



APPENDIX A
Agenda Item No. 5A

TEWKESBURY BOROUGH COUNCIL

Schedule of Planning Applications for the consideration of the **PLANNING COMMITTEE** at its meeting on 1 September 2015

	(NORTH)	(SOUTH)
General Development Applications Applications for Permission/Consent	(179 - 192)	(193 - 227)

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 Development 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. (179 - 227)

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) 1st September 2015

Alderton 15/00350/FUL	Lower Stanley Farm Gretton Fields Gretton	Refuse	1
Bishops Cleeve 15/00238/FUL	Home Farm Brockhampton Lane Brockhampton GL51 9RS	Delegated Permit	7
Bishops Cleeve 15/00683/FUL	59 Pecked Lane Bishops Cleeve GL52 8JS	Permit	4
Bishops Cleeve 15/00738/FUL	7 Read Way Bishops Cleeve Cheltenham	Permit	5
Maisemore 15/00131/OUT	Land Rear of Rectory Farm Main Road Maisemore	Delegated Permit	6
Norton 15/00354/FUL	Trovemore 2 Wainlode Lane Norton GL2 9LN	Permit	3
Teddington 15/00571/FUL	Part Parcels 2255 & 3453 Gander Lane Teddington	Permit	2

15/00350/FUL

Lower Stanley Farm, Gretton Fields, Gretton

1

Valid 23.06.2015

The construction of a ground mounted 4MW solar farm and associated infrastructure including substation, transformer stations, access, roads and fencing.

Grid Ref 399607 231304

Parish Alderton

Ward Winchcombe

Gretton Solar Farm Ltd
34 Brook Street
London
London
W1K 4DN
FAO: Mr Adam Banting

RECOMMENDATION Refuse

Policies and Constraints

NPPF

Planning Practice Guidance

JCS Submission Version November 2014 - SD1, SD7, SD8, SD9, SD10, SD15, INF2, INF3 and INF6

The Tewkesbury Borough Local Plan to 2011 - March 2006 - LND2, LND7, TPT1, EVT1, EVT3, EVT5 and NCN5.

Cotswolds AONB Management Plan 2013 -18

Special Landscape Area

Adjacent to Cotswolds AONB

Within 50m of a listed building (Glenbrook)

B4077

Flood Zone 3

Adjoining PROW (AAL/10/2)

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

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Alderton Parish Council - The proposed site is situated in a Special Landscape Area which is "of a high landscape quality that is worthy of protection in its own right, but it also protects the setting of the nationally designated AONB". The proposed development would be harmful to the character and appearance of the area and would conflict with Policy LND2 of the Local Plan. Whilst this proposal does not directly affect the village of Alderton, it does impact on the more adjacent properties; however these seem to be split with more pro than anti. The Parish Council recognises that the proposal would impact upon the higher vantage points within the surrounding AONB area, as there are many viewing points down onto the site both from within the parish and also the adjacent parishes. Alderton Parish Council would not want the granting of permission to undermine the importance of the SLA and AONB. The proposal will have a detrimental impact upon the area and should the Borough Council be minded to permit this application the Parish Council request that the following conditions be included in the permission, to ensure the impact is temporary (albeit 25 years)

- There should be no future expansion of the site
- The lifespan of the site should be restricted to a maximum of twenty five years, during which time the landscaping is maintained & managed

Gretton Parish Council - No comments received.

Gloucestershire County Council Highways- No highway objection subject to conditions.

Environment Agency - Refer to standing advice.

Environmental Health - No concerns from noise perspective.

County Archaeological Officer - No objection subject to a condition for a programme of archaeological mitigation.

Local Lead Flood Authority (LLFA) - No further objections to the revised FRA and SuDS report as amended subject to a condition to ensure that the scheme is completed in accordance with the submitted revised details.

Cotswold Conservation Board - Object as the development of this area for a solar farm will clearly feature in a variety of public viewpoints from the AONB and indeed in viewpoints from within the AONB across the lowland area to other parts of the AONB. There will be a clear change in landscape character with the typical agricultural scene, which remains the predominant characteristic at present, being replaced by the urbanising/developed influence of a solar farm with its panels and associated equipment. In this case we consider the views into the site from the elevated AONB to be too extensive to be simply hidden by allowing the boundary hedges to grow up with some additional planting. Indeed substantial amounts of new planting in itself would become discordant with the established character of this existing lowland area.

Amended Plans - The Board does note the improvements to the mitigation measures, however we maintain our original objection. The particular problem with the Gretton Fields site (as shown in the submitted ZVI) is there will be numerous viewpoints down into the site from elevated locations within the AONB at relatively short distances which cannot be easily mitigated against. As previously noted, the site is also in a relatively unique position, in that part of the enjoyment of views out of the AONB are towards other parts of the AONB which in many cases will include views across this site. Therefore, whilst there are views out from the AONB elsewhere (which may include the context of settlements including Tewkesbury/Cheltenham/Gloucester in lowland vales) this site is relatively unique in that the character of this area is largely undeveloped open countryside in farmland use which at present positively contributes to the setting of the AONB which almost surrounds this site.

9 letters have been received objecting to the application on the following grounds:

- In a sensitive rural area where such development would be totally inappropriate and unacceptable
- Will have a huge impact on local residents
- Would exacerbate existing traffic congestion problems in the area
- Would be of no benefit to immediate local residents and would not be viable commercially
- Would be visually intrusive in the landscape and harmful to setting of the AONB
- Would set an undesirable precedent
- Flood risk would be exacerbated
- Contrary to Policy LND2
- Would cause traffic issues
- Carbon footprint of solar farms outweighs any benefits
- Would be highly visible from property

11 letters have been received in support of the application on the following grounds:

- Will have numerous benefits to local community and wider area
- Excellent site and development would not have an adverse impact on the landscape or local community
- Low grade agricultural land and an agricultural use (sheep grazing) would continue
- Will help to reduce reliance on fossil fuels
- Will provide an important source of renewable energy
- Will assist in funding local community projects
- Eco-friendly, sustainable, community based project
- Solar Farms are good for encouraging biodiversity and ecology
- Drainage proposal will help to reduce flooding in the area
- Would have little traffic impact
- The impact of this scheme would be minimal and the benefits notable, both locally and globally.

Planning Officers Comments: Miss Joan Desmond

1.0 Introduction

1.1 The site covers an area of 11.2 hectares of agricultural farmland at Lower Stanley Farm, which is located approximately 1.5km south of the village of Alderton and approximately 1.0km to the north of Gretton. The site comprises two open pastoral fields, divided by well-established hedgerows with some mature trees. The fields are divided by a series of hedgerows and scattered mature trees along the hedge lines. The site is bordered along its western boundary by a public right of way that follows the line of a watercourse. The eastern boundary runs in close proximity to the public highway that links Gretton and Alderton.

1.2 The site is located within a Special Landscape Area (SLA), as designated in the Local Plan.

2.0 History

2.1 The proposed development has been subject of a screening opinion which concluded that the proposal was not Environmental Impact Assessment (EIA) development for the purposes of the EIA Regulations.

3.0 Current Application

3.1 The proposed development comprises the construction of a 4.0MW capacity solar farm to be operational for a 25 year period. The proposed solar farm would comprise a series of photovoltaic modules (PV) fixed onto a galvanized steel frame table, of which there will be a total of 800. The steel frame tables would be affixed to galvanized steel posts, which would be piled into the ground. The rows of tables would be aligned in an east-west direction with the panels facing south. The rows of panels would stretch the length and breadth of the site, following the contours, but respecting a 5m to 10m buffer zone from hedgerows and trees.

3.2 The solar farm includes 200No inverters which would convert generated DC electricity into AC electricity. A total of 3No transformer stations would serve to increase the generated AC power to an acceptable voltage level to feed power into the national grid. These transformer stations would be housed within a prefabricated building. A substation would be required as an integral part of the installation, allowing the electricity generated from the PV array to be fed into the National Grid. A perimeter deer security fence would enclose the site constructed of wooden posts and wire mesh. The fencing would be 2m high and located 5m in from the existing field boundary, and there would be an additional 5m buffer to the closest module tables. The perimeter fencing would also feature an infra-red CCTV system. Cameras would be affixed to 2.1m high posts located approximately every 50m along the perimeter. The site would be accessed via a gravel access track road that enters the fields directly to the south of the site through an existing gated opening.

3.3 The Planning Statement states that throughout the operational lifetime of the solar farm the land would remain in agricultural use as a pasture for grazing sheep. Following the period of construction the entire site would be reseeded with a natural grass and a wildflower mix would be seeded between the existing hedgerows and the proposed deer fence to improve the ecology of the area.

4.0 Policy Context

4.1 At the heart of the NPPF is a presumption in favour of sustainable development, of which there are three dimensions: economic, social and environmental. The NPPF does not change the statutory status of the development plan as the starting point for decision making but emphasises the desirability of local planning authorities having an up-to-date plan. According to paragraph 215 of Annex 1 of the NPPF, due weight should be given to relevant policies in existing development plans according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given).

4.2 Paragraph 216 of the NPPF sets out that that from the day of publication decision-makers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan. The weight to be attributed to each policy will be affected by the extent to which there are unresolved objections to relevant policies with the emerging plan (the less significant the unresolved objections, the greater the weight that may be given) and the degree of consistency of the emerging policies to the NPPF. The more advanced the preparation of a plan, the greater the weight that may be given.

4.3 Local Plan Policy EVT1 states that renewable energy installations will be supported provided, inter alia, that they do adversely affect the quality of any designated landscape. Policy INF6 of the JCS Submission Version also supports proposals for the generation of energy from renewable resources provided the wider environmental, social and economic benefits of the installation would not be outweighed by a significant impact on the local environment.

4.4 Local Plan Policy LND2 seeks to protect and enhance the landscape character of Special Landscape Areas and Policy SD8 of the JCS (Submission Version) seeks to conserve and, where appropriate, enhance the landscape, scenic beauty, wildlife, cultural heritage and other special qualities of the Cotswolds AONB.

4.5 Policy NCN5 of the local plan and Policy SD10 of the JCS (Submission Version) seeks to protect and, wherever possible enhance biodiversity, including wildlife and habitats.

4.6 Local Plan Policy EVT3 provides that new development should be sited away from sources of noise and planning permission should not be granted for development where noise would cause harm and could not be ameliorated. Similarly policy SD15 of the JCS (Submission Version) seeks to promote health and environmental quality and ensure that new development does not result in unacceptable levels of noise.

4.7 Policy EVT5 of the Local Plan requires that certain developments within Flood Zone 1 be accompanied by a flood risk assessment and that developments should not exacerbate or cause flooding problems. Furthermore, Policy EVT9 of the Local Plan requires that development proposals demonstrate provision for the attenuation and treatment of surface water run-off in accordance with sustainable drainage systems (SUDS) criteria. Similarly Policy INF3 of the JCS (Submission Version) seeks to ensure that development proposals avoid areas at risk of flooding and do not increase the level of flood risk.

4.8 Policy TPT1 of the local plan seeks to ensure that highway access can be provided to an appropriate standard which would not adversely affect the safety or satisfactory operation of the highway network, nor cause an unacceptable loss of amenity to users of adjacent land. Similarly policy INF2 of the JCS (Submission Version) seeks to protect the safety and efficiency of the transport network.

4.9 The above local plan policies in respect of conserving the natural environment and supporting renewable energy are considered to be consistent with the NPPF and are therefore considered to have significant weight. The JCS Submission Version policies detailed above are also considered to be consistent with the NPPF and as such should be accorded some weight.

5.0 Analysis

5.1 The main issues in this case are considered to be the principle of the development and its effect on the landscape character and visual amenity of the area.

Principle of development

5.2 The NPPF states that 'Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.' When determining planning applications, local planning authorities are advised that they should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and
- approve the application if its impacts are (or can be made) acceptable.

5.3 Planning Practice Guidance (PPG) on 'Renewable and low carbon energy' advises inter alia, that the need for renewable energy does not automatically override environmental protections and that local topography is an important factor in assessing whether large solar farms could have a damaging effect on landscapes and recognise that the impact can be as great in predominantly flat landscapes as in hilly or mountainous areas. It also sets out particular factors a local planning authority (LPA) will need to consider which includes encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value. Where a proposal involves greenfield land, an LPA will need to consider, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use and/or encourages biodiversity improvements around arrays.

