

Democratic Services



**TO EACH MEMBER OF THE
PLANNING COMMITTEE**

15 June 2020

Dear Councillor

PLANNING COMMITTEE- TUESDAY 16 JUNE 2020

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the Additional Representations Sheet.

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

Yours sincerely

Head of Democratic Services



ADDITIONAL REPRESENTATIONS SHEET

Date: 16 June 2020

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

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

Page No	Item No	
15-21	5a	<p>20/00318/FUL</p> <p>1 Starling Walk, Walton Cardiff, Tewkesbury</p> <p>It is set out within the Officer report that Wheatpieces Parish Council object to the proposal however this is NOT the case. Those comments of objection were actually submitted by a local resident, not the Parish Council.</p> <p>Therefore, the sole reason for the application being put before the Committee is because the land is owned by Tewkesbury Borough Council.</p>
22-52	5b	<p>19/01071/OUT</p> <p>Land Off Ashmead Drive, Cobblers Close, Gotherington</p> <p>Further representations –</p> <p>Two further letters of objection have been received one of which has also been sent direct to the Planning Committee. The letters are attached in full.</p> <p>Cotswold AONB Board –</p> <p>A letter of objection has been received from the Cotswold AONB Board. A copy of the letter is attached in full.</p> <p>The Board considers that the proposal would have a significant adverse visual effect on receptors on the footpath of the upper, western slopes of Nottingham Hill. The Board states that this would constitute a significant adverse impact on the natural beauty of the Cotswold AONB, in particular, its scenic beauty. The Board considers that there would be a significant adverse visual effect because the mass of development - which is primarily to the south of the proposed open space and to the south of the linear, east-west form of the settlement of Gotherington - would create a very strong impression that the gap between Gotherington and Bishop's Cleeve has been reduced. The development would also significantly erode the linear character and form of the settlement and disproportionately increase its overall mass and size, making it more visually prominent in views from the AONB. The Board also considers that the visual effects for receptors on Cleeve Common would potentially be moderate adverse for the same reasons, albeit with a smaller scale of change due to the greater distance involved.</p>

The Board is also concerned that the visual effects on receptors on the footpaths with within, and around the boundary of the development site, have been underestimated. They state that views to the escarpment (including views from outside the AONB) are one of the special qualities of the AONB. The degradation of such views is identified as an issue in the Cotswolds AONB Landscape Strategy and Guidelines.

Officer comments: In terms of potential impacts on the AONB, as set out in the Committee report, this matter was considered at the previous appeal. Whilst the Inspector went on to dismiss the appeal, he concluded that the proposal would inevitably have a visual impact on the local environment but this would not amount to harm to the character and appearance of the area and would not represent environmental harm.

Whilst the AONB Board's comments are noted, in light of the previous appeal decision and the conclusions of the Council's Landscape Consultant, it is not considered that the impacts on the landscape would unacceptably impact upon the Cotswolds AONB and the officer recommendation is unchanged in this respect.

Highways

As set out in the Committee report, a planning condition was recommended to secure details of a highway safety improvement scheme on the Gotherington Cross junction. The requirement for this condition was queried by the applicant as a number of safety improvement works to this junction were secured as part of the Malleson Road scheme (Ref: 16/00965/OUT).

Condition 19 of 16/00965/OUT required details of a highway safety improvement scheme on the Gotherington Cross junction to be submitted to and approved in writing by the Local Planning Authority. The condition stipulates that no more than 15 dwellings shall be occupied until the highway safety scheme has been completed in accordance with the approved plan. Details were subsequently submitted to the Council and the condition was discharged; however, the works have yet to be undertaken.

Following further consultation with the Highways Officer, given that highway safety works to the Gotherington Cross junction have already been secured, it is advised that the recommended condition is not required.

Education and Libraries

Following further consultation with the County Council, it is confirmed that no objections are raised, subject to securing the requested contributions towards education and library provision. Further evidence has also been provided to justify the contributions sought in the context of the CIL Regulations (Regulation 122). Officers are satisfied that the requested contributions are justified and the applicant has indicated that they are willing to pay the requested contributions, which would be secured through a Section 106 Agreement.

Recycling

In respect of s106 obligations it is further recommended that a contribution of £73 per dwelling is secured by way of planning obligation to ensure the appropriate level of social infrastructure is provided for in accordance with policies INF6 and INF7 of the JCS.

71-82	5e	<p>19/00465/FUL</p> <p>Charlton, Main Road, Minsterworth</p> <p>Further information was submitted on 9 June 2020 in response to Highway comments requiring a car park management plan. The Highway Authority has been consulted and no additional comments have been received to date on this matter.</p> <p>Additional plans were submitted on 11 June 2020 to show the on-site drainage arrangements, and a floor and elevations plan of the new dwelling.</p> <p>Condition 2 to be amended to include the floor and elevation plan of new dwelling at Charlton, received on 11 June 2020.</p>
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Agenda Item 5b – 19/01071/OUT - Land Off Ashmead Drive, Cobblers Close, Gotherington

19/01071/OUT – ERECTION OF 50 DWELLINGS - LAND OFF ASHMEAD DRIVE, COBBLERS CLOSE, GOTHERINGTON, CHELTENHAM, GLOUCESTERSHIRE

COTSWOLDS CONSERVATION BOARD COMMENTS, 12 JUNE 2020

The interest of the Cotswolds Conservation Board ('the Board') in planning application 19/01701/OUT primarily relates to the potential visual impact of the proposed development on views from and to the Cotswolds Area of Outstanding Natural Beauty (AONB), the boundary of which lies approximately 360m to the north and 740m to the east.

