

**TEWKESBURY BOROUGH COUNCIL**

Schedule of Planning Applications for the consideration of the **PLANNING COMMITTEE** at its meeting on 21<sup>st</sup> January 2020

	<b>(NORTH)</b>	<b>(SOUTH)</b>
General Development Applications Applications for Permission/Consent	(563 – 585)	(586 – 620)

**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. (563 to 620)**

### **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**) 21st January 2020

Parish and Reference	Address	Recommendation	Item/page number
Winchcombe 19/00726/FUL	4 Cheltenham Road Winchcombe Cheltenham Gloucestershire	Permit	1/563
<a href="#">Click Here To View</a>			
Norton 19/00436/FUL	Spring Farm Wainlode Lane Norton Gloucester	Permit	2/569
<a href="#">Click Here To View</a>			
Bishops Cleeve 19/00569/FUL	2 Haylea Road Bishops Cleeve Cheltenham Gloucestershire	Permit	3/575
<a href="#">Click Here To View</a>			
Badgeworth 19/00653/FUL	Hillview At The Rear Of Ashley Villa Badgeworth Lane Badgeworth	Permit	4/579
<a href="#">Click Here To View</a>			
Woodmancote 19/01012/FUL	Home Farm Stockwell Lane Woodmancote Cheltenham	Permit	5/586
<a href="#">Click Here To View</a>			
Minsterworth 19/00498/FUL	Land Adjacent To Rosedale House Main Road Minsterworth Gloucestershire	Delegated Permit	6/590
<a href="#">Click Here To View</a>			
Churchdown 19/00738/APP	Parcel 3745 Land At Pirton Fields Cheltenham Road East Churchdown	Approve	7/598
<a href="#">Click Here To View</a>			
Staverton 18/01179/FUL	Land East Of Old Gloucester Road Staverton Gloucestershire GL51 0TG	Minded to Refuse	8/607
<a href="#">Click Here To View</a>			

Valid 31.07.2019

Erection of a single storey side and two storey rear extension to replace existing lean to and single storey rear extension. Erection of a detached garden store.

Grid Ref 401943 227994

Parish Winchcombe

Ward Winchcombe

## RECOMMENDATION Permit

### Policies and Constraints

National Planning Policy Framework; 2018 (NPPF)

Planning Practice Guidance

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

SD4, SD6, SD7, SD8, SD14, INF1, INF2

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

HOU8

**Winchcombe and Sudeley Development Plan 2011-2031 (GNDP):**

5.1, 5.3

**Preferred Options Consultation, Tewkesbury Borough Plan 2011-2031 (2018):**

RES10

Flood and Water Management SPD

Manual for Gloucestershire Streets

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

Winchcombe Town Council - No Objection.

Conservation Officer - No objection (subject to conditions).

**Local residents** - This application was publicised by the posting of site notices and the neighbour notification scheme and a number of objections have been received from 4 neighbours. Concerns include:

- The scheme will impact on day to day living
- The proposed toilet is too close to Number 6's front door which will impact on health, wellbeing and business.
- The new toilet is on the opposite side of the house to current sewage and drainage
- There are concerns over security
- The single storey extension will be overbearing
- The two storey extension would radically alter the period character of the building
- The first floor window on the two storey extension would overlook the garden of Number 2
- It would adversely impact on light
- The disruption would adversely impact on health and wellbeing of Number 6 and their pets
- The placement of a window facing towards Number 6 would result in overlooking issues

**Councillor Mason has requested committee determination to assess the impact of the proposal on the neighbouring property**

**Planning Officers Comments:** Emily Pugh

### 1.0 Application Site

1.1 This application relates to 4 Cheltenham Road, a detached vernacular dwelling located in Winchcombe. The site is served by a pedestrian access to the front (north-west) and benefits from on street parking. The dwelling benefits from a large elongated garden which declines steeply to the South into the River Isbourne.

1.2 The site is located in the Cotswold Area of Outstanding Natural Beauty, Winchcombe Conservation Area, Flood Zones 2 and 3 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 No relevant planning history pertaining to this application.

## **3.0 Current Application**

3.1 The current application seeks the erection of a two storey extension to the rear (South-East) which would be built in place of an existing single storey extension. It also seeks to demolish an existing lean-to to the side (South) and replace it with a single storey mono-pitched extension. The final element seeks to remove an existing garden shed, and erect an ancillary garden store in the rear garden.

3.2 The proposed materials would comprise locally sourced Cotswold stone for the walls, reconstituted stone slates with diminishing courses and matching ridges to the roof and timber casement doors and windows (see attached plans).

3.3 The application has been brought back to the planning committee following a deferral on 17th December 2019. Members raised concerns over the location of a W.C within a single storey ground floor extension and requested that this part of the scheme was revisited. An update is provided in the main body of the report at paragraph 5.17.

## **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 and the emerging Tewkesbury Borough Local Plan (Preferred Options Consultation) 2011-2031 and the Winchcombe and Sudeley Neighbourhood Development Plan.

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 neighbouring amenity.

### **Design and Visual Amenity**

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 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. This is reflected in Policy HOU8 of the 2011 Local Plan.

5.4 The host property is a two storey vernacular detached dwelling set off Cheltenham Road in Winchcombe. The building is not listed but is considered to be a non-designated heritage asset. It is constructed from a mixture of coursed limestone and limestone ashlar with various characterful features such as sash windows, cill, lintel and mullion detailing and parapet feature work to the front bay window. In view of those features, the dwelling is currently a positive historic landmark within the street scene.

5.5 The first part of the proposal seeks to demolish an existing flat roofed timber clad lean-to to the side (South) of the dwelling and replace it with a mono-pitched extension. The extension would be adjacent to the property boundary and would sit 45mm above the existing fence line (2.2m to the eaves). The mono-pitched roof would slope up towards the host dwelling, measuring a maximum height of 3.3m and would feature two flush roof lights. Overall, this part of the proposal is considered to be in keeping with the form and character of the host dwelling, and given that high quality materials and traditional features are proposed to be mimicked, is of suitable and appropriate design.

5.6 The second part of the proposal seeks to demolish an existing single storey extension to the rear (South-East) and replace it with a two storey extension. The extension would sit flush with the side elevation and protrude to the rear by some 2.5m. It would feature patio doors at ground floor level and a box bay window at first floor. The roof would come off of the existing plane and appear as a continuation /cat slide feature. Whilst it would be preferable to see a clear break between the existing and new roof slopes, this was raised with the applicant and revisions were not forthcoming to this effect. The applicant did submit revisions however clarifying guttering and downpipe arrangements which will help to create a visual break in the proposed wide bargeboards.

5.7 It is also of note that the scheme originally sought a wedge-shaped extension at ground floor level which was considered to be incongruous and as such was omitted from the scheme. This element of the proposal, in view of the revisions, is now considered to be acceptable in terms of design. The two storey extension would be located to the rear of the property and would be visible from peripheral views within the street scene and surrounding area which is considered to be acceptable.

5.8 A further part of the scheme proposes to demolish and remove an existing shed which in itself does not require formal permission.

5.9 The final part of the scheme seeks the erection of a mono-pitched store in the rear garden to sit adjacent to the property boundary. The roof height would not exceed that of the adjacent fence line and as such would not be visible except from within the property boundary. This building is minor in scale and suitable in design as a functional garden store.

5.10 In view of the above, the wider cumulative proposal is considered to be sympathetic to the form and character of the host dwelling and complies with the requirements set out in Policies HOU8, SD4, 5.1, 5.1 and Section 12 of the NPPF.

#### Impact on Residential Amenity

5.11 The impact of the proposal on residential amenity has been carefully assessed. The two storey rear extension would be adjacent to a residential garage belonging to Number 2 Cheltenham Road. This garage would effectively shield the new extension from Number Two to the North and as such there are no concerns in terms of impact to amenity to those neighbours. Likewise, there is considered to be a sufficient gap to the adjacent neighbour to the South so the two storey extension would not unreasonably affect their amenity in terms of light, overshadowing or overbearing.

5.12 The single storey extension to the South would be built adjacent to the neighbouring boundary with Number 6. Objections have been raised by this neighbour who is concerned about how this extension will impact on their amenity. There are a number of issues to be considered, as follows.

5.13 The first matter is the impact that the proposal will have on light to Number 6. The existing dwellings are located in close proximity to one another with a 3m gap between the two. The 45 degree rule, which is a commonly used tool to assess impacts that a new development will have on existing perpendicular windows, has already been breached in this instance by the original buildings and, as such, it is not possible to apply this test to the new extension.

5.14 The new extension would measure 45mm above the existing fence line and would be visible from the dining room window of Number 6. However, as this window is already overshadowed by the existing building and does not receive any direct sunlight, the new extension would not overshadow it any more than it does at present and, as such, would not reduce the amount of light that window already receives.

5.15 The second matter to consider is whether the extension would result in an unacceptable overbearing impact. This is both in terms of creating a potential tunnelling effect within the amenity gap, and also in terms of the extent of the development when viewed internally from the dining room of Number 6. The extension has been designed with a mono-pitched roof which would slope away from the neighbour. This assists in preventing a tunnelling feeling when viewing the development from the amenity space. Likewise, the extension would only measure 45mm above the fence line so the visual impact from within the dining room is not considered to be unreasonably affected or unacceptable.

5.16 The proposed windows/ roof lights would be at high level or located to the rear, behind the boundary fence, and there are therefore no concerns regarding overlooking or loss of privacy. The box bay window on the second storey element would serve a bathroom and it is therefore considered necessary to adequately restrict the glaze on this window to ensure privacy to both neighbours and occupiers.

5.17 Concerns have also been received in respect of the location of a downstairs W.C within the proposed side extension. Whilst there are no planning grounds to object to this part of the proposal, in view of concerns raised by Members during at Planning Committee on 17th December 2019, the applicants were approached and it was requested that the W.C was omitted from the scheme. The applicants have submitted revised drawings including a floor plan which shows that the extension will be used as a utility room only - not as a W.C. It is therefore considered that the applicants have addressed concerns and officer view remains that the proposed extension would not result in unacceptable harm to residential amenity. It is therefore considered acceptable in relation to Policies HOU8 and SD14.

#### Impact on the Historic Environment

5.18 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. Paragraph 197 states that applications to non-designated heritage assets will require a balanced judgement regarding the scale of any harm or loss to the significance of the heritage asset.

5.19 Given that the site is located within Winchcombe Conservation Area and that the dwelling is considered to be a non-designated heritage asset, the Conservation Officer was consulted. Concerns were raised with the original scheme - particularly in reference to the unjustified replacement of the front timber casement sash windows with UPVC. Subsequent to discussions with the applicant, this part of the scheme was omitted.

5.20 In view of the revisions, it is considered that the dwelling would remain as a positive historic feature within the Winchcombe Conservation Area and there would be no material harm to the significance of the heritage asset. The proposal is therefore considered to have an acceptable impact to the historic environment and complies with the terms of Policies SD8, HEN2 and the NPPF.

#### Impact on AONB

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

5.22 The rear of the dwelling is readily visible from a network of public footpaths from the valley to the South. The proposed extensions would be read against the backdrop of the village of Winchcombe and as such would not visually detract from the landscape qualities of the AONB. Traditional materials are proposed to be used and as such the extensions would be in keeping with the Cotswold AONB vernacular. It is therefore considered that the scheme would have an acceptable impact to the AONB in accordance with Policy SD7 and the Cotswold Management Plan.

#### Highway Impact

5.23 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.

5.24 Although the development would not affect the existing on street parking arrangement, a number of concerns were raised over contractor parking and as such, the Gloucestershire County Highway Authority were consulted. Whilst there is ample space for two contractor vehicles to park on the site and there is further on street parking a short distance along Cheltenham Road where the double yellow lines stop, the Highway department have stated that it would be reasonable to add a condition requiring the submission and approval of a construction vehicles management plan. Therefore, subject to the condition, the scheme is considered to be acceptable and compliant with Policy INF1 and the Gloucestershire Manual for Streets.

#### Flooding

5.25 Whilst the wider site is located within Flood Zones 2 and 3, this specifically relates to the lowland in the Southern part of the garden. The dwelling is located in a far elevated position and as such is not located within the flood zone. It is therefore considered that there would be no adverse impacts in terms of flooding in accordance with Policy INF2.

### **6.0 Conclusion & Recommendation**

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

#### **RECOMMENDATION Permit**

Conditions:

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 following approved documents:
  - Proposed ground floor plan: PA1110 02, received 6th January 2020.
  - Proposed first floor plan: PA1111, received 29th October 2019.
  - Proposed roof plan: PA1112, received 29th October 2019.
  - Proposed elevation (north): PA2110, received 29th October 2019.
  - Proposed elevation (east): PA2111, received 29th October 2019.
  - Proposed elevation (south): PA2112, received 29th October 2019.
  - Proposed elevation (west): PA2113, received 29th October 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 approved plans, detailed drawings and materials/finish details for the windows in the front elevation hereby permitted, including elevations and sections, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. All windows shall be fitted in accordance with the approved drawings and details. The elevations shall be at a minimum scale of 1:20 and the sections shall be at a minimum scale of 1:5 and shall indicate profiles at full size.

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

4. The first floor bathroom window on the South-East elevation shall be fitted with obscure glazing (Minimum Pilkington Level 4 or equivalent) prior to first use of the room which it serves. The windows shall thereafter be retained as such and not altered without the prior consent of the Local Planning Authority.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy.

5. No development shall take place, including any works of demolition, until a Construction Vehicles Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies.

General Notes:  
 1. The site is a residential development.  
 2. The site is a residential development.  
 3. The site is a residential development.



00	07/04/19	Planning	ET
RE	Date	Submission	Chk
V		Comments	
For Planning			
DRAWING STATUS			
Client			
4 Cheltenham Road			
Winchester GL54 9HD			
Project			
No. 4 Cheltenham Road			
Drawing Title			
Existing Location plan			
Scale of A3			
Date			
1 1250			
07/04/19			
Project No.			
001			
Rev No.			
00			
Drawing Number			
PA1000			



Valid 31.05.2019

Part retention of agricultural building to be used by the agricultural holding for use for storage of produce and equipment, sheep shearing, lambing and milking; and external amendments to the elevations and roof of the agricultural building constructed pursuant to 16/01269/AGR; and the laying of a concrete surface adjacent to the existing gate.

Grid Ref 384634 225533  
Parish Norton  
Ward Severn Vale South

## **RECOMMENDATION Permit**

### **Policies and Constraints**

National Planning Policy Framework (NPPF) (2019)  
Planning Practice Guidance (PPG)  
Gloucester, Cheltenham & Tewkesbury Joint Core Strategy (JCS) (December 2017) - Policies SD6, SD14, INF1, INF2  
Tewkesbury Borough Local Plan to 2011 (March 2006) - Policy LND3, AGR5  
Tewkesbury Borough Plan Pre-Submission Version (2019)  
Down Hatherley, Norton and Twigworth Neighbourhood Development Plan (2019)  
Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)  
The First Protocol, Article 1 (Protection of Property)  
Landscape Protection Zone (LND3)  
Site of Special Scientific Interest Consultation Buffer

### **Consultations and Representations**

#### **Norton Parish Council**

#### **Response to Revised Application**

The views of the Parish Council have not altered from its submission on the 23rd of July 2019.

Although the applicants have attempted to meet the design statement of our NDP (viz: that New development or extensions to existing buildings in the NDP area should demonstrate design quality and sensitivity to the existing vernacular details of the rural village.) this development has never been sensitive and an appropriate development in the rural landscape, especially since it is within the Landscape Protection Zone. No adaptations will alter that.

It cannot be justified on agricultural ground therefore cannot be called a small scale appropriate development that supports a rural economy. It seems a very extravagant outlay to meet the purposes outlined in their submission. Therefore, we oppose the application.

We believe this is an attempt to industrialise a building and its site that was originally given permission, as it was claimed by the applicants, to be necessary to improve economic performance of an agricultural enterprise, ie. a small flock of sheep. Most sheep farmers would carry out such operations either in the open or under more modest cover.

If the LPA does approve this application, we recommend that they add the condition that conversion to a residence will not be permitted at any time in the future.

#### **Response to Original Application**

- The building is out of proportion to the site and the requirements of Spring Farm.
- We disagree with the delegated report on the application that:  
"...it is not considered that the siting or external appearance of the building would have an undue negative impact on the surrounding landscape and the building is considered appropriate to the agricultural use of the land. It is also considered by reason of siting that the building would not have a detrimental impact on the Landscape Protection Zone."

The building is very high and sits well above the hedge line, making it clearly visible from the road, the hill and neighbouring dwellings. We also suggest that the size of the building is well beyond what might be required for the agricultural purposes of Spring Farm. Accordingly, we contend that it would have a detrimental impact on the Landscape Protection Zone.

- The Planning Authority should inspect the applicant's business plan in order to test the validity of their argument.

**Concrete pad** - This area is currently covered in gravel and we don't see a justification for replacing the gravel with concrete. Furthermore, concreting over this area would make it more difficult to return the field to agricultural use.

**Environmental Health** - No objection in terms of noise nuisance

**Land Drainage Officer** - No objection

**County Highways** - No objection

**Natural England** - No comment

**Local Residents** 5 objections have been received summarised below:

- The purpose of the application is unclear as the building was permitted in the first place for sheep shearing/lambing etc. Why is this position now being regularised and why was the building permitted in the first place if it can't be used for sheep shearing.
- The concrete area to the front of the barn is unjustified and harmful to the landscape and may increase the risk of flooding (officer note: revised plans have now been submitted showing a smaller area of hardstanding next to the gate).
- The barn should never have been permitted in the first place in a Landscape Protection Zone
- The proposal is an attempt to turn the farm into a residential property and the applicant's already commonly reside at the farm at night
- It is unclear why additional car parking is needed and this does not accord with the stated use of the farm and building.
- There are already a number of buildings on the farm and it is unclear why these can't be used instead.
- If the proximity of buildings is preventing the barn being used for sheep shearing then the applicant's buildings should just be moved further away
- The proposed concrete hard standing looks like it would be used as a public car park
- The proposed natural grey fibre cement roof sheeting will not blend into the landscape
- The inclusion of open timber boarding in the elevations contrasts with older agricultural buildings in the area and is similar to the new dwellings in Twigworth views. As such the proposal is clearly not intended to be an agricultural barn and is inappropriate in the Landscape Protection Zone
- The orientation of the barn has changed since the original submission. The re-orientation with a gate facing the bridle path will cause noise pollution
- The inclusion of upvc windows and double glazing is not appropriate for an agricultural barn and this would only be required if the barn is to be an insulated residential property
- It is unclear why thermalite blocks are being used to insulate the building as this is only a barn and does not need to be insulated. This is a departure from the 2016 permission
- It is unclear why such a large water tank is required when the purpose of the pond application was to provide water for the plot
- The applicants are now holding large events on the land in excess of the permitted 28 days per year and these events are unlicensed. The site is becoming a residential farm and events business and the barn may further facilitate these uses
- The holding is being advertised for 'retreats' and this demonstrates that the purpose of the building (and other buildings in the previous application) is not for agricultural purposes.
- The building has not been constructed in accordance with the approved plans and do not in any way represent the reality of the actual ground layout.
- the furthest edge of the bridle path in front of the barn is 20.5 metres from the hedge, when in reality it is less than 3 metres
- the corner of the stables linked to No30 is shown as being 43 metres from the current erected frame (not to mention being across the other side of the road) when in reality it is actually 16 metres.
- Creation of a two storey building (bedrooms upstairs) would indicate it is domestic property

## **1.0 Application Site**

1.1 This application relates to Spring Farm, an agricultural holding, which is located to the west of Wainlode Lane, Bishops Norton. Spring Farm extends to 5.7 Hectares (14 acres) of owned land within a ring fence and an adjoining 10 acres of land occupied by annual arrangement.

1.2 The application site itself relates to a parcel of land in the north east corner of the holding, which is accessed from an existing gate off Wainlode Lane. The application site is laid to hardcore and there is a partially constructed barn in the western part of the application site, both of which benefit from permission under Class A Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (application reference 16/01296/AGR).

1.3 There are a number of existing structures on the agricultural holding in the vicinity of the site including field shelters.

1.4 The site is within a Landscape Protection Zone and within Flood Zone 1 and a public right of way runs to the north of the site.

## **2.0 Relevant Planning History**

16/01296/AGR - Agricultural determination for a new agricultural building including construction of hardstanding. Non-Intervention. December 2016.

07/00456/FUL - Creation of a pond of diameter not greater than 20 metres for purposes of watering livestock. Permitted June 2007

## **3.0 Current Application**

3.1 The application is submitted in full and seeks the part retention of the agricultural building to be used by Spring Farm for use for storage of produce and equipment, sheep shearing, lambing and milking; and external amendments to the elevations and roof of the agricultural building permitted under permission 16/01269/AGR; and the laying of a concrete surface adjacent to the existing gate.

3.2 The application as submitted has been amended to exclude a woodstore which was previously proposed and the applicant has also amended the plans and confirmed that the concrete surface is sought for a 24 sq m area adjacent to the existing farm gate.

## **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 (Preferred Options Consultation) 2011-2031.

4.4 The agricultural determination under Class A of Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 which sets agricultural and forestry permitted development rights for agricultural development on units of 5 hectares or more is also a material consideration in the this application.

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

## **5.0 Analysis**

5.1 Paragraph 83 of the National Planning Policy Framework states planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

5.2 Policy AGR5 of the Local Plan states that the erection of new agricultural buildings will be permitted provided that the proposed development is well sited in relation to existing buildings and landscape features in order to minimise adverse impact on the visual amenity of the locality, the proposed development is sympathetically designed, that there is adequate operational access and that suitable provision is made for all waste products.

5.3 A prior notification application (ref: 16/01296/AGR) for a general-purpose barn at Spring Farm was made to the local planning authority in November 2016. The prior notification application also included the provision of an area of hardstanding providing access to the proposed barn from Wainlode Lane.

5.4 The Planning Authority determined that prior approval was not required in December 2016 and it is understood that building started in 2017 and the steel frame was erected in October 2017.

5.5 It was subsequently clarified that as the building was intended to be used for housing livestock and is within 400m of a residential property, that full planning permission is required. The applicant was therefore advised to submit a planning application to regularise the position so that the barn can be lawfully used for sheep shearing, lambing and milking. The current application also seeks alterations to the design of the main building and the installation of a concrete surface for a 24 sq m area adjacent to the existing farm gate.

5.6 As the barn has only partially been built, the application does not seek the change of use of the barn to include use for livestock, and the application must be considered on the principle of a new proposed barn in this location, including use of the barn for livestock. However, it is a material consideration in the determination of the application that the applicant could fully implement decision reference 16/01296/AGR, save that it could not be used for livestock.

5.7 The Council's Agricultural Consultant has assessed the application and confirms that the building is located on an agricultural unit and a sustainable agricultural business operates from the holding. The proposed building is reasonably necessary for the purpose of agriculture within the unit and is designed for the agricultural purposes of the agricultural business.

5.8 As set out above, the NPPF states that decisions should enable the sustainable growth and expansion of all types of business in rural areas, including through well-designed new buildings. The principle of the development is therefore acceptable subject to consideration of other material considerations including design and landscape impact.

### **Design, Effect on landscape character and visual amenity of the area**

5.9 Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.

5.10 The application site is located within a Landscape Protection Zone. Policy LND3 of the Local Plan states that within the Landscape Protection Zone special protection will be given to the ecology and visual amenity of the river environment and development will not be permitted which has a detrimental visual or ecological effect on the character of the river banks or the associated landscape setting of the Severn Vale. This policy is echoed in policies E1 and E2 of the Neighbourhood Plan.

5.11 The barn, which is partially constructed, would be located in the north east corner of Spring Farm on relatively flat ground. The barn is in the vicinity of existing structures on the site and a building of a similar scale is located outside of Spring Farm to the north.

5.12 The size of the building is the same as can be fully implemented through decision 16/01296/AGR and would extend to a footprint of 200 sq m (20 metres in length and 10 metres wide). The eaves height of building would be 4 metres and the ridge height would be 7 metres.

5.13 The principal design changes arising from the current application relate to external materials and the application proposes overlapping vertical timber boarding on the external walls at mezzanine floor level to provide ventilation to the hay loft and the installation of natural grey fibre cement roof sheeting. The remainder of the walls would be constructed of reclaimed brick and the current application proposes the inclusion of Dove Cote vents in the gable ends of the building.

5.14 The building would be visible from Wainlode Lane and the public right of way to the north as well as from some more distant viewpoints, including from surrounding residential properties. However the building is located on relatively low and flat ground in the vicinity of existing structures and existing hedgerows would temper the prominence of the building. Officers also consider that the use of a varied palette of materials would break up the visual bulk of the built form. The current application also proposes the planting of native hornbeam hedging between the barn and Wainlode Lane which would help to reduce the impact of the barn from the most prominent viewpoint.

5.15 The Landscape Protection Zone is a 'valued landscape' which aims to protect the distinct landscape associated with the rivers in the Borough and the ecology of the area. It is considered that the appearance, height and scale of the building would be consistent with an agricultural building and the visual prominence would be mitigated by the proposed landscaping scheme and the siting of the building on a low area of the farm which is least prominent from public vantage points.

5.16 Furthermore, given the scale and the context of the proposed 24 sq m of concrete surfacing within an existing area of hardcore, it is not considered that this element of the scheme would have a detrimental visual impact.

5.17 Overall, it is considered that the proposal would not have an undue negative impact on the surrounding landscape and the building is considered appropriate to the agricultural use of the land.

### **Residential Amenity**

5.18 Policy SD14 of the JCS states that new development must cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

5.19 The nearest dwelling to the proposed barn is 30 Wainlode Hill, which is located approximately 120 metres to the north. There are also a number of dwellings located approximately 250-300 metres to the south.

5.20 The application seeks the use of the agricultural building for livestock which may give rise to odour and noise emissions within the vicinity. Environmental Health have been consulted on the application and have no objection in terms of noise and nuisance.

5.21 As such, it is concluded that the proposed barn would not cause unacceptable harm to the amenity of neighbouring occupants in accordance with Policy SD14 of the JCS.

### **Other Matters**

5.22 The applicant has confirmed that the barn will drain into a rainwater storage tank which will overflow into the existing pond on the site that is adjacent to the barn. The Councils Flood Risk support officer has been consulted on the application and has raised no objections to the proposed drainage strategy.

5.23 The County Highways Authority have also been consulted on the application and raise no objection in respect to highway safety and the application is considered acceptable in this regard.

5.24 A number of objections have been received to the application which have been fully considered by the Planning Authority. The concerns about the inaccuracy of the plans were noted by officers and a revised Block Plan was received by the Local Planning Authority on 6th January 2020 which was provided to a correct scale. Planning Enforcement Officers have also been on site and confirmed that the measurements of the partially constructed barn are accurate and in accordance with permission 16/01296/AGR. The comments about the holding being used for events in excess of the permitted 28 days per year is also acknowledged and this matter has also been referred to the Council's Enforcement Officers.



5.25 Concerns about the external appearance are also noted, including the installation of upvc windows. Whilst, it is the case that upvc windows are not a typical feature of agricultural buildings, the windows would be located on the rear elevation and views would be limited from public vantage points and on balance are considered acceptable.

## **Conclusions**

5.26 Overall, whilst the Parish Council's and objectors concerns are noted, it is concluded that the application site is located on an agricultural unit and a sustainable agricultural business operates from the holding. The proposed building is reasonably necessary for the purpose of agriculture within the unit and is designed for agricultural purposes for the agricultural business. It is considered that the proposal would not have an undue negative impact on the surrounding landscape, would not cause unacceptable harm to the amenity of neighbouring residents and is acceptable in regard to flood risk and highway safety. The application is therefore recommended for permission.

## **RECOMMENDATION Permit**

### **Conditions:**

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

Reason: 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. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Proposed Barn, Hardstanding and Concrete Gateway Plan received 6th January 2020
  - Agricultural Barn Elevation and Floor Plans received 13th August 2019
  - Agricultural Barn Hay Loft Plan; Hay Loft External Timber Plan received 13th August 2019
  - Proposed Concrete Gateway Surface Plan received 13th August 2019

Reason: For the avoidance of doubt and in the interest of proper planning

3. The proposed external materials for the agricultural barn shall be fully in accordance with the Agricultural Barn Elevation and Floor Plans received 13th August 2019

Reason: In the interests of visual amenity

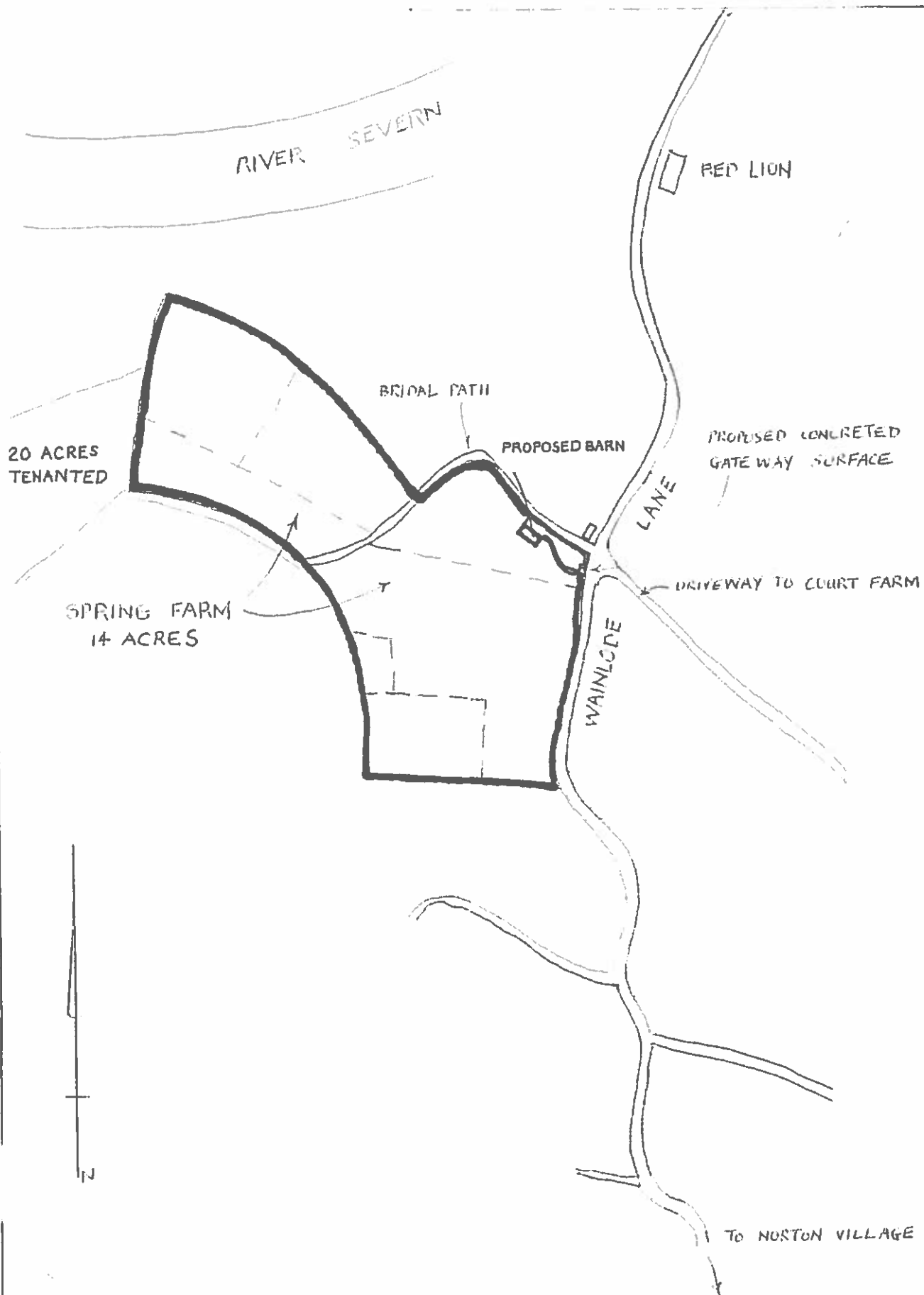
4. All planting detailed in the landscaping scheme on approved Proposed Barn, Hardstanding and Concrete Gateway Plan received 6th January 2020 shall be carried out in the first planting and seeding season following the construction of the agricultural barn. Any trees, within a period of five years from completion of the development which, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity

### **Notes:**

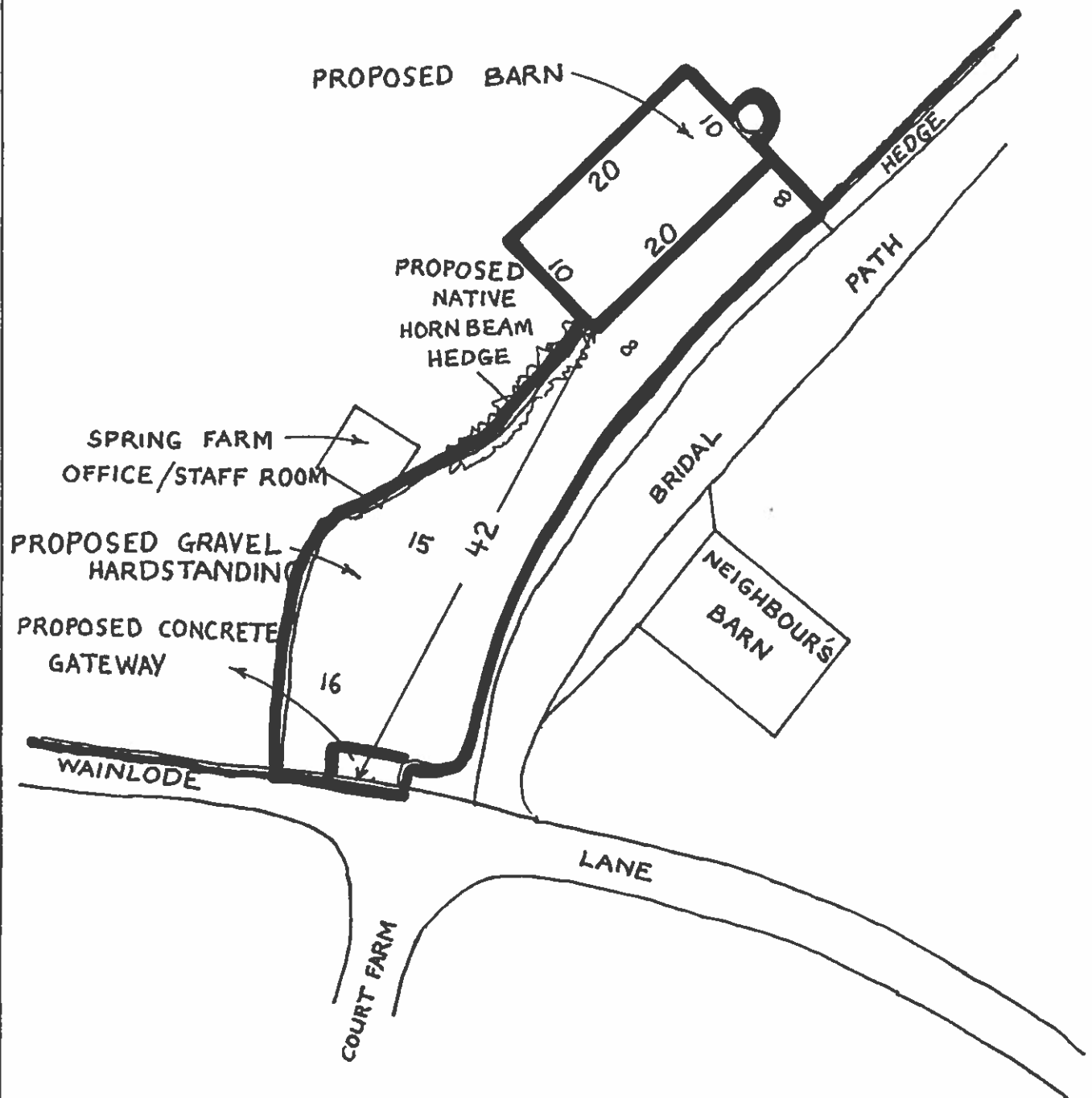
#### **1 Statement of Positive and Proactive Engagement**

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 the removal of the woodstore from the application as submitted



PROPOSED BARN			
PROPOSED	POSTCODE GL2 9LW		SEN
GATEWAY SURFACE AT SPRING FARM	SCALE 1:2500		16-4-2019

5741A



PROPOSED BARN, HARDSTANDING AND CONCRETE GATEWAY

SPRING FARM, WAINLODE LANE, GL2 9LW.

