

**TEWKESBURY BOROUGH COUNCIL**

Schedule of Planning Applications for the consideration of the **PLANNING COMMITTEE** at its meeting on 15<sup>th</sup> October 2019

	<b>(NORTH)</b>	<b>(SOUTH)</b>
General Development Applications Applications for Permission/Consent	(323 – 363)	(364 – 403)

**PLEASE NOTE:**

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

**CONTAINING PAGE NOS. (323 to 403)**

### **Codes for Application Types**

ADV	Advert Application
AGR	Agricultural Determination
APP	Approval of Reserved Matters
CLE	Cert of Lawfulness of exist use/develop
CLP	Cert of Lawfulness of prop use/develop
CM	County Matters
FUL	Full Application and Householder
LBC	Listed Building Consent
OUT	Outline Application
PIP	Planning in Principle
TPO	Tree Preservation Order

### **National Planning Policy**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance  
The Gloucester, Cheltenham & Tewkesbury Joint Core Strategy; 2017 (JCS)  
Tewkesbury Borough Local Plan to 2011  
The Cotswold AONB Management Plan

## INDEX TO PLANNING SCHEDULE (RECOMMENDATIONS) 15th October 2019

Parish and Reference	Address	Recommendation	Item/page number
Alderton 18/00318/OUT	Land To The Rear Of 18 - 26 Orchard Road Alderton Tewkesbury	Refuse Consent	2/337
<a href="#">Click Here To View</a>			
Badgeworth 19/00527/FUL	Peak View Cottage Green Lane Witcombe Gloucester	Permit	5/364
<a href="#">Click Here To View</a>			
Badgeworth 19/00725/FUL	Rannoch Green Lane Little Witcombe Gloucester	Permit	6/368
<a href="#">Click Here To View</a>			
Bishops Cleeve 18/01146/FUL	Land At Deans Farm (Cleevelands Phase 3) Evesham Road Bishops Cleeve Cheltenham	Delegated Permit	9/379
<a href="#">Click Here To View</a>			
Brockworth 19/00537/APP	Phase 1 Land At Perrybrook North Brockworth GL3 4QY	Delegated Approve	10/395
<a href="#">Click Here To View</a>			
Brockworth 19/00822/FUL	29 Sparrow Hawk Way Brockworth Gloucester Gloucestershire	Permit	7/371
<a href="#">Click Here To View</a>			
Minsterworth 19/00897/PIP	Land To The West Of The A48 Minsterworth Village Minsterworth Gloucester	Refuse	8/374
<a href="#">Click Here To View</a>			
Stanton 19/00620/FUL	13 High Street Stanton Broadway Gloucestershire	Permit	3/354
<a href="#">Click Here To View</a>			
Toddington 19/00690/PIP	PETT Archive And Study Centre Church Lane Toddington Cheltenham	Minded to Permit	4/359
<a href="#">Click Here To View</a>			
Twynning 19/00689/FUL	Tree Tops Church End Lane Twynning Tewkesbury	Refuse	1/323
<a href="#">Click Here To View</a>			

Valid 20.08.2019

Erection of 2 no. self-build two storey dwellings and associated detached garages, and provision of associated vehicular access and landscaping (Revised scheme to reference 18/00934/FUL)

Grid Ref 388898 235717

Parish Twynning

Ward Tewkesbury North And

Twynning

## RECOMMENDATION Refuse

### Policies and Constraints

- National Planning Policy Framework; 2019 (NPPF)
- Planning Practice Guidance
- The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2017 (JCS)
- Tewkesbury Borough Local Plan to 2011; March 2006 (TBLP)
- Twynning Parish Neighbourhood Development Plan (NDP) 2011-2031; January 2018
- Flood and Water Management Supplementary Planning Document
- Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
- The First Protocol, Article 1 (Protection of Property)

### Consultations and Representations

**Twynning Parish Council** objects to the proposed development on the following grounds:

- The site lies outside the Twynning Neighbourhood Plan development boundary and conflicts with Policies GD1 and H5 of the TPNDP;
- The proposed development is not infilling or a replacement dwelling and would not meet any of the other criteria within Policy SD10 of the JCS;
- The site is not within a recognised established settlement and not in a sustainable location having an undue impact on environmental sustainability. This is contrary to Policy INF1 of the JCS and the NPPF;
- The scale and form of the development fails to respond to the character of the surroundings and would materially detract from the landscape of the rural area; and
- The siting of the houses would affect the privacy of future occupiers of adjacent properties if ownership changed in the future.

**The Local Highway Authority** raises no objection subject to conditions.

**The Environmental Health Officer** raises no objection in terms of road noise adversely impacting future residents and advises the applicant to refer to the Worcestershire Regulatory Services Demolition & Construction Guidance and to ensure its recommendations are complied with, in order to minimise any nuisance during the demolition and construction phases.

**Severn Trent Water** raises no objection subject to condition for drainage plans for the disposal of foul and surface water flows to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development, and for the scheme to be implemented in accordance with the approved details before the development is first brought into use. Severn Trent Water advises that such a condition is required to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

**The Flood Risk Management Officer** raises no objection subject to conditions.

**The Tree Officer** raises no objection subject to condition for any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased to be replaced in accordance with approved details and for any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting to be replaced in accordance with approved details. The condition would further require any plants that fail more than once to continue to be replaced on an annual basis until the end of the 5 year defects period.

The **Building Control Officer** advises that the application will require Building Regulations approval.

The application has been publicised through the posting of 3 site notices and 1 letter of representation has been received in the 21 day statutory consultation period or since, in support of the application. The main points raised relate to:

- It would be in keeping with small scale development in the area and the housing is not out of character and more suitable and sustainable than the recent large scale builds and the further proposals for another 60 houses.

**Planning Officers Comments:** Emma Dee

## **1.0 Application Site**

1.1 The application site comprises a triangular shaped parcel of land (covering approximately 0.1 hectares) immediately on the northern side of Church End Lane, in Twynning (**See Location Plan**). Twynning is identified as a Service Village within the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2017 (the JCS), and the extent of the Residential Development Boundary (RDB) of Twynning is defined within the adopted Twynning Parish Neighbourhood Development Plan 2011-2031 (January 2018). The application site is located outside and approximately 0.8 miles to the south-west of this RDB, and is in a rural location.

1.2 There is an existing static home on the application site as well as associated timber sheds and a detached double garage (**See Existing Site Plan and Existing Street Scene**). The north-western site boundary lies immediately adjacent to and parallel with a Public Right Of Way (PROW) known as Twynning Footpath 44, and beyond this the site backs onto open countryside. The eastern side boundary backs onto a site known as "Kimberley" which is currently occupied by 2 no. static homes. A caravan park is located on the southern side of Church End Lane, opposite the application site.

1.3 The site is not subject to any landscape or heritage designations, and is located within flood zone 1 as defined on the most up-to-date Environment Agency flood risk maps.

## **2.0 Relevant Planning History**

2.1 A planning application proposing the use of land at Tree Tops, Church End Lane, for the stationing of a mobile home and the construction of a new vehicular access was permitted in 1972 (reference T.890/B). A renewal of this application was then subsequently approved in 1975 (reference T.890/B/1), 1977 (reference T.890/B/2) and 1980 (reference T.890/B/3).

2.2 There were 5 no. outline planning applications proposing the erection of a dwelling on this site submitted between 1981 and 1988, all of which were refused and, where appeals were made, these were dismissed (references T.890/D, T.890/E, T.890/F and T.890/G and T.890/I). The overriding reasons for refusal were on the grounds of the principle of development in this location (acknowledging that the proposed residential development would be located outside of recognised established settlements), and the impact on the existing rural character of the area.

2.3 A planning application proposing the retention of a mobile home and toilet block at 'Treetops', Church End Lane, Twynning, was refused on 11th February 1992 (reference 91T/0890/01/02). The reasons for refusal were as follows:

- It is the policy of the Local Planning Authority to refuse permission for the stationing of single or small groups of caravans on sites which are unacceptable to the Authority for the erection of dwellings.

- In the opinion of the Local Planning Authority, the retention of the mobile home and toilet block on this site would be detrimental to the visual and residential amenities of the adjoining dwellings and visual amenities of the area.

2.4 There were 2 no. planning applications proposing the erection of a replacement dwelling at Tree Tops, Church End Land, both of which were refused between 2002 and 2003 (references 02/0890/0410/FUL and 02/0890/1251/FUL). The overriding reasons for refusal were on the grounds of the principle of the residential development in this location (acknowledging that the proposed residential development would be located in the open countryside, outside any recognised settlement), would not respect the character of the area and would have an adverse impact on the landscape.

2.5 A planning application proposing the erection of 2 no. self-build two storey dwellings and associated detached garages, and the provision of an associated vehicular access and landscaping was refused planning permission on 5th April 2019 (reference 18/00934/FUL). The reasons for refusal were as follows:

- The proposed development would not represent infilling within the existing built up area of Twynning, would not represent a replacement dwelling, and would not meet any of the other criteria within Policy SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) or policy GD1 of the Twynning Parish Neighbourhood Development Plan. The proposed development therefore conflicts with policy SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) and Policies GD1 and H5 of the Twynning Parish Neighbourhood Development Plan; 2011-2031 (January 2018).
- The application site is not in a sustainable location for residential development, and the proposal would therefore place a high reliance on the use of the car for travel to work, shopping, leisure, community facilities and other usual travel destinations. The location of the application site and the corresponding need to travel by car would not accord with the environmental dimension of sustainability. As such, the proposal is contrary to the overall objectives of Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) and the National Planning Policy Framework (2019) in seeking development to be balanced in favour of sustainable transport modes.
- By virtue of the scale, form and siting of the proposed dwellings and associated garages, and their proximity to one another and the adjacent public highway and Public Right Of Way, the proposed development would result in a cramped form of development, would fail to respond positively to or respect the character of the site and its surroundings and would materially detract from the landscape character of this rural area. As such, the proposal is contrary to policies SD4 and SD6 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017), policies GD3, GD4 and GD5 of the Twynning Parish Neighbourhood Development Plan; 2011-2031 (January 2018), and paragraphs 127 and 170 of the National Planning Policy Framework (2019).
- The proposed development would unreasonably affect the residential amenity of any future occupiers of the proposed dwelling on Plot 2 in terms of loss of privacy, as the first floor level window on the western side elevation of the proposed dwelling at Plot 1 would directly overlook the rear garden area of the proposed dwelling at Plot 2. As such, the proposal is contrary to Policies SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017), Policy GD6 of the Twynning Parish Neighbourhood Development Plan; 2011-2031 (January 2018) and paragraph 127 of the National Planning Policy Framework (2019).

### 3.0 Current Application

3.1 As with the development proposed under application reference 18/00934/FUL, the current application seeks planning permission for the removal of the existing static home, timber sheds and double garage from the application site, and the erection of 2 no. self-build detached two storey dwellings (**See Proposed Site Plan and Proposed Street Scene**). The details provided with the application advise that the dwelling on Plot 1 (towards the eastern side of the site) would be constructed and owned by the applicant, whilst the dwelling on Plot 2 (towards the western side of the site) would be constructed and owned by the applicant's son.

3.2 Each proposed dwelling would be of the same scale and form, designed with an L-shaped footprint, and each would have the same internal layout, including the provision of 4 no. bedrooms, all at first floor level (**See Proposed Elevations and Proposed Floor Plans**). Each dwelling would measure 4.5 metres in height to eaves and 7.9 metres in height to ridge. On the front elevations, first floor level windows would be provided within dual-pitch roofed dormer windows across the eaves. The application does not provide details on proposed external facing materials or surfacing treatments, and requests that these be conditioned.

3.3 It is proposed to construct a detached double garage (5.5 metres wide by 5.75 metres long) on each plot (**See Proposed Garage**). In both cases, the detached garage would sit forward of the front elevation of its associated dwelling and in closer proximity of the adjacent highway. This would particularly be the case for the garage at Plot 1, which would entirely sit forward of the front elevation of the dwelling at Plot 1. Each garage building would measure 2.5 metres in height to eaves and 4.6 metres in height to ridge.

3.4 It is proposed that the existing vehicular access point to the site would be retained, to serve the proposed dwelling at Plot 1. It is proposed to provide an additional vehicular access point towards the western side of the site's front boundary to serve the proposed dwelling at Plot 2. With the exception of the part of the front boundary where this additional vehicular access would be provided, all existing boundary treatments would be retained. The application confirms that the stile to the PROW would remain unchanged and that the proposal would not affect the current PROW.

3.5 It is proposed to remove 1 no. existing tree towards the front of the site.

3.6 The development currently proposed is very similar to the development proposed under refused planning application reference 18/00934/FUL (See proposed site plan as refused under application reference 18/00934/FUL). The only change to the scheme is the footprint of each dwelling and the positioning and type of fenestration proposed for installation. The two storey projecting rear element on each dwelling is now proposed to be towards the eastern side of each dwelling, whereas it was towards the western side of the rear elevation on each dwelling as proposed under application reference 18/00934/FUL. The floor area and overall scale of the proposed dwellings, and their positioning within the site relative to associated proposed detached garages and vehicular driveways, parking and turning areas, remain as previously proposed.

3.7 The application is presented to the planning committee at the request of Councillor Workman, in order to ascertain whether this would be a suitable site for self-build properties, to improve the availability of this type of build.

#### **4.0 Policy Context**

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

4.2 The adopted Development Plan for Tewkesbury Borough comprises the Joint Core Strategy 2011 to 2031 (JCS) and the saved policies of the Tewkesbury Borough Local Plan to 2011 (TBLP). In the case of this application, the Twynning Neighbourhood Development Plan (NDP), which was adopted in 2018 following the adoption of the JCS, is also relevant. The Council is further in the process of carrying out a review of the Local Plan. The Tewkesbury Borough Plan (2011-2031) was published for consultation between 10th October 2018 and 30th November 2018, and the Council has now approved the pre-submission draft. As such, limited to moderate weight can be attached to policies in the Pre-Submission version of the Tewkesbury Borough Plan 2011-2031; 2019 (the PSTBP) at this time dependent on the level of objections to each particular policy.

4.3 Other material policy considerations include National Planning Guidance contained within the National Planning Policy Framework; 2019 (NPPF).

4.4 The relevant policies of the adopted and emerging development plan are set out in the appropriate sections of this report.

#### **5.0 Analysis**

##### **Principle of Development:**

5.1 Policy SP2 of the JCS sets out the strategy for the distribution of new development across the JCS area, and JCS Policy SD10 ('Residential Development') specifies 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. It sets out that housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans. Policy SA1 of the JCS formally designates seven Strategic Allocations on the edges of existing urban areas and focuses on the need to deliver comprehensive development in each of these areas. The application site is not located within any of these Strategic Allocations.

5.2 JCS Policy SD10 specifies that, on sites that are not allocated, housing development and conversions to dwellings will be permitted on previously-developed land in the existing built-up areas of Gloucester City, the Principal Urban Area of Cheltenham and Tewkesbury town, rural service centres and service villages except where otherwise restricted by policies within district plans. Whilst Twynning is identified as a 'Service Village' within Table SP2c ("Settlement hierarchy") of the JCS, Appendix A of the Twynning NDP, which was adopted following the adoption of the JCS, defines the Twynning RDB, and the application site is located outside of this. Consequently, the application site is not located within the existing built-up area of a Service Village.

5.3 Criterion 4 of JCS Policy SD10 goes on to specify that housing development on other sites will only be permitted where:

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

5.4 The proposed development is not for affordable housing on a rural exception site in accordance with JCS Policy SD12, and it is not brought forward through Community Right to Build Orders. As such it does not comply with Criteria 4 (i) or (iii) of JCS Policy SD10.

5.5 Criterion 4 (ii) of JCS Policy SD10, above, relates to infilling within the existing built-up areas of towns and villages. As set out above, whilst Twynning is identified as a 'Service Village' within Table SP2c ("Settlement hierarchy") of the JCS, Appendix A of the Twynning NDP, which was adopted following the adoption of the JCS, defines the Twynning RDB, and the application site is located outside of this. Consequently, the application site is not located within a Service Village. The site is also located outside the built-up area of Church End, Twynning. Further, by virtue of the gap between the western side boundary of the application site and the nearest built development to the west, it is considered that the proposed development would not be well related to existing built development, and would therefore not constitute "infilling". As such it does not comply with Criteria 4 (ii) of JCS Policy SD10.

5.6 Criterion 4 (iv) of JCS Policy SD10 allows for housing development where specific circumstances in district or neighbourhood plans allow for housing development. In terms of the adopted Twynning NDP, Policy GD1 relates to 'New Housing Development in the Open Countryside' and states that proposals for new housing outside the development boundary, and not on sites designated for residential development, will be supported if they meet one or more of the following criteria and comply with all other policies in the development plan:

- a) Replacement dwellings;
- b) Rural exception housing to meet an identified Parish need in accordance with Tewkesbury Borough Council policy;
- c) Agricultural and forestry dwellings;
- d) Where proposals would involve the re-use or conversion of an existing building and accords with the relevant development principles set out at Policy GD3; or
- e) The future Local Plan for Tewkesbury identifies an additional need for further housing in Twynning as a service village beyond the sites designated for residential development in this plan and the defined development boundary

5.7 In terms of criterion (a) above (i.e. replacement dwellings), the proposed development would result in a surplus of 1 additional dwelling on the site, as opposed to the replacement of 1 no. existing dwelling with 1 no. proposed dwelling. The application therefore fails to comply with this criterion. The current proposal does not meet any of the other exceptions identified under Policy GD1 of the NDP.

5.8 It is further noteworthy that Policy H5 (Mobile Homes) of the Twynning NDP specifies that applications for the replacement of existing mobile homes/residential caravans by permanent dwellings on sites where residential development is inappropriate, will not be supported.

5.9 Consequently the Adopted Twynning NDP is not supportive of new housing development in the location proposed, and the proposal therefore does not comply with Criteria 4 (iv) of JCS Policy SD10. For these reasons, the proposal is judged to be entirely inconsistent with the spatial strategy of the development plan, as set out within policies SP2 and SD10 of the JCS and policies GD1 and H5 of the Twynning NDP.



5.10 It is, however, noted that paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development. For decision making this means:

(c) Approving development proposals that accord with an up-to-date development plan without delay; or  
(d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.11 The NPPF clarifies (footnote 7) that planning policies for housing will be judged out of date, inter alia, where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.

5.12 The latest published evidence (the Tewkesbury Borough Five Year Housing Land Supply Statement - August 2019) concludes that the Council is not currently able to demonstrate a five year supply of deliverable housing sites. The latest available information indicates that the Council can demonstrate a 4.33 year supply of deliverable housing sites, amounting to a shortfall of approximately 194 dwellings.

5.13 Members will be aware of the Oakridge, Highnam case where the Council had challenged the Secretary of State's assertion in the appeal decision in respect of the five year supply where he had followed the Inspector's advice in relation to discounting previous oversupply. Based on the Secretary of State's approach, the Council could only demonstrate a 2.7 year supply whereas if the dwellings that had been provided over and above the cumulative requirements were counted, the Council could demonstrate a 4.3 year supply. The High Court did not rule one way or the other as it was considered that it should be left to a case where it would make a difference - the Council had won the Oakridge case therefore this ruling made no difference to the overall outcome. On that basis, there is no reason for the Council to change its position in terms of the oversupply being counted.

5.14 Therefore, notwithstanding the conflict with the Development Plan, the Council's policies for the supply of housing are considered to be out-of-date having regard to paragraph 11 of the NPPF. In these circumstances, the NPPF advises that the presumption should be that planning permission is granted unless: (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. The presumption in favour of sustainable development is a significant material consideration which must be considered in the overall planning balance.

5.15 Whilst discussing the principle of the proposed development, it is, however, noteworthy that the Council has now approved the pre-submission draft of the Tewkesbury Borough Local Plan 2011-2031, further to consultation between 10th October 2018 and 26th November 2018; the PSTBP. Therefore, limited to moderate weight can be attached to policies in the PSTBP at this time dependent on the level of objections to each particular policy. The PSTBP acknowledges that the JCS identifies a settlement hierarchy as the basis for the strategy for delivering growth targets, derived from the objectively assessed need for housing, in the most sustainable manner possible. It does, however, also acknowledge that, further to the planned growth at Tewkesbury town, the Rural Service Centre and Service Villages as defined within the JCS, some opportunities for small scale new housing will be necessary in order to support the vitality of communities at other rural settlements across the Borough, but that it is essential that the levels of rural housing growth are manageable and sustainable in order to protect existing communities and the rural landscape and avoid harmful over development.

5.16 The application site is not identified as a Housing Site Allocation within the PSTBP, and is not located within a settlement boundary as defined within the PSTBP Proposals Map. Emerging Policy RES3 of the PSTBP provides a set of 7 criteria in which the principle of new residential development outside of the defined settlement boundaries will be considered acceptable. The only criteria of possible relevance to this application is: (3) very small scale development at rural settlements in accordance with Policy RES4.

5.17 Policy RES4 specifies that, in order to support the vitality of rural communities and the continued availability of services and facilities in rural areas, very small-scale residential development will be acceptable in principle within and adjacent to the built up area of other rural settlements (i.e. those not featured within the settlement hierarchy) subject to satisfying a list of 6 criteria. Notwithstanding these criteria, however, the application site is not considered to be located within nor adjacent to the built up area of a rural settlement. The built up area of Twynning is defined by the RDB within the adopted Twynning NDP, and the application site is located approximately 0.8 miles outside of this. For this reason, the proposal is judged to be entirely inconsistent with the spatial strategy of the emerging development plan, as set out within Policy RES4, and therefore emerging Policy RES3, of the PSTBP.

#### Accessibility

5.18 Notwithstanding the conclusion drawn above, it is judged that the site would not be a sustainable location for new development. Policy INF1 of the JCS sets out that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. It specifies that all proposals should ensure that connections are provided, where appropriate, to existing walking, cycling and passenger transport networks and should be designed to encourage maximum use.

5.19 The application site is located some 0.8 miles to the south-west of the Twynning RDB, and is relatively remote from the nearest amenities and facilities. Further, this part of Church End Lane is narrow, is subject to a sign posted speed limit of 60mph and is not served by pedestrian footpaths, adequate cycleways or street lighting. The proposal would therefore place a high reliance on the use of the car for travel to work, shopping, leisure, community facilities and other usual travel destinations. It is considered that the location of the application site and the corresponding need to travel by car would not accord with the environmental dimension of sustainability.

5.20 In terms of accessibility, paragraph 78 of the NPPF sets out that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Whilst any future occupants of the proposed dwellings would make use of the services and facilities in nearby settlements which would support their vitality, they would be doing so using unsustainable transport means. Moreover, as the proposal is for 2 no. dwellings only in place of 1 no. existing static home, it is not considered that the 1 no. additional dwelling would contribute to the enhancement or maintenance of the vitality of nearby settlements to any significant degree.

5.21 Paragraph 79 of the NPPF specifies that the development of isolated homes in the countryside should be avoided unless there are special circumstances. The proposed development does not comply with any of these circumstances.

5.22 Taking these factors into account, it is considered that the proposed development would be contrary to the locational strategy of the development plan and would not accord with the environmental dimension of sustainability. As such it would conflict with the overall objectives of Policy INF1 of the JCS and the NPPF in seeking development to be balanced in favour of sustainable transport modes.

#### Self Build & Custom Housing:

5.23 The proposal is promoted as a 'self-build' development. Whilst it is acknowledged that the JCS indicates general support for self-building housing, the JCS does not do so in circumstances where the proposed development would conflict with JCS Policy SD10.

5.24 The Self-build and Custom House Building Act 2015 requires the council to maintain a self-build and custom house building register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area in order to build houses for those individuals to occupy as homes. The purpose of the register is to provide information on the demand for self-build and custom housebuilding in the authority area and to form an evidence base of demand for this type of housing.

5.25 The Planning Practice Guidance (PPG) advises that Councils have a duty to have regard to the register in terms of plan making and decision-taking functions and that the registers that relate to their area may be a material consideration in decision-taking.

5.26 At the time of determining the previous application, reference 18/00934/FUL, the Council had 50 entries on Part 1 of its self-build register expressing an interest in self-build or custom housing (as of 3rd April 2019). The Council now (as of 26th September 2019) has 96 entries on the Self-Build Register in total, of which 83 are entered on Part 1. Part 1 of the register includes those who meet the local-connection test or were on the register prior to the local connection test being introduced.

5.27 While the council needs to account for this type of housing in its plan making function, the demand is relatively small in relation to the authority's overall housing need. The legislation however does not mean that Local Planning Authorities should permit housing in unsuitable locations, in conflict with the development plan. Applications must continue to be considered in light of s38(6) of the 2004 Act.

5.28 The applicant has offered to complete a legal agreement to ensure that the development is brought forward on the basis of self-build plots. While a draft obligation has been provided, a formal S.106 agreement or unilateral undertaking has not been completed or discussions entered into, given the in principle conflict with policy SD10 of the JCS and Policies GD1 and H5 of the Twynning NDP. It is not considered that such an obligation would meet the necessary statutory tests as the fact that the proposed dwellings would be self-build would not make the development acceptable in planning terms.

5.29 In this regard, reference is made to a recent appeal decision (dated 6th November 2018) relating to an application proposing the erection of one self-build cottage at Colchesters Farm, Ashleworth (appeal reference APP/G1630/W/17/3181987). Whilst the Inspector acknowledged within this appeal decision that the proposal was promoted as a 'self-build' development and that the JCS indicates general support for self-building housing, he recognised that the JCS does not do so in circumstances where the proposed development would conflict with JCS Policy SD10. The Inspector found no evidence that the Council was failing in its duties under the Self-Build and Custom Housebuilding Act 2015 to maintain a register of those wishing to build their own homes or to grant suitable development permissions to meet the identified demand. Whilst some weight must be afforded to self-build considerations, this must be weighed in the overall planning balance.

#### Design and Impact on Character and Appearance of Area:

5.30 Section 12 of the NPPF relates to "Achieving well-designed places" and, at paragraph 124, sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 specifies that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

5.31 In this regard, Policy SD4 (Design Requirements) of the JCS sets out 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. It further sets out that design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, and having appropriate regard to the historic environment.

5.32 Policy GD3 of the Twynning NDP relates to "Development principles" and requires new dwellings to respect the local character and historic and natural assets of the surrounding area. It provides a set of criteria against which new development will be assessed.

5.33 Policy GD5 of the Twynning NDP, which relates to the provision for vehicles, requires car parking and new roads to be achieved in a way that does not detract from the character and appearance of the area. It further specifies that parking provided within the residential curtilage of a residential dwelling should be to the side of dwellings and behind the building line, where possible.

5.34 In terms of landscape impact, Section 15 of the NPPF relates to "Conserving and Enhancing the Natural Environment" and, at paragraph 170, specifies that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, and by recognising the intrinsic character and beauty of the countryside.

5.35 Policy SD6 (Landscape) of the JCS specifies that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. It also states that all applications for development will consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect. Policy SD6 further specifies that proposals for appropriate mitigation and enhancement measures should also accompany applications.

5.36 Policy GD4 of the Twynning NDP relates to "Landscape and bio-diversity" and requires all new development to respect the local landscape character, natural and ecological assets of the locality. It provides a set of criteria against which new development will be assessed, including that development shall respect the local landscape quality.

5.37 Whilst the existing static home is of minimal architectural merit, it is a relatively modest structure by virtue of its low height and its positioning adjacent to the north-western (rear) boundary of the application site. The proposed 2 no. dwellings would be two storey and consequently taller than the existing buildings on site and, by virtue of the increase in the number of dwellings on the site and associated garages, a greater extent of the site would comprise built development. Relative to nearby dwellings on Church End Lane, known as End House and Brunsum, which are detached dwellings relatively well distanced from nearby built development, it is considered that the proposed 2 no. dwellings would result in a cramped form of development which would fail to respect the character or the appearance of the area. Further, the proposed buildings would be in closer proximity of the adjacent highway than the existing static home on the site, and each detached double garage would sit forward of and in closer proximity of the adjacent highway than its associated dwelling. This would therefore be contrary to Policy GD5 of the Twynning NDP, which specifies that parking provided within the residential curtilage of a residential dwelling should be to the side of dwellings and behind the building line, where possible. The dwelling on Plot 2 would sit further forward and in closer proximity to the adjacent highway than existing built development on adjacent sites to the east.

5.38 The buildings and associated paraphernalia would be clearly visible from public vantage points including the immediately adjacent highway network and PROW. It is considered that the proposed development would fail to respond positively to or respect the character of the site and its surroundings and would materially detract from the landscape character of this rural area, and it is considered that any additional landscaping required by means of a condition attached to any approval of planning permission would not mitigate this harm. In any event, landscaping should not be used to try to hide development which is inherently unacceptable. In this case, the proposed development would introduce a level of harm in conflict with policies SD4 and SD6 of the JCS, policies GD3, GD4 and GD5 of the Twynning NDP, and paragraphs 127 and 170 of the NPPF, and this harm weighs against the proposal in the overall planning balance.

#### Impact on Residential Amenity:

5.39 Paragraph 127 of the NPPF specifies that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

5.40 In terms of 'Amenity and Space' Policy SD4 of the JCS sets out that new development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution. Policy SD14 of the JCS, which relates to 'Health and Environmental Quality', specifies that new development must cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

5.41 Policy GD6 of the Twynning NDP, which relates to the effect on neighbouring properties, requires development proposals to demonstrate that they will not lead to unacceptable levels of noise, general disturbance, smell, fumes, loss of daylight or sunlight, loss of privacy or have an overbearing effect on neighbouring properties.

5.42 As a result of the location of the proposed dwellings, it is considered that the residential amenity of any future occupiers would not be unreasonably affected in terms of noise or odour levels, or general disturbances. The Environmental Health Officer raises no objection to the application in terms of road noise adversely impacting future residents.

5.43 There is a substantial and dense hedgerow along the eastern side boundary of the application site, of similar height to the adjacent static homes on the site known as "Kimberley". It is therefore considered that the proposed development would result in no significant increase in impact on adjoining occupiers here in terms of overshadowing or overbearing impact. By virtue of the scale and form of the proposed dwellings and their proximity to other existing nearby buildings, it is considered that there would be no significant adverse effect on adjoining occupiers in terms of overshadowing or overbearing impact.

5.44 It is considered that any overlooking that may occur from proposed ground floor level windows could be mitigated through the construction of suitable boundary treatments, the details of which could be required by a planning condition attached to any approval of planning permission. The fenestration proposed for installation in the front and rear elevations of the proposed dwellings would not directly overlook adjacent sites to the east or south-west.

5.45 The fourth reason for refusal for the development proposed under application reference 18/00934/FUL was made on the grounds that the proposed development would unreasonably affect the amenity of future occupiers in terms of loss of privacy by virtue of a first floor level window on the western side elevation of the proposed dwelling at Plot 1 which would have directly overlooked the rear garden area of the proposed dwelling at Plot 2. As this window would have been the only window serving a bedroom, it was considered that it would have been unreasonable to condition this window to be obscurely glazed and fixed shut.

5.46 The current application proposes alterations to the fenestration. The only 2 no. windows proposed for installation at first floor level on the western elevation of each dwelling would serve bathrooms. It is recommended that any approval of planning permission is subject to condition for these windows to be constructed so that no part of the framework less than 1.7 metres above finished floor level shall be openable, and that any openable part of the window below that level shall be fitted with, and retained in, obscure glazing, in order to protect the residential amenity of adjoining occupiers.

5.47 Only 1 no. first floor level window is proposed for installation on the eastern side elevation of each dwelling, to serve a bedroom. The proposed elevation drawing is annotated to show this window designed as a transom window which would be obscurely glazed up to a height of 1.7 metres above finished floor level. It is similarly recommended that any approval of planning permission is subject to condition for these windows to be constructed so that no part of the framework less than 1.7 metres above finished floor level shall be openable, and that any openable part of the window below that level shall be fitted with, and retained in, obscure glazing, in order to protect the residential amenity of adjoining occupiers.

5.48 It is further recommended that any approval of planning permission be subject to a restrictive condition pertaining to the installation of any additional first floor level windows within either side elevation of the proposed dwellings, in order to protect the residential amenity of adjoining occupiers in terms of loss of privacy. Subject to the above conditions, it is considered that the proposed development has overcome the fourth reason for refusal under application reference 18/00934/FUL.

#### Highways Impact:

5.49 Section 9 of the NPPF relates to "Promoting sustainable transport" and, at paragraph 108, specifies that, in assessing specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 109 specifies that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 110 sets out that, within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

5.50 In this regard, Policy INF1 (Transport Network) of the JCS and Policy TP1 (Traffic) of the Twynning NDP are also relevant.

5.51 The application proposes the continued use of an existing vehicular access into the site, to serve the proposed dwelling at Plot 1, and the provision of an additional vehicular access towards the western side of the front boundary to serve the proposed dwelling at Plot 2.

5.52 As the adjacent Church End Lane is a class 3 highway subject to a sign posted speed limit of 60mph, the Deemed to Satisfy Visibility Standards require emerging visibility splays of 215m along the nearside carriageway edge (Kerb) in both directions (left and right) at a 2.4m setback of the centre line of the access. As these visibility splays were not achievable from the proposed additional vehicular access, the applicant submitted the results of a speed survey with application reference 18/00934/FUL to provide evidence of vehicles travelling at slower speeds, in order to demonstrate that reduced visibility splays from the proposed access would be suitable, as shown on a revised Proposed Site Plan. The Local Highway Authority raised no objection to the development proposed under application reference 18/00934/FUL, subject to conditions.

5.53 The Local Highway Authority has been consulted as part of the current application, and again raises no objection subject to condition for the existing roadside frontage boundaries to be set back prior to the new vehicular access being brought into use to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 38m distant in both directions (the Y points), and for the area between those splays and the carriageway to be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level. A further condition is recommended by the Local Highway Authority for the provision to be within the site throughout the construction period of the development that is sufficient to accommodate the likely demand generated for the (i) parking of vehicles of site operatives and visitors; (2) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; and (iv) wheel washing facilities.

5.54 Subject to these recommended conditions, it is considered that the proposed development would accord with the relevant development plan policies in this regard.

#### Drainage Matters:

5.55 The application site is located in flood zone 1. However, the proposal would have surface water implications. Therefore a Drainage Strategy has been submitted with the application, which sets out that the proposed scheme would offer a considerable benefit in surface water drainage management than the existing development on site, due to a reduction in the extent of impervious area. The Drainage Strategy further advises that both proposed dwellings and garages would be served via rainwater storage butts to enable either grey water recycling or mitigated flow into any surface water drainage system. It further proposes that the new vehicular/pedestrian accesses would be formed in free draining gravel. It is recommended that any approval of planning permission is subject to condition for details of surfacing materials for the vehicular driveway, parking and turning areas to be submitted prior to the commencement of development and for development to then be carried out in accordance with these approved details. The Drainage Strategy further advises that the application site is believed to have a reasonable sub-strata capable of accommodating a modest soakaway drainage system if necessary, and that the applicant anticipates/invites a standard drainage condition requiring details to be approved by the Local Planning Authority prior to the commencement of development.

5.56 The Flood Risk Management Officer (FRMO) has been consulted on the application, and raises no objection to the principle of the proposed development from a flood risk perspective, subject to condition requiring a detailed design, maintenance and management strategy and timetable of implementation for the surface water drainage strategy (e.g. Sustainable Drainage System - SuDS) leading on from the Drainage Strategy to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The condition would require the detail to 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.

5.57 An additional condition is recommended by the FRMO for a SuDS management and maintenance plan for the lifetime of the development, to 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, to be submitted to and approved in writing by the Local Planning Authority prior to the proposed development being brought into use/occupied.

5.58 Notwithstanding the above, however, the FRMO advises that, whilst infiltration may be a viable option at this location, if the infiltration test proves unsatisfactory there does not appear to be any other true off site discharge option. Therefore, realistically, the only potential option for storm water management of runoff would be to utilise rainwater harvesting which, the FRMO advises, is not without its own complexities and cost.

#### Other Considerations:

5.59 The submitted Design and Access Statement refers to an extant consent for four self-build dwellings on adjoining land. However, it does not provide precise details or a reference number for this application. It is, however, acknowledged that the planning committee meeting on 31st August 2017 approved an outline application for 4No. self-build dwellings (with all matters apart for vehicular access reserved for future consideration) on land on the eastern side of the A38 at Shuthonger, directly to the north of a car wash and car repair garage and to the south of a ribbon of dwellings and a GPO Repeater Station (reference 17/00452/OUT). The application had been recommended for refusal for 4 reasons. The recommended reason for refusal 1 was that the proposed development would conflict with Policy HOU4 of the Tewkesbury Borough Local Plan to 2011 - March 2006 in that the site was located outside any recognised settlement in a location where new housing is strictly controlled and it was not essential to the efficient operation of agriculture or forestry.

5.60 It is important to note that since the consideration of application reference 17/00452/OUT by the planning committee, there has been a significant change of material planning considerations. Policy HOU4 of the TBLP, as referred to within the recommended reason for refusal 1 of reference 17/00452/OUT, has since been superseded and replaced by Policies SP2 and SD10 of the JCS. Further, the NPPF 2012 has since been superseded and replaced by the NPPF 2019. In addition, since the consideration of application reference 17/00452/OUT by the planning committee, both the JCS and the Twynning NDP have been adopted.

5.61 Notwithstanding this, the current application is assessed on its own merits.

#### **6.0 Overall balancing exercise and conclusions:**

6.1 A balancing exercise has been performed to weigh the benefits of the proposal against the disadvantages.

6.2 Given the location of the application site outside the Twynning RDB, the proposed development conflicts with Policy SD10 of the JCS. Moreover, the Adopted Twynning NDP (Policies GD1 and H5) is not supportive of new housing development in the location proposed and, for this reason, the principle of the proposed development is not considered to be acceptable.

6.3 However, notwithstanding this conflict with the Development Plan, the Council's policies for the supply of housing are currently considered to be out-of-date having regard to paragraph 11 of the NPPF. In these circumstances, the NPPF advises that the presumption should be that planning permission is granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

6.4 The benefits which would be derived from the development would be a contribution, albeit in a small way, towards providing housing in the Borough. Similarly the economic benefits which would be derived from the development and the potential contribution towards supporting the vitality of the services and facilities in Twynning would be limited by the scale of the development proposed, which would result in a net gain of one dwelling.

6.5 The proposal is promoted as a 'self-build' development. While the council needs to account for this type of housing in its plan making function, the demand is relatively small in relation to the authority's overall housing need. Further, whilst it is acknowledged that the JCS indicates general support for self-building housing, the JCS does not do so in circumstances where housing would be in unsuitable locations, in conflict with the development plan. Applications must continue to be considered in light of s38(6) of the 2004 Act. The applicant has offered to complete a legal agreement to ensure that the development is brought forward on the basis of self-build plots. However, it is not considered that such an obligation would meet the necessary statutory tests as the fact that the proposed dwellings would be self-build would not make the development acceptable in planning terms. This matter attracts some weight in the overall planning balance.

6.6 In terms of accessibility, in making use of the services and facilities in nearby settlements, any future occupants would be doing so using unsustainable transport means. It is considered that the site is not a sustainable location for new residential development, as it is relatively remote from the nearest amenities and facilities. The location of the application site and the corresponding need to travel by car would not accord with the environmental dimension of sustainability. As such it would conflict with the overall objectives of Policy INF1 of the JCS and the NPPF in seeking development to be balanced in favour of sustainable transport modes.

6.7 In relation to design and its impact on the wider area, by virtue of the scale, form and siting of the proposed dwellings and associated garages, and their proximity to one another and the adjacent public highway and PROW, it is considered that the proposed development would result in a cramped form of development, would fail to respond positively to or respect the character of the site and its surroundings and would materially detract from the landscape character of this rural area. As such, the proposal is contrary to policies SD4 and SD6 of the JCS, policies GD3, GD4 and GD5 of the Twyning NDP, and paragraphs 127 and 170 of the NPPF.

6.8 It is considered that the proposed development has addressed the fourth reason for refusal under application reference 18/00934/FUL, in that it would not unreasonably affect the amenity of existing or future occupiers. This is a neutral impact of the proposal. Similarly, there would be a neutral impact on the public highway, subject to the conditions recommended by the Local Highway Authority.

6.9 Taking into account all of the above, it is considered that the adverse impacts of the proposed development would significantly and demonstrably outweigh the limited benefits, and it is concluded that this would not be a sustainable form of development. Therefore, for the reasons given above, it is **recommended that planning permission is refused.**

## **RECOMMENDATION Refuse**

### **Reasons:**

- 1 The proposed development would not represent infilling within the existing built up area of Twyning, would not represent a replacement dwelling, and would not meet any of the other criteria within Policy SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) or policy GD1 of the Twyning Parish Neighbourhood Development Plan. The proposed development therefore conflicts with policy SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) and Policies GD1 and H5 of the Twyning Parish Neighbourhood Development Plan; 2011-2031 (January 2018).
- 2 The application site is not in a sustainable location for residential development, and the proposal would therefore place a high reliance on the use of the car for travel to work, shopping, leisure, community facilities and other usual travel destinations. The location of the application site and the corresponding need to travel by car would not accord with the environmental dimension of sustainability. As such, the proposal is contrary to the overall objectives of Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) and the National Planning Policy Framework (2019) in seeking development to be balanced in favour of sustainable transport modes.
- 3 By virtue of the scale, form and siting of the proposed dwellings and associated garages, and their proximity to one another and the adjacent public highway and Public Right Of Way, the proposed development would result in a cramped form of development, would fail to respond positively to or respect the character of the site and its surroundings and would materially detract from the landscape character of this rural area. As such, the proposal is contrary to policies SD4 and SD6 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017), policies GD3, GD4 and GD5 of the Twyning Parish Neighbourhood Development Plan; 2011-2031 (January 2018), and paragraphs 127 and 170 of the National Planning Policy Framework (2019).

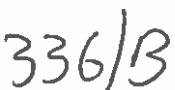


Note:

#### Statement of Positive and Proactive Engagement

In accordance with the requirements of the National Planning Policy Framework (2019) 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 to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding. However, as a consequence of the clear conflict with relevant Development Plan Policies no direct negotiation during the consideration of the application has taken place.





