes into the foreground of surrounding features such as hills, and the Area of Outstanding Natural Beauty.
- 8.22** Policy GNP10 of the GNDP follows and sets out a number of significant views that will be given special consideration when assessing planning applications. Of particular relevance to this application are the views into Gotherington from Moat Farm, as identified as site D (views 9 & 10) in the Gotherington NDP.
- 8.23** The effect on the character and appearance of the landscape was a key consideration in the previous appeal on this site and the findings of the Inspector are a material consideration (the indicative site layout for application ref: 14/00749/OUT is included in the Committee Presentation). The Inspector noted that in their opinion regarding the development as a whole:

“Possibly the most damaging of all would be the effect on the views from the opposite side of the Tirlle valley, within the AONB. From just north of the footbridge, Footpath 23 climbs the lower slopes of Crane Hill, giving elevated, panoramic views over the valley, in which the appeal site is seen close behind the Brook. From this direction, the proposed development would appear as a rather randomly-sited urban sprawl, extending into the open valley. As such it seems to me that this development would be quite different from the established and relatively discreet urban edge that currently exists in this part of Gotherington, mainly following the line of Malleson Road and Gretton Road.”

- 8.24** However, whilst the Inspectors’ comments are relevant in this case, it must be noted that the current application comprises of a much smaller area of the former appeal site and consists of an existing developed agricultural unit. At the time of the Appeal the Inspector also referenced this part of the site:

“Part of the appeal site is outside the SLA, and in general terms I agree that development on that part of the site would cause less harm than that within the SLA itself. But there is no suggestion that the number of dwellings now proposed could be accommodated without encroaching significantly into the SLA.”

“I acknowledge that there is some other existing development to the north of Malleson Road, including the row of houses at Woolstone Lane. But the latter are visually well contained by existing woodland, and do not intrude on the more open part of the Tirlle valley. There is also the Freemans Field sports ground itself, and the tennis courts to the rear. But these do not have the same impact as buildings. None of the other development identified at the inquiry encroaches on the open landscape in the way that the appeal proposal would. And to the extent that any such existing development did, that would not necessarily make it an example to be repeated.”

“The existing buildings on the rear part of the appeal site are utilitarian and have no aesthetic merit. But they are agricultural in style, and to that extent they are in keeping with the rural nature of the surroundings. In any event, they cover a relatively small proportion of the site, and due to their siting, they are not intrusive in the landscape. Their removal would be a minor benefit, but would not offset the impact of the much larger and more extensive development now proposed.”

- 8.25** The current proposal is confined within the existing developed land, saved for a small strip of agricultural land that runs along the eastern edge, outside of the SLA. This land is covered with hard surfacing and contains several delapidated agricultural buildings and associated structures. Whilst the Inspector acknowledged that the buildings are utilitarian and agricultural in nature, they also considered that they cover a relatively small portion of the site and are not intrusive into the landscape.

- 8.26** The application proposes the removal of these buildings and the replacement with residential housing. The new dwellings have been designed to mimic a rural courtyard and appear agricultural in nature. The design of the buildings is contemporary with a nod to modern agricultural form and materials, three of the plots are single storey and relatively low in profile. The dwellings are centred within the site around a courtyard, with the gardens orientated as such that they create a soft buffer between the site boundary and open fields beyond.

- 8.27** A Landscape and Visual Impact Assessment (LVIA) has been submitted with the Application. The report sets out that the proposal would be noticeable in views from Woolstone to the North and North East of the Site, and then from elevated points on the Cotswold escarpment to the East.
- 8.28** The LVIA concludes that the visual envelope for the development extends from the immediate vicinity, to North to Woolstone and then to elevated viewpoints to the East, over a kilometre away. Most viewpoints are within the Cotswold AONB. The viewpoints to the North are within half a kilometre, so any changes will be noticeable to receptors. It notes that the significance of visual impacts vary from Minor to Moderate/Major at three viewpoints, namely from the path to the north of the Site (viewpoint 7) and the lane to Woolstone Hill Farm (viewpoints 10 and 11). However, given that the proposal is on land already built over with poor quality agricultural buildings and surfaces, the significance criteria is not necessarily adverse.
- 8.29** The LVIA further concludes that in respect of the Landscape effects, with appropriate mitigation, the development will have a minimal effect on any national or local landscape designations. In relation to the Visual impacts, the report concludes that the visual envelope for the development extends from the immediate vicinity, to North to Woolstone and then to elevated viewpoints to the East, over a kilometre away. Most viewpoints are within the Cotswold AONB. The viewpoints to the North are within half a kilometre, so any changes will be noticeable to receptors. The sensitivity of receptors within the AONB has been accommodated in the site, building and landscape design so that overall, the changes from the development will be perceived as an improvement to the vista, with Moderate Beneficial significance.
- 8.30** The Councils Landscape Consultant has assessed the submitted LVIA and advises that the report is an objective and unbiased appraisal, based on the professional judgement of a suitably qualified and experienced landscape architect and meets the requirements of the relevant Regulations. The Councils Landscape Consultant generally concurs with the findings, however, raised some points of clarification around the requirement for additional agricultural buildings, the drainage impacts, proposed planting and road surfacing details.
- 8.31** Subsequently the applicant has submitted supporting information to these questions and the Landscape Consultant is now satisfied with the proposals. Given this, it is considered that some harm would arise from the site becoming more formal and urban in appearance within the rural context. However, the LVIA has identified that the proposed layout and design of the new buildings, over an already developed site, would provide a moderate benefit subject to appropriate landscaping and planting.
- 8.32** The previous inspector's decision is a material consideration when assessing the proposal, however, the primary difference between the two applications is the size and scale of development and the design of the new dwellings.
- 8.33** It is also worth noting that since the previous appeal decision, the context of the application site has also altered to some degree, following the construction of 9 dwellings to the northeast of the application site at land adjoining 59 Gretton Road (19/00422/APP).
- 8.34** In conclusion, it is considered that the proposed development at worst would result in a neutral impact on the landscape and at best a moderate benefit particularly when assessed against the site in its current form. Furthermore, the proposal would allow delivery of further planting and landscaping which would benefit the natural environment. This would weigh in favour of the development.

Access and highway safety

- 8.35** Policy INF1 'Transport Network' states that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters.
- 8.36** A transport assessment has been submitted in support of the application; this outlines that access into the site would be taken from the existing access point along Malleson Road (which is within the applicant's ownership). The access would be widened to approximately 4.8m. The assessment highlights the visibility splay analysis that has been undertaken, along with a review of the local highway network and collision data. The report concludes that the approval of this scheme would not result in severe or unacceptable impact upon the safety or operation of the local highway network.
- 8.37** The report also advises that the parking allocation has been undertaken in accordance with local highway standards and the forecast trip generation is not considered significant.
- 8.38** The Local Highway Authority (LHA) have assessed the proposal and advise that there are no recorded incidents near the vicinity of the site within the most recent 5 years and that the relevant visibility splays can be achieved within land under the applicants ownership. The LHA advise that the trip generations would not result in any safety or capacity concerns. In conclusion the LHA raise no objection to the proposal.
- 8.39** The LHA have proposed the inclusion of a condition (should permission be granted) for the installation of vehicular charging points. Whilst this is acknowledged, recent changes in the Building Regulations (2010) require the erection of new residential dwellings to provide access to a vehicle charging point. Given this it is not considered reasonable to apply a condition to any grant of permission in relation to charging points.
- 8.40** Given the above it is considered that the proposal would not have a detrimental impact on highways safety or the capacity of the network. Access can be achieved and sufficient turning and parking provisions would be available.

Design and layout

- 8.41** The NPPF sets out that the creation of high quality, beautiful and sustainable buildings and places fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development. This is now reflected in the National Design Guide, which provides planning practice guidance for beautiful, enduring and successful places.
- 8.42** JCS Policy SD4 provides 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. Criterion 6 of Policy SD10 of the JCS states that residential development should seek to achieve maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network.

- 8.43** Policy GNDP07 of the GNP sets out a number of design principles for development within Gotherington, which include:
- a) Preservation of the setting and separate identity of the village;
 - b) New boundary treatments should be appropriate to their immediate surroundings;
 - c) Existing routes including roads, lanes and footpaths should be retained and new links provided where appropriate and reasonable;
 - d) New buildings, by way of design, materials, height and layout should seek to enhance the distinctive village character of Gotherington;
 - e) Use of features to minimise light pollution and maintain the area's dark skies; and
 - f) All new development, where appropriate, should provide off-road car parking.
- 8.44** The application site lies beyond, but adjacent to the residential edge of the village and presently comprises a cluster of agricultural buildings. While such structures and ancillary storage and activities are not an uncommon feature to the rural landscape, the scale, condition and juxtaposition with the edge of the residential development in the village and creates a somewhat jarring feature.
- 8.45** The design and layout of the proposals have evolved through a period of negotiation during the lifespan of the current application. The layout has been designed in a courtyard formation around a central access point, whilst the buildings have been designed with in an architectural style that represents the edge of settlement location. The scheme proposes to replicate the appearance and form of a range of rural buildings around a yard with a palette of material that would complement the local vernacular and rural edge.
- 8.46** Initially concerns were raised by officers regarding specific design details of the plots, such as roof alignments, chimney flues, roof lights and materials details. Concerns were also raised regarding the proposed surfacing of the accessway in. the applicant responded positively to these concerns and amended the scheme accordingly, providing a revised suite of plans to reflect the changes.
- 8.47** Following receipt of the revised designs, Officers and the Conservation Officer have assessed the details and consider that the proposal broadly reflects the local vernacular, and the design approach is considered acceptable. Notwithstanding this, detailing around the proposed materials is still required and should the application be permitted, a suitably worded condition could be applied to ensure an appropriate and high quality of materials are secured for the development.
- 8.48** In addition to the built development the application also proposes additional landscaping throughout the site and the introduction of tree and hedgerow planting to the site boundaries, which would serve to soften the development and reflect the rural character of the area. The Councils Landscape Consultant has reviewed the proposals and raises no objections subject to a suitable condition requiring details of the planting species etc.
- 8.49** In light of the above, the design and layout of the proposal are considered acceptable.

Residential amenity

- 8.50** JCS policies SD4 and SD14 require development to 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.

- 8.51** The proposed development is separated from adjoining dwellings in the village by a private drive and the development would be screened by the hedges running along the southern boundary of the site. As a result, the proposal would not result in any demonstrable harm to the living conditions of adjoining occupiers.
- 8.52** In terms of future occupiers of the development, the proposed plots would be laid out in an acceptable manner and would not result in any adverse impacts from loss of light, overlooking or overbearing impacts. Furthermore, the proposed gardens are commensurate with the proposed dwellings and would provide adequate private amenity space for future residents.

Housing mix

- 8.53** Policy RES13 of the TBP (in accordance with SD11 of the JCS) seeks to ensure that an appropriate mix of dwelling sizes, types and tenures are achieved with new housing developments. The Policy advises that the appropriate mix of house types and sizes for each site will depend upon the size and characteristics of the site and the viability of the scheme. Policy GNDP04 of the GNDP echoes this, although advises that on sites less than 5 dwellings the mix requirement is not necessary, and proposals will be permitted where they are in accordance with other policies in the NDP.
- 8.54** The scheme proposes four detached dwellings, two 3 bedroom units and two 4 bedroom units. The proposal would provide three single storey units and only one two storey unit. Given the low density of the site, the type and amount of units and the semi-rural context of the site it is considered that the mix would be appropriate for the area and would comply with the Policies set out in the TBP, JCS and GNDP.

Affordable housing

- 8.55** JCS Policy SD12 sets out that on sites outside of strategic allocations, a minimum of 40% affordable housing will be sought, this is mirrored in Policy RES12 of the TBP. It follows that they should be provided on site and should be seamlessly integrated and distributed throughout the development scheme. Similarly, Policy GNP04 of the GNDP requires a proportion of affordable housing where the viability of development allows.
- 8.56** Policy SD12 of the JCS and RES12 of the TBP both set out that the threshold for requiring affordable housing provision is 10 or more dwellings or a site area of 0.5 hectares. The proposal is for 4 new dwellings and the site area is 0.10 hectares, therefore the provision of affordable housing is not required on this site.

Drainage and flood risk

- 8.57** JCS Policy INF2 advises that development proposals must avoid areas at risk of flooding and must not increase the level of risk to the safety of occupiers of a site and that the risk of flooding should be minimised by providing resilience and taking into account climate change. It also requires new development to incorporate Sustainable Urban Drainage Systems (SuDS) where appropriate to manage surface water drainage. This is reflected in Policy ENV2 of the TBP and the NPPF.

- 8.58 The application has been accompanied by a Drainage Statement, which advises that a SUDs system would be designed to ensure that there would be no increase to surface water run-off by utilising the existing farmland around the site. It also advises that any hard standing areas would be finished with permeable materials. 'Grey Water' would be saved on-site for re-use through water butts. The Existing sewer system would be utilised to dispose of foul water.
- 8.59 The submitted details have been assessed by the Councils Flood Risk Management Engineer who raises no objection but would require the final details by way of a planning condition, should the application be permitted.

Biodiversity

- 8.60 Government Circular 06/05 states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. When determining planning applications, Paragraph 180 of the NPPF states if significant harm to biodiversity resulting from a development cannot be avoided through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 8.61 JCS Policy SD9 seeks the protection and enhancement of biodiversity and geological resources of the JCS area in order to establish and reinforce ecological networks that are resilient to current and future pressures.
- 8.62 Policy GNDP12 of the GNP states that development that is likely to have either a direct or indirect adverse impact upon areas of local biodiversity should be avoided. Where this is not possible adequate mitigation should be proposed or, as a last resort, compensation should be provided at a suitable location within the Parish. The protection and enhancement of biodiversity by enhancing or creating new wildlife corridors and stepping stones, including hedgerows, ditches, strips of tree planting, green open spaces with trees and grass verges to roads, both within and adjacent to the borders of Gotherington parish will be supported.
- 8.63 The application was accompanied by a Preliminary Ecological Appraisal, following review of this appraisal by the Councils Ecologist further survey works were requested due to bat droppings being found in one of the buildings. A request was also made with regard to an updated ecological assessment into the impact upon Great Crested Newts (GCN).
- 8.64 The requested works were undertaken throughout 2023 and the results have been submitted to the Council and Ecological Adviser for review. The Ecologist has requested further information prior to the determination of the application regarding the GCN surveys and clarification over the proposed bat mitigation strategy. The applicant has submitted this information, which is currently under review by the Ecological Adviser. **Given this a further update will be provided to members in relation to the ecological impacts.**

Heritage assets

- 8.65 JCS Policy SD8 concerns the historic environment, stating that development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment.

- 8.66** Policy HER5 (Locally Important Heritage Assets) states that: Locally Important Heritage Assets will be conserved having regard to the significance of the asset and its contribution to the historic character of the area. Proposals affecting a Locally Important Heritage Asset and/or its setting will be expected to sustain or enhance the character, appearance, and significance of the asset. Proposals that seek the preservation and/or enhancement of these assets will be encouraged. Historically important groups of farm buildings will be protected from proposals for destructive development or demolition.
- 8.67** The proposal is to create four new dwellings on land currently occupied by agricultural/storage buildings and an associated storage yard. None of the buildings to be developed are thought to be historic. The development site is accessed via Moat Farmhouse drive but is located obliquely behind post war residential development lining Malleson Road.
- 8.68** Moat farmhouse is not listed; however, it is a historic building which contributes positively to the historic appearance and character of the locality and is considered to be a non-designated heritage asset. The NPPF defines a heritage asset as a building, monument, site, place, area, or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.
- 8.69** The Conservation Officer has been consulted and advises; “The design of the buildings is contemporary with a nod to the modern agricultural form and materials. They do not relate to any historic style. Due to location, distance and form it is not considered that the residential development itself would impact upon the setting of Moat Farmhouse or its historic outbuildings as non-designated heritage assets”.
- 8.70** The Conservation Officer has also referred to the previous appeal, noting that this was one of the reasons for dismissal; “The previous appeal regarding a proposal for 47 houses on the site was dismissed for a number of reasons including the impact upon the setting of the farmhouse as a non-designated heritage asset. The inspector was particularly critical of the scale and appearance of the access driveway which was suburban and dominant and a departure from the agricultural character of the existing access. In this case, and for the number of dwellings, it may be possible that the driveway would change little from its present state.
- 8.71** Following the Conservation Officers comments further information was sought from the applicant in relation to the proposed new surfacing of the road. The applicant has responded advising that the shared access road would be Cotswold stone coloured resin bound gravel, the kerbing/edging would be a Marshalls “Tegula” block.
- 8.72** Revisions were also made to the designs of the plots, these included re-orientating the garages to a more traditional position in relation to the dwellings and changes to the fenestration.
- 8.73** The Conservation Officer was reconsulted and advises that there are now no objections to the proposal given the additional information and proposed changes. It is therefore considered that the scheme would not cause harm or loss of the setting of the non-designated heritage asset in this instance.

9. Conclusion

- 9.1** 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.
- 9.2** The application site lies outside of the defined settlement boundary for Gotherington and is not allocated for housing development. The site does not represent previously developed land within the built up areas of a service village; is not a rural exception scheme; and does not represent 'infilling'. It has not been brought forward for development through a Community Right to Build Order and there are no policies in the existing TBP which allow for the type of development proposed here. The proposal therefore conflicts with the spatial strategy and Policies SP2 and SD10 of the JCS, Policy RES3 of the TBP and Policies GNDP01, GNDP03 and GNDP11 of the GNP.
- 9.3** However, On the basis the Council cannot at this time demonstrate a five-year supply of deliverable housing land, the Council's policies for the supply of housing are out of date. In accordance with Paragraph 11 of the NPPF, the presumption in favour of sustainable development indicates that permission should be granted unless policies for protecting areas of assets of particular importance in the NPPF provide a clear reason for refusing the development proposed, or any adverse impacts of permitting the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.
- 9.4** As detailed throughout the analysis section of the report, there would be no clear reasons for refusal arising from NPPF policies for the protection of areas or assets of particular importance in this case and therefore, it is clear that the decision-making process for the determination of this application is to assess whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Benefits

- 9.5** The development would contribute towards the supply of housing to help meet the housing need which attracts significant weight in favour of granting permission in light of the Council's housing land supply position.
- 9.6** The scale of development, its relationship with and proximity to a service village and the existing built-up area, is a benefit that, in light of the Council's housing land supply position, would attract fair weight in favour of granting permission. Furthermore, the development would replace a substantial agricultural building and associated yard area which are in a poor state.
- 9.7** Although the development is relatively modest in scale , in economic and social terms a number of benefits would flow from this development if permitted, including during the construction process. There would also be economic and social benefits arising from spend from future residents which would help sustain local services and facilities, which is considered a moderate benefit.

- 9.8 In environmental terms the redevelopment of the site would allow the opportunity for substantial new planting and biodiversity net gain which would be a significant benefit.

Harms

- 9.9 Harm arises from the conflict with development plan policies and the spatial strategy relating to housing, particularly Policies SP2 and SD10 of the JCS, although it is accepted that the Council's housing policies must now be considered in light of the tilted balance.

Neutral

- 9.10 In design terms, notwithstanding the final materials details, the design and layout are considered to be acceptable given the constraints of the site. The proposal also does not raise any residential amenity issues in terms of a loss of light, outlook and privacy. The development would not be at an unacceptable risk of flooding and appropriate drainage infrastructure can be provided. Contrary to the previous appeal decision, the proposal would not have an adverse impact on designated heritage asset or wider landscape impact including the SLA. The proposal is considered acceptable in regard to highway safety and accessibility. The proposal also provides an acceptable housing mix and ecological mitigation.

Overall conclusion

- 9.11 There would be some harm arising from the development, namely harm arising from conflict with development plan policies and the spatial strategy relating to housing.
- 9.12 Significant weight should be given to the provision of housing and this benefit would attract weight in favour of granting permission in light of the Council's housing land supply position along with economic and environmental benefits of the scheme.
- 9.13 Taking account of all the material considerations and the weight to be attributed to each one, it is considered that the identified harms would not significantly and demonstrably outweigh the benefits in the overall planning balance.

10. Recommendation

- 10.1 In the absence of policies in the NPPF which would provide a clear reason for refusal, and it is not considered that the harms of the development would significantly and demonstrably outweigh the benefits set out above. **It is therefore recommended the application be permitted subject to the conditions listed below.**

11. Conditions

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2** The development hereby permitted shall be carried out in accordance with the following documents:

Site Location & Block Plan - 1772-01
Proposed Site Plan - 1772-10B
Proposed Site Overview - 1772-05C
Plot 1 Elevations - 1772-15A
Plot 2 Elevations - 1772-16B
Plot 3 Elevations - 1772-17A
Plot 4 Elevations - 1772-18A
Garage Elevations - 1772-20B

Reason: To ensure that the development is carried out in accordance with the approved plans

- 3** Notwithstanding condition 2, no development hereby permitted shall take place until details of site and development levels have been submitted to, and agreed in writing by, the local planning authority. Details shall include the existing levels on site and adjoining land, finished ground levels and ridge heights. The development shall accord with the agreed details.

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

- 4** Before their use as part of the development hereby permitted, samples or details, or both, of all external building, boundary treatment and surfacing materials to be used shall have been submitted to, and agreed in writing by, the local planning authority. The development shall accord with the agreed samples and details.

Reason: To ensure that the external appearance of the proposed development will be of an acceptably high standard.

- 5** No dwelling hereby permitted shall be occupied until a landscaping scheme encompassing both hard and soft landscaping has been submitted to, and agreed in writing by, the local planning authority. The landscaping scheme, including the boundary planting around the paddock/field, shall be in broad accordance with approved plan no. 858_002, and shall include, by way of annotated plans or otherwise, details of:

- i. all existing trees and hedges on the application site (including in respect of the accurate position, canopy spread and species of each tree and hedge, and any proposals for felling or pruning and any proposed changes within the ground level, or other works intended to be carried out, within the relevant canopy spread), the layout of proposed trees, hedges, shrubs and grassed areas,
- ii. a schedule of proposed planting (indicating species, sizes at time of planting and numbers or densities of plants),
- iii. a written specification outlining cultivation and other operations associated with planting, the treatment of pedestrian links to the site,
- iv. a programme for undertaking landscaping, and
- v. a schedule of landscaping maintenance for a minimum period of five years from first installation.

All planting, seeding and turfing shall be carried out in line with the agreed details in the first planting season following the first occupation of any dwelling hereby permitted. Any planting, seeding or turfing carried out shall be maintained in accordance with the agreed schedule of maintenance. Any trees or plants which, within a period of five years from the carrying out of landscaping pursuant to this condition, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity.

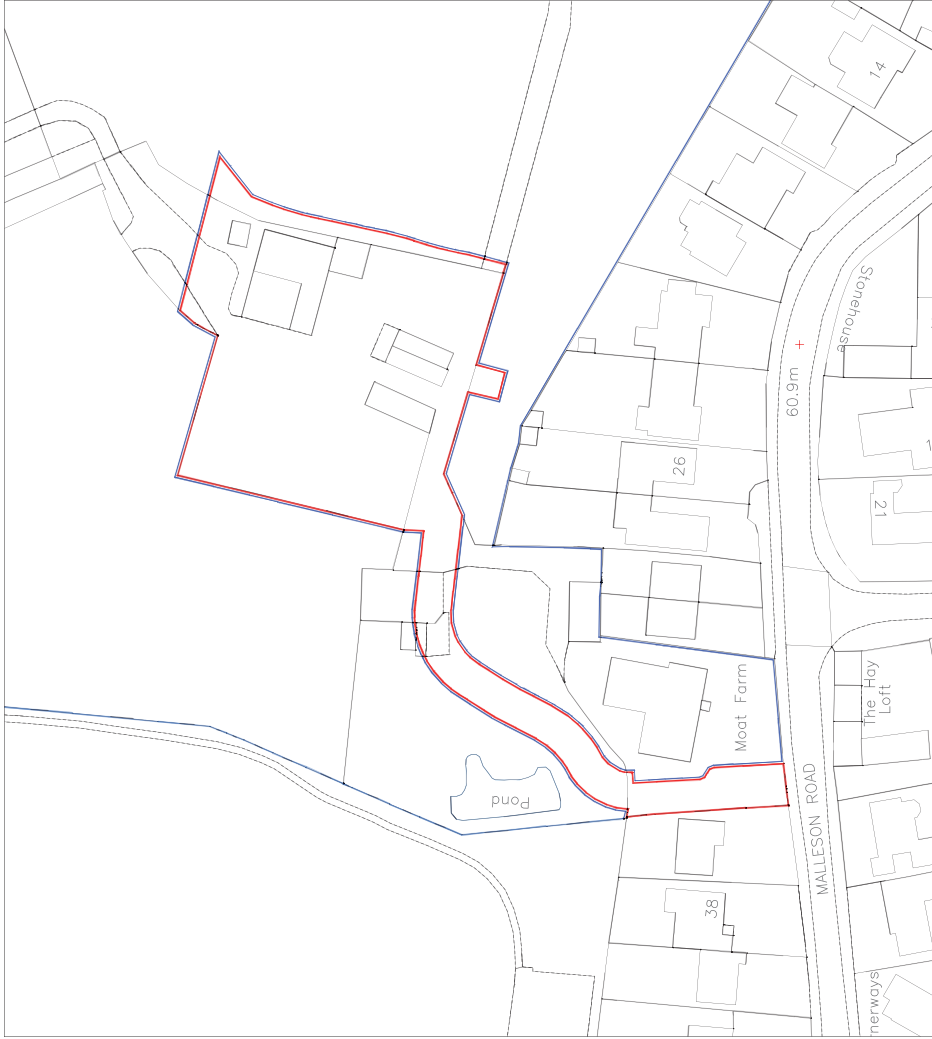
- 6 No development shall commence on site until details of the design, implementation, maintenance and management of foul and surface water drainage works to serve the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, and the drainage maintained/managed, in accordance with the approved details.

Reason: To ensure development would not result in unacceptable risk of pollution or harm to the environment.

12. Informatives

- 1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the 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.

Notes:
 1. This plan is for the proposed development of the site. It is not a site plan.
 2. The site is shown in red on this plan. It is not a site plan.
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Location Plan - 1:500@A1



Location Plan - 1:1250@A1

REV	DATE	DESCRIPTION	INT

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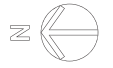
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LAND AT MOAT FARM
 MOTTENHAM
 GLOUCESTERSHIRE

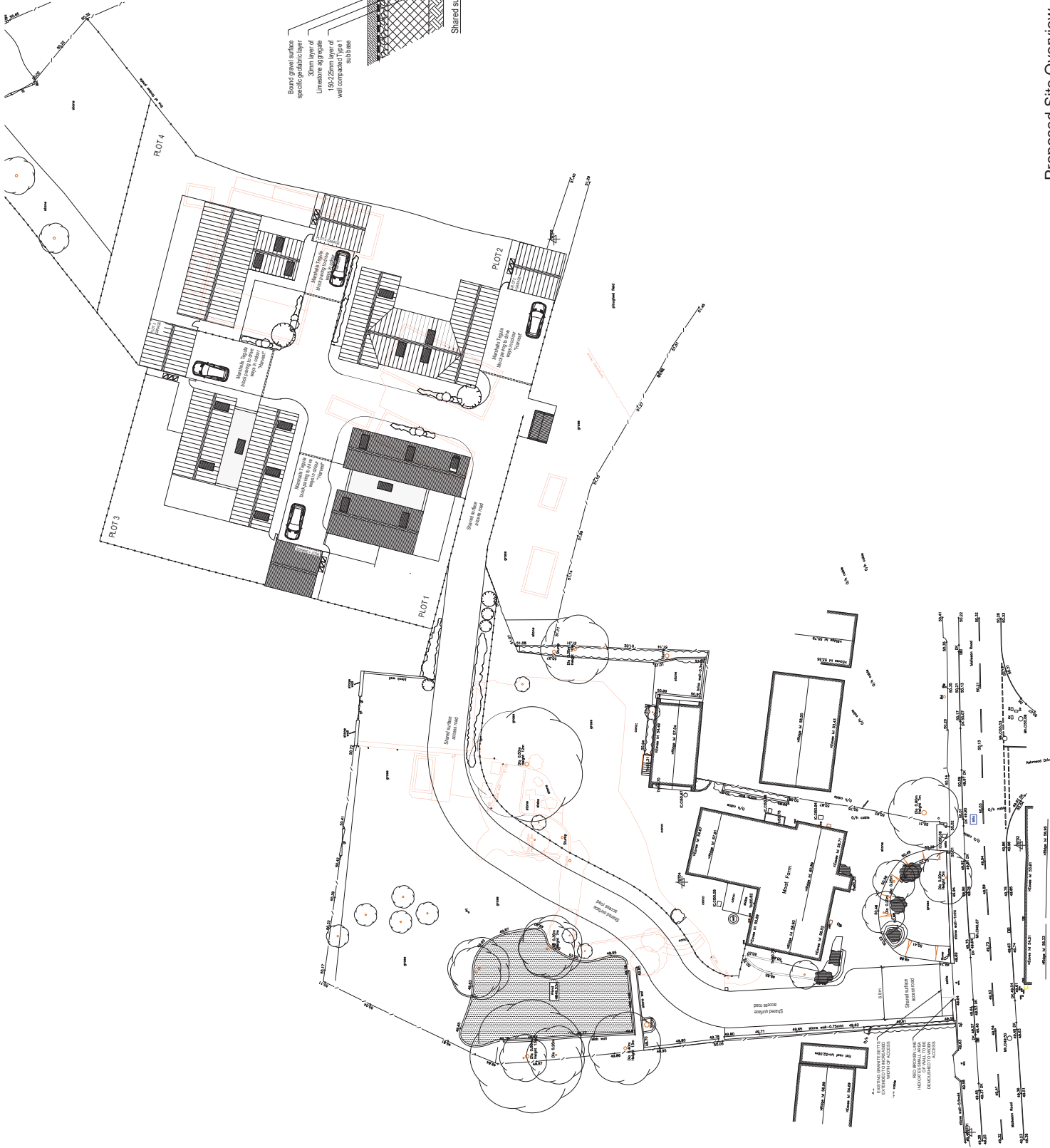
PROPOSED NEW DWELLINGS

LOCATION PLANS
 Scale: VAR@A1
 Date: JAN 2021
 Sheet: AC

PLANNING
 1772-01



Notes:
 1. All dimensions are in millimetres unless otherwise stated.
 2. All dimensions are to the face of the work unless otherwise stated.
 3. All dimensions are to the centre of the work unless otherwise stated.
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Chiswell stone coloured resin bound gravel surface



Marshalls "Tegul" repair block as kerbside paving

REV	DATE	DESCRIPTION	BY

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LAND AT MOUNT FARM
 MOUNT FARM
 GOTHERINGTON

PROPOSED NEW DWELLINGS

PROPOSED SITE OVERVIEW

Scale: 1:250 @ A1
 Date: JAN 2021
 Sheet: AC

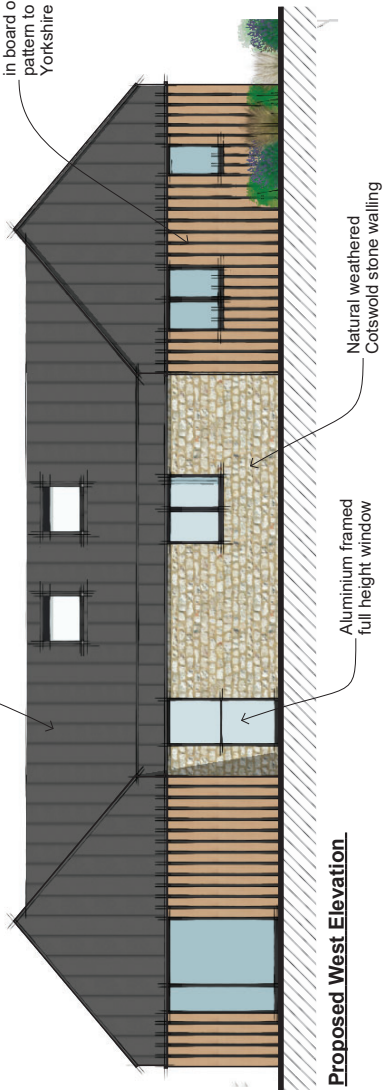
PLANNING
 1772-05C



Steelcoat PLX "Anthracite grey" to fascia

Timber cladding in board on board pattern to mimic Yorkshire boarding

Steelcoat PLX seamed metal roofing in "Anthracite Grey"



Proposed West Elevation

Natural weathered Cotswold stone walling

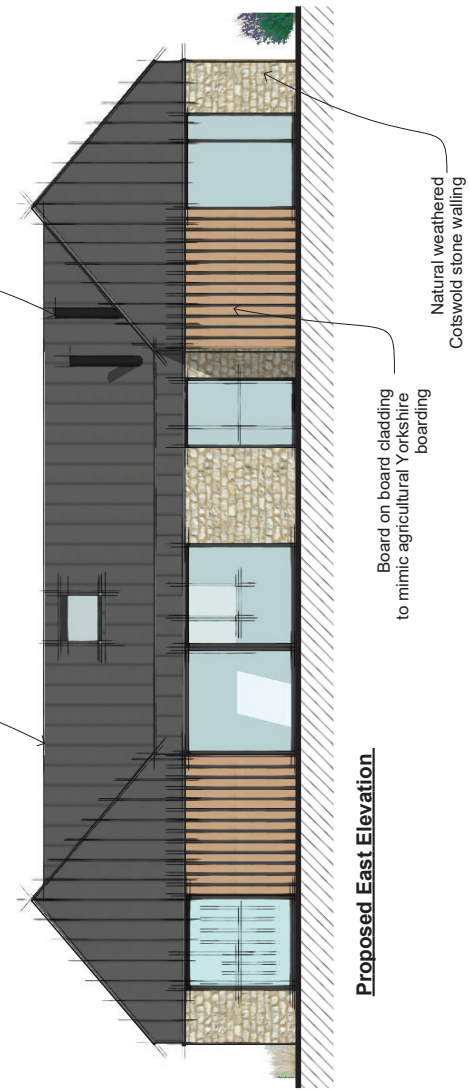
Aluminium framed full height window

Proposed South Elevation

Concealed entrance set back from elevation

Steelcoat PLX seamed metal roofing in "Anthracite Grey"