5.4 Furthermore, the UK Solar PV Strategy (2013) sets out four guiding principles for solar PV, the third of which states, amongst other things, that solar PV should be appropriately sited with proper weight being given to environmental considerations such as landscape and visual impact. Following publication of this strategy, the Minister for Energy and Climate Change produced a letter dated 1st November 2013 indicating that *..Inappropriately sited solar PV is something that I take extremely seriously and I am determined to crack down on*'.

5.5 The provision of renewable energy development is encouraged in local plan policies EVT1 of the local plan and INF6 of the JCS Submission Version, as detailed above, but subject to the need to protect the quality of designated landscape areas. This site lies within the designated SLA, which provides a foreground setting for the adjacent Cotswolds AONB.

5.6 The panels would be connected to the national grid and it is anticipated that they would generate up to 4.0MW of power. The panels would be erected for a period of 25 years and would see renewable energy (RE) fed into the grid, thus representing a contribution to the UK's renewable energy targets. The Planning Statement states that the energy generated would be sufficient to power 1100 homes and would save up to 2379 tonnes CO₂ per year.

5.7 These benefits would accord with the NPPF's renewable energy provisions, which indicate that the delivery of renewable, low carbon energy is central to the economic, social and environmental dimensions of sustainable development and that local communities have a responsibility to contribute to the generation of such energy amongst other things.

5.8 Notwithstanding these benefits, it is necessary however, as advised in the PPG to consider the effect of the proposal on the landscape and visual amenity of the area and whether it has been demonstrated that development of agricultural land is necessary and, if so, whether it has been shown that land of poorer agricultural quality has been chosen in preference to higher quality land. Both of these issues are considered below.

Sequential assessment

5.9 As detailed above, it is necessary to consider whether it has been demonstrated that development of agricultural land is necessary and, if so, whether it has been shown that land of poorer agricultural quality has been chosen in preference to higher quality land. A sequential analysis has been undertaken in support of the application. The 'sieve' map produced has identified that there are large areas of the Borough that do not have any available capacity to allow new generation to be embedded into the National Grid. Site selection is driven primarily around a number of important criteria:

- Availability of capacity on the National Grid
- Distance from the solar park to the 66kv overhead powerline.
- Proximity of important designations such as SSSIs, AONBs, listed buildings, SAMs, SACs and registered parks and gardens.
- Agricultural land classification
- Other issues; proximity to flood zones, underground pipelines etc

In terms of previously developed land (PDL) the search has revealed that no land has been identified that would be suitable for a similar size scale farm or even two or three smaller solar parks.

5.10 The site comprises a mix of undifferentiated Grade 3 agricultural land but a soil analysis of the site gives it a land grading of 3b. There is only a small percentage of Grade 4 agricultural land in the Borough. The applicant points out that the land during the operation of the solar farm would be grazed by sheep and the land now is currently used to grow energy crops. It is argued that there would be no loss of food production and no net loss of agricultural land. Furthermore it is argued that the landowner would be incentivized within the lease option to ensure that sheep grazing continued for the duration of the 25 years.

5.11 In conclusion, the assessment demonstrates that there are no available or suitable areas of PDL, nor sites of lower quality agricultural land (Grade 4 or 5), suitable for the proposed solar park development.

Effect on landscape character and visual amenity of the area

5.12 One of the core planning principles of the NPPF sets out that the planning system should recognise the intrinsic character and beauty of the countryside. Section 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, inter alia, protecting and enhancing valued landscapes. Policy LND2 of the Local Plan states that special attention will be accorded to the protection and enhancement of the Special Landscape Area and that proposals must demonstrate that they do not adversely affect the environment, its visual attractiveness, wildlife or ecology or detract from the quiet enjoyment of the countryside. The reasoned justification to Policy LND2 explains that the identification of the Special Landscape Area aims to protect the foreground setting of the Area of Outstanding Natural Beauty (AONB) where the topography of the area is a continuation of the AONB and/or where the vegetation associated features are characteristic of the AONB. The Special Landscape Area is of a high landscape quality that is worthy of protection in its own right, but it also protects the setting of the nationally designated AONB. It is considered that policy LND2 is consistent with the NPPF and should be afforded considerable weight.

5.13 The application site occupies part of the Teddington and Greet Vale that forms a distinct embayment of the wider Severn and Avon Vale to the east. This open vale landscape is surrounded on three sides by higher ground of the Cotswold Scarp and outlying hills. The site is approximately 0.5km from the Area of Outstanding Natural Beauty (AONB) boundary to the south at the base of Dixon Hill and some 1.25km from the AONB boundary to the north at the base of Alderton Hill. The Cotswold AONB Management Board has published a position statement relating to development in the setting of the AONB and this proposal has the potential to influence the natural beauty and special qualities of the AONB.

5.14 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application which concludes that the proposed development would be visually well contained in views from many potential viewpoints by the intervening landform, surrounding settlement and vegetation pattern, and its visibility would be limited to a local viewpoints directly overlooking the site, together with a few, longer distance views from elevated viewpoints within the Cotswolds AONB. Given the limited contribution that the development site makes to the quality of the SLA, it is considered that its development would only have a very limited impact on the AONB. The proposed development would be very hard to recognise within the vale itself. From higher ground the solar park would be seen as a darker area within a landscape of varied colours.

5.15 The submitted Planning Statement further concludes that both the LVIA and the DAS demonstrate that the proposed development would be acceptable in terms of landscape impact and accords with the NPPF, as well as the relevant Local Plan development control policies. Whilst the LVIA recognises there would be an adverse impact in the change in the rural character of the site, from agricultural use to one dominated by energy infrastructure, this change would be both temporary and largely confined to the two fields that comprise the site. In terms of wider local impacts, the site would be partially visible from a number of nearby properties at Lower Stanley Farm and the closest properties to the site within Gretton Fields. However, most views into the site would be oblique and obscured by existing and proposed planting. Owing to the relative flat topography of the site and the surrounding area, views into the site would be dependent upon seasonal variations. The degree and extent of the existing hedgerows and the proposed planting detailed within the landscape and ecological management plan would over a period of time obscure views into the site from surrounding residential properties. The southern boundary edge of the site would be reinforced with additional planting that would (after a period of 5-7 years) restrict views into the site. Views from the surrounding Public Rights of Way (PROW) network would be impacted by the development but in most cases height management and reinforcement of hedges would provide good mitigation of these impacts. The existing western boundary hedgerow provides a dense screen into these fields. Further planting where required would limit views further. The impact of the development to these users would have some significant impact, although temporary as they walk along this footpath heading north or south.

5.16 The Council's Landscape Consultant concludes that the proposed mitigation would do little to screen the proposed development in elevated views from the AONB. There is no precedent in this distinctive vale landscape for development of this type or scale. Whilst the field pattern would be retained, the angular form, texture and colour of the solar farm and the fact that there would be no seasonal variation would be notable. Whilst the proposed mitigation in association with existing coalescing vegetation would be effective in screening views of the proposed development from vantages within the vale, the proposed mitigation would not be effective in screening views of the solar farm from elevated vantages in the AONB (most notably but not limited to Langley Hill). These views include those from valued long distance footpaths within the Cotswolds AONB. Views across the Teddington and Greet Vale to the Cotswold Scarp or to outlying hills are distinctive and characteristic. From here the proposed development would be conspicuous in its scale, form, texture and colour. The proposed development is in and contributes to the setting of the AONB and would represent an incongruous and sometimes prominent detracting feature in elevated views across an open settled pastoral landscape. Views across this landscape are a distinctive and characteristic feature of the AONB at this point. The development would impact upon the special qualities of the AONB. The proposed development would be incongruous and without precedent in terms of scale, colour, texture, geometric form and lack of seasonality in the context of local landscape character and would be inconsistent with Policy LND2. The intervening pastoral vale also plays an important role in providing the foreground setting to the AONB and the proposed development is likely to be prominent and incongruous in those views.

5.17 In response to the concerns raised by the Landscape Consultant, a supporting Landscape Report was submitted with accompanying revised drawings and plans to reflect the updated planting recommendations. In essence additional mitigation measures are proposed including an increase to the size and number of trees along the southern boundary.

5.18 The Landscape Consultant considers that the proposed planting, establishment and management proposals would deliver an effective and suitable boundary to the development that would fit with its surroundings and effectively screen views of the solar farm from the immediate surroundings within the vale

(Teddington and Greet Vale) but his opinion remains that there would be numerous views from more elevated vantages in which the proposed development would appear conspicuous and that the proposed development is not characteristic of this relatively small embayment of the Severn and Avon Vale.

5.19 As detailed in the representations section above, the Cotswolds Conservation Board also objects to the application on the grounds that it would clearly feature in a variety of public viewpoints from the AONB and would result in a clear change in landscape character with the typical agricultural scene being replaced by the urbanising/developed influence of a solar farm with its panels and associated equipment.

5.20 In conclusion, it is considered that a development of this scale and form would represent harm in terms of both elevated views from the surrounding AONB and in terms of the rural character of the vale. This is a "valued" landscape and falls within paragraph 109 of the NPPF. The residual effects associated with the proposed solar farm would cause harm to the Special Landscape Area and to the setting of the AONB. Whilst the proposals have gone a long way to mitigate local views from within the vale itself and from the lower slopes of the AONB, there would still be residual landscape and visual harm from more elevated vantages, including from valued long distance walking routes within the AONB. This significant harm needs to be weighed in the planning balance against the benefits of the scheme.

Impact on Heritage Assets

5.21 The NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also advises that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

5.22 There are a number of designated heritage assets within the local area including a Grade II listed property known as Glenbrook and 2No scheduled ancient monument at Dixton and Oxenton Hill (Knolls Camp) together with other heritage assets located further afield. The submitted Heritage Assessment does not consider the impact on a solar farm in this location to have a serious or detrimental impact. A detailed analysis of these features and other heritage assets within the immediate area concludes that the siting of the solar farm would not have a detrimental impact to the character and setting of the listed buildings or the adjacent scheduled monuments. The Conservation Officer does not dispute the conclusions of the assessment.

5.23 Following the conclusions of the Heritage Desk Based Assessment which confirmed that the locality is archaeologically sensitive, the County Archaeological Officer (CAO) recommended that an archaeological field evaluation should be carried out prior to determination of the application. Such an evaluation has now been carried out and the CAO advises that the results of the geophysical survey and archaeological evaluation were positive, in that these investigations revealed an area of later prehistoric and Roman settlement located in the north-eastern part of the application site. Within the area of archaeological interest, it is proposed to minimize any ground intrusions into the archaeology by placing the foundations for the array supports on top of existing ground level, and by limiting the depth of any cable trenches so that these will be above the level of archaeological interest. The CAO considers that these proposals for mitigation of the development would minimise any impacts on archaeology. As such no objection is raised to the application subject to a condition being attached in order to secure the archaeological mitigation measures.

Ecology

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

5.25 The application has been supported with an Ecological Appraisal Report which identifies that the site is not located in any international or national areas of conservation importance. Dixton Wood SSSI and a Special Area of Conservation (SAC) are noted to the west of the site. The SAC is a wooded habitat where a protected species of beetle known as the Violet Click Beetle is known to inhabit. There are no other nationally or locally designated ecology assets within a 5km radius of the site. The report concludes that the majority of the site, being improved grassland, has little bio-diversity floral interest being dominated by agricultural grass species. The hedgerows and trees on the site are considerably more florally diverse, apart from a small area dominated by thorn and also offer potential habitats to mammals, birds and invertebrate species. The trees have moderate potential for bats roosts and high potential for nesting birds and the hedgerows would also

provide a foraging habitat. There is a moderate potential for the site, particularly hedgerows and long grass, to support reptiles and hazel dormouse and a low to moderate potential to support great crested newt foraging.

5.26 There is a water body located within the far north west corner of the site that is at the confluence of two watercourses running along the boundary to the site. This pond feature is currently over shaded by trees and vegetation. The report does identify this feature as having potential to improve biodiversity in this area. It is proposed that some limited clearance will occur to larger overhanging branches to allow more natural daylight into the site. It is also proposed to provide a more gradual incline into the edges of the pond to allow reptiles and aquatic creatures to breed and reside within the outer limits of this pond feature. During the lifetime of the solar park intermittent clearance of vegetation around the pond would ensure that plants do not encroach into the pond. The report also recommended that additional studies of this pond and adjacent ponds to the site are undertaken to record any present of Great Crested Newts.