Summary

The Board considers that the proposed development would have a significant adverse visual effect on receptors on the footpath on the upper, western slopes of Nottingham Hill (Viewpoint 8 in the applicant's landscape and visual impact). This would constitute a significant adverse impact on the natural beauty of the Cotswolds AONB, in particular, its scenic beauty. On this basis, the Board objects to the proposed development.

The Board considers that there would be a significant adverse visual effect because the mass of development - which is primarily to the south of the proposed open space and to the south of the linear, east-west form of the settlement of Gotherington - would create a very strong impression that the gap between Gotherington and Bishops Cleeve has been reduced. The development would also significantly erode the linear character and form of the settlement and disproportionately increase its overall mass and size, making it more visually prominent in views from the AONB.

This loss of character and form, as seen from the AONB, would be contrary to the Cotswolds AONB Landscape Strategy and Guidelines. As such, it would also be contrary to the Cotswolds AONB Management Plan 2018-2023 and the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.

These effects are even more significant when the cumulative impact of the proposed development and the recent Malleson Road development are taken into consideration.

The Board considers that the visual effects for receptors on Cleeve Common would potentially be moderate adverse, for similar reasons to those given in relation to Viewpoint 8, albeit with a smaller scale of change due to the greater distance involved.

The Board is also concerned that the visual effects on receptors on the footpaths with within – and around the boundary – of the development site have been underestimated. Views to the escarpment (including views from outside the AONB) are one of the special qualities of the AONB. The degradation of such views is identified as an issue in the Cotswolds AONB Landscape Strategy and Guidelines. The Board recommends that these visual effects should be re-assessed in this context.

With regards to the presumption in favour of sustainable development, the Board considers that the 'tilted balance' should not be applied (i.e. there should not be a presumption in favour of granting planning permission). This is because, based on relevant case law, we consider that paragraph 11d(i) and footnote 6 of the National Planning Policy Framework (NPPF) apply, which provides an exception to the tilted balance.

AONB context

The statutory purpose of AONB designation is to conserve and enhance the natural beauty of AONBs. Local planning authorities have a statutory duty to have regard to this purpose when making planning decisions that could affect the AONB. Under paragraph 172 of the NPPF, LPAs are also required to give great weight to conserving and enhancing the landscape and scenic beauty of AONBs, which have the highest status of protection in this regard.

The views from and to the Cotswold escarpment (including escarpment outliers) are one of the 'special qualities' of the AONB. In other words, these views:

- one of the aspects of the AONB's natural beauty which make the area distinctive and which are valuable at a national level;
- one of the key attributes on which the priorities for the AONB's conservation, enhancement and management should be based.

The dramatic panoramic views over the Severn Vale from the escarpment are also one of the key features of the Escarpment and Escarpment Outlier landscape character.¹

As stated in National Planning Practice Guidance, '*land within the setting of [AONBs] often makes an important contribution to maintaining their natural beauty*'.² For example, in this instance, the views, both out of and into the AONB, are a key component of the scenic beauty of the Cotswolds AONB. As outlined above, this scenic beauty must be given great weight in planning decisions.

The Cotswolds AONB Landscape Strategy and Guidelines (LSG) identifies a number of potential landscape implications relating to new development on (and in the setting of) the escarpment, or scarp.³ These include:

- Erosion of the setting of the AONB.
- Degradation of the view from the scarp / outliers across the adjoining vale and from the vale looking at the scarp / outliers.
- Erosion of distinctive form, scale and character of smaller settlements along the base of the Scarp.
- Erosion of organic growth and linear patterns of settlements bordering roads fringing the lower slopes of individual outliers including their relationship to the landscape.
- Interruption, weakening or loss of the historic character of settlements and the historic context in how they have expanded.
- Loss of characteristic small scale settlements due to settlement growth and coalescence.
- Proliferation of housing estate layout.

The guidelines for addressing these implications include:

- Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated.

¹ https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/08/3_TheCotswoldsLandscape_1.pdf. Landscape Character Type (LCT) 1 (Escarpment Outlier) and LCT 2 (Escarpment).

² <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 042.

