

Officer Report to Committee dated 15 March 2016

15/01124/FUL

Noake Farm, Churchdown Lane, Churchdown

Valid 13.10.2015

Change of use to horticultural/landscaping business including the re-development of existing building and creation of new buildings for use of the business and conversion of coach house to 1 dwelling including the erection of detached garage/store and associated vehicular access and parking (including demolition of derelict buildings).

Grid Ref 387797 217879

Parish Hucclecote

Ward Hucclecote

TFN Landscapes Ltd
C/O Agent

RECOMMENDATION Refuse**Policies and Constraints**

National Planning Policy Framework (NPPF)

Planning Policy Guidance (PPG)

Tewkesbury Borough Local Plan to 2011 - Policies GRB1, EMP4, TPT1, EVT3, LND2, AGR6, AGR7, NCN4, NCN5F

Submission Version Joint Core Strategy (November 2014) - policies SD1, SD2, SD5, SD6, SD7, SD10, SD15, INF1, INF2, INF3

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

The First Protocol, Article 1 (Protection of Property)

Green Belt

Special Landscape Area

Grade II Listed Building

Consultations and Representations**Hucclecote Parish Council** - Objects for the following reasons (summarised)

- o The employee car park consists of 35 spaces which is not enough to serve 60+ employees and may result in vehicles being parked in Stump Lane. Additional parking should be provided.
- o The proposed buildings are very large and higher than the existing structures on the farm. They will be visible from the neighbouring Noake Court Farm and properties on the hill.
- o Churchdown Lane is very busy during peak times and vehicles exiting Stump Lane would have difficulties turning right. Proposed highways works would help but concerned about additional traffic and visibility.
- o The site is in the Green Belt and a Special Landscape Area and should be give careful consideration.

Highways Authority - No objection subject to the imposition of conditions.**Environmental Health (Contamination)** - There is a historical landfill adjacent to the site. No objection subject to the imposition of a condition requiring investigation of the nature and extent of contamination.**Environmental Health (Noise)** - No objection and suggest imposition of conditions to control noise levels

- o Working hours, deliveries and loading/unloading times.
- o That the doors to the workshop should be closed at all times
- o Any additional plant that is introduced other than those measured as part of the assessment should be below 10Db
- o Vehicle reversing alarms should be 'silent white noise reversers' on all forklifts and associated machinery outside.

It is also suggested that a noise management plan could be implanted on site to position deliveries and fork lifts away from noise sensitive receptors.

Historic England - The application should be determined in accordance with national and local policy advice.

Lead Local Flood Authority - No objection in principle following the submission of a Flood Risk Assessment and a Drainage Strategy. However, the submitted Strategy requires the discharge of water through an existing culvert outside the site boundary. Full details however have not been included, such as the owner of the culvert, their agreement to connect, the hydraulic capacity and condition.

Highways England - No objection.

Conservation Officer - No objection.

5 objections have been received from local residents which are summarised as follows:

- o The site is in the Green Belt and within a Special Landscape Area. The proposal is for commercial buildings and seeks buildings which are materially larger than those on site. The proposal does not comply with Green Belt policy.
- o The planning application justifies development in the Green Belt by adding up footprints but many of these structures have been demolished or derelict for years.
- o The buildings are too high and will overshadow the entrance to the narrow rural track. The existing buildings on the site are no more than 4-5 metres and the proposed buildings would be much higher than any existing buildings on the site.
- o As well as large buildings the car and lorry parking would be a blot on the landscape. The proposal is more suitable for an industrial/trading estate than the countryside, as is the perimeter fencing.
- o Traffic will park on the grass verges when the car park is full.
- o Vehicle movements, which will include HGVs, will be too much for the lane increasing dangers of accidents.
- o The lower section of Stump Lane should be widened so that two vehicles can pass each other, which will help prevent vehicles backing onto Churchdown Lane.
- o There is a lack of car parking for staff, especially if the business grows. A condition should be imposed preventing vehicles parking on the verges of Stump Lane.
- o There is inadequate landscaping.
- o The buildings would be visible from many of the footpaths on Chosen Hill and without generous landscaping the site could be an eyesore.
- o The colour of the elevations should be considered carefully to reduce visual impact.
- o The applicant states that the height of the buildings are required so work underneath lorries can be undertaken. Commercial vehicle pits are the obvious answer.
- o The boundary between the new development and the listed house should be more detailed in order to respect the curtilage of the listed house.
- o The entrance to the car park to the north should access onto Stump Lane and not onto the private road leading to Millbridge Cottage.
- o The buildings should have a curved roof such as a Dutch Barn to lessen the visual impact.
- o If commercial vehicles are maintained on site this would not be a light industrial use and would require a separate planning consent.
- o Attention should be paid to the hidden dip at the Churchdown Lane junction and the associated safety implications.