Scale 1:500

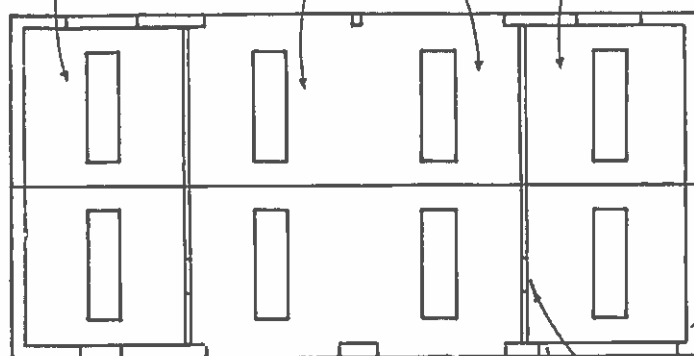
i.

METRES

574/13

3/1/2020

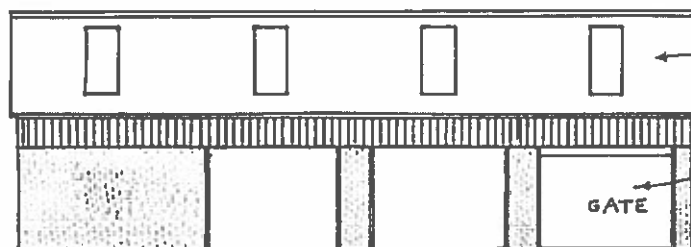
DAIRY / STORE      LAMBING YARD      MACHINE      STORE



PLAN

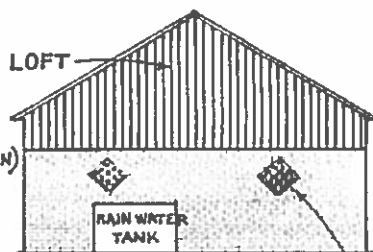
STEEL FRAME AND ROOF PURLINS  
FABRICATED AND INSTALLED  
BY SENIOR STEEL LIMITED

RAIN WATER TANK  
ECOSURE 4500 LITRE TANK 1.4Hx22D  
EXTERNAL WALLS TO MEZZANINE  
LEVEL: RE-CLAIMED IMPERIAL BRICKS  
AND INNER 140mm THERMALITE BLOCKS  
THERMALITE DIVIDING WALLS



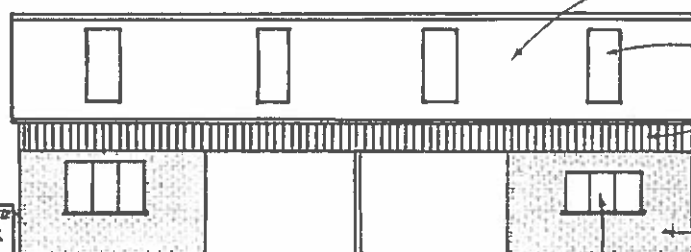
FRONT ELEVATION FACING BRIDAL PATH

HAY STORAGE LOFT  
metal concertina gate  
painted green (BOLTON)



END ELEVATION

BRICK "DOVE COTE" VENTS

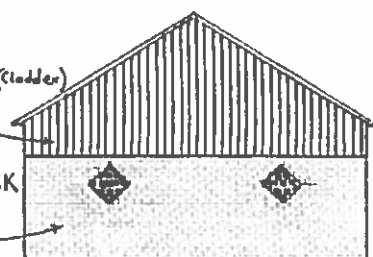


REAR ELEVATION

NATURAL GREY FIBRE CEMENT ROOF SHEETING (CLADDEX)

ROOF LIGHTS  
translucent GRP fibre (cladder)  
OPEN TIMBER  
BOARDING

RE-CLAIMED BRICK  
AND BLOCK END  
STORES



END ELEVATION FACING ROAD

BROWN UPVC WINDOWS  
SHUTTERED WITH GREEN  
PAINTED METAL SHUTTERS

AGRICULTURAL BARN, SPRING FARM,

SCALE 1 : 150

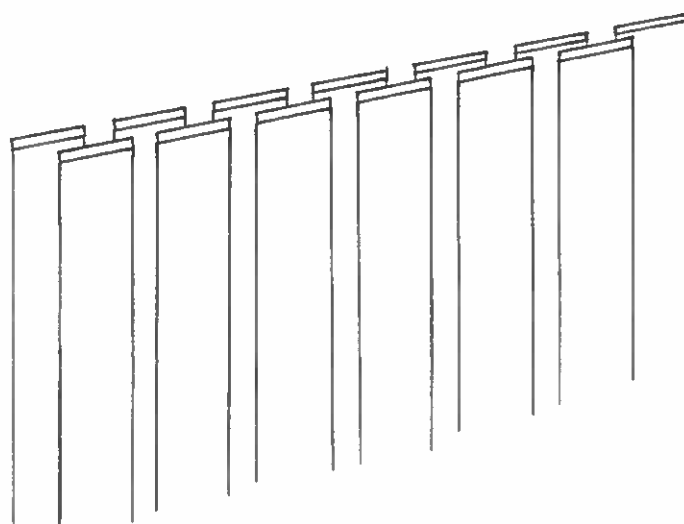
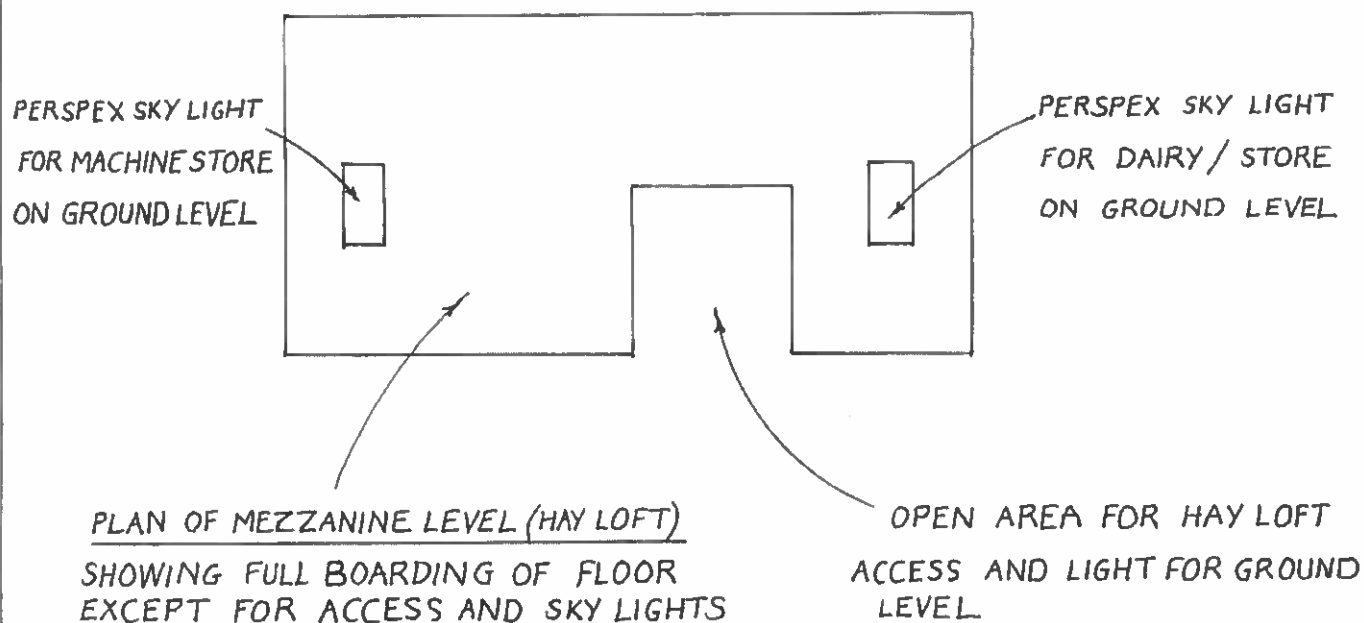
v

WAINLODE LANE, GL2 9LW.

10m = 1.5 METRES

DATE : 12 - 4 - 2019

5741C



DETAIL OF TIMBER BOARDING WALLS AROUND HAY LOFT:

OVERLAPPING OPEN 25 X 150<sub>mm</sub> TREATED TIMBER BOARDING, INTERMITTANT 25 X 25<sub>mm</sub> TREATED BATTEN SPACERS BETWEEN FRONT AND BACK FOR DRY VENTING

AGRICULTURAL BARN: HAY LOFT PLAN (SCALE 1:150) ; HAY LOFT EXTERNAL TIMBER

WALLS (SCALE 1:10 detail). WAINLODE LANE, GL2 9LW..

26-7-2019.

57410

Valid 04.06.2019

Installation of a rear dormer window and front skylight to facilitate loft conversion.

Grid Ref 394932 227841

Parish Bishops Cleeve

Ward Cleeve West

## 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** - (original plans) - objects to the application on the grounds of overlooking affecting neighbours privacy in both Nortonham Close and Haylea Road.

Revised plans dated 12th July 2019 - objects to the proposal. The revised plans are worse in appearance and continue to present an issue of overlooking with adverse impact on neighbours' property.

Revised plans dated 21st October 2019 / November 2019 - objects on the grounds of overlooking and unsympathetic design, not in keeping with the area.

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

- The dormer would be out of character with the area and of a poor design.
- The dormer would have a negative effect on the amenity of surrounding dwellings by reason of its bulk, massing, and size.
- Overlooking / loss of privacy to the dwellings at the rear in Nortonham Close.
- Velux windows should be used in the roof instead.
- Devaluation of nearby dwellings.
- The addition of an extra bedroom could lead to a higher number of occupiers in the property / the number of vehicles at the site.

### Planning Officers Comments: Mrs Sarah Barnes

#### 1.0 Application Site

1.1 This application relates to 2 Haylea Road, a detached dwelling located on a housing estate in Bishops Cleeve (site location plan attached).

#### 2.0 Planning History

2.1 There is no recent / relevant planning history.

#### 3.0 Current application

3.1 The current application is for a loft conversion with a rear dormer window and front rooflights to facilitate a loft conversion (see attached plans). It would create a bedroom and an ensuite. The latest revised plans were submitted on the 28th November 2019 improving the design of the dormer, improving the fenestration and reducing its size.

## **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**

5.1 The main issues to be considered with this application are the impact on the neighbouring dwellings residential amenity, the overall size / design of the proposal and the impact on the street scene.

### **Design and Size / Visual amenity**

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 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.

5.4 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.'

5.5 The Parish Council and local residents have raised concerns about the appearance of the rear dormer not being in keeping with the existing neighbouring dwellings. The concerns raised are noted, and revised plans were sought to reduce the size of the dormer and improve its design. Revised plans were initially submitted on the 12th July 2019 but the dormer was still considered to be too large and not of a suitable design. Further revised plans were submitted on the 21st October 2019 and then again on the 28th November 2019 (improving the design of the windows in the dormer). It is considered that the design (as revised) would be a vast improvement on the original plans as the fenestration has been improved, the dormer reduced in size and the design improved. Whilst there aren't any similar rear dormers in the immediate vicinity there are examples in nearby roads e.g. 24 The Cornfields and 7 Ashlea Meadows (16/01086/FUL).

5.6 With regards to the size of the dormer window it would be lower than the main ridge line and also set in. The proposed fenestration would also be in keeping with the size of the existing first floor windows and the dormer would be constructed from tiles to closely match in with the existing roof. The cat slide design has also helped to reduce the overall bulk of the dormer.

5.7 Overall it is considered that the proposal (as revised) would be of an appropriate size and design in keeping with the character and appearance of the property and there would not be any harm to the visual amenity of the area. It would therefore comply with the requirements of Policy HOU8, Policy RES10 and Policy SD4 in this regard.

### **Residential amenity**

5.8 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.

5.9 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.

5.10 The Parish Council and the neighbours have raised concerns about overlooking / loss of privacy to the neighbouring dwellings at the rear in Nortenham Close. In terms of overlooking, the outlook from the rear dormer would be virtually the same as the existing outlook from the first floor bedroom windows. Indeed one of the windows would serve an ensuite so it would be conditioned to be obscure glazed. There would therefore not be any harmful overlooking or loss of privacy from the proposal.

5.11 Overall, after careful consideration, it is not considered that the proposed rear dormer window (as revised) would cause demonstrable harm to the amenities of the neighbouring dwellings and would be in line with Policy HOU8 of the Local Plan.

### **Other issues**

5.12 Concerns have also been raised about the devaluation of neighbouring dwellings. This is not however a planning issue.

5.13 In terms of the issue that the increase in the number of bedrooms at the site may increase the number of occupiers / the numbers of vehicles at the property, the proposal would only create one additional bedroom and it would be used by the current owners of the property. In terms of parking, there is currently space for at least two cars to park on the front drive along with the existing integral garage and this is considered to be sufficient / acceptable.



## 6.0 Conclusion

6.1 Overall, it is considered that the proposal (as revised) would not result in an unacceptable loss of residential amenity to neighbouring dwellings and would be of an acceptable size and design. There would also not be an adverse impact on the existing street scene. The proposal (as revised) would therefore accord with the NPPF, Policy HOU8 of the Local Plan and Policy SD4 of the JCS and is **recommended for permission**.

### RECOMMENDATION Permit

Conditions:

- 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: TM019.007 dated 28th November 2019, site plan / block plan dated 4th June 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. The first floor dormer window serving the ensuite shall be glazed in obscure glass to level 4 Pilkington or equivalent. The window shall thereafter be retained as such and not altered without the prior consent of the Local Planning Authority.

Reason: To safeguard the privacy of residents in the locality.

TM019.007.Site Plan 1:1250  
Proposed Rear Dormer to facilitate Loft conversion @  
2 Haylea Road Bishops Cleeve



578/A



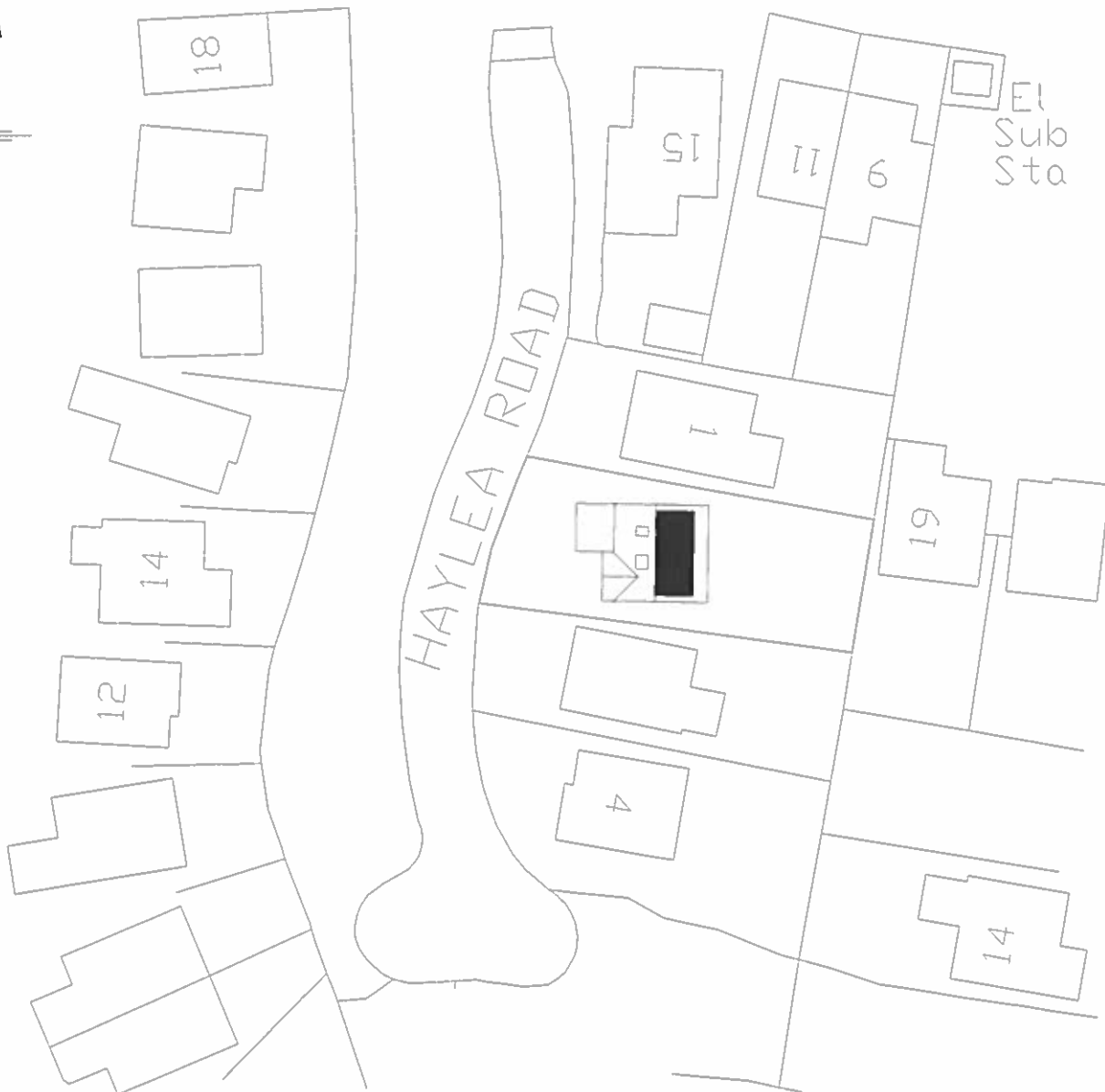
DeSiGN HoUsE

01242 227197

TM019.007.Block Plan 1:500

Proposed Rear Dormer to facilitate Loft Conversion @  
2 Haylea Road Bishops Cleeve

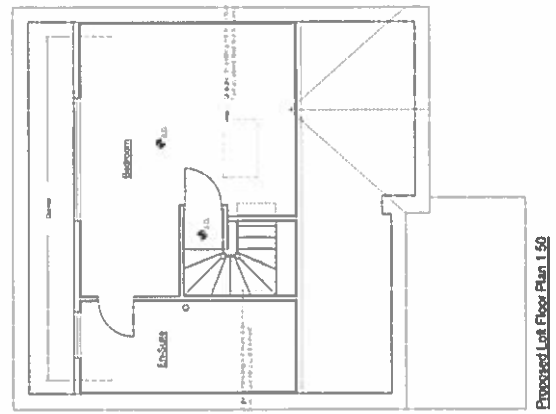
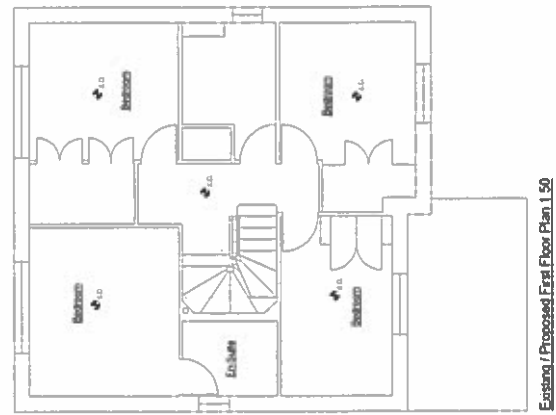
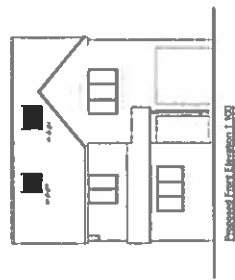
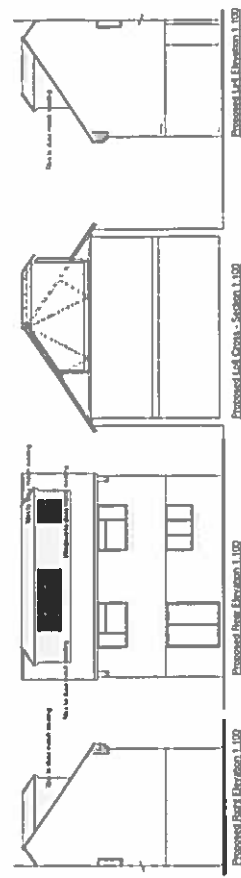
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Produced on 31 May 2019 From the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date  
This map shows the area bounded by 394832.227741 394832.227941 395032.227941 395032.227741  
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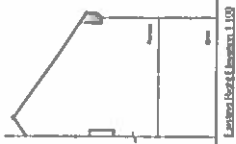
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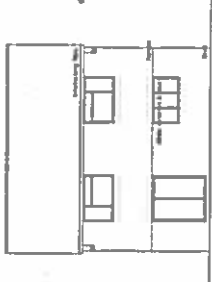


REVISION	DATE	DESCRIPTION
38 Webster Road, Chesham Glen, GL51 9HA TEL: 01297 271111		
CLIENT	Taylor Made Conversions	
PROJECT	2 Haylea Road Bishops Cleeve GL52 7YH	
DRAWING TITLE	Proposed Loft Conversion with Rear Dormer & Front Skylights	
SCALE	DATE	DRAWN BY
1:100, 1/50	03.06.19	VJM
DRAWING NUMBER		REV
TMD1910.007 Planning 01		

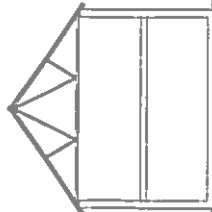
REVISER PLANS — 28th November 2019



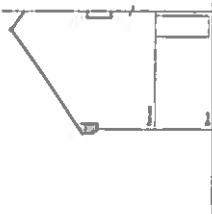
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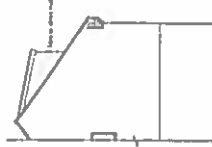
Existing East Elevation 1.100



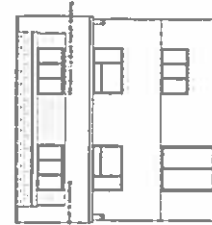
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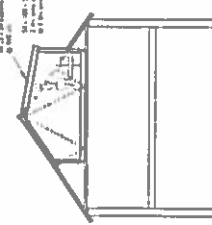
Existing East Elevation 1.100



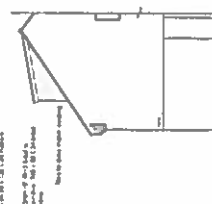
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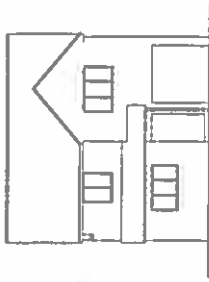
Proposed East Elevation 1.100



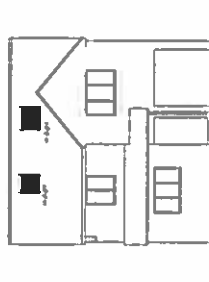
Proposed East Elevation 1.100



Proposed East Elevation 1.100

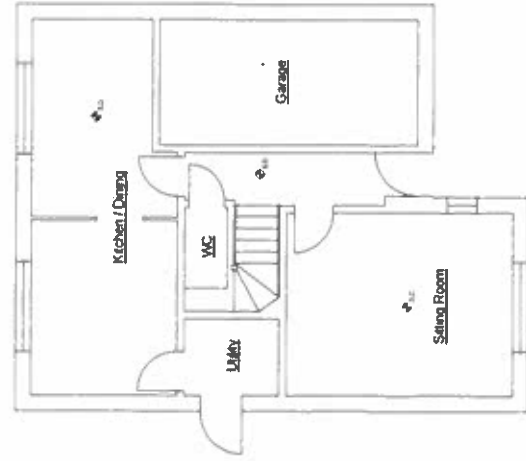


Existing Front Elevation 1.100

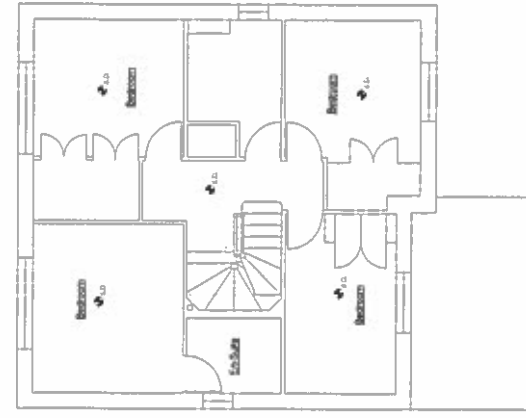


Proposed Front Elevation 1.100

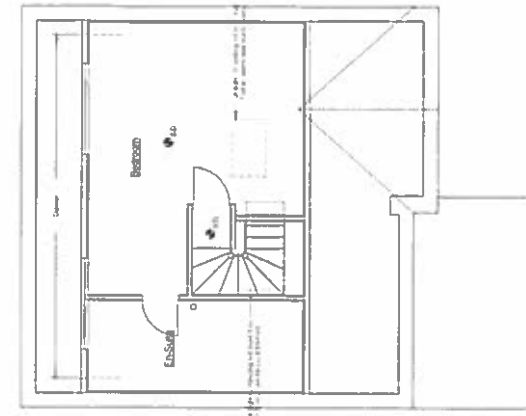
578/D



Existing / Proposed Ground Floor Plan 1.50



Existing / Proposed First Floor Plan 1.50



Proposed Loft Floor Plan 1.50

REVISION	DATE	DESCRIPTION
D	27.11.19	Dormer Windows Revised
C	18.10.19	Dormer Roof Further Revised
B	10.10.19	Dormer Roof Further Revised
A	10.07.19	Dormer Roof Further Revised

28 Waddes Road, Chesham, Chx. GL52 5AA TEL: 01296 277147	<b>VJM</b>
CLEAR	Taylor Made Conversions
PROJECT	28 Waddes Road, Chesham, Cheshire GL52 5AA
DRAWING TITLE	Proposed Loft Conversion with Rear Dormer & Front Skylights
SCALE	1:100, 1:50
DATE	03.06.19
DRAWING NUMBER	TMD19.007
REV	D

Valid 26.06.2019

The demolition of the existing dwelling and the building of one dwelling house.

Grid Ref 390380 219506

Parish Badgeworth

Ward Badgeworth

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

National Planning Policy Framework; 2019 (NPPF)

Planning Practice Guidance

The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2017 (JCS) - SP2 ,SD5, SD6, SD10, INF1, INF2

Tewkesbury Borough Local Plan to 2011; March 2006 (TBLP) - HOU7

Tewkesbury Borough Flood and Water Management SPD; February 2018

Pre-Submission Tewkesbury Borough Plan (PSTBP) 2019 - RES5

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****Original plans:**

Badgeworth Parish Council - The Parish Council object to the planning application for the following reasons:

- The existing building is a single storey former portal workshop with a corrugated tin roof. It is difficult to describe this as a residential building, as it was never designed or built as such. In the circumstances, the Parish Council regards the building as a former outbuilding at the rear of Ashley Villa.
- Adjacent owners and those on the opposite side of Badgeworth Lane have significant concerns about the visual impact of the proposed two storey building and would regard it as a real intrusion into what is otherwise a view of trees and shrubs.
- The proposed building does not form part of the existing linear development along Badgeworth Lane but is at the rear of existing dwellings.
- The Parish Council considers that the new build would constitute inappropriate development in the Green Belt and would not be within a recognised settlement area e.g. Service Village. It would not be a sustainable development as local services are not immediately available.

**Revised plans:**

- The difference in the ridge height for the latest proposal is 5.32 m vs an estimate of 3.8 m for the current structure. The proposed new ridge is still around 1.5 m higher than the present structure. Given the proximity to the boundary fence and the location in respect of the neighbouring properties this would still have significant visual impact.
- The new proposal does not change the previous comments of the Parish Council and they remain relevant to the revised plans.

**Planning Officers Comments: Mr John Hinett****1.0 Application Site**

1.1 The application site comprises an area of land associated with 'Ashley Villa' and 'Hillview' - two residential properties situated on the north western edge of Badgeworth. The rear garden of a neighbouring residential property occupies the eastern boundary of the site. An open area of orchard lies to the western part of the site. Badgeworth Lane is located to the southern boundary.

1.2 A public right of way ABA/23/1 runs along the northern boundary of the site. The existing access to the dwellings is off Badgeworth Lane. The site is located in the Green Belt.

## 2.0 Planning History

2.1 There is significant planning history in relation to the application site. Of relevance to the current proposal are as follows:

2.2 The erection of a building for the storage of builders materials was permitted in 1986 (Ref: - T.1170/D).

2.3 In 1988, permission was granted for the erection of a double private car garage (Ref: - T.1170/E).

2.4 In 1997, permission was granted to change the use of the existing workshops to the rear of the house to a wheelchair friendly granny annexe (Ref: - 97/1170/1024/FUL).

2.5 Application 10/00789/FUL for the change of use of outbuilding/workshop to B1 (light industrial) - revised application was permitted in September 2010.

2.6 Planning permission 13/00547/FUL renewed the permission in 2013.

2.7 Planning permission 13/00581/FUL for the removal of condition 2 attached to permission Ref: - 97/1170/1024/FUL to allow for the annexe to be used as a separate dwelling unit independent of Ashley Villa was permitted in August 2013.

2.8 Planning application 15/00093/FUL for the erection of two single storey houses was refused on the 13.04.15. A subsequent Appeal against the Council's decision was dismissed.

2.9 A further planning application (16/00250/FUL), this time for a single dwelling and a garage with Amended access was refused on 03.06.2016.

*1 The proposed development conflicts with Policy GRB1 of the Tewkesbury Borough Local Plan to 2011 (March 2006), policy SD6 of the JCS Submission Version (November 2014) and Section 9 of the NPPF (Protecting Green Belt land) in that it represents inappropriate development in the Green Belt which would compromise its open character, appearance and function.*

*2 The proposed dwelling would, by reason of its poor design, size and massing, appear visually intrusive and out of keeping with the surrounding development and would have a visually urbanising effect that would be detrimental to the rural character and appearance of the area, contrary to the NPPF, Policy LND4 of the Tewkesbury Local Plan - March 2006 and Policy SD7 of the JCS Submission Version (November 2014).*

*3 The applicant has not demonstrated that sufficient visibility can be provided from the proposed access. As such, it is not certain that safe access can be provided to the classified road and the proposal therefore conflicts with Policy TPT1 of the Tewkesbury Borough Local Plan to 2011 (March 2006) and paragraphs 32 and 35 of the NPPF.*

*4 The site is located beyond any defined residential development boundary at a location where there are poor pedestrian, cycle and public transport links to the nearest facilities and amenities and thus would be likely to be heavily reliant on the use of the private motor vehicle, and would not encourage the use of transport modes other than the private car, contrary to the sustainable development aims of current Government Planning Policy Guidelines and Policy TPT1 of the Tewkesbury Borough Local Plan to 2011 - March 2006.*

Appeal was dismissed on the 13th October 2016.

2.10 Certificate of lawful existing use (19/00283/CLP) which sought to establish the use of land as residential garden was refused in 14.09.2017. A subsequent appeal was Allowed in August 2018.

## 3.0 Current Application

3.1 The application proposes the demolition of the existing residential building and its replacement with a new purpose built dwelling. Revised plans have been submitted to reduce the size and scale of the dwelling from a very large 1.5 storey 4 bedroomed dwelling to a two bedroomed bungalow. The revised proposal would have a ridge height of 5.7m and a footprint of approximately 130sq.m.

3.2 The dwelling would be sited to the rear of the site and served by a shared access with Ashley Villa off Badgeworth Lane.

#### **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). The emerging Tewkesbury Borough Plan has been approved for submission to the Secretary of State. The Pre-submission version of the Plan has been consulted upon. The policies within that plan are given limited-moderate weight given the stage the plan has reached in the plan-making process, dependant on their consistency with the NPPF and the extent to which there are unresolved objections to them.

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

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

#### **5.0 Analysis**

5.1 The main issues to be considered in this application are: the principle of the development, whether the proposal would be an appropriate form of development in terms of Green Belt policy (and the impact upon the openness of Green Belt); design; highway safety; and residential amenity.

#### **6.0 Principle of Development and Green Belt Policy**

6.1 The application site is not located in a defined residential development boundary or within any of Tewkesbury Borough's towns and villages.

6.2 Policy SD10 of the JCS advises that on sites that are not allocated, housing development will be permitted on previously developed land in existing rural service centres and service villages unless where otherwise restricted by policy.

6.3 Of relevance to this application, on other sites, housing will only be permitted if it meets certain limited exceptions. One of those exceptions at 4.iv is if: 'There are other specific exceptions/circumstances defined in district or neighbourhood plans'.

6.4 Policy HOU7 of the Local Plan states that in locations where the construction of new dwellings would otherwise be unacceptable, the replacement of existing dwellings will be permitted provided that certain criteria are met. These include that the replacement dwelling is of a similar size and scale to the existing dwelling and that the dwelling respects the scale of existing characteristic property in the area and has no adverse impact on the landscape.