651/06



336/D



Development Consultants  
S G A  
SPECIALIST GROUP

Date: June 19

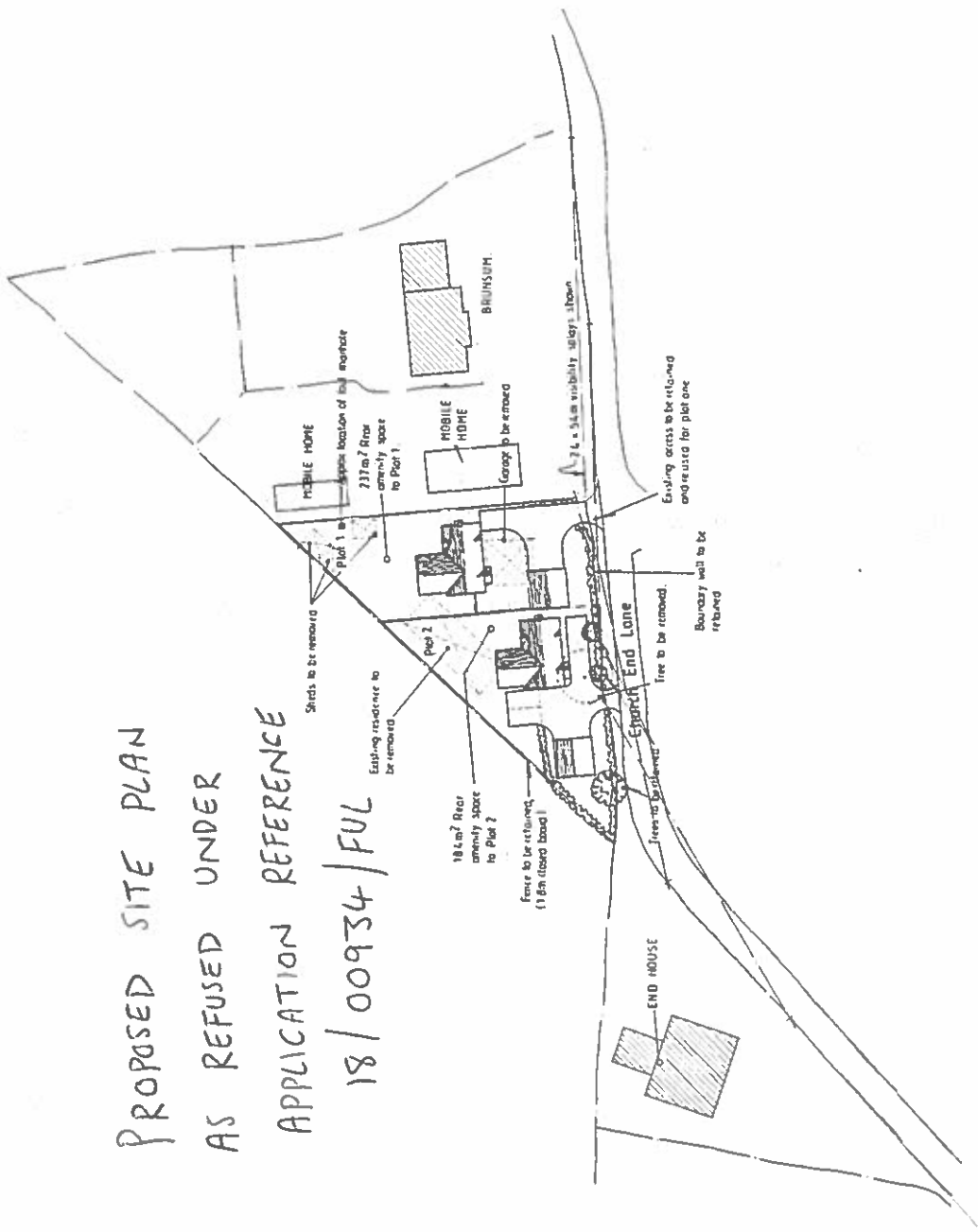
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# PROPOSED SITE PLAN AS REFUSED UNDER APPLICATION REFERENCE

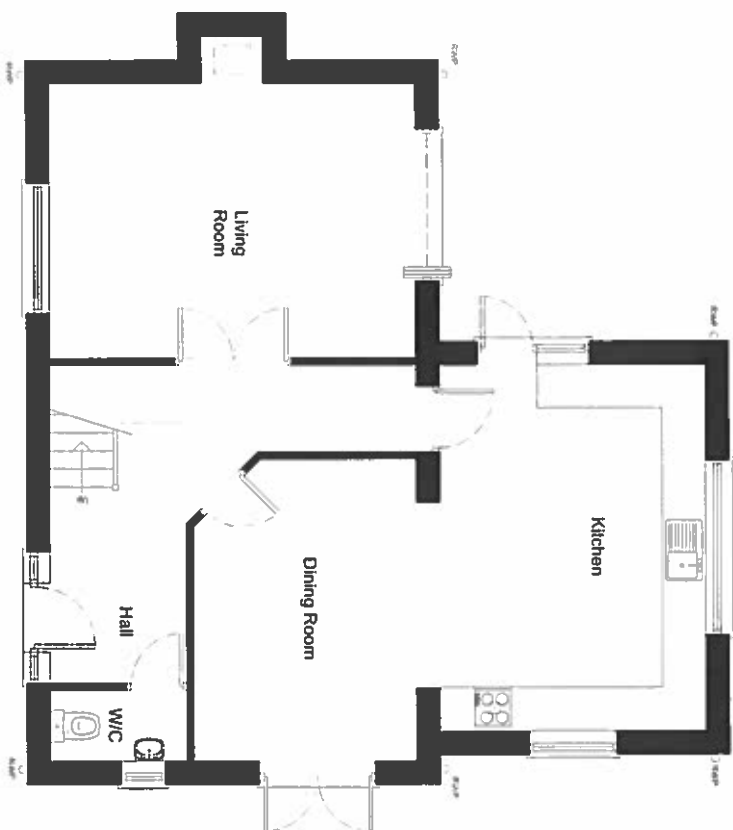
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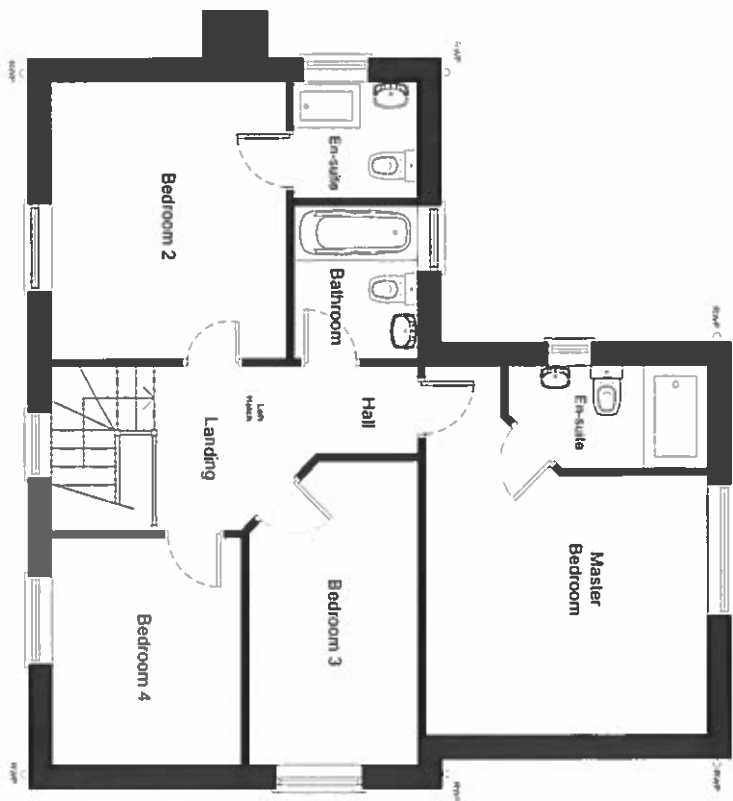


Client: H  
Title: PROPOSED SITE PLAN  
Two SELF BUILD DWELLINGS  
Address: Land at Free Top  
Church End Lane  
Tegbury  
Tewkesbury GL20 6FH  
Date: July 2018 Scale: 1:500

Conce Grange, Conce  
Gloucestershire, GL19 3HQ  
Tel: 01532 849196  
Fax: 01532 849122  
Mobile: 07733 376548  
AGS@developmentconsultants.co.uk



Proposed Ground Floor Plan



Proposed First Floor Plan

336/F

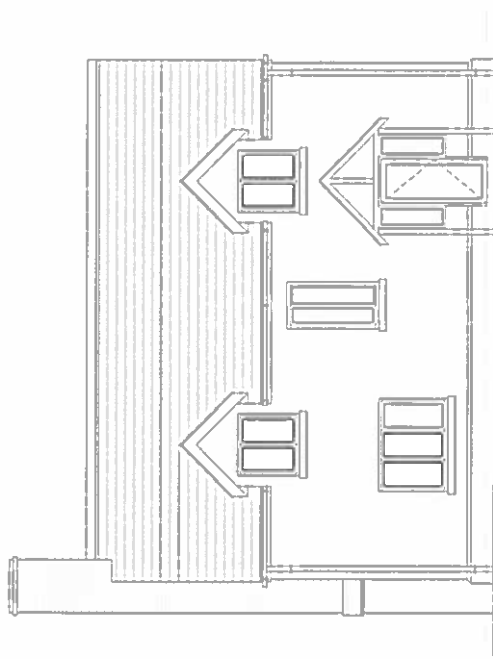
Proposed Self Build Dwelling

Proposed Floor Plans

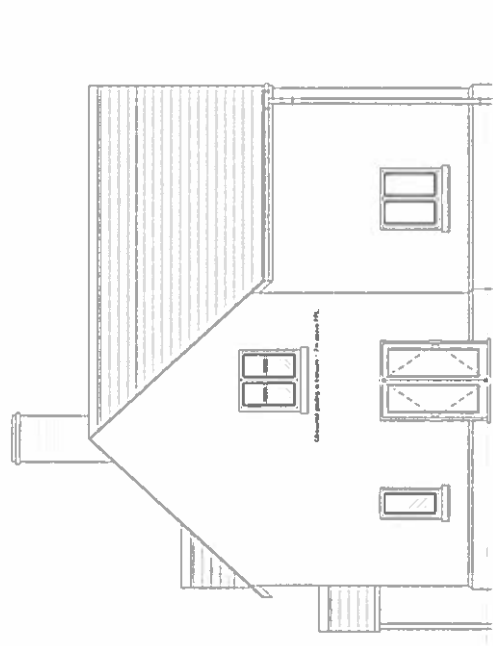
Date: June 18

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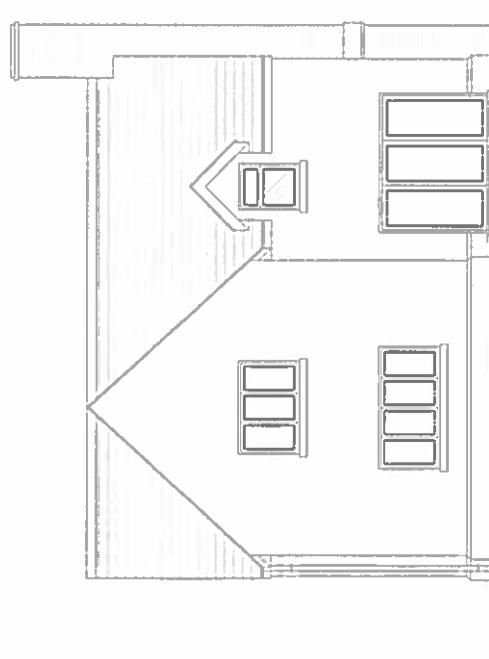
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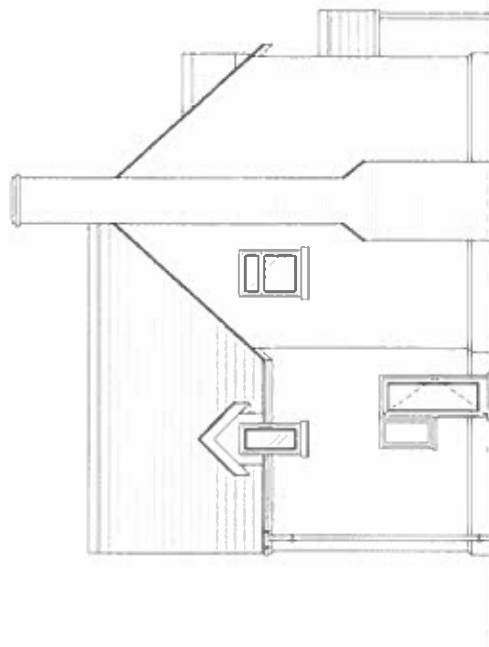
Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation

Proposed Self Build Dwelling

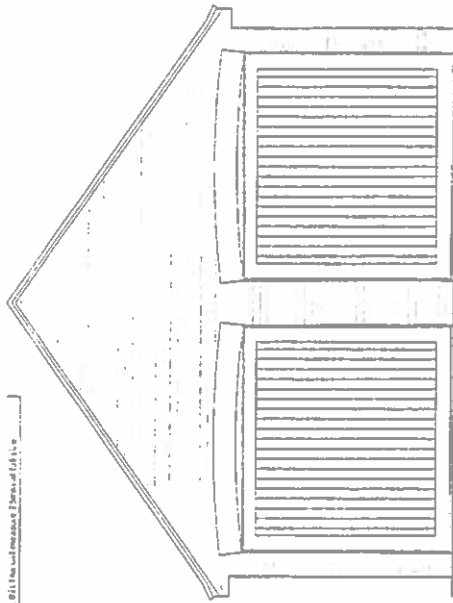
Proposed Elevations

Date: June 18

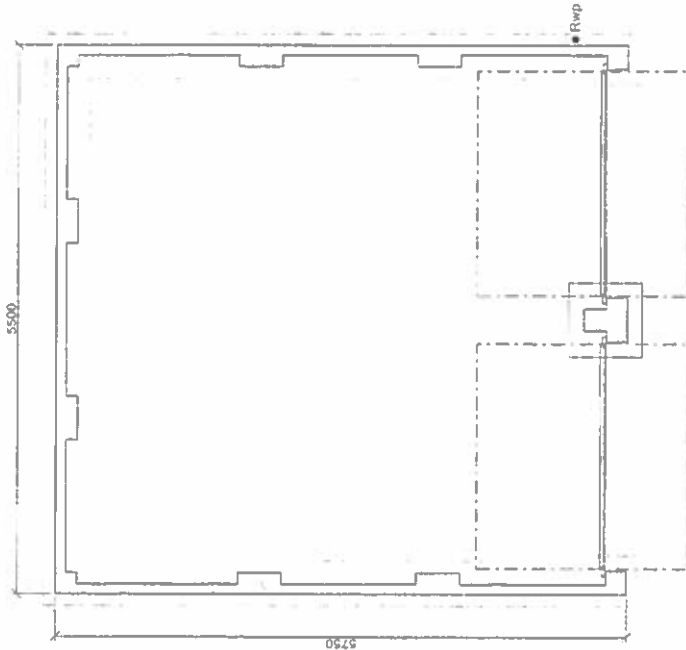
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Proposed Front Elevation



Proposed Floor Plan

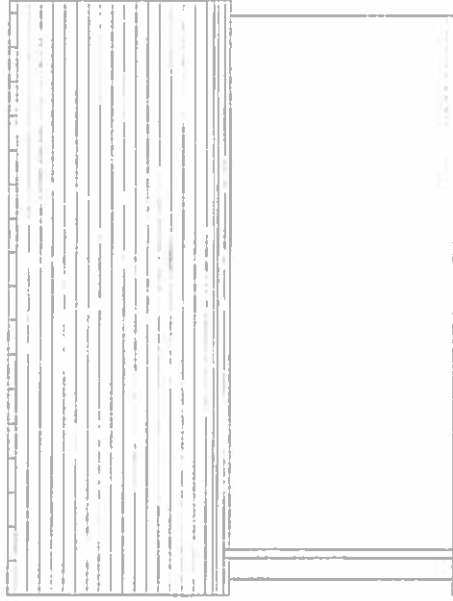
Exact pier locations to be confirmed by Structural Engineer

RWP positions may differ from that shown. For actual location refer to site specific drainage layout

7'5" x 7'3" (2261x2134) retractable door. Frames to be fitted behind opening

O/A frame width = 2261 + 140 = 2401

O/A frame height = 2134 + 57 = 2191



Proposed Side Elevations



Proposed Rear Elevation

### Existing Street Scene

### Proposed Street Scene

Valid 16.04.2018

Outline application for the erection of 5No. self-build bungalows, including alterations to existing vehicular access. All matters reserved for future consideration except for means of access.

Grid Ref 400234 233449

Parish Alderton

Ward Winchcombe

## RECOMMENDATION Refuse Consent

### Policies and Constraints

National Planning Policy Framework 2019 (NPPF)

Planning Practice Guidance

The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) - SP1, SP2, SD3, SD4, SD6, SD7, SD9, SD10, SD11, SD14, INF1, INF2, INF3.

Tewkesbury Borough Local Plan to 2011 (March 2006) - LND2, TPT6.

Tewkesbury Borough Plan 2011 - 2031 - Pre-Submission Version 2019

Alderton Development Plan 2011 - 2031 - July 2018

Cotswolds AONB Management Plan 2018 - 2023

Flood and Water Management SPD

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

The First Protocol, Article 1 (Protection of Property)

Cotswolds Area of Outstanding Natural Beauty (AONB)

Special Landscape Area (SLA)

**Committee determination is required as it had been requested by former councillor Ron Allen in order to assess the likely impact of the development upon surrounding properties and the landscape, together with the principle of self-build bungalows.**

### Consultations and Representations

**Parish Council** - Strong Objection to the proposal on the following grounds;

- i. The proposal is contrary to the JCS, specifically Policies SP2;
- ii. Alderton already has a margin of 24 houses [47%] above the figure of 51 and 97% of the 75 houses built or committed since 2011 are built. There is therefore no need for a further housing development in Alderton under either the JCS or the emerging Tewkesbury Borough Plan;
- iii. The Proposal suggests that housing development such as this is permissible under the JCS because it is infilling. This is not infilling. It is outside the settlement boundary and it is not an "underdeveloped plot", it is a green field site;
- iv. Alderton Neighbourhood Plan, developed in conjunction with Tewkesbury Borough Council, does not provide for any development on this proposed site off Orchard Road which is outside the village boundary and does not classify as infill or windfall development which should be within the settlement boundary;
- v. The Alderton Neighbourhood Plan includes the possibility of development on a suitable rural exception site. The development proposed on this site, however, does not meet the classification of rural exception site.
- vi. It is recognised that the Tewkesbury Borough Plan is at an early stage of development, but the emerging plan does not provide for development on this site nor in the village;
- vii. The site lies within the AONB and as such the Parish Council believes should be protected from development. There has been no development to date on land classified as AONB adjacent to the settlement boundary of the village and this protection should be preserved;
- viii. If housing becomes established to the north of the existing settlement it could pave the way for further developments on AONB to the north of the village. This would be contrary to the policies of the statutory Cotswold AONB Management Plan, 2013-2018, the Joint Core Strategy and the NPPF;
- ix. The development does not in any way relate to or contribute to the essential characteristics of the AONB and would cause harm to the beauty of the countryside;
- x. Correspondence from Natural England confirms that in the next field, immediately north east of the site, is a Priority Habitat Traditional Orchard with ancient and veteran trees. Beetle activity is high and will be reviewed by an entomologist;

- xi. The Traditional Orchard, mapped by Natural England on its Traditional Orchard Inventory (site number GLOS3103) lies within the copse that extends to the boundary of the site;
- xii. The brook is classified by Natural England as Priority Habitat - Headwater Areas and again this means that the area must be protected under Natural England and Government policies. Construction activities could well have a detrimental effect on the brook and nearby trees;
- xiii. The Parish Council is of the view that the Landscape Study that forms part of the submission is factually wrong and completely inadequate;
- xiv. The proposed site is also visible from the footpath leading from Cambridge Square up Alderton Hill and over to Dumbleton. This is accepted in the submitted Landscape Report but contradicted in the Application form itself where at item 24 it says the site cannot be seen from a public footpath. This is probably the most used footpath in the village and further building will detract from views down the hill;
- xv. The Parish Council would hold that this proposal in the context of the village is a major development. It is for 5 houses but on a piece of land [a field] and it directly impacts on 9 existing properties where it backs onto their land;
- xvi. The Application focuses on "need" but in relation to bungalows the Parish Council are aware of (30th September 2018) of a number of bungalows for sale within the village;
- xvii. The proposed development would overlook the rear gardens and rear windows of the existing properties on Orchard Road due to the sloping nature of the site;
- xviii. The Parish Council does not believe that the building of 5 more houses would by itself seriously damage social cohesion in the village, it would add to the issues that have already been identified as a consequence of previous developments;
- xix. The Parish Council has studied the latest list of interest in Self Build within the Borough (as at 31st July 2018). Of the 39 expressions on the list none identifies Alderton as a specific place of interest and only 1 specifies a 2 bedroomed bungalow in the Tewkesbury area. There is 1 expression of interest in a 3 bedroom single storey house but with land of up to 4 acres;
- xx. The Parish Council is particularly concerned about the vehicular access to the site which they consider contrived in as far as at the beginning of the access road, between No 16 and No 18 Orchard Road, the land has a pinch point which restricts and provides an unacceptable carriageway;
- xxi. The Parish Council considers the vehicle access to be unsuitable for emergency vehicles [fire engines and ambulances] and dangerous for specialist mobility vehicles for those with disabilities;
- xxii. Plot 5 has been wedged into its space with a garage fronting plot 4, an unacceptable long pedestrian access to plot 5 and also a conflict of vehicle access to plot 4 with plot 5 parking and vehicle access;
- xxiii. The proposed bins location point to the rear of No 16 Orchard Road may result in potential pollution and may present difficulties for refuse collection vehicles;
- xxiv. There is a large amount of history of 'flash' pluvial flooding from this stream. It is the Parish Council's view that any development of this relatively absorbent grassland would have a severe effect on the way water drains off the hill, particularly 2 Orchard Rd, but also others downstream if it is not properly dealt with;
- xxv. There is also some history of problems with the foul sewer system in the Orchard Road area, mainly to do with responsibility;
- xxvi. The Parish Council has severe reservations about the Ecological Survey. There are definite sightings from residents of bats, deer, owls, including barn owls and other birds. These are not referred to;
- xxvii. Whilst the proposal is for single story buildings the land on which they would be built is of an elevating nature and the bungalows will overlook the private gardens of 8 existing homes creating an unwelcome intrusion;
- xxviii. There could be an increase of 40 to 60 car journeys each day along Orchard Road [10 cars out and return 2/3 times a day]. Orchard Road is already crowded with cars backing out of driveways whilst at the same time children who live there walk to school or a school bus stop. Residents think traffic is at its limit now and the junction with Dibden Lane is a dangerous corner.

**County Archaeologist - CA** - There is high potential for archaeological remains to be present within the application site, masked from view by the agricultural soils which currently cover the land. Therefore, in advance of the determination of this planning application the applicant should provide the results of a field evaluation which describes the significance of any archaeological remains within the proposed development area, and how these would be affected by the proposed development.

**Severn Trent** - The proposal is considered to have minimal impact upon the public sewerage system and as such, no objection is raised.

**Flood Risk Drainage Engineer** - Objection, pending the submission of further, satisfactory information.

**County Highways - CHO** - Further information is required - the RSA did not fully investigate the narrow access into the site - this requires rectifying; The site access is less than the required 5m in width and while a localised narrowing would be acceptable for the carriageway width, no provision for pedestrians has been provided.

**County Highways - Road Safety Audit Team** -

Forward visibility to vehicles entering or exiting the area where the pinch point is very limited due other buildings (Garage and boundary fence/wall to No. 16; Pedestrians and cyclists will be vulnerable to vehicles travelling through the pinch point. It would be much better if an alternative pedestrian/cycle access could be provided, but this may not be possible as the location of the development is surrounded by properties and fields.

**CPRE - Recommend Refusal** - The site is within the AONB and in accordance with the NPPF, protected from development except in exceptional circumstances - none of these circumstances apply.

**Natural England - Statutory Nature Conservation Sites** - The site immediately northeast of the application site has been confirmed as 'Priority Habitat Traditional Orchard', following the conducting of a site visit by the People's Trust for Endangered Species (PTES). It will be added to the Priority Habitat Inventory in due course. We have also been notified that the trees have been confirmed as 'ancient' by the Woodland Trust's Verifier who has added them to the Ancient Tree Inventory. The Woodland Trust have also highlighted that beetle activity is high within the orchard, and consequently an entomologist will be visiting in due course. The NPPF has been recently revised and greater protection has been given to both ancient and veteran trees (paragraph 175 refers to this specifically);

**Protected Species** - No comments to make - refer to standing advice with regard to protected species, ancient woodland and veteran trees.

**Gloucestershire Wildlife Trust** - Note a record of skylark sightings in close proximity to the site; suitable area for skylarks and other 'farmland birds'. Skylarks are a species of concern due to recent falls in their population and for this reason, are on the RSPB Red List of Birds of Conservation Concern.

**Cotswold Conservation Board** - The LPA must have regard to the purpose of conserving and enhancing the natural beauty of the AONB. Of particular relevance in this instance, is the Board's 'Landscape Strategy and Guidelines' for Landscape Character Type (LCT) 19D (Unwooded Vale - Vale of Evesham) and LCT 1D (Escarpment Outliers - Dumbleton and Alderton Hills).

**Ecological Consultant** - No objection.

**Urban Design Officer** - No objection with regard to visual connectivity.

**Landscape Consultant** - No response at time of report writing.

**Tree Officer** - Objection unless the existing mature hedgerow along the northern boundary is retained in full, as part of the development.

**Local Residents** - 75 letters of objection/concern have been received from local residents - Their concerns are summarised as follows;

**Drainage**

- Drainage concerns as there have been occasions when the public sewer has been blocked in the village;
- Concerns regarding surface water run-off following heavy rain - the existing brook drains water down into the village and has previously flooded houses in School Road, following heavy rain;

**Landscape/AONB Impact**

- The preservation of this field should be reconsidered as this proposal would lead to further suburbanisation of the village;
- The buildings would be higher than adjacent buildings and would have a detrimental impact upon the surrounding landscape;
- The application is inaccurate and several significant viewpoints of the AONB have been omitted - the site can clearly be seen from public rights of way whereas, the application states that it cannot be seen;
- The visual impact of the proposal would be high due to the elevated nature of the site;
- Concerned about access for builders vehicles and the noise created over a long period in view of the self-build nature of the scheme;

- The plot forms part of the natural contours of Alderton Hill and would therefore, encroach into this distinctive feature of the village;

#### **Ecology**

- The proposal will have a detrimental impact upon wildlife in and around Orchard Road;

#### **Highways/Access**

- The proposed access and use by construction vehicles would be extremely dangerous for children living within this quiet cul-de-sac;
- The development would put further stress upon traffic congestion/highway safety within the village;
- The new entrance would be unsafe as it would provide insufficient space for pedestrians and vehicles to pass each other;

#### **Design**

- The design of the proposed houses is not in keeping with surrounding properties;
- The proposal would not respect the privacy of neighbouring residents - the elevated site would result in direct overlooking into existing bedrooms and bathrooms;
- As the proposal is a self-build scheme, would new owners face regulation with regards to design or construction completion?;

#### **Other**

- The village has recently been substantially developed and small projects like this would be better placed in locations showing little or no development impact to date;
- The site lies outside of the agreed settlement boundary of the village and is not identified for development within the NDP;
- Alderton has already more than met its allocation for new housing as a Service Village within the JCS;
- Broadband speed and reliability has worsened since the recent housing developments within the village and this will further worsen the situation;

**Planning Officers Comments:** Miss Lisa Dixon

### **1.0 Application Site**

1.1 The application site comprises a field, of approximately 0.4 hectares, located immediately north of Alderton Village (see attached location plan). The site is roughly rectangular in shape and rises from south to north and is currently, not formally in use and remains overgrown grassland. The site is bounded by open fields/ploughed farmland to the north and east, with a belt of existing dense tree planting, comprising the eastern boundary. The southern part of the site is bounded by the rear gardens of residential properties fronting Orchard Road. The rear garden of no.18 Orchard Road runs along the length of the western boundary.

1.2 The majority of the site lies within the Cotswolds Area of Outstanding Natural Beauty (AONB), with only a narrow strip of the south-western extent of the site, which provides access via Orchard Road, falling within the Special Landscape Area (SLA). The village Settlement Boundary, as defined by the Adopted Neighbourhood Development Plan (NDP), runs along the southern and western boundaries of the site. As such, the site itself, with the exception of the narrow access strip, falls outside of the identified Settlement Boundary.

1.3 An existing watercourse runs along the extent of the eastern boundary, passing through the site at its south-eastern corner, before continuing through the garden of no.2 Orchard Road before entering the culvert under Dibden Lane/School Road.

1.4 A public footpath runs near to the western extent of the site, leading from Cambridge Square in the heart of the village, passing through the rear gardens of nos. 28 and 29 Orchard Road, before continuing in a northerly direction towards Dumbleton.

### **2.0 Planning History**

2.1 There is no relevant planning history pertaining to the site.

### 3.0 Current Application

3.1 The current application seeks outline planning permission for the erection of 5 nos. self-build bungalows. All matters except for means of access (Appearance, Landscaping, Layout and Scale) are reserved for future consideration. (See attached plans).

3.2 An indicative layout plan has been submitted in respect of the application which proposes a single point of vehicular access off Orchard Road, utilising the narrow grassed strip that lies between the residential properties of nos. 16 & 18 Orchard Road. As this access is indicated as the sole access to/from the site, both vehicles and pedestrians would utilise this route.

3.3 The indicative layout shows 5nos. 'L-shaped' bungalows with a shared private drive with turning head for vehicles. Indicative elevation and floor plans have also been included with the outline proposal, which show a two-bedroom property with integral single garage. All plots would have direct vehicle access/on-plot parking for a minimum of four vehicles. All proposed properties would be orientated to have south-facing front elevations which face towards the rear gardens of existing properties on Orchard Road.

3.4 The submitted Design and Access Statement (DAS) which accompanies the scheme, advises that *'the indicative house type proposals show a built form that would provide ridge heights of approximately 5.1m above DPC and gross internal floor areas of circa 95.0sq/m; these parameters would be subject to a final design on each plot and be to approval by the Local Planning Authority, but they are considered at this stage to inform an indicative massing that would be appropriate on the site.'* The density of development as indicated on the proposed site plan would equate to approximately 12 dwellings per hectare.

3.5 Much of the existing tree and hedgerow planting to the southern, eastern and northern boundaries is shown as being retained. A communal refuse collection point to serve the dwellings is indicated within the south-western corner, adjacent to the access/shared driveway.

### 4.0 Policy Context

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

4.2 The Development Plan comprises the Joint Core Strategy (JCS) (2017), the saved policies in the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP), The TBC Flood and Water Management SPD - March 2018 and the Alderton Neighbourhood Development Plan - 2011 - 2031.

4.3 The Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) was approved for publication and submission at the Council meeting held on 30 July 2019. On the basis of the stage of preparation the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded limited - moderate weight, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

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

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

### 5.0 Community Infrastructure Levy Regulations

5.1 The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from developers undertaking new building projects in their area. The regulations stipulate that, where planning applications are capable of being charged the levy, they must comply with the tests set out in the CIL regulations. These tests are as follows:

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

5.2 In October 2018 the Council adopted a CIL and implemented the levy on 1 January 2019. For CIL purposes the applicant has claimed self-build exemption and as such, no levy would be payable in respect of the development.

## **6.0 Analysis**

### **Principle of Development**

6.1 Alderton is a relatively tightly clustered settlement, located within a Special Landscape Area and bounded at its northern extent by the Cotswolds AONB. It is a named Service Village in the JCS and Policy SP2 states that service villages will accommodate lower levels of development, to be allocated through the Borough Plan and NDP's, proportional to their size and function, and also reflecting their proximity to Cheltenham and Gloucester and taking into account the environmental, economic and social impacts.

6.2 The Tewkesbury Borough Housing Background Paper (HBP) (September 2018) provides an 'indicative' housing requirement for the Rural Service Centres and Service Villages by disaggregating the SP2 allocation (880 dwellings) according to the SP2 criteria (size, function, proximity/accessibility to Cheltenham / Gloucester). Alderton is given an indicative housing requirement of 53 dwellings, although some 77 dwellings have already been committed in the village within the plan period. Furthermore, the Alderton NDP 2011 - 2031 was 'made' in July 2018 and identifies the existing commitments and does not propose to allocate any further land for housing at the village. Furthermore, the site assessments have not identified any sites with clear development potential. In light of this it is not proposed to allocate any new sites within the Tewkesbury Borough Plan 2011-2031. The significant committed sites are Land at Beckford Road (13/00114/FUL - 47 dwellings) and Land East of Willow Bank Road (14/00414/FUL - 24 dwellings). Both of these developments are now complete.

6.3 The site itself was assessed as part of the Preferred Options for the emerging Tewkesbury Borough Plan (Site reference: ALD008). Following assessment, the site was subsequently discounted for allocation as officers considered the site to be at odds with the morphology of the village and potentially harmful to the landscape setting of Alderton. The site was therefore, discounted for landscape reasons.

6.4 In this case, JCS Policy SD10 is the relevant starting point in considering the principle of development. JCS Policy SD10 sets out the Council's approach to housing development and states that residential development will be permitted at sites allocated for housing through the development plan. Proposals on un-allocated sites will only be permitted under certain circumstances. None of these circumstances would be applicable in this case. The application site is not allocated for housing development and comprises a completely undeveloped (green) field which is located beyond the built-up area of the village and outside the settlement boundary as defined on the Tewkesbury Borough Local Plan Proposals Map and Alderton NDP Settlement Boundary. The proposal is not considered to constitute infill development nor is it being promoted as a rural exception site. Furthermore, the site has not been brought forward for development through a Community Right to Build Order and there are no policies in the existing Tewkesbury Borough Local Plan to 2011 which allow for the type of development proposed here.

6.5 With regard to the Tewkesbury Borough Plan Pre-Submission Version (2019), the site does not feature as one of the identified Housing Site Allocations for the Borough and does not lie within the defined settlement boundary for Alderton, as identified by the TBP Pre-Submission Version Policies Map. Therefore, the proposed development would be in conflict with emerging Borough Plan Policies RES1, RES2 and RES3, which are to be afforded some weight in the consideration and determination of planning applications in accordance with paragraph 48 of the NPPF.

6.6 The proposal is therefore in conflict with JCS Policy SD10. This weighs against the proposal in the overall planning balance.



## Council's 5 Year Housing Land Supply

6.7 While it is noted that the proposal is not considered acceptable in principle by reason of its conflict with JCS Policy SD10, consideration must be given to Paragraph 11 of the NPPF which sets out that plans and decisions should apply a presumption in favour of sustainable development. For decision making this means:

*(c) approving development proposals that accord with an up-to-date development plan without delay; or  
(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:  
(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or  
(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

6.8 The NPPF clarifies (footnote 7) that planning policies for housing will be judged out of date, inter alia, where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.

6.9 The latest published evidence (the Tewkesbury Borough Five Year Housing Land Supply Statement - 2018/2019 indicates that the Council can demonstrate a 4.33 year supply of deliverable housing sites, amounting to a shortfall of approximately 194 dwellings.

6.10 Members will be aware of the Oakridge, Highnam case where the Council had challenged the Secretary of State's assertion in the appeal decision in respect of the five year supply where he had followed the Inspector's advice in relation to discounting previous oversupply. Based on the Secretary of State's approach, the Council could only demonstrate a 2.7 year supply whereas if the dwellings that had been provided over and above the cumulative requirements were counted, the Council could demonstrate a 4.3 year supply. The High Court did not rule one way or the other as it was considered that it should be left to a case where it would make a difference - the Council had won the Oakridge case therefore this ruling made no difference to the overall outcome. On that basis, there is no reason for the Council to change its position in terms of the oversupply being counted.

6.11 Therefore, notwithstanding the conflict with the Development Plan, the Council's policies for the supply of housing are considered to be out-of-date having regard to paragraph 11 of the NPPF. In these circumstances, as set out above, the NPPF advises that the presumption should be that planning permission is granted unless the application of policies in this Framework that protect areas or assets of particular importance (this includes policies related to an Area of Outstanding Natural Beauty) provides a clear reason for refusing the development proposed; or there are adverse impacts of doing so which would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

6.12 As the site lies with the Cotswolds AONB, a judgment must be made as to whether the proposal would protect the AONB, and whether any impacts provide a clear justification for refusing permission, before a judgment can be made as to whether the 'tilted balance' applies. This is considered in detail in the 'Impact on AONB landscape' section below.

### **Self-build considerations**

6.13 The proposal is promoted as a 'self-build' development. Whilst it is acknowledged that the JCS indicates general support for self-building housing, the JCS does not do so in circumstances where the proposed development would conflict with JCS Policy SD10.

6.14 The Self-build and Custom House Building Act 2015 requires the council to maintain a self-build and custom house building register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area in order to build houses for those individuals to occupy as homes. The purpose of the register is to provide information on the demand for self-build and custom housebuilding in the authority area and to form an evidence base of demand for this type of housing.

6.15 The PPG advises that Councils have a duty to have regard to the register in terms of plan making and decision-taking functions and that the registers that relate to their area may be a material consideration in decision-taking. The Council now (as of 26th September 2019) has 96 entries on the Self-Build Register in total, of which 83 are entered on Part 1 (which includes those who meet the local-connection test or were on the register prior to the local connection test being introduced). In terms of those who have specifically expressed an interest in Alderton as their preferred location for self-build, there is just one (registered Part 1) which states the following locations, of which Alderton is one; Ashchurch, Aston Cross, Teddington, Great Washbourne, Little Washbourne, Alderton, Dumbleton, Wormington.

6.16 While the Council needs to account for this type of housing in its plan making function, the demand is relatively small in relation to the authority's overall housing need of 9,899 dwellings as established in the 'objectively assessed need' (OAN). The legislation however does not mean that LPAs should permit housing in unsuitable locations, in conflict with the development plan. Applications must continue to be considered in light of s38(6) of the 2004 Act. In this case the self-build considerations attract only moderate weight in favour of the application in the overall planning balance.

### **Housing Mix**

6.17 JCS Policy SD11 states that housing development will be required to provide an appropriate mix of dwelling sizes, types and tenures in order to contribute to mixed and balanced communities and a balanced housing market. Development should address the needs of the local area, including the needs of older people as set out in the local housing evidence base, including the most up to date Strategic Housing Market Assessment (SHMA). Policy H4 of the Alderton NDP requires new housing in the village to include small and medium sized houses (1 to 3 bedrooms) to provide a greater mix of houses and to support opportunities for down-sizing or re-sizing. Policy H4 further provides that on sites of five dwellings or more, a range of tenures, house types and sizes of dwellings will be required, including a proportion of affordable homes to meet the housing needs of households with a connection to Alderton Parish.

6.18 No precise housing mix has been put forward as part of this application, although the indicative layout suggests a linear development of 5nos. single-storey dwellings. The accompanying DAS advises that *'the proposals are for five single storey dwellings that are of a modest size and massing that reflect both the edge of development location and residential amenity of adjacent neighbouring properties. Five properties are considered to be a suitable number to be situated off a shared private drive and to provide a spacious form of development.'*

6.19 The Parish Council have provided their own assessment for the level of availability of existing bungalow properties within the village at the current time. The Parish have advised that as of 30.09.2018, there are six bungalows for sale, two vacant bungalow properties and two further single-storey properties currently under construction. It is understood however, that this position may have subsequently changed during the intervening period since the Parish undertook this assessment. On this basis, the Parish note that the above figures would suggest that there is no immediate requirement for additional bungalow properties within the village.

6.20 A condition would be required in order to secure an appropriate housing mix for any future reserved matters application in order that the development meets the needs of the Borough and as evidenced by the latest SHMA at the time of the reserved matters application.

### **Impact on the AONB Landscape**

6.21 The application site is located within the Cotswolds AONB, an area of high scenic quality that has statutory protection in order to conserve and enhance the natural beauty of its landscape. The National Planning Policy Framework (NPPF) makes clear that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty (Para 172).

6.22 Policy SD7 (The Cotswolds Area of Outstanding Natural Beauty) of the JCS specifies that all development proposals within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. The Cotswolds AONB Management Plan (2013-2018) is prepared by the Cotswolds Conservation Board and is the statutory plan which sets out the Boards' policies for the management of the Cotswolds AONB and for the carrying out of its functions in relation to it.

6.23 The Landscape and Visual Sensitivity Study - November 2014 - Final Report, was undertaken by the Council as part of the Borough Plan site allocation work for the Rural Service Centres and Service Villages. As part of the work, the proposal site was assessed as part of the Preferred Options for the emerging Tewkesbury Borough Plan (Site reference: ALD008). Following assessment, the site was subsequently discounted for allocation as officers considered the site to be at odds with the morphology of the village and potentially harmful to the landscape setting of Alderton. The site was therefore, discounted for landscape reasons.

6.24 The Cotswolds Conservation Board have confirmed the site's inclusion within the AONB and have reiterated the LPA's requirement to have regard to the purposes of conserving and enhancing the natural beauty of the AONB landscape as part in assessing the application, in accordance with Section 85 of the Countryside and Rights of Way Act 2000. The Board advises that the site lies within the particular AONB landscape character of Escarpment Outlier - Dumbleton and Alderton Hills Dumbleton (Landscape Character Type 1D), with the Alderton Hills forming a prominent outlier which punctuates the vale between the main Cotswold escarpment and Bredon Hill. Woodland essentially defines the character of these hills and ensures that they are instantly recognisable from the surrounding vale. Between areas of woodland lies a patchwork of hedged fields and these are predominantly managed as improved pastures, although some arable fields on the gentle slopes of the summit are visible.

6.25 The Board's Landscape Strategy and Guidelines, Adopted June 2016, advises that the Escarpment Outliers are a distinctive, highly visible landscape type that often retains a remote character. As a result, the hills are highly sensitive to change that would introduce built elements to otherwise agricultural landscapes or interrupt the existing balance of rough pasture and woodland on their upper slopes. Care should be taken to respect the character of each individual outlier and indeed the various characteristics that are present on different faces of the same hill. Development, expansion and infilling of settlements including residential, industrial and leisure, fringing the lower slopes of the outliers including expansion onto the lower slopes are all noted within the Conservation Board's Landscape Strategy and Guidelines, to represent a local force for change, with a host of potential landscape implications; including encroachment into visually prominent slopes; erosion of organic growth and linear settlement pattern of settlements bordering roads fringing the lower slopes of individual outliers including their relationship to the landscape; Degradation of the view to and from the outliers from the adjacent vale and Escarpment and in some instances between outliers and Interruption, weakening or loss of the historic character of settlements and the historic context in how they have expanded.

6.26 With regard to recommended Landscape Strategies and Guidelines, the Board advises that development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements on visible hillsides should avoided, linear pattern of settlements fringing the lower slopes of the hills should be conserved, developments incorporating standardised development layout, suburban style lighting, construction details and materials that cumulatively can lead to the erosion of peaceful rural landscape character should be avoided, as should cramming of development right up to the boundaries resulting in hard suburban style edge to the settlement.

6.27 The application has been supported by a Landscape Visual Impact Assessment (LVIA). The LVIA notes at paragraph 1.1.8 that the Council's 2014 Landscape and Sensitivity Study, undertaken as part of its evidence base for identifying preferred options sites for inclusion within the emerging Borough Plan, did not include the site itself, as part of its assessment of landscape parcel-04. The Parish Council has raised this issue within their detailed letter of objection and point out that this issue arose due to an error on the part of the LSS author, who incorrectly thought that the site lay within the settlement boundary and therefore, did not include it as part of the landscape appraisal work. The submitted LVIA also assesses the overall visual sensitivity of the site to be low, with local footpaths having limited views of the site, which is enclosed with a dense hedgerow boundary. The LVIA concludes that there would be a small perceived loss of openness within the study site due to the loss of pasture, which would be replaced with built form.

6.28 The most sensitive visual receptors with potential views, are noted within the LVIA, to be users of the Public Right of Way immediately to the north as it travels towards the more elevated land at Alderton Hill. However, the LVIA further notes that the views experienced by these receptors will largely be screened by existing hedgerow as it follows the footpath to the east of the track. Nevertheless, the proposal would introduce new, incongruous built form into the rural landscape of the AONB and it is considered that its impact could not be satisfactorily mitigated through retention and enhancement of the existing hedgerow or the use of local stone, as referenced within the applicant's submitted LVIA.

6.29 The Parish Council also make reference to the presence of a Priority Habitat Traditional Orchard with ancient and veteran trees, which lies outside of the site itself but, immediately to the north-east within the adjacent field. The Parish has drawn attention to correspondence from Natural England, which confirms that the trees have been mapped by NE as Priority Habitat Traditional Orchard, following a site visit and verification by the People's Trust for Endangered Species (PTES).

6.30 The Council's Tree Officer (TO) has been consulted in respect of the application and in order to assess the possibility of any potential impact arising from the proposal upon the Traditional Orchard and ancient and Veteran Trees. The TO has advised that the site consists of a mature hedgerow on the north of the site which is predominately blackthorn but incorporating some hawthorn and elder. This mature hedgerow which is approx. 3.5m high and 2-3m in depth is quite dense and provides good screening. It is also important for its wildlife value especially nesting birds. The TO has raised no objection to the scheme provided there would be no removal of the existing mature hedgerow along the northern boundary. The proposed new native tree planting and submitted tree retention/protection measures, are considered acceptable by the TO. Should Members be minded to approve the application, it is considered that the retention of the existing hedgerow could be secured via planning condition.

6.31 Paragraph 172 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in AONB and that such areas have the highest status of protection in relation to their landscape and scenic beauty. The proposal conflicts with that advice and with JCS Policy SD7 and SD6 which requires that proposals in the AONB should conserve and, where appropriate, enhance its landscape and scenic beauty and have regard to the local distinctiveness and historic character of the different landscapes.

6.32 For the reasons set out above the proposed development would alter the character of this part of the AONB and adversely affect the relationship between the Cotswold escarpment and its setting. As such, the proposed development would not comply with policies set out in the Cotswolds AONB Management Plan, Policy SD7 and SD6 of the Joint Core Strategy and Para 172 of the National Planning Policy Framework 2019. As a consequence of this, following the application of NPPF policy in respect of protecting AONBs, the harm to the AONB landscape in this instance provides a clear reason for refusing the development proposed and it is not considered that the tilted balance applies. This identified harm weighs against the proposal in the overall planning balance.

### **Design and Layout**

6.33 The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Policy SD4 of the JCS advises 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.

6.34 The application has been submitted in outline form, with all matters (except for means of access) including layout, scale and appearance - reserved for future consideration. A detailed Design and Access Statement has been submitted in support of the application that advises on the design process/architectural approach informing the scheme. The DAS notes that the proposal is for five self-build, single storey dwellings situated off a shared private drive, and the application (including the DAS) document, establishes a general site layout and plot distribution together an appreciation of suitable scale and mass. Each plot would be subject to a subsequent reserved matters or full application for the design of the individual dwelling which would be developed by the self-builder to suit their individual requirements. It is proposed that the indicative design proposals subject of this application could inform a Design Code which the Local Planning Authority may wish to enforce via condition to ensure that a cohesive and coherent development is achieved to the benefit of both existing and prospective residents.

6.35 The DAS further notes that a shared private drive would be formed at the existing site access, and that this should lead to a drive running along the southern site boundary to the rear of the existing houses in Orchard Road in order to allow the construction of the drive and the provision of retained/ reinforced boundary planting to be carried out in an initial phase of operations to service the individual plots that would be sited to the north of the site. This initial installation of the access would ensure a fully serviced site and establish a finished boundary with existing residential properties. The siting of the self-build plots to the north of the drive will give certainty to existing residents that their amenity will be maintained. The single storey dwellings are noted to be of a modest size and massing that reflect both the edge of development location and residential amenity of adjacent neighbouring properties. Five properties are considered to be a suitable number to be situated off a shared private drive and to provide a spacious form of development. The density of development as indicated on the proposed site plan would equate to approximately 12 dwellings per hectare.