Black metal flue from woodburner

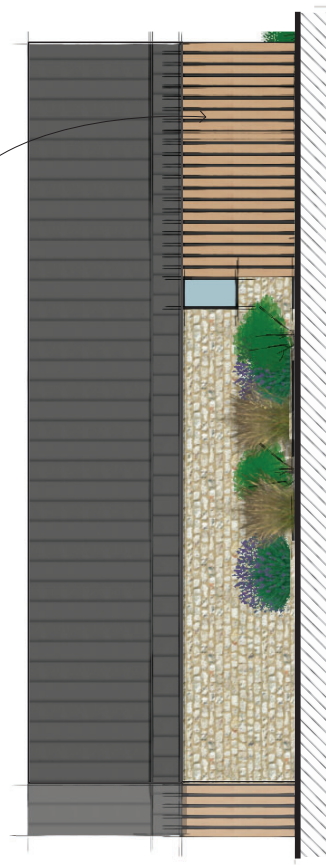


Proposed East Elevation

Board on board cladding to mimic agricultural Yorkshire boarding

Natural weathered Cotswold stone walling

Board on board cladding to mimic agricultural Yorkshire boarding



Proposed North Elevation

REV	DATE	DESCRIPTION	INT

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Moat Farm
Gotherington Lane
Gotherington

Proposed dwellings
Proposed Elevations - Plot 2
Date: 11/09/23
Scale: 1:50
Sheet: 1772-16B
Type: AC

1772-16B
PLANNING

Large rooflights concealed from public vantage point

Steelcoat PLX seamed metal roofing in "Zinc Grey"

Timber cladding in board on board pattern to mimic Yorkshire boarding

Proposed South Elevation

Aluminium framed full height window

Natural weathered Cotswold stone walling

Simple gable elevation mimics form of vernacular agricultural buildings

Steelcoat PLX to fascia

Proposed West Elevation

Corner glazing/ aluminium sliding doors to rear aspect

Steelcoat PLX seamed metal roofing in "Zinc Grey"

Proposed North Elevation

Board on board cladding to mimic agricultural Yorkshire boarding

Natural weathered Cotswold stone walling

Standing seam metal cladding to gable end

Proposed East Elevation

Aluminium framed front entrance door

Simple gable form to front elevation with three quarter length boarding

REV	DATE	DESCRIPTION	INT

D:\Projects\1772-17A\1772-17A_Plan\1772-17A_Plan.dwg
 01/04/2021 10:00:00
 A.C.L. ARKE DESIGN ARCHITECTURAL DESIGN SERVICES
 1772-17A Planning
 Cheltenham, Cotswolds, GL51 4HD
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Most Farm
 Gotherington Lane
 Gotherington

Proposed dwellings
 Proposed Elevations - Plot 3
 Date: 1/09/2021
 Scale: A1
 1772-17A
 PLANNING

Seamed metal cladding to gable end repeats agricultural form

Steelcoat PLX seamed metal roofing in "Zinc Grey"

Timber cladding in board on board pattern to mimic Yorkshire boarding

Proposed South Elevation

Aluminium framed entrance door

Natural weathered Cotswold stone walling

Timber cladding in board on board pattern to mimic Yorkshire boarding

Rooflights over to Study

Proposed West Elevation

Simple gable elevation mimics form of vernacular agricultural buildings

Black flue from woodburner below

Large aluminium framed picture window

Board on board cladding to mimic agricultural Yorkshire boarding

Steelcoat PLX seamed metal roofing in "Zinc Grey"

Proposed East Elevation

Access door and glazed side panel to Utility

Proposed North Elevation

Aluminium framed sliding doors to rear aspect

REV	DATE	DESCRIPTION	INT

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Moat Farm
 Gotherington Lane
 Gotherington

Proposed dwellings

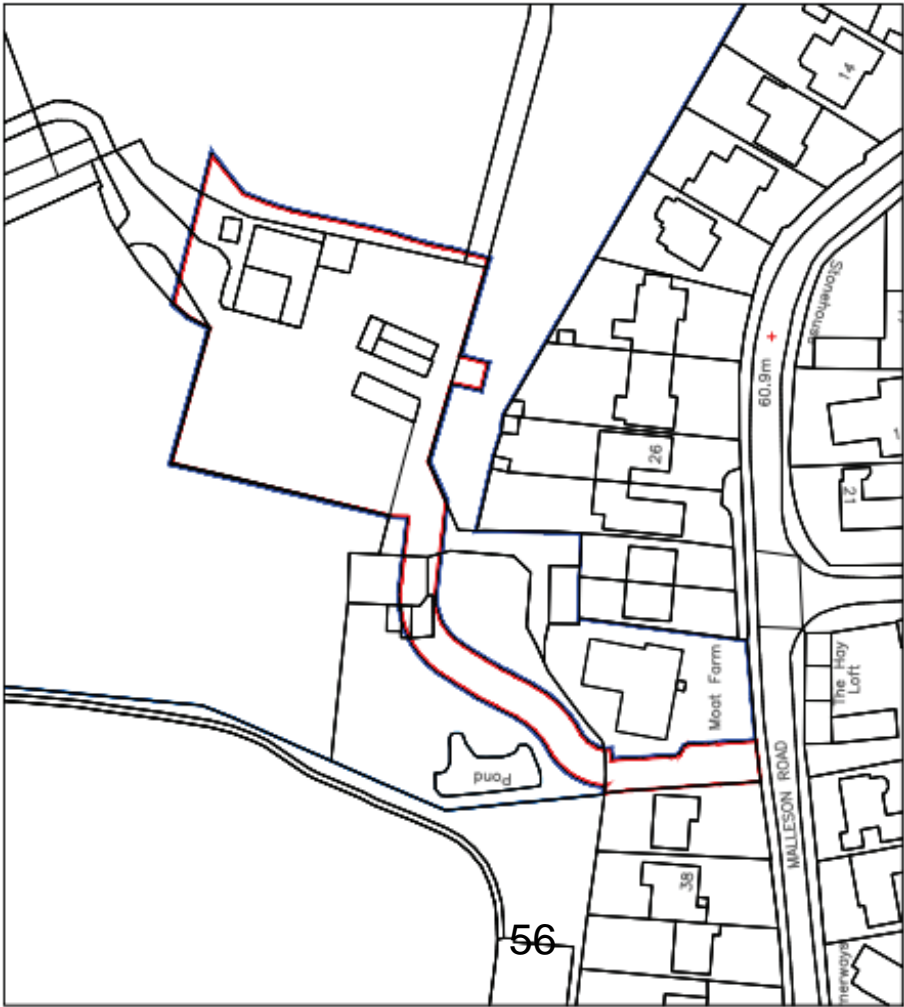
Proposed Elevations - Plot 4

Scale: 1:100 @ A3

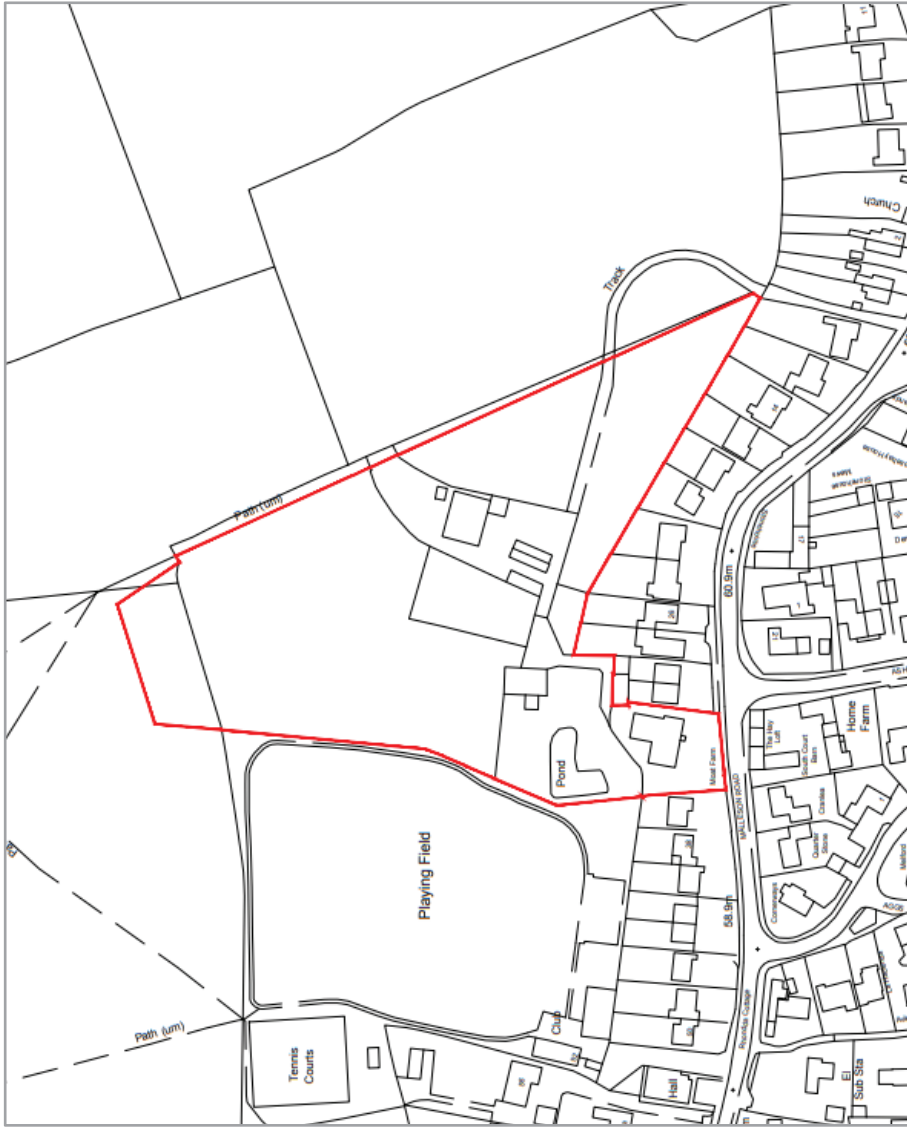
Issue: 01 July 2021

Drawn: AC

1772-18A
 PLANNING



Current Application Site: 21/01307/FUL

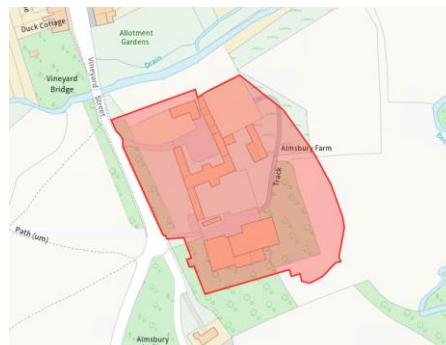


Appeal Site: 14/00749/OUT

Planning Committee

Date	17 October 2023
Case Officer	David Lowin
Application No.	21/01496/FUL
Site Location	Almsbury Farm, Vineyard Street, Winchcombe, Cheltenham
Proposal	Redevelopment and conversion of Almsbury Farm Barns to provide a mixed residential and commercial development, comprising of circa. 900 sqm of Class E commercial floor space and 18 new residential units including demolition of non-historic portal framed barns and the provision of new car parking, landscaping and associated infrastructure
Ward	Winchcombe
Parish	Winchcombe
Appendices	<ul style="list-style-type: none"> Site location plan Proposed site plan Landscape Strategy Farmhouse Elevations 1 Farmhouse Elevations 2 Farmhouse First and Second Floor Plan Farmhouse Ground Floor Plan Existing Barn GF plan, Elevations & Sections Proposed Barn GF, Elevations & Sections Barn Ground Floor Barn Elevations 1 Barn Elevations 2 Barn Elevations 3 Barn Elevations 4 Terraced Home Elevations 1 Terraced Home Elevations 2 Terraced Home Ground Floor Plan Terraced Home First Floor Plan New single storey barn elevations New single storey barn GF and FF Plans
Reason for Referral to Committee	Full or outline application for the erection of 10 or more residential units and Councillor call in.
Recommendation	Delegated Permit

Site Location



1. The Proposal

Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R3UV8RQDI8000>

- 1.1 Redevelopment and conversion of Almsbury Farm Barns to provide a mixed residential and commercial development, comprising of circa. 900 sqm of Class E commercial floor space and 19 residential units, following revision of design now 18 units. Including demolition of non-historic contemporary portal framed barns and the provision of new car parking, landscaping and associated infrastructure.
- 1.2 This proposal includes 14 new residential build houses to replace existing non-historic portal framed barns, with the remainder of the commercial units and four residential uses proposed through conversion and redevelopment of the existing traditional listed barns. The site will comprise of the following elements:
 - The conversion of the listed buildings to a mix of four residential and commercial uses in the remaining area.
 - A U-shaped terrace of ten 3 bedroomed 'alms house' type cottage accommodation, and 4 new dwellings, comprising one three bed dwelling and three 4 bed homes in the South east corner of the site. Three of the homes are designed as terraced and have the external appearance of single storey agricultural buildings, with the final detached dwelling being of similar design.

2. Site Description

- 2.1 The Application Site lies wholly within the Winchcombe Conservation Area and incorporates, the Grade II listed Almsbury Farmhouse (list entry no. 1340288) and the adjacent Grade II listed farm buildings, currently in a derelict condition (1304848). The site is also within the Cotswolds AONB. Adjoining but not within the site the land immediately to the North is within Flood Zone 3, however the site is within flood zone 1, the lowest risk of flooding associated with the River Isbourne and Beesmoor Brook located near to the site.
- 2.2 The site also adjoins and comprises a very small part at the extreme South of the application site (not proposed for development) which falls within the Sudeley Historic Park and Gardens.
- 2.3 The farm buildings of Almsbury Farm were listed in 1960; the list description was amended in 1984 (Grade II, list entry no. 1304848). The farm complex lies just to the east of Vineyard Street, between the Isbourne and Vineyard Bridge to the north, and the Listed Historic Park and gardens of the Sudeley estate to the south. To the north and within the site is situated the listed Almsbury Farmhouse as described below. To the east is an open field sloping down to the Beesmoor Brook.
- 2.4 The barn at Almsbury dates from the 18th century or earlier. Most of the other buildings now present date from the 19th century.
- 2.5 Almsbury Farmhouse within the application site was listed at Grade II in 1984 (list entry no. 1340288). The farmhouse appears to date from the 18th century, although with substantial 19th century modifications. It had assumed its present L-shaped arrangement by 1884. The house is of cut and squared limestone, with a stone slate roof to a coped gable.

2.6 The farmhouse's setting to the south is defined, as it has been since the late 19th century, by its relationship with the buildings enclosing the northern farmyard. To the east, a range of sheds abutting the granary building extend in front of the eastern elevation of the farmhouse; these historically faced a produce garden to the east. Somewhat overgrown by 2005, this is now an open grassed area. The setting of the farmhouse to the north and the west remains essentially as it would have been following the erection of Vineyard Bridge and the realignment of Vineyard Street in the early 1890s, bounded by mature trees.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
00/00753/FUL	Conversion, change of use of farmhouse & buildings, erection of new buildings to provide a new visitor centre including retail, restaurant and new estate office. New car park. Creation of visitor toilets & ticket office at Sudeley. Erection of new walls, railings & temporary barriers.	PER	17.04.2003
00/00754/LBC	Conversion and change of use of farmhouse and farm buildings including demolition and erection of new buildings to provide a new visitor centre including retail, restaurant and new estate office.	CONSEN	29.01.2002
91/96330/LBC	Re-roofing (Grade II Listed Building Ref: 4/210)	CONSEN	24.09.1991
94/01040/LBC	Re-roofing of Agricultural Barn (listed Building grade II 4/209)	CONSEN	13.12.1994
97/00839/FUL	Conversion of coach house/bothy into holiday let accommodation/ bed and breakfast use	PER	14.10.1997
97/01084/LBC	Internal alterations to Bothy to create holiday-let accommodation	CONSEN	17.11.1997
04/01674/LBC	Replacement roof structure and internal structures. General reinstatement following a fire. (Grade II Listed Building ref:10/210.)	CONSEN	01.06.2005
16/01453/FUL	Proposed construction of a 52 bed care home and 53 assisted living units (C2 use), including the conversion of Almsbury Barns. Associated hard and soft landscaping and parking.	REF	12.10.2017
21/01497/LBC	Internal and external works in association with the redevelopment and conversion of Almsbury Farm Barns to provide a mixed residential and commercial development.	CONSEN	21.09.2023

Recent planning history

3.1 In 2002-3, planning permission and listed building consent were granted for the conversion and change of use of the farmhouse and farm buildings, together with the erection of new buildings, to provide a new visitor centre and estate office (refs. 00/00753/FUL & 00/00754/LBC). These permissions were not implemented.

- 3.2** In 2008, planning permission and listed building consent were granted for the restoration and extension of the farmhouse (refs. 07/01279/FUL & 07/01277/LBC). Extension of these permissions with some minor amendments was granted in 2011 (refs. 11/00225/FUL & 11/00209). It is understood that footings for this consent were dug, and that approved scheme forms part of the current proposals for that building.
- 3.3** In 2017 an application for a 52-bed care home, and 52 assisted living units was refused by Members at Planning Committee. The reasons for refusal were; contrary to the Councils locational housing policies, significant harm to the AONB, harm to the setting of the nearby heritage asset and an unsafe highways impact. It should be noted that the application site formed a larger parcel of land than the currently proposed site.
- 3.4** An EIA Screening opinion was requested by the applicant as set out above and resulted in a determination that the development did not fall within Schedule 2 of the EIA Regulations.

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 4.1 Winchcombe Town Council – Objection** to this proposed development but for only **one** reason, set out below. Convincing proposals for traffic management in the street are the obstacle. “The overall view of the Town Council is that the development set out in the application is, in itself, a far better proposal than previous applications for this site. We welcome:

- The investment in a new use of the long empty barn building (and the opportunity to create local employment through commercial use).
- The reconstruction of the single storey buildings lost over the years, enabling them to be brought back into suitable use; with a view to sustainable development, increasing local employment opportunities is a positive goal;
- The replacement of ramshackle modern barns and farm buildings with a terrace of modest homes, with some provision for affordable housing;
- The opportunity to use the site to construct new detached homes, using the same style and construction materials.

However, while the Town Council welcomes the overall project as set out, it’s a fact that any additional development would increase traffic flows in Vineyard Street. There are currently only 16 residential properties in Vineyard Street (the steep hill down from Abbey Terrace in Winchcombe Town Council) and another 5 in the Old Brockhampton Road, a no through road that extends into Sudeley Parish and serves significant farming operations. The application would create more traffic from the new homes and proposed commercial uses of the main barn and some other parts of the site.

The challenge here is that the street is also the main entrance route to Sudeley Castle, a very popular tourist destination attracting about 80,000 visitors a year and organising various festival and trade fairs on their extensive parkland. There are already occasions when the diagonal parking in Vineyard Street constricts farm machinery traffic and HGV deliveries. And when there is additional traffic to the Castle for special events, the additional marshals laid on to direct traffic at the junction with Abbey Terrace can be overwhelmed by the flow of traffic. Any new development is going to increase the challenge and potentially back traffic up to the main road through Winchcombe. If the Borough Council is minded to approve this application, the Town Council would want a condition applied with the effect of: ensuring no

development is started until there is a suitable County Council designed traffic management scheme for Vineyard Street to replace the diagonal parking, to take account of the needs of Vineyard Street and Old Brockhampton Road residents and businesses, and of the need for easy access for visitors to Sudeley Castle; ensuring that no part of the development is occupied on completion until the full implementation of that traffic management scheme. A local resident has provided the Town Council with a very thorough explanation of the challenge Vineyard Street sets for any development at Sudeley Castle or along the Old Brockhampton Road. It's clear from his assessment that normal County Council standard formulae approaches don't easily help to identify solutions in such an unusual location. It may be that converting Vineyard Street from diagonal to parallel parking would help the traffic flow, but it would also deny the residents of the street of perhaps 15 easy parking spaces on their doorstep. Where would they park? Abbey Terrace spaces are not a suitable alternative as it is operated with time limits to underpin access to the local economy - the vet, the dentists surgery, and shops and local services. The main town car park is some distance away in Back Lane. The Town Council would therefore welcome a proper County Council assessment of how these challenges can be addressed. Until there is a convincing way forward we do need to sustain a formal objection and ask the Borough Council not to determine the application."

- 4.2 Highway Authority - No objection subject to conditions.** The County Highway Authority consider that further to the Highway Authority's recommendation dated 4th July 2022, and after extensive discussions and negotiations, it has been agreed that by virtue of the resulting intensification of the number of vehicle and pedestrian movements from the development proposal onto Vineyard Street and the junction with B4632 Gloucester Street, the proposal is dependant on the introduction of a Traffic Regulation Order in order to restrict the number of on-street parking along this road that will allow for the safe operation of the road and junction without detriment to highway safety.

All the remaining matters set out in the HA's previous correspondence have been incorporated in subsequent submissions made by the applicant's transport consultant, and we are satisfied that these address the matters set out. The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

- 4.3 Land Drainage Officer** – The submitted drainage strategy report shows sufficient evidence that an appropriate drainage system incorporating the use of a sustainable urban drainage system can be introduced on this site. **No objection subject to recommended conditions.**
- 4.4 Conservation Officer** – Following considerable negotiations and submission of revised scheme , including redesign of some dwelling units and a reduction of dwellings to 18 so that 5 of the new dwellings resemble the scale and massing of agricultural buildings and revisions to proposals for external areas, including the setting of the listed tithe barn and the two north and south orientated wings of that building by deletion of a hard surfaced area immediately adjoining these buildings frontage to the Road and revision to original landscape proposals to continue an open frontage from the Road to the barn's elevation . **No Objection** subject to recommended conditions.

- 4.5 Environmental Health Officer** – **No objection subject to recommended conditions.**

- 4.6 Housing Strategy and Enabling – No Objection** subject to confirmation that the applicants have correctly applied the principle of the vacant building credit correctly to off site provision of residual ‘new floorspace’
- 4.7 Lead Local Flood Authority** – The site is within flood zone 1 and is at low risk of flooding. The LLFA has **no objections** to the to the proposal subject to recommended conditions.
- 4.8 Minerals and waste Planning Authority – No objection** subject to recommended conditions.
- 4.9 National Highways – No objections.**
- 4.10 Ecology – No objections subject to recommended conditions.**
- 4.11 Gloucestershire County Community Infrastructure** – Contributions required for education in particular secondary education via a S106 agreement.
- 4.12 County Council Archaeology - No objection** subject to recommended condition.
- 4.13 Historic England – Objection** to the impact of on the registered Park and Garden of Sudeley Castle

5. Third Party Comments/Observations

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1** The application has been publicised through the posting of a site notice for a period of 21 days.
- 5.2** Some 11 representations have been received expressing opposition to the proposed planning application, including a representation from the ‘Friends of Winchcombe’ in summary;
- Highway impact on Vineyard Street by reason of increased traffic.
 - Deleterious effect of construction traffic
 - Concern about proposal proceeding prior to a by -pass on Sudeley estate land.
 - Site outside development boundary of Winchcombe on a greenfield site
 - Increase of light pollution
 - Density of development excessive
 - Undesirable impact of greenfield aspects of proposals
 - Site within a protected landscape
 - Danger to pedestrians on Vineyard Street by reason of increased usage and no footways.
 - Contrary to provisions of the National Planning Guidance (NPPF) which seeks to protect national landscape (Cotswold AONB)
 - Existing parking via angled spaces reduces width of Vineyard Street which will be exacerbated by proposed development.

Two letters of support were also received in support of the submitted scheme.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

Policy SP1 (The need for new development)
Policy SP2 (Distribution of new development)
Policy SD4 (Design Requirements)
Policy SD 7 (The Cotswold Area of Outstanding Natural Beauty)
Policy SD8 (Historic Environment)
Policy SD10 (Residential Development)
Policy SD11(Housing Mix and standards)
Policy SD12 (Affordable Housing)
Policy SD14 (Health and Environmental Quality)
Policy INF1 (Transport)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

Policy RES 2 (Settlement Boundaries)
Policy RES 3 (New housing outside Settlement Boundaries)
Policy RES 5 (New Housing Development)
Policy RES 7 (Re-use of rural buildings for residential use)
Policy RES 12 (Affordable Housing)
Policy RES 13 (housing Mix)
Policy EMP3 (Employment site within settlement boundaries)
Policy EMP4 (Rural Employment development)
Policy HER 1(Conservation areas)
Policy HER 2 (Listed Buildings)
Policy HER 3 (Historic Parks and Gardens)
Policy TRAC9 (Parking Provision)
Policy NAT1(Biodiversity, Geodiversity, and Important Natural Features)

6.5 Neighbourhood Plan

Winchcombe and Sudeley Neighbourhood Development Plan – 2011-2031(WSNDP)
now in excess of 5 years since achieving made status.

Policy 1.1 (Protecting the Distinctive Character of the Area)
Policy 2.1 (New Commercial and light Industrial Development)
Policy 5.1 (Design of New Development)
Policy 5.2 (Off Street Parking)
Policy 5.3 (Winchcombe Conservation Area)

Policy 5.5 (Extensions and Alterations to existing buildings)

Cotswolds National Landscape Management Plan (CNLMP) 2023-2025

6.6

Policy CE3 (Local Distinctiveness)

Policy CE5 (Dark Skies)

Policy CE10 (Development and Transport -Principles)

Policy CE6 (Historic environment and Cultural Heritage)

7. Policy Context

- 7.1** 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.
- 7.2** Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. As such when determining planning applications this authority has a duty under sections 16(2), 66(1) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area and listed buildings and their settings.
- 7.3** Chapter 16 of the National Planning Policy Framework sets out the importance of protecting and enhancing the historic environment and conserving heritage assets in a manner appropriate to their significance. Paragraph 194 of the NPPF states that:
- 7.4** 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 detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 7.5** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans. In this case the Winchcombe and Sudeley Neighbourhood Plan.
- 7.6** The relevant policies are set out in the appropriate sections of this report.
- 7.7** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

Principle of development

Employment Use

- 8.1** Paragraph 84 of the NPPF states that planning decisions should enable;
- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - (b) the development and diversification of agricultural and other land-based rural businesses;
 - (c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
 - (d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
- 8.2** The principle of commercial use development on this site is governed by WSNPD Policy 2.1, which supports, and specifically notes the Almsbury Farm site. This policy provides support for 'New and expanded business uses' for the site. The development of the non-residential use sought is as set out in the applicant's planning statement:
- 'The proposed Class E use is likely to be of an office/light industrial nature (i.e. former B1 uses).'*
- 8.3** The E class as currently set out in the Use Classes Order as amended (2023) under which the following uses under class E(g) can comprise uses that can be carried out in a residential area without detriment to its amenity including Offices, research and development, and industrial processes. Class E(c) allows for the provision of financial services, professional services or other appropriate services in a commercial, business or service locality.
- 8.4** Policy 2.1 of the WNDP has a footnote (2) allows for residential in connection with commercial proposals. Whilst the application site is not within the settlement boundary it does adjoin. The TBP gives encouragement to the establishment of employment uses within the settlement boundary and in terms of the urban morphology of the Town has a clear functional relationship. Policy EMP3 encourages employment uses albeit within settlement boundaries. Outside of settlement boundaries TBP Policy EMP4 makes reference to Policy AGR2 which allows for farm diversification where they enhance the operation of the agricultural business and do not prejudice the existing agricultural business. It is noteworthy that the Policy requires the maximisation of redundant building and where new buildings or extensions are proposed they are necessary for the new use, and of a scale and use appropriate to the rural setting and character of the surroundings.
- 8.5** The application site comprising vacant buildings and the original farmhouse is contended by the applicant to no longer be in use for agriculture as the farm's agricultural hub has now been established elsewhere. The proposals as discussed elsewhere do not adversely materially affect the adjoining landscape or the character of the area. The buildings whilst not within the settlement boundary have a clear relationship to the Town, and the employment use provides an appropriate use for a Listed Building. The re use for employment use provides a new use for an existing listed building in compliance with Policy AGR2, EMP4 and

HER2 the latter policy envisaging the re-use of Listed buildings. The neighbourhood plan specifically identifies the site irrespective of it being outside the settlement boundary as being acceptable for employment use. Whilst there is conflict with EMP3 of the TBP by way of its location outside of the settlement boundary, the proposals are compliant with other relevant employment and heritage policies and when taken together the commercial proposals submitted are consistent with relevant local and national policy.

Residential use

- 8.6** In order to further sustainability objectives and in the interests of protecting the countryside, the housing policies of the JCS set out the development strategy for the Borough. Strategic Policies SP1 and SP2 of the JCS set out the scale and distribution of development to be delivered across the JCS area in the period to 2031.
- 8.7** JCS and Policy SP2 sets out that to meet the needs of Tewkesbury Borough, none of which is being met by the urban extensions to Gloucester and Cheltenham, the JCS will make provision for at least 9,899 new homes. At least 7,445 dwellings 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. Winchcombe is identified as a Rural Service Centre.
- 8.8** In this case, JCS Policy SD10 is the relevant starting point in considering the principle of development. Policy SD10 of the JCS states that within the JCS area new housing will be planned in order to deliver the scale and distribution of housing development set out in Policies SP1 and SP2. Housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans.
- 8.9** 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.
- 8.10** The site comprises a number of existing buildings that have been used in conjunction with the Sudeley Estate. Formally the site was used for agricultural purposes which is evidenced by the previous planning history. However, the applicant has provided evidence that for the past 10 years there has been no agricultural activities on site, and there has been additional uses, such as storage, associated with the Sudeley estate and their tourism operations.
- 8.11** The site is located outside and adjoining the existing built-up area of Winchcombe, in open countryside and does not meet any of the exceptions of Policy SD10 of the JCS and the conflict with these adopted development plan policies are the starting point for decision making. However, the situational context of the proposed development and its proximity to the development boundary is still relevant. The site is located in such close proximity to the primary services and facilities available in Winchcombe. The site is within convenient walking distance to the Winchcombe High Street, which contains shops, community facilities, public transport, public open space, places of worship, libraries and schools. Although there is no public footpath linking the application site to the town along Vineyard Street, this route is already very well used by local residents, including frequently by dog walkers and visitors to Sudeley Castle. There are also other public rights of way links from the rear of the site to the town.

8.12 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. In this instance, there are material considerations which weigh in favour of the development, including the proximity and accessibility of the application site to community infrastructure, and the benefits to the community of additional employment facilities. These material considerations must be weighed against the harms of the development and each application must be determined on its own merits and this is a matter for the overall planning balance.

Tewkesbury Borough Plan (TBP)

8.13 In terms of the Borough Plan, Winchcombe is identified as a Rural Service Centre. The site is not an allocated site as set out in Policy RES1, nor is it located within the defined settlement boundary of Winchcombe and therefore Policy RES2 does not apply. Notwithstanding, the site is located adjacent to the settlement boundary of a defined Rural Service Centre; the application site is not located in an isolated rural location and future residents would have access to services in Winchcombe, Bishops Cleeve and beyond. The NPPF seeks to promote sustainable development in rural areas and housing should be located where it will enhance or maintain the vitality of rural communities (Paragraph 79). The location of the site immediately adjacent to a defined Rural Service Centre, which would have access to services, weighs in favour of the proposal.

Neighbourhood Development Plan

8.14 Paragraph 14 of the Framework states that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

I. the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;

II. the neighbourhood plan contains policies and allocations to meet its identified housing requirement;

III. the local planning authority has at least a three-year supply of deliverable housing sites (against its five-year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and

IV. the local planning authority's housing delivery was at least 45% of that required over the previous three years.

8.15 The Winchcombe & Sudeley Neighbourhood Plan (WSNDP) was adopted as part of the development plan on the 24th January 2017 and is therefore older than two years. Consequently, it no longer benefits from the protection that would have been afforded by paragraph 14 of the Framework. However, the WSNDP remains an integral component of the adopted development plan and decision makers should continue to have full regard to it in determining planning applications.

8.16 Policy 3.1 of the WSNDP advises that residential development on infill and redevelopment sites will be supported, provided they are within the Built-up Area (as defined on the proposals map). The application site lies outside the Built-up Area although it does abut it at the northern extent of the site.

- 8.17** However, Policy 2.1 (New Commercial and Light Industrial Development) identifies the site as an area where business uses are encouraged. Footnote 2 of this policy states: *“if not developed as part of a wider housing and care home development”* which is applicable in this instance as it seeks to ensure that the redevelopment of the site can accommodate a mixture of uses. This footnote indicates that there is a mechanism to allow housing to help support the viability of the site. It is worth noting that the Town Council have not objected to the principle of housing on this site to help support the commercial uses.
- 8.18** The proposal is therefore considered to be in conflict with Policy 3.1 of the WSN DP, however, is supported by Policy 2.1.