6.5 Policy RES9 of the emerging Local Plan, which holds limited to moderate weight in the decision making process at this time states, inter alia, that replacement dwellings outside of defined settlement boundaries will be permitted provided that the proposed dwelling respects the size of the plot and the scale of the existing characteristic property in the area.

6.6 The application site is located in the Green Belt, the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the NPPF states that a local authority should regard the construction of new dwellings as inappropriate development in the Green Belt. Exceptions to this include, inter alia, 'the replacement of a building, provided the building is in the same use and not materially larger than the one it replaces' and 'limited infilling villages'. JCS Policy SD5 reflects the guidance.



6.7 By virtue of its location at the rear of the Ashleigh Villa, it is not considered the proposal would comprise 'in-filling'.

6.8 The existing 'dwelling' on the site has a low ridge height of 3.8m with eaves at 2.6m and has a Gross Internal Area (GIA) of approximately 103sq.m and an existing volume of 369cu.m. The proposed replacement dwelling would have a ridge height of 5.7m with eaves at 3.06m with a GIA of 115sq.m and a volume of approximately 507cu.m. The application would therefore amount to an increase in GIA of 11.6% and an increase in volume of 37.4%.

6.9 Whilst the footprint of the proposed replacement dwelling would be similar to the existing, by virtue of its increased ridge and eaves height the volume is considered to be materially larger. There would also be a modest impact on the openness of the Green Belt in this location. The proposal is therefore considered to comprise inappropriate development in the Green Belt. Very special circumstances are therefore required to justify the proposal in terms of Green Belt policy.

6.10 Whilst no such case has been made by the applicant, recent appeal decisions have established that where there is a reasonable prospect that accommodation not requiring planning permission (in other words permitted development) could be implemented, that this permitted development 'fall-back' position can amount to very special circumstances. In this case, the permitted development opportunities would be limited to a modest side extension. However, such an extension could (if implemented), increase the footprint and volume of the existing dwelling and result in building with a similar volume to the current proposal (as revised). Whilst a side extension would necessitate the reconfiguration of the internal arrangement of rooms within the existing dwelling, given its previous use, this would not be difficult and it is therefore considered that there is a reasonable prospect that such an extension could be implemented.

6.11 The proposed replacement would also contribute a modern, purpose built dwelling towards the borough's housing stock that would necessarily be required to meet current building regulations and therefore would be more energy efficient than the existing building. These matters are considered (in these particular circumstances) to comprise very special circumstances to outweigh the harm to the Green Belt.

## **Design**

6.12 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. Policy RES5 of the emerging Local Plan similarly requires high quality development for new housing development.

6.13 Prior to its current residential use, the existing building was used as a workshop and it was never designed or intended to be a dwelling. Its design and appearance is consequently poor and utilitarian. By virtue of the constraints imposed by Green Belt policy, the design of the revised proposal has a similarly simple plan form not dissimilar to that of the existing building. The increased ridge height and steeper pitch to the roof is helpful in design terms and the introduction of two small bay windows add interest to the overall design and appearance. Overall the design is considered an improvement to that of the existing dwelling and acceptable in terms of JCS Policy SD4.

## **Landscape impact**

6.14 One of the core planning principles of the NPPF is that the planning system should recognise the intrinsic character and beauty of the countryside. Section 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, inter alia, protecting and enhancing valued landscapes. 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.

6.15 The proposed dwelling would replace an existing residential building in a similar location and it is not considered the proposed replacement would have a harmful impact on the character and appearance of the countryside.

## **Residential amenity**

6.16 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, this is echoed within the emerging Local Plan policy RES5.

6.17 The Parish Council have raised concerns about the increased ridge height of the proposed dwelling which they consider would have significant visual impact from the neighbouring property. However, the neighbour has a very large rear garden and the proposed dwelling would remain a modest single storey building with relatively low ridge and eave heights, and would be stepped away 4 metres from the neighbours' fence. It is not considered the impact on the neighbour would be unacceptable therefore.

6.18 No windows or rooflights are proposed in the roof facing the neighbour and permitted development rights could be removed by condition giving the local planning authority control over any such future proposals.

6.19 A certificate of lawful use (17/00748/CLE) was recently allowed following an appeal which accepted that a large area of land to the west of the application building could be lawfully used as residential curtilage. This land is included within the red line of this application and therefore the site benefits from ample garden and vehicular parking.

6.20 The proposal is therefore considered to comply with the relevant policies in this regard.

## **Highway safety and parking**

6.21 JCS Policy INF1 states that safe and efficient access should be provided to the highway network for all modes of transport, should be designed so as to encourage maximum potential use and provision shall be made for access and on-site parking with no detriment to highway safety.

6.22 Access to the proposed dwelling would be from the existing access shared with 'Ashley Villa'. It is apparent that that a new driveway has been created outside of the immediate curtilage to 'Ashley Villa' to allow a separate driveway to the existing dwelling. The current proposal would regularise this development. Given that the land has now been accepted as residential curtilage (17/00748/CLE), the use of part of it for an access is not considered to be an issue. In terms of the suitability of the existing access, the proposed replacement dwelling would comprise two bedrooms: the same as the existing property. It is not considered there would be any intensification in the use of the existing access therefore. Ample space for vehicular parking and manoeuvring within the site is available.

6.23 Notwithstanding the above it is considered necessary to repeat the condition from the previous consent (13/00581/FUL) ensuring adequate visibility is maintained and that the proposed parking arrangements are implemented. Subject to these conditions the proposal is considered acceptable on highway terms therefore.

## **Drainage**

6.24 JCS Policy INF2 requires new development to incorporate sustainable drainage systems, manage surface water drainage, to avoid increase in discharge to the public sewer, ensure flood risk is not increased elsewhere and to protect the quality of the receiving watercourse and groundwater.

6.25 The application proposes surface water would be dealt with via soakaways. The applicant has confirmed that foul water would be connected to the existing mains sewer.

## 7.0 Overall balancing exercise and conclusions

7.1 The proposed replacement dwelling would be materially larger than the existing building and would have a greater impact on the openness of the Green Belt - albeit a modest impact. The proposal would therefore comprise inappropriate development in the Green Belt. Consideration has been given to extensions that could be implemented under permitted development rights as a fall-back position. The proposed replacement would also contribute a modern, purpose built dwelling towards the borough's housing stock that would necessarily be required to meet current building regulations and therefore would be more energy efficient than the existing building. These matters are considered (in these particular circumstances) to comprise very special circumstances to outweigh the harm to the Green Belt.

7.2 Subject to alterations to the porch, the design of the dwelling would be acceptable and it would have an acceptable impact on the character and appearance of the area in line with current prevailing planning policy including the provisions of the NPPF. Furthermore, and subject to conditions, there would be no undue impact on residential amenity or highway safety.

7.3 It is therefore recommended that the application is **Permitted**.

### **RECOMMENDATION Permit**

#### Conditions:

- 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. The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers:
  - Site plan - 050AM5 (10.01.2020)
  - Proposed Block Plan - 060AM5 (10.01.2020)
  - Amended proposed front elevation - 0100AM5 (09.01.19)
  - Amended proposed right elevation - 0110AM5 (09.01.19)
  - Amended proposed rear elevation - 0105AM5 (09.01.19)
  - Amended proposed left elevations - 0115AM5 (09.01.19)
  - Amended proposed roof plan - 0130AM5 (09.01.19)
  - Amended proposed ground floor - 075AM5 (09.01.19);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. No building operations above damp course level shall be commenced until samples of the roofing and walling materials proposed to be used have been submitted to and approved by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no private car garages, extensions, garden sheds, gates, fences, walls, other means of enclosure, satellite antennae or structures of any kind, doors, windows or roof lights (other than any hereby permitted) shall be erected or constructed on this site or be installed in the buildings without the prior express permission of the Local Planning Authority.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings and to preserve the openness of the Green Belt, and in the interest of residential amenity.

5. Notwithstanding the submitted details, no development shall take place until drainage arrangements for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage.

6. Prior to beneficial occupation of the dwelling a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development shall have been submitted to and approved by the Local Planning Authority in writing,

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

7. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

8. No development shall commence until details of existing and proposed levels, to include details of finished floor levels relative to ordnance datum, have been submitted to and approved by the Local Planning Authority. All development shall be carried out in accordance with the approved details.

Reason: To ensure that the development integrates harmoniously with its surroundings and does not adversely impact upon existing residential properties.

9. Prior to the first use hereby permitted, the existing frontage boundary to the north of the vehicular access shall be trimmed back or lowered to provide visibility splays extending from a point 2.4 metres back from the carriageway edge along the access centre line to a point on the nearside carriageway edge 100 metres distant. Any new boundary, fence or other enclosure shall be erected on or behind the splay lines so defined, with the area in advance maintained permanently clear of obstructions to visibility at a height not exceeding 0.9 metres above the adjacent carriageway level.

Reason: To ensure that adequate visibility is provided and maintained in the interests of highway safety.

10. Prior to the first use hereby permitted car parking and manoeuvring facilities for both dwellings shall be completed in all respects in accordance with the submitted details and shall be similarly maintained thereafter for that purpose.

Reason: To ensure adequate parking is available and to enable vehicles to enter and leave the highway in

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 design, size and scale of the proposal.



David Mills Planning Services: 12 Sarnedje Rd., Coleford, Glos., GL16 8BU

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Site address: Halfway, the rear of Ashley Villa, Badgeworth Lane, Badgeworth, Chos., GL15 4JW

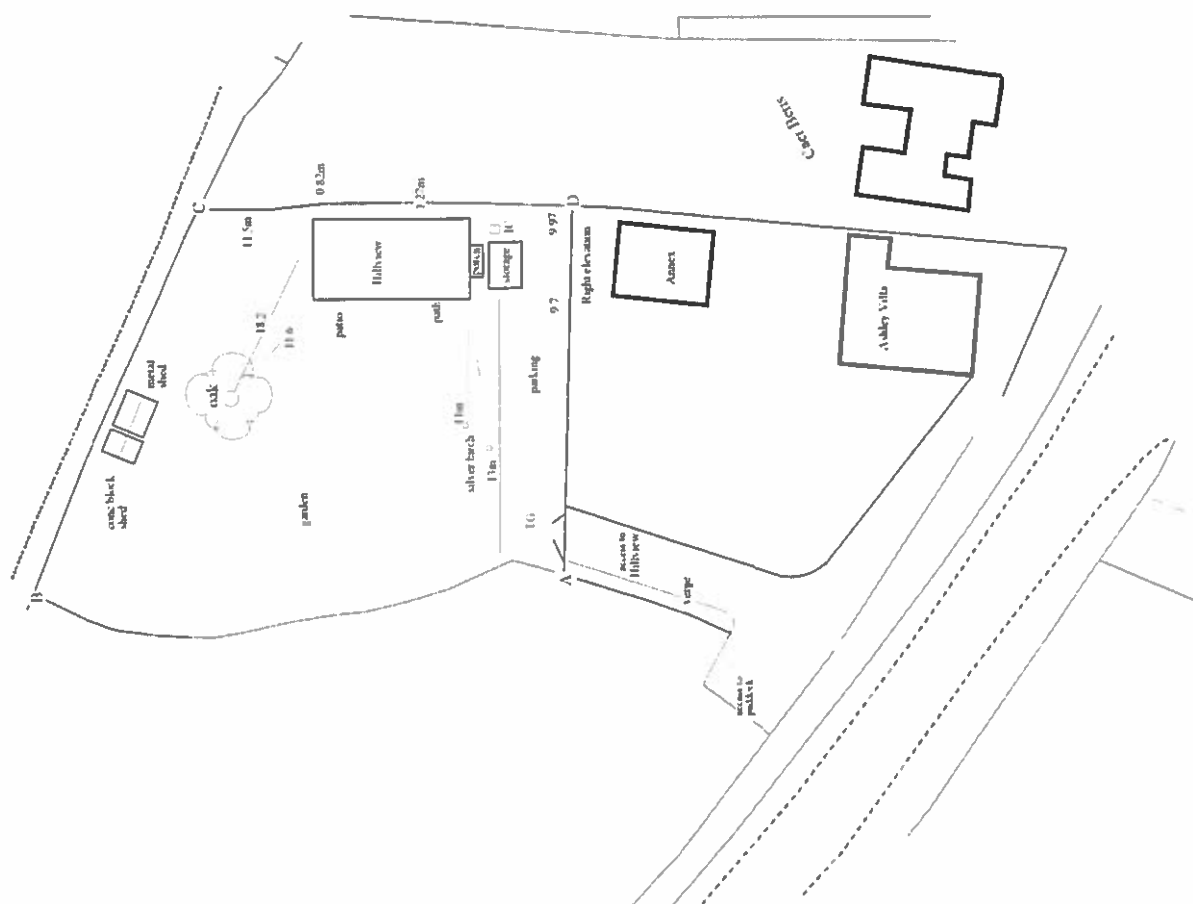
E: pawbleadney@aol.com      Off: 01594 810637    M: 07526 240333

Date: 04 June 2019

by contractor on site. Responsibility is not accepted for errors made by others in scaling from this drawing. Where applicable you are reminded of your responsibilities under the Party Wall Act 1996.

Boundary treatment AB: post & rail  
Boundary treatment BC: feather edge timber fence  
Boundary treatment CD: feather edge timber fence  
Boundary treatment DA: feather edge timber fence

TC: timber gates  
IC: inspection chamber  
SUDS: sustainable drainage system



**Proposal:** Demolition of the existing dwelling & the build of one dwelling house

David Mills Planning Services: 12 Samedge Rd., Coleford, Glm. GL16 8HU

E: [pawble@newrad.com](mailto:pawble@newrad.com) (Df: 01594 810637 M: 07526 240333

Date: 04 June 2019

DAVID SHIN (Training Services, Inc., Chicago, IL) and  
CONTRIBUTOR David N. Phillips Services. No liability for trademark misstatements is accepted. Responsibility is not accepted for errors made by others in scaling from this drawing. Where applicable you are reminded of your responsibilities under the Party Wall Act 1996.

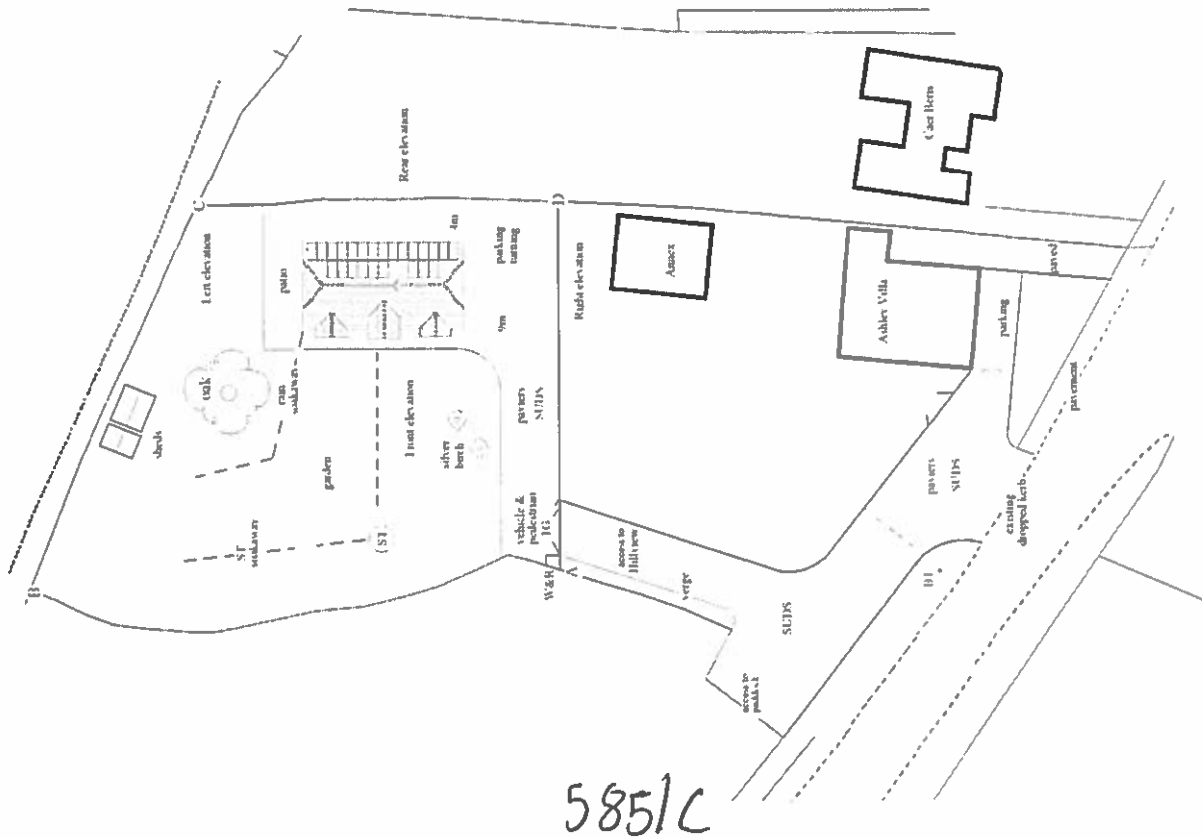
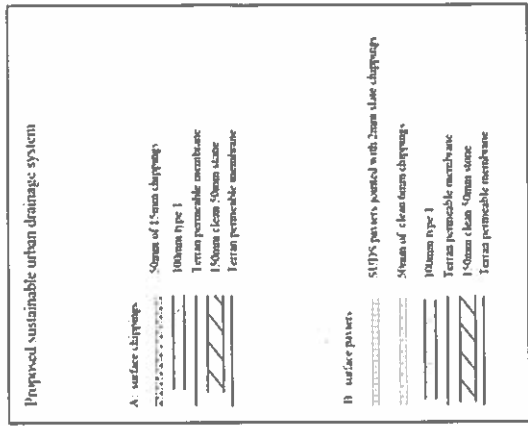
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5

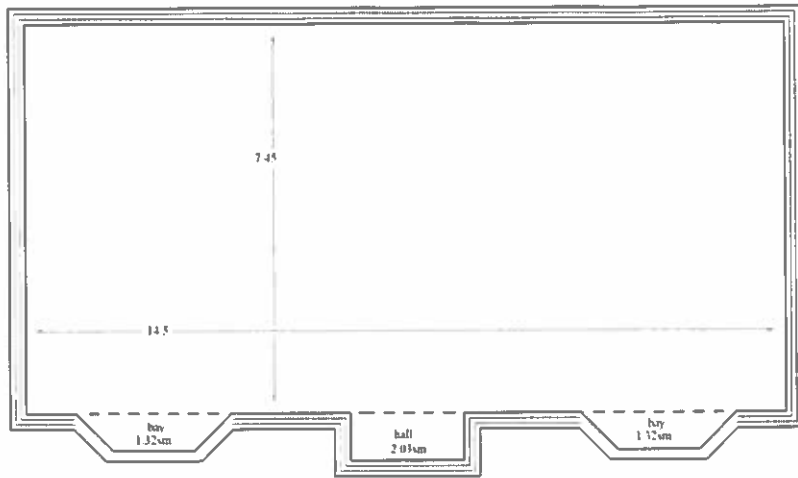
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Legend:

- Boundary treatment AH: post & rail
- Boundary treatment BC: feather edge timber fence
- Boundary treatment CD: feather edge timber fence
- Boundary treatment DA: feather edge timber fence
- ST: septic tank
- AP: air heat source pump
- TG: timber gates
- W & R: waste & recycling
- SUDS: sustainable drainage system



Existing dimensions floor space 11.8m & volume 907cm  
 Proposed dimensions of floor space  $(9.45 \times 14.5) + (2 \times 1.32) = 203 = 112.695 \approx 113m$   
 Proposed volume see 1135FP / 077AS4

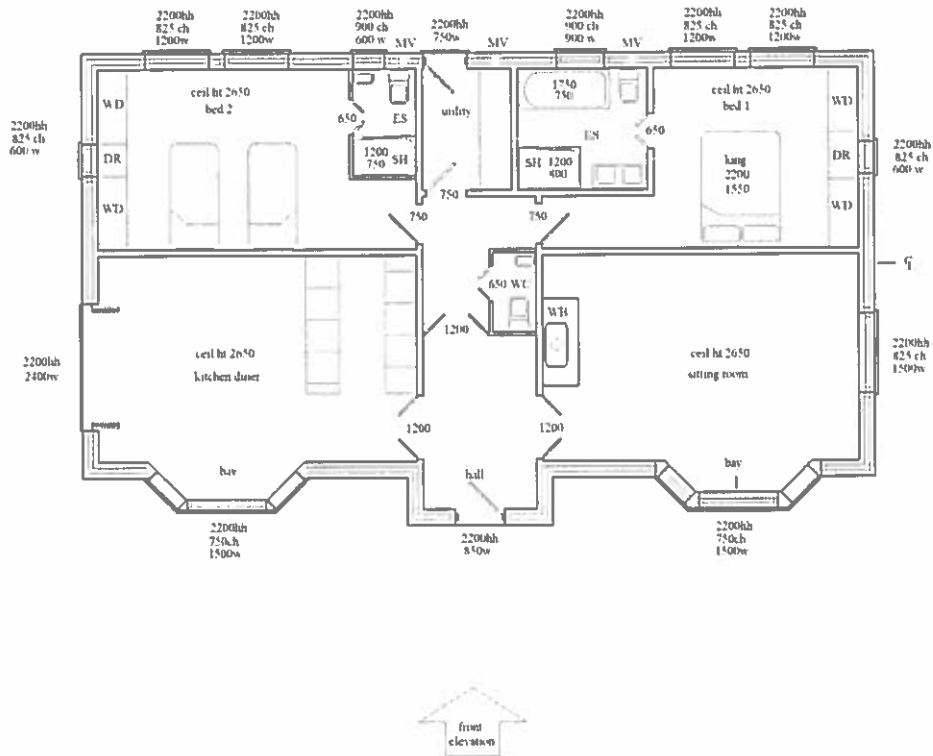


Proposal: Demolition of the existing dwelling & the build of one dwelling house  
 David Mills Planning Services: 12 Sarnage Rd., Coleford, Glos., GL16 8BU  
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Site address: Hiltview, the rear of Ashley Villa, Hadenworth Lane, Hadenworth, Glos., GL15 4JW  
 E: paul@leadney@aol.com  
 OBE: 01594 810637  
 A1: 07526 240333

Date: 04 June 2019

Scale: 1:100 (A3 format) 1/4" = 1' 0"

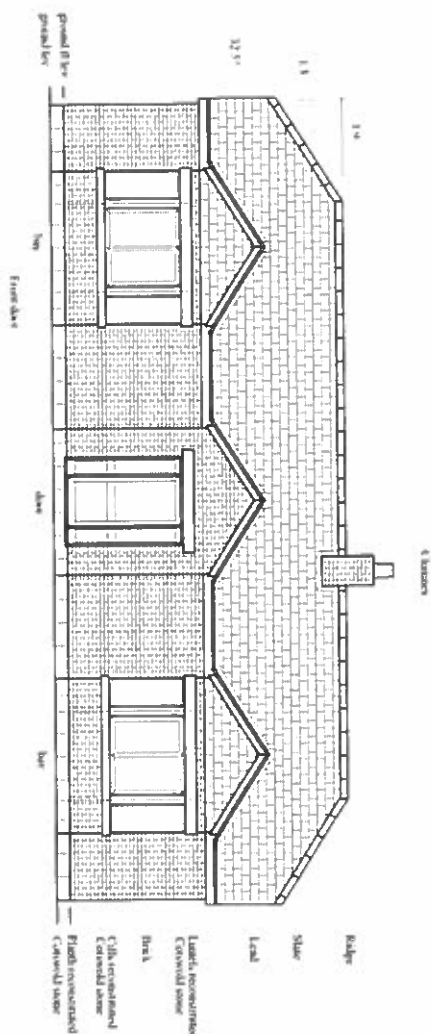


S85/D

- Legend:
- WC: cloakroom
  - CT: coats
  - WM: washing machine
  - TD: tumble dryer
  - MV: mechanical vent
  - WH: wood burner
  - AP: air heat source pump
  - W & R: waste & recycling
  - ES: en suite
  - WD: wardrobe
  - CH: cupboard
  - SH: shower
  - VD: vanity unit
  - SK: sink
  - DW: dish washer



- Legend**
- Ridge: clay, black
  - Knoif: slate, black
  - Lead valleys, soakers, flashings
  - Brick: LHC, multicoloured red
  - Chimney: LHC, multicoloured red
  - Chimney pot: clay, terracotta
  - Lintel, cills & plinth: reconstructed Cotswold stone
  - Windows & screen: 1/1vc heritage green, triple glazed, argon filled, K factor
  - Doors: 1/1vc heritage green, double glazed, argon filled, K factor
  - atrium fitted, K factor
  - CHS: obscure glass
  - AP: air heat source pump
  - : mechanical vent
  - : gas balanced flue
  - PV: photovoltaics



585/E

Proposal: Demolition of the existing dwelling & the build of one dwelling house

Site address: Hillview, the rear of Ashley Villa, Badgeworth Lane, Badgeworth, Glos., GL15 4UW

David Mills Planning Services, 12 Sandridge Rd, Coleford, Glos., GL16 8HT

E: pavwhitney@aol.com

01594 810637 M: 07526 240333

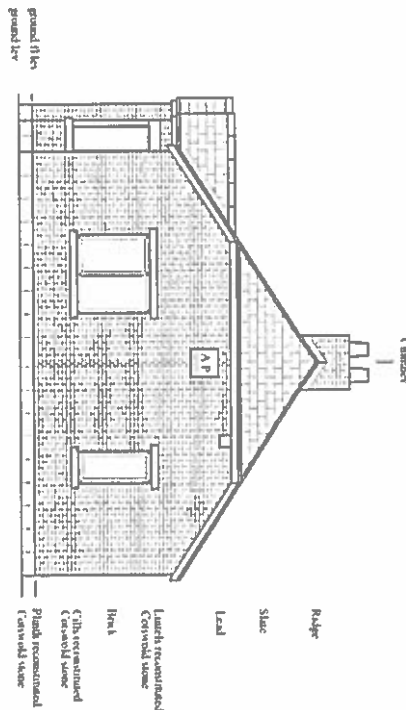
Date: 04 June 2019

Scale @ A3: 1:500

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Legend:

- Ridge: clay, black
- Roof: slate, black
- Lead: valleys, sakers, flashings
- Brick: LHC, multicoloured red
- Chimney: LHC multicoloured red
- Chimney pot: clay, terracotta
- Lintels, sills & plinth: reconstructed Cusworth stone
- Windows & screen: Upvc heritage green, triple glazed, argon filled, K factor
- Doors: Upvc heritage green, double glazed, argon filled, K factor
- OHV: obscure glass
- AP: air heat source pump
- : mechanical vent
- : gas balanced flue
- PV: photovoltaics



585/F

Proposed: Demolition of the existing dwelling & the build of one dwelling house

David Mills Planning Services: 12 Sarncliffe Rd., Cuckfield, Glos., GL16 8JH

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Site address: 11th Ave, the rear of Ashley Villa, Badgeworth Lane, Badgeworth, Glos., GL15 4JW

E: paul@dmplanning.co.uk

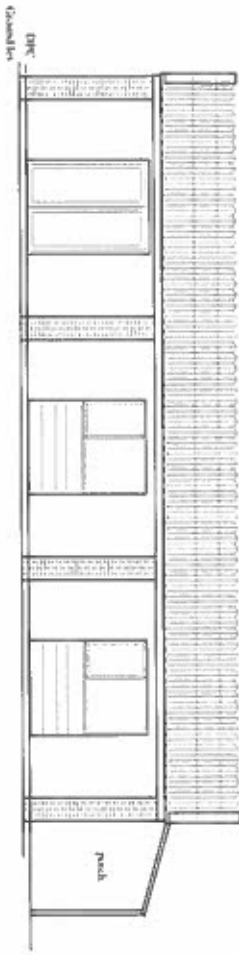
Q: 01594 810637 M: 07526 240333

Date: 01 June 2019

Scale (A3): 1 : 500

Legend:

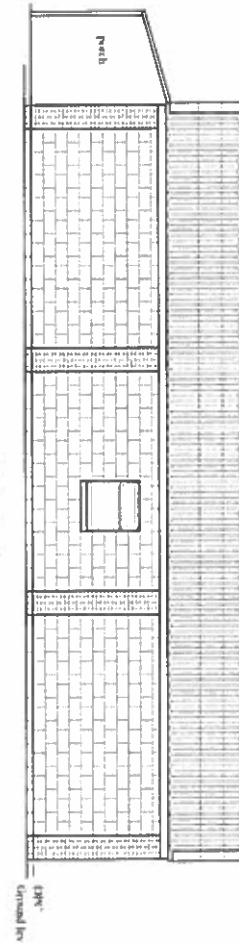
- Brickwork: 1/2" common
- Roof: corrugated steel
- Warch: plastic
- Windows: 1" pvc, double glazed, white



1/2" pvc concrete blocks,  
rendered & painted

Warch and pvc  
white 1" pvc

Front elevation



1/2" pvc concrete blocks,  
painted

Warch and pvc  
white 1" pvc

Rear elevation

585/G

Proposal: Demolition of the existing dwelling at the build of one dwelling house

Site address: 11thview, the rear of Abbey Villa, Badgeworth Lane, Badgeworth, Glos, GL15 4TW

David Mills Planning Services, 12 Sarncliffe Rd., Colford, Glos, GL16 8BU

E: pavhcadu@and.com

01594 810637 M: 07526 240333

Date: 04 June 2019

Scale: 1:100 @ A3

Valid 17.10.2019

Demolish store/garage outbuilding and erect annexe/garage/carport replacement building

Grid Ref 397407 227310  
Parish Woodmancote  
Ward Cleeve Hill

## RECOMMENDATION Permit

### Policies and Constraints

National Planning Policy Framework (2019)  
Planning Practice Guidance  
Joint Core Strategy (2017) - SD4, SD8  
Tewkesbury Borough Local Plan to 2011 (March 2006) – HOU8  
Tewkesbury Borough Plan (2011-2031) - Pre-submission version (July 2019) – RES10, HER1, HER2  
Human Rights Act 1998 - Article 8  
The First Protocol - Article 1

### Consultations and Representations

Woodmancote Parish Council objects to the application. Concerns are raised that the annexe could become a separate dwelling in the future. Concerns are also raised in respect of the proposed wooden cladding and the risk of fire given the proximity of the annexe to the garage element of the building.

Planning Officers Comments: Mr Adam White

### 1.0 Introduction

1.1 The application relates to Home Farm, which is a Grade II listed building located in Stockwell Lane, Woodmancote (See attached location plan). The property has two separate residential properties attached to either end, one of which is also a Grade II listed building (Gable End). The application site is also located within the Woodmancote Conservation Area.

1.2 The surrounding area is wholly residential in character and appearance with the property surrounded on all sides by existing residential development. The property is accessed off a long driveway from Stockwell Lane, which is also shared with a property known as Home Farm Cottage. That access also serves the existing garage building associated with Home Farm, which is the subject of this application.

### 2.0 Planning History

2.1 There is various planning history attached to the property, including various alterations and extensions to the property over the years. However, there is no planning history that is considered to be directly relevant to this current application.

### 3.0 Current Application

3.1 The application seeks to replace the existing detached garage/store with a new outbuilding that would accommodate a garage, car port and annexe. The application also proposes to extend the existing fencing along the driveway and erect a new 1.8m timber close boarded fence on the party boundary. The annexe would incorporate a sitting room and kitchen area, a bedroom and an ensuite (see attached plans). It is proposed to be occupied by the applicant's daughter, who has a range of health issues, and is now dependant on her family to meet her domestic needs. This has been confirmed in writing by her doctor.

3.2 Whilst the main dwelling is listed, the existing detached garage/store is not and therefore listed building consent is not required.

## 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 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the Council to have special regard to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest which they possess. Similarly, Section 72 of that Act places a statutory duty on the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

4.3 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006), and a number of 'made' Neighbourhood Development Plans. However, there are no Neighbourhood Development Plans that are relevant to this application.

4.4 The Pre-Submission version of the Tewkesbury Borough Plan 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).

4.5 Other material policy considerations include the National Planning Policy Framework and its associated Planning Practice Guidance.

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

## 5.0 Analysis

5.1 Whilst the proposal includes an annexe element, the building is intended to be used ancillary to the main dwelling. As such, the proposed building should be treated as an extension to the property for the purposes of determining this application. Matters related to the independent use of the building is addressed further in this report.

### Design and impact on designated heritage assets

5.2 Policy SD8 of the JCS states that development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. It follows that designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. In light of these requirements, the design of the proposed extension is a key consideration.

5.3 In terms of design, policy HOU8 of the Local Plan requires extensions to respect the character, scale and proportion of the existing dwelling and the character and appearance of surrounding development. The detailed design should also reflect or compliment the design and materials of the existing dwelling.

5.3 The existing garage/store is a modest building with a shallow mono-pitch roof, metal up and over doors, and faced in a mixture of render and stone cladding. The replacement building would sit in broadly the same location as the existing building although it would occupy a larger footprint. The replacement building would incorporate a pitched roof tiled with blue/black slates and would be clad on all elevations with horizontal timber cladding. The plans also detail a colour coated metal up and over garage door, casement windows and powder coated aluminium bi-fold doors.

5.4 Whilst the proposed building is larger than the building it would replace, it is still considered to be of an acceptable size, scale and design and would remain visually subservient to the main dwelling. The pitched roof would increase the prominence of the building slightly although not in an unacceptable manner. The proposed materials are also considered to be acceptable and would represent an improvement over the somewhat dated appearance of the existing building.

5.5 In terms of the proposed extension of the fencing along the driveway, this would match the existing timber lattice fencing and is considered to be acceptable. Furthermore, the proposed 1.8m close boarded timber fencing to the party boundary would match the fencing along the northern site boundary and is also considered to be acceptable.

5.6 In terms of the impact of the proposal on designated heritage assets, following consultation with the Council's Conservation Officer, it is advised that the proposed design and siting is acceptable, especially given the nature of the building it would replace. The proposal would therefore not harm the setting of listed buildings in the immediate vicinity and would have an acceptable impact on the Woodmancote Conservation Area.

#### Residential amenity

5.7 Policy HOU8 of the Local Plan states that proposals must not have an unacceptable impact on adjacent property. The nearest neighbouring is Home Farm Cottage, which is attached to the north of Home Farm. Whilst the proposed building incorporates a pitched roof, it would have a relatively low pitch and the eaves height would be slightly lower than the existing building. The building would also be set away slightly from the party boundary. Given the relationship between the proposed building and Home Farm Cottage, it is considered that there would not be any unacceptable loss of light, outlook or privacy.