The application has been called to committee by Councillor Foyle and Councillor Allen. The reason for the application being called to committee is that it is considered that the site requires redevelopment.

Planning Officers Comments: Paul Instone

1.0 Application Site

1.1 The application site extends to 1.07 hectares and is located approximately 0.7km north of Hucclecote. The site consists of several agricultural buildings in various states of repair and extensive areas of hardstanding. The site also contains the Coach House, a curtilage grade II listed detached two storey building. The upper floor of the Coach House is in residential use. The site is part of a farmstead, which, although formerly belonged to The Noake (grade II listed farmhouse), is now in separate ownership.

1.2 Existing access is via a number of gateways along the northern and eastern boundaries. The site is near

to Chosen Hill and is generally surrounded to the north, east and south with countryside with the A417 bypass and built up area of Hucclecote further to west. The site is located in the Green Belt and within a Special Landscape Area.

2.0 Relevant Planning History

2.1 In 2002, permission was refused for the continued use of part of the farmyard as commercial storage (re:- 02/8157/0663/FUL). The application was refused due to conflict with Green Belt, landscape and rural employment policies. The application was also dismissed at appeal (re:- APP/G1630/A/02/1103908).

2.2 In 2003, permission was granted for the change of use of part of the site for the purposes of a scaffolding business (ref:-03/8157/1452/FUL). Condition 4 of the permission stated that the parking of vehicles and the storage of scaffolding and ancillary components in connection with the use be restricted to an area comprising a building with a footprint of approximately 80 square metres and 5 car parking spaces.

2.3 Planning permission and listed building consent was granted in 2013 for the conversion of the Coach House to a dwelling, the erection of a detached garage/garden store and associated vehicular access (ref: 13/00823/FUL and 13/00866/LBC). These consents have not been implemented but are still extant. At present the coach house is used as a first floor flat and has been associated with this use for around 15 years.

3.0 Current Application

3.1 The applicant is TFN Landscapes and the application is proposed to facilitate the relocation of an existing business premises from Longford. TFN Landscape is a landscaping/horticultural business which offers a variety of services including landscaping, fencing, carpentry and horticultural operations (growing and distribution of various plant species) as well as health and safety training. Clients includes Councils and public service providers, commercial and industrial users and domestic clients. Approximately 60 employees would be accommodated at the site.

3.2 The proposed development seeks a change of use to landscaping/horticultural business and to demolish all building/structures aside from the curtilage listed Coach House and the two most westerly buildings which are currently used as a stables and an open fronted hay barn.

3.3 On the north and north eastern boundary of the site it is proposed to construct two buildings. Unit 1 is proposed on the north boundary and unit 2 on the north east boundary. Each building extends to approximately 40 metres by 15 metres and each has a ground floor footprint of approximately 600 square metres. The buildings would be steel clad and have a pitched roof with a ridge height of approximately 8.2 metres and eaves height of 6.9 metres. Unit 1 would accommodate a mezzanine floor, which would provide office, canteen and toilets, providing a total floorspace within the unit of 857 square metres. Landscaping materials would be stored externally on the site, including timber, slabs, trees, shrubs and bark.

3.4 Within the main site hardstanding parking is proposed for up to 24 business vehicles. In addition to the north of the main site hardstanding is proposed to provide staff parking for up to 35 vehicles. This area is currently used for lorry and machinery storage/parking.

