

**TO EACH MEMBER OF THE
PLANNING COMMITTEE**

12 November 2018

Dear Councillor

PLANNING COMMITTEE- TUESDAY 20 NOVEMBER 2018

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

Agenda Item	Description	
5a	Schedule	1 - 138
	To consider the accompanying Schedule of Planning Applications and proposals, marked Appendix "A".	

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

Yours sincerely

Head of Democratic Services



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

TEWKESBURY BOROUGH COUNCIL

Schedule of Planning Applications for the consideration of the **PLANNING COMMITTEE** at its meeting on 20 November 2018

	(NORTH)	(SOUTH)
General Development Applications Applications for Permission/Consent	(306 - 348)	(349 - 391)

PLEASE NOTE:

1. In addition to the written report given with recommendations, where applicable, schedule of consultation replies and representations received after the Report was prepared will be available at the Meeting and further oral reports may be made as appropriate during the Meeting which may result in a change to the 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. (306 - 391)

Codes for Application Types

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

National Planning Policy

National Planning Policy Framework (NPPF)

Technical Guidance to the National Planning Policy Framework

Planning Policy for Traveller Sites

Planning Policy Statement 10: Planning for Sustainable Waste Management

Planning Policy Statement 11: Regional Spatial Strategies

INDEX TO PLANNING SCHEDULE (RECOMMENDATIONS) 20th November 2018

Parish and Reference	Address	Recommendation	Item/page number
Buckland 18/00859/ADV Click Here To View	Buckland Court Buckland Broadway	Permit	5 / 346
Churchdown 17/01356/OUT Click Here To View	48 Brookfield Road Churchdown	Delegated Permit	11 / 385
Gretton 17/00791/FUL Click Here To View	Manor Farmhouse Gretton Road Gretton	Permit	2 / 322
Minsterworth 17/01268/FUL Click Here To View	Greenacres Main Road Minsterworth	Delegated Permit	10 / 375
Shurdington 18/00816/FUL Click Here To View	Highfield Leckhampton Hill Leckhampton	Refuse	7 / 358
Southam 18/00851/FUL Click Here To View	Rose Cottage School Lane Southam	Permit	9 / 372
Stanton 18/00856/FUL Click Here To View	12 High Street Stanton Broadway	Permit	4 / 341
Staverton 18/00543/FUL Click Here To View	Staverton Connection Gloucester Road Staverton	Refuse	6 / 349
Twynning 18/00368/OUT Click Here To View	Brockridge Park Brockridge Road Twynning	Permit	3 / 329
Winchcombe 17/01164/OUT Click Here To View	Former Poultry Farm Littleworth Winchcombe	Refuse	1 / 306
Woodmancote 18/00726/FUL Click Here To View	Hill Top Cleeve Hill Southam	Permit	8 / 365

Valid 18.01.2018

Outline Application for the erection of 24 dwellings (13 affordable and 11 Market dwellings) including formation of new access.

Grid Ref 402290 230403

Parish Winchcombe

Ward Winchcombe

RECOMMENDATION Refuse**Policies and Constraints**

Joint Core Strategy - SP1, SP2, SD3, SD4, SD6, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF4, INF5, INF6, INF7.

Tewkesbury Borough Local Plan to 2011 (March 2006) - TPT6, RCN1, RCN2.

Tewkesbury Borough Plan 2011-2031 - Preferred Options consultation draft (October 2018)

Flood and Water Management SPD

Affordable Housing SPD

Manual for Gloucestershire Streets

National Planning Policy Framework 2018

Planning Practice Guidance

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

Special Landscape Area

Public Right of Way AWB55

Consultations and Representations

Town Council - Strong objection to the proposal on the following grounds;

- i. The economic benefit argument put forward by the applicant is weak and superficial;
- ii. Although there might be an affordable housing provision benefit, the location of the site is inappropriate in that it is isolated and a significant distance from any local amenities;
- iii. There is little opportunity locally for safe walking;
- iv. The local roads are busy, without pavements and unsafe. Residents would therefore, be car dependent as there is limited local bus service and lack of safe pedestrian access;
- v. The existing highway is unsuitable to cater for the increase in traffic generated by the development without adding to the risks of highway safety that already exist.
- vi. The site lies within a protected landscape area and removing trees that hide the existing agricultural buildings would result in adverse landscape impact;
- vii. The proposed development would not fulfil the three dimensions of sustainable development as set out within the NPPF;
- viii. The development would result in less well-off families being brought to an isolated settlement where there is very little employment;
- ix. The JCS makes clear where new housing should be focused - Greet and Littleworth are not part of the Rural Service Centre (Winchcombe), nor a service village in their own right;
- x. The proposal fails to meet the tests set out within Policy SD12 of the JCS as the provision of 24 new dwellings within this hamlet cannot reasonably be regarded as being of a scale well related to the settlement, both functionally and in terms of design;
- xi. The application has failed to demonstrate that the affordable housing need cannot be met elsewhere,
- xii. Doubling the number of houses within the hamlet would clearly have an adverse effect on the quality of the natural and existing built environment;
- xiii. The proposal would be contrary to Policy 3.1 (Infill Development) and Policy 4.4 (Walking and Cycling) of the Winchcombe and Sudeley Neighbourhood Plan.

Landscape Consultant - Concerns raised in that the proposal would contrast with the established settlement pattern of the locality. By virtue of its location and form, the development would be at odds with prevailing landscape policy.

Urban Design Officer - The shape of the site, combined with the high density of the proposed development, would result in the scheme being out of character with the rural area. The proposal would not relate well to the existing settlement, is out of character, does not contribute to the sense of place and would encroach into open countryside. The proposal would be contrary to the aims of JCS Policy SD4.

Housing Strategy Enabling Officer - The HSEO notes the conclusion of the Council's Viability Consultant's assessment which indicates that a mix of 20nos. affordable and 4nos. market dwellings would be viable on the site.

Environmental Health - No objection in terms of noise adversely impacting on future residents; Planning conditions recommended relating to investigation and risk assessment of potential site contamination, given the site's former use as a poultry farm.

Community Team - Contributions towards the following will be required;

- Sports facility contributions : Sports Halls - £9,138
- Swimming Pools - £9,879;
- Artificial Grass Pitches - cost if 3G - £1,418; cost if sand - £1,279
- Indoor Bowls - £1,604
- POS off-site contribution of £802 per house = £19,248
- Playing pitches/changing provision 0.05 ha or equivalent financial contribution of £22,972
- Community centre contribution £10,913

County Highways - CHO - No objection subject to conditions relating to access, visibility, parking and turning; estate roads layout and maintenance, cycle storage; Construction Method Statement and fire hydrant provision.

County Footpaths Officer - The development would not appear to affect the nearby public right of way AWB55 but the PROW team should be contacted at the earliest opportunity if there is any suggestion that it will, or if a temporary closure or permanent closure is required.

County Archaeologist - CA - No objection - the CA advises that there is no record of any archaeology within or immediately surrounding the site and therefore, recommends that no archaeological investigation or recording would be required.

Lead Local Flood Authority - LLFA - The LLFA objects to the proposal due to the absence of a submitted SuDS strategy to deal with the discharge of surface water runoff from the developed site.

Minerals and Waste Planning Authority - MWPA - Further comments are awaited from the MWPA, following submission of a Waste Minimisation Statement in support of the application.

Severn Trent - No objection subject to conditions relating to the submission of foul and surface water drainage plans.

Natural England - Statutory Nature Conservation Sites - No objection

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

Cotswolds Conservation Board - No response at time of report writing.

CPRE - Objection - The proposal represents unsustainable development, with a substantial number of houses proposed within a small hamlet with insufficient amenities. The site's open position renders it clearly visible from the surrounding AONB and views to/from the AONB should be protected. A number of developments are under construction in adjoining Greet and the area is therefore, already over-developed for its small size.

Local Residents - 27 letters of objection have been received from local residents - Their concerns are summarised as follows;

- Development of 24 properties in Littleworth would increase the size of the hamlet by 2.5 times (150%) and would almost join Littleworth up to Greet. There are only sixteen dwellings in Littleworth at present, all to the west of the B4078/Evesham Road.
- The proposed high density scheme is out of keeping with the existing low density housing within the hamlet.

- The majority of properties proposed are aimed at families but there are no local community facilities within reasonable and safe walking distance and no footpaths to school, shops or surgeries. New housing should be located in close proximity to the town centre.
- The adjacent highway (B4078) has a major issue with speeding, constant traffic flow and HGV's and the road is too dangerous for pedestrians. The lane is poorly lit and provides no opportunity for pedestrians to step off the carriageway due to steep banks and hedges.
- The 48 additional cars envisaged as a result of the development would introduce the danger of exiting the site directly onto the B4078, in the face of speeding traffic from the right.
- The site is within a Special Landscape Area and adjacent to AONB, which should be protected. The site has been left in a poor state for many years and disrupts the clear view across to the Cotswold Way.
- The site is highly visible from public viewpoints, including the PROW adjacent the southern boundary and nearby PROW to the north. Even with extensive new planting, it is difficult to see how the environmental and landscape impact could be satisfactorily mitigated.
- The site should remain in agricultural use for the future benefit of habitat, wellbeing and the wider economy.
- The development would result in harm and disruption to wildlife, including bats, various birds' species, slow worms and hedgehogs.
- There are insufficient amenities and jobs within the local area to support an increased population.
- There are existing brown field sites within the local area that have not been fully considered in the interests of countryside protection.
- The proposed housing is not in keeping with other new developments in the area.
- The proposal could open up the possibility to develop the remaining land and surrounding protected countryside.
- There are already 5 extant applications or permissions for additional houses in neighbouring Greet, totally 18-24 dwellings. This number must surely satisfy any additional demand for housing in a small hamlet like Greet.
- The submitted Planning Statement is incorrect in its assertion that there is no relevant planning history on the site. In the past 15 years, two previous applications for housing on the site have been refused planning permission.
- The reference to the NDP policy which sets out that small bungalows suitable for older people is irrelevant as this is not a suitable location for elderly person's housing.
- The hamlet is incorrectly referred to as 'Littleworth, Greet' within the submitted application. Littleworth is a separate hamlet to Greet, which is a nearby village, separated by agricultural land.
- During the developer consultation, nearly 90% of the residents who responded to the survey did not want the development to be approved. The majority responded that it was the wrong place to build affordable houses with no access to any facilities.
- The previous refusal reasons for redevelopment of the site should still stand i.e. unacceptable encroachment into the open countryside which would be harmful to the SLA landscape and sporadic residential development at a location that is poorly served by adequate footpaths, cycleways and transport, where there is a high reliance on the private motorcar.
- The site has never been residential and this element of the submitted Planning Statement is misleading. There were no services connected to the timber frame building on the site and this has never been inhabited.
- The development would result in light pollution in what is a rural area with no street lighting. The resulting lights from the development would also result in detriment to the 10 species of bats, recorded on the site, as evidenced within the submitted ecology report.
- The site does not comply in any way with the requirements for a rural exception site.
- The local schools within the area are already full to capacity and cannot take additional children.
- If the land is built on, this would decrease available drainage within the area and increase instances of nearby flooding, such as that witnessed at Neata Farm a few years ago.
- 1 letter of support has been received from a local residents - Their comments are summarised below;
- There has been an influx of expensive large houses in Greet and it will be of great benefit to finally see more affordable housing in the local area. The site appears to be a sensible place to add new houses without having a detrimental effect on surroundings.

Planning Officers Comments: Miss Lisa Dixon

1.0 Introduction

1.1 The application relates to an 'L-shaped' parcel of land of approximately 0.79 hectares in area, located adjacent the eastern side of the B4078 (Evesham road), within the hamlet of Littleworth.

1.2 The site currently comprises a number of vacant and dilapidated buildings, including a range of poultry houses in connection with its former use as a poultry farm, a number of small outbuildings and a former dwellinghouse. The site has remained vacant/disused for some years and due to the dilapidated state of the former residential building on the site, and the length of time since habitation, the building is considered to be no longer in residential use and therefore, abandoned. The existing buildings within the site are noted within the supporting Planning Statement, to have a total footprint of approximately 1,600 square metres.

1.3 The site is relatively flat, with the land sloping gently downwards towards the eastern boundary. The land to the immediate east also lies within the applicant's control, with an additional land parcel adjacent to the north-eastern corner of the site, also falling within the applicant's ownership. The site is bounded to the west by the B4078 highway, with the PROW bounded the site to the south. Open fields/grazing pasture, adjoins the site to the north and east.

1.4 The seventeen dwellings comprising the hamlet of Littleworth lie opposite the site, on the western side of the B4078 (see location plan attached).

1.5 The site and surrounding area lies entirely within the Special Landscape Area, with the Cotswolds Area of Outstanding Natural Beauty (AONB) located in close proximity to the west. The site is also located wholly within Flood Zone 1.

2.0 Planning History

2.1 The accompanying Planning Statement notes at paragraph 3.1, that there is no relevant planning history upon the site itself. However, the following, most recent planning history pertains to the site;

94/00337/FUL - Demolition of poultry buildings and erection of 4nos. detached dwellings and garages. Alterations to access - Refused on 28.06.1194 and subsequently dismissed on appeal.

02/01726/OUT - Erection of 4nos. detached dwellings and 5nos. affordable houses including means of access - Refused on 04.04.2003 on the grounds of its open countryside location outside of any recognised residential development boundary; unacceptable harm to the character and appearance of the Special Landscape Area; sporadic residential development that is poorly served by adequate footpaths, cycleways and public transport and where there is high reliance on the private motor car; and highway safety grounds.

06/00692/FUL - Erection of a detached house and garage and removal of existing bungalow, poultry house and ancillary buildings - Refused on 22.08.2006 on the grounds that residential use rights on the site had been abandoned; the location of the site within open countryside, outside of any recognised settlement boundary where new housing is strictly controlled; visual intrusion which would detract from the landscape qualities and character of the SLA; open countryside location, remote from amenities and not served by adequate footpaths, cycleways or public transport and likely to increase reliance on the private motor car; and poor quality design, out of keeping with the setting and character of the area.

2.2 The above referenced refusal established that, whilst there was a building on the site which had historically been used as a dwelling, it was derelict and had not been occupied for some considerable time. The residential use rights had therefore been lost and there is no residential use on the site.

3.0 Current Application

3.1 This application seeks outline planning permission for residential development for the erection of 24 dwellings, with all matters reserved for future consideration except for access. The application proposes the provision of 13 affordable and 11 open market dwellings within the site. (See attached plans)

3.2 Whilst matters of layout, scale and appearance have been reserved for future consideration, an indicative layout plan has been submitted in respect of the application which proposes a single point of vehicular access off the B4078 (Evesham road) and single, internal road which is proposed to be adoptable. Indicative street-scene elevations have also been submitted which propose a mixture of two-storey dwellings and bungalows, with a proposed palette of materials including brick, render, re-constituted stone and timber cladding, with slate and tiled roofs. The indicative layout illustrates that the majority of dwellings would be served via the internal new road, with 3nos. detached dwellings, fronting the B4078, two of which would benefit from direct vehicular access to/from the main highway. Three carport bays are proposed to provide the majority of vehicular parking, with 3nos. delineated parking areas also provided and 3nos. of the detached dwellings being served by their own on-plot garage. The supporting Planning Statement notes that the dwellings to the rear have been positioned to site substantially close to the footprint of the former poultry buildings and designed around a courtyard arrangement, with a barn/stable design.

3.3 The existing row of conifer trees along the north-western boundary are proposed for removal and replacement with indigenous hedgerow planting. Existing trees and vegetation would also be retained along the eastern, southern and northern boundaries of the site.

3.4 The indicative layout submitted in respect of the scheme shows a mix of detached, semi-detached and terrace properties, arranged around the internal road.

3.5 The 13 affordable housing units proposed comprise:

- 3nos. 2 bedroom, two-storey dwellings
- 2nos. 2 bedroom apartments
- 5nos. 2 bedroom bungalows and
- 1nos. larger, 2 bedroom bungalow, set within a courtyard arrangement
- Pair, semi-detached, 2 bedroom bungalows (8nos. affordable bungalows in total)

3.6 The 11 market dwellings which make up the remainder of the application site comprise:

- 4nos. staggered terrace of 3 bedroom, two-storey dwellings;
- Pair, semi-detached, 3 bedroom, two-storey dwellings and;
- 1nos. detached, 3 bedroom, two-storey dwelling (7nos. 3 bedroom dwellings in total)
- 2nos. 2 bedroom bungalows
- 2nos. detached, 4 bedroom, two-storey dwellings

3.7 The proposed density would be in excess of 24 dwellings per hectare.

3.8 The application has been submitted in response to a Housing Needs Survey of Winchcombe, undertaken by Gloucestershire Rural Community Council Rural Housing Needs Enabler. The application seeks to deliver the identified affordable housing need by using market housing to cross subsidise the affordable housing. This is an approach allowed by the NPPF (paragraph 77).

3.9 In addition to the social benefits of affordable housing the application stresses the economic benefits both during and post construction, and that the proposals would help support local services and schools. The application also refers to environmental benefits arising from the redevelopment of an unsightly site which would in the applicants view enhance the appearance of the area.

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. The development plan comprises the Cheltenham, Tewkesbury and Gloucester Joint Core Strategy (JCS), the Winchcombe and Sudeley Neighbourhood Plan - 2011 - 2013 (WSNP) and the saved policies of the Tewkesbury Borough Local Plan.

4.2 Other material policy considerations include National Planning Guidance contained within the National Planning Policy Framework - July 2018 (NPPF).

Cheltenham, Gloucester and Tewkesbury Joint Core Strategy - December 2017

4.3 Policy SP2 of the JCS sets out the overall level of development and approach to its distribution. The policy states that to support their economic roles as the principal providers of jobs, services and housing, and in the interests of prompting sustainable transport, development will be focused at Gloucester and Cheltenham, including urban extensions to those settlements. Approximately 9,899 new homes are to be provided within Tewkesbury Borough - to be met through Strategic Allocations and through smaller scale development meeting local needs at Tewkesbury town in accordance with its role as a 'Market Town'. A certain quantum of housing is also to be provided at the 'Rural Service Centres' and 'service villages'.

4.4 Rural Service Centres and villages will accommodate development which will be allocated through the Tewkesbury Local Plan and Neighbourhood Plans, proportionate to their size and function. In the remainder of the rural area, Policy SD10 will apply for proposals for new residential development.

4.5 Policy SD10 states that on sites that are not allocated, housing development will be permitted on previous development land within the built up areas of Gloucester City, the Principle Urban Area of Cheltenham and Tewkesbury Town, Rural Service Centres and Service Villages except where otherwise restricted by policies within District Plans. Housing on other sites will only be permitted where specific criteria set out in Policy SD10 is met, which includes, inter alia, if it is infilling within the existing built up areas of the City of Gloucester, the Principal Urban Area or Tewkesbury Borough's towns and villages or, (Criterion 4: i), it is for affordable housing on a rural exception site in accordance with JCS Policy SD12 (see paragraph 5.20 below).

Winchcombe and Sudeley Neighbourhood Plan - WSNP

4.6 Policy 3.1 of the WSNP supports residential development on infill and redevelopment site, provided they are within the built up areas, as identified within the proposals map which accompanies the plan.

4.7 Policy 3.2 sets out that where six or more homes are proposed, the development must include provision for affordable housing and that applicants are required to submit a 'Winchcombe and Sudeley Affordable Housing and Dwellings Provision' statement which should clearly set out the affordable housing needs that the proposed development is intended to address. The accompanying policy reasoning makes clear that affordable housing provision should be made within the town itself.

4.8 Policy 4.4 (Walking and cycling routes) encourages the creation of pedestrian and cycle routes and specifies locations where there is a particular need. Policy 4.4 (a) makes clear the requirement for a suitable footway/cycle path between the secondary school and Littleworth.

4.9 Other relevant national and local policies are set out within the appropriate sections of this report.

Emerging Tewkesbury Borough Plan

4.10 The Preferred Options draft version of the Tewkesbury Borough Plan 2011-2031 is currently out for consultation. Given the plan is at an early stage in the plan-making process limited weight can be attached to it at this time. Policy RES3 sets out that the principle of new residential development will be considered acceptable where development consists of, inter alia, a rural exception site for affordable housing (subject to Policy RES6). Policy RES4 provides that new housing at other rural settlements will be acceptable in principle only where it is very small scale and meets certain other criteria, including that it would be of a scale that is proportionate to the size and function of the settlement and maintains or enhances sustainable patterns of development; and that the development would complement the form of the settlement and be well-related to existing buildings.

4.11 Policy RES6 provides for affordable housing on rural exceptions sites where there is a proven local need that cannot be met elsewhere; the scale, type and tenure is based on the proven needs of the site locality; would not be isolated, has access to local facilities and public transport, and can be integrated into the existing community; would be of a scale that is proportionate to the settlement in question; and the design and layout respects the rural character of the area and can be satisfactorily integrated into the surrounding landscape.

The Community Infrastructure Levy Regulations

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

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

4.13 As a result of these regulations, local authorities and applicants need to ensure that planning obligations are genuinely 'necessary' and 'directly related to the development'. As such, the Regulations restrict local authorities' ability to use Section 106 Agreements to fund generic infrastructure projects, unless the above tests are met.

4.14 Where planning obligations do not meet the above tests and restrictions, it is 'unlawful' for those obligations to be taken into account when determining an application.

4.15 From 6 April 2015 new rules have been introduced regarding the pooling of contributions secured by s106 agreements. The Planning Practice Guidance sets out that from that date, no more contributions may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy.

4.16 on 15th October 2018 the Council resolved to publish and adopt a CIL, with a commencement date of 1st January 2019. Any unresolved planning applications as of that commencement date, subject to certain exceptions, will be liable for CIL.

5.0 Analysis

5.1 The main issues for consideration in this case are considered to be; the principle of development including affordable housing provision, landscape impact; design, layout and siting; residential amenity; access and highway safety and ecology and nature conservation.

Principle of Development

5.2 Paragraph 78 of the NPPF 2018 provides that *to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.*

5.3 The application site is not allocated for housing and lies outside of the Borough's towns and villages. Policy SD10 states that housing development on such sites will only be permitted, subject to certain policy exceptions. The applicant is seeking to demonstrate within the submitted scheme, that the proposal meets exception 4 (i) of Policy SD10 by providing affordable housing on a rural exception site in accordance with JCS Policy SD12. Policy 3.1 of the adopted NDP restricts development which is outside the built up areas defined on the plan's Proposals Map.

5.4 Policy SD12 relates to affordable housing provision and sets out the criteria for consideration of rural exception sites (Criterion 7). The policy makes clear that there must be clear evidence of a local housing need that cannot be met elsewhere. Furthermore, the site must be within, or on the edge of, a rural settlement and should be of a scale well related to the settlement, both functionally and in terms of design.

5.5 Policy SD12 goes further, to set out the requirement for a viability assessment to support the proposal, where a development cannot deliver the full affordable housing requirement and an element of 'cross-subsidy' is therefore proposed. The viability assessment should be published in full, prior to determination of all non-policy compliant schemes and treated transparently and be available for wider scrutiny.

5.6 The proposal includes a cross-subsidy element of 11 open market houses and therefore, an independent viability appraisal has been undertaken in respect of the scheme. The application has also been submitted, following the undertaking of a survey of affordable housing need for the Winchcombe area, by Gloucestershire Rural Community Council (GRCC). Winchcombe Parish includes the hamlet of Littleworth, in addition to Winchcombe Town, Sudeley and Greet and as such, the survey area is considered to be appropriate in this instance. The submitted Planning Statement makes clear that, although the Housing Need Survey (HNS) was funded by the Applicant, the survey was undertaken by the GRCC in September 2016, with the agreement of Winchcombe Town Council, in accordance with standard methodology and procedure. The survey received a response rate of 33% from households within the Parish (823 completed replies from a total of 2505 dwellings). The Parish Needs Survey concluded that there were 67 households with a local connection who have self-identified themselves in need of affordable housing in the parish.

5.7 A viability appraisal has been undertaken on the basis of the current application and the cross-subsidy element put forward as part of the scheme. As part of the appraisal undertaken, the Council's Viability Consultant (VC) compiled an alternative scheme, based upon required tenure/housing mix needs agreed with the Councils Strategic Housing and Enabling Officer (HEO). The HEO confirmed the required tenure would be 70% rented / 30% intermediate product (e.g. Shared Ownership), based on the latest SHMA evidence for the Borough. The report concluded that a viable mix of 20 affordable and 4 market dwellings could be provided on the site, compared to the currently proposed 13 affordable and 11 market dwellings. The agent for the current scheme has challenged the findings of the valuation consultants, and in particular, how this scheme substantially differs from relatively recent rural exception schemes in the Borough, where similar cross-subsidy housing numbers were proposed and deemed acceptable. Each application must of course be considered on its own facts and circumstances. A view on the concerns raised by the agent is being sought from the VC and an update will be provided at Planning Committee.

5.8 The Town Council have raised strong objections and consider the proposal to be contrary to both JCS and NDP policy. JCS Policy SD12, requires rural exception sites to demonstrate that there is clear evidence of a local housing need that cannot be met elsewhere. The supporting information from the applicant advises that alternative sites 'adjoining Greet', were assessed for their suitability to deliver a rural exception scheme and that three sites were identified with potential to provide land to meet unmet affordable housing need. The applicant's confirm that each landowner was subsequently contacted but no positive responses have been received. The applicant further advises that 'sites between Winchcombe and Greet' have been discounted because they are located within the Cotswold AONB or development would be contrary to the landscape visual sensitivity appraisal (prepared in connection with the JCS) insofar as further development would diminish the distinct gap and sense of separation between Winchcombe and Greet. However, the analysis of alternative sites does not appear to include the whole of Winchcombe Parish which represents the survey area for the purposes of identifying affordable housing need.

5.9 The Town Council has indicated within their response that they are aware of at least one other site where consent for affordable housing could be sought and would expect the area of analysis of need and the area of search to be the same. It should also be noted of course that market and affordable housing needs for Winchcombe are being addressed through the plan-led system via the Tewkesbury Borough Plan.

5.10 Policy SD12 also requires rural exception sites to be within, or on the edge of, a rural settlement and well-related in scale, to the settlement, both functionally and in terms of design. Littleworth itself, comprises a cluster of some seventeen dwellings, located to the western side of B4078. The site lies to the eastern side of the main highway, adjoining open fields and physically detached from the cluster of dwellings that make up the hamlet itself. Furthermore, the scale of the proposal (24 dwellings), would result in the existing hamlet more than doubling in size. As such, the detached nature of the site does not relate well to the existing housing within Littleworth and the quantum of development proposed within the current scheme would fail to respect the modest scale of the hamlet.

5.11 On this basis and without sufficient evidence to demonstrate that local housing need cannot be met elsewhere, the application fails to accord with the provisions of Policy SD12 and therefore, the proposal conflicts with the housing policies of the adopted Development Plan.

Accessibility

5.12 The NPPF seeks to promote sustainable development in rural areas and housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 78). The hamlet of Littleworth benefits from no services or facilities and residents of the proposed development would be reliant on the private motor car to access all day to day amenities such as shops, schools, employment and leisure facilities etc.

5.13 Although the hamlet of Littleworth falls within the adopted plan area of the Winchcombe and Sudeley Neighbourhood Plan, it nevertheless is a settlement in its own right and is geographically detached from Winchcombe town. It is therefore, accepted that the new residents would to a large extent be reliant on the private motor car to access Winchcombe's services and facilities. The Town Council have advised that the nearest 'convenience shopping' to Littleworth, is a petrol station which lies some distance away on the B4632 Broadway Road. The petrol station is due to close its shop shortly and the fuel service will be automated thereafter. The hamlet is served by a relatively regular bus service but is poorly served by pedestrian footways or cycleways and due to its rural location, is unlit by street lighting. As such, there is little safe opportunity to access Winchcombe's services and facilities on foot/by cycle.

Conclusions on the principle of residential development

5.14 It is recognised that if the level of market housing proposed exceeds that required in order to render the provision of affordable housing viable, there would be clear conflict with Policy SD10 of the JCS which provides that where sites are not allocated for housing and lie outside of towns and villages, new housing will only be permitted subject to certain policy exceptions. Market housing within the site, over and above that required to facilitate an identified affordable housing need, would not meet any of the exceptions of Policy SD10. Furthermore, there would also be clear conflict with Policy 3.1 of the WSNP which seeks to support new residential development on infill and redevelopment sites, provided they are within the built up area as defined by Appendix 1 of the proposals map. Therefore the starting point is that the proposal should be refused in accordance with the development plan unless other material planning considerations indicate otherwise. The fact that Littleworth is not a named rural service centre or service village within the JCS and the site itself is not deemed to lie within or on the edge of a rural settlement, is a material consideration which weighs against the proposal in the overall planning balance.

5.15 The Council can demonstrate a five year supply of housing. Having regard to the NPPF it is necessary to consider whether there are other material considerations that are sufficient to outweigh the conflict with Policies SP2, SD10 and SD12 of the JCS and Policy 3.1 of the WSNP.

Affordable Housing, Mix and Standards

5.16 As set out above Policy SD12 of the JCS sets out that, in certain circumstances, where there is clear evidence of a local housing need that cannot be met elsewhere, affordable housing will be permitted on rural exception sites. Policy SD11 of the JCS states that housing development will be required to provide an appropriate mix of dwellings sizes, types and tenures in order to contribute to mixed and balanced communities and a balanced housing market and development should address the needs of the local area. This is consistent with the NPPF which at paragraph 61 requires the size, type and tenure of housing needed for different groups within the community to be assessed and reflected in planning policies.

5.17 The Gloucestershire Strategic Housing Market Assessment (2014) (the SHMA) identifies that the greatest level of need for market dwellings in Tewkesbury Borough over the plan period will be for 2 and 3 bedroom dwellings, with the highest need being for 3 bedroom properties.

5.18 Whilst the proposal is submitted in outline form, with all matters except for access, reserved for future consideration, the indicative layout shows the proposed mix for both market and affordable dwellings as set out at paragraphs 3.5 and 3.6 above.

5.19 The Strategic Housing & Enabling Officer (SHEO) has been consulted in respect of the proposal and has advised that, in accordance with JCS Policy SD11 concerning type, mix, size and tenure, based on the 13 properties proposed, a 75/25 rented to ownership split would be required. Furthermore, the current scheme proposes only 2 bed properties, albeit with different types, and a greater variety of properties would be required, as follows;

	Rented	Ownership	Total
1 bed bungalow	1	0	1
1 bed apart/mais	2	0	2
2 bed bungalow	1	0	1
2 bed house	4	2	6
3 bed house	2	1	3
	10	3	13

5.20 Based on the numbers for those currently on the housing register with a preference for and/or a local connection to Winchcombe area, the mix would be as follows. There is a slight difference to the numbers for the whole borough as there is a greater demand for 4 bedroom accommodation in Winchcombe (8.07% vs 4.39%), as referenced below.

	Rented	Ownership	Total
1 bed bungalow	1	0	1
1 bed apart/mais	2	0	2
2 bed bungalow	1	0	1
2 bed house	3	2	5
3 bed house	2	1	3
4 bed house (social rent)	1	0	1
	10	3	13

5.21 Whilst the general mix reflects the general need for 2 and 3 bedroom dwellings across the Borough, notwithstanding the conclusions in respect of the principle of development, the mix of on-site affordable housing as proposed is therefore considered inappropriate to meet the current identified need. The proposal therefore conflicts with JCS Policy SD11 and this factor is which weighs against the application in the overall planning balance.

Design, Landscape Visual Impact

5.22 The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF follows that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

5.23 One of the core planning principles of the NPPF is that the planning system should recognise the intrinsic character and beauty of the countryside. Policy SD6 of the JCS states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being.

5.24 The application has been submitted in outline form, with design, reserved for future consideration. The Planning Statement submitted in support of the application seeks to outline the design process/architectural approach informing the scheme, and states that the layout has been *designed to contribute strongly to the road frontage, to accord with the established grain of development in the area*. The Planning Statement advises that the proposed dwellings to the rear of the site have been arranged to sit substantially within the footprint of the dilapidated agricultural buildings they would replace, with a number of dwellings designed around a courtyard arrangement, to have the appearance of converted single-storey farm buildings/stables. The proposal has been supported by an indicative layout which shows a mix of detached, semi-detached and terrace properties, predominantly orientated inwardly around a single estate road.

5.25 The Urban Design Officer (UDO) has been consulted on the current scheme and has advised that, the site is located to the north of the village of Greet, which itself, has a loose settlement structure that is generally linear in character and focused around the main roads. This site is on the edge of the settlement and the land is strongly rural and agricultural in character. Opposite the site is some existing ribbon development of large detached dwellings set in large plots. Development here is a single plot depth fronting the B4078. To the north and east is open countryside. The proposed development is on land where there are existing agricultural buildings. The application site is an L shape and does not address the main road, except for a small frontage. The proposal is a cul-de-sac form and of a high density, characteristic of more urban and sub-urban areas. The shape of the site, combined with the high density makes it appear out of character with the strong rural character of the area. It does not relate at all to the existing settlement or the existing pattern of development. This proposal is out of character with the existing settlement, it does not contribute to the sense of place and would encroach into open countryside. In light of the above, the UDO considers that the proposal is contrary to the aims of Policy SD4 of the JCS and should be refused on this basis.

5.26 A Baseline Landscape and Visual Impact Appraisal (LVIA) has been submitted in support of the proposal. The LVIA concludes that the landscape and visual receptors are deemed able to accommodate up to 26 dwellings within the site. Landscape sensitivity is concluded to be low due to the limited number of character features affected and whilst, overall the visual receptors are considered to be medium high sensitivity, the report concludes that *'the highest sensitivity receptors experience the study site at distance and a scale that is barely perceptible within the wider expansive views seen in the context of existing built form'*. Overall, the report advises that, in landscape and visual terms it is concluded that the development of the study site can be achieved without conflict with local and national landscape policy intended to protect landscape character and visual amenity.

5.27 The Council's Landscape Consultant (LC) has been consulted in respect of the scheme and is in agreement with much of the site analysis and sensitivity judgements presented within the Baseline Landscape Appraisal. The LC notes however, that the submitted appraisal, appears to omit Gretton Restricted Byway 13, which is a popular and well-used public right of way that descends from Langley Hill to within 0.5km of the site to the west. The LC notes that the route is for the most part contained within a tunnel of tree canopies precluding views beyond a narrow corridor, however in winter and from occasional field gates, views open out to reveal the Vale beyond. In elevated views from those vantages where the site is visible, it appears as a well-treed site well beyond the more settled parts of the Vale. It lies close to the small cluster of inconspicuous dwellings at Littleworth. This cluster appears as an organic grouping that has developed over time.

5.28 The LC disagrees with some of the conclusions of the Landscape and Visual Baseline Appraisal, in particular conclusions about the impact upon local landscape character and the setting of the AONB. The LC comments that the proposed development would contrast with the established settlement pattern of the locality and would appear as an estate-like grouping of single age dwellings with a narrow frontage to Evesham Road, in contrast to the wayside and clustered existing hamlet. It would also be notable as a block of development on the eastern side of Evesham Road.

5.29 The LC further comments that development of this form here would contribute to the proliferation of non-typical settlement patterns fringing the lower slopes of the AONB Scarp. It would deliver adverse impacts that are specifically identified in the Cotswolds AONB Landscape Strategy and Guidelines that result as a consequence of the local force for change from the expansion and infilling of existing settlements fringing the lower slopes of the Escarpment. The LC concludes that policies and spatial strategies are in

place to protect the setting of the AONB from harm both from individual developments and from incremental and piecemeal harm from a multitude of developments over time. By virtue of its location and form, the LC advises that the proposed development would be at odds with the Special Landscape Area (SLA) Policy.

5.30 In conclusion it is considered that the proposed residential development of 24 dwellings and its associated infrastructure/paraphernalia would result in harm to the character and appearance of the rural landscape of the Special Landscape Area. Furthermore, the design is wholly out of character with the existing form of development in the locality. This identified harm weighs significantly against the proposal in the overall planning balance.

Highway Safety

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

5.32 Means of access is proposed for consideration within the current outline proposal. There is currently an access into the site, via a field gate off the main highway. This is not proposed to be retained as part of the development and a new access is proposed to/from the highway from the southern extent of the site adjacent to the PROW. Two further vehicular accesses are proposed to/from the B4078, to serve individual detached dwellings fronting the highway. Aside from the aforementioned detached units, the remainder of the cul-de-sac development would be served via the single new estate road off the B4078.

5.33 The County Highways Officer (CHO) advised that a speed survey should be undertaken in respect of the current proposal. The applicants submitted an additional Transport Technical Note in response to the CHO initial consultation response in order to address the issues raised. The B4078 is a class 2 highway and subject to a 30mph speed limit. The CHO notes that there are no footways along the B4078. The CHO confirms that, having reviewed the latest personal injury collision data, no incidents have been recorded within the vicinity of the proposed site accesses in the last 5 years.

5.34 The CHO noted that access into the proposed site should be designed and constructed to provide an access arrangement which would allow for two way passing, this would consist of a bell mouth style priority T-Junction with carriageway width of 5m and 6m radii. A segregated 2m pedestrian footway would also be required from the highway to the proposed plots and parking areas; this would in the CHO's view ensure safe and suitable access for all users to and from the existing highway network, however as noted above there is no footpath network on the highway linking the site with other facilities, including Winchcombe School. The CHO also advises that vehicle tracking should be supplied to demonstrate two way passing at point of access.

5.35 The CHO concludes that the proposed main access and private drives appear to be the only feasible location for a new access to serve the development. An access in this location on a 30mph highway would require emergent visibility splays of 2.4 x 54m and the submitted plans demonstrate that the required visibility is achievable in both directions. Furthermore, a vehicle speed survey was carried out on the B4078 in the vicinity of the proposed site access to fully inform the required emerging visibility splays. In summary, the results of the survey demonstrated that the average northbound 85 percentile speed was 34.2mph and the average southbound percentile speed was 33.4mph.

5.36 The CHO advises that parking provision should be compliant with Paragraph 105 of the NPPF, taking into account the accessibility of the development, type, mix and use of the development, the availability of and opportunities for public transport, local car ownership levels and the need to reduce high emission vehicles. With regard to local car ownership levels, the majority of the households within the locality of this development contained 1-2 cars, therefore 2 spaces per dwelling is considered suitable by the CHO, together with visitor parking provision at 0.2 spaces per dwelling. The parking provision should be robustly justified and evidenced at reserved matters stage. Cycle parking facilities for new dwellings should be made available which are safe, secure and covered and provide provision for at least 1 cycle per dwelling in accordance with paragraph 9.38 of Manual for Gloucestershire Streets (MfGS). The cycle storage can be incorporated within the dwelling or utilised in the rear gardens via a shed. If a shed is used, the cycle storage facility should be secured to the foundations and fitted with lockable doors (5.30 MfGS).

5.37 In conclusion, the CHO advises that the impact of the proposed development cannot be regarded as severe in the context of Paragraph 109 of the NPPF and recommends that no highway objection be raised in this regard, subject to appropriate planning conditions.

5.38 Both the Town Council and local residents have raised strong concerns with regards to the introduction of family and older persons housing within a location that lies remote from any services and facilities and is not served by any pedestrian footways or street lighting. Further reference is made by local residents to the steep banks and verges adjacent to this stretch of the B4078 and the resulting lack of opportunity for pedestrians to step off the carriageway, out of the path of oncoming traffic.

5.39 Policy INF1 of the JCS requires developers to provide safe and accessible connections to the transport network to enable travel choice for residents and commuters and that connections are provided, where appropriate, to existing walking, cycling and passenger transport networks. This advice is reflected within Policy 4.4 of the WSNP which supports the extension, with developer contributions where possible, of the existing network of public rights of way. The policy goes further to specifically reference the requirement for an extension of the existing PROW in order to link the hamlet of Littleworth to Winchcombe School.

5.40 The Transport Technical Note, submitted by the applicant, recognises that there is no pedestrian footway towards Winchcombe until the junction of Becketts Lane and Greet Road which is 530m distant. In their view it would not be reasonable in planning terms, to require a new pedestrian footpath to be installed to as part of the development, to link the new housing to the existing footpath further along the B4078 in Greet.

5.41 Given the location of the site and the scale and nature of the proposed development officers have some sympathy with the views of the local community on this point and have requested a view from the CHO on this specific matter. **An update will be provided to Members at Planning Committee.**

Drainage

5.42 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 flood risk management infrastructure.

5.43 A Flood Risk Assessment has been submitted to accompany the scheme which includes an assessment of the surface water drainage requirements of the site and details the flood risk and how this could be managed and mitigated to allow the proposal to be successfully implemented in flood risk/drainage terms. The site itself falls wholly within Flood Zone 1. The FRA advises that that all surface water from the development would either be infiltrated into the ground or discharged to the unnamed watercourse to the south of the site at a rate equivalent to that from the existing undeveloped site.

5.44 The Lead Local Flood Authority (LLFA) have been consulted in respect of the scheme and advise that, as indicated within the applicant's Flood Risk Assessment (FRA) the updated Flood Map for Surface Water Flooding, there is the potential for surface water flooding across the centre of the site flowing with the topography in an easterly direction.

5.45 The LLFA has objected to the application in its current form due to their being no current strategy to deal with the discharge of surface water runoff from the developed site. The FRA refers to the SuDS hierarchy for the correct disposal of surface water but concludes that infiltration would not be feasible (and this has been confirmed by ground investigations and soakaway testing), that there is no readily available watercourse and no surface water sewer in the vicinity. The proposals to discharge to a watercourse would involve crossing 3rd party land and the Evesham Road and the discharge to a foul sewer as no surface water sewer has been identified (and which is a last resort) may involve a pumped system. This has not been pursued with the Water Company. The FRA concludes that *'there is no confirmed receptor for surface water discharge at this time'*.

5.46 The LLFA concludes that the FRA has no current viable options for the discharge of surface water through an appropriate application of a SuDS system. The lack of any surface water drainage strategy would clearly increase the risk of flooding on site and elsewhere and is contrary to the National Planning Policy Framework, its Technical Guidance and Non-statutory Technical Standards for Sustainable Drainage Systems and Policies INF2 and INF6 of the JCS.

Impact on Heritage Assets

5.47 Policy SD8 of the JCS states 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.

5.48 There are no listed buildings which would be affected by the proposed development. The County Archaeologist (CA) has been consulted with regards to the archaeological implications of the scheme. In view of the fact there is no record of any archaeology within the site or in the immediately surrounding area and that the application site is relatively small (c. 0.7 ha) and has been previously developed, the CA has advised that the proposal is unlikely to have an adverse impact on archaeological remains. Therefore, the CA has recommended that no archaeological investigation or recording would be required in connection with this scheme.