#### Parking

5.8 Policy HOU8 of the Local Plan states that proposals must not result in inadequate car parking or manoeuvring space. The replacement building would have a larger footprint than the existing building although adequate manoeuvring space would be retained and would not impede access to Home Farm Cottage. The replacement building would also retain parking provision for two vehicles. The proposal is therefore considered to be acceptable in this regard.

#### Other matters

5.9 The Parish Council raise concerns that the annexe could serve a different purpose in the future. It does not specify what this purpose would be but it is assumed that the concern relates to the use of the building as a separate dwelling. Whilst the annexe could theoretically be occupied independently from the main house, the level of accommodation proposed is minimal and is proposed to be occupied by the applicant's dependant daughter in any event. In light of this, the proposal effectively represents additional living accommodation that would be ancillary to the main house.

5.10 If in the future the annexe was to be used as a separate dwelling, planning permission would be required and therefore the Council would retain a degree of control over this. However, this may not necessarily be unacceptable given that the development plan supports the principle of residential development in this location. Notwithstanding this, Policy HOU8 states that where an extension is capable of being occupied as a separate residential unit, the grant of planning permission will normally be subject to a condition restricting its use to being ancillary to the main dwelling. The reasoned justification explains that this would normally be where the accommodation is deemed to be unsuitable for general residential use. In this case, given the relationship with the main dwelling and its listed status, it is considered prudent to attach such a condition in order to protect the setting of the listed building and in the interests of residential amenity.

5.11 The Parish Council have also raised concerns regarding the proposed materials and the risk of fire. However, this would be dealt with through the Building Regulations.

### **6.0 Conclusions**

6.1 The proposal is considered to be of an acceptable size, scale and design and would have an acceptable impact on the character and appearance of the surrounding area. Moreover, the proposal would have an acceptable impact on the setting of nearby listed buildings and the Woodmancote Conservation Area. The proposal would have an acceptable impact on residential amenity and would not result in inadequate car parking or manoeuvring space.

6.2 In light of the above, the proposal is considered to be in accordance with the development plan and is recommended for **Permit**.

## RECOMMENDATION Permit

### Conditions:

- 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 The development hereby permitted shall be carried out in accordance with the application form and drawing numbers:
  - 19:1885:05 Site plan as proposed 1:500
  - 19:1885:06 Site plan as proposed 1:200
  - 19:1885:07 Part site plan as proposed 1:100
  - 19:1885:08 Proposed garage and annexe building 1:100except where these may be modified by any other conditions attached to this permission.

Reason: To clarify the terms of the permission and to ensure that the development is carried out in accordance with the approved plans.

- 3 The development hereby permitted shall only be used in conjunction with and as ancillary to the residential enjoyment of the dwellinghouse known as Home Farm.

Reason: To protect the setting of a designated heritage asset (Home Farm) and in the interests of residential amenity.

- 4 Notwithstanding the submitted plans, no works above floor plate level shall be commenced until the design and details of the following have been submitted to and approved in writing by the Local Planning Authority:
  - Casement windows
  - Timber doors and frames
  - Aluminium bi-fold doors and frame
  - Metal garage doorDrawings shall be at a minimum scale of 1:20 for elevations and the sections shall be at a minimum scale of 1:5 and shall indicate moulding profiles at full size. The works shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the building will be in harmony with the character of development in the area and to preserve the setting of designated heritage assets.

- 5 No works above floor plate level shall be commenced until samples of the roofing tiles and timber cladding 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 samples so approved.

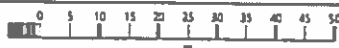
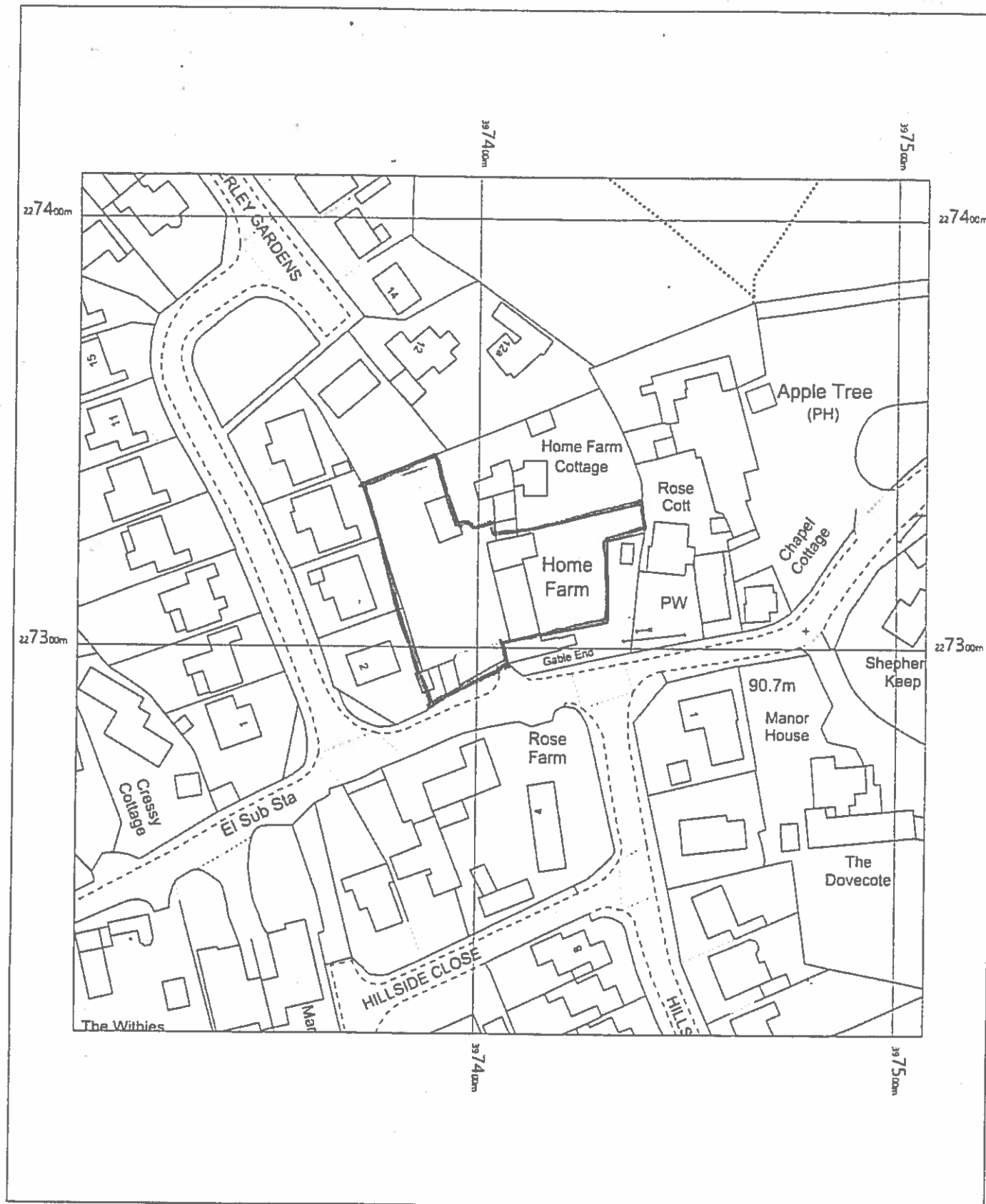
Reason: To ensure that the appearance of the building will be in harmony with the character of development in the area and to preserve the setting of designated heritage assets.

### 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.

OS 1:1250 SCALE



589/A

Home Farm  
Stockwell Lane  
Woodmancote  
Cheltenham  
GL52 9QE

OS MasterMap 1250/2500/10000 scale  
Tuesday, August 27, 2019, ID: UPT-00823497  
[www.themapshop.co.uk](http://www.themapshop.co.uk)

1:1250 scale print at A4, Centre: 397407 E, 227310 N

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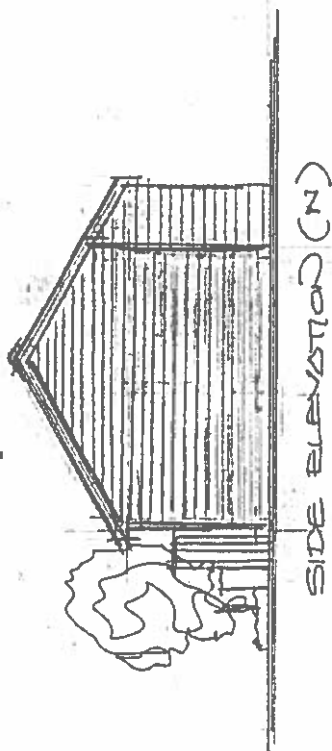
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FAX: 01684 584559  
[themapshop@buntnet.net](mailto:themapshop@buntnet.net)



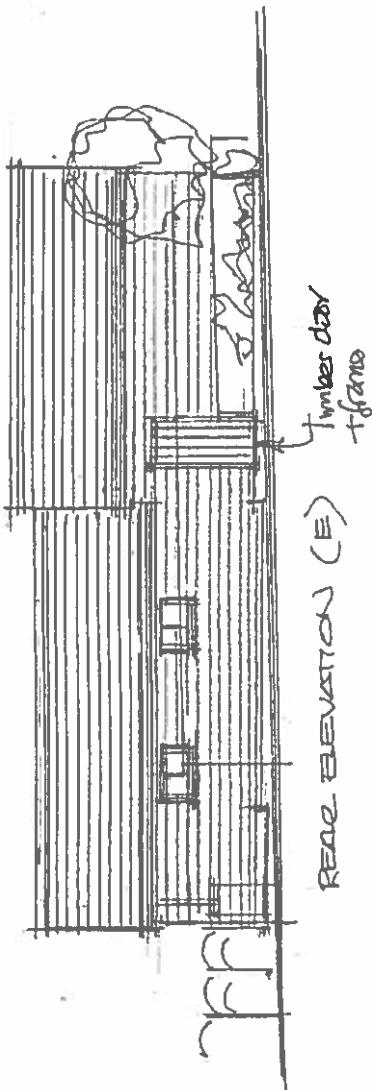






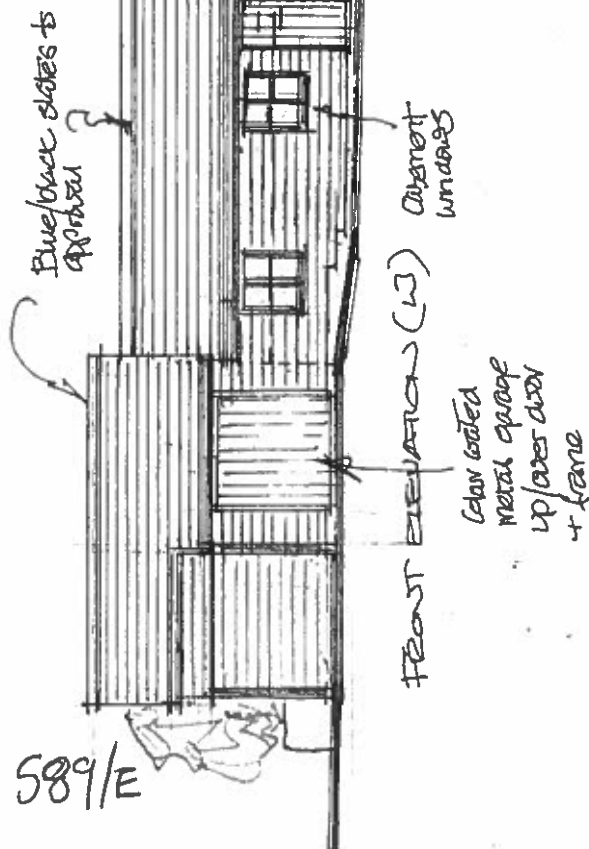


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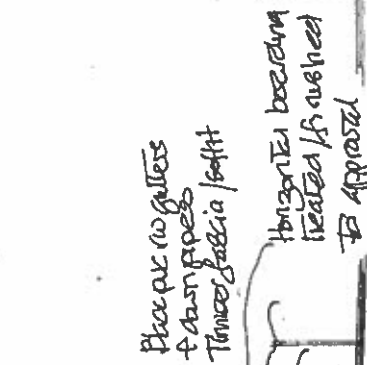


REAR ELEVATION (E)

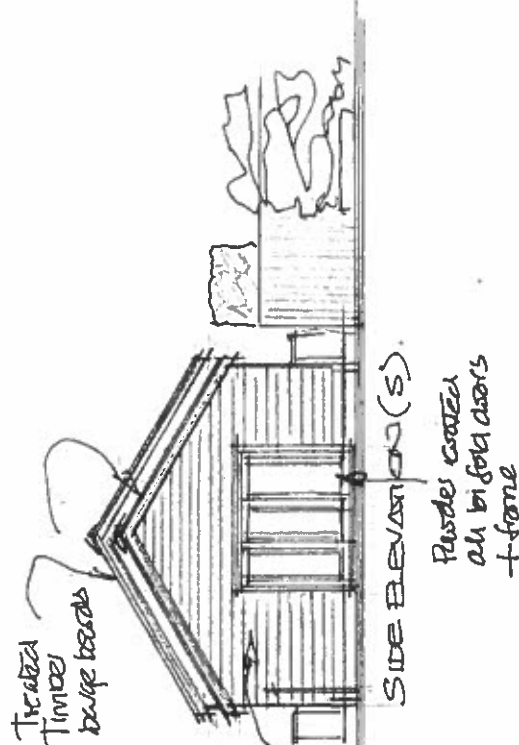
589/E



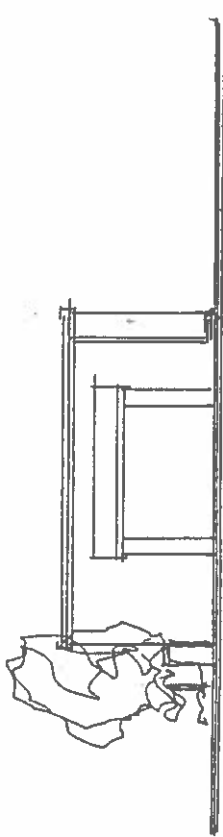
FRONT ELEVATION (W)



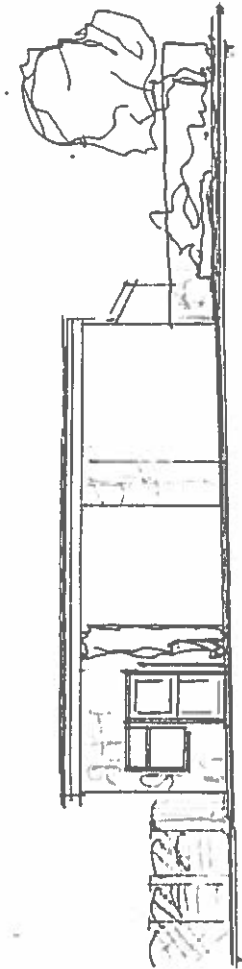
SIDE ELEVATION (S)



HOME FARM, STOCKWELL LANE,  
WOODMANCOTE, CHELTENHAM, GLOS QX5 9QE  
PROPOSED GARAGE + ANNEX BUILDING  
19:1805:08 OCTOBER 2019 1:100  
DANIEL L. BAYTON TEL 01242 620818

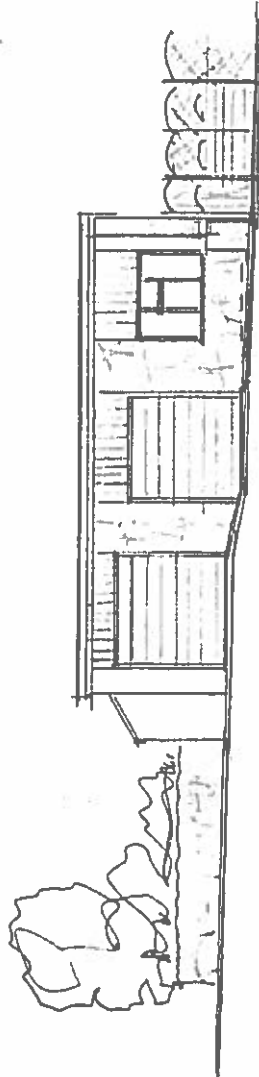


SIDE ELEVATION (N)

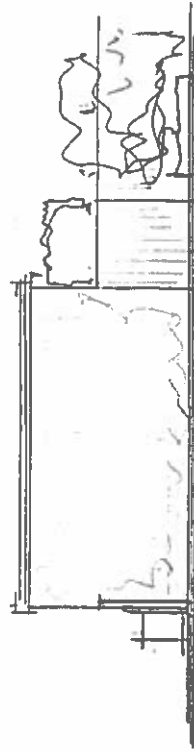


REAR ELEVATION (E)

589/F



FRONT ELEVATION (W)



SIDE ELEVATION (S)

HOME FARM. STOCKWELL LANE.  
WOODMANTON. CHERHAM. GL52 9QE.  
GARAGE / STORE OUTBUILDING - EXISTING  
19:1885:04 OCTOBER 2019 1:100  
DENNIS L RAYTON TEL 01242 620818

Valid 15.07.2019

Erection of a detached dwelling and garage block with associated vehicular access (amended).

Grid Ref 378214 217176

Parish Minsterworth

Ward Highnam With Haw

Bridge

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

National Planning Policy Framework (2019)

Planning Practice Guidance

Gloucester, Cheltenham &amp; Tewkesbury Joint Core Strategy (2017) - SD4, SD9, SD 10, SD14, INF1 and INF2

Tewkesbury Borough Local Plan to 2011 (March 2006) - NCN5

Tewkesbury Borough Plan Pre-Submission Version (2019) - RES5

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 - Objection (in summary)

- Limited space on the site an extra house leads to excessive density.
- Lack of privacy to adjoining properties
- Effect of surface water runoff on The Rookery

Gloucestershire County Council Highway Authority - An up-date will be provided at Committee.

Urban Design Officer - no objection to the proposed amendments.

Tree Officer - no objection, trees of be removed are of low amenity value, additional planting proposed condition planting schedule and any new trees planted to be replaced in a 5 year period.

Severn Trent Water Ltd - No comment on the package treatment plant.

Letters of representation - 8 objections (in summary)

- Over development of the site, dwelling looks squashed in
- Impact on Rosedale House with regard to overlooking, traffic movements and site of package treatment plant.
- Impact on privacy, light and overbearing nature on of neighbouring dwellings
- Out of character with existing detached dwellings with large gardens.
- Loss of existing trees
- Noise and light impact of the proposed garage block on the boundary.
- Disruption during construction
- Comments regarding the outfall from the surface water storage tank.

Comments on amended plans

- Drainage assessment only refers to 5 dwellings
- Amended location of garages slightly better location in relation to the primary bedroom window but it is still compromised by night time parking from plot 6.
- Fencing will impact light to the patio of the Rockery, if 1.8 m it should be staggered.
- Impact of garage on Rosedale House which would be overlooked.
- Keep this a green area where trees could be planted. Trees have been cut down that were previously indicated to be retained.

**Planning Officers Comments:** Dawn Lloyd

## **1.0 Application Site**

1.1 The application site lies with the settlement of Minsterworth which is defined as a service village in the Joint Core strategy. The proposed site comprises of an additional parcel of land to the east of land that has outline consent for 5 dwellings. The site forms part of a field that appears to be a former orchard which is bound to the east by the side elevation and garden of The Rockery and Rosedale House. The application site fronts onto the A48 to the north with open fields beyond.

1.2 The site is not subject to any landscape designations.

1.3 There is a linear form of development to the south of the A48 and with residential development to the west of the site and some to the east that is under construction. There is no overriding character of development in this area. The site is located within Flood Zone 1. There are no public rights of way crossing the site.

1.4 There is an existing agricultural access into the field off the A48.

## **2.0 Planning History**

2.1 Outline approval 17/00104/OUT for was granted for 5 dwellings with access and layout 20th December 2017. The reserved matters application (appearance, landscaping & scale) 19/00263/APP granted on 31st October 2019.

## **3.0 Current Application**

3.1 The application is for an additional two storey detached two bedroomed dwelling with a detached shared garage with plot 2. The site is to the rear of Rosedale House and is immediately adjacent to site of The Rookery. The proposal uses the access on to the A48 as approved for the adjacent recently approved residential developed.

3.2 Amended plans were received on 10th September 2019 to alter the design and orientation of the garage block.

## **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 draft) 2019, the policies of which hold moderate weight at this current time.

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 in this application are the principle of development, the layout of the new dwelling, access arrangement and impact upon highway safety and impact upon residential amenity.

## Principle of the development

5.2 Criterion 4 (ii) of Policy SD10 'Residential Development' of the JCS sets out that on sites that are neither allocated or previously-developed land, housing development will be permitted, except where otherwise restricted by policies within district plans, where it would represent infill within the existing built up areas of Tewkesbury Borough's towns and villages. The emerging Tewkesbury Borough Plan Policy RES2 details that development within settlement boundaries will be acceptable.

5.3 Minsterworth is identified as a service village in the JCS and there is development to the east and west of the site, the site is infill development within the service village. Criterion 4 (ii) of JCS Policy SD10 states new housing development will be permitted where 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. For the purposes of criterion 4(ii), the supporting text defines 'infill development' as "the development of an under-developed plot well related to existing built development.

5.4 The site is bounded by the A48 to the north and is situated on a field to the east of land which has outline and reserved matters consent for 5 dwellings (19/00263/APP).

5.5 It is also material that the settlement boundary for Minsterworth as proposed in the emerging Tewkesbury Borough Plan Preferred Options (2011 - 2031) includes the application site. 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

5.6 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.

5.7 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.

5.8 The annual Authority Monitoring Report, which provides the evidence for the Five Year Land Supply Statement, as of the 31 March 2019 base date data, the Council is not able to show a five year supply of deliverable housing. 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.

5.9 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 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.

### Affordable Housing

5.10 Policy SD12 of the JCS states that that on sites of 10 dwellings or less which have a maximum combined floor space of no more than 1000 sqm, no contribution towards affordable housing will be sought. Outside strategic allocations on sites of 11 or more, on sites with a maximum combined gross floor space of greater than 1000sqm a minimum of 40% affordable housing will be sought.

5.11 The NPPF and Government's Planning Practice Guidance states that affordable contributions should not be sought from developments of 10 or more dwellings that are not majors, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). The NPPF does not carry forward the no more than 1000 sqm criteria.



5.12 The application has been submitted as a minor application. The proposal is associated with the adjacent scheme for 5 dwellings in that it has a shared access, drainage facilities and a garage that serves plots 2 and 6. The proposal provides an additional dwelling bring the total to six. However, the site area of the combined sites is less than 0.5 hectares. Therefore, an affordable contribution is not required.

#### Design, Layout and Visual Amenity

5.13 Section 12 of the NPPF which sets out that the creation of high quality buildings and places is fundamentally to what the planning and development process should achieve and that good design is a key aspect of sustainable development, creating better places in which to live and work and helping make development acceptable to communities.

5.14 JCS Policy SD4 provides that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.

5.15 Criterion 6 of Policy SD10 'Residential Development' of the JCS states the residential development should seek to achieve maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network. The emerging Tewkesbury Borough Plan policy RES5 states the design criteria for new dwellings. RES5 states that: 'Proposals should:

- be of a design and layout that respects the character, appearance and amenity of the surrounding area and is capable of being well integrated within it;
- be of an appropriate scale having regard to the size, function and accessibility of the settlement and its character and amenity, unless otherwise directed by policies within the Development Plan'

5.16 The site forms additional parcel of land to the east of a residential development for 5 dwellings which has reserved matters consent. The site is to rear of Rosedale House and adjacent to west the western boundary of The Rookery, which is a detached dwelling which follows the existing character of neighbouring properties, those being detached dwellings set back from the road with large rear gardens.

5.17 There has been recent development in the vicinity of the site of detached dwellings of various size, type and design fronting Main Road. The proposal would integrate with the layout for the approved adjacent 5 dwellings and would be set towards the rear boundary with plots 4 and 5, plots 2 and 3, and would follow the building line of the majority of the dwellings along the A48 in this location which are set further back from the frontage. The rear plots would be largely hidden from view, or seen the context of the farm buildings to the rear from more distant views.

5.18 The proposal is for a detached two bedroomed dwelling and the plans have been amended in response to neighbour concerns regarding impact to light and overbearing nature. The parking arrangement for plot 2 would be located on this part of the site with the proposed garage block accommodating plots 2 and plot 6. The garage would be sited to the north, on the rear boundary with Rosedale House and to the west of The Rookery.

5.19 The Parish Council consider the proposal would represent overdevelopment and impact privacy of neighbouring properties. However, it is considered that the site layout with the proposed dwelling adjacent to the plot 5 presents an acceptable arrangement without appearing cramped or constrained. Further, the resulting plot size would be characteristic of the more recent development in surrounding area and would not appear at odds with the form and local character of the adjacent residential development.

5.20 The dwelling would have a floor space above the recommendations of the national technical space standards and an appropriate amount of private rear amenity space. The materials proposed are red brick 50:50mix of Birtley Old English and Birtley Old English Buff for the dwelling Marley Eternit Rivendale Blue/Black artificial slates for the roof, Hardie plank weather boarding, grey windows doors and guttering. The garage has the same roof slates, horizontal timber cladding and grey garage doors.

5.21 For these reasons, it is considered that the layout, design and visual amenity of the proposed development would be appropriate to the site and its setting. The proposal is therefore considered to accord with JCS policy SD4 and guidance set out in the NPPF in this regard.

## Residential amenity

5.22 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, this is echoed within the emerging TBP policy RES5.

5.23 Neighbour objections have been received in terms of privacy and overbearing impact on neighbouring dwellings. The dwelling would be setback 26 metres from the rear boundary with 'Rosedale' and would not breach the 45 degree rule within 12 metres from the principle windows of habitable rooms of 'The Rookery'. There would be no direct overlooking of habitable rooms. The first floor bedroom window on the north elevation would have oblique views of the rear amenity space of The Rookery and is set some 8 metres from the shared boundary. The main private amenity space of The Rookery is adjacent open front amenity space and parking area of plot 6.

5.24 The garage would be sited towards on the rear boundary with Rosedale and the western boundary of The Rookery. The amended garage would be 26 metres from the rear elevation of Rosedale House and closer to small secondary windows on the west elevation of the Rookery. The dimensions of the garage would be 8.5 metres by 6 metres. The roof of the garage is hipped and measures 4.6 metres to the ridge and 2.3 metres to eaves. 'The Rookery' is set at a lower ground level than the application site. Due to the separation distance between the garage and 'Rosedale', its orientation to the Rookery, it would not be unduly overbearing and is considered appropriate in terms siting and design.

5.25 Therefore, the impact on privacy to neighbouring residents is considered less than substantial harm with regard to regards to a loss of privacy, overbearing or loss of light in accordance with policies SD4 and 14.

## Highway Safety

5.26 Section 4 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. 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.

5.27 The access proposed would be via a single entrance off the A48 which serves the adjacent development for 5 dwellings approved under applications 17/00104/OUT and 19/00263/APP. Whilst the County Highways Authority (CHA) had no objection to the access and layout for the adjacent development, the current proposal would result in an intensification of the use of that access. Whilst works to the highway have been agreed in respect of applications 17/00104/OUT and 19/00263/APP, the County Highways Authority are currently considering whether these works would be sufficient to accommodate the additional development. **An up-date will be provided at Committee.**

5.28 The proposal has adequate parking provision. The proposed garage would accommodates two vehicles for plot 2 and one for plot 6, the site has parking space and turning area for plot 6 toward the eastern boundary of the site and two parking spaces for plot 2 to the west.

## Flood Risk and Drainage

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

5.30 Policy INF2 of the JCS, and Policy ENV2 of the emerging TBP requires new development to incorporate suitable Sustainable Drainage Systems where appropriate. The site is located within Flood Zone 1 (low risk) as defined by the Environment Agency's most up-to-date flood risk maps. The development is therefore unlikely to be at risk of flooding or cause significant risk of flooding to third party property.

5.31 The site lies wholly within Flood Zone 1 where there is a low risk of flooding from all sources. The site is less than 1 hectare in area and therefore no Flood Risk Assessment is required.

5.32 The application is accompanied by plans which proposes the dwelling will be incorporated into the drainage design for the adjacent residential development of 5 dwellings. The surface water is to drain to pipe which runs along the estate road then stored in a tank, the outfall is then piped across the A48 to land opposite to discharge to a watercourse. As the drainage details for the neighbouring development have yet to be approved it is necessary to impose a condition preventing commencement of development until the drainage details have been submitted and approved.

5.33 The report identifies that there are no foul sewers available the development will be incorporated into the foul drainage arrangements for the 5 dwellings which are to be serve by a package treatment plant sited to the east of the main entrance to the site with the outfall piped across the A48 to a watercourse for discharge, the drainage details to be similarly secure by condition.

#### Ecology and Nature Conservation

5.34 The NPPF sets out, inter alia, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments. Furthermore, planning permission should be refused for development resulting in the loss of deterioration of irreplaceable habitats. Local Plan Policy NCN5 seeks to protect and enhance biodiversity in considering development proposals.

5.35 The Preliminary Ecological Appraisal concludes the site is of low ecological value with limited opportunities to support protected species such as breeding birds and bats. The site contains some mature fruit trees, but is not designated as a Traditional Orchard Priority Habitat, and its loss would not cause any significant impacts. No further ecology surveys are required, but recommendations have been made to enhance the site's ecological value. Suggestions include integrated bird, bat and insect boxes, as well as wildlife beneficial planting and can be required by condition.

5.36 Some trees have been remove from the wider site. Drawing number 02 Rev PL2 indicates proposed planting and trees to be removed on the site. Our Tree Officer has no objection to the removal, an apple and a cherry plum tree which have low amenity value, the additional tree planting mitigates for the removal of these trees. The planting details can be controlled by condition. In light of the above, and subject to the imposition of conditions, there is no evidence to suggest that there are any overriding ecological constraints to the development of the site for residential purposes.

#### CIL

5.37 A new dwelling is CIL liable.

### **6.0 Conclusion**

6.1 The proposal is acceptable in principle as it would constitute infilling within the existing built-up area of Minsterworth in accordance with JSC Policy SD10. The design and layout of the proposed dwellings are considered acceptable and of no substantial harm, in respect to amenity and highway safety had been identified. In view of this, it is therefore recommended that **permission be delegated to the Technical Planning Manager subject to the recommendations of the County Highways Authority, and variations to or addition of conditions as necessary.**

#### **RECOMMENDATION Delegated Permit**

##### Conditions:

- 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, documents and drawing numbers:
- site location plan;
  - Proposed Site Layout ARC.1327 Drawing Number 02 Rev PL4
  - Proposed Floor Plan ARC 1327 Drawing Number 15 Rev PL1
  - Proposed Drainage Layout drawing Number 1071-011 Rev C
  - Preliminary Ecological Appraisal Rev A by ACD Environmental dated December 2016
- 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.

- 4 The construction work on the building hereby approved shall not be commenced until details of existing and proposed ground levels across the site and relative to the adjoining land, together with the finished floor levels of the dwelling relative to Ordnance Datum Newlyn has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect the amenities of properties and ensure the proposed development does not have an adverse effect on the character and appearance of the area.

- 5 Temporary fencing for the protection of all retained trees/hedges on site and trees outside the site whose Root Protection Areas fall within the site shall be erected in accordance with BS 5837:2012 (Trees in Relation to Design, Demolition and Construction) before development of any type commences, including site clearance, demolition, materials delivery, vehicular movement and erection of site huts.

Any alternative fencing type or position not strictly in accordance with BS 5837 (2012) must be agreed in writing by the local planning authority prior to the commencement of development.

This protective fencing shall remain in place until the completion of development or unless otherwise agreed in writing with the local planning authority. Nothing should be stored or placed (including soil), nor shall any ground levels altered, within the fenced area without the prior written consent of the local planning authority. There shall be no burning of any material within 10 metres of the extent of the canopy of any retained tree/hedge.

Reason: To prevent existing trees/hedges from being damaged during construction work.

- 6 Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: To ensure the proposed development does not adverse effect on the character and appearance of the area.

- 7 A schedule detailing sizes and numbers of all proposed trees/plants and sufficient planting specification including support details to ensure successful establishment and survival of new planting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proposed development does not adverse effect on the character and appearance of the area.

- 8 Prior to the occupation of the dwelling biodiversity mitigation measures are approved in writing by the local planning authority as identified in the Preliminary Ecological Appraisal Rev A by ACD Environmental.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area.

- 9 Prior to the occupation of the proposed dwelling the car parking and manoeuvring facilities for the proposed dwelling shall be completed in all respects in accordance with the submitted details and shall be similarly maintained thereafter for that purpose.

Reason: In the interests of highway safety

- 10 No development approved by this permission shall be commenced until a detailed drainage strategy including a scheme of surface water treatment and foul water has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall be supported by evidence of ground conditions, soakaway tests and modelling of the scheme to demonstrate that it is the most appropriate strategy and is technically feasible and full details, including size, location and maintenance regimes of the proposed Package Treatment Plant to deal with the foul drainage.

Where surface water requires disposal off site (i.e. not infiltrated) the applicant must provide evidence of consent to discharge/connect through third party land or to their network, system or watercourse.

The drainage scheme shall be carried out in accordance with the approved detailed drainage strategy prior to occupation and subsequently maintained to the required standard.

Reason : To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding in accordance with policy INF 2 and the advice on flood risk in the NPPF. It is important that these details are agreed prior to the commencement of development.

- 11 Prior to the first occupation of any of the dwellings hereby permitted, an External Lighting Strategy shall be submitted to and approved in writing by the local planning authority, and development shall be carried out in accordance with the approved details. Thereafter no external lights shall be installed on the dwellings or anywhere else within the appeal site otherwise than in accordance with the approved External Lighting Strategy, unless the written approval of the local planning authority has first been obtained.

Reason: To avoid light pollution in the interest of preserving the rural character of the area.

- 12 A scheme to protect the proposed development from traffic noise from the A48 shall be implemented before any dwelling hereby permitted is occupied in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the indoor ambient noise levels in living rooms and bedrooms and external amenity areas meet the standards in BS 8233:2014 for the appropriate time period.

Reason: To protect the residential amenity of future residents.