Five year Land Supply

- 8.19** The NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites. Where local authorities cannot demonstrate a five year supply of deliverable housing sites, paragraph 11 of the NPPF sets out that housing policies contained within development plans should not be considered up-to-date.
- 8.20** Further to the recent Trumans Farm, Gotherington Appeal decision (ref. 22/00650/FUL), the Council’s position is that it cannot at this time demonstrate a five year supply of deliverable housing land. The position of the recent appeal decision is that the Council’s five year supply of deliverable housing sites is, at best, 3.39 years, and that this shortfall is significant, which is accepted. The Council’s policies for the provision of housing should not therefore be considered up-to-date in accordance with footnote 8 of the NPPF.
- 8.21** It is notable that the Council is shortly due to publish its annual housing monitoring Housing Land Supply Statement which will confirm that the Council is unable to demonstrate a five year housing land supply. The final figure is not yet confirmed. A further update will be provided to Members at the Committee meeting.
- 8.22** Paragraph 11(d) of the NPPF therefore applies and states that where policies which are most important for determining the application are out of date, permission should be granted unless: i) the application of policies in the Framework that protect assets of particular importance provides a clear reason for refusing the development; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusion on the Principle of Development

- 8.23** 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.
- 8.24** The application site is not allocated for housing development and does not meet any of the exceptions of Policy SD10 of the JCS or Policy RES1 and RES3 of the TBP and does not meet the criterion of Policy 3.1 of the WSN DP. However, some housing is supported on the site through Policy 2.1 of the WSN DP and the conflict with these adopted development plan policies are the starting point for decision making.

8.25 However, as set out above, the Council cannot at this time demonstrate a five year supply of deliverable housing land and therefore the most important policies for determining the application are deemed out of date in accordance with footnote 8 of the NPPF. On that basis the application must be determined in accordance with paragraph 11(d)(ii) of the NPPF (the tilted balance), i.e. planning permission should be granted unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of NPPF as a whole.

Other Material matters

8.26 The relevant detailed matters are examined in the following sections of the report as follows:

- Landscape Impact
- Access and Highway Safety
- Design and Layout
- Residential amenity
- Affordable Housing
- Drainage and Flood risk
- Biodiversity
- Heritage Assets

Landscape impact and impact on the AONB

8.27 Policy SD6 of the JCS requires applications to protect or enhance landscape character. A Landscape Visual Impact Appraisal (LVIA) and Landscape Strategy have been submitted alongside the planning application. The LVIA concludes that the site can accommodate redevelopment and new residential dwellings in accordance with the proposed development, with no predicted significant landscape impact. It is also noteworthy that Policy SD7 of the JCS does not preclude development in the AONB only that the development conserve and where appropriate enhance its landscape and scenic beauty wildlife, cultural heritage and be consistent with the Cotswolds AONB Management Plan Policy.

8.28 It is Officers view that the development hereby analysed is consistent with those policies and that view is supported by consultee responses and the Town Council. Policy 2.1 of the WSNPD implicitly supports, by reason of the wording of that policy, the re-use and development of the application site.

8.29 The applicant's report notes that overall, the development offers potential for beneficial enhancement which will benefit landscape character and visual amenity through the removal and redevelopment of existing detractor structures, the contemporary farm buildings, and introduction of new built form consistent with the prevailing landscape. The Landscape Strategy proposes new native tree planting within the existing woodland belt to reinforce the boundary with Sudeley Castle grounds.

8.30 The sense of openness to Vineyard Street is retained by keeping the area to the north free of built development. New native hedge planting is proposed to help maintain a sense of rural character along the road. Hedge and tree planting is proposed within the adjoining paddock to filter views from Winchcombe to the north. A new native hedge is proposed along the length of the eastern boundary to create a soft defined boundary and enclose the built form. In addition, new tree and hedge planting within the development and high-quality finishes to hard landscaping proposals complement the architecture and together, create an attractive environment for future occupiers of the site.

8.31 Within the accompanying information, it has been demonstrated that the proposed development would not cause significant landscape harm and a comprehensive landscape strategy affords significant landscape enhancements. The proposed development is in accordance with Policy SD6 and SD7 of the JCS. Officers having considered the submitted LVIA and the relevant consultee responses together with the advice given in the Cotswolds National Landscape Management Plan (CNLMP) 2023-2025 are of the view that the proposal is acceptable in landscape terms.

Access and highway safety

8.32 Policy INF1 of the JCS sets out that development should ensure safe and efficient access to the highway network. The NPPF requires safe and suitable access to be provided. Paragraph 110 states that development should only be refused on transport grounds where the cumulative impacts of development are 'severe', which is a high-level test of harm.

8.33 The site is currently served by a single point of vehicular access from Vineyard Street which is the existing access to the farm together with a new access. The submitted Transport Statement includes detailed site access drawings, which demonstrates that visibility splay standards are met along Vineyard Street in accordance with highway standards. Swept path analysis plans are also provided to demonstrate that vehicles can turn and manoeuvre within the site in a safe and convenient manner. There has had to be some compromise in terms of internal road standards, particularly in terms of footpath provision. This is an important heritage site, and the introduction of engineered highway features would cause substantial harm to the character and setting of heritage assets, in particular the highway approach to Sudeley Castle, the Conservation Area and the AONB. The existing grass verges on Vineyard street adjoining the site between the two proposed access points are to be upgraded by virtue of a suitable bound material to accommodate pedestrian routing and occasional vehicle overrunning to ensure the continued safe and suitable operation of Vineyard Street.

8.34 The site proposals provide some 65 vehicle parking spaces which the applicants consider is the minimum required for the submitted proposal consistent with respecting the important heritage assets present on site and in the vicinity. The site in any event is located within close proximity to the Town centre. The Highways Authority (HA) have raised no objections to the quantum of parking.

8.35 Although there is no public footpath linking the application site to the town along Vineyard Street, this route is already very well used by local residents, including frequently by dog walkers and visitors to Sudeley Castle. There are also other public rights of way links from the rear of the site to the town.

8.36 Given the restricted width of Vineyard Street the existing presence of pedestrians the result is that overall, the risk to road users is slight as driver behaviour has and does adjust to the situation. The Highway authority, whose comments are set out above have carefully considered the matter and subject to recommending a Traffic Regulation Order to restrict and re-order existing parking on Vineyard Street are content that the proposals are appropriate. Extensive discussion has been had between the Applicant, the HA and the Town Council in relation to the TRO. However, the final details of the TRO are still under discussion and the applicant is seeking to provide an updated plan prior to the Planning Committee meeting.
Given this Members will be updated accordingly.

Design and layout

- 8.37** The NPPF at chapter 12 deals with 'achieving well-designed places' requiring that development is visually attractive and consistent with local landscape and history. The Framework seeks development to maintain a strong sense of place. Policy SD10 of the JCS at criteria 6 seeks to achieve an appropriate density, the protection of heritage assets, local amenity and the character and quality of the local environment. TBP policies DES1, HER 1, 2 and 3 dealing with space standards, development in conservation areas and development relating to alterations to Listed Buildings are all relevant in consideration of this matter. In addition, the CNLMP Policies CE 6 is relevant seeking to protect the historic Environment and CE 3 seeking to conserve local distinctiveness.
- 8.38** The applicants have submitted a Heritage Statement alongside the application for planning permission and the listed building consent application reported separately under that reference number. The site is within the Winchcombe Conservation Area and within the AONB and abuts and comprises a small area of the Sudeley Castle Registered Park and Garden (RPG) and comprises Grade II listed buildings.
- 8.39** The submitted scheme seeks to balance the viability of a scheme that preserves the historic interest has been at the heart of the design process. The proposed development conserves and restores the listed buildings on site in accordance with relevant policy and removes modern, unsightly agricultural sheds. The Heritage Statement confirms that the proposed works have been conceived to minimise harm to significant fabric as much as possible, giving the buildings a long-term viable use.
- 8.40** The submitted report goes on to note that care has been taken to minimise harm to significant fabric as much as possible, where significant harm to fabric has been identified, it is at the low end 'less than substantial'. Changes to the setting improve the site's appearance and improve the legibility of the historic farmstead layout recreating in Plan form the appearance of a home farm complex.
- 8.41** The terraced 'Alms houses' proposed are typical in design of others in Winchcombe and such dwellings are common at 'Estate Home Farm' complexes common in providing accommodation for farm workers.
- 8.42** A small part of the Conservation area would be affected by the proposed development. The Heritage Statement concludes that any harm caused to the special interest of the Conservation area as a whole would be at the low end of less than substantial.
- 8.43** The layout has been designed to minimise the effect on the Sudeley Castle registered Park and garden (RPG). Consultation responses confirm that the impact on the RPG is slight, though the Historic England have expressed concern that the setting of the RPG is significantly compromised and this matter is considered later in this report. During the course of consideration of the proposals Officers in concert with the applicants considered that the original design of the non-almshouses terraced dwelling development did not respect the overall design concept for the site. As a result the number of dwellings were reduced to 18 in total and the design of the new dwellings on the southernmost part of the site were reconsidered to provide an agricultural external appearance, both in terms of massing, height, and external finishes, to recreate and add to the Home Farm typology prevalent within the proposed conversion of the existing Listed Buildings.

8.44 The materials to be used in the development of the new buildings are proposed to accord with those most typically used in the area and a recommended condition requires details to be submitted in accordance with Policy CE3 of the CNLMP. Officers consider that Policy SD10 of the JCS, and policies DES1,HER 1,2 and 3 of the TBP and chapter 12 of the NPPF are complied with.

8.45 Officers now consider that the submitted scheme is compliant with relevant Development Plan Policy as set out above and conclude that the proposal as submitted is satisfactory.

Residential amenity

8.46 Policy SD4 of the JCS together with RES 5 of the TBP both seek that new residential development should be of a design and layout that respects the character, appearance and amenity of the surrounding area.

8.47 The layout of the site has been designed insofar as residential amenity within the site to ensure that the reuse of the listed barns for commercial use as offices do not adversely affect residential amenity of residents of the new dwellings proposed. The site is self-contained and therefore no residential dwelling adjacent to the site will be affected. The Environmental Health officer has considered the proposals and is content that the development will not produce a material impact in terms of noise, air quality and that a recommended planning condition should be considered to ensure that policy in the CNLMP (CE5) relating to dark skies is complied with.

8.48 In addition, the Environmental health officer, given the site is a mixed-use proposal, has considered it appropriate in terms of the protection of residential amenity to recommend a noise condition. In addition, the EHO advice on the site has recommended a site investigation as a precautionary measure completed in accordance with an approved site-specific methodology, given Officer's understanding of previous site use, including storage of unknown materials.

8.49 Officers have concluded that the residential amenity of prospective occupiers of the new residential development will be protected and that the site complies with the relevant development plan policies relating to residential amenity.

Housing mix

8.50 Policy SD11 of the JCS requires that housing development shall provide an appropriate mix of dwelling sizes, and shall meet national space standards and be located in accessible locations. The relevant policy in the TBP Policy RES13 mirrors the requirements of the JCS Policy.

8.51 The submitted scheme provides for a mix of re use of existing Listed Structures on the site together with new homes. The housing proposed on the site comprises a mixture of dwelling sizes. Officers consider that the proposals as they are driven by the context of the site, the important heritage, conservation and landscape designation of the site to be consistent with the requirements of TBLP's policy RES13 Housing Mix and SD11 of the JCS.

Affordable housing

8.52 In accordance with the requirements of Policy SD12 of the JCS together with Policy RES 12 of the TBLP the scheme proposes compliance with those policies.

- 8.53** However, the standard 40% requirement, is contended by the applicants who consider that it should be reduced by reason of the discount afforded by the demolished floorspace using the provisions of Vacant Building Credit.
- 8.54** Under national planning policy in the National Planning Policy Framework (NPPF), to support the re-use of brownfield land, where vacant buildings are being re-used or redeveloped, any affordable housing contribution due on the redevelopment should be reduced by an amount proportionate to the existing buildings. This is known as the vacant building credit.
- 8.55** The NPPF 2021 states at para 64;
- “Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.”*
- 8.56** VBC is equivalent to the existing gross floor space of the existing buildings to be demolished. This provision is applicable in circumstances where the buildings have had no relevant agricultural use, not abandoned, are structurally sound and are on brownfield land. The structural report submitted with the application confirms this.
- 8.57** Given this the applicant has sought to demonstrate that the vacant former agricultural buildings are sited on previously developed land i.e brownfield land. Initial concerns were raised that the site was still under agricultural use and therefore the VBC could not apply as agricultural land is not deemed to be previously developed.
- 8.58** The applicant has submitted a sworn affidavit from the CEO of Sudeley Castle and has been formally sworn in front of a solicitor, under section 5 of the Perjury Act 1911. This affidavit details the type of storage use carried out at the buildings and states that this is in relation to the operations of the wider estate including the events held on the castle grounds. Officers, along with the Planning Lawyer, have assessed this information and consider that, in the absence of any contrary evidence and on the ‘balance of probabilities’ that the buildings have been used for the purposes of general storage, in association with the commercial and tourist businesses of Sudeley Castle. With this in mind it is considered that through the passage of time, the site use has changed away from agricultural and therefore can be considered as brownfield or previously developed for the purposes of VBC which is cross referenced in the glossary of the NPPF.
- 8.59** Given this Officers accept that the former agricultural buildings on the site do constitute, having been used for non-agricultural purposes on Brownfield land and are therefore relevant in terms of qualifying for VBC. Accordingly, the 40% requirement for affordable housing by relevant policy is reduced. The resultant calculation produces a need for 1.2 units, confirmed by the Council’s housing officer based on the revised number of 18 dwellings. As it is unlikely that any affordable housing provider will be prepared to build just one dwelling on the site Officers have accepted that the development should contribute a sum of £99,000 to provide for the quantum required offsite.
- 8.60** The Councils Affordable Housing Officer has been consulted and confirms that the methodology used to calculate the VBC is correct and the provision of an offsite contribution is acceptable in this instance, in accordance with Policy SD12 (criterion 3) of the JCS.

Drainage and flood risk

- 8.61** Policies INF 1 of the JCS and ENV2 of the TBP require that development should avoid areas of flood risk. The NPPF section 14 seeks to protect prospective occupiers and users of new development and others in the area from flood risk.
- 8.62** The applicants have submitted a flood risk and drainage strategy. The submitted report considers the existing ground conditions, the existing drainage arrangements and the hydrology of the site. The River Isbourne flows east past the site, which is located approximately 12m north of the application site boundary. The Beesmoor Brook flows north past the site, approximately 78m to the east. Both watercourses are non 'main river'. The Beesmoor Brook reaches its confluence with the River Isbourne upstream of Castle Street Bridge circa 192m north east of the site.
- 8.63** Severn Trent Water asset plans show that there are no public sewers serving or in the vicinity of the site. The site is located within flood zone 1. This is the area shown to be at low risk of river flooding associated with the River Isbourne and Beesmoor Brook. The development proposals are not classed as 'more vulnerable' within Flood Zone 1 and therefore an exception test is not required. No historic records exist to show flooding. In terms of flooding caused by rainfall data from the Environment agency indicate that the site is at low risk of pluvial flooding. The response to the application in particular the Drainage and flooding strategy from the Lead Local flood authority and the Council's drainage engineer raise no objections to the scheme subject to the imposition of recommended planning conditions. Officers are content that the proposals are in conformity to the relevant planning policy at National and local level subject to conditions.

Ecology

- 8.64** The NPPF at section 15 requires that planning decisions should contribute to and enhance the natural and local environment by inter alia by protecting and enhancing Biodiversity net gain. (BNG). TBP policy NAT 1 requires that development proposals to be permitted shall conserve, restore and enhance biodiversity.
- 8.65** The applicants submitted an ecological assessment and an arboriculture assessment as part of the submission. Those found that:
- There are not considered to be any significant adverse effects on any other statutory and non-statutory sites of nature conservation interest from the development proposals.
 - No evidence of Badgers such as any setts, latrines, mammal paths, snagged hairs, foraging marks or footprints were recorded within or immediately adjacent to the site.
 - None of the trees within the site were recorded as having developed features suitable to support roosting bats.
 - The site supports a low population of Slow Worms and therefore prior to the removal of suitable reptile habitat, a reptile translocation exercise will be undertaken in which all reptiles will be moved through a simple in situ translocation exercise to a retained area of improved grassland located in the north of the site. To ensure opportunities for reptiles are retained post development it is recommended areas of open space are retained and managed for reptiles.
 - The development proposals are feasible from an arboricultural perspective for the following reasons:
 - No highly important landscape feature trees will be removed.
 - Tree protection measures can be put in place to ensure that construction works do not result in damage to retained trees.

- 8.66** The response of the Council's ecology advisor is set out above considering that the submitted material is that the proposals are acceptable subject to the imposition of planning conditions. Officers consider that the requirements of the NPPF and TBP Nat 1 are complied with and therefore in terms of ecological issues the scheme is satisfactory.

Heritage assets

- 8.67** 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.
- 8.68** Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. As such when determining planning applications this authority has a duty under sections 16(2), 66(1) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area and listed buildings and their settings.
- 8.69** Chapter 16 of the National Planning Policy Framework sets out the importance of protecting and enhancing the historic environment and conserving heritage assets in a manner appropriate to their significance. Paragraph 194 of the NPPF states that:
- 8.70** 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 detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 8.71** In particular, paragraph 197 states that in determining planning applications, local authorities should take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 8.72** Paragraph 200 of the NPPF states that: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 8.73** Policy HER1 of the adopted Local Plan states that: Proposals for development in or within the setting of a conservation area will need to have particular regard to the potential impact on its character and setting. New development will be expected to preserve or enhance the character and appearance of conservation areas through high quality design and use of appropriate materials. Proposals will be required to demonstrate a thorough understanding of the significance, character and setting of conservation areas and how this has informed proposals, to achieve high quality new design which is respectful of historic interest and local character. Policy HER2 of the adopted Local Plan states that: Alterations, extensions, or changes of use to Listed Buildings, or development within their setting, will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings. Policy RES7 of the adopted Borough Plan states

that:

- 8.74** The re-use and conversion of redundant buildings in the rural areas (the areas located outside of defined settlement boundaries) for residential use will be permitted provided that:
1. The building is of a substantial construction, is structurally sound and is capable of conversion without the need for significant new building works and/or extension.
 2. Where the proposal involves a traditional building, any new works are of a scale, form, type and materials sympathetic to the character and appearance of the original building;
 3. The proposal does not result in the requirement for another building to fulfil the function of the original building to be converted.
 4. The proposal preserves or enhances the landscape setting of the site and respects the rural character of the area
- 8.75** Policy HER2 of the Borough Plan requires that development which comprises the change of use of listed Buildings or development within their settings will be expected to have no adverse impacts on the elements which contribute to their special architectural or historic interest including their settings. The materials to used on building works should normally be undertaken using traditional materials and building techniques.
- 8.76** Policy HER3 of the Borough Plan requires that proposals which affect historic parks and gardens will not adversely affect their character.
- 8.77** The Winchcombe and Sudeley Neighbourhood plan at Policy 1.1 requires that development should respect local character. Policy 5.1 echoes Policy 1.1 requiring new development to reflect the character of its surroundings in terms of form, massing, and materials. Policy 5.3 requires development to conserve the Conservation area. Finally, Policy 5.5 requires extensions and alterations to existing buildings to utilise complementary materials.
- 8.78** The scheme as submitted includes the already approved extension to the farmhouse as noted above, that planning permission and listed building consent were granted for the restoration and extension of the farmhouse (refs. 07/01279/FUL & 07/01277/LBC). Extension of these permissions with some minor amendments was granted in 2011 (refs. 11/00225/FUL & 11/00209). It is understood that footings for these consents were dug, and that the approved scheme forms part of the current proposals for that building. It is proposed to retain the existing Almsbury Farmhouse as a discrete residential property. No new internal works to it would be undertaken, and thus it is not included in the total of 18 new residential units cited above within the description of development as amended. It is proposed to build out the new-build extension to the farmhouse granted planning permission and listed building consent in 2011 (refs. 11/00225/ FUL & 11/00209/LBC), rather than forming part of the farmhouse dwelling this would become a new discrete residential property. The three existing ground-floor openings in the eastern side of the farmhouse (two windows and a door), which under the previously permitted scheme were to have been altered to allow passage between the farmhouse and the extension, would be closed-up to affect the separation.

Almsbury Farm buildings

8.79 The farm buildings of Almsbury Farm were listed in 1960; the list description was amended in 1984 (Grade II, list entry no. 1304848). The farm complex lies just to the east of Vineyard Street, between the Isbourne and Vineyard Bridge to the north and the parkland of the Sudeley estate to the south. To the east is an open field sloping down to the Beesmoor Brook. The barn at Almsbury dates from the 18th century or earlier. Most of the other buildings now present date from the 19th century

Granary and adjacent shelter shed.

8.80 Under the scheme permitted in 2011 (refs. 11/00225/FUL & 11/00209), the granary building to the south east of the farmhouse (converted to holiday-let accommodation under ref. 97/01084/LBC) was to have been combined with the northern end of the shelter shed to its south – north of a new east-west passageway through the latter – to form a further extension to the farmhouse, connected via a new doorway into the new-build element. Under the current Application scheme, the granary and the northern end of the shelter shed would become a further discrete residential property. With the exception of the omission of the new doorway in the northern side of the granary, the works here would be essentially as per those permitted in 2011.

8.81 New internal walls would be constructed to form the new passageway through the shelter shed and to affect the separation of the shelter shed into two parts. New gates would be fitted to the opening at the western end of the passageway. Most of the western pitch of the roof over the shelter shed is covered with stone slates, although there is a small section at its southern end with a modern profiled metal covering. The whole of the eastern pitch is of profiled metal, and the whole length of the ridge is finished with sheet metal. Under the current Application scheme, it is proposed to replace the profiled metal with stone slates, and to replace the sheet metal ridge with appropriate ridge tiles. Much of the western side of the shelter shed is currently clad in timber weatherboarding. This would be removed, and new bronze-framed windows glazing would be set behind the restored timber posts, in places supplemented with hit-and-miss hardwood panels.

8.82 The works proposed to create the residential unit to the north would involve:

- an overhaul of the roof and walls of the granary;
- brickwork repairs to the northern end of the adjacent shelter shed;
- the creation of two new doorways in the existing wall between the granary and the shelter shed, one to affect the main connection between the two parts, and the other accessing a WC;
- the removal of the existing timber partition forming the southern side of the existing log store;
- the opening-up of the existing window opening in the brick part of the western elevation of the shelter shed;
- the closing-up of the existing window opening in the eastern elevation of the shelter shed, and the insertion here of a new appropriately detailed timber door and window;
- the relocation westward of the internal doorway in the existing east-west internal wall that forms the southern end of the brick-built part of the shelter shed;
- the restoration of the simple timber post columns along the western side of the shelter shed; and
- the insertion of new bronze-framed windows set behind the timber posts.

8.83 Under the current Application scheme, the southern end of the shelter shed – to the south of the new east-west passageway – would be converted into a single self-contained commercial unit. The works proposed to create this commercial unit would involve:

- the restoration of the simple timber post columns along the western side of the shelter shed;
- the insertion of large bronze-framed windows set behind the timber posts, complemented by hit-and-miss hardwood panels.
- the reinstatement of a dilapidated section of masonry wall to the east;
- the removal of an existing east-west timber partition towards the southern end of the shed; and
- some subdivision of the southern end of the shed to form an entrance lobby, two WCs, a 'brew station' and an IT cupboard.

Yard to the east

8.84 To the east of the shelter shed as described above there is a short projection. This historically extended further to the east to join up with what is now a detached and very dilapidated shelter shed. Under the current Application scheme, it is proposed to preserve or re-use the historic fabric of these two elements where possible, to re-instate the footprint of the lost connection between them, and to extend the footprint of slightly to the south. The resulting L-shaped range would become two discrete single-storey residential units. The courtyard enclosed by the L-shaped range and the southern end of the previously described shelter shed would be closed off to the south by a new range with a vehicular opening through it. To the east of the opening, this range would accommodate part of one of the residential units, whilst to the west it would accommodate part of the commercial unit to be formed through the development of a new L-shaped range reinstating the footprint of a lost building.

8.85 All the buildings would be faced with rubble stone with simple dressed surrounds to correctly detailed timber windows and doors and roofed with stone slates. The proposal incorporates the reinstatement of the 'lost building described above. The material from the surviving gable end to the north, and the surviving parts of the external walls to the south and east of the lost building are proposed to be preserved or re-used where possible, and the new construction would be faced with rubble stone with simple dressed surrounds to correctly detailed timber windows and doors. The range would be roofed with stone slates.

The Tithe Barn

8.86 The current proposal seeks to divide the most dominant building on the entire site, the tithe barn into two separate business units. This building in the early part of the 21st Century suffered a fire and destroyed much of its roof. In 2005, following the fire, listed building consent was granted for the replacement of most of the roof structure (and the adjacent parts of the buildings fronting Vineyard street, together with the insertion of a replacement timber staircase and some internal partitions and work benches (ref. 04/01674/LBC). The latter elements were not implemented. Part of a potentially 18th century queen-post truss survives over the north porch, and there are some old timbers in the hipped northern end of the porch.

8.87 The present roof covering over the entire barn post-dates the fire and sits over a modern membrane, although the stone slates may have been reclaimed from elsewhere. Inspection of the barn's fabric indicates several blocked openings. In the eastern half of the barn, there are at least four blocked ventilation 'slits' (two each to the north and south); these narrow vertical openings were intended to prevent rain penetration and were splayed on the inside to allow greater air flow and natural internal lighting. There is evidence of a further two blocked 'window' openings in the eastern gable end. At the eastern end of the southern elevation there is a planked door (boarded-up externally), but there was evidently a much larger opening here at one time. Similarly, there is a boarded-up doorway in the eastern side of the south porch; there was evidently also a wider opening here historically. It is unclear when all these openings were infilled. There are surviving openings, one to the north and one to the south (now boarded-up), to the west of the central crossing. In the western gable end, there are two segmental arches with voussoirs and key, backed with brickwork. The central pier between these two openings looks to have been replaced since 1972, perhaps following the fire.

8.88 A new partition is proposed to be inserted at first-floor level (atop the existing masonry wall here) to affect the subdivision into two separate units. In respect of the commercial unit to the west, these works would involve:

- the insertion of a new bronze-framed glazed screen with door behind the existing openings to the west;
- the direct glazing of the 4-light cusped 15th century window in the western gable;
- the insertion of conservation rooflights;
- the insertion of a galleried mezzanine level, accessed via a new stair with half landing; and
- the subdivision of the ground floor beneath the mezzanine to form an entrance lobby, office space, two WCs, a brew station and an IT cupboard.

8.89 In respect of the commercial unit to the east, the works would involve:

- the insertion of new glazed screens with doors into the porch openings to the north and south;
- the re-opening and glazing of an existing blocked window to the south;
- the pinning back of an existing door to the south (west of the porch), and the insertion into its opening of a glazed screen;
- the repair, or replacement to match, of an existing door to the south (east of the porch);
- the insertion of a glazed screen into an existing door to the north (west of the porch);
- the re-opening and direct glazing of the existing ventilation slots to the north (east of the porch);
- the insertion of conservation rooflights;
- the insertion of a galleried mezzanine level at the eastern end of the space, accessed via a new stair with balconied half landing (as well as a fire-escape stair); and
- the subdivision of the space beneath the mezzanine to form an entrance lobby, two WCs, a 'brew station' and an IT cupboard.

Cow shed/stable range

- 8.90** The cow shed/stable range that extends northwards from the western end of the barn is proposed to be converted into commercial units. The works here involves:
- the repair, or replacement to match, of an existing west-facing window;
 - the re-opening, repair, or replacement to match, of all the existing east-facing doors and windows;
 - the removal of the existing subdivision, first-floor, stair, stalls and troughs; and
 - the subdivision of the space to form two office spaces, two WCs, a 'brew station' and two IT cupboards.

Cart shed range

- 8.91** The existing range that extends southwards from the western end of the barn would be extended and converted into commercial units. The present breeze-block structure at the southern end of the range (with a shallow mono-pitch roof of profiled metal) would be removed and replaced with a natural stone-faced structure with an east-west aligned stone slated pitched roof. This element's western side would be set back from the western elevation of the main part of the range, but it would project further eastward, suggesting containment of the southern yard formed by the Tithe barn, the reinstated lost building and the cart shed range. The detailed proposals for this area will comprise:
- the repair, or replacement to match, of an existing east-facing window;
 - the insertion of bronze-framed glazing with a door to enclose the east-facing open bays; and
 - the subdivision of the southern end of the space to form an entrance lobby, two WCs, a 'brew station' and an IT cupboard.

South of the main farm complex

- 8.92** The existing contemporary, vacant and visually unremarkable agricultural buildings are proposed to be demolished and the site developed with an extended range of U shaped buildings comprising 10 new terraced 'alms house type design dwellings'. The new range – faced with natural stone and with stone-slated pitched roofs – would adopt a Cotswold vernacular style, with gabled porches, projecting bays, gables, and chimneystacks. The fronts of the four houses making up the U's southern side would be orientated to the north, whilst the fronts of the houses forming the U's eastern and western sides (three to each side) would be outward facing. The architectural style of these terraced dwellings is consistent with 'alms house' designs elsewhere in the settlement.
- 8.93** To the east of the terraced units the submitted scheme proposes 5 new build dwellings within the curtilage of the listed buildings present on the site. The architectural form of these dwellings has undergone significant changes following discussions with officers. The form of the dwellings now mirrors the form and massing of single storey agricultural buildings.
- 8.94** English Heritage were consulted on the Planning Application as first received and did not oppose the principle of re-use and converting the existing historic rural buildings on the site. The site-specific concerns of that body have been taken into account during detailed negotiations with the Conservation Officer and the applicant and have resulted in a very revised scheme as set out in this report which the Conservation Officer supports. It is noteworthy that the previous application for the redevelopment of this farm building complex was objected to by Historic England. Following the submission of the revised scheme which

has produced agricultural style new dwellings at the southern end of the site Historic England have expressed concern whilst noting that the revisions to the landscape have reduced the harm as previously identified to the registered park and garden (RPG), however, HE remain concerned that the new housing remains harmful to the setting of the RPG. Following these concerns, the Council's Conservation Officer considered the HE's submission noting that:

The proposed terrace is arranged in a 'C' shaped footprint creating a quadrangle. The scale and design of the buildings is based on cottages and alms-houses nearby. In my assessment I have considered that this part of the site is largely screened by mature trees and contains a collection of derelict modern agricultural sheds which are visually detrimental. It is not unusual for Cotswold estate farmsteads to include some workers cottages. I considered that albeit this development is for ten units most of the cottages would be screened from general view and those that were glimpsed from vineyard street would not appear numerous or disproportionate in character. As such, in this context I have considered the proposal to be acceptable.

8.95 The impact on the RPG is considered in detail in a following section.

Impact on listed buildings

8.96 As stated above the works to the existing farmhouse are minimal and it remains as per the planning history as a dwelling. Officers consider that the proposals to the listed agricultural buildings are also acceptable in terms of the specific heritage policies set out above. That view is supported by the Town Council, the Conservation Officer and HE who have all raised no objections to the proposals to convert the existing Listed Buildings on the application site.

Impact on Conservation Area

8.97 The application site lies within the Wincombe Conservation area and policy 5.3 of the neighbourhood plan seeks to conserve that area, in particular identify, heritage assets. The Conservation officer's consideration of the submitted proposals coupled with the views of the Town Council are that the proposals as submitted are acceptable in terms of impact on the Conservation area. A conclusion that Officer's agree with and conclude that the proposals in terms of compliance with heritage and allied policies are complied with.

Impact on Sudeley Castle Registered Historic Park and Garden (RPG)

8.98 The application site comprises a small area of land within the RPG proposed to be undeveloped by the application at the extreme Southern end of the application site. Policy HER3 of the TBP seeks to protect the existing character of the Historic Park and Garden (RPG) of Sudeley Castle. The Council's Conservation Officer raises no objections to the proposal's impact on the 'listed' RPG and the recently submitted landscape plan in July which reinforces the area of the site within the RPG by a significant degree by new native tree planting to re-enforce the boundary to the RPG.

8.99 The recent and subsequent concerns raised by HE to the revised landscape provisions, in summary objecting to the new housing, as that development in and of itself fails to provide a positive transition between the abrupt edge of Winchcombe and the RPG, as set out above, have been considered by the Conservation Officer, as also set out above. The new development replaces in part some contemporary agricultural building of no particular merit. The revised landscape plan responds to the Tree officer and landscape assessment of the site and as a result Officers consider the impact on the RPG does not significantly materially harm the setting of the RPG in the area, and is compliant with Policy in particular HER3 of the

TBP and Policy 2.1 of the neighbourhood plan which envisages the redevelopment of the site as a whole for expanded business uses and by reference to the footnote 2' if not developed as part of a wider housing and care home development', by inference implying acceptance of housing proposals.

- 8.100** Given the above, Officers have considered the consultation responses on heritage impact and the submitted representations of the applicants and conclude that the proposal, subject to compliance with conditions would conserve the historic significance of nearby heritage assets and the proposal would comply with the relative Heritage Policies as detailed above.