6.36 The indicative house type proposals show a built form that would provide ridge heights of approximately 5.1m above DPC and gross internal floor areas of circa 95.0sq/m; these parameters would be subject to a final design on each plot and be to approval by the Local Planning Authority, but they are considered at this stage to inform an indicative massing that would be appropriate on the site. The site layout provides plots that allow individual self-builders to construct their properties wholly from within their own demise without being reliant on accessing neighbouring properties. Each plot has an individual connection to the shared private drive that will provide for the servicing of the units and the siting of suitable on plot parking. The proposals have been developed to provide a potential guide in terms of aesthetic and form that would be appropriate on this site, and that would provide prospective self-build purchasers with a point of reference in developing their proposals. Individual approvals for each plot would be subject to consideration by the Local Planning Authority and may be informed by a 'Design Code' for the site delivered by Condition.

6.37 The Urban Design Officer (UDO) has been consulted on the current scheme and considers that the access, although between two properties, would be wide enough to allow good visual connectivity. The UDO further considers that there would be minimal impact on the amenity of existing dwellings as the existing properties have very large rear gardens and there would be more than 21m distance between the dwellings.

6.38 The existing residential properties comprising Orchard Road are predominantly two-storey semi-detached dwellings set within long, narrow plots. Each plot is provided with its own access onto Orchard Road. The current scheme, whilst indicative in nature, proposes single-storey properties, all served via a single internal road and single point of access, set within a tightly-constrained plot. A distance of only two metres would exist between each proposed dwelling and the resulting development would appear both cramped and incongruous in the context of the adjoining settlement form of Orchard Road.

6.39 In conclusion on this matter, whilst the UDO considers the visual connectivity of the site to be acceptable, the proposal is nevertheless, considered contrary to JCS Policy SD4 with regard to design/layout and this matter weighs against the proposal in the overall planning balance.

#### **Impact on Amenity of Adjoining Occupiers**

6.40 JCS Policy SD14 sets out that development should protect and seek to improve environmental quality and should not cause unacceptable harm to local amenity including the amenity of neighbouring occupants.

6.41 Although the application is in outline it is considered that the development could be laid out so as not to adversely impact the living conditions of the occupiers of nearby dwellings to the south and west of the site. The indicative layout shows that the Plot 1 dwelling would be sited some 18.5 metres from the existing adjacent property to the south-west, at its closest point. It is considered that the imposition of an appropriate boundary treatment condition would serve to ensure that appropriate screening would exist between Plot 1 and no.18, in the interests of residential amenity.

6.42 Relative dwelling distances between proposed Plots 1 to 5 and the rear elevations of existing properties on Orchard Road, range from 26m (Plot 1 to No.16 Orchard Road) to 53m (Plot 5 to No.2 Orchard Road). As such, it is considered that residential development could be accommodated within the site, without loss of privacy/overlooking to existing residents. However, given the rising topography of the site, (rising from south to north), development would be required to be restricted to single storey, in order to safeguard the residential amenity of neighbouring residents. The specific relationships to these adjoining dwellings would be considered at the reserved matters stage.

## Biodiversity

6.43 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. Improved community access will be encouraged so far as is compatible with the conservation of special features and interest.

6.44 The application has been supported by an Extended Phase 1 Habitat Survey, prepared by All Ecology. The report notes the field to comprise improved grassland, dominated by Perennial Rye-grass with abundant Fescue Cleavers and Creeping Buttercup as well as abundant Herb-Robert along the south edge of the field. Mature species-poor hedge is noted to be present along the northern boundary, which was dominated by Blackthorn with abundant Bramble and rare occurrences of Elder. Sections of species-poor hedge along the southern boundary are also noted, which separates the site from the adjacent residential gardens on Orchard Road. The eastern boundary is also noted to be defined by species-poor hedge and trees, dominated by Blackthorn with abundant Bramble, frequent Weeping Willow trees, and occasional Hawthorn. The Survey also notes the presence of a narrow, shallow stream/flowing ditch, running just beyond the southeast corner of the site, which flows into a culvert but advises that there is no aquatic vegetation associated with this. With regard to vegetative habitats, the Report concludes that overall, these are common and are of low to moderate ecological value in terms of their vegetation. The proposals retain the most important habitats on site, the hedges and trees, and there is an opportunity to enhance the south boundary with additional planting to provide a more continuous line of vegetation.

6.45 With regards to protected species, the Report notes that the site provides potential for foraging and commuting habitat for bats and a range of bat species are known to be present in the local area. The boundary hedgerows and trees are to be retained and bat activity surveys are not deemed to be necessary provided buildings do not significantly encroach on the boundary vegetation, and suitable lighting strategy is implemented to avoid any illumination of the boundary hedges and trees. The proposed development provides an opportunity to significantly enhance the site for roosting bats. The inclusion of bat roosting features in the new buildings would be of significant value. The potential for other species of protected or notable mammal species to use the site is deemed to be low and the site is deemed unsuitable for nesting birds.

6.46 The grassland was noted within the report to provide good foraging habitat for Badgers but concluded that little potential for the construction of setts exists on the site. No evidence of Badgers was recorded and while it is possible that Badgers enter the site on occasion, the report concludes that they are likely to be generally absent. No evidence of otters or water voles was recorded as part of the study and the report concludes that they are absent. The site is noted to provide little in the way of cover for mammals with only the boundary hedges and temporary brush piles providing any cover. Small numbers of common small mammals are likely to be present in the boundary vegetation but the grassland is noted to lack the structure typically required by species such as voles and potential for other protected species of mammals is concluded within the report to be negligible.

6.47 Where new hedges are to be planted or the existing hedgerows enhanced as part of the landscape proposals for the site, the report recommends the following species rich mix, in order to encourage wildlife: 50% Hawthorn, 20% Field Maple, 15% Blackthorn and 15% mix of Hazel, Spindle, Dog-rose and Holly. Contractors engaged in works on the site should have in place secure storage facilities and an agreed pollution prevention plan in order to reduce potential pollution risks to the stream/watercourse.

6.48 Natural England has been consulted in respect of the current proposal and has advised that the proposal is unlikely to affect any statutorily protected sites. NE also advised that the site has not assessed the application in respect of impacts upon protected species and refer officers to their Standing Advice in this regard. The Council's Ecological Consultant has also been consulted in respect of the scheme and has raised no objections or concerns.

6.49 Having regard to the above, a condition should be imposed on any planning permission requiring the measures identified within the Phase 1 Habitat Survey to be carried out. Subject to appropriate planning conditions to secure mitigation as necessary, it is considered that the proposal would accord with paragraphs 117 and 118 of the NPPF and Policy SD9 of the JCS.

## Drainage and Flood Risk

6.50 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 emerging PSTBP policy ENV2.

6.51 The application site is located within Flood Zone 1 and is in a location that would be least at risk from flooding. Foul sewage is proposed to be discharged to the existing mains sewer and surface water would be disposed of, via soakaway and sustainable drainage system. An indicative drainage plan has been submitted by the applicant in order to demonstrate how the proposed new dwellings would connect into the existing foul sewer system. No details have been submitted in respect of proposed means of surface water disposal other than the initial application form which refers to soakaway and sustainable drainage system as means of disposal.

6.52 The Parish Council and a number of local residents have raised concerns with regards to the ability of the existing sewers within the village to cope with any additional residential development. Severn Trent have been consulted in respect of the scheme and have advised that, as the proposal would have minimal impact upon the public sewerage system, no objections are raised in this regard.

6.53 Both the Parish and local residents also expressed concerns with regards to surface water disposal and have referred to the instances of localised flooding, arising from the adjacent watercourse. Section 8.0 of the supporting Design and Access Statement notes that 'the proposed development site is located in Flood Zone 1 and is not subject to flooding issues as demonstrated by the Environment Agency's Flood Map'.

6.54 However, the EA's Surface Water Flood Mapping indicates potential flood risk within the south-eastern portion of the site and this is consistent with the drainage/flood risk concerns raised by local residents. As such, Officers sought to address this issue by requesting a Flood Risk Assessment (FRA), which, as advised within the Planning Practice Guidance, should demonstrate to the decision-maker how flood risk will be managed now and over the development's lifetime, taking climate change into account, and with regard to the vulnerability of its users. To date, the requested FRA has not been forthcoming.

6.55 The Flood Risk Management Engineer (FRME) has been consulted in respect of the proposal and has advised the following. Firstly, the FRME has advised that it is wholly incorrect to state (as referenced within the submitted Design and Access Statement) that just because a location is sited in Flood Zone 1 it is not subject to flooding issues. Flood Zones relate exclusively to fluvial (river) and sea flooding, and only watercourses with a catchment area greater than 3km<sup>2</sup> have been modelled for these purposes. Therefore, it would be more accurate to say the fluvial flood risk is actually unknown at this location, due to the presence of the known (but unstated in the application) watercourse at the eastern site boundary.

6.56 In accordance with the NPPF and PPG; flooding from all sources must be addressed and it should be ensured that flood risk is not increased elsewhere. From the information submitted the FRME has advised that the application does not offer enough detail to accurately assess flood / drainage impact. Whilst the FRME does not necessarily believe it would pose a significant increase in flood risk; any increase in impermeable surfacing increases run off and has to be addressed, especially with a view to the cumulative effect. There is no detail as to how the surface water is to be captured, managed and conveyed, whilst maximising water quality and amenity benefits, and no reference to future climate change allowances.

6.57 In conjunction with the above; the FRME does not consider the application to be in accordance with the Council's adopted Flood Risk Management SPD and therefore, cannot support the application until further satisfactory information has been supplied by the applicant. In the absence of detailed information to demonstrate how flood risk would be satisfactorily managed over the lifetime of the development, in accordance with Section 14 of the Framework and Policy INF2 of the JCS, this matter is considered to weigh against the proposal in the planning balance.

## Access and Highway Safety

6.58 Paragraph 103 of the NPPF sets out that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. Furthermore, development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts of development are severe. JCS Policy INF1 requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters.

6.59 Paragraph 109 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.60 Whilst application is in outline form, means of access has been included for consideration as part of the current scheme. Both vehicular and pedestrian access would be gained via the existing cul-de-sac of Orchard Road. A narrow strip runs between the existing properties of nos. 16 and 18 Orchard Road and provides access via an existing small turning head off Orchard Road and gated access into the site itself. The supporting information notes that this access has historically provided access for maintenance/agricultural purposes.

6.61 The application has been supported by a Transport Statement (TS) which advises that Orchard Road itself is a quiet residential road, measuring approximately 5.0m wide and subject to a 30mph speed limit. The TS also notes that Orchard Road and adjoining Dibden Lane has no street-lighting along their lengths. The TS includes an assessment of local highway safety and concludes that there is no pattern or history of collisions in the immediate locality of the site and considers that there is no existing safety issue on the local highway network that would be exacerbated by the development proposals. The report further advises that the site is considered to be sustainably located with accessibility to a range of services and amenities, supported by some bus connections. The nearest bus stops to the site are within a 180m walking distance, with a primary school and news agents located within a 190m and 340m walking distance respectively of the application site.

6.62 The submitted TS advises that a minimum access width is provided at its junction with Orchard Road, which permits two cars to pass each other, although a pinch-point of some 3.1m is formed along part of the access due to land ownership constraints. Within the site, the access road serving the five self-build units would be provided as a shared surface, with a width of 5.5m. A total of 16 car parking spaces are proposed for the dwellings on site in the form of on-plot driveways, which equates to approximately three parking spaces per dwelling. The submitted TS concludes that the proposed development, in highway and transportation terms, would be acceptable.

6.63 The submitted details have been reviewed by the County Council Highways Officer (CHO) who has advised that further information would be required in order to allow full assessment of the proposal in highways terms. The CHO notes that the extent of the red line boundary appears to enclose highway and this issue requires clarification. Furthermore, the CHO notes that site access is less than the required 5m in width and while a localised narrowing would be acceptable for the carriageway width, no provision for pedestrians has been provided. The CHO further commented that, while the RSA covered the proposed new junction it did not fully investigate the narrow access into the site and this matter should be addressed/rectified.

6.64 The CHO also advised of further comments put forward by the County Road Safety Audit Team, in respect of the proposal. Forward visibility to vehicles entering or exiting the area where the pinch point is located, was noted to be very limited due to the presence of existing buildings/structures (Garage and boundary fence/wall to No. 16). Furthermore, pedestrians and cyclists would be vulnerable to vehicles travelling through the pinch point and pedestrian/cycle access should be provided. It was noted by the Audit Team however, that this may not be possible due to site constraints/neighbouring land ownership restrictions.

6.65 To date, the additional highways information has not been submitted by the applicant and these matters remain outstanding. It is therefore considered that the current proposal fails to demonstrate that safe and suitable access can be achieved without detriment to the operation of the highway network or public safety in accordance with JCS Policy INF1 and the NPPF. As such, this matter is considered to weigh against the proposal in the planning balance.



6.66 It should be noted that recent correspondence/revised plans have been received from the applicant which sought to revise the extent of the redline site boundary and reduce the quantum of proposed dwellings from 5nos units, to a single self-build bungalow. The covering Planning Statement noted that these revisions sought to address the concerns that were raised during the consultation process with regards to drainage/flood risk, landscape impact, highway safety and residential amenity. However, officers advised that due to the significant changes proposed within the revised scheme as opposed to the original scheme for five dwellings, this should be subject to a fresh application, giving consultees and members of the public, fresh opportunity to provide comment. Accordingly, the applicant has confirmed their intention to progress the current 5nos. self-build scheme towards formal determination.

## **Archaeology**

6.67 Paragraph 189 of the NPPF states that 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. As a minimum the relevant historic environment record should be consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

6.68 The County Archaeologist (CA) has been consulted in respect of the proposal and has advised that the application site is located in proximity to an extensive assemblage of enclosures visible as crop marks on aerial photographs, which are likely to represent later prehistoric and/or Roman settlement. Against that background the CA notes that there is high potential for archaeological remains to be present within the application site, masked from view by the agricultural soils which currently cover the land. The CA has raised concerns that construction ground works required for the proposed development may have an adverse impact on archaeological remains.

6.69 In accordance with the NPPF, paragraph 128, the CA has recommend that in advance of the determination of the application, the applicant should provide the results of a field evaluation which describes the significance of any archaeological remains within the proposed development area, and how these would be affected by the proposed development. To date, no such field evaluation/report has taken place/been submitted and this is considered to weigh against the proposal in the planning balance.

## **7.0 Overall Balancing Exercise and Conclusion**

7.1 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.

7.2 On the basis that the Council cannot at this time demonstrate a five year supply of deliverable housing sites, 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:

*(i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;* or

*(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

7.3 Footnote 6 of the NPPF specifies the policies referred to [in sub-section (i) above] include those in the Framework relating to designated heritage assets.

7.4 As previously discussed in paragraphs 6.20 to 6.27, the proposal is considered to result in harm to the character of this part of the AONB and adversely affect the relationship between the Cotswold escarpment and its setting. This identified harm weighs against the proposal in the overall planning balance. It is therefore considered that applying the provisions of the Framework in respect of AONB landscape here provides a clear reason for refusing the proposed development. Consequently, this means the 'tilted balance' is not engaged and the ordinary planning balance is applicable in this case.

## Benefits

7.5 The delivery of self-build housing at a reasonably accessible location, having regard to Alderton's Service Village status, is a social benefit arising from the proposal that would contribute to the Council's five year supply of deliverable sites. The provision of 5 self-build plots is also recognised as a benefit that attracts moderate weight in favour of the proposal. Furthermore, there would be economic benefits, albeit modest in scale, both during and post construction, arising from the development. Overall, given the scale of development, these benefits would attract limited weight in favour of granting permission.

## Harms

7.6 Harm arises from the conflict with development plan policies relating to housing, particularly JCS Policy SD10, although it is accepted that the Council's housing policies are out of date for the reasons explained above. The proposal would cause discernible harm to the special character and landscape setting of the Cotswolds AONB as a result of the loss of the field and its replacement with 5 dwellings and associated infrastructure and paraphernalia.

7.7 It has not been demonstrated that highways and access can be safely and satisfactorily be accommodated for both vehicles and pedestrians, in respect of the development.

7.8 Similarly it has not been demonstrated that surface water run-off would be satisfactorily catered for nor has it been shown how the requirements of the Council Flood Risk and Water Management SPD would be met.

7.9 Furthermore, it has not been demonstrated that the proposal would not result in adverse impact upon archaeological remains.

7.10 These matters weigh against the proposal although it is noted that matters relating to highway safety/access, drainage and archaeology could potentially be resolved through the submission of additional information.

## Neutral

7.11 The proposal would result in a neutral impact on ecology and subject to the imposition of suitable planning conditions relating to ecological management, as set out in section 6 above, there would be an acceptable impact in ecological terms. Similarly, it is considered that the development, as indicated by the indicative layout, could be satisfactorily accommodated without undue harm to the residential amenity of adjoining neighbours.

## Conclusion

7.12 The 'tilted balance' for the presumption in favour of sustainable development is not applied due to the identified harm to the Cotswolds AONB landscape that would result in respect of the development. The benefits of the proposal are not sufficient to outweigh the identified harm to the AONB or the other significant and demonstrable harms outline above. As such, the proposal is not considered to represent sustainable development and it is recommended that the application is **REFUSED**.

## RECOMMENDATION Refuse Consent

### Reasons:

- 1 The proposed development conflicts with Policies SP2 and SP10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017) in that the proposed development does not meet the strategy for the distribution of new development in Tewkesbury Borough and the application site is not an appropriate location for new residential development.
- 2 The proposed development, by reason of the rural character of the site, the quantum of development proposed and the layout design as indicated within the illustrative layout plan, would represent an incongruous and urbanising intrusion into open countryside which would cause discernible harm to the character and appearance of the Cotswolds AONB landscape. As such, the proposed development is contrary to Section 15 of in the National Planning Policy Framework, Policy SD7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017) and the Cotswolds Area of Outstanding Natural Beauty Management Plan 2018 - 2023.

- 3 Insufficient information has been provided to determine how safe and suitable access can be achieved for vehicles and pedestrians to/from and adjoining the development. The proposal is therefore contrary to Section 9 of the National Planning Policy Framework and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017).
- 4 Insufficient information has been provided to determine how surface water would be satisfactorily captured, managed and conveyed within the development, whilst maximising water quality and amenity benefits, and no reference to future climate change allowances has been provided. The proposal is therefore contrary to Section 14 of the National Planning Policy Framework, Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017) and the Tewkesbury Borough Council Flood and Water Management Supplementary Planning Document - March 2018.
- 5 The proposal has failed to demonstrate that the development would not result in adverse impact on archaeological remains which may be present within the site. The proposal is therefore, contrary to Paragraph 128 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017).

**Notes:**

**1 Statement of Positive and Proactive Engagement**

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

18/00318/OUT



353/A

Existing Block Plan



Proposed Block Plan

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☐ Preliminary

☐ Feasibility

☒ Planning

☐ Building Regulations

☐ Tender

☐ Construction issue

☐ As Built

RIBA

Chartered Practice



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Drawing title:

Existing and Proposed Block Plan

Project:

Land at Orchard Road, Aderion, Gloucestershire

Client:

Scale:

1:1250 @ A3

Date:

February 2018

Project / Drawing No:

18.20.009 PL002

Project No:

18.20.009

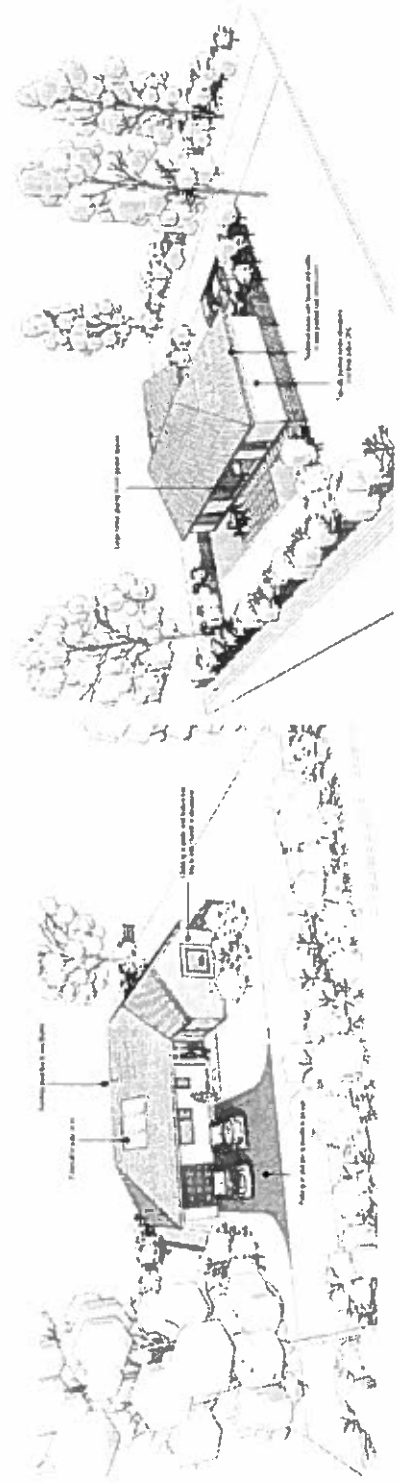
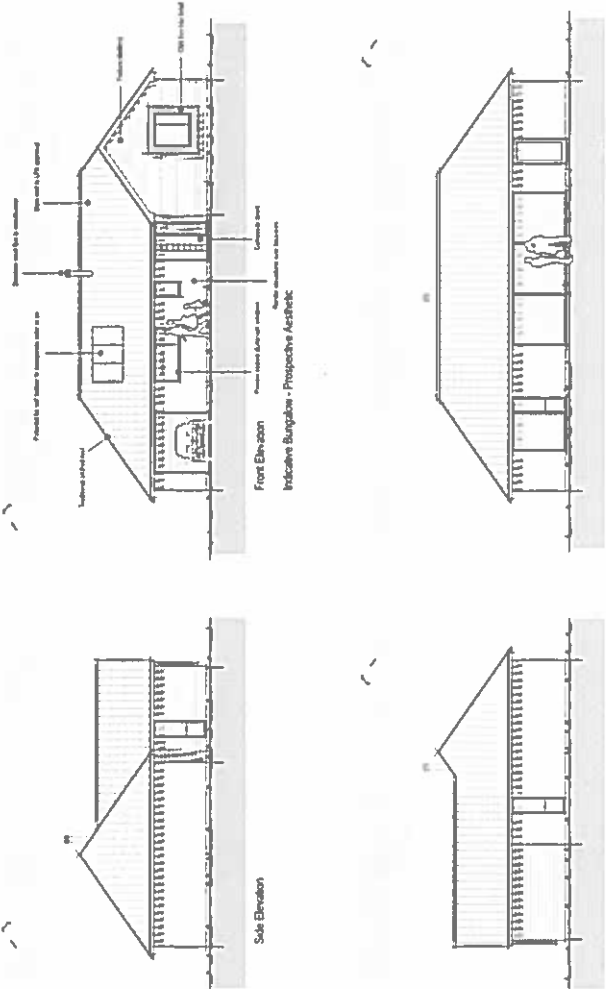
Drawn by:

AH

Checked:

JE

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105-107 Bath Road Cheltenham Gloucestershire GL53 7LE		Land at Orchard Road, Alderston, Gloucestershire	
01242 907727   0945 5575433 www.combes-architects.co.uk		Project / Drawing No 18.20.009 PL0031A	
Primary Feasibility Planning Building Regulations Tender Construction issue As Built		Drawing title Indicative Site Layout and Potential Dwelling Type	
Client		Scale 1:500, 1:100 @ A1	
Drawn by AH		Date February 2018	
Project No 18.20.009		Checked JE	

Valid 17.06.2019

Erection of single storey garage/car port. Extension and alteration to existing driveway including the provision of a gated access.  
(Amendment to previously approved application 18/00868/FUL).

Grid Ref 406987 234234

Parish Stanton

Ward Isbourne

## RECOMMENDATION Permit

### Policies and Constraints

National Planning Policy Framework; 2018 (NPPF)

Planning Practice Guidance

The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2017 (JCS)

Tewkesbury Borough Local Plan to 2011; March 2006 (TBLP)

Planning (Listed Buildings and Conservation Area) Act 1990

Flood and Water Management Supplementary Planning Document

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

The First Protocol, Article 1 (Protection of Property)

Stanton Conservation Area Appraisal

Grade II Listed Building

Stanton Conservation Area

Article 4 Direction Boundary

Area of Outstanding Natural Beauty

### Consultations and Representations

**Stanton Parish Council** - Objection. The Parish Councils objections are summarised below:

- The structure is inappropriate within the curtilage of a listed building.
- It would be visible from foot path and surrounding area and would be inconsistent with the adopted Stanton Conservation Character Appraisal.

**Conservation Officer** - No Objection.

**Local residents** - The application has been publicised through the posting of a site notice and no letters of representation have been received in the 21 day statutory consultation period or since.

**Planning Officers Comments:** Emily Pugh

### 1.0 Application Site

1.1 This application relates to 13 High Street, a 17th Century Grade II Listed house located in a prominent position on Stanton High Street. The dwelling is of traditional Cotswold vernacular style constructed in limestone ashlar, is comprised of three storeys and is attached to three further dwellings.

1.2 The site is located in the Cotswold Area of Outstanding Natural Beauty, Stanton Conservation Area and is subject to the removal of permitted development rights by way of an Article 4 direction. **see site location plan.**

### 2.0 Relevant Planning History

2.1 Permission was granted under reference 18/00868/FUL and for "Demolition of existing garage and erection of a single storey garage/car port. Extension and alteration to existing driveway".

2.2 Planning permission and associated listed building consent was granted under references 17/01331/FUL and 17/01332/LBC for "Single storey rear extension and alterations to provide new entrance door". Conditions 3 (samples) and 4 (design details) are pending consideration under reference 18/00097/CONDIS.

### 3.0 Current Application

3.1 The current application is seeking planning permission single storey dual pitched garage comprised of two bays, which has been partially constructed. It also seeks the provision of a gravelled access/driveway leading from the carriageway edge to the garage, as well as inward opening oak gates set into the site.

3.2 The proposed materials comprise reconstituted Cotswold stone for the walls, cardinal reconstituted stone slates with diminishing courses and matching ridges to the roof, black cast iron rainwater goods and timber doors, windows, posts and gates. **see attached plans for all details.**

3.3 The application is brought before the Planning Committee because the Parish Council have objected.

### 4.0 Policy Context

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

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

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2018.

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

### 5.0 Analysis

5.1 The main issues to be considered are design and impact on the historic environment.

#### Design and Impact on AONB

5.2 Section 12 of the NPPF relates to "Achieving well-designed places" and, Paragraph 124, sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Likewise, Paragraph 127 specifies that planning policies and decisions should ensure that developments, inter alia: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

5.3 Policy SD4 (Design Requirements) of the JCS and likewise Policy HOU8 of the TBCLP sets out 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. It further sets out that design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, and having appropriate regard to the historic environment.

5.4 Policy SD7 states that developments are required to conserve the landscape, scenic beauty, cultural heritage and other special qualities in an AONB.

5.5 The host dwelling is a 17th Century townhouse, which is attached to three further townhouses. The cluster of buildings read as one large unit and as such, all are relevant within the context of the development. The dwellings are comprised of three storeys with a range of characterful historic features are a prominent visual feature within Stanton High Street.

5.6 The proposal seeks the retention of a detached garage to the West of the dwelling. It is of note that a smaller garage was permitted under reference 18/00868/FUL, but what has been implemented is taller (by some 0.9m) and longer (by some 1.8m).

5.7 The eaves height remain low however and the additional height comes from the ridge, which results in a steeper, more exaggerated gable. The remainder of the façade is similar to that previously permitted; one bay open and one bay enclosed by outward opening timber doors. When considered within the context of the host dwelling, the existing scheme is actually considered to be an enhancement in comparison with the previous scheme. The exaggerated gable is more appropriate within this context given that it mimics the form of gables present on the host dwelling. Likewise, notwithstanding the increased size, the garage does not appear as dominant or intrusive given that it would be set back from the Highway in a well related position adjacent to a three storey building.

5.8 The current garage has been fitted with three roof light windows to the Eastern roof plane which are considered to be in keeping with the dwelling and its surroundings, as is the rest of the fenestration.

5.9 High quality locally sourced natural materials have been used in the build which essentially preserve the vernacular of the area. This is also the case for the driveway, which is proposed to be finished in Cotswold stone chippings in order to create a permeable surface.

5.10 The final part of the proposal seeks the erection of a gateway, comprised of two inward opening oak gates hung on oak posts at an overall height of 1.5m. The gates would be set back from the highway by some 5.5m and as such would form a positive peripheral feature.

5.11 In view of the above, the wider proposal is considered to comprise of high quality design in keeping with the local area. It therefore complies with the requirements set out in Policies HOU8, SD4, SD7 and the NPPF.

#### Impact on the Historic Environment

5.12 Policy SD8 of the JCS and Paragraph 200 of the NPPF sets out that designated heritage assets and their settings, and Conservation Areas will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. Policy HEN2 states that developments are required to preserve or enhance the character or appearance of the conservation area in terms of scale, form, materials and quality.

5.13 Given that the site is located within Stanton Conservation Area and within close proximity to several listed buildings, the Conservation Officer was consulted. It is considered that the proposal would have little appreciable additional impact upon the surrounding listed buildings or conservation area and as such is acceptable. Further, although the proposed roof lights are not representative of that of a conservation design, given that the proposal is not on or an extension to a listed building, this would not warrant a refusal. The Conservation Officer finally requests that all exposed oak components such as gates and posts should be left to silver natural and remain unstained.

5.14 In view of those comments and subject to a condition, the proposal is considered to have an acceptable impact to the historic environment and is acceptable in terms of Policies SD8, HEN2 and the NPPF.

#### Impact on Residential Amenity

5.15 The impact of the proposal on residential amenity has been carefully assessed. The garage would be located some 8m away from the closest residential property, partially obstructed by the host dwelling. It would comprise of a single store, proportionate for the adequate storage of two ancillary vehicles. It is considered that the garage is appropriate in terms of bulk, size and mass.

5.16 Although the garage would see the introduction of roof lights to the Eastern roof plane there is no second floor proposed, and in any event those windows would face towards the host dwelling. As such it is not considered that there would be any overlooking or privacy issues.

5.17 For the reasons outlined above, the proposed extension would not result in harm to residential amenity and is acceptable in terms of Policies HOU8 and SD4.



## Highway Impact

5.18 Policy INF1 states that safe and efficient access should be provided to the highway network for all modes of transport and should be designed so as to encourage maximum potential use.

5.19 The implementation of the garage and new parking arrangements would not result in the loss any off road parking - on the contrary, it would create it. The access gates have been designed to open inwards, set back 5.5m from the carriageway edge and therefore any vehicles entering the site would adequately be able to enter the driveway and exit the vehicle to open the gates without there being any overhang. The proposal therefore complies with the requirements set out in Policy INF1 and The Manual for the Streets for Gloucestershire.

## **6.0 Conclusion & Recommendation**

6.1 The proposed scheme would be in accordance with the relevant development plan policies, and it is therefore recommended that planning permission is granted subject to conditions.

### **RECOMMENDATION Permit**

Conditions:

- 1 The development hereby permitted shall be carried out in accordance with the following approved documents:
  - Proposed site details and elevations: 13.HS.S.PR.01 C, received 3rd September 2019.
  - Proposed garage details: 13.HS.S.PR.02 C, received 3rd September 2019.;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 materials to be used in the construction of the external surfaces of the proposed development shall match those used in the existing dwelling.

Reason: To ensure that the proposed development is in keeping with the existing dwelling

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), all oak proposed in the development shall be left to silver naturally and shall remain unstained unless otherwise expressly approved in writing by the local planning authority.

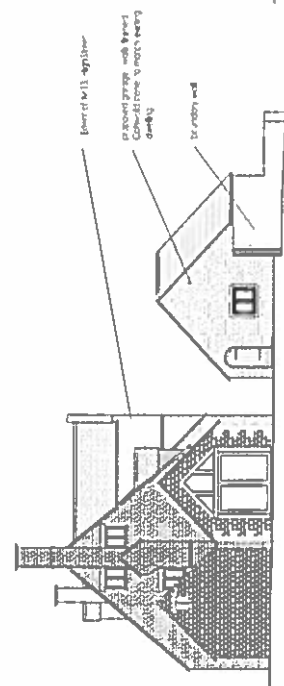
Reason: To ensure that the proposed works are in keeping with the character and appearance of the host dwelling and conservation area.

Notes:

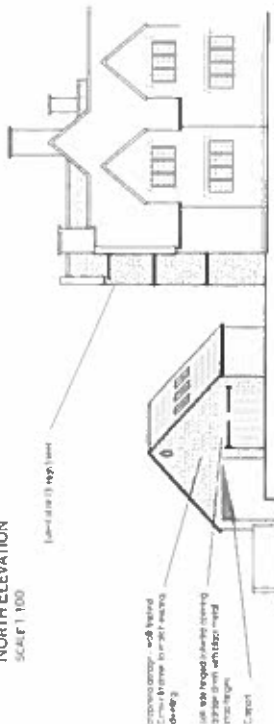
- 1 1. In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
2. Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Building Control Team on [Buildingcontrol@cheltenham.gov.uk](mailto:Buildingcontrol@cheltenham.gov.uk).
3. Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:
  - Work on an existing wall or structure shared with another property.
  - Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
  - Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act 1996. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DCLG publication Preventing and resolving disputes in relation to party walls - explanatory booklet.

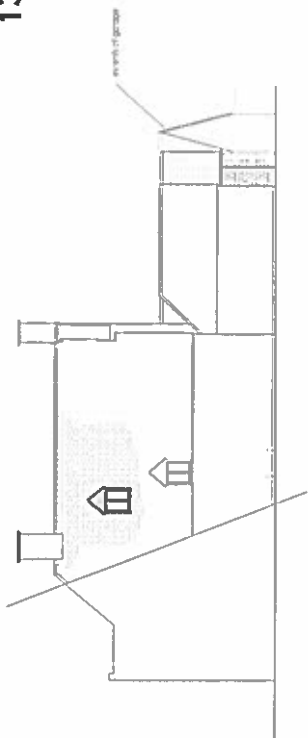
# 13, THE HIGH STREET, STANTON, GLOS PROPOSED GARAGE SITE DETAILS AND ELEVATIONS



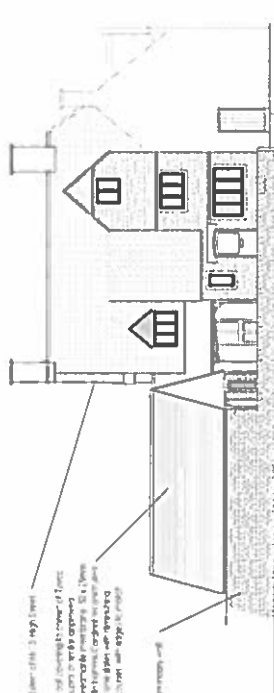
NORTH ELEVATION  
SCALE 1:100



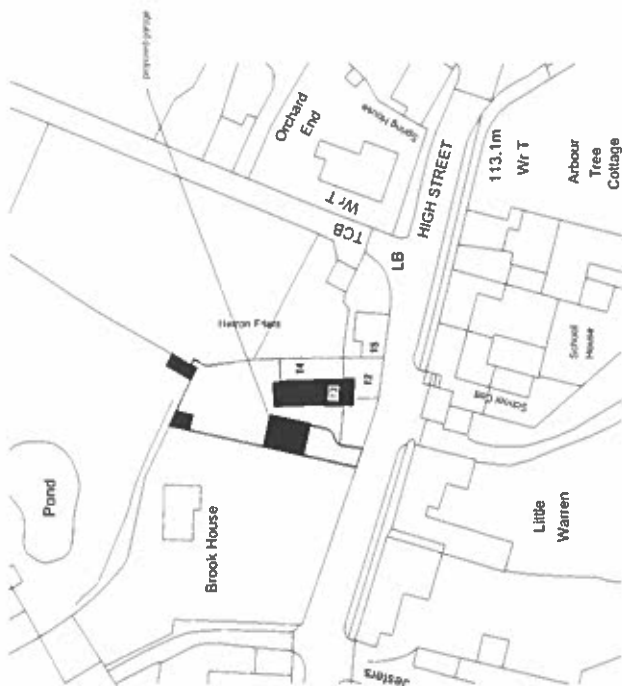
EAST ELEVATION  
SCALE 1:100



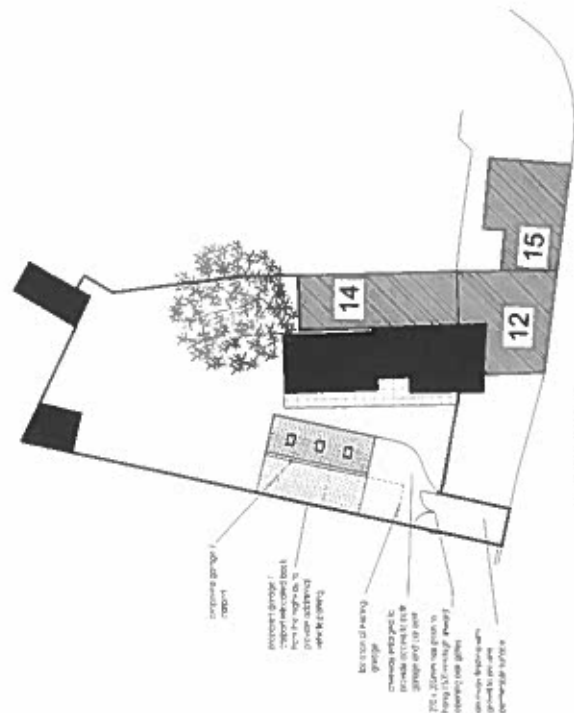
WEST ELEVATION  
SCALE 1:100



SOUTH ELEVATION  
SCALE 1:100



BLOCK PLAN  
SCALE 1:500



SITE PLAN  
SCALE 1:200

1	Project Name	13.1m high roof
2	Project Address	13.1m high roof
3	Project Date	13.1m high roof
4	Project Owner	13.1m high roof
5	Project Manager	13.1m high roof
6	Project Engineer	13.1m high roof
7	Project Architect	13.1m high roof
8	Project Surveyor	13.1m high roof
9	Project Planner	13.1m high roof
10	Project Designer	13.1m high roof
11	Project Drafter	13.1m high roof
12	Project Checker	13.1m high roof
13	Project Approver	13.1m high roof
14	Project Sign-off	13.1m high roof
15	Project Completion	13.1m high roof

358/B



**Garage Floor Plan**  
Scale: 1/50



SOUTH ELEVATION  
SCALE 1/100



NORTH ELEVATION  
SCALE 1"=100'



WEST ELEVATION



EAST ELEVATION  
SCALE 1/100



SECTION 551.50



Valid 01.07.2019

Permission in principle for up to 5 dwellings following demolition of existing buildings (following withdrawal of application no.19/00256/PIP).

Grid Ref 403506 232608

Parish Toddington

Ward Isbourne

**RECOMMENDATION** **Minded to Permit****Policies and Constraints**

National Planning Policy Framework; 2018 (NPPF)

Planning Practice Guidance

The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2017 (JCS)

Tewkesbury Borough Local Plan to 2011; March 2006 (TBLP) saved policies

Tewkesbury Borough Local Plan Pre-Submission version 2019

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

The First Protocol, Article 1 (Protection of Property)

AONB

Flood Zone 1

**Consultations and Representations****Toddington Parish Council** - The Parish Council objects to this application for the following reasons:

- Impact on drainage and sewage
- Development is on edge of a floodplain
- No consideration to TPO'd tree in neighbours garden
- Impact on Severn Trent easement
- Loss of trees may impact wildlife
- No plans of individual houses
- Unclear how land to rear would be accessed
- Scheme should meet urban designers requirements in terms of amenity

**County Archaeologist** - Development raises no archaeological issues.**Land Drainage officer** - No observations

The application was advertised by site notice. Eight representations have been received in response. The comments raised are summarised below:

- Mature trees and wildlife should be protected
- Environmental & ecological impacts
- Street lighting should be restricted
- Proposal is in AONB
- Sewage issues
- Increased flood risk
- Cramped urban development not in keeping with village
- Plots 1, 2 and 3 are too close to existing houses
- Overlooking and loss of light should be prevented
- No access to land at rear
- Junction with B4007 is an accident blackspot
- Visitor parking is needed
- Reduction from 8 to 5 houses addresses some objections
- Increase in future houses should not be allowed

**Planning Officers Comments:** Bob Ristic

## **1.0 Introduction**

1.1 The recommendation to committee is framed as a 'Minded to' permit for the reason that an administrative error led to a decision notice being issued; consequently, planning in principle has been permitted in the eyes of the law. That decision was made contrary to the adopted Scheme of Delegation however, due to there being an objection from the Parish Council. In such circumstances, applications are required to be determined by planning committee. Members are thus required to determine what the view of the committee is vis a vis the proposals and what decision it would have made if the application had been determined by it in the first instance. If members agree with the officer recommendation (and the decision) to grant permission in principle for the development then no further action will be taken and the decision will be allowed to stand. Should the Committee take a contrary view then action will need to be taken to rectify the decision.

1.2 The site is located on the western side of Church Lane Toddington and to the south of Church Meadows a residential cul-de-sac. The application site is presently occupied by an Archive and Study Centre, which comprises a detached building to the mid part of the site with a further detached 2 storey block towards the rear, (western) part. Beyond this is an area of land which is associated with the centre but lies outside of the application site. **See Location Plan**

1.3 The application site is located in Toddington which is identified as a service village in the JCS. The site is adjoined by residential development to the north south and east, lies within the Cotswold's Area of Outstanding Natural Beauty (AONB) and within Flood Zone 1

## **2.0 Planning History**

2.1 A previous application (no.19/00256/PIP) on a larger site area sought permission in principle for between 5 and 8 dwellings (following demolition of existing buildings) was withdrawn in July 2019 due to officer concerns regarding the ability of the site to accommodate that number of dwellings.

## **3.0 Current Application**

3.1 This application is a resubmission on a reduced site area following the withdrawal of application no.19/00256/PIP and seeks Permission in Principle (PIP) for up to 5 dwellings on a site area of approximately 0.34 hectares.

3.2 As detailed within the Town and Country Planning (Permission in Principle) Order 2017 the application is only required to detail the site location along with the type and amount of development which this application provides.

3.3 The site layout, design, access details, landscaping, drainage and mix of dwellings and other planning considerations are matters to be assessed as part of a subsequent separate application for the approval of 'technical details' if PIP on this site is permitted.

3.4 Nevertheless, this application has been accompanied by an indicative site layout plan illustrating how the site could be laid out to accommodate up to 5 dwellings, however the final design and layout remains a consideration for the technical detail stage. **See Site Layout Plan**

## **4.0 Analysis**

### **4.0 Policy Context**

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

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

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework and the emerging Tewkesbury Borough Local Plan Pre-submission Version (2019) (TBPSV), the policies of which hold moderate weight at this current time.

4.4 The relevant policies are set out within this report.

## 5.0 Analysis

5.1 The guidance (Paragraph 012 of the Planning Practice Guidance) for Permission in Principle states that the scope of the PIP is limited to:

- Location
- Land Use
- Amount

Each of these are discussed in below.

### Location

5.2 Toddington is identified as a service village in Policy SP2 of the JCS, which sets out that service villages will accommodate lower levels of development to be allocated through the Tewkesbury Borough Plan, proportional to their size and function and taking into account environmental, economic and social impacts including existing levels of growth over the plan period.

5.3 While Toddington is identified as a Service village, there is presently no settlement boundary identified within the adopted plan. However, it is noted that the emerging Tewkesbury Borough Plan Pre-Submission Version (2019), does define settlement boundaries and the entire site would lie with the settlement boundary of the village and is a material consideration which is afforded moderate weight.

5.4 JCS Policy SD10 sets out that housing development will be planned in order to deliver the scale and distribution of housing development set out in Policies SP1 and SP2. The Policy sets out the circumstances where housing development would be permitted on sites which are not allocated for housing development, which includes at Criterion 3, housing development on previously developed land in the existing built up areas of Tewkesbury Borough's towns and service villages.

5.5 The site is presently occupied by the by The PETT Centre (now Mulberry Bush Third Space MB3). The site therefore comprises previously developed/Brown Field land and accords with this policy.

5.6 Emerging TBPSV defines the settlement boundary for Toddington and New Town and Policy RES2 sets out that within the settlement boundaries, the principle of residential development would be acceptable subject the application of all other policies in the plan. The site lies within the proposed settlement boundary and location would be in accordance with this emerging Policy which is afforded moderate weight.

5.7 Notwithstanding the above and the fact that the proposal is considered to comply with the Council's housing policies, Policy SD10 is considered to be out of date in so far as the Council is unable at this time to demonstrate a five year supply of deliverable housing sites.

5.8 The latest published evidence (the Tewkesbury Borough Five Year Housing Land Supply Statement - 2018/2019 indicates that the Council can demonstrate a 4.33 year supply of deliverable housing sites, amounting to a shortfall of approximately 194 dwellings.