3.5 Access to the site would be via the existing access to the south east off Stump Lane, and improvements are proposed to the junction of Stump Lane and Churchdown Lane. Two metre high security fencing is proposed on the north, east and south boundary. A 10 metre sliding gate is proposed on the east boundary and a swing gate and pedestrian access gate are proposed on the north boundary.

3.6 The proposal also includes the erection of Cart Lodge Garage, and the restoration and conversion of the Coach House to provide a residential property. These elements have already gained planning consent as per application 13/00823/FUL and 13/00866/LBC and these works are consistent with the approved plans. The current proposal varies from the permitted scheme insofar as the approved scheme proposed access from a new driveway from the east whereas the current proposal seeks access from the north. The proposed boundary treatments and external amenity space have also been altered.

4.0 Analysis

Principle of Development

4.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England

and how these are expected to be applied. The NPPF sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay. The NPPF goes on to say that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless 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; or where specific policies in the Framework indicate development should be restricted. Footnote 9 to paragraph 14 gives examples of where policies in the Framework indicate where development should be restricted and includes land designated as Green Belt.

4.2 One of the core planning principle of the NPPF is that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. The NPPF states that the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future. Furthermore, the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth.

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

4.4 The NPPF sets out that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. There are exceptions to this; however, new commercial buildings such as proposed here are not an exception. This advice is reflected in policy GRB1 of the Local Plan which is consistent with the NPPF. The current proposals therefore represent inappropriate development in the Green Belt which is harmful by definition.

Green Belt

4.5 The application site is located in the Green Belt and the proposals constitute inappropriate development in the Green Belt. There is an established agricultural use on the application site. As set out above, in 2003, permission was granted for the change of use of a farm building for use as a scaffolding business but this permission related to a small portion of the application site and the use of the application site remains agricultural. As such the site does not constitute previously developed land and does not seek to re-use the existing buildings on the site, which in any event are generally not in permanent or substantial state of construction.

4.6 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in the very special circumstances.

4.7 The essential characteristics of Green Belts are their openness and their permanence. In support of the application, the applicant makes the case that the removal of the existing buildings and structures on the site would off-set the impact of the proposed buildings in terms of footprint and that the proposed footprint of the site (1660.6 sq m excluding mezzanine - which is made up of 2 x no. 600 sq m units, as well as the lodge garage for the coach house (60 sq m) and the two retained buildings (394.6 sq m)) would not have a greater impact than the existing built form (1,632.9 sq m).

4.8 It is considered that this approach does not adequately assess the impact of the proposed development on the openness of the Green Belt as it does not consider the size and scale of the proposed buildings or the derelict nature of the structures on this site, some of which are no longer present.

4.9 The two new commercial buildings are steel clad and have a pitched roof with a ridge height of approximately 8.2 metres and a eaves height of approximately 6.9 metres. The existing buildings on the site are generally no more than 4-5 metres high and the proposed buildings would be much higher than any existing buildings on the site. Due to the topography of the surrounding area, these buildings would be visible within the surrounding landscape and it is considered that by virtue of the size, height and scale of the proposed buildings that the proposal would be harmful to the openness of the Green Belt. In support of the application, the applicant has enhanced proposed landscaping on the site and offered to reduce ground

levels by 0.5 metres, however, it is considered that these measures would not overcome the impact that the proposed buildings would have on the openness of the Green Belt.

4.10 In addition to the proposed commercial buildings, the application also includes a 2 metre high security fence around parts of the perimeter of the site where there are no buildings and parking within the main site for up to 24 business vehicles. External storage is also proposed for landscaping materials including bark, timber, slabs, trees and shrubs. To the north of the main site hardstanding is proposed to provide staff parking for up to 35 vehicles. These components of the scheme which include a significant amount of parking and outside storage, will increase the massing of the proposed development and will impact also impact on the openness of the Green Belt.

4.11 On the basis of the above, it is considered that the proposed buildings alongside the proposed car parking, external storage and fencing would increase the mass, density and scale of development on the site over and above the current situation. It is therefore considered that the proposed development would be harmful to the openness and of the Green Belt and the purposes of including land within the Green Belt.