Section 106 obligations

- 8.101** The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from developers undertaking new building projects in their area. Whilst the Council does have a CIL in place, infrastructure requirements specifically related to the impact of the development will continue to be secured via a Section 106 legal agreement. The CIL regulations stipulate that, where planning obligations do not meet the tests, it is 'unlawful' for those obligations to be taken into account when determining an application.

- 8.102** These tests are as follows:

- necessary to make the development acceptable in planning terms.
- directly related to the development; and
- fairly and reasonable related in scale and kind to the development.

- 8.103** JCS Policy INF6 relates directly to infrastructure delivery and states that any infrastructure requirements generated as a result of individual site proposals and/or having regard to the cumulative impacts, should be served and supported by adequate and appropriate on/off-site infrastructure and services. The Local Planning Authority will seek to secure appropriate infrastructure, which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. Policy INF4 of the JCS requires appropriate social and community infrastructure to be delivered where development creates a need for it. JCS Policy INF7 states the arrangements for direct implementation or financial contributions towards the provision of infrastructure and services should be negotiated with developers before the grant of planning permission. Financial contributions will be sought through S106 and CIL mechanisms as appropriate.

- 8.104** Requests have been made by consultees to secure the following contributions via S106 obligations:

- Offsite contribution for provision of affordable housing of £99,000
- Waste receptacle £73 per dwelling
- Education obligation for secondary education £62,377.
- Funding for TRO £15,000

9. Conclusion & Planning Balance

- 9.1** 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.

- 9.2** The application site lies outside of the settlement boundary for Winchcombe, as defined within Proposal Map of the Winchcombe and Sudeley NDP and is not allocated for housing development and there are no policies in the Tewkesbury Borough Local Plan to 2031 which allow for the type of development proposed. However, the site is identified for mixed use (including housing) within the Winchcombe and Sudeley NDP.
- 9.3** The Council cannot at this time demonstrate a five-year supply of deliverable housing land, the Council's policies for the supply of housing are out of date. In accordance with Paragraph 11 of the NPPF, the presumption in favour of sustainable development indicates that permission should be granted unless policies for protecting areas of assets of particular importance in the NPPF provide a clear reason for refusing the development proposed, or any adverse impacts of permitting the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.
- 9.4** As detailed throughout the analysis section of the report, there would be no clear reasons for refusal arising from NPPF policies for the protection of areas or assets of particular importance in this case and therefore, it is clear that the decision-making process for the determination of this application is to assess whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Benefits

- 9.5** The scheme as proposed will produce first and foremost an acceptable regeneration of a range of buildings of recognised and protected significance with a viable mixed-use scheme. In addition, the scheme will produce a betterment to visual amenity within the Conservation Area by reason of the removal of modern and visually unattractive modern farm buildings. The effect of the scheme will be to increase the availability of appropriate employment space in Winchcombe a matter encouraged by Policy 2.1 of the neighbourhood plan.
- 9.6** The scale of development, its proximity to the existing built-up area, its relationship with the village and its proximity to a rural service centre is a benefit that would attract fair weight in favour of granting permission in light of the Council's housing land supply position. Furthermore, the development would replace substantial agricultural buildings and associated yard area which are in a poor state.
- 9.7** In economic and social terms, a number of benefits would flow from this development if permitted, including during the construction process. There would also be economic and social benefits arising from spend from future residents which would help sustain the local facilities in nearby settlements and this is considered a moderate benefit.
- 9.8** In environmental terms the redevelopment of the site would allow the opportunity for significant new planting and biodiversity net gain which would be a significant benefit.

Harms

- 9.9** Harm arises from the conflict with development plan policies and the spatial strategy relating to housing, particularly Policy SD10 of the JCS and Policies RES1 and RES2 of the TBP, although it is accepted that the Council's housing policies must now be considered in light of the tilted balance.

- 9.10 The use of undeveloped land within part of the application's area for new residential development will by reason of being located partially on previously undeveloped land have by definition a negative effect. Officers judge this effect as a low level of harm by reason that the effect of the scheme is not, after relevant consideration be other than a marginal extension to the settlement area of Winchcombe and views into the site from the AONB are acceptable.
- 9.11 The re-development of the site will produce an increase of traffic; however the level of parking provision is acceptable and the increase in traffic emanating from the site is at worst marginal compared to the existing and previous uses of the site for agriculture purposes, and most recently commercial and residential use.

Neutral

- 9.12 The effect of the development on ecology, residential amenity, drainage and flooding, design and layout, and environmental health are considered by officers to have a neutral and acceptable impact.

Conclusion

- 9.13 There would be some harm arising from the development, namely harm arising from conflict with development plan policies and the spatial strategy relating to housing. Harm would also arise from the increase in traffic movements, however, this harm would be tempered as a result of the propose TRO.
- 9.14 Significant weight should be given to the provision of housing and this benefit would attract weight in favour of granting permission in light of the Council's housing land supply position along with economic and environmental benefits of the scheme. There is also weight in favour of the economic benefits and employment potentials that the development would provide.
- 9.15 Taking account of all the material considerations and the weight to be attributed to each one, it is considered that the identified harms would not significantly and demonstrably outweigh the benefits in the overall planning balance.

10. Recommendation

- 10.1 It is considered that the proposed development would constitute sustainable development in the context of the NPPF as a whole and it is therefore recommended that authority be **DELEGATED to the Development Management Manager to PERMIT the application, subject to any additional/amended planning conditions and the completion of Section 106 legal agreement to secure the heads of terms listed within this report (subject to any amendments arising from ongoing discussions).**

11. Conditions

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following documents:

- Site location plan (Drawing no. 2498-001 Rev A)
- Topographical Survey (Drawing no. 37674/1)
- Proposed site plan (Drawing no. 2498-100 Rev P11)
- Farmhouse Elevations 2 (Drawing no. 2498-106 Rev B)
- Farmhouse Elevations (Drawing no. 2498-105 Rev B)
- Farmhouse First and Second Floor Plan (Drawing No. 2498-102 Rev A)
- Farmhouse Ground Floor Plan (Drawing no. 2498-101 Rev B)
- Farmhouse Roof Plan (Drawing no. 2498-103 Rev A)
- Barn existing GF plan, elevations & sections (Drawing no. 2498-019 Rev A)
- Barn Proposed GF, Elevations & Sections (Drawing no. 2498-119 Rev P1)
- Barn Ground Floor (Drawing no. 2498-110 Rev B)
- Barn Elevations 1 (Drawing no. 2498-115 Rev A)
- Barn Elevations 2 (Drawing no. 2498-116 Rev A)
- Barn Elevations 3 (Drawing no. 2498-117 Rev A)
- Barn Elevations 4 (Drawing no. 2498-118 Rev A)
- Terraced Home Ground Floor Plan (Drawing no. 2498-120 Rev A)
- Terraced Home Elevations 2 (Drawing no. 2498-126 Rev A)
- Terraced Home First Floor Plan (Drawing no. 2498-121 Rev A)
- Terraced Home Roof Plan (Drawing No. 2498-11 Rev A)
- Terraced Home Elevations 1 (Drawing no. 2498-125 Rev A)
- New single storey barn roof plan (Drawing no. 2498-151 Rev A)
- New single storey barn elevations (Drawing no. 2498-152 Rev A)
- New single storey barn GF and FF Plans (Drawing no. 2498-150 Rev A)
- Landscape Strategy (Drawing no. 20253.103 Rev C)
- Technical Note by Rappor dated March 2023 Redevelopment of Almsbury Farm Barns, Vineyard Street, Winchcombe.

Except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3 Prior to development above DPC level a sample panel of stonework (1m x1m) shall be constructed on site showing jointing, corners and pointing finishes for all buildings. The sample panel shall be agreed by the Planning authority and remain on site until all construction is completed. The development as approved by this approval shall be constructed in accordance with the approved panel.

Reason: To safeguard the character and appearance of the area.

4 Prior to installation, a schedule of details of roof materials, fences, gates and rainwater goods are to be submitted and agreed. The development shall be constructed in accordance with the approved materials.

Reason: to ensure that the development respects the character of this site and area within the Conservation Area and safeguard the character and appearance of these buildings of special architectural or historical interest.

- 5 Prior to installation of windows and external doors, design and colour details (including scaled cross sections) are to be submitted to the planning authority and agreed. All window and door openings to be recessed from the external surface by a minimum of 75mm. The development shall be constructed in accordance with the agreed details.

Reason: to ensure that the development is constructed in accordance with approved drawings and respects the character of this site and area within the Conservation Area and safeguard the character and appearance of these buildings of special architectural or historical interest

- 6 No development shall commence on site until a detailed design, maintenance & management strategy and timetable of implementation for the surface water drainage strategy presented in the submitted Flood Risk Assessment/Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The detail must 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 the development is first put in to use/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.

- 7 No development shall be put in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

- 8 The Development hereby approved shall not be occupied until the proposed access gates have been set back 5 metres from the adjoining carriageway edge and made to open inwards only.

Reason: In the interests of highway safety

- 9 No development shall commence on site until a site investigation of the nature and extent of contamination has been carried out. The site investigation shall be in accordance with a site investigation methodology that has been submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the investigation. No construction works shall start until the results of the site investigation have been submitted to, and approved in writing, by the Local Planning Authority.

If the site investigation identifies any contamination, the report shall specify the measures to be taken to remediate the site to render it suitable for the development hereby permitted, as well as an implementation timetable for the remediation. The site shall be remediated in accordance with the approved measures and timetable. If, during development, any contamination is found which has not been previously identified, work shall be suspended

and additional measures for its remediation, as well as an implementation timetable, shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the additional approved measures and timetable.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

This condition is required as a pre-commencement condition because there is potential for unknown contamination to exist on the site.

- 10** 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 survey work to record the historic structure of the buildings adversely affected by development, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: It is important to agree a programme of work in advance of the commencement of development, so as to make provision for the investigation and recording of historic structures that may be adversely affected by the scheme. The programme of work will advance understanding of any heritage assets which will be lost, in accordance with paragraph 205 of the National Planning Policy Framework. This condition is required as a pre-commencement condition because there is potential for historic structures to be lost without appropriate recording.

- 11** Prior to commencement of any development within the site a Construction (and demolition) Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include (but is not limited to):

- A. Site access/egress
- B. Staff/contractor facilities and travel arrangements
- C. Dust mitigation
- D. Noise and vibration mitigation (Including whether piling or power floating is required and please note white noise sounders will be required for plant operating onsite to minimise noise when in operation/moving/ reversing)
- E. Mitigation of the impacts of lighting proposed for the construction phase
- F. Measures for controlling leaks and spillages, managing silt and pollutants
- G. Plans for the disposal and recycling of waste

Development shall take place only in accordance with the approved CEMP.

- 12** **Reason:** To protect existing and proposed properties from the impacts of short term exposure to noise, vibration, light and dust nuisance

During the construction phase (including demolition and preparatory groundworks), no machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or dispatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the noise climate and amenity of local residents.

- 13** Noise from adjacent commercial elements of the development shall be assessed in accordance with BS 4142:2014+A1:2019. This shall include business-generated noise, external plant and delivery noise etc. Additionally, if the development plan includes the installation of any type of Heat Pumps careful consideration should be given to the acoustic characteristics and location of the heat pumps. The individual and cumulative noise impact of any heat pumps should be assessed in accordance with BS 4142:2014+A1:2019 prior to installation and comply with those standards.

Reason: To protect the noise climate and amenity of local residents.

- 14** Mitigation and enhancement measures should be undertaken as outlined in the Ecological Assessment report, with the addition of measures to protect hedgehogs. The type, extent and location of removed, retained and newly created habitats outlined in the landscaping plans should be consistent with those set out in the BNG assessment prepared by Ecology Solutions dated April 2023.

Reason: To protect and enhance the habitat of the site.

- 15** A lighting strategy scheme covering both construction and operational phases should be submitted to the LPA detailing location and specification of the lighting, supported by contouring plans demonstrating any light spill into adjacent habitats prior to the commencement of development. This plan should be completed in conjunction with advice from the project ecologist. The development shall be completed and maintained thereafter in accordance with the submitted lighting strategy.

Reason: To protect the habitat and amenity of the area.

- 16** The non-residential uses hereby approved within the site shall comprise only uses within Class E9(g) and E9(c) of the Town and Country Planning (Use Classes) Order 1987 as amended.

Reason: To protect the amenity of residential occupiers of the application site.

- 17** No development shall commence until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify; the specific types and amount of waste materials forecast to be generated from the development during site preparation and demolition and construction phases and set out what site specific measures will be employed for dealing with this material so as to; - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the amount of waste sent to landfill. In addition, the site waste management plan must also clearly set out the proportion of recycled content from all sources that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency in accordance with adopted Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD3 – Sustainable Design and Construction; adopted Gloucestershire Waste Core Strategy; Core Policy WCS2 – Waste Reduction; adopted Minerals Local Plan for Gloucestershire Policy SR01 and Paragraph 8 of the National Planning Policy for Waste.

- 18** No above-ground development shall commence until full details of the provision made for facilitating the management and recycling of waste generated during occupation have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during occupation must be aligned with the principles of the waste hierarchy and not prejudice the delivery of local waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency in accordance with adopted Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD3 – Sustainable Design and Construction; adopted Gloucestershire Waste Core Strategy; Core Policy WCS2 – Waste Reduction; adopted Minerals Local Plan for Gloucestershire Policy SR01 and Paragraph 8 of the National Planning Policy for Waste.

12. Informatives

- 1** In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the 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 development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

Drafting the Agreement
A Monitoring Fee
Approving the highway details
Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 3** You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward, involving advertisement and consultation of the proposal(s).

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.

The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

- 4 If there is a public right of way running through the site, the applicant will be required to contact the PROW team to arrange for an official diversion, if the applicant cannot guarantee the safety of the path users during the construction phase then they must apply to the PROW department on 08000 514514 or highways@gloucestershire.gov.uk to arrange a temporary closure of the right of way for the duration of any works.

We advise you to seek your own independent legal advice on the use of the public right of way for vehicular traffic.

The site is traversed by a public right of way and this permission does not authorise additional use by motor vehicles, or obstruction, or diversion.

- 5 Access to the site is via a public right of way and the applicant's attention is drawn to the restrictions imposed by Section 34 of The Road Traffic Act, 1988, regarding the driving of motor vehicles over public footpaths/bridleways.
- 6 The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
- 7 You are advised that as a result of the proposed layout and construction of the internal access road, the internal access road will not be accepted for adoption by the Highway Authority under Section 38 of the Highways Act 1980.

The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980, unless and until you agree to exempt the access road.

The exemption from adoption will be held as a Land Charge against all properties within the application boundary.

- 8 Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

- 9 It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to “respecting the community” this says:

Constructors should give utmost consideration to their impact on neighbours and the public

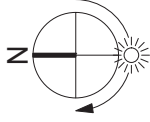
- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression, and promoting the Code.

The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

General Notes:

1. This drawing is to be read in conjunction with other consultants drawings.
2. Check site conditions prior to commencement of work.
3. Discrepancies must be reported directly to the Architect.
4. Do not scale off drawing, use figured dimensions only, unless for planning purposes.
5. This drawing may be issued in colour, and may be a non-standard paper size.



Application Area



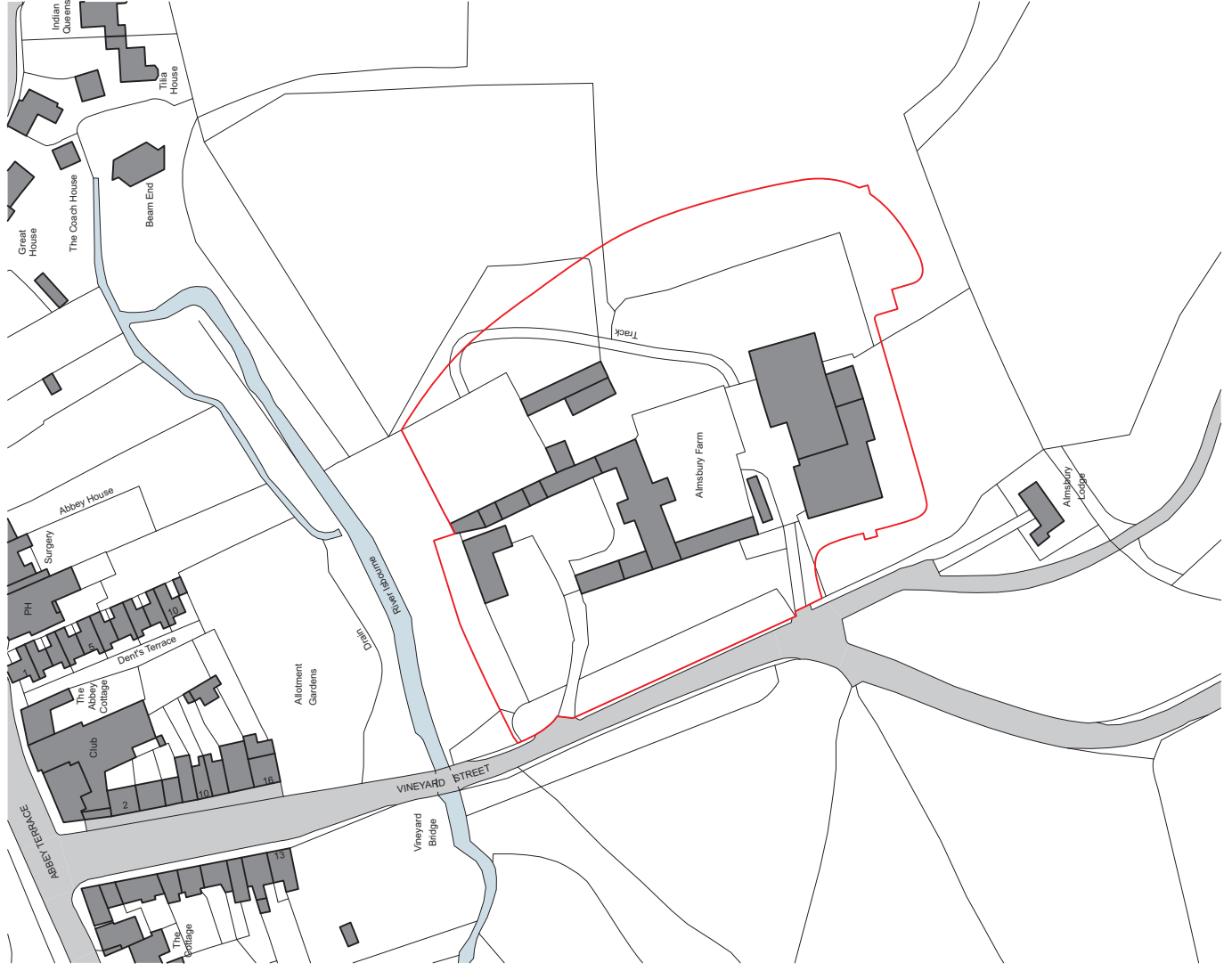
Rev	Date	Notes	Drawn
A	12/11/2021	Planning Issue	KM

Scale 1 : 1250 @ A3

QA Serial Number 66148

YIANGOU
 Yiangou Architects, Dyer House, 3 Dyer Street, Cirencester, Glos, GL2 2PP
 t 01285 888150 e architecture@yiangou.com w www.yiangou.com

Project Address	Almsbury Farmhouse, Vineyard St, Winchcombe, GL54 6LP
Project Description	Alterations and Additions to Existing Dwelling
Drawing Title	Site Location Plan
Drawing No.	2498-001
Rev.	A



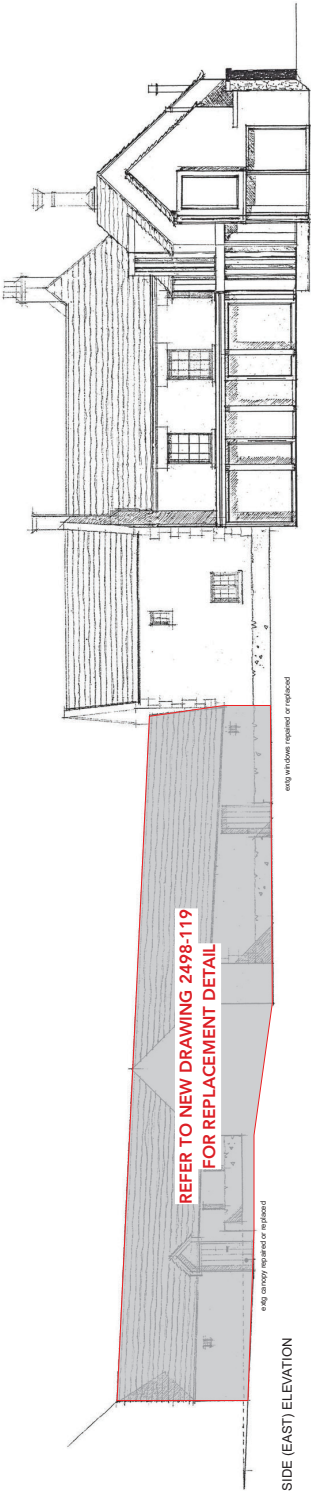
Mapping contents (c) Crown copyright and database rights 2021 Ordnance Survey 100035207

General Notes:

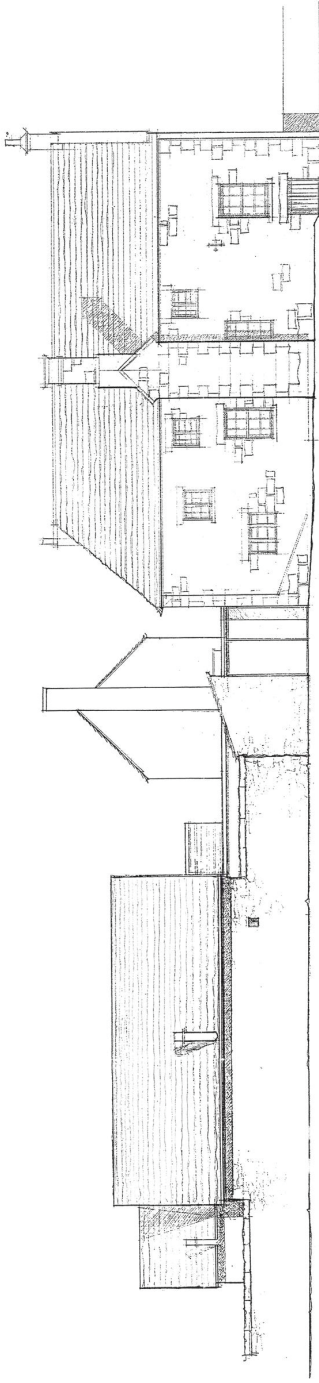
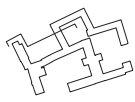
1. This drawing shall be read in conjunction with other documents in this set.
2. Check site conditions prior to commencement of work.
3. Discrepancies must be reported directly to the Architect.
4. Do not scale off drawings, use figured dimensions only.
5. This drawing may be issued in colour, and may be a non-standard paper size.

Schedule of Materials:

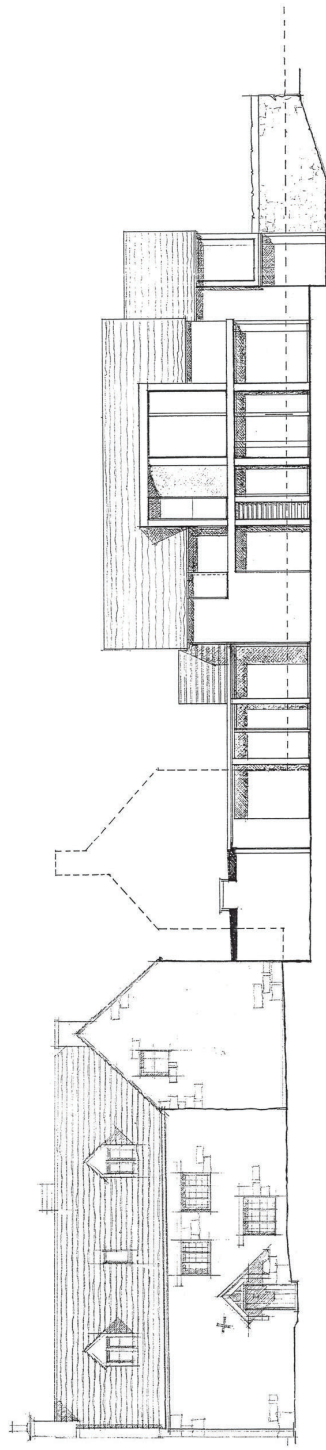
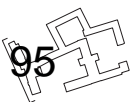
- Existing House and Outbuildings**
- Roof: Natural Stone Slate
 - External Walls: Rendered
 - Internal Walls: Plaster
 - Windows: Restored Refurbished Hardwood
 - Doors: Restored Refurbished Hardwood
 - Rooflight: Conservation Type Pattern
- Proposed New Extension**
- Roof: Natural Stone Slate
 - Projecting Dormer: Sheathed in Lead
 - External Walls: Rendered
 - Internal Walls: Plaster
 - Windows: Aluminium Slim Section - Dark Painted
 - Shutters: (to be supplied)
 - Roof: Zinc or Slate (to be supplied)
 - Roof Ridge: Slate
 - Doors: Sliding Aluminium or Oak (Unstained)



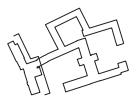
SIDE (EAST) ELEVATION



REAR (NORTH) ELEVATION



FRONT (SOUTH) ELEVATION



NO	DESCRIPTION
B	03/04/2024 Removal of detail - deleted to new drawing
A	12/11/2024 Plotting issue
Rev	Date
Drawn	Notes
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10m	10m
1:100	1:100

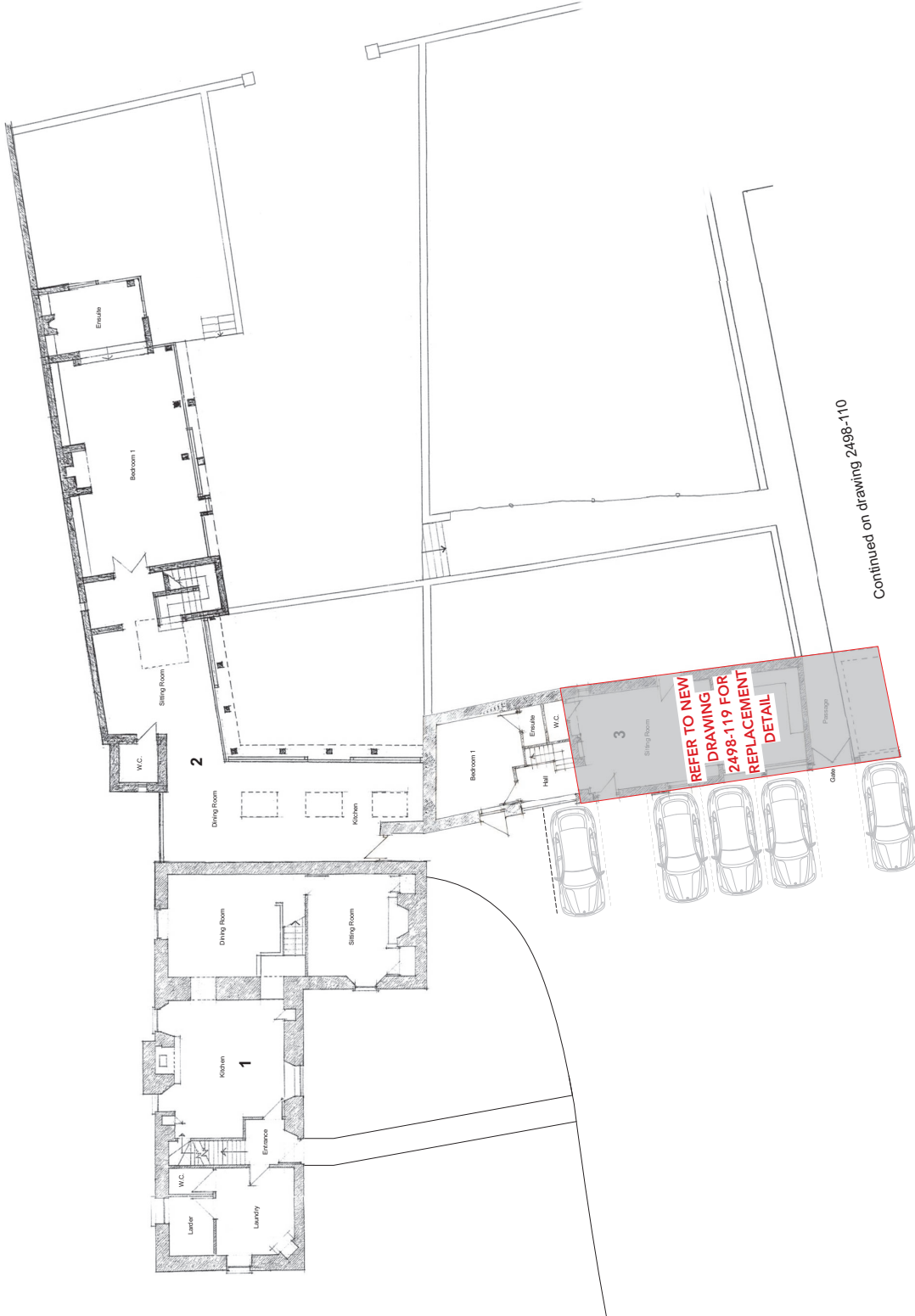
GA Sheet Number: 773335

YIANGOU
 ARCHITECTS
 11 DASH ROAD, WINDYBUSH, DURHAM, ENGLAND
 www.yiangou.com

Project Address	Alnham Farmhouse, Veneyard St, Whitcombe, OLS4 6LP
Project Description	Restoration and Addition to Existing Dwelling
Drawing Title	Farmhouse Elevations 1
Drawing No.	2498-105
Rev.	B

General Notes:

1. This drawing shall be read in conjunction with other drawings and specifications.
2. Check site conditions prior to commencement of work.
3. Discrepancies must be reported directly to the Architect.
4. Do not scale off drawings, use figured dimensions only.
5. This drawing may be issued in colour, and may be a non-standard paper size.



Continued on drawing 2498-110

NO	Rev	Date	Notes	Drawn
B		03/04/2023	Detail removed - deleted to new drawing	
A		12/11/2021	Permitting issue	
Scale				1:100 @ A1
GFA Serial Number				773356

YIANGOU
 ARCHITECTS
 110888800 • 4160463493 • www.yiangou.com

Project Address	Armsby Farmhouse, Vineyard St, Whitehorse, QLSA, AUP
Project Description	Restoration and Addition to Existing Dwelling
Drawing Title	Farmhouse Ground Floor Plan
Drawing No.	2498-101
Rev.	B

General Notes:

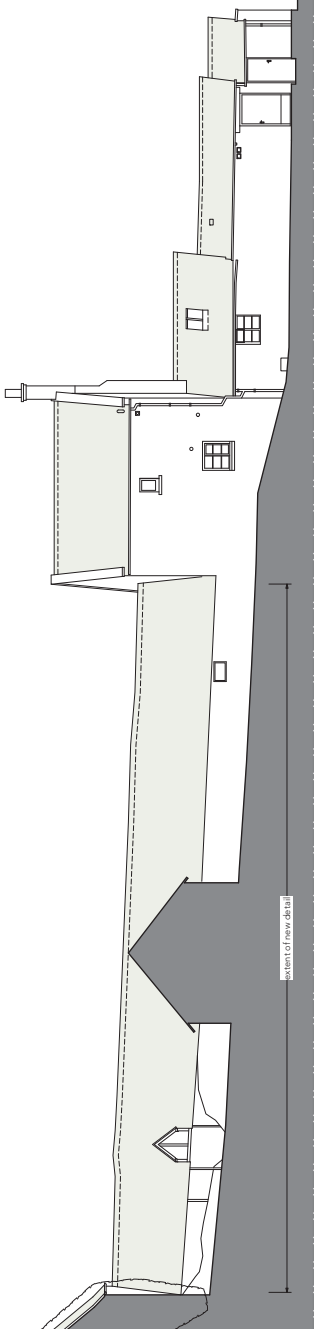
1. This drawing should be read in conjunction with other drawings in this set.
2. Check site conditions prior to commencement of work.
3. Discrepancies must be reported directly to the Architect.
4. Do not scale off drawings, use figured dimensions only.
5. The drawing may be issued in colour, and may be a non-standard paper size.