5.9 Members will be aware of the Oakridge, Highnam case where the Council had challenged the Secretary of State's assertion in the appeal decision in respect of the five year supply where he had followed the Inspector's advice in relation to discounting previous oversupply. Based on the Secretary of State's approach, the Council could only demonstrate a 2.7 year supply whereas if the dwellings that had been provided over and above the cumulative requirements were counted, the Council could demonstrate a 4.3 year supply. The High Court did not rule one way or the other as it was considered that it should be left to a case where it would make a difference - the Council had won the Oakridge case therefore this ruling made no difference to the overall outcome. On that basis, there is no reason for the Council to change its position in terms of the oversupply being counted.

5.10 Notwithstanding the fact that the principle of development is acceptable, the Council's policies for the supply of housing are considered to be out-of-date having regard to paragraph 11 of the NPPF. In these circumstances, as set out above, the NPPF advises that the presumption should be that planning permission is granted unless there are adverse impacts of doing so which would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

5.11 Policy SD7 requires development within the AONB to conserve and enhance the landscape, scenic beauty, wildlife and cultural heritage and other special qualities of the area. The application site comprises previously developed land which lies within the built up area of the village and the site is adjoined by residential development to the north south and east. It is considered that location is acceptable in terms of landscape impacts, subject to the final design and layout (which is a consideration of the 'technical details' consent stage).

5.12 The application site complies with policies with JCS and emerging plan policy with regards to the location of new residential development. Accordingly the principle of the re-development of this site for housing is considered acceptable. In terms of its location, there are no impacts that have been identified which significantly outweigh the benefits of the development, which include albeit limited, social and economic benefits related to the provision of new housing.

#### Amount

5.13 The application sets out that the proposal is for up to 5 new dwellings. An indicative plan that accompanies the application shows how such a quantum of development could be laid out within the site, however it should be noted that layout is not a consideration of PIP and is a matter for consideration at the technical details stage.

5.14 It is nevertheless considered that the form and layout of the proposed on the indicative drawing has demonstrated that the site is capable of accommodating up to 5 dwellings as applied for and the 'amount' of development is considered acceptable.

#### Land Use

5.15 The guidance sets out that housing led development is an accepted land use for the PIP application process. Accordingly the proposed development of up to 5 dwellings is an acceptable use. As set out above the proposed use would also accord with JCS policies SP2, SD10 (albeit that those policies are out of date) and emerging TBPSV Policy RES2.

#### **Other Matters**

#### Ecology

5.16 Concerns have been raised with regards to the impact of development upon the environment, protected species and trees. The proposed development is unlikely to impact any identified habitats sites, and is not of a scale which would trigger the need for an environmental impact assessment. Furthermore Planning Policy Guidance sets out that other statutory requirements such as those relating to protected species would apply at the technical details stage.

#### Highways

5.17 Concerns have been raised with regards to highway safety. In general terms, this remains a matter for consideration at the technical matters stage and any issues identified must be overcome through that part of the process and are not within the scope of the PIP. Nevertheless, the County Highways Officer has been consulted to establish whether there are any insurmountable objections to the proposal from a highways perspective. **An update will be provided at Committee.**

#### Drainage

5.18 Concerns have been raised with regards to drainage and flood risk. The site lies within Flood Zone 1 and is at a low risk of flooding and appropriate for residential development. However detailed drainage related issues will need to be set out at the technical details stage.

#### Amenity

5.19 Policy SD14 of the JCS states that new development must cause no unacceptable harm to local amenity including the amenity of neighbouring occupiers. Concerns have been raised with regards overlooking, loss of light and proximity to existing dwellings in the area. Issues relating to amenity will be a consideration for the technical approval stage which will need to be accompanied by appropriate detailed plans.



## **6.0 Conclusion and Recommendation:**

6.1 As the Council can not at this stage demonstrate a five year supply of deliverable housing sites, 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.

6.2 The site is located within a service village and upon previously developed land. The proposed residential use of the site would therefore accord with JCS Policy SD10 and emerging Borough Plan Policy RES2 and the location of the development is considered acceptable.

6.3 Furthermore, residential development is a type appropriate for the PIP procedure and the submitted illustrative drawing demonstrates that amount, up to 5 dwellings could be accommodated within the site, subject to technical details approval.

6.4 The proposal is considered to accord with the Council's policies for housing and, subject to the response of the County Highways Officer, there are no impacts of granting permission in principle that would significantly and demonstrably outweigh the benefits. It is therefore recommended that permission should be **granted** subject to the following conditions:

### **RECOMMENDATION   Minded to Permit**

#### **Conditions:**

- 1       A Technical details application for the approval of matters must be made prior to commencement of development and no later than the expiration of three years from the date on this decision notice, after this period this planning permission in principle shall lapse.

Reason: In accordance with the Town and Country Planning (Permission in Principle) Order 2017 (as amended)

#### **Statement of Positive and Proactive Engagement**

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

#### **Note**

1. The matters specified below should be included within a technical details:

- a) a detailed layout of the site of the proposed development (including site levels as existing and proposed);
- b) the design and external appearance of the proposed development;
- c) landscaping proposals, including all boundary treatments, for the site of the proposed development;
- d) details of access and parking arrangements for cars;
- e) details of the proposed water supply and surface / waste water drainage arrangements; and
- f) an ecological appraisal of the existing buildings and site
- g) an arboricultural assessment of trees within and adjacent to the site with details of those to be removed and those to be retained, including details of their protection during the construction phase
- h) details of the means of access including visibility splays and tracking for waste vehicles through the site.



NOTE:  
ALL DIMENSIONS ARE GIVEN IN FEET AND INCHES UNLESS  
OTHERWISE SPECIFIED.

id	name	date	description
C	27/05/19	boundary line updated	
B	01/05/19	boundary line updated	
A	05/03/19	boundary line updated	

B 01/05/19 boundary line updated

Perpetual and perpetual boundary 61/10/2020

**Abstract**

## LOCATION

PETT ARCHIVE CENTRE, CHIRCH LANE,  
TODDINGTON, CHELSEHAM

## LOCATION PLAN

18/12/18 00:00 1:1250 (g) A3

www.baylib.com.sg

15016-L0010-C

the studio, 70 Church Road, Wrotham, Oxford OX3 1LF  
1443 8736 | info@anderson.com | www.anderson.com

Anderson Orr  
Architects



$\text{K}^+ + \text{H}_2\text{O} \rightleftharpoons \text{KOH} + \text{H}^+$   
 $\text{K}^+ + \text{H}_2\text{O} \rightleftharpoons \text{KOH} + \text{H}^+$   
 $\text{K}^+ + \text{H}_2\text{O} \rightleftharpoons \text{KOH} + \text{H}^+$

### Schedule of Accommodation:

**Dwelling Totals:**  
2 x 4 Bedroom Houses  
3 x 3/4 Bedroom Houses

Side Area - 3439m<sup>2</sup>

## PLANNING

PEIT ARCHIVE CENTRE, CHIRCH LAKE,  
TODDINGTON, CHELTENHAM

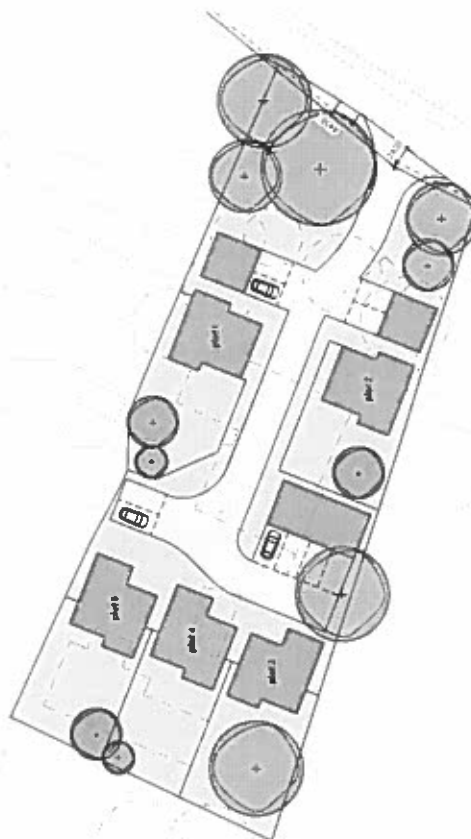
### PROPOSED SITE PLAN

11/06/19 1500 @ A2

15016 - PP0031 -

It's the Best Agreement Ever Made! In addition to

Anderson Orr  
Architects



363/B

Valid 06.06.2019

Demolition of existing garage and erection of a detached 2 bay garage with storage over.

Grid Ref 390863 215471

Parish Badgeworth

Ward Badgeworth

**RECOMMENDATION Permit****Policies and Constraints**

Joint Core Strategy (2018) (JCS) - Policy SD4, SD7, SD14

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

Tewkesbury Borough Local Plan 2011 - 2031 - Pre-Submission version 2019 - Policy RES10

National Planning Policy Framework 2018

Planning Practice Guidance

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

The First Protocol, Article 1 (Protection of Property)

Area Of Outstanding Natural Beauty

**Consultations and Representations**

Parish Council - objects. The site is located in the AONB. The proposal is considered excessive in its height and size and the consequent visual impact on the AONB and neighbouring properties. It is noted that the plans include a workshop, toilet and large upstairs store.

Parish Council **Revised plans** - Whilst smaller, the height of the garage at 5.7m still seems high, so it does not overcome all of the reasons given in the previous objection.

Local residents - two letters of objection have been received from local residents. The reasons for objection are summarised as follows:

- loss of privacy from the rooflights.
- the size of the replacement garage would be out of proportion with the size of the dwelling itself.
- the timber design and detailing are very much at odds with the existing dwelling.
- adverse impact on the AONB.
- what manoeuvring space will be available?

Revised plans - One letter of objection has been received from a local resident. The amended scheme is an improvement on that previously submitted, however, there remains three areas of concern:

- Issues regarding the boundary line on the site plan being accurate.
- Whilst the size of the garage has been reduced, there would still be a significant roof structure to provide first floor accommodation in excess of what is needed for storage.
- To further improve the proposal, the roof pitch should be lowered to around 35 degrees and the workshop be re-sited to the house side of the structure to protect the adjacent property from any noise / disturbance.
- The following conditions should be attached if permission is granted:
- Permitted development rights should be removed for the addition of new doors, windows or staircases.
- Prevent commercial use of any form.
- Ensure that the garage is not used in the future to sleep in or similar.
- Ensure that any areas to be used for machinery be properly sound attenuated.
- Tree planting - trees / hedgerows of good quality should be retained.

**Planning Officers Comments:** Mrs Sarah Barnes

**1.0 Application Site**

1.1 This application relates to Peak View Cottage, a detached dwelling located along Green Lane in Witcombe (**site location plan attached**). The site falls within an Area Of Outstanding Natural Beauty.

**2.0 Current application**

2.1 The current application is for the erection of a new detached garage with storage over (**plans attached**). The existing garage would be demolished. Revised plans were submitted on the 16th August 2019 reducing the size of the garage from a 3 bay to a 2 bay (**plans attached**).

### **3.0 Recent History**

3.1 There is no recent / relevant planning history.

### **4.0 Policy Context**

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

4.2 The adopted Development Plan for Tewkesbury Borough comprises the Joint Core Strategy 2011 to 2031 (JCS) and the saved policies of the Tewkesbury Borough Local Plan to 2011 (TBLP). The Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) was approved for publication and submission at the Council meeting held on 30 July 2019. On the basis of the stage of preparation the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded at least moderate weight, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given). Other material policy considerations include the National Planning Policy Framework; 2019 (NPPF).

4.3 The relevant policies of the adopted and emerging development plan are set out in the appropriate sections of this report.

### **5.0 Analysis**

#### **Design, Size and Visual amenity**

5.1 Section 12 of the NPPF relates to "Achieving well-designed places" and at paragraph 127 specifies that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). In this regard, Policy SD4 of the JCS is relevant.

5.2 Saved Policy HOU8 of the TBLP requires extensions to existing dwellings to respect the character, scale and proportion of the existing or, where appropriate, the original dwelling, the detailed design to reflect or complement the design and materials of the existing dwelling, and for the proposal to respect the character and appearance of surrounding development. Policy RES10 of the Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) similarly states that 'Proposals for extension and alteration of existing dwellings, and the erection of domestic outbuildings and annexes, will be permitted providing that:

1. The detailed design reflects or complements the design and materials of the existing dwelling.
2. The scale of the proposal is appropriate to the character and appearance of the existing dwelling and its surrounding area
3. The domestic curtilage of the existing property is capable of comfortably accommodating the extension or outbuilding without resulting in a cramped / overdeveloped site or creating a lack of suitable parking or manoeuvring space. '

5.3 JCS Policy SD7 of the Joint Core Strategy sets out that developments are required to conserve and, where appropriate, enhance the landscape, scenic beauty, cultural heritage and other special qualities in an AONB.

5.4 Revised plans were submitted on the 16th August 2019 reducing the size of the proposed garage from a 3 bay to a 2 bay (plans attached). The ridge height would be 5.7 metres and the eaves height would be low (2.5 metres). The design has also been altered as follows; the barn end roof has been changed to a straight roof, the rooflights and external staircase have been omitted, the garage doors have been moved to the gable end and the log store has been removed. It is considered that the proposal as revised would now be of an appropriate size and design in keeping with the character and appearance of the property. It would be set back from the road by about 18 metres so it would not be vastly visible from the highway. With regards to the proposed materials, the proposed garage would have an oak frame and would be clad externally in timber (cedar) weatherboarding. The oak and the cedar would silver in colour as the building weathers creating a natural, rural appearance. There are other similar sized timber clad detached garages along Green Lane. Therefore, it is considered that the proposal as revised would have an acceptable impact on the character of the surrounding AONB and would comply with the requirements of Policy HOU8 of the Local Plan and Policies SD4 and SD7 of the JCS.

### **Residential amenity**

5.5 Paragraph 127 of the NPPF specifies that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Saved policy HOU8 of the TBLP specifies that extensions to existing dwellings will be permitted provided that, inter alia, the proposal does not have an unacceptable impact on adjacent property and the protection of residential amenity, in terms of bulk, massing, size and overlooking.

5.6 In terms of 'Amenity and Space' Policy SD4 of the JCS sets out that new development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution. Policy SD14 of the JCS, which relates to 'Health and Environmental Quality', specifies that new development must cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

5.7 The impact of the proposal (as revised) upon neighbouring properties has carefully been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy HOU8 of the Local Plan and Policy SD14 of the JCS.

### **Other issues**

5.8 The applicant has confirmed that there would be space for turning / manoeuvring on their own land within the site and there would be no encroachment on land owned by anyone else. In terms of the neighbours query about the site boundary and the ownership of the land, the applicant has confirmed that there is an area of disputed land to the north side of the existing garage but no part of the planning application utilises the disputed land. Indeed, this is a legal / civil matter. The applicants have also confirmed that the proposed garage would only be used for private purposes and not commercial. If in the future the use did change then planning permission may be required. Finally, a condition would be attached to the permission removing permitted development rights for new rooflights, windows and doors in the garage.

### **6.0 Conclusion**

6.1 Overall, whilst the Parish Council's concerns / those of the immediate neighbours are noted, it is considered that the proposal as revised would not be harmful to the appearance of the existing dwelling nor the surrounding AONB and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings. The proposal as revised would also be of an acceptable size and design. It would therefore accord with Policy HOU8 of the Local Plan, Policies SD4, SD7 and SD14 of the Joint Core Strategy and the NPPF 2019. The application is therefore, recommended for permission.

## **RECOMMENDATION Permit**

Conditions and reason:

1 The works hereby permitted shall be begun before the expiration of five 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 application form, drawing numbers P-01 REVD, Revised block plan dated 16th August 2019 and site plan dated 24th May 2019 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order) no rooflights, windows, doors or staircases (other than any hereby permitted) shall be installed or constructed on the garage without the prior express permission of the Local Planning Authority

Reason: To ensure that the new development will be visually attractive in the interests of amenity and to protect the surrounding AONB.

### **Note**

1 Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Building Control Team on [Buildingcontrol@cheltenham.gov.uk](mailto:Buildingcontrol@cheltenham.gov.uk).

2 Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

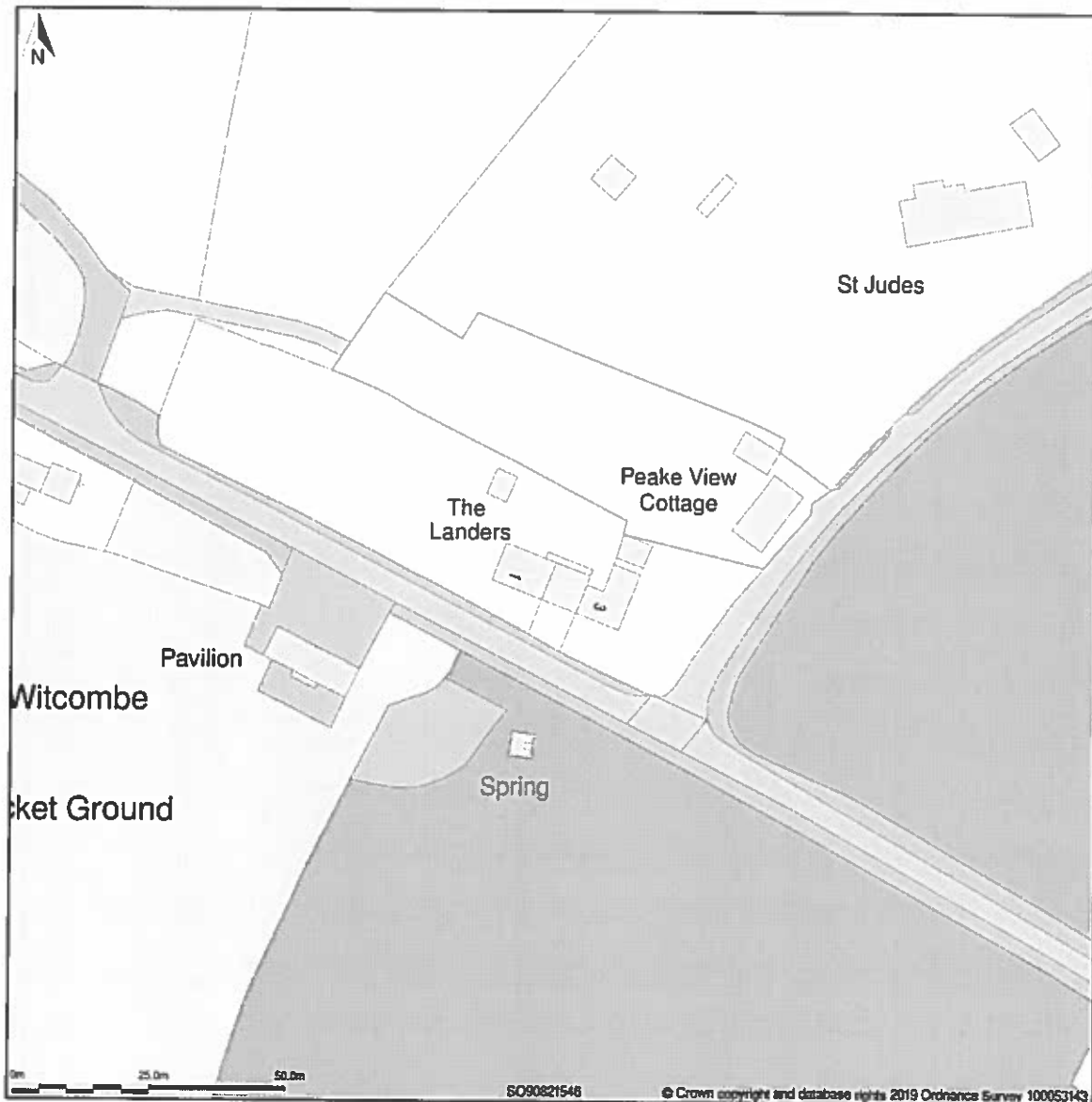
- o Work on an existing wall or structure shared with another property.
- o Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- o Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act 1996. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DCLG publication Preventing and resolving disputes in relation to party walls - explanatory booklet.

3 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 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.

19/00527/FUL

Peak View Cottage, Green Lane, Witcombe, Gloucester, Gloucestershire, GL3 4SW



Site Plan shows area bounded by: 390726.95, 215363.28 390926.95, 215563.28 (at a scale of 1:1250), OSGridRef: SO90821546. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

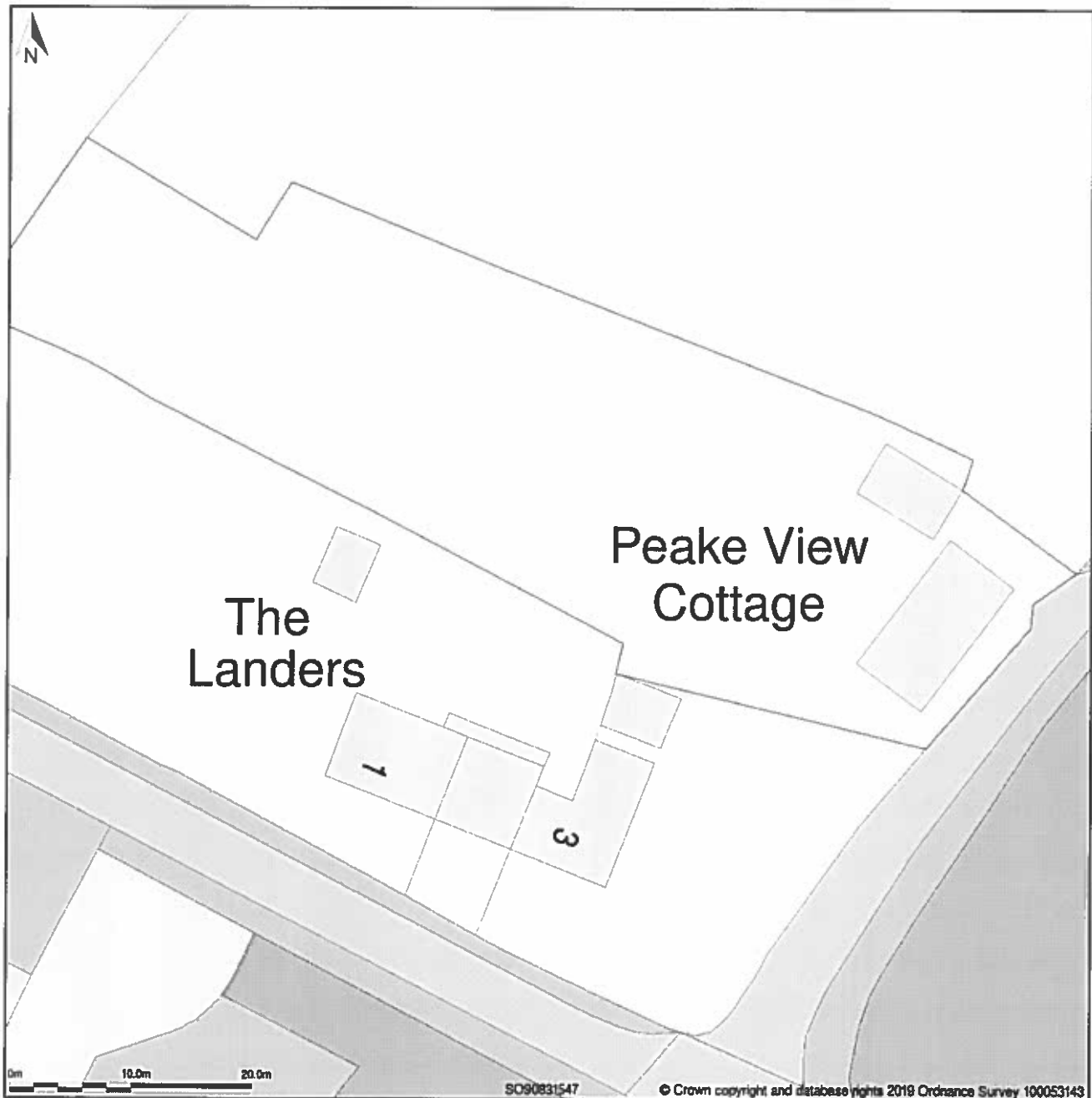
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3671A



Peak View Cottage, Green Lane, Witcombe, Gloucester, Gloucestershire, GL3 4SW



Block Plan shows area bounded by: 390788.97, 215432.23 390878.97, 215522.23 (at a scale of 1:500), OSGridRef: SO90831547. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

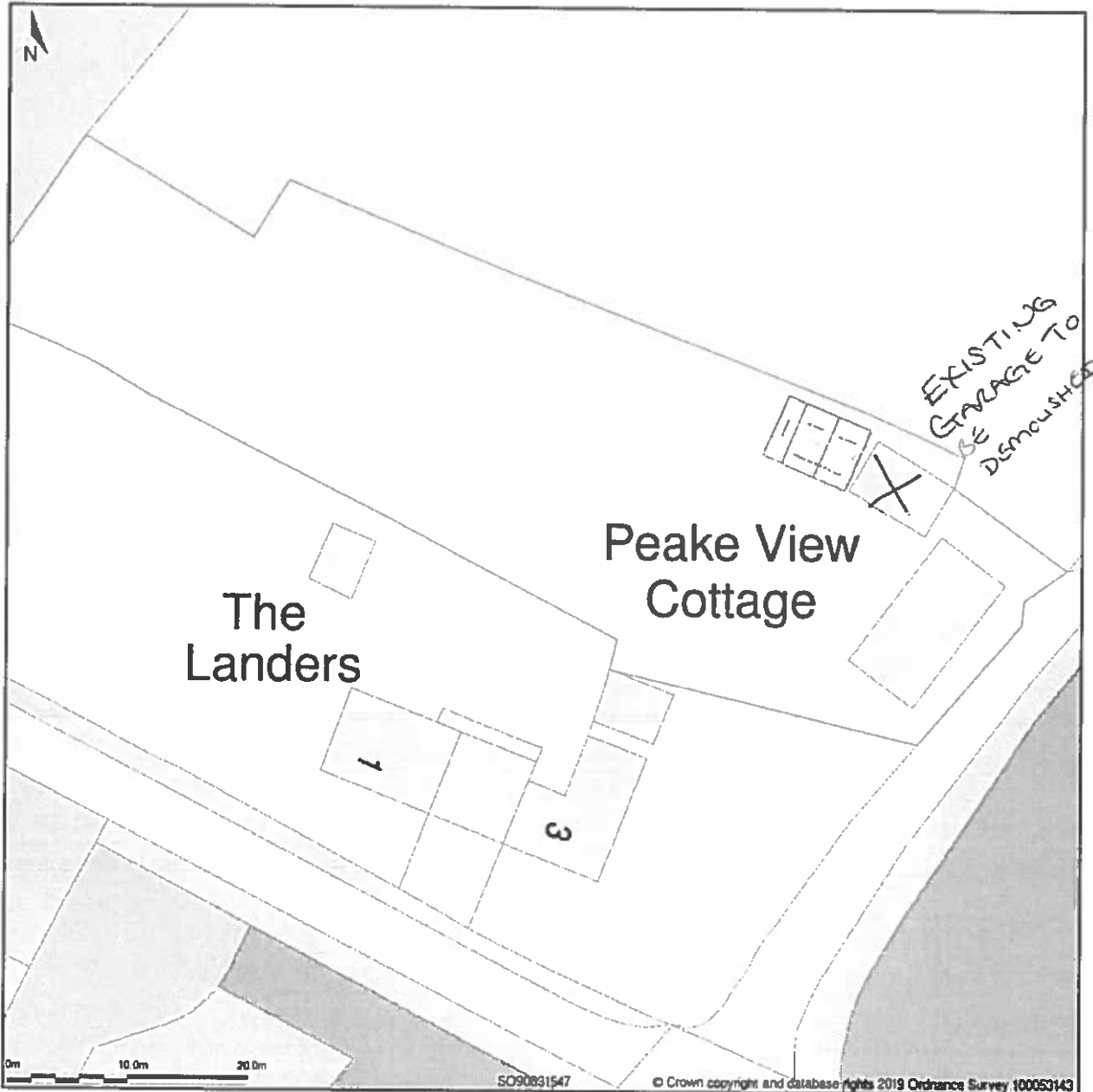
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367/B

Revised block plan  
19/00527/FUL  
plan

Peak View Cottage, Green Lane, Witcombe, Gloucester, Gloucestershire, GL3 4SW



Block Plan shows area bounded by 390788 97, 215432 23 390878 97, 215522 23 (at a scale of 1:500). OSGridRef: SO90831547. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

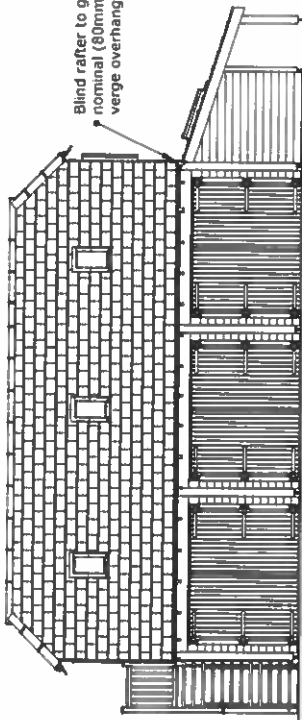
Produced on 6th Apr 2019 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey © Crown copyright 2019. Supplied by www.buyaplan.co.uk a licensed Ordnance Survey partner (100053143). Unique plan reference: #00410254-F4297A.

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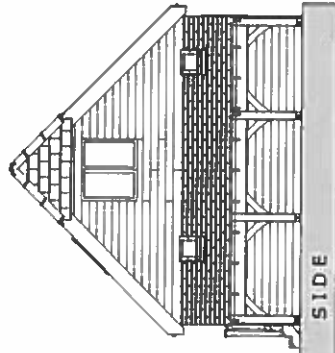
367/C

original plans 19/00527/FUL

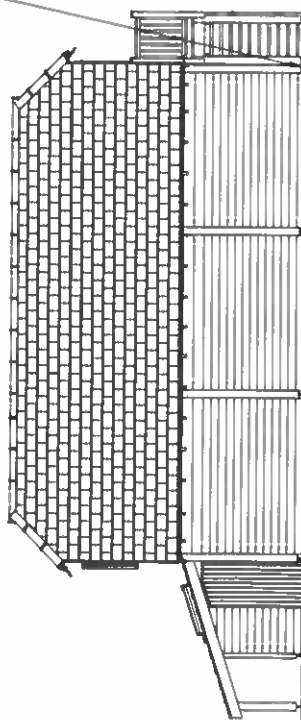
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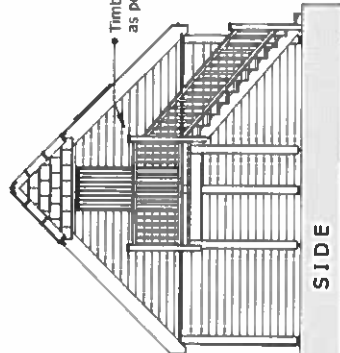
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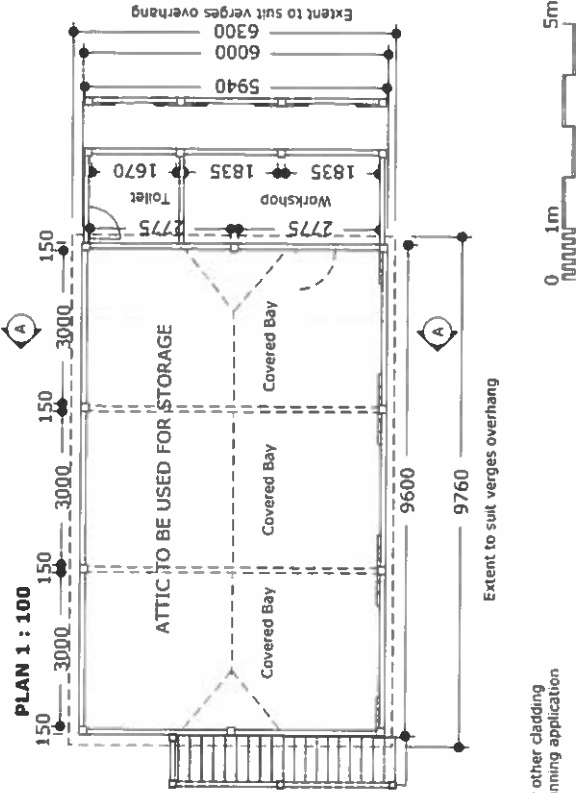
SIDE



REAR

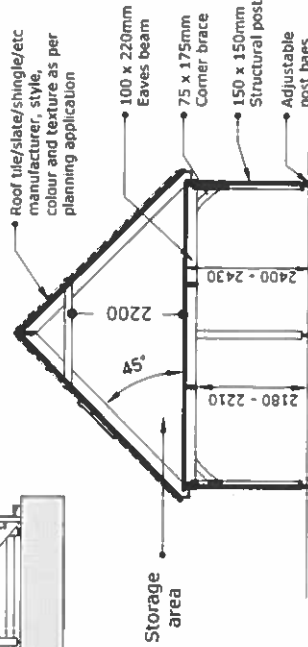


SIDE



PLAN 1:100

SECTION AA 1:100



ROOF COVERINGS  
MINIMUM PITCHES

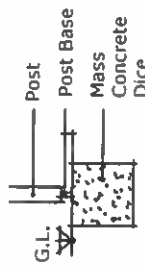
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- Tapco Slate (standard) >14 Degree
- Tapco Slate (shingle) >15 Degree
- Cedar shingle >14 Degree
- Clay tile (traditional) >30 Degree
- Clay tile (modern) >17.5 Degree
- Asphalt shingles >10 Degree

NOTES

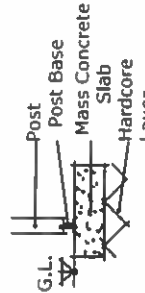
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2. Fascia and barge board not included unless specified on order
3. Standard roof make up
  - .Rafter
  - .Sarking 9mm OSB
  - .Breather membrane
  - .Counter batten up line of rafter
  - .Batten = roof covering (not included unless specified on order)

POSSIBLE FOUNDATIONS

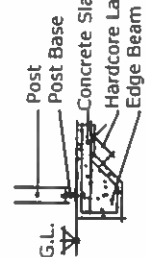
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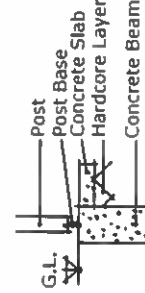
B) BED



C) SLAB RAFT



D) TRENCH FILL



E) STRIP & SLAB



These can be designed, engineered and constructed for your specific site if required

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solidlox@benfieldgroup.co.uk solidlox.com

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Caldicot, Monmouthshire NP23 5YG



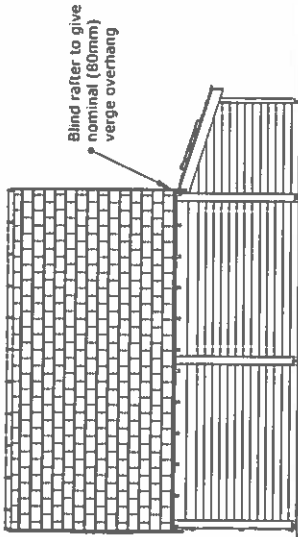
Peake View Cottage  
Green Lane  
Witcombe  
Gloucestershire  
GL3 4SW

Planning Drawings

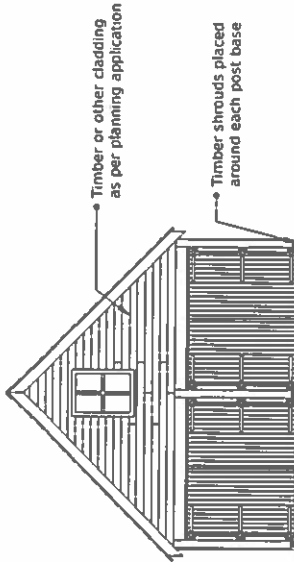
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AR		DATE	
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Revised plans 19/00527/FUL

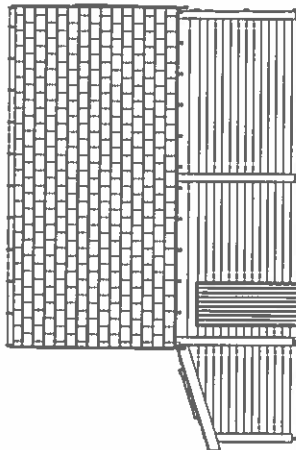
ELEVATION 1 : 100



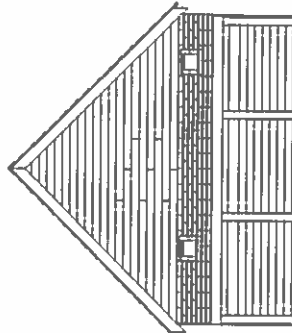
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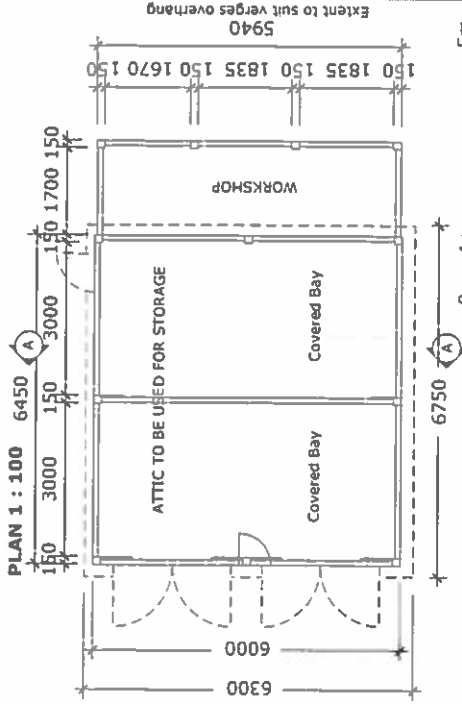
FRONT



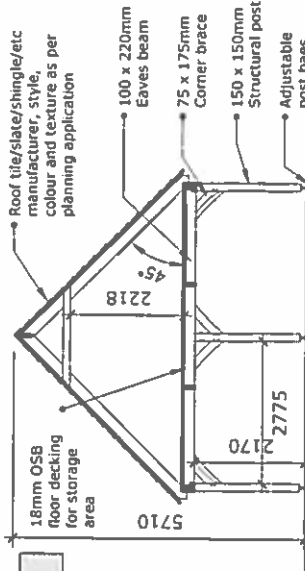
SIDE



REAR



SECTION AA 1 : 100



### ROOF COVERINGS MINIMUM PITCHES

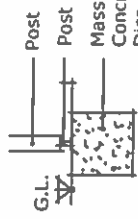
- Metro tile > 10 Degree
- Tapco slate (standard) > 14 Degree
- Tapco slate (shingle) > 15 Degree
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- Clay tile (traditional) > 30 Degree
- Clay tile (modern) > 17.5 Degree
- Asphalt shingles > 10 Degree

### NOTES

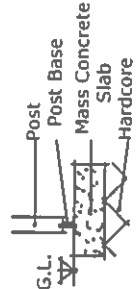
1. Rainwater goods and roof finishes by others unless specified on order
2. Fascia and barge board not included unless specified on order
3. Standard roof make up
  - .Rafter
  - .Sarking 9mm OSB
  - .Breather membrane
  - .Counter batten up line of rafter
  - .Batten = roof covering (not included unless specified on order)

### POSSIBLE FOUNDATIONS

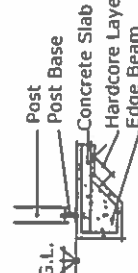
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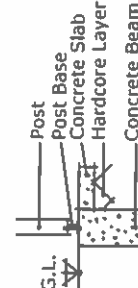
B) BED



C) SLAB RAFT



D) TRENCH FILL



E) STRIP & SLAB



These can be designed, engineered and constructed for your specific site if required

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RICS  
Approved Surveyor

LAFC

Peake View Cottage  
Green Lane  
Witcombe  
Gloucestershire  
GL3 4SW

Planning Drawings

PROJECT NO: 16128  
BR: 1:100@A3  
DATE: 15.08.19  
REV D

Valid 16.07.2019

Erection of a replacement rear porch, installation of front and rear dormer windows and rooflights for loft conversion. Alterations to fenestration and external materials.

Grid Ref 391119 215737

Parish Badgeworth

Ward Badgeworth

## **RECOMMENDATION Permit**

### **Policies and Constraints**

Joint Core Strategy (2018) (JCS) - Policy SD4, SD7, SD14

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

Tewkesbury Borough Local Plan 2011 - 2031 - Pre-Submission version 2019 - Policy RES10

National Planning Policy Framework 2018

Planning Practice Guidance

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

The First Protocol, Article 1 (Protection of Property)

Area Of Outstanding Natural Beauty

### **Consultations and Representations**

#### **Consultation and Representations**

- Parish Council - Objection due to overlooking and increase in glazing on the rear elevation
- Local Residents - Objections due to overlooking

#### **Planning Officers Comments: Alice Goodall**

##### **1.0 Application Site**

1.1 This application relates to Rannoch, a detached bungalow located along Green Lane in Little Witcombe. The site falls within the Area Of Outstanding Natural Beauty.

##### **2.0 Current application**

2.1 The current application is for the erection of a replacement rear porch, installation of front and rear dormer windows, new gables, raising the ridge height by 1m and rooflights for loft conversion.

##### **3.0 Recent History**

3.1 There is no recent / relevant planning history.

##### **4.0 Policy Context**

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

4.2 The adopted Development Plan for Tewkesbury Borough comprises the Joint Core Strategy 2011 to 2031 (JCS) and the saved policies of the Tewkesbury Borough Local Plan to 2011 (TBLP). The Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) was approved for publication and submission at the Council meeting held on 30 July 2019. On the basis of the stage of preparation the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded at least moderate weight, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given). Other material policy considerations include the National Planning Policy Framework; 2019 (NPPF).

4.3 The relevant policies of the adopted and emerging development plan are set out in the appropriate sections of this report.

## 5.0 Analysis

### Design, Size and Visual amenity

5.1 Section 12 of the NPPF relates to "Achieving well-designed places" and at paragraph 127 specifies that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). In this regard, Policy SD4 of the JCS is relevant.

5.2 Saved Policy HOU8 of the TBLP requires extensions to existing dwellings to respect the character, scale and proportion of the existing or, where appropriate, the original dwelling, the detailed design to reflect or complement the design and materials of the existing dwelling, and for the proposal to respect the character and appearance of surrounding development. Policy RES10 of the Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) similarly states that 'Proposals for extension and alteration of existing dwellings, and the erection of domestic outbuildings and annexes, will be permitted providing that:

1. The detailed design reflects or complements the design and materials of the existing dwelling.
2. The scale of the proposal is appropriate to the character and appearance of the existing dwelling and its surrounding area
3. The domestic curtilage of the existing property is capable of comfortably accommodating the extension or outbuilding without resulting in a cramped / overdeveloped site or creating a lack of suitable parking or manoeuvring space. '

5.3 JCS Policy SD7 of the Joint Core Strategy sets out that developments are required to conserve and, where appropriate, enhance the landscape, scenic beauty, cultural heritage and other special qualities in an AONB.

5.4 Revised plans were submitted on the 1st October 2019. The plans have significantly altered both the front and rear elevations from that proposed previously. The dormer window on the front elevation has been reduced in line with what is existing and a gable has been added, the number of rooflights proposed has been reduced. The dormer windows on the rear elevation have been reduced in size and the middle dormer has been replaced by a gable, these changes result in a more considered appearance and alterations which appear in keeping with the building as a whole. It is considered that the proposal as revised would now be of an appropriate size and design in keeping with the character and appearance of the property. The property is screened from the road by a large hedge which surrounds the boundary of the property.

5.5 The existing ridge height is 5.7m, the proposed ridge is 6.7m and the eaves height remains the same. The neighbouring properties and most of those in the surrounding area are two stories in height and this height is therefore not considered out of character with the area.

5.6 Therefore, it is considered that the proposal as revised would have an acceptable impact on the character of the surrounding AONB and would comply with the requirements of Policy HOU8 of the Local Plan and Policies SD4 and SD7 of the JCS.

### Residential amenity

5.7 Paragraph 127 of the NPPF specifies that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Saved policy HOU8 of the TBLP specifies that extensions to existing dwellings will be permitted provided that, inter alia, the proposal does not have an unacceptable impact on adjacent property and the protection of residential amenity, in terms of bulk, massing, size and overlooking.

5.8 In terms of 'Amenity and Space' Policy SD4 of the JCS sets out that new development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution. Policy SD14 of the JCS, which relates to 'Health and Environmental Quality', specifies that new development must cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

5.9 The impact of the proposal (as revised) upon neighbouring properties has carefully been assessed. Although dormer windows would be introduced into the rear facing roof slope, any views to the neighbours' garden to the north would be oblique and limited and it is considered that there would not be an undue impact upon their amenity in accordance with Policy HOU8 of the Local Plan and Policy SD14 of the JCS.