Is the potential harm to the Green Belt outweighed by other considerations

4.12 The applicant does not consider the proposed development to represent inappropriate development in the Green Belt, however for the reasons set out above, this is not the case. Nevertheless the applicants have provided information in support of the case.

4.13 The applicant has stated that the business has to relocate from their existing premises at Field Farm, Longford as a residential consent has been granted at their property and the land surrounding it. The applicant has been looking for alternative premises since 2008. Ideally, the business needs to be within 5 miles of their current location so as not to lose employees and minimise road miles and extra journey times. The new site needs buildings for servicing and securing vehicles and equipment, workshops and offices as well as a secure compound. Additionally land is required for a plant and tree nursery.

4.14 The applicant states that '*such a site has been almost impossible to find: farms are Greenfield and throw up planning complications, whilst pure industrial units are, not only, usually only available to rent, and not buy, but also do not have the land available for the nursery*'. On this basis the applicant considers Noake Farm a unique opportunity, albeit one other possibility, Chosen Hayes Farm, did become available in 2015, but the application for Noake Farm had already started and Chosen Hayes Farm has now been sold.

4.15 Whilst the needs of the business are noted it is considered that the requirement to relocate the existing business does not represent 'very special circumstances' in this instance. This consideration is informed by the fact that the applicant has not clearly demonstrated that there are no other sites or premises available which would be capable of accommodating the business within a reasonable search area. No evidence has been provided as to how the applicant has gone about searching for alternative land and no assessment has been made of potentially alternative sites. Due to the importance of Green Belt such an assessment is the absolute minimum that would be expected as part of a 'very special circumstances' case.

4.16 In addition, the applicant has pointed out that the site contains various unsightly structures which are in varying states of disrepair and suggests that the redevelopment of this site could potentially offer significant benefits in terms of the impact on the surrounding landscape and nearby listed buildings. The fact that the site is in a state of disrepair cannot not be considered in itself a 'very special circumstance'. If this were the case this would leave it open to all landowners to neglect land in the hope of being able to develop it at a later stage. Nevertheless, as set out below, it is also not considered that the proposal offers significant benefits in terms of the impact on the surrounding landscape and nearby listed buildings given the scale of the development proposed.

4.17 The applicant also highlights the economic benefits to the company and the area of the proposals. Whilst these benefits are acknowledged these matters are not considered to constitute very special circumstances; planning policy does not set out economic arguments as a factor which overrides Green Belt policy.

Conclusions in respect of Green belt policy

4.18 It is concluded that the proposed development is inappropriate development in the Green Belt and that there are no special circumstances arising from proposed development to justify inappropriate development in the Green Belt. It is also concluded that the form and nature of the proposed development would be harmful to openness of the Green Belt and would not offset the impact of the existing structures on

the site. These matters weigh heavily against the proposal in the overall planning balance in light of the clear national and local policy guidance on inappropriate development in the Green Belt.

Landscape

4.19 As well as being within the Green Belt is also within a Special Landscape Area (SLA) as designated in the Local Plan. The prominent feature in the immediate landscape is Chosen Hill a short distance to the north. Policy LND2 of the Local Plan states that within the SLA, special attention will be accorded to the protection and enhancement of the landscape character of the Special Landscape Area which are of local significance. Within this area, proposals must demonstrate that they do not adversely affect the quality of natural and built environment, its visual attractiveness, wildlife and ecology, or detract from the quiet enjoyment of the countryside.

4.20 The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) in support of the application. The LVIA, amongst other factors, make the case that:

- o The visual impact of the development is confined principally to views from points within the immediate setting, and localised northern more elevated setting of the site.
- o The removal of the low quality, derelict and degraded nature of the existing components on the site will be of benefit to the locality. The new buildings will replace the current poor quality built form, reflect the wider agricultural setting and will not be out of context
- o The proposals will replace an existing low quality and degraded site that is already developed and will not introduce new components which do not already exist.
- o The proposals will seek to enhance and reinforce the vegetated boundaries through a comprehensive scheme of landscaping which will assist in integrating the proposed built form as well as creating a high quality environment.