5.27 Further surveys have been undertaken and a Great Crested Newt (GCN) and Water Vole (WV) Survey Report have been submitted. The GCN report concludes that based on the current development plans and survey results it is not deemed necessary for a great crested newt development licence in relation to the proposed development. It is however, highly recommended that a Method Statement for great crested newts is developed and followed during the construction process. This would ensure that works are undertaken in accordance to best practice to avoid potential harm to great crested newts. In terms of the WV report it concludes that no evidence of water vole was found in either the pond or the ditch surveyed. The ditch did not provide optimal habitat due to the lack of marginal vegetation, and the presence of brown rats around the pond reduces the likelihood of water vole using this waterbody. It is therefore thought that water vole are absent from this site.

5.28 Subject to appropriate planning conditions to secure protection of existing habitats, biodiversity enhancements and mitigation as necessary the proposed development is therefore considered to accord with the NPPF and policy NCN5 of the Local Plan.

Flood risk

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

5.30 Detailed discussions have been held with the LLFA in respect of Flood Risk and the proposed SUD's drainage strategy and following these discussions a revised FRA and Sustainable Drainage Strategy has been submitted. The FRA has investigated the mechanisms for flooding at the site and has identified that the developable area is not at any direct risk of flooding. The area for the development of the panels and associated infrastructure is in Flood Zone 1 (low risk) and as such the report has focused on reducing the risks associated with surface water runoff. However, it is noted that part of the site to the north is located within Flood Zone 3 but no development is proposed in this area. The FRA concludes that the impermeable area created by the development is very small, relative to the site area and as such would have a small impact on the runoff rates from the site. The SuDS scheme proposed would effectively reduce the runoff rate to less than the undeveloped (current) runoff rates, as storage capacity on site would be improved. A swale and attenuation basin system is proposed to allow the interception, redistribution and limitation of the flows from across the site to less than the existing greenfield discharge rate. The FRA considers that if the recommendations made in the report are followed during the development of the site, there would be a reduction in the surface water discharge rate from the site and therefore flood risk would be minimised. The proposed module layout has also been amended to reflect design changes to the SuDS layout.

5.31 The LLFA previously objected to the application due to insufficient detail provided in the FRA and Drainage Strategy. Following further correspondence with the applicant and their subsequent resubmission of a revised FRA and SuDS design for the site the LLFA has now confirmed that the revised proposal, based upon the surface water management proposals for the site, is acceptable subject to a condition to ensure that the scheme is completed in accordance with the revised details.

Access and Highway Safety

5.32 Section 4 of the NPPF states that decisions should take account of whether safe and suitable highway access is provided and that development should only be prevented or refused on transport grounds where the residual cumulative impact of development are severe.

5.33 Vehicular access is proposed via an existing field access point off Gretton Fields Road which would then follow a newly installed gravel access track. The application is also supported with a Construction Environmental Method Statement (CEMS) and Traffic Management Plan (TMP). The submitted Planning Statement concludes that there would be some impact on the local highways network during the construction phase but that any potential highways hazards and conflicts would be mitigated. It is argued that the road leading into the site is already utilised by a road haulage company (Gilders Transport) and a large lorry depot is located in very close proximity to the site.

5.34 The County Highways Officer (CHO) has commented that the TMP indicates the total trip generation associated with the construction phase of the development as being 168 movements by Large goods vehicles. It is intended that a maximum of 5 large goods vehicles would be on site at any one time. In addition there would be an unspecified number of additional vehicles associated with construction operatives accessing the site. After construction, routine care and maintenance of the array would require a site visit by a technician approximately once per week in a light van. The level of additional vehicle movements associated with the proposal during the construction phase and future care and maintenance are not felt to present a significant impact on the local highway network. The proposed access route is to be supported by the provision of temporary signage indicating the required route to be taken from the M5 by delivery vehicles. CHO raises no highway objection to the development subject to conditions being imposed relating to implementation of the construction method statement; construction of access and provision of visibility splays.

Residential Amenity

5.35 The nearest residential properties are located at Alderton Fields and Gretton Fields to the east and converted farm buildings at Lower Stanley Farm to the south. The Planning Statement acknowledges that there would be some effect on longer-term views for a small number of residents located to the south and east of the site. It concludes that whilst dust and noise would occur during construction, it is considered that the site is sufficiently distant from any residential property such that these temporary impacts would not be significant. It is recognised that the construction process would require careful traffic management to avoid causing a nuisance to residents both in terms of congestion and noise. The Noise Impact Assessment concludes that noise would not be discernible at nearby residential properties during the operational phase and as such the development would not result in any loss of amenity for local residents.

5.36 The Environmental Health Officer has advised that he is content with the results and conclusions of the Noise Assessment and as such has no adverse comments to make.

Other matters

5.37 The applicant has advised that members of the local community have formed a community ownership organisation called 'Greenfields Trust' and that subject to planning permission being granted for the solar farm, Greenfields Trust would own the site and be responsible for the day to day management of the solar farm. A letter setting out the terms of a Unilateral Undertaking (UU) has been submitted in support of the application which indicates that the Greenfields Trust would be able to distribute up to £4,060 per year for the 'benefit of local residents' (if the solar farm is operational by March 2016). The applicant believes that this letter demonstrates the acceptance of their proposals within the local community and the strong support for this renewable energy scheme. Whilst it is advised that this document does not form an intrinsic part of the planning submission, the applicant suggests that it does provide strong argument to support the overall planning merits of this proposal.

5.38 Whilst the proposed UU would no doubt provide a financial benefit to the local community, such an agreement would not accord with the provisions of the CIL regulations and as such cannot be given any weight in support of the planning application.

6.0 Overall Planning balance and Conclusion

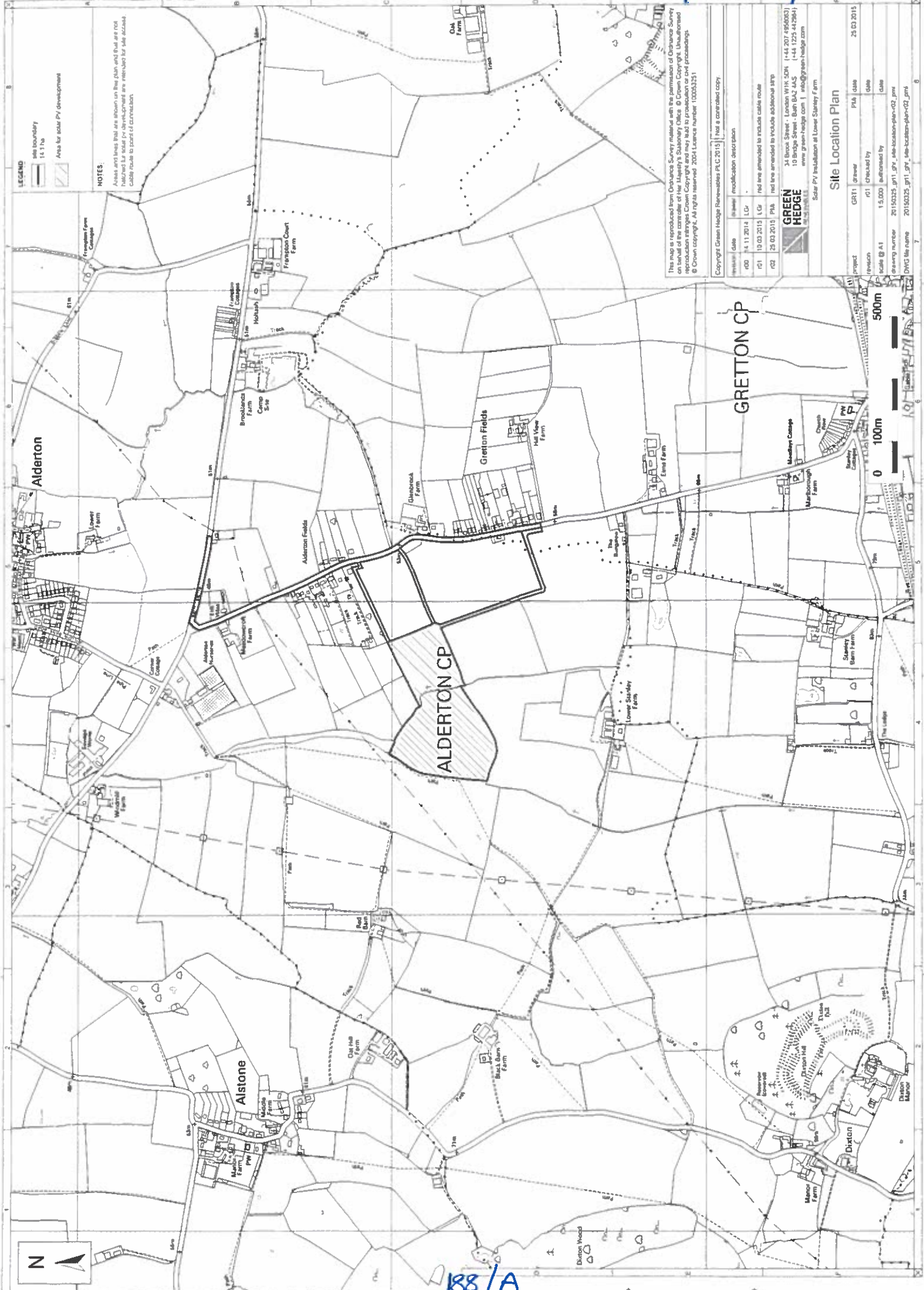
6.1 The economic, social and environmental roles for the planning system, which derive from the three dimensions to sustainable development in the Framework, require that a balancing exercise be performed to weigh the benefits of the proposed solar panels against their disadvantages. The proposed development would make a significant contribution to RE targets and towards the reduction of Greenhouse Gas emissions. It would contribute to the local economy and would have energy security benefits. It would also improve biodiversity and there are considered to be no available or suitable areas of lower quality agricultural land (Grade 4 or 5) suitable for the solar park development.

6.2 Against the benefits of the proposed scheme must be weighed the harm identified to the character and appearance of the SLA and setting of the Cotswolds AONB. The overall conclusion is that it is considered that the harm to the local landscape and wider setting of the AONB would be significant and that the benefits of the proposed development would not be sufficient to outweigh this harm. The proposal would therefore conflict with relevant policies of the Local Plan and emerging JCS and would not accord with the requirements for sustainable development set out in the NPPF. The application is thus recommended for refusal.

RECOMMENDATION Refuse

Reason:

The proposed development by virtue of its scale and form would be harmful to the rural character and visual amenities of the Special Landscape Area and to the setting of the AONB. The proposal therefore does not represent sustainable development within the context of the NPPF and would be contrary to section 11 of the NPPF (Conserving and enhancing the natural environment), Policy LND2 of the Tewkesbury Borough Local Plan to 2011 - March 2006 and Policy SD8 of the JCS (Submission Version) November 2014.



LEGEND

- site boundary
- 15.7 ha
- Area for solar PV development

NOTES

Areas and lines that are shown on this plan and that are not shown on the ground are intended to be used as a guide only and are not intended to be used as a basis for any legal proceedings.