#### **Summary of Reasons for Decision:**

Overall, whilst the Parish Council's concerns / those of the immediate neighbours are noted, it is considered that the proposal as revised would not be harmful to the appearance of the existing dwelling nor the surrounding AONB and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings. The proposal as revised would also be of an acceptable size and design. It would therefore accord with Policy HOU8 of the Local Plan, Policies SD4, SD7 and SD14 of the Joint Core Strategy and the NPPF 2019. The application is therefore, recommended for permission

#### **RECOMMENDATION Permit**

##### **Conditions:**

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans, received by the local planning authority on the 00/09/19.

##### **Reasons:**

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.

##### **Notes:**

#### **1 Statement of Positive and Proactive Engagement**

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





Valid 27.08.2019  
Grid Ref 390041 216468  
Parish Brockworth  
Ward Brockworth East

Erection of a single storey rear extension.

## **RECOMMENDATION Permit**

### **Policies and Constraints**

Joint Core Strategy (2018) (JCS) - Policy SD4, SD14  
Tewkesbury Borough Local Plan to 2011(TBLP) - March 2006 - Policy HOU8  
Tewkesbury Borough Local Plan 2011 - 2031 - Pre-Submission version 2019 - Policy RES10  
National Planning Policy Framework 2018  
Planning Practice Guidance  
Human Rights Act 1998 - Article 8 (right to Respect for Private and Family Life)  
The First Protocol, Article 1 (Protection of Property)

### **Consultations and Representations**

Parish Council - Objection. Concerns regarding over-development and infill of residential areas.  
Local residents - no responses received.

**Planning Officers Comments:** Mrs Sarah Barnes

#### **1.0 Application Site**

1.1 This application relates to 29 Sparrow Hawk Way, a detached property located on a housing estate in Brockworth (**site location plan attached**).

#### **2.0 Current application**

2.1 The current application is for a single storey rear extension (**plans attached**). It would create a larger kitchen / family room.

#### **3.0 Recent History**

3.1 There is no recent / relevant planning history.

#### **4.0 Policy Context**

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

4.2 The Adopted Development Plan for Tewkesbury Borough comprises the Joint Core Strategy 2011 to 2031 (JCS) and the saved policies of the Tewkesbury Borough Local Plan to 2011 (TBLP). The Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) was approved for publication and submission at the Council meeting held on 30 July 2019. On the basis of the stage of preparation the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded at least moderate weight, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given). Other material policy considerations include the National Planning Policy Framework; 2019 (NPPF).

4.3 The relevant policies of the adopted and emerging development plan are set out in the appropriate sections of this report.

## 5.0 Analysis

### Design and Size

5.1 Section 12 of the NPPF relates to "Achieving well-designed places" and, Paragraph 124, sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Likewise, Paragraph 127 specifies that planning policies and decisions should ensure that developments, inter alia: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

5.2 In this regard, Policy SD4 (Design Requirements) of the JCS and likewise Policy HOU8 of the TBLP set out 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. It further sets out that design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live.

5.3 Policy RES10 of the Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) similarly states that 'Proposals for extension and alteration of existing dwellings, and the erection of domestic outbuildings and annexes, will be permitted providing that:

1. The detailed design reflects or complements the design and materials of the existing dwelling.
2. The scale of the proposal is appropriate to the character and appearance of the existing dwelling and its surrounding area
3. The domestic curtilage of the existing property is capable of comfortably accommodating the extension or outbuilding without resulting in a cramped / overdeveloped site or creating a lack of suitable parking or manoeuvring space. '

5.4 The proposed single storey rear extension would be a modest size and would be rendered with a metal seamlock roof. It is considered that the proposal would have an acceptable impact on the character of the surrounding area and would comply with the requirements of Policy HOU8 of the Local Plan and Policy SD4 of the JCS.

5.5 In relation to the Parish Council's concerns regarding 'overdevelopment' of the site, their concerns have been noted. However, it is not considered that the proposal would result in 'overdevelopment' given that the dwelling has not been previously extended and there would still be sufficient amount of garden space left free from additions / extensions.

### Residential amenity

5.6 Paragraph 127 of the NPPF specifies that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Saved policy HOU8 of the TBLP specifies that extensions to existing dwellings will be permitted provided that, inter alia, the proposal does not have an unacceptable impact on adjacent property and the protection of residential amenity, in terms of bulk, massing, size and overlooking. Policy RES10 of the Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) similarly states that 'Proposals for extension and alteration of existing dwellings, and the erection of domestic outbuildings and annexes, will be permitted providing that:

- the proposal does not have an unacceptable impact on the amenity of neighbouring properties.

5.7 In terms of 'Amenity and Space' Policy SD4 of the JCS sets out that new development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution. Policy SD14 of the JCS, which relates to 'Health and Environmental Quality', specifies that new development must cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

5.8 The impact of the proposal upon neighbouring properties has carefully been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy HOU8 of the Local Plan and Policy SD14 of the JCS.

## 6.0 Conclusion

6.1 Overall, whilst the Parish Council's comments are noted, it is considered that the proposal would not be harmful to the appearance of the existing dwelling nor the street scene and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings. The proposal would also be of an acceptable size and design. It would therefore accord with Policy HOU8 of the Local Plan, Policies SD4 and SD14 of the Joint Core Strategy and the NPPF 2019. The application is therefore recommended for permission.

## RECOMMENDATION Permit

Conditions and reasons:

- 1 The works hereby permitted shall be begun before the expiration of five 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 application form, and drawing numbers 1197\_A\_02\_PL-01, 1197\_A\_02\_PL-02, 1197\_A\_02\_PL-03, 1197\_A\_02\_PL-04, 1197\_A\_02\_PL-05, 1197\_A\_02\_PL-06, 1197\_A\_02\_PL-07, 1197\_A\_02\_PL-08, 1197\_A\_02\_PL-09, 1197\_A\_02\_PL-10, 1197\_A\_02\_PL-11, 1197\_A\_02\_PL-12, 1197\_A\_02\_PL-13, 1197\_A\_02\_PL-14, 1197\_A\_02\_PL-15, 1197\_A\_02\_PL-16, 1197\_A\_02\_PL-17 and 1197\_A\_02\_PL-18 dated 19th September 2019, site location plan and block plan dated 20th August 2019 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

Note:

- 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 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 Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:
  - o Work on an existing wall or structure shared with another property.
  - o Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
  - o Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act 1996. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DCLG publication Preventing and resolving disputes in relation to party walls - explanatory booklet.

- 3 Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Building Control Team on [Buildingcontrol@cheltenham.gov.uk](mailto:Buildingcontrol@cheltenham.gov.uk).

19/00822/hul



W-02

LOCATION PLAN

1:1250

373/A

19/00 & 22/fal



1:500

BLOCK PLAN

V-02

373/B

Figure Dimensions only to be taken from the drawing.  
All dimensions are to be checked on site before any work is put in hand.

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**Keywords:**

Business prospects and the entrepreneur side of the coin are important in terms of your business. But

NOT FOR  
CONSTRUCTION

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2002	1,000,000	100,000
2003	1,000,000	100,000
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2019	1,000,000	100,000
2020	1,000,000	100,000

Hoch-Bau Architecture  
LONDON • CHELTENHAM

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FOR THE  
MILITARY  
AND NAVAL  
PERSONNEL

29 SPARROW HAWK WAY

### SINGLE STOREY REAR EXTENSION

**Address**  
10000 Highway  
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10000

Health Care

### EXISTING ELEVATIONS

1997-1998

### CONCEPT 11 DESIGN

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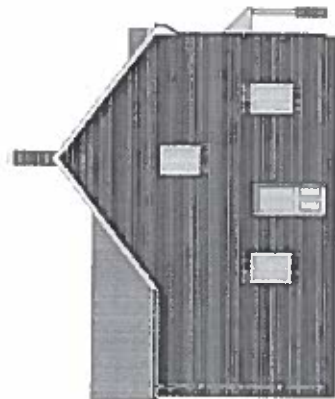
Journal of Management Inquiry 22(2)

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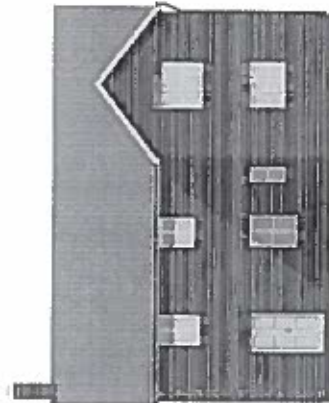
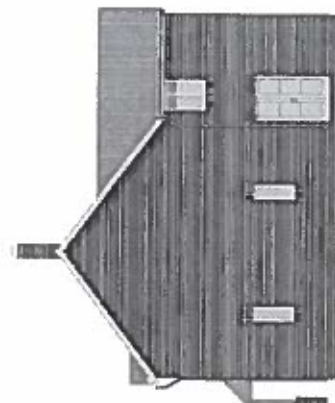


North Carolina

103

South East elevation

1157



North West Elevation

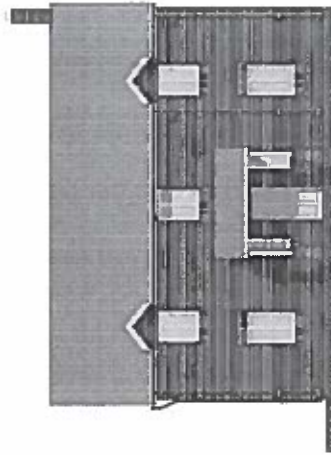
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## Contest Evaluation

107

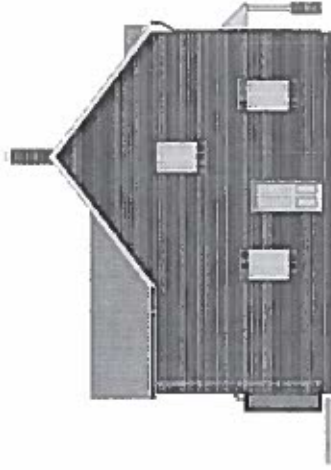
373/4

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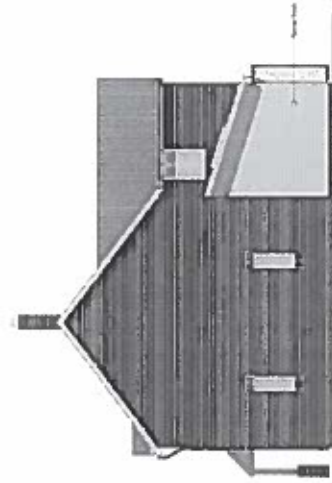
North East Elevation

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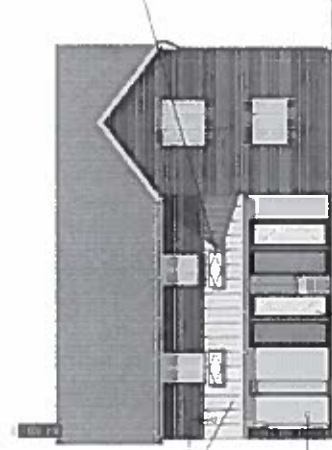
South East Elevation

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North West Elevation

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South West Elevation

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Please Dimensions only to be taken from this drawing.  
All dimensions are to be checked on site before any  
work is put in hand.  
If in doubt, ask.  
Name:  
This drawing must be read in conjunction with all  
relevant specifications and other associated drawings.

NOT FOR  
CONSTRUCTION

Revision History	Rev	Date	Change Description	Drawn By	Checked By
	1				
	2				
	3				
	4				
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	9				
	10				

Hoch-Bau Architecture  
LONDON, CHELSEA  
CANBOROUGH HOUSE  
2 SHEEN ROAD  
RICHMOND  
TW9 1AE  
Phone: 07714 172009  
Email: info@hochbau.co.uk

20 Sparrow Hawk Way  
Cheltenham  
GL50 2AA

Job Title  
20 SPARROW HAWK WAY

SINGLE STOREY REAR EXTENSION

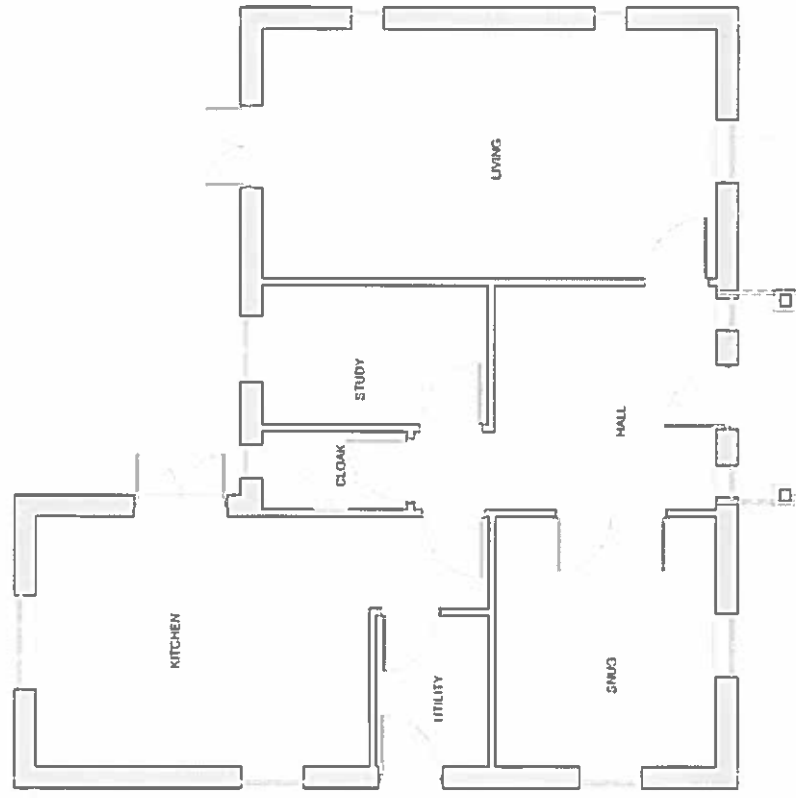
Site Address  
20 Sparrow Hawk Way  
Cheltenham  
GL50 2AA

Drawing Name  
PROPOSED ELEVATIONS

Drawing Status	CONCEPT DESIGN
Drawn by	1188
Checked by	1188
Date	12/04/2013
Scale	1:100, 1:1 @ A2
Project ID	1187_A_02_PL_12
Issued Office	Cheltenham

19/00822/ful

373/E



South East Elevation

North West Elevation



North East Elevation

Ground Floor (7)

Project Description: This is a plan for the existing ground floor. All dimensions are to be checked on site before any work is put in hand.

NOT FOR CONSTRUCTION

Revision	History	Date	By
1	Initial Design	12/04/2019	1197_A_03_PL_01
2	Revised Design	12/04/2019	1197_A_03_PL_01
3	Revised Design	12/04/2019	1197_A_03_PL_01
4	Revised Design	12/04/2019	1197_A_03_PL_01
5	Revised Design	12/04/2019	1197_A_03_PL_01
6	Revised Design	12/04/2019	1197_A_03_PL_01
7	Revised Design	12/04/2019	1197_A_03_PL_01
8	Revised Design	12/04/2019	1197_A_03_PL_01
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14	Revised Design	12/04/2019	1197_A_03_PL_01
15	Revised Design	12/04/2019	1197_A_03_PL_01
16	Revised Design	12/04/2019	1197_A_03_PL_01
17	Revised Design	12/04/2019	1197_A_03_PL_01
18	Revised Design	12/04/2019	1197_A_03_PL_01
19	Revised Design	12/04/2019	1197_A_03_PL_01
20	Revised Design	12/04/2019	1197_A_03_PL_01

Hoch-Bau Architecture  
LONDON, CHELTENHAM

PLANSBROUGH HOUSE  
2 SPURRY ROAD  
BIRMINGHAM  
B15 2JL

ARCHITECT: 1197\_A\_03\_PL\_01  
DATE: 12/04/2019

22 SPURRY ROAD, BIRMINGHAM  
B15 2JL

Job Title: 29 SPARROW HAWK WAY

SINGLE STOREY REAR EXTENSION

Site Address: 29 Sparrow Hawk Way  
Cheltenham  
GL50 2QA

Drawing Name: EXISTING GROUND FLOOR PLAN

Drawing Status: CONCEPT DESIGN

Drawn by: TMB  
Date: 12/04/2019

Checked by: TMB  
Date: 12/04/2019

Drawing Scale: 1:50 @ A2

Layout ID: 1197\_A\_03\_PL\_01  
Drawing Office: Cheltenham



**Plasma**  
This remedy must be used in conjunction with all relevant vaccinations and other appropriate therapies.

NOT FOR  
CONSTRUCTION

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Hoch-Bau Architecture  
LONDON CHATELAIN

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WUP (U)  
APR 1964  
HARRIS, W. R. (U)

29 SPARROW HAWK WAY

### SINGLE STOREY REAR EXTENSION

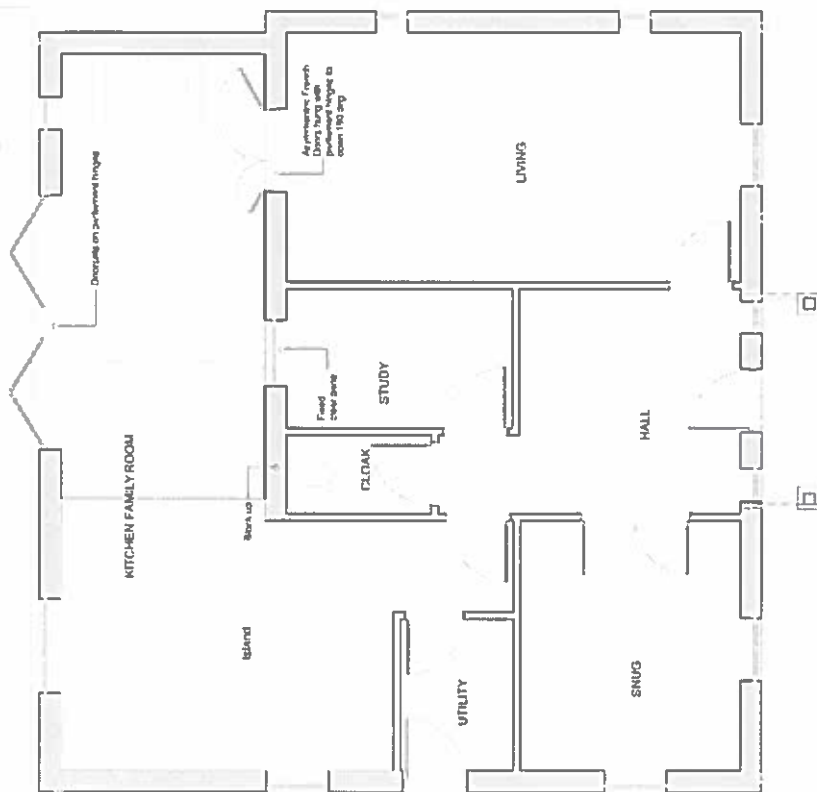
8440 Addicks  
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Drawing Name

PROPOSED GROUND FLOOR PLAN

Driving Class	CONCEPT DESIGN	Date	12/24/2019
Drawn by	TEB	Date	
Checked by		Date	
18			
Drawing Scale			

Ground Floor (10)



South East European

North W-2: Elevation

North East Elevation



373/f

Valid 12.09.2019

Residential development of up to 6 dwelling houses (Re-submission of application 19/00550/PIP).

Grid Ref 378978 217728  
 Parish Minsterworth  
 Ward Highnam With Haw  
 Bridge

## RECOMMENDATION Refuse

### Policies and Constraints

Town and Country Planning (Permission in Principle) Order 2017  
 National Planning Policy Framework; 2019 (NPPF)  
 Planning Practice Guidance  
 The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2017 (JCS)  
 Tewkesbury Borough Local Plan to 2011; March 2006 (TBLP) saved policies  
 Tewkesbury Borough Plan Pre-Submission Version 2019  
 Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)  
 The First Protocol, Article 1 (Protection of Property)

### Consultations and Representations

**Minsterworth Parish Council** - No representations received at time of writing. Nevertheless, the Parish Council objected to the previous, identical, application on this site for the following reasons:

1. The development is not within the proposed settlement boundary for Minsterworth
2. Dangerous access and egress onto a fast and busy main road
3. Concerns regarding how the drainage will be dealt with, as the drainage in Watery lane is already overloaded
4. Concerns about the number of houses already proposed for Minsterworth as the infrastructure is not there to support this further increase in the number of houses

**County Archaeologist** - No objection.

**County Highways Authority** - No representations received at time of writing.

**Conservation Officer** - It is not considered that this development would have any impact upon the setting of The Grade II Listed Apple Tree Public House. In regard to the Grade II Listed Milestone the applicant will need to demonstrate that the milestone will not be harmed by this development therefore the applicant will need to establish the location of the milestone and plot it accurately in relation to the proposed access. This application cannot be determined positively until this matter has been resolved.

**Local Residents** - The application has been advertised by a site notice. No representations have been received.

**Planning Officers Comments:** Mrs Helen Stocks

### 1.0 Application Site

1.1 The site is to the north west of the A48, between the properties known as Sharnbook and The Redlands. There is a small slip road / pull in off the A48, immediately to the east of the site, which provides access to three properties and an overgrown access track to the field (**see attached location plan**).

1.2 The site has mature hedgerow surrounding the site, and is currently unused pastureland.

1.3 There are no further landscape designations on the site, and the site lies within Flood Zone 1.

1.4 There is a Grade II Listed milestone along the road frontage which is currently buried beneath dense bushes and trees along the frontage.

## 2.0 Planning History

2.1 An application for planning permission in principle for between 4 - 6 dwellings was considered by Members at Planning Committee in August 2019 (ref: 19/00550/PIP). The application was refused for the following reason:

*The proposal is located outside of the defined settlement boundaries in Tewkesbury Borough Plan - Pre-submission version 2019; Policy RES2, and the site does not meet any of the other criteria within Policy RES3. The site is an encroachment into the countryside and does not comply with the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 Policy SD10. There are no other specific exceptions/circumstances defined in district or neighbourhood plans which indicate that permission should be granted. Therefore the proposed application site is not an appropriate location for new residential development, and is contrary to the policies within the Joint Core Strategy 2017 and the Tewkesbury Borough Plan 2019.*

2.2 This very recent decision is a significant material consideration.

2.3 An appeal has been lodged against the Council's refusal of planning permission in principle and an application has also been made for costs.

## 3.0 Current Application

3.1 This application is a re-submission of the aforementioned application (ref: 19/00550/PIP) and seeks planning in principle on a site of 0.49 hectares for between 4-6 dwellings.

3.2 As detailed within the Town and Country Planning (Permission in Principle) Order 2017 the application is only required to detail the site location, type of development and amount of development is provided, of which this application provides.

3.3 The site layout, design, access details, landscaping, drainage and mix of dwellings would all be considered at the 'technical details' stage.

## 4.0 Policy Context

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

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

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework and the emerging Tewkesbury Borough Local Plan Pre-submission Version (2019) (TBPSV), the policies of which hold limited to moderate weight at this current time.

## 5.0 Analysis

5.1 The guidance (paragraph 012 Planning Practice guidance) for Permission in Principle states that the scope of the PIP is limited to:

- Location
- Land Use
- Amount

Each of these will be discussed in turn below.

## Location

5.2 Minsterworth is identified as a service village within the JCS Policy SP2, however there are no current settlement boundaries identified within the JCS for Minsterworth. Within the emerging Tewkesbury Borough Plan Pre-Submission 2019, defined settlement boundaries are proposed for Minsterworth, this proposed site is located adjacent to the settlement boundary, however there is currently limited - moderate weight that can be attributed to the emerging policies.

5.3 Policy SD10 ('Residential Development') specifies 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. On sites that are not allocated as in this instance, housing development and conversions to dwellings will be permitted on previously-developed land in the existing built-up areas and housing development on other sites will only be permitted where it constitutes affordable housing; constitutes infilling within a town or village. The JCS defines infill development as the development of an under-developed plot well related to existing built development.

5.4 The emerging policy RES3 in the Tewkesbury Borough Plan, Pre-submission draft states that new residential development will only be considered acceptable outside of the settlement boundary if it meets one of the following criteria:

1. The reuse of a redundant or disused permanent building (subject to Policy RES7)
2. The sub-division of an existing dwelling into two or more self-contained residential units (subject to Policy RES8)
3. Very small scale development at rural settlements in accordance with Policy RES4
4. A replacement dwelling (subject to Policy RES9)
5. A rural exception site for affordable housing (subject to Policy RES6)
6. Dwellings essential for rural workers to live permanently at or near their place of work in the countryside (subject to Policy AGR3)
7. A site that has been allocated through the Development Plan or involves development through local initiatives including Community Right to Build Orders and Neighbourhood Development Orders.

5.5 The proposed site for the new residential dwellings is adjacent to the property known as Sharnbrook (to the north) and Redlands to the south west (beyond the extent of the field within the applicant's ownership). Minsterworth is generally a village with fairly sporadic development, with additional approved development throughout the village, however within this part of Minsterworth around the former petrol station, there is a distinct pattern of linear development along both sides of the A48. Although the site proposed is located directly adjacent to this built form, it is not considered as infill development due to the extent of the gap to Redlands, nor does this proposed site meet any of the criteria detailed above and therefore is contrary to the emerging Policy RES3.

5.6 Thus, the principle of development would be contrary to policies SD10 and RES3 (the latter which it is recognised can only be afforded limited weight at this stage).

5.7 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development. For decision making this means:

(c) approving development proposals that accord with an up-to-date development plan without delay; or  
(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.8 The NPPF clarifies (footnote 7) that planning policies for housing will be judged out of date, inter alia, where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.

5.9 The latest published evidence (the Tewkesbury Borough Five Year Housing Land Supply Statement - 2018/2019 indicates that the Council can demonstrate a 4.33 year supply of deliverable housing sites, amounting to a shortfall of approximately 194 dwellings.

5.10 Members will be aware of the Oakridge, Highnam case where the Council had challenged the Secretary of State's assertion in the appeal decision in respect of the five year supply where he had followed the Inspector's advice in relation to discounting previous oversupply. Based on the Secretary of State's approach, the Council could only demonstrate a 2.7 year supply whereas if the dwellings that had been provided over and above the cumulative requirements were counted, the Council could demonstrate a 4.3 year supply. The High Court did not rule one way or the other as it was considered that it should be left to a case where it would make a difference - the Council had won the Oakridge case therefore this ruling made no difference to the overall outcome. On that basis, there is no reason for the Council to change its position in terms of the oversupply being counted.

5.11 Notwithstanding the conflict with the Development Plan, the Council's policies for the supply of housing are considered to be out-of-date having regard to paragraph 11 of the NPPF. In these circumstances, as set out above, the NPPF advises that the presumption should be that planning permission is granted unless there are adverse impacts of doing so which would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

5.12 One of the important determinants in relation to the acceptability of a development is its landscape impact. Whilst officers had recommended permission on the recently refused application, that application had been subject of a committee site visit where members were able to assess the acceptability or otherwise of the proposal on, amongst other things, the landscape. The committee were advised that the application had to be considered in relation to the 'tilted balance' given that the Council cannot demonstrate a deliverable five year supply of housing sites. Nevertheless, the committee considered that, by reason of its location, the proposed development would result in unacceptable encroachment into the open countryside.

5.13 The previous refusal is a significant material consideration in this case and the applicant has submitted no further amendments to address the Committee's concerns.

#### Amount

5.14 The application proposes between 4-6 dwellings to be accommodated on site. Officers are of the opinion that it would be possible to physically accommodate up to 6 dwellings in a linear form on this site and therefore the 'amount' of development is accepted.

#### **Other Matters**

5.15 The application was accompanied by a desk based archaeological assessment. The County Archaeologist is happy with the findings of the report that there no known archaeological remains on the site and therefore does not raise any objections.

5.16 Gloucestershire County Council Highways Authority had not provided comments at the time of writing this committee report and **an update will be provided to Members at committee**. Nevertheless, it should be made clear that it is not within the scope of this application to determine the details of access to the site, this would be given full consideration at the technical approval stage. Planning in principle could only be refused on this basis if there were insurmountable reasons why the development as proposed would have unacceptable impacts on the operation of the highway network.

5.17 In respect of heritage assets, the Conservation Officer is satisfied that the proposal would not have any impact upon the setting of the Grade II Listed Apple Tree public house. However, the Conservation Officer could not determine if there would be harm caused to the Grade II Listed milestone which is along the frontage, due to the potential for the access to the site having an adverse impact and damaging the milestone. Nevertheless, this remains a matter for consideration at the technical matters stage and any issues which may arise must be overcome through that part of the process and are not within the scope of this PIP application.

### **6.0 Overall balancing exercise and conclusions**

#### Benefits

6.1 Weight can be attributed to the economic benefit arising from the proposal both during and post construction. Whilst this weight is limited by virtue of the scale of the development, it is nevertheless a matter which weighs in favour of the proposal, particularly in light of the five year housing land supply position.

### Neutral impacts

6.2 Highways matters (subject to confirmation there are no insurmountable highway reasons why development should not be permitted), impact upon heritage assets, detailed design, mix, drainage and layout would be properly considered at technical details stage.

### Harms

6.3 Harm arises from the conflict with the development plan policies, in particular JCS policy SD10 and the emerging Borough Plan policy RES3. However, this conflict must be considered having regard to the lack of a five year housing land supply and paragraph 11 of the NPPF. Furthermore, only limited - moderate weight can be afforded to emerging Borough Plan Policy RES3 at this current time.

6.4 The proposal would be located outside but adjacent to the proposed settlement boundaries and therefore encroachment into the countryside would occur. In light of the very recent refusal of planning in principle, this is a matter which weighs significantly against the proposal.

### Conclusion

6.5 Although the site's location is contrary to JCS Policy SD10 and the emerging Borough Plan Policy RES3, the Council's lack of a five year land supply means that Paragraph 11 of the NPPF comes into effect. The test is whether any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in this framework taken as a whole.

6.6 Permission in principle was refused as recently as August this year (similarly at a time when the Council could not demonstrate a five year supply and the 'tilted balance' was engaged) on the basis that, due to the site's location, the proposal was contrary to the Joint Core Strategy and Tewkesbury Borough Plan and would result in unacceptable encroachment into the open countryside. Whilst not explicitly referred to in the reason for refusal, it is clear that those impacts were judged to significantly and demonstrably outweigh the benefits. No material considerations have been advanced to address those reasons for refusal.

6.7 In light of the above it is recommended that permission in principle is **refused**.

### **RECOMMENDATION Refuse**

#### Conditions:

- 1 The proposal is located outside of the defined settlement boundaries in Tewkesbury Borough Plan - Pre-submission version 2019; Policy RES2, and the site does not meet any of the other criteria within Policy RES3. The site is an encroachment into the countryside and does not comply with the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 Policy SD10. There are no other specific exceptions/circumstances defined in district or neighbourhood plans which indicate that permission should be granted. Therefore the proposed application site is not an appropriate location for new residential development, and is contrary to the policies within the Joint Core Strategy 2017 and the emerging Tewkesbury Borough Plan 2019.

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Revision Schedule	
Rev	Description



378/A

Drawing Status: <b>PRELIMINARY</b>	
Client:	
Project: <b>Proposed Housing, Minskenworth</b>	
Drawing Description: <b>Location Plan</b>	
Scale: <b>1:1250</b>	Date: <b>Jul 19</b>
Drawn By:	Checked By:
Job No: <b>20563</b>	Drawing No: <b>01</b>
Project: <b>114 Bath Road, Cheltenham, Gloucestershire, GL53 7JX</b> <a href="http://www.sutioncox.com">www.sutioncox.com</a>   01242 529169	

Valid 06.12.2018

Construction of 166 dwellings with associated infrastructure and public open space.

Grid Ref 395167 228225

Parish Bishops Cleeve

Ward Cleeve West

**RECOMMENDATION Delegated Permit****Policies and Constraints**

Joint Core Strategy - SP1, SP2, SD3, SD4, SD6, SD8, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF4, INF6, INF7, A5, REV1

Tewkesbury Borough Local Plan to 2011 (March 2006) - TPT3, TPT5, TPT6, TPT9, RCN1.

Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) - RES5, RES12, RES13, NAT1, TRAC9, ENV2.

Gloucestershire Waste Core Strategy - Core Policy WCS2

Flood and Water Management SPD

Affordable Housing Supplementary Planning Guidance (November 2006)

National Planning Policy Framework (2018)

Planning Practice Guidance

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

The First Protocol, Article 1 (Protection of Property)

Flood Zones 1 and 2

**Consultations and Representations**

**Bishops Cleeve Parish Council:** Objects to the application for the following reasons:

- It has always been opposed to the level of housing development in this area. Whilst the original permission allowed up to 550 dwellings (including 30 units for retired people), this proposal represents an increase exceeding the level by 70 dwellings which is not acceptable. Further housing development adds to the strain on all aspects of Bishops Cleeve infrastructure which is already stretched beyond capacity. The proposed mix of housing should be assessed to determine whether it actually meets the needs of Bishops Cleeve. The increased number of houses will generate significantly more traffic, with associated resident and visitor parking demands, which does not appear to be adequately accommodated. Consideration may need to be given to traffic calming measures on Sapphire Road which serves the proposed estate. The Parish Council is concerned about the poor design of houses, particularly the Moseley and Moseley Plus type, where the ground floor WC opens directly into the middle of the open-plan kitchen and living room space. The precise location of two ground wells within the area should be identified and the flood risk, both to housing and surrounding land, should be fully assessed. Consideration should be given to redirecting the power lines underground rather than being taken overhead. The design and funding for the community centre should be agreed prior to commencement of any Phase 3 development and consideration given to a commensurate increase in infrastructure contribution.

- The original permission was for 520 dwellings and 30 units for retired people i.e. 550. Phases 1A and 2A have provided 160 dwellings; Phase 4 and 5 (to be completed in 2019) will deliver 234; initial Phase 3 permission is for 126 which totals 520.

- The proposed increase for this Phase 3 planning application represents a further 40 dwellings. Recent permission for Plots 7&8 (Ref: 17/00449/OUT) allows a further 30 dwellings, totalling 70 extra dwellings in this development. In addition, the approved application for a care home (Ref: 17/00374/FUL) allows 64 beds for older residents.

**Natural England** - No objection.

**County Highways** - Awaiting comments

**Environment Agency** - No objection subject to conditions.

**Lead Local Flood Authority** - No objection following submission of additional information.

**Housing Enabling and Strategy Officer** - No objection.



## **Leisure and Culture Manager - No objections.**

**Local Residents:** One letter of objection has been received from a local resident objecting to the proposal for the following reasons:

- Whilst provisional planning permission was granted for the Charles Church development, the addition of over 40 dwellings to what is an enormous development will further contribute to the infrastructure issues facing the village as a whole. Whilst the development would be self-contained- the section outlining the transport links and sustainability of the proposal does nothing to address the level of traffic being fed onto the A435 by the roundabout junction.
- Persimmon have been very slow to realise their promise of developing community facilities which are mentioned again in this planning proposal- what is the timeline for their development? Would this proposal further impinge on the space allocated for the community centre and sports facilities?
- Has traffic using the commercial properties been factored in to the impact survey? It would be deeply disappointing for Persimmon to be granted further opportunity to develop without firm, legally binding commitment to deliver facilities which contribute positively to the village's infrastructure- rather than further contributing to the traffic and associated infrastructure issues we are currently experiencing.

## **Planning Officers Comments: Mr John Hinett**

### **1.0 Introduction**

1.1. The site comprises part of the 'Cleevelands' development located on the north western edge of Bishops Cleeve (see location plan attached). The site was formerly in agricultural use but development of the site is now well under way.

1.2 The A435 runs adjacent to the eastern boundary of the site with residential areas on the periphery of Bishops Cleeve to the south and east. Dean Brook forms the northern boundary of the site with hedges comprising the western boundary. Allotment gardens lie adjacent to the eastern site boundary.

### **2.0 Relevant planning history**

2.1 An outline planning application for approximately 550 dwellings (including 30 units for retired people) and ancillary development including access proposals was submitted in November 2011. All matters apart from access were reserved for future consideration. The application also proposed:

- A high street comprising 4 units with a gross retail floor space of 475sqm, plus ancillary accommodation of 475sqm (classes A1, A2, A3, A4 & A5),
- 15 units with a floor space of 3,750sqm for class B1 and D1 uses
- 16 live/work units;
- A community facility with a hall (circa 300sqm);
- Extension to allotments;
- Open space provision including changing rooms;
- Sustainable drainage provisions and accesses from the A435.

2.2 A non-determination appeal was Allowed by the Secretary of State in July 2012.

2.3 Reserved matters application 14/00390/APP for the residential development for 160 dwellings (comprising phases 1A and 2A), together with all associated highways, access, landscaping and other infrastructure works was approved in November 2014.

2.4 Reserved matters application 16/00227/APP for residential development for 234 dwellings to phases 4 & 5 was permitted in December 2016.

2.5 Reserved matters application 16/00379/APP (Phase 3) for the erection of 126 dwellings, landscaping and associated works relating to the outline application 10/01216/OUT was approved in December 2016. This application was the last of the reserved matters to be approved for the Cleevelands development and in accordance with condition 6 of the original outline approval, should have been commenced by December 2017. The permission has expired therefore.

2.6 Planning application 16/00808/FUL for the provision of 5 units and convenience store with retail space comprising 847sqm of retail and an associated 818sqm of office space (Class B1) was permitted in October 2017.

2.7 Planning application 16/00917/FUL for the erection of a two storey medical centre, pharmacy associated car parking and landscaping was permitted in December 2016.

2.8 Planning application 17/00374/FUL for the construction of a 64 bed care home was permitted in August 2017.

2.9 Outline planning application 17/00449/OUT for the erection of up-to 30 dwellings (Class C3) was permitted in December 2018. The proposal was a variation to the original outline consent (10/01216/OUT) which permitted 16 live/work units within this part of the scheme. Pro-rata contributions were secured for: Pre-school, Primary and Secondary schools; Library facilities; and the Community Building.

2.10 Planning application 18/01031/FUL for the Erection of a 725sqm (gross) Marston's family pub and restaurant (Class A4) and ancillary accommodation (managers flat) is currently **pending consideration**.

#### Housing totals

2.11 The original Outline permission consent up to 550 dwelling (including 30 units for retired people) plus 16 live work units. The reserved matters applications approved 520 units. The outline consent for the 30 retirement units were not applied for and were replaced by permission for a 62 bed care home. Similarly the live work units were not applied for and permission was granted for up to 30 dwellings.

2.12 The Cleavelands site has therefore delivered 550 dwellings (Class C3) and a 62 bed care home (Class C2). The current proposal would bring this total to 590 (Class C3). The implications of this are discussed below.

### **3.0 Current application**

3.1 The current application is essentially a revised scheme for phase 3 - previously granted approval under reference 16/00379/APP (see above) and proposes 166 dwellings (of which 40 percent would be affordable) with associated infrastructure and public open space. The supporting statement states that the new application is being submitted on the basis that there has been a change of company brand from Charles Church to Persimmon Homes Ltd. and therefore a resulting change in house types which has led to a smaller housing mix being used. Although the layout of the scheme remains very similar to the previously approved scheme, the change to include smaller house types has consequentially allowed for more dwellings fitting into the existing block pattern. The previous layout permitted 126 units - whereas the proposed revision proposes 166 units.

3.2 As the time to submit Reserved Matters pursuant to the original Outline Permission has now expired, this current proposal is a FULL detailed application. More specifically the application comprises the following development:

#### *Residential*

- The **Market Housing** would comprise 100 units including a mix of 36 two bedroomed dwellings, 46 three bedroomed dwellings and 18 four bedroomed dwellings.
- The **Affordable Housing** would comprise 66 units in the following mix and tenureship:
  - *Shared ownership* - 33 units: 20 two bedroomed units and 13 three bedroomed units.
  - *Rented* - 33 units: 6 one bedroomed apartments, 4 one bed flats, 1 two bed flat over garage, 7 two bedroomed dwellings, 11 three bedroomed dwellings, 4 four bedroomed dwellings.

#### *Open Space and other infrastructure*

- A number of 'Greenways' through the housing areas; and
- An area of Public Open Space (including an Equipped Play Area).

#### *Supporting information*

3.3 As the application is a detailed full application it has been necessary to submit supporting information in relation to technical details which are assessed in the relevant sections of the report.

3.4 Although the Outline permission has time expired, the site forms part of the Cleavelands development, the Conditional requirements pertaining to Outline permission 10/01216/OUT are considered relevant. These details have been submitted with the current application and are assessed in the relevant sections of the report.

3.5 The outline permission was also subject to Section 106 Agreements with the Borough Council and Gloucestershire County Council. These also need to be taken into account when considering this reserved matters application and are also discussed under the relevant sections in this report.

#### **4.0 Policy Context**

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

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

4.3 The Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) was approved for publication and submission at the Council meeting held on 30 July 2019. On the basis of the stage of preparation the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded limited to moderate weight, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

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

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

#### **5.0 Analysis**

5.1 The key issues to be considered in relation to this application are considered to be: the principle of development, layout, house types, scale, residential amenity, landscaping, highway and parking issues, affordable housing provision and drainage.

##### **Principle of development**

5.2 Whilst the site is currently outside the recognised development boundary, it is located adjacent to the edge of the Bishops Cleeve and between phases 1 & 2 and 4 & 5 of the Cleavelands housing development. Bishops Cleeve is defined as a Service Centre in the Joint Core Strategy (December 2017) and is a settlement that contains 'higher range of services and facilities'.

5.3 JCS Policy SD10 sets out that outside areas allocated for residential development in development plans, new housing will only be permitted in certain circumstances. One of those circumstances (criteria 4 ii of the JCS) is where development would comprise "infilling within the one of Tewkesbury Borough villages. This parcel of land forms part of the wider Cleavelands site and would be surrounded by development and indeed has been previously granted planning permission for residential development.

5.4 It is also material that the settlement boundary for Bishops Cleeve as proposed in the emerging Tewkesbury Borough Plan Preferred Options (2011 - 2031) includes the wider Cleavelands development. Policy RES 2 of the PSTBP states that Within the defined settlement boundaries the principle of residential development is acceptable subject to the application of all other policies in the Local Plan. The principle of residential development is therefore considered to be supported by JCS Policy SD10 and PSTBP Policy RES2.

## 5 year supply

5.5 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development. For decision making this means:

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.6 The NPPF clarifies (footnote 7) that planning policies for housing will be judged out of date, inter alia, where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.

5.7 The latest published evidence (the Tewkesbury Borough Five Year Housing Land Supply Statement - 2018/2019 indicates that the Council can demonstrate a 4.33 year supply of deliverable housing sites, amounting to a shortfall of approximately 194 dwellings.

5.8 Members will be aware of the Oakridge, Highnam case where the Council had challenged the Secretary of State's assertion in the appeal decision in respect of the five year supply where he had followed the Inspector's advice in relation to discounting previous oversupply. Based on the Secretary of State's approach, the Council could only demonstrate a 2.7 year supply whereas if the dwellings that had been provided over and above the cumulative requirements were counted, the Council could demonstrate a 4.3 year supply. The High Court did not rule one way or the other as it was considered that it should be left to a case where it would make a difference - the Council had won the Oakridge case therefore this ruling made no difference to the overall outcome. On that basis, there is no reason for the Council to change its position in terms of the oversupply being counted.

5.9 Notwithstanding the fact that the principle of development is acceptable, the Council's policies for the supply of housing are considered to be out-of-date having regard to paragraph 11 of the NPPF. In these circumstances, as set out above, the NPPF advises that the presumption should be that planning permission is granted unless there are adverse impacts of doing so which would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

## **6.0 Layout**

6.1 The NPPF attaches great importance to the design of the built environment. Section 12 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Policy SD4 of the JCS (December 2017) also requires high-quality and well-thought-out design. PSTBP Policy RES5 similarly requires high quality development for new housing development.

6.2 A Masterplan layout was agreed as part of the outline consent (10/01216/OUT). A number of important principles of good design and appropriate parameters were also established during the determination of the outline application which were encapsulated in the final Consolidated Design and Access Statement (CDAS) and final layout plan. The 'vision' outlined in the CDAS was for a development that respected its wider context and worked within the surrounding landscape - essentially a landscape led scheme.

6.3 In addition, a condition required a Design Principles Document (DPD) to be submitted with the first reserved matters application for the whole site. The requirement for the DPD was to set out in more detail the principles set out in the Outline DAS and to ensure that design quality and design parameters are coordinated between different phases of development - to ensure that each subsequent phase of development relates to the one that has gone before. The DPD was approved as part of the first reserved matters application 14/00390/APP).

6.4 Although the current application is a full detailed one, given that the site forms part of the Cleveleys development, the DPD remains an important consideration. The previously approved layout for phase 3 (16/00379/APP) was considered to generally accord with the DPD and was considered to comprise an acceptable design.

6.5 The current proposal is very similar to the previously approved layout. The location and hierarchy of 'Main Streets', 'Side Streets', 'Mews' and 'Lanes' remain unchanged and the extent of the built form similarly remains the same. The change of house types and increase in the number of units (40) has consequently increased the density of the development in parts of the site and impacted on the character and streetscenes. The main differences would be along the 'lanes' where a large number of the additional units have been accommodated resulting in an increased density. In order to maintain the 'looser' feel, detached units have been replaced by pairs of semi-detached units (**see lanes perspectives plan**). It is considered that the proposal therefore maintains the aspirations of the DPD in this regard.