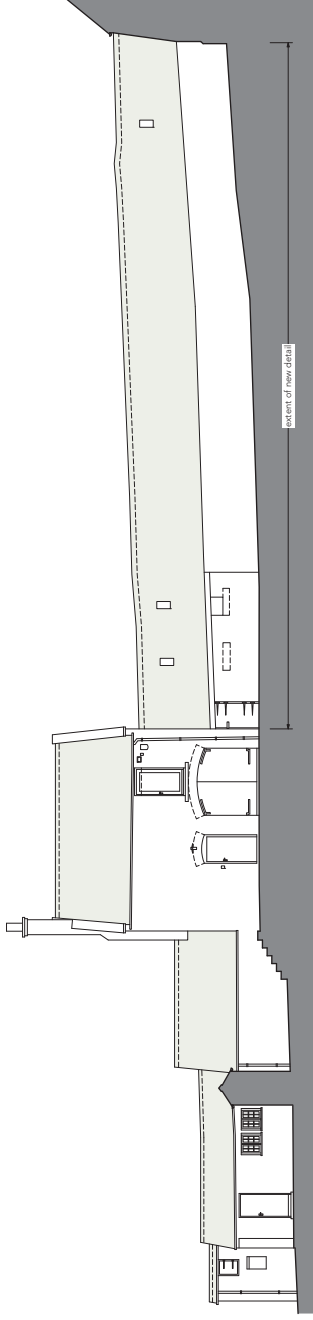
KEY:

Existing Walls and Ground

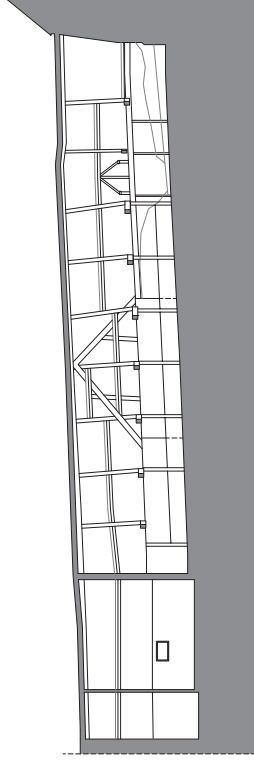
Planned Roof



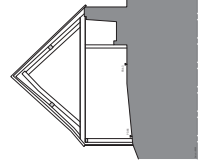
NORTH ELEVATION



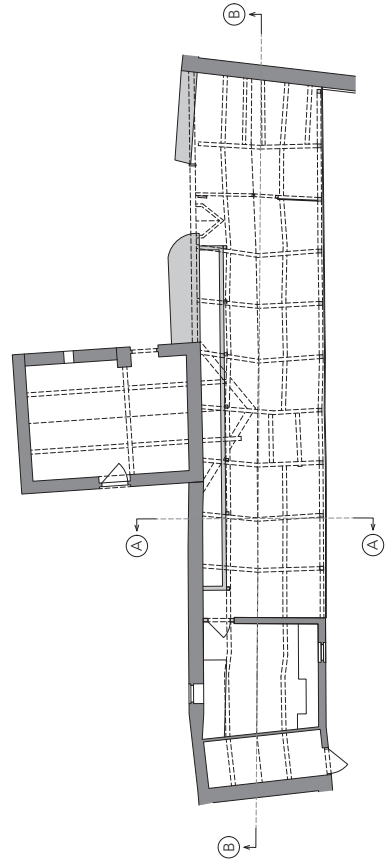
SOUTH ELEVATION



SECTION B-B



SECTION A-A



GROUND FLOOR PLAN

Project Address	Abbey Farmhouse, Vineyard St, Whitcombe, OLS4 6LP
Project Description	Restoration and Addition to Existing Dwelling
Drawing Title	Barn, Existing GF Plan, Elevations and Sections
Drawing No.	2498-019
Rev.	A

Rev.	Date	Notes
A	31/03/2023	Issued for planning consent
Drawn		
Scale	1:100 @ A1	

GA Serial Number	77333
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YIANGOU	
Architects and Planners	
1, 1288 8800 • 8 48626263 • www.yiangou.com	

- General Notes:**
1. This drawing shall be read in conjunction with other consultants drawings.
 2. Check site conditions prior to commencement of work.
 3. Discrepancies must be reported directly to the Architect.
 4. Do not scale off drawings, use figured dimensions only.
 5. This drawing may be issued in colour, and may be a non-standard paper size.



NO	DATE	DESCRIPTION
B	03/04/2023	Detail removed - deleted to new drawing
A	12/11/2021	Planning Issue
Rev	Date	Notes
Scale	1:100 @ A1	

GA Serial Number: 77348

YIANGOU
 YIANGOU ARCHITECTS & INTERIORS
 112088000 | 0120880000 | 0120880000 | www.yiangou.com

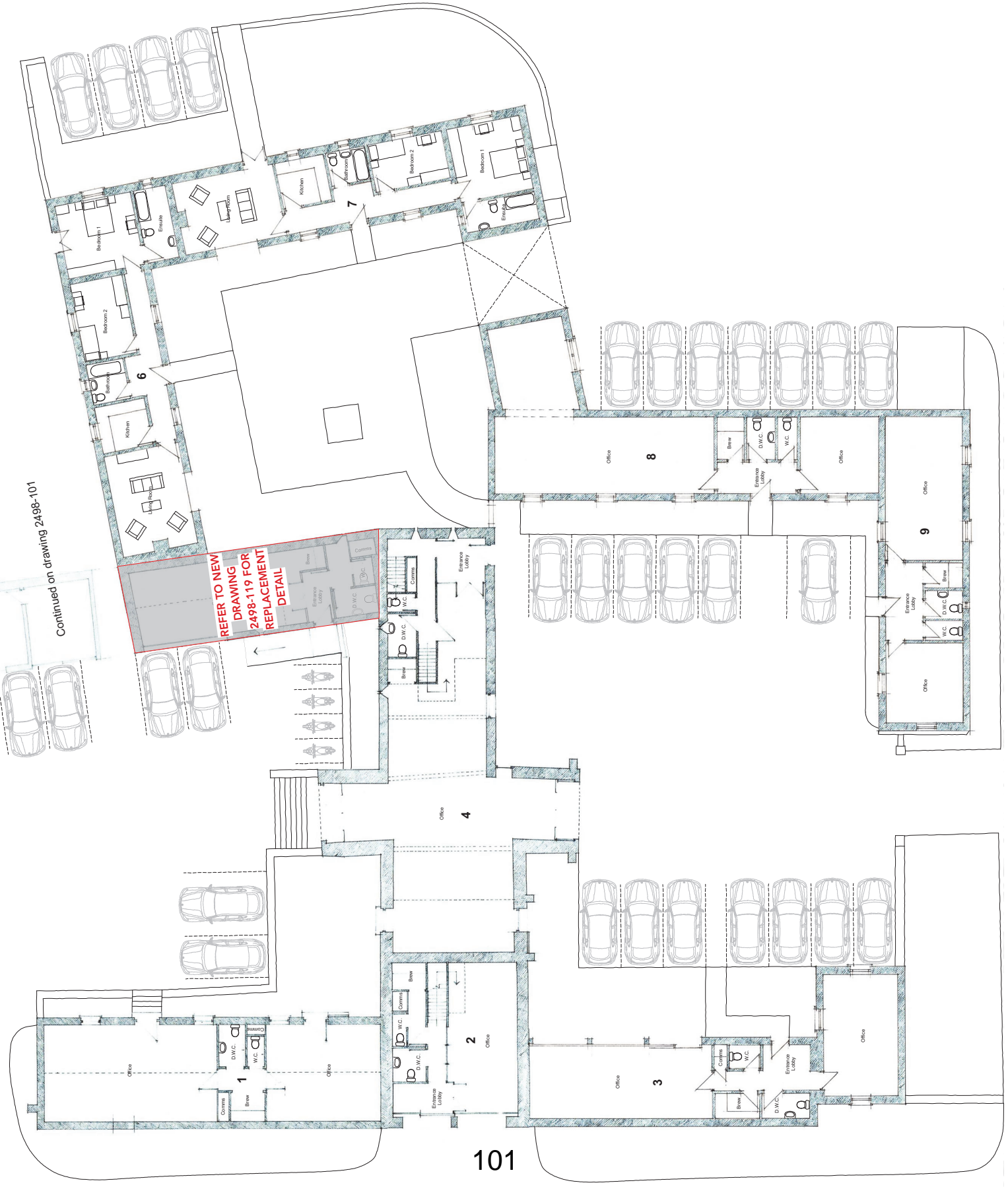
Project Address: Ashbury Farmhouse, Vineyard St, Whitcombe, OLS4 8LP

Project Description: Extension and Addition to Existing Dwelling

Drawing Title: Barn Ground Floor Plan

Drawing No: **2498-110**

Rev: **B**



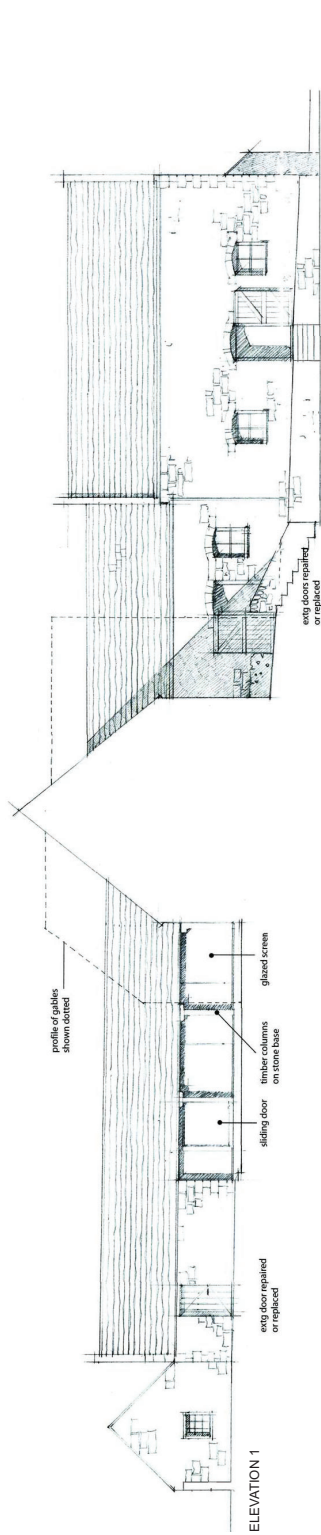
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General Notes:

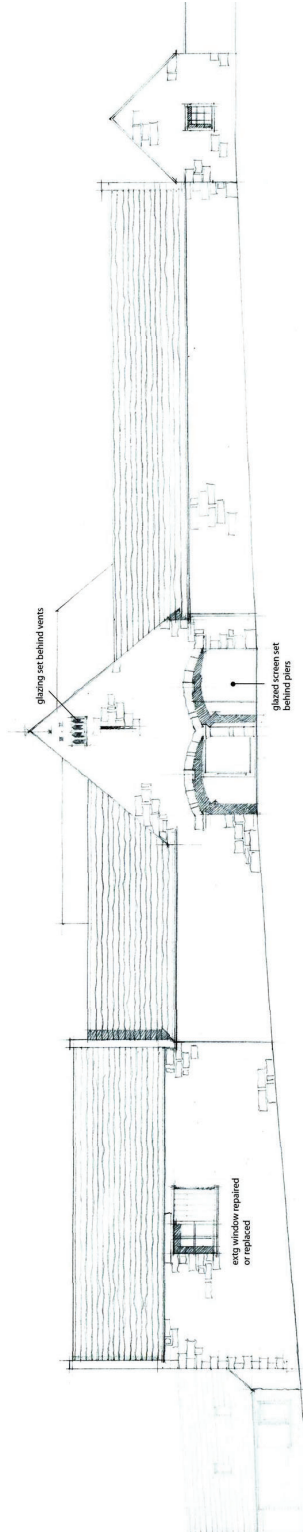
1. This drawing shall be read in conjunction with other consultants drawings.
2. Check site conditions prior to commencement of work.
3. Discrepancies must be reported directly to the Architect.
4. Do not scale off drawings, use figured dimensions only.
5. The drawing may be issued in colour, and may be a non-standard paper size.

Schedule of Materials:

- Roof: Natural Stone Slate
- Walls: Natural Stone / Rubble Stone
- Cast Iron - Dark Painted
- Windows: Reformed Refurbished Hardwood
- Doors: Sliding Aluminium or Oak (Unstained)
- Staircase/Columns: Oak (Unstained)



ELEVATION 1



ELEVATION 2

Project Name	121110271	Project Issue	DM
Rev	Date	Notes	Drawn
Scale 1:10 @ A1			
0 5m 10m			
GN Serial Number 561411			
YIANGOU			
<small>YANGOU ARCHITECTURE & INTERIOR DESIGN LLP 1100016009 t: 4162923000 www.yiangou.com</small>			
Project Address: Ashby Farmhouse, Vineyard St, Whitehouse, QLCF, BLP			
Project Description: Restoration and Addition to Existing Dwelling			
Drawing Title: Elevation 1			
Drawing No: 2498-115			
Rev:			A

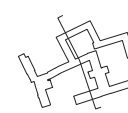
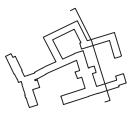
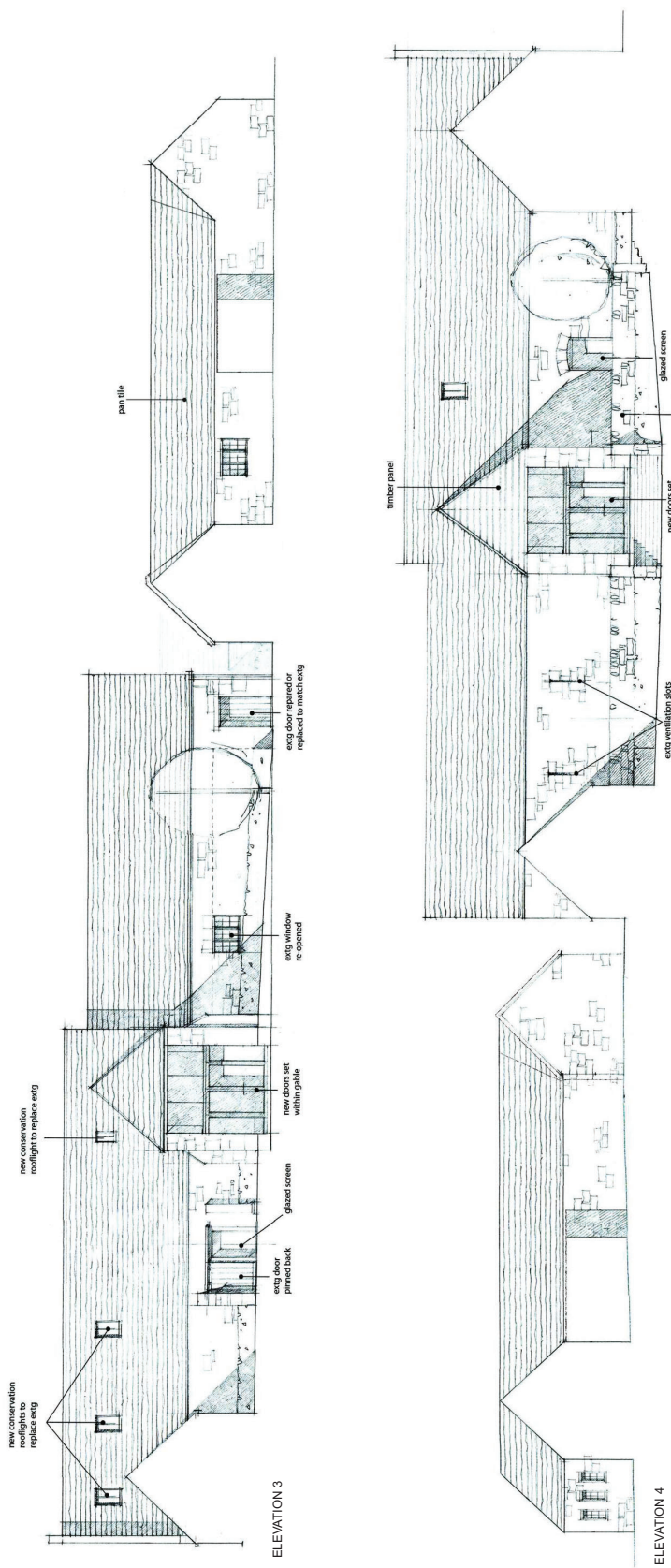


General Notes:

1. This drawing should be read in conjunction with other drawings and specifications.
2. Check site conditions prior to commencement of work.
3. Discrepancies must be reported directly to the Architect.
4. Do not scale off drawings, use figured dimensions only.
5. This drawing may be issued in colour, and may be a non-standard paper size.

Schedule of Materials:

Roof	New Slate
Walls	Natural Coursed Rubble Stone
Cast Iron	Dark Painted
Windows	New Hardwood
Doors	Oak (Unstained)
Roofs	Oak (Unstained) or Altern
Staircases/Columns	Oak (Unstained)



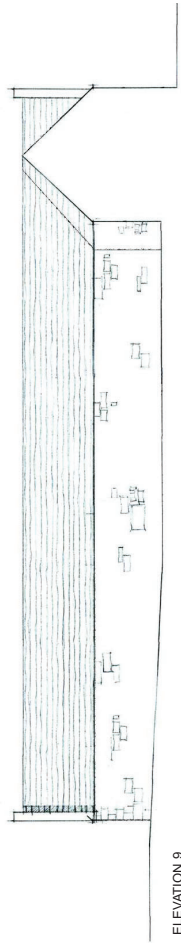
Rev	Date	Notes	Drawn
A	12/11/2021	Revised issue	DM
Scale 1:100 @ A1			
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G/A Serial Number 561412			
YIANGOU			
Project Address: Abbey Farmhouse, Vineyard St, Whitcombe, GL54 8UP			
Project Description: Restoration and Addition to Existing Dwelling			
Drawing Title: Elevation 2			
Drawing No: 2498-116			
Rev	A		

General Notes:

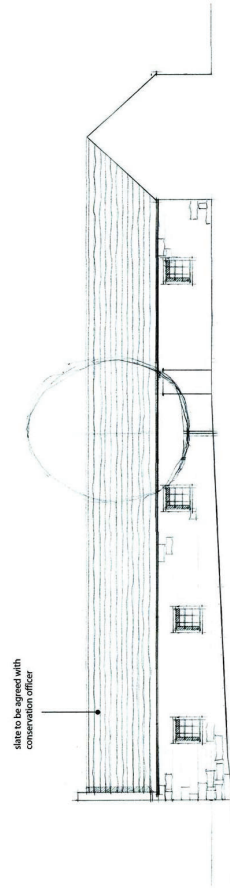
1. This drawing shall be read in conjunction with other consultants drawings.
2. Check site conditions prior to commencement of work.
3. Discrepancies must be reported directly to the Architect.
4. Do not scale off drawings, use figured dimensions only.
5. This drawing may be issued in colour, and may be a non-standard paper size.

Schedule of Materials:

Roof	Clay Tiles
Walls	Cast Iron - Dark Painted
Windows	Cast Iron - Dark Painted
Doors	Cast Iron - Dark Painted



ELEVATION 9



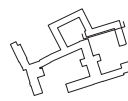
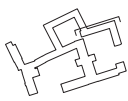
ELEVATION 10

Rev	Date	Notes	Drawn
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Scale 1:100 @ A1			

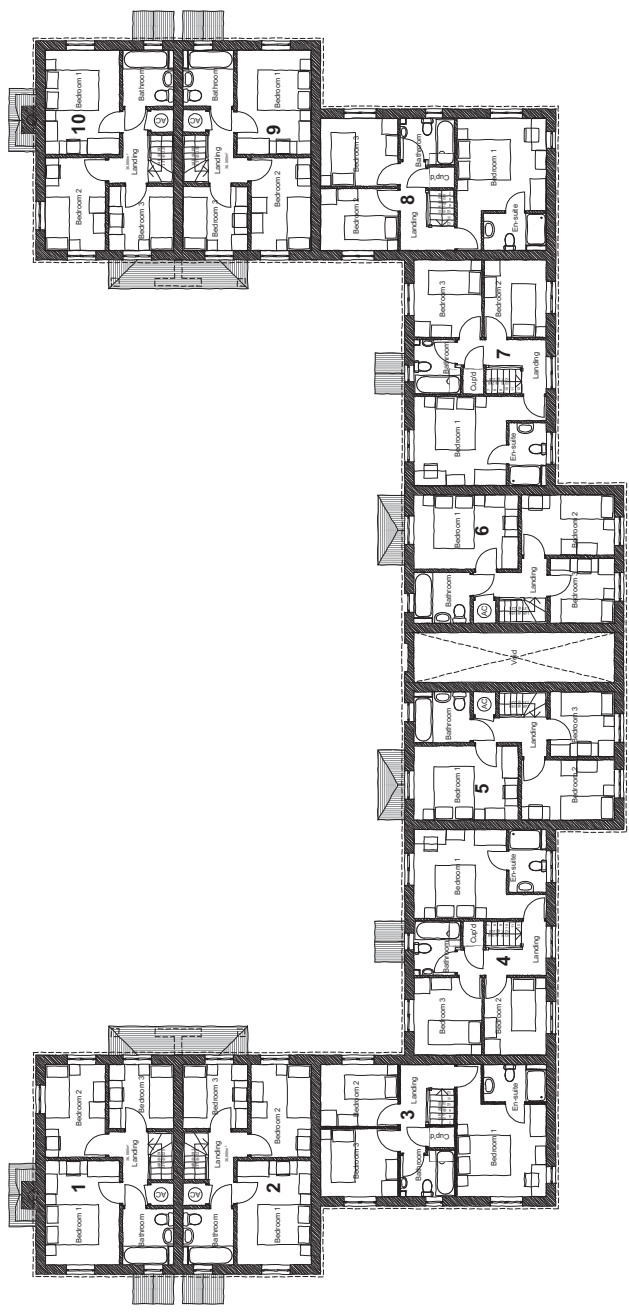
GA Serial Number 561410



Project Address	Armbury Farmhouse, Vineyard St, Whitecombe, GL54 8UP
Project Description	Restoration and Addition to Existing Dwelling
Drawing Title	Roof Elevation 4
Drawing No.	2498-118
Rev.	A



- General Notes:**
1. This drawing should be read in conjunction with other drawings and specifications.
 2. Check site conditions prior to commencement of work.
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 4. Do not scale off drawings, use figured dimensions only.
 5. The drawing may be issued in colour, and may be a non-standard paper size.



Rev	Date	Notes	Drawn
A	12/11/2021	Permitting Issue	DM
Scale 1:100 @ A1			
0 5m 10m			
0 5m 10m			
GA Serial Number 56133			
YIANGOU			
Project Address: Ashbury Farmhouse, Vineyard St, Whitcombe, OLS4 4LP			
Project Description: Extension and Addition to Existing Dwelling			
Drawing Title: Tenaced Home First Floor Plan			
Drawing No: 2498-121			
Rev: A			

General Notes:

1. This drawing is to be read in conjunction with other drawings.
2. Check site conditions prior to commencement of work.
3. Discrepancies must be reported directly to the Architect.
4. Do not scale off drawings, use figured dimensions only.
5. This drawing may be issued in colour, and may be a non-standard paper size.

Schedule of Materials:

- Roof: Slate (Bc)
- Walls: Natural Course Rubble Stone
- Windows: New Hardwood
- Doors: Oak (Unstained)

Project Address: **Atisbury Farmhouse, Vinyard St, Winchester, GL54 8LP**

Project Description: **Alteration and Addition to Existing Dwelling**

Drawing Title: **New Single Storey Barn Elevations**

Drawing No: **2498-152**

Rev: **A**

Date: **12/11/2021**

Permitting Issue: **DM**

Notes: **Drawn**

Scale: **1:10 @ A1**

GA Sheet Number: **75.5.16**

0 5m 10m

0 5m 10m

YIANGOU

Architects

1, Cranborne St, Winchester, Hampshire, SO9 8JH

01962 543888 | www.yiangou.com

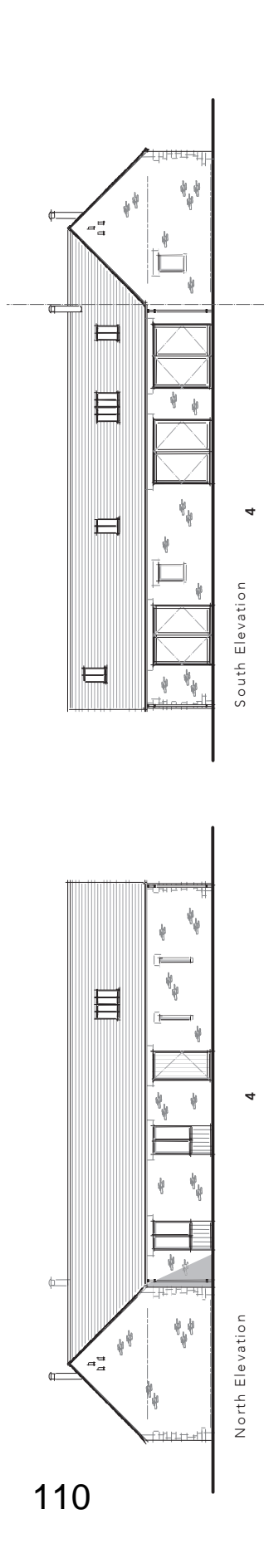
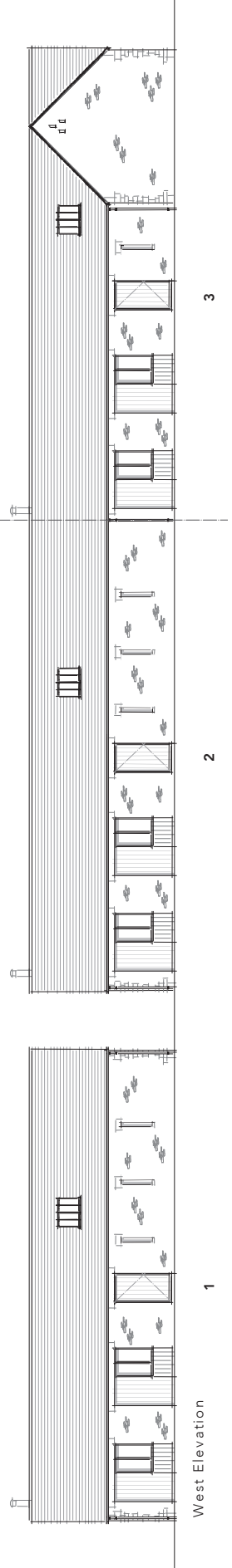
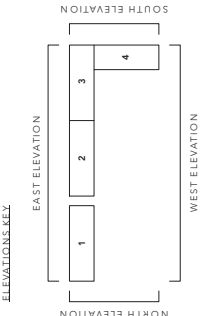
Project Address: **Atisbury Farmhouse, Vinyard St, Winchester, GL54 8LP**

Project Description: **Alteration and Addition to Existing Dwelling**

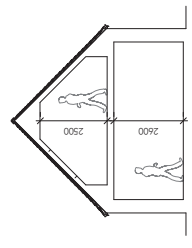
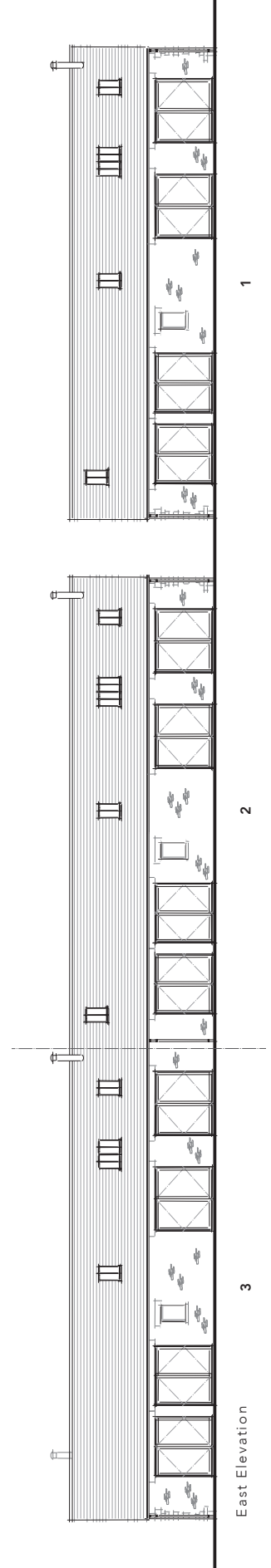
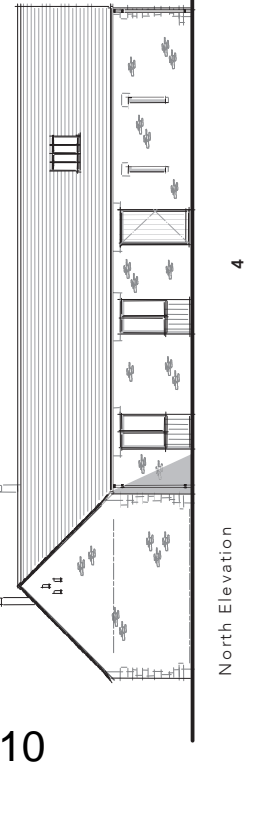
Drawing Title: **New Single Storey Barn Elevations**

Drawing No: **2498-152**

Rev: **A**



110



Planning Committee

Date	17 October 2023
Case Officer	Frank Whitley
Application No.	23/00044/OUT
Site Location	Land at Horsbere Drive, Longford
Proposal	Residential development of up to 21 apartments, associated infrastructure, ancillary facilities, open space and landscaping with all matters reserved (amended description).
Ward	Innsworth
Parish	Innsworth
Appendices	Site location plan Illustrative layout amended Apartment Block A elevations Apartment Block A floor plans Apartment Block B elevations and floor plans Illustrative streetscene Landscape context plan
Reason for Referral to Committee	Outline application for the erection of 10 or more residential units
Recommendation	Delegated Permit

Site Location



1. The Proposal

- 1.1 This application seeks outline planning permission for a residential development of up to 21 apartments, associated infrastructure, facilities, open space and landscaping. All matters (Appearance, Means of access, Landscaping, Layout and Scale) are reserved for future consideration. The application therefore seeks to establish whether the principle of development for up to 21 apartments within the identified site boundaries is acceptable.
- 1.2 The application has been accompanied by a suite of drawings, however, with the exception of the location plan, all plans at this stage are illustrative and the matters as outlined above would be subject consideration at the reserved matters stage if this outline planning permission were to be granted.

2. Site Description

- 2.1 The application comprises an area of residual, disused land on the corner of Horsbere Drive, and Clock Tower Road. The site measures approximately 35m x 70m and is bounded to the east by the residential development on Whitefield Crescent. To the north is Longford Park Primary Academy and on the opposite side of Horsbere Drive, a row of shops which includes a Co-op supermarket.
- 2.2 The site is grassed and has open boundaries onto the tarmac public footpaths of Horsbere Drive and Clock Tower Road. The eastern boundary is partly defined by a dilapidated timber panel fence immediately beyond which are Nos 2,4,8,10 Whitefield Crescent. On the western boundary, there is bus stop, street lighting and a row of immature trees which are to be retained.
- 2.3 While the site is relatively flat, it is however set at a lower level to Longford Lane to the South.
- 2.4 The site is not subject to any landscape, heritage or ecological designations.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
05/00883/OUT	Outline planning application for residential development (C3), Community Uses (D1), local centre comprising classes A1, A2, A3, A4 and A5 and associated physical infrastructure and open space	appeal allowed	3.7.08
11/00385/FUL	Residential development (C3), Community Uses (D1), local centre comprising classes A1, A2, A3, A4 and A5 and associated physical infrastructure and open space (Extension of time of planning ref: 05/0883/OUT).	permit	17.5.13
16/00058/MINOR	Residential development (C3), Community Uses (D1), local centre comprising classes A1, A2, A3, A4 and A5 and associated physical infrastructure and open space (Extension of time of planning ref: 05/11485/0883/OUT).	permit	15.8.16

19/01098/FUL	Construction of two apartment blocks comprising 33 dwellings and associated parking and landscaping.	refuse	22.7.2020
21/00880/OUT	Outline application for a residential development of 24 apartments and associated operations (access reserved for future consideration).	refuse	16.2.22

- 3.1** This application follows two previous applications.
- 3.2** The first, scheme was a Full application for 33 apartments which was refused at planning committee in July 2020 for reasons of scale, bulk and massing.
- 3.3** The second application was an Outline application for 24 apartments with matters of access reserved (21/00880/OUT). This was refused, at planning committee in February 2022 for the following reasons:

1. Given the context of the site and its surroundings, the development as proposed, by virtue of the overall scale, the resulting bulk and massing and uninspired and generic appearance, would not be an appropriate scale, type, density and appearance for the site and its setting and therefore would fail to respond positively to, and respect the character, appearance and visual amenity of the site and the surrounding area.

In addition, due to the scale of the building, the quantum of the housing units proposed and the resulting requirement to provide the level of car parking as shown, the built form would dominate the site which would result in there being insufficient space on the site for meaningful landscaping. As such the development would appear cramped and would represent overdevelopment of the site.

It therefore follows the development would fail to create a high quality, beautiful and sustainable buildings and places which is fundamental to what the planning and development process should achieve.

Accordingly, the proposed development would be contrary to guidance in Section 12 of the National Planning Policy Framework, guidance in the National Design Guide, Policy SD4 and SD6 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (December 2017), Policy CHIN2 and CHIN3 of the adopted Churchdown and Innsworth Neighbourhood Plan 2018-2031 and emerging Policy RES5 of the Main Modifications Pre-submission Tewkesbury Borough Plan (2021).

2. In the absence of an appropriate planning obligation, the proposed development does not make provision for the delivery of recycling and waste bin facilities and therefore the proposed development would be contrary to Policies IN4, INF6 and INF7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031.

3. In the absence of an appropriate planning obligation, the application does not provide housing that would be available to households who cannot afford to rent or buy houses available on the existing housing market. As such, the proposed development conflicts with Policy SD12 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017) and emerging Policy RES12 of the Main Modifications Pre-submission Tewkesbury Borough Plan (2021).