³ <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-2-escarpment-2016.pdf> (Section 2.1 - New Development – Potential Landscape Implications) and <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2017/07/lct-1-escarpment-outliers-2016.pdf> (Section 1.1 – New Development – Potential Landscape Implications)

- Ensure new development is proportionate and does not overwhelm the existing settlement.
- Conserve linear pattern of settlements fringing the lower slopes of the hills and the rural road network linking them.
- Conserve the distinctive orientation of linear villages along the base of the outliers.
- Avoid cramming development right up to the boundaries resulting in hard suburban style edge to the settlement.

Permitting development that exacerbated the 'potential landscape implications' and that was contrary to the LSG guidelines would also be contrary to the policies of the Cotswolds AONB Management Plan 2018-2023 (particularly policies CE1 and CE10).⁴ Permitting development that is not consistent with the policies of the Cotswolds AONB Management Plan would be contrary to the Gloucestershire, Cheltenham and Tewkesbury Joint Core Strategy (Policy SD7).

Visual impact (AONB)

The applicant's Landscape and Visual Impact Assessment (LVIA) identifies four viewpoints within the Cotswolds AONB (viewpoints 5, 7, 8 and 10) and one on the AONB boundary (viewpoint 6). The Board's Planning & Landscape Officer has visited four of these viewpoints (viewpoints 5, 6, 8 and 10).

Although the Board's Planning and Landscape Officer hasn't visited the site itself, we consider the views from the footpaths on the site to be an important consideration, given that the views to the escarpment are one of the special qualities of the AONB and that degradation of views from the vale towards the escarpment is identified as an issue in the Cotswolds AONB Landscape Strategy and Guidelines. The large number of footpaths that cross the site make this issue particularly significant. Great weight should therefore be given to these on-site views.

Given the proposed layout of the development the views from the footpath that runs from the western edge of the site to the north-eastern of the corner of the site merit particular attention, as this is where views towards the escarpment are most likely to be adversely affected. Similarly the views towards Crane Hill and Oxenton Hill from the footpath running along the southern boundary of the site are also an important consideration. Unfortunately these footpaths were not selected as a viewpoint in the LVIA.

Viewpoints 5 and 6

Based on the Board's site visits, the Board agrees that the 'magnitude of change' for receptors at viewpoints 5 and 6 would be low or very low. We also agree that the nature of the visual effect would be neutral.

Viewpoint 8 (Nottingham Hill)

The LVIA identifies the overall visual effect for receptors at this viewpoint to be moderate adverse. This is the only LVIA viewpoint where the LVIA identifies the overall visual effect as being adverse.

The Board disagrees with this conclusion. It is the Board's opinion that the visual effects on this viewpoint would, in fact, be major adverse.

⁴ <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2018/12/Management-Plan-2018-23.pdf>

Our main point of disagreement with the LVIA is the LVIA's assertion that the magnitude of change would be low. The LVIA asserts that the magnitude of change would be low because the development would not extend the edge of Gotherington southwards but would, instead, fill the indent in the southern settlement edge. This reflects the opinions expressed by the Borough Council's landscape consultant (Toby Jones), who also concludes that the development would not appear as a conspicuous intrusion into the gap between Gotherington and Bishops Cleeve, but as an in-filling of an embayment in the existing settlement

The Board acknowledges that the proposed development would not physically extend Gotherington beyond its current southern limits. We also acknowledge that the open space that would be provided in the development would help to break up the overall mass of development in Gotherington. However, the development would introduce a significant mass of housing between the current 'fingers' of development on the western and eastern boundaries, to the south of the open space.

On a related point, the development would result in the number of dwellings in Gotherington would increase by a significant 10%⁵, with all of this increase being to the south of the main east-west, linear form of the village. This increase is disproportionate to the existing settlement, especially when one considers the prominence of Gotherington in views from the Cotswolds AONB.

This scale of growth would further add to the perception of Gotherington extending south and the gap between Gotherington and Bishops Cleeve being reduced. It would also adversely affect views from the Cotswold escarpment by significantly altering the settlement's linear character and form and by significantly increasing the overall scale and mass of the built environment of Gotherington, making it more prominent in views from the escarpment.

This increase in scale and mass is even more significant when one considers the cumulative impacts of the proposed development together with the recent Malleson Road development.

The development would also significantly erode the distinctive, linear pattern of settlement at Gotherington, as seen from the AONB, which is an important consideration in the Cotswolds AONB Landscape Strategy and Guidelines.

From this elevated viewpoint, any proposed mitigation is unlikely to reduce the visual effects, over time, to any significant degree

Based on the points outlined above, the Board considers that the magnitude of change (to use the LVIA's terminology) would be at least moderate. When this moderate magnitude of change is combined with the very high sensitivity of the visual receptors at this viewpoint, the overall visual effect would be significant. This would mean that the development would also have a significant adverse effect on the Cotswolds AONB, in particular, its scenic beauty / quality.

Given that the development would have significant adverse effects on the AONB, the Board objects to the proposed development.

⁵ According to the information on www.nomisweb.co.uk there were 448 dwellings in the 'built environment' of Gotherington at the time of the 2011 census. The Malleson Road development has increased this by 50 dwellings, bringing the total to approximately 500 dwellings. Therefore, a development of a further 50 dwellings would represent a 10% increase in the number of dwellings.