6.6 The majority of the units on the southern boundary are arranged such that they face onto the central spine of Public Open Space providing attractive frontage and avoiding the need for long runs of fences. Where fences are proposed onto open space, the landscape plans show hedging would be planted to screen them from public views.

6.7 The majority of parking would be provided on-plot and generally to the side of dwellings within individual parking bays and garages set back behind the building line to allow both ease of access to the dwellings and prevent vehicles from dominating the street scene. Where on-street parking solutions have been included they are punctuated by street trees and shrub planting to enable convenient parking close to the dwellings to which they serve, whilst at the same time softening the impact of the parked vehicles, creating visual interest and valuable habitat for wildlife. Rear courtyard parking has been avoided. A number of visitor parking spaces are provided along the main road, side roads and private drives/lanes (for total numbers of parking spaces (see paragraph 14.4 below).

6.8 To conclude, it is considered that the layout is in accordance with the Design Principles Document and is of an acceptable design.

#### House types

6.9 The CDAS for the Outline application sets out a commitment "...to create a new 21st Century neighbourhood for Bishop's Cleeve...". It also set out that "*Cleevelands specifically does not seek to recreate, or generate a pastiche of what has gone before, but instead to look forward to contemporary sustainable design solutions*". The Design Principles Document takes forward this design aesthetic and promotes the use of "*simple, elegant and contemporary styles...in order to create a place that is both distinctive and individual without creating a pastiche of what has gone before.*"

6.10 As set out above, the previously approved scheme featured house types from the 'Charles Church' brand. However, it is now intended that this phase will be built out by Persimmon; as were all other phases. Unsurprisingly, the house types are reflective of those built on the other phases.

6.11 A mix of 1 and 2 bedroom flats and 2, 3 and 4 bedroom detached, semi-detached and terraced properties are proposed. The design of the dwellings are based on fairly traditional forms with standard internal layouts, pitched roofs and some chimneys, but incorporating more contemporary architectural detailing of windows, porches and other features. This would 'tie in' with the previous phases to the north and south. The dwellings would comprise a mix of brick and render (**see typical house types attached**).

6.12 In conclusion, it is considered that the architectural treatment of the buildings across phase (3A) is consistent with aims of the DPD - and the previously consented phases and, in combination with the proposed landscaping and layout, would provide for a coherent and cohesive scheme. Subject to a condition requiring the submission of materials samples and window details, the proposal is considered to be acceptable in this regard.

#### Housing Mix

6.13 Since the previous reserved matters application was approved, the Joint Core Strategy (December 2017) has been adopted. Policy SD11 states, amongst other things, that housing development will be required to provide an appropriate mix of dwellings and tenures in order to contribute to mixed and balanced communities and a balanced housing market, and reflect the needs of the most up to date Strategic Housing Market Assessment (SHMA). PSTBP Policy RES13 reflects the JCS Policy. The most up-to-date evidence is from the latest JCS SHMA Update (2015) which identifies that in Tewkesbury there is a greatest need for two and three bed dwellings, with the highest need being for 3 bedroom properties.

6.14 The mix proposed in the current application closely reflects this identified need with 42 percent of the units being 3 beds and 38 percent 2 beds. The proposal is therefore considered policy compliant in this regard. This also represents an improvement to the previously approved layout which proposed a far higher proportion (40 percent) of 4 bed units.

### **Scale and density**

6.15 The CDAS sets out that the residential buildings within the development will not exceed 2.5 storeys with a maximum height of 9.5m with the majority of houses being 2 storey with a ridge height of 8.5m. With regard to the current application proposals the heights parameters indicate a predominance of two storey units with the occasional use of 2.5 storey dwellings proposed in certain locations elsewhere. This accords with the CDAS and DPD.

6.16 For the application site the approved parameters plan indicates that the densities should vary, with the western parcels having a density of 30-35dph with the more central parcels having a density of circa 35 - 40dph. The current scheme for 166 dwellings would result in a density of around 31 dph. Whilst the density of dwellings across the scheme is not immediately apparent from the layout plan, it is true to say that the density of units within the western parcels and edges of the development would be looser, with more detached units. The proposed development is therefore considered to be acceptable in this regard.

## **7.0 Landscape Impact**

7.1 Policy SD6 of the Joint Core Strategy Dec 2017 seeks to protect landscape character. A Landscape and Visual Impact Appraisal (LVIA) accompanies the application which considers the implications of the additional houses. The LVIA considers that the changes to residential density are mostly imperceptible and the effects, in landscape and visual terms, are both limited in degree and range. It is noted that the increased density of the proposed development would not lead to material changes in landscape effects as the arrangement, quantum and distribution of green infrastructure would remain unchanged. The LVIA concludes that there are no landscape or visual reasons to preclude the development as proposed.

7.2 The conclusions of the LVIA are accepted and are unsurprising given that the site is surrounded by housing on the wider Cleavelands development. There are therefore no objections from a landscape and visual impact perspective.

## **8.0 Energy Efficiency**

8.1 The NPPF (paragraph 148) provides that the planning system should support the transition to a low carbon future in a changing climate, and help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

8.2 Condition 23 attached to the previous outline permission stipulates that at least 20% of energy used should come from decentralised and renewable or low carbon sources. Condition 24 of the same permission stipulates that a 30% improvement in carbon reduction above the 2010 Building Regulations requirements shall be secured across the development as part of the reserved matters submissions. Whilst the application is made in full, it is considered that the requirements of these conditions are still relevant.

8.3 The applicants' Energy Statement sets out that a number of measures would be used to reduce the overall energy demand of the dwellings, including: the use of high levels of insulation in the ground floor; the incorporation of the thermal bridging guidance produced by Constructive Details and the Government; the installation of efficient gas condensing combination boilers; energy efficient light fittings; and A+/A rated white goods in each property. In addition, it is proposed to stall roof mounted PV arrays on a portion of the development sufficient to generate 20% of the site's energy requirement.

8.4 The proposal would therefore reduce CO2 emissions by 50.67% and deliver 20% energy from on-site renewable technologies as required by the original Outline conditions 23 and 24.

## **9.0 Residential amenity**

9.1 JCS Policy SD4 amongst other things requires that new development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances,, including visual intrusion, noise, smell and pollution. Policy SD14 of the JCS states that new development must cause no unacceptable harm to local amenity and result in no unacceptable level of noise.

9.2 A revised layout has been submitted which allows for an acceptable relationship between the proposed dwellings and provide for acceptable living conditions. The proposal is therefore considered acceptable in this regard.

## **10.0 Landscaping**

10.1 The approach underpinning the Outline Cleveleys Masterplan was 'landscape led'. The approach advocated retention of much of the existing landscape features including the hedgerows and some of the existing trees, hedgerows and field patterns, and this approach was adopted and implemented through the previously consented reserved matters applications for the development.

10.2 The current landscape proposal conforms to the above strategy and includes a small area of public open space along the northern boundary that would separate it from phases 4 and 5 (see layout plan). The layout also retains a number of existing hedges and includes a 'greenway' that links up with a series of footways that criss-cross the site. An equipped play area (see below) is also proposed.

10.3 The Councils Landscape advisor has provided comment and in general is supportive of the proposal. It was however, considered that the appropriate use of fencing to differentiate road and private areas from the POS would be beneficial. A condition is therefore recommended requiring these details.

## **11.0 Equipped Areas for Play**

11.1 The approved Masterplan for the Outline permission included a Locally Equipped Area for Play (LEAP) to be located adjacent in an area of Public Open Space (POS). This provision is also a requirement of the Section 106 Agreement attached to the Outline consent.

11.2 Details of the applicant's proposed LEAP have been provided. The Councils Community and Economic Development Manager and the Project Officer have assessed those details and some changes to the configuration of the play equipment have been made to ensure user safety. The revised details are now considered acceptable .

11.3 There are a number of paths/walkways that are proposed through the extensive areas of POS that link up with the others that link all the areas of POS throughout the site - as was proposed on the Outline Masterplan. The proposed materials would correspond to those approved on other phases of the development.

## **12.0 Ecology and Nature Conservation**

12.1 The NPPF sets out, inter alia, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments. Policy SD9 of the Joint Core Strategy seeks to protect and enhance the biodiversity of the JCS area. PSTBP Policy NAT1 requires that proposals conserve, and where possible restore and/or enhance biodiversity.

12.2 Condition 27 of the original outline consent required the submission of a Mitigation, Enhancement and Management Plan (MEMP) which was submitted and approved prior to the commencement of development for the whole site (including the current application site). However, given the intervening time period, and that this part of the site remains largely undeveloped, Officers considered that an up-date should be provided.

12.3 This report has been undertaken and concludes that the habitats onsite remain largely unchanged with the exception of areas of bare ground which were prevalent within the centre of the site, there was no evidence of the presence of any notable or protected species recorded within the site. Given the current condition of the habitats within the site and the proposed scheme, the existing agreed MEMP is considered to remain appropriate and valid.

12.4 It is therefore recommended that a condition be attached requiring the scheme be carried out in accordance with the approved Mitigation, Enhancement and Management Plan document dated December 2012.

### 13.0 Highway and parking issues

13.1 Section 9 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or residual cumulative impacts on the road network would be severe.

13.2 Policy INF1 of the JCS requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. PSTBP Policy TRAC9 requires that developers demonstrate an adequate level of car parking for their proposals.

13.3 The County Highways Authority (CHA) are currently assessing the proposal and have confirmed informally that they are generally happy with the proposed layout. However, additional information has been requested with regard to vehicle tracking and junction visibility. **An up-date will be provided at Committee.**

#### *Parking provision*

13.4 A specific car parking plan has been provided which demonstrates that 330 spaces would be provided for the 166 dwellings (which is approximately 200 percent) plus an additional 53 garages (making 383 car parking spaces in total). In addition, 35 designated visitor spaces are provided at various locations along the main road and side streets (**see layout**).

### 14.0 Affordable housing provision

14.1 JCS Policy SD12 sets out that on sites outside strategic allocations, a minimum of 40% affordable housing will be sought, should be provided on site and should be seamlessly integrated and distributed throughout the development scheme. PSTBP Policy RES12 requires proposals requiring affordable housing to accord with the JCS Policy and sets additional thresholds for the percentage required.

14.2 The approved S106 Agreement for this development requires the provision of a minimum of 40% affordable housing across the site with a tenure split of 50% social rent/affordable rent and 50% intermediate affordable housing. The S106 also stipulates that the affordable units should be in clusters of no more than 16 for flats and groups of no more than 8 for houses.

14.3 The application proposes that 40 percent (66 units) of the total number of dwellings are affordable and in the following mix and tenureship:

#### *Shared ownership - 33 units:*

- 20 two bedrooomed units; and
- 13 three bedrooomed units.

#### *Rented - 33 units:*

- 10 one bedrooomed flats;
- 1 two bed flat;
- 7 two bedrooomed dwellings;
- 11 three bedrooomed dwellings; and
- 4 four bedrooomed dwellings.

14.4 The Council's Strategic Housing and Enabling Officer comments that the proposed mix and sizes of the Affordable Housing properties and the scheme is acceptable. A Section 106 is required to secure the affordable

14.5 Subject to Section 106 to secure the Affordable Housing in perpetuity, there are no objections to the proposal in this regard.



## 15.0 Flooding and drainage

15.1 The NPPF states at paragraph 155 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe for its lifetime without increasing flood risk elsewhere.

15.2 JCS Policy INF2 advises that 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. PSTBP Policy ENV2 set out additional principles that will need to be considered in any proposals.

15.3 The adopted Flood and Water Management Supplementary Planning Document (FWMSPD) seeks, amongst other things, to ensure that new development does not increase the risk of flooding either on a site or cumulatively elsewhere and to seek betterment, where possible, and to require the inclusion of Sustainable Drainage Systems (SuDS) within new developments.

15.4 The issue of drainage was considered in detail during the previous outline application/appeal and Condition 10 of the outline permission required details of the surface water drainage scheme for the whole development to be submitted with the first reserved matters application.

15.5 The scheme was submitted with application 14/00390/APP (phases 1A and 2A) and in summary proposed a surface water management strategy that utilised a series of 'pipe-swale-ponds'. Both the Environment Agency and the Council's Flood Risk Management Engineer accepted at the time that the proposals would attenuate surface water to the 1-100 year design standard including an allowance for climate change and proposals would not increase surface water flood risk off site. The site wide strategy was therefore approved with that application.

15.6 Notwithstanding the above, the EA requested further information in light of changes to the NPPF, specifically in relation to the potential impacts of climate change, pointing out that the 2010 FRA and model results no longer accord with current guidance. Further information to fully inform the consideration of fluvial flood risk and climate change on site was requested.

15.7 The applicant has now provided this additional report which, in summary, states that it has taken the worse-case modelling outputs from the original 2010 model and applied the current climate change guidance to fully understand all potential scenarios for this site and confirm that the latest levels provided as a result of the June 2019 modelling, are robust enough on which to base final finished floor levels. The outlines produced confirm that even when using the old FEH Rainfall Runoff techniques, as a result of the current climate change uplifts, the site would remain unaffected.

15.8 The EA have assessed the information and concur with the conclusions drawn within it and therefore have withdrawn their objection subject to a condition requiring finished floor levels of the proposed dwellings are set at a minimum of 600mm above 1 in 100 year flood levels (in accordance with the report's conclusions).

### *Surface Water Drainage*

15.9 The Lead Local Flood Authority have assessed the additional information and have confirmed that the drainage scheme is adequate for the plot layout with 166 houses and have no objection to the proposal.

## 16.0 Noise

16.1 Policy SD14 of the JCS seeks to protect health and improve environmental quality.

16.2 The applicant has submitted a Noise Assessment which identifies the dominant noise source being from traffic on the A435. The assessment shows that daytime noise levels in external amenity areas would not exceed accepted tolerances. In terms of internal rooms the assessment also shows that some high specification glazing would be required to a limited number of units facing the A435 to mitigate road traffic noise at night-time.

16.3 A condition is therefore recommended requiring that the mitigation is implemented in accordance with the suggestions of the Noise Assessment.

## 17.0 Community Infrastructure Levy Regulations

17.1 The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from developers undertaking new building projects in their area.

17.2 Following the implementation of CIL across the JCS authorities on 1st January 2019, on-site requirements (whether they are delivered on or off site), and specific infrastructure requirements that can be robustly justified as necessary to make the development acceptable in planning terms (and otherwise the application would be refused without that infrastructure) will still be delivered via s106 obligations. The regulations stipulate that, where planning applications are capable of being charged the levy, any planning obligations must comply with the tests set out in the CIL regulations. These tests are as follows:

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

17.4 It is of relevance that a Section 106 was agreed for the Cleavelands development which secured contributions towards the following infrastructure and community facilities:

County Council contributions:

- Highways Infrastructure;
- Public Transport;
- Education;
- Libraries;

Borough Council contributions:

- Affordable housing (40%);
- Public Open Space, Playing pitches and Play Areas,
- A community building;
- Health Care;
- Allotments;
- Refuse and recycling;
- Dog bins and signage; and
- Smart water packs.

17.5 The applicant confirms that all the various contributions have been paid in full, with the exception of the delivery of the Community Facility (on which discussions are on-going). The applicants therefore consider that in order to avoid 'double counting' on the current proposal CIL contributions should only be payable on the additional 40 units.

17.6 It is officer opinion however that as the current proposal is a new stand-alone planning application, all 166 units would attract CIL and Section 106 contributions as required. This is discussed below.

### Section 106 requirements

17.7 As stated above, only 520 residential units were constructed, but contributions for 550 were considered and secured through the s106. Furthermore, pro-rata contributions were secured for the 30 units approved under 17/00449/OUT. Therefore, although 40 units are proposed over and above the 126 of the reserved matters approval, in terms of the original S160 there would only be 10 units over and above the 550 which have been delivered on the site. Therefore consideration only needs to be given for the additional 10 units.

17.8 The County Council have been consulted on the current proposal. In terms of Education requirements, the County comment that they request contributions towards Pre-school, Primary and Secondary Schools for the additional units over and above the quantum already assessed. Whilst the County Council's request is noted, it is not considered that such contributions would meet the prescribed tests and cannot be delivered through S.106. However any improvements to local schools required to accommodate pupils arising from the additional 10 dwellings would constitute infrastructure projects capable of being delivered through CIL.

## *Community Contributions*

17.9 In terms of Public Open Space the Cleavelands development overprovided in terms of the area of open space required under Local Plan Policy RCN1 and therefore no further provision is required. A MUGA and three LEAPS were also secured which are considered sufficient to cater for the additional units.

Furthermore, the s106 secured that a formal sports playing pitch be provided on-site. In addition, off-site contributions towards changing rooms were secured. It is not considered any further contributions towards POS are justified for the additional 10 units therefore. Any further contributions for changing facilities would be available from the CIL contribution (if considered necessary).

17.10 The s106 for the original Cleavelands development secures a community building of 700sq.m and it is not considered any additional floorspace could be justified from the additional development proposed here. A Healthcare facility has now been provided on the Cleavelands development and no further contributions in respect of healthcare would be considered justifiable. Similarly, adequate allotment provision has been made on site and no further provision is considered necessary or reasonable.

17.11 Sufficient provision of dog bins and signage to serve the development has already been secured. However, contributions towards recycling and refuse bins for the additional 10 units would be necessary and would meet the CIL tests.

## **18.0 Cumulative Impact of the additional dwellings**

18.1 The Parish Council have raised concerns regarding the impact of the additional dwellings on Bishops Cleeve which they consider has taken a significant number of dwellings as a result of the recent planning permissions and Appeals.

18.2 Whilst the Parish's concerns are understood, there are no objections from consultees to suggest the addition dwellings would have an unacceptable cumulative impact on services and infrastructure. Similarly, it is not considered that the additional dwellings over and above those already permitted would have an unacceptable impact on the Social Cohesion of Bishops Cleeve.

## **19.0 Overall Balancing Exercise and Conclusion**

19.1 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.

19.2 On the basis that the Council cannot at this time demonstrate a five year supply of deliverable housing sites, 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.

19.3 There are no NPPF policies for the protection of areas or assets of particular importance which apply 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**

19.4 The delivery of market and affordable housing in a sustainable and accessible location adjacent to Bishops Cleeve (a Rural Service Centre) and with good links to Cheltenham and local employment and services is a social benefit arising from the proposal. The additional 40 dwellings (over and above the 126 already granted permission) would make a contribution towards the current housing shortfall of 223 dwellings. The benefits of the market housing are given moderate weight with the provision of affordable housing attracting significant weight.

19.5 There would be economic benefit during the construction phase. Further economic benefits would arise from the additional population which would benefit local services. These economic benefits, along with the economic benefits arising from the construction phase, are given some weight.

19.6 Furthermore, the provision of public open space (including an equipped play area) would be a social benefit which would serve the existing community as well as new residents although these benefits are given some weight, as they are required in any event to mitigate the impacts of development.

19.7 The dwellings would include measures to reduce carbon emissions above Building Regulation. This would make a modest, yet valuable contribution towards the Government's aims that the planning system should support the transition to a low carbon future in a changing climate with the objective of becoming carbon neutral by 2050.

## **Harms**

19.8 The site already benefits from planning permission for 126 dwellings and is located between two built out phases of the Cleveleys development. The proposal would result in a slightly higher density but the LVIA confirms this increased density would be imperceptible from locations other than adjacent areas of Public Open Space. The harm arising from the increased number of houses is therefore very modest to negligible.

## **Neutral**

19.9 Subject to conditions it is considered that the proposal would result in a neutral impact on ecology and geodiversity and would not have an unacceptable impact the operation of the highway or highway safety.

## **20.0 Conclusion**

20.1 The NPPF sets out at paragraph 11 that in the context of sustainable development, proposed development that accords with an up-to-date development plan should be approved without delay. The principle of residential development on this site has been established and is considered to accord with JCS and emerging Borough Plan Policies. The proposal would be based on sound urban design principles and would have an acceptable impact upon the character and appearance of the area. The proposal provides for adequate parking facilities, open space and residential amenity, which would provide suitable living conditions for the future occupiers of the site.

20.2 Subject to completion of a Section 106 Agreement (or Deed of Variation to the existing agreement), it is considered that an acceptable affordable housing proposal has been provided in terms of the amount, tenure, mix and distribution across the site. A suitable sustainable drainage scheme and management strategy can be secured, as well as good quality on-site public open space.

20.3 In light of the above, it is considered that the proposal accords with the relevant policies of the Development Plan and emerging Borough Plan and is in accordance with the principles and parameters described and identified in the consolidated design and access statement and design principles document approved as part of the original Outline permission. There are no adverse impacts of permitting the application which would outweigh the identified benefits. It is accordingly recommended that **Permission be delegated to the Technical Planning Manager subject to completion of a Section 106 Agreement (or Deed of Variation to the existing agreement) to secure affordable housing and contributions towards waste and recycling for the 10 additional units, and variations or additions to condition as necessary.**

## **RECOMMENDATION Delegated Permit**

Conditions and reasons:

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

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

- 2 Other than where varied by the conditions below the development hereby approved shall be implemented in accordance with the plans and details set out on the approved Planning Site Drawings Sheet (reference to be up-dated)

Reason: To clarify the terms of the approval.

- 3 Notwithstanding the submitted details, building operations shall not be commenced until samples of all external walling and roofing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: In the interests of visual amenity in accordance with the NPPF.

- 4 Notwithstanding the submitted details, before work starts, the design and details of the doors and windows (external Joinery - including finished colour) shall be submitted to and approved in writing by the Local Planning Authority. The elevations shall be at a minimum scale of 1:20 and the sections shall be at a minimum scale of 1:5 and shall indicate moulding profiles at full size. The works and the fitted joinery shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with the NPPF.

- 5 All door and window frames shall be recessed into the external walls of the building a distance to be first agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with the NPPF.

### **Trees, Landscaping and Biodiversity**

- 6 Hard and soft landscaping shall be carried out in accordance with the following approved plans and information:

- o \*Plans to be listed\*.

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

Reason: To ensure that the new development will be visually attractive in the interests of amenity.

### **Boundary Treatments**

- 7 No works above ground level shall take place until details of boundary treatments, including the boundaries between private drives and POS, have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall then be implemented in accordance with the approved plans and thereafter retained as such unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with the NPPF.

### **Ecology**

- 8 The development shall be carried out in accordance with the Mitigation, Enhancement and Management Plan document dated December 2012.

Reason: In the interests of biodiversity.

### **Noise**

- 5 The noise attenuation measures shall be implemented in accordance with the Noise Assessment (SLR Ref: 403.05790.00004 - Version 1 - July 2016) and maintained as such therefore after unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the effect of noise within the proposed dwellings (with windows closed) in the interests of the amenities of future occupiers in accordance with and Policy SD14 of the Joint Core Strategy - December 2017.

## **Heritage**

- 9 All works shall be carried out in accordance with the Written Scheme of Investigation for Archaeological Works CgMs Ref: HS/11106. Once complete the results of the archaeological mitigation programme shall be compiled and submitted to the Local Planning Authority for approval.

Reason: The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework

## **Contamination**

- 10 If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority.

The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure that any contamination existing or exposed during development is identified and remediated in accordance with policy contained within the National Planning Policy Framework.

## **Lighting**

- 12 No works above ground level shall take place until details of the level of external illumination, including street lighting, and measures to control light pollution.

Reason: In the interests of visual and residential amenity and to protect biodiversity.

## **Renewable Energy, Code Levels and Standards**

- 13 The proposed energy strategy shall be implemented in accordance with the approved details and retained as operational thereafter.

Reason: To minimise emissions and to ensure a high level of energy efficiency, in accordance with the guidance set out in the NPPF and Policy INF5 of the Joint Core Strategy - December 2017.

## **Fire Hydrants**

- 14 No dwelling shall be occupied until the fire hydrant serving that property has been provided in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

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

## **Drainage and Flooding**

- 15 Floor levels should be set at a minimum of 600mm above the relevant 1% AEP (1 in 100 year) flood level including an allowance for climate change of 35%, as set out within the table of results included within Technical Note 4003/TN001 (dated 29 August 2019).

Reason: To protect the development from flooding.

- 16 No building hereby permitted shall be occupied until the sustainable drainage scheme for the relevant phase has been completed in accordance with the submitted details.

Reason - To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution

- 17 No development shall be brought in to use/occupied until a management and maintenance plan for the SuDS has been submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented and adhered to for the lifetime of the development and 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.

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

#### **Construction Method Statement**

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

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

Reason: To minimise disruption and protect local amenity during the construction phase.

19. Demolition or construction works shall not take place outside 07.30 hours to 18.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays nor at any time on Sundays or Bank/Public Holidays.

Reason: To minimise disruption and protect local amenity during the construction phase.

20. Within 3 months of the date of this permission the result of a FIDOL (Frequency, Intensity, Duration Offensiveness and Location) Odour Assessment for the Deans Farm Pumping Station shall be submitted for approval to the Local Planning Authority in writing. No dwellings or live/work units within 30m of the boundary of the Dean Farm Pumping Station shall be occupied until the works or other requirements specified in the approved Odour Assessment have been undertaken.

Reason: To protect the amenity of occupiers of the proposed dwellings.

#### **Play Areas**

21. The Local Areas for Play (LAP) shall be implemented and maintained in accordance with the approved details.

Reason: To ensure adequate and suitable play facilities and equipment is provide to meet the need of the development.

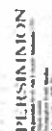
22. All solar panels shall be of an integrated and flush fitting type, details of which shall be submitted to and subsequently approved in writing by the local planning authority. The solar panels shall be retained as such unless otherwise approved in writing by the local planning authority.

Reason: In the interests of visual amenity in accordance with the NPPF.

Notes:-

1 Statement of Positive and Proactive Engagement

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

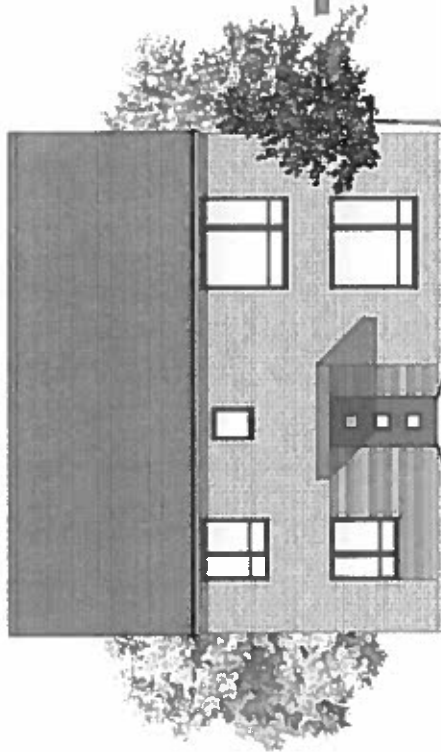


**PLASMININ**  
 100 mg/ml (1000 IU/ml)  
 100 mg/ml (1000 IU/ml)  
 100 mg/ml (1000 IU/ml)

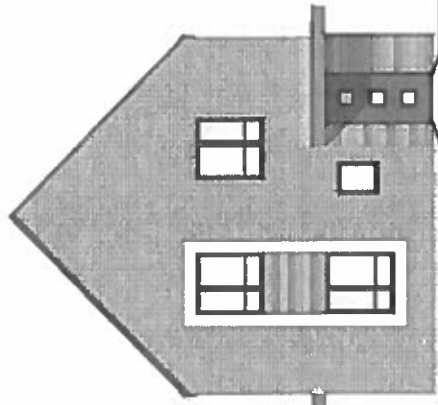
### Cleavelands, Bishops Cleeve - Phase 3

394/A

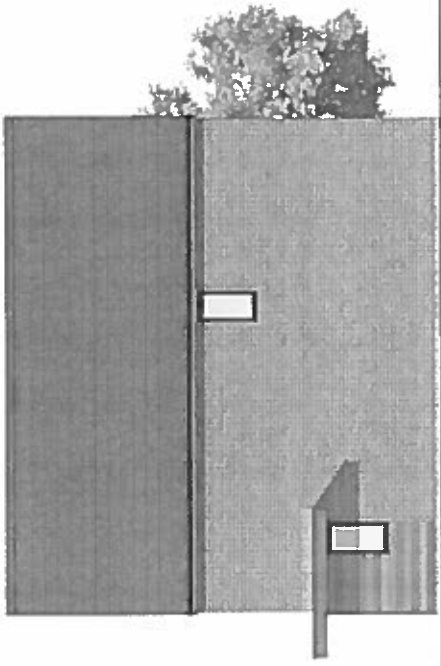




Front Elevation

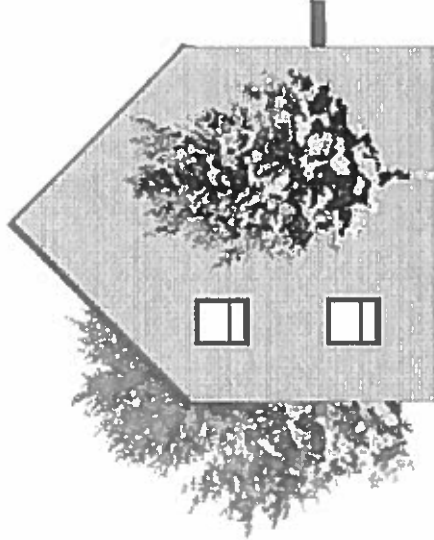


Side Elevation



Rear Elevation

394/B



Side Elevation

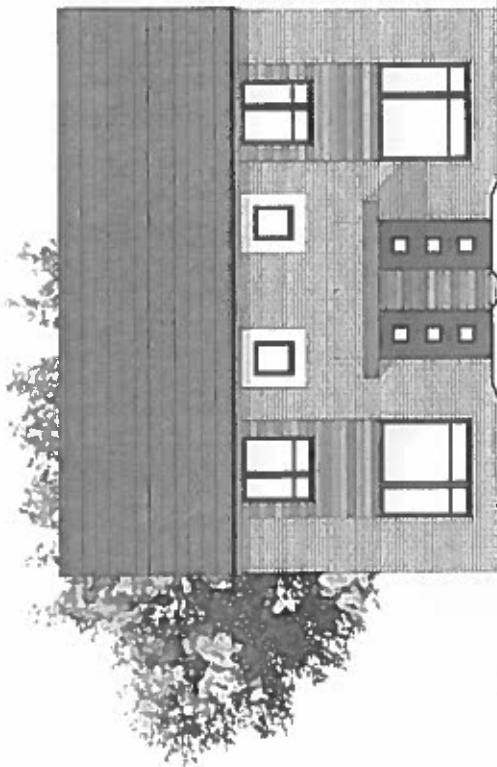
# Bishops Cleeve, Phase 3



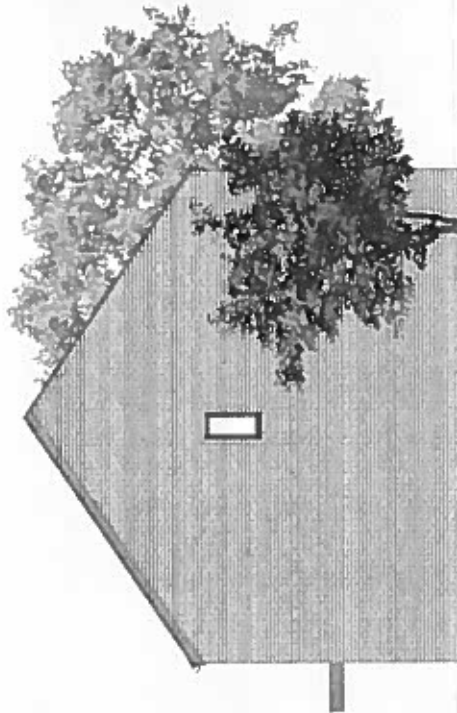
**PERSIMMON**  
 Persimmon Housing (North Midlands) LTD  
 Agents House  
 Birmingham Road, Sandley  
 Warrington, Cheshire (WA5 7JL)  
 Tel: 01527 831300 Fax: 01527 831223

HQI 50 House Type cont. 152/A3

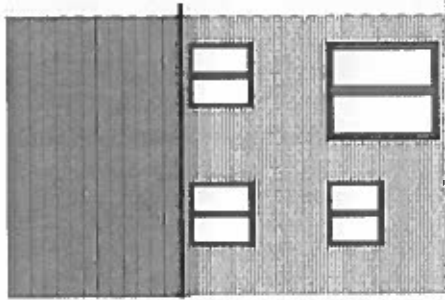
drawing reference: P-H-16



Front Elevation



Side Elevation



Rear Elevation



Ground Floor



First Floor

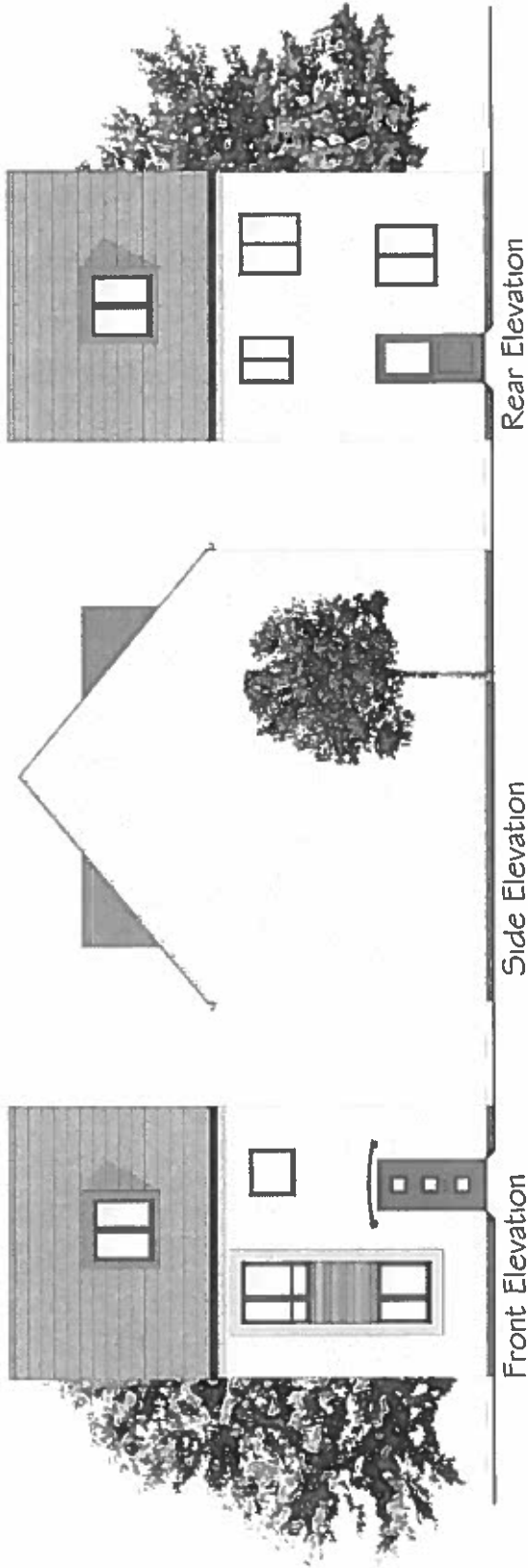
# Bishops Cleeve, Phase 3

**PERSIMMON**  
 PERSIMMON HOMES (South Midlands) LTD  
 Aspen House  
 Birmingham Road, Shadley  
 Warwickshire, B40 7HG  
 Tel: 01527 851200 Fax: 01527 851222

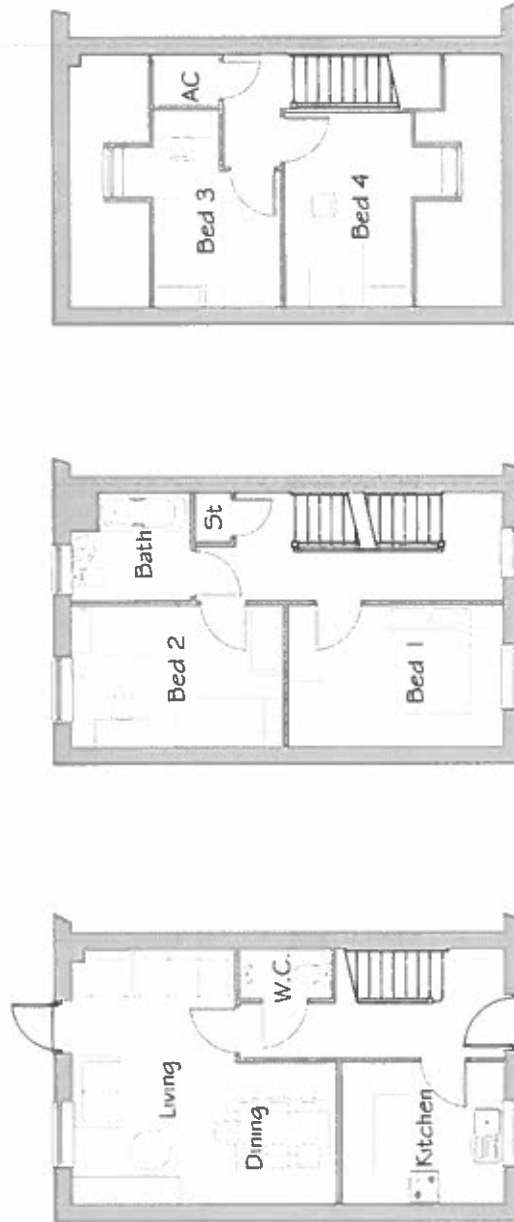
HQ179 House Type scale: 1:100@A3

drawing reference P-H-10

394/C



394/D



Ground Floor

First Floor

Second Floor

**PERSIMMON**

PERSIMMON HOMES (South Midlands) LTD  
Agents House  
Birmingham Road, Smalley  
Warwickshire CV40 7HG  
Tel: 01527 851200 Fax: 01527 851222



HQH102 Type scale: 1:100@A3

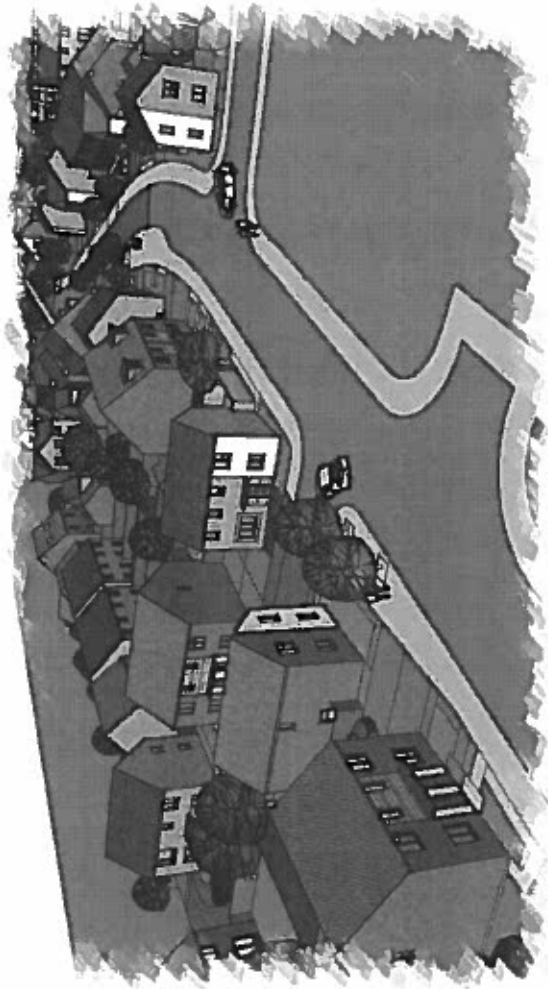
drawing reference P-H-12

# Bishops Cleeve, Phase 3

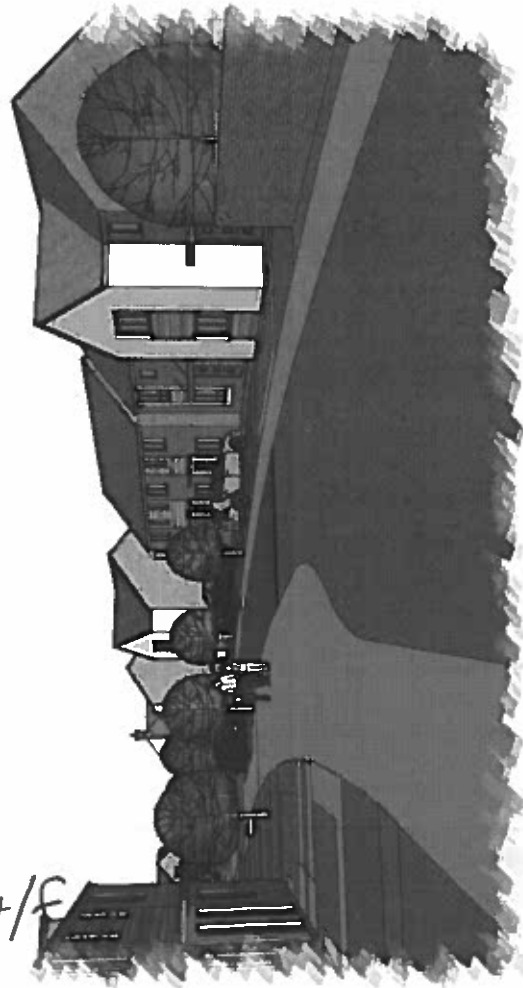
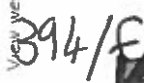


**SCHEDULE OF ACCOMMODATION**

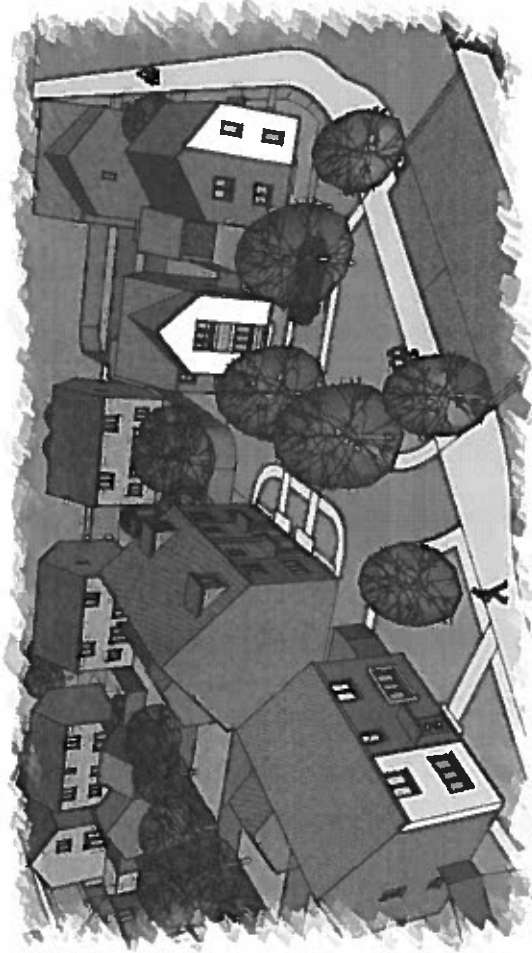
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2	4 Semi Detached	12	20 Terraced
3	4 Semi Detached	13	20 Terraced
4	4 Semi Detached	14	20 Terraced
5	4 Semi Detached	15	20 Terraced
6	4 Semi Detached	16	20 Terraced
7	4 Semi Detached	17	20 Terraced
8	4 Semi Detached	18	20 Terraced
9	4 Semi Detached	19	20 Terraced
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31	4 Semi Detached	32	20 Terraced
33	4 Semi Detached	34	20 Terraced
35	4 Semi Detached	36	20 Terraced
37	4 Semi Detached	38	20 Terraced
39	4 Semi Detached	40	20 Terraced
41	4 Semi Detached	42	20 Terraced
43	4 Semi Detached	44	20 Terraced
45	4 Semi Detached	46	20 Terraced
47	4 Semi Detached	48	20 Terraced
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53	4 Semi Detached	54	20 Terraced
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99	4 Semi Detached	100	20 Terraced



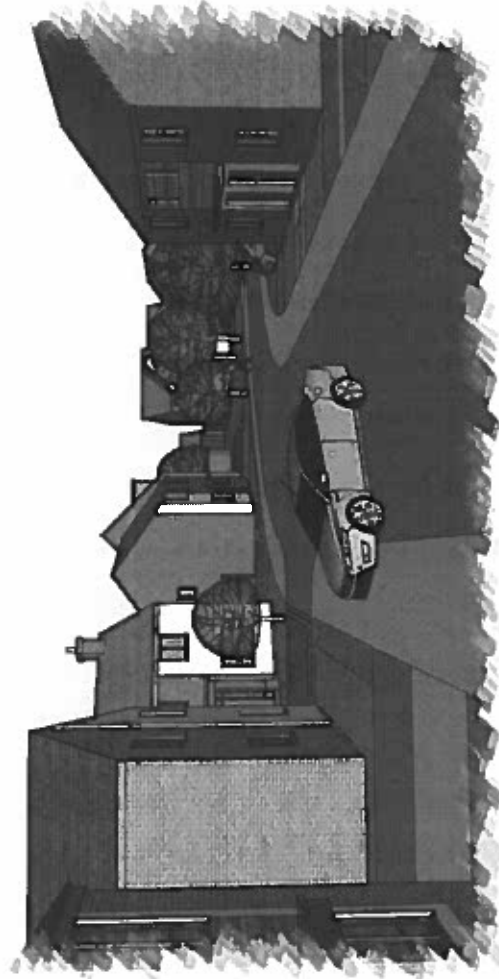
View west towards plots 23 - 26



View west towards plots 52 - 58

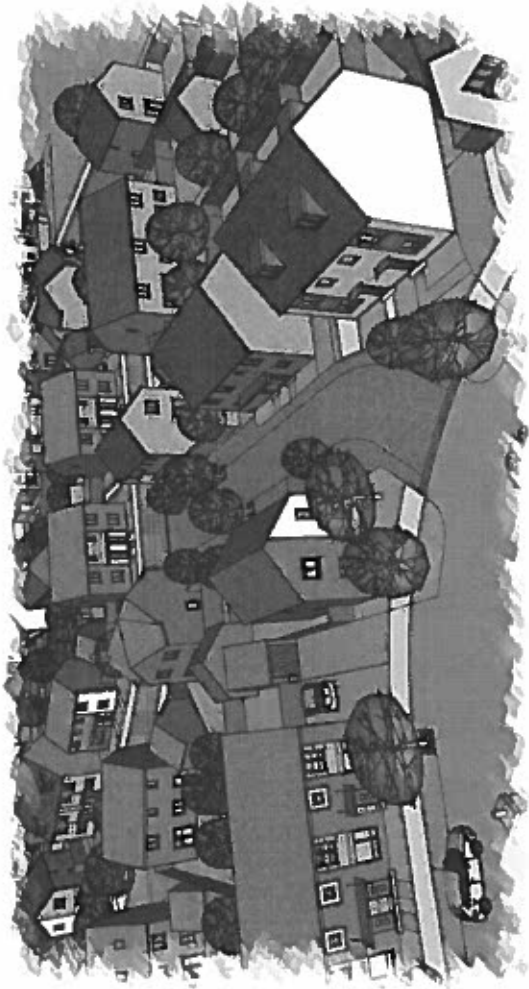


View north towards plots 133 - 137



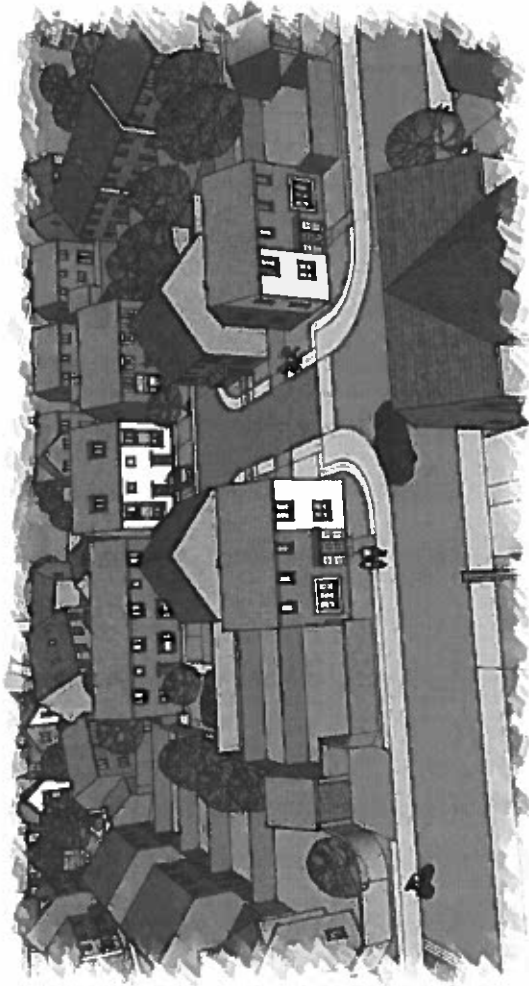
View north towards plot 134



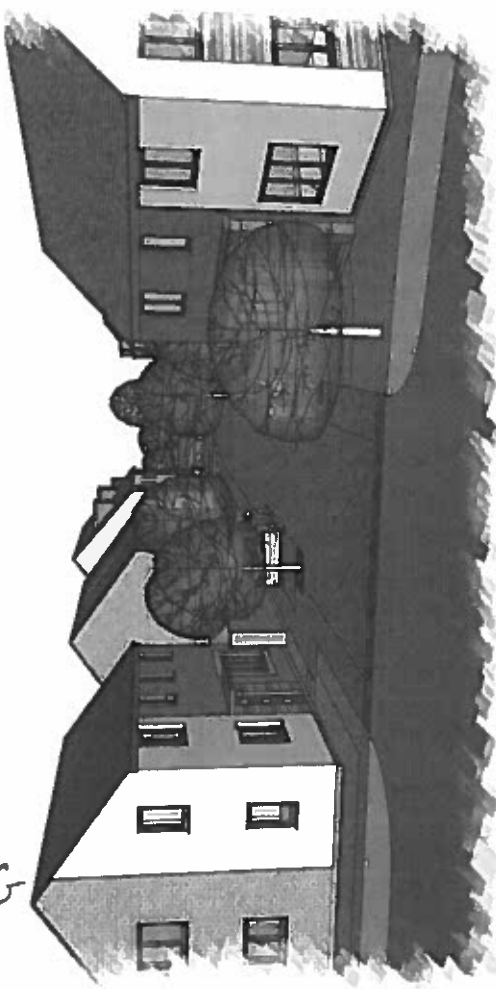


View east towards plots 100 - 101

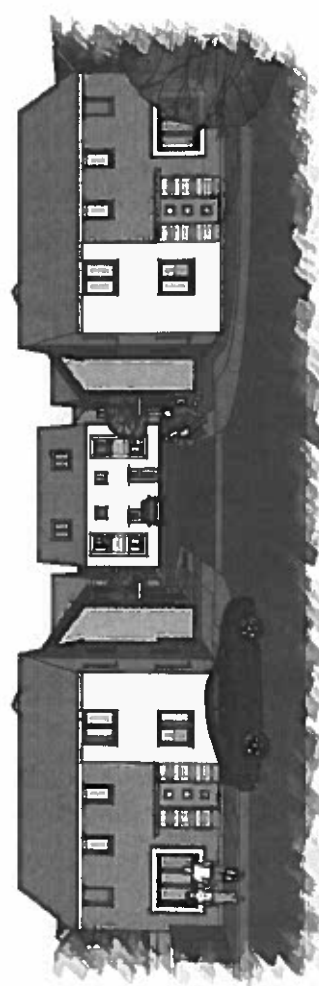
30/4/G



View north towards plots 90 - 91



View west towards plots 121 - 125



View north towards plot 90 - 91

# Cleevelands, Bishops Cleeve

Valid 04.06.2019

Approval of Reserved Matters (Appearance, Landscape, Layout and Scale) for Phase 1 of outline planning permission 12/01256/OUT for the erection of 135 dwellings with associated public open space and infrastructure.