3.4 The current application for 21 units seeks to address the above reasons for refusal.

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

4.1 Longford Parish Council- objection

In summary:

- Land was approved for services and facilities under planning application 11/00385/FUL. Application represents erosion of local centre requirements
- Will lead to more car journeys, pollution and less employment in area
- JCS supports provision of infrastructure
- Masterplan of 11/00385/FUL showed low level of school and local centre ensured connection with farmland beyond. Three storey apartment blocks would create an imbalance and would not be in keeping with rest of development, mainly two storey houses.
- Affordable housing distribution not made clear.
- 40% requirement of affordable housing is 8.4 units. There should be no financial contribution in lieu.
- Insufficient car parking
- Surface water drainage impacts

4.2 Tree/ Landscaping - objection

In summary:

- Development 'squeezed' into site
- Views from lower windows of Block B facing Longford Lane would be straight into sloping bank
- Screening effects from trees in streetscene drawings exaggerated
- Parking dominant

4.3 Urban Design- express concerns

In summary:

- support overall
- scale and the height of development appears appropriate
- insufficient provision for walking and cycling,
- lack of ground level amenity space could be addressed by fewer units
- parking dominant
- limited sunlight on ground floor apartments facing Longford Lane

4.4 Natural England- no objection subject to conditions and S106 obligations

4.5 Ecology- no objection subject to conditions

In summary, development is likely to meet Biodiversity Net Gain requirements

4.6 Community and Economic Development- no objection

4.7 National Highways- no objection

4.8 County Planning Section S106 Monitoring Officer- no objection

Education: No contribution required

Libraries: No Contribution required

- 4.9 Housing and Enabling Officer-** no objection
- Section 106 required.
 - Affordable units should include balconies and/ or at ground floor level terraced private space.
- 4.10 County Council Highways Officer-** no objection subject to conditions
- 4.11 Environmental Health- (amenity and air quality)** no objection subject to conditions
- 4.12 Severn Trent Water –** no objection
- 4.13 Lead Local Flood Authority (LLFA) and Tewkesbury BC drainage–** no objection subject to conditions
- 4.14 Waste Services -** objection
Further details required in respect of waste vehicle access and bin collection points

5. Third Party Comments/Observations

- 5.1** Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.
- 5.2** Approximately 140 objections have been received in response to the consultations. The comment raised are summarised below:
- Not in keeping with existing development
 - Loss of light, more noise
 - Lack of need for more housing
 - Parking and traffic congestion, blocked roads for emergency services
 - Should be left as Green Belt
 - Lack of doctors and dentists and school at near capacity
 - Drainage infrastructure at capacity
 - Too much development locally
 - Site should be used for infrastructure serving local area
 - Risk of more flooding
 - Flats are out of character
 - Urging people to use bicycles doesn't work
 - Flats would be an eyesore due to height and size
 - Doctors surgery should be built instead, community centre, green or community area
 - Contrary to NPPF, JCS, TBC and Neighbourhood plan policies
 - Harm to amenity during construction
 - Road safety risk because close to primary school
 - Balconies overlooking school fields is unacceptable
 - Reduce visibility for drivers on road
 - Better alternative would be development to boost local economy
 - Overdevelopment
 - Would attract unwelcome occupants
 - Will put pressure on limited disabled parking spaces
 - Should not be allocated for residential development
 - Loss of village feel

- No explanation of how affordable housing would be distributed through development
- Would attract more anti-social behaviour and crime
- Not contributing to net-zero targets
- Area needs families to grow the community rather than single occupants

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

Policy SP2 (Distribution of New Development)
 Policy SD4 (Design Requirements)
 Policy SD6 (Landscape)
 Policy SD9 (Biodiversity and Geodiversity)
 Policy SD10 (Residential Development)
 Policy SD11 (Housing Mix and Standards)
 Policy SD12 (Affordable Housing)
 Policy SD14 (Health and Environmental Quality)
 Policy INF1 (Transport Network)
 Policy INF5 (Renewable Energy/Low Carbon Energy Development)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

Policy RES2 (Settlement Boundaries)
 Policy RES5 (New Housing Development)
 Policy RES12 (Affordable Housing)
 Policy RES13 (Housing Mix)
 Policy DES1 (Housing Space Standards)
 Policy TRAC9 (Parking Provision)
 Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features)
 Policy ENV2 (Flood Risk and Water Management)
 Policy HEA1 (Healthy & Active Communities)
 Policy TRAC1 (Pedestrian Accessibility)
 Policy TRAC2 (Cycle Network & Infrastructure)
 Policy TRAC3 (Bus Infrastructure)

6.5 Churchdown and Innsworth Neighbourhood Development Plan (CHINDP)

Policy CHIN1: Parking to support residential development
 Policy CHIN2: Layout and appearance of residential development
 Policy CHIN3: Environmental considerations in the design of residential development
 Policy CHIN9: Provision for wildlife in new development
 Policy CHIN11: Blue infrastructure
 Policy CHIN12: Flood mitigation
 Policy CHIN14: Pedestrian and cycle movement routes

7. Policy Context

- 7.1** 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.
- 7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans
- 7.3** The relevant policies are set out in the appropriate sections of this report.
- 7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

Main Issues

- Principle of Development
- Scale, Character and Appearance
- Waste and Recycling
- Residential Amenity
- Highways and Parking
- Drainage and Flooding
- Affordable Housing
- Ecology
- Other matters

Principle of Development

- 8.1** The application site formed part of an outline scheme ref 05/0883/OUT for a major housing development approved in 2008. The approved Masterplan, Phasing and Design Code identified the site, alongside a parcel of land to the west of Horsbere Drive, as land which would provide a local centre to serve the Longford development as well as the wider community.
- 8.2** No reserved matters application came forward, though the outline planning permission was renewed by way of application no.11/00385/FUL, approved on 17 May 2013. Condition 2 of the decision notice for 11/00385/FUL required reserved matters applications to be submitted within three years, that being by 17 May 2016. No reserved matters application was submitted in respect of the land and the consent has subsequently lapsed.
- 8.3** Officers note the concerns regarding site's provisions for community related development. However, planning permission no longer exists for a community use at the site. As a result, there is no current requirement to deliver a community related development on the site and no realistic prospect (given opportunity was not taken up in the 8 years whilst the permission was live or since) that such a use would be delivered. The application therefore stands to be determined on its own merits.

- 8.4 The NPPF states that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 8.5 The NPPF at Chapter 5 seeks to deliver a sufficient supply of homes.
- 8.6 Policy SP1 (The Need for New Development) of the JCS states that provision will be made for 35,175 new homes, within existing urban areas through District Plans, existing commitments, urban extensions, and strategic allocations.
- 8.7 Policy SP2 (Distribution of New Development) of the JCS amongst other things, states that dwellings 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.
- 8.8 Section 3 (Housing) of the adopted TBP explains that Longford is an 'Urban Fringe Settlement' of Gloucester, rather than falling within the settlement hierarchy of Tewkesbury Borough. According to the adopted TBP, urban fringe settlements are considered sustainable settlements possessing a good range of services and good accessibility to Gloucester and Cheltenham.
- 8.9 Map No.20 of the adopted TBP Policies Maps, indicates the settlement boundary of Longford within which the application site is located.
- 8.10 Policy RES2 (Settlement Boundaries) of the adopted TBP states (amongst other settlement types), the principle of residential development in urban fringe settlements is acceptable, subject to meeting other relevant policy requirements.
- 8.11 Officers consider that the application site is suitable for residential development in principle under the provisions of SP1, SP2 (of the JCS) and RES2 (of the TBP). The 'tilted balance' in favour of sustainable development according to paragraph 11 of the NPPF does not need to be engaged to establish the principle of acceptable residential development in this location.
- 8.12 The principle of new residential development on the application site is considered acceptable and in accordance with the NPPF, the adopted JCS and adopted TBP.

Scale, Character and Appearance

- 8.13 The NPPF at Chapter 12 seeks to achieve well-designed places. Policy SD4 of the JCS seeks to ensure design principles are incorporated into development, in terms of context, character, sense of place, legibility and identity. These requirements closely align with the requirements of the National Design Guide. Policy RES5 of the TBP seeks to ensure proposals are of a design and layout which respect the character, appearance and amenity of the surrounding area.
- 8.14 Policy CHIN2 of the made Churchdown and Innsworth Neighbourhood Plan states that proposals for new development should contribute towards the local distinctiveness of Churchdown and Innsworth. They should demonstrate high quality, sustainable and inclusive design and architecture.

- 8.15** Although the application is in outline with all matters reserved, the application has nevertheless been supported by indicative plans to demonstrate how a development of up to 21 apartments could be accommodated within the site. The plans show how the apartments could be accommodated in two separate apartment blocks. The illustrative scheme shows how 'Block A' to the north and 'Block B' to the south could comprise a total of 12 x 1 bedroom and 9 x 2 bedroom apartments respectively. The applicant has also advised that 40% of the proposed apartments would be affordable.
- 8.16** The indicative plans also demonstrate how there could be active principal elevations onto Longford Lane to the south and Clock Tower Road to the north. In addition, the development could provide a frontage onto Horsebere Drive, and provide pedestrian/cycle only access, between the two apartment blocks and linking to Whitefield Crescent. The main vehicle access would be via the existing Whitefield Crescent. This vehicle and pedestrian/cycle access could lead into a parking court providing 35 parking spaces.
- 8.17** The development as shown on the indicative drawings would be a combination of three and two storeys, with a maximum height of 8.5m for the three storey and 5.5m for the two storey elements. Officers recommend that building height is limited by condition to a maximum of 8.5m (see proposed Condition 22 below). In all other respects the precise design (appearance, layout and scale) would remain to be considered at the reserved matters stage.
- 8.18** The indicative drawings also show how the development could provide landscaped areas at ground level, 'green roofs' and garden roof terraces for additional occupier amenity space.
- 8.19** Generally, the indicative design approach of the apartment blocks is considered well-articulated, and achieves natural surveillance over frontages, without dominating the street scene. The appearance of the buildings is softened by a mix of materials, green landscaping at ground and upper levels. No concerns have been raised by the urban design consultant regarding scale and massing, though it is suggested that useable ground level amenity space could be improved by a smaller building footprint. A reduction in the number of units would also provide further space for soft landscaping to flourish and avoid any risk of elevations appearing cramped within boundaries. Nevertheless, the details of the scheme remain for future consideration and it is considered that an appropriate layout could be achieved with further thought and at the reserved matters stage.
- 8.20** The proposed use of shared roof gardens is supported and reflects the National Design Guide where there is recognition of sustainable benefits including water management, biodiversity as well as amenity space. Some concerns are raised that over reliance on shared amenity space could result in limited private amenity space, and it is suggested that more generous balconies are provided, thereby compensating for shared roof top space which may not be accessible to occupiers with mobility issues. It is therefore considered that an appropriately designed scheme of up to 21 dwellings could realistically be achieved.

Waste and Recycling

- 8.21** Policy RES5 (New Housing Development) requires new developments to make provisions for the efficient and effective high quality household waste collection services.

- 8.22** According to the Design and Access Statement, it is envisaged that for apartments adjacent to Longford Lane and Horsbere Drive, refuse collection would take place from either Whitefield Crescent or Horsbere Drive. Apartments backing onto Horsbere Drive and Clock Tower Road would be serviced from Clock Tower Road.
- 8.23** Officers note that Waste Services have objected to the development, citing concerns regarding waste and recycling storage and inadequate information regarding access routes for occupiers and refuse vehicles.
- 8.24** In response, Officers advise there is no requirement at the outline stage, particularly where all matters are reserved, for plans to show bin storage locations and collection points and these details would need to be demonstrated in an appropriate manner at the reserved matter stage.
- 8.25** Notwithstanding, the applicant has submitted a Waste Minimisation and Management Plan. Paras 4.24-4.30 explain intended disposal and recycling arrangements for occupiers. Occupants would be entitled to kerbside collections and the developer would ensure that each apartment would have all the necessary containers within a communal storage facility. In Officers' opinion there is sufficient certainty of the development being able to achieve bin storage and collection in accordance with Policy RES5 such that refusal of the application on these grounds would be unjustified at this time.

Residential Amenity

- 8.26** Policy DES1 (Housing Space Standards) of the TBP confirms the adoption of the Government's nationally described space standards. Minimum floor areas for each of the apartments proposed are 39sqm for one bedrooomed, and 50sqm for two bedrooomed respectively. All apartments are intended to exceed minimum space standards.
- 8.27** Amongst other requirements, Policy SD4 of the adopted JCS states that new development should, *'...enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space.'*
- 8.28** Policy SD10 states that. *'...residential development should seek to achieve the maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment.'*
- 8.29** Shared amenity space for all apartments is considered adequate, though as noted above, concerns have been raised that private amenity space is insufficient as illustrated.
- 8.30** In response to the issue of shared versus private amenity space, the applicant's agent has responded by confirming there would be 180sqm of communal garden space accessible direct from apartments and not to the general public. Further the agent has emphasised the benefits of the 'central boulevard' between the two blocks which has the potential to be used as a semi-private courtyard, subject to detailed designs at the reserved matters stage.
- 8.31** The applicant's agent points out that balconies are currently 1m deep and is willing to accept a condition requiring their extension to 1.5m deep so that these could provide improved outdoor amenity space for future occupiers.

- 8.32** A further concern raised by consultees is the amenity of occupiers of the ground floor apartments of Block B, where they face Longford Lane. The application site is set lower than the highway, therefore ground floor occupiers would face a bank, with potential loss of sunlight. In response, the applicant has commented that windows are sufficiently set back from the bank and in any event are south facing, so maximising daytime sunlight. Officers take note of the concerns raised, though do not consider that residential amenity would be adversely affected to the extent refusal would be warranted. Nevertheless, layout and associated impacts remain to be considered at the reserved matters stage.
- 8.33** Policy SD14 of the adopted JCS states new development must cause no harm to local amenity including the amenity of neighbouring occupants. In this regard, there is potential to overlook neighbouring dwellings from upper-level apartments and from roof garden space. Risks particularly relate to the rear windows and small garden spaces of Nos 2,4,6,8 Whitefield Crescent, and to a far lesser extent No.10, whose side gable would face the development. The roof garden space of Block A as shown on the indicative drawings would be separated from the boundary of Nos 2-8 Whitefield Crescent by a distance of 26m. Similarly the Block B roof garden space would be separated from the boundary of No10 Whitefield Crescent by a similar distance. Officers consider the separation distance demonstrated would be sufficient to reduce the risk of amenity harm to an acceptable level and that this separation distance is better than typically found in new housing developments. Furthermore, there would be potential for further mitigation by careful management of boundary treatments should this be required as part of the consideration of any reserved matters application.

Highways and Parking

- 8.34** The NPPF at Chapter 9 seeks to promote sustainable transport.
- 8.35** Policy INF 1 (Transport Network) requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. Chapter 10 of the adopted TBP states that an efficient and safe transport system is critical to the success of the Borough and the quality of life of its residents and visitors.
- 8.36** Section 10 of the adopted TBC (Transport and Accessibility) sets out policies for pedestrians (TRAC1), cycle network (TRAC2) and bus infrastructure (TRAC3).
- 8.37** Policy CHIN1 (Parking to Support Residential Development) of the CHINDP seeks to achieve one and two parking spaces for every one bedroomed and every two bedroomed dwelling respectively.
- 8.38** In terms of layout, concerns remain, for example that the development is vehicle dominant and comprises excessive dedicated carparking. Instead, more emphasis could be placed upon pedestrian and cycle routes. At the same time though, the development seeks to comply with the CHINDP which requires adequate parking to reduce the risk of on-street parking. Compliance with Policy CHIN1 would equate to the provision of at least 30 carparking spaces in the development.
- 8.39** Accepting the layout plans are indicative, the proposal comprises 35 spaces. The applicant has emphasised that the additional five unallocated spaces are for visitor parking.

- 8.40** On balance, and taking into account that matters of layout are indicative, Officers consider that appropriate parking provision is likely to be achievable and within the scope of consideration at this outline stage.

Drainage and Flooding

- 8.41** The NPPF at Chapter 14 (in part) seeks to meet the challenge of climate change and flooding. Policy INF1 of the adopted JCS and Policy NAT2 of the TBP seek to manage flood risk. The application is accompanied by a Flood Risk Assessment, and consultations have taken place with the Environment Agency, Gloucestershire County Council (as the Lead Local Flood Authority), and Tewkesbury Borough Council's drainage officer.
- 8.42** Policy CHIN11 (Blue Infrastructure) of the Neighbourhood Plan seeks to ensure new development incorporates sustainable solutions to water and flood management, and where possible, enhancing the provision of wetland habitat for wildlife.
- 8.43** The application site is in Flood Zone 1 (lowest risk of flooding) and in an area already served by foul water and surface water sewers.
- 8.44** It is intended the development would connect to the existing public connection on Clock Tower Road. Neither Severn Trent Water nor the Lead Local Flooding Authority has raised any objection.
- 8.45** A condition is recommended to secure and approve an appropriate drainage scheme prior to works commencing.

Ecology

- 8.46** Chapter 15 of the NPPF seeks to conserve and enhance the natural environment.
- 8.47** Policy SD9 of the adopted JCS (Biodiversity and Geodiversity) states amongst other things that the biodiversity and geological resource of the JCS area will be protected and enhanced in order to establish and reinforce ecological networks that are resilient to current and future pressures. Similarly, the adopted TBP Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features) requires amongst other things that proposals will, where applicable, be required to deliver a biodiversity net gain across local and landscape scales, including designing wildlife into development proposals.
- 8.48** The submitted ecological assessment concludes there are no adverse impacts upon protected species. During the survey, a small number of common birds used the site for foraging.
- 8.49** A Habitats Regulation Assessment has been submitted in relation to potential impacts upon the Cotswolds Beechwoods SAC. Natural England has raised no objection to the proposal, subject to appropriate mitigation, which includes Strategic Access Management and Monitoring (SAMM) measures and the provision of Suitable Alternative Natural Greenspace (SANG). In combination with the provision of on-site public open space, contributions for SAMM and SANG have been agreed with the applicant and would be secured through the S106. Further, as recommended by the Council's ecologist, residents' packs are to inform new occupiers of the recreational opportunities available to them, the sensitivities of local nature conservation sites.

- 8.50** A Biodiversity Net Gain (BNG) Assessment has been submitted and checked by the Council's ecologist. Overall, the scheme would deliver a 15.7% net gain in habitats and 100% net gain in hedgerows. The scheme would therefore meet BNG requirements.

Affordable Housing

- 8.51** Chapter 5 of the NPPF seeks to deliver a sufficient supply of homes, and that the needs of groups with specific housing requirements are addressed, in terms of amongst other affordability and tenure.
- 8.52** Policy SD12 of the JCS sets out that outside of the Strategic Allocations a minimum requirement of 40% affordable housing will be sought on developments. Affordable housing must also have regard to the requirements of Policy SD11 concerning type, mix, size and tenure.
- 8.53** The submitted Affordable Housing statement recognises the minimum affordable housing requirement would equate to 8.4 units. The Housing Enabling and Strategy Officer has confirmed the applicant has constructively engaged with the Housing team in preparing an affordable housing proposal set out in the applicant's affordable housing statement reflecting local housing needs.
- 8.54** The applicant proposes to provide eight affordable units on site, plus a commuted sum payment calculated at £30,000 on commencement of development. Officers advise this figure has been accepted by the Housing Team.
- 8.55** Affordable Discounted Market Sale units would comprise 4 x 1 bedroom apartments and 4 x 2 bedroom apartments.
- 8.56** The Council's Housing Strategy and Enabling Officer considers the proposed scheme would be policy compliant and therefore acceptable. This requirement could be secured by way of a Section 106 agreement.

Community Facilities

- 8.57** Policy RCN1 states that proposals for new residential development shall provide appropriate public outdoor space, sports pitches and built sports facilities to meet the needs of local communities.
- 8.58** No specific contribution has been requested by the Parish Council, nor the Council's Community Team which has been consulted. The Draft Section 106 with agreed Heads of Terms requires submission to the Council a specification for on-site open space prior to the first reserved matters application and not to commence development until approval has been obtained. This is considered appropriate given the scale of development proposed.
- 8.59** In terms of County Council Education contributions, the proposed development falls below the threshold of qualifying dwellings, that being at least 10 dwellings with 2 bedrooms or more. As such Education contributions are not being sought. Similarly the County Council states it has carried out a Site Specific Assessment and no library contribution is required.

Section 106 and CIL

- 8.60** JCS Policy INF6 relates directly to infrastructure delivery and states that any infrastructure requirements generated as a result of individual site proposals and/or having regard to the cumulative impacts, should be served and supported by adequate and appropriate on/off-site infrastructure and services. The Local Planning Authority will seek to secure appropriate infrastructure, which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. Policy INF4 of the JCS requires appropriate social and community infrastructure to be delivered where development creates a need for it. JCS Policy INF7 states the arrangements for direct implementation or financial contributions towards the provision of infrastructure and services should be negotiated with developers before the grant of planning permission. Policy SA1 sets out that infrastructure should be provided comprehensively across the site taking into account the needs of the whole Strategic Allocation. Financial contributions will be sought through S106 and CIL mechanisms as appropriate.
- 8.61** The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from developers undertaking new building projects in their area. Whilst the Council does have a CIL in place, infrastructure requirements specifically related to the impact of the development will continue to be secured via a Section 106 legal agreement. The CIL regulations stipulate that, where planning obligations do not meet the tests, it is 'unlawful' for those obligations to be taken into account when determining an application.
- 8.62** The Council's Community and Place Development Officer has confirmed that the Parish would receive up to 25% of CIL receipts which can be used for community infrastructure. No other financial contributions are being sought through the Section 106 agreement route.
- 8.63** The following Heads of Terms have been agreed with the applicant according to consultee requests:
- Affordable Housing:** 8.4 units equating to 8 affordable units on site with a £30,000 commuted sum.
- Public Open Space:** Specification to be agreed prior to reserved matters application being made
- Strategic Access Management and Monitoring (SAMM):** £4,053
- Suitable Alternative Natural Greenspace (SANG):** £10,080
- Refuse and Recycling:** £1,533
- Other Matters**
- 8.64** Paragraph 74 requires Local Planning Authorities to identify and update annually a supply of deliverable sites sufficient to provide a minimum of five years' worth of housing (5YHLS). Tewkesbury Borough Council currently is unable to identify five years' supply. In these situations, the NPPF presumption in favour of sustainable development applies, according to Paragraph 11. Development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies. This approach is known as the 'tilted balance'.

- 8.65** Notwithstanding the provisions of NPPF Paragraph 11, the location of the application site accords with the Council's housing and settlement strategy as set out in the adopted JCS and adopted TBP. There is no requirement in Officers' opinion to engage the 'tilted balance' to establish the principle of development.
- 8.66** It should be noted the number of apartments has been reduced from previous applications, and this time seeks only to establish the principle of development with all matters reserved, accepting that relatively detailed plans have also been submitted for illustrative purposes only.
- 8.67** Officers do however consider that the Council's 5YHLS position has relevance when it comes to assessing the weight to be attached to adverse design and layout comments. Taken together, these comments collectively point towards either a reduction in the number of apartments or revisions to the design and siting of the blocks in order to remedy identified concerns.
- 8.68** Overall, Officers consider there is sufficient prospect of a policy compliant scheme of up to 21 dwellings coming forward at the reserved matters stage.

9. Conclusion

- 9.1** Development accords with the housing and settlement strategy of the adopted JCS and TBP. The application site falls within the Urban Fringe Settlement of Longford as set out in Policy RES2 of the adopted TBP where the principle of new residential development is considered acceptable.
- 9.2** To the extent relevant to the application made in outline, Officers consider that issues of scale and massing have been resolved over previous applications and there is sufficient prospect of an acceptable scheme coming forward at the reserved matters stage to comprise development of up to 21 apartments.
- 9.3** It is considered that the proposal would accord with policies of the NPPF, adopted JCS, TBP and the made Churchdown and Innsworth Neighbourhood Development Plan, as outlined above. Therefore, it is recommended that outline planning permission be granted subject to the recommended conditions and completion of a Section 106.

10. Recommendation

- 10.1** It is recommended that authority be **DELEGATED** to the Development Manager, to **PERMIT** the application, subject to the completion of a Section 106 legal agreement with obligations as set out above.

11. Conditions

Standard Conditions

- 1.** Details of the access, appearance, landscaping, layout and scale (hereinafter called "the Reserved Matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced and the development shall be carried out in accordance with the approved details.

Reason: The application is in outline only and the reserved matters referred to in the foregoing condition will require further consideration.

2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 24 months from the date of this permission.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990

3. The development hereby permitted shall be begun either before:
 - (i) the expiration of three years from the date of this permission, or
 - (ii) before the expiration of 12 months 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 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan No. LC.P.1 dated 22.1.21

Reason: In order to define the permission.

5. The development hereby permitted shall provide no more than 21 apartments.

Reason: To define the scope of the permission

Pre-commencement Conditions

6. Prior to the commencement of development, including any preparatory work a scheme for the protection of the retained trees and hedgerows, in accordance with BS 5837:2012, including a Tree Protection Plan(s) (TPP) and an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The TPP and AMS should include details of the following:
 - (a) Location and installation of services/ utilities/ drainage.
 - (b) Details of construction within the RPA or that may impact on the retained trees.
 - (c) a full specification for the installation of boundary treatment works.
 - (d) A specification for protective fencing to safeguard trees during construction phases and a plan indicating the alignment of the protective fencing.
 - (e) a specification for scaffolding and ground protection within tree protection zones.
 - (f) Tree protection during construction indicated on a TPP and construction plan and construction activities clearly identified as prohibited in this area.
 - (g) details of site access, temporary parking, on site welfare facilities, loading, unloading And storage of equipment, materials, fuels and waste as well concrete mixing and use of fires.

All works shall be carried out in accordance with the approved details.

Reason: To prevent existing trees from being damaged during construction work and to preserve the amenities of the locality.

7. Prior to the commencement of development, a detailed Sustainable Drainage System (SuDS) Strategy document shall be submitted to and approved in writing by the Local Planning Authority. This should be in accordance with the proposal set out in the approved submission (Drainage Statement; LON.LCE.DS.02; September 2022). The SuDS Strategy must include a detailed design and a full risk assessment for flooding during the groundworks and building phases with mitigation measures specified for identified flood risks. 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 approved scheme for the surface water drainage shall be implemented in accordance with the approved details before the development is first 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.

8. Prior to the commencement of development, a detailed site waste management plan shall be submitted to and approved in writing by the local planning authority. The site waste management plan must identify the type and amount of waste materials expected to be generated from the development during site preparation and construction phases and set out what site specific measures will be employed for dealing with this material so as to; - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the amount of waste sent to landfill. In addition, the site waste management plan must also clearly set out the proportion of recycled content from all sources that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency in accordance with adopted Joint Core Strategy Policy SD3 – Sustainable Design and Construction; adopted Gloucestershire Waste Core Strategy; Core Policy WCS2 – Waste Reduction; adopted Minerals Local Plan for Gloucestershire Policy SR01 and Paragraph 8 of the National Planning Policy for Waste.

9. Prior to the commencement of development, provisions for facilitating the management and recycling of waste generated during occupation shall be submitted to and approved in writing by the Local Planning Authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during occupation must be aligned with the principles of the waste hierarchy and not prejudice the delivery of local waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency in accordance with adopted Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD3 – Sustainable Design and Construction; adopted Gloucestershire Waste Core Strategy; Core Policy WCS2 – Waste Reduction; adopted Minerals Local Plan for Gloucestershire Policy SR01 and Paragraph 8 of the National Planning Policy for Waste.

10. Prior to commencement of development, a Construction and Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Number of vehicle trips and timings
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Noise and vibration mitigation (Including whether piling or power floating is required and please note white noise sounders will be required for plant operating onsite to minimise noise when in operation/moving/ reversing)
- Mitigation of the impacts of lighting proposed for the construction phase
- Measures for controlling leaks and spillages, managing silt and pollutants
- Methods of communicating the Construction and Environmental Management Plan to staff, visitors and neighbouring residents and businesses.
- Lighting plan showing light spill in lux levels to ensure that any bat foraging habitat is not unduly illuminated.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development and in the interests of protecting ecological assets.

11. Prior to the commencement of development, a noise assessment, in line with BS8233:2014 and BS4142:2014+A1:2019, together with any necessary noise mitigation measures shall be submitted to the Local Planning Authority for approval.

No apartment requiring noise mitigation measures shall be occupied until those noise mitigation measures as approved have been implemented. Noise mitigation measures shall be maintained as approved thereafter.

Reason: To ensure appropriate living conditions for future occupiers.

12. Prior to commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include ecological mitigation and enhancement details as outlined in the submitted Ecological Assessment dated November 2022 and the Biodiversity Net Gain Assessment dated May 2023. Following finalisation of the soft landscape proposals (to be included in the LEMP), the biodiversity metric will need to be updated and submitted to the local planning authority for review to ensure that positive net gain can still be achieved.

Reason: To protect and enhance biodiversity.

13. No works or development shall take place until full details of all proposed street tree planting, root protection systems, future management plan, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

Prior to Occupation Conditions

14. Prior to first occupation, a SuDS management and maintenance plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The approved SuDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

15. Prior to first occupation, a Resident's Pack shall be produced and left in each apartment, to inform new residents of the recreational opportunities available to them, the sensitivities of local nature conservation sites and how visitors can minimise their impact plus details for becoming involved in the ongoing conservation of these sites. The pack will also provide residents with details of public transport links and foot/cycle paths to encourage the use of other modes of transport to the car. The packs should also advise people how to behave carefully in protected areas so as not to harm wildlife and habitats, e.g. putting dogs on leads during bird nesting season and throughout the year in protected areas. The Resident's Pack should be submitted to the Local Planning Authority for approval prior to occupation, and provided to residents as approved.

Reason: In the interests of preserving and enhancing ecological assets.

16. Prior to the first occupation details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- i) A drawing showing sensitive areas and/or dark corridor safeguarding areas.
- ii) Description, design or specification of external lighting to be installed.
- iii) A description of the luminosity of lights and their light colour including a lux contour map.
- iv) A drawing(s) showing the location and where appropriate the elevation of the light fixings.
- v) Methods to control lighting (e.g. timer operation, passive infrared sensor)

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details. These shall be maintained thereafter in accordance with these details.

Reason - To ensure the proposed development does not have an adverse effect on the character and appearance of the area and does not harm biodiversity within the site and the wider area.

17. The development shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details to be submitted as part of the Reserved Matters application(s). The storage area shall be maintained for this purpose thereafter.

Reason: To promote sustainable travel and healthy communities.

Additional Conditions

18. During the construction phase (including preparatory groundworks), no machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or dispatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the noise climate and amenity of local residents.

19. The relevant Reserved Matters application(s) submitted pursuant to Condition 1 shall include details of the materials to be used in the construction of the external surfaces of any building and surface treatments. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity

20. Details to be submitted as part of the Reserved Matters application(s) in accordance with Condition 1 shall include existing and proposed levels, including finished floor levels and a datum point outside of the site. All development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity the visual amenities of the area.

21. Details to be submitted as part of the Reserved Matters application(s) in accordance with Condition 1 shall include balconies at least 1.5m deep, installed to a minimum of all affordable units.

Reason: To conform with requirements of the adopted adopted Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD4, and the National Design Guide HN1.

22. Details to be submitted as part of the Reserved Matters application(s) in accordance with Condition 1 shall include maximum building height elevations not exceeding 8.5m above existing ground level.

Reason: To conform with requirements of the adopted adopted Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD4, and the National Design Guide HN1.

23. The landscaping details to be submitted pursuant to Condition 1 shall provide full details of both hard and soft landscape proposals. The landscape scheme shall include the following details:

- (a) positions, design, materials and type of boundary treatments to be erected;
- (b) hard landscaping materials;
- (c) a plan showing details of all existing trees and hedges on the site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in

- ground level, or other works to be carried out, within the canopy spread;
- (d) a plan showing the layout of proposed tree, hedge, shrub, ornamental planting and grassland/wildflower areas;
- (e) a schedule of proposed planting, noting species, planting sizes and proposed numbers/densities;
- (f) a written specification outlining cultivation and other operations associated with plant and green grass establishment;
- (g) 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 and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the completion or first occupation of any apartment.