Ecology

5.49 The application has been supported by an Ecological Assessment which notes the site to be '*poor semi-improved grassland, species-poor hedge and trees, mixed scattered trees and dense scrub*'. The habitat survey also include an ecological assessment for protected species and subsequent surveys for bats and reptiles were also carried out. The report notes that low numbers of 10 bat species were recorded on site. None of the buildings were noted to be used by roosting bats although a common pipistrelle was observed briefly flying into and exiting one of the buildings for a few seconds on one occasion. Potential for foraging/commuting badger, nesting hedgehog and breeding birds was also identified within the submitted assessment and recommendations were also made regarding mitigation and compensation measures in relation to the loss of the habitats in the centre of the site.

5.50 Protected Species Results outlined within the submitted report assessed badgers as being absent from the site, with negligible potential for dormice, great crested newts, otters and voles. The report noted high potential for nesting birds, moderate potential for hedgehogs. The most frequently recorded species of bat recorded was the common pipistrelle and low numbers of lesser horseshoe bats and myotis species were recorded commuting along the southern boundary. Bat activity was found to be concentrated along the southern hedgerow with negligible levels of activity across the centre of the site. Overall, it was assessed that the key habitat feature on site for bats was the southern hedgerow and mitigation measures would subsequently be required to ensure that this linear feature is protected from potential impacts of development such as lighting. The report concludes that the creation of approximately 250metres of new native hedgerows has the potential to significantly enhance the site for commuting and foraging bats.

5.51 Recommendations for mitigation, compensation and enhancement are set out, including the presence of a retained ecologist to supervise gradual vegetation clearance within the site. Proposed mitigation measures in respect of bat species include ensuring light levels at the site boundaries remain low following development and the recommendation of a site wide lighting strategy in order to secure this. Existing buildings within the site should be inspected by a suitably qualified ecologist immediately prior to demolition and should any bats be observed, the ecologist would contact Natural England to discuss licensing requirements. The buildings should be demolished in the winter to avoid both the bird nesting season and the bat active season. Building 1 should be soft-stripped under the direct supervision of a suitably qualified ecologist. A night roost for bats should also be constructed on site to provide a potential roost feature for a range of bat species.

5.52 Natural England (NE) have been consulted in respect of the current proposal and have confirmed that the scheme is unlikely to affect any statutorily protected sites. With regards to the potential impact upon protected species, NE refers the LPA to its Standing Advice in order to guide assessment.

5.53 Having regard to the above, subject to appropriate planning conditions to secure mitigation/compensation as identified in the Ecological Assessment, it is considered that the proposal would accord with paragraphs 117 and 118 of the NPPF and Policy SD9 of the JCS.

Residential Amenity

5.54 Policy SD14 of the JCS states that new development must cause no unacceptable harm to local amenity and result in no unacceptable level of noise.

5.55 In terms of the proposed layout, it is recognised that this element of the scheme has been reserved for future consideration. However, the scheme has been supported by an indicative layout and based upon this, it is considered that each proposed dwelling would have adequate internal and external space and the arrangement is such that there would be no unacceptable overlooking or over-dominating impact to future residents of the proposed development.

5.56 In light of the above and based upon the submitted indicative layout plan, the application is considered to be acceptable with regards to residential amenity in accordance with JCS Policy SD14.

Open Space, Outdoor Recreation, Sports Facilities and Community Provision

5.57 The NPPF sets out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Furthermore, JCS Policy INF4 provides that where new residential development will create or add to, a need for community facilities, it will be fully met as on-site provision and/or as a contribution to facilities or services off-site. Saved Local Plan Policy RCN1 requires the provision of easily accessible outdoor playing space at a standard of 2.43ha per 1000 population on sites of 10 dwellings or more. Policies INF6 and INF7 of the JCS seek to secure delivery of infrastructure through developer contributions.

5.58 The Council adopted a Playing Pitch and Outdoor Sports Assessment and Strategy in 2009. This outlines the council's requirements for playing pitch provision, either on-site or off site, for a new development based on the new population generated. It calculates the hectares required, as well as the changing facility provision or contribution. It indicates a higher local standard for playing pitches than RCN1 (1.51ha per 1000 population).

5.59 Based on saved Policy RCN1 of the Local Plan and the Playing Pitch Assessment and Strategy, 0.05ha of playing pitches would be required, to be provided either on or off site, or the equivalent financial contribution for an existing playing pitch/changing room provision. As playing pitches cannot be provided on site, a financial contribution of £22,972 would be required, towards enhancing existing sports provision within the Winchcombe parish area.

5.60 Based upon the Sport England sports facility calculator, the proposal would also require the provision of the following:-

- Contribution for sports hall - £9,138;
- Contribution for swimming pool - £9,879;
- Contribution towards astroturf/artificial grass pitches - £1,279 (cost if sand) or £1,418 (cost if 3G);
- Contribution towards indoor bowls - £1,604
- **Total contribution for sports facilities - £44,872 or £45,011 - depending upon sand/3G artificial pitch**

5.61 The indicative layout proposes no on-site Public Open Space (POS). Specification of play areas and teenage facilities, whether on site or off site, needs to be agreed with the LPA and meet standards as set out by Fields in Trust in relation to accessibility standards. The Community Development Officer (CDO) has advised that an off-site POS contribution of £802 per dwelling (£19,248) would be required in respect of the development.

5.62 With regards to the requirement for community facilities contributions arising for the development, the CDO has advised that £10,913 would be required towards Winchcombe community centre/village hall. Furthermore there will be a requirement for contributions towards the provision of recycling infrastructure, dog fouling bins and signs to cater for the needs arising from the development.

5.63 At this stage there is no signed s106 obligation to address these matters. On that basis the proposed development does not adequately provide for open space, outdoor recreation, sports facilities or community provision and the proposed development therefore conflicts with Local Plan policy GNL11, JCS policies INF4, INF6 and INF7 and the NPPF.

Education and Library Provision

5.64 The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Plan Policies INF6 and INF7 of the JCS highlight that where the need for additional infrastructure and services arises, the LPA will seek, via developer contributions to secure appropriate infrastructure which is necessary, directly related and reasonably related to the scale of proposal including early years and education provision, health and well-being facilities and sport, recreation and leisure facilities.

5.65 The County Council Community and Economic Development Officer (CEDO) has been consulted but no response has been received at the time of report writing although it is considered likely that financial contributions towards education would be required to provide additional school places based on the number of pupils expected to need places arising from the development, and towards library provision to meet the needs of new residents. **Members will be up-dated at Committee regarding any required contributions.**

6.0 Overall Balancing Exercise and Conclusion

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

Benefits

6.2 The delivery of affordable housing to meet an identified need, together with the provision of eleven market dwellings is a benefit arising from the proposal. Those benefits are tempered however, by the fact that the Council can demonstrate a five year supply of deliverable housing sites and the conclusions of the viability assessment carried out on behalf of the Council which demonstrates that the provision of market housing goes well beyond what would be necessary to make the provision of affordable dwellings viable.

6.3 In terms of economic benefits it is now widely accepted that new housing developments bring benefits during the construction phase, and following construction through additional spending power in the local economy as a result of the increased population.

Harms

6.4 Harm arises as a result of the conflict with the development plan and in particular policies SP2, SD10 and SD12 as the site is considered to be unsuitable as a rural exception site in that it is not within or on the edge of a rural settlement and the proposal is not of a scale, well related to the hamlet of Littleworth, both functionally and in terms of design. On that basis there is also conflict with Policy 3.1 of the Winchcombe NDP.

6.5 There is also conflict with policy SD11 as the proposal does not propose a mix of housing to best meet the identified needs of the local area and the amount of market housing proposed exceeds what is necessary to cross-subsidise the affordable dwellings.

6.6 The proposal would result in undue landscape harm to the rural character and appearance of the Special Landscape Area as a result of the development of 24 dwellings and associated infrastructure and paraphernalia.

6.7 The absence of any surface water drainage strategy would clearly increase the risk of flooding on site and elsewhere and is also considered to represent an identified harm in respect of the proposal.

6.8 Furthermore, at this stage there are no agreed s106 obligations to meet the infrastructure requirements arising from the proposals.

Neutral

6.9 Subject to further consideration of the highway safety implications discussed at paragraph 5.38 above, and the imposition of suitable planning conditions relating to highways, there would be an acceptable impact in transport terms.

6.10 It is considered that the proposal would result in a no harm to heritage assets with regard to archaeology, or to ecology, subject to implementation in accordance with the strategies set out within the submitted ecological assessment/survey report.

Conclusion

6.11 It is considered, on the basis of the above, that the identified harms clearly outweigh the benefits in this case and as such, the proposal is not considered to represent sustainable development. It is therefore recommended that the application is **REFUSED**.

RECOMMENDATION Refuse

Reasons:

- 1 The proposed development does not meet the strategy for the distribution of new development in Tewkesbury Borough and the application site is not an appropriate location for new residential development. The proposal also does not represent infill or redevelopment within the defined built up area of Winchcombe. For these reasons the proposed development conflicts with Policies SP2 and SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017) and Policy 3.1 of the Winchcombe and Sudeley Neighbourhood Plan 2011-2031.
- 2 It has not be demonstrated that the proportion of market housing proposed is required to facilitate the proposed new affordable housing. Furthermore, the proposed development is not within, or on the edge of the settlement (Winchcombe) which it is intended to meet the needs of and is not of a scale that is well related to the hamlet of Littleworth both functionally and in terms of design. For these reasons the proposed development conflicts with Policies SD10 and SD12 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy to 2031 (December 2017).
- 3 The proposed development conflicts with Policy SD11 of the Joint Core Strategy and Policy 3.2 of the Winchcombe and Sudeley Neighbourhood Plan - 2011 - 2031 in that it does not propose a mix of housing to best meet the identified needs of the local area.
- 4 The proposed development of 24 dwellings and its associated infrastructure and domestic paraphernalia would be out of character with the existing rural settlement and would fail to contribute positively to the sense of place, contrary to the aims of Policy SD4 of the Joint Core Strategy. The proposed development, by reason of the prominent location and rural character of the site and the layout design as indicated on the illustrative layout plan, would result in unacceptable harm to the Special Landscape Area and represent an incongruous and urbanising intrusion into the rural landscape and open countryside. As such, the proposed development is contrary to advice set out in Section 15 of the National Planning Policy Framework and Policy SD6 of the Joint Core Strategy.
- 5 The proposed development would fail to secure an appropriate and viable option for the discharge of surface water through an appropriate SuDS system. The lack of any surface water drainage strategy would increase the risk of flooding, both on site and elsewhere, contrary to the National Planning Policy Framework, its Technical Guidance and Non-statutory Technical Standards for Sustainable Drainage Systems and Policies INF2 and INF6 of the Joint Core Strategy.
- 6 In the absence of an appropriate planning obligation, the proposed development does not make provision for the delivery of open space, outdoor recreation, sports facilities and community infrastructure provision and therefore the proposed development is contrary to Section 8 of the NPPF (Promoting healthy and safe communities) and Policies INF4, INF6 and INF7 of the Joint Core strategy.

Note:

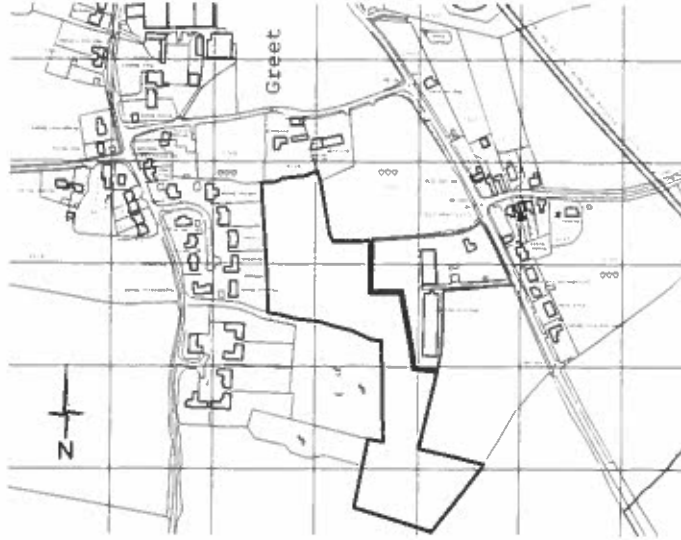
Statement of Positive and Proactive Engagement

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

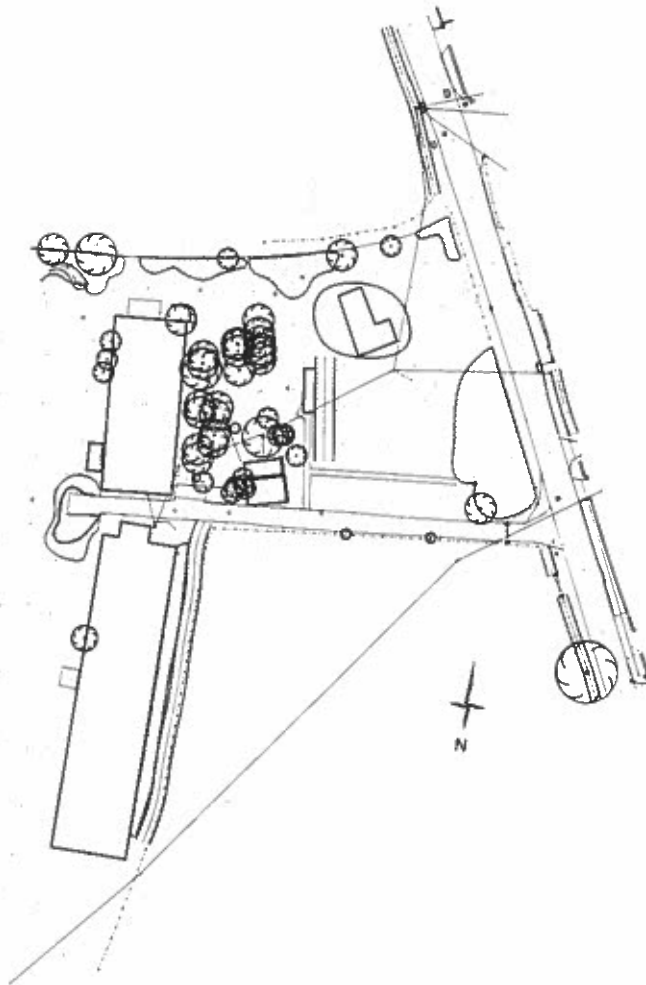
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Location Plan Scale 1:2500



Existing Site Survey Plan Scale 1:500



New Residential Development
Lilleshorn
Greet

Site Survey & Location Plan
At Existing

Scale 1:500 @ A1, 1:1000 @ A3
Date September 2017
Dwg No 21533/017B

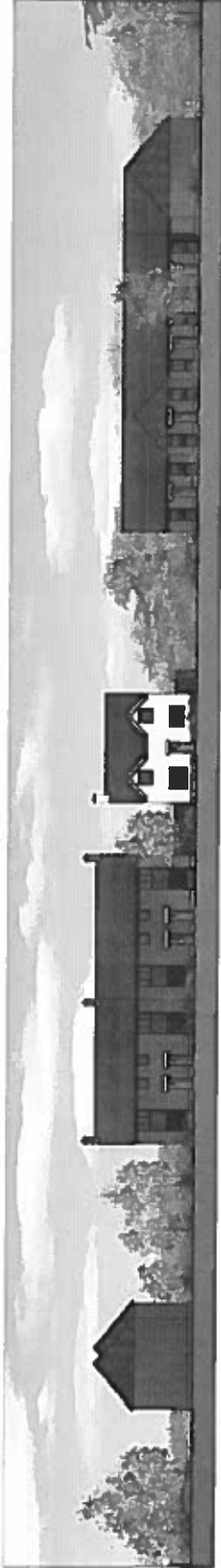


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01243 764
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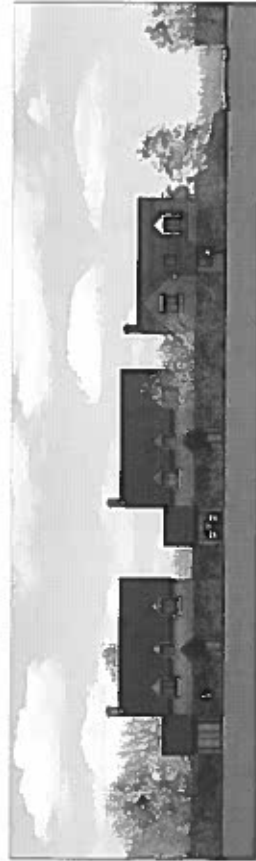
20
321/a

17/01164/04T

INDICATIVE STREET SCENE



STREET ELEVATION B-B



STREET ELEVATION A-A



KEY PLAN Scale 1:500



New Residential Development
Lithworth
Crest

Street Elevations
A4 Proposed

Scale 1:200 @ A1, 1:400 @ A3
Date September 2017
Dwg No 2103304

Clive Petch
ARCHITECTS

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17/01164/04T

22
321/c

17/01164/OUT

PROPOSED HOUSE TYPES

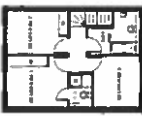
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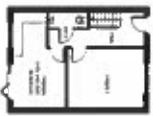
GROUND FLOOR PLAN
HOUSE TYPE A
1 BED



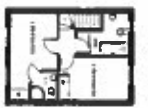
GROUND FLOOR PLAN
HOUSE TYPE B
1 BED



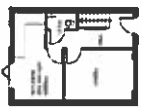
FIRST FLOOR PLAN
HOUSE TYPE A



GROUND FLOOR PLAN
HOUSE TYPE C
1 BED



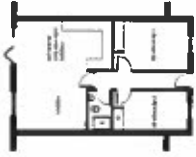
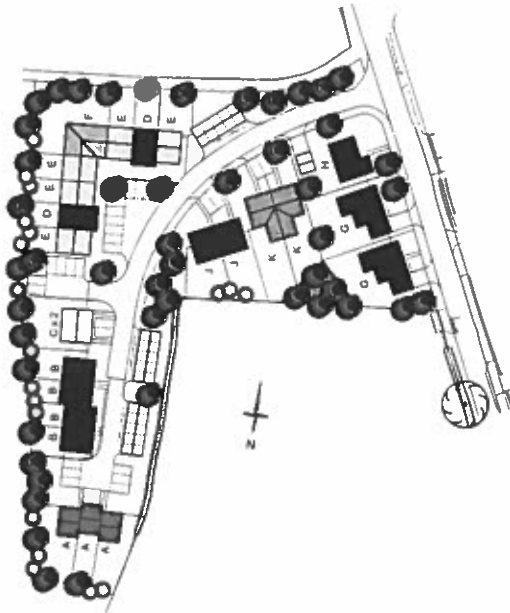
GROUND FLOOR PLAN
HOUSE TYPE D
2 BED



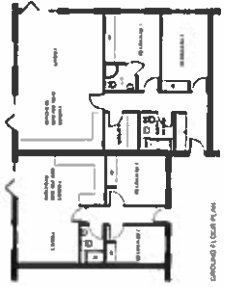
GROUND FLOOR PLAN
HOUSE TYPE E
2 BED



GROUND FLOOR PLAN
HOUSE TYPE F
2 BED

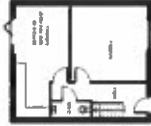


GROUND FLOOR PLAN
HOUSE TYPE D
2 BED



GROUND FLOOR PLAN
HOUSE TYPE E
2 BED

GROUND FLOOR PLAN
HOUSE TYPE F
3 BED



GROUND FLOOR PLAN
HOUSE TYPE G
2 BED



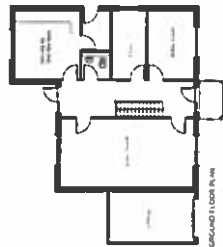
FIRST FLOOR PLAN
HOUSE TYPE G



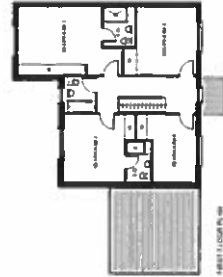
GROUND FLOOR PLAN
HOUSE TYPE H
1 BED



FIRST FLOOR PLAN
HOUSE TYPE H



GROUND FLOOR PLAN
HOUSE TYPE I
4 BED



FIRST FLOOR PLAN
HOUSE TYPE I



New Residential Development
Lilleshorth
Creed

House Types Plans
As Proposed

Scale 1:100 @ A1 1:200 @ A3
Date September 2017
Dwg No 21533AD



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17/00791/FUL

Manor Farmhouse, Gretton Road, Gretton

ITEM 2

Valid 24.09.2018

Various works including new pool building with store, potting shed and re-instatement of boundary wall adjoining Manor Farm. New barn, stable block, access track and manège within proposed paddock to rear. (AMENDED PROPOSAL)

Grid Ref 401167 230400

Parish Gretton

Ward Winchcombe

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework (NPPF) - (Revised 2018)
Joint Core Strategy (JCS) - SD6, SD7, SD8, SD9, SD14, INF1
Tewkesbury Borough Local Plan to 2011 - March 2006 - HOU8, RCN6, HEN2
Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
The First Protocol, Article 1 (Protection of Property)
Area of Outstanding Natural Beauty (AONB)
Adjacent to Gretton Conservation Area.

Consultations and Representations

Parish Council - Object to the proposal for the following reasons:

- Scale of development is excessive for a residential property and the village
- Would have a considerable impact on neighbouring properties
- Design and size of buildings are more suitable for buildings to live in
- Secondary access and parking is excessive
- More suited to commercial or future residential development
- Site has experienced a number of past refusals

In response to the amended scheme the Parish Council has raised the following objections:

- Revised plan still proposes a clutter if new buildings, some substantial
- Buildings could be converted to other uses
- Potential for commercial use
- Location not suitable for rural leisure centre

County Council Archaeologist - No objections

Environmental Health Officer - No objections

Local Residents - The application was advertised by site notice. In response 6 representations have been received and the comments raised are summarised below:

- Car-port would extend the length of the garden
- Overbearing impact on home
- Will not improve appearance of the area
- Second access unnecessary
- Extensive roadways/hardstanding
- Proposes parking area to rear of houses
- Area used for commercial van parking
- Similar scheme previously refused
- Carport and pool building would result in enclosure
- 2 bay carport and breezeblock wall constructed without permission
- Potting shed could be converted
- Stable block too high
- Barn is large if only serving 3 horses
- Manège could be used for commercial purposes
- No details of lighting
- Should be considered against development boundary to Gretton
- Would be visible from GWR railway, village playing field surrounding housing

- Excessive for family use
- Stables have potential to become commercial use
- Impact from vehicle movements, noise, loss of privacy and light
- Could be used evenings and weekends
- Not opposed to family use
- Pond at 2 Manor Fields contains a newt population
- Protections should be put in place to prevent commercial use, nuisance to neighbours, floodlighting, nuisance from manure and waste

Following receipt of amended drawings a further site notice was posted and four representations were received. The comments raised are summarised below:

- Scheme is largely unchanged
- Still proposes a cluster of new buildings
- Existing stabling in paddock not shown
- Large scale development should be given particular scrutiny in the AONB
- Development exceeds reasonable domestic, residential or family requirements
- Potential commercial use
- Excessive roadways and parking
- Current livestock grazing use is in keeping with the local environment
- Stable and barn could be converted in future - holiday lets/riding school
- Impact on neighbours - noise, traffic, light pollution, security, privacy
- Existing post and rail fencing inadequate
- Increased runoff from development

The application is brought before committee at the request of Cllr Allen in order to allow members to assess the impacts upon the AONB, from a substantial parking area, the impact on surrounding properties in the conservation area and from the multiple structures proposed.

Planning Officers Comments: Bob Ristic

1.0 Application Site

1.1 This application relates to a large detached dwelling in Gretton. The property is located on the southern side of main road that runs through the village and is of a traditional Cotswold vernacular design.

1.2 The site comprises a dwelling house set towards the southern part of the site. The property is principally served by a gated driveway to the eastern part of the site which serves an area of hardstanding and a partially constructed car-port building. The property also benefits from a historic second access to the southwestern corner of the site which appears to have served the former farm yard and buildings (which have since been demolished). The field to the rear is used for grazing and contains a stable/barn on skids.

1.3 The land falls to the north and is bound by the GWR railway which runs on an embankment to the north, a recreation ground to the west, the rear gardens to adjoining dwellings to the south and open countryside to the east. The whole of the site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) and the dwelling house and southernmost parts of the site are within the Gretton Conservation Area (CA) and residential development boundary. **(See attached location plan)**

2.0 Planning History

14/00860/OUT - Erection of five houses - Withdrawn in April 2015

13/00985/FUL - Retention of existing garage in amended design with one bay removed and rear wall reconstructed in brickwork (Revised scheme) - Permitted August 2015

13/00019/FUL - Revised scheme for the retention of a garage, including changes to roof design on the north end bay - Refused in May 2013 for the following reason:

'The garage, by virtue of its size, bulk, length and positioning, results in an adverse overbearing and imposing impact on the neighbouring property of no.1 Manor Fields. For these reasons, the structure is therefore considered to conflict with policies HOU8 of the Tewkesbury Borough Local Plan to 2011 - March 2006.'

12/00332/FUL - Proposed barn/stables - Refused for following reason:

'The site is located within the Cotswold Area of Outstanding Natural Beauty where great weight is given to conserving its landscape and scenic beauty. The proposed barn/stables, by virtue of its size, scale, design and location, would result in unwarranted visual intrusion within the landscape and therefore would be harmful to the Area of Outstanding Natural Beauty, contrary to Section 11 of the NPPF, Policy NHE.4 of the Gloucestershire Structure Plan Second Review and Policy RCN6 of the Tewkesbury Borough Local Plan to 2011 - March 2006.'

12/00331/FUL - Retention of a new 3-bay garage block - Refused for the following reason:

'The garage, by virtue of its size, bulk, length and positioning, results in an adverse overbearing and imposing impact on the neighbouring property of no.1 Manor Fields. For these reasons, the structure is therefore considered to conflict with policies HOU8 of the Tewkesbury Borough Local Plan to 2011 - March 2006.'

11/00069/FUL - Demolition of an existing lean-to extension and the erection of a replacement two-storey extension to the dwelling - Permitted in April 2011

3.0 Current Application

3.1 The application seeks planning permission for various works which are set out below:

- A pool and store building located to the northeast of the dwelling house. The storeroom would be set nearest to the rear part of the garden to no.1 Manor Fields and would have a hipped roof before stepping up to the main pool building which would have an overall height of 5.7 metres. - This building would be principally constructed of reclaimed red bricks with a clay tile roof.
- The reinstatement of a brick boundary wall to the garden with No.1 Manor Fields.
- A potting shed/store to the southwest of the dwelling, which would be 5.3 metres high and would be constructed of brick and tiles, with timber detailing.
- The reinstatement of the second 'field' access to the site and the laying of a bound gravel and reinforced turf track along the western boundary of the site.
- A three-box stable building with tack room located to the north-western boundary of the site, which would be 7.4 metres high and finished in horizontal timber boarding and a plain tile roof.
- A four bay barn which would be 6.6 metre metres high and finished in horizontal timber boarding and a profiled steel roof
- A manège to the north-western corner of the site which would measure 40 x 30 metres.
- The change of use of the field to the northern part of the site to a paddock

3.2 The application has been amended since it was first received in order to omit an area of roadway and hardstanding which would have extended across the middle part of the site and a 4 bay carport originally proposed along the eastern boundary of the site adjacent to the garden with 1 Manor Fields. **(See plans attached.)**

4.0 Policy Context

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

4.2 The development plan comprises the Joint Core Strategy (JCS) (2017) and saved policies in the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP). Other material policy considerations include national planning guidance contained within the National Planning Policy Framework which was revised in July 2018

4.3 The specific policies are set out within the relevant sections of this report.

5.0 Analysis

5.1 The main issues to be considered within this application are the principle and impact of the development on the AONB, residential amenity of neighbouring properties, highway safety and ecology.

Principle of development and Impact on the AONB

5.2 The NPPF advises at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks, the Broads and areas of Outstanding Natural Beauty, which have the highest status of protection and the conservation of and enhancement of wildlife and cultural heritage are also important considerations in these areas, this is reflected in JCS policy SD7 which requires development in the Cotswolds AONB conserves and where appropriate enhances its landscape, scenic beauty.

5.3 The application has been supported by a landscape assessment. The report identifies the site as being within the 'unwooded vale' landscape character type and 'Vale of Evesham Fringe' landscape character area. The Cotswolds AONB Landscape Character Assessment advises that the landscape sensitivity for the Unwooded Vale is *...highly sensitive to change, particularly in agricultural areas not currently associated with development. Despite this, even in rural areas the screening effects of land form, farm woodlands, hedgerows and shelterbelts provide a framework in which some opportunities for small scale development exist.*

5.4 While the site and development would be visible principally from adjoining dwellings the assessment concludes that the development would not result in an adverse impact upon the landscape and the impact on nearby residents and highway users will be negligible.

5.5 The application site comprises two distinct areas, that immediately to the north of Manor Farm which provides a garden and parking area to the dwelling with a field used for grazing and separated by a post and rail fence beyond. The proposed development would be set to the rear of the property and would be screened to a significant degree from the street by the existing dwelling and front boundary wall. The western boundary is screened by existing trees and shrubs and the northern boundary of the site adjoins the embankment to the GWR railway line which is lined with mature trees.

5.6 The applicant's design and access statement (DAS) sets out that since the loss of original outbuildings, there is no longer a sense of 'enclosure' or 'farmyard' and the proposed pool and store room would provide this feature. The proposed buildings at the site have been designed to reflect the varied character and materials of the village and have been sited to reduce their impact on neighbouring properties. In terms of the ménage, the applicant advises that this is for use by the applicant's daughter who is competing locally and needs a training area, with the barn and stables to support this and to provide security and surveillance of stock.

5.7 The application site is contained and well screened from surrounding land and there are no nearby public rights of way from which the site would be visible. The principal sensitive receptors are residents of nearby properties and users of the GWR railway. Further constrained views would be presented to highway users in passing.

5.8 The application has been revised to omit an originally proposed carport adjacent to the boundary with no.1 Manor Fields and the application now proposes a pool with store building and potting shed adjoining Manor Farm, which would form an enclosure which would define the garden to Manor Farm, which presently runs into the paddock beyond. Views from adjoining properties and highway users would be limited in part due to the fall in levels across the site and proposed siting of these buildings. In terms of views from the railway the buildings would be set against the backdrop of Manor Farm and would appear related and subservient to the dwelling. It is therefore considered that this element would not adversely impact the character or appearance of the AONB.

5.9 In terms of the proposed equestrian development it is noted that a previous application for a barn/stable building was refused planning permission, however this application proposed a building of a substantial construction sited within the middle part of the paddock.

5.10 The current application proposes a stable, barn and manège which would be sited to the north-western and lowest part of the site. These works would be set adjacent to existing tree screening and the embankment to the GWR railway. The development would be set away from nearby residential properties and views would be limited and oblique. As a result it is considered that views from the surrounding area would be limited and against the backdrop of existing trees and railway embankment which enclose the site and separate it from the wider landscape. Similarly the proposed timber clad buildings would be of an appropriate appearance for the proposed field location.

5.11 The equestrian development would be served by an existing access and a proposed track which has been significantly reduced in its extent and is now proposed solely to access the stable and barn. The drive would be surfaced in bound gravel up to the paddock after which it would comprise a 'reinforced turf' system to providing an appropriate surface for access while allowing grass to continue to grow through. These works would have an acceptable appearance and would conserve the appearance of the area.

5.12 Furthermore, the proposal would accord with the principles of Policy RCN6 of the TBLP which supports horse riding facilities providing they are well related to existing groups of buildings or landscape features and do not have an adverse impact on the rural landscape and residential amenity.

5.13 Overall, it is considered that the proposed development would be of an acceptable design, siting and scale which would conserve the landscape and scenic beauty of the area.

5.14 In terms of the historic environment the proposed development would lie outside of the Conservation Area, however it is considered that the nature and design of the development, subject to a condition controlling the external finishes of the buildings would conserve the character and setting of the area.

Residential amenity

5.15 Policy HOU8 of the Tewkesbury Borough Local Plan to 2011 sets out, inter alia, that extensions (including outbuildings) should respect the character, scale and proportion of the existing dwelling and the character and appearance of surrounding development or residential amenity. JCS Policy SD14 sets out that high quality development should protect and seek to improve environmental quality, and inter alia new development must cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

5.16 The occupiers of adjoining properties have raised a number of concerns with regards to the nature and scale of the development and the applicant has subsequently amended the scheme to address concerns principally by omitting the carport element and reducing the amount of roadways through the site.

5.17 In terms of the remaining development, the pool building would be set to the northwest of the dwellings at Manor Fields and at a lower level to those properties. The building has been designed with a store element with a hipped roof and reduced ridgeline before stepping up to the main pool building. The building would be offset from the main outlook from the rear of these properties and would be visible in oblique views or within the gardens. As a result this building would not impact the living conditions of the occupiers of these properties in terms of loss of light or any overbearing effects.

5.18 The proposed stable, barn and manège would be sited to the north-western part of the site and would be set a significant distance from nearby residential properties. The applicant has advised that the facilities would be for use by his family and this can be controlled by condition to prevent any intensification of the use which may impact amenity. Similarly no lighting has been proposed to the manège and this can be controlled by condition to reduce light pollution and limit use to daylight hours.

5.19 It is noted that the Parish Council and adjoining occupiers have raised concerns with regards to the future use of the land and buildings. The siting, design and scale of the buildings are commensurate with the proposed uses and any future conversion or change of use and would require separate planning permission.

Highway Safety

5.20 JCS Policy INF1 sets out that developers should provide safe and efficient access to the highway network for all modes of transport and that planning permission will be granted only where the impact of development is not considered to be severe.

5.21 The application proposes the re-use of an existing field gate serving the paddock to provide an access track to the barn and stable. The applicant has provided drawings demonstrating the available visibility splays from this access which are presently being reviewed by the Local Highway Authority. An update with regards to the suitability of the access will be provide at committee.

Ecology

5.22 JCS Policy SD9 requires inter alia the protection of biodiversity and geological resources. An ecological assessment has been submitted as part of this application and acknowledges the presence of

important habitat features adjacent to the site, however in terms of the application site the report advises that the site comprises improved grassland which is grazed and of limited potential for biodiversity. The report advises that the proposals are small scale and unlikely to adversely affect habitats or species within them. The report advises that lighting should however be minimized to avoid light spill onto adjacent habitats.

5.23 No external lighting is proposed to the ménage and this can be controlled by condition. The proposal would therefore not adversely impact biodiversity.

6.0 Conclusion

6.1 The proposed development, (subject to no highways objections being raised and) subject to compliance with conditions would conserve the scenic beauty of the AONB and would not adversely impact the living conditions of the occupiers of adjoining properties. It is therefore recommended that the application is **permitted**.

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 amended drawing nos. 2123/02F, 2123/03E, 2123/04E, 2123/05A, 2123/06B, 2123/07D and 'Menage Construction' specifications, received by the Local Planning Authority on 24th September 2018 and drawing no.2123/01E, received by the Local Planning Authority on 27th September 2018 and any other conditions attached to this permission.

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

- 3 No construction works above ground level shall take place until precise details of the colour and materials of all external facing, roofing and surfacing materials have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details and shall be similarly maintained thereafter.

Reason: In the interests of visual amenity.

- 4 The existing garage building adjacent to the boundary with no.1 Manor Fields shall be removed from the site and boundary wall reinstated in accordance with drawing nos. 2123/01E and 2123/02F prior to the first use of the pool/store building hereby permitted.

Reason: In the interests of appearance of the area.

- 5 The existing stable/barn building shall be removed from the site and land reinstated as paddock within 28 days of the stable and barn hereby permitted being first brought into use.

Reason: In the interests of appearance of the area.

- 6 No external lighting other than PIR controlled security to lighting the buildings shall at any time be installed within the site.

Reason: In the interests of the visual amenity of the area and the natural environment.

- 7 The stable, barn and manège hereby permitted shall be used solely for the private keeping and training of horses in association with Manor Farm, Gretton and shall at no time be used as a livery stable or for the operation of a business.

Reasons: To define the terms of this permission and in the interest of amenity.

- 8 The proposed development shall be completed in accordance with the finished floor levels set out on approved drawing no.2121/01E.

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

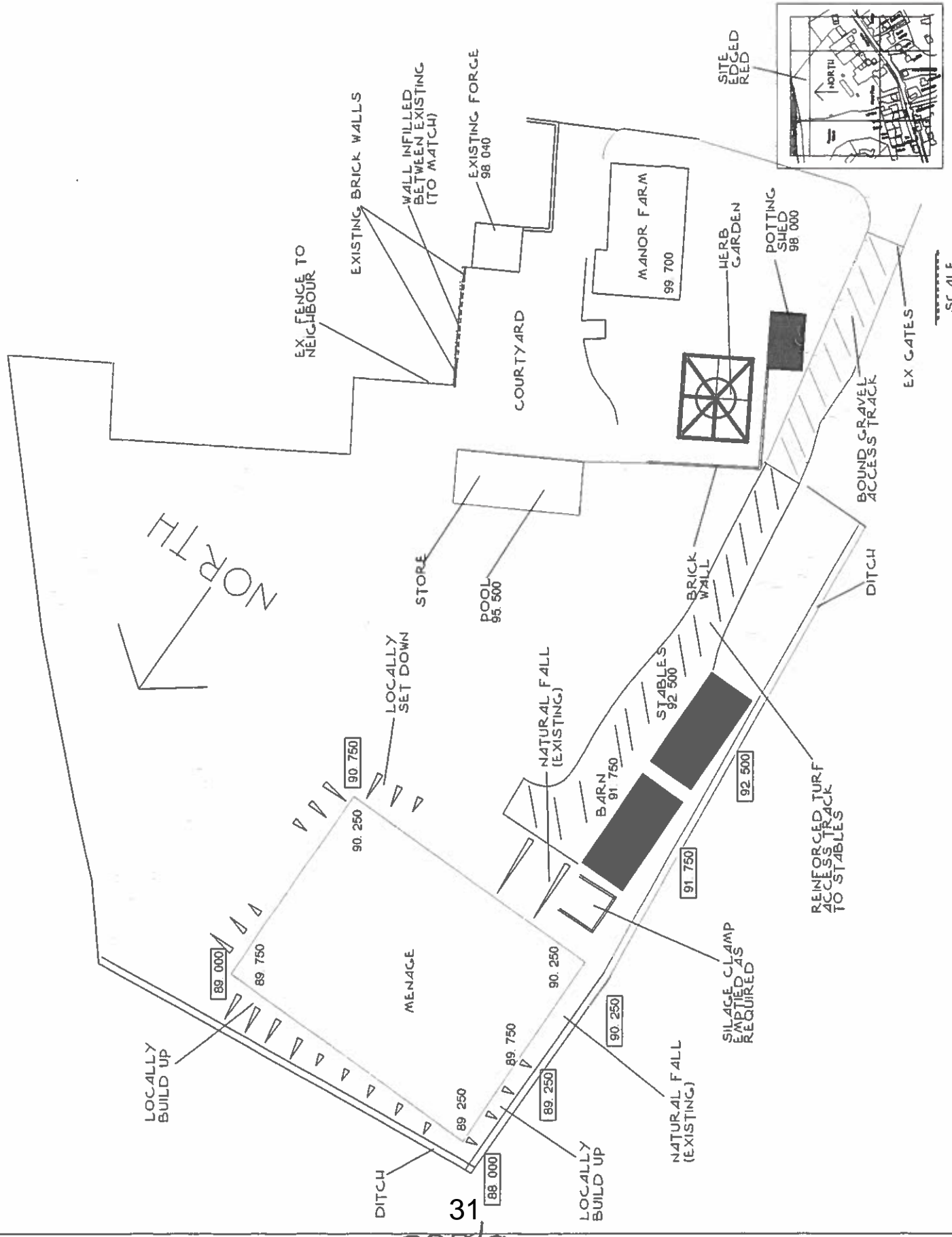
Notes:

- 1 In accordance with the requirements of the National Planning Policy Framework (2012) the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
- 2 This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.
- 3 Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:
 - Work on an existing wall or structure shared with another property
 - Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property
 - Excavating near a neighbouring building.