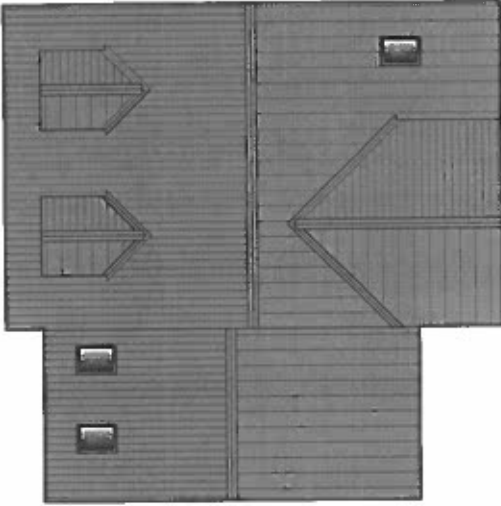
# **1 Statement of Positive and Proactive Engagement**

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.





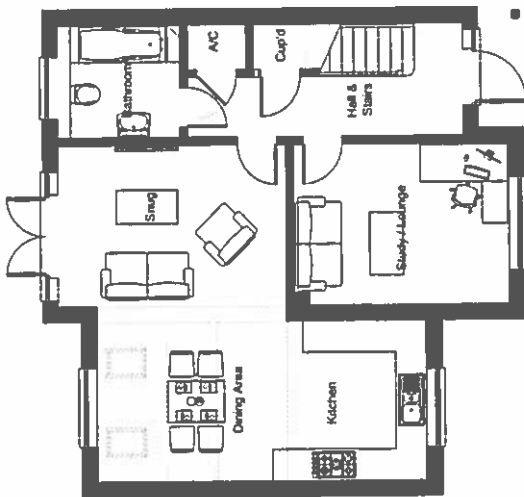
Rev	Description	Date	By
01	Issue for client	15/03/19	JD
02	Issue for planning	15/03/19	JD
03	Issue for building control	15/03/19	JD
04	Issue for construction	15/03/19	JD
05	Issue for completion	15/03/19	JD
06	Issue for final inspection	15/03/19	JD
07	Issue for final sign-off	15/03/19	JD



Roof Plan - 1:50  
(Plot 6 - 4 Bed Dormer Bungalow)



First Floor Plan - 1:50  
(Plot 6 - 4 Bed Dormer Bungalow)

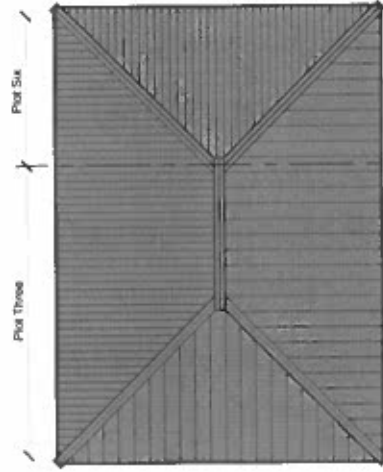


Ground Floor Plan - 1:50  
(Plot 6 - 4 Bed Dormer Bungalow North View)

597/c



Site Plan Key - 1:500



Garage Plan - 1:50  
(Plot Three & Six)



Floor Plan - 1:50  
(Plot Three & Six)





Valid 31.07.2019

Approval of Reserved Matters (Access, Scale, Appearance, Landscaping) pursuant to Outline Planning Permission 16/00738/OUT for residential development comprising 465 (no) new family homes, public open space, landscaping, drainage and other facilities with associated vehicular and pedestrian access.

Grid Ref 386476 220537

Parish Churchdown

Ward Churchdown St Johns

**RECOMMENDATION Approve****Policies and Constraints**

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

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

Affordable Housing SPD

National Planning Policy Framework (2018)

Planning Practice Guidance

Affordable Housing SPD

Flood and Water Management SPD

The First Protocol, Article 1 (Protection of Property)

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

Flood Zone 1

**Consultations and Representations****Churchdown Parish Council:**

Advice in response to the amended details:

- No objections
- Developers should ensure wheel washing is provided
- Street Sweeper should be used regularly

The following observations were received to the originally submitted scheme

- Provision of a footbridge is essential
- Concerns regarding congestion
- Maintenance of public areas
- Standing water in ponds would benefit wildlife
- Air quality impacts
- LEAP inadequate
- Green corridor to A40 to be maintained
- Measures to ensure an appropriate mix of housing
- Churchdown and Innsworth Neighbourhood Plan is emerging

**Urban Design Officer:**

- No objections to revisions
- Materials require further consideration

**Housing Enabling Officer:**

Advice In response to the amended details:

- Clarification required that the development meets the affordable types set out in the S.106

**Tree Officer:**

- Planting schedule proposes over 300 new trees
- Opportunities for more planting
- Opportunities to improve habitats and recreational provision

**Landscape advisor:**

Advice In response to the amended details:

- POS circulation routes have been clarified
- Details to prevent vehicles accessing the POS required
- Tree protection measures need to be implemented
- Proposed infill native planting needs clarifying
- LEAP's improved and alternative equipment proposed

**Borough Asset Management Officer:**

Advice In response to the amended details:

- Only need to provide LEAPs
- More play items proposed in each play space.
- Areas are all too similar
- Need to be more innovative with design.
- Limited play value for older children
- Litter bins required

**Environmental Health Advisor:**

- Noise control during construction acceptable
- Road network could impact a number of plots
- Up-rated trickle ventilation required to some plots
- Acoustic fencing proposed to gardens

**County Highway Authority:**

Advice In response to the amended details:

- Many improvements have been made
- Central cycleway through site requires further consideration
- Design may encourage cyclists to remain on the footway
- Verges surrounded by highway will need to be adopted
- Raised table must be constructed in bitumen macadam

**Highways England: No objection**

- Issues relating to the traffic impact on the Strategic Road network were addressed at the outline stage.
- Application unlikely to have a severe impact on the safe and efficient operation of the A40

**Environment Agency:**

- Surface water attenuation features should be designed to accommodate the 1 in 100 year flood level plus climate change
- Water quality measures are welcome
- CEMP measures proposed would reduce the risk of pollution during construction

**LLFA:**

Advice In response to the amended details:

- Complies with Building Regulation Part H discharge strategy set out in
- Further details required
- 1 in 30 year rainfall modelling needed
- Details how driveways Plots A24 and A26-A3 relate to drainage network
- Details of exceedance flow required
- Confirmation that basins and swales comply with standards needed
- Houses are located away from highest risk areas and watercourse

**County Archaeologist:**

- The archaeological mitigation has been secured under Condition 22 of the outline planning permission.

**Gloucester Group of Ramblers :**

- Absence of green corridors
- Corridors enhance appearance of development and quality of life
- Walking benefits all ages
- Infrastructure allows children to walk to school
- Reduces carbon emissions and congestion

**Severn Trent Water:** - No objections

**PROW Officer:**

- ECN66 Footpath runs alongside brook
- Footpath must not be built over or blocked by crossings

**Tree Warden:**

- Good to see fruit and nut trees proposed
- Frontage hedge to be largely retained
- Nesting boxes should be provided to houses
- Fencing should be hedgehog friendly

**Local Residents:** The application was advertised by site notices posted in the local area. In response to the consultation process, 17 representations have been received. The comments are summarised below:

- Not in keeping with character of Parkside Drive
- Should be a green space to screen new development from existing
- Insufficient infrastructure in the area
- 4 Houses fronting Parkside Drive should have same design
- Flats behind existing properties
- Would overlook gardens and properties, impact light and air
- Existing properties would overlook multi-occupancy dwellings and carpark
- Increase in antisocial behaviour
- Out of character with existing properties
- Traffic would impact emergency services
- Would interrupt cyclist traffic
- Would destroy wildlife habitat
- Addition of hedgerow and trees would benefit displaced wildlife
- Noise and light pollution
- Access though Parkside Drive could become a rat-run
- Emergency access to Parkside Drive is appropriate
- No details of how road would be stopped up
- Pedestrian access could create a parking nightmare in Parkside Drive
- Development should improve cycle paths
- Not enough affordable housing proposed
- 1 bed apartments for sale are required
- Flats should have an extra storey
- Would be nice to have some garage blocks which could be rented or sold
- LEAPS should be closer to Parkside Drive and more interesting

**Planning Officers Comments:** Bob Ristic

**1.0 Introduction**

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

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

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

1.4 The site comprises the north-western part of a wider strategic allocation A2 - South Churchdown (SCUE) as allocated in the adopted Joint Core Strategy (JCS).

**2.0 Relevant Planning History**

2.1 Outline planning permission (No.16.00738/OUT) was granted in December 2018 for a residential development comprising 465 dwellings, public open space, landscaping, drainage and other facilities with associated vehicular and pedestrian access.

2.2 Following the grant of outline planning permission, several subsequent applications to discharge a number of pre-commencement conditions have also been submitted and approved.

### **3.0 Current Application**

3.1 This application seeks approval of Reserved Matters (Access, Scale, Appearance, Landscaping) pursuant to Outline Planning Permission 16/00738/OUT.

3.2 The site would be served by a single new access road from Chletenham Road East (CRE) in accordance with the principles set out as part of the outline application and subsequent details which were discharged under Condition 6 of that permission. The access would directly serve the principal access road which would run through the site, from which primary and secondary routes would branch.

3.3 The residential development would be broadly laid out in blocks which would extend from the existing residential development to the northeast of the site at Parkside Drive and Dancey Road. The development would be set away from the northern, southern and western boundaries behind a landscaped buffer and areas of Public Open Space (POS).

3.4 The proposal would provide a total of 465 dwellings of which 163 would be for affordable housing and the overall development would comprise a mix of 1 and 2 bed apartments, 2 bed bungalows and 2-4 bed houses.

3.5 The landscaping to the site would include swathes of land to the northern, southern and western parts of the site and would include 3 no. LEAPs, cycle/footpath routes and extensive tree planting within the public open space as well as on street and on plot planting within the residential element of the development.

3.6 The application is supported by full plans and supporting documents including a Statement of Compliance, Landscape Management Plan, Landscape and Ecological Management Plan and Drainage Strategy as required by conditions to the outline planning consent.

### **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 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) 2011 - 2031 (2017) and saved policies of the Tewkesbury Borough Local Plan to 2011 - March 2006.

4.3 Other material policy considerations include the National Planning Policy Framework (NPPF) 2018 and National Planning Practice Guidance.

4.4 Other relevant policies are set out within this report.

### **5.0 Analysis**

5.1 The principle of residential development at the site has been established through the allocation of the site as part of the wider South Churchdown Strategic Allocation - JCS Policy SA2 and the subsequent grant of outline planning permission. This application relates to the approval of the Reserved Matters in respect of layout, appearance, landscaping and scale of the development. The access from Cheltenham Road East was approved at the outline stage.

5.2 The principal issues in relation to this reserved matters application are considered to be:

- Layout, character and scale;
- House types;
- Traffic and transport;
- Landscaping and open space;
- Surface Water Drainage;
- Existing and future residential amenity;
- Affordable housing

5.3 Furthermore, whether the above matters accord with the Outline Consent conditions and supporting documents which set out the key principles regarding the development of the site, including the Landscape and Movement Parameters Plan, Design and Access Statement and Proposed Access Strategy.

### 5.1 Layout, character and scale

5.1.1 The NPPF states 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 in communities. Policy SD4 of the JCS advises that new development should respond positively to and respect the character of the site and its surroundings, enhance local distinctiveness and the grain of the locality. Policy INF3 states that where green infrastructure assets are created, retained or replaced within a scheme they should be properly integrated into the design and contribute to local character and distinctiveness.

5.1.2 A 'Landscape and Movement Parameters Plan' was approved as part of the outline consent (16/00738/OUT). Furthermore, the Design and Access Statement (amended) set out a number of important principles of good design, including broad layouts for the developed and undeveloped parts of the site, street hierarchies, and scale parameters.

5.1.3 The Statement of Compliance (SC) submitted in support of this application explains how these principles have been brought forward into the detailed design and it is considered that the scheme reflects the principles and parameters set out in the original DAS and Landscape & Movement Parameters Plan.

5.1.4 The current scheme builds upon the established parameters and the SC advises how the development would be broken down into various streets and associated character types. The 'main streets' would include wide tree lined avenues with 2 and 3 bed detached and semi-detached dwellings. The secondary streets would be narrower with incidental tree planting with 2 and 3 bed semi's and terraces. The pedestrian priority streets and would be narrower and would include 2 and 3 bed semi's, terraces along with walk-up flats. The final character type would comprise private pedestrian priority streets, predominantly to the edges of the development and would comprise 3&4 bed detached and semi-detached properties.

5.1.5 In terms of the scale of the development, the majority of dwellings on the site would be two storeys high which would be in keeping with the character of the surrounding area. A number of two and a half storey properties are also proposed at key nodal points within the development and are considered appropriate to the proposed setting within the site and broadly consistent with the parameters established at the outline stage.

5.1.6 It is noted that this application proposes a number of apartments, these would have the form of 2 storey dwellings (with an apartment on each floor) and would be arranged in pairs of semi's or 3 unit blocks which are considered acceptable in terms of their design and context and consistent with the scale parameters of the development.

5.1.7 The access and movement arrangements throughout the site have been designed reflecting the original DAS principles which are to provide a clear hierarchy of routes and character areas to enable safe navigation and movement through the site. This is achieved through the use of various street character types, material palette, layouts and surfacing materials. Furthermore the proposal makes provision for a pedestrian/cycle link from Cheltenham Road East to Luke Lane to the North which would provide an opportunity to connect the development to Innsworth as well as pedestrian and cycle links to Parkside Drive and Dancey Road to integrate the proposed dwellings with the existing settlement.

5.1.8 The scheme proposes a landscape buffer to the northern eastern and southern parts of the site which would entail the retention of existing hedgerows and boundary planting. An informal amenity area would be provided to the north-western part of the site as well as 3 LEAPs and informal pockets of open space within and adjacent to the proposed built up areas, consistent with the established parameters for the site.

5.1.9 The proposed layout and scale and street hierarchy is considered to be consistent with the parameters set out at the outline stage and broadly in accordance with the approved DAS and 'Landscape and Movement Parameters Plan' and would result in a well laid out and coherent development.

## 5.2 House Types

5.2.1 The scheme proposes a mix of 1 and 2 bed apartments, 2 bed bungalows and 2, 3 and 4 bedroom detached, semi-detached and terraced properties (**see typical house types attached**). The design of a number of the dwellings draw upon the distinctive elements of the surrounding area such as front gables, bay windows and porches whilst the development continues to establish its own character and mix of house types in acknowledgement of the varied character of the area, which on the whole would provide a satisfactory appearance to the development.

5.2.2 The application proposes a palette of materials including 4 types of red facing brick and brick and a mix of red and grey roof tiles. The materials are proposed to be broken down and the mix used to define the various character areas throughout the development. The principle is considered acceptable however discussions regarding the proposed roof tiles in particular are ongoing, and these details can be secured by condition.

5.2.3 The on-plot boundary treatments, would include estate fencing with hedging behind to the properties located along the 'main streets', with hedge lined frontages and open plan frontages to other streets dependant on their character and hierarchy. Other boundaries onto public areas would be constructed in facing brick to match the dwellings, with close-boarded fencing restricted to rear/side garden areas. Further clarification has been sought in regards to fencing to prevent vehicular access to the public open space and this can be secured by condition if details are not received in advance of the determination of this application.

5.2.4 While some details are still being discussed with the applicant, it is considered that the design approach would provide an appropriate appearance and layout to the development which would provide for a coherent and cohesive scheme. In terms of design, it is considered that the proposed dwelling types and characters would reflect principles set out in the DAS.

## 5.3 Traffic and transport

5.3.1 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. Policy SA1 sets out that development of SA's must encourage the use of walking, cycling and public transport and Policy A2 that the development to provides safe, easy and convenient pedestrian and cycle links within the site and to key centres.

5.3.2 The proposal would include a number of street hierarchies which would aid navigation through the site and contribute to the character of the development. The County Highway Authority (CHA) has reviewed the proposal and a number of concerns were raised particularly with regard to road alignments and vehicle speeds as originally proposed. The application has subsequently been revised and the amended scheme has now addressed a significant number of issues originally raised. However at the time of writing, the CHA maintains a concern with regard to the proposed central cycleway through the site. Discussions are ongoing with the applicant and **an update will be provided at committee.**

5.3.3 The proposal would provide 1 off street parking space for each of the flats with the dwelling houses benefitting from a minimum of 2 off street spaces. A number of larger properties will also benefit from a further garage parking space. In addition the scheme would provide over 80 on street visitor parking spaces. The level of parking provision is considered appropriate and the CHA has raised no objections in this respect.

## 5.4 Landscaping and Open Space

5.4.1 JCS Policy SA1 sets out that development at strategic allocations should retain and enhance areas of local green space and Policy A2 requires the provision of green infrastructure network and landscaped buffer along the A40. Furthermore, Policy SD6 seeks to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. All applications will consider the landscape and visual sensitivity of the area in which they are to be located and which they may affect. JCS Policy SD4 (iv) requires the design of open space and landscaped areas to be of a high quality design, proving a clear structure and constitute an integral and cohesive element of the design.

5.4.2 The Design and Access Statement (DAS) and Landscape and Movement Parameters Plan approved through the outline permission identified the importance of the existing green infrastructure, particularly the presence of mature hedgerows to and trees to the site boundaries. The proposed landscaping scheme accords with the parameters established at the outline stage and would retain and incorporate the existing landscaped buffer which also provide ecological benefits.

5.4.3 Within the site the proposal would maintain swathes of meadow grass planting up to the north, south and western boundary hedgerows, with a large area of amenity grass provided to the north-western part of the site and to the pockets of open space throughout the site. These areas would also include significant additional tree planting which would be of a semi-mature or extra heavy standard. The proposed drainage features would be planted with wet meadow grasses and tree planting to the banks.

5.4.4 The scheme proposes a series of footpaths and cycle paths through the northern and southern areas of POS, which would link to the proposed estate roads and wider area. Clarification of these routes on the revised drawings have now addressed the Council Landscape Advisor's (LA) initial concerns.

5.4.5 The built up areas of the site would include tree planting along the main roads throughout the site along with proposed formal hedgerow to the property frontages. The secondary streets would include shrub planting to frontages and around corners where space permits and accords broadly with the principles set out in the DAS.

5.4.6 The proposal would provide 3 LEAP's as well as further informal public open space areas. While the revised scheme has made some improvements to the play equipment and layout proposed the LA has suggested a number of further improvements to provide greater play value to these areas. These revisions are subject to ongoing discussions and **an update will be provided at Committee.**

5.4.7 Subject to resolving the outstanding matters it is considered that the landscaping and public open space proposals for the development are acceptable and in compliance with the requirements of Conditions 10 and 12 of the outline permission.

## 5.5 Surface Water Drainage

5.5.1 JCS Policy INF2 (2) (iv) requires new development to incorporate Sustainable Urban Drainage Systems (SUDS) where appropriate to manage surface water drainage. Policy INF6 also requires that the infrastructure requirements generated by a proposal are met, including by adequate on and off-site infrastructure. Policy

5.5.2 Condition 7 of the outline permission requires the first reserved matters application submitted in respect of the whole site to include a surface water drainage strategy.

5.5.3 The current application has been accompanied by a Drainage Strategy (DS) which sets out the surface water drainage proposals for the site. The report establishes that infiltration drainage is not viable due to the underlying geology of the site and proposes a scheme of surface water catchment and controlled discharge to adjoining watercourses.

5.5.4 The design would create three separate catchments and attenuation basins with their own restricted discharge at the mean annual discharge rate (QBar) for the site. The Lead Local Flood Authority (LLFA) has considered the submitted surface water drainage strategy. While no objections have been raised to the principle of the proposed surface water system further details and clarification have been sought and are awaited from the applicant. **An update will be provided at Committee.**



## 5.6 Existing and future residential amenity

5.6.1 Policy SD4 (iii) requires that new development should enhance comfort, convenience and enjoyment through the assessment of the opportunities for light, privacy and external space, and the avoidance of mitigation of potential disturbance, including visual intrusion, noise, smell and pollution. Policy SD14 further requires that new development must cause no harm to local amenity, including the amenity of neighbouring occupiers.

5.6.2 The proposed development would adjoin existing housing development at Parkside Drive and Dancey Road. Concerns have been raised by existing residents with regards to the proximity of the proposed development to existing properties, the provision of apartments and overlooking.

5.6.3 The proposed new development to the north-eastern part of the site adjoining Parkside Drive would flank towards the rear elevations of existing properties and would be set between 15 and 25 metres away from these properties. Where proposed plots would back onto adjoining gardens these plots would align with the rear parts of generous garden areas and would not adversely impact the living conditions of existing occupiers in terms of loss of privacy. Similarly the separation distances would ensure that there would be no demonstrable harm from loss of light or any overbearing impacts.

5.6.4 Within the development the properties would provide appropriate garden areas and would ensure satisfactory relationships and separation distances commensurate with an urban development of this kind. Accordingly the proposal would provide acceptable living conditions for future occupiers.

5.6.5 The amenity of future residents of the development was considered in the outline application and it was identified that the site is affected by noise generated from the surrounding road network.

5.6.6 Whilst noise is subject of a separate condition (24) to the outline permission, this application has been accompanied by an Environmental Noise Survey and has been informed by an updated noise assessment (May 2019). The report sets out that a number of plots close to the B4603 Cheltenham Road East will require acoustic trickle vents to be fitted to road facing windows in order to achieve acceptable internal noise levels. The report also demonstrates that acceptable noise levels can be achieved within garden areas through the use of acoustic fencing. These details can be secured by condition.

5.6.7 In light of the above the above, the proposal would result in a development with acceptable living conditions for future occupiers. Furthermore the layout separation and scale of development will ensure that there would be no demonstrable harm to the amenity of the occupiers of adjoining residential properties.

## 5.7 Affordable Housing

5.7.1 JCS Policy SD12 seeks 35% affordable housing to be provided within identified Strategic Allocating and where possible, on site and this provision was secured in the S.106 agreement at the outline stage.

5.7.2 The submitted 'Overall Development Plan' confirms the quantum and location of affordable units proposed. While the 163 affordable units would equate to the required 35%, the Councils Housing Officer has questioned the annotation on the drawings which describe some units as 'Intermediate rented' when the requirement is for this 'intermediate' element to be 'Affordable Home Ownership'. Clarification has been sought from the applicant and **an update will be provided at Committee.**

## 5.8 Other matters

5.8.1 Residents have raised concern that the development would be accessed through Parkside Drive. This was considered at the outline stage and while the proposal would continue this highway into the site to provide pedestrian and cycle connections to Churchdown, the road would be restricted to emergency access only. Details of the means by which access would be restricted are controlled and will need to be approved under Condition 29 of the outline planning permission.

5.8.2 Concerns have been raised with regards to the development and pressure on local facilities. These impacts were considered at the outline stage and contributions and infrastructure have been secured where appropriate.

## 6.0 Conclusions & Recommendations

6.1 It is considered that, subject to the outstanding matters outlined above being resolved, the proposal would result in an acceptable layout, scale, appearance and landscaping, which would be well related to existing built development in Churchdown while providing a suitable transition to into the surrounding landscape and adjoining open countryside.

6.2 It is therefore recommended that authority be **delegated to the Technical Planning Manager to Approve the application subject to matters concerning highways, landscaping, design and drainage as highlighted in the report being resolved; and the imposition of any other conditions as appropriate.**

### **RECOMMENDATION Approve**

#### Conditions:

- 1 Notwithstanding the submitted details, no construction works shall take place above slab level until precise details and where appropriate samples of the external facing and roofing materials have been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a high quality finish to the development in the interest of the visual amenities of the area.

2. All external door and window frames shall be recessed into the external walls of the building by 75mm.

Reason: In the interests of visual amenity.

3. The development shall be undertaken in accordance with the noise mitigation measures set out in the submitted Environmental Noise Assessment 5207/ENS1.

Reason: To ensure satisfactory living conditions for future occupiers.

4. Prior to the first occupation of any part of the development, details of a barrier to prevent unauthorised vehicular access to the public open space shall be submitted to and approved in writing by the local planning authority. The measures approved shall be implemented prior to the first public use of any part of the highway adjoining that open space.

Reason: To prevent damage to the landscaped areas in the interest of amenity.

5. The landscaping to the site shall be maintained in accordance with the details set out in the Landscape Management Plan dated June 2019.

Reason: To ensure a satisfactory appearance to the development.

#### Notes:

1. The decision is to be read in conjunction with planning permission 16/00738/OUT including the associated S106 legal agreements.
2. Any sewer diversion will need to be agreed with Severn Trent via a S185 sewer Diversion application.
3. **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.



1. Name of the person or organization 2. Address 3. City 4. State 5. Zip 6. Country 7. Telephone 8. Fax 9. E-mail 10. Website 11. Other	12. Name of the person or organization 13. Address 14. City 15. State 16. Zip 17. Country 18. Telephone 19. Fax 20. E-mail 21. Website 22. Other	23. Name of the person or organization 24. Address 25. City 26. State 27. Zip 28. Country 29. Telephone 30. Fax 31. E-mail 32. Website 33. Other	34. Name of the person or organization 35. Address 36. City 37. State 38. Zip 39. Country 40. Telephone 41. Fax 42. E-mail 43. Website 44. Other	45. Name of the person or organization 46. Address 47. City 48. State 49. Zip 50. Country 51. Telephone 52. Fax 53. E-mail 54. Website 55. Other	56. Name of the person or organization 57. Address 58. City 59. State 60. Zip 61. Country 62. Telephone 63. Fax 64. E-mail 65. Website 66. Other	67. Name of the person or organization 68. Address 69. City 70. State 71. Zip 72. Country 73. Telephone 74. Fax 75. E-mail 76. Website 77. Other	78. Name of the person or organization 79. Address 80. City 81. State 82. Zip 83. Country 84. Telephone 85. Fax 86. E-mail 87. Website 88. Other	89. Name of the person or organization 90. Address 91. City 92. State 93. Zip 94. Country 95. Telephone 96. Fax 97. E-mail 98. Website 99. Other	100. Name of the person or organization 101. Address 102. City 103. State 104. Zip 105. Country 106. Telephone 107. Fax 108. E-mail 109. Website 110. Other
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Ground Floor Plan



First Floor Plan

Plots:  
A48 - AS;  
A50 - AS;  
A92 - AS.

Ground Floor	70.01m²	748m² floor area measured to 2.2m
First Floor	70.01m²	754m² floor area measured to 2.2m
Total Area	140.03m²	1507m² floor area measured to 2.2m

Ground Floor	69.13m²	748m² floor area measured to 2.2m
First Floor	69.15m²	748m² floor area measured to 2.2m
Total Area	138.30m²	1489m² floor area measured to 2.2m

NDSS COMPLIANT AS A 5 PERSON DWELING



Figured dimensions and levels to be used. Any discrepancies must be referred to the Architect. Details of fittings and large scale drawings take precedence over smaller drawings.

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PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

powelldobson ARCHITECTS

Residential Development, Churchdown, Gloucestershire for Bellway Homes

Project: Ashberry Parcel - Camellia - Plans

Drawing No: 18120 (05) 431

Scale: 1:100 @ A3

Date: Nov 2019

Drawn: SD

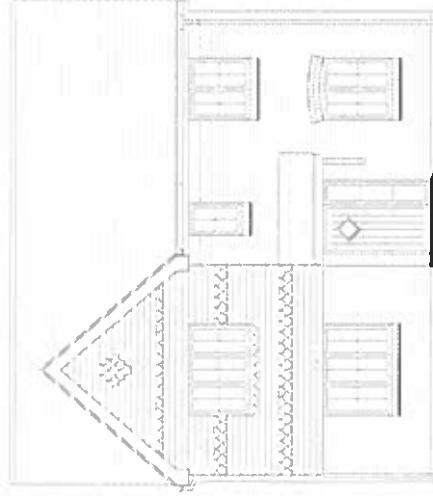
Checked: J

606/C

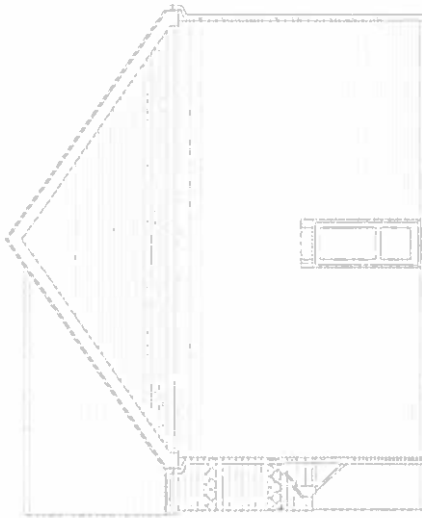
# Ashberry

## The Camellia (T11e)

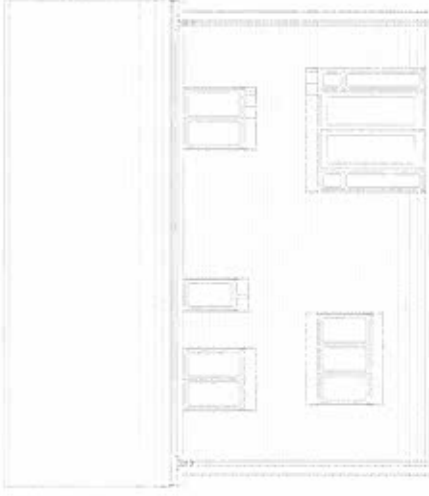
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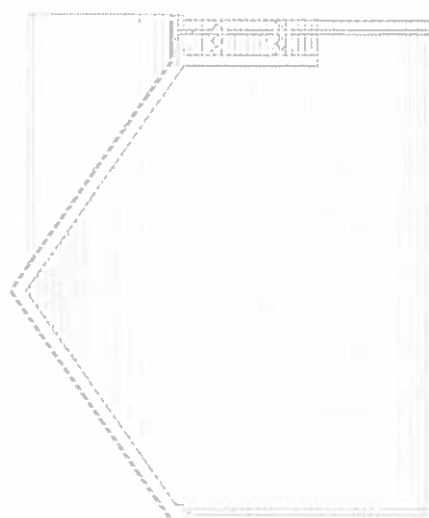
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Figured dimensions and levels to be used. Any modifications must be noted in the margin. Small drawings and large scale drawings. Use a pencil and a sharp eraser.

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Rev	Rev	Rev	Rev	Rev	Rev

PRELIMINARY	PLANNING	DESIGN	TENDER	CONSTRUCTION
	<input checked="" type="checkbox"/>			

powerelldobson ARCHITECTS

Residential Development, Churchdown, Gloucestershire for Bellway Homes (T11e)

Contract: Ashberry Parcel - Camellia - Elevations (T11e)

Scale: 1:100 @ A3

Date: June 2019

Drawn: CWT

Checked: F

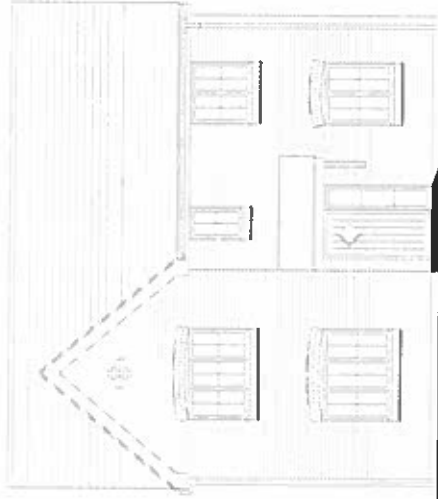
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# Ashberry

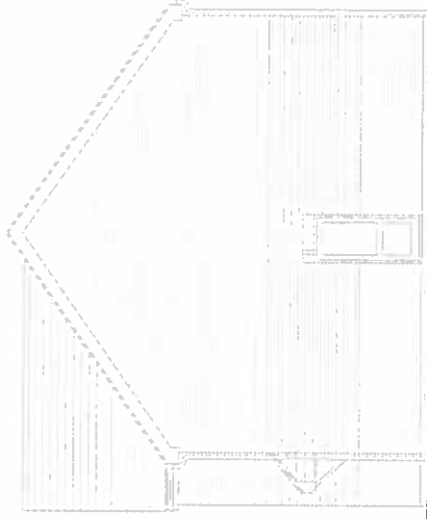
## The Camellia (Brick)

- Plots:  
A48 - AS;  
A50 - AS;  
A92 - AS.