Viewpoint 10 (Cleeve Common)

The Board acknowledges that the scale of visual change is likely to be less significant for visual receptors on Cleeve Common than for visual receptors on Nottingham Hill, particularly given the distance separating the development site and Cleeve Common.

However, many of the points made in relation to Viewpoint 8 are still valid for Viewpoint 10, albeit at a smaller scale. For example, the development would still create the impression that the gap between Gotherington and Bishops Cleeve has been reduced and Gotherington itself would be more prominent in views from the escarpment.

In addition, one of the factors that contributes to the size of scale of visual effects is *'the nature of the view of the proposed development, in terms of the relative amount of time over which it will be experienced and whether views will be full, partial or glimpses'*. On Cleeve Common there are multiple footpaths, including the Cotswold Way National Trail and Winchcombe Way, on which the proposed development site can be seen for long periods of time by walkers using the footpaths. The whole of Cleeve Common is access land, where a wide range of recreational users can also see the proposed development site for long periods of time.

With these points in mind, the Board considers that the visual 'magnitude' would be more than 'very low' (as proposed in the LVIA) and the overall visual effect would at least be adverse rather than neutral. A low adverse magnitude combined with a very high 'sensitivity', would result in an overall moderate adverse visual effect.

Presumption in Favour of Sustainable Development

The applicant's Planning Statement asserts that the Borough Council cannot demonstrate a five year supply of housing and that there should therefore be a presumption in favour of granting planning permission (known as the 'tilted balance'), in line with footnote 7 of the National Planning Policy Framework (NPPF).

However, as outlined in paragraph 11d(i) and footnote 6 of the, this presumption does not apply if *'the application of policies in [the NPPF] that protect areas or assets of particular importance provides a clear reason for refusing the development proposed'*, including the policies relating to AONBs.

There has been some debate in planning case law as to whether the exception outlined in paragraph 11d(i) and footnote 6 just relates to major development in AONBs (i.e. the second part of paragraph 172 of the NPPF) or whether it applies to all parts of paragraph 172.

Monkhill Ltd v Secretary of State for Housing, Communities And Local Government [2019] EWHC 1993 (Admin) (24 July 2019),⁶ clarifies that the exception outlined in paragraph 11d(i) and footnote 6 of the NPPF applies to all parts of paragraph 172 of the NPPF, not just to the second part relating to major development. For example, paragraph 60 of this case law states that:

- *'As a matter of law, none of them [i.e. the first parts of paragraphs 172 and 173 and paragraph 196 of the NPPF] lacks any element necessary to found a freestanding reason for refusal of permission, or to engage paragraph 11(d)(i) of the NPPF.'*

Paragraph 172 of the NPPF applies in relation to the proposed development at Gotherington (i.e. great weight has to be given to conserving and enhancing the natural beauty of the

⁶ <https://www.bailii.org/ew/cases/EWHC/Admin/2019/1993.html>

AONB, which has the highest status of protection in this regard). As such, the Board would argue that paragraph 11d(i) and footnote 6 of the NPPF also apply and that the presumption in favour of granting planning permission (i.e. the tilted balance) should not apply.

The fact that the proposed development at Gotherington has been identified, in the LVIA, as having an adverse visual effect on receptors in the Cotswolds AONB (Viewpoint 8) – and that the Board considers this adverse effect to be significant – adds further weight to this argument.

1. VIEW OF GOTHERINGTON FROM FOOTPATH ON NOTTINGHAM HILL IN THE COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY (@ GR: S097852872) @ 1.7KM EAST-SOUTH-EAST OF THE PROPOSED DEVELOPMENT (50MM FOCAL LENGTH, SINGLE PHOTOGRAPH) – DEVELOPMENT BOUNDARY SHOWN AS A RED LINE



2. VIEW FROM THE HIGHEST POINT ON CLEEVE HILL / COMMON ON THE COTSWOLD WAY NATIONAL TRAIL (@ GR: S098562639) @ 3.7KM SOUTH EAST OF THE PROPOSED DEVELOPMENT (50MM FOCAL LENGTH, SINGLE PHOTOGRAPH) – DEVELOPMENT BOUNDARY SHOWN AS A RED LINE



11 June 2020

Dear Sirs

Planning Application 19/01071/OUT: Parcel 1441 Cobblers Close Gotherington

Representations based on the review of the case officer's report for the planning committee meeting 16 June 20

The village is disappointed to find itself in this situation, contesting again an almost identical application on this parcel of land, (known locally as "The Meadow" that was rejected by both TBC and the appeal inspector in 2018 (16/00901/OUT)).

The village has worked hard in delivering an adopted Neighbourhood Development Plan (GNDP) which allocated sites, a number of which have already been delivered. It embraced the concept of Localism, which promised to give such villages the power to control future developments and determine the most appropriate sites based on consultation with the residents, within the guidelines of the wider planning framework.