4.21 The LVIA does not include photomontages of the proposed development, but instead provides photos of the application site in its present state and this does not provide a clear visual representation of the proposed development.

4.22 Whilst it is recognised that there is currently unsightly structures on the site, it is considered that the proposed development by reason of increasing the massing on site (including storage of materials, parking and fencing), as well as by virtue of the height of the proposed buildings, would be harmful to the visual appearance of the Special Landscape Area and would be out of context with the wider area. Given the topography of the surrounding landscape, and the height of the buildings, it is not considered that the proposed landscaping scheme would screen and integrate the site.

4.23 Chosen Hill is a highly valued local landscape feature with public footpaths and open access land on its slopes. It is also prominent in views from across the wider landscape. Whilst it is noted that there are some urban influences in the immediate area, the proposed development would introduce an intensive commercial use to the land, including large industrial scale buildings and an extensive area of hardstanding to be used for the parking of commercial vehicles, into a sensitive rural landscape. This would represent significant and demonstrable harm to the visual appearance of the Special Landscape Area and this is a matter which weighs significantly against the proposals.

Heritage Assets

4.24 The Noake is a Grade II listed building which lies immediately adjacent to the site. The site contains the curtilage listed Coach House which is associated with The Noake which, as set out above, enjoys an extant permission for conversion to a single dwelling.

4.25 The current proposal includes the resubmission of the approved elevation and floor plans for the extant consent. The current proposal varies from the permitted scheme insofar as the approved scheme proposed access from a new driveway from the east whereas the current proposal seeks access from the north. The proposed boundary treatments and external amenity space have also been altered. With regards to heritage assets, it is considered that there has been no material change in circumstances since the 2013 approval, and subject to the imposition of appropriate conditions these works are considered to be acceptable. It remains the case that the proposed internal and external alterations would sustain and enhance the historic significance of the Coach House and would not detract from the historic character and appearance of the listed building in line with Policy AGR7 of the Local Plan and the provision of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and the NPPF.

4.26 With regards to the proposals on the remaining part of the site, it is considered that the historic farmstead has a fairly self-contained focus and that there is a sufficient separation distance to mitigate the impact of the proposed development, and in particular the proposed buildings on the north and north east of the site. It is therefore considered that the proposed development would not adversely affect the setting of the listed building.

Residential Amenity

4.27 The Noake is an existing dwelling and a further dwelling known as Millbridge Cottage is located in close proximity to the north east of the site. In addition it is the applicant's intention that the Coach House located in the south west corner of the site would be an independent dwelling. Landscaping is proposed within the site to separate the Coach House from the remainder of the site, but it would still be necessary for future residents to access the Coach House through the site compound.

4.28 The applicant has submitted a Noise Impact Report in support of the application and the Council's Environmental Health Department have been consulted on the application and do not object to the application subject to the imposition of conditions which would include restrictions to working hours and deliveries and loading/unloading times, that the doors to the workshop should be closed at all times, that any additional plant that is introduced other than those measured as part of the assessment should be below 10Db and that vehicle reversing alarms should be silent white noise reversers on all forklifts and associated machinery outside. It is also suggested that a noise management plan could be implemented on site to position deliveries and fork lifts away from noise sensitive receptors. The applicant has also confirmed that there will be no lighting at night, or after normal working hours.

4.29 Taking account of the Noise Impact Report and consultation response from Environmental Health, it is considered that subject to the imposition of appropriate conditions, the impact of the proposed development on the amenity of existing residents would be acceptable.

4.30 In respect to the residential amenity of future residents of the Coach House, it is considered that the access arrangements to the property through commercial premises are undesirable. However, the day-to-day operation of this access arrangement would be a private matter and it is not considered that this is a reason to refuse the application.

Transport Matters and Parking

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

4.32 The NPPF also requires safe and suitable access to all development sites for all people. Policy TPT1 of the Local Plan requires that appropriate access be provided for pedestrians, cyclists and vehicles, and that appropriate public transport services and infrastructure is available or can be made available. It further requires that traffic generated by and/or attracted to the development should not impair that safety or satisfactory operation of the highway network and requires satisfactory highway access to be provided. Similarly policies INF1 and INF2 of the JCS (Submission Version) seek to provide choice in modes of travel and to protect the safety and efficiency of the transport network.