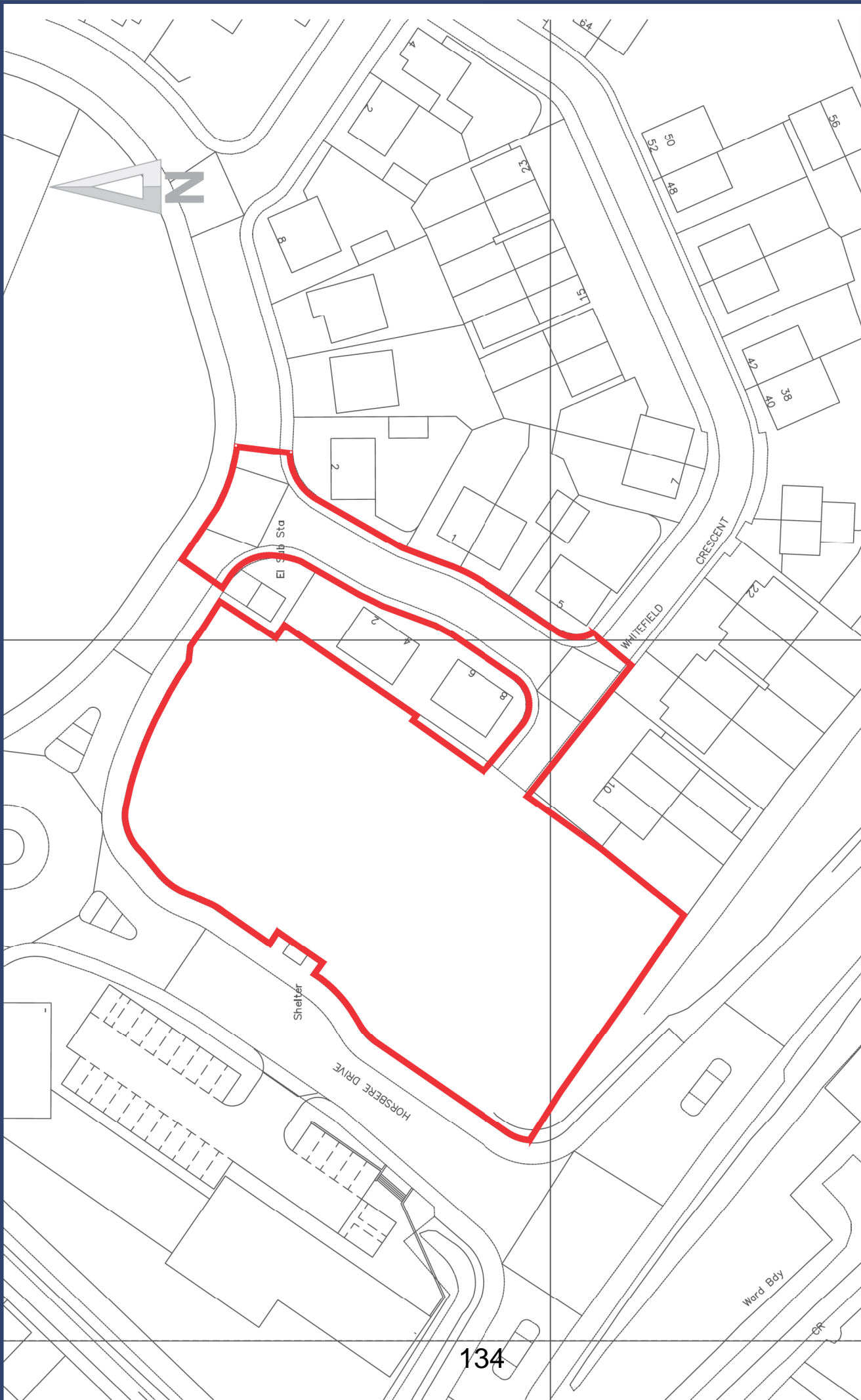
The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity, to ensure the development contributes to a multifunctional network of green infrastructure, delivers ecosystem services for people and wildlife.

12. Informatives

- 1** In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the 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 development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
- 3** It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says: Constructors should give utmost consideration to their impact on neighbours and the public
 - Informing, respecting and showing courtesy to those affected by the work;
 - Minimising the impact of deliveries, parking and work on the public highway;
 - Contributing to and supporting the local community and economy; and
 - Working to create a positive and enduring impression, and promoting the Code.

- 4** The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.
- 5** Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.
- 6** The applicant is reminded that written permission for the proposed connection from the current S104 owner must be obtained before a S106 application can be made to Severn Trent Water for the indirect sewer connection.




Robert Hitchins
 The Complete Development Solution
The Manor, Boddington, Gloucestershire, GL11 0TJ
 Tel: 01242 464646
 www.robert-hitchins.co.uk

Revision:		Drawing Number:	
Scale:	1:500@A3	LC.P.1	
Date:	22.01.2021	Drawn By:	POK
		Checked By:	GLJ
Site Name:		Land off Horsbere Drive, Longford	
Drawing Title:		Location Plan	



KEY

- 21NO. APARTMENTS
- MAIN ACCESS
- EMERGENCY ACCESS
- FOOT/CYCLE ACCESS
- BLOCK PAVED PARKING BAYS
- TARMACADAM ROAD

- PAVED LINK WITH FEATURE LANDSCAPING/PUBLIC REALM TREATMENT
- FOOTPATH
- PROPOSED TREE ALONG ROAD FRONTAGE
- RETAINED TREE
- GREEN SPACE WITH LANDSCAPE PLANTING
- FEATURE LANDSCAPING

- NEW HEDGEROW
- GREEN TERRACE
- GREEN ROOF
- MOTORCYCLE PARKING
- 1.8M CLOSE BOARD FENCE
- FEATURE TREE IN PARKING AREAS

0 5 10 20m

135

Robert Hitchens The Complete Development Solution			
Site Name: LONGFORD			
Drawing Title: ILLUSTRATIVE LAYOUT			
Drawing Number: NUMBER: 366.UD.04		Revision: REVISION: E	
Drawn By: LD	Checked By: GRJ	Date: 04.09.2023	Scale: 1/250 @ A2
The Manor, Boddington, Cheltenham, Gloucestershire, GL51 0TJ Tel: 01242 680694 www.robert-hitchens.co.uk			
CAD Ref: REFERENCE			

APARTMENT BLOCK A - FLOORPLANS



Robert Hitchins
The Complete Development Solution

Project Name: LONGFORD

Drawing Title: APARTMENT BLOCK A - ELEVATIONS

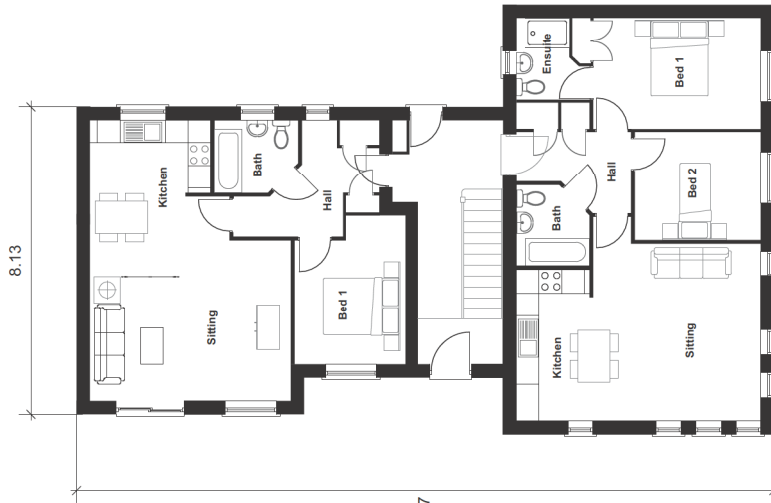
Drawing Number: 373-UD-06

Drawn By:	Checked By:	Date:	Scale:	Revision:
LD	GRJ	27/07/22	1:100 @ A2	-

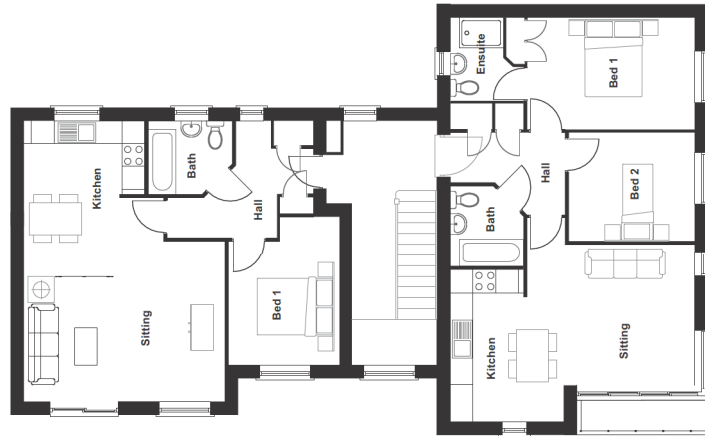
The Practice: Robert Hitchins, Cheltenham, Gloucestershire, G51 0TJ
Tel: 01242 688964
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Consult REFERENCE

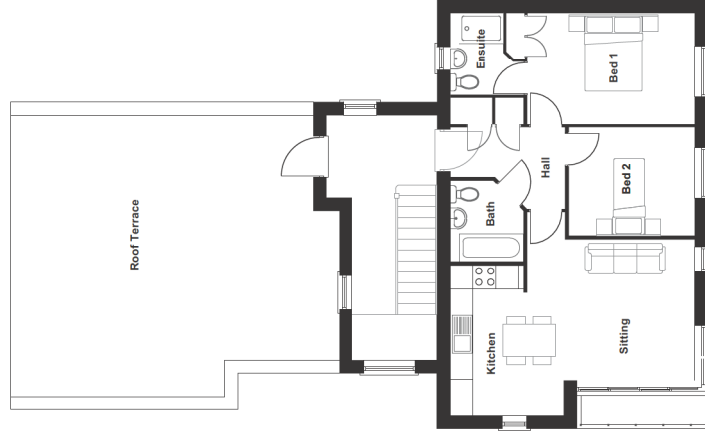
APARTMENT BLOCK A - FLOORPLANS



GROUND FLOOR



FIRST FLOOR



SECOND FLOOR

1:100 Scale

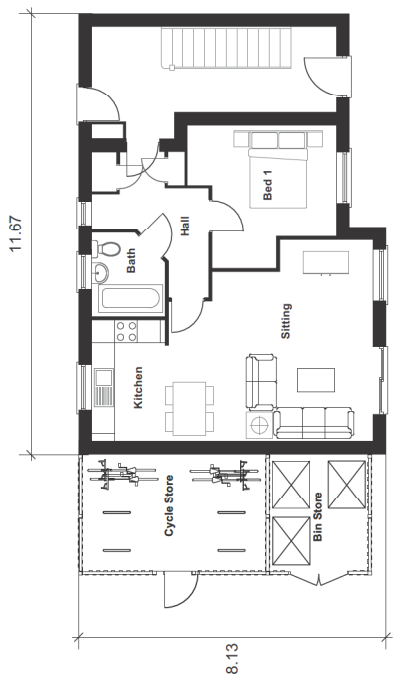
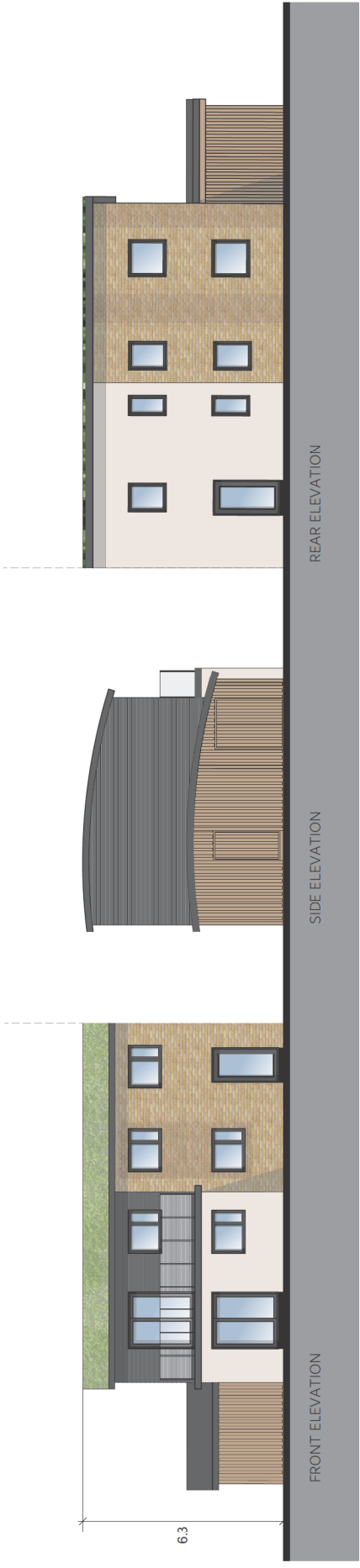




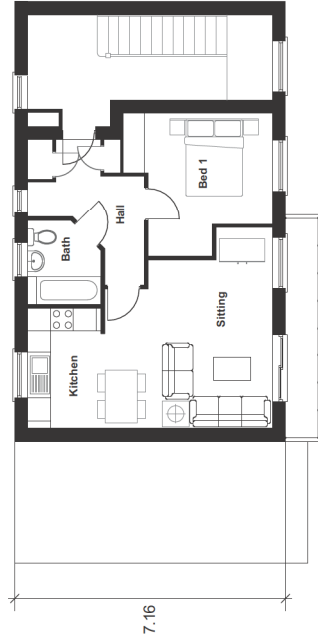
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Project Name: LONGFORD	
Drawing Title: APARTMENT BLOCK A - FLOORPLANS	
Drawing Number: 373-UD-05	Revision: A
Drawn By: LD	Checked By: GRJ
Date: 12/12/22	Scale: 1:100 @ A2
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APARTMENT BLOCK B - ELEVATIONS & FLOORPLANS



GROUND FLOOR



FIRST FLOOR



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Project Name: LONGFORD
Drawing Title: APARTMENT BLOCK B - ELEVATIONS & FLOORPLANS
Drawing Number: 373-UD-07
Revision: A

Drawn By: GRJ
Checked By: GRJ
Date: 12/12/22
Scale: 1:100 @ A2

The Practice: Robert Hitchins, Cheltenham, Gloucestershire, G51 0TJ
Tel: 01242 688964
www.robert-hitchins.co.uk

CAD FILE REFERENCE



STREETSCENE A/A - HORSBERE ROAD



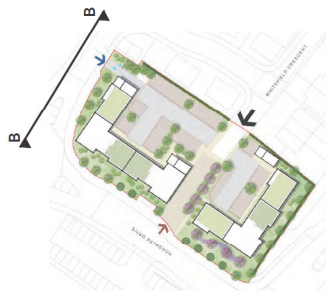
STREETSCENE B/B - CLOCK TOWER ROAD



STREETSCENE C/C - APPROACH FROM WHITEFIELD CRESCENT



STREETSCENE D/D - LONGFORD LANE



INDICATIVE MATERIALS (AS SEEN IN THE IMMEDIATE AREA)



TIMBER CLADDING OR/
FIBRE CEMENT BOARDING
stained grey



MULTI BEIGE BRICK



WHITE/CREAM/SILVER
RENDER



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Project Name: LONGFORD
Project Number: 373.LUD.03
INDICATIVE STREETSCENES
Scale: 1:200 @ A1
Date: 21/07/22
The Architects: ARCHITECTS ASSOCIATES, GUILDFORD
The Engineer: ROBERT HITCHINS, GUILDFORD
DRAWING NUMBER: 373.LUD.03





INDICATIVE PLANT LIST

Street Trees

- Carpinus betulus 'Fastigiata'
- Sorbus aria 'Majestica'

Feature Trees

- Malus 'Evereste'
- Pyrus communis 'Conference'
- Malus domestica 'Cox's Orange Pippin'
- Prunus 'Pandora'

Formal Native Hedge

- Carpinus betulus
- Ilex aquifolium

Ornamental Planting

- Ceanothus burkwoodii
- Choisya Ternata
- Hebe albicans 'Red Edge'
- Hebe Sutherlandii
- Hydrangea petiolaris
- Olearia haastii
- Philadelphus 'Mariteau d'Hermine'
- Rosa 'Kent'
- Spiraea Snowmound

Herbaceous & Bulbs

- Crocus sieberi
- Narcissus pseudonarcissus
- Nepeta x fassenii
- Tulipa 'Indian Velvet'
- Tulipa 'Passionale'
- Verbena bonariensis
- Vinca minor

KEY

	Existing Tree (Carpinus betulus 'Fastigiata')
	Proposed Street Tree
	Proposed Feature Tree
	Proposed Hedge
	Proposed Ornamental Planting
	Amenity Grass
	Garden Roof
	Garden Terrace



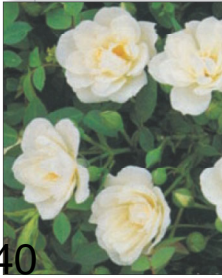
Spiraea Snowmound



Hydrangea petiolaris



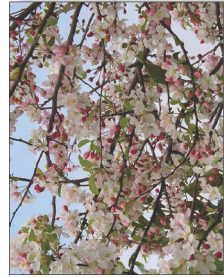
Vinca minor



Rosa 'Kent'



Hebe albicans 'Red Edge'



Malus 'Evereste'



Carpinus betulus 'Fastigiata'



Prunus 'Pandora'



Sorbus aria 'Majestica'



Robert Hitchins
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Site Name: LONGFORD	Revision:
Drawing Title: LANDSCAPE CONCEPT PLAN	Scale:
Drawing Number: 373-UD-10	Scale: 1:500 @ A3
Drawn By: LD	Checked By: GRJ
Date: 30/08/22	Scale: 1:500 @ A3
The Manor, Boddington, Cheltenham, Gloucestershire, GL51 0TJ Tel: 01242 680694 www.robert-hitchins.co.uk	
CAD Ref: REFERENCE	

Planning Committee

Date	17 October 2023
Case Officer	Alison Young
Application No.	22/01004/APP
Site Location	Parcel 2988 Downfield Lane Twyning Tewkesbury
Proposal	Reserved matters application for 47 zero carbon dwellings including layout, scale, appearance and landscaping pursuant to original outline application 19/01084/OUT granted at appeal ref: APP/G1630/W/21/3280979
Ward	Tewkesbury North and Twyning
Parish	Twyning
Appendices	Site location plan 792-01 Site layout plan 792-06A Landscape proposals 223102-101C Street scene plan 792-12-01 Street scene plan 792-12-02 Example house types 792-30-02 Example house types 792-32-02 Example house types 792-33-02
Reason for Referral to Committee	Reserved Matters application for the erection of more than 20 dwellings
Recommendation	Approve

Site Location



1. The Proposal

Full application details are available to view online at:

- 1.1** The application is a reserved matters submission for 47 dwellings following the approval of outline consent reference 19/01084/OUT at appeal. The principle of the development and the access to the site were approved at outline and the current application is for the reserved matters details of layout, scale, appearance and landscaping. The proposed layout has a mix of detached and semi-detached dwellings as well as a mix of 1 bed, 2 bed, 3 bed and 4 bed properties. The proposed dwellings are a mix of bungalows, one and a half storey and two storey house types.
- 1.2** The site access is proposed from Fleet Lane to the south of the site and areas of open space are proposed in the south- western and south-eastern corners of the site as well as to the north- eastern and north -western sides of the site. These areas of open space consist of two proposed wildflower meadows, an orchard and grassland surrounding an infiltration basin.

2. Site Description

- 2.1** The site is a roughly L-shaped piece of land which is pastureland and measures approximately 2.59 hectares in area. The site adjoins Fleet Lane to the south, Downfield Lane to the east, agricultural land to the north and the rear gardens of dwellings fronting onto Goodier's Lane to the west. The site is bound by mature hedgerows to the northern, eastern and southern boundaries and a mix of boundary treatments associated with the neighbouring dwellings to the west.
- 2.2** The site is located within flood zone 1. There are no listed buildings directly adjoining the site and the nearest is Fleet Farmhouse which is approximately 170m from the site. The site is located within the red zone for newts and within 1km of the Upham Meadow and Summer Leasow SSSI.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
T.6181	Outline application for residential development. New vehicular access.	REFUSE	18.04.1973
19/01084/OUT	Outline application for residential development for up to 52 units and associated works with all matters reserved for future consideration except for access.	REFCON	22.02.2021
21/01082/OUT	Outline application for residential development for up to 47 units and associated works, with all matters reserved for future consideration except for access (Revised proposal further to refused application ref: 19/01084/OUT.	WDN	17.06.2022

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 4.1 Building Control – requires Building Regulations approval
- 4.2 National Highways – no objection
- 4.3 Land Drainage – further information required in the form of a drainage strategy
- 4.4 Building Control – requires Building Regulations approval
- 4.5 Highway Authority – no objection subject to a cycle parking condition
- 4.6 Minerals and waste – no comment
- 4.8 Natural England – no comment
- 4.9 LLFA – No objection, condition 16 of the outline consent requires the submission of surface water drainage details prior to commencement of development to accord with the FRA and Drainage Strategy approved at outline.
- 4.10 Archaeology – assessed at outline and no comments
- 4.11 Housing and Enabling Officer – no objection subject to mix and tenure being secured by s106 (s106 secured affordable housing at outline)
- 4.12 Ecology – no documents relating to ecology – all previous requirements apply – HRA and BNG required.
- 4.13 STW – no objection but attention drawn to assets on site.
- 4.14 Tree Officer – more street trees and trees around the infiltration basin required.
- 4.15 Twyning Parish Council – no objection subject to the resolution of certain details:-
 - Removal of silver birch trees
 - Landscape management plan needs to specify who is responsible for actioning and financing the plan
 - Comment that it is noted that custom/ self-build plots will be identified

5. Third Party Comments/Observations

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1 The application has been publicised through the posting of a site notice for a period of 21 days. Four third party representations have been received and are summarised below
 - Existing problems with surface water disposal and sewerage infrastructure
 - The site is low lying land and acts as a soakaway for the existing village
 - Highway safety concerns resulting from additional traffic – construction and residential – on the narrow lane network
 - No footpath linking the site to the school or wider public transport network
 - More affordable housing required

- Self build/ custom build mentioned but not identified
- pressure on infrastructure
- Controls are required to prevent loss of hedgerow

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

- SP1 (The Need for Development)
- SP2 (Distribution of New Development)
- SD3 (Sustainable Design and Construction)
- SD4 (Design Requirements)
- SD6 (Landscape)
- SD8 (Historic Environment)
- SD9 (Biodiversity and Geodiversity)
- SD10 (Housing Development)
- SD11 (Housing Mix and Standards)
- SD12 (Affordable Housing)
- SD14 (Health and Environmental Quality)
- INF1 (Transport Network)
- INF2 (Flood Risk Management)
- INF3 (Green Infrastructure)
- INF6 (Infrastructure Delivery)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

- RES5 (New Housing Development)
- RES12 (Affordable Housing)
- RES13 (Housing Mix)
- DES1 (Housing Space Standards)
- NAT1 (Biodiversity, Geodiversity and Important Natural Features)
- ENV2 (Flood Risk and Water Management)
- TRAC1 (Pedestrian Accessibility)
- TRAC2 (Cycle Network and Infrastructure)
- TRAC3 (Bus Infrastructure)
- TRAC9 (Parking Provision)

6.5 Neighbourhood Plan

Twyning Neighbourhood Development Plan – 2011-2031 (adopted January 2018)

GD1 – Development outside the development boundary
GD3 – Development Principles
GD4 – Landscape and biodiversity
GD5 – Provision for vehicles
GD6 – Effect on neighbouring properties
GD7 – Water resources, quality and flood risk
GD8 – Lighting
H2 – Housing standards, design and mix
H3 – Affordable housing
TP1 – Traffic
TP2 – Access

6.6 Other relevant policies/legislation

- Human Rights Act 1998
- Article 8 (Right to Respect for Private and Family Life)
- The First Protocol - Article 1 (Protection of Property)

7. **Policy Context**

- 7.1 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.
- 7.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans including the Twyning NDP.
- 7.3 The relevant policies are set out in the appropriate sections of this report.
- 7.4 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. **Evaluation**

Conditional Requirements

- 8.1 The outline permission included conditions requiring the submission of details and these conditions are summarised below:

Condition 4 requires the reserved matters to include details of materials, existing ground and proposed floor levels, proposed boundary treatment and details of the retention of existing trees and hedges and their protection during the course of development. The submission documents include a schedule of external finishes as well as an external finish key plan. The finished floor levels of the proposed dwellings are shown on the site layout plan and a

building height plan forms part of the submission. In addition a boundary and enclosure plan, tree report and landscaping scheme have been submitted.

Condition 12 required submission of a housing mix statement for the proposed open market housing. The submitted Housing Mix Statement clarifies that the affordable housing element will be as set out in the s106 agreement for the outline consent. In terms of open market housing the total number of properties is 28 with 3 x 2 bed dwellings, 19 x 3 bed dwellings and 6 x 4 bed dwellings.

Condition 14 requires the submission of construction management plan prior to the commencement of development.

Condition 16 requires details of the means of disposal of surface water to be submitted which accord with the details set out in the Flood Risk Assessment and Drainage Strategy submitted with the outline application and Condition 17 requires submission of a management and maintenance plan for the surface water drainage system. These details are required prior to the commencement of development and no additional drainage information has been submitted with the reserved matters

Condition 18 requires drainage plans for the disposal of foul water drainage and condition 19 requires investigation into whether foul sewerage improvements are required and any identified improvements to be undertaken.

- 8.2** The outline permission was also subject to Section 106 agreements with the Borough Council and Gloucestershire County Council regarding school transport costs, library provisions, travel plan monitoring, affordable housing, public open space contributions, refuse and recycling contribution and self build housing.

Principle of development

- 8.3** The principle of residential development at the site has been established through the grant of outline planning permission. This current application relates to the approval of reserved matters in respect of layout, appearance, landscaping and scale of the development.
- 8.4** The application is supported by a range of technical documents including the following:
- Design statement
 - 10 year landscape management plan
 - Arboricultural report
 - Housing mix statement
 - Materials, Boundary Treatments and Storey Height Plans
 - Proposed parking and refuse storage/collection plans
 - Proposed Landscaping/planting Plans
 - House Type Plans

Layout, appearance, scale and density

- 8.5** The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable in communities. Policy SD4 of the JCS advises that new development should respond positively to and respect the character of the site and its surroundings, enhance local distinctiveness and the grain of the locality. Policy INF3 states that where green infrastructure assets are created, retained or replaced within a

scheme they should be properly integrated into the design and contribute to local character and distinctiveness. Policy RES5 of the TBLP states that proposals should be of a design and layout that respects the character, appearance and amenity of the surrounding area and is capable of being integrated within it. Policy GD3 of the Twyning NDP requires new dwellings to respect the local character and historic and natural assets of the surrounding area in accordance with listed design criteria.

- 8.6** An illustrative layout plan was submitted with the outline application and the reserved matters submission is broadly in accordance with these details. As described above the proposed layout has a mix of detached/ semi-detached dwellings and one and a half storey and two storey house types are proposed as well as bungalows. Existing hedging is to be largely retained and areas of open space are proposed in the south- western and south-eastern corners of the site as well as to the north- eastern and north -western sides of the site. The Appeal Inspector for the outline scheme concluded that the development would result in moderate harm to the character and appearance of the area through the introduction of built development on a green field site but that there would be scope through the reserved matters to retain the existing hedges and provide landscaping in order to soften the impact. The location of the proposed areas of open space to the corners of the site and retention and reinforcement of the existing boundary hedging helps with the transition between the site and the open countryside to the north and east.
- 8.7** The Design Statement submitted with the reserved matters application assesses the context of the site and states that there is a mix of detached and semi-detached dwellings in the area and that built development is generally set back from the road frontage. Dwellings are proposed to be a mix of construction materials although predominately brick with some render and with varying roof finishes. Boundaries are predominantly brick walls or hedging. The design principles outlined for the development include orienting the properties to create active frontages, ensuring suitable separation from existing dwellings along with suitable landscape screening, biodiversity enhancement and green infrastructure through the site, building heights and form taking local developments into consideration, a design responsive to the local context and a simplified material palette and architectural detailing to break up the built form and add variety.
- 8.8** These design principles have been incorporated within the proposed layout, house types and detailed design elements proposed. The dwellings front onto the open space around the development creating active frontages with parking to the sides or fronts of dwellings creating opportunities for active surveillance.
- 8.9** The proposed scale/ height and design/ materials of the house types reflect the context of the site and adjoining residential development and the scheme is of a relatively low density in keeping with the location adjoining a rural settlement. One and a half and single storey dwellings are proposed at the entrance to the site and in the south east corner adjoining the attenuation basin and facing towards the junction of Fleet Lane and Downfield Lane. Single storey and one and a half storey dwellings are also proposed to the west of the site adjoining the rear gardens of the dwellings fronting onto Goodier's Lane and two storey properties would be sited towards the centre and northern parts of the site. The siting of the dwellings with the lower ridge heights to the edges of the site along with the retention of the existing boundary hedges will help to ensure that the development is not visually prominent within the rural landscape.

- 8.10** The proposed house types incorporate traditional design features including porches, brick headers, plain brick eaves including dentil courses and plain verges. The design features proposed are considered acceptable and appropriate in the context of the surrounding built development.
- 8.11** The materials and finishes plan indicates that the majority of the dwellings will be finished in brick with some render finish dwellings on key corners and some dwellings with render features/ gables. All properties would have tiled roofs. This mix of materials accords with the existing dwellings in the vicinity of the site which are predominantly of brick finish. The application includes a materials schedule and the brick and tile types proposed are considered acceptable and would blend in with the materials used in the relatively recent development to the southern side of Fleet Lane opposite the site.
- 8.12** The plan of proposed boundary treatments submitted with the application, whilst generally considered acceptable, includes some sections of close boarded fencing which will be visible within the public realm which is not considered acceptable. Amended boundary treatment details have been requested along with elevational plans of the proposed boundary treatments and further details will be reported to Committee.
- 8.13** Overall, in terms of layout, scale, character and design, the development is considered to accord with the requirements of JCS SD4, TBP RES5 and Policy GD3 of the NDP.

Access and highway safety

- 8.14** 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 is severe upon the highway network. Policy SD4 (vii) also requires development to be well integrated with the movement network within and beyond the development itself, ensuring links by other modes and to green infrastructure. Policy GD5 of the Twynning Neighbourhood Plan states that where possible new development should include off street parking and that new roads should be achieved in a way that does not detract from the character and appearance of the area.
- 8.15** The principle of developing the site with regards to highway safety impacts was considered and agreed at outline. The means of accessing the site was approved at outline and the decision included conditions relating to the access junction, carriageways, visibility splays and their future management and maintenance to ensure safe access and egress to the site.
- 8.16** The Highway Authority originally raised objections to the reserved matters layout on the grounds of the lack of pedestrian footways on some of the plots and limited visibility resulting from the position of Plot 16, as well as a lack of plans showing forward visibility splays and a swept path analysis. However, following the submission of amended plans, additional details and further commentary the Highway Authority has removed their objection on the basis that the layout is broadly acceptable and that technical details can be dealt with through a section 38 Highway Agreement.
- 8.17** The layout does not incorporate street trees on the main route through the site and the reason given for this has been clarified with the applicant and relates to the drainage easements that have to be maintained in these locations. Trees are proposed adjoining the private drives and within the parking areas to the north and east of the site and the main road through the site has low hedging with grass behind fronting the road.

- 8.18** In regard to car parking, the County Highways Authority is satisfied that the development meets the car parking standards within the Addendum to Manual for Gloucestershire Streets (October 2021). The majority of units have on-plot car parking which does not dominate the street scene. Most of the plots have garaging which can be used for secure cycle parking.
- 8.19** Overall it considered that the access, internal road layout and car parking provision is acceptable and accords with Policy INF1 of the JCS, GD5 of the Twyning NDP and the NPPF.

Trees, Landscaping and Open Space

- 8.20** JCS Policy SD6 seeks to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. All applications will consider the landscape and visual sensitivity of the area in which they are to be located and which they may affect. JCS Policy SD4 (iv) requires the design of open space and landscaped areas to be of a high quality design, providing a clear structure and constitute an integral and cohesive element of the design. JCS Policy INF3 states that existing green infrastructure will be protected in a manner which reflects its contribution to ecosystem services. Policy GD4 of the Twyning NDP requires new development to respect the local landscape character, natural and ecological assets of the locality.
- 8.21** The principle of the development in the open countryside adjacent to Twyning, which is not subject to any landscape designation, has been established through the outline consent. The Inspector for the outline considered that there would inevitably be some landscape harm resulting from the development of the site and that it would be important to retain the existing hedges surrounding the site and to provide further landscaping to soften the impact of the development.
- 8.22** The submitted layout plan is broadly in accordance with that submitted at outline and the existing hedges surrounding the site are to be retained and where there are gaps additional planting is proposed. There are four principal areas of open space proposed in the layout, an orchard to the north west of the site, a wildflower meadow to the north east, a wildflower area adjoining the site access to the south west corner of the site and the proposed infiltration basin and grassland to the south east corner of the site. A green corridor and pathway is proposed to the east of the proposed development linking the entrance to the site with the wildflower area in the north eastern corner of the site.
- 8.23** A 10 year landscape management plan has been submitted which includes key objectives such as the conservation of existing trees, scrub and hedgerows in good condition and gapping up boundaries with additional native species, establishing new grassland, wildflower and orchard areas, strengthening existing boundaries with additional planting and providing a new, native wetland meadow in the infiltration basin. The plan states that 67 individual trees are to be planted with native species to the site perimeter and ornamental species towards the centre of the site. The proposed orchard will be planted with a mix of apple and pear varieties. Three new sections of hedgerow are proposed along the western boundary to fill in gaps along with a further short section in the north-eastern corner. The front boundaries of the dwellings adjoining the roads are to be planted with ornamental hedges and planting beds to provide a green frontage to development through the site.

- 8.24** The Tree Officer has commented that further tree planting needs to be incorporated within and around the infiltration basin, that a footpath could also be included to create a circular route within the open space and that dog/Litter bins should be placed at access points within the site. The Applicant has provided feedback with regards to additional trees – both adjoining the street and within the infiltration basin and has stated that planting in these locations is not possible due to the existing drainage easements. They have also stated that the creation of a mown path through the proposed wildflower meadow on the left hand side of the access would encourage human activity in an area proposed for biodiversity enhancement. As a footpath is incorporated in the layout to the right hand side of the access this is considered acceptable. A revised plan has been submitted to address the Parish Council's concerns regarding birch trees.
- 8.25** Given the above it is considered that the proposed landscaping and open spaces within the scheme would be broadly in accordance with the outline masterplan and that the detailed planting proposals are acceptable with regards to JCS Policy INF3 and Policy GD4 of the Twynning NDP.