There is a sense of being let down by fundamental flaws in the planning system; which deems that our GNDP holds little weight, as it is now just over 2 years old; that developers can take advantage of TBC's perceived lack of a 5-year housing supply; that it has taken such a prolonged time for the JCS and TBC Local Plan to be produced.

We will potentially be penalised due to TBC's failure to deliver on their plan. Even if the 5-year housing supply is falling short, consideration should be given to the wider context, given the recent uncertainty surrounding Brexit, COVID 19 and the economy in general. Developers do not appear to be bringing forward sites allocated in the Local Plan and delays at Ashchurch have had a detrimental effect on the ability to deliver supply and it is allowing speculative applications such as this one.

Under the JCS and Tewkesbury Borough Local Plan (draft), Gotherington is identified as a Service Village and as such is expected to accommodate a proportion of the dwellings allocated to the Service Villages.

While Gotherington has not been allocated an exact number of new dwellings that it is expected to accommodate over the 20 years of the current Local Plan, since 2011 there has already been 26 new dwellings built, 50 currently under construction, at The Grange, and a further 19 approved with an application for 2 dwellings under consideration (taking into account those already built and those with current planning permission and allocated sites in the GNDP). This is an increase of 97, which represents a 23% increase in the size of the village, from 2011.

The 13 service villages were initially allocated 880 houses in the JCS, as of April 2019 793 dwellings had already been granted permission. On reviewing the JCS the inspector stated that any shortfall in houses should not be absorbed by the service villages.

Since being designated as a service village, there have been a number of changes in circumstances:

- The village shop (prior to COVID 19) had limited its opening hours to 9.15 to 4.30, was offering a more limited range of products and no longer delivers newspapers. Any residents working office hours, would not be able to access the shop.
- The village does not have a Church, as mentioned by the planning officer in his report.
- The Village pub has had a very chequered history with historic prolonged periods of closure.
- The petrol station is difficult to access, as there is no footpath to the A435.
- The Village school is at full capacity and unable to expand.
- Changes to the public bus service has resulted in a limited service.

There have been no significant changes in Gotherington housing needs. The December 2019 Housing Needs (HN) survey conducted by GRCC, identified the need for 6 affordable houses in Gotherington, this will be met by the 10 affordable housing units on The Grange. TBC previously recognised that Gotherington is not the most suitable location for affordable housing, as Charles Church “bought out” their obligation on The Grange, resulting in only 10 affordable houses on a development of 50 dwellings. The HN survey identified the need for properties to allow elderly residents to downsize, as the village has an elderly demographic.

Prior to this application Barton Willmore did not consult with the village and have not recognised the requirement for Bungalows, which would allow residents to downsize but remain in the village.

Comments on the Planning Officer’s report to the Planning Committee

In points 7.1 to 7.3, he acknowledges this site is not an allocated site in either Tewkesbury Borough’s Local Plan or the GNDP. Para 11 of the NPPF is cited as the overriding principle that permission should be granted, as TBC cannot demonstrate a 5-year housing supply. Gotherington is not covered by Para 14 of the framework, as its NDP is more than 2 years old, despite our GNDP clearly allocating sites and having delivered on these. Disregarding the GNDP goes against TBC’s message of engaging Parish Councils and residents and will not encourage other villages to engage in the lengthy, costly and time consuming NDP process.

Point 11 ii, is reason alone to reject the application as the “adverse impacts of the development would significantly and demonstrably outweigh the benefits”, especially in the context of Sustainable Development.

The appeal inspector noted that the cumulative effect of permitted dwellings, together with another 50 in this application would increase the size of the village by 31% (now actually 35%) and this level of development would be hard to assimilate and the current facilities would not cope and are not capable of expansion. Hence this application would “harm the vitality and social well-being of Gotherington”

We still concur with this statement.

The applicant states in Point 0.4 of their planning submission that they have made significant changes since the last application.

Point 0.4 i, states these include: “A MUGA, children’s play space and a multi-purpose community area. Delivery of these facilities will help facilitate cohesion between the proposed development and the existing community”

Points in 0.4 ii – v of their planning application refer to changes in:

- Housing Land supply shortfall
- Weight to be attributed to the GNDP
- Timing of other developments in the village
- The CIL

These last 4 points do not represent changes to the application, only to the wider framework.

As an outline application, made by a land agent, it is probable that the additional facilities mentioned would not be delivered in the final scheme. The location of the MUGA has been questioned by the Council's Environmental Health consultant on the grounds of noise pollution.

Therefore, there are no fundamental changes in the scheme or guaranteed additional benefits to the community since the previous application was refused.

Point 7.11 – The case officer acknowledges that the delivery of this site would “represent a considerable amount of growth in the village & this would inevitably have implications for the character of the settlement”.

Para 3.21 of TBC Local plan says the “levels of housing identified for each settlement should be balanced alongside the size, function and accessibility of the settlement, whilst avoiding adverse environmental and social impacts”.

Para 3.29 of TBC Local plan states “careful consideration should be given to the cumulative effects of development over the plan period to avoid levels of development that are disproportionate to the scale and function and accessibility of the settlement”.