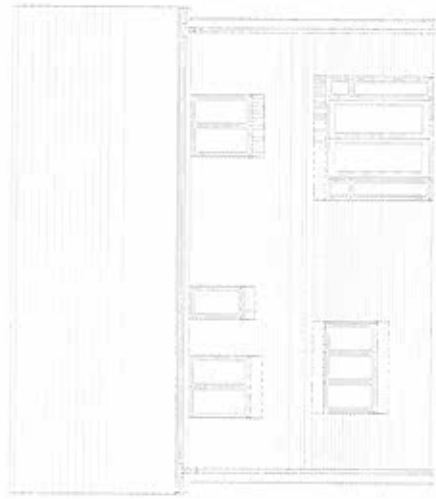
606/E



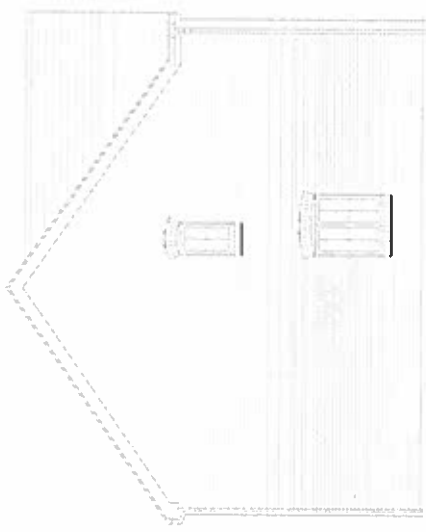
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



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Architect: **powelldobson ARCHITECTS**

Contract: Residential Development, Churtdown, Gloucestershire for Bellway Homes

Title: Ashberry Parcel - Camellia - Elevations (Brick)

Scale: 1:100 @ A3

Date: 18/10/20 (05) 432

Drawn: JHB

Checked: JHB

PRELIMINARY

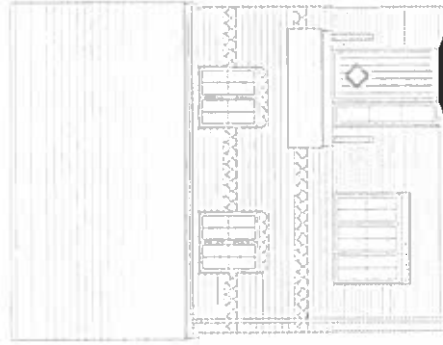
PLANNING ☒

DESIGN

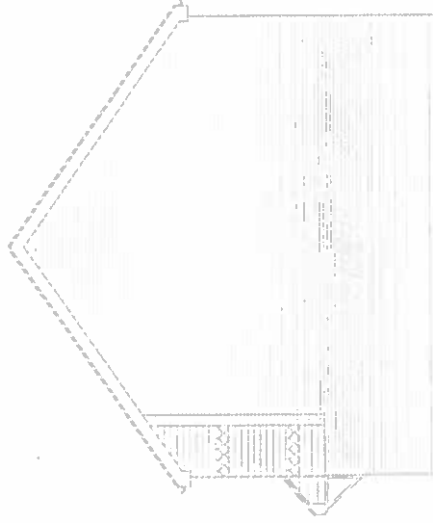
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CONSTRUCTION

606/F

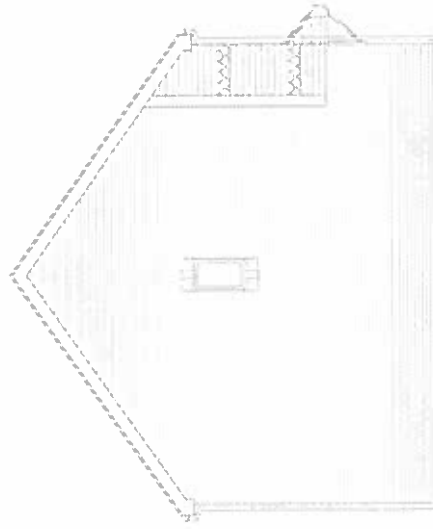


### Front Elevation



### Side Elevation

Rear Elevation



Side Elevation



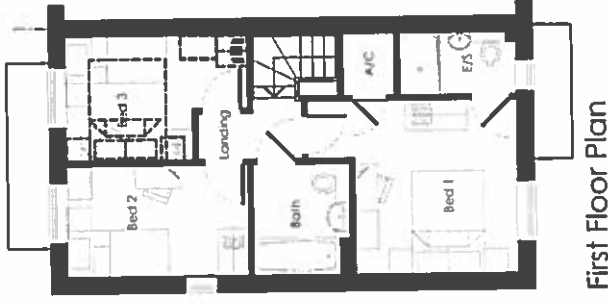
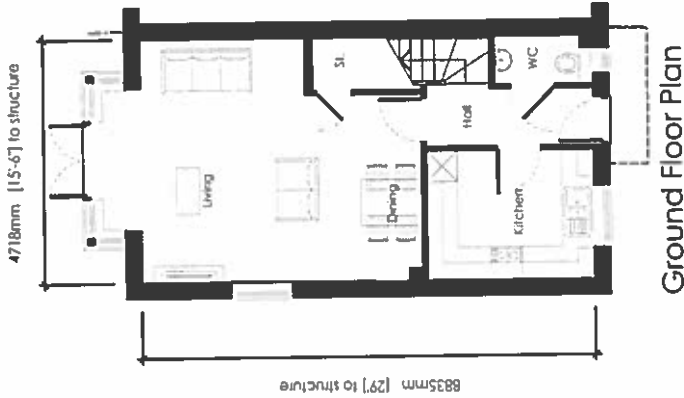
	Area	Per.	Rev.	Preliminary	Planning	Design	Tender	Construction
Planned dimensions and levels to be used Any instructions must be related to the contract documents. Detailed drawings and large scale drawings Late presentation most similar drawings.	-  -	  	  		<input checked="" type="checkbox"/>			

PES QUANTITE E COSTI S.C.F.G.

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606/G



Plot:  
A70 - AS.

Ground Floor	43.81m <sup>2</sup>	472m <sup>2</sup>	Floor area measured to face of structure
First Floor	41.68m <sup>2</sup>	449m <sup>2</sup>	Floor area measured to face of structure
Total Area	85.55m <sup>2</sup>	921m <sup>2</sup>	Total area measured to face of structure

Ground Floor	43.15m <sup>2</sup>	464m <sup>2</sup>	Floor area measured to face of structure
First Floor	41.03m <sup>2</sup>	441m <sup>2</sup>	Floor area measured to face of structure
Total Area	84.18m <sup>2</sup>	905m <sup>2</sup>	Total area measured to face of structure

NDS COMPLIANT AS A 4 PERSON DWELLING

0 1m 2m 3m 4m 5m

Scale @ 1:100

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

**powelldobson**  
ARCHITECTS

Contract: Residential Development, Churchdown, Gloucestershire for Bellway Homes

Title: Ashberry Parcel - Valerian - Plans

Scale: 1:100 or A3

Date: Nov 2019

Drawn: SD

Checked:

Planning No: 18120 (05) 433

Revised drawings and details to be used for construction must be marked as such. Any other drawings and details shall be marked as such. This drawing is not to be used for any other purpose without the written consent of the architect.

Project: Ashberry Parcel - Valerian - Plans

Client: Bellway Homes

Location: Churchdown, Gloucestershire

Scale: 1:100 or A3

Date: Nov 2019

Drawn: SD

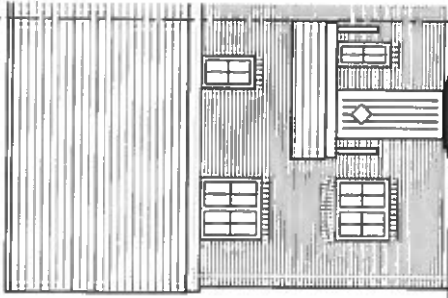
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Planning No: 18120 (05) 433

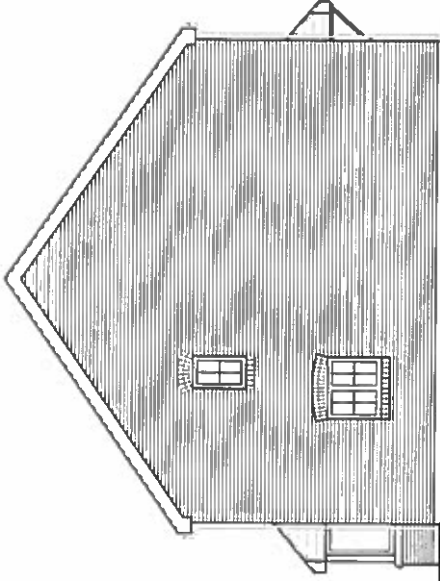
# Ashberry The Valerian

Plot:  
A70 - AS.

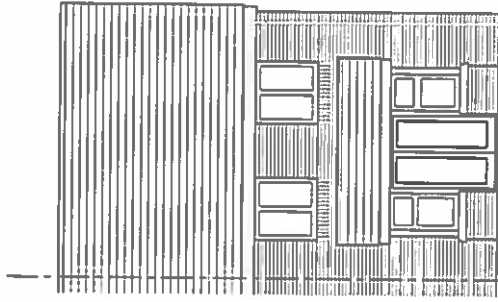
606/H



Front Elevation



Side Elevation



Rear Elevation



Approved drawings and levels to be used for construction. All other levels to be checked to the architect. Detail drawings and large scale drawings to be provided and checked to the architect.

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PRELIMINARY	<input type="checkbox"/>
PLANNING	<input checked="" type="checkbox"/>
DESIGN	<input type="checkbox"/>
TENDER	<input type="checkbox"/>
CONSTRUCTION	<input type="checkbox"/>

**powelldobson**  
ARCHITECTS

**Contract:** Residential Development, Churchdown,  
Gloucestershire for Bellway Homes  
**Ten:** Ashberry Parcel - Valerian - Elevations (Brick)

Drawing No:  
[012005] 434 -

Rev:  
00

Scale:  
1:100 @ A3

Date:  
Nov 2019

Drawn:  
JD

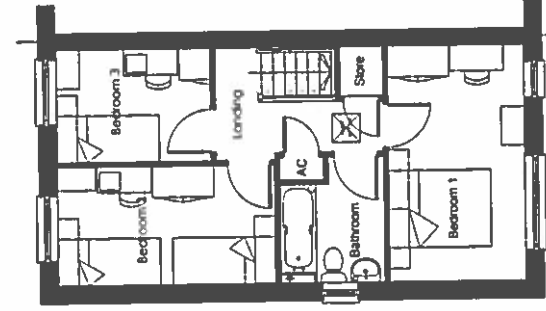
Checked:  
JD

### 3 Bed House

### Plots:

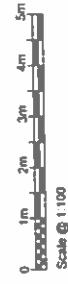
## B211 - Handed;

**B253 - Handed.**



## Ground Floor Plan

## First Floor Plan



PRELIMINARY	
PLANNING	✓
DESIGN	
TENDER	
CONSTRUCTION	

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**CONTRACT:** Residential Development, Churchdown Gloucestershire for Bellway Homes

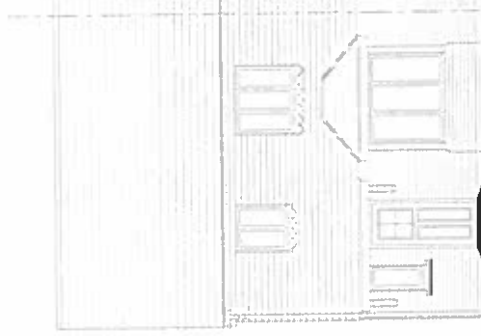
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Required dimensions and levels to be used. Any major axis must be matched to the architect.

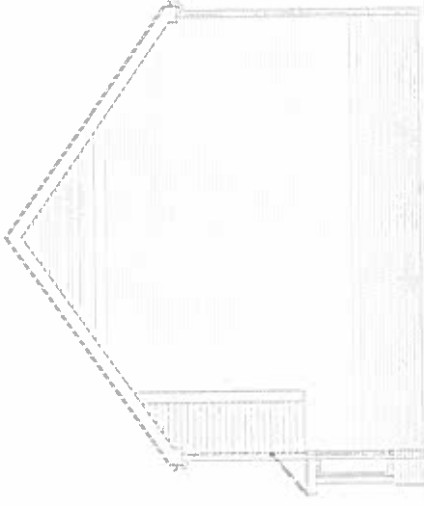
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606/5



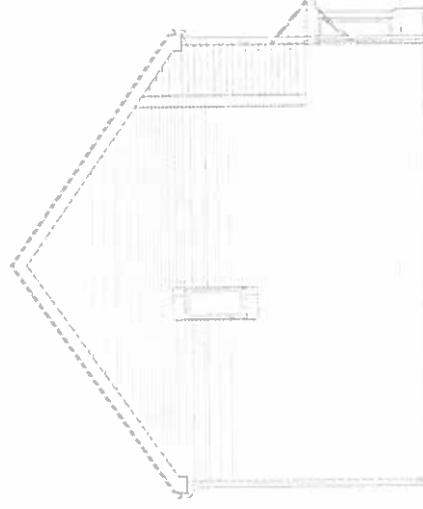
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

Scale @ 1:100  
1m 2m 3m 4m 5m

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

**powellidobson**  
ARCHITECTS  
Residential Development, Churchdown  
Gloucestershire for Bellway Homes  
Bellway Parcel - Chandler - Elevations (Tile)  
Drawing No: 18120 (05) 305  
Scale: 1:100 @ A1  
Date: June 2019  
Drawn: CH  
Checked:

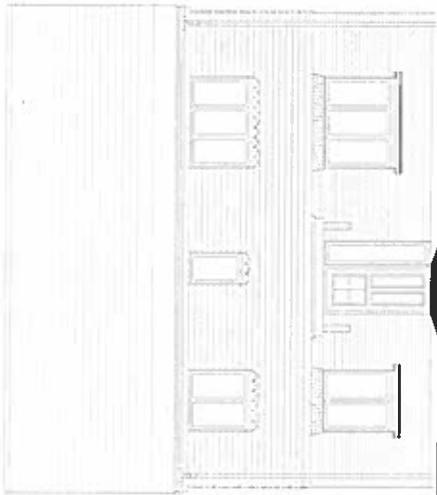
Figured dimensions and levels to be used  
Any further notes must be included in the  
Detailed drawings and for the scale of drawings  
Refer to the relevant section of the drawings

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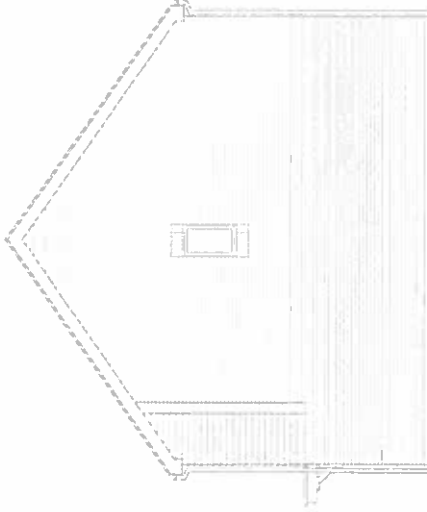
Approved CPN: Powell Dobson Ltd. Suite 17, Building One, Eastern Business Park, Wern Farm Lane, Old St. Helens, Cardiff CF3 3EA. Powell Dobson is a trading name of Powell Dobson Ltd a company registered in England and Wales No 3817902

Bellway  
The Goldsmith (T11e)

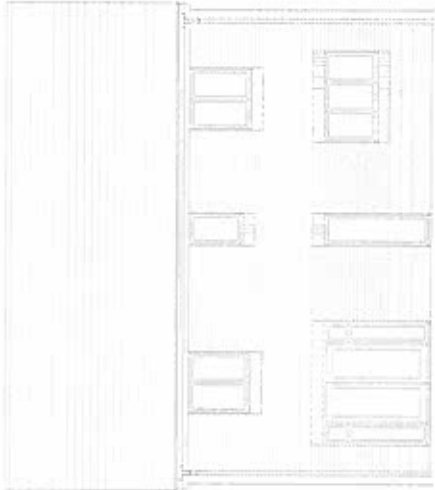
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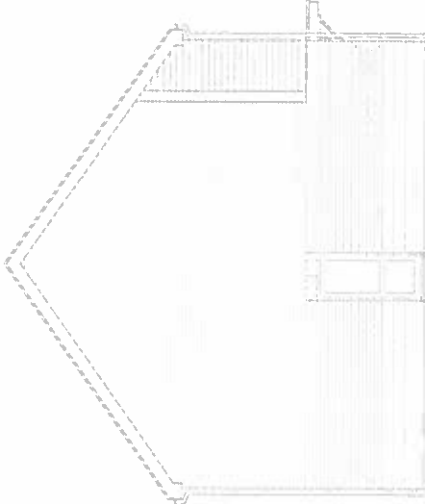
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Figured dimensions and levels to be used.  
Any alterations must be notified to the  
Design Manager and large scale drawings  
must be produced over 100mm x 100mm.

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Rev	Rev	Rev	Rev

PRELIMINARY
<input checked="" type="checkbox"/> PLANNING
DESIGN
TENDER
CONSTRUCTION

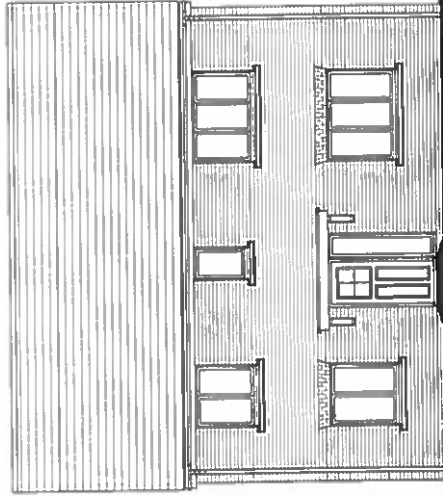
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Contract: Residential Development, Churchdown, Gloucestershire for Bellway Homes	Scale: 1:100 @ A3	Date: June 2019
Title: Bellway Parcel - Goldsmith - Elevations (T11e)	Drawn: CWT	Checked:

# Bellway

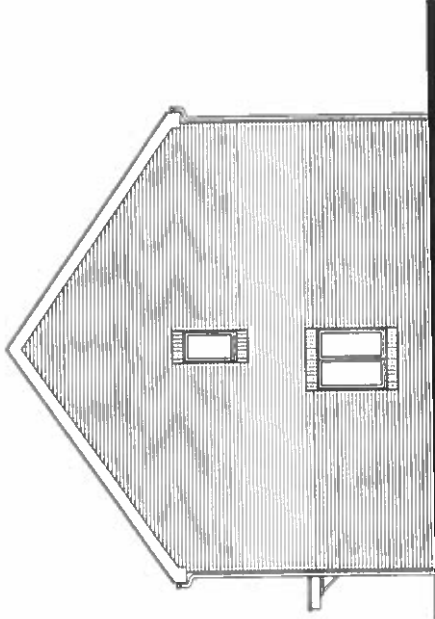
## The Goldsmith (Brick)

Plots:  
B218 - AS;  
B349 - AS;  
B362 - AS.

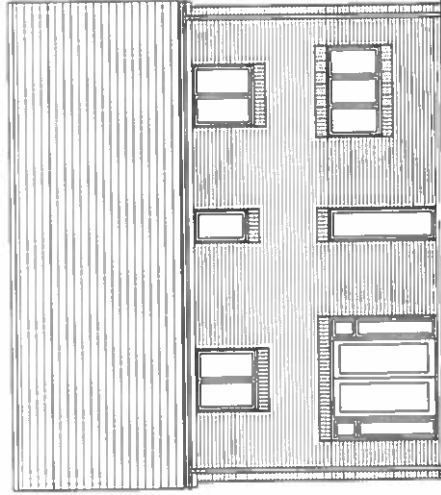
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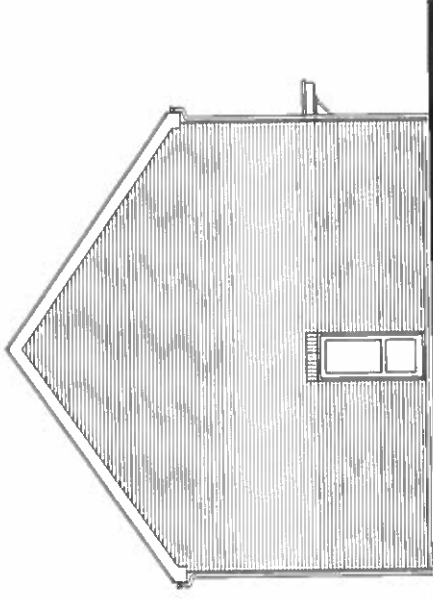
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



PRELIMINARY	PLANNING	DESIGN	TENDER	CONSTRUCTION
	<input checked="" type="checkbox"/>			

**powelldobson ARCHITECTS**  
 Contract: Residential Development, Churchdown,  
 Gloucestershire for Bellway Homes  
 1st: Bellway Parcel - Goldsmith - Elevations (Brick) / Checked

Drawing No. 18120 (05) 348  
 Scale: 1:100 @ A3  
 Date: Nov. 2019  
 Drawn: SO  
 Checked: SO

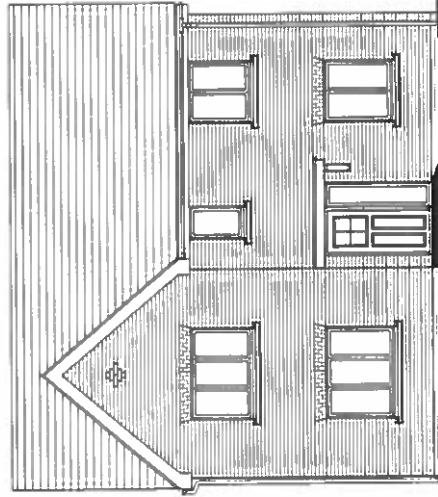
Figures, dimensions and levels to be used.  
 Any alterations must be marked in the  
 original.  
 All measurements and levels to be  
 taken from the original drawings.

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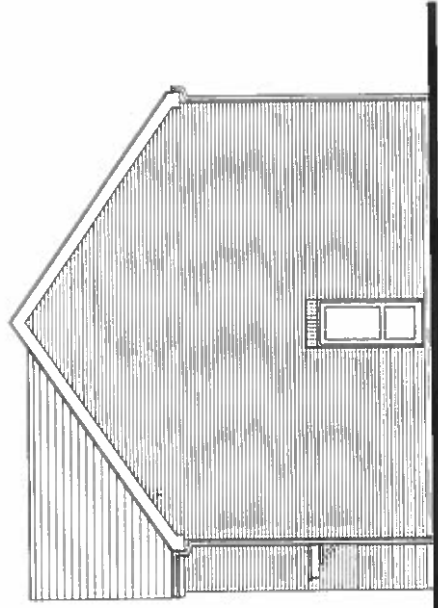
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Plots:  
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B348 - AS.

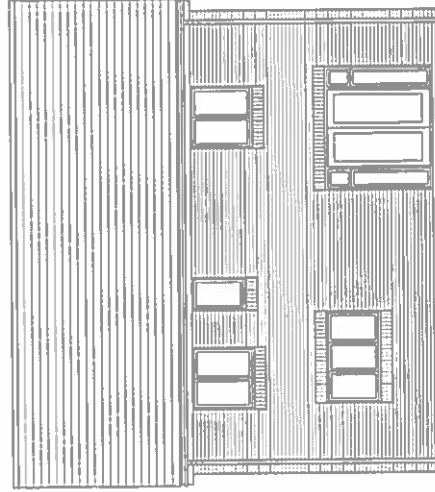
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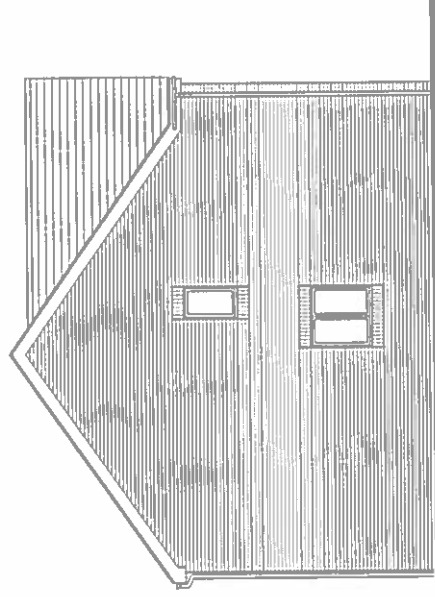
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Rev	Rev	Rev	Rev
1	2	3	4

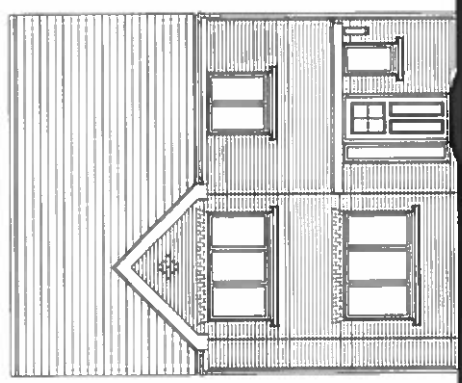
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PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

Drawing No. 18120(05) 356 -		Rev. Rev. 01
<p><b>powellidobson</b> ARCHITECTS</p> <p>Residential Development, Churchdown, Gloucestershire for Bellway Homes (Brick)</p> <p>Contract: Bellway Parcel - Philosopher, Elevations (Brick)</p>		
Scale: 1:100 @ A3	Date: Rev. 01	Drawn: SQ
Checked:		

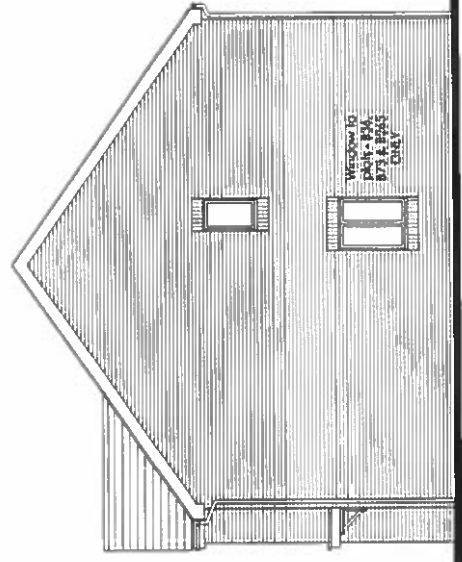
# Bellway The Scrivener

- Plots:  
B36 - AS;  
B42 - Handed;  
B73 - Handed;  
B265 - AS.

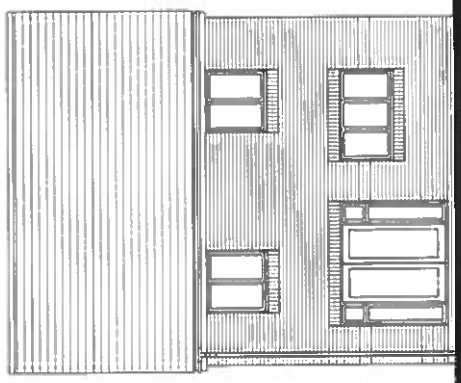
606/N



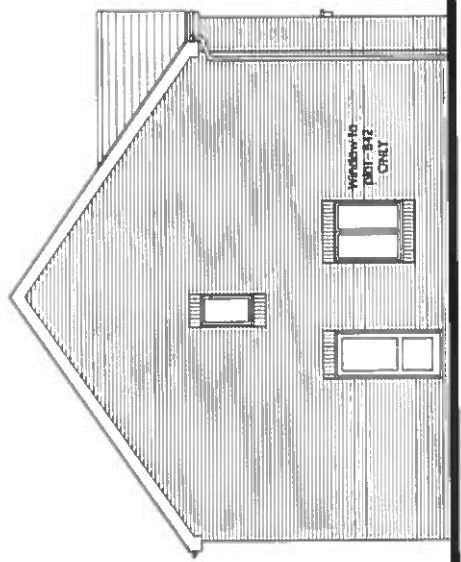
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Figured dimensions and levels to be used. Any inaccuracies must be referred to the architect. Detail drawings and large scale drawings to be prepared over smaller drawings.

Rev.	Rev.	Rev.	Rev.
1	2	3	4

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

**powellidobson**  
ARCHITECTS

Residential Development, Churchdown,  
Gloucestershire for Bellway Homes

Contract: Bellway Parcel - Scrivener, Elevations (Brick)

Drawing No. 10120(05) 360 -

Scale: 1:100 @ A3

Date: Nov. 2015

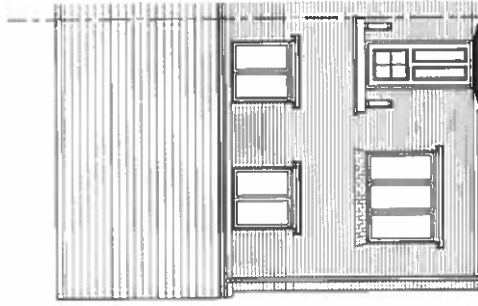
Drawn: SQ

Checked: -

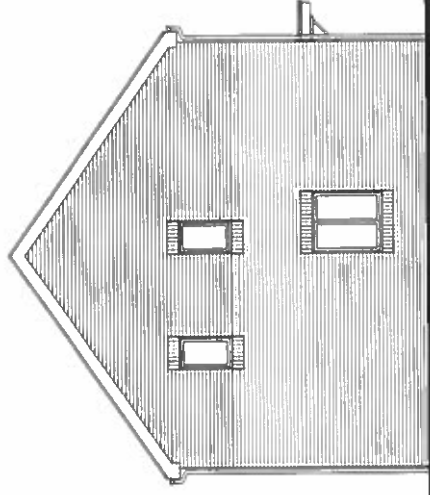


# Bellway

### Plots:

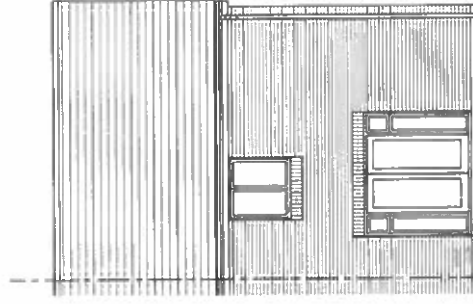


### Front Elevation



Side Elevation

606/0



### Rear Elevation



PRELIMINARY	
PLANNING	✓
DESIGN	
TENDER	
CONSTRUCTION	

Planned performance and results to be used for comparison. Any indicator must be related to the objectives. Indicate the range and large scale of change. Indicate percentage of year indicator is average.

Year	40%	60%	80%

THIS DOCUMENT IS CONFIDENTIAL

Ordering No.	Ref.
18120(05) 362	

**powelldobson**  
ARCHITECTS

Residential Development, Churchdown,  
 Gloucestershire for Bellway Homes  
 Bellway Parcel - Toler, Elevations (Brick)

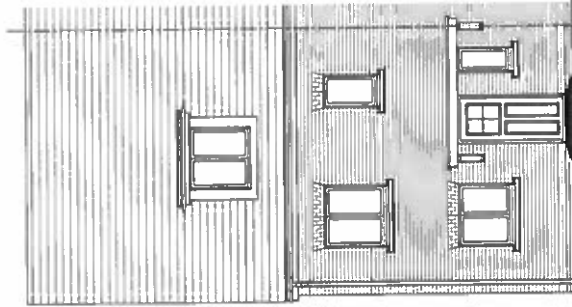
Contract: 1,100 sq ft  
 Date: Nov. 1910  
 Per month: \$10  
 Checked: -

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Registered Office: Powell Dabson Ltd, Suite 15, Building One, Easton Business Park, West Farm Lane, Old St Martins, Cardiff CF3 5LX. Powell Dabson is a trading name of Powell Dabson Ltd a company registered in England and Wales No 3813682.

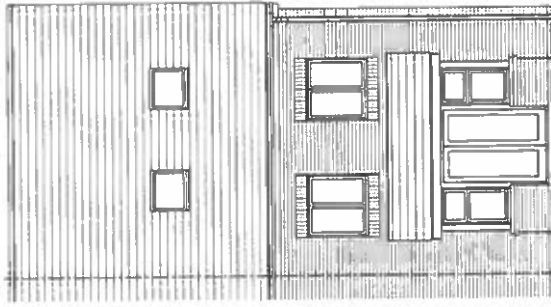
# Bellway The Wheelwright

Plots:  
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B175 - Handed;  
B234 - Handed.

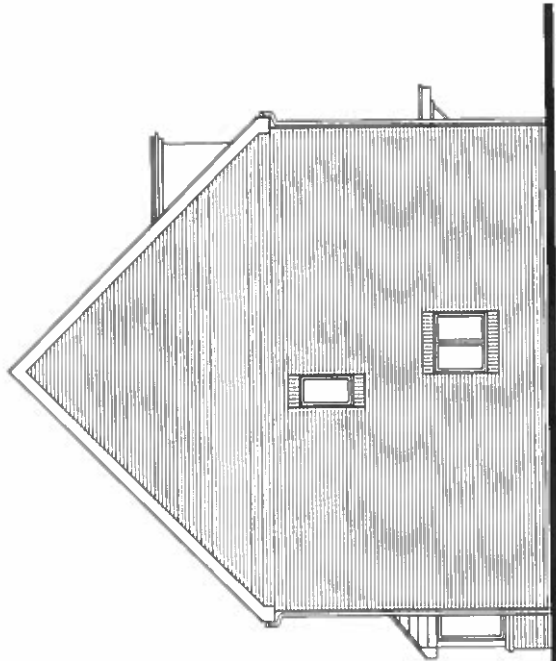
606/P



Front Elevation



Rear Elevation



Side Elevation



Drawing No. 18120(05) 364 -		Rev.
powellidobson ARCHITECTS		
Residential Development, Churchdown, Gloucestershire for Bellway Homes		Scale: 1:100 @ A3
Team Bellway Parcel - Wheelwright, Elevations (Brick)		Date: Nov. 2019
		Drawn: SO
		Checked: .

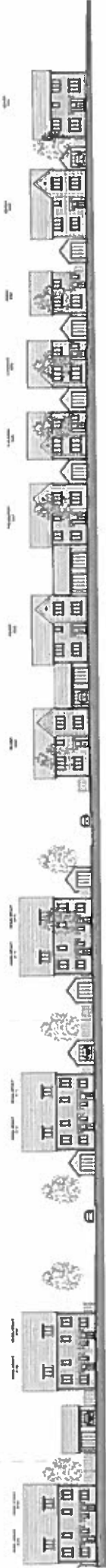
PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

Rev.	Rev.	Rev.	Rev.

Figured dimensions and levels to be used. Any structural work must be verified to the client. All drawings and large scale drawings are provided over smaller drawings.

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Proposed Street Scene 1 (Secondary Street)



Proposed Street Scene 2 (Main Street)



Proposed Street Scene 3

606/Q



Proposed Street Scene 3 (continued)



Street Scene Location Key

**powelljacobson**  
ARCHITECTS

1000 West 1st Avenue, Suite 100  
Portland, Oregon 97204  
Phone: 503.222.1111  
Fax: 503.222.1112  
Email: info@powelljacobson.com

Project: Residential Development, Churchland  
Location: Churchland area for railway houses  
Date: 10/10/10  
Sheet: 1 of 1

Proposed Street Scenes - Sheet 1

Scale: 1" = 100'

North Arrow

Legend:

- Proposed Street
- Proposed Building
- Proposed Tree
- Proposed Fence
- Proposed Sign
- Proposed Light
- Proposed Other

Valid 18.12.2018

Change of use of land to provide 9 Travelling Showperson's plots and associated works including hardstanding.

Grid Ref 389827 223204

Parish Staverton

Ward Badgeworth

**RECOMMENDATION** Minded to Refuse**Policies and Constraints**

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Joint Core Strategy (2017) - SD4, SD5, SD6, SD9, SD13, SD14, INF1

Tewkesbury Borough Local Plan to 2011

Tewkesbury Borough Plan - Pre-Submission version 2019

Human Rights Act 1998 - Article 8

The First Protocol - Article 1

Equality Act 2010 - Public Sector Equality Duty

Planning Policy for Traveller Sites (PPTS) 2015

Gypsy and Traveller Accommodation Assessment (GTAA) March 2017

Green Belt

**Consultations and Representations****Staverton Parish Council** - Object for the following reasons:

1. The site is in the Green Belt.
2. The application states that there will be 36 vehicles on site including lorries, which does not equate to 9 caravans. This would be extremely dangerous as this proposed site is close to the brow of the motorway bridge which restricts visibility on a busy and fast stretch of road.
3. There are no sanitary provisions for 9 families.
4. Planning was previously refused for a smaller such site almost immediately opposite.
5. The JCS plan has surely accounted for Traveller sites for the immediate future.
6. Staverton and its neighbouring parishes already have an excess of such sites.
7. This site is surrounded by green open space which would be totally spoilt if this were permitted.