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revision	date	by	description
R00	14.11.2014	LCR	initial
R01	19.03.2015	LCR	red line amended to include cable route
R02	25.03.2015	PHS	red line amended to include additional spp

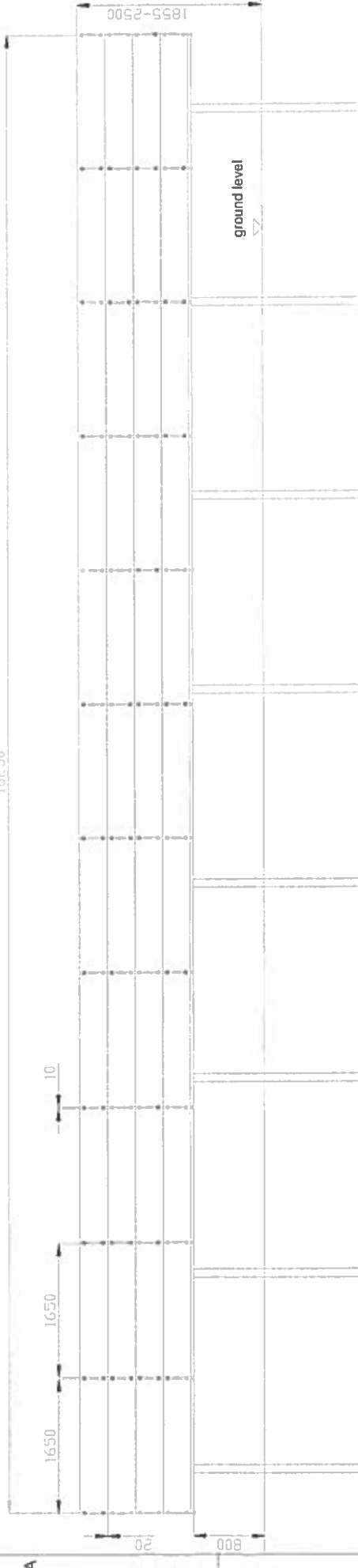
GREEN EDGE
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 10 Bridge Street - Ban EG4 4JG (44 1225 442564)
 www.greenedge.com | info@greenedge.com

Site Location Plan			
project	GRT1	drawn by	PHS
revision	R01	checked by	date
scale @ A1	1:5,000	authored by	date
drawing number	20150235_p01_spl_site-location-plan-r02_r01		
DWG file name	20150235_p01_spl_site-location-plan-r02_r01		
date	25.03.2015		

188/A

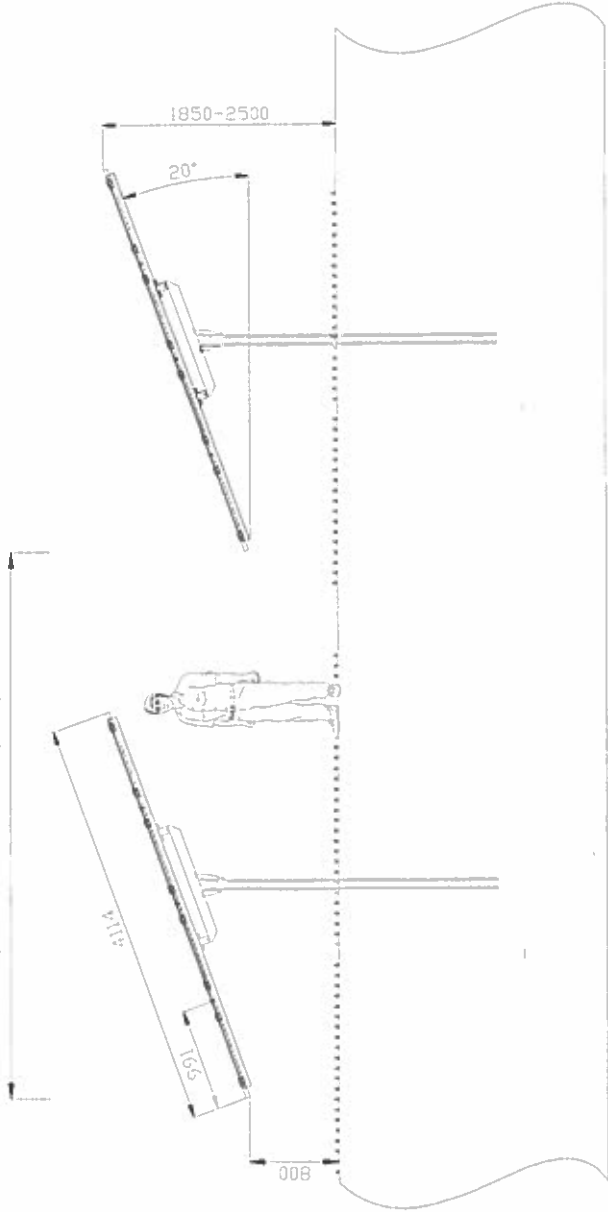
FRONT ELEVATION

18250



CROSS SECTION

approximately 4000 - 5500 depending on ground slope



Technical information

- Foundation**
- galvannead steel profile
 - length and dimensions according to local ground conditions
 - assembling screwed or driven into the ground

Table

- steel / aluminum structure
- each table 4.4 modules
- modules mounted landscape / 4 rows on top of each other
- height of table above ground level to be adjusted according to local requirements

Modules

- crystalline solar modules
- length approx. 1650 x 991 x 40mm
- modules fixed with clamps on sub-structure
- module tilt angle: 20°-30°

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Revision	date	Drawn / modification description
r02	11.03.2015	ABL added front elevation



31 Brock Street London W1K 5DH (+44 207 4954003)
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www.green-hedge.com | info@green-hedge.com

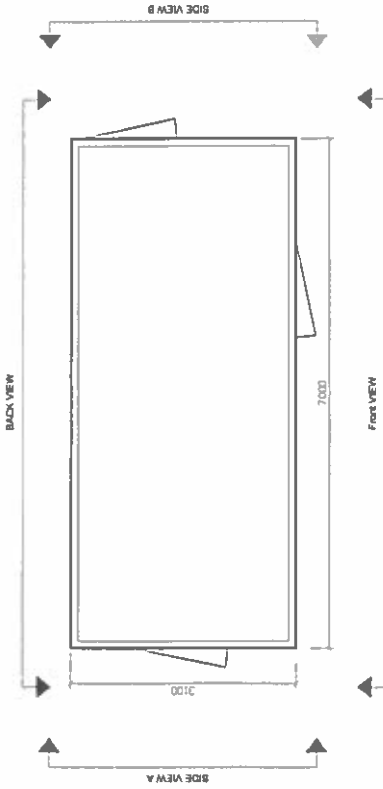
Section Views

PV Table Design

project	g/h	Drawn	ABL	date
	r02			11.03.15
revision	checked by	date		
scale @ A3	1:50	authorised by		
drawing number	20150528_gpr_4x11-pv-table-design-r02_02	date		
DWG file name	20150528_gpr_4x11-pv-table-design-r02_02	date		

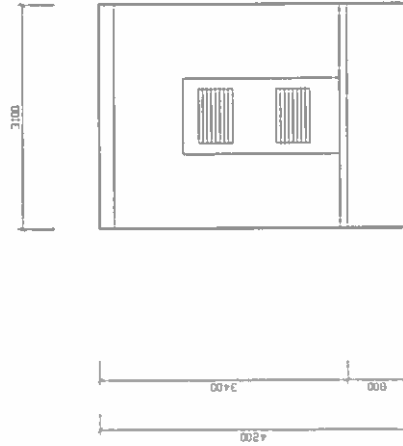
188/C

TOP VIEW

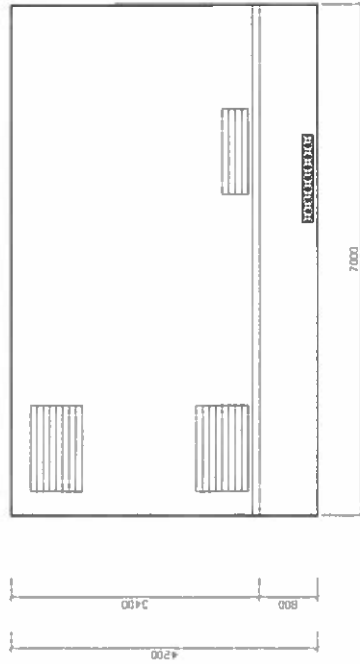


TRANSFORMER / INVERTER STATION
1,000-1,600kVA
 with medium voltage transformer and medium voltage switchgear

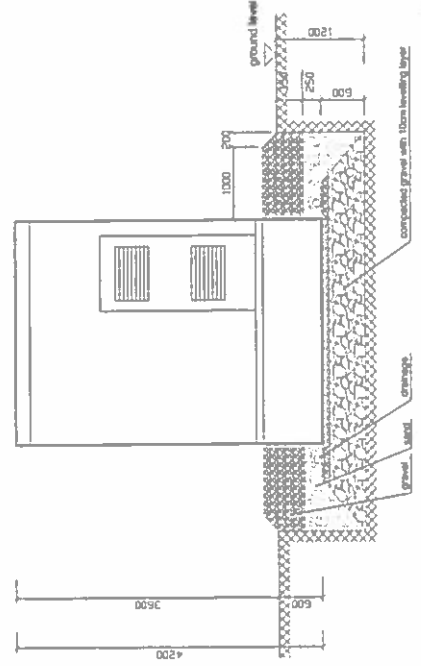
SIDE VIEW A



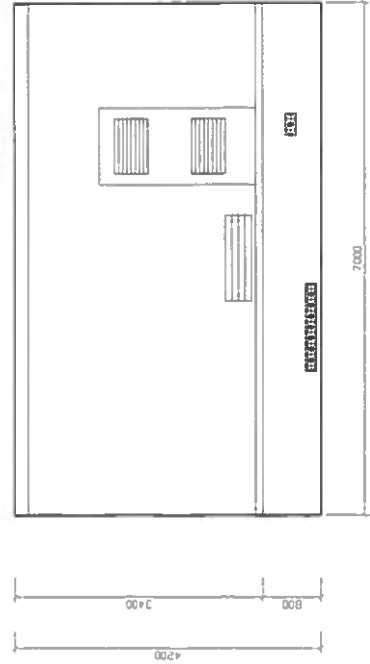
BACK VIEW



SIDE VIEW B WITH SECTION THROUGH FOUNDATION

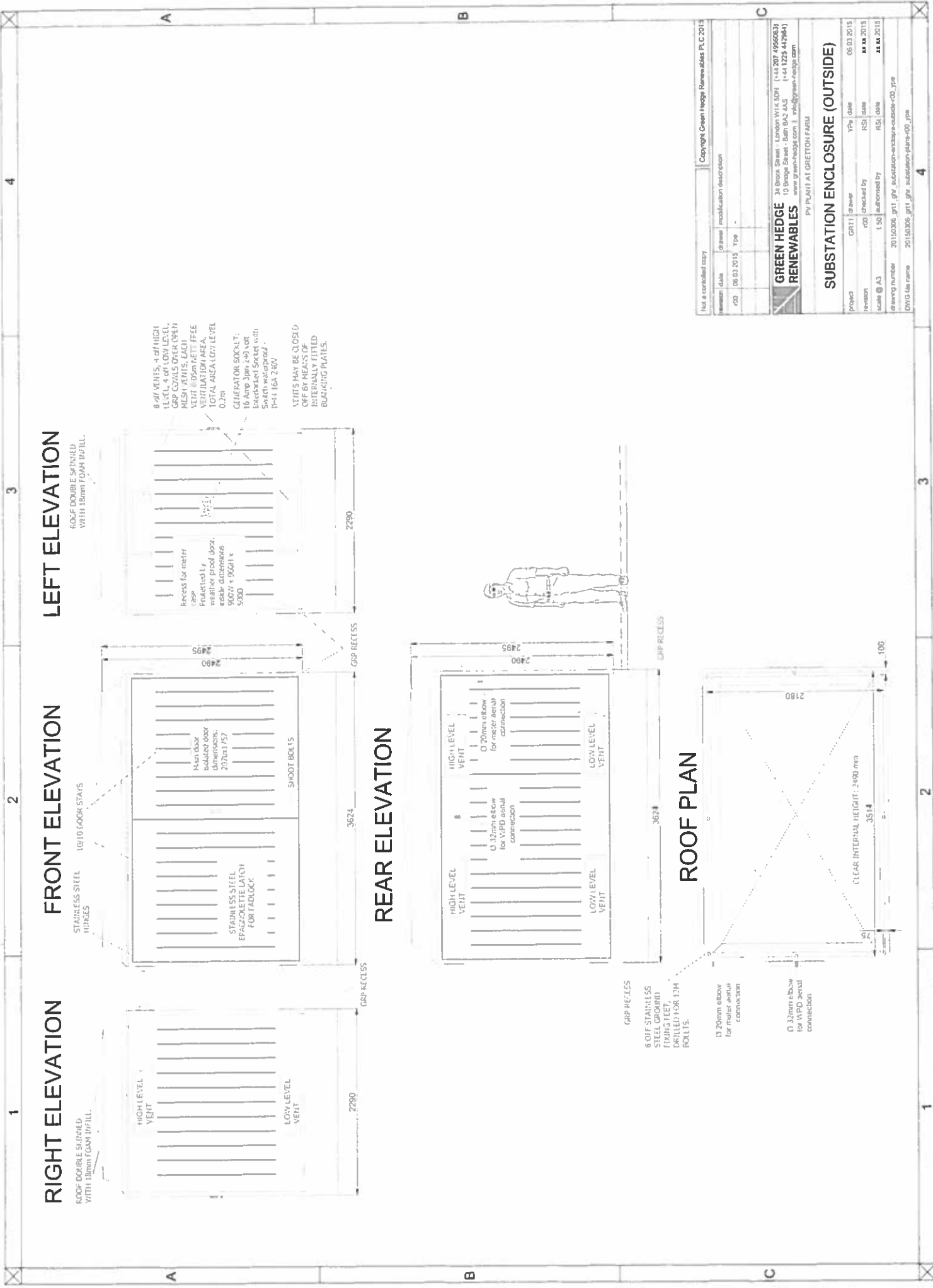


FRONT VIEW



Company: Green Hedge Engineering Pty Ltd		Project: Transformer / Inverter Station	
Date: 11/12/2014	Client: Green Hedge Engineering Pty Ltd	Drawn by: [Name]	Scale: As Shown
Author: [Name]	Check: [Name]	Approved: [Name]	Sheet No: 1 of 1
GREEN HEDGE ENGINEERING 10 Green Drive - Lonsdale VIC 3180 Phone: 03 9499 1111 Email: info@greenhedge.com.au Website: www.greenhedge.com.au			