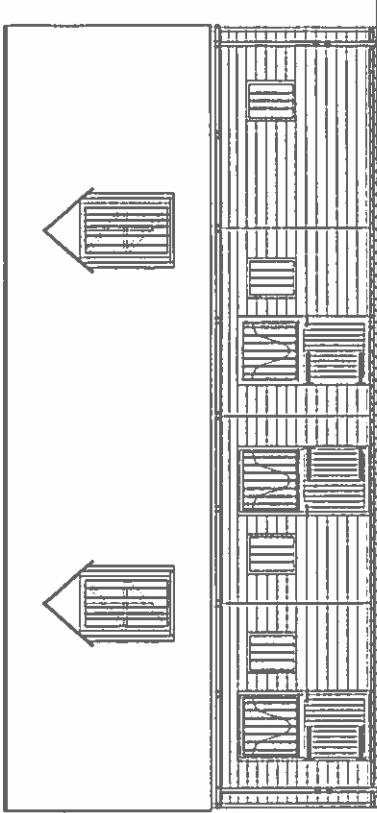
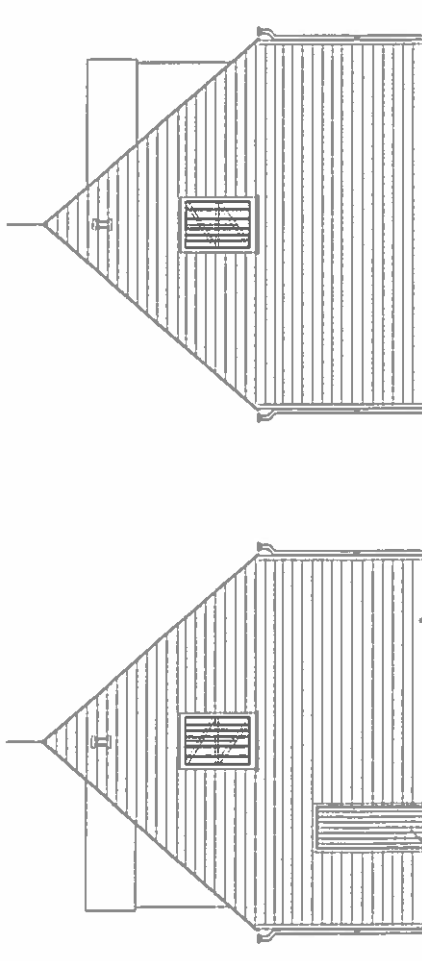
The legal requirements of this Act lies with the building/site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be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

21/00/17

BOUNDARY WALL ANNOTATED E	SEPT 18
ACCESS TRACK HATCHED D	AUG. 18
TURF TRACK AND SILAGE CLAMP ADDED. STABLES REMOVED. POOL BUILDING MOVED AND LOWERED C	AUG. 18
BOUNDARY NOTE AMENDED B	FEB 18
SITE PLAN REEVALUED A	OCT 17
 Drinkwater Planning & Construction Leadit City Fitchburg Wellington, Ctr. 014 81 N. 01600011 E. 016 01600011	
DEVELOPMENT AT MANOR FARM GRETTON	
D17 70 SITE PLAN PROPOSAL LOCATION	
DATE	17 JUN 18
BY	JR 200
NO	2123/01E



31
328/a



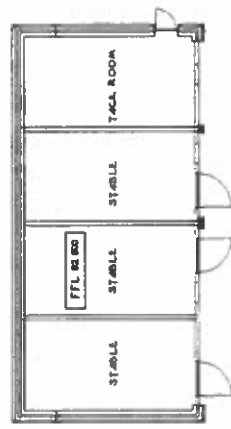
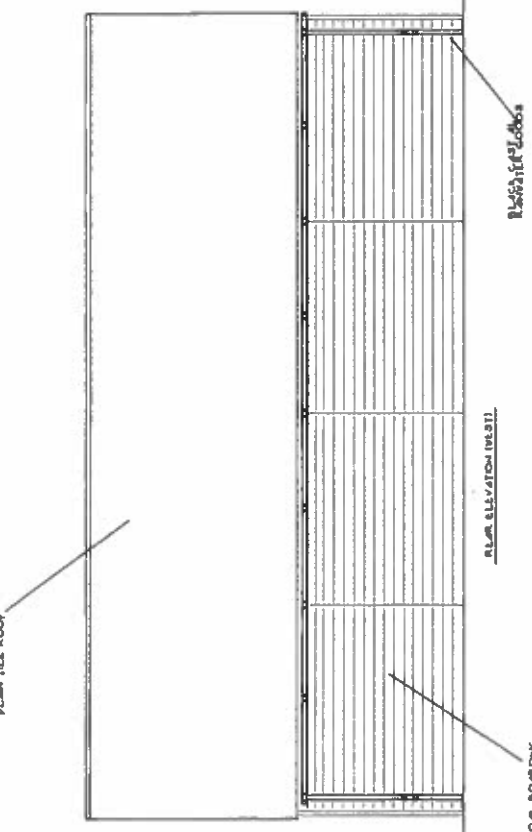
END ELEVATION (SOUTH)

END ELEVATION (NORTH)

FRONT ELEVATION (EAST)

SCALE

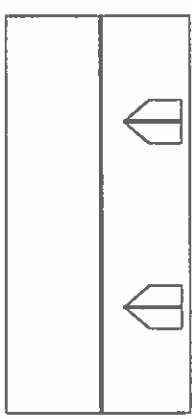
BACK PLANTS



GROUND FLOOR PLAN

PLAN ON FIELD STALL

SCALE



ROOF PLAN

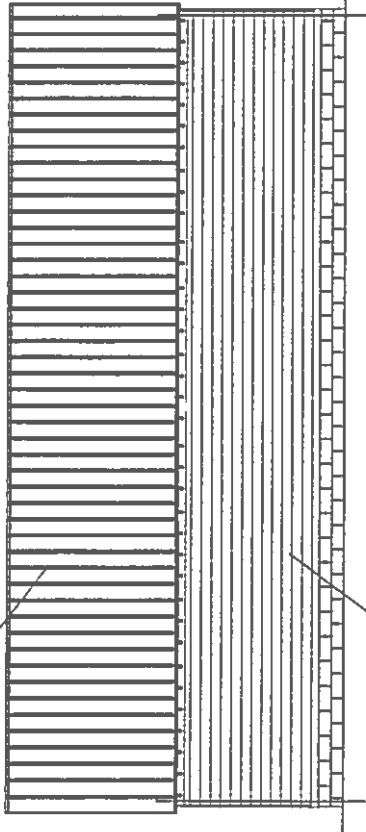
D. RUMM/TEL DOMESTIC REDUCED SEPTIC
 C. BRAY/TEL CHANGED TO CLADDING DEC 17
 B. BUILDING REDUCED IN SIZE DEC 17
 A. PLANS AND ANNOTATION ADDED AUG 17

Drinkwater
 Building Design & Technical Support
 Freshfield Cottage
 Wicksburn
 Chesham, Chs. G14 6J
 T: 01454 884811
 E: info@drinkwaterdesign.co.uk

Dr No	REVISED 05/11/2017
Rev	1/10
Rev Date	17
By	JD
Dr	43

22/10500/L1

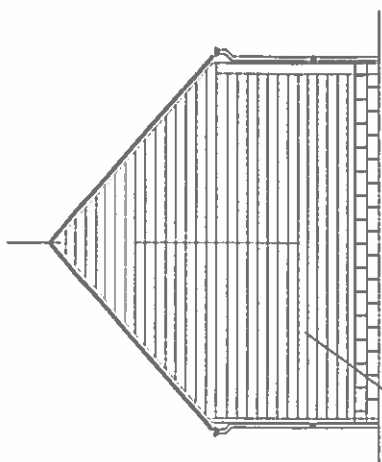
PROFILED STEEL ROOF SHEETING



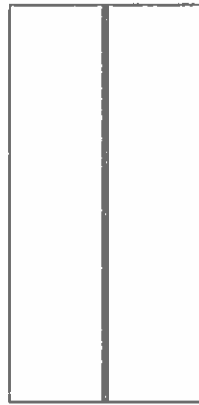
OAK BOARDING OVER STONE PLINTH

ELEVATION TO BOUNDARY (REAR, WEST)

OAK BOARDING AND STONE PLINTH



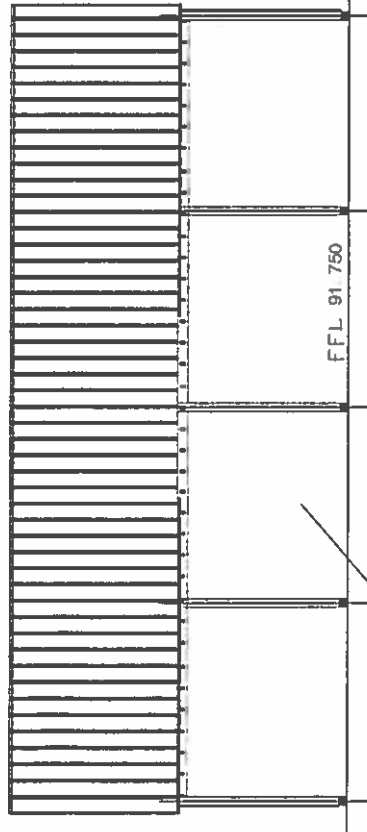
TYPICAL CABLE (NORTH, SOUTH)



ROOF PLAN



FLOOR PLAN



OAK FRAMED OPEN FRONTED WITH OAK POSTS ONTO STONE FOOTINGS

ELEVATION TO PADDOCK (FRONT, EAST)

B EXPOSED FRAME REMOVED DEC. 17
A PLANS ADDED AUG. 17

Drinkwater
 Consulting Engineers
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 Scale: 1/100
 Date: 24.08.17
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Project: [unclear]
 Date: 21/23/09B

Valid 13.04.2018

Outline planning application for construction of 4,533sq.m of Class B1, B2 and B8 development, together with associated highways, drainage infrastructure and landscaping. Detail of access are submitted for approval with all other matters (Layout, Scale, Appearance and Landscaping) reserved for later approval.

Grid Ref 389181 237336

Parish Twyning

Ward Twyning

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework (NPPF) (2018)

Planning Practice Guidance

Joint Core Strategy (JCS) (2017) -SP1, SP2, SD1, SD3, SD4, SD6, SD8, SD9, INF1, INF2 and INF3

Tewkesbury Borough Local Plan to 2011 (TBLP) (March 2006) - EMP3, TPT6, NCN3

Twyning Neighbourhood Development Plan - E1, TP1, LF1, GD4, GD5, GD6, GD7, GD8 and ENV1

Preferred Options Tewkesbury Borough Plan 2011-2031 (TBP) (October 2018) - EMP2, TRAC9

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

Consultations and Representations

Twyning Parish Council - Object for following reasons

- TNDP Policy E1 supports small scale (employment) expansion which is appropriate in scale, form and function to the locality.
- Units 1-4 for office use meet policy criteria
- Large scale warehouse units (5-7) do not comply with policy
- Contrary to JCS Policy SD1
- LPA previously controlled or refused B8 development in the area
- Disagree with Transport Report
- Increase in car and HGV movements is contrary to JCS Policy INF1 (3 iii)
- Will increase noise and pollution
- Will impact listed Brockeridge Farm and Twyning Manor
- Would result in a cumulative, severe traffic impact
- Lack of drainage information
- Proposed pumping station is contrary to Severn Trent advice
- Does not consider cumulative impacts

Gloucestershire Highways - No objections

Highways England - No objections.

County Archaeologist - No objections

Conservation Officer - No objections

Environmental Health Officer - No objections

Severn Trent Water - No objections

Lead Local Flood Authority - No objections

Local Community Representations

The application was advertised by press and site notices. In response, 81 representations have been received. The comments raised are summarised below:

- Noise from vehicles and light pollution
- Vehicles on Brockeridge Road have increased with past development
- No longer safe to ride horses or walk in the village
- Misuse of units may impact security of M50

- Safety at cattle grid and M50 junction
- Continual 24/7 heavy vehicles with no areas for lorry parking/turning
- Traffic congestion
- No bus services
- Tree planting would take years to establish
- Area used by wildlife
- Existing housing development has sewage problems
- Would impact setting of listed Brockeridge Farm
- Out of character with historic landscape with loss of agricultural land
- Extension at Ashchurch would be better
- Permission for similar use refused at Duddage Business Park
- Working hours and heavy vehicles should be restricted
- Will affect houses adjoining park
- No account for drainage system
- Previous flooding in the area and if SuDS fail flooding would occur
- Severn Trent will not allow further connections
- Contrary to NDP policy E1
- Will be 10 high metres to eaves which would be too high for the area
- B8 units not small scale and cannot be supported by existing infrastructure - B1 and B2 possibly acceptable
- Does not comply with policy for industrial sites
- Premature as phase 2 yet to be built
- Local Plan is currently under review and employment land needs may be lower
- Development is speculative - there are other unoccupied developments in countryside

Planning Officers Comments: Bob Ristic

1.0 Application Site

1.1 Brockeridge Business Park is located to the North West of the village of Twyning, near to the A38 junction with the M50 motorway (Junction 1). The application site measures approximately 2.5 hectares (including the access drive and drainage pond) and adjoins the existing business park. The site mainly comprises open agricultural land which extends out to the east of the existing business park towards Twyning Manor. Brockeridge Farmhouse, lies to the South East of the business park and is a Grade II listed building (see attached location plan).

1.2 The existing business park consists of a cluster of office units based around a series of courtyards and is designated a Rural Business Centre in the Tewkesbury Borough Local Plan. The application site lies to the east of the business park, outside of the allocation in the Tewkesbury Borough Local Plan and within the open countryside.

2.0 Relevant Planning History

2.1 The relevant planning history is summarised below:

- Full planning permission (Ref: 13/01120/FUL) for a 0.6ha extension to the business park to provide additional office accommodation. The application was permitted 8th November 2013.
- Full planning permission (Ref: 08/00652/FUL) for the "retention of pond to create a sustainable storm water drainage system serving adjacent Business Park." The application was permitted 27th May 2008.
- Full planning permission and Listed Building Consent (Ref: 07/01659/FUL and 07/01658/LBC) for a revised scheme to incorporate additional office accommodation in the roof space. The application was permitted 4th June 2008.
- Full planning permission and Listed Building Consent (Ref: 07/00673/FUL and 07/00674/LBC) for the "demolition of redundant farm buildings, erection of 16 new single storey office units, alterations to existing barn and associated extension works." The application was permitted 11th October 2007.

3.0 Current Application

3.1 This application seeks outline planning permission for the construction of up to 4,553 square metres of Class B1, B2 and B8 development, together with associated highways, landscaping and drainage

infrastructure. Details of the means of access are submitted for approval with all other matters (Layout, Scale, Appearance and Landscaping) reserved for future consideration.

3.2 The site would be accessed via the existing drive serving Brockeridge Park which would be extended to run along the northern and western edges of the existing development and the illustrative plans submitted with the application show how the proposed development could be connected to the existing business park.

3.3 The proposal has been accompanied by illustrative drawings, demonstrating how the development could be laid out. The details show a courtyard cluster of B1 office buildings to the east of the existing development and three parallel blocks of B2/B8 buildings laid out in an east to west orientation which are shown as being separated from the office element by an area landscaping and drainage ponds.

3.4 The submitted drawings also indicate how the proposed B2/B8 blocks could be subdivided to accommodate smaller businesses. (See attached plans).

4.0 Policy Context

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

4.2 The development plan comprises the Joint Core Strategy (JCS) (2017) and saved policies in the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP) and Twyning Neighbourhood Development Plan (2018).

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework which was revised in July 2018 and the Preferred Options Consultation Tewkesbury Borough Plan 2011-2031 (October 2018).

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

5.0 Analysis

5.1 The site is located in the open countryside outside any settlement boundary. While Brockeridge Park is identified as a rural business centre in the TBLP the application site itself lies outside of this allocation.

5.2 The main issues in the consideration of this application are, the principle of development, transport, flood risk and drainage, natural environment, residential amenity and heritage.

Principle of Development

5.3 The NPPF makes it clear that the Government places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In achieving sustainable development the NPPF advises that the economic objective should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity.

5.4 Section 6 of the NPPF - 'Building a strong and competitive economy', advises that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries and for storage and distribution operations at a variety of scales and in suitably accessible locations.

5.5 In terms of the rural economy, the NPPF advises that 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.

5.6 Furthermore, it advises that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads.

5.7 Policy SP1 of the JCS sets out the overall need for new development in the JCS area and states that, during the plan period, provision will be made to meet the need for approximately 35,175 new homes and a minimum of 192 hectares of B-class employment land to support approximately 39,500 new jobs. While Policy SP2 sets out the spatial strategy for meeting this need and provides that at least 84 hectares of B-Class employment land will be delivered on Strategic Allocation, the remaining capacity is to be identified in District plans. The JCS Economic Update Note (Feb 2016) indicates that there is a potential supply of approximately 40ha of suitable and available sites in Tewkesbury Borough that could contribute to meeting the overall JCS requirement and is to be identified in the TBP.

5.8 JCS Policy SD1 supports employment related development in certain circumstances, including:

- ii. At locations allocated for employment use within the Development Plan;
- vi. In the wider countryside when it is:
 - located within or adjacent to a settlement or existing employment area and of an appropriate scale and character;
- vii. Where it allows the growth or expansion of existing business especially in the key growth sectors, subject to all other policies of the plan;
- vii. Where it would encourage and support the development of small and medium sized enterprises, subject to all other policies of the plan.

5.9 Saved Policy EMP3 of the Tewkesbury Borough Local Plan to 2011 (the TBLP) sets out that any proposals to expand within these sites must demonstrate that the small scale nature of units and activity on the site will be retained. Proposals for extensions to existing rural business centres will be assessed in accordance with policy EMP4 however that policy has since been superseded by Policy SD1 of the JCS (see above).

5.10 The Twyning Neighbourhood Plan (TNDP) was adopted in April 2018 and forms part of the development plan. The TNDP acknowledges that the parish enjoys a rural location whilst also benefiting from its close proximity to Junction 8 of the M5 motorway and Junction 1 of the M50 motorway. This allows fast and convenient access to the major motorway and road networks of the Midlands and Southwest.

5.11 In respect of the current proposal, TNDP Policy E1 Principles of Employment Development supports new development involving the conversion of existing buildings or the small-scale expansion of existing premises providing it results in no adverse impact upon the landscape, improves local employment opportunities and is of an appropriate scale to the locality. Small-scale employment development that is demonstrated to improve local employment opportunities will be permitted within, or adjacent to Twyning Village and within or adjacent to the outlying settlements. Development that improves local employment opportunities will be supported in sustainable locations within or adjacent to settlements within the Parish providing they are of a scale, form and function which respects the existing character of that particular settlement.

5.12 In terms of emerging policy, the Preferred Options Tewkesbury Borough Plan (October 2018) (the TBP) was approved by the Council for consultation on 26th September 2018 and is presently out to consultation. Given the early stage of the plan, only limited weight can be afforded to policies contained within.

5.13 Of note is the current application site's inclusion as part of an expanded Rural Business Centre designation under Policy EMP2 of the emerging TBP. Having regard to this emerging policy, the proposals for B-class employment development on the site would be acceptable in principle providing it is of an appropriate scale and design having regard to the character of existing buildings on the site and the rural landscape of the area.

5.14 This emerging policy has been informed by the Employment Land Background Paper (September 2018) (ELBP) and the Tewkesbury Borough Employment Land and Economic Development Strategy Review (Bruton Knowles, 2016) (ELEDSE) which provide the justification for the site's inclusion as a preferred option within the plan. The ELEDSE considers the potential for expansion at Bockeridge Park and identifies that the area is economically good and most offices are occupied and finds that the park has 'very good' suitability for further employment development.

5.15 The existing development at Bockeridge Park provides 2,484 sqm of existing floor space. While a further extension of 1,942 sqm was permitted in 2014 this has not been implemented. The current application proposes 4,553 sqm of new employment floor space and represents a 183% increase in the existing developed floor space at Bockeridge Park.

5.16 While the principle of economic development is supported by the development plan it is evident that the proposal represents a substantial expansion of the existing business park. While neither the JCS nor TNDP define 'small-scale employment development', it is considered that the application proposes a substantial increase in floor area which conflicts with this aspect of policies SD1 and EMP2.

5.17 In response, applicant has advised that the success of Brockridge Park is due to the varied range of high quality accommodation for new start-up businesses in a highly accessible location and with good communications.

5.18 The current proposal has arisen from the needs of existing businesses most of which operate within the key growth sectors identified by the JCS, and market interest from other businesses seeking to relocate to the area. The applicant has advised that discussions have taken place with a number of businesses over the past 12 months which include a highly successful cosmetics business seeking to relocate from the Cotswolds, requiring specific office and training space combined with warehouse accommodation which this proposal could provide.

5.19 Advice from local commercial agents has identified unmet demand for new high quality and flexible offices and small commercial units and that commercial spaces in areas such as Ashchurch are too large for start-up or small/medium sized firms and do not provide the flexibility required for businesses to grow.

5.20 In response to concerns with regards to scale, the applicant contends that the proposal is small-scale and non-strategic and that by comparison, large scale commercial development on other nearby locations, such as Ashchurch and Quedgeley, single commercial buildings provide between 25,000 sq/ft and 40,000 sq/ft. Furthermore large scale commercial buildings also seek to provide a minimum eaves height of circa 8m and associated ridge height of circa 15m. By comparison, the largest building proposed at Brockridge Park would be 10,000 sq/ft (and capable of subdivision) and would have an eaves height of only 5.75m and a ridge height of no greater than 10m and should therefore be considered 'small-scale' in the context of general employment development and sites. Furthermore, the proposed buildings will sit at a significantly lower level than the nearest neighbouring residential properties (Twyning Manor and Brockridge Farm) as a result of the sites topography reducing the visual impact of the development.

5.21 While the proposal would be broadly consistent with JCS policy SD1 and TNDP policy EMP2, the proposal would represent a substantial extension to the existing business park, which could not reasonably be held to comply with the requirement with Policy EMP2 that such development should be small-scale. There is a clear conflict with the Development Plan in that respect.

5.22 This policy conflict needs to be balanced against the revised NPPF which places significant weight on the need to support economic growth. The support is therefore a matter which is given significant weight in the overall planning balance when considered against all other material planning considerations as discussed below.

Transport

5.23 The proposed development would be located to the east of the existing business park and would share the existing access from Brockridge Road. Within the site the development would be accessed along a new drive running along the western and northern edge of the existing development.

5.24 JCS Policy INF1 sets out that developers should provide safe and efficient access to the highway network for all modes of transport and that planning permission will be granted only where the impact of development is not considered to be severe.

5.25 The application has been accompanied by a transport assessment and travel plan and sets out that the trip generation of the proposed development would be 64 am and 56 pm peak hour two-way vehicle movements, based on existing business park trip generation figures. A further TRICS analysis has been undertaken which illustrates broadly similar two-way trip generation based on the proposed floorspace uses of 77 am and 59 pm movements. The county highways officer considers this trip generation acceptable.

5.26 The assessment has also assess the future years capacity of nearby junctions, and also accounts for committed developments. The nearest 'main' highway junctions are trunk road junctions of Brockridge Road and the M50 slip road and the A38 / M50 roundabout junctions which are the responsibility of Highways England.

5.27 The capacity assessment of the site access confirms that there is sufficient junction capacity. Accordingly, Highways England has raised no objections to the principle of the development and have confirmed that the proposal is unlikely to have a significant impact upon the strategic road network.

5.28 The County Council highways officer has confirmed that adequate visibility commensurate with 85th percentile recorded speeds can be achieved at the site access with Brockeridge Road and has recommended a condition to ensure that the splays remain clear of obstructions. Furthermore, the officer has advised that the existing access road is suitable for the expected traffic.

5.29 In terms of parking, the county highways officer has advised that the illustrative layout plans demonstrate that sufficient spaces could be accommodated within the site to meet estimated demand for the proposed B1, B2 and B8 floor space, as informed by TRICS analysis. The illustrative drawings also include provision for 36 secure cycle spaces and would serve to promote sustainable transport. The precise details of the parking provision, including the number and location of disabled spaces and provision of electric vehicle charging points will be considered in detail as part of any reserved matters applications.

Flood Risk and Drainage

5.30 JCS Policy INF2 advises that development proposals must avoid areas at risk of flooding and must not increase the level of risk to the safety of occupiers of a site and that the risk of flooding should be minimised by providing resilience and taking into account climate change.

5.31 The site is located in Flood Zone 1 as identified on the Gov.uk Flood Maps for Planning website. The application has been accompanied by a flood risk assessment which demonstrates that that post development runoff would be discharged via the use of attenuation SuDS. This would comprise an extension to the existing phase 1 pond located to the north of the site. Surface water discharge from the site is to be limited to the QBAR rate of 4.8l/s for all events up to and including the 1:100 year +40% climate change event, thereby providing betterment over existing greenfield discharge rates. The pond subsequently discharges to the existing ditch located adjacent to the M50 motorway. Investigation has shown that the ditch flows under the M50 and away from the site and discharges to the Ripple Brook. The LLFA have reviewed the submitted details and have raised no objections subject to condition.

5.32 In response to concerns raised by the Parish Council regarding the drainage of the site, Severn Trent Water has advised that they are working separately with the Parish Council to investigate and resolve local issues raised.

5.33 Furthermore, they have advised that the foul drainage flows from this development would appear to be primarily domestic in nature (toilets/welfare facilities) rather than any significant flows from any wet industry that would require separate control by trade effluent consent. In relation to other developments within the village, Severn Trent Water advise that they wouldn't necessarily adopt new pumping stations if there was a gravity solution available. However, in this instance the pumped flows from the proposed development would go via an existing drainage system serving the original business park, which then discharges to the sewer in Brockeridge Road and is acceptable.

Natural Environment

5.34 One of the 'Core Planning Principles' of the NPPF is to contribute to conserving and enhancing the natural environment. It recognising the 'intrinsic character and beauty of the countryside'. Paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising impacts on biodiversity.

5.35 Policy SD6 of the JCS advises that development should seek to protect landscape character for its own intrinsic beauty and development proposals should protect or enhance landscape character and avoid detrimental effects on the type pattern and features which make a significant contribution to an area.

5.36 The site lies in open countryside and comprises agricultural land. Although the proposed development would adjoin the existing business park to the west, it would constitute an intrusion into open countryside. Nevertheless the existing business park is set well back from the road and there is existing landscaping both within and adjacent to the site including a belt of tree planting between the site and the M50 motorway which runs at an elevated level to the site. As a result the site has limited views from the wider area, and surrounding countryside. While there would be views from Twynning Manor to the east, it is noted that this land is elevated above the application site and the provision of further planting would provide acceptable levels of screening to the development and would preserve the landscape character.

5.37 JCS Policy SD9 requires the protection of biodiversity and geological resources. An ecological assessment has been submitted as part of the application. The report advises that the site primarily comprises improved grassland. The report advises that the site is of limited ecological value and the proposal would not impact protected species. As part of the recommendations the report outlines a series of measures to enhance biodiversity and these can be secured by condition.

5.38 In conclusion, the proposed development would result in harm to the character and appearance of the landscape which weighs against the proposal in the planning balance. It is nevertheless recognised that this harm could be limited by appropriate landscape mitigation measures. Furthermore, an appropriately worded condition would safeguard nature conservation and achieve ecological enhancements.

Residential Amenity

5.39 JCS policy SD14 advises that high-quality development should protect and seek to improve environmental quality and that development should not create or exacerbate conditions that could impact on human health.

5.40 The proposed development would be set approximately 115 metres to the northwest of Twyning Manor and at a lower level. The illustrative details show how the nearest units would be orientated with gable ends towards the east and would be cut into the landscape in order to minimise the visual impact. In order to maintain an acceptable relationship, the overall height of the buildings can be controlled by condition and the applicant has indicated that further landscaping and tree planting could be provided to provide further screening to the development. As a result and subject to compliance with conditions, the proposal would have a satisfactory relationship with Twyning Manor.

5.41 The proposal has been reviewed by the councils Environmental Health advisor who has raised no objections to the proposal.

Design/Layout and impact on Heritage asset

5.42 JCS Policy SD4 advises that new development should respond positively to and respects the character of the site and its surroundings and Policy SD8 requires the conservation of designated and undesignated heritage assets.

5.43 Although the application is in outline (with layout, scale and appearance reserved) the application has been accompanied by a series of indicative plans which demonstrate how the development could be designed to reflect and harmonize with the character and appearance of the existing business park and the rural character of the area. While the proposed B2 and B8 element would comprise buildings of a different scale to the existing office development, these would reflect the scale of more modern agricultural buildings. The submitted drawings indicate how these buildings could be designed with a mixture of traditional and modern materials such as brick, timber and profiled metal roofing in order to achieve a high quality finish which would reflect the character of the area. The precise details would be subject to further consideration at the reserved matters stage and specific materials controlled by condition. The design of the development as indicated is also considered to help mitigate the landscape harm arising from the proposals as discussed above.

5.44 In terms of heritage matters the proposed development would be set over 37 metres to the northeast of Bockeridge Farmhouse which is a Grade II Listed building. While the indicative plans show that the development of the site is unlikely to have a harmful impact upon the setting of the listed building as a result of the presence of existing buildings at Bockeridge Farm, particular attention would need to be paid at the reserved matters stage with regards to the scale of any buildings adjacent to the southern boundary of the site. As a precaution it is recommended that the height of any buildings within 75 metres of the listed farmhouse are restricted in height in order to preserve the setting of the listed building.

6.0 Balancing Exercise and Conclusions

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

Benefits

6.2 The proposal would extend a popular and successful business park in an accessible location with good access to the motorway network, which is presently occupied by a number of businesses operating within key growth sectors. It would add opportunities for existing businesses to expand and also attract new investment and business opportunities through the mix of uses proposed and would increase employment opportunities in the area. Economic benefits would also arise from the construction phase.

Harms

6.3 The proposal conflicts with TNDP policy E1 which requires new employment related development in the wider countryside to be small scale. The proposal would result in built development and a substantial increase in the size of the business park which would encroach into the open countryside and would result in the loss of agricultural land which would impact the character of the area. However this harm could be limited through careful design considering the location of the site, limited views and separation from existing residential development.

Neutral

6.4 While the proposal would result in a change in the character of the area the proposal, subject to compliance with conditions would result in a satisfactory relationship with adjoining development and would not adversely impact amenity. Furthermore while there would be an increase in vehicular movements this would not impact safety or the operation of the highway network.

Conclusion

6.5 On the basis of the above, it is considered that, on balance, the benefits and limited harm, which could be further mitigated by careful design and landscaping proposals, would outweigh the conflict with the development in respect of the scale of development proposed. As such, the proposal is considered to represent sustainable development and it is therefore recommended that the application is **PERMITTED**.

RECOMMENDATION Permit

Conditions:

- 1 As part of the first reserved matters application pursuant to condition 2 below a phasing plan for the whole site shall be submitted to the Local Planning Authority for approval in writing. The development shall thereafter be carried out in accordance with the approved phasing plan.

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

- 2 The development of each phase shall not begin before detailed plans showing the appearance, landscaping, layout (which shall include details of the means of access to that phase from the site access shown on drawing no.1873 3000 onto Brockeridge Road) and scale of the development (hereinafter referred to as "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those approved details.

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

- 3 Application for the approval of the reserved matters for Phase 1 as identified by the approved phasing plan shall be made to the Local Planning Authority before the expiration of 2 years from the date of this permission.

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

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

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

- 5 Application for the approval of reserved matters for all subsequent phases of development as identified by the phasing plan shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. The subsequent phases of development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of 1 year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

- 6 Each application for reserved matters pursuant to Condition 2 shall be accompanied by a plan setting out the existing and proposed ground levels and ground floor slab levels of the buildings relative to Ordnance Datum Newlyn for each phase of development subject to that reserved matters application. The development within each phase shall be carried out in accordance with the approved details.

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

- 7 The first reserved matters application pursuant to condition 2 above shall be accompanied by a detailed design, maintenance & management strategy and timetable of implementation for the surface water drainage strategy for the whole site which shall be based on the Flood Risk Assessment / Drainage Strategy (Job no.5845, document name Land at Bockeridge Road, Twyning, Gloucestershire with revision no.5) submitted with the application. The surface water drainage strategy must demonstrate the technical viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The surface water drainage strategy shall be designed so that there should not be any flooding on any part of the site for 1 in 30 year rainfall event and should not be any flooding on any part of the building for a 1 in 100 year rainfall event. The scheme for the surface water drainage shall be carried out in accordance with the approved details before any part of the development is first brought in to use.

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

- 8 The first reserved matters application pursuant to condition 2 above shall be accompanied by drainage plans for the disposal of foul water to serve the whole development. The drainage scheme shall be implemented in accordance with the approved details before any phase of the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

- 9 Each reserved matters application submitted pursuant to Condition 2 shall be accompanied by precise details of the following and the development shall be carried out in accordance with those approved details.

- All external facing and roofing material including windows doors and their colour.
- All external plant and enclosures
- Provisions for the storage of waste
- Details of any external lighting to serve that phase

Reason To ensure a satisfactory appearance to the development in the interest of the visual amenity of the area.

- 10 The first reserved matters application submitted pursuant to Condition 2 shall be accompanied by full details of both hard and soft landscape proposals for the whole site. These details shall include, as appropriate:

Hard landscaping details shall include:

- i. Proposed finished levels or contours;
- ii. Positions, design, materials and type of any boundary treatments to be erected;
- iii. Hard surfacing materials;

Soft landscape details shall include:

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

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

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

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

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

- 12 The first reserved matters application submitted pursuant to Condition 2 shall be accompanied by a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas. The landscape management plan shall be implemented in accordance with those approved details prior to the first use of the development.

Reason: In the interests of visual and residential amenity.

- 13 No development including demolition or site clearance shall be commenced on the site or machinery or material brought onto the site for the purpose of development until full details of measures to protect trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority. This shall include:

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

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

- 14 During the construction phase, no site clearance, construction works or machinery (audible beyond the application site) shall be operated, or process carried out and no deliveries taken at or despatched from the site outside the following times 07.30 hours to 18.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the amenity of occupiers of nearby properties.

- 15 No development shall take place within any phase, including any site preparation works, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
- i. specify the type and number of vehicles;
 - ii. provide for the parking of vehicles of site operatives and visitors;
 - iii. provide for the loading and unloading of plant and materials;
 - iv. provide for the storage of plant and materials used in constructing the development;
 - v. provide for wheel washing facilities;
 - vi. specify the intended hours of construction operations;
 - vii. specify measures to control the emission of dust and dirt during construction

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

- 16 Visibility splays extending from a point 2.4 metres back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 52 metres south and 41 metres north distant in both directions (the Y points) shall be maintained for the duration of the use. The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05 metres and 2.0 metres at the X point and between 0.26 metres and 2.0 metres at the Y point above the adjacent carriageway level.

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

- 17 Notwithstanding vehicle parking, no phase of the development hereby permitted shall be occupied until the cycle storage facilities have been made available for use in general accordance with the submitted plan No.1873 3000 and shall include a minimum of 36 covered and secure spaces and those facilities shall be maintained for the duration of the development.

Reason: To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up.

- 18 No building upon the site shall exceed 10 metres in overall height or 8 metres to the eaves.

Reason: To ensure an acceptable scale to the development in the interest of the visual amenities of the area.

- 19 No building within 75 metres of the main listed farmhouse (at Brockeridge Farm) shall exceed 8.5 metres in height.

Reason: In order to preserve the setting of the listed building.

- 20 No external lighting other than that which may have been approved under Condition 10 above shall be installed at the site.

Reason: These details will require further consideration in the interest of the visual amenities of the area.

- 21 The development hereby permitted shall not exceed 4,553 square metres (Gross) of which no more than 2,710 square metres (Gross) shall be for Class B2 or B8 use.

Reason: To preserve the mix and character of the development.

- 22 There shall be no open storage of materials, products or waste outside of the buildings.

Reason: To ensure an acceptable scale to the development in the interest of the visual amenities of the area.

- 23 The development shall be carried out and thereafter maintained in accordance with the ecological mitigation and protection measures set out within the Ecology Solutions Ltd Ecological Assessment 7298.EcoAss.vf2 and the enhancement measures implemented concurrently with the development.

Reason: These details are required prior to the commencement of works in order to conserve the natural environment.

- 24 The proposed bird boxes as set out in the Ecology Solutions Ltd Ecological Assessment 7298.EcoAss.vf2 shall be installed as part of each phase of the development and shall be similarly maintained thereafter.

Reason: To conserve the natural environment.

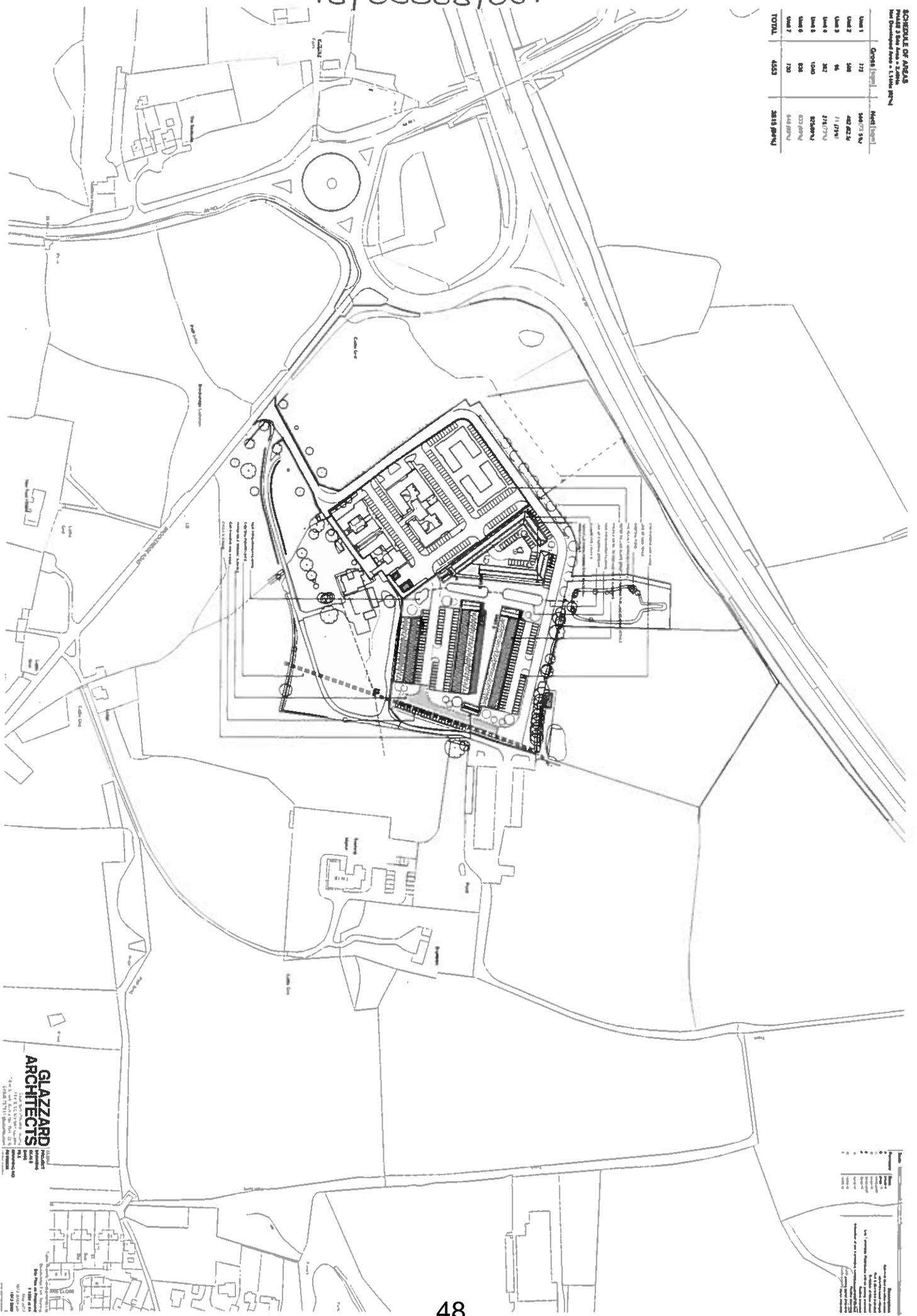
Notes:

- 1 In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating an improved design and ensuring that highway safety and ecology issues have been addressed.
- 2 The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency.
- 3 Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.
- 4 Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

18/00368/OUT

SCHEDULE OF AREAS
 Project: 18/00368/OUT
 Not Developed Area: 1,146m² (27%)

Unit	Area (m ²)	Net (m ²)
Unit 1	772	546 (71.5%)
Unit 2	548	407 (74.3%)
Unit 3	46	11 (24%)
Unit 4	302	276 (91%)
Unit 5	1040	826 (79%)
Unit 6	658	623 (95%)
Unit 7	730	648 (89%)
TOTAL	4533	3818 (84%)



Legend

- Proposed Building Footprint
- Proposed Parking
- Proposed Cycleway
- Proposed Footpath
- Proposed Landscaping
- Proposed Fencing
- Proposed Driveway
- Proposed Access
- Proposed Boundary
- Proposed Road
- Proposed Footway
- Proposed Drainage
- Proposed Utility
- Proposed Tree
- Proposed Planting
- Proposed Existing Building Footprint
- Proposed Existing Parking
- Proposed Existing Cycleway
- Proposed Existing Footpath
- Proposed Existing Landscaping
- Proposed Existing Fencing
- Proposed Existing Driveway
- Proposed Existing Access
- Proposed Existing Boundary
- Proposed Existing Road
- Proposed Existing Footway
- Proposed Existing Drainage
- Proposed Existing Utility
- Proposed Existing Tree
- Proposed Existing Planting

GLAZARD ARCHITECTS
 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

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18/00368/OUT

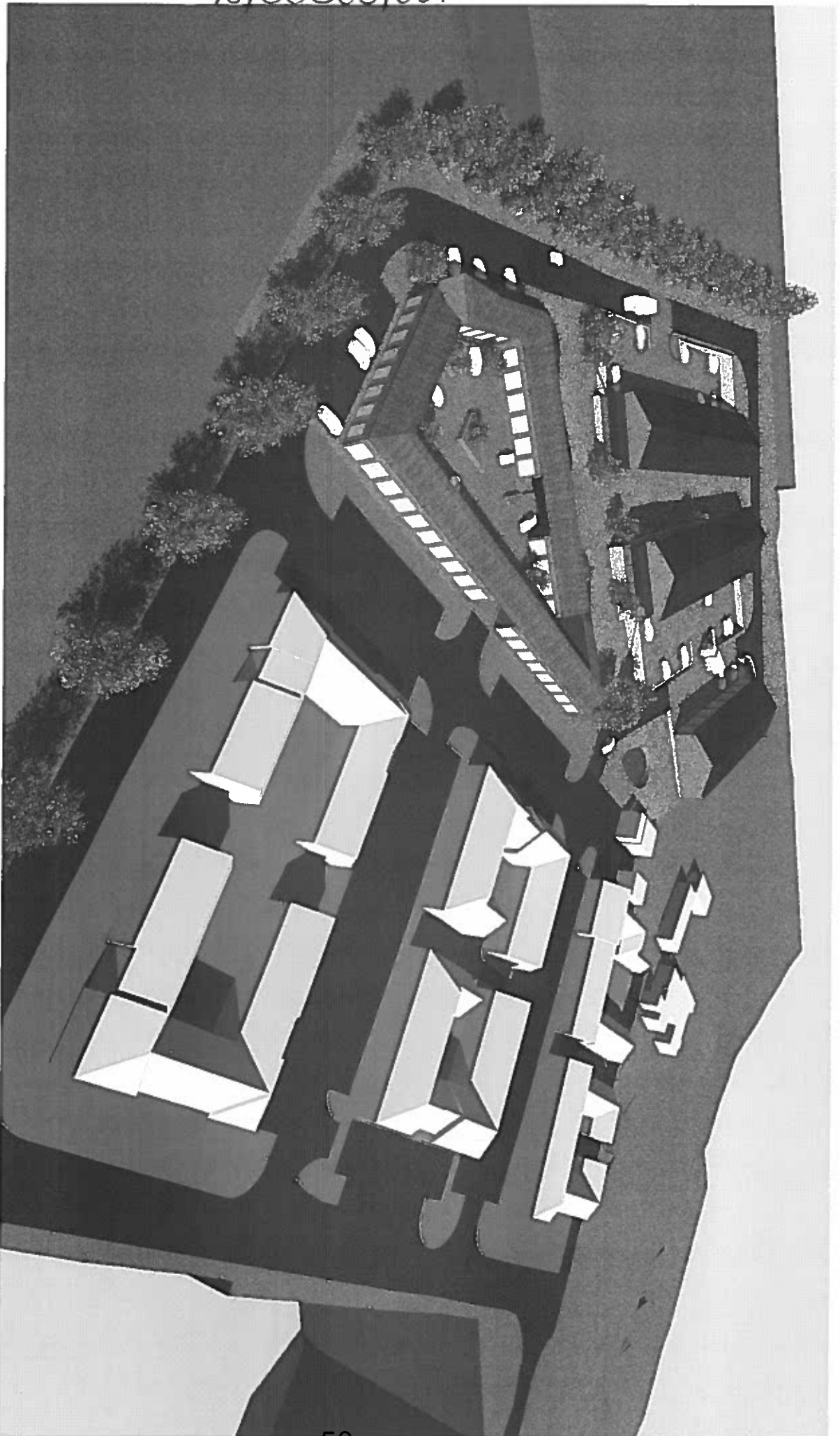


GLAZARD ARCHITECTS
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 Fax: 303.440.1112
 Website: glazard.com

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 340/b



18/00368/0v1



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340/c

BROCKRIDGE PARK
 TWYNING
 PHASE 3 DEVELOPMENT

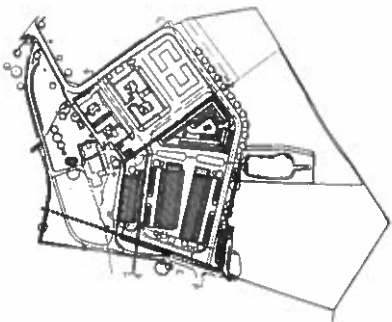
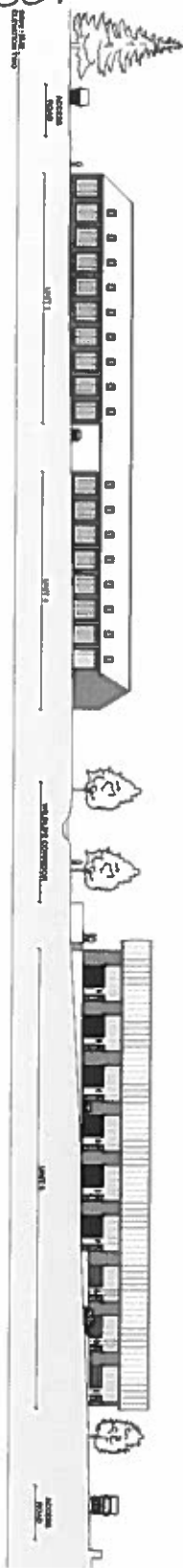
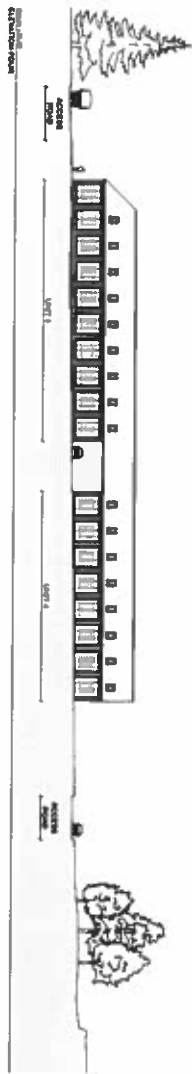
1873 9000c NW Overview

FEBRUARY 2018

GLAZZARD
 ARCHITECTS

Grangiers Porcelain Works
 Unit 9, St Martin's Quarter
 Silver Street, Worcester, WR1 2DA
 01905 757511 glazzards.com

18/00368/00.