Given the existing 97 permissions granted in Gotherington, a further 50 houses would breach these sections of the TBC's Local Plan.

Point 7.12 – the case officer notes the high number of objections, 159. Many of these refer to the fact the GNDP would be overridden with this development (**Point 7.14**)

Gotherington Neighbourhood Development Plan (GNDP)

Gotherington has an adopted and robust Neighbourhood Development Plan (GNDP), made in 2017. It identifies three sites in addition to those already built since the start of the plan period. Since the last planning application on “The Meadow” construction has commenced on GNDP 02/02 for the construction of 50 dwellings, planning for 10 dwellings has been approved for site GNDP 02/03 and an application has been approved for 9 houses on site GNDP 02/01 (only 6 properties allocated in the GNDP). There have also been several applications for infill developments.

The “The Meadow” is not an allocated site in the GNDP and was identified by the villager's as important in terms of recreation and access to the countryside, as it is widely used for walking.

It is felt the scale and pace of development in the village is not in line with the GNDP, as all the sites identified and required to provide sufficient housing to 2031 have already been granted permission.

Should Gotherington be required to provide additional housing prior to the end of the plan in 2031, the **GNDP made provision for this under GNDP 02**. This application fails to meet these criteria:

- It does not maintain the villages East – West linear form
- Does not maintain the separation between Gotherington and Bishops Cleeve, as it significantly reduces the green space and visual impact between the settlements.

It also contradicts several points under Para 3.13 “Preservation of the Environment” in GNDP:

- The proposed development does not preserve the aspect of rural character by maintaining the open spaces in Gotherington
- Views out of the village to the surroundings hills and the views to the escarpment are not being protected.
- It does not continue to show the close relationship between the village and the open countryside
- It does not preserve and maintain all the footpaths within the village.

Under GNDP 3 – Housing outside the defined development boundary is only permitted in exceptional circumstances and none of these criteria are met by this application.

7.15 -7.26 of the Planning Officers Report - Landscape impact –The visual impact from the village development boundary towards the south would be significantly impacted if this development were permitted. Crucially it would lead towards coalescence with Bishops Cleeve, especially as the development of Homelands Farm is not yet complete. It would detract from the village feel, there are houses in the Village nearer Bishops Cleeve, but these are along the roads and do not encroach on this view and sense of separation.



View of Crane Hill from the site

Point 7.27 Design and layout –the indicative design and layout does not respect the character of the site, nor enhances the local environment. While the site does have good connectivity to the rest of the village, it is essentially a housing estate in a rural environment. The planning officer notes in **point 7.30** that the development would provide a substantial new Green infrastructure. We would argue that there would be loss of amenity, as this is currently an open green space, that connects the village to the countryside. If development were permitted the remaining green space would be hemmed in and would lose the rural connectivity.

On the basis that the application on the Meadow contradicts the criteria for future development within the GNPP, it should be refused.

Sustainable Development

In Point 7.14 the planning officer states that the planning balance should be considered in favour of the presumption of sustainable development. The development does not meet the criteria of sustainable development on social or environmental grounds, as required in the (NPPF) and Tewkesbury Borough Local Plan (draft):

The proposal will result in an urban style estate that will not integrate with the village, the style of properties would not be consistent with the existing houses in the village. The site of the development will represent a significant departure from the primarily linear structure, along the arterial roads of the village, with cul-de-sacs off the main roads.

The development does not respect the existing form and character of the adjacent area and street scene. It would present a significant increase in density and extends into a Special Landscape Area. It would extend the built area of the village and encroach on the open green space that separates Bishops Cleeve and Gotherington.

The site is currently prime agricultural land and has several public rights of way that are extensively used by village residents and ramblers wishing to enjoy local views. It gives access to this open green space which is the essence of residing in a village and is appreciated by residents. The Meadow should be protected from development as it would deprive a substantial number of residents the access to, and views across, open green space and to the surrounding hills.



Views to Nottingham Hill from the site

Views from The Meadow have already been eroded by the encroaching development at Homelands Farm, the houses from this development can already be clearly seen from the site. As the development on Homeland Farm progresses these views will be further compromised.



Views to Bishops Cleeve from the Southern Boundary of the site

If building were to be permitted on The Meadow, there would only be one field without a planning application between Gotherington and Bishops Cleeve. This field is also under the same ownership as the Meadow. The village feel of Gotherington would be lost on this Southern Boundary.

NPPF states “the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes”. This development would have a serious impact on the residential amenity to residents and would not enhance or protect the natural environment.

Contrary to para 98 of the NPPF, public rights of way are not being protected or enhanced. Those that are maintained would lose their character as they would be within an urban setting, losing the rural attraction that makes these rights of way so well used.

Transport: NPPF para 103 states “decisions should ensure that significant developments are located where the need to travel will be minimised”

The applicants Travel Plan prepared by Jubb is inaccurate and misleading.