1881



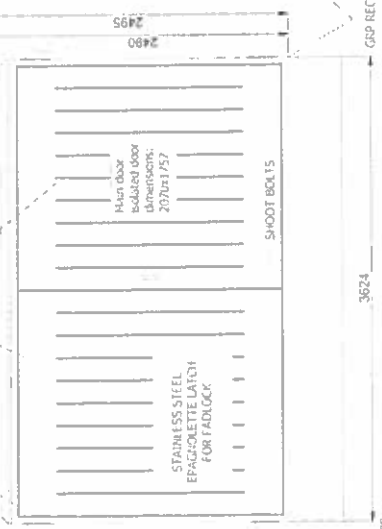
RIGHT ELEVATION

ROOF DOUBLE SKINNED WITH 18mm FOAM INFILL.



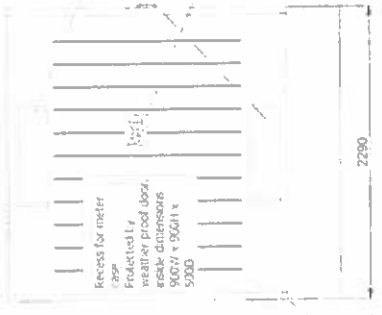
FRONT ELEVATION

STAINLESS STEEL FRAMES 10/10 LOCK STRAPS

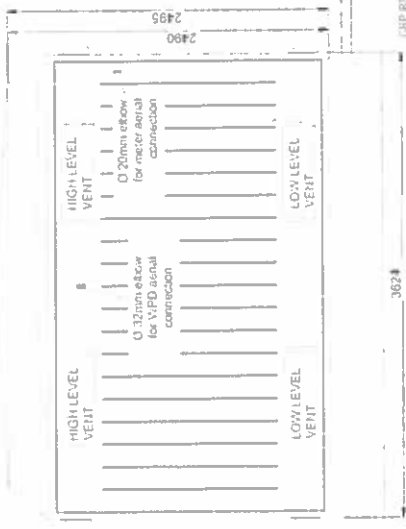


LEFT ELEVATION

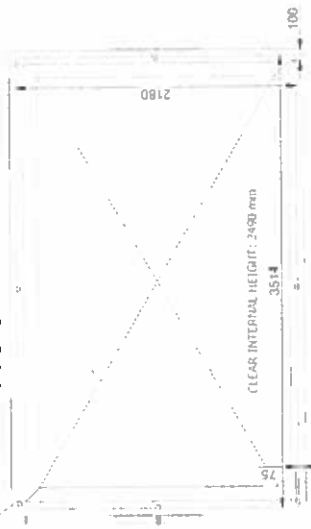
ROOF DOUBLE SKINNED WITH 18mm FOAM INFILL.



REAR ELEVATION



ROOF PLAN



8 off VENTS, 4 off HIGH LEVEL, 4 off LOW LEVEL GRP COVERS OVER OPEN MESH VENTS. LATCH VENT @ 0.5m RETEFEE VENTILATION AREA. TOTAL AREA LOW LEVEL 0.7m²

GENERATION SOCKET: 16 Amp 3 phase, 400 volt, 5000watt socket with 6x4mm waterproof 1PH 16A 240V

VENTS MAY BE CLOSED OFF BY MEANS OF INTERNALLY FITTED BLINDING PLATES.



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Revision	Date	Drawn	Modification description
r00	08.03.2015	YJP	

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PV PLANT AT GRETTON FARM

SUBSTATION ENCLOSURE (OUTSIDE)

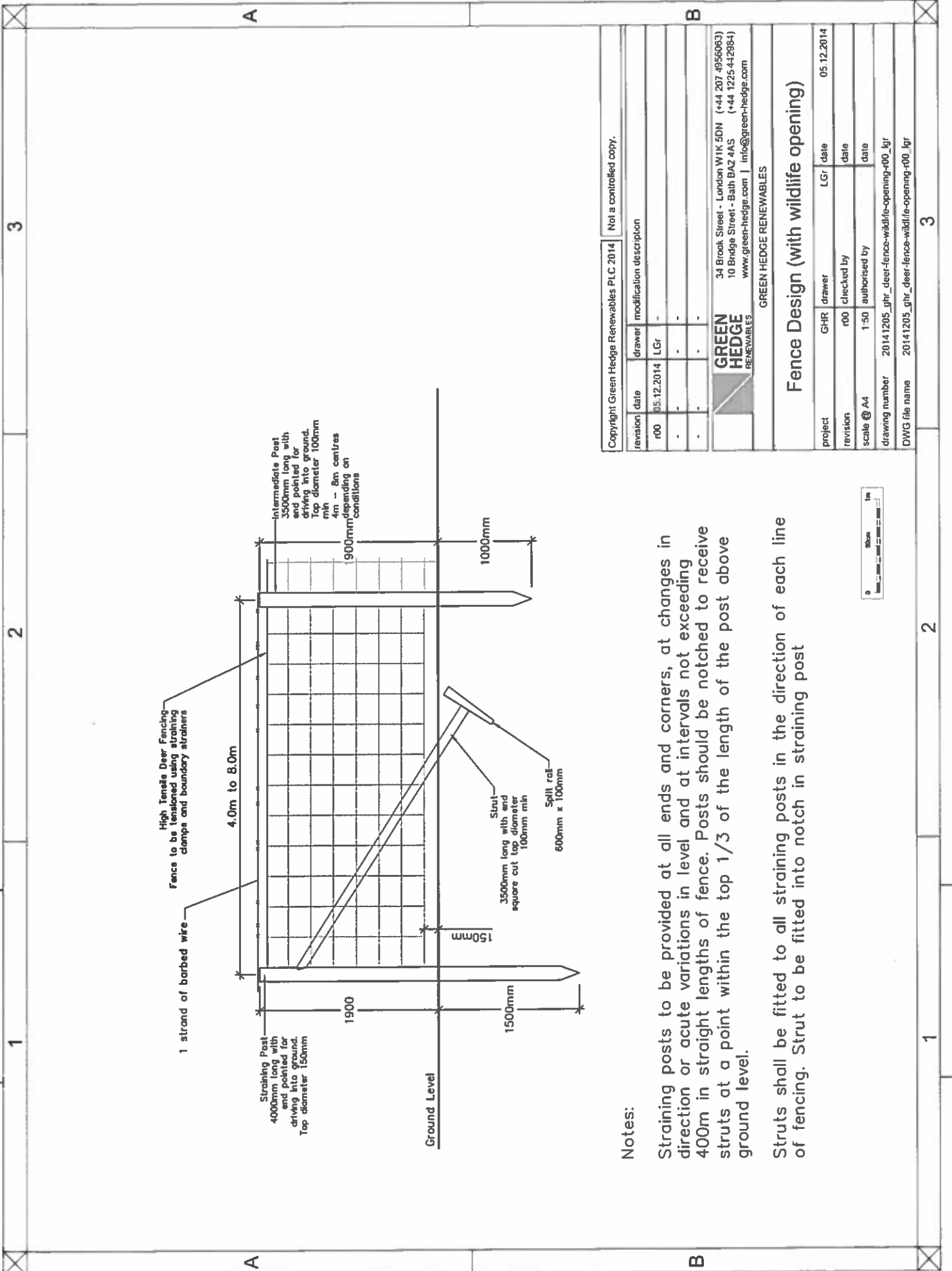
Project	CRT1	Issue	YJP	Date
	r00	checked by	RSJ	06.03.2015
		checked by	RSJ	11.04.2015
		approved by	RSJ	11.04.2015

Scale @ A3 1:50

Drawing number 20150306_grt1_gv1_substation-enclosure-outside-r00_178

DWG file name 20150306_grt1_gv1_substation-enclosure-outside-r00_178

188/E



Notes:

Straining posts to be provided at all ends and corners, at changes in direction or acute variations in level and at intervals not exceeding 400m in straight lengths of fence. Posts should be notched to receive struts at a point within the top 1/3 of the length of the post above ground level.

Struts shall be fitted to all straining posts in the direction of each line of fencing. Strut to be fitted into notch in straining post

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revision	date	drawn	modification description
r00	05.12.2014	LGJ	-
-	-	-	-
-	-	-	-

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GREEN HEDGE RENEWABLES

Fence Design (with wildlife opening)

project	GHR	drawn	LGJ	date	05.12.2014
revision	r00	checked by		date	
scale @	A4	authorised by		date	
drawing number	20141205_gjr_deer-fence-wildlife-opening-r00_lgr				
DWG file name	20141205_gjr_deer-fence-wildlife-opening-r00_lgr				

188/F

Valid 13.06.2015
 Grid Ref 396293 232613
 Parish Teddington
 Ward Isbourne

Erection of a field shelter/stable

Mr Mark Hawkes
 C/o Brodie Manning Ltd

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework (NPPF)
 Tewkesbury Borough Local Plan to 2011 - March 2006: RCN6, TPT1, EVT2, EVT3,
 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)
 Public Right of Ways

Consultations and Representations

Parish Council Object to the proposed development for the following reasons:

- The application is one of a number that the Parish Council believes will change the fundamental character of the hill from one with no buildings (and no evidence of historic agricultural buildings) to one dotted with buildings of various types and quality.
- The Parish Council notes that the proposal falls within the Cotswold AONB and that the nature of the construction constitutes an intrusion and is unsuitable given its location.
- Granting this application will create a precedent that will permanently change the character of the hill.
- The site becomes waterlogged in winter.

County Highway Authority - Refer to standing advice.

5 letters of neighbour representation received raising the following objections:

- The proposal would increase flood risk.
- It would detract from the AONB.
- The land is susceptible to landslip,
- The proposal is for commercial gain and no benefit to local people.
- Gander Lane is not capable of supporting an increase in traffic movements.

10 Letters received stating support for the application.

Planning Officers Comments: Mr Ciaran Power

1.0 Application Site

1.1 This application relates to a site to the south west of the village of Teddington. The land to which the application relates extends to 3.5 hectares currently used for agricultural purposes and grazing of horses. Access is provided off Gander Lane. The site and surrounding landscape is within the Cotswold Area of Outstanding Natural Beauty (AONB) and a Public Right of Way (PRoW) runs along the east of the site. Oxenton Hill extends upwards to the south of the site (**see location plan attached**).

2.0 Planning History

2.1 Planning permission was granted in 2014 for the erection of access track on land adjacent to the application site. This track provides vehicular access to the application site and the applicants have right of access over it.

3.0 Current Application

3.1 This application seeks planning permission for the erection of a stable for a mix of equestrian use and to support the agricultural operation on site. The proposed building would be use to stable two elderly horses

owned by the applicant as well as provide shelter during the lambing season for the applicants 20 registered rare breed Soay sheep. Whilst it is clear the development would on occasion be used for agriculture the proposal would be used for stabling the majority of the time and therefore it is considered that the application should be considered on that basis. The proposed stable would be a L-shaped form and would have a footprint of approximately 55.48m² and ridge height of 4.2 metres. It would be constructed of timber. In would incorporate 3 stables and an open fronted Hay Store. (see proposed plans attached).