Grid Ref 388189 217382  
Parish Brockworth  
Ward Brockworth West

## **RECOMMENDATION Delegated Approve**

### **Policies and Constraints**

National Planning Policy Framework (2019)

Planning Practice Guidance

Joint Core Strategy (2017) - SP1, SP2, SD3, SD4, SD6, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF5, INF6, INF7, A3

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

Tewkesbury Borough Plan (2011-2031) - Pre-submission version (July 2019) - RES3, RES5, RES12, RES13, DES1, NAT1, NAT3, NAT5, ENV2, HEA1, COM2, TRAC1, TRAC2, TRAC3, TRAC9

Flood and Water Management SPD

Manual for Gloucestershire Streets

Human Rights Act 1998 - Article 8

The First Protocol - Article 1

Public Right of Way

### **Consultations and Representations**

#### **Consultations and Representations**

**Brockworth Parish Council** - No objection.

**Hucclecote Parish Council** - Made the following comments:

Road noise is a concern for the properties closest to the A417. Satisfactory mitigation measures are vital to alleviate traffic noise;

Additional dwellings would be further pressure on local services, especially the local doctors;

Developer should provide a good level of broadband capacity;

Proposed footpaths and cycleways should link up to others within the parish of Brockworth.

**Highways England** - No objection.

**Natural England** - As submitted, the application could have potential significant effects on the Cotswold Beechwoods Special Area of Conservation (SAC). Further information in order to determine the significance of these impacts and the scope for mitigation is required.

**Severn Trent** - As there is no proposal to discharge surface water to the public surface water sewer no comment to make.

**County Highway Authority** - No objection.

**Public Rights of Way Officer** - No objection.

**County Archaeologist** - Archaeological mitigation is already secured via the outline consent therefore no further observations made.

**Landscape Officer** - Raised concerns with elements of the proposed landscape scheme and has requested amendments to address the concerns.

**Urban Design Officer** - Raised concerns with elements of the proposed layout and materials for the proposed dwellings. Amendments have been requested.

**Housing Enabling Officer** - Details are acceptable.

**Flood Risk Drainage Engineer** - No objection.

**Borough Tree Officer** - No objection.

**Borough Conservation Officer** - There are no identified heritage constraints associated with this phase of the development - No objection.

**Borough Project Officer** - No objections to the LEAP specification.

**Wales and West Utilities** - Information in relation to pipes owned by Wales and West Utilities should be provided to all persons working on or near gas apparatus.

### **Local Residents**

One representation has been received raising the following questions:

Is there a requirement to equip these new homes with energy efficient appliances including solar roof panels?

If not is there at least a requirement that the rooflines will be orientated south-facing to facilitate efficient solar panel installation post-construction?

**Planning Officers Comments:** Victoria Stone

### **1.0 Introduction**

#### Perrybrook Site Description

1.1 The outline application site relates to approximately 76.65 hectares of land located immediately north of the settlements of Brockworth and Hucclecote, known as 'Perrybrook' and referred to as 'the wider development site' throughout this report.

1.2 The wider development site is bounded on three sides by major roads; the M5 motorway, the A417 Brockworth bypass and the A46 Shurdington Road. The southern boundary of the site is formed by Mill Lane from its junction with the A46 in the east to the Horsbere Brook. The north and south orientation of Valliant Way and Court Road serve to divide the site into three distinct parcels. A network of Public Rights of Ways (PROW) also crosses the land as well as a significant number of mature trees, some of which are covered by Tree Preservation Orders (TPO).

1.3 The banks of the Horsbere Brook, immediately to the south of the site, fall within Flood Zone 3 as defined by the Environment Agency's most up-to-date flood risk maps, but otherwise the land is designated as being within Flood Zone 1.

1.4 The listed Manorial complex of Brockworth Court is located just outside the site (but enveloped by it) to the south, which includes a Grade I listed church, a grade II\* listed Manor House and Tythe barn, and some other grade II listed structures. A poorly maintained Perry Pear Orchard is located along the eastern boundary along the Shurdington Road.

#### Reserved Matters Site Description

1.5 The current reserved matters application relates to Phase 1 of the wider development site (in relation to the approved phasing plan) and is the third phase to be submitted.

1.6 The application site comprises two distinct field parcels, is irregular in shape and covers approximately 8.7 ha of land (**see attached plan**). It forms the far eastern part of the wider development site.

1.7 The northern boundary of the site is defined by the embankment to the A417. To the east lies a parcel of agricultural land, the Perry Pear Orchard and two existing residential properties, beyond which lies the A46, Shurdington Road. The southern boundary adjoins Mill Lane with the exception of a small strip which lies to the north of the existing sports pitches associated with Brockworth Rugby Club and the formal sports hub approved as part of the outline consent. The land to the west also adjoins the approved formal sports hub and allotments as part of the wider development site and a small number of existing residential properties.



## **2.0 Planning History**

2.1 An outline planning application for a mixed-use scheme of up to 1500 dwellings and ancillary development, including the principal means of access, was submitted in January 2013. All matters except for access were reserved for future consideration. The application proposed:

- Residential development of up to 1,500 dwellings;
- 40% affordable housing including up to 150 units of extra care accommodation;
- 3.3ha of new Classes B1 and B8 employment uses, comprising up to 22,000sqm of floor space along the western boundary of the site;
- A mixed use community hub including Classes A1, A2, A3, A4 and A5 local retail uses (totalling 2,500sqm) and Class D1 health facilities;
- 2 ha. of land for a new primary school of 1.5 form entry capacity;
- Playing pitches and associated facilities around the Brockworth Rugby Club site;
- Formal and informal areas of open space and children's play areas, as well as a green corridor along the Horsbere Brook; and
- 0.78 ha of on-site allotments.

2.2 At that time the site was located wholly within the Gloucestershire Green Belt as defined by the Tewkesbury Borough Local Plan to 2011 (March 2006). In considering the application in August 2014, Tewkesbury Borough Planning Committee was of the view that the principle of the scheme was sound and that very special circumstances existed to remove the site from the Green Belt. Planning Committee were therefore 'Minded to Permit', but owing to the scale and nature of the proposals they were referred to the Secretary of State to consider whether to 'call-in' the application. The Secretary of State subsequently decided that the application should be determined through the call-in procedure. Following a Public Inquiry outline consent was granted by the Secretary of State on 31st March 2016.

2.3 The permission has since been carried forward into the adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 as a strategic housing allocation (Policy A3 North Brockworth) and its Green Belt designation has been removed.

2.4 Following the grant of planning permission a number of non-material amendments have been received and approved in respect of the outline consent conditions, and a number of pre-commencement conditions have also been discharged.

2.5 Reserved Matters approval was granted in September 2018 for the landscaping, layout, scale and external appearance of the formal sports area (excluding the Changing Room Facilities and associated car parking) forming part of the outline permission (ref: 18/00410/APP).

2.6 An application for the approval of reserved matters, ref: 18/00109/APP, (appearance, layout, landscaping and scale) comprising Phase 3 of outline planning permission 12/01256/OUT for the erection of 225 dwellings with public open space, play area, and associated infrastructure was approved in May 2019.

2.7 Reserved matters approval, ref: 18/00864/APP, was granted in August 2019 for the appearance, landscaping, layout and scale for Phase 5 and Phase 2 (in part) of outline planning permission 12/01256/OUT for the erection of 240 dwellings with public open space, play area, and associated infrastructure.

## **3.0 Current Application**

3.1 This application seeks reserved matters approval pursuant to outline consent 12/01256/OUT for the layout, scale, appearance and landscaping of 135 dwellings with associated public open space and infrastructure. This is the third phase of residential development at the wider development site.

3.2 The site would be served by a new primary road which would have two access points onto Mill Lane. The primary road would in turn give access to secondary and tertiary roads to serve the development. A new site wide footpath cycleway would be provided along the northern edge of the development.

3.3 The proposed residential development would deliver 135 new dwellings of which 36 would be affordable. These dwellings would include a mix of dwelling sizes from 2 bedroom to 5 bedroom houses.

3.4 The design of the layout is based around the Village Street and Rural Edge residential character area principles. The dwellings would front onto Mill Lane as a key frontage and around the perimeter of the site the dwellings would face outwards to address the public open spaces. The appearance of the dwellings is based around traditional principles.

3.5 Landscape is proposed to be integrated into the scheme. A landscape buffer along the northern boundary is proposed; longer runs of parking would be interspersed with trees and a LEAP would be located adjacent to the proposed attenuation pond.

3.6 A comprehensive Sustainable Drainage System (SuDS) has been approved for the wider development site. In accordance with condition 8 of the outline consent a detailed Drainage Strategy and SuDS Management Plan for this phase has been submitted. The proposed surface water drainage has been designed to convey the surface water from each plot, through a gravity sewer system to an attenuation basin in the western area of the site.

3.7 The application documents include a Statement of Compliance; an Arboricultural Survey, Impact Assessment and Protection Plan; a Drainage Strategy and SuDS Management Plan; a Highway Infrastructure Road Safety Audit; a 5 Year Landscape Maintenance and Management Plan and an Environmental Noise Survey.

#### **4.0 Policy Context**

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

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

4.3 The Pre-Submission version of the Tewkesbury Borough Plan (PSTBP) was approved for publication and submission at the Council meeting held on 30 July 2019. On the basis of the stage of preparation the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded limited to moderate weight, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

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

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

#### **5.0 Analysis**

##### **Principle of the development**

5.1 The principle of residential development at the site has already been established through the grant of outline consent and its subsequent allocation for housing in the JCS as part of the wider North Brockworth Allocation (Policy A3). This application relates solely to the approval of the layout, appearance, landscaping and scale of Phase 1 of the wider development site.

5.2 Consideration also needs to be given as to whether the development would accord with the outline consent and its supporting documents as required by condition 5 of the outline consent. These set out the key principles governing the development of the site, namely the Concept Masterplan, the Illustrative Masterplan and the detailed Design and Access Statement.

## Layout and Scale

5.3 Section 12 of the NPPF sets out that the creation of high quality 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 to communities. This is echoed in JCS policy SD4 and emerging policy RES5 of the Pre-submission Tewkesbury Borough Plan (2019) which states 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.

5.4 As mentioned above an 'Illustrative' and 'Conceptual' Masterplan layout was agreed as part of the outline consent. A number of important principles of good design and appropriate parameters were established during the determination of the outline consent, which were encapsulated in a detailed Design and Access Statement (DAS). The vision outlined in the DAS was for a development that respected its wider context and worked within the surrounding landscape. The DAS envisages a series of inter-connecting, locally distinctive and walkable neighbourhoods with fragmented edges abutting open space and set within a strong green framework linking to natural and heritage assets. As set out above, it is a conditional requirement that all reserved matters shall be broadly in accordance with the principles and parameters described and identified in the Masterplans and the DAS.

5.5 In addition, condition 5 of the outline consent requires a statement to be submitted with each reserved matters to ensure the design quality and design parameters set out at outline stage are adhered to in the detailed design. A Statement of Compliance (SoC) has been submitted with this application which summarises the key areas of compliance with the design principles of the outline consent.

5.6 The proposal includes a balance between developed and undeveloped areas with a scale of development that would be reflective of northern Brockworth, albeit in a denser form of development.

5.7 Access arrangements have been designed reflecting the DAS access principles to provide a clear hierarchy of routes and public spaces to enable safe navigation and movement through the site. This includes a network comprising Primary, Secondary and Tertiary roads. A new pedestrian footpath would be provided along the northern edge of the site, connecting the Perry Pear Orchard with the rest of the phases of development to the west.

5.8 The residential element of the wider development site is proposed to be spread between small neighbourhoods each with their own character in terms of scale and style. Based on the design principles of the outline consent Phase 1 comprises two of the character areas, Village Street and the Rural Edge. The Village Street area occupies the middle of the site. Here the dwellings would overlook the tertiary streets, would be two storey in height and would be at a higher density. The houses would be arranged as single dwellings, semi-detached dwellings and terraces of 3 or 4 dwellings. The Rural Edge character area would provide a fragmented edge to the built form where it meets open space. The dwellings here would also be two storey in height, are designed at a lower density and would be pre-dominantly detached with some semi-detached and terraces. The dwellings would have a larger front and rear garden.

5.9 Officers have raised concerns with regards to the layout and configuration of a small number of plots which would front the primary roads. At the time of writing this report ongoing discussions are continuing with the applicant in respect to this matter and it is hoped these concerns could be easily addressed. **An update on this matter will be provided at Committee.**

5.10 As such, subject to achieving a satisfactory conclusion in respect to the layout of a small number of plots, it is considered that the layout, in respect to the scale, street hierarchy and residential character areas of the development, would respond appropriately to the principles set out in the Masterplans and DAS of the outline consent.

## Appearance

5.11 The DAS for the wider development site sets out the underlying concept of the development is to create "an extension to the village of Brockworth which retains a sense of the Gloucestershire village character and a strong relationship with the rural landscape surrounding it. It is envisaged that to do this some traditional approaches to architecture, road design and landscaping will need to be applied. The development will take direction from desirable local characteristics of the vale landscape; such as the village of Badgeworth which provides an appropriate influence. In the far east of the proposed site there is influence from both the Vale landscape and the Cotswolds Landscape, such as the village of Witcombe." Thus rather than take design influences from northern Brockworth, the development will adopt a new rural 'village' character.

5.12 The Statement of Compliance submitted with this application takes forward this design aesthetic. The application proposes a mix of 2, 3, 4, and 5 bedroom detached, semi-detached and terraced properties **see typical house types attached**. The appearance of the dwellings is based on traditional principles, including pitched roofs with tiles; bay window details; chimneys on prominent corner plots; a variety of canopy porch designs; gauged arches to window heads and well-portioned fenestration. Walls are proposed to be brickwork with quoins on prominent corners and vistas. Selected plots would have tile hanging to front gables.

5.13 The scheme proposes two different brick colours, a red and a yellow buff brick. Whilst a palette of materials and combinations is welcomed concerns are raised in respect to the use of the yellow brick and the resulting contrast against the proposed red brick. Accordingly, officers are in the process of negotiating amended facing brick materials of which **an update will be provided at Committee**. The roof materials proposed are considered to be acceptable.

5.14 In terms of associated boundary treatment, in public areas flank walls would be constructed in facing brick, with close-boarded fencing restricted to rear/side and set-back garden locations. Other boundary treatments, in particular along the southern boundary fronting Mill Lane, include knee-high timber post and rail fencing.

5.15 In light of the above, subject to resolving the outstanding matter in respect to the brick colour and finish, it is considered that the appearance of the proposed dwellings would provide for a coherent and cohesive scheme, one which would reflect the design aesthetic set out in the approved DAS through the outline consent.

### Landscape

5.16 The NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Policy SD6 of the JCS 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. 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.

5.17 Policy INF3 of the JCS 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. Emerging policy NAT3 of the Pre-submission Tewkesbury Borough Plan (2019) sets out that development must contribute, where appropriate to do so and at a scale commensurate to the proposal, towards the provision, protection and enhancement of the wider green infrastructure network.

5.18 The principle of the development in the open countryside adjacent to Brockworth, which is not subject to any landscape designation, has been established through the outline consent and the allocation of the site for housing in the JCS. Nevertheless, the site must be carefully designed to ensure its successful integration with Brockworth, the surrounding landscape and the other phases of the development.

5.19 The DAS and Masterplan approved through the outline consent developed a landscape strategy which includes, amongst other things, the retention of natural features of importance which would be linked by open spaces; strategic landscaping along the northern edge of the site and within new areas of open space along the brook; a network of swales along some roads and within open space; strategic corridors and 'green fingers' of open space; specimen structural tree planting along principal streets and play areas to provide opportunities to incorporate informal areas of play.

5.20 The landscape approach proposed for this phase seeks to retain, protect and enhance the landscape strategy as approved in the DAS and Masterplan of the outline consent. The Council's Landscape Advisor (LA) reviewed the initial and first revised scheme and identified a small number of shortcomings with the landscape approach. At the time of writing this report the applicant is currently in the process of submitting further revised plans to address the matters raised by the LA. **An update will be provided at Committee**.

5.21 During the course of the application the LEAP children's play area has been redesigned/extended with additional equipment to cater for a wider age ranges. The natural features, surfaced path and trees would all add a good deal of value to the play area. The Council's Landscape Advisor (LA) has requested a couple of minor changes (the re-orientation of the slide and the gates to open outwards). The applicant has agreed to these changes and at the time of writing this report revised plans are in the process of being drawn.

5.22 An Arboricultural Survey, Impact Assessment and Protection Plan accompanies the application as required by condition 12 of the outline consent. The Council's Tree Officer has reviewed the report and raised no objections to the detail within it.

5.23 On the basis the outstanding landscape concerns can be resolved, it is considered the proposed landscaping and public open spaces within this phase would provide a suitable scheme which would be broadly in accordance with the principles of the landscape strategy set out in the approved DAS and Illustrative Masterplan of the outline consent.

#### Highway Layout and Access Arrangements

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

5.25 In support of the application a Highway Infrastructure Road Safety Audit and a number of technical plans have been submitted. The County Highway Authority (CHA) reviewed the initial scheme advanced and commented that the details submitted provided insufficient information to demonstrate safe and suitable layout and access arrangements. Revised plans have been received, reviewed and agreed by the CHA.

5.26 On the basis of the submitted information, it is considered that the proposed development would ensure safe and efficient access to the highway network and would be well integrated with the movement network within and beyond the development itself.

#### Impact upon residential amenity

5.27 In respect of the impact of the development upon residential amenity, paragraph 127 of the NPPF specifies that planning decisions should ensure development creates places with a high standard of amenity for existing and future users. This advice is reflected in JCS policies SD4 and SD14 which 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.

5.28 The application site is set away from the existing residential development at Brockworth which lies to the south of Mill Lane. There are a small number of existing properties on both the eastern boundary of the site (High Meadow, Oak Tree Cottage) and the western boundary (Henley Bank Kennels and Henley Bank Farm). The design of the layout of the site has been carefully considered to ensure the development should not cause any undue harm upon the residential amenity of the neighbouring properties. The siting of the proposed attenuation pond in the far west corner of the site would ensure a satisfactory distance would be maintained from the proposed dwellings to the existing properties on the west boundary. In respect to the two neighbouring properties on the eastern boundary, the proposed dwellings closest to this boundary would be 'set-in' and orientated such that there should be no direct overlooking issues. A distance of approximately 25 metres would be maintained from the front elevation of the dwelling on plot no.82, nearest to the neighbouring property, High Meadow. The dwelling on Plot No.69 would be closer to the boundary however the dwelling would be orientated at an angle so that the front and rear elevation would not face the existing neighbouring property. Irrespective of this, the dwelling on Plot No.69 would still be a sufficient distance away to prevent any unduly harmful overbearing/overlooking issues.

5.29 The distances and relationship between the proposed dwellings have been assessed. Where the dwellings are to be sited back-to-back a distance of 20 metres would be maintained. This distance is reduced accordingly where dwellings face onto each other at oblique angles which is acceptable as direct overlooking of rear elevations is reduced. In a limited number of plots, adequate separation distances were not shown, thus overlooking of private rear gardens was identified. At the time of writing this report the applicant is currently in the process of submitting further revised plans to address this matter therefore an update will be provided at Committee.

5.30 Further to the above, the amenity of future residents of the development was considered as part of the outline consent, particularly with regards to the proximity of the site to the A417 (T). Accordingly condition 24 of the outline consent requires that no development shall take place within any phase of the development until a noise assessment be submitted to and approved in writing by the Local Planning Authority. A separate application to approve details reserved by this condition has been submitted, ref: 19/00084/CONDIS, and is running parallel to this application. In respect to this application the Council's Environmental Health Officer (EHO) has reviewed the Environmental Noise Survey, prepared by Hunter Acoustics, which are considered acceptable in principle. The precise details of mitigation required for each plot will be dealt with under the application to approve details reserved by condition application.

5.31 On the basis the outstanding amenity concerns is resolved, it is 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.

#### Surface Water Drainage

5.32 JCS policy INF2 advises that development proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on site or elsewhere. For sites of strategic scale, the cumulative impact of the proposed development on flood risk in relation to existing settlements, communities or allocated sites must be assessed and effectively mitigation. It also requires new development to incorporate Sustainable Urban Drainage Systems (SUDS) where appropriate to manage surface water drainage.

5.33 Condition 8 of the outline consent required the first reserved matters application submitted in respect to the whole site to include a surface water drainage strategy for the entire site. This was submitted and approved as part of the reserved matters for phase 3. The condition also requires a detailed surface water drainage strategy to be submitted as part of any subsequent reserved matters application for that specific phase. A Drainage Strategy and SuDS Management Plan accompanies the application.

5.34 The Council's Flood Risk Drainage Engineer has considered the submitted strategy and raises no objection to the approval of reserved matters, in accordance with the engineering plans and management plan submitted, from a flood risk perspective.

#### Affordable Housing

5.35 The NPPF sets out that Local Planning Authorities should set policies for meeting affordable housing need on development sites. JCS Policy SD12 and emerging Policy RES12 of the Pre-submission Tewkesbury Borough Plan (2019) seeks 40% affordable housing to be provided, where possible, on site.

5.36 An Affordable Housing Scheme (AHS) for the wider development site identifies that no more than 40% affordable housing shall be provided across the whole site and the number of dwellings that this equates to per phase of development. Of the 600 total affordable housing units 425 will be 'General Affordable Housing' and 175 will be 'Extra Care Affordable Housing.' In accordance with the AHS phase 1 is required to provide 36 'General' affordable dwellings of which 50% would be social rented and 50% would be intermediate units. 3 of the units are proposed to be constructed to 'Lifetime Homes' standard. The units are proposed to be spread out across the site in two clusters within the market housing.

5.37 The Council's Housing Enabling Officer has reviewed the proposed affordable housing provision and raises no objections.

#### Other Matters

5.38 Natural England consider as submitted, the application could have potential significant effects on the Cotswolds Beechwoods Special area of Conservation (SAC) which is a European designated site. As such they have requested further information in order to determine the significance of these impacts and the scope for mitigation and for the Council to undertake a Habitats Regulation Assessment (HRA). Further information has been submitted by the applicant and discussions are ongoing with Natural England in respect to their request for the Council to carry out a HRA. **Members will be provided with an update at Committee.**

5.39 The plans shown in the following pages of the Committee Schedule represent the latest revised version available at the time of writing this report. As detailed above, ongoing discussions are taking place with the applicant and officers in respect to securing a number of amendments to the layout, material specification and the landscape strategy therefore it is likely further amended plans will be received before Planning Committee. These will be included in the Late Representation Sheets and uploaded to the Council's website under the planning reference.

## **6.0 Conclusions**

6.1 Taking into account all of the above, it is considered that subject to the outstanding matters outlined above being resolved, the proposed development would result in an acceptable layout, scale, appearance and landscaping. The scheme advanced would be broadly in accordance with the principles and parameters described and identified in the Illustrative and Conceptual Masterplan and the Design and Access Statement approved under the outline consent for the wider development site.

6.2 It is therefore recommended that authority be delegated to the Technical Planning Manager to **Approve the application subject to the resolution of the outstanding matters related to landscaping; appearance (brick materials); layout and residential amenity; the Habitats Regulations Assessment and the addition to/amendment of planning conditions as appropriate.**

### **RECOMMENDATION Delegated Approve**

Conditions:

Nil

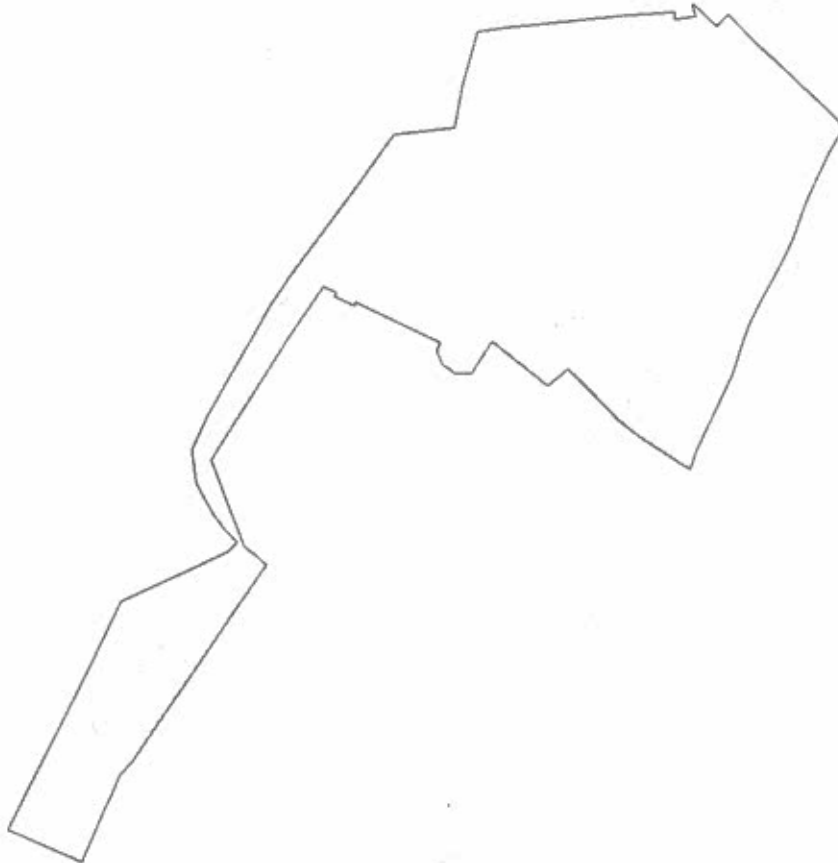
Notes:

#### **1 Statement of Positive and Proactive Engagement**

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

- 2 The decision should be read in conjunction with outline consent, 12/01256/OUT, including the associated S106 legal agreements.

Perrybrook - Phase 1,  
Brockworth, GLOUCESTER



L+03/A

This drawing must not be scaled. Measured dimensions and levels to be used. Architects must be notified in the detail drawings and large scale drawings take precedence over smaller drawings.		A Red line site boundary updated to suit site layout changes. B Red line site boundary updated to suit drawing received from MFL Landscaping. C Red line site boundary updated to suit site layout changes.		C.L. 20.03.19. C.L. 04.08.19. C.L. 23.08.19.	Rev: -	Perrybrook - Phase 1, Brockworth, GLOUCESTER		1:2500 @ A2 Feb 2017 art
Preliminary		PLANNING		✓		Drawing No. 15132(05)100		Rev. C
DESIGN		TENDER		CONSTRUCTION		Contract: Residential Development Perrybrook - Phase 1, Brockworth, GLOUCESTER for Bellway Homes		Scale: 1:2500 @ A2 Date: Feb 2017 Drawn: art Checked: -



# Perrybrook - Phase 1, Brockworth, GLOUCESTER



NO.	DATE	BY	CHKD.	DESCRIPTION
1	10/10/18	JD	JD	Initial Design
2	11/10/18	JD	JD	Revised Design
3	12/10/18	JD	JD	Final Design

- ICHO (Intermediate)
- \* Social Standard
- Site Master Plan

On 5m 10m 25m 50m  
Scale Bar

**powellidobson**  
ARCHITECTS

Residential Development Perrybrook - Phase 1,  
Brockworth, GLOUCESTER for B&B Homes  
Site - Self Development Layout - Amendments  
Date: 11/10/18  
Scale: 1:1000  
Author: JD  
Checker: JD  
Project: 1018



Project No.	1018
Project Name	Perrybrook - Phase 1
Client	B&B Homes
Location	Brockworth, Gloucester
Scale	1:1000
Date	11/10/18
Author	JD
Checker	JD
Project	1018

Notes:  
1. All dimensions are in metres unless otherwise stated.  
2. All dimensions are to the centre of the line unless otherwise stated.  
3. All dimensions are to the face of the wall unless otherwise stated.  
4. All dimensions are to the face of the wall unless otherwise stated.  
5. All dimensions are to the face of the wall unless otherwise stated.  
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9. All dimensions are to the face of the wall unless otherwise stated.  
10. All dimensions are to the face of the wall unless otherwise stated.



Maternal's Schedule

- 1 Main Roof - Fresh - Mini Stonefield - colour black and Farmhouse red
- 2 Roof to Safe Materials Plan - colour black
- 3 Low level Roof Finishes - Plain Tiles - colour to match Main Roof
- 4 Roof to Safe Materials Plan for locations
- 5 Facing Brickwork - Forterra Farmstead Antique and Forterra Burnell Bluff
- 6 Roof to Safe Materials Plan for locations
- 7 Brick Mortar - Colour - natural mortar
- 8 Tie Hanging - Fresh - Plain Tiles, colour to match main roof
- 9 Windows & French Door type UPVC - Colour
- 10 Heads and Cills - Flat Gauge Headers, Recon Stone Cills
- 11 Entrance Door - Colour
- 12 Garage Door - Colour - to match Front Door
- 13 GRP Entrance Canopy & Dormer - Colour
- 14 UPVC Rainwater Goods - colour
- 15 UPVC Eaves/Soffit/Fascia - Burge Boards - Colour
- 16 Meier Box -

**Gross Area - 63.20m<sup>2</sup> (680 ft<sup>2</sup>)**  
inc.stairs area on all levels



1379242  
 The 71 people in this category have  
 been in the past 12 months

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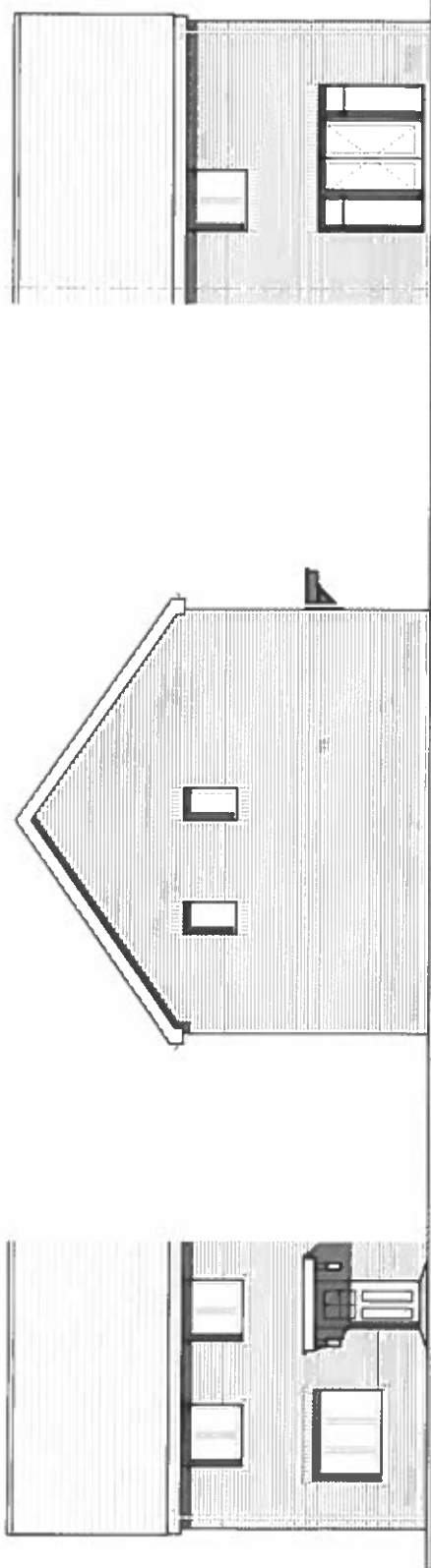
PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

**powell**dobson  
ARCHITECTS

**Contact:** Residential Development Perrybrook, Phase 1, Scale: 1:100 @ A3  
**Brockworth, GLOUCESTER for Bellway Homes, Date:** Dec 2018  
**HT JOINER - (Brick) Plans & Elevations Drawn:** MB  
**Checked:**

Plot No's: 03, 04, 44, 47, 49,  
50, 59, 60, 61, 62, 87, 88, 100,  
101, 102, 103, 110, 113

**TAILOR House Type, Plans & Elevations (Brick)**



**REAR ELEVATION**

**Materials Schedule**

1. Main Roof finish - Mini Stonevold - colour black and Farmhouse red
2. Refer to Site Materials Plan for locations
3. Low level Roof Finishes - Plain Tiles, colour to match Main Roof
4. Refer to Site Materials Plan for locations
5. Facing Brickwork - Forterra Farmstead Antique and Forterra Burwell Buil
6. Refer to Site Materials Plan for locations
7. Brick Mortar - Colour - natural mortar
8. Tile Hanging Finish - Plain Tiles, colour to match main roof
9. Windows & French Door type UPVC - Colour
10. Heads and Cills - Flat Gauge Headers, Recon Stone Cills
11. Entrance Door - Colour
12. Garage Door - Colour to match Front Door
13. GRP Entrance Canopy & Dormer - Colour
14. UPVC Rainwater Goods - colour
15. UPVC Eaves/Soffit/Fascia - Barge Boards - Colour
16. Meter Box -

**SIDE ELEVATION**

**FRONT ELEVATION**



**GROUND FLOOR PLAN**

**FIRST FLOOR PLAN**

**Gross Area - 74.48m<sup>2</sup> (802 ft<sup>2</sup>)**  
inc. stairs area on all levels



✓	PRELIMINARY
	PLANNING
	DESIGN
	TENDER
	CONSTRUCTION

Architect's Name: **powelldobson ARCHITECTS**

Client: **Residential Development Perrybrook, Phase 3, Brockworth, Gloucester for Bellway Homes**

Project: **HT TAILOR - (Brick) Plans & Elevations**

Drawing No: **10132 (05) 201**

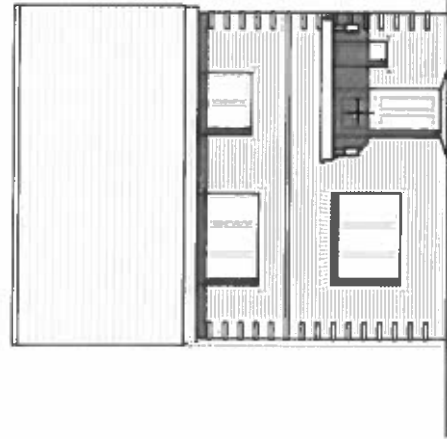
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Date: **Oct 2019**

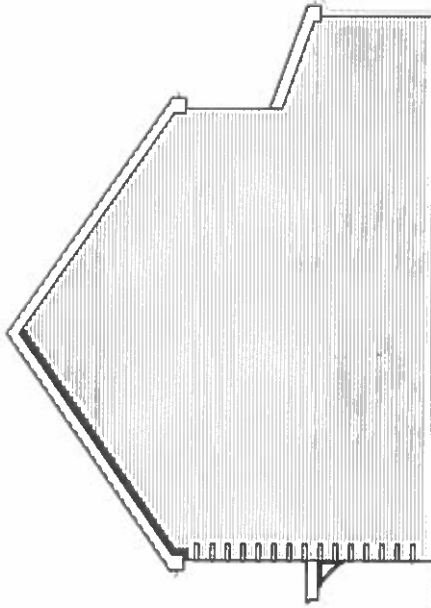
Drawn: **mg**

Checked: **mg**

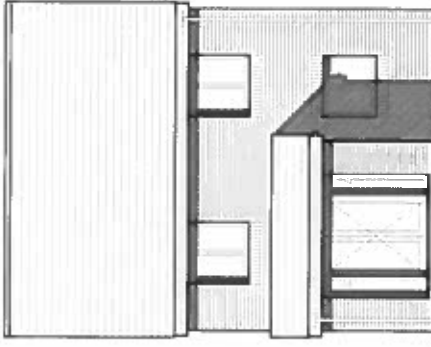
Figured dimensions and levels to be used for construction must be related to the ground level. Overall dimensions and levels to be shown. Level precedence over number of drawings.



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



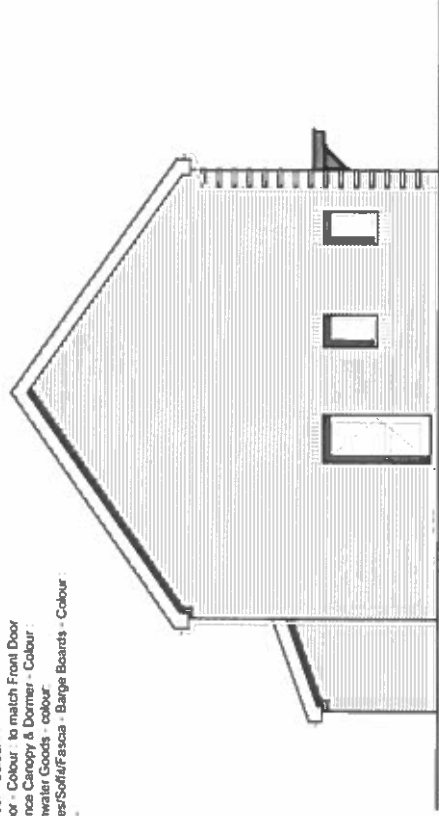
GROUND FLOOR PLAN



FIRST FLOOR PLAN

Materials Schedule

1. Main Roof finish - Min Stonewold - colour: black and Farmhouse red
2. Refer to Site Materials Plan for locations
3. Low level Roof Finishes - Plain Tiles, colour to match Main Roof
4. Refer to Site Materials Plan for locations
5. Facing Brickwork - Forterra Farmstead Antique and Forterra Burwell Built
6. Refer to Site Materials Plan for locations
7. Brick Mortar - Colour: natural mortar
8. Tile Hanging Finish - Plain Tiles, colour to match main roof
9. Windows & Cills - Flat Gauge Headers, Recon Stone Cills
10. Entrance Door - Colour
11. Garage Door - Colour to match Front Door
12. GSP Entrance Canopy & Dormer - Colour
13. UPVC Rainwater Goods - colour
14. UPVC Eaves/Soffit/Fascia - Barge Boards - Colour
15. Meter Box



SIDE ELEVATION

Gross Area - 98.35m<sup>2</sup> (1059 ft<sup>2</sup>)  
inc. stairs area on all levels



Figured dimensions and levels to be used  
any indication must be noted to the  
Detail in drawings and large in the drawing  
Units presented over smaller drawings.