4.33 Subject to the imposition of conditions, no objection has been raised by the Highways Authority in respect of highway matters.

4.32 The main access to the site is proposed from Stump Lane via an existing access. The access arrangements are proposed to be modified to allow for large vehicles to manoeuvre in and out of the access. The proposals would also widen the carriageway of Stump Lane to the south of the access to 7.3 metres to allow for two vehicles to pass, including large articulated vehicles. Amendments would also be made to the junction with Churchdown Lane to allow two vehicles to pass at this point.

4.33 The topography of the visibility splay onto Churchdown Lane would mean that a vehicle waiting to

leave Stump Lane and join Churchdown Lane would be able to see vehicles approaching from their left beyond the extent of the visibility splay but for a short period the bottom half of the vehicles would be out of view, blocked by the road surface before appearing fully as they get closer to the junction. The proposal would significantly increase the number of vehicles movements at this junction, but the Highways Authority consider that this impact should be mitigated by the provision of warning signs notifying drivers of the vertical alignment of the road. These could be secured by planning condition and therefore the residual cumulative impact of the development in terms of paragraph 32 of the NPPF is not severe.

4.34 Turning to car parking provision, the hardstanding is proposed to provide staff parking for up to 35 vehicles and the application indicates that there would be approximately 60 employees. The Highways Authority do not object to the proposed parking provision which has been based on the existing level of car parking and parking usage at the existing operational site. As little data is available for similar uses the existing operation of the business is an appropriate source of evidence.

4.35 On this basis, the level of car parking provision is considered to be acceptable given the parking usage at the existing operational site and the proximity to public transport.

Accessibility

4.36 A Transport Assessment (TA) has been submitted with the application which states that there is an existing footway along Churchdown Lane that would be extended along Stump Lane into the site. Bus stops which provide access to a regular service are located on Hucclecote Road, approximately 900m from the development and facilities including a convenience stores, bakery, public house and restaurant and are also located within 900m - 1.3km of the site. The TA has also looked at the available opportunities for employees of the site to travel to the site by sustainable transport modes. The TA recognises that walking and cycling infrastructure leading directly to the site along Churchdown Lane is limited to a footway on the north western side of Churchdown Lane. However, it is argued that this is typical of the semi-rural type environment and is sufficient to provide a pedestrian link to Hucclecote Road. The No. 10 bus service stops on Hucclecote Road and provides a service every 10 minutes during the day between Gloucester and Cheltenham. The TA points out that this service gives the opportunity for future employees living in these areas to travel to the site via sustainable means.

4.37 The TA proposes some Sustainable Travel Initiatives in order encourage sustainable modes of transport. It is argued that a significant proportion of staff at the existing site currently car-share to access work. The TA expects this to continue if the business moves to Noake Farm. However, it is still accepted that measures should be implemented within the development to discourage use of the private car and encourage sustainable travel, where possible. The following measures and initiatives will be considered by the business.

- Provide shower and changing/storage facilities for employees cycling to work;
- Provide covered cycle storage at the site;
- Encourage staff to sign-up to www.carsharegloucestershire.com and provide guaranteed ride home in emergencies; and
- Provide up-to-date public transport information on notice boards.

4.38 In conclusion, although the site is reasonably well served by public transport, the connection on foot between the site and the bus stops, and to local services and facilities are on an unlit road that would be unlikely to encourage cycling and walking. However, subject to a condition requiring implementation of the Sustainable Travel Initiatives set out in the applicants TA, the site's location is not a matter that would warrant refusal in its own right.

Ecology and Trees

4.39 A Bat Survey Report has been submitted in support of the application, which assessed the presence/absence of bat roosts at the Coach House. The assessment did not include any other buildings/structures on the site which are proposed to be demolished. The Report concludes that the Coach House does not provide a breeding site or nesting site for bats, but bats were observed in the ground floor rooms of the coach house and within the wider site. The Report concludes that bats roost within the immediate vicinity of the Coach House. The presence of protected species, such as bats, is a material consideration when considering a planning application. The presence of bats should be considered at an early stage in the development process and prior to the determination of the application. Given the conclusions of the Bat Survey, and the identified likely presence of roosting bats in the vicinity of the Coach House and possibly within the application site, the application is recommended for refusal on this basis as the scope of the submitted Bat Report is considered inadequate. With the exception of bats, whilst survey information has been provided, no other ecological assessment has been carried out. This is a matter that

weighs against the application.