GLAZARD ARCHITECTS
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 San Francisco, CA 94103
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 Website: www.glazard.com

51
340/d



18/00856/FUL

12 High Street, Stanton, Broadway

ITEM 4

Valid 04.09.2018

Variation of condition 2 (drawing schedule) and 3 (walling samples) to application 17/00897/FUL to allow for alterations to the length, height, width and detailing of the boundary wall.

Grid Ref 406983 234230
Parish Stanton
Ward Isbourne

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework; 2018 (NPPF)
Planning Practice Guidance
The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2017 (JCS)
Tewkesbury Borough Local Plan to 2011; March 2006 (TBLP)
Planning (Listed Buildings and Conservation Area) Act 1990
Flood and Water Management Supplementary Planning Document
Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
The First Protocol, Article 1 (Protection of Property)

Grade II Listed Building
Stanton Conservation Area
Article 4 Direction Boundary
Area of Outstanding Natural Beauty

Consultations and Representations

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

- The wall is a very visible part of the High Street. Stanton is a very special Cotswolds village in a conservation area and it is important that the street scene in the centre of the village is preserved.
- The removal of the conditions attached to the original permission would result in a wall that is inappropriate to the character of Stanton and would have a detrimental visual impact on the High Street.
- The wall should be constructed as a traditional Cotswold dry stone wall from old Cotswold stone, with vertical top-stones, at a height from the road of no more than was originally permitted.

Conservation Officer - Concerns originally raised regarding the design and siting of the piers and the proposed capping. Revised plans were received on 05.11.2018 and the Conservation Officer was re-consulted. The Conservation Officer now raises no objection to the revised scheme.

Members of the public - No representations received

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

Planning Officers Comments: Mr James Lloyd

1.0 Application Site

1.1 Nos 12-15 High Street (NHL ref 1154066) are a Grade II listed L-plan group of four cottages of C17 origins with early C20 alterations, occupying a prominent position on the High Street within the Stanton Conservation Area. The building's phasing and subdivision is complex and the proposed extension to No 12 is effectively to the rear of No 15.

1.2 The application property is located within the Cotswold Area of Outstanding Natural Beauty (AONB) and is also subject to an Article 4 Direction.

2.0 Relevant Planning History

85/00091/FUL - Alterations and extension to existing dwelling to provide an enlarged lobby, Installation of dormer window. Erection of a boundary wall 1.83m high - Permitted 1985

16/01332/LBC - Single storey rear extension and refurbishment - Consent 2017

16/01331/FUL - Single storey rear extension and refurbishment - Permitted 2017

17/00076/CONDIS - Application for approval of details subject to conditions; 4, 5, 6 & 7 of 16/01331/FUL and 16/01332/LBC - Conditions discharged - 2017

17/00897/FUL - Installation of a new window opening to west elevation replacing redundant gas flue (retrospective). Small glazed gable to rear over kitchen (retrospective). Reconstruct and increase in height existing drystone boundary wall - Permitted 2018.

3.0 Current Application

3.1 Planning permission was granted in March 2018 for the erection of a boundary wall, the addition of a new window opening and changes to a single storey extension that was permitted in 2016 (16/01331/FUL) one dwelling as.

3.2 This Section 73 application seeks permission to alter condition (2) of the permission. This condition states:

"The development hereby permitted shall be carried out in accordance with details within the application form and approved plans/drawings Nos. 1016-06, 1016-07 & 1016-01 received by the Local Planning Authority on 22nd August 2017 and approved plans/drawings Nos. 1017-12 & 1017-09A received by the Local Planning Authority on 1st March 2018."

3.3 The applicant is seeking to alter the approved drawings to amend the design of the permitted wall. These changes would include:

- Amending the maximum height of the wall from 1350mm (currently approved) to 1650mm, an increase of 300mm.
- A change in the walling stone and its construction. The current scheme is for a traditional dry stone wall, these amendments seek to construct the wall from a natural Cotswold stone, which would be of a more regular cut and tumbled stone.
- The introduction of two gate pillars
- The extension of the wall to the north, adjacent to the driveway of number 13 High Street.

3.4 N.B the construction of the wall has already commenced, however, works have ceased when it became apparent that an application would be required for the changes to the scheme.

3.5 This application is also seeking to amend condition (3) of the permission. This condition states:

"Notwithstanding the submitted information within the application, no construction of the external boundary wall hereby permitted shall commence until a sample panel of all external walling materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken in accordance with the approved details."

3.6 Given that part of the wall is already under construction the applicant is seeking to sign off this condition through the current application. The applicant is requesting that the initial section on wall that has already been constructed is used as a sample panel and thus condition 3 would not be required.

4.0 Policy Context

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

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

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

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

5.0 Analysis

5.1 The principle of the development has been established with the approval of the previous planning application reference 17/00897/FUL. The main issues to be considered is the impact of the change in design and height of the wall upon the heritage assets (Conservation Area and Listed Building), on residential amenity, and the design and visual impact on the character and appearance of the existing building, the AONB and surrounding area.

Impact on Heritage Assets (Grade II Listed Building & Conservation Area)

5.2 Policy SD8 of the JCS and Policy HEN2 of the TBLP reflects the general duty of the Planning (Listed Buildings and Conservation Area) Act 1990, to pay special attention to S66 (1) and S72 of the Act, amongst other matters, to have special regard to the setting of Listed Buildings and Conservation Areas. Any decisions relating to listed buildings and their settings and Conservation Areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as satisfying the relevant policies within the Framework and Local Plan.

5.3 The garden to No.12 is set at a higher level than the adjacent road (High Street) the current relationship between the two is open with a small dry stone wall defining the difference in levels. The applicants are seeking to build this wall up to create a boundary between the garden and the road as this is the only outside private amenity space allocated to the property.

5.4 This scheme proposes to increase the height of the wall (at its maximum point) by approximately 300mm which would give an overall height of 1650mm. The original scheme (Submitted with 17/00897/FUL) proposed a height of 1600mm, which was objected to by the Parish Council and the then Conservation Officer. The applicants then submitted revised drawings to reduce the wall height (at its highest point) down to 1350mm, this was accepted by the Parish Council and Conservation Officer. At the time the Conservation Officer noted that a 200mm reduction in height would help mitigate the wall's impact.

5.5 The Council's Conservation Officer has been consulted and has advised that there are examples of similar height walls situated along the High Street in. It is noted that the scale and mass of the proposed wall would not be unlike the historic wall to the old school opposite and given the relatively short length of wall and its setting amongst the varying boundary features it is not considered that the change would have a detrimental visual impact upon the character of the area or the setting of the listed building. The applicant has also chosen to construct the wall from a more formal set of stone rather than a more traditional random rubble dry stone wall. The material would remain as a natural Cotswold stone, however, would be of a more regular cut and tumbled stone. Whilst this is a departure from the 'traditional' Cotswold stone construction, there is evidence along the High Street of other boundary walls which are of a similar form of dry stone and have been used historically. With this in mind it is not considered that the type of walling would be harmful to the conservation area or the setting of the listed buildings in this instance.

5.6 Notwithstanding the above comments the Conservation Officer raised some concerns regarding the proposed capping on the wall and the gate pillars. This concerns related to the 'mix match' of formal and informal design between these features and the proposed wall. It was considered that a random stacked capping would not be appropriate in this context and would unnecessarily increase the height of the wall. The pillars were also located in a position that would appear overly formal and out of context with the wall. The applicant has subsequently submitted revised plans that propose the pillars in a different location and the capping has been reduced to a two way weathered stone capping. The Conservation Officer has been re-consulted and is satisfied that any previous concerns have been resolved.

5.7 Therefore, whilst the Parish Council's concerns are acknowledged, it is considered that the changes to the wall would be appropriate in this instance and would not detract from the setting of the listed building or be harmful upon the conservation area. The wall would be prominent within the street scene, however, there are many examples along the High Street of walls fronting onto the road. The material used would initially appear 'fresh' however, given the natural stone material it would, given time, weather down and assimilate well with its surroundings.

5.8 With the above in mind it is acknowledged that this section of street scene would alter and a new stone wall would make a visible impact, however, on balance it is considered that this change would not be harmful to the street scene and wider Conservation Area. With this in mind it is considered that the new wall preserves the listed building, its setting and any features of special architectural or historic interest which it possesses and the wider conservation area, in accordance with Section 66 (1) & 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy SD8 of the JCS, HEN2 of the TBLP and the principles of the NPPF

5.9 For the reasons given above, it is also considered that the proposed development would conserve the landscape, scenic beauty, wildlife, cultural heritage and other special qualities of the Cotswolds AONB, in accordance with Policy SD7 of the JCS and the principles of the NPPF.

Impact on amenity of adjacent occupiers

5.10 Policies HOU8 and SD4 state that development will only be permitted if the proposal does not have an unacceptable impact on adjacent property in terms of bulk, massing, size and overlooking.

5.11 Given the location of the wall and its proximity to neighbouring properties, it is not considered to have an unacceptable impact on residential amenity. This element of the scheme would therefore accord with the principles of the NPPF and Policies SD4 of the JCS and Policy HOU8 of the TBLP.

Removal of Condition 3

5.12 Condition 3, associated with application 17/00897/FUL, requires the applicant to create a sample panel wall prior to construction of the wall. Unfortunately the applicant did not undertake this and chose to start constructing the wall. The result of this is that there is a pre-constructed section of walling already on site. Officers have visited site (including the Conservation Officer) and it is considered that the section of wall that has been built is acceptable. Given this a condition requiring the sample wall on site is now not required. However, applying a condition that would tie the construction of the rest of wall to that already on site is reasonable in this instance.

Time Compliance Condition (1)

Given that the works on site have already started, and the window and rear extension elements of application 17/00897/FUL are now complete, it is not deemed necessary to apply a time compliance condition to this application.

6.0 Summary

6.1 Subject to appropriate conditions the development is considered to conform to planning policy and it is recommended permission is granted.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be carried out in accordance with details within the application form and approved plans/drawings Nos. 1016-06, 1016-07 & 1016-01 received by the Local Planning Authority on 22nd August 2017 and approved plans/drawings Nos. 1017-14C & 1017-15C received by the Local Planning Authority on 5th November 2018.
- 2 The remaining wall and gate piers/pillars shall be constructed in the same manner as the existing wall on site, as demonstrated in the photos (named "Photo 1 -walling sample" and "Photo 2 -walling sample") received by the Local Planning Authority on the 06.11.2018.
- 3 No mortar shall be used to point the face of the stonework on the hereby permitted wall and gate piers/pillars.

Reasons:

- 1 For the avoidance of doubt and in the interest of proper planning
- 2 In the interests of the appearance of the development and the surrounding conservation area.

- 3 In order to maintain dry stone like appearance to the finish of the wall to protect and preserve the character of the conservation area.

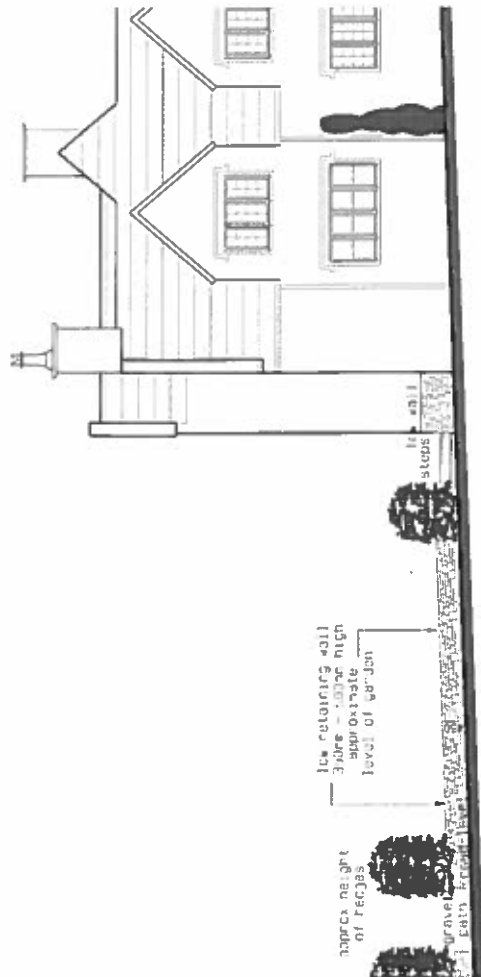
Notes:

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

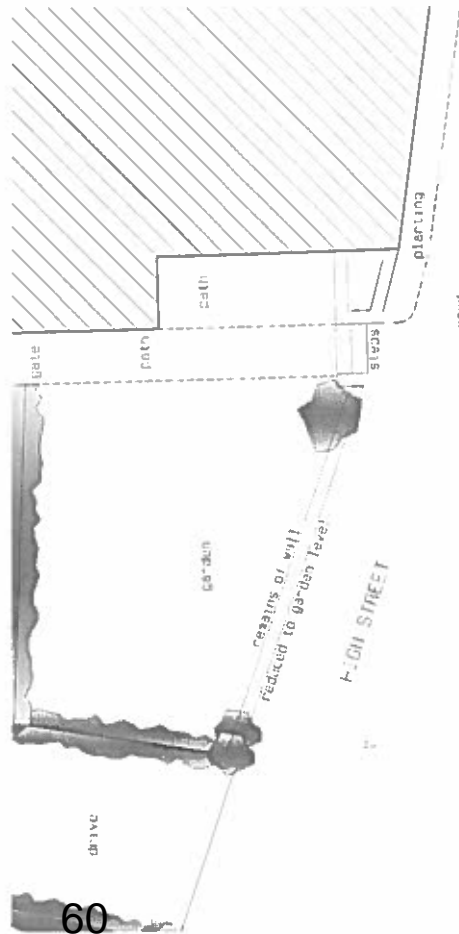
In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating the design of the wall piers/pillars and coping stones.

- 2 This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.

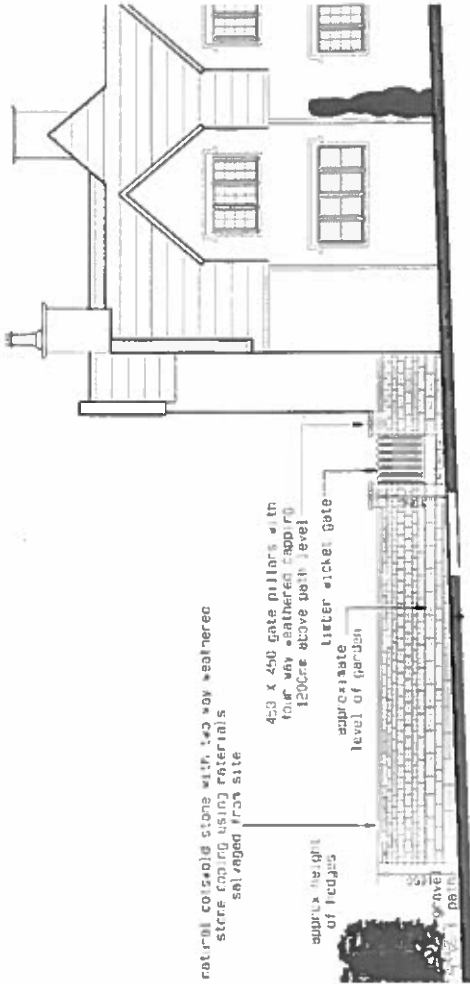
18/00856/FUL.



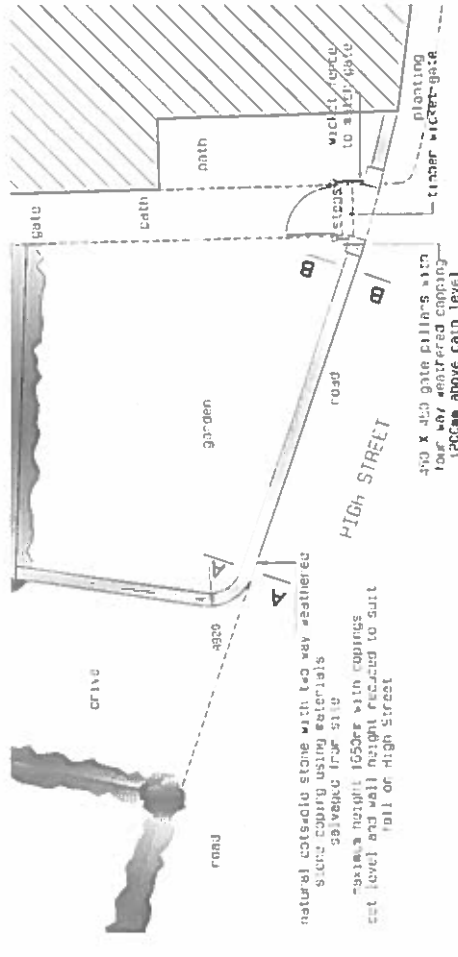
existing elevation showing garden



existing plan



proposed elevation showing garden



proposed plan

Revision A 25 October 2018
 one way weathered capping to wall added
 position of gate piers revised
 B - 31 October 2018
 capping stone revised piers revised wicket fence added
 C - elevations amended

PROJECT TITLE
 12 High Street Stanton
 Broadway WR12 7NF
 Proposed Garden Wall

DATE
 August 2018

DRAWING NO.
 1017 15C

SCALE
 1/1250 & 1/500 @ A3

DRAWING TITLE
 site and location plan

NEIL HEALEY BUILDING DESIGN
 3 Apple Close, Evesham, Worce, WR11 1TY
 TEL: 01452 45500
 E-MAIL: nhealey@neilhealey.com

These drawings have been prepared for planning and building regulation purposes only and do not constitute a contract. The client shall be responsible for obtaining all necessary consents and for ensuring compliance with all relevant legislation. All dimensions in millimetres.

PLANNING DRAWING

345/6

Valid 28.08.2018
 Grid Ref 408289 235955
 Parish Buckland
 Ward Isbourne

Erection of 2.4 x 1.5m solid oak advertisement to replace existing

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework; 2018 (NPPF)
 Planning Practice Guidance
 The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2018 (JCS): Policy SD4, SD7, SD8, INF1
 Tewkesbury Borough Local Plan to 2011; March 2006 (TBLP): Policies GNL13, HEN2
 Planning (Listed Buildings and Conservation Area) Act 1990
 Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
 The First Protocol, Article 1 (Protection of Property)

Cotswolds Area Of Outstanding Natural Beauty
 Buckland Conservation Area
 Article 4 Direction

Consultations and Representations

Consultations and Representations

Buckland Parish Council - Objects to the proposed development on the following grounds:

- The size of the proposed notice is too large.

Local residents - No representations received

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

Conservation Officer - No Objection.

Planning Officers Comments: Emily Pugh

1.0 Application Site

1.1 This application relates to Buckland Court, a private complex of former farm buildings, all of which have been converted to form holiday accommodation. The site is primarily accessed to the south west via the main road through Buckland, is located in the Buckland Conservation Area, Cotswolds AONB, and is subject to restriction of permitted development rights due to an Article 4 Direction. **see site location plan.**

2.0 Relevant Planning History

2.1 No relevant history pertaining to this application.

3.0 Current Application

3.1 The current application seeks advertisement consent for the replacement of an existing functional advertisement at the entrance of the site with a larger one. The sign would be of post and panel design, the two posts measuring some 2.4m in height from ground level and the panel comprising of some 1.3m² in area.

3.2 The proposed materials would comprise of oak posts stained in green with an engraved oak panel. The sign would serve the function of displaying the name of the premises, with the letters infilled in black. **see attached plans for all details.**

4.0 Policy Context

4.1 The erection of an advertisement is controlled under the Town and Country Planning (Control of Advertisements) Regulations 2007. Regulation 3 requires that the local planning authority control the display of advertisements in the interests of amenity and public safety; taking into account the provisions of the development plan, insofar as they are material and any other relevant factors.

4.2 The National Planning Policy Framework (NPPF) states that the quality and character of places can suffer when advertisements are poorly sited or designed. As per the 2007 Regulations, the NPPF makes it clear that when assessing applications for new signage, the LPA can only assess two issues, being the interests of amenity and public safety, taking account of cumulative impacts.

4.3 The development plan comprises the Joint Core Strategy (JCS) (2018) and saved policies in the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP). The relevant policies are set out in the appropriate sections of this report.

5.0 Analysis

5.1 The main issues to be considered are the impacts upon amenity and public safety.

Visual Amenity

5.2 Saved Policy GNL13 of the TBLP states that advertisements, signs and noticeboards will only be permitted where they are well sited, in scale and character with, and of a design appropriate to, the building and the locality. Directional signs may be acceptable in rural areas where there is no conflict with visual amenity and public safety provided that any such signs are kept to a minimum (normally one sign) and purely serve to inform customers as to the location of the business without containing additional extraneous information. Illumination must be appropriate to its location.

5.3 Policy SD8 of the JCS and Policy HEN2 of the TBLP reflects the general duty of the Planning (Listed Buildings and Conservation Area) Act 1990, to pay special attention to S66 (1) and S72 of the Act, amongst other matters, to have special regard to the setting of Conservation Areas. Any decisions relating to Conservation Areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as satisfying the relevant policies within the Framework and Local Plan. Likewise, Policy SD7 states that developments are required to conserve and where appropriate enhance the landscape, scenic beauty, cultural heritage and other special qualities in an AONB.

5.4 The application site is a complex of holiday lets. It is set out in the application that the current signage is not clearly visible to visitors who often miss the turning to the complex, and therefore it is proposed that a larger, clearer sign replace it in a more prominent position at the entrance to the complex. The signage is necessary in order to direct those visitors accordingly.

5.5 The design of the proposal is sympathetic to the character and appearance of the Conservation Area - it uses natural stained oak and engraved detailing for the letters. The post and panel style is characterised by traditional gothic-style peaks at the tops. Likewise, the height (2.4m) and width (1.3m) of the sign is not considered overbearing or unsympathetic to the setting of the area.

5.6 The chosen location of the advertisement would be clearly visible from a prominent location for visiting guests, however is well related in terms of the existing boundary. Likewise, the proposed wording is functional and minimalistic serving the function of displaying the location and name of the business only.

5.7 The Conservation Officer concurs, who comments that "The proposed signage is constructed of natural materials sympathetic to the character of the area. The sign board is larger than the existing sign but is far more subtle in its general appearance. Despite being larger and in a more prominent location it is considered that the proposed signage would not have an adverse visual impact upon the character or appearance of the conservation area."

5.8 As such, the proposal is acceptable in terms of impact on amenity and accords with the provisions of the NPPF, Policies GNL13 and HEN2 of the Local Plan, and Policies SD7 and SD8 of the JCS.

Safety

5.9 JCS Policy INF1 sets out that permission shall only be granted where the impact of development is not severe. It further states that safe and efficient access to the highway network should be provided for all transport means.

5.10 The advertisement would be situated in an area of formal garden within the grounds of the complex. It would be set back from the road and would not restrict visibility. Likewise, it is not considered that the advertisement would distract drivers from the road and thus the scheme does not have an undue impact on highway safety. As such, the proposal accords with the requirements set out in Policy INF1 of the JCS, Policy GNL13 of the TBLP and Section 12 of the NPPF and is therefore acceptable in terms of its impact on public safety.

6.0 Conclusion & Recommendation

6.1 Whilst the Parish Councils comments have been considered, the proposed scheme is considered to be in accordance with the NPPF and the relevant development plan policies, and it is therefore recommended that advertisement consent be granted subject to conditions.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the following documents:
 - Revised Block Plan, received by the local planning authority on 29th August 2018.
 - Structure diagram, received by the local planning authority on 29th August 2018.and any other conditions attached to this permission.

Reasons:

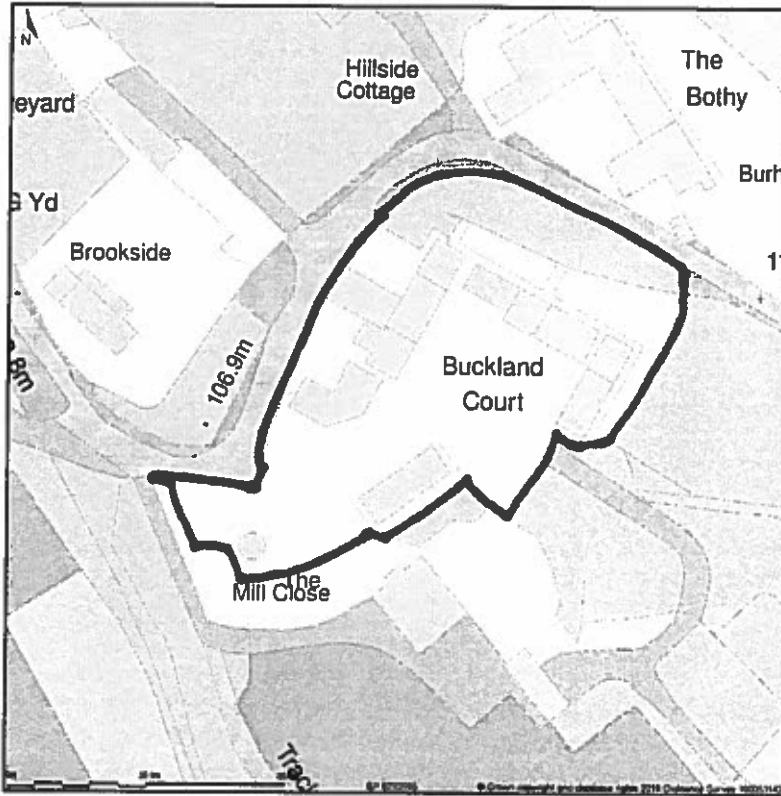
- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that the development is carried out in accordance with the approved plans.

Notes:

- 1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
- 2 This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.

18/00859/AV

Buckland Court, 400693 Village Road Through Buckland, Buckland, Tewkesbury, Gloucestershire, WR12 7LY



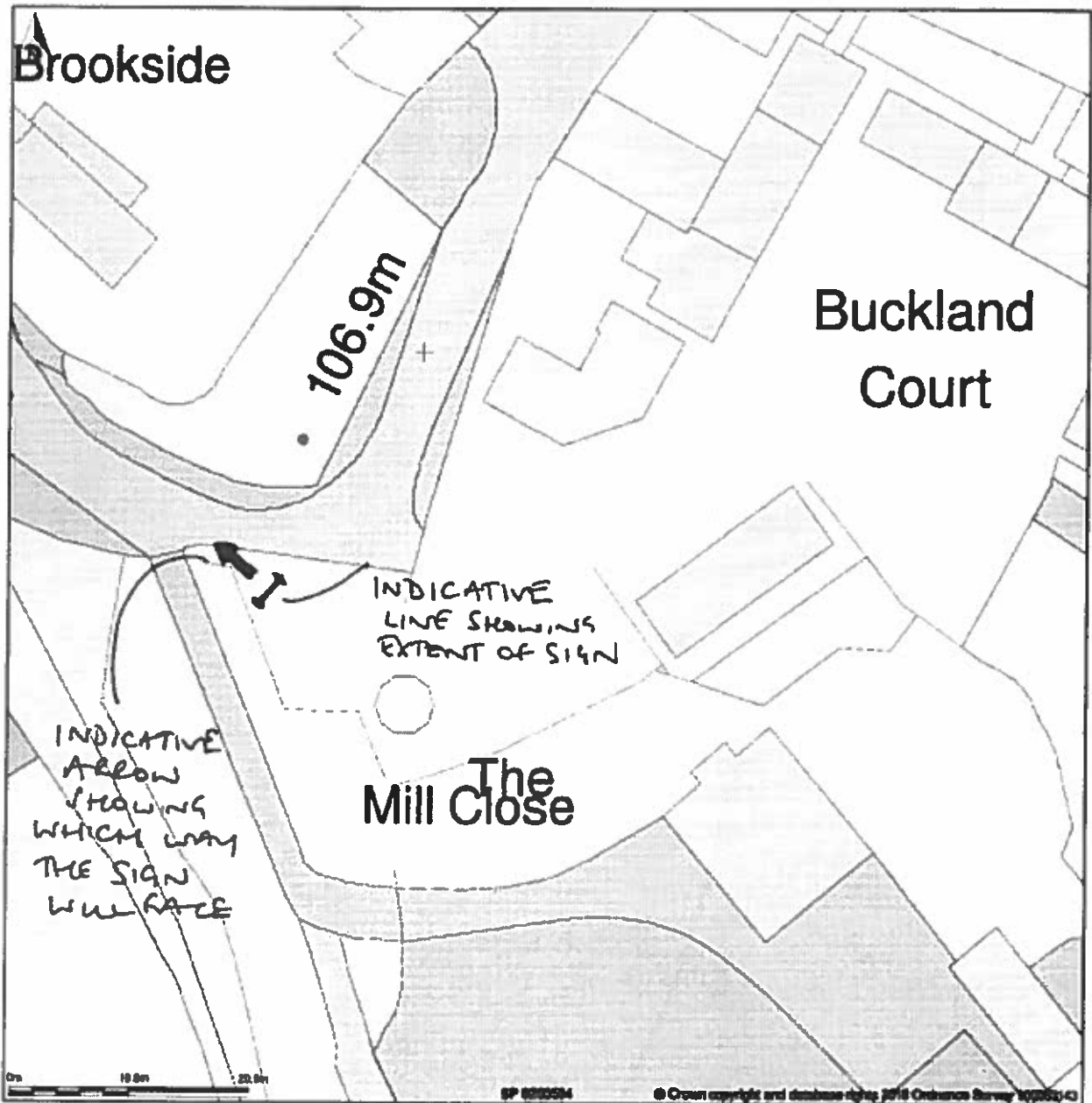
Site Plan shows area bounded by: 408229.24, 235886.1, 408370.67, 236027.52 (at a scale of 1:1250), OSGridRef SP 8293595. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Buckland Court, 400693 Village Road Through Buckland, Buckland, Tewkesbury, Gloucestershire, WR12 7LY



Block Plan shown area bounded by 408240.35, 238897.73 408330.35, 238987.73 (at a scale of 1:500). OSGridRef EP 6283594. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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18/00859/ADV

Fitzpatrick Woolmer

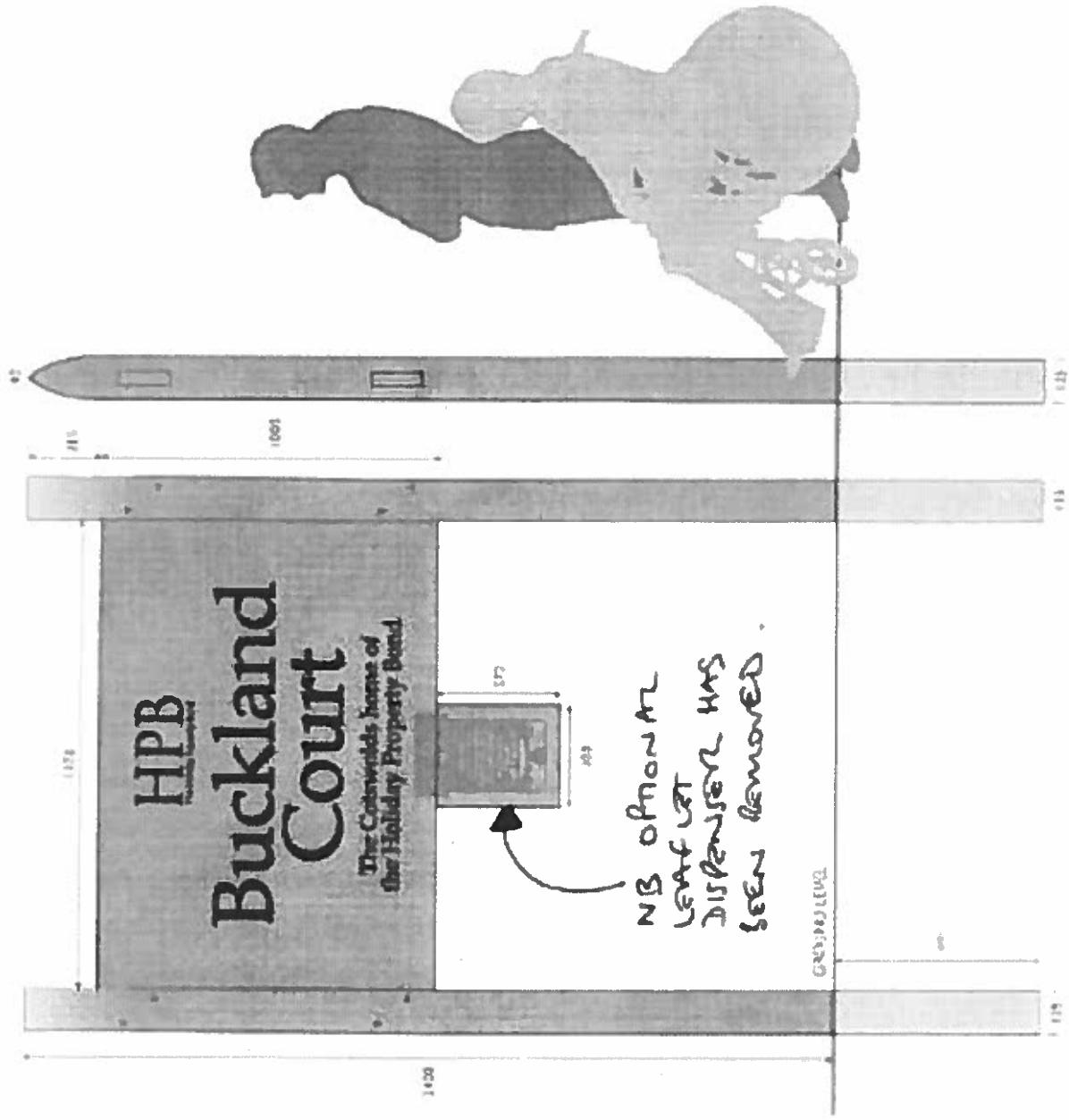
Structure Diagram (Paper size A3)

Client: The Cotswolds Property Bond
 Job Ref: JMB15 - JMB210
 Project Stage: Issue 1
 Date: 15.02.2018

IMPORTANT INFORMATION PLEASE READ

- Colour: **Print not shown**
- Materials: **As specified**
- Ground conditions: **As shown on plans with some seasonal ash fall**
- Foundation: **As shown on plans**
- Structure: **As shown on plans**
- Other: **As shown on plans**
- Additional info: **As shown on plans**
- Access: **As shown on plans**

66
048/C



Valid 29.05.2018

The redevelopment of existing vehicle storage compound to provide a new infill commercial aerospace building comprising of Class B1 (light industry) and B2 (general industry) uses, including associated parking and landscaping.

Grid Ref 389551 222368
Parish Staverton
Ward Badgeworth

RECOMMENDATION Refuse

Policies and Constraints

National Planning Policy Framework (2018)
Planning Practice Guidance
Joint Core Strategy (2017) - SD1, SD4, SD5, SD6, SD14, INF1, INF2
Tewkesbury Borough Local Plan to 2011 (March 2006) - None relevant
Human Rights Act 1998 - Article 8
The First Protocol - Article 1

Consultations and Representations

Original proposal

Staverton Parish Council - No comment received.

GCC Highway Authority - Requires amendments to include the provision of disabled parking spaces and cycle parking.

Worcestershire Regulatory Services (Noise) - Applicant should submit a noise assessment to demonstrate that noise from the proposed building will not adversely impact the closest noise sensitive receptor.

Environmental Health Officer - Recommends a condition regarding potential contamination at the site.

Urban Design Officer - Objects to the application.

Local residents - Two comments objecting to the application have been received. The objections are summarised below:

- Gross overdevelopment of an established open aspect;
- Insufficient parking provision;
- Development would restrict visibility from the existing access for units D1-D5;
- The layout would restrict vehicular movement around the Business Park.

Revised proposal

Staverton Parish Council - No comment received.

GCC Highway Authority - No comment received at time of writing the report.

Worcestershire Regulatory Services (Noise) - No objections following consideration of the submitted noise assessment.

Urban Design Officer - No objection to the revised proposal.

Representations - None received.

Councillor Vines has requested Committee determination to assess the suitability of this proposal given the location of the site in the Green Belt

Planning Officers Comments: Victoria Stone

1.0 Introduction

1.1 This application relates to a parcel of land at Staverton Connection Business Park, Staverton (See attached location plan). The land has been used as a car storage compound.

1.2 The application site is rectangular in shape, relatively flat and measures approximately 0.1 hectares. The site comprises hardstanding bound by metal fencing. Given this the application site constitutes previously-developed land.

1.3 To the west of the site, separated by an area of parking, are existing commercial units (Plots D1-D5). These units are occupied by the applicant, Pennant International. To the east of the site is a car sales business, with the remaining Staverton Connection Business Park to the south of the site. The B4063 runs along the north of the site.

1.4 The application site is accessed off the Staverton Connection estate road, which is accessed off the B4063. A footpath runs adjacent to the north and east of the site.

1.5 The application site is located in the Green Belt and is not formally allocated by the Tewkesbury Borough Local Plan as a Major Employment Site. It should be noted that the emerging Tewkesbury Borough Local Plan (Preferred Options Consultation) 2011-2031 does not propose to remove the application site from the Green Belt boundary.

2.0 Planning History

Application Site

2.1 This section of land has historically been used as a car storage compound. The Council incorrectly served an enforcement notice under reference 04/00169/ENF in 2005 to cease use of land, including the current proposal site, for the purpose of parking vehicles. Following the appeal of this notice, the Council subsequently withdrew notice 04/00169/ENF and served notice 06/00029/ENF in 2006 removing the proposal site from the served red line. As a result, the Council agreed that the proposal site could continue to be used for the storage of vehicles. The use of the land for the storage of vehicles is therefore now lawfully established.

Staverton Connection Business Park

2.2 There is extensive planning history relating to the historic development of the Staverton Connection Business Park, the most relevant of which is summarised below:

2.3 (90T/5595/02/01) - Outline permission was refused for a new business park with parking and access. The application was subsequently dismissed at appeal on the grounds that the development would have been harmful to the openness of the Green Belt.

2.4 (94/5595/0738/OUT) - Outline permission was granted for the erection of business units and the continued use of part of the site for motor car sales; new access and estate road. Subsequent applications for the erection of business units, facilities for motor car sales and for retention of an existing house for office and residential uses were permitted in 1995 under Planning Ref's: 94/5595/1392/FUL and 95/5595/0858/FUL.

2.5 (02/5595/464/FUL) - Application refused and dismissed on appeal for the erection of small business units on land to the west of the site.

2.6 (06/00707/FUL) - Permission was granted for an extension to an industrial unit located to the south of the application site.

2.7 (09/01129/FUL) - Planning permission was refused and a subsequent appeal was dismissed for the construction of an additional industrial and storage building as an annexe to one of the units directly to the south of the site. A similar application was subsequently refused by the Planning Committee in October 2010 under planning ref: 10/00706/FUL. Members at Planning Committee subsequently granted permission for a smaller industrial building on this land in September 2011, ref: 11/00872/FUL.

2.8 (12/00205/FUL) - Members at Planning Committee granted permission for the provision of five new B2 industrial buildings with access road and car parking (known as Units D1-D5) on the land immediately to the west. These units are occupied by the applicant.

2.9 (16/00200/FUL) - Planning permission was granted for the variation of condition 9 of 12/00205/FUL to allow the commercial units (known as Units D1-D5) on land immediately to the west of the application site and in the same ownership as the applicant, to be used for a mixture of B1, B2 and B8 uses.

3.0 Current Application

3.1 This application seeks full planning permission for the construction of a new industrial unit (B1 & B2 use). The proposal also includes associated access, car parking and new landscaping.

3.2 The building would provide a total gross internal floor space of 360sqm, would be rectangular in shape and would measure 34.7m x 10.4m. It would have an eaves height of 6.5m and a ridge height of 7.8m.

3.3 The building would be constructed out of red brick at the lower level with dark green cladding above. This would reflect the exact materials on the adjacent units to the west of the site.