We have a limited bus service, the frequency of which continues to decline, making it difficult to use public transport for daily commutes. While their Travel Plan encourages cycling and walking, the lack of a cycle or footpath out of the village makes leaving the village dangerous other than by car. This is highlighted by the fact that village children are entitled to free bus passes if they attend Bishops Cleeve Secondary School, despite the village being within the boundary for not receiving free school transport, as it is acknowledged there is no safe way for these children to reach the school, via bicycle or on foot.



Gotherington Lane illustrating the lack of footpaths and narrowness of the road.

Access to the development is via Ashmead Drive, which is a quiet residential cul-de-sac, joining Malleson Road near to a bend in the road, resulting in poor visibility.



Ashmead Drive

As noted by the planning officer in Point 7.58, access from the village onto the A435 is via a dangerous crossroads, where there have been several fatal accidents in recent years. Exiting the village at rush hour is increasingly difficult. Safety at this junction will be further compromised in the future when Ashchurch is developed, increasing the volume of traffic on the A435.

Despite a funding contribution to this junction being a condition of The Grange development, a viable scheme has yet to be implemented, as many hundreds of thousands of pounds are required to provide a roundabout or traffic lights, which are the only long-term sustainable solution for the junction, for which no funding is available.

We would dispute the estimated impact on peak-hour movements cited by the Planning Officer in **Point 7.58**, given the inadequate public transport and lack of local employment.

Schooling

Families relocating to the village experience long waits for their children to enter Gotherington Primary School, which is at full capacity. This development of an additional 50 houses, over and above the 50 being built at the Grange would doubtless result in an influx of families, whose children would not be able to attend Gotherington Primary School and would be forced to commute to access education services.

Point 7.67 of the planning officers report - GCC has objected to this application based on lack of primary education availability, as Gotherington PS is on a small site and could not accommodate further children. This further reduces the sustainability of this development.

Infrastructure

The infrastructure in Gotherington and Bishops Cleeve is already struggling to cope with the current population.

There are inadequate formal playing fields within the village, several village football teams cannot use Freemans Field as their pitch, as there is not enough capacity. The village hall and the Old Chapel community buildings are not of an adequate size to host large events or hold a village meeting. These issues would be accentuated by further residents.

As a village we are struggling to solve these problems, as there is no suitable land within the village to locate additional football pitches or a new village hall with adequate parking.

Accessing higher level services at Bishops Cleeve is already difficult, whether its problems booking doctors' appointments, or to find a parking space when shopping at Tesco's or Lidl's. Further major development in Gotherington will make accessing these services even more difficult and will force Gotherington residents to travel further afield, which is not sustainable.

There is no certainty that the play and recreational facilities outlined in this application would be delivered as part of a final detailed planning application.

Flooding

Gotherington has an ongoing problem with surface water drainage, the drainage system was not designed for a settlement of this size. When there is prolonged heavy rain the drains are not able to cope and frequently along Malleson and Gretton Roads, the water flows out of the drains along the street, flooding them and making the use of the pavements dangerous. Gotherington Lane, just beyond the village boundary, flooded earlier this year. Further development in the village will again only accentuate these problems.

Social Cohesion

There would be significant problems of absorbing another large development into the village community. While there is good connectivity from the site to the rest of the village, there would be a number of problems of integrating these residents into the community.

Firstly primary school children would not be able to attend the village school, secondly there is already pressure on the groups that run in the village in terms of being able to accommodate new members, such as Brownies, Scouts and Football clubs, due to the limited size of the facilities.

Adults would have to commute by car to work. As an enclosed area, there would be the risk that residents may not socialise outside the estate and not integrate into the village.

Residential amenity

Point 7.33 of the Planning Officers Report – his report offers little insight as to whether the development protects and seeks to improve environmental quality or whether it causes unacceptable harm to local amenity including the amenity of neighbouring occupants.

In Conclusion: The proposed development seeks to undermine the GNDP and contradicts the principals of "Localism". The scale of the proposed development is not in keeping with the character of the village and would result in an urban landscape within a rural environment. With the existing sites that have already had permission granted, the cumulative effect of an additional 50 dwellings in this application would be disproportionate to the size of the village. It would compromise the existing

infrastructure and be difficult for new residents to integrate into village life, effecting social cohesion. Most importantly it is not a sustainable development, as residents would need to seek primary education outside the village, travel for employment and inadequate transport links mean these journeys will have to be made by car.

Subject: Planning Application to be heard on 16th June - 19/01071/OUT - Land Off Ashmead Drive Cobblers Close Gotherington

CAUTION: EXTERNAL EMAIL

Dear Councillor's,

I am writing to you in your capacity as members of Tewkesbury Borough Council, Planning Committee.

My specific concern is with the application set out in '19/01071/OUT - Land Off Ashmead Drive Cobblers Close Gotherington Cheltenham' which is due to be heard next week.

Object

I appreciate you might need a bit more than my objection to reject an application; so here are a few reasons of common sense and planning law.

Firstly let's start with, what will be lost ?