**Environmental Health Officer** - Concerns were initially raised in respect of noise from the surrounding road network, which would adversely impact on the future occupants of the site. It was therefore recommended that a 2.2m close boarded acoustic fence should be erected along the site boundary to the south west and north west. Revised plans have since been submitted, which detail acoustic fencing in these locations. The Environmental Health Officer advises that this now addresses his concerns in this regard.

**Gloucester County Highways** - No principle objection but advises that if the site is to be gated, these must be set back to allow HGV's to be fully accommodated off the highway. The Highways Officer advises that the swept path analysis plan is acceptable as well as the proposed internal layout.

**County Archaeologist** - It was initially advised that the wider locality is known to contain extensive archaeological remains relating to settlement and activity of the prehistoric and Roman periods and an archaeological field evaluation was requested prior to the determination of the application. The applicant subsequently provided the results of an archaeological field evaluation, which found no archaeological remains. On that basis, the County Archaeologist considers that the proposed development has low potential to have any impacts on archaeological remains and no further archaeological investigations or recording is required.

**CPRE** - The land is Green Belt, it is not designated as a proposed site allocation for Travellers in the Tewkesbury Borough Plan preferred options. Two traveller sites have been allocated as preferred options Hillview, Staverton and Brookside Stables, Cold Pool Lane, these sites do not appear to be fully used. There are concerns that the land east of the M5 are being covered by mobile home and park home sites, which are never fully used.

**The Showmen's Guild of Great Britain** - The applicants are full operating members of the Showmen's Guild of Great Britain and the applicant is also on the Showmen's Guild committee regionally and centrally sharing best practice in the management of the Fairground Industry. He has worked hard over many years building up the family business entertaining audiences across Gloucestershire, the Midlands, West of England and Wales.

The Guild are pleased to support this application as there is a great need for provision of sites to develop to meet the needs of Travelling Showpeople in the Gloucestershire Region for their future.

**Two letters of Objection** were received, the main points raised include:

- Appears to be another step to infilling between Gloucester and Cheltenham.
- If there was any damage to fencing it would be a danger to livestock straying onto the motorway.
- Land is Green Belt.
- There are spaces on sites in the Gloucester area some 5/6 miles away.
- There is an empty, disused site at Naas Lane, Quedgeley 7/8 miles away.
- The access would be dangerous for slow moving long vehicles turning into and out of the access on such a fast road.

**One letter of Support** has been received, the main points raised include:

- The applicants have been customers for several years and always found them to be honest and trustworthy, they are of good character.

**Planning Officers Comments:** Mr Adam White

## **1.0 Introduction**

1.1 This application is currently the subject of a non-determination appeal that has been submitted to the Planning Inspectorate. Consequently, it is necessary to ascertain what the Council's decision would have been had the Council went on to determine the application. This report therefore makes a recommendation in that context.

1.2 The application relates to a parcel of land to the south east of Old Gloucester Road and east of the M5 motorway, approximately half a mile to the south east of Staverton (**see site location plan**). The site measures approximately 2.13 hectares and is comprised of open pasture land bound on all sides by mature trees and hedgerows.

1.3 The site is located entirely within the Green Belt although it is not subject to any formal or informal landscape designation. The site is located in Flood Zone 1 and is therefore at a low risk from flooding.

1.4 Access to the site is gained off an existing entrance directly off the Old Gloucester Road (B4364), which then follows a track along the western boundary of the site to enter the field at the south western corner, using the existing field entrance. Public Right of Way also run along the northern and eastern boundaries of the site, however, these are not apparent on the ground due to dense vegetation.

## **2.0 Planning History**

2.1 There is no planning application history attached to this site. The site has however been promoted through the emerging Borough Plan process and is included in the Submission Version of the plan (see below).

2.2 It should also be noted that the applicant has submitted an identical planning application to the Council to run concurrently with the non-determination appeal. That application is currently pending consideration and will be presented to the Planning Committee following the expiry of the statutory consultation period.

## **3.0 Current Application**

3.1 The current proposal is a full application that seeks permanent permission for the use of the field for 9 Travelling Showpeople plots for Travelling Showpeople who fulfil the definition as set out in Annexe 1 of Planning Policy for Traveller Sites (PPTS 2015). The applicant states that all those proposed to be living on the site travel to fairs and events for work, mainly around the Gloucestershire area but also further afield in the south west and towards Oxford. The work on fairs and events can happen throughout the year and all of the proposed adult occupants of the site are members of the Showman's Guild of Great Britain.

3.2 It is accepted that the proposed occupants meet the PPTS definition and are Travelling Showpersons for the purposes of determining this application.

3.3 It is proposed that 4 larger plots would occupy the central part of the site with proposed lawn access in the middle. A further large plot is proposed to the south east edge of the site along with 4 smaller plots along the western boundary adjacent to the access track. It is proposed that there would be new hedgerow planting between each of the plots along with a number of new trees.

3.4 An acoustic fence of 2.2 metres is proposed along the western and southern boundary to reduce road traffic noise.

3.5 The proposed driveway, parking and courtyard areas are to be surfaced using quarry dust laid on a permeable base. The surface water is proposed to drain into adjacent drainage swales with an attenuation pond proposed to the north east boundary of the site.

3.6 The existing hedgerows surrounding the site would be retained, along with 8 key trees and a number of smaller trees along the boundary.

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

##### **National Planning Policy Framework (NPPF)**

4.1 The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three overarching objectives are an economic objective, a social objective and an environmental objective.

4.2 Section 15 of the Framework seeks to conserve and enhance the natural environment. Paragraph 170 advises that this can be achieved, in part, by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

4.3 Section 13 of the Framework sets out that the Government attaches great importance to Green Belts. Paragraph 143 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (paragraph 144).

4.4 Paragraph 79 of the Framework states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling; or
- e) the design is of exceptional quality, in that it:
  - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
  - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

4.5 With regard to highway safety, paragraph 108 of the Framework states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

4.6 Paragraph 109 follows and states 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.

#### Planning Policy for Traveller Sites - August 2015 (PPTS)

4.7 Current national policy on planning for traveller sites is contained in Planning Policy for Traveller Sites (August 2015)

4.8 The PPTS states that the Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community. For the purposes of planning policy the PPTS defines 'Travelling Showpeople' as: *'Members of a group organised for the purposes of holding fairs, circuses or shows (Whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependents' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers.'*

4.9 Policy E: Traveller sites in Green Belt (paragraph 16) states that: *'Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances'.*

4.10 Paragraph 17 of the PPTS advises that Green Belt boundaries should be altered only in exceptional circumstances and should only be done through the plan making process and not in response to a planning application.

4.11 Paragraph 23 of the PPTS highlights that applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the NPPF, including landscape protection and highway safety considerations.

4.12 Paragraph 24 of the PPTS explains that local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- the existing level of local provision and need for sites
- the availability (or lack) of alternative accommodation for the applicants
- other personal circumstances of the applicant
- that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- that they should determine applications for sites from any travellers and not just those with local connections.

4.13 Paragraph 25 of the PPTS states that local planning authorities should very strictly limit new traveller sites in open countryside that are away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

4.14 Paragraph 26 provides that when considering applications, local planning authorities should attach weight to the following matters:

- effective use of previously developed (brownfield), untidy or derelict land;
- sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness;
- promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children; and
- not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

4.15 Paragraph 27 of the PPTS sets out that if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permissions except where the land is in the Green Belt, protected under the Birds and Habitats Directives and/or designated as a Site of Special Scientific Interest, Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park (or the Broads).

#### Joint Core Strategy (JCS)

4.16 Policy SD13 of the JCS sets out a criteria based policy for dealing with proposals for Gypsies, Travellers and Travelling Showpeople. The policy requires that: sites do not have an unacceptable impact on the character and appearance of the landscape, amenity of neighbouring properties and that proposals are sensitively designed; safe and satisfactory access; adequate utilities/services can be provided; and that no significant environmental barriers exist.

#### Emerging Tewkesbury Borough Plan

4.17 Emerging Policy GTTS1 identifies the 1.7 hectare site in Staverton for 9 plots (i.e. the current application site) as an allocated site for Travelling Showpeople.

### **5.0 Analysis**

#### Principle of development

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 72(2) of the Town and Country Planning Act 1990 require planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In terms of the adopted development plan, policy SD14 of the JCS sets out a criteria based policy for dealing with proposals for Gypsies, Travellers and Travelling Showpeople who meet the definition of Travellers for planning purposes. Whilst policy SD14 does not allocate sites for this purpose, it does provide 'hooks' for the lower level plans to consider site allocations for all members of the traveller community.

5.2 In this context, the emerging Tewkesbury Borough Plan to 2031 allocates a number of sites for Gypsies and Travellers to meet the identified need, which has been derived from the 2017 Gypsy and Traveller Accommodation Assessment (GTAA). Insofar as this relates to Travelling Showpeople, the emerging plan allocates a single site for 9 plots against an identified requirement of 18 plots up to 2021. The land, which is identified for that allocation, is also the subject of this current application and is a material planning consideration. The materiality of this is discussed further in this report.

5.3 Whilst the application site is proposed as an allocation in the emerging Plan, the Plan is not yet adopted and it does not currently benefit from such an allocation and therefore the application needs to be considered in the context of its current status. That status is currently as an undeveloped Greenfield site within the Green Belt and outside of any recognised settlement boundary.

#### Green Belt

5.4 Of particular importance to this site is its location within a designated Green Belt. Policy SD5 of the JCS states: *'To ensure the Green Belt continues to serve its key functions, it will be protected from harmful development. Within its boundaries, development will be restricted to those limited types of development which are deemed appropriate by the NPPF, unless very special circumstances can be demonstrated.'* This reflects advice in the NPPF, which states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the NPPF provides that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.



5.5 The NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt, save for a number of listed exceptions. The development proposed here does not meet any of those exceptions and therefore represents inappropriate development in the Green Belt. This position is accepted by the applicant. The main consideration is therefore whether 'very special circumstances' exist in this case, which clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other resulting harm.

5.6 In terms of the harm to the Green Belt, other than by reason of inappropriateness, the proposed development would fundamentally change the open nature of the site by introducing a considerable amount of built form in terms of access roads, hard surfacing and boundary treatment. This would be further compounded by the associated caravans, vehicles and fairground equipment that would be stored on the site. In this regard, the development of the land would fail to safeguard the countryside from encroachment, which is one of the purposes of including land in the Green Belt. Whilst the applicant argues that the harm to the Green Belt is limited as it doesn't conflict with the other purposes of the Green Belt, the extent to which the use of land fulfils these objectives is not itself a material factor in the including of land within a Green Belt.

5.7 The impact on the openness of the Green Belt in visual terms is mitigated to a degree by the fact that the site is relatively well contained by mature trees and hedgerows, which limits most views into the site from public vantage points, with the exception of the immediate views from the Public Right of Ways, which run along the northern and eastern boundaries of the site. It would also be the case that many of the occupants and their associated equipment would be absent for quite lengthy periods throughout the year. Nonetheless, there would be demonstrable harm to the openness of the Green Belt, along with the inherent harm by reason of inappropriateness, and this weighs heavily against the proposal.

#### Whether very special circumstances exist?

5.8 The applicant makes the case that there is a continued lack of alternative sites in Tewkesbury Borough and there is still significant unmet need in the area. In view of the personal circumstances of the applicant and the proposed occupiers, it is argued that these considerations amount to very special circumstances that clearly outweigh any harm to the Green Belt. Furthermore, the applicant considers that, with the exception of its Green Belt location, the proposal site is consistent with national policy.

5.9 In summary, the 'very special circumstances' case advanced by the applicant is comprised of the follows:

- The need for Showpeople's sites in Tewkesbury
- The lack of alternative sites
- The historic and continuing difficulties of providing Showpeople's sites through the plan led process
- The time limited option agreement on the application site
- Personal circumstances
- The best interest of the children
- Human Rights
- The compliance of the proposal with the relevant development plan policy

5.10 In advancing this case, the applicant also refers to relevant case law in respect of very special circumstances; namely *Basildon DC v First Secretary of State and Temple* [2004] EWHC 2759 Admin & *Wychavon DC v SSCLG and Butler* [2008] EWCA Civ 692. The first case essentially establishes that a number of factors ordinary in themselves can combine to create something very special. In a related vein, the second case establishes that a number of seemingly ordinary factors can combine to equate to very special circumstances. Such factors do not have to be 'rare' by definition. However, whether the case advanced by the applicant amounts to 'very special circumstances' in this instance will ultimately be for the decision-maker to decide as a matter of planning judgement.

#### The need for Travelling Showpeople's sites and the lack of alternative sites

5.11 The applicant refers to a shortage of Travelling Showperson plots in the Gloucestershire area and explains that this application is submitted in order meet some of that shortfall. The document specifically refers to a need identified within the Gloucestershire Gypsy and Traveller Availability Assessment (GTAA) for additional pitches.

5.12 In terms of 'plan-making', paragraph 9 of the PPTS sets out that local planning authorities should set pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople, which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities. Paragraph 10 follows that local planning authorities should identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets and a supply of specific, developable sites, or broad locations for growth, for years 6 to 10.

5.13 With respect to 'decision-taking' on specific applications, paragraph 24 of the PPTS cites the existing level of local provision and need for sites and availability (or lack) of alternative accommodation for the applicants among relevant matters for consideration in the determination process.

5.14 The Council's most current evidence for the provision of Traveller accommodation is the Gloucestershire (Cheltenham, Cotswold, Forest of Dean, Gloucester, Stroud and Tewkesbury) Gypsy and Traveller Accommodation Assessment (OPS Final Report March 2017). The assessment was based upon the new definition in the PPTS (August 2015) of Gypsies, Travellers and Travelling Showpeople for planning purposes (which compared to the previous PPTS (March 2012) no longer includes those who have ceased to travel permanently). The identified need for Tewkesbury Borough is for 24 plots up until 2031, with an immediate need for 18 plots.

5.15 As previously set out, the application site is also included as an allocation for up to 9 Travelling Showpeople's plots in the emerging Tewkesbury Borough Plan to 2031, which has recently been the subject of a final round of public consultation prior to submission to the Secretary of State for Examination in Public. That consultation finished on the 18th November 2019. Early indications suggest that no objections have been received in respect of the proposed allocation although this is yet to be confirmed. The proposed allocation is a material planning consideration since it indicates the Council's preferred 'direction of travel'. However, any allocation would not be secured until adoption of the Plan and could potentially be removed if the allocation was not to be found sound during examination.

5.16 Whilst the Council has been proactive in searching for Travelling Showpeople plots in suitable locations, this has proved difficult and in view of the uncertainties in terms of the overall need and the fact that the Borough Plan is unlikely to be adopted until 2020, a precautionary position should be adopted and at this time it cannot be demonstrated that the Council has a 5 year supply of deliverable plots for Travelling Showpeople. Moreover, in any event, even if the allocation is ultimately confirmed, there would still be an immediate requirement for a further 9 plots.

5.17 The PPTS states at paragraph 27 that if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. However, an exception to this is where the proposal is on land designated as Green Belt. In this context, paragraph 16 of the PPTS states that subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances. Nonetheless, the current lack of a 5 year supply holds some weight in favour of the scheme in the planning balance.

#### Personal circumstances, the best interest the children and Human Rights

5.18 The applicant previously provided a statement on the personal circumstances of the proposed occupiers of the site. In summary, the statement made the case that due to the children that would be occupying the site, a settled base was essential to necessitate the security and stability of the family for the future. It stated that those children were all currently residing on insecure yards and overcrowded plots. It was the applicant's opinion that the health and educational needs of the occupants would be prejudiced if the application was refused. In addition, it stated that a number of the family were without a yard and need to stop with friends and family in between travelling, which increases the uncertainty of a future base and education for the children.

5.19 For reasons that are explained further in this report, the applicant subsequently amended the personal circumstances statement by replacing 5 of the proposed occupants (2 adults and their 3 children) with 5 different occupants (2 adults and their 3 children). The revised statement also clarifies that there would be 15 children occupying the site rather than 18, which was previously stated. However, whilst a number of the proposed occupiers has changed, it is considered that it does not materially affect the Very Special Circumstances case that has been advanced by the applicant.

5.20 Under the UN Convention on the Rights of the Child (UNCRC), the best interests of any children affected by a decision are a primary consideration. Case law confirms that this means that, in any decision, no other consideration may be treated as inherently more weighty. In this context, the implications of Article 3 of the UNCRC in planning decisions is addressed in *Stevens v Secretary of State* [2013] EWHC 792 concerns the implications of Article 3 of the UNCRC in planning decisions. Hickinbottom J said at paragraph 69:

*'From these authorities, in respect of the approach of a planning decision-maker, the following propositions can be derived.*

*i. Given the scope of planning decisions and the nature of the right to respect for family and private life, planning decision-making will often engage article 8. In those circumstances, relevant article 8 rights will be a material consideration which the decision-maker must take into account.*

*ii. Where the article 8 rights are those of children, they must be seen in the context of article 3 of the UNCRC, which requires a child's best interests to be a primary consideration.*

*iii. This requires the decision-maker, first, to identify what the child's best interests are. In a planning context, they are likely to be consistent with those of his parent or other carer who is involved in the planning decision-making process; and, unless circumstances indicate to the contrary, the decision-maker can assume that that carer will properly represent the child's best interests, and properly represent and evidence the potential adverse impact of any decision upon that child's best interests.*

*iv. Once identified, although a primary consideration, the best interests of the child are not determinative of the planning issue. Nor does respect for the best interests of a relevant child mean that the planning exercise necessarily involves merely assessing whether the public interest in ensuring planning controls is maintained outweighs the best interests of the child. Most planning cases will have too many competing rights and interests, and will be too factually complex, to allow such an exercise.*

*v. However, no other consideration must be regarded as more important or given greater weight than the best interests of any child, merely by virtue of its inherent nature apart from the context of the individual case. Further, the best interests of any child must be kept at the forefront of the decision-maker's mind as he examines all material considerations and performs the exercise of planning judgment on the basis of them; and, when considering any decision he might make (and, of course, the eventual decision he does make), he needs to assess whether the adverse impact of such a decision on the interests of the child is proportionate.*

*vi. Whether the decision-maker has properly performed this exercise is a question of substance, not form. However, if an inspector on an appeal sets out his reasoning with regard to any child's interests in play, even briefly, that will be helpful not only to those involved in the application but also to the court in any later challenge, in understanding how the decision-maker reached the decision that the adverse impact to the interests of the child to which the decision gives rise is proportionate. It will be particularly helpful if the reasoning shows that the inspector has brought his mind to bear upon the adverse impact of the decision he has reached on the best interests of the child, and has concluded that that impact is in all the circumstances proportionate ...'*

5.21 The revised statement on the personal circumstances of the proposed occupiers of the site sets out that there are 15 children, the majority of which are currently attending various primary and secondary schools. The applicant considers that there is no doubt that their education would be greatly disrupted were they to be deprived of a settled base and that the health and educational needs of the occupants would be prejudiced if the application is refused. It would clearly be in the best interests of all the children to reside in secure, suitable and lawful accommodation. This would allow proper access to education and medical services and would avoid the hazards of unlawful encampments.

## Article 8

5.22 Refusal of the application would undoubtedly result in the interference with the home and private life of the occupants of the site. The Council has identified this site within the emerging Borough Plan, no further alternative sites have been identified, therefore it is quite possible that refusal of this application the effect would be to render the families homeless in the future. However Article 8 is not an absolute right and it is necessary to consider whether, given the harm caused by the development, the interference occasioned by the refusal of planning permission would be justified within the terms of A8(2) and proportionate.

## Equality Act 2010: Public Sector Equalities Duty

5.23 Section 149 of the Public Sector Equalities Duty (PSED) requires that in the exercise of their functions, those subject to the equality duty must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The Council accepts that the applicants are Travelling Showpeople and therefore a 'protected characteristic' for the purposes of the PSED.

5.24 The applicants argue that there would be an impact on the families if the application is refused and that the greatest impacts would be felt by the children who would benefit from access to education associated with having a settled base.

5.25 The Council has had due regard to its duties under Section 149 of the PSED which, as with the consideration with respect to Article 8 (above), must be balanced against the harm caused by the development.

## The time limited option agreement

5.26 The applicant points out that there is an Option Agreement on the land, which ultimately expires on the 28th August 2020 (the 'Long Stop Date'). It was stated that in light of this Option Agreement, an application was required to secure the permission on the site in good time before the expiry date. It was suggested that if the Option Agreement expired prior to gaining a permission that was satisfactory to the applicant, the opportunity to secure the site for a Travelling Showperson's site could be lost completely, thus further frustrating the unmet need. However, whilst the implications of the Option Agreement expiring are understood, it is considered that this in itself would not have been a sufficient reason to justify a permanent permission on the site since it is essentially a private agreement between the land owners and the applicant. Moreover, even if permission was granted, there is no guarantee that the Option would be exercised by the applicant in any event.

## Compliance with Policy SD13 of the JCS

5.27 Part of the Very Special Circumstances case advanced includes the purported compliance with the relevant development plan policy; namely policy SD13 of the JCS. It is considered that compliance with policy SD13 does not necessarily add weight to the applicant's very special circumstances case since compliance with this policy would be expected in any event. Nonetheless, compliance with this policy would add weight in favour of the proposal when considered in the planning balance.

5.28 Policy SD13 states that proposals for new permanent and temporary, residential and transit Gypsy, Traveller and Travelling Showpeople sites will be assessed against the following criteria:

- i. Proposals on sites in areas of sensitive landscape will be considered in accordance with Policy SD6 (Landscape Policy) and Policy SD7 (The Cotswolds Area of Outstanding Natural Beauty). In all other locations the proposal must not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and should be sensitively designed to mitigate any impact on its surroundings;
- ii. The site has safe and satisfactory vehicular and pedestrian access to the surrounding principal highway network;
- iii. No significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where other forms of housing would not be suitable;
- iv. The site is situated in a suitable location in terms of access to local amenities, services and facilities, including schools, shops, health services, libraries and other community facilities;
- v. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. The site should also be large enough to enable vehicle movements, parking and servicing to take place, having regard to the number of pitches / plots on site, as well as enabling access for service and emergency vehicles, including circulation space along with residential amenity and play areas.

An assessment of the proposal against each of these criteria is made below.

#### Landscape impact and tree protection

5.29 In terms of criterion (i.) of policy SD13, the site is not located in a designated or non-designated landscape but it does sit in open countryside. Policy SD6 of the JCS seeks to protect the character and appearance of the rural landscape. The policy states that all applications for development will consider the landscape and visual sensitivity of the area in which they will be located.

5.30 The current application is supported by a Landscape Character and Visual Impact Assessment (LVIA), which considers the impact of the proposed development on the landscape. In terms of landscape character, the LVIA describes the site as siting within a generally undulating to flat, predominantly pastoral, landscape, which is defined and enclosed by a network of traditional field boundary hedgerows and the associated mature hedgerow trees. The site is identified as siting within the 'Settled Unwooded Vale' Landscape Character Type and the 'Severn Vale' Landscape Character Area.

5.31 The LVIA sets out that the site's landscape context generally consists of a patchwork of both arable and pastoral fields enclosed by a strong hedgerow network. These hedgerows, together with their associated mature hedgerow trees, combine to give the impression of a greater sense of tree cover within the landscape and the site's immediate setting in particular. Consequently, whilst long range views of distant hills are possible across the landscape, the enclosure provided by the natural vegetation of the area limits short to mid-range views and the visual influence of the site is restricted. It goes on to state that the landscape character of the site's immediate setting has been degraded by the presence of the M5 motorway and Old Gloucester Road (B4634), both of which significantly impact upon the tranquillity of the area. These busy transport routes, together with the visual presence of the Hayden Sewage Treatment Works, reduce the sensitivity of the landscape and increase its capacity to accommodate change.

5.32 In terms of the visual impact on the landscape, the LVIA assesses the impact from a number of viewpoints surrounding the site. The visual appraisal establishes that with the exception of two locations on Old Gloucester Road opposite the site access, views of the proposed development from the surrounding landscape and from locations accessible to the general public are screened by a combination of existing field boundary hedgerows and their associated mature hedgerow trees, existing tree planting associated with bridge and motorway embankments and, to a lesser degree, the topography of the area.

5.33 In terms of landscape mitigation and enhancement, the LVIA sets out a number of measures. These include:

- The introduction of 58 no. native trees, in-keeping in character with those already present, to provide landscape structure and enhance the arboricultural fabric and value of the site.
- The introduction of 636 linear metres of new native hedgerows to provide landscape structure, define proposed pitches and improve the sites landscape fabric and bio-diversity value.
- The introduction and careful positioning of 200 square metres of new native understorey plantations to improve screening provided by existing peripheral hedgerows, filter views of the site from Old Gloucester Road further and improve the sites landscape fabric and biodiversity value.
- The creation of a carefully integrated surface water drainage system (to include proposed interlinked swales discharging into a new attenuation/drainage pond) to ensure that surface water drainage is dealt with in a sustainable manner and, through appropriate planting, also improves the bio-diversity value of the site.

5.34 Subject to the implementation of these mitigation and enhancement measures, the LVIA concludes that the site is able to accommodate the permanent change of use of the land to a private Travelling Showperson's site without unacceptably impacting upon the visual amenity and landscape character area.

5.35 With regard to the impact of the proposed development on existing trees, this is an important consideration given that they provide a high degree of screening, which mitigates the landscape impact to a large degree. The application is supported with a 'Pre-Development Trees Survey & Assessment', which assesses the existing trees located on and adjacent to the site. This is supplemented by an Arboricultural Method Statement. The supporting information indicates that the proposed development would not result in the removal of any existing trees and details measures for their protection during construction and post construction. Following consultation with the Council's Tree Officer, it is advised that the proposed protection measures are acceptable and can be secured by way of condition.

5.36 In light of the above, it is clear that there would be some harm to the landscape. However for the reasons set out above, the harm can be mitigated to some degree by securing the proposed tree protection measures and landscape mitigation measures. This must be weighed in the overall planning balance.

#### Highways

5.37 In respect of criterion (ii.) of policy SD13, access to the site is currently gained off an existing entrance directly off the Old Gloucester Road (B4364), which then follows a track along the western boundary of the site to enter the field at the south western corner, using the existing field entrance. The proposal is to utilise the existing access off the Old Gloucester Road, which would be substantially improved to allow large HGV's to access and egress the site. This access would lead directly into the site, which would in turn connect to an internal network of roads leading to the various plots. The existing field access to the south western corner of the field would be blocked up, whilst the access to the adjoining land along the existing track would be retained. The submitted plans show tracking for 16.5m Articulated HGV's at the site entrance and 160m visibility splays in either direction.

5.38 Following consultation with the County Highways Authority, no objections are raised in respect of highway safety, subject to the imposition of planning conditions to secure the required visibility splays. The site would therefore be served by a safe and suitable access and the residual cumulative impact on the highway network would not be severe. The proposal is therefore considered acceptable in this regard.

#### Flood risk, drainage and ground conditions

5.39 Turning to criterion (iii.), the site is located in Flood Zone 1 (low risk) as defined by the Environment Agency's most up-to-date flood maps, where such development is considered acceptable in principle. There are no known surface water issues affecting the site and the site is not at an undue risk of flooding.

5.40 In respect of site drainage, policy INF2 of the JCS requires new development to incorporate suitable Sustainable Drainage Systems (SuDS) where appropriate to manage surface water drainage. To address this, the applicant has provided details of a surface water drainage strategy that incorporates drainage swales and an attenuation/drainage pond. Following consultation with the Council's Land Drainage Officer, it is advised that the proposed surface water drainage system is a very sustainable option and no objections are raised in principle. It is not clear as to how the site would discharge from the proposed attenuation/drainage pond, however, these details can be secured by way of condition.

5.41 With regard to the site's ground conditions, there is no evidence of poor ground stability or other hazardous land given its undeveloped Greenfield status.

#### Suitability of the site's location

5.42 In respect of criterion (iv.) of policy SD13, the site is located in the open countryside and outside of any recognised residential development boundary and is therefore contrary to policy SD10 of the JCS insofar as the proposal relates to residential development. Furthermore, the proposal is at odds with paragraph 25 the PPTS, which states that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. However, it should be noted that the PPTS is explicit that issues of sustainability should not be considered narrowly solely in terms of transport mode and distances from services.

5.43 The site is located along the Old Gloucester Road (B4634), which is a busy road that connects Staverton and west Cheltenham as well as providing links to the M5 motorway. The site is not well served by footways and street lighting and it is therefore likely that the occupiers of the site would be reliant on the use of the private motor vehicle to reach the majority of community facilities and other services. The fairly remote location of the site is therefore considered to be a disadvantage to the application. However, the nature of travel for a Travelling Showperson is that they are likely to be off site working for a number of weeks or months at a time and would not always rely on the local facilities. It is also considered that the location of the site close to the transport links of the M5 would be beneficial to the occupiers due to the extent of travel and movement around the county and other areas of the country.

5.44 Whilst the location of the site is not ideal in terms of access to services and facilities, it is considered that the proposal would not dominate the local community, nor would the movement of large vehicles disturb any neighbours. The site's location also needs to be considered in the context of the lack of a 5-year supply of deliverable Travelling Showpeople sites and the fact that the site is currently indicated as an allocation in the emerging Tewkesbury Borough Plan to 2031.

#### Site services

5.45 The applicants advise that the site can be properly serviced and would be supplied by water, power, sewerage and waste disposal facilities. Moreover, subject to securing drainage details by way of condition, the site would be served by suitable drainage infrastructure. The site would be large enough to enable vehicle movements, parking and servicing to take place, and would enable access for emergency vehicles. Each plot would also have acceptable circulation space along with amenity areas. The proposal therefore accords with criterion (v.) of policy SD13.

5.46 In summary, notwithstanding the 'in-principle' objection to the scheme on Green Belt grounds, it is considered that the proposal is broadly in accordance with policy SD13 of the JCS, save for the site's location where occupiers of the site would be heavily dependent on the use of the private motor vehicle.

#### Other matters

##### Noise

5.47 The NPPF states that local planning authorities should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and should consider whether such impacts can be mitigated through design or through the use of planning conditions. This is also a requirement of policy SD14 of the JCS, which requires new development to result in no unacceptable levels of noise.

5.48 Following consultation with the Council's Environmental Health Officer, it was advised that the site is close to the M5 and therefore could experience noise pollution on site from the road traffic noise. In order to address this, it was advised that a 2.2 metre acoustic fence should be erected along the southern and western boundary of the site. The applicant has now incorporated this into the scheme, which can be secured by way of a planning condition to ensure that it is retained in perpetuity. Conditions are also recommended to prevent any commercial activity on the site and to restrict the times when the testing and maintenance of fairground equipment can take place. Subject to these conditions, the proposal would be acceptable in respect of noise and disturbance.

## Archaeology

5.49 Following consultation with the County Archaeologist, the applicant has provided the results of an archaeological field evaluation. Following that work, the County Archaeologist advised that the results were negative in that no archaeological remains were observed during the investigation. On that basis, the proposed development has low potential to have any impacts on archaeological remains and no further archaeological investigations or recording is required. The proposal is therefore acceptable in this regard.

## **6.0 Overall Balance and Conclusions**

6.1 As required by paragraph 144 of the NPPF and paragraphs 16 and 17 of the PPTS substantial weight must be given to all the harms caused to the Green Belt. As set out in this report, the proposal is unquestionably inappropriate development in the Green Belt and is harmful by definition. In addition to this, the proposed development would fundamentally change the open nature of the site by introducing a considerable amount of built form, which would be further compounded by the associated caravans, vehicles and fairground equipment that would be stored on the site. Whilst the impact on the openness of the Green Belt in visual terms is mitigated to a degree by the fact that the site is relatively well contained by mature trees and hedgerows, there would still be demonstrable harm to the openness of the Green Belt. This weighs heavily against the proposal in the planning balance.

6.2 In terms of any other harms, there would be a degree of landscape harm given the site's undeveloped Greenfield status and its location in open countryside. However, the site is reasonably well contained and the harm can be mitigated to some degree by securing the proposed tree protection measures and landscape mitigation measures.

6.3 The relatively isolated location also weights against the proposal insofar as any future occupiers would be largely dependent on the private motor vehicle to access everyday services and facilities. Conversely, the site does offer good access to the M5 motorway, which would facilitate easy access around the country when travelling to different events. Moreover, the nature of travel for a Travelling Showperson is such that they are likely to be working away for a number of weeks or months at a time and would not always be reliant on local services and facilities.

6.4 In terms of the applicant's 'Very Special Circumstances', it is currently the case that the Council cannot demonstrate an up-to-date 5 year supply of deliverable sites. The Council's most current evidence identified need for Tewkesbury Borough is for 24 plots up until 2031, with an immediate need for 18 plots. Whilst the site currently benefits from an allocation in the emerging Tewkesbury Borough Local Plan to 2031, this is not certain. Moreover, the draft allocation would only provide for 9 plots in any event, which would still leave an immediate unmet need for another 9 plots. This is a significant material consideration.

6.5 With regard to the personal circumstances of the proposed occupiers of the site, it is stated that 15 children would be occupying the site and a settled base is essential to necessitate the security and stability of the families for the future. This is especially the case for one of the children who is autistic and has more acute needs. These children are all currently residing on insecure yards and overcrowded plots. A number of the proposed occupiers also have ongoing health needs. It is the applicant's opinion that the health and educational needs of the occupants would be prejudiced if the application was refused, which is a view shared by officers. Again, the personal circumstances of the occupiers is a significant material consideration, especially given the best interest of the children, their Article 8 rights and the Council's duty under the Equalities Act 2010.

6.6 Whilst the unmet needs and the personal circumstances are significant material considerations in this case, paragraph 16 of the PPTS states that subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances. In light of this, whilst the very special circumstances advanced by the applicant are compelling, it is considered that they are not sufficient to tip the balance in favour of granting a permanent permission at this moment in time. In coming to this view, officers are mindful that the site is not currently occupied and there is no evidence that a refusal would have immediately lead to the proposed occupiers being rendered homeless. However, it is fully accepted that this could well be the case in the near future if their needs are not met. Officers are also mindful that this site is being progressed through the Local Plan process as an allocation, which could address some of the identified unmet need.



6.7 In terms of the other matters relevant to the application, the site would be served by a safe and suitable access and the residual cumulative impact on the highway network would not be severe. The site would not be at an unacceptable risk of flooding and suitable drainage facilities can be provided, which can be secured by way of condition. Subject to the provision of acoustic fencing, the site would not be subject to unacceptable levels of noise and there would be no adverse impacts in respect of archaeology.