3.4 The proposed building would front the roadside and would be sited approximately 2.5 metres from the nearside edge of the internal estate road. A planting buffer is proposed between the side of the building and the internal estate road.

3.5 The existing access off the internal estate road would be utilised. The proposal would provide 13 parking spaces overall, three of which would be disabled size spaces. The development would also provide cycle parking and electric charging points.

3.6 The building would be occupied by Pennant International Group PLC (Pennant) who specialise in the assembly and production of bespoke engineering equipment and solutions for a wide range of aviation, aerospace and defence organisations. Pennant occupy a number of premises on the Staverton Business Parks', including the five units to the west of the application site. Based on the information detailed in the submitted Design and Access Statement Pennant have recently secured a number of major new contracts, which will facilitate their expansion and lead to at least 40 new FTE jobs, though not all of these jobs would be based within the new building. Many of these jobs will be design/office based at Pennants existing HQ at Staverton Technology Park.

3.7 Since the application was first submitted, the proposal has been subject to revisions which have primarily sought to amend the siting, scale, layout and design of the proposed building and to include a landscape buffer in response to officer concerns and consultee responses. A new notification and consultation period has been carried out.

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

5.0 Analysis

5.1 The main issues to be considered are the principle of the proposed business expansion, the impact of the development upon the Green Belt, the design and visual impact of the development and the impact upon the residential amenity and highway safety.

Principle of the proposed business expansion

5.2 Section 6 of the Framework sets out that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 83 of the NPPF recognises the need to support the sustainable growth and expansion of all types of business in rural areas both through the conversion of existing buildings and well-designed new buildings.

5.3 The vision for the borough, set out in the JCS, is underpinned by three specific strategic objectives to support a thriving economy. The third objective is to support a prosperous rural economy.

5.4 The application site has not been allocated as either employment land in the JCS, as a Major Employment Site under saved policy EMP1 of the TBLP or as a Rural Business Centre under saved policy EMP3 of the TBLP. The site cannot be considered to be within the settlement of Staverton given the distance to the core of the village therefore for the purposes of planning it is deemed to be located in the wider countryside.

5.5 In this location, criterion (vii) of Policy SD1 'Employment - except retail development' of the JCS sets out that employment-related development will be supported where it allows for the growth or expansion of existing businesses especially in the key growth sectors, subject to all other policies of the plan. Aviation, engineering and information technology are all identified as key economic growth sectors in the JCS. In addition, as the site is located within an existing employment area, criterion (vi) (a) would also be applicable. This states that employment-related development will be supported in these areas providing it would be of an appropriate scale and character.

5.6 The applicant (Pennant) submits that they have recently secured a number of major new contracts, which will facilitate their expansion and lead to at least 40 new FTE jobs, including skilled and semi-skilled roles. However they require further commercial floor space to facilitate this work. The applicant contends that it is essential that they are able to remain at Staverton where they are contractually required to be based and where they can retain close working relationships with key suppliers.

5.7 Fundamentally, as the proposed development would support the growth of the existing business at Pennant it would help meet one of the strategic objectives of the JCS by supporting rural economic growth. However, in line with the policy requirements, for the principle of the development to be acceptable, the proposal must also comply with all the other policies of the plan and be of an appropriate scale and character.

Green Belt

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

5.9 The NPPF provides that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 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, is clearly outweighed by other considerations.

5.10 Paragraph 145 of the NPPF sets out that the construction of new buildings in the Green Belt is inappropriate other than for a number of exceptions. One such exception (g) listed is the partial or complete redevelopment of previously developed land. However this is subject to the proviso that the development would not have a greater impact on the openness of the Green Belt than the existing development.

5.11 Based on the information submitted the site can lawfully be used for the storage of vehicles as per Enforcement Notice 06/00029/ENF. Whilst this use involves the storage of vehicles, the introduction of the building proposed would as a matter of fact have a greater impact on the openness of the Green Belt than the existing development therefore the development would not fall within any of the exceptions listed. As such the proposed development would represent inappropriate development in the Green Belt, which by definition, is harmful and should not be approved except in very special circumstances.

Preservation of openness

5.12 Openness, as highlighted in the NPPF, is an essential characteristic of Green Belts to which the Government attaches great importance and which is a separate issue from the character and appearance of an area. It is a matter of its physical presence rather than its visual qualities.

5.13 The applicant's agent argues that the development would not have a significant visual impact on the Green Belt's openness and amenity and that the location of the site does not fulfil any of the defined five purposes of including land within the Green Belt. This position is noted, however, the suggestion is questionable. The site has been used for a number of years for the storage of vehicles and therefore siting the proposed building due to the size, scale and mass, where one does not currently exist would create additional harm to the openness of the Green Belt over and above the existing use. This is harm mitigated to some degree by the existence of the units to the west of the application site which would act as a backdrop to the building from some viewpoints. Similarly, longer distance views of the site are very much seen in the context of the existing development at the Business Park. Nevertheless it is considered that this particular site plays an important role in contributing to the openness of the Green Belt and there would be additional harm to the openness of the Green Belt which weighs against the proposal.

5.14 Further, the applicant's agent makes reference to the Green Belt Review, which forms part of the emerging Tewkesbury Borough Local Plan (Preferred Options Consultation) 2011-2031 evidence base. The review considers a number of land parcels around Staverton, including Staverton Connection and concludes that Staverton Connection has a 'low' rating for its contribution to the Green Belt. However, of importance and despite the rating, it should be noted the emerging plan does not propose the removal of the site from the Green Belt.

Applicant's Very Special Circumstances

5.15 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The applicant has advanced 'very special circumstances.' These are:

1. The development provides substantial economic benefits and technological advances associated with the growth of the aerospace, aviation and defence industries, at both local and national level.
2. The granting of planning permission would facilitate £10 million worth of new contracts, which will provide a platform for the growth of this business and the wider aerospace/aviation industries in the UK. Without planning permission these contracts will be lost, potentially to overseas competitors.
3. The development would facilitate substantial growth with the Strategic Economic Plan's defined 'Key Growth Sectors', namely aviation, engineering and information technology.
4. The retention of a long-established business within the Borough, which could otherwise be lost to off-shore.
5. The retention of 125 existing jobs in the Borough and the provision of 40 new FTE permanent skilled and semi-skilled jobs.
6. Given the nature of their work, Pennant's production sites need to be pre-approved by key clients. Re-locating could result in the loss of the £10 million contracts, as well as existing contracts.
7. The lack of alternative non-green belts sites suitable and readily available to accommodate the specialist needs of the business.

Analysis of the Very Special Circumstances

5.16 The key benefits of the proposal relate to the economic benefits arising from the proposal. The proposed development would contribute to economic growth generally and also to the specific growth of the aerospace, aviation and defence industries in the UK. In addition to the benefits to the national economy the retention and creation of new local jobs is a clear benefit arising from the proposal. Letters of support were submitted with the application from a key customer, General Dynamics UK Ltd and from GFirst Local Enterprise Partnership.

Alternative site assessment

5.17 Given the Green Belt location of the site it is necessary to consider whether there are alternative sites available which could accommodate the development, either outside the Green Belt, or sites within the Green Belt which would have lesser harm. The alternative site search was limited by the availability of land, location, site area and environmental constraints and heavily influenced by the fact that, according to the applicant's agent, Pennant need to have a new purpose facility in place by the end of 2018.

5.18 Various sites were considered and discounted on the basis they were either not suitable to meet the needs of the business, there were specific constraints which meant the site was not suitable or/and because the site couldn't either be available in the timescale required or for a long term leasing. Of the six sites identified, the application site was the only one that was considered to be reasonably suitable, available and deliverable within the tight timescales and contractual obligations that the applicant are bound by.

Conclusion on Green Belt Matters

5.19 The proposed development would be inappropriate development in the Green Belt which is harmful by definition. In addition, there is identified harm to the openness. This carries substantial weight against the proposal.

5.20 In this particular case, the applicant has advanced 'very special circumstances'. It is accepted that the development would provide substantial economic benefits and technological advances and would ensure the retention of a long-established business in the Borough and the association job retention and creation. It is also accepted that Pennant appear to be a very successful business and need additional commercial floor space in order to expand. These are strong material considerations that weigh in favour of the development and must be weighed against the harms that may be caused by the development. However, it is considered these would not amount to very special circumstances. These circumstances could be advanced by any existing businesses in the Borough wishing to expand.

5.21 The requirement for the business to remain in Staverton, due to the need for the production sites to be pre-approved, could amount to very special circumstances. However, based on the information submitted, it would appear that all alternative options have not been fully explored such as whether the existing floor space of the units occupied by Pennant (over 30,000 sq ft across a number of premises in Staverton) could be reconfigured; whether the existing office/design space could be relocated to alternative premises in the Borough to 'free-up' production space and whether any of the existing buildings could be extended to accommodate the additional production floor space required.

5.22 It will be necessary to weigh all material considerations in the overall balance to decide whether very special circumstances exist which clearly outweigh the harm to the Green Belt.

Design and Visual Impact

5.23 The NPPF highlights that the creation of high quality buildings and places is fundamental to what planning and development process should achieve. Paragraph 127 states, amongst other things, that planning decisions should ensure that development will function well and add to the overall quality of the area; will be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and will be sympathetic to local character and history, including the surrounding built environment and landscape setting. This advice is echoed in JCS Policy SD4 which states 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.

5.24 The proposed building would demonstrate a simple shape and form which would be appropriate for the location given the site is located within an existing commercial/industrial context. The proposed external finish of the building is considered to be typical for such proposals and would demonstrate complimentary design elements to the existing industrial buildings on site.

5.25 Notwithstanding the above, good design is more than just about the appearance of the buildings. As mentioned above new development should respond positively to, and respect the character of, the site and its surroundings and add to the overall quality of the area.

5.26 The application site is in a prominent location, being close to the internal estate road and the B4063 Gloucester Road. Currently, either side of the internal estate road is devoid of any buildings and therefore this creates an open and spacious feel as you approach and enter the industrial estate. Due to the orientation, the proposed building would abut, save for a 2.5metre landscape buffer, the estate road for its entire length (approximately 37m). Due to the position and scale of the proposed building and given the existing open characteristics of this part of Staverton Connection Business Park the proposed building would be visually prominent and obtrusive in the street scene. The proposed landscape buffer, due to the limited space, would do little to mitigate the harm. Further, due to the site parameters in comparison to the scale of the proposed building the development would appear to be constrained and cramped and 'squeezed' onto the site.

5.27 In light of the above, given the restrictive size of the plot and the scale parameters of the proposed building, the development would be 'shoe-horned' into the site, resulting in a cramped and contrived form of development. In addition, given the siting and scale of the proposed building and the minimal landscaping proposed, the development would fail to add to the overall quality of the area. Accordingly the development would fail to represent a high quality design and would have a harmful impact on the character and appearance of the area, in conflict with policy SD4 of the JCS and guidance set out in the NPPF.

Residential amenity

5.28 In respect of the impact of the development upon residential amenity, paragraph 127 of the NPPF specifies that planning decisions should ensure development creates places with a high standard of amenity for existing and future users. This advice is reflected in JCS policies SD4 and SD14 which require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.

5.29 The application site is contained within the parameter of the existing industrial estate. The nearest residential property to the application site lies approximately 36m away to the north. Based on the relationship and separation distance between the application site and the neighbouring residential properties the building should be able to be accommodated on site without harm to privacy, overbearing or loss of light to the occupiers of the nearby residential properties.

5.30 During the course of the application a Noise Impact Assessment, prepared by Acoustic Consultants LTD and dated September 2018 was submitted. An assessment to British Standard 4142:2014 was undertaken. With all pertinent factors taken into consideration the proposals were considered acceptable in noise terms. Worcestershire Regulatory Services have confirmed the assessment was satisfactory and have raised no objection to the application.

Highway Safety

5.31 Section 9 of the NPPF relates to the promotion of sustainable transport and specifies that in assessing specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. Policy INF1 of the JCS reiterates this advice.

5.32 The application is supported by a Travel Statement (TS), prepared by Cotswold Transport Planning, which considers the impacts of the proposed development on the highway network. The TS concludes that the proposed development, in highway and transportation terms would be acceptable.

5.33 Access to the site is via the existing estate road. It is proposed to create 13 new car parking spaces, three of which would be designated as disabled parking spaces.

5.34 In relation to car parking, a parking accumulation study was undertaken to demonstrate that the car parking provision would be sufficient to accommodate the parking demand generated by the development and that no indiscriminate parking would occur. The study sets out the maximum parking demand on site is likely to occur between 09:00 and 14:00, with a car parking demand on-site for four vehicles. Given that 13 car parking spaces are proposed it is considered that this is sufficient to accommodate the parking demand of the proposed development.

5.35 In terms of trip generation, an assessment of the forecast trip generation associated with vehicles for the proposed development has been carried out. The proposed development is predicted to result in a maximum of two vehicle trips in both the AM and PM peak period. This equates to approximately one vehicle trip every 30 minutes in both the AM and PM peak. This level of increase is not material and would have negligible effect on the surrounding highway network.

5.36 During the course of the application County Highways Authority have asked for amendments to the parking layout as originally proposed. At the time of writing the report no formal response has been received from County Highways Authority in respect to the acceptability of the revised access and parking arrangements therefore **Members will be provided with an update accordingly.**

Drainage

5.37 Policy INF2 of the JCS 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.

5.38 With regard to the drainage of surface water, it is proposed to implement a sustainable drainage system (SUDS). Other than confirming surface water will drain into an existing balancing pond which is used in connection with the units to the west of the application site, the detail of the SUD has not been provided. Should permission be granted this information could be secured via condition.

5.39 As detailed in the PPG, the first presumption is for foul drainage to be dealt with by existing mains. It is proposed to connect to the public sewer therefore no objections are raised to the proposed method for disposing of foul drainage.

6.0 Planning balance and conclusions

6.1 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 Act provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

Harms

6.2 Whilst the application site comprises previously developed land it is nevertheless within the Green Belt. The NPPF provides for the partial or complete redevelopment of previously developed land however this is subject to the proviso that the development would not have a greater impact on the openness of the Green Belt than the existing development. The proposal would harm the openness of the Green Belt due to the addition of a building where there currently isn't one. As such the proposed development represents inappropriate development within the Green Belt. Inappropriate development is, by definition, harmful. Substantial weight is given to the harm to the Green Belt.

6.3 Further the proposed development fails to represent a high quality design and would be visually prominent and obtrusive in the street scene resulting in a harmful impact on the overall quality of the area. These is a matter that weighs heavily against the proposal.

Benefits

6.4 Considerable benefits have been identified by the applicant's agent in setting out their very special circumstances case. In particular the development would contribute to economic growth generally and also to the specific growth of aerospace, aviation and defence industries, at both local and national level. Further the development would result in the retention of existing jobs and the creation of an additional 40 FTE jobs. This carries significant positive weight.

Neutral

6.5 The proposed development is likely to have an acceptable impact on highway safety (subject to comments from County Highways Authority) and upon residential amenity. Further, the development would not be at risk of flooding and should not increase the risk elsewhere.

Overall Balance and Recommendation

6.6 On the one hand is the harm to the Green Belt and the harm to the character and appearance of the area. This harm must carry significant weight and must be weighed against the benefits outlined above. On the other hand the proposal would contribute to economic growth, including the creation of additional jobs. This carries positive weight. However, when taken as a whole, it is considered the benefits of the proposed development would not outweigh the harm identified to both Green Belt by reason of inappropriateness and the other harm resulting from the proposal. As such it is considered that very special circumstances do not exist in this case to justify an exception to Green Belt policy and it is recommended the application should be **Refused**.

RECOMMENDATION Refuse

Reasons:

- 1 The proposal represents inappropriate development in the Green Belt and causes harm to the openness of the Green Belt and harm by reason of inappropriateness. The development thus conflicts with Policy SD5 of the Joint Core Strategy (December 2017) and the provisions of the National Planning Policy Framework.
- 2 The proposed development, by virtue of its poor design, the cramped nature, the sites prominent location and siting of the building so close to the roadside boundary and the overall scale and mass of the building, would appear visually intrusive and out of keeping with the surrounding environment and would fail to add to the overall quality of the area. The proposed development would therefore have a harmful impact on the character and appearance of the area in conflict with policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) and contrary to the objectives expressed in Section 12 of the NPPF.

Note:

Statement of Positive and Proactive Engagement

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

18/00816/FUL

Highfield, Leckhampton Hill, Leckhampton

ITEM 7

Valid 10.08.2018

Construction of replacement dwelling involving demolition of existing dwelling and ancillary outbuildings/garage (Revised scheme to 17/01057/FUL)

Grid Ref 394342 217885
Parish Shurdington
Ward Shurdington

RECOMMENDATION Refuse

Policies and Constraints

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
Joint Core Strategy (2017) - SD5, SD6, SD7, SD9, SD10, SD14, INF1
Tewkesbury Borough Local Plan to 2011 - HOU7
The Cotswolds AONB Management Plan (2018-2023)
Human Rights Act 1998 - Article 8
The First Protocol - Article 1
Green Belt
Cotswolds Area of Outstanding Natural Beauty

Consultations and Representations

Shurdington Parish Council - Approve in principle this application
County Highways - No objection subject to the imposition of conditions
Severn Trent - No objection
Natural England - No objection
Local Residents - No comments received.

Councillor Surman has requested that the application be determined by committee to assess the impact, if any, on the openness of the Green Belt and AONB

Planning Officers Comments: Paul Instone

1.0 Application Site

1.1 The application site is located on Leckhampton Hill to the west of the B4070. The site slopes downwards from east to west and sits behind a cluster of dwellings which front onto the B4070.

1.2 There is currently a single storey dwelling positioned towards the west of the site. The site also contains a number of outbuildings including a garage and two stable blocks in the eastern part of the site.

1.3 The site is set back from the road and accessed via a steep single land track.

1.4 The site is not located within any of Tewkesbury's towns or villages and is not within a recognised residential development boundary as defined in the Tewkesbury Borough Local Plan to 2011 - March 2006. The application site is located approximately 1 km from the Principal Urban Area of Cheltenham. The site is located within the Green Belt and within the Cotswolds Area of Outstanding Natural Beauty (AONB).

2.0 Planning History

75/00271/FUL - Erection of two stables. Permitted June 1975

80/00625/FUL - Alterations and extension to existing bungalow to provide a porch and enlarged. Permitted April 1980

80/00705/FUL - Alterations and extension to existing bungalow to provide a porch and enlarged. Permitted April 1980

14/01242/FUL - Erection of a replacement dwelling. Withdrawn November 2015

17/01057/FUL - Construction of replacement dwelling involving demolition of existing dwelling and ancillary outbuildings/garage. The application was refused in December 2017 for the following reasons

- 1 *The impact of the proposal has been carefully assessed and it is considered that the proposed dwelling, by virtue of its location, size, massing and architectural approach would appear overly prominent, visually intrusive, harmful to the dark skies and tranquillity, and out of keeping with the surrounding environment and would have a detrimental impact on the character and appearance of the Cotswolds Area of Outstanding Natural Beauty. As such the proposed development would be in conflict with the NPPF, policy HOU7 of the Tewkesbury Borough Local Plan to 2011, the Cotswolds Area of Outstanding Natural Beauty Management Plan 2013-2018 and Policy SD7 of the Adoption Version Joint Core Strategy (2017).*
- 2 *The proposal would represent inappropriate development in the Green Belt that would cause harm to the openness of the Green Belt, harm by reason of inappropriateness and conflict with one of the purposes of the Green Belt which is to protect the countryside from encroachment, contrary to advice within the NPPF and Policy SD5 of the Adoption Version Joint Core Strategy (2017).*

3.0 Current Application

3.1 The application proposes to demolish all existing buildings on site and erect a 4 bedroom dwelling. The proposed dwelling is 2 storey but is sunken into the ground and would appear as single storey from eastern viewpoints. The proposed dwelling would have a green roof and paving and steps are proposed to the north and east of the proposed dwelling. The first floor of the proposed dwelling extends to part of the footprint of the ground floor and the dwelling would have a first floor balcony extending across the remaining southern part of the first floor.

3.2 The application also proposes the creation of a larger parking and vehicle manoeuvring area to the east of the dwelling.

3.3 The application is submitted further to the refusal of planning application 17/01057/FUL which also sought permission for a four bedroom dwelling of the site. The scale of the current proposal is smaller than the refused scheme and includes the following changes:

- The height of the west elevation of the dwelling was been reduced from approximately 6 metres to 5.2 metres
- The gross external area of the proposed dwelling has been reduced from 271 sq m to 240 sq m
- The arrangement of the floorspace has been altered to reduce the width of the west and east facing elevations
- Proposed hard landscaping to the south and west of the dwelling has been removed

3.4 A copy of the plans for previously refused planning application 17/01057/FUL are included in the **Committee Schedule**

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 Cotswolds AONB Management Plan (2018-2023).

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

5.0 Analysis

Principle

5.1 The application site sits behind a cluster of dwellings which front onto the B4070. The application site is not located in a defined residential development boundary or within any of Tewkesbury Borough's towns and villages and is not in location where new dwellings are permitted.

5.2 Policy SD10 of the JCS advises that housing development will be permitted at sites allocated for housing through the development plan, including strategic allocations in district and neighbourhood plans. On other sites, housing will 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'.

5.3 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 would 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.

5.4 The principle of a replacement dwelling in this location is considered acceptable therefore, subject to other material considerations including (but not limited to): whether the replacement dwelling is materially larger than the existing dwelling for the purposes of Green Belt policy; and its impact on the Area of Outstanding Natural Beauty.

5.5 These matters are considered below.

Green Belt

5.6 The application site is located in the Green Belt. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new dwellings as inappropriate development except in specific circumstances as set out in NPPF. Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5.7 Paragraph 144 of the NPPF states 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.

5.8 Paragraph 145 goes on to state that a local planning authority should regard the construction of new buildings as inappropriate. Exceptions to this include, with this relevance to this application:

(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

5.9 This advice is reflected in the JCS (Policy SD5).

5.10 The dwelling, others structure on the site and the curtilage/garden comprise of previously developed land and therefore the test in respect to exception (g) is whether the proposal would 'not have a greater impact on the openness of the Green Belt than the existing development'. In respect to exception (d) the test exception test is whether the new building is 'not materially larger than the one it replaces'.

5.11 The existing dwelling on the site is a single storey 'L' shaped bungalow with two lightweight glass extensions. The existing bungalow has a footprint of approximately 125 sq m, but this includes the two lightweight glass extensions which have a combined footprint of approximately 16 metres.

5.12 There are also a number of other outbuildings, covered areas, and garages on the site, which are single storey and have a combined 'footprint' of approximately 116 square metres.

5.13 By contrast, the proposed dwelling would be arranged over two floors and the lower ground floor would have a footprint of approximately 140 sq m and the first floor would have a floorspace on 100 sq m, being a total of 240 sq m. The application also proposes a garden store with a footprint of 7 sq m and a refuse store with a footprint of 1.8 sq m.

5.14 In support of the application the applicant cites the High Court judgement (Tandridge District Council v SSCLG) which states that in respect to the NPPF exception to inappropriate development, the definition of 'building' can refer to either a singular or multiple structures on a site when assessing whether the new building is not materially larger than the one it replaces'.

5.15 The applicant also makes the following comments in support of the application.

- The proposal would replace a cluster of buildings spread over a wider area with a single building with a lower profile than the existing building and will therefore reduce the impact on the openness of the Green Belt.
- The proposal would lower the impact of the built form in landscape terms because of the removal of buildings at a higher level.
- The design of the proposal includes sedum roofs that would 'hug' the landscape rather than work against it.
- The level of the building is lower than the previously refused scheme and additional landscaping is now proposed.
- The proposed dwelling uses the existing land form, and is now set further into the site as a partially subterranean dwelling and the perceived building form is very similar to the existing dwelling.
- There would be benefits to the Green Belt as the replacement building would be constructed of traditional materials as opposed to stark white materials
- The existing building retains permitted development rights which would allow for a significant outbuilding and/or extension to the existing building to be constructed and the fall-back could represent a larger and more prominent built form.

5.16 An assessment of whether a replacement building is 'materially larger' and/or whether the redevelopment of a previously developed site would have a greater impact on the openness of the Green Belt than the existing development; in the context of the paragraph 145 of the NPPF, is a matter of planning judgement taking account all aspects of the proposed development.

5.17 In this instance whilst it is recognised that the applicant is seeking to consolidate a collection of buildings on the site into a single structure, it is considered that the proposed building is 'materially larger' than the building(s) it is to replace and would have a 'greater impact on the openness of the Green Belt'.

5.18 The existing dwelling is a low key single storey structure which is approximately 3 metres high and provides a modest amount of floorspace of 125 sq m (109 metres excluding the lightweight glass structures). Similarly the existing outbuildings to the rear of the site which are proposed to be removed are simple low profile structures located against an existing retained wall with limited visibility and it is also noted that the applicant has included 'covered areas' within their floorspace calculations which solely comprise of a supported corrugated roof set against a retaining wall.

5.19 By contrast the application proposes a four bedroom dwelling which would be arranged over two storeys. The gross external area of the proposed dwelling would extend to circa 240 sq m, approximately double the gross external floor area of the existing dwelling.

5.20 The proposed dwelling varies in height due to the design approach and is up to 5.2 metres high and although staggered, the built form of the proposed dwelling extends to approximately 12 metres on the west/east axis and 13 metres north/south axis. As such the proposed building would be a substantial dwelling which would provide living accommodation over two floors including a substantial balcony area. The application also proposes additional hardstanding to the north and east.

5.21 It is noted and accepted that there are occasions where the cumulative impact of buildings is a consideration in respect to Green Belt policy. However, in this instance, the characteristics of the outbuildings are an important consideration in the determination of the application. The existing outbuildings are simple low profile structures located against an existing retained wall with limited visibility and it is also noted that the applicant has included 'covered areas' within their floorspace calculations which, as stated above, comprise solely of a supported corrugated roof set against a retaining wall.

5.22 The application submission also provides an analysis of the potential fall-back position available to the applicant through permitted development rights and advises that the applicant is considering implementing these rights should the application ultimately fail. Such rights could potentially include a rear single storey extension and the construction of outbuildings.

5.23 Whilst the applicant's comments are noted in this regard, it is the case that the NPPF states that the exception tests apply to existing buildings. Notwithstanding this matters, as a matter of fact:

- Permitted development rights for outbuildings are restricted to single storey structures,
- The application site is located on designated land within the AONB and permitted development rights for outbuildings are restricted to the side of the dwelling, as well as forward of the principle elevation.
- No extension to the bungalow which could be implemented through permitted development rights could be higher than the highest part of the roof.

5.24 Therefore, notwithstanding that the NPPF exception tests apply to existing buildings on a site, it is considered that even if a fall-back position was implemented through permitted development rights, given the height and mass of the proposed dwelling, it is also considered that the proposed dwelling would be materially larger and have a greater impact on the openness of the Green Belt than a theoretical fall-back position.

5.25 On the basis of above it is considered having regard to the NPPF paragraph 145 exception (d) that the proposed dwelling is materially larger than the existing dwelling it is proposed to replace and the proposal therefore fails NPPF paragraph 145 exception (d). In addition, when considering all of the structures on the site, it is considered that the proposed dwelling would be materially larger than the buildings that are proposed to be replaced. The application therefore also fails exception (d) of paragraph 145 of the NPPF in this regard.

5.26 In addition, for the reasons set out above, it is considered that the proposed redevelopment of the site would have a greater impact on the openness of the Green Belt than the existing development. The application therefore fails exception (g) of paragraph 145 of the NPPF.

5.27 As such it is considered that the application fails the exceptions to inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Are there very special circumstances?

5.28 Without prejudice, the applicant has put forward the following 'very special circumstances' in support of the application.

- The application site cannot be seen from public vantage points
- There is a fall-back position that means the impact on openness will be much more severe than the alternative
- The proposal is high quality design that is entirely controllable through the use of appropriately worded conditions
- The proposal will generate benefits associated with smaller scale developments in terms of use of materials, and local builders
- The proposal would result in a safer site to turn around vehicles
- A greater level of control is possible through this application
- There is a pragmatic reduction on openness in the Green Belt no matter how you consider this case - the existing buildings are all painted white and spread across the site. The proposal includes natural materials which significantly reduce landscape impact and the council is urged to take a common sense approach.

5.29 Officers do not consider that the factors put forward by the applicant amount to 'very special circumstances and officers do not consider that there are any 'very special circumstances'. It is not considered that the proposal offers significant benefits and these factors are not considered to constitute very special circumstances that would clearly outweigh the potential harm to the Green Belt by reason of inappropriate development, and any other harm arising from the proposal.

Conclusions in respect of Green Belt policy

5.30 It is concluded that the proposed development is inappropriate development in the Green Belt which is harmful by definition and that there are no material considerations which comprise 'very special

circumstances' arising from proposed development to justify inappropriate development in the Green Belt. These matters weigh heavily against the proposal in the overall planning balance, and substantial weight should be given to the harm, in light of the clear national and local policy guidance on inappropriate development in the Green Belt.

Impact upon the AONB

5.31 The site lies within the Cotswold AONB. The AONB is an area of high scenic quality and has statutory protection in order to conserve and enhance the natural beauty of its landscape. The NPPF states that great weight should be given to conserving the landscape and scenic beauty of the AONB which has the highest status of protection in relation to these issues.

5.32 The application site is located to the rear of properties fronting onto B4070 and does not form part of the linear built form fronting the road and instead the site forms part of the rural AONB landscape to the west.

5.33 The existing built form on the site, whilst not in keeping with the surroundings is minimal and simplistic and results in limited harm to the landscape. By contrast, the application proposes a substantial modern design dwelling which would appear as a substantial two storey dwelling when viewed from the west. The proposed dwelling has substantial glazing on the west elevation which serves a living room and dining room at first floor and bedrooms at ground floor. There is also a large balcony/terrace at first floor. Due to the topography of the land which falls to the west this glazing/terracing would not be screened by landscaping or natural features. A visual impact assessment has not been submitted with the applicant, but it is considered that the proposed dwelling would form a prominent feature in the AONB landscape when viewed from the west, particularly at night when there would be source of light from a number of habitable rooms and the terrace.

5.34 As such, it is considered that the proposal would introduce substantial built form into the AONB landscape in a location which does not respect the settlement pattern and by virtue of the scale and architectural approach would cause harm to the landscape, including to the dark skies of the AONB.

5.35 Accordingly, it is considered that the proposal would cause unacceptable harmful to the landscape and scenic beauty of AONB. This weighs heavily against the proposal.

Residential Amenity

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

5.37 In respect to existing dwellings, the nearest dwelling on the B0470 lies approximately 50 metres to the east of the proposed dwelling. The proposed dwelling would be on a lower level than the existing dwellings and as such there would be no overlooking between the dwellings and the proposed dwelling would not be overbearing or over dominating when viewed from the existing dwellings. The impact of the proposal on existing residents is therefore considered acceptable.

5.38 In respect to the amenity of future residents, it is considered that the dwelling would provide high quality accommodation and the amenity of future residents would be acceptable.

Highway Safety

5.39 Paragraph 109 of the NPPF requires that safe and suitable access be achieved but states that development should only be refused on transport grounds where the cumulative impact is severe. This advice is echoed in Policy INF1 of the JCS.

5.40 The dwelling is currently served by a sub-standard access with restricted visibility onto the B0470 in both directions. The application proposes no changes to the existing vehicular access although the size of vehicle turning area within the site would be increased.

5.41 The application is for a replacement dwelling and therefore there would not be additional trip generation arising from the proposal. The Highways Authority have been consulted on the application and do not object. It is therefore considered that the proposal would not have a 'severe' impact on the safety and or satisfactory operation of the highway network and is in accordance with the NPPF.

6.0 Conclusions

6.1 The proposed development is inappropriate development in the Green Belt which is harmful by definition, and there are no material considerations which comprise very special circumstances arising from proposed development to justify inappropriate development in the Green Belt. Substantial weight is given to this harm.

6.2 In addition, the proposal would introduce substantial built form into the AONB landscape in a location which does not respect the settlement pattern and by virtue of the scale and architectural approach would cause harm to the landscape, including to the dark skies of the AONB. This is a matter which weighs heavily against the proposal.

6.3 Subject to the imposition of appropriate planning conditions the development would not give rise to an unacceptable impact in relation to residential amenity or highway safety.

6.4 Overall it is not considered that very special circumstances exist in this case in that the harm to the Green Belt and the other harms identified is not clearly outweighed by other material considerations. Consequently the application is recommended for refusal.

RECOMMENDATION Refuse

Reasons:

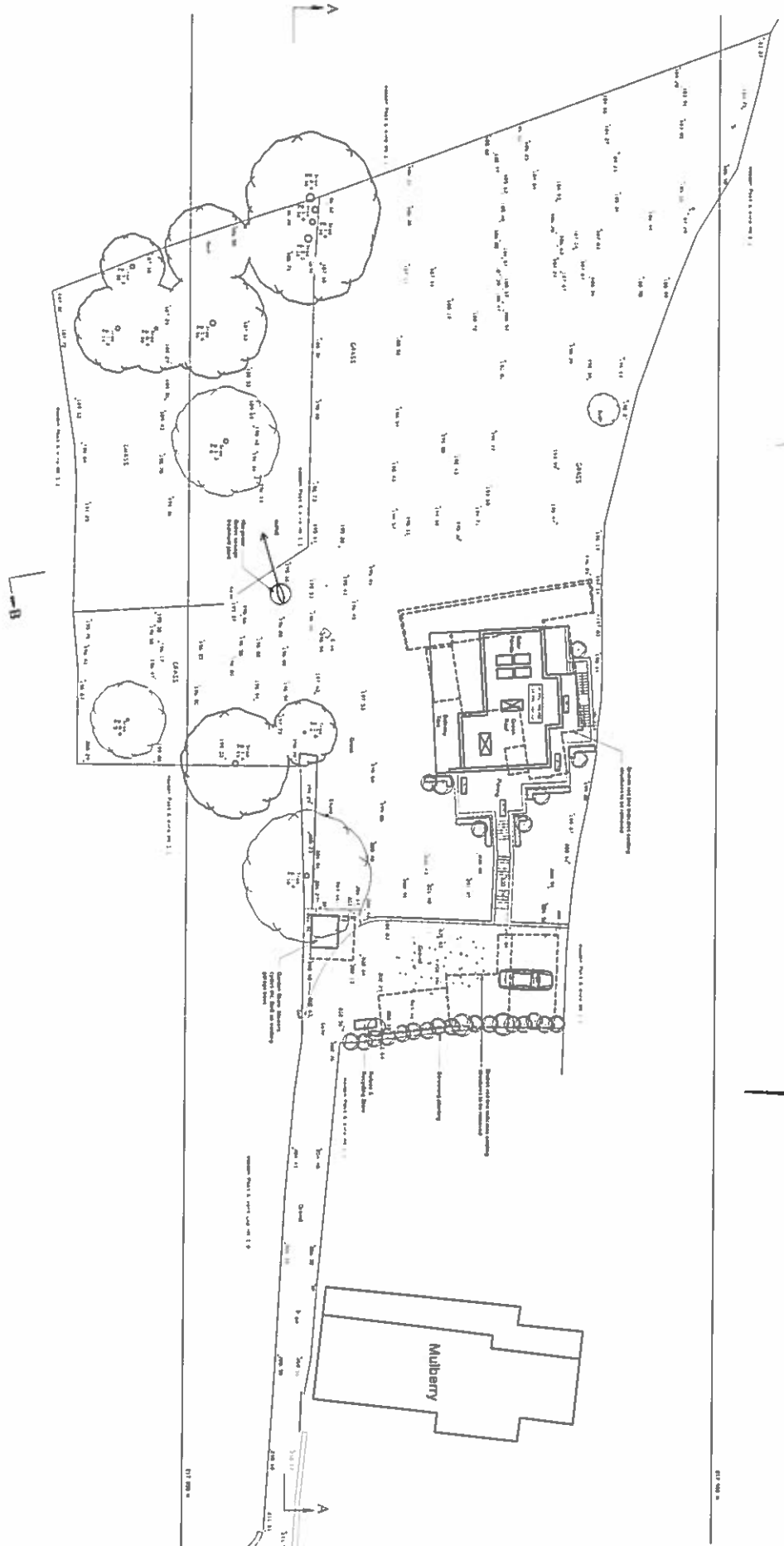
- 1 The proposal would represent inappropriate development in the Green Belt that would cause harm to the openness of the Green Belt and harm by reason of inappropriateness, contrary to advice within the NPPF and Policy SD5 of the Joint Core Strategy (2017).
- 2 The impact of the proposal has been carefully assessed and it is considered that the proposed dwelling, by virtue of its location, size, massing and architectural approach would appear overly prominent, visually intrusive, harmful to the dark skies and tranquillity, and out of keeping with the surrounding environment and would have a detrimental impact on the character and appearance of the Cotswolds Area of Outstanding Natural Beauty. As such the proposed development would be in conflict with the NPPF, policy HOU7 of the Tewkesbury Borough Local Plan to 2011, the Cotswolds Area of Outstanding Natural Beauty Management Plan 2018-2023 and Policy SD7 of the Adoption Version Joint Core Strategy (2017)

Note:

Statement of Positive and Proactive Engagement

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

20191800/81



- A - Other than specified otherwise, boundary measurements 1/8" = 10'
- B - Existing site building 1/8" = 10'
- C - Existing parking 1/8" = 10'
- D - Existing landscape 1/8" = 10'

3687/a



Project:
 Leuchterstrasse 141
 Cham
 CH-8600

Scale: 1:200 @ A1, 1:400 @ A3
 Date: August 2017
 Drawing No.: 21728/04/D



3 Robert Schuster
 Leuchterstrasse 141
 Cham
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 04132 2172
 04142 21744
 civepatch@bluewin.ch
 www.civepatch.ch

18/00816/152



A. Photo and description of proposed building construction
B. Section 2007 Schedule 18.00
C. Section 2007 Schedule 18.00
D. Section 2007 Schedule 18.00

88
364/b



Hybrid
Development
Q153 50.7

Site Plan as Proposed

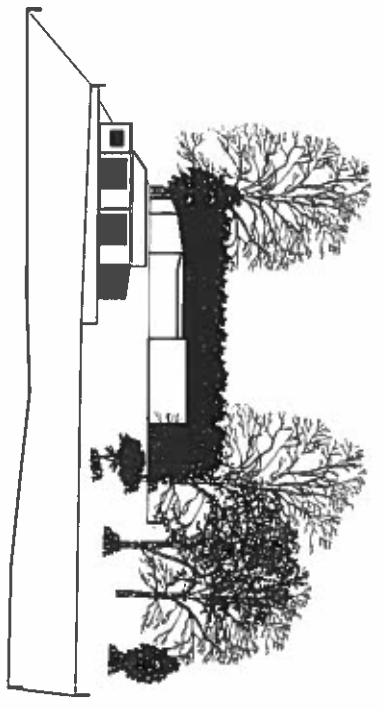
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Date August 2017
Dwg. No. 21729/05.D



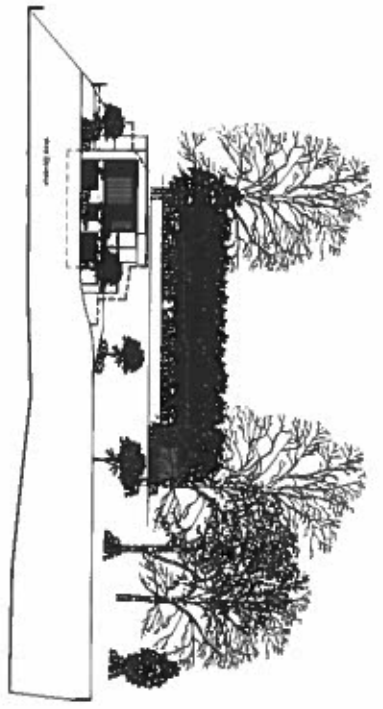
37 Poplar Street
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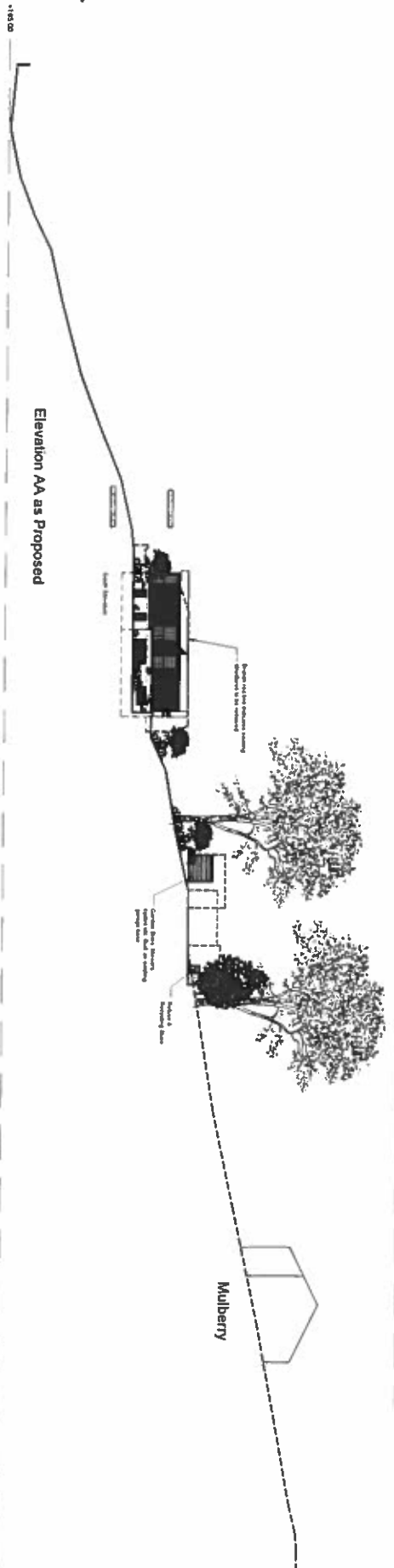
Elevation BB as Existing