Biodiversity

- 8.26** Policy SD9 of the adopted JCS (Biodiversity and Geodiversity) states amongst other things that the biodiversity and geological resource of the JCS area will be protected and enhanced in order to establish and reinforce ecological networks that are resilient to current and future pressures. Similarly, the adopted TBP Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features) requires amongst other things that proposals will, where applicable, be required to deliver a biodiversity net gain across local and landscape scales, including designing wildlife into development proposals.
- 8.27** The Council's Ecology Advisor has commented that no documents have been submitted with regards to ecology and that previous comments relating to 21/01082/OUT apply. However that application was an outline application that was submitted subsequent to the outline (19/01084/OUT) to which this reserved matters relates and once the appeal for 19/01084/OUT was allowed the subsequent outline application was withdrawn.
- 8.28** The comments made by the Ecologist in relation to outline consent reference 21/01082/OUT were that an HRA would be required and that revised BNG information would be required. However, the current reserved matters application relates to a separate outline consent and the Inspector added a condition requiring the submission of Home Information Packs to educate future residents on the recreational impacts of European protected sites. The outline consent to which this reserved matters relates contained no reference to or requirement for BNG and therefore it would be unreasonable to require this at reserved matters stage.
- 8.29** The site has traditionally been pastureland and used for grazing. In the previously submitted ecology report the majority of the site was classified as poor semi-improved grassland which was bounded by species poor hedgrows to the north, east and south. There was no evidence of the site providing habitat supporting protected species and the habitats were considered to be of low to moderate ecological value. The report recommended that new areas should be created to support wild plant populations by seeding with appropriate seed mixes. The proposed landscaping scheme incorporates two areas of wildflower meadow planting as well as the creation of an orchard - including the retention of the grassland below the new trees. The hedges surrounding the site are to be retained and where there are gaps in the hedges these are to be planted with new species rich sections of hedgerow. Therefore, whilst the proposed development will result in the loss of pastureland the

landscaping scheme to be implemented will deliver biodiversity enhancements in the form of the creation of more diverse habitats through the wildflower and orchard planting as well as the new species rich sections of hedgerow.

Existing and future residential amenity

- 8.30** Policy SD4 (iii) requires that new development should enhance comfort, convenience and enjoyment through the assessment of the opportunities for light, privacy and external space, and the avoidance of mitigation of potential disturbance, including visual intrusion, noise, smell and pollution. Policy SD14 further requires that new development must cause no harm to local amenity, including the amenity of neighbouring occupiers. Policy GD6 of the Twynning NDP requires new development to demonstrate that they will not lead to unacceptable impacts on the amenity of neighbouring properties.
- 8.31** The proposed dwellings will be positioned sufficient distance from existing neighbouring dwellings and one another to ensure an acceptable standard of amenity for both existing and future occupiers in terms of impacts from overlooking/ loss of privacy and overbearing impact. The proposed dwellings will meet the nationally described space standards in terms of internal floor areas and each property will benefit from appropriately sized private, garden areas.
- 8.32** It is therefore considered the proposed development would result in acceptable levels of amenity being maintained for the existing residents and secured for future residents of the development.

Housing Mix and Affordable housing

- 8.33** Policy SD12 of the JCS sets out a minimum requirement of 40% affordable housing within the Strategic Allocation sites. It follows that where possible, affordable housing should be provided on site and be seamlessly integrated and distributed throughout the development. Affordable housing must also have regard to the requirements of Policy SD11 concerning type, mix, size and tenure. The design of affordable housing should also meet required standards and be equal to that of market housing in terms of appearance, build quality and materials. Policy H2 of the NDP requires a requires an appropriate mix of housing along with appropriate design and housing standard and Policy H3 seeks affordable housing provision.
- 8.34** Condition 12 of the outline consent required submission of a housing mix statement for the open market housing. The affordable housing requirements are set out in schedule 2 of the s106 agreement associated with the outline. 19 affordable dwellings are to be provided on the site – a mix of 4 x 1 bedroom, 8 x 2 bedroom, 6 x 3 bedroom and 1 x 4 bedroom properties, 11 for social rent and 8 in shared ownership. The proposed mix of open market housing is 3 x 2 bedroom, 19 x 3 bedroom and 6 x 4 bedroom properties.
- 8.35** The submitted Housing Mix Statement assesses the proposals against the relevant local plan policies, local housing need assessment and Neighbourhood Plan and concludes that the proposed mix is acceptable.
- 8.36** The affordable housing mix has been amended slightly in relation to the s106 agreed at outline with one 2 bed unit proposed in place of one of the 1 bed. The Housing Strategy and Housing Enabling Officer has not raised any objection to the proposed amendment.
- 8.37** The proposed affordable housing mix is considered acceptable with regards to the provisions of Policies SD11 and 12 of the JCS.

Foul and Surface Water Drainage

- 8.38** JCS Policy INF2 (2) (iv) requires new development to incorporate Sustainable Urban Drainage Systems (SUDS) where appropriate to manage surface water drainage. Policy INF6 also requires that the infrastructure requirements generated by a proposal are met, including by adequate on and off-site infrastructure. Policy GD7 of the NDP requires the use of SuDs in new developments.
- 8.39** The principle of developing the site is established by the outline consent which includes a condition requiring the submission of a drainage strategy. The Drainage Engineer has commented that the reserved matters submission is lacking information and recommends conditions regarding a drainage strategy. However, as stated, this condition was included on the outline consent and the details have not yet been submitted. The LLFA has confirmed that they have no objections based on the fact that the layout of the surface water drainage strategy is as indicated at outline and that the final design is subject to the provisions of condition 16 of the outline approval.

Other matters – Sustainability credentials

- 8.40** The supporting design information states that the use of high levels of insulation and installation of solar panels and air source heat pumps will ensure that the proposed homes are zero carbon in terms of energy use. Each property will have water butts and a SUDS drainage system is proposed for the site.

9. Conclusion

- 9.1** Considering all of the above, the proposed development is acceptable in regards to layout, scale, appearance, and landscaping. The application accords with the relevant Core Strategy, Local Plan and Neighbourhood Plan policies as detailed and the scheme advanced would be in accordance with the outline consent and the indicative layout plan approved under that permission.

10. Recommendation

- 10.1** The application is therefore recommended for **Approval**

11. Conditions

- 1** The development hereby approved shall be implemented in accordance with the following plans, documents and details:

792-01__Location Plan (Approved)
792-06A__Planning Layout_

Details

792-07__Building Heights Key Plan
792-08__Affordable Housing Key Plan
792-10__External Material Finishes Key Plan
792-10-01__External Materials Schedule
792-11__Site Sections_A1
792-12-01__Street Scenes_A1
792-12-02__Street Scenes_A1
792-144-1 - Swept Path Plans (Sheet 1)

792-144-2 - Swept Path Plans (Sheet 2)
792-145 - Parking Allocation Plan
792-146 - Refuse Strategy Plan
792__Proposed Access and Visibility - 2019-F-009-008 (Approved)
22132.101.C Landscaping

House types

792-30-01__House Type HO2
792-30-02__House Type HO2
792-31-01__House Type HO2 DA
792-31-02__House Type HO2 DA
792-32-01__House Type SC3
792-32-02__House Type SC3
792-33-01__House Type AG3
792-33-02__House Type AG3
792-34-01__House Type TY3
792-34-02__House Type TY3
792-35-01__House Type PB3
792-35-02__House Type PB3
792-36-01__House Type PB3
792-36-02__House Type PB3
792-37-01__House Type HT4
792-37-02__House Type HT4
792-38-01__House Type 2B4P + 1B2P
792-38-02__House Type 2B4P + 1B2P
792-39-01__House Type 2B3P
792-39-02__House Type 2B3P
792-40-01__House Type 2B4P
792-40-02__House Type 2B4P
792-41-01__House Type 3B5P
792-41-02__House Type 3B5P
792-42-01__House Type 1B2P + 4B6
792-42-02__House Type 1B2P + 4B6P
792-50__Garages_A3 Engineering

Reports

792__Design Statement
792__Arboricultural Report
792__Landscape and Visual Impact Assessment
792__Landscape Management Plan
792__Housing Mix Statement

Except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

- 2 The Landscaping scheme shall be implemented in accordance with the approved details no later than the first planting season following the first occupation of the development and shall thereafter be maintained in accordance with the details set out in the 10 year Landscape Maintenance Plan.

Reason: Interest of the landscape character and visual amenity of the area.

12. Informatives

- 1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the 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 decision is to be read in conjunction with planning permission 19/01084/OUT including the associated S106 legal agreements.
- 3 The developer is advised that all pre-commencement conditions on outline approval ref: 19/01084/OUT shall be submitted to the Local Planning Authority and approved in writing, prior to commencement of the development hereby approved.
- 4 Highway to be adopted
The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. Contact the Highway Authority's Legal
- 5 Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk.

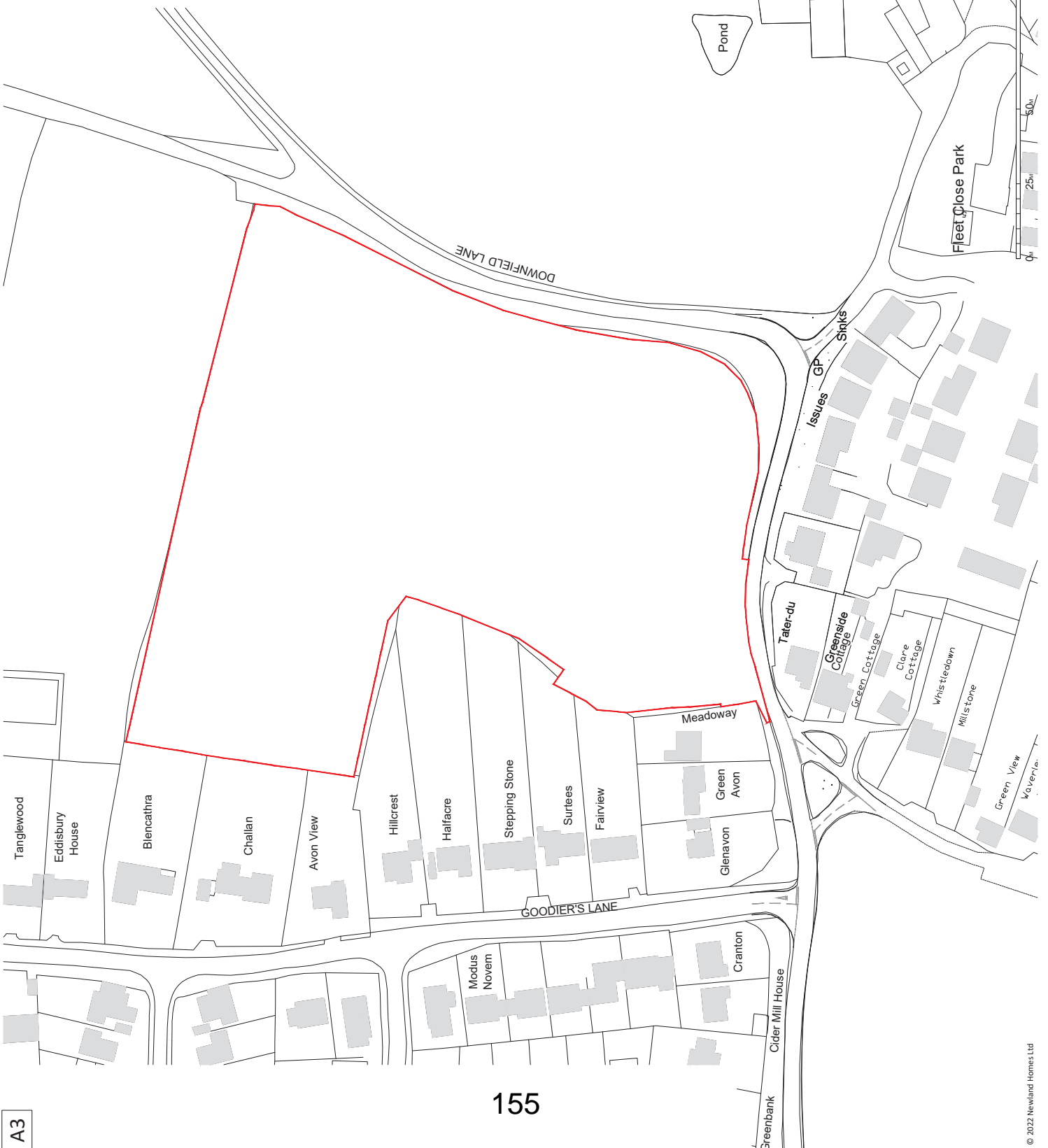
You will be required to pay fees to cover the Council's cost's in undertaking the following actions:

- Drafting the Agreement
- Set up costs
- Approving the highway details
- Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

DO NOT SCALE FROM THIS DRAWING
 ALL DIMENSIONS ON THIS DRAWING ARE TO BE TAKEN FROM THE MANUFACTURE OF PREFABRICATED ITEMS. ANY DISCREPANCY OR QUERY TO BE REPORTED AND CLARIFIED BEFORE ASSOCIATED WORK PROCEEDS. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH RELEVANT TRADE AND PROFESSIONAL STANDARDS AND GUIDELINES. STATUTORY REQUIREMENTS AND PRODUCT MANUFACTURERS' SPECIFICATIONS. READ IN CONJUNCTION WITH FINISHING SPECIFICATION, WORKMANSHIP SPECIFICATION, ALL OTHER ASSOCIATED DRAWINGS ISSUED AND DETAILS WHICH MAY BE ISSUED FROM TIME TO TIME.



A3

155

Rev	Description	Date	Initial	Checked



Downfield Lane, Twynning
 Phase 2
 Location Plan

CC
 Drawn
 September 2022
 1:1250@A3
 Scale
792-01
 Drawing No.
 Revision

Plant Schedules

All plants to be supplied from an HTA approved nursery and in accordance with the National Plant Specification.

TREES

Key Species	Specification
AC Acer campestre	SEL STD 10-12cm girth rootballed
ACS Acer campestre 'Streetwise'	HVY STD 12-14cm girth rootballed
AG Alnus glutinosa	HVY STD 12-14cm girth rootballed
AR Amelanchier 'Robin Hill'	HVY STD 12-14cm girth rootballed
BAF Betula albionensis 'Fascination'	HVY STD 12-14cm girth rootballed
CBF Carpinus betulus 'Fera Fontaine'	HVY STD 12-14cm girth rootballed
CP Crataegus prunifolia	SEL STD 10-12cm girth rootballed
LS Liquidambar styraciflua	HVY STD 12-14cm girth rootballed
ME Malus Evereste'	HVY STD 12-14cm girth rootballed
PA Prunus avium	HVY STD 12-14cm girth rootballed
PAP Prunus avium 'Plena'	HVY STD 12-14cm girth rootballed
PSB Prunus sargenti 'Rancho'	HVY STD 12-14cm girth rootballed
PCD Pyrus calleryana 'Chanticleer'	HVY STD 12-14cm girth rootballed
QR Quercus robur	HVY STD 12-14cm girth rootballed
SA Sorbus aucuparia	HVY STD 12-14cm girth rootballed
SAS Sorbus aucuparia 'Streetwise'	HVY STD 12-14cm girth rootballed

ORCHARD TREES

Orchard tree species to be local varieties of apple and pear and native crab apple and pear. Final selection dependent on availability.

Key Species	Specification
MAK Malus domestica 'Ashmead's Kernel'	MAIDEN M25 Rootstock
MAS Malus domestica 'Arlingham Schoolboys'	MAIDEN M25 Rootstock
MDF Malus domestica 'Blenheim Yellow'	MAIDEN M25 Rootstock
MDR Malus 'Dymock Red'	MAIDEN M25 Rootstock
MS Malus sylvestris	LIGHT STD 9-8cm girth db
PBLR Pyrus 'Blackway Red'	MAIDEN Quince A Rootstock
PFB Pyrus 'Duckdam'	MAIDEN Quince A Rootstock
PC Pyrus communis	LIGHT STD 9-8cm girth db

MIXED NATIVE SCRUB PLANTING

Species	Size/Type
Corylus avellana	30 Transplant 1+1 60-80cm Bareroot
Crataegus monogyna	20 Transplant 1+1 60-80cm Bareroot
Cornus sanguinea	20 Transplant 1+1 60-80cm Bareroot
Euonymus europaeus	5 Transplant 1+1 60-80cm Bareroot
Ilex aquifolium	10 3-40-60cm 3L
Rosa arvensis	10 Transplant 1+1 60-80cm Bareroot
Rosa canina	5 Transplant 1+1 60-80cm Bareroot
Viburnum opulus	10 Transplant 1+1 60-80cm Bareroot

To be planted in a shrub block at 1 per m². Protected with shrub shelter/guard 60cm in height supported by cane.

MIXED NATIVE HEDGE PLANTING

(Mix as recommended by consultant ecologist)

Species	%	Size/Type
Acer campestre	20	Transplant 1+1 60-80cm Bareroot
Corylus avellana	5	Transplant 1+1 60-80cm Bareroot
Crataegus monogyna	50	Transplant 1+1 60-80cm Bareroot
Ilex aquifolium	5	3-40-60cm 3L
Euonymus europaeus	5	Transplant 1+1 60-80cm Bareroot
Prunus spinosa	10	Transplant 1+1 60-80cm Bareroot
Rosa canina	5	Transplant 1+1 60-80cm Bareroot

SINGLE SPECIES NATIVE HEDGE PLANTING

Key Species	Size/Type
Cb Carpinus betulus	Transplant 1+1 60-80cm Bareroot

To be planted in a double staggered row, 300 mm between plants and 400mm between rows. (7 plants per m). Or in a shrub block at 1 per m². Protect with shrub shelter/guard 60cm in height supported by cane.

SINGLE SPECIES ORNAMENTAL HEDGE

Key Species	Size/Type
Ba Berberis thunbergii f. 'Atropurpurea'	30-40cm 3L container
Ey Euonymus 'Emerald in Gold'	20-30cm 3L container
Ejg Euonymus japonicus 'Green Rocket'	20-30cm 3L container
Em Escallonia Rubra 'Merwinii'	30-40cm 3L container
Lnf Lonicera nitida 'Fertile'	30-40cm 3L container
Lnb Lonicera nitida 'Baggesens Gold'	30-40cm 3L container
Op Osmanthus burkwoodii	40-60cm 7.5L container
Ph Phytolita fraseri 'Little Red Robin'	20-30cm 3L container
Pod Phytolita cistena 'Crimson dwarf'	30-40cm 3L container
Pol Prunus laurocerasus 'Obo Luyken'	30-40cm 3L container
Vl Viburnum tinus 'Eve Price'	40-60cm 7.5L container

To be planted in a single row, 300 mm between plants. (3 plants per m).

ORNAMENTAL PLANTS

Key Species	Size/Type
Al Anemonehebe lamarkii	80-100cm 10L container
As Anemonehebe lessoniana	5-7.5L container 3m ²
Bs Brachyglottis 'Sunshine'	30-40cm 3L container 3m ²
Bs(B) Buxus sempervirens - 'Topiary Ball'	40cm dia 10L container
Bs(C) Buxus sempervirens - 'Topiary Cone'	80cm high 10L container
Bde Buddleia davidii 'Cotswold Blue'	80-100cm 10L container
Cm Ceanothus 'Blue Mound'	30-40cm 5-7.5L container 3m ²
Cha Chrysoyema tenella 'Aster Pearl'	30-40cm 3L container 3m ²
Ci Chrysoyema tenella	40-60cm 3L container 3m ²
Chs Chrysoyema tenella 'Sundance'	40-60cm 3L container 3m ²
Cp Cistus x purpureus	30-40cm 2L container 4m ²
Es Eucyrtus alatus	80-100cm 10L container
Ea Eucyrtus 'Silver Queen'	20-30cm 3L container
Fm Forsythia x intermedia 'Mini Gold'	80-100cm 10L container
Hre Hebe albicans 'Red Edge'	30-40cm 3L container 3m ²
Hebe Hebe 'Emerald Gem'	30-40cm 3L container 3m ²
Hgs Hebe 'Green Gables'	30-40cm 3L container 3m ²
Hi Hebe rakaiensis	30-40cm 3L container 3m ²
Hpe Heuchera 'Palace Purple'	2L container 5m ²
Max Miscanthus sinensis 'Silverbird'	60-80 5-7.5L container 3m ²
Jn Jasmine nudiflorum	30-40cm 3L container 3m ²
Lah Lavandula angustifolia 'Hidcote'	30-40cm 3L container 3m ²
Mex Miscanthus sinensis 'Silverbird'	5-7.5L container 2m ²
Nd Nandina domestica	5-7.5L container 3m ²
Pa Pachysandra terminalis	15-20D 3L container 5m ²
Pb Phlox paniculata 'Blossa baby'	10L container
Pm Potentilla Mauleus d'Hermeine	30-40cm 5-7.5L container 3m ²
San Santolina chamaecyparissus 'Nana'	20-30cm 3L container 5m ²
Sj Skimmia japonica 'Rubra'	30-40cm 3L container 3m ²
Sy Skimmia japonica 'Nyman's'	30-40cm 3L container 3m ²
Sp Spirea japonica 'Tempe'	30-40cm 3L container 4m ²
Sh Sarcocolla hookeriana var. humilis	20-30cm 3L container 4m ²
Sl Silpa tenaxima	3L container 5m ²
Vd Viburnum x davidii	30-40cm 5-7.5L container 3m ²
Vm Vinca minor 'Alba'	20-30cm 2L container 5m ²
Vv Viburnum tinus 'Eve Price' - Standard	80-100cm 10L container, half standard

Key

- Existing trees
- Existing vegetation
- Area of native scrub planting
- Tree planting
- Single species hedge planting
- Native mixed hedge planting
- Shrubs and herbaceous planting
- Wildflower grassland
- Long meadow grassland
- Amenity grass areas sown with a low flowering lawn seed mix
- Short mean amenity grass lawn and lawn to back gardens
- Wetland meadow seeding to SuDS features
- Mown grass pathroute

GRASSLAND

Amenity seed mix 1 turf / lawn: 50 Mix Quality Lawn, DLF Trifolium Pro Master.
Grass and Wildflower Mees from Emorgate Seeds or equivalent. (Where possible seeds should be locally sourced to support the genetic integrity of local wild plant populations).
EL1 - Flowering Lawn Mix
EM3 - Special General Purpose Meadow Mixture
EM8 - Meadow Mixture for Wetlands



Scale 1:250
0 1 2 3 5 10 20

- Existing vegetation shown is indicative and based on the topographical survey and aerial photographs.
- This drawing is to be read in conjunction with all other relevant MHP drawings and information supplied by other consultants.
- Hatch patterns displayed on this drawing are indicative only and do not represent actual paving units or material sizes.
- All tree planting in proximity to buildings to be checked by engineers to ensure foundation detailing is appropriate.

Project Name	Downfield Lane, Twynning, Phase 2
Client	Newland Homes
Document Type	Landscape Proposals
Reference No.	22132_101
Phase	C
For Planning	
Author	HS
Checked By	AT
Date	Aug 2022 1:250

COUNCIL SCALE FROM THIS DRAWING
All drawings are to be read in conjunction with the specifications and any drawings or schedules of materials. The contractor shall be responsible for the construction of the works shown on the drawings and shall ensure that the works are completed in accordance with the specifications and any drawings or schedules of materials. The contractor shall be responsible for the construction of the works shown on the drawings and shall ensure that the works are completed in accordance with the specifications and any drawings or schedules of materials. The contractor shall be responsible for the construction of the works shown on the drawings and shall ensure that the works are completed in accordance with the specifications and any drawings or schedules of materials.



Street Scene CC
Scale 1:200

AG3
Plot 20

SC3
Plot 21

AG3
Plot 22

TY3
Plot 26

TY3
Plot 27



Key Plan: NTS

No.	Description	Date	Initial	Checked



Downfield Lane, Twynning
Phase 2
Street Scene

ISSUED
1:200/0/01
792-12-02
Date
Project No.
Revision

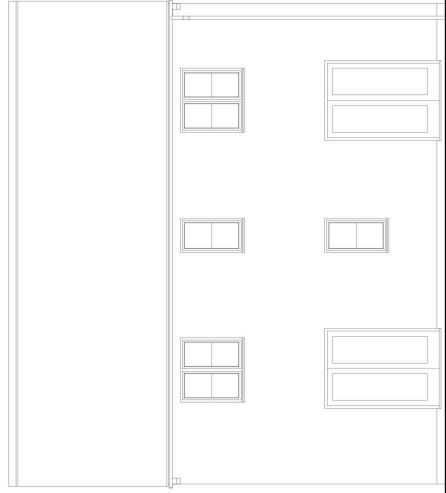
DO NOT SCALE FROM THIS DRAWING
 This drawing is for information only. It is not to be used for the manufacture of prefabricated items. All dimensions to be checked on site prior to construction. All dimensions to be reported and clarified before associated work proceeds. All construction to be in accordance with relevant Trade and Professional Standards and Guidelines, Statutory requirements and product manufacturers' specifications. Read in conjunction with Finishing specification, Workmanship specification, all other associated drawings issued and details which may be issued from time to time.



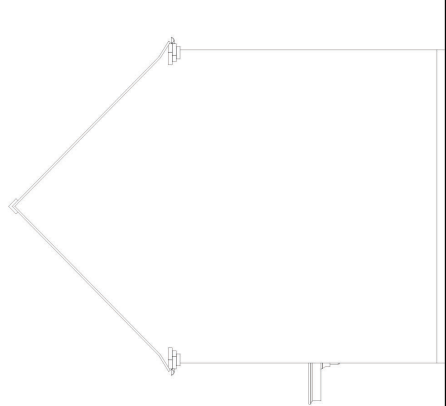
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Rev	Description	Date	Initial	Checked

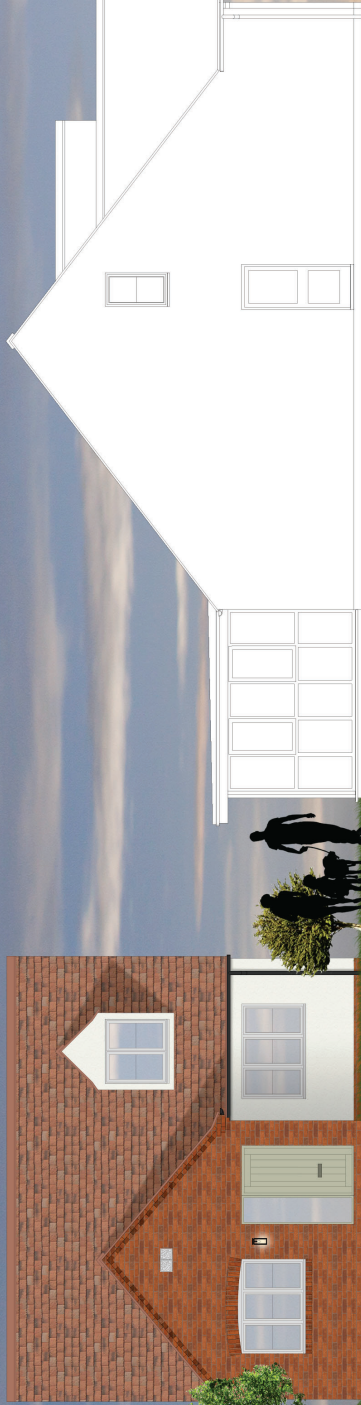


Downfield Lane,
 Twynning
 House Type Elevations
 (HO2)

1:100@A3
 Scale of Plot Size
792-30-02
 Drawing No.

CC
 Drawn
 August 2022
 Date of Issue
 -
 Revision

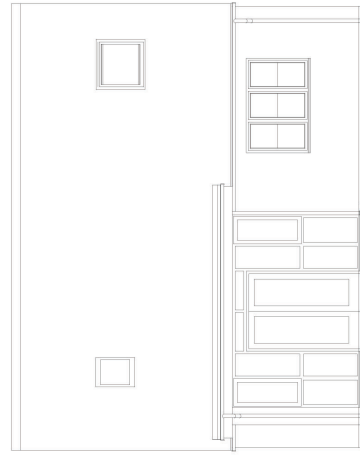
DO NOT SCALE FROM THIS DRAWING
All dimensions to be checked on site prior to manufacture of prefabricated items. Any discrepancy or query to be reported and clarified before associated work proceeds. All construction to be in accordance with relevant Trade and Professional Standards and Guidelines, Statutory requirements and product manufacturers' specifications. Read in conjunction with Finishing specification, Workmanship specification, all other associated drawings issued and details which may be issued from time to time.



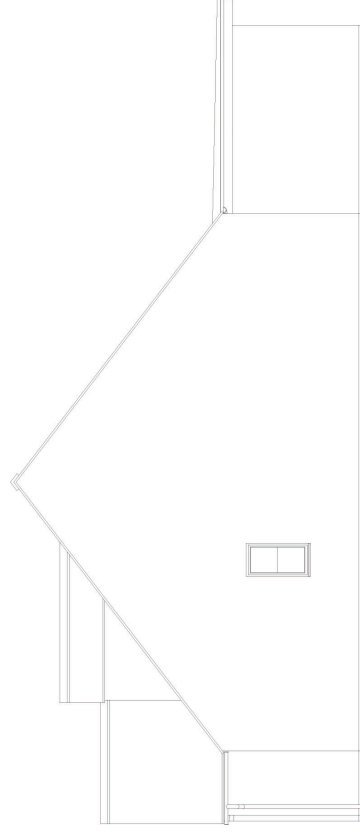
Front Elevation

Side Elevation

161



Rear Elevation



Side Elevation

Rev	Description	Date	Initial	Checked



Downfield Lane,
Twynning
House Type Elevations
(SC3)

1:100@A3
Scale
Drawing No. **792-32-02**

CC
Drawn
August 2022
Date of Issue
Revision



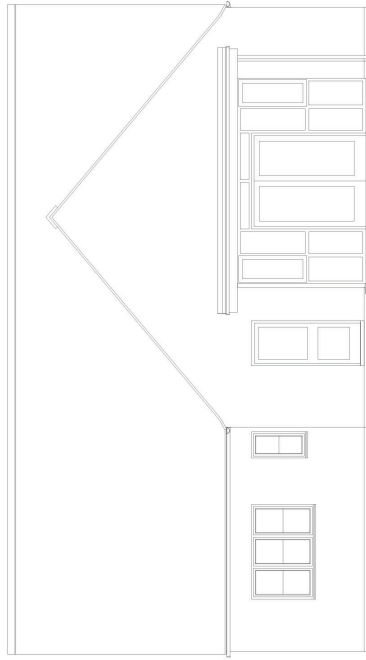
DO NOT SCALE FROM THIS DRAWING
This drawing is for information only. It is not intended to be used for the manufacture of prefabricated items. All dimensions to be checked on site. Any discrepancy or query to be reported and clarified before associated work proceeds. All construction to be in accordance with relevant Trade and Professional Standards and Guidelines, Statutory requirements and product manufacturers' specifications. Read in conjunction with Finishing specification, Workmanship specification, all other associated drawings issued and details which may be issued from time to time.



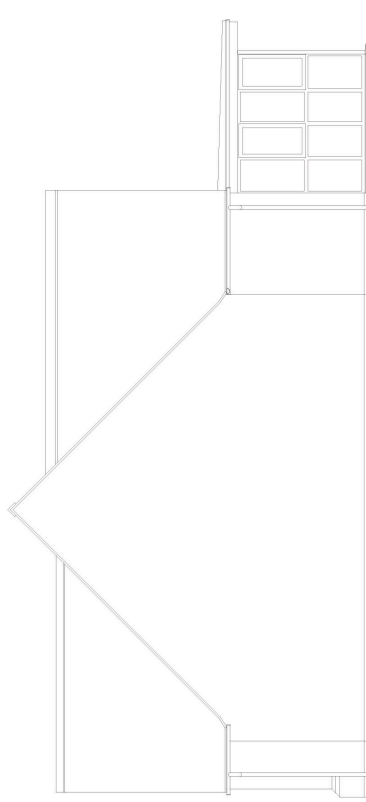
Front Elevation

Side Elevation

162



Rear Elevation



Side Elevation

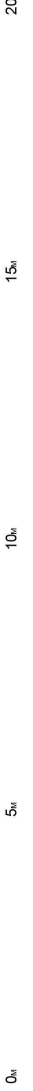
Rev	Description	Date	Initial	Checked



Downfield Lane,
Twynning
House Type Elevations
(AG3)

1:100@A3
Scale
Drawing No. **792-33-02**

CC
Drawn
August 2022
Date of Issue
Revision



PLANNING APPEALS RECEIVED (01/09/2023 – 29/09/2023)

Appeal Start Date	TBC Planning Number	Inspectorate Number	Proposal	Site Address	Appeal Procedure
05-Sept-23	21/00301/FUL	APP/G1630/W/23/3322288	Erection of a self-build dwelling.	Mountross Cleeve Hill Southam	Written Representation
06-Sept-23	Dismissed, Enforcement Notice Upheld	19/00172/OPDEV	APP/G1630/C/23/3322207	Appeal against enforcement notice	Plot 10 Warren Fruit Farm Evesham Road Greet
11-Sept-23 163	Appeal Allowed Planning Permitted	22/00650/FUL	APP/G1630/W/23/3314936	Residential development comprising 45 dwellings, creation of new access, public open space and other associated ancillary works.	Land At Trumans Farm Manor Lane Gotherington
14-Sept-23	23/00240/FUL	APP/G1630/D/23/3328529	Erection of a first floor rear extension and installation of a rear roof dormer	9B Beckford Road Alderton	Fast Track Appeal