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

Rev	Rev	Rev	Rev

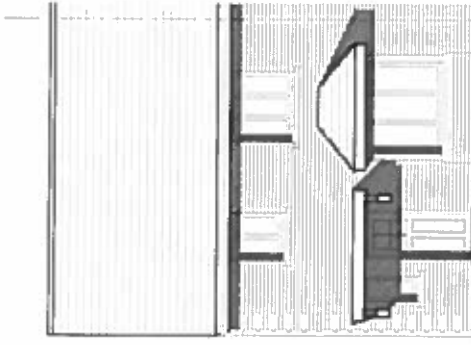
16132 (05) 206

powelldobson  
ARCHITECTS

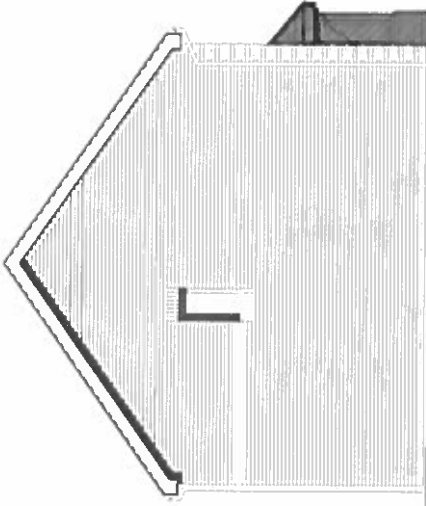
Residential Development Perrybrook, Phase 1, Site  
Brockworth, Gloucester for Bellway Homes, Drawn:  
HT MASON - (Brick & Quoins) Plans & Elevations

Plot No's- 54, 55

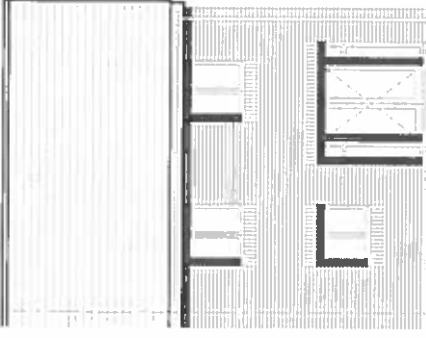
# CHANDLER House Type, Plans & Elevations (Brick / Quoins)



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



5505



GROUND FLOOR PLAN



FIRST FLOOR PLAN

403/F

7935

## Materials Schedule

1. Main Roof finish - Mini Stonegold - colour: black and Farmhouse red
2. Refer to Site Materials Plan for locations
3. Low level Roof Finishes - Plain Tiles, colour to match Main Roof
4. Refer to Site Materials Plan for locations
5. Facing Brickwork - Forterra Farmstead Antique and Forterra Burwell Bluff
6. Refer to Site Materials Plan for locations
7. Brick Mortar - Colour: natural mortar
8. Tile Hanging Finish - Plain Tiles, colour to match main roof
9. Windows & French Door type UPVC - Colour
10. Heads and Cills - Flat Gauge Headers, Recon Stone Cills
11. Entrance Door - Colour
12. Garage Door - Colour to match Front Door
13. GRP Entrance Canopy & Dormer - Colour
14. UPVC Rainwater Goods - colour
15. UPVC Eaves/Soffit/Fascia - Barge Boards - Colour
16. Meter Box

Gross Area - 88.39m<sup>2</sup> (951 ft<sup>2</sup>)  
inc. stairs area on all levels



PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

16132 (05) 204

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ARCHITECTS

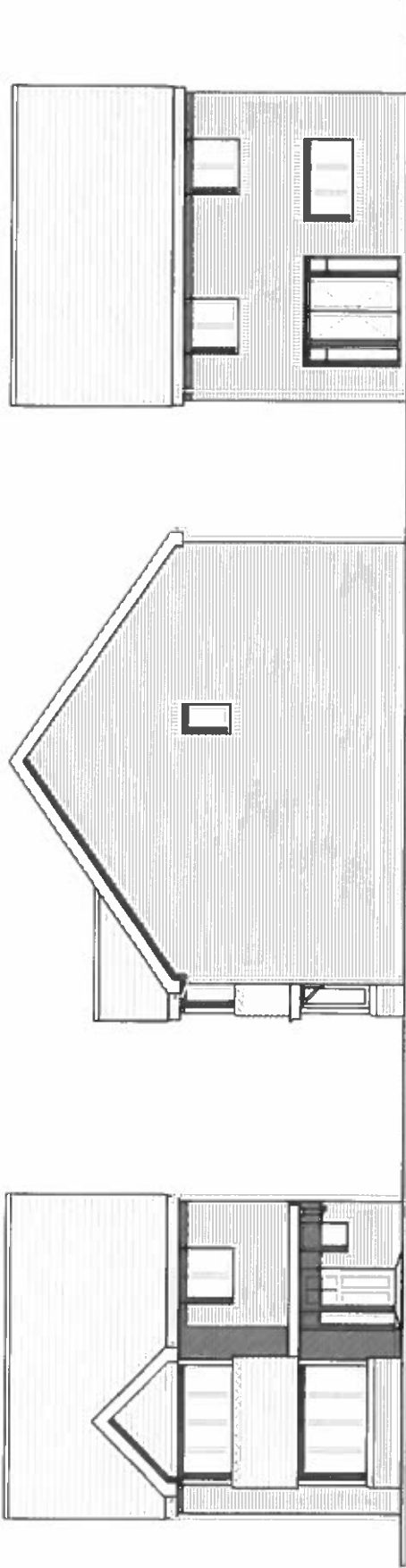
Contract: Residential Development Perrybrook, Phase 1,  
Brockworth, GLOUCESTER for Bellway Homes, Gloucester  
Tee: HT CHANDLER (Brick / Quoins) - Plans & Elevations  
Drawn: M  
Date: 2018  
Scale: 1:100 @ A3  
Checked: M

Figured dimensions and levels to be used  
for construction. All dimensions must be  
checked on site and confirmed by the  
architect.  
Detail drawings and large scale drawings  
take precedence over smaller drawings.

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# SCRIVENER House Type, Plans & Elevations (Tiles)



FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

6135

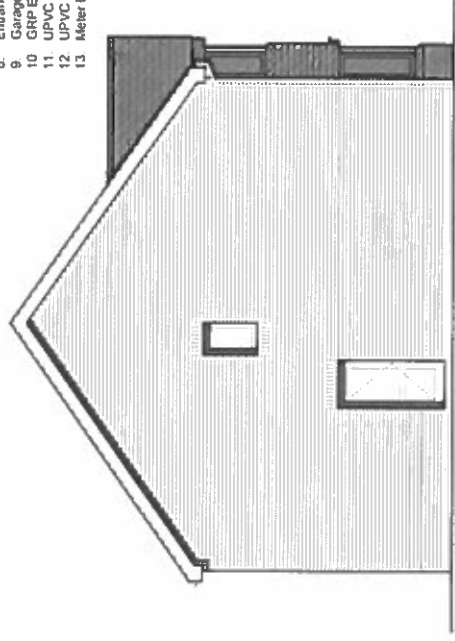
403/G



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SIDE ELEVATION

Gross Area - 112.75m<sup>2</sup> (1214 ft<sup>2</sup>)  
inc. stairs area on all levels



## Materials Schedule

1. Main Roof Finish - Mini Stonewold - colour black and Farmhouse red  
Refer to Site Materials Plan for locations
2. Low level Roof Finishes - Plain Tiles, colour to match Main Roof  
Refer to Site Materials Plan for locations
3. Facing Brickwork - Forterra Farmstead Antique and Forterra Bunwell Bluff  
Refer to Site Materials Plan for locations
4. Brick Mortar - Colour natural mortar
5. Tie Hanging Finish - Plain Tiles, colour to match main roof
6. Windows & French Door type UPVC - Colour
7. Heads and Cills - Flat Garage Headers, Recon Stone Cills
8. Entrance Door - Colour
9. Garage Door - Colour to match Front Door
10. GSP Entrance Canopy & Downer - Colour
11. UPVC Rainwater Gutter - Colour
12. UPVC External Soft/Fabric Barge Boards - Colour
13. Meter Box

<input checked="" type="checkbox"/>	PRELIMINARY
<input type="checkbox"/>	PLANNING
<input type="checkbox"/>	DESIGN
<input type="checkbox"/>	TENDER
<input type="checkbox"/>	CONSTRUCTION

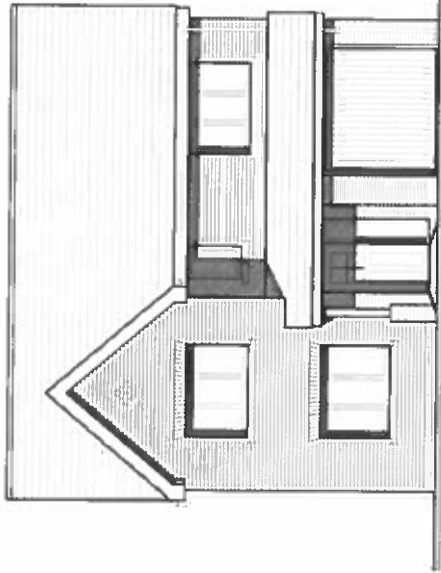
**powelldobson**  
ARCHITECTS

Residential Development Perrybrook, Phase 1, Brockworth, GLOUCESTER for Bellway Homes, Dec 2018  
Title: HT SCRIVENER - (Brick & Tiles) Plans & Elevations  
Scale: 1:100 @ A3  
Date: Dec 2018  
Drawn: MB  
Checked: MB

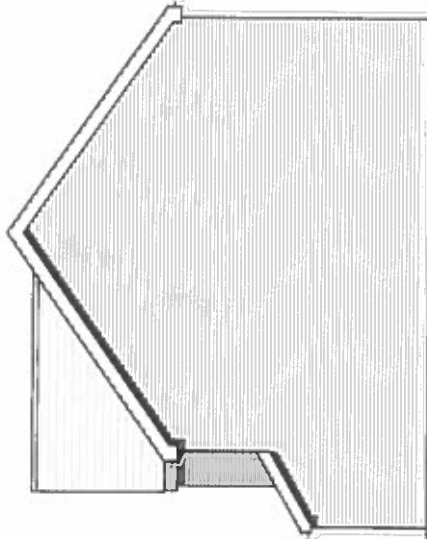
Figured dimensions and levels to be used for construction. All dimensions must be confirmed with the architect. Details of drawings and large scale drawings must be confirmed with the architect.

# CUTLER House Type, Plans & Elevations (Brick)

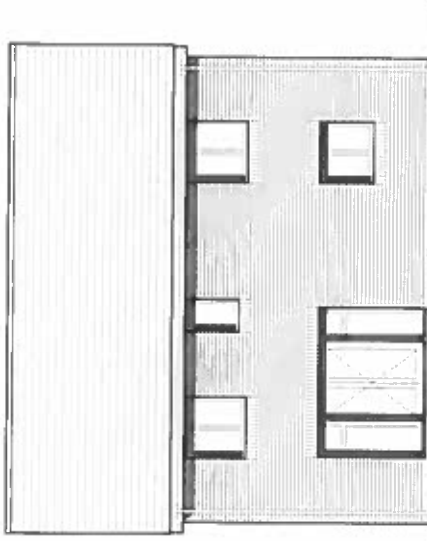
Plot no's- 75, 90, 96



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

## Materials Schedule

1. Main Roof finish - Mini Stonewold - colour: black and Farmhouse red
2. Refer to Site Materials Plan for locations
3. Low level Roof Finishes - Plain Tiles, colour to match Main Roof
4. Refer to Site Materials Plan for locations
5. Facing Brickwork - Forterra Farmstead Antique and Forterra Burwell Bluff
6. Refer to Site Materials Plan for locations
7. Brick Mortar - Colour: natural mortar
8. Tile Hanging Finish - Plain Tiles, colour to match main roof
9. Windows & Cills - Flat Gauge Headers, Reconst Stone Cills
10. Entrance Door - Colour: to match Front Door
11. GPP Entrance Canopy & Dormer - Colour: to match main roof
12. UPVC Rainwater Goods - colour: to match main roof
13. UPVC Eaves/Soft/Fascia - Barge Boards - Colour: to match main roof
14. Meter Box -

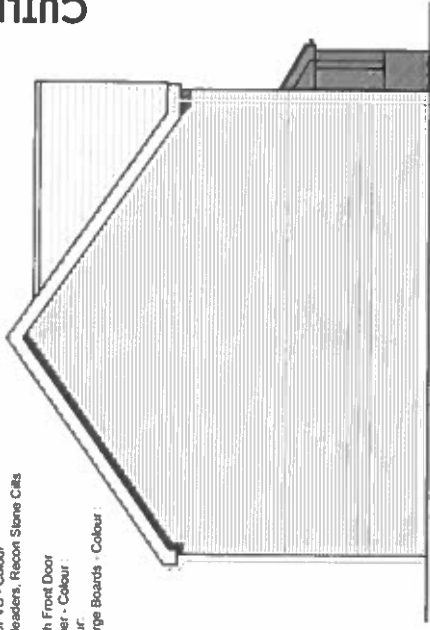
8497



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SIDE ELEVATION

Gross Area - 124.02m<sup>2</sup> (1335 ft<sup>2</sup>)  
inc. stairs area on all levels

Scale @ 1:100

Figured dimensions and notes to be used as check  
All dimensions are in millimetres unless otherwise stated  
Units: millimetres and large scale drawings  
Units: millimetres and large scale drawings

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

16132 (05) 210

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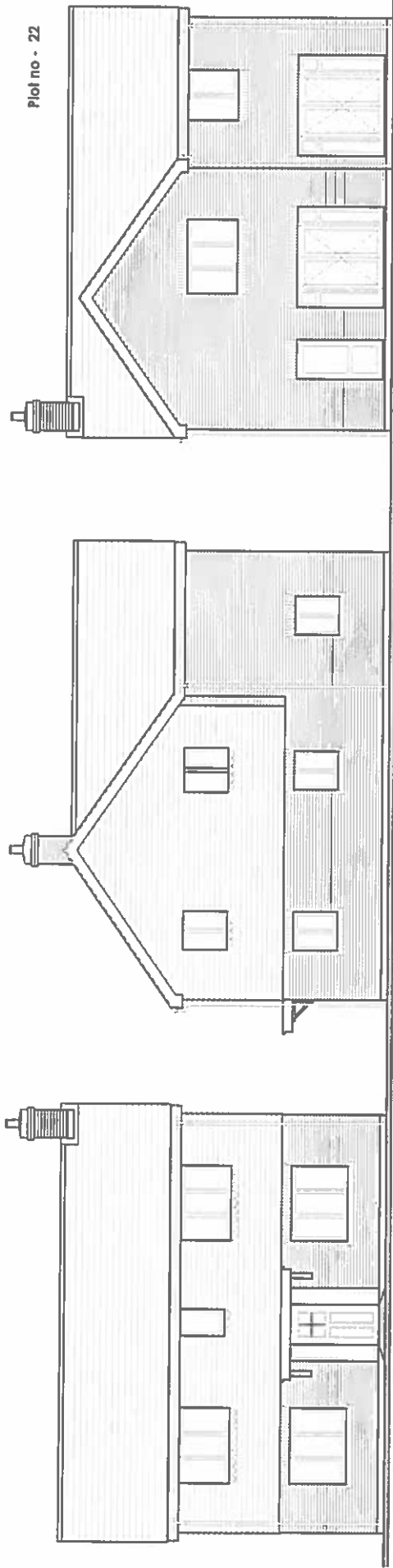
Residential Development Perrybrook, Phase 1, Site 1  
Brockworth, GLOUCESTER for Bellway Homes, Glos.  
Date: 11/02/2018  
Drawn: HT CUTLER - (Brick) Plans & Elevations  
Checked: HT CUTLER

11/02/2018

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# WEAVER House Type, Plans & Elevations (Brick / Tile)

Plot no - 22



FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

Materials Schedule

1. Main Roof Finish - Main Stonewall - colour black and Farmhouse red  
Refer to Site Materials Plan for locations
2. Low level Roof Finishes - Plain Tiles, colour to match Main Roof  
Refer to Site Materials Plan for locations
3. Facing Brickwork - Porterra Farmstead Antique and Forterra Brunel Blue  
Refer to Site Materials Plan for locations
4. Brick Mortar - Colour - natural mortar
5. Tie Hanging Finish - Plain tiles, colour to match main roof
6. Windows & French Door type UPVC - Colour -  
Heads and Cills - Flat Gauge Headers, Recon Stone Cills
7. Entrance Door - Colour -  
Garage Door - Colour - to match Front Door
8. GRP Entrance Canopy & Dormer - Colour -  
UPVC Rainwater Goods - colour
9. UPVC Eaves/Soffit/Fascia - Barge Boards - Colour  
Meter Box
- 10.
- 11.
- 12.
- 13.



Gross Area - 156.80m<sup>2</sup> (1688 ft<sup>2</sup>)  
inc. stairs area on all levels



PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

Drilling Holes  
16132 (95) 215

**powelldobson**  
ARCHITECTS

Residential Development Perrybrook, Phase 1,  
Brockworth, GLOUCESTER for Bellway Homes, Down  
Date: 2019  
Drawn: HT WEAVER - (Brick/Tile) Plans & Elevations  
Checked:

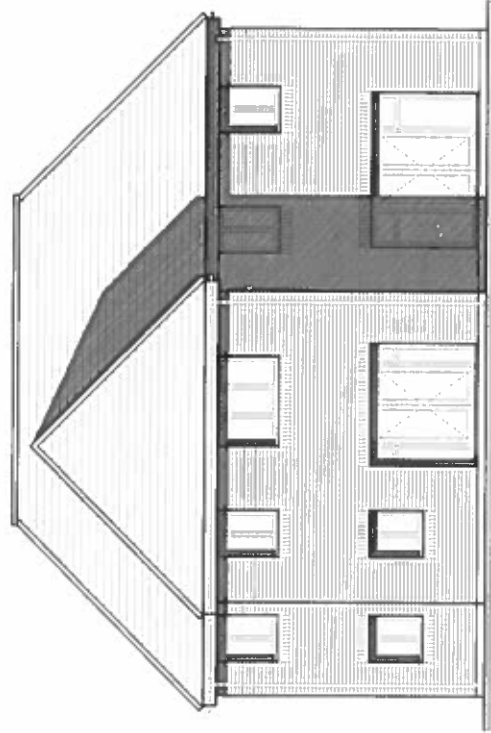
Approved drawings and reports to be used  
for construction must be referred to the  
architect for any changes and large scale drawings  
must be approved by the architect.

100% Satisfaction is Guaranteed

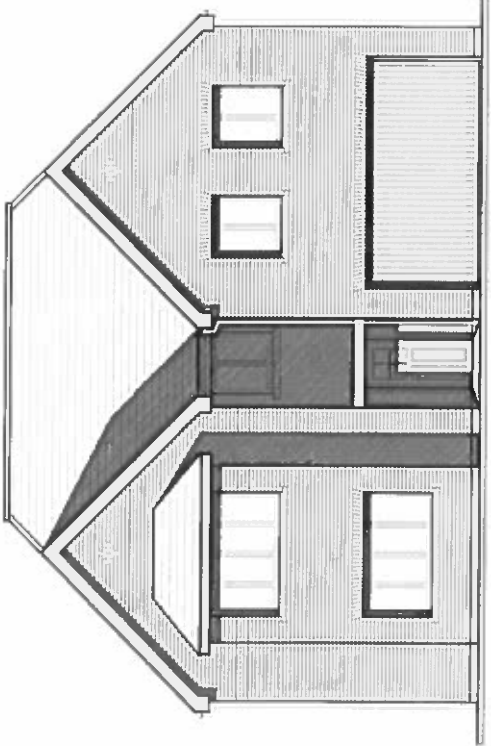
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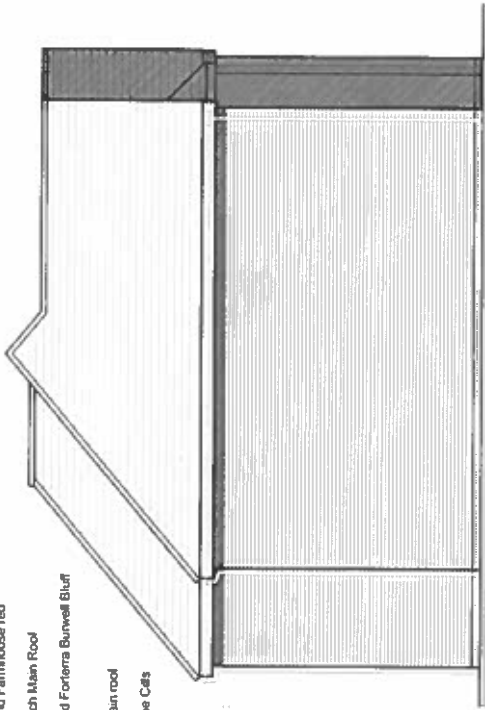
DRAPER House Type, Elevations (Brick)



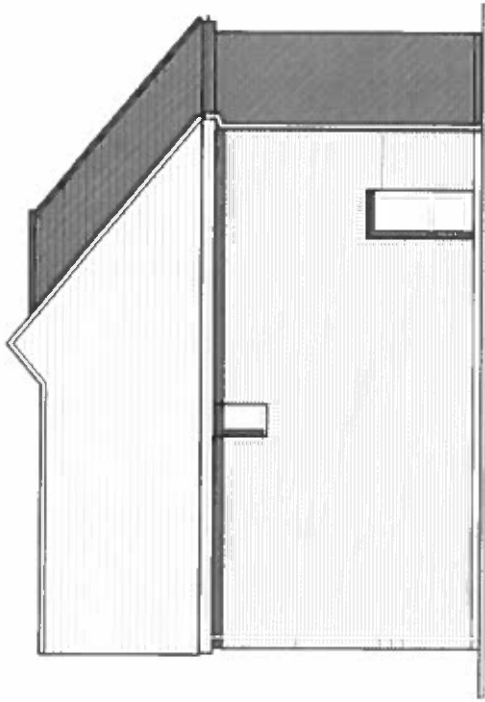
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

Materials Schedule

1. Main Roof Finish - Main Stonewall - colour: black and Farmhouse red
2. Refer to Site Materials Plan for locations
3. Low level Roof Finishes - Plain Tiles, colour to match Main Roof
4. Refer to Site Materials Plan for locations
5. Facing Brickwork - Forterra Farmstead Antique and Forterra Burwell Bluff
6. Refer to Site Materials Plan for locations
7. Brick Mortar - Colour: natural mortar
8. Tile Hanging Finish - Plain tiles, colour to match main roof
9. Windows & French Door type UPVC - Colour
10. Heads and Cills - Flat Gauge Headers, Recon Stone Cills
11. Entrance Door - Colour
12. Garage Door - Colour to match Front Door
13. GRP Entrance Canopy & Dormer - Colour
14. UPVC Rainwater Goods - colour
15. UPVC Eaves/Soffit/Fascia - Barge Boards - Colour
16. Meter Box

Gross Area - 208.42m<sup>2</sup> (2243 ft<sup>2</sup>)  
inc. stairs area on all levels



PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

Figured dimensions and levels to be used for construction purposes only. All dimensions are given in millimetres unless otherwise stated. Check drawings and large scale drawings for any discrepancies and/or omissions.

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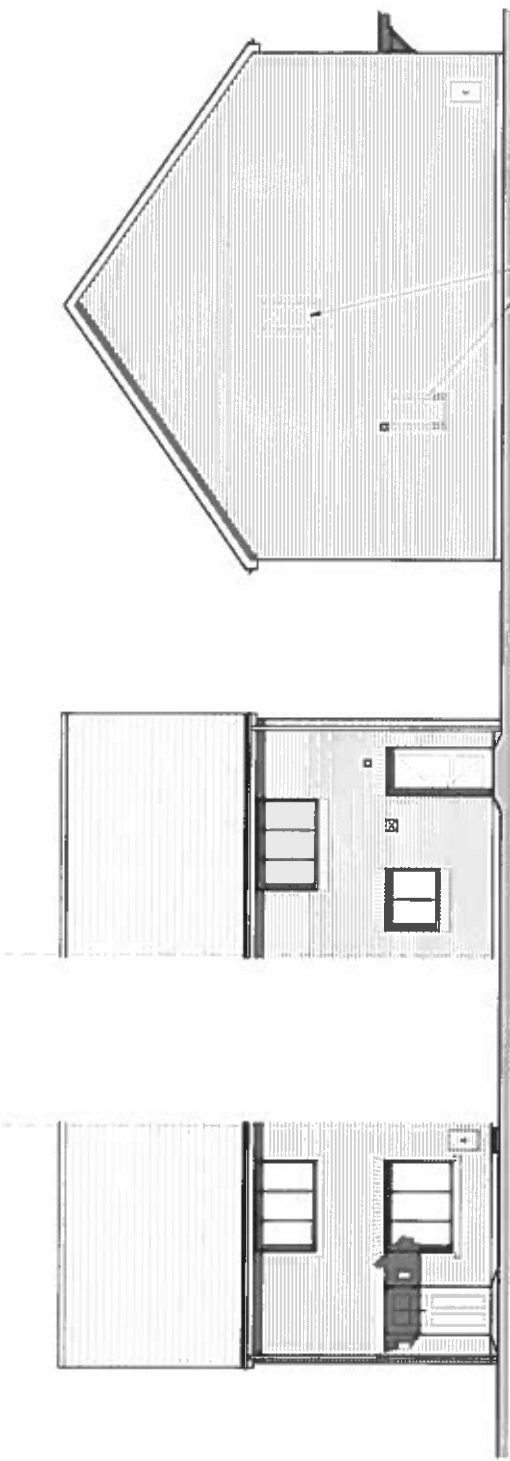
Drawing No	Rev
15132 (03) 237	1

**powelldobson**  
ARCHITECTS

Residential Development Perrybrook, Phase 1, Scale: 1:100 @ A3  
Brockworth, Gloucester for Bellway Homes, Date: Dec 2019  
HT DRAPER - Elevations Brick, Rev: 1

Plot No's: 26, 33, 34, 40, 41, 115, 116,  
117, 118, 120, 122, 123, 124, 125, 126,  
127, 128, 129

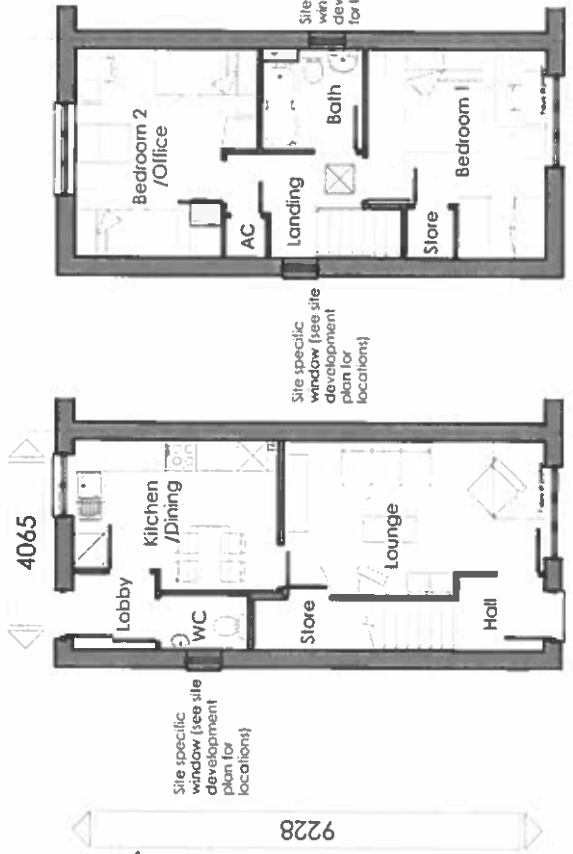
AFFORDABLE 2 BED House Type, Plans & Elevations (Brick)



Front Elevation

Rear Elevation

Side Elevation



Ground Floor

First Floor

- Materials Schedule
1. Main Roof Finish - Mini Stonewall - colour: black and farmhouse red
  2. Refer to Site Materials Plan for locations
  3. Low level Roof Finishes - Plain Tiles, colour to match Main Roof
  4. Refer to Site Materials Plan for locations
  5. Facing Brickwork - Forterra Farmstead Antique and Forterra Burwell Bluff
  6. Refer to Site Materials Plan for locations
  7. Brick Mortar - Colour: natural mortar
  8. Tile Hanging Finish - Plain tiles, colour to match main roof
  9. Windows & French Door type UPVC - Colour
  10. Heads and Cills - Flat Gauge Headers, Recon Stone Cills
  11. Entrance Door - Colour
  12. Garage Door - Colour to match Front Door
  13. GRP Entrance Canopy & Dormer - Colour
  14. UPVC Rainwater Goods - colour
  15. UPVC Eaves/Soffit/Fascia - Barge Boards - Colour
  16. Meter Box

Gross Area - 76.17m<sup>2</sup> (820 ft<sup>2</sup>)

0 1m 2m 3m 4m 5m

Scale @ 1:100

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Drawn by: 16131031218

Scale: 1:100 @ A3

Drawn by: 16131031218

Scale: 1:100 @ A3

Drawn by: 16131031218

Scale: 1:100 @ A3

Drawn by: 16131031218

Scale: 1:100 @ A3

Drawn by: 16131031218

Scale: 1:100 @ A3

Drawn by: 16131031218

Scale: 1:100 @ A3

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Scale: 1:100 @ A3

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Scale: 1:100 @ A3

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Scale: 1:100 @ A3

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Scale: 1:100 @ A3

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Drawn by: 16131031218

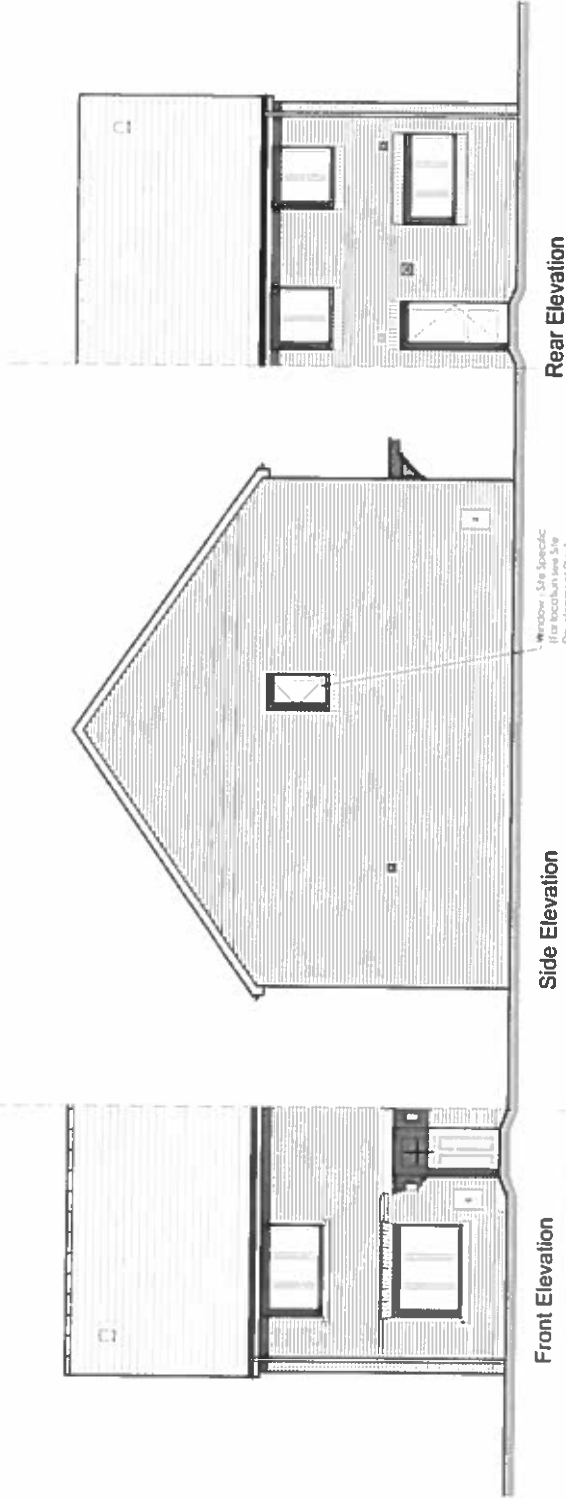
Scale: 1:100 @ A3

Drawn by: 16131031218

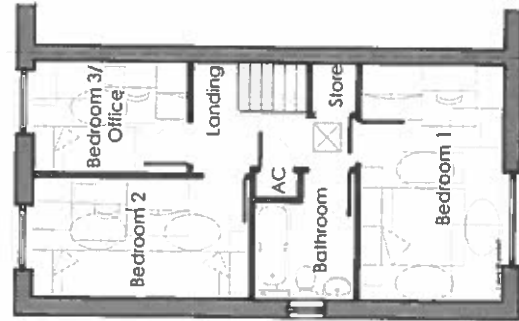
Scale: 1:100 @ A3

Drawn by: 16131031218

Scale: 1:100 @ A3



7/304/L



#### Materials Schedule

1. Main Roof Finish - Mini Stone/Gravel - colour: black and Farmhouse red
2. Refer to Site Materials Plan for locations
3. Low level Roof Finishes - Plain Tiles - colour: to match Main Roof
4. Refer to Site Materials Plan for locations
5. Facing Brickwork - Forterra Farmstead Antique and Forterra Burwell Bluff
6. Refer to Site Materials Plan for locations
7. Brick Mortar - Colour: natural mortar
8. Tile Hanging Finish - Plain tiles colour: to match main roof
9. Windows and Cills - Flat Gauge Headers, Recon Stone Cills
10. Entrance Door - Colour: to match Front Door
11. GRP Entrance Canopy & Dormer - Colour: to match Front Door
12. UPVC Rainwater Goods - colour: to match Front Door
13. UPVC External Solid/Fascia - Barge Boards - Colour: to match Front Door
14. Meter Box

Gross Area - 86.38m<sup>2</sup> (930ft<sup>2</sup>)



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THIS DRAWING IS UNREVISED

Rev: A

Future lift position indicated

C.L. 03.01.19

PRELIMINARY

PLANNING

DESIGN

TENDER

CONSTRUCTION

powerelldobson

16132/051 220 A

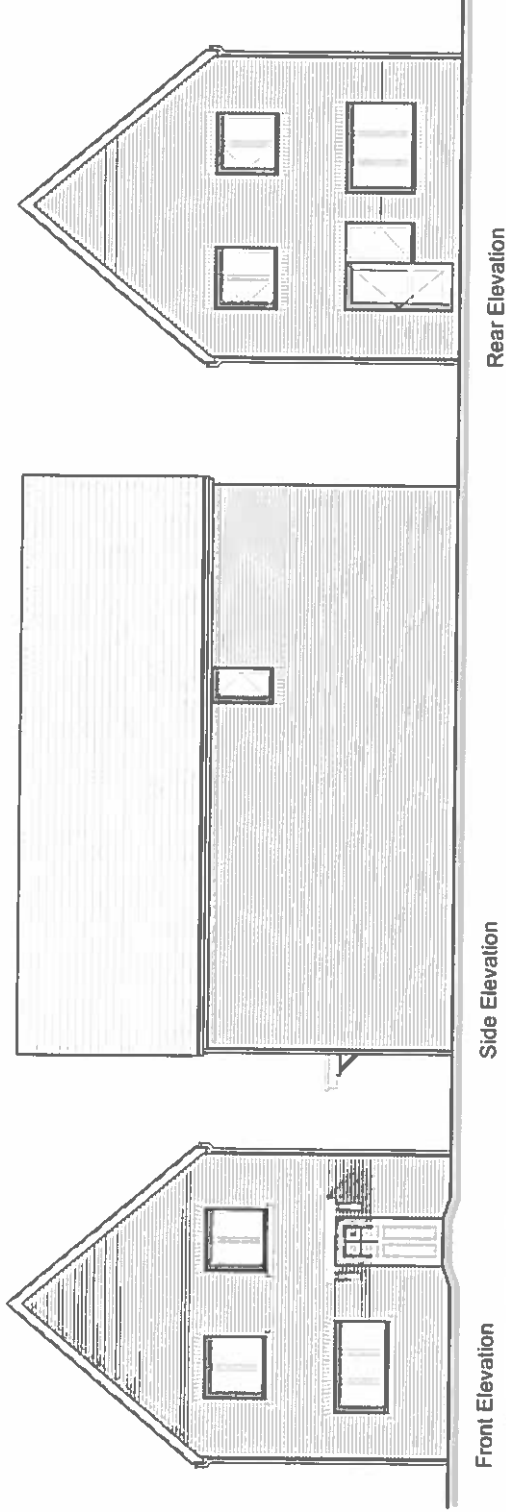
Residential Development Perrybrook, Phase 1, Scale: 1:100 @ A3

Brookworth - GLOUCESTER for Bellway Homes

Dec 2018

Drawn: mg

Checked:



Materials Schedule

1. Main Roof finish - Mire Stonewold - colour: black and Farmhouse red
2. Refer to Site Materials Plan for locations
3. Low level Roof Finishes - Plain Tiles, colour to match Main Roof
4. Refer to Site Materials Plan for locations
5. Facing Brickwork - Forterra Farmstead Antique and Forterra Burwell E
6. Refer to Site Materials Plan for locations
7. Brick Mortar - Colour - natural mortar
8. Tie Hanging Finish - Plain tiles, colour to match main roof
9. Windows & French Door type UPVC - Colour
10. Heads and Cills - Flat Gauge Headers, Recon Stone Cills
11. Entrance Door - Colour
12. Garage Door - Colour to match Front Door
13. GRP Entrance Canopy & Dormer - Colour
14. UPVC Rainwater Goods - colour
15. UPVC Eaves/Soffit/Fascia - Barge Boards - Colour
16. Meter Box

Gross Area - 108.62m<sup>2</sup> (1169 ft<sup>2</sup>)

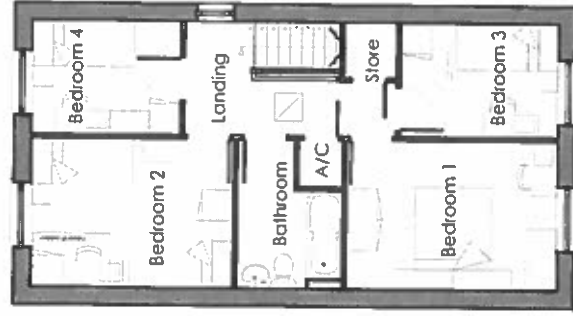


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ARCHITECTS

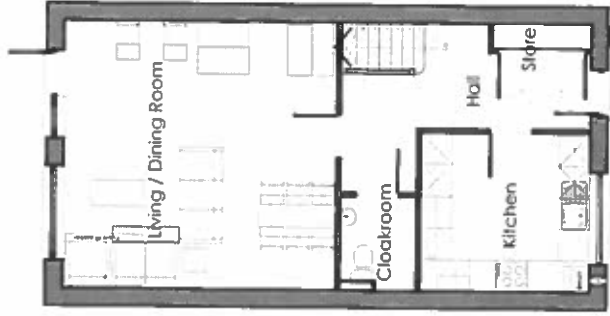
Drawing No  
16132(05) 221

Residential Development Perrybrook, Phase 1, Scale: 1:100 @ A3  
Brockworth, GLOUCESTER for Bellway Homes, Date: Dec 2018  
HT AFFORDABLE 4 BED - Plans & Elevations  
Title: Drawn: Checked:

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	



First Floor



Ground Floor

403/M

This drawing must not be used  
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This drawing and large scale drawings  
are provided for information only.

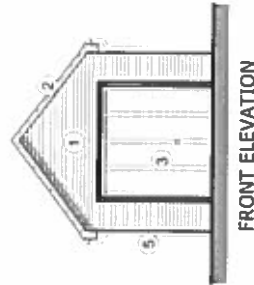
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FLOOR PLAN

Materials Schedule

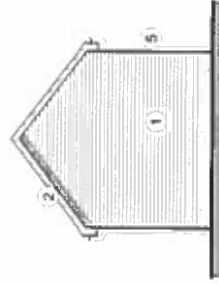
1. Facing Brickwork - colour to match main house.
2. Dry Verge Continuous Profile.
3. Up and Over garage door.
4. Concrete Tile - colour to match main house
5. Uprvc rainwater goods - type and colour to match main house
6. Side entrance door - location to vary due to siting of garage



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



Plots:- 5,7,8,11,12,15,16,17,18,19,20,  
48,54,57,58,63,64,66,68,69,72,  
73,78,80,81,84,89,95,97,109,  
114,132 & 133

Figured dimensions and levels to be used.  
Any dimensions must be modified to the  
Detail in example and large scale drawings  
with precision and accuracy.

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Rev	Rev	Rev
Rev	Rev	Rev

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

Leaving No  
16132 (05) 250 -

**powelldobson**  
ARCHITECTS

Residential Development Perrybrook, Phase 1, Scale: 1:100 @ A3

Brockworth, GLOUCESTER for Bellway Homes, Date: Dec 2018

Single Garage, Gable - Plans & Elevations, Drawn: m

Checked:

403/N

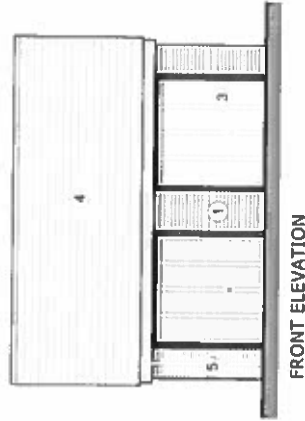
403/0



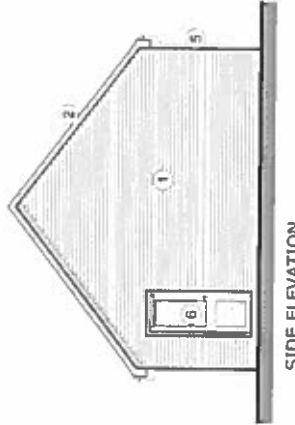
FLOOR PLAN

Materials Schedule

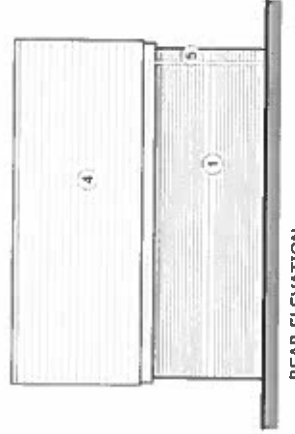
- 1 Facing Brickwork - colour to match main house.
- 2 Dry Verge Continuous Profile.
- 3 Up and Over garage door.
- 4 Concrete Tile - colour to match main house
- 5 Upvc rainwater goods - type and colour to match main house
- 6 Side entrance door - location to vary due to siting of garage.



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

Plots: -65,67 & 74



Figured dimensions and levels to be used for construction. All dimensions are in millimetres unless otherwise stated. All dimensions are to the face of the work unless otherwise stated. All dimensions are to the face of the work unless otherwise stated.

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Rev	Rev	Rev
1	1	1

PRELIMINARY
PLANNING
DESIGN
TENDER
CONSTRUCTION

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ARCHITECTS

Residential Development Perrybrook, Phase 1, Scale:  
Brockworth, GLOUCESTER for Bellway Homes, Drawn:  
Double Garage, Eaves - Pairs - Plans & Elevations  
Checked:

16122 (05) 251

1:100 @ A3  
Dec 2018

# BOROUGH COUNCILLORS FOR THE RESPECTIVE WARDS 2019-2023

Ward	Parishes or Wards of	Councillors	Ward	Parishes or Wards of	Councillors
Badgeworth	Badgeworth (incl. Bentham) Great Witcombe Staverton	Robert Vines	Isbourne	Ashchurch Rural (incl. Walton Cardiff) Buckland Dumbleton Oxenton Snowhill Stanton Stanway Teddington Toddington	John Evetts Mel Gore
Brockworth East	Brockworth Parish (East Ward)	Louise Gerrard Sara Stevens			
Brockworth West	Brockworth Parish (West Ward)	Craig Carter Deborah Harwood			
Churchdown Brookfield with Hucclecote	Churchdown Parish (Brookfield Ward) Hucclecote	Gill Blackwell Paul Smith Richard Smith			
Churchdown St John's	Churchdown Parish (St John's Ward)	Mary Jordan Clare Softley Scott Thomson	Northway	Northway	Pauline Godwin Elaine MacTiernan
Cleeve Grange	Cleeve Grange Ward	Helen Munro			
Cleeve Hill	Gotherington Southam Woodmancote	Mike Dean Anna Hollaway	Severn Vale North	Deerhurst Elmstone Hardwicke Leigh Stoke Orchard & Tredington	Heather McLain
Cleeve St Michael's	Cleeve St Michael's Ward	Bob East Andrew Reece			
Cleeve West	Cleeve West Ward	Rob Bird Richard Stanley			
Highnam with Haw Bridge	Ashleworth Chaceley Forthampton Hasfield Highnam Maisemore Minsterworth Tirley	Paul McLain Jill Smith	Severn Vale South	Boddington Down Hatherley Norton Sandhurst Uckington	Mark Williams
			Shurdington	Shurdington	Philip Surman
			Tewkesbury East	Tewkesbury Town (Newtown Ward) Wheatpieces	Christine Reid Vernon Smith
			Tewkesbury North and Twyning	Tewkesbury Town (North Ward) Twyning	Mike Sztymiak Philip Workman
Innsworth	Innsworth Longford Twigworth	Graham Bocking Paul Ockelton	Tewkesbury South	Tewkesbury Town (South Ward)	Cate Cody Kevin Cromwell
			Winchcombe	Alderton Gretton Hawling Prescott Sudeley Winchcombe	David Gray Jim Mason John Murphy