4.0 Policy Context

4.1 Paragraph 115 of the NPPF states that 'great weight' should be given to conserving the landscape and scenic beauty of the AONB.

4.2 Section 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, inter alia, protecting and enhancing valued landscapes. It follows that great weight should be given to conserving the landscape and scenic beauty Areas of Outstanding Natural Beauty.

4.3 Section 12 of the NPPF (Conserving and enhancing the historic environment) sets out that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation.

4.4 Policy RCN6 of the Local Plan provides that horse riding facilities must generally be well related to the existing bridleway network and must not have an adverse impact on the landscape, nor must they create local traffic problems.

4.5 Policy TPT1 of the Local Plan sets out that development will be permitted where provision is made for safe and convenient access and where there is an appropriate level of public transport service and infrastructure available.

4.6 The above local plan policies are considered to be consistent with the NPPF.

5.0 Analysis

Principle of Development

5.1 The application seeks permission for a new stable block for use for private purposes only. Policy RCN6, as set out above, does support new horse riding facilities providing that there are no adverse impact on the landscape, residential amenity or create traffic problems. The aforementioned issues are considered in the sub-sections below. The land associated with the development would continue to be used for agricultural use but could also be utilised for riding of horses.

Visual impact on AONB

5.2 The application site is located within the Cotswolds AONB and is therefore in an area of high landscape sensitivity. The proposed stable would be sited in the north eastern corner of the application site where there are existing trees and hedgerow forming part of the sites northern and western boundaries. Whilst land levels on the site and on the surrounding site slope upwards north to south the existing established planting would act as a substantial buffer in reducing the visual impact of the development on distant views from the A435 to the west and Teddington village to the north. In addition this part of the application site is relatively flat before it begins to climb upwards in a southerly direction again. Whilst the building may be partially visible to the north and west it would not be prominent given the established boundary treatments which would help to assimilate it into the landscape. The structure would undoubtedly be visible from the Public Rights of Way network, particularly the PROW which runs along the eastern boundary of the site however it is located approximately 50 metres away at its nearest point. Overall it is not considered that the stable block would result in significant visual harm to the wider AONB landscape due to its siting and design. The proposed stable block is of a design that is common in such AONB locations and the external materials can be controlled through relevant conditions. In addition the proposed dual use of the land is considered acceptable however it is considered that conditions should be imposed prohibiting, jumps being erected, and temporary structures being stored on site.

5.3 Overall, it is not considered that the proposal would result in an unacceptable impact in landscape terms that would warrant the refusal of this application. The application would meet the requirements set out in Policy RCN6 of Tewkesbury Borough Local Plan and Section 11 of the NPPF.

Highway Impact

5.4 The site would be accessed via an existing metalled track permitted in 2014. A stable block could result in 6 trips per day, this would include, feeding and turning out as well as mucking out the stables. These values are based on information supplied in the "Equine Industry Welfare guidelines compendium for Horses, Ponies and Donkeys". The applicants propose to stable their own horses and therefore are for personal use only. In addition the land is also used for the grazing of sheep and due to the lightly trafficked nature of the adjacent highway, daily trips spread throughout the day will not have a significant impact and will not cause a detriment to highway safety. The development would accord with Policy TPT1 of the Local Plan.

Residential Amenity

5.5 The proposed stable would be located some distance from the nearest residential properties and given the likely number of traffic movements it is not considered that there would be a significantly detrimental impact on residential amenities.

Flood Risk

5.6 A number of concerns have been raised by local residents on flooding grounds however the site is located within a low flood risk area and whilst the proposed development would introduce a building, it is of small scale, surrounded by fields and located approximately 260 metres from the edge of Teddington village. It is not considered that the introduction of this development would have a significantly detrimental impact on flooding.

Other matters

5.7 Concern has been raised that the application may set precedent for other similar development in the future; however each application must be assessed on their own merits.

6.0 Summary

6.1 In summary, it is considered that the proposed development would be of an acceptable design and have an appropriate impact on the AONB landscape. The proposals are also considered to have an acceptable impact on the existing highway and surrounding residential amenity. Finally, subject to a relevant condition controlling the private use it considered acceptable in this location. In light of the above, the application is therefore **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 The development hereby permitted shall only be used for agricultural use and / or the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose (other than agriculture) whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.
- 3 No lighting shall be installed in connection with the development hereby permitted other than in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.
- 4 No fences or jumps shall be erected on the site without the prior approval in writing of the Local Planning Authority.
- 5 Prior to the commencement of the development details for the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) shall be submitted to and approved in writing by the Local Planning Authority. Before the development is first brought into use, the works for such storage and disposal shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.

- 6 There shall be no parking of horse boxes, caravans, trailers or other vehicles over night on the site.
- 7 No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site without the prior approval in writing of the Local Planning Authority.
- 8 The proposed external timber shall not be stained or painted and shall be left to weather naturally, unless otherwise approved in writing by the Local Planning Authority.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 To ensure that no commercial business is established without the further consideration of the Local Planning Authority in the interests of highway safety.
- 3 To minimise light pollution in order to protect the AONB and the rural landscape.
- 4 In order to protect the AONB and the rural landscape.
- 5 In the interests of public health and safety, in order to protect the natural environment and prevent pollution.
- 6 In order to protect the AONB and the rural landscape.
- 7 In order to protect the AONB and the rural landscape.
- 8 In order to protect the visual amenity of the rural landscape.

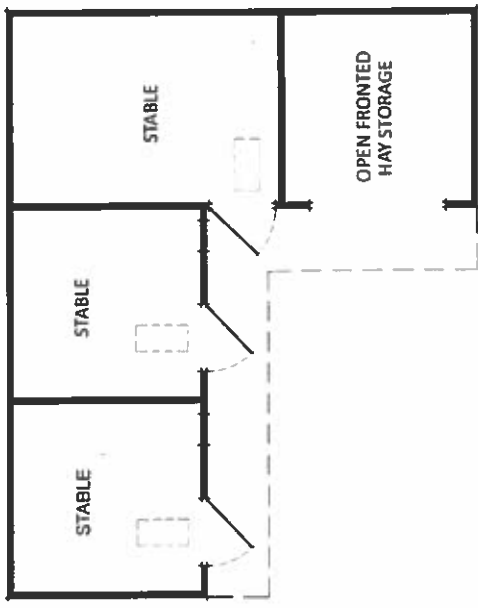
Note:

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.

15/00571/FUL

revision	date	description

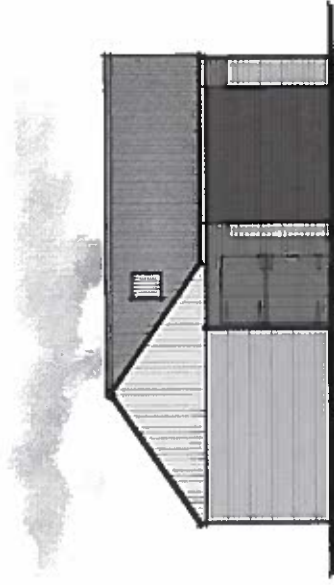


ELEVATION 3

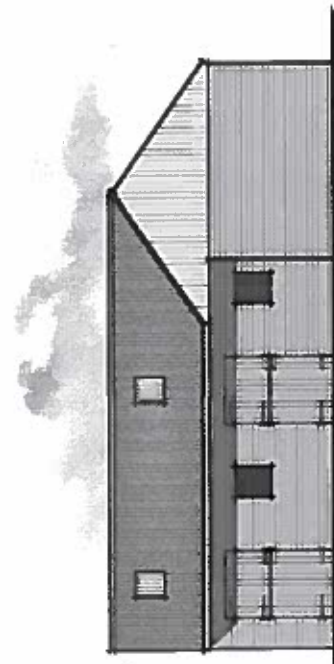
ELEVATION 4

ELEVATION 2

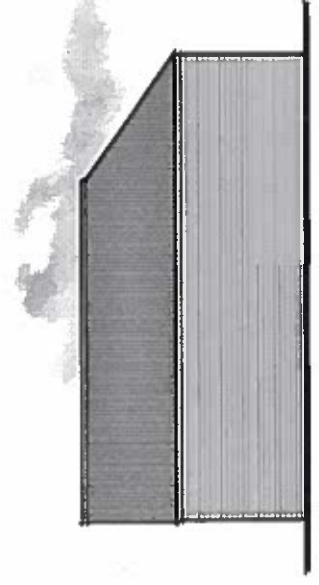
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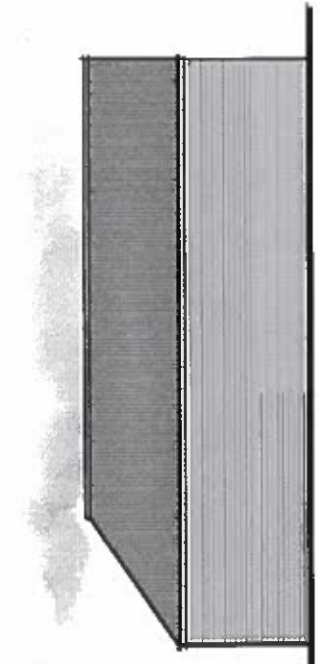
ELEVATION 2



ELEVATION 1



ELEVATION 4



ELEVATION 3

BrodieManning
 Planning, Design & Development
 25 Deacons Road
 Bishop Cleeve
 Chesterham, GL52 8AN
 tel: 01242 890300
 email: info@brodiemanning.com
 web: www.brodiemanning.com

client: Mr Mark Hawkes
 project: Ref: BM090

description: Erection of stable building

location: Willow Bank Fields at Teddington
 Gloucestershire, GL20 6JA

title: Proposed Floor Plan & Elevations

drawing number	scale	date
BM090-002	1:100 @ A3	May 2015

status: **PLANNING** Ø

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192/A

15/00354/FUL

Trovemore, 2 Wainlode Lane, Norton

3

Valid 27.07.2015

Proposed dropped kerb at the front of Trovemore to allow access to park at the front (permeable driveway created)

Grid Ref 385590 224114

Parish Norton

Ward Coombe Hill

Ms Donna Prentis
Trovemore
Wainlode Lane
Norton
Gloucestershire
GL2 9LN

RECOMMENDATION Permit

Policies and Constraints

NPPF

Planning Practice Guidance

Tewkesbury Borough Local Plan to 2011 - March 2006 - TPT1

JCS Submission Version November 2014

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

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Parish Council - Object to the application on the following grounds: concern was expressed regarding visibility. Vehicles parked at the front of Trovemore would restrict the view. Impact on the visual amenity of the area. A precedent may be set.

Local residents -one letter of objection has been received from a local resident. The reasons for objection are summarised as follows:

- Parking at the front of this property would restrict the view.
- Precedent would be set.
- Concerns regarding access as vehicles would have to reverse onto the road.
- Please ensure that visibility requirements are met.

Planning Officers Comments: Mrs Sarah Barnes

1.0 Application Site

1.1 The application relates to Trovemore (2 Wainlode Lane) a detached dwelling located in Norton (**site location plan attached**).

2.0 Planning History

2.1 There is no recent / relevant planning history.

3.0 Current Application

3.1 The application seeks planning permission for a dropped kerb outside the front of Trovemore to allow access to park at the front of their property (**plans attached**). The proposal also includes the creation of a permeable driveway with space for one car. There is currently no front road access but there is a garage and parking space at the rear, (accessible from the dwellings rear entrance).

4.0 Policy Context

4.1 Section 7 of the NPPF makes it clear that the Government attaches great importance to the design of the built environment.

4.2 Policy TPT1 of the Local Plan states that development will be permitted where highway safety can be provided to an appropriate standard which would not adversely affect the safety or satisfactory operation of the highway network, nor cause an unacceptable loss of amenity to users of adjacent land.