6.8 In balancing these considerations, it is not considered that the factors in favour of granting permission advanced by the applicant, individually or cumulatively, clearly outweigh the clear and identified harm to the Green Belt. It is therefore not considered that very special circumstances exist in this case to justify inappropriate development in the Green Belt.

#### Possibility of a temporary permission

6.9 As previously set out, the PPTS advises that if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permissions except where the land is in, inter alia, the Green Belt. The PPTS also advises that, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

6.10 However, the fact that the site is currently identified as an allocation for 9 Travelling Showpeople's plots in the emerging Tewkesbury Borough Plan to 2031 is a significant material consideration in this case. Whilst only limited weight can be attributed to this allocation at this stage, the Plan is progressing and offers the opportunity to address the unmet need through the plan-led process. It also demonstrates that Council's preferred direction of travel.

6.11 In light of this, and given the unmet need and personal circumstances of the proposed occupiers, discussions were held with the applicant as to whether a temporary permission that would be personal to the proposed occupiers of the site would be acceptable. It was considered that this could be beneficial insofar as it would help address an immediate unmet need and allow time for the Local Plan to progress through to examination. Should the allocation not be secured for any reason, this would have also allowed the opportunity to identify alternative sites.

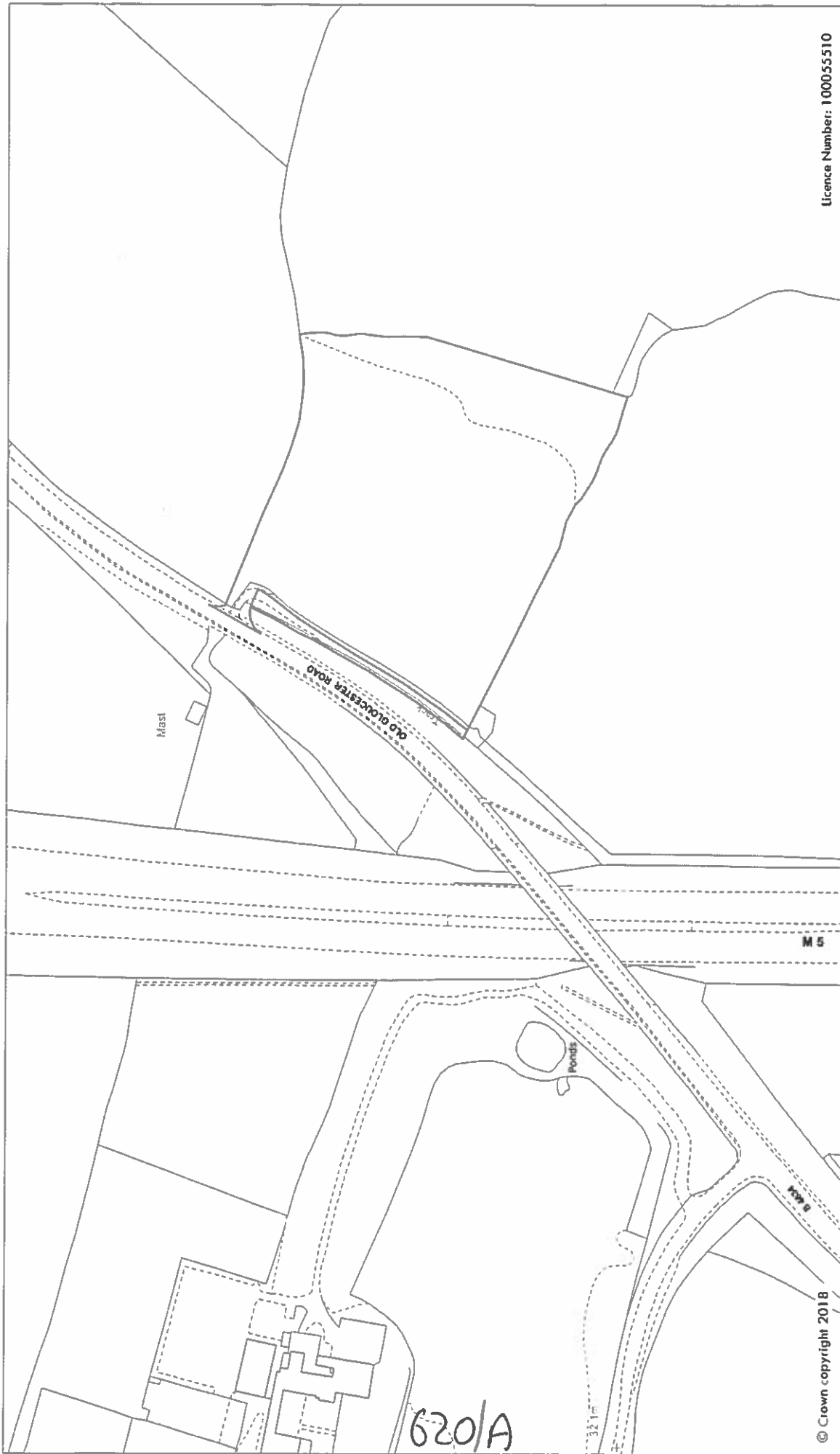
6.12 Whilst initial discussions were positive in this context, the applicant later advised that a temporary permission would not be viable as the potential occupiers would not be able to raise the funds necessary to purchase the site on that basis. This was also the reason cited for changing a number of the proposed occupiers in the amended personal circumstances statement. Consequently, the applicant requested that consideration be given to the option of a permanent permission only.

6.13 For the reasons set out above, it is considered that a permanent permission would not be appropriate at this moment in time. Consequently, given that the applicant indicated that a temporary permission would not be acceptable, it is recommended that Members be **minded to refuse the application**.

#### **RECOMMENDATION Minded to Refuse**

##### **Reasons:**

- 1 The proposed development represents inappropriate development in the Green Belt which compromises its open character and purpose. The applicant has not demonstrated very special circumstances which clearly outweigh the harm to the Green Belt caused by the inappropriateness of the development and other harm. The development therefore conflicts with paragraph 143 of the NPPF (February 2019), paragraph 16 of the Planning Policy for Traveller Sites (August 2015) and policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031.



Drawing Title: SITE LOCATION PLAN  
Drawing No.: SS18-SLP  
Location: x: 389839 y: 223205

Licence Number: 100055510

Scale 1:2500 @ A4



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620/A

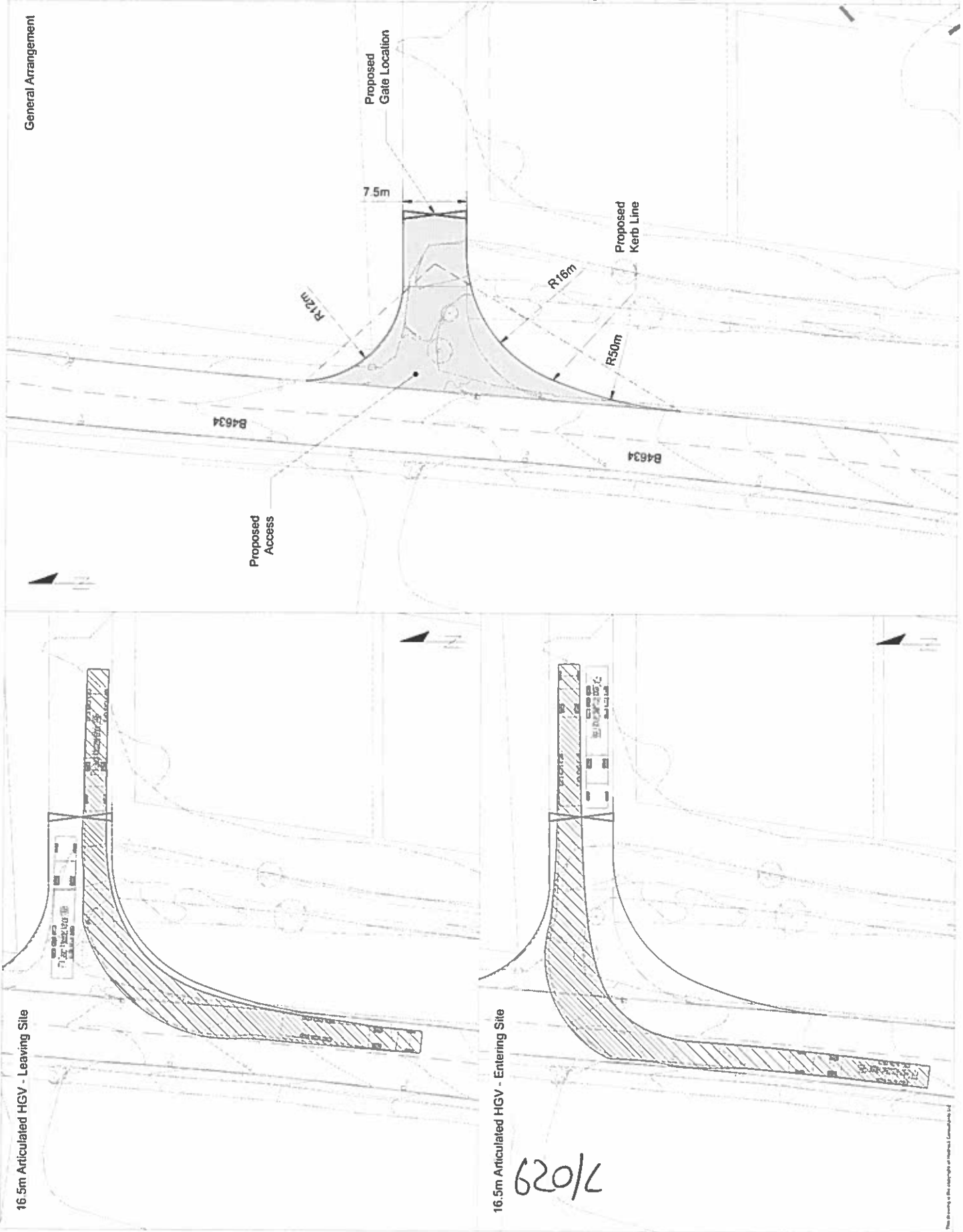


16.5m Articulated HGV - Leaving Site

16.5m Articulated HGV - Entering Site

620/6

# General Arrangement



Notes:

1. All dimensions are to be checked on site before any construction work commences.
2. The proposed access is to be subject to the approval of the relevant authorities.
3. The proposed gate is to be subject to the approval of the relevant authorities.
4. The proposed kerb line is to be subject to the approval of the relevant authorities.

Key:



SP	AC	DC	DC
1	1	1	1

## TDA Landscape Design



## Ruston Planning

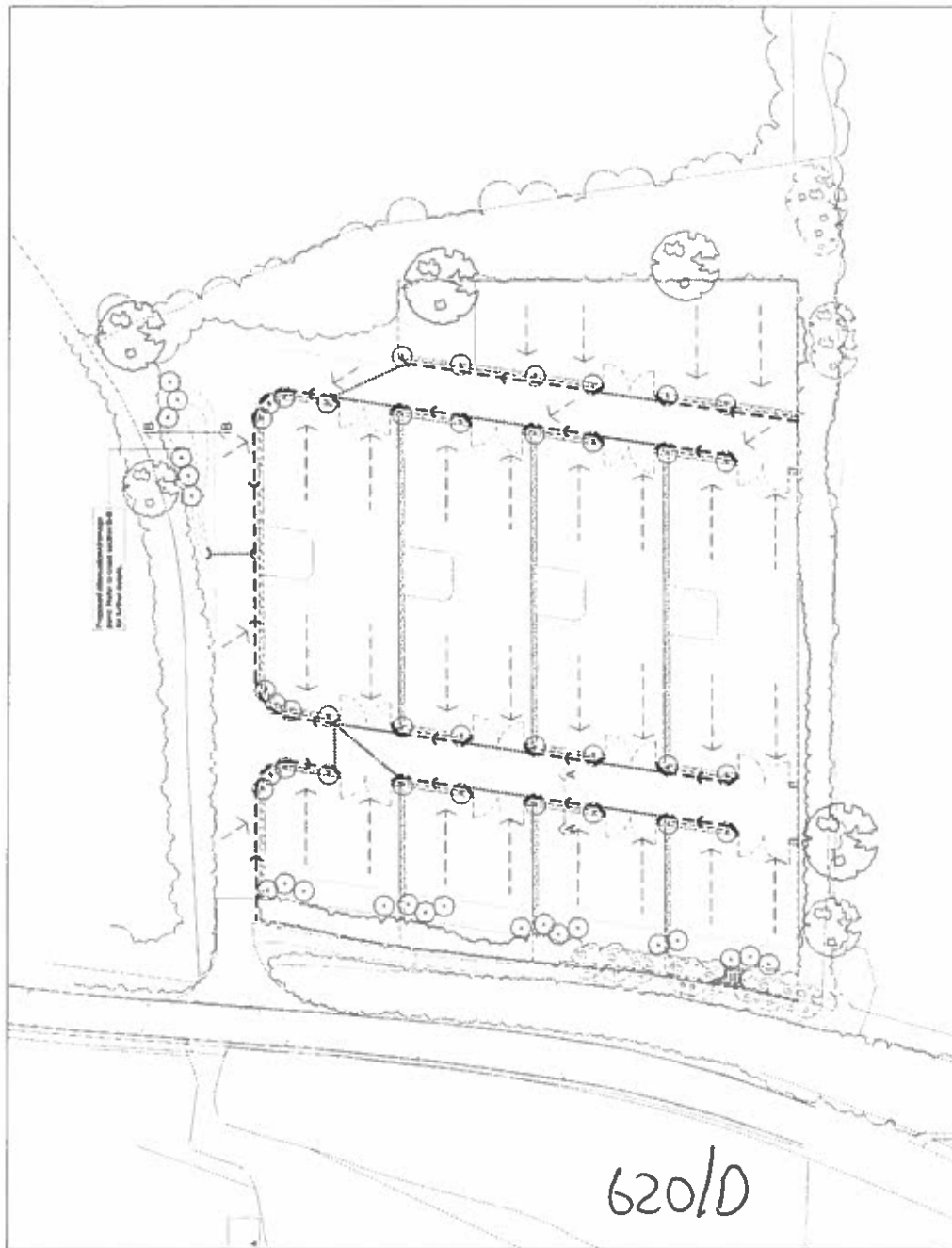
Proposed Showman's Site on land off Old Gloucester Road

## Site Access General Arrangement

## PLANNING

C11553

1	AC	1	21.01.2019	21.01.2019
11553-HYD-02-XX-SK-5-001				P1



KEY:  
HARD LANDSCAPE KEY:

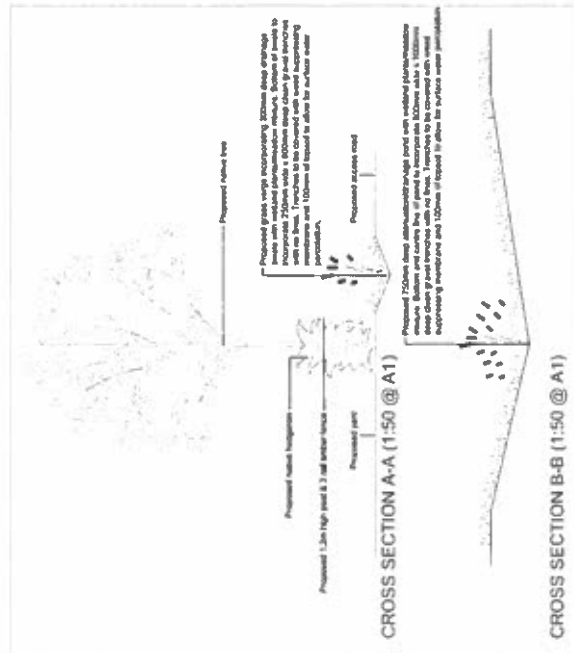
PROPOSED DRAINAGE SWALES  
100mm DIA. DRAINAGE PIPE

PROPOSED DWARF WALLS

100MM DIA. DRAINAGE PIPE  
100mm DIA. DRAINAGE PIPE

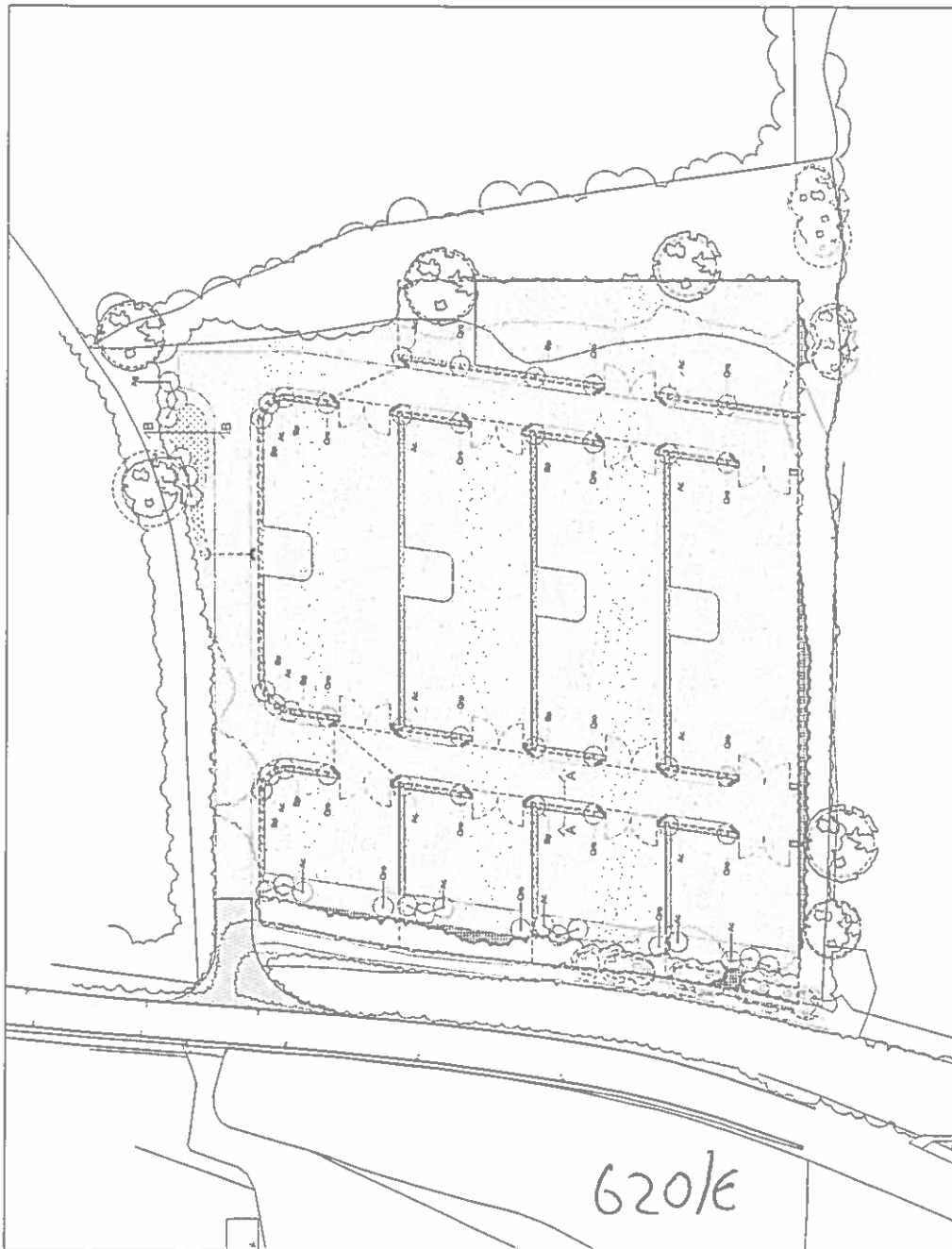
400 MM DIA. DRAINAGE PIPE  
400 mm DIA. DRAINAGE PIPE

PROPOSED SURFACE FALLS  
Surface falls shown in plan to indicate direction of flow for drainage swales and walls.



<p>TDA THE DYNAMITY HERMANN FARM 7 ANN VALE OF CLAMORGAN CF39 6UN TEL: 01446 10037</p>	<p>DATE: 15/06/11 DRAWN: JMC CHECKED: JMC DATE: 15/06/11</p>	<p>PROJECT: PROPOSED SHONMAN'S SITE ON LAND OFF OLD GLOUCESTER ROAD, STAVERTON (see map 1:1)</p>
<p>Client:</p>	<p>Scale:</p>	<p>Sheet:</p>

SURFACE WATER DRAINAGE STRATEGY



# KEY:

## HARD LANDSCAPE KEY:

- PROPOSED ENTRANCE THRESHOLD**  
(Threshold to be installed with concrete to edge of road to prevent water ingress)
- PROPOSED DRIVEWAY, PARKING & COURTYARD AREAS**  
(Areas to be paved with concrete to match existing driveway)
- EXISTING POST & RAIL, TIMBER FENCES WITH MATCHING GATES TO BE REMOVED**
- PROPOSED POST & RAIL, TIMBER FENCES WITH MATCHING GATES**

## SOFT LANDSCAPE KEY:

- EXISTING HEDGEROWS, GENERATING UNDERSTOREY & TREES TO BE RETAINED**  
(Areas to be retained with 1m high 1.5m wide hedgerows)
- EXISTING HEDGEROWS, GENERATING UNDERSTOREY & TREES TO BE REMOVED**  
(Areas to be removed with 1m high 1.5m wide hedgerows)
- PROPOSED TREE PLANTING**  
(Areas to be planted with native trees)
- PROPOSED NATIVE UNDERSTOREY PLANTING**  
(Areas to be planted with native understorey plants)

## PROPOSED HEDGEROWS

Areas to be planted with native trees

## PROPOSED LAWN AREAS

Areas to be planted with native trees

## PROPOSED DRAINAGE SHALES

Areas to be planted with native trees

## PROPOSED ATTENUATION/DRAINAGE POND

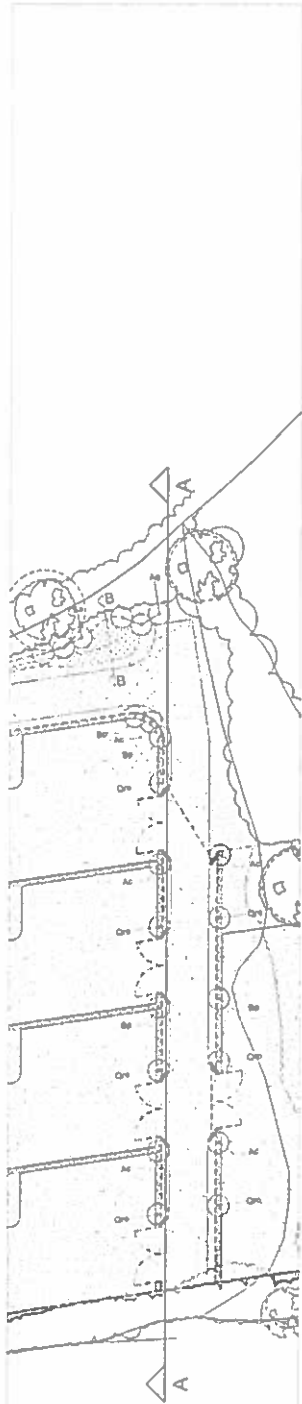
Areas to be planted with native trees

## SURFACE WATER DRAINAGE

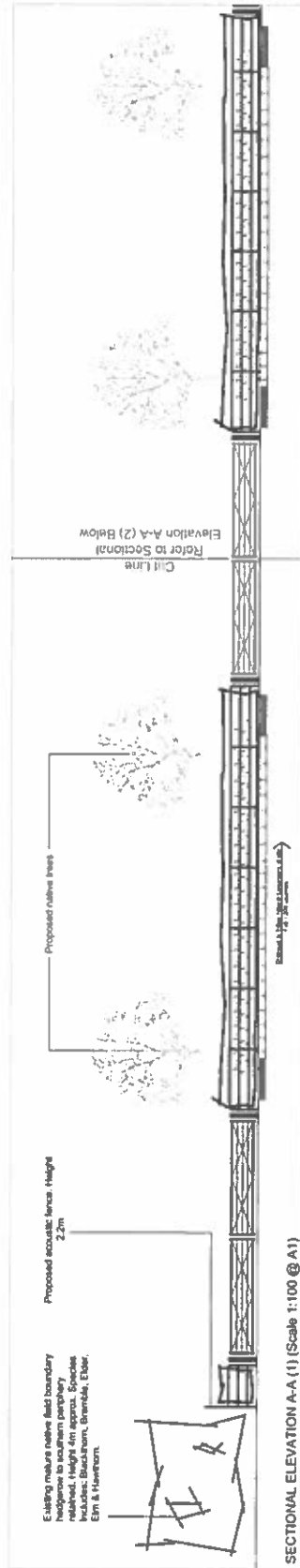
Proposed individual swales to be connected by 300mm dia. drainage pipes and all inlets to discharge into proposed attenuation for average pond and 4.0m x 1.0m dia. drainage pond.

## PLANT SCHEDULE

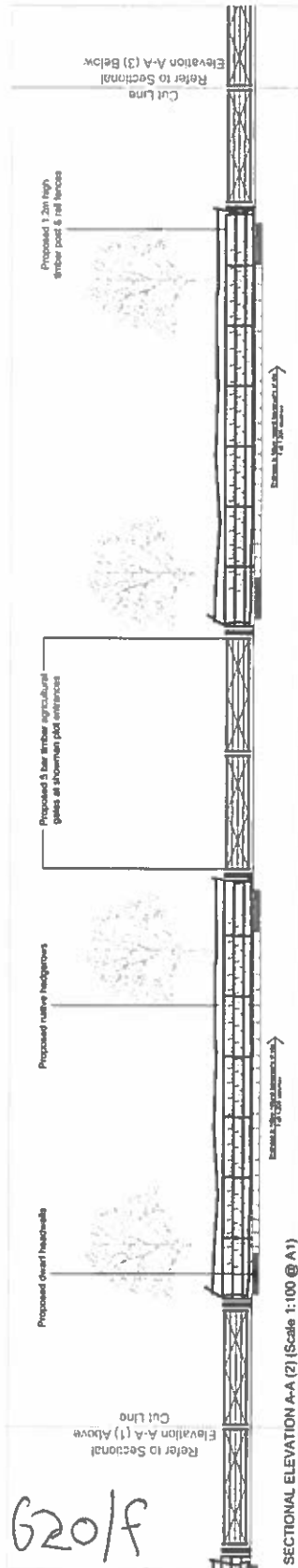
PLANT SPECIES	1500mm	1200mm	900mm	600mm	300mm	150mm	75mm	37.5mm	18.75mm	9.375mm	4.6875mm	2.34375mm	1.171875mm	0.5859375mm	0.29296875mm	0.146484375mm	0.0732421875mm	0.03662109375mm	0.018310546875mm	0.0091552734375mm	0.00457763671875mm	0.002288818359375mm	0.0011444091796875mm	0.00057220458984375mm	0.000286102294921875mm	0.0001430511474609375mm	0.00007152557373046875mm	0.000035762786865234375mm	0.0000178813934326171875mm	0.00000894069671630859375mm	0.000004470348358154296875mm	0.0000022351741790771484375mm	0.00000111758708953857421875mm	0.000000558793544769287109375mm	0.0000002793967723846435546875mm	0.00000013969838619232177734375mm	0.000000069849193096160888671875mm	0.0000000349245965480804443359375mm	0.00000001746229827404022216796875mm	0.000000008731149137020111083984375mm	0.0000000043655745685100555419921875mm	0.00000000218278728425502777099609375mm	0.000000001091393642127513885498046875mm	0.0000000005456968210637569427490234375mm	0.00000000027284841053187847137451171875mm	0.000000000136424205265939235737255859375mm	0.0000000000682121026329696178686279296875mm	0.00000000003410605131648480893431396484375mm	0.000000000017053025658242404467156982421875mm	0.0000000000085265128291212022335784912109375mm	0.00000000000426325641456060111678924560546875mm	0.000000000002131628207280300558394622802734375mm	0.0000000000010658141036401502791973114013671875mm	0.0000000000005329070518200751395986557403688959375mm	0.00000000000026645352591003756979932787018444796875mm	0.000000000000133226762955018784899663935092223984375mm	0.000000000000066613381477509392449831967546111984375mm	0.000000000000033306690738754696224915983773055984375mm	0.000000000000016653345369377348112457991886777984375mm	0.000000000000008326672684688674056228995943388984375mm	0.00000000000000416333634234433702811449797169444796875mm	0.000000000000002081668171172168514057248985847223984375mm	0.0000000000000010408340855860842570286244929236984375mm	0.00000000000000052041704279304212851431224646461984375mm	0.00000000000000026020852139652106425715612323230984375mm	0.000000000000000130104260698260532128578061616154984375mm	0.0000000000000000650521303491302660642890308080774984375mm	0.00000000000000003252606517456513303214451540403874984375mm	0.000000000000000016263032587282566516072257702019374984375mm	0.0000000000000000081315162936412827580361288510096874984375mm	0.00000000000000000406575814682064139401806442550484375mm	0.000000000000000002032879073410320697009032212752421875mm	0.0000000000000000010164395367051603485045110627512109375mm	0.00000000000000000050821976835258017425225553137560984375mm	0.000000000000000000254109884176290087126112776568804984375mm	0.0000000000000000001270549420881450435630563877844024984375mm	0.00000000000000000006352747104407252178152819389220124984375mm	0.000000000000000000031763735522036260890764096946100624984375mm	0.0000000000000000000158818677610181304453820484730503124984375mm	0.00000000000000000000794093388050906522269102423652515624984375mm	0.000000000000000000003970466940254532611345512118262578124984375mm	0.0000000000000000000019852334701272663056727560591312890624984375mm	0.00000000000000000000099261673506363152833637802956656445124984375mm	0.00000000000000000000049630836753181576416818901478328272624984375mm	0.0000000000000000000002481541837659078820840945073916413624984375mm	0.00000000000000000000012407709188295394104204725369582068124984375mm	0.000000000000000000000062038545941476970521023626847910340624984375mm	0.0000000000000000000000310192729707384852605118134239551703124984375mm	0.00000000000000000000001550963648536924263025590671197758515624984375mm	0.00000000000000000000000775481824268462131512795335598879278124984375mm	0.00000000000000000000000387740912134231065756397667799396390624984375mm	0.000000000000000000000001938704560671155328781988338996981953124984375mm	0.0000000000000000000000009693522803355776643909941694994909765624984375mm	0.0000000000000000000000004846761401677888321954970847497454878124984375mm	0.00000000000000000000000024233807008389441609774854237487274390624984375mm	0.000000000000000000000000121169035041947208048874271187386371953124984375mm	0.000000000000000000000000060584517520973604024437135593693185765624984375mm	0.000000000000000000000000030292258760486802012221856779696592878124984375mm	0.0000000000000000000000000151461293802434010061109283898482964390624984375mm	0.000000000000000000000000007573064690121700503055464194944148203124984375mm	0.0000000000000000000000000037865323450608502515277320974722241015624984375mm	0.000000000000000000000000001893266172530425125763866048736112078124984375mm	0.0000000000000000000000000009466330862652125628819330243680560390624984375mm	0.00000000000000000000000000047331654313260628144096651218402801953124984375mm	0.00000000000000000000000000023665827156630314072048325609201401953124984375mm	0.000000000000000000000000000118329135783151570360241628046007009765624984375mm	0.000000000000000000000000000059164567891575785180120814023023004878124984375mm	0.0000000000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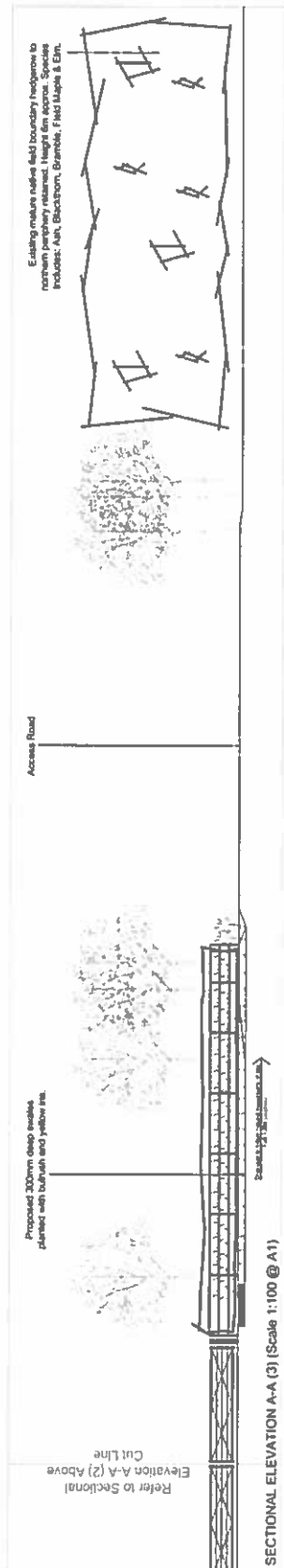
PLAN (Scale 1:500 @ A1)



SECTIONAL ELEVATION A-A (1) (Scale 1:100 @ A1)



SECTIONAL ELEVATION A-A (2) (Scale 1:100 @ A1)



SECTIONAL ELEVATION A-A (3) (Scale 1:100 @ A1)

<p><b>TDA</b> THE GRAMARY 10000 VALE OF CLAMORGAN C2 2E 5DN T: 01948 78881</p>		<p>DATE: 20/11/2019</p>	<p>BY: [Signature]</p>
<p>Client:</p>		<p>Scale: 1:100</p>	<p>Drawn: [Signature]</p>
<p>Project: PROPOSED SUCHMAN'S SITE ON LAND OFF OLD GLOUCESTER ROAD, STAVERTON</p>		<p>Drawn: [Signature]</p>	<p>Check: [Signature]</p>

# 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 Snowshill 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	Severn Vale North	Deerhurst Elmstone Hardwicke Leigh Stoke Orchard & Tredington	Heather McLain
Cleeve Hill	Gotherington Southam Woodmancote	Mike Dean Anna Hollaway	Severn Vale South	Boddington Down Hatherley Norton Sandhurst Uckington	Mark Williams
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	Shurdington	Shurdington	Philip Surman
			Tewkesbury East	Tewkesbury Town (Newtown Ward) Wheatpieces	Christine Reid Vernon Smith
			Tewkesbury North and Twynning	Tewkesbury Town (North Ward) Twynning	Mike Sztymiak Philip Workman
			Tewkesbury South	Tewkesbury Town (South Ward)	Cate Cody Kevin Cromwell
Innsworth	Innsworth Longford Twigworth	Graham Bocking Paul Ockelton	Winchcombe	Alderton Gretton Hawling Prescott Sudeley Winchcombe	David Gray Jim Mason John Murphy