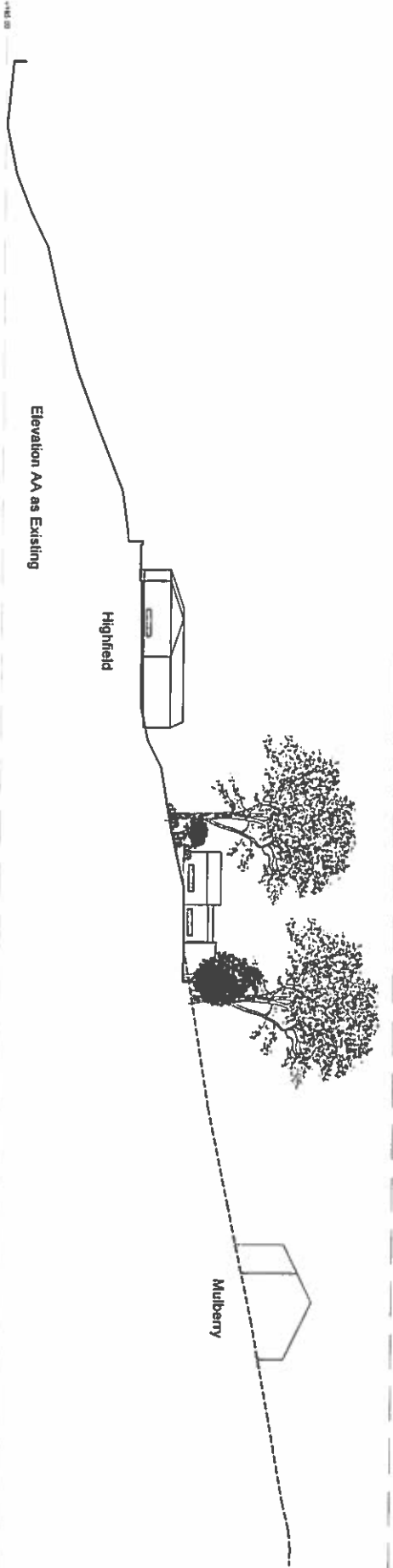
Elevation BB as Proposed



Elevation AA as Proposed



Elevation AA as Existing



As shown on the elevation drawings, including any landscaping.
 0 - Existing street elevation 42.87
 1 - Existing sidewalk 44.00
 2 - Proposed 00' of proposed sidewalk 44.11
 3 - Proposed 10' of proposed sidewalk 44.11



Highfield
 Leckwithgreen Hill
 Charleston
 02537 9037
 Elevations as Existing and as Proposed

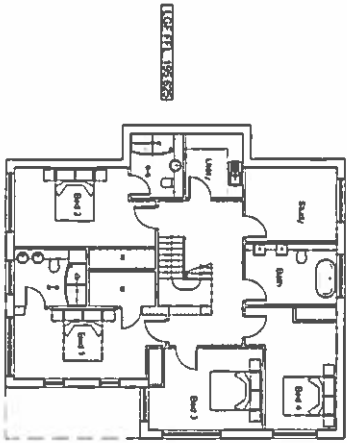
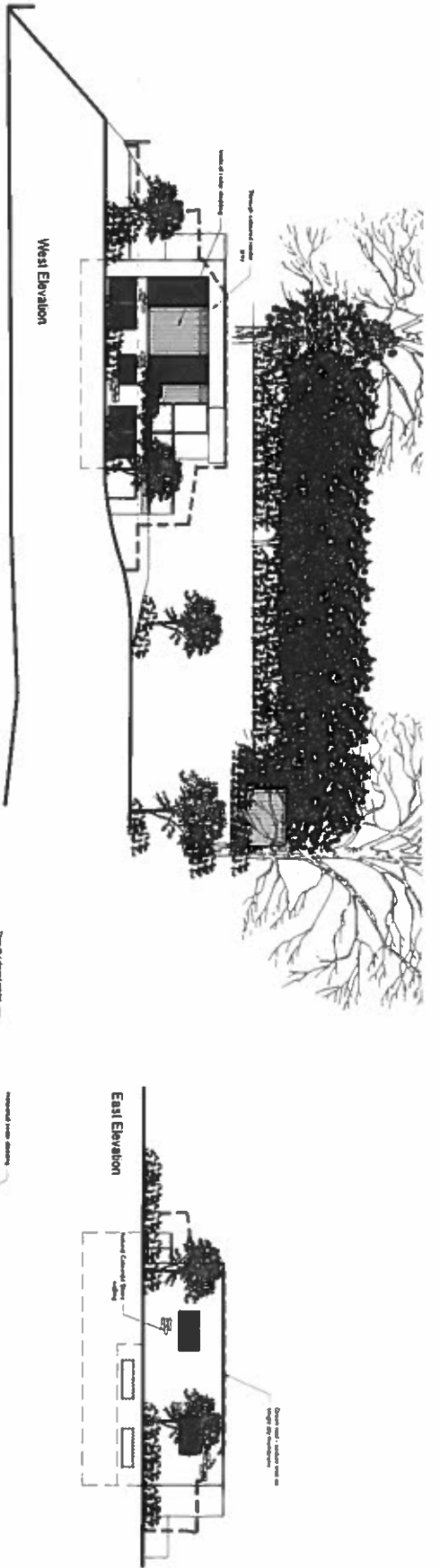
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 Date August 2017
 Orig. No. 21725/02 B



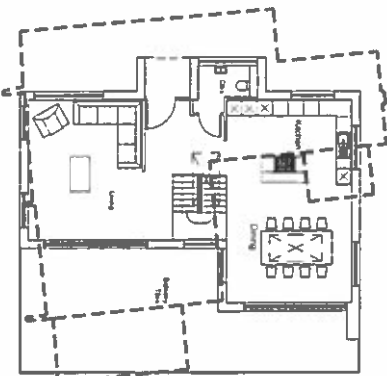
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364/89 C

18/00816/FUL



Lower Ground Floor Plan
124m² GFA
140m² GEFA



Ground Floor Plan
83m² GFA
100m² GEFA

- A. Floor and elevation graphical summary 18/00816
- B. Plans and elevations provided 23/08/16
- C. Contract documents issued 02/07/16
- D. Construction started 16/07/16
- E. Safety updated 06/08/16
- F. Allowed time over allow time provided 06/08/16
- G. 18/00816-01 06/08/16
- H. 18/00816-02 06/08/16
- I. 18/00816-03 06/08/16
- J. 18/00816-04 06/08/16
- K. 18/00816-05 06/08/16
- L. 18/00816-06 06/08/16

389/d



Project:
18/00816-01
Cheltenham
GL53 9D J

Plans and Elevations as Proposed

Scale 1:100 @ A1 1:200 @ A3
Date August 2017
Dwg. No. 21729/103 G



3 Talcott Street
Westcombe Street
Cheltenham
GL53 9D J
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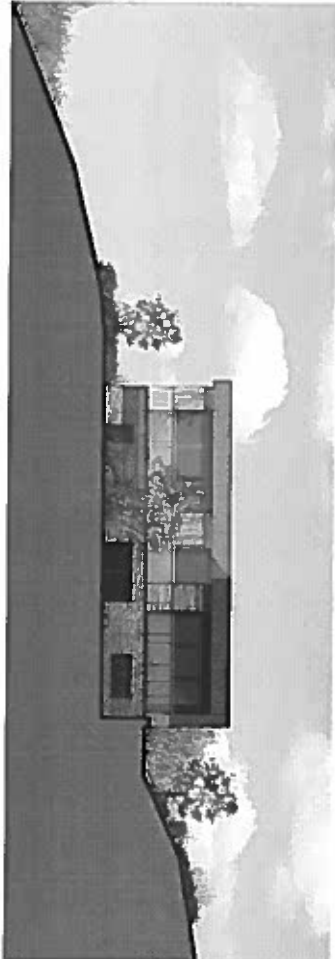
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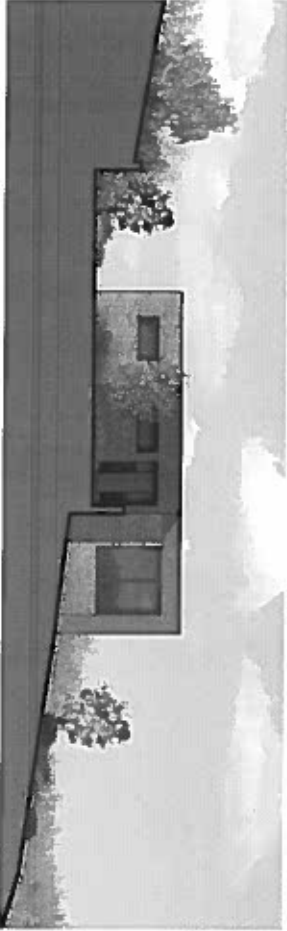
West Elevation



East Elevation



South Elevation



North Elevation

A. May and Partners, Inc. 11/13/14
B. Site Plan and Site Analysis 11/13/14
C. Site and Design Development 11/14/14



Highfield
Leichentraven Hill
Chickaree
CL53903

Elevations as Proposed

Scale 1/100 @ A1, 1/200 @ A2
Date August 2017
Des. No. 21729/05 C



31 North Street
Winchester, MA 01890
ClivePatch
Date 04.13.2017
Tel 978.231.1824
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3691e

Valid 04.09.2018

Demolition of existing dwelling and detached garage building and construction of a replacement dwelling and integral garage.

Grid Ref 398152 226839

Parish Woodmancote

Ward Cleeve Hill

RECOMMENDATION Permit**Policies and Constraints**

National Planning Policy Framework (2018)

Planning Practice Guidance

Joint Core Strategy (2017) - SD3, SD4, SD6, SD7, SD8, SD10, INF1, INF2

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

Emerging Tewkesbury Borough Local Plan to 2031 - RES9, DES1, HER2, ENV2, TRAC9

The Cotswolds AONB Management Plan (2013-2018)

Human Rights Act 1998 - Article 8

The First Protocol - Article 1

Cotswolds Area of Outstanding Natural Beauty

Sites of Special Scientific Interest (Consultation Buffer)

Within 50m of Listed Building

Consultations and Representations**Woodmancote Parish Council** - Object for the following reason:

Proposed development would be inappropriate;

Would result in the loss of a building that is more in-keeping with the area;

Scale and design of dwelling detracts from the AONB

Natural England - No comments to make on the application.**GCC Highways Authority** - No highway objection.**TBC Urban Design Officer** - No objection.**Local residents** - None received.**Planning Officers Comments:** Victoria Stone**1.0 Introduction**

1.1 This application relates to Hill Top, a two storey white-rendered dwelling located in an elevated location along Cleeve Hill, on the outside bend of the B4632 Cheltenham to Winchcombe Road (see attached location plan).

1.2 The application site is fairly irregular in shape and measures approximately 0.13 hectares in size. Adjacent to the site are a number of detached residential dwellings to the south and east. To the south-west lies the listed building of St Peters Church. To the north and west, the land falls away down to Woodmancote.

1.3 The existing house, known as Hill Top, is a two-storey white-rendered dwelling with a simple rectangular form and pitched roof. The existing dwelling and garage front the site. The sloping nature of the site means that the building is built into the slope providing a single-storey dwelling to the road and the two storey element to the rear of the site. The house is located to the north of the site with a small parking area and a detached flat roof garage, all of which front the highway.

1.4 The site is located in the Cotswolds Area of Outstanding Natural Beauty and within the buffer of the Cleeve Common Site of Special Scientific Interest.

1.5 During the course of the application revised plans have been received which have sought minor amendments to the external finish of the dwelling and a reduction in the extent of glazing on the rear elevation. Given the changes are minor in nature a new notification period is not necessary.

2.0 Planning History

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

3.0 Current Application

3.1 This application seeks permission for the demolition of the existing dwelling and detached flat roof garage and the construction of a replacement dwelling and integral garage.

3.2 The proposed dwelling is designed with a contemporary aesthetic with simple building form and materials and large glass elements providing both views out and access onto the upper and lower terraces. It is proposed to use a variety of finishes for the external walls which includes rain screen cladding and white render.

3.3 The upper ground floor would accommodate three bedrooms, all en-suite, a utility, gym, office and integral double garage. On the lower ground floor there would be a further bedroom and en-suite, a snug, living room, kitchen/dining room and pantry.

3.4 The development also includes the construction of a 1.5m high Cotswold Dry Stone wall along the roadside boundary.

3.5 The access arrangements would remain the same as existing.

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

5.0 Analysis

5.1 The main issues to be considered are the principle of the development, the impact upon the adjacent heritage asset, the impact upon the Cotswolds AONB, the design and visual impact, amenity and highway safety.

Principle of the development

5.2 Cleeve Hill is not listed as a Rural Service Centre or a Service Village within Table SP2c of the JCS. Therefore part 6 of Policy SP2 becomes relevant, as it says: 'In the remainder of the rural area, Policy SD10 will apply to proposals for residential development.'

5.3 Policy SD10 of the JCS advises that housing on sites which are not allocated for housing in district and neighbourhood plans, will 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.*'

5.4 In this case, Policy HOU7 of the TBLP provides for the rebuild and replacement of existing dwellings in locations where the construction of new houses would otherwise be unacceptable. This is subject to the proviso that the replacement dwelling is of similar size and scale to the existing dwelling; that the replacement dwelling respects the scale and character of existing property in the area; and has no adverse impact on the landscape. Further, within the Area of Outstanding Natural Beauty (AONB), strict design controls will be applied given the priority accorded to the protection of the landscape.

(a) The replacement dwelling is of a similar size and scale to the existing dwelling

5.5 The replacement dwelling would demonstrate a much larger footprint and floor space than the existing dwelling and as such would be materially larger than the dwelling it would replace. However, the considered design approach helps to reduce the physical scale of the new dwelling by splitting the upper floor into two elements and by making use of the change in site level.

5.6 Notwithstanding this, recent case law and appeal decisions suggest that a pragmatic approach should be taken when dealing with proposals for replacement dwellings. Rather than solely considering the increase in the size and scale of a replacement dwelling, emphasis should also be placed on whether such a proposal would have a harmful impact upon the landscape character.

(b) The replacement dwelling respects the scale and character of the existing characteristic property in the area and has no adverse impact on the landscape

5.7 The replacement dwelling would be of contemporary design in an area with a range of buildings of different types and ages. There are other modern and contemporary dwellings in the immediate area, most notably No.1-4 The View, which are approximately 30 metres to the east of the site. As such, the contemporary design would not appear out of place.

5.8 The dwelling would span the width of the site however it would sit comfortably within it given the overall size of the plot. The dwellings along the B4632 are generally large detached dwellings set within large gardens and the proposed development would not be dissimilar to surrounding plots in terms of the level of built form within a plot. The replacement dwelling would be of a different form to the existing but would remain a large detached dwelling located on a generously size plot.

5.9 The application site is considered to be in a prominent location along the B4632. The replacement dwelling would be partially built into the slope and have a flat roof. The height of the replacement dwelling would be much lower than the height of the existing. In addition, the proposal also includes the installation of a 1.5m tall boundary stone wall along the roadside boundary is proposed. Given those factors, any immediate views achievable from the adjacent public road would be limited.

5.10 The appeal site is located with the Cotswolds Area of Outstanding Natural Beauty (AONB). Great weight should be given to conserving the landscape and scenic beauty, as set out in paragraph 172 of the National Planning Policy Framework. Policy SD7 of the JCS also seeks to conserve and, where appropriate, enhance the AONB and says that proposals should be consistent with policies set out in the Cotswolds AONB Management Plan 2013-2018 (CMP).

5.11 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA), prepared by MHP Chartered Landscape Architects. The report identifies the site as within the 'Escarpment - Cooper's Hill to Winchcombe' landscape character type.

5.12 The LVIA provides an assessment supported by photographs from relevant vantage points. The dwelling would be visible from the public footpath network and open access land to the north-east and north-west on the lower slopes of the Cotswold Escarpment. However, where views are afforded, the application site forms a small proportion of the view and would be viewed against a backdrop of existing built form seen in the context of the surrounding residential built form along the B4632. In addition, its split level design and its flat roof would help limit its visual impact.

5.13 The LVIA recommends new roadside hedge planting and additional tree planting of native species within the site boundaries as part of the mitigation, although no specific details have been provided. A condition securing a satisfactory landscaping scheme is recommended.

5.14 A Tree Survey, prepared by Tree King Consulting, has been submitted in support of the application. The Tree Survey identifies the development would require the felling of three trees, none of which are considered to be of high value. The survey highlights necessary protection measures during the construction phase. A condition is suggested requiring the development to be carried out in accordance with the recommendations outlined in the Tree Survey.

5.15 It is acknowledged that the north facing elevation has been designed to maximise views of the surrounding landscape with large expanses of glazing. As the replacement dwelling would be wider and due to the additional glazing, at night in particular, the dwelling may be more visually prominent than the existing north facing elevation. However, it is considered that the replacement dwelling would appear to retreat into the surrounding landscape due to the terracing effect and use of neutral materials and finishes. In addition, the level of light would not be dissimilar to the light generated from the neighbouring contemporary properties along the B4632.

5.16 As such, it is reasonable to conclude the proposed development would not appear unduly prominent or harm the landscape, scenic beauty and the other special characteristics of the AONB.

(c) Normal development control standards in relation to aspects such as design, materials, environmental impact, parking and relationship to adjoining uses are satisfied.

Design

5.17 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. This advice is echoed in JCS Policy SD4 which states 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.

5.18 As mentioned above in criterion (b) the replacement dwelling would be of a contemporary design and would be finished in a range of materials, which includes render, stone and rain screen cladding which would help to break up the mass. The replacement dwelling would be visually attractive as a result of good architecture.

Impact upon residential amenity

5.19 In respect of the impact of the development upon residential amenity, paragraph 127 of the NPPF specifies that planning decisions should ensure development creates places with a high standard of amenity for existing and future users. This advice is reflected in JCS policies SD4 and SD14 which require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.

5.20 Based on the plans submitted and the relationship between the application site and the neighbouring properties, in particular the differing land levels, and the existing boundary landscaping, the new dwelling could be accommodated on the site without detriment to neighbouring amenity. A condition requiring details of the proposed levels across the site relative to the adjoining land, together with the finished floor levels of the proposed dwelling is recommended so that the local planning authority can manage the impact upon neighbouring amenity.

Impact on Heritage Assets

5.21 Hill Top is not a listed building and would not fulfil the criteria to be considered a non-designated heritage asset. As such no objections are raised to the principle of the demolition.

5.22 The site is in close proximity to St Peters Church which is a Grade II Listed building. When determining planning applications the local planning authority has a duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard to the desirability of preserving listed buildings. This is reflected in Section 16 of the NPPF and Policy SD8 of the JCS.

5.23 St Peters Church is a modest 20th Century Structure which is set lower than the application site and is partly screened by vegetation. Planning permission was granted in 2015, reference 15/00358/FUL, for the conversion of the Church to a dwelling. The current setting of the listed building is essentially rural with a heavily treed backdrop. The church nestles back into the slope and is generally visually enclosed by trees and vegetation towards the site. The wider setting of the church appears to be orientated towards the falling slope to the north and west.

5.24 There are few opportunities to view the site and the church together except from a distance and in that context it does not appear that the new house would be prominent or dominant within the setting of the listed church. A distance of about 35m would be maintained between the replacement dwelling and the listed church. As such it is not considered that the new development would have an adverse visual impact upon the setting of the listed church. The Conservation Officer has raised no objection to the proposed development however has raised concerns in respect to the proposed finish (white render) for the west facing elevation. The render and colour, due to the expanse of the elevation, would be too harsh next to the listed building, a softer and more subtle finish is required. A condition requiring amended details for the west elevation is recommended.

Highway Safety

5.25 Section 9 of the NPPF relates to the promotion of sustainable transport and specifies that in assessing specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. The JCS reiterates this advice.

5.26 It is proposed to utilise the existing access arrangements and the submitted site plan shows sufficient space within the site for parking and manoeuvring, with vehicles able to exit the site in a forward facing gear. Given the development seeks permission for a replacement dwelling, it should not result in the intensification of the access. In light of this, the proposed development should not compromise highway safety. The County Highways Authority has been consulted on the application and raise no objection subject to conditions.

Ecology

5.27 The NPPF sets out, inter alia, that planning decisions should minimise impact on and providing net gains for biodiversity. Policy SD9 of the JCS seeks to protect and enhance biodiversity in considering development proposals.

5.28 The application has been accompanied by both a Preliminary Roost Assessment and a Protected Species Survey (Bats), prepared by Wildwood Ecology. No bat roosts were confirmed within the buildings and general bat activity was very low. As such there is unlikely to be a negative impact on bat species as a result of the proposed demolition.

Drainage

5.29 Policy INF2 of the JCS requires new development to incorporate suitable Sustainable Drainage Systems where appropriate. The application site is in flood zone 1, an area of low risk of flooding. It is proposed to dispose of surface water via a sustainable drainage system. The precise drainage arrangements would be subject to building regulation approval.

5.30 As detailed in the PPG, the first presumption is for foul drainage to be dealt with by existing mains. This is the case in this application.

Other Matters

5.31 The site is located under 100m south-east of Cleeve Commons, a designated SSSI. Given the scale of the proposed works and the lack of likely impacts beyond the site boundary, it is considered the development should not cause any harm to the designated SSSI.

5.32 Having regard to paragraph 172 of the NPPF and given the great weight afforded to conservation of AONBs, a condition to manage future development which could adversely affect the AONB is necessary to protect its landscape and scenic beauty.

6.0 Conclusions

6.1 For the aforementioned reasons, it is considered that the proposal would represent an appropriate form of development for the site, providing a high quality dwelling on the plot which is in keeping with the character of the site, the context of the area and surrounding landscape. Furthermore, it is considered that the replacement dwelling would not have an undue impact on the Cotswolds AONB or upon the setting of St Peters Church. Consequently the application is recommended for **Permit**.

RECOMMENDATION Permit

Conditions:

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

- 2 Unless where required or allowed by other conditions attached to this permission/consent, the development hereby approved shall be carried out in accordance with the information provided on the application form and the following plans/drawings/documents:

PL001 Rev A - Existing Site Location and Block Plan
PL004 Rev A - Proposed Block Plan
PL005 Rev A - Proposed Block Plan
PL006 Rev C - Proposed Lower Ground Floor Plan
PL007 Rev C - Proposed Upper Ground Floor Plan
PL008 Rev C - Proposed North and South Elevations
PL009 Rev C - Proposed East Elevation
PL010 Rev C - Proposed West Elevation
PL016 Rev A - Proposed Boundary Treatment

- 3 Notwithstanding the submitted details, prior to its/their installation as part of the development hereby approved, a specification of the materials and finish for the external walls, doors and windows (including the garage doors) and roofing proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials as approved.
- 4 Before the dwelling hereby permitted is first occupied a scheme of soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:-
- i. a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.
 - ii. a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.
 - iii. a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
 - iv. a written specification outlining cultivation and other operations associated with plant and grass establishment.
 - v. a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.
 - vi. details of a precise specification of the proposed materials for the hard landscaping of the site (including roads, paths, parking areas and other hard surfaces);

All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the occupation of the dwelling hereby permitted.

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

The hard landscaping of the site shall be completed before the occupation of the dwelling hereby permitted or in accordance with a timetable agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- 5 Before the first occupation of the development hereby permitted a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the first occupation of the development hereby permitted. Development shall be carried out in accordance with the approved details.
- 6 The construction work on the building hereby approved shall not commence until the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the dwelling hereby approved have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

- 7 Before any site preparation work or development starts, tree protection measures shall be implemented in accordance with the recommendations set out in the Tree Survey, prepared by Tree King Consulting and dated September 2018, unless otherwise agreed in writing by the Local Planning Authority.
- 8 Throughout the construction and demolition period of the development provision shall be made within the site to accommodate the likely demand generated for the following:
 - i. parking of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in constructing the development;
 - iv. provide for wheel washing facilities;
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1, Classes A, B, C and E other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the local planning authority.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To define the permission.
- 3 To ensure that the new materials are in keeping with the surroundings and/or represent quality design and to protect and conserve the setting of the adjacent heritage asset.
- 4 To ensure the proposed development does not have an adverse effect on the character and appearance of the area and the Area of Outstanding Natural Beauty.
- 5 To protect the amenities of neighbouring properties and ensure the proposed development does not have an adverse effect on the character and appearance of the area.
- 6 To ensure the proposed development does not have an adverse effect on the character and appearance of the area and the Area of Outstanding Natural Beauty and to protect neighbouring amenity.
- 7 To protect the existing trees on the site during the course of building work in the interests of amenity.
- 8 To reduce the potential impact on the public highway and accommodate the efficient delivery of goods.
- 9 To manage future development which could adversely affect the AONB in order to protect its landscape and scenic beauty.

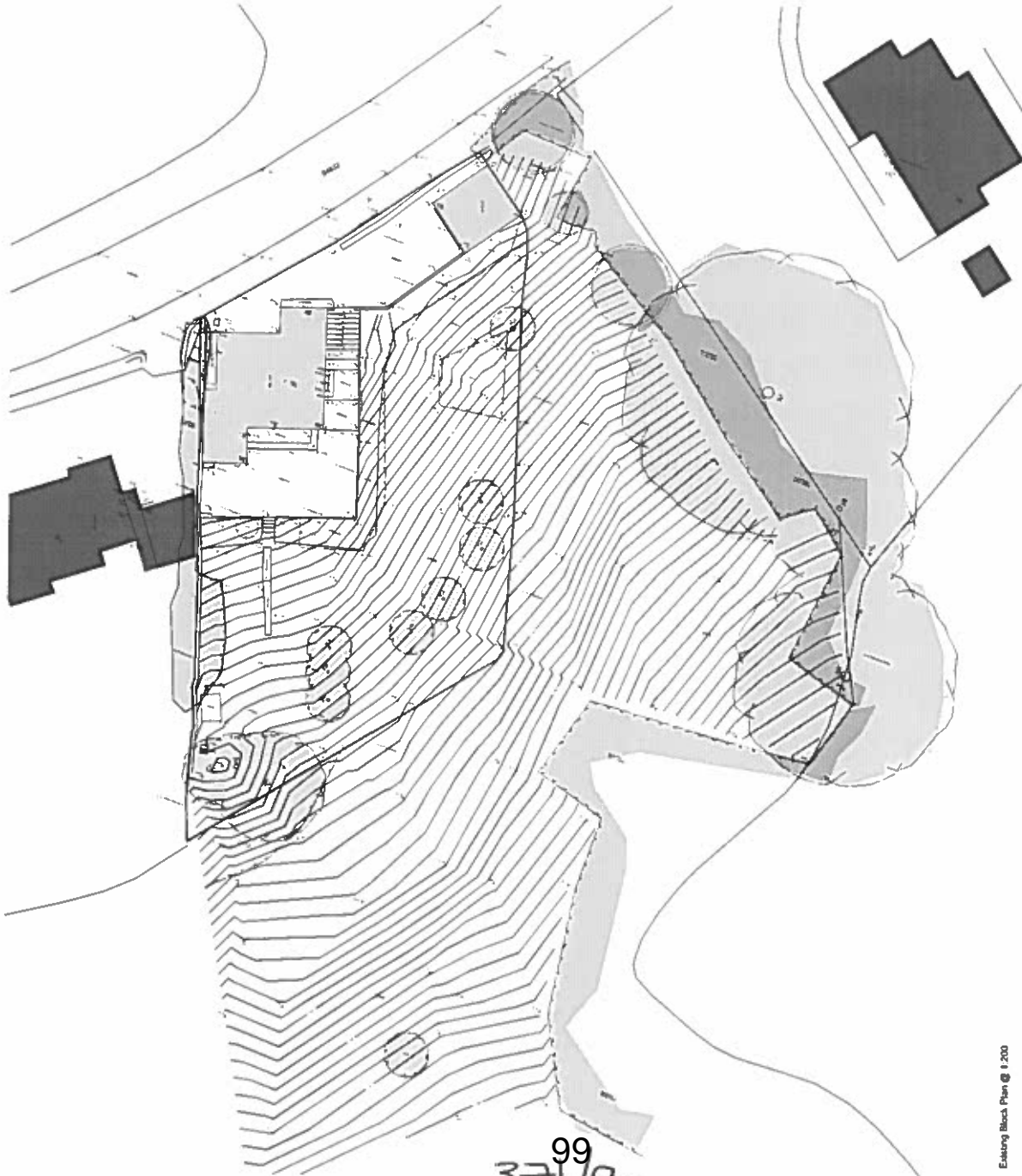
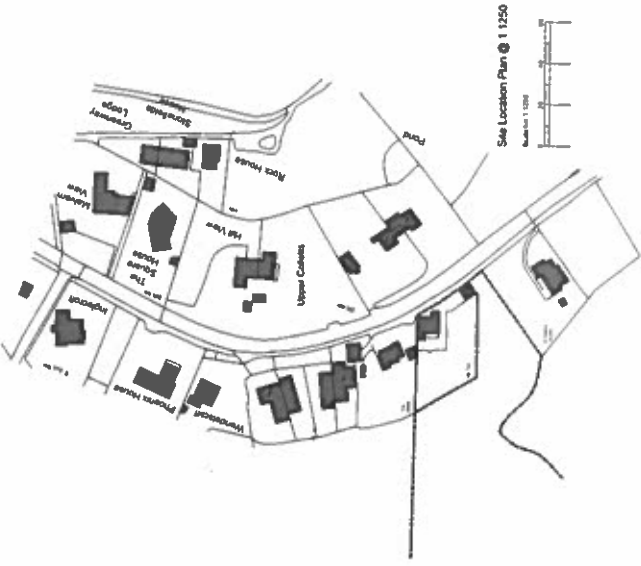
Notes:

- 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 proposal.
- 2 Buildings, and particularly roofs and the spaces underneath them, are frequently used as roosting sites by bats. Bats and their 'roost' sites are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats & Species Regulations 2010, the latter of which deems them a European Protected Species. It is a criminal offence to deliberately kill or injure a bat, to disturb or destroy a bat roost or to obstruct an entrance to a roost. If evidence of bats is found, work should stop immediately and an ecological consultant contacted for advice on the best way to proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

18/00726/FUR

New Residential Development
Hilltop, Cleeve Hill, Cheltenham

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371/a 99

Existing Block Plan @ 1:200

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

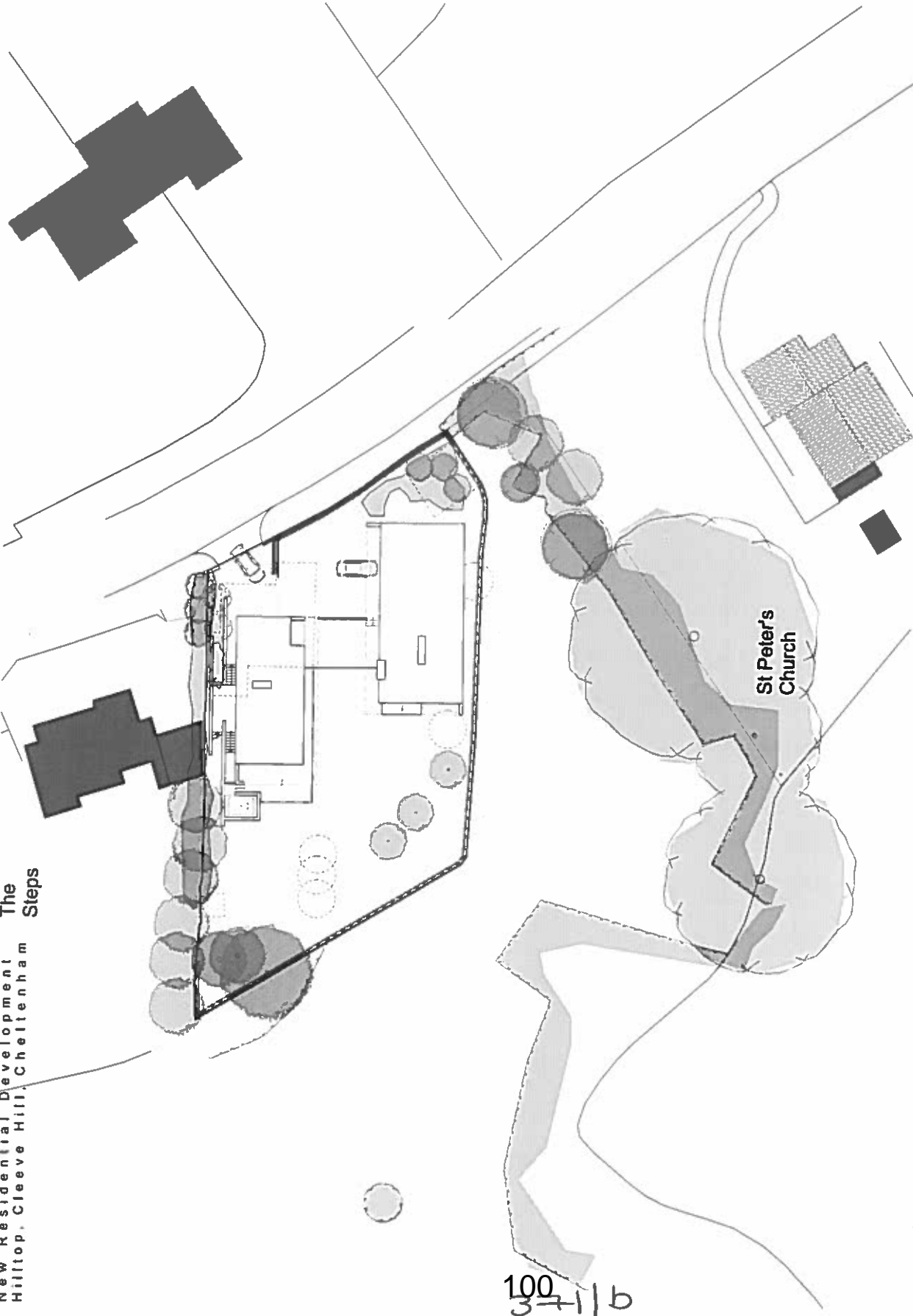
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Drawing title:	Site Location and Existing Block Plan	Project:	Hilltop, Cleeve Hill Cheltenham
Client:		Scale:	1:100 @ A1
Drawn by:	DK	Date:	June 2018
Project No.:	17.20.015	Project / Drawing No.:	FL001 A

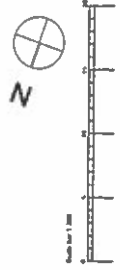
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18/00726/FUL

New Residential Development
Hilltop, Cleeve Hill, Cheltenham
The Steps



100
371b



Project: Hilltop, Cleeve Hill, Cheltenham	
Client: Hilltop, Cleeve Hill, Cheltenham	Scale: 1:200 @ A1
Drawn by: DK	Date: June 2018
Project No: 17,20,015	Project / Drawing No: FLD04-A
Drawing title: Proposed Block Plan	
Checked by: TC	Checked by: TC

BECA - DK - 01.07.2018
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Preliminary
 Feasibility
 Planning
 Building Regulations
 Tender
 Construction issue
 As Built

RIBA
 Chartered Architect

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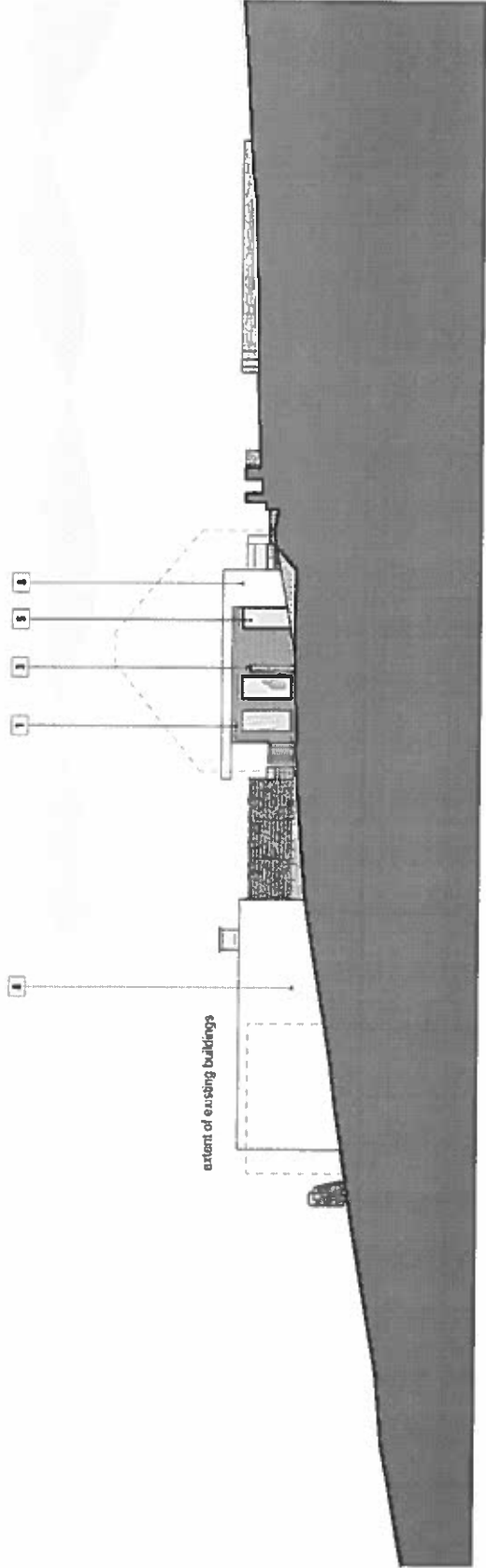
New Residential Development
Hilltop, Cleeve Hill, Cheltenham

18/00726/FUL

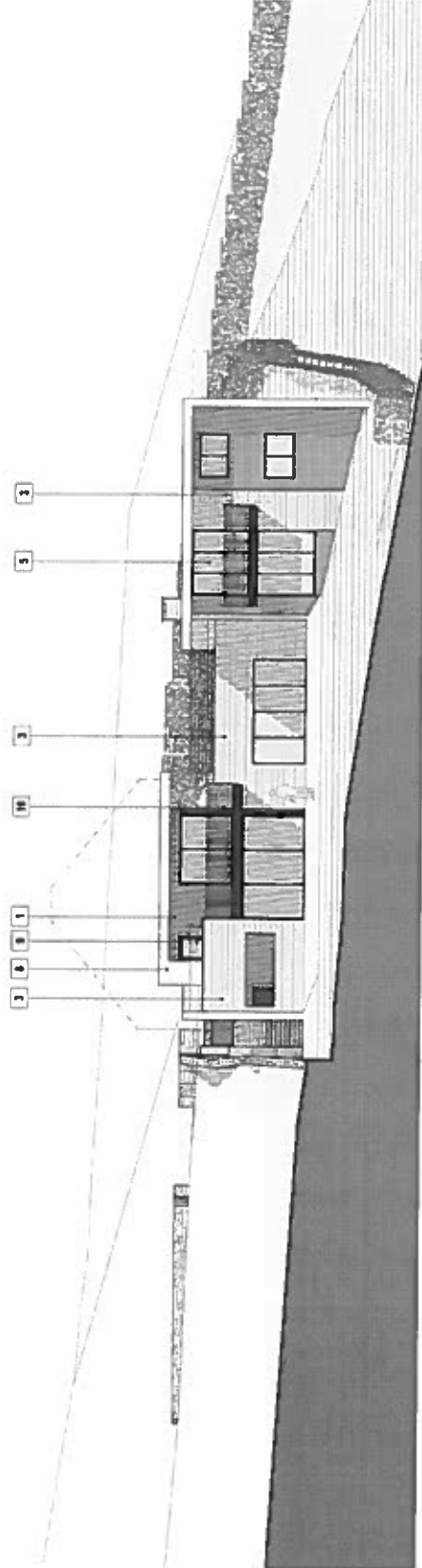
Materials Key

- 1 Aluminium Cladding - cream colour
- 2 Coloured Asphalt Slates Cladding - Blue
- 3 Coloured Dry Stone Walling - Red
- 4 Coloured Dry Stone Walling - Blue
- 5 RFC Aluminium Windows - Dark Grey
- 6 RFC Aluminium Doors - Dark Grey
- 7 Steel Sectional Garage Door
- 8 White Render
- 9 Gypsum Boardwork - Standard Shear Flange
- 10 Steel Balustrade - Dark Grey

Material Samples



Proposed South Elevation (Front)



Proposed North Elevation (Rear)

10371/C

<p>combees : eventti architects limited 105-107 Bath Road Cheltenham Gloucestershire GL53 7LE t: 01242 807771 e: info@combees.co.uk www.combees.co.uk</p>		<p>Proposed North and South Elevations Client: Hilltop, Cleeve Hill Cheltenham Scale: 1:100 @ A1 Date: June 2018 Project / Drawing No: P1008 C</p>	
<p>1. The drawings and content is prepared in accordance with the standards listed and should not be used for any other purpose. 2. All work shown on the drawings is subject to the provisions of the Building Regulations and any other applicable legislation. 3. The drawings are intended to be used for planning purposes only and should not be used for any other purpose. 4. The drawings are intended to be used for planning purposes only and should not be used for any other purpose.</p>		<p>REV A: 06-01-2018 REV B: 06-01-2018 REV C: 06-01-2018 REV D: 06-01-2018</p>	
<p><input type="checkbox"/> Preliminary <input type="checkbox"/> Feasibility <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Building Regulations <input type="checkbox"/> Tender <input type="checkbox"/> Construction Issue <input type="checkbox"/> As Built</p>		<p>REV A: 06-01-2018 REV B: 06-01-2018 REV C: 06-01-2018 REV D: 06-01-2018</p>	
<p>RIBA REGISTERED ARCHITECTS</p>		<p>Project No: 1720015 Checked: DK Checked: JC</p>	

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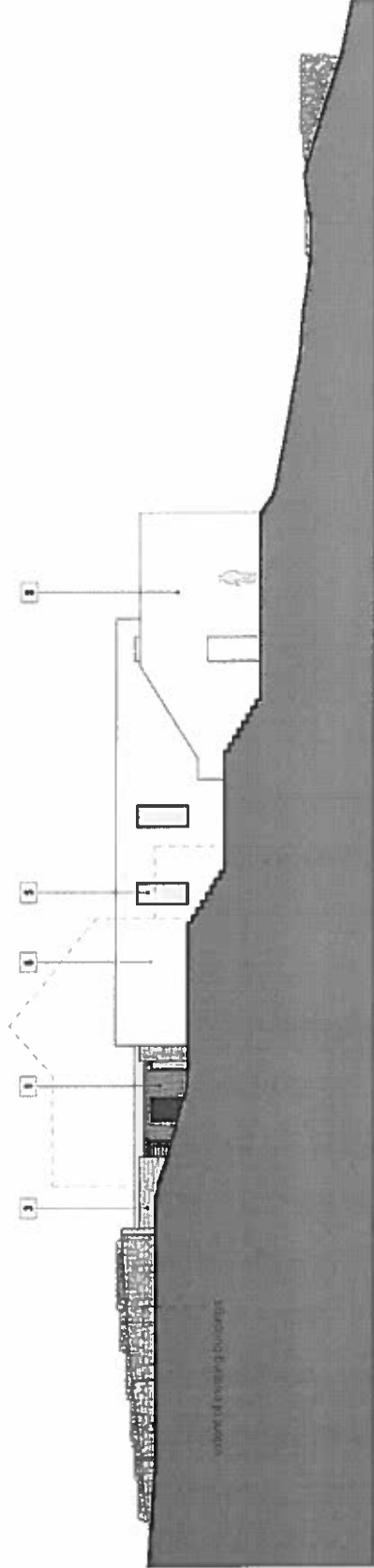
New Residential Development
Hilltop, Cleeve Hill, Cheltenham