5.0 Analysis

5.1 The main planning issues to be considered in this application are highway safety and visual amenity.

Visual Amenity

5.2 The Parish Council have raised concerns about the impact on the visual amenity of the area and the precedent that may be set. The Parish Council identified this viewpoint on their village plan as one of the most important in the area and the original layout was conceived to protect the attractive appearance of the frontages and the views beyond. The Parish Councils concerns are noted, however, the proposal would only create one parking space at the front and only a relatively small part of the front garden (3.5m by 5.5m plus a turning area) would be changed to a permeable parking area. The rest of the front garden would remain as grass. This dwelling is also located at the end of the row with fields adjacent to the (west) so the openness of the area would not be lost by the addition of one parking space at the front. Overall, it is considered that the impact on the visual amenity of the area would not be harmful or unacceptable.

Highways

5.3 Concerns have been raised from a local resident and the Parish Council regarding visibility and access. The County Highways Officer has been consulted and has raised no highway objections. The additional plans that were submitted show that there would be adequate visibility. It is considered that vehicles making a right or left hand turn from Old Tewkesbury Road onto Wainlode Lane would be likely to be travelling at a low speed due to the junction layout. The proposed access would also be greater than 20m from this junction so therefore it is considered that the eastbound visibility splay would be sufficient.

5.4 There would also be sufficient space to enable a vehicle to leave and enter the highway in forward gear. The proposed access with drop kerb would therefore provide for a safe and suitable access and would not have an adverse impact on highway safety.

Other Issues

5.5 Concerns have also been raised about the precedent that may be set from this proposal. Each application is however assessed on its own merits.

6.0 Conclusion

6.1 Overall, it is considered that the proposal would result in a scheme that would have an acceptable impact on the visual amenity of the area and would be acceptable in terms of highway safety. The proposal would therefore accord with the NPPF and Policy TPT1 of the Local Plan and is **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 (1) Before the driveway hereby permitted is brought into use the vehicular access from Wainlode Lane shall be laid out and completed with the visibility splays extending eastbound from a point 2.4 m 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 at least 49m distant (the Y point) and westbound 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road at least 32.3m distant (the Y point) . 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 m and 2.0 m at the X point and between 0.26 m and 2.0 m at the Y point above the adjacent carriageway level.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph(s) 32 and 35 of the NPPF and TBC LP Policy TPT1.

Notes:

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

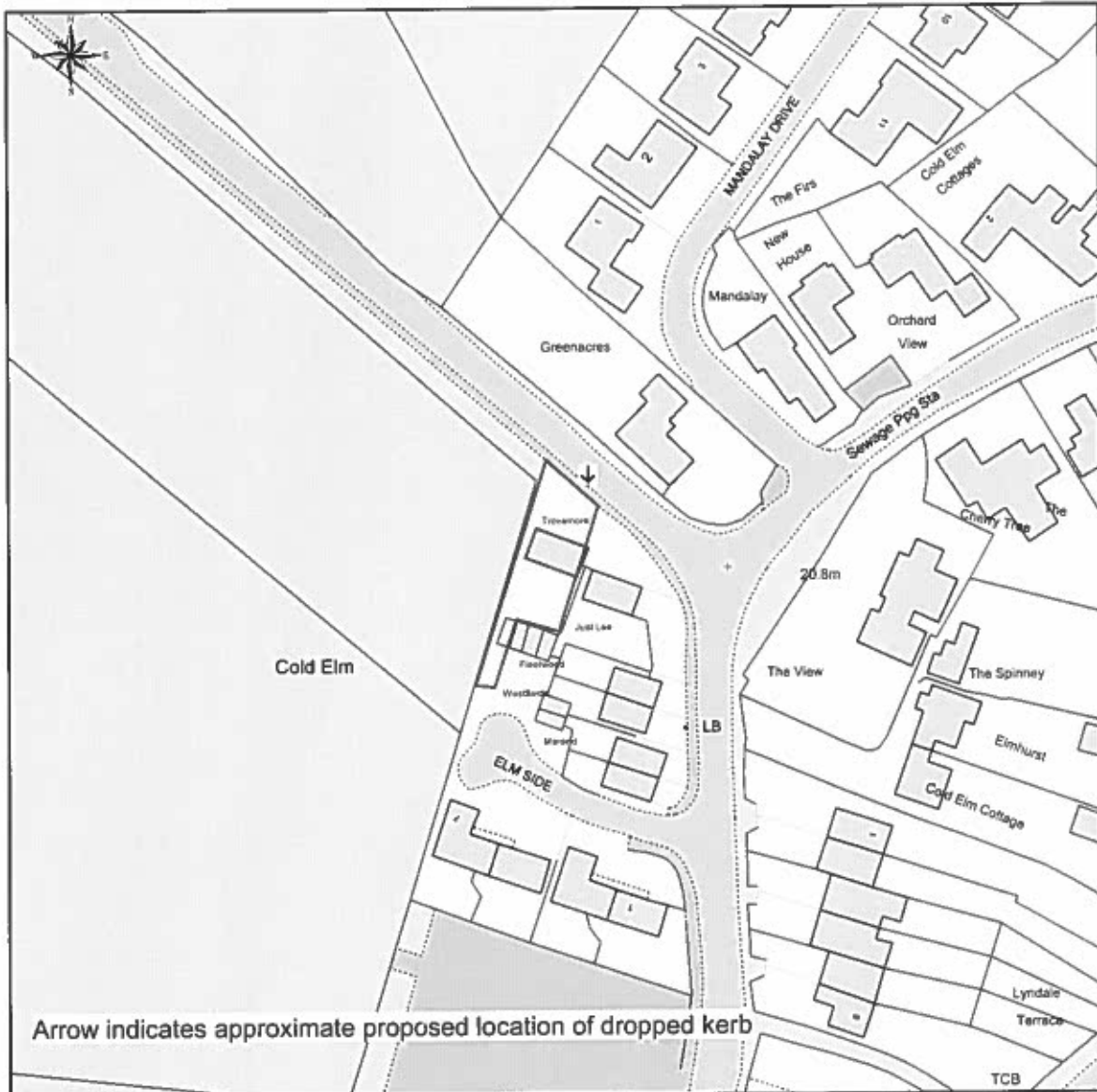
In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received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

- 2 This decision relates to the additional plans received by the Local Planning Authority on the 27.7.2015.

- 3 The proposed development will require works to be carried out on the public highway together with creating a vehicle crossing and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including appropriate bonds) with the Local Highway Authority (Gloucestershire County Council), before commencing works on the development. Further details can be viewed at <http://www.gloucestershire.gov.uk/mfgs>

15/00354/fal

Location Plan of GL2 9LN



Arrow indicates approximate proposed location of dropped kerb

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Scale: 1:1250, paper size: A4

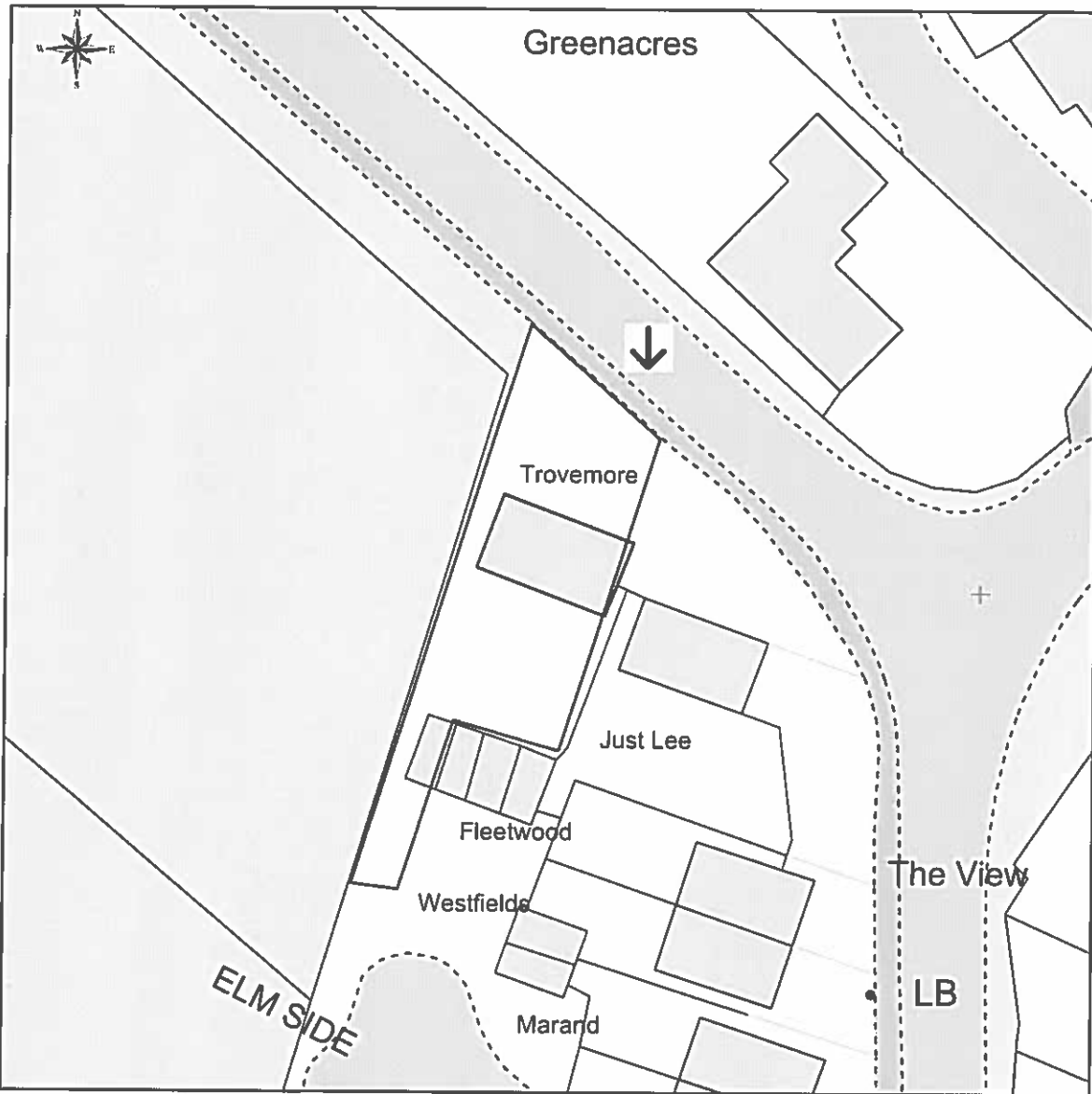
195/A

plans ahead by emapsite™

Prepared by: Donna Prentis, 18-04-2015

15/00354/hel

Site Plan/Block Plan of GL2 9LN



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0m 5m 10m 15m 20m 25m 30m 35m 40m