4.40 An Arboricultural Impact Assessment has been submitted in support of the application which provides an assessment of existing trees and their relationship with the proposed development. The proposals necessitate the removal of 4 no. category C trees and 3 no. category C groups of trees. The removal of these trees is considered acceptable.

5.0 Overall balancing exercise and conclusions

5.1 The NPPF sets out that there are three dimensions to sustainable development: economic, social and environmental. In terms of the economic and social dimensions it is recognised that the proposal would provide jobs and contribute towards building a strong, competitive economy. These matters are given significant weight in line with the NPPF.

5.2 Turning to the environmental dimension, the proposals would introduce a significant level of commercial development to a largely undeveloped rural area in a sensitive site within the valued Special Landscape Area associated with Chosen Hill. The proposals would be harmful to its character and appearance and this weighs significantly against the proposal.

5.3 More fundamentally, the site is located within the Green Belt and the proposed development represents inappropriate development which is harmful by definition. The proposal would introduce significant development where there is currently none and therefore the proposal would erode the openness of the Green Belt and conflict with the purposes of including land within it. This fact alone weighs considerably against the proposal.

5.4 The application does not properly consider the impact of the proposals on ecology, including protected species and their habitats. This again is a matter which weighs significantly against the proposal.

5.5 There would be no undue impact in terms of residential amenity, contamination and the local highway network subject to approval of technical details.

5.6 Whilst there are benefits to the proposal as set out above, it is considered that the adverse impacts identified significantly and demonstrably outweigh the benefits that would accrue from the development. Furthermore, very special circumstances have not been demonstrated that clearly outweigh the harm to the Green Belt by reason of inappropriateness and other harms as identified above. The proposal therefore does not represent sustainable development in the context of the NPPF and is recommended for **refusal**.

RECOMMENDATION Refuse

Reasons:

- 1 The proposal would represent inappropriate development in the Green Belt that would cause harm to the openness of the Green Belt, harm by reason of inappropriateness and conflict with one of the purposes of the Green Belt to protect the countryside from encroachment, contrary to advice within the National Planning Policy Framework 2012, Policy GRB1 of the Tewkesbury Borough Local Plan to 2011 and Policy SD6 within the emerging Joint Core Strategy Submission Version (November 2014).
- 2 The proposed development by reason of design, appearance, scale, bulk and layout would have a significant adverse impact on the quality of the natural and built environment of the Special Landscape Area. The proposal would be harmful to visual attractiveness would create an incongruous visual intrusion and would detract from the character and appearance of the rural landscape. For this reason, the proposal conflicts with advice within the National Planning Policy Framework 2012, policy LND2 of the Tewkesbury Borough Local Plan to 2011 and policy SD7 within the emerging Joint Core Strategy Submission Version (November 2014).
- 3 Bats have been recorded in the vicinity of the Coach House and are likely to be present on site. The Bat Survey Report prepared by Quants Environmental Ltd dated September 2015 only included a survey of the Coach House and did not survey other structures on the site. The applicant has therefore failed to satisfactorily demonstrate that the development would not harm the habitat of

protected species. Furthermore no assessment of the ecological value of the wider site has been submitted. As such the proposal conflicts with advice within the National Planning Policy Framework 2012, policies NCN4 and NCN5 of the Tewkesbury Borough Local Plan to 2011 and policy SD10 within the emerging Joint Core Strategy Submission Version (November 2014).

Notes:

1 Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF, the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to seek solutions to overcome the planning objections and the conflict with Development Plan Policy by seeking to negotiate with the applicant to address identified issues of concern and providing on the council's website details of consultation responses and representations received. However, negotiations have failed to achieve sustainable development that would improve the economic, social and environmental conditions of the area.