18/00726/17L

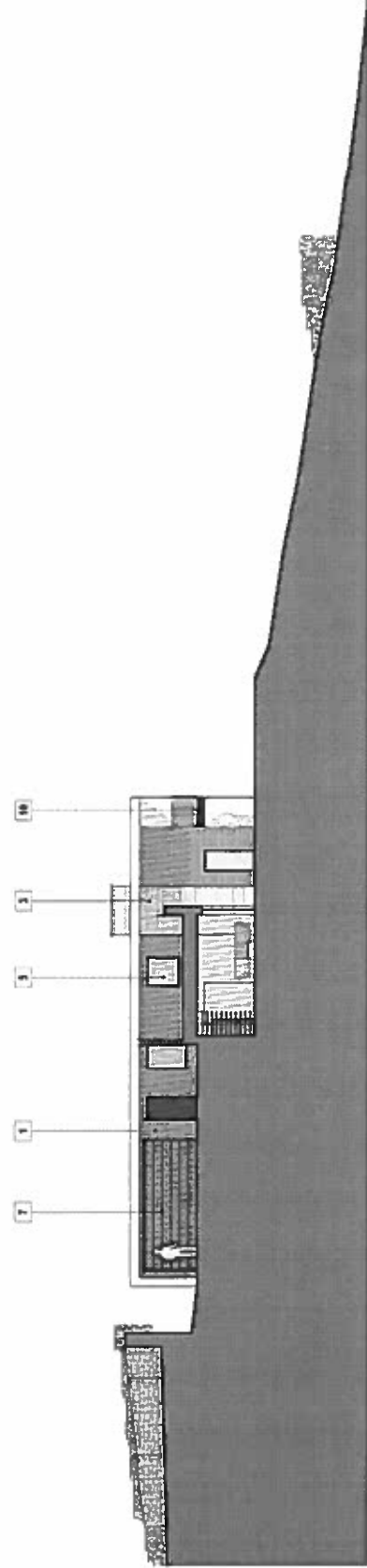
Materials Key

- 1 Reinforced Concrete - cream colour
- 2 Concrete - cream colour
- 3 Concrete - cream colour
- 4 Concrete - cream colour
- 5 Concrete - cream colour
- 6 Concrete - cream colour
- 7 Concrete - cream colour
- 8 Concrete - cream colour
- 9 Concrete - cream colour
- 10 Concrete - cream colour

Material Samples



Proposed East Elevation (Side)



Proposed East Elevation (Inside)

102
371/d

<p>coombes : eventit architects limited 105-107 BARN ROAD CHELTENHAM GLOSERSHIRE GL53 7LE</p> <p>t: 01242 601727 e: info@coombes.co.uk www.coombes.co.uk</p>		<p>1. The client acknowledges that it is their responsibility to ensure that all information provided to the architect is accurate and complete.</p> <p>2. The client acknowledges that it is their responsibility to ensure that all information provided to the architect is accurate and complete.</p> <p>3. The client acknowledges that it is their responsibility to ensure that all information provided to the architect is accurate and complete.</p> <p>4. The client acknowledges that it is their responsibility to ensure that all information provided to the architect is accurate and complete.</p>		<p>REV A - 04.11.2015 REV B - 04.11.2015 REV C - 04.11.2015</p>		<p>Project: Hilltop, Cleeve Hill, Cheltenham</p> <p>Scale: 1:100 @ A1</p> <p>Date: June 2018</p> <p>Project / Drawing No: PL009 C</p>	
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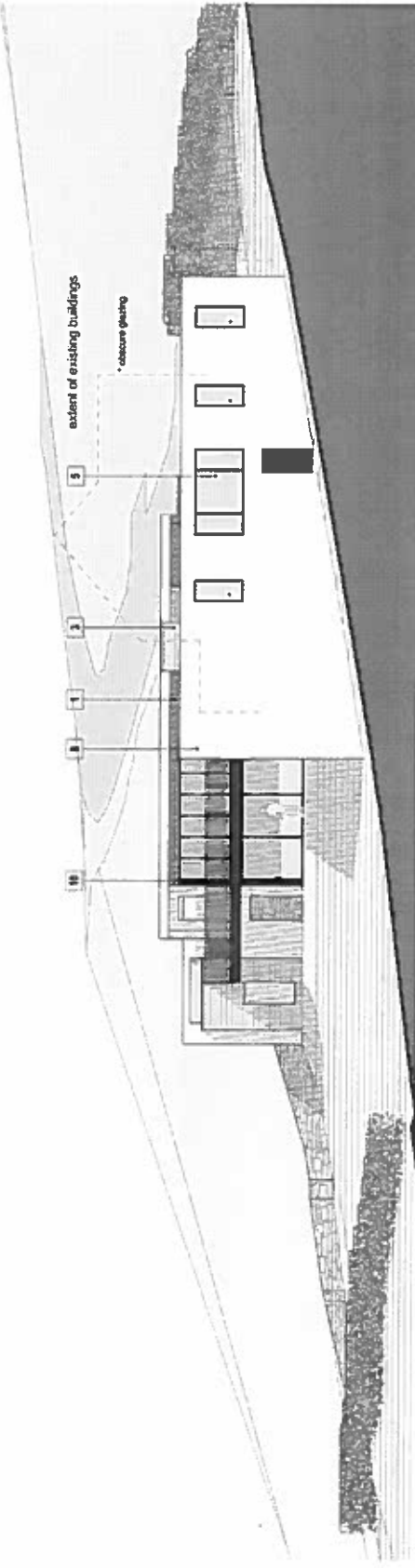
New Residential Development
Hilltop, Cleeve Hill, Cheltenham

18/00726/R2

Materials Key

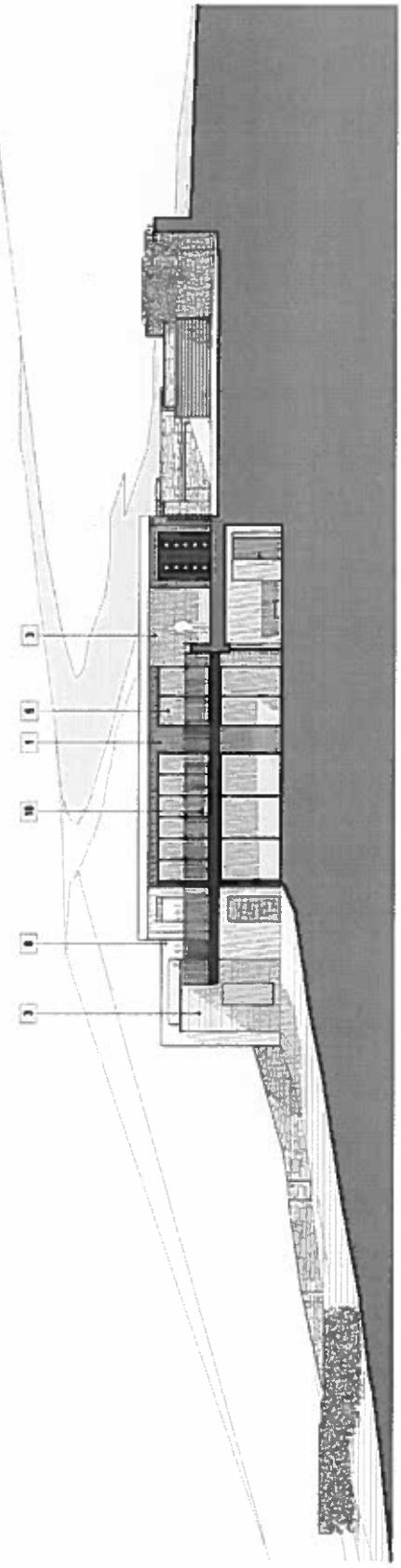
- 1 Reinforced Concrete - cast in situ
- 2 Concrete - cast in situ
- 3 Cast-in-place Concrete - cast in situ
- 4 Cast-in-place Concrete - cast in situ
- 5 Reinforced Concrete - cast in situ
- 6 Reinforced Concrete - cast in situ
- 7 Reinforced Concrete - cast in situ
- 8 Reinforced Concrete - cast in situ
- 9 Reinforced Concrete - cast in situ
- 10 Reinforced Concrete - cast in situ

Material Samples



Proposed West Elevation (Side)

3/93/e



Proposed West Elevation (Inside)



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Cheltenham
GL53 7LE
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www.coombes.co.uk

Preliminary
 Feasibility
 Planning
 Building Regulations
 Tender
 Construction Issue
 As Built

RIBA
www.riba.org.uk

1. This drawing is issued as a preliminary design and is not intended to be used for construction. It is subject to change without notice. It is not to be used for any other purpose without the written consent of the architect. It is the responsibility of the client to ensure that the design is suitable for the intended use and that all necessary permissions and consents are obtained. It is the responsibility of the client to ensure that the design is suitable for the intended use and that all necessary permissions and consents are obtained. It is the responsibility of the client to ensure that the design is suitable for the intended use and that all necessary permissions and consents are obtained.

Drawing No: 18/00726/R2
Client: Hilltop, Cleeve Hill
Drawn by: DK
Project No: 17/20/015

Project: Hilltop, Cleeve Hill
Cheltenham
Scale: 1:100 @ A1
Date: June 2018
Project / Drawing No: PUB10 C

coombes : eventit architects

18/00726/FU

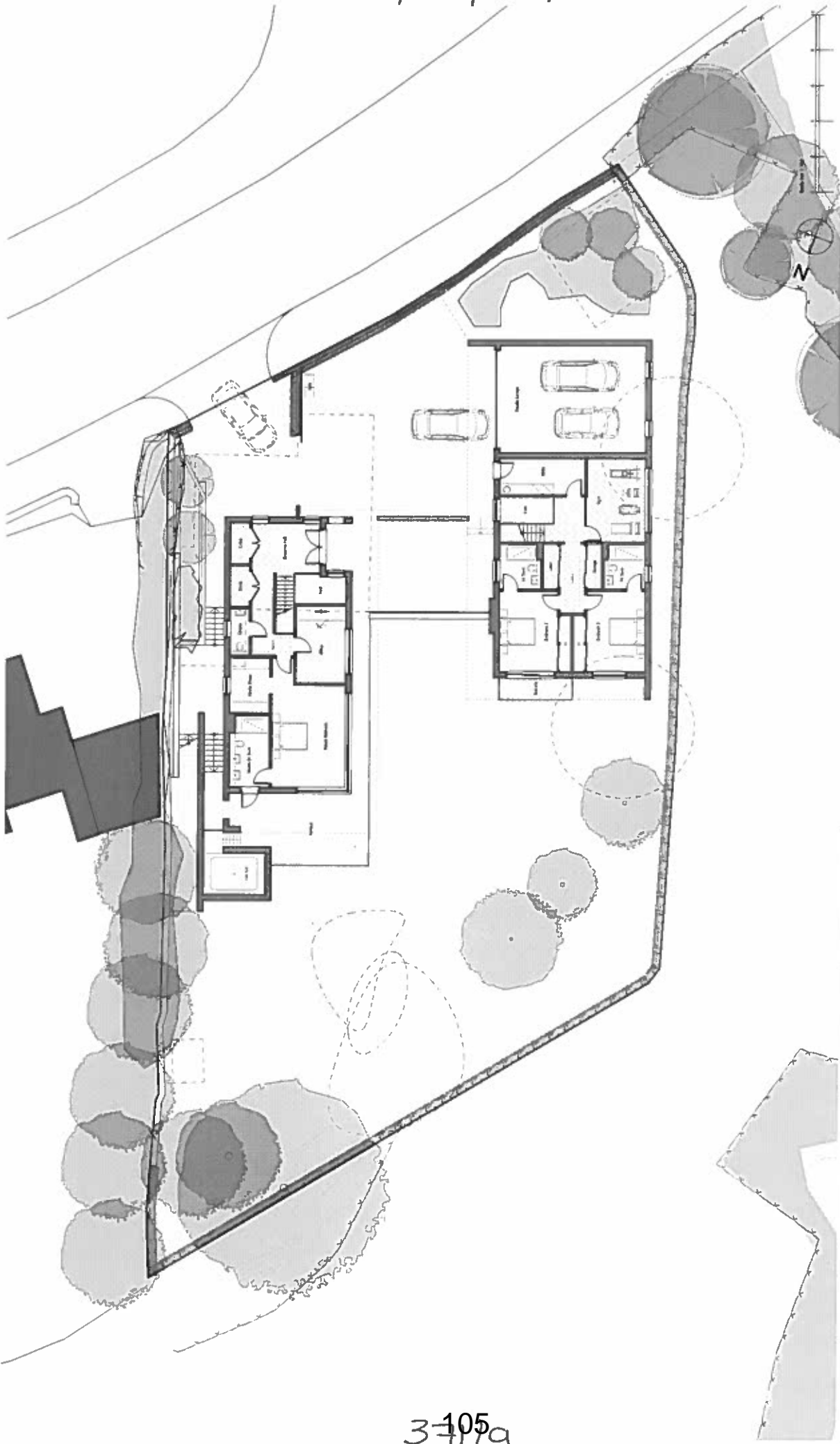
3104/F



<p>combes : eventit architects limited 105, 107 Bath Road Cheltenham Gloucestershire GL53 7LE</p> <p>T: 01452 807737 E: info@combes.co.uk www.combes.co.uk</p>		<p><input type="checkbox"/> Preliminary <input type="checkbox"/> Feasibility <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Building Regulations <input type="checkbox"/> Tender <input type="checkbox"/> Construction Issue <input type="checkbox"/> As Built</p>		<p>1. The drawings and contents of this report are the property of combes : eventit architects limited and shall not be used for any other purpose without the written consent of combes : eventit architects limited. 2. The drawings and contents of this report are not to be used for any other purpose without the written consent of combes : eventit architects limited. 3. The drawings and contents of this report are not to be used for any other purpose without the written consent of combes : eventit architects limited.</p> <p>RIBA Registered Architect</p>		<p>REV A - 26.11.2019 scheme developed in line with planning constraints</p> <p>REV B - 26.11.2019 tree locations and ground levels shown from tree report</p> <p>REV C - 26.11.2019 final distribution of drawings approved</p>		<p>Drawing title: Proposed Lower Ground Floor Plan</p> <p>Client: _____</p> <p>Drawn by: DK Checked: TC</p> <p>Project No: 1720015</p>		<p>Project: Hiltop, Cleeve Hill Cheltenham</p> <p>Scale: 1:100 @ A1</p> <p>Date: June 2018</p> <p>Project / Drawing No: PL000 C</p>	
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18/00726/152

New Residential Development
 Hilltop, Cleeve Hill, Cheltenham



37059

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coombes - eventitl architects

Project: Hilltop, Cleeve Hill Cheltenham
Scale: 1:100 @ A1
Date: June 2018
Project / Drawing No.: PL007 C

Drawing title: Proposed Upper Ground Floor Plan
Client:
Drawn by: DK
Checked by: TC
Project No.: 17.20.015

REVISIONS:
 REV A - DK - 03.07.2018
 scheme developed in line with planning comments
 REV B - DK - 04.08.2018
 final composite and final pre-application zones shown from this report
 REV C - DK - 29.10.2018
 make bedrooms and bathroom 3 windows identical

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2. Engineering calculations to accompany this drawing shall be submitted with the planning application.

3. All drawings shall be submitted in electronic and hard copy format for the purpose of the planning application.

4. Engineering calculations to accompany this drawing shall be submitted with the planning application.

RIBA
 REGISTERED ARCHITECTS

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 Preliminary
 Feasibility
 Planning
 Building Regulations
 Tender
 Construction issue
 As Built

Valid 21.09.2018
Grid Ref 397179 225675
Parish Southam
Ward Cleeve Hill

Demolition and replacement of existing detached garage.

RECOMMENDATION Permit

Policies and Constraints

Joint Core Strategy (2017) (JCS) - Policy SD4, SD5
Tewkesbury Borough Local Plan to 2011(TBLP) - March 2006 - Policy HOU8
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)
Green Belt
Special Landscape Area

Consultations and Representations

Parish Council - Parish Council objects to the application. It considers that the large size of the new garage will have a detrimental impact on the setting of the cottage.
Local residents - no responses received.

Planning Officers Comments: Mrs Sarah Barnes

1.0 Application Site

1.1 This application relates to 'Rose Cottage' an end of terraced cottage (**site location plan attached**). The site falls within the Green Belt and the Special Landscape Area.

2.0 Current application

2.1 The current application is to demolish and replace the existing garage with a larger garage in the same location (**plans attached**).

3.0 Recent History

3.1 In 1979 permission was granted for alterations and extensions to existing cottage.

3.2 In 1999 permission was granted for a single storey rear extension.

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 Policy HOU8 of the TBLP supports the principle of residential extensions subject to satisfying certain design criteria. It sets out that extensions to existing dwellings will be permitted provided they respect the character, scale and proportions of the existing dwelling and do not have an unacceptable impact on adjacent property and residential amenity.

4.3 Section 12 of the NPPF seeks to ensure the creation of high quality buildings and places. 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.

4.4. Section 13 of the NPPF advises that the government attaches great importance to Green Belts. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.

Exceptions to this are:

- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

5.0 Analysis

Design, Size and Residential amenity

5.1 In relation to the Parish Council's concerns regarding the size of the new garage creating a detrimental impact on the setting of the cottage, their concerns have been noted. However, it is not considered that the replacement garage would be harmful to the character of the existing cottage as it would be over 6 metres from the cottage and it would be the same length as the existing garage but approximately 2.5 metres wider. The applicant has also agreed to have timber garage doors and to render the garage in a more muted colour than white which would be an improvement on the appearance of the existing garage. Suitable conditions would be attached to the permission.

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

Green Belt and SLA

5.3 The site falls within the Green belt. Section 13 of the NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

5.4 With regards to previous extensions at Rose Cottage, they have created additions of about 45%. The proposed replacement garage would have a ground floor area of 34m² compared with the existing garage which currently has a floor area of 22m². There would therefore only be an increase in floor area of 12m² which when added to previous extensions would create additions of about 52%. It is considered that the increase in floor area would not be excessive and would not result in disproportionate additions. The proposed garage would also not be harmful to the openness of the Green Belt particularly as it would be sited in the same location as the existing garage and it would also be the same height (2.4 metres).

6.0 Conclusion

6.1 Overall, it is considered that the proposal would not be harmful to the appearance of the existing dwelling nor the street scene and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings. The proposal would also be of an acceptable size and design and would not comprise a disproportionate addition or be harmful to the openness of the Green Belt nor the surrounding SLA. It would therefore accord with Policy HOU8 of the Local Plan, Policies SD4 and SD5 of the Joint Core Strategy and the NPPF 2018. The application is therefore recommended for permission.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 Notwithstanding the submitted plans, the proposed garage doors shall be timber unless a suitable alternative is agreed in writing by the Local Planning Authority.
- 3 Notwithstanding the submitted plans, details of the proposed render (colour and texture) shall be submitted and approved in writing by the Local Planning Authority before works commence.

- 4 The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:
- Site location plan, proposed block plan, proposed elevations and proposed floor plans received on the 17th September 2018.
 - Existing elevations and existing floor plans received on the 20th August 2018.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity.
- 3 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 To define the terms and extent of the permission.

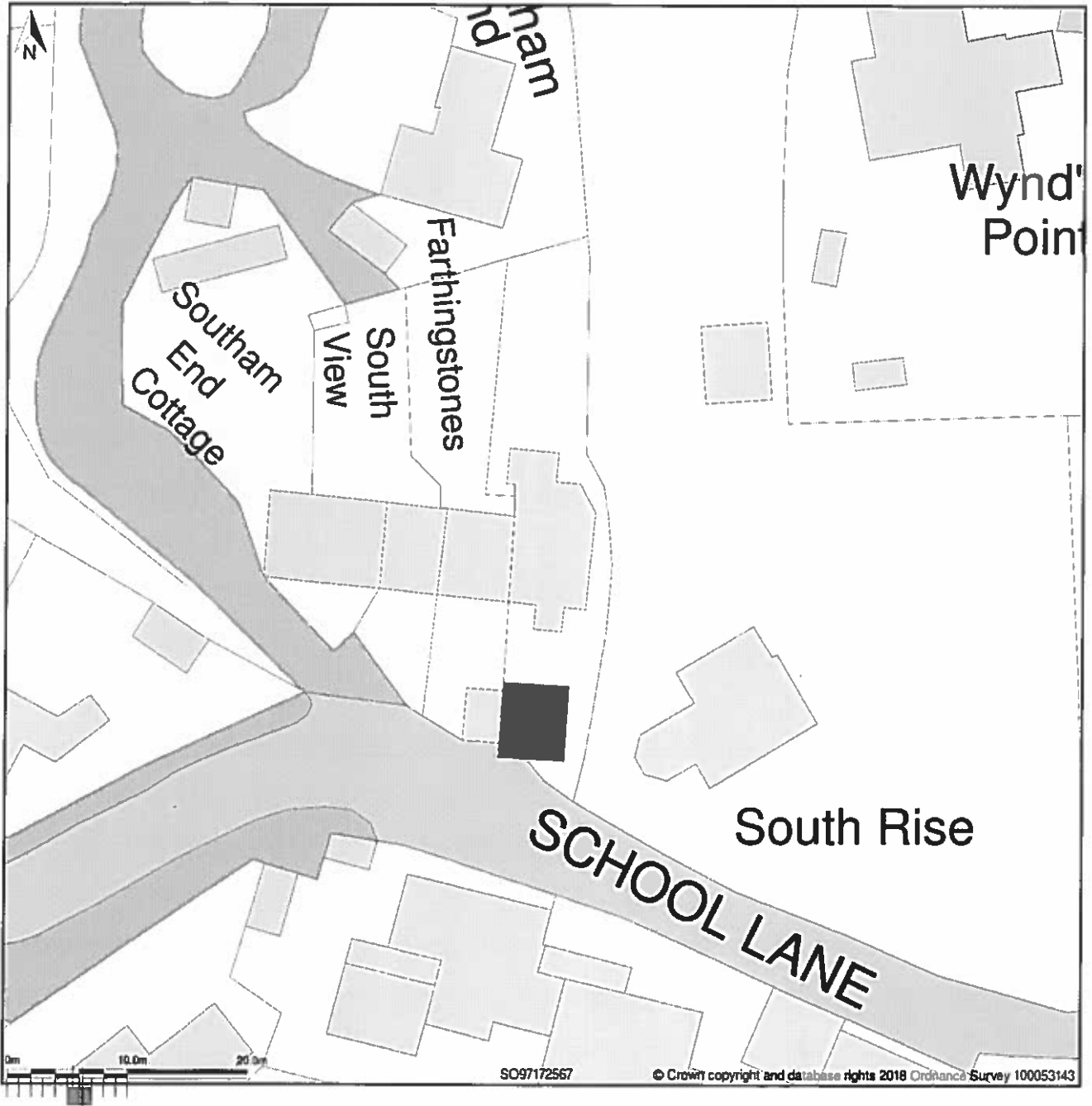
Note:

Statement of Positive and Proactive Engagement

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

18/00851/Full

Rose Cottage, School Lane, Southam, Cheltenham, Gloucestershire, GL52 3NR



Block Plan shows area bounded by: 397133.44, 225630.0 397223.44, 225720.0 (at a scale of 1:500), OSGridRef SO97172567. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

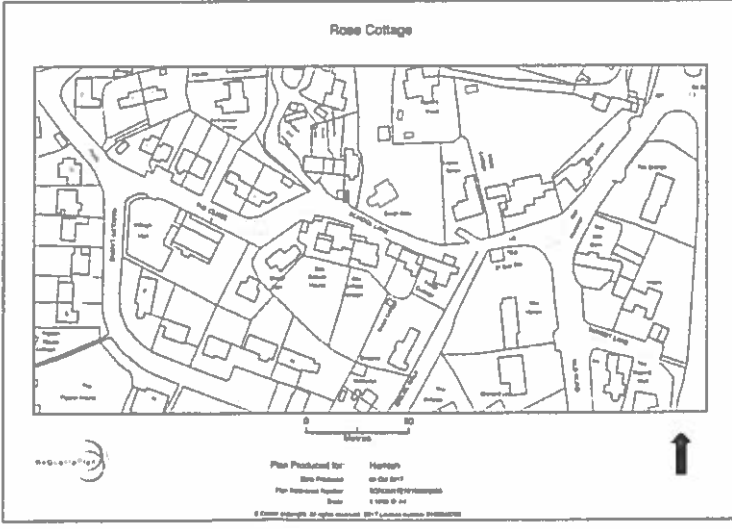
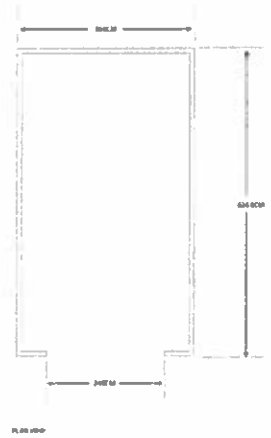
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374^{1/10}_B

18/00851/ful

EXISTING GARAGE



PROPOSITION
 TO BE BUILT IN THE REAR OF THE EXISTING GARAGE TO
 PROVIDE A SECOND STOREY FLAT TO BE USED FOR
 RESIDENTIAL PURPOSES.

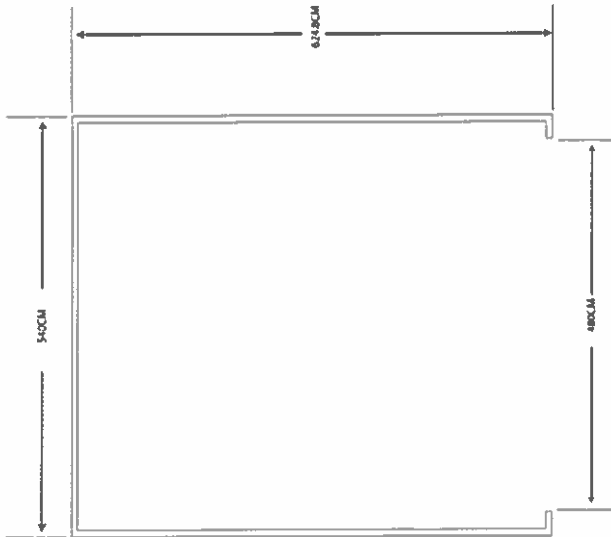
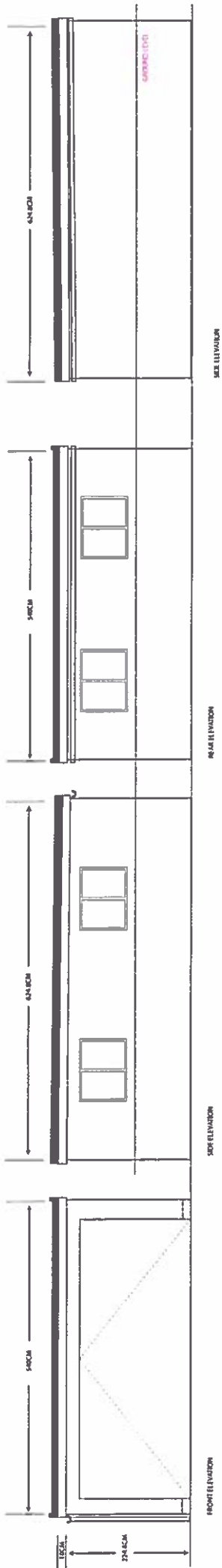
REASON
 TO BE BUILT IN THE REAR OF THE EXISTING GARAGE TO
 PROVIDE A SECOND STOREY FLAT TO BE USED FOR
 RESIDENTIAL PURPOSES.

REMARKS
 THE PROPOSITION IS SUBJECT TO THE APPROVAL OF THE
 LOCAL AUTHORITY AND THE RELEVANT DEPARTMENTS.
 THE PROPOSITION IS SUBJECT TO THE APPROVAL OF THE
 LOCAL AUTHORITY AND THE RELEVANT DEPARTMENTS.

REMARKS
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 THE PROPOSITION IS SUBJECT TO THE APPROVAL OF THE
 LOCAL AUTHORITY AND THE RELEVANT DEPARTMENTS.

374/C¹¹¹

18/00 851/100



PROPOSED GARAGE

CONSTRUCTION:
SINGLE SKIN BLOCK CONSTRUCTION WITH WHITE RENDER TO EXTERNAL WALLS.

FOUNDATIONS TBD WITH BUILDER BUT TO BE SUITABLE FOR STRUCTURE.

ROOF:
FLAT TIMBER ROOF WITH SUITABLE MEMBRANE COVERING, 100MM DROP TO REAR. SAME AS EXISTING.

DRAINAGE:
USING EXISTING DRAINAGE AND ROUTING BUT NEW MATERIALS

DOUBLE UP AND OVER STANDARD GARAGE DOOR LIGHT ON FRONT OF BUILDING (AS PER EXISTING).

PROJECT:
ROSE COTTAGE
SCHOOL LANE
SOUTHAM
CHELTENHAM
GL52 3NR

DRAWING NO. 1

DRAWINGS TO SCALE WITH THEMSELVES, ALL MEASUREMENTS MUST BE CHECKED ON SITE AND NOT SCALED FROM THIS DRAWING.

3124/d

SCALE 1:50



Valid 29.12.2017

Removal of existing barn and stables, change of use from ancillary equestrian to residential use and erection of 7 new dwellings

Grid Ref 378882 217577
 Parish Minsterworth
 Ward Highnam With Haw
 Bridge

RECOMMENDATION Delegated Permit

Policies and Constraints

National Planning Policy Framework (2018)
 Planning Practice Guidance
 Joint Core Strategy (2017) - SP1, SP2, SD4, SD6, SD9, SD10, SD11, SD12, SD14, INF1, INF2
 Flood and Water Management SPD
 Human Rights Act 1998 - Article 8
 The First Protocol - Article 1

Consultations and Representations

Minsterworth Parish Council - Supports the application.

Highways England - Offer no objection.

County Highway Authority - Required further information. No further comment has been received at time of writing the report.

GCC Archaeologist - No objection in principle to the proposed development. Recommends a condition to secure the implementation of a programme of archaeological work.

Environmental Health Officer (Contaminated Land) - Recommend a condition to secure a site investigation.

Environmental Health Officer (Noise) - Recommend a condition to ensure future residents are not adversely impacted by noise.

Housing and Enabling Officer - Should an on-site affordable housing contribution be sought, a total of three units, with a mix of rented and intermediate properties would be required.

Conservation Officer - No objection.

Local residents - One representation objecting to the proposed development has been received. The objection is summarised below:

- Increase traffic generation would compromise highway safety;
- Over-development taking place in the village;

The application requires committee determination because it represents a departure from the development plan

Planning Officers Comments: Victoria Stone

1.1 The application relates to a parcel of land to the west of Greenacres which is located along the southern side of the A48 in Minsterworth (see attached location plan). The site comprises a paddock (improved grassland) and a manege which is used in association with a private equestrian use for the occupiers of Greenacres. A stable, barn and yard lies immediately to the south-west corner of the site.

1.2 The application site is rectangular in shape and measures approximately 0.26 hectares.

1.3 The land immediately to the south is in the same ownership of the applicant. Beyond that lies a row of terraced properties and greenhouses. Residential properties border the east of the site and the former Apple Tree Inn, which is Grade II listed, can be found to the west on the opposite side of Watery Lane. The site is bordered by the A48 road to the north.

1.4 The site is not subject to any landscape designations.

1.5 Minsterworth is defined as a Service Village in the Settlement hierarchy (Table SP2c) of the JCS. The village offers two or more primary services, two or more secondary services and benefiting from bus services and/or road access to a major employment area (Rural Area Settlement Audit, updated in 2015).

2.0 Planning History

2.1 10/00224/FUL - Provision of manege for private use - Permit - 30.04.10

2.2 15/01321/FUL - General enhancement of existing, private equestrian hard area, to include removal of dilapidated barn and some stabling and erection of new stable block including store and some perimeter walling - Permit - 01.02.16

3.0 Details of Proposal

3.1 This application is submitted in full and seeks permission for the removal of the existing manege and the construction of seven dwellings.

3.2 The proposed layout would comprise a linear form of development fronting the A48. The new dwellings are designed as one and a half storey cottage style buildings utilising a traditional palette of materials.

3.3 The housing mix proposed consists of 2 x two bedroom units, 4 x three bedroom units and 1 x four bedroom unit. Three of the units would be affordable housing.

3.4 A new access is proposed off Watery Lane. A shared internal road would run along the width of the site and a turning head would be provided at the end point.

3.5 The existing mature hedgerow which runs along the northern boundary would be retained.

3.6 Since the application was first submitted, the proposal has been subject to various possible revisions which have primarily sought to amend the siting, scale and design of the proposed dwellings in response to officer concerns and consultee responses. The description of development and the site has been amended from that cited on the application form and in the Design and Access Statement. A new notification and consultation period has been carried out.

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 Local Plan (Preferred Options Consultation) 2011-2031.

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, the design, scale and layout of the new dwellings, the visual impact, impact upon highway safety, upon residential amenity and upon the setting of the listed building to the west of the application site.

Principle of Development

5.2 In order to further sustainability objectives and in the interests of protecting the countryside, the housing policies of the JCS set out a development strategy for the Borough.

5.3 Minsterworth is a linear, dispersed, settlement and the application site is located approximately 1km from the core of the village where St Peters Church and the Village Hall are located. The application site itself is located in the vicinity of a number of dwellings and cannot therefore be considered to be isolated.

5.4 As mentioned previously Minsterworth is a named Service Village in the JCS. Policy SP2 states that service villages will accommodate lower levels of development, to be allocated through the Borough Plan and NDPs, proportional to their size and function, and also reflecting their proximity to Cheltenham and Gloucester and into account the environmental, economic and social impacts.

5.5 The application site has not been allocated for housing in the JCS and therefore the criterion of Policy SD10 applies.

5.6 Policy SD10 'Residential Development' of the JCS sets out that on sites that are not allocated, housing development will be permitted on previously-developed land in the existing built up areas of Gloucester City, the Principal Urban Area of Cheltenham or Tewkesbury Town, rural service centres and service villages except where otherwise restricted by policies within district plans. Housing development on all other sites will only be permitted subject to certain exceptions. Of relevance to this application are Criterion 3 and Criteria 4 (ii).

5.7 Criterion 3 provides that on sites in Service Villages that are not allocated, housing development will be permitted on previously developed land in the existing built up areas except where otherwise restricted by policies within district plans. Given the site primarily comprises a paddock it does not meet the definition of previously developed land. Further, the site is not considered to be within the built up area of Minsterworth. As set out above, Minsterworth is a dispersed settlement with pockets of built up areas. The application site does not fall within one of the concentrated pockets. The proposal therefore conflicts with criterion 3 of Policy SD10 of the JCS.

5.8 Criterion 4(ii) states that housing development on other sites will be permitted where it is infilling within the existing built-up areas of, amongst other areas, Tewkesbury Borough's villages (except where otherwise restricted by policies within district plans). The supporting commentary states that 'For the purposes of this policy (4 ii) infill development means the development of an under-developed plot well related to existing built development.'

5.9 It is questionable whether the application site represents an under-developed plot, however as set out in paragraph 5.6 above, the site is not within the built up area of Minsterworth and as such the exception at criteria 4(ii) of policy SD10 does not apply in any case.

5.10 In addition, the site does not meet any of the other exceptions of Policy SD10 in that it is not promoted as a rural exception site; it has not been brought forward through a Community Right to Build Order; and there are no policies in existing development plans which allow for the type of development proposed here.

5.11 On the basis that the proposal does not fit within any of the exceptions set out in policy SD10, the proposal is inconsistent with the spatial strategy of the development plan.

5.12 It should also be noted that the application site is not within the defined residential development boundary as set out in the emerging Tewkesbury Borough Local Plan (Preferred Options Consultation) 2011-2031.

5.13 The NPPF seeks to promote sustainable development in rural areas and housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 78). The NPPF also recognises the need to support economic growth in rural areas in order, inter alia, to promote the retention and development of local services and facilities in villages (paragraph 83), and also that opportunities to maximise sustainable transport solutions will vary from urban to rural areas (paragraph 103) and this should be taken into account in both the plan-making and decision making. It is accepted that the new residents would to a large extent be reliant on the car, this would be in common with all the Service Villages and recent appeal decisions have made it clear that neither national nor local planning policy regard this as sufficient reason in itself to prevent any further residential development in such communities. Rather, it is one of the many considerations that need to be taken into account when assessing specific proposals.

5.14 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. The application conflicts with policies SP2 and SD10 of the JCS and therefore the starting point is that the proposal should be refused in accordance with the development plan unless other material planning considerations indicate otherwise.

Housing Mix

5.15 Policy SD11 of the JCS requires all new housing development to provide an appropriate mix of dwellings sizes, types and tenures in order to contribute to mixed and balanced communities and a balanced housing market. Development should address the needs of the local area and should be based on the most up to date Strategic Housing Market Assessment (SHMA).

5.16 The Gloucestershire Strategic Housing Market Assessment (2014) (SHMA) sets out the following broad approach that should be taken:

- 1 bed dwellings - 11% of total number of homes
- 2 bed dwellings - 27% of the total number of homes
- 3 bed dwellings - 43% of the total number of homes
- 4 + bed dwellings - 19% of the total number of homes

5.17 The following mix of units would be provided:

- 2 x two-bed units (28%)
- 4 x three-bed units (58%)
- 1 x four-bed units (14%)

5.18 The schedule of accommodation is closely in line with the provisions of Policy SD11 and the Strategic Housing Market Assessment (2014). This is a matter that weighs in favour of the proposal.

Affordable Housing

5.19 The NPPF advises that the provision of affordable housing should not be sought for residential developments that are not major development. As such there is no policy requirement for affordable housing at the site.

5.20 However the applicant has offered to provide three affordable homes as part of the development of seven new homes in total, which equates to 42% of the scheme. The breakdown of the mix is as follows:

- 2 x two-bed units (67% of affordable units) - 1 x rented, 1 x intermediate.
- 1 x three-bed units (33% of affordable units) - 1 x rented.

The tenure mix is based on the latest SHMA with a 70/30 rented/intermediate split.

5.21 The provision of these affordable homes on the site would help to meet the needs in the local and wider area which would be a benefit of the development.

5.22 The provision and delivery of the affordable housing will be secured through a Section 106 agreement.

Impact on Heritage Assets

5.23 The site is close to The Apple Tree Inn which is a Grade II Listed building. Planning permission was granted in July 2015, ref: 15/00099/LBC & 15/00098/FUL, for the conversion of the public house to a dwelling. More recently, planning permission was granted in June 2018, ref: 17/00983/FUL, for the erection of five dwellings on land to the west of The Apple Tree Inn. There are also a number of unlisted historic buildings in the locality, notably a house known as Redlands which is located opposite the site on the A48. Redlands is considered to be a non-designated heritage asset. When determining planning applications the local planning authority has a duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard to the desirability of preserving listed buildings or its setting. This is reflected in Section 16 of the NPPF and Policy SD8 of the JCS.

5.24 The significance of the Apple Tree public house is in its surviving historic form and fabric, its prominent presence on the A48 and its historic contribution to the communal life of the locality. The setting of the building is that of a rural inn on a busy road but does not rely on views to the east due to established hedging on either side of Watery Lane. The Council's Conservation Officer has confirmed that although currently generally isolated, the addition of development on the other side of Watery Lane is not likely to impact visually upon the setting of the listed building provided the established hedges are maintained. As such it is not considered that the development would harm the setting of the listed building.

5.25 The proposed development would have little or no impact upon the setting of Redlands as a non-designated heritage asset due to distance and intervening road and vegetation. As such it is not considered that the development would harm the setting of Redlands.

5.26 In line of the above it is considered that the proposed development would not be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 to Section 16 of the NPPF or JCS Policy SD8.

Design

5.27 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. This advice is echoed in JCS Policy SD4 which states 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.

5.28 The application proposes seven dwellings of a traditional design in an area which consists of a range of buildings of different styles and ages. The dwellings would be one and a half storey in height, have a traditional pitched roof and would be constructed of a mix of materials including brick, tile and timber cladding.

5.29 The dwellings would be arranged in a linear layout fronting the highway. Each property would be in a similar set back position with a front garden area and a private rear garden. The plot sizes would not be dissimilar to surrounding plots in term of the level of built form within the plot. This reflects the prevailing settlement pattern in Minsterworth.

5.30 For these reasons, it is considered that the design 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.

Visual Impact

5.31 The site currently benefits from mature hedgerow along the north, west and eastern boundaries. The layout is such that, apart from the removal of a limited section of the hedgerow to form the new access, it allows for the retention of the existing vegetation. This is considered an important feature of the development as it would help contribute to preserving the rural character of the site and would soften the visual impact of the development. In addition, the proposed development would be seen as a continuation of the residential development to the east of the site.

5.32 The Design and Access Statement sets out new planting would be carried out along the internal access road and the existing hedgerow would be reinforced by supplementary landscaping, although no specific details have been provided. As such a condition securing a satisfactory landscape scheme is recommended.

5.33 In light of the above, whilst the proposal would result in some harm to the rural landscape through the loss of the paddock and its replacement with seven dwellings and associated infrastructure/paraphernalia, this impact would be somewhat mitigated by the design approach and the retention of the mature boundary hedgerow. That said, the harm, albeit limited, does still weigh against the proposal in the overall planning balance.

Impact upon residential amenity

5.34 In respect of the impact of the development upon residential amenity, paragraph 127 of the NPPF specifies that planning decisions should ensure development creates places with a high standard of amenity for existing and future users. This advice is reflected in JCS policies SD4 and SD14 which require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.

5.35 Based on the relationship and separation distance between the application site and the neighbouring properties the new dwellings should be able to be accommodated on the site without detriment to neighbouring amenity.

5.36 In respect to the amenity of future occupiers, the proposed dwellings would be located in a linear position which would ensure there would be no overshadowing issues. Further, all windows above ground floor level of either side elevations would serve non-habitable rooms. A condition requiring the glazing to be obscure glazed is considered reasonable to prevent any direct overlooking.

5.37 Whilst the application site is relatively flat a condition requiring details of the proposed levels across the site relative to the adjoining land, together with the finished floor levels of the proposed dwelling is recommended so that the local planning authority can manage any impact upon amenity and the appearance and character of the area.

5.38 In light of the above, due to the alignment and orientation and the configuration of the internal layout the proposed new dwellings should not have a significant harmful impact upon the amenities of the neighbouring properties nor upon the occupiers of the new dwellings with regards to a loss of privacy, overbearing or loss of light.