The attached photo taken within the last couple of weeks shows the field where the proposed housing estate would be sited. It also shows you the vista of the surrounding hills of the Cotswold escarpment which will be lost.

History

This application may be new to some of you, for others this is Deja vu. This application was first brought before the Planning Committee on 14th February 2017 under reference '16/00901/OUT Outline planning application with means of access from Ashmead Drive' having been submitted on 2nd August 2016. The application was refused unanimously by the committee and this was confirmed by notice dated 21st February 2017. This decision was then appealed against 'Appeal Ref: APP/G1630/W/17/3175559', and after a hearing and site visit a decision to 'Reject' was made on 27th April 2018 by the planning inspectorate.

Local Planning Reasons to Object

The application is to develop land located to the South of Gotherington, known locally as 'The Meadow'. The site remains unchanged since initial application and remains unsuitable for development.

Here set out are some of the reasons why this site remains unsuitable for development.

- The location is not included within the Gotherington Neighbourhood Development Plan (NDP).
- The location is not included within the Tewkesbury Borough Local Plan.
- The location is outside the settlement boundary.
- The application would breach '*NDP Objective 6 - To protect the identity of Gotherington and prevent its coalescence with Bishop's Cleeve and Gotherington and with Woolstone.*'
- Gotherington's housing allocation for 2011-2031 has already been allocated and development is underway on sites included within the NDP.

Impact on Local Services

- The loss of a nature local green space.
- Based upon Gloucestershire Highways figures, there would be a rise in traffic along Ashmead Drive and at the junction of Ashmead Drive and Malleeson road in excess of 300%.
- The local school is heavily oversubscribed as are the schools in neighbouring Bishops Cleeve. This would mean more car journeys to schools further afield leading to additional traffic and pollution.
- The impact of additional traffic at a time when Tewkesbury Borough Council has committed itself to supporting a carbon neutral county.

- The disproportionate and destabilizing effect on the local community of so many houses being built when developments in Shutter Lane and Malleson Road are ongoing.

The Elephant in the Room

So why have the applicants reapplied if they know the site is not suitable, having been rejected by both Tewkesbury and The Planning Inspectorate? The thorny issue of the 5 year land supply. The applicant whilst knowing the site is unsuitable is hoping to get this application through on a technicality.

So if it's all down to the NPPF let's examine that document ...

The NPPF has the presumption of 'Sustainable Development' and this is characterized in terms of Economic, Social and Environmental impact.

In terms of Social Impact, this application would see the knocking through of a quiet Cul de Sac to create an access road to a housing estate. This comes at a time when the residents of Gotherington have already taken in excess of their service village quota. At a time when 59 houses are underway or about to start being built; in a village of 500 houses this is a huge impact in a single hit. Allowing this application would do nothing to improve the social wellbeing and would have a negative impact on existing residents.

In terms of Environmental Impact, there is the loss of farm land in a rural setting. The loss of views both from the site outward towards the surrounding hills of the Cotswold escarpment and the inward views from the nearby ANOB. Then there are the additional car journeys to consider with all the attendant pollution, fumes, noise and light.

Even if this application were to be judged solely against the NPPF, it would fail to meet the description of 'Sustainable Development'. The impact on this rural village would be huge.

In closing I shall leave you with some of the words of the planning inspector from his appeal ruling.

Development plan locational policies

"15. In conclusion, the site is outside the settlement boundary and none of the exceptional circumstance in the JCS or GNDP apply or are argued. For that reason the appeal scheme would conflict with the locational policies in the development plan and is not suitable for development at this time. This weighs heavily against the proposal."

Beyond the points made which show the site is not within any development plans at any level, there is the impact on the surrounding environment to consider. Development on the site would fail to meet JCS policy SD6: Landscape

"1. Development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being;"

The site is very close to the edge of the Cotswolds Area of Outstanding Natural Beauty (AONB) and can be viewed from a number of nearby hills within the ANOB. ANOB's are not just about the area itself, but often (as is the case here) about the views and vistas seen from the ANOB's. This point is highlighted in JCS Policy SD7: The Cotswolds Area of Outstanding Natural Beauty (AONB).

"All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan."

Whilst the site is just outside the ANOB, it is clearly *within the setting* of the ANOB given the views from hills within the ANOB.

The vitality and social cohesion of Gotherington

"37. Overall, the Framework policy is that development should meet the roles of sustainability, including the social role. This is described as supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being. In this case, for the reasons set out above the proposal would conflict with this policy and would harm the vitality and social well-being of Gotherington."

This application fails to meet development guidance, on a local level, on a Borough level or indeed on a national level when measured against the NPPF. It fails to meet the environmental objectives of Tewkesbury Borough Council and fails to meet the social well-being of local residents.

This is a speculative application, the site remains unsuitable for any development as previously found by the Tewkesbury Borough Council and the Planning Inspectorate.

I urge to you object to this application and refuse permission. If you have any doubts in your mind as to what to do, please don't rule until you have visited the site and seen for yourself what will be destroyed.