5.39 The site is within close proximity to the A48 - a busy and heavily trafficked road. The proposed dwellings would be set back off the road by approximately 35 metres and the layout is such that back gardens would be screened by the built form. Worcestershire Regulatory Services have advised that given the proximity of the development to the A48 in order to ensure that future residents are not adversely impacted by noise the applicant should submit a noise assessment together with any necessary noise mitigation measures in order to achieve the recommended external and internal noise levels specified therein. This could be secured by an appropriately worded condition.

Highways and parking issues

5.40 Section 9 of the NPPF relates to the promotion of sustainable transport and specifies that in assessing specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. Policy INF1 of the JCS reiterates this advice.

5.41 It is proposed to create a new access off of Watery Lane. In respect to the internal layout, an access drive would run the width of the site and serve all of the dwellings. Each dwelling would have sufficient off-road parking spaces and the site would accommodate three further parking spaces for visitors. At the time of writing the report no formal response has been received from County Highways Authority in respect to the acceptability of the access and parking arrangements therefore **Members will be provided with an update accordingly.**

Ecology

5.42 The NPPF sets out, inter alia, that planning decisions should minimise impact on and providing net gains for biodiversity. Policy SD9 of the JCS seeks to protect and enhance biodiversity in considering development proposals.

5.43 The application has been accompanied by a Preliminary Ecological Appraisal (PEA), prepared by Wild Service and dated November 2017. The report concluded the development should not have a negative impact on any protected species. However the report recommends a number of mitigation and enhancement measures to ensure the development would provide net gains for the local biodiversity. A condition securing the mitigation and enhancement measures set out in the PEA is recommended.

Drainage

5.44 Policy INF2 of the JCS 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.

5.45 With regard to the drainage of surface water, it is proposed to implement a Sustainable Drainage System, albeit the detail of which have not been advanced. Given the scale of development and thus the increase in surface water runoff it is considered reasonable to attach a condition to ensure satisfactory drainage arrangements are incorporated.

5.46 As detailed in the PPG, the first presumption is for foul drainage to be dealt with by existing mains. The Design and Access Statement sets out that an onsite foul water sewage treatment will be provided. No information has been submitted to demonstrate why a connection to the existing main sewer would not be possible therefore a condition is recommended to secure this information and a satisfactory means of disposing of foul water.

Archaeology

5.47 The NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate-desk based assessment and, where necessary, a field evaluation (Paragraph 189).

5.48 During the course of the application an archaeological field evaluation was carried out. The evaluation confirmed the presence of significant archaeological remains. In the western part of the application site the investigation revealed ditched boundaries relating to a Roman agricultural landscape, which can be presumed to relate to a settlement revealed within the grounds of the nearby former Apple Tree Inn. In addition, a Roman relict soil was found, and this was cut by Roman pits dug to remove sand and gravel.

5.49 The County Archaeologist has raised no objection in principle to the proposed development. However, he has recommended that in advance of the development a programme of work is undertaken to record any archaeological remains which may be adversely affected by ground works required for the construction of the development.

5.50 In light of the above, and subject to the imposition of conditions, there is no evidence to suggest that there are any overriding archaeological constraints to the development of the site for residential purposes.

6.0 Planning Balancing and Conclusion

6.1 A balancing exercise needs to be undertaken in the consideration of this application.

Benefits

6.2 The proposed development would deliver an appropriate mix of housing helping to boost the Council's housing supply in a reasonably accessible location having regard to the Service Village status of Minsterworth. This carries positive weight, albeit limited by virtue of the scale of development proposed and tempered by the fact that the Council can demonstrate a five year supply of deliverable housing sites.

6.3 The proposed development would also help meet the Borough's housing need by providing a level of affordable units on the site. This carries positive weight.

6.4 In terms of economic benefits, as with any new residential development, the construction of new dwellings bring benefits during the construction phase, and following construction through additional spending power in the local economy as a result of the increased population.

Harms

6.5 Harm arises as a result of the conflict with the development plan and in particular policies SP2 and SD10. The proposal would result in harm to the character and appearance of the landscape as a result of the loss of the paddock and its replacement with 7 dwellings and associated infrastructure and paraphernalia. Nevertheless, in this particular case this impact would be mitigated to some degree by the design approach.

Neutral

6.6 The proposal would result in a neutral impact on the significance of the Apple Tree Inn. There would be no undue impact in terms of residential amenity (subject to the imposition of appropriate planning conditions/obligation), local biodiversity or archaeology.

Conclusion

6.7 The consideration of material planning issues on this application is finely balanced. However, on balance it is considered that the benefits set out above, and the location of the site within a Service Village in the JCS, outweigh the conflict with the development plan in respect of policies SD2 and SD10. In this instance material considerations do exist to justify a departure from policy.

6.8 In reaching this conclusion officers are mindful of the support of the Parish Council.

6.9 It is therefore recommended that **PERMISSION is delegated to the Development Manager subject to the completion of a legal agreement to secure on-site affordable housing contribution and no adverse comments being received from County Highways Authority.**

RECOMMENDATION Delegated Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 Unless where required or allowed by other conditions attached to this permission/consent, the development hereby approved shall be carried out in accordance with the information provided on the application form and the following plans/drawings/documents:
939,81-20A - Site Location Plan
939,81-09 Rev C - Proposed Site Layout Plan
939,81-32 Rev A - Elevations and Floor Plans - House Type C
939,81-33 Rev A - Elevations and Floor Plans - House Type A
939,81-34 Rev A - Elevations and Floor Plans - House Type B
- 3 Notwithstanding the submitted details, prior to its/their installation as part of the development hereby approved, a specification of the materials and finish for the external walls (including the proposed weatherboarding), doors and windows and roofing proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials as approved.
- 4 Before any dwelling hereby permitted is first occupied a scheme of soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:-
 - (i) a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.
 - (ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.
 - (iii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
 - (iv) a written specification outlining cultivation and other operations associated with plant and grass establishment.
 - (v) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.
 - (vi) details of a precise specification of the proposed materials for the hard landscaping of the site (including roads, paths, parking areas and other hard surfaces);

All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the occupation of any dwelling hereby permitted.

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

The hard landscaping of the site shall be completed before the first occupation of any dwelling hereby permitted or in accordance with a timetable agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5 Before the first occupation of any dwelling hereby permitted a plan indicating the positions, design, materials and type of boundary treatment to be erected, including those to be installed between the plots, shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the first occupation of the development hereby permitted. Development shall be carried out in accordance with the approved details.
- 6 The development hereby permitted shall be carried out in strict accordance with the recommendations set out in Section 4 (Discussion and Recommendations) of the Preliminary Ecological Appraisal, carried out by Wild Service, dated November 2017 and submitted with this application.

- 7 Development shall not begin until details of the proposed drainage works, both surface and foul, have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the details approved prior to the occupation of the dwellings.
- 8 No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 9 Before any dwelling hereby permitted is first occupied a noise assessment together with a scheme of noise attenuation measures shall 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. The approved measures shall be implemented before any dwelling hereby permitted is first occupied and shall be retained thereafter.
- 10 The construction work on the buildings hereby approved shall not be commenced until the precise floor slab levels of each new building, relative to the existing development on the boundary of the application site have been submitted to and approved in writing by the local planning authority. Thereafter the new buildings shall be constructed at the approved floor slab levels.
- 11 Throughout the construction period of the development hereby permitted provision shall be made within the site to accommodate the likely demand generated for the following:
 - (i) parking of vehicles of site operatives and visitors;
 - (ii) loading and unloading of plant and materials;
 - (iii) storage of plant and materials used in constructing the development;
 - (iv) provide for wheel washing facilities;
- 12 Before the first occupation of the dwellings hereby permitted any window at first floor or above on any of the side facing elevations shall be fitted with Pilkington Level 4 obscured glazing or equivalent and shall be permanently retained in that condition thereafter.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To define the permission.
- 3 To ensure that the new materials are in keeping with the surroundings and/or represent quality design and to protect and conserve the setting of the adjacent heritage asset.
- 4 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 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.
- 6 To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area.
- 7 Insufficient information has been submitted with the application and to ensure that the development is provided with a satisfactory means of drainage.
- 8 To protect, conserve and enhance the significance of heritage assets.
- 9 To ensure the proposal preserves residential amenity and to prevent unacceptable noise pollution to the detriment of human health.
- 10 To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

- 11 To reduce the potential impact on the public highway and accommodate the efficient delivery of goods.
- 12 To protect the amenities of adjoining/nearby properties from unacceptable overlooking/loss of privacy.

Note:

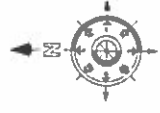
Statement of Positive and Proactive Engagement

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

- FEASIBILITY
- FOR INFORMATION
- FOR COMMENT
- PRELIMINARY
- PLANNING
- BUILDING REGULATIONS
- TENDER
- CONSTRUCTION ISSUE
- AS BUILT

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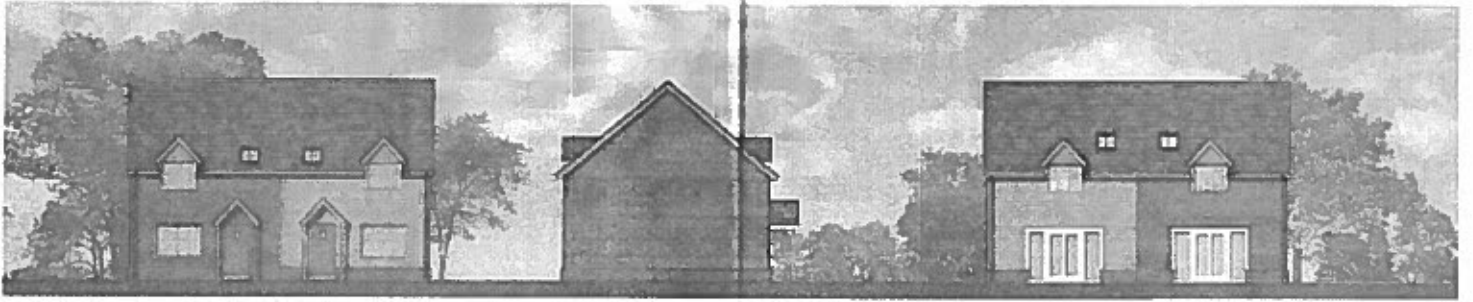
Rev A - 08 - 2018/08/13
Red line required and has been added.



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Client
 Project: GREEN ACRES, MAIN ROAD
 MINSTERWORTH
 GLOUCESTERSHIRE
 GL2 8JQ
 Drawing title: SITE LOCATION PLAN
 Date: 2017/12/21
 1:250 @ A2
 Drawn by: PJD
 Checked by: PJD
 Drawing number: 939,81 - 20A

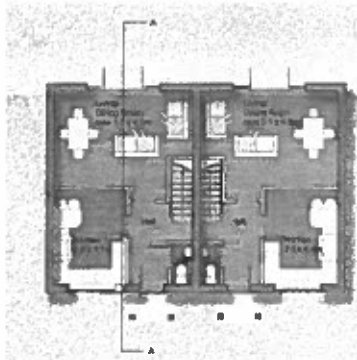




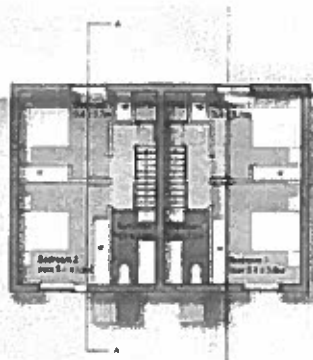
West Elevation

North Elevation

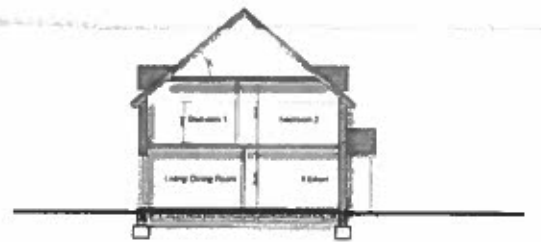
East Elevation



Ground Floor Plan
 Shell Size 5.4m x 7.5m
 Area: 40.5m² ± 2



First Floor Plan
 2 bedrooms



House Type A
 Section A-A
 40 deg roof pitch

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 GLUCESTERSHIRE, GL1 3BQ
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REVISION	DATE	DESCRIPTION
1	17/01/2016	ISSUED FOR PERMIT

client: GREEN ACRES MAIN ROAD, 6000, ELYWORTH, GLOUCESTERSHIRE, GL2 8JG
 house no: HOUSE TYPE A
 scale: 1:100 @ A2
 drawn by: [Name]
 checked by: [Name]
 date: 2016.08.16
 drawing number: 839,81 - 33



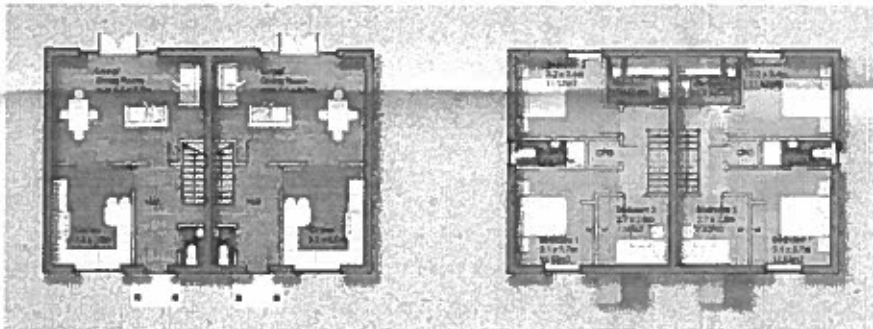
17/01268/FUL.



West Elevation

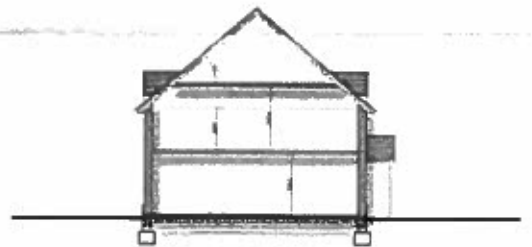
North Elevation

East Elevation



Ground Floor Plan
 Shell Size 6.0m x 8.1m Int
 Area: 48.60m² x 2

First Floor Plan
 3 bedrooms



House Type B
 40 deg roof pitch

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

PLANNING
 BUILDING REGULATIONS
 TOWER
 CONSTRUCTION ISSUE
 AS BUILT

rev desc description

A

PROJECT
 GREEN ACRES, MAIN ROAD
 MARSTONWORTH
 GLOUCESTERSHIRE
 GL2 6JG

DATE
 11/01/2017

DATE
 2018 08 28

939,81 - 34



326/d

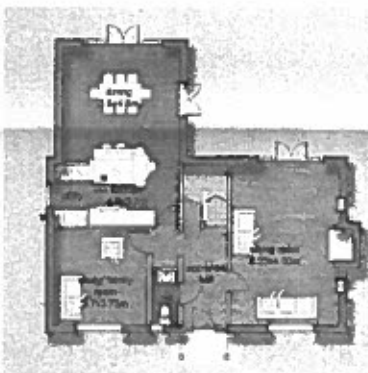
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Front Elevation

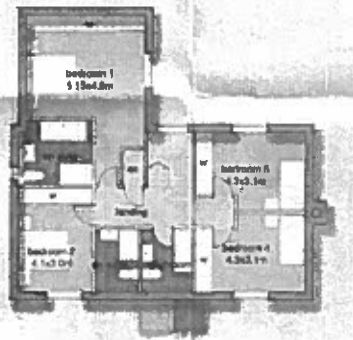
Side Elevation

Side Elevation



Ground Floor Plan

Shell Size 10.0m x 11.2m max int
Area: 91.2m²



First Floor Plan



Rear Elevation

BBBPOK PARTNERSHIP LIMITED
CHARTERED ARCHITECTS
100 High Street, Gloucester, Gloucestershire GL1 2LQ
Tel: 01452 533333
www.bbbpok.co.uk

PLANNING
BUILDING REGULATIONS
TYPING
CONSTRUCTION DRAW
AS BUILT

PROJECT
GREEN ACRES, MAIN ROAD
MINSTERWORTH
GLOUCESTERSHIRE
GL2 5LQ

DRAWING NO
HOUSE TYPE C

DATE
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DRAWN BY
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DATE
2018 08 09
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939,81 - 32



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Valid 12.01.2018

Outline application for the demolition of the existing dwelling and the replacement with two new dwellings with access, layout and scale for approval.

Grid Ref 388825 219930

Parish Churchdown

Ward Churchdown Brookfield

RECOMMENDATION Delegated Permit

Policies and Constraints

National Planning Policy Framework (2018)

Planning Practice Guidance

Joint Core Strategy (2017) - SP1, SP2, SD3, SD4, SD9, SD10, SD11, SD14, INF1, INF2

Tewkesbury Borough Local Plan to 2011 (March 2006) - None relevant

Flood and Water Management SPD

Human Rights Act 1998 - Article 8

The First Protocol - Article 1

Consultations and Representations

Churchdown Parish Council (summarised) - Strongly object for the following reasons:

- Over-development of the site;
- Compromise the visual qualities of Brookfield Road and the surrounding locality;
- Serious loss of amenity to occupiers of the current and proposed development;
- Cumulative impact of development at the site would result in five separate dwellings at the site - harmful to amenity and highway safety compromised;
- Adverse harm upon surrounding residential amenity;
- Development would compromise highway safety;
- Disruption to pedestrians during construction;

County Highway Authority - Standing advice.

Severn Trent - No objection.

Local Residents - 7 representations objecting to the proposed development have been received and 1 comment in support of the application has been received.

The objections are summarised below:

- Two properties at the site would represent over-development of site;
- Cumulative harm caused by other development on the site and adjacent land;
- Piecemeal development;
- Development would be intrusive in the street scene;
- Out of keeping and thus harmful to the character of the area;
- Compromise highway safety due to increase in vehicular movement, insufficient parking provision and unsafe vehicular access;
- Harm to existing trees;
- Adverse impact upon neighbouring residential amenity;
- Development needs to show a gain for biodiversity including landscape improvements.

The comment in support is summarised below:

- Existing property is out of place in village, needs to be demolition;
- Development would represent an improvement to the visual quality of the area.

Planning Officers Comments: Victoria Stone

1.0 Site Description

1.1 The application site relates to No.48 Brookfield Road, which is located in Churchdown (see attached location plan). The existing building is a detached two storey property which was formerly a pair of semi-detached dwellings. The property is served by two vehicular accesses.

1.2 The application site is fairly irregular in shape and measures approximately 0.06 hectares.

1.3 The west boundary of the site is defined by Brookfield Road, the northern and southern boundary are surrounded by residential properties. The eastern boundary currently forms the rear garden for No.48 Brookfield Road however planning permission has recently been granted for a detached bungalow in this part of the garden (17/00804/FUL).

1.4 The site is not subject to any landscape designations.

2.0 Planning History

2.1 The site has been the subject of a number of previous planning applications.

2.2 Planning permission was refused in January 1996 for the erection of five detached houses at No.42-48 Brookfield Road (95/9785/1068/FUL).

2.3 An outline application (97/9785/0633/OUT) for three dwellings to the rear of 42 - 48 Brookfield Road was refused in September 1997.

2.4 Outline planning permission (04/01514/OUT) was granted in 2005 for the demolition of the existing dwelling at No.48 Brookfield Road and the erection of one dwelling house and one bungalow (to the rear of the new dwelling).

2.5 The outline consent was renewed in 2007 (07/01714/OUT), in 2010 (10/01031/OUT) and again in 2013 (13/01114/OUT). The latest permission has now expired.

2.6 Outline consent was refused in June 2017 (17/00257/OUT) for the erection of two detached houses in the garden on No.48 Brookfield Road with access from the drive serving No.42 Brookfield Road.

2.7 Outline planning permission (17/00804/OUT) was granted in October 2017 for the erection of one detached bungalow in the garden of No.48 Brookfield Road with access from the drive serving No.42 Brookfield Road.

Other relevant history

2.8 It is relevant to note that planning permission was permitted (16/01096/FUL) for the erection of a 4 bedroom detached house with integral garage served by new private drive in November 2016 at No.42 Brookfield Road. This permission has been implemented and the building is in situ.

3.0 Details of Proposal

3.1 This is an outline application for the demolition of the existing dwelling and the erection of two dwellings, with matters related to access, layout and scale for consideration at this stage. Matters related to the appearance of the proposed dwellings and landscaping at the site are reserved for future consideration.

3.2 The application is supported by a layout plan which demonstrates how the development would be delivered, in terms of layout and access arrangements. The plan also sets out the scale parameters of the proposed dwellings.

3.3 The properties would have a maximum length of 8.8m, a maximum width of 8.9m, an eaves height of 5m and a ridge height of 6.75m.

3.4 Each dwelling would be served by an existing access off of Brookfield Road.

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 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, the scale and layout of the new dwellings, access arrangements and impact upon highway safety, impact upon residential amenity and impact upon natural heritage.

Principle of Development

5.2 Criterion 4 (ii) of the JCS Policy SD10 states new housing development will be permitted where it is infilling within the existing built-up area of the City of Gloucestershire, 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."

5.3 The site is located within the existing built-up area of Churchdown and currently comprises a residential plot. The site is bound by residential development to the north, east and south and as such the proposal is considered to constitute infill development in accordance with JCS Policy SD10. Given this, the principle of the proposed development is considered acceptable subject to compliance with other material planning considerations.

Scale and Layout of Proposed Dwellings

5.4 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. This advice is echoed in JCS Policy SD4 which states 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.

5.5 The application is made in outline form although approval is being sought for layout and scale at this stage and must be considered. Brookfield Road is characterised by a mixed style of dwellings, sited in plots of varying sizes. Generally the existing dwellings front onto the road though recent permissions have been granted for 'back land' development on surrounding land.

5.6 The two dwellings would occupy a slightly staggered position set back off of the roadside. Based on the layout plan it would appear the properties would front the highway, though matters related to the appearance of the dwellings is reserved for future consideration. Each property would have off-road parking spaces and a sufficient level of private garden space to the rear.

5.7 The scale parameters of the proposed dwellings are demonstrated on the site layout plan. As mentioned previously, the properties would have a ridge height of 6.75m. This would be no taller than the neighbouring property, No.42 Brookfield Road.

5.8 The Parish Council consider the proposal would represent over development which would severely compromise the aesthetic of Brookfield Road and the surrounding area. However, it is considered that the site layout plan presents an acceptable arrangement and demonstrates that two dwellings could be accommodated on the site without appearing cramped or constrained. Further, the position of the dwellings, close to the roadside, and the resulting plot size would be characteristic of the surrounding area and would not appear at odds with the form and local character of the adjacent residential development. With regard to the aesthetics the detailed appearance of the proposed dwellings is a reserved matter although it is recommended that details of the external facing materials should be secured by way of condition in the interests of visual amenity.

5.9 For these reasons, it is considered that the layout, scale and massing 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.

Impact upon Residential Amenity

5.10 In respect of the impact of the development upon residential amenity, paragraph 127 of the NPPF specifies that planning decisions should ensure development creates places with a high standard of amenity for existing and future users. This advice is reflected in JCS policies SD4 and SD14 which require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.

5.11 The application site is sandwiched between residential properties on the north and south boundary and land to the rear (former garden to No.48) benefits from planning permission for a detached bungalow, ref: 17/00804/OUT. Based on the plans submitted a distance of 17 metres would be maintained from the front elevation of the approved bungalow to the rear boundary of the site. A distance of approximately 10 metres would be maintained from the front elevation of the dwelling in the rear garden of No.42 Brookfield Road, ref: 16/01096/FUL, to the boundary of the site. A sufficient distance from the side of the proposed dwelling with the intervening boundary (9m including the access track) to No.42 Brookfield Road would be maintained.

5.12 Any first floor windows in the rear elevation of the proposed dwellings would overlook the proposed access track to serve the two recently approved dwellings, one in the garden of No.42 and the other in the garden of No.48.

5.13 Concern has been raised by the occupiers of the neighbouring property to the north (No.52 Brookfield Road), in respect to a loss of privacy and restriction of light to both the house and garden area. No.52 is a detached bungalow set further back from the roadside. One of the proposed dwellings (No.48B) would be closer to the boundary with No.52 and would be set further back into the site than the existing property. However, given the set back alignment of No.52 and the linear relationship with the proposed dwelling, the relatively low overall height of the proposed dwellings and the separation distance from the side elevation of the proposed dwelling to the side elevation of the neighbouring property, the proposal should not have a significant impact upon the neighbouring amenity. In addition, as part of the subsequent reserved matters application the openings on the north facing elevation would be managed to ensure the proposal would not cause any adverse overlooking issues and supplementary landscaping would be secured to help screen the development.

5.14 In light of the above, the proposed new dwellings should not have a significant harmful impact upon the amenities of the neighbouring properties nor upon the occupiers of the new dwellings with regards to a loss of privacy, overbearing or loss of light. This is subject to the careful configuration of the internal layout and thus appropriate placement of any first floor openings, which would be secured as part of any subsequent reserved matters application.

Highways and parking issues

5.15 Section 9 of the NPPF relates to the promotion of sustainable transport and specifies that in assessing specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. Policy INF1 of the JCS reiterates this advice. The Parish Council and a number of third parties have raised concerns on highway safety grounds.

5.16 Given the development would utilise the existing vehicular accesses and as the development would only result in the net gain of one dwelling at the site it is considered the development should not cause a severe impact upon the highway network. However, given the level of local concern raised in respect to highway safety comments from County Highways Authority have been requested. At the time of writing this report no formal response has been received. **Members will be provided with an update accordingly.**

Ecology

5.17 The NPPF sets out, inter alia, that planning decisions should minimise impact on and providing net gains for biodiversity. Policy SD9 of the JCS seeks to protect and enhance biodiversity in considering development proposals.

5.18 During the course of the application a Preliminary Ecological Appraisal, Preliminary Roost Assessment and a Bat Survey Report, prepared by Five Valleys Ecology, was submitted.

5.19 The survey findings confirm that the cottage and surrounding trees do not support bat roosts. No significant commuting routes or foraging habitat was identified within the site itself although small number of common bats species do use the site for occasional foraging. Potential impacts are therefore considered to be limited to foraging and commuting routes. A mitigation and enhancement strategy has been proposed. Providing the mitigation and enhancement strategy is implemented the proposal should not result in adverse impacts to bats or birds. A condition securing the mitigation and enhancement measures set out in the Bat Survey Report is recommended.

Drainage

5.20 Policy INF2 of the JCS 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. It should be noted that the precise drainage arrangements would be subject to building regulation approval.

5.21 As detailed in the PPG, the first presumption is for foul drainage to be dealt with by existing mains. This is the case in this application.

Other Matters

5.22 Based on the layout plan submitted it would appear the proposed development would require the removal of at least one tree (Yew). However, it should be noted landscaping of the site is reserved for future consideration. As part of any subsequent reserved matters application the council will seek to secure supplementary boundary planting, which may include replacement tree planting.

5.23 Concerns have been raised over the cumulative impact of the proposed development and the recently approved dwellings on land surrounding the site. Having assessed the proposal in relation to the two recent permissions, it is considered that the land available at the application site could accommodate the introduction of two additional dwellings without detriment to the character of the locality or upon residential amenity; neither would it result in an unduly cramped form of development.

6.0 Planning Balancing and Conclusion

6.1 The proposal is acceptable in principle as it would constitute infilling within the existing built-up area of Churchdown in accordance with JCS Policy SD10. The scale and layout of the proposed dwellings are considered acceptable and no other harm, in respect to amenity and highway safety, has been identified. In view of this, it is therefore recommended that **Permission is delegated to the Development Manager subject to the conditions set out below and no adverse comments being received from County Highways Authority.**

RECOMMENDATION Delegated Permit

Conditions:

- 1 Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 2 Approval of the details of the appearance of the dwellings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

- 3 For those matters not reserved for later approval, the development hereby permitted shall be carried out in accordance with the following approved plans and information:
- 1113.01 - Site Location Plan
1113.03 - Proposed Site Layout Plan
- 4 The eaves height of both the dwellings hereby permitted shall not exceed 5 metres. The ridge height of both the dwellings hereby permitted shall not exceed 6.75 metres.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), there shall be no window openings or roof lights in the side elevations (north and south facing) of the dwellings hereby approved without the prior express permission of the Local Planning Authority.
- 6 Any reserved matters application relating to appearance shall include details of the materials to be used in the construction of the external surfaces of any building. Development shall be carried out in accordance with the approved details.
- 7 The reserved matters submitted pursuant to condition 1 shall be accompanied by full details of both hard and soft landscape proposals. The details shall include:
1. An Arboricultural Impact Assessment in accordance with BS5837:2012 and an Arboricultural Method Statement for the protection of trees and hedges during construction, and
 2. a landscape scheme which shall include:
 - (i) a plan(s) showing the planting layout of proposed tree, hedge, shrub and grass areas.
 - (ii) a schedule of proposed planting - indicating species, size at time of planting and numbers/densities of plants.
 - (iii) a written specification outlining cultivation and others operations associated with plant and grass establishment.
 - (iv) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.
 - (v) details of the location, height and the precise specification of the proposed materials, or species of planting, for the boundary treatments between each dwelling on the site and for the perimeter boundary of the site shall be submitted to and approved in writing by the local planning authority.
- 8 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.
- 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.
- 9 The existing and proposed levels across the site and relative to the adjoining land, together with the finished floor levels of the dwellings hereby approved shall be submitted to and approved by the Local Planning Authority as part of the reserved matters application(s). All development shall be carried out in accordance with the approved details thereafter.
- 10 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- a) The parking of vehicles of site operatives and visitors within the application site;
 - b) Loading and unloading of plant and materials within the application site;
 - c) Storage of plant and materials within the application site;
 - d) Wheel washing facilities;
 - e) Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway.
 - f) Specify the intended hours of construction operations.

- 11 The development hereby permitted shall be carried out in strict accordance with the recommendations set out in Section 7 (Mitigation and Enhancement Strategy) of the Bat Survey Report, carried out by Five Valleys Ecology, dated October 2018 and submitted with this application.
- 12 The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reasons:

- 1 In accordance with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
- 2 This permission is in outline only and further details of the reserved matters are required to ensure satisfactory development.
- 3 To define the permission.
- 4 To ensure the new development would be visually attractive in the interests of good design and amenity.
- 5 To protect the amenity of existing and future residents.
- 6 To ensure that the proposal is high quality design and preserves the character and appearance of the surrounding street scene.
- 7 To preserve and enhance the visual amenities of the area and to ensure the satisfactory development of the site.
- 8 To ensure that the new development will be visually attractive in the interests of amenity.
- 9 This permission is in outline only and further details of the reserved matters are required to ensure that the proposal does not have an adverse effect on the character and appearance of the area and to protect neighbouring amenity.
- 10 To prevent indiscriminate parking in the interests of highway safety and to preserve the amenities of neighbouring properties.
- 11 To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area.
- 12 In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Notes:

Statement of Positive and Proactive Engagement

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

17/01356/OUT

CLIENT
SITE
PROJECT

48 Brookfield Road Churchdown GL3 2PB
Proposed New Dwellings

DRAWING TITLE

DRAWING NUMBER 1113.01

Site Location

SCALE
DATE

1 : 1250 @ A4
Dec 2017



Site Location 1 : 1250

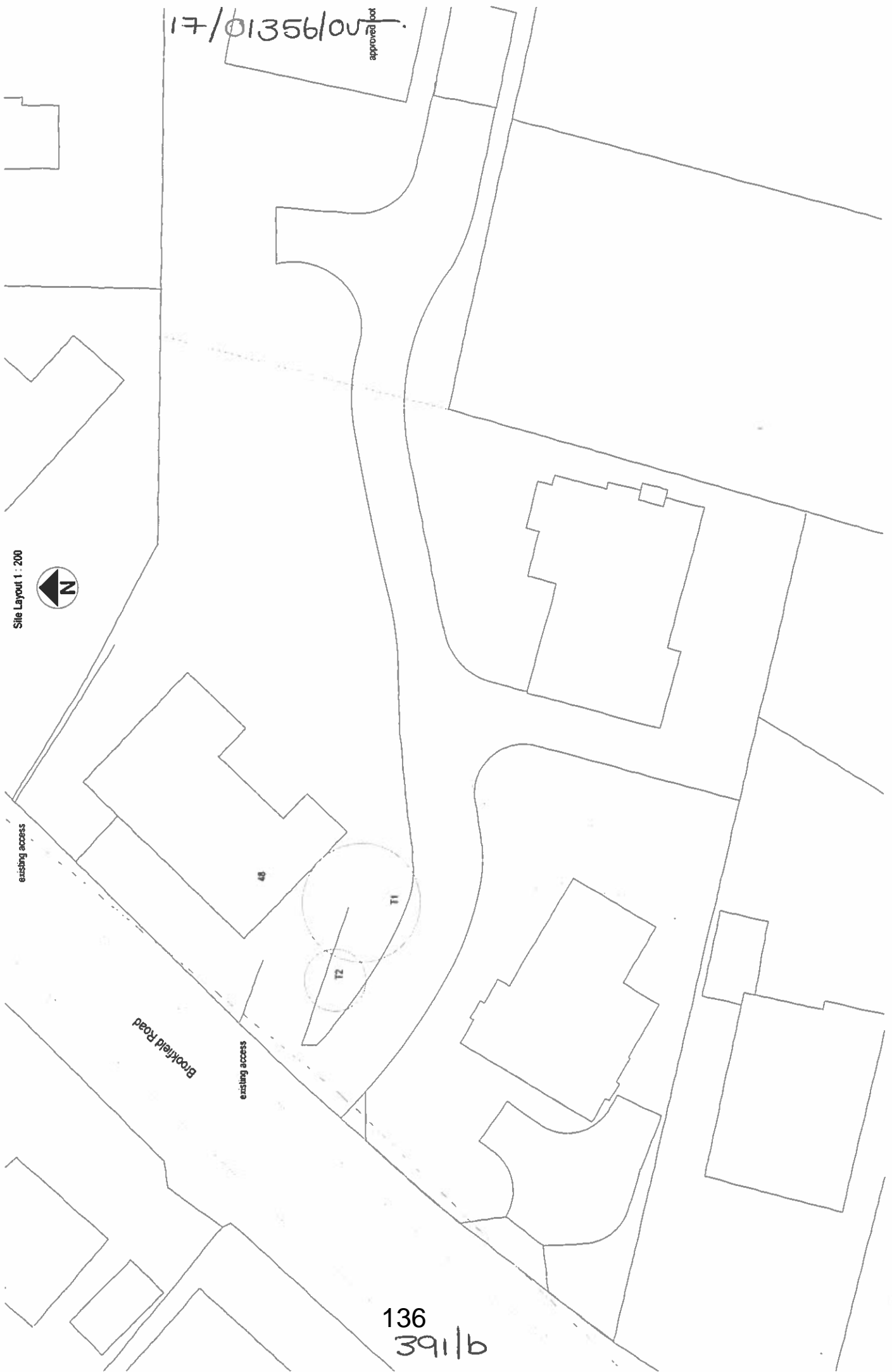
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CLIENT
SITE
PROJECT

48 Brookfield road Churchdown GL3 2PB
Proposed New Dwellings

DRAWING TITLE Existing Block Plan
DRAWING NUMBER 1113.02

SCALES / PAPER SIZE 1:200 A3
DATE Dec.2017
REVISION
DATE
DESCRIPTION



Site Layout 1 : 200



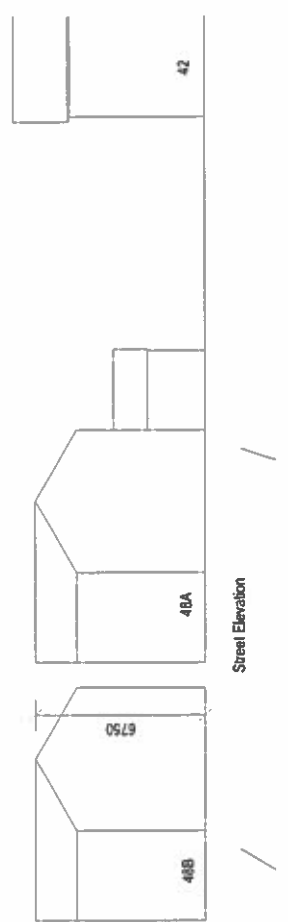
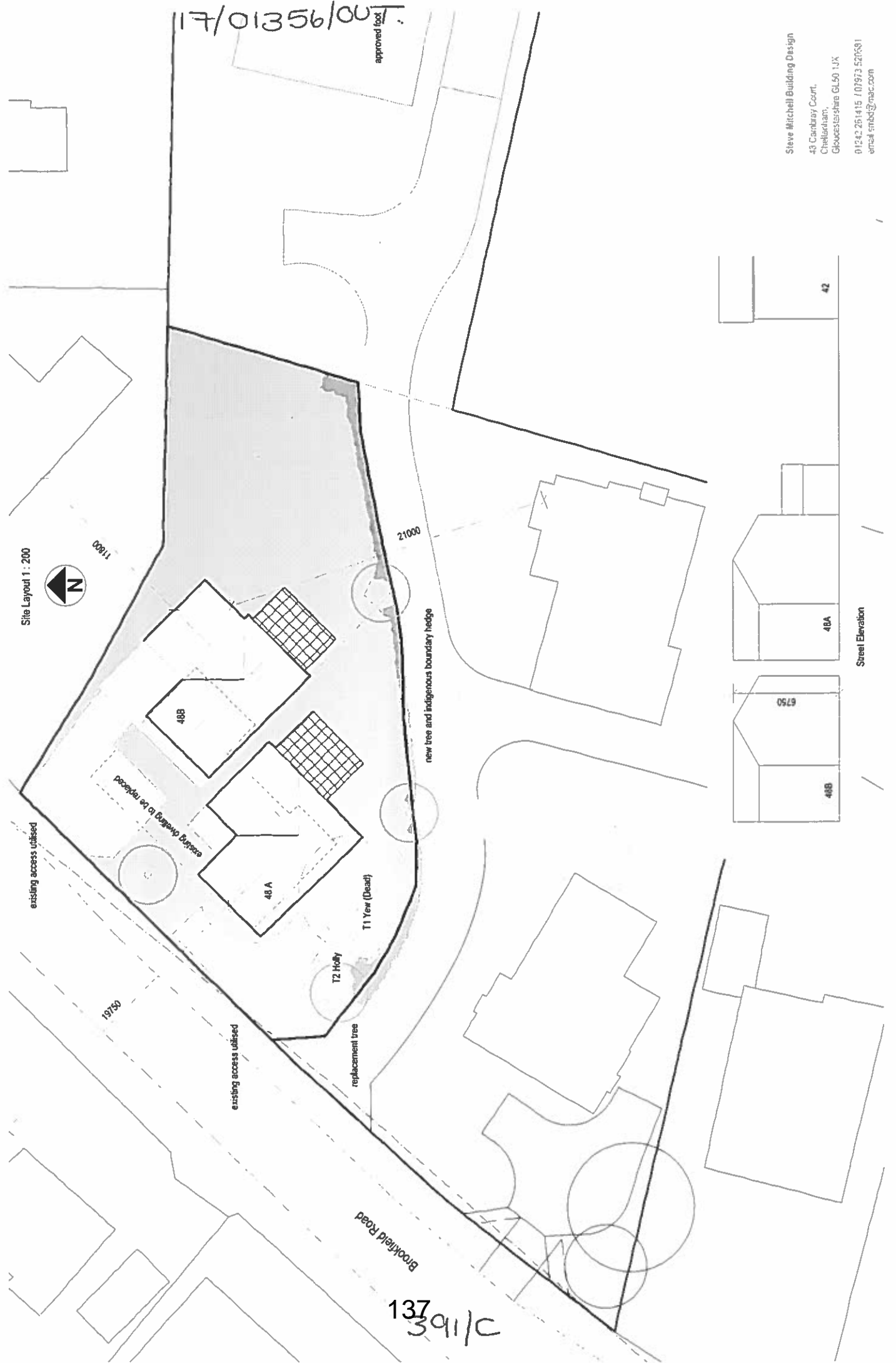
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CLIENT 48 Brookfield Road Churchdown GL3 2PB
SITE Proposed New Dwellings
PROJECT

DRAWING TITLE Site Layout as Proposed
DRAWING NUMBER 1113.03

SCALES / PAPER SIZE
 DATE REVISION DATE DESCRIPTION
 1 200 @ A3 Dec 2017



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BOROUGH COUNCILLORS FOR THE RESPECTIVE WARDS 2015-2019

Ward	Parishes or Wards of	Councillors	Ward	Parishes or Wards of	Councillors
Ashchurch with Walton Cardiff	Ashchurch Rural Wheatpieces	B C J Hesketh H C McLain	Hucclecote	Hucclecote	G F Blackwell
Badgeworth	Badgeworth Boddington Great Witcombe Staverton	R J E Vines	Innsworth with Down Hatherley	Down Hatherley Innsworth	G J Bocking
Brockworth	Glebe Ward Horsbere Ward Moorfield Ward Westfield Ward	R Furolo R M Hatton H A E Turbyfield	Isbourne	Buckland Dumbleton Snowhill Stanton Teddington Toddington	J H Evetts
Churchdown Brookfield	Brookfield Ward	R Bishop D T Foyle	Northway	Northway	P A Godwin E J MacTiernan
Churchdown St John's	St John's Ward	K J Berry A J Evans P E Stokes	Oxenton Hill	Gotherington Oxenton Stoke Orchard and Tredington	M A Gore
Cleeve Grange	Cleeve Grange	S E Hillier-Richardson	Shurdington	Shurdington	P D Surman
Cleeve Hill	Prescott Southam Woodmancote	M Dean A Hollaway	Tewkesbury Newtown	Tewkesbury Newtown	V D Smith
Cleeve St Michael's	Cleeve St Michael's	R D East A S Reece	Tewkesbury Prior's Park	Tewkesbury (Prior's Park) Ward	K J Cromwell J Greening
Cleeve West	Cleeve West	R A Bird R E Garnham	Tewkesbury Town with Mitton	Tewkesbury Town with Mitton Ward	M G Sztymiak P N Workman
Coombe Hill	Deerhurst Elmstone Hardwicke Leigh Longford Norton Sandhurst Twigworth Uckington	D J Waters M J Williams	Twyning	Tewkesbury (Mythe Ward) Twyning	T A Spencer
Highnam with Haw Bridge	Ashleworth Chaceley Forthampton Hasfield Highnam Maisemore Minsterworth Tirley	P W Awford D M M Davies	Winchcombe	Alderton Gretton Hawling Stanway Sudeley Winchcombe	R E Allen J E Day J R Mason

20 October 2017

Please destroy previous lists.