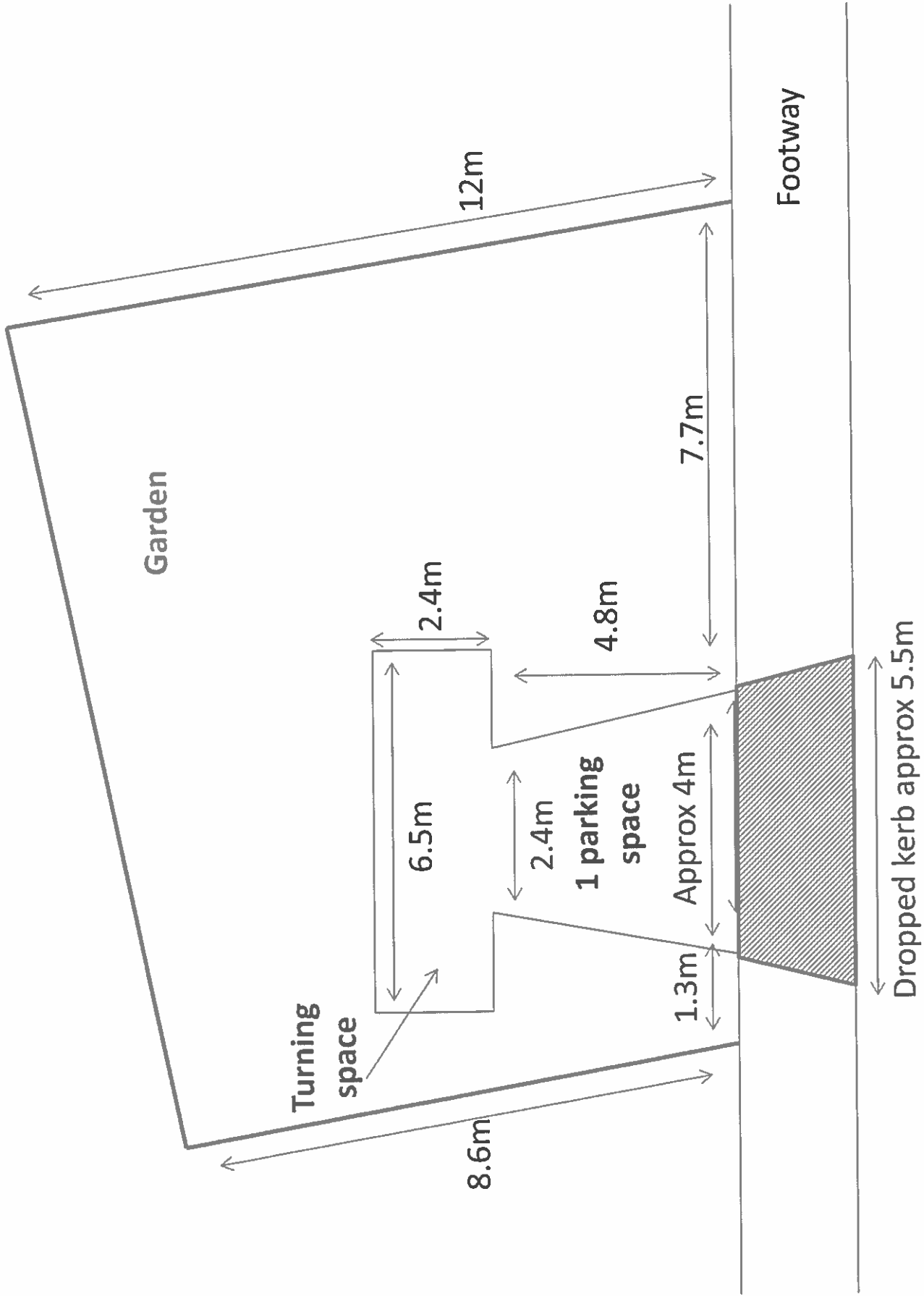
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195/B

plans ahead by **emapsite™**

Prepared by: Donna Prentis, 18-04-2015

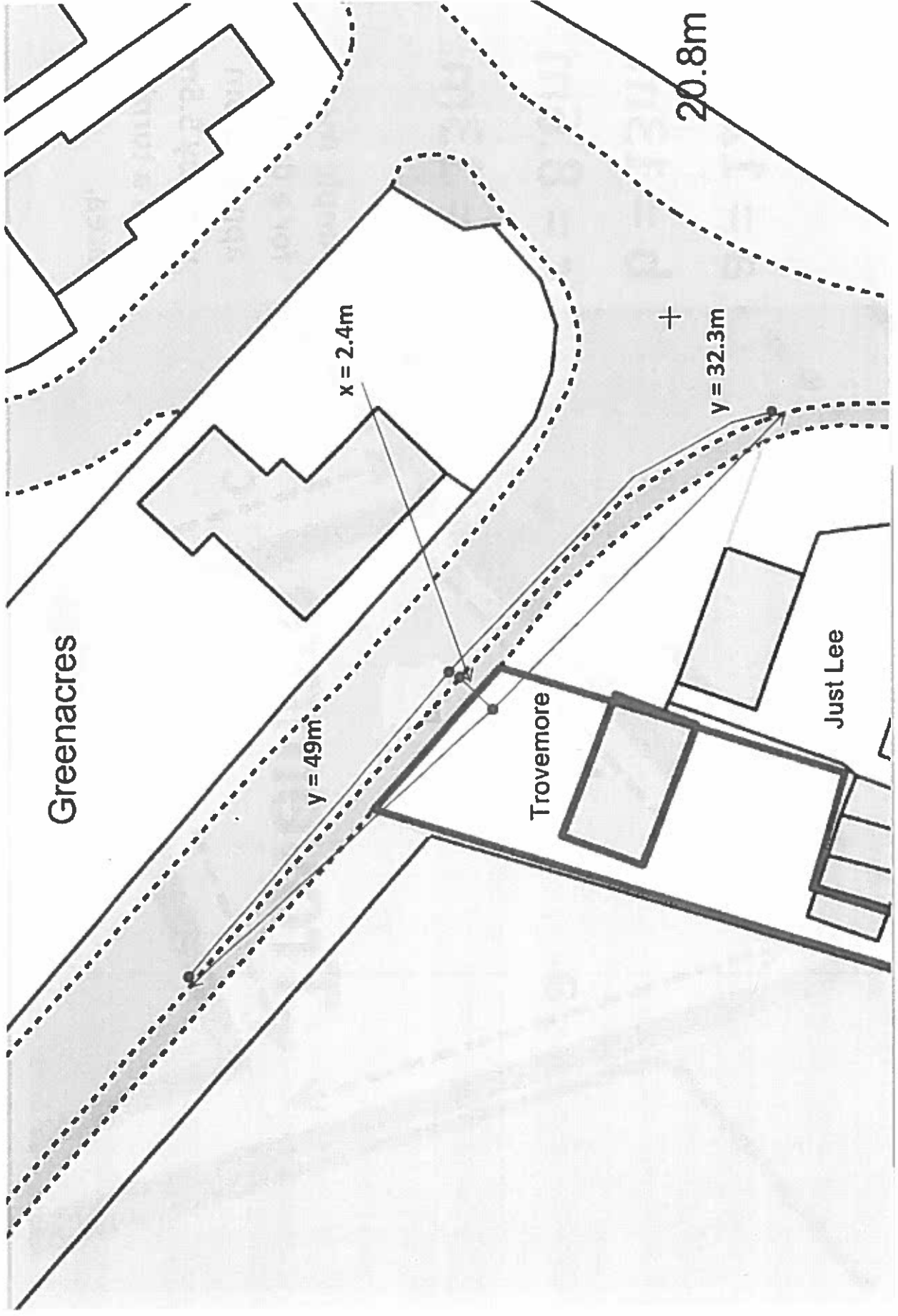
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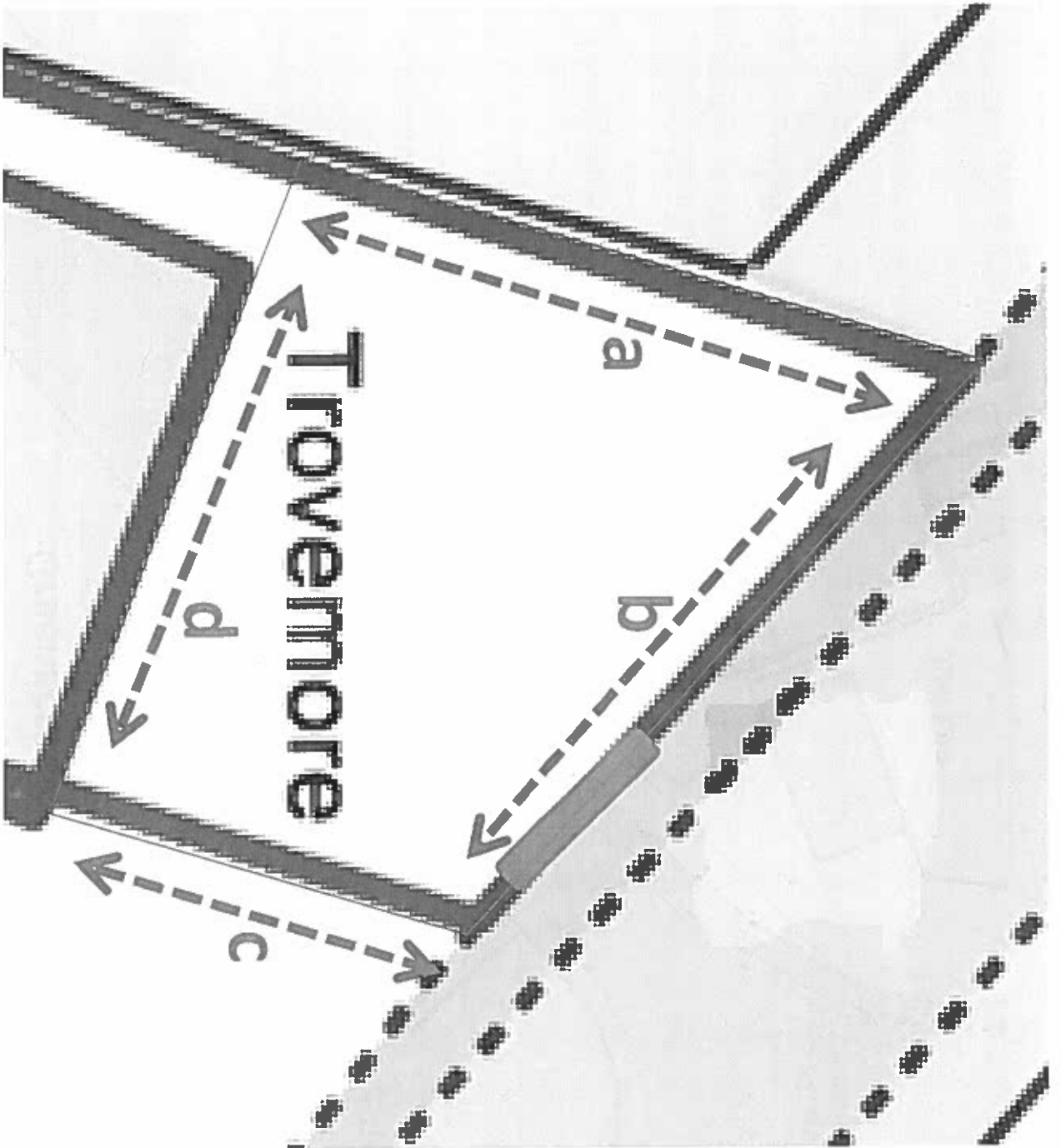
Red box indicates driveway with turning space and 1 parking space. This is the minimum size and shape (we may increase the size to make the driveway a complete rectangle).

195/c

15/00354/ful



15/00354/fal



a = 12m

b = 13m

c = 8.6m

d = 13m

Ample room
for a driveway
approx 3.5m
wide by 5.5m,
plus a turning
area.

195/€

15/00683/FUL

59 Pecked Lane, Bishops Cleeve, GL52 8JS

4

Valid 28.05.2015
Grid Ref 396409 227384
Parish Bishops Cleeve
Ward Cleeve St Michaels

Rear extension to provide additional living space.

Mr James Charles
59 Pecked Lane
Bishops Cleeve
GL52 8JS

RECOMMENDATION Permit

Policies and Constraints

NPPF
Planning Practice Guidance
The Tewkesbury Borough Local Plan to 2011 - March 2006 - HOU8

Consultations and Representations

Bishops Cleeve Parish Council - object due to overshadowing and loss of light concerns.

Local residents - 3 objections received from occupiers of adjoining properties no's 57 and 61 Pecked Lane. Concerns raised over the extension causing a loss of light.

Planning Officers Comments: Mr Matthew Tyas

1.0 Site

1.1 The application site relates to 59 Pecked Lane; a two storey detached dwelling located in Bishops Cleeve.

2.0 History

2.1 Permission was granted in 2010 (ref. 10/00503/FUL) for the erection of single storey rear extension and pitched roof above existing flat roof two storey extension

2.2 Application ref. 15/00303/FUL for a roof conversion to provide additional living space was withdrawn on 11.05.2015 following officer concerns that the scale and design of the resulting building would not respect the character and scale of the existing property and would be incongruous with the character of the street scene, contrary to Policy HOU8 of Tewkesbury Borough Local Plan.

3.0 Application

3.1 This application proposes to erect a first floor extension above the existing ground floor rear extension permitted in 2010.

4.0 Planning Policy Context

4.1 Policy HOU8 of the TBLP provides that extensions to existing dwellings will be permitted provided that they are of a suitable design, they respect the character, scale and proportion of the existing dwelling, they respect the character and appearance of surrounding development and they do not have an unacceptable impact on the amenity of adjacent properties. This policy is consistent with the Core Planning Principles and advice on requiring good design within the NPPF.

5.0 Analysis

5.1 In this instance the proposed extension would respect the hipped roof design of the existing dwelling and is considered to be of an acceptable scale and proportion. The proposal would be visible from the street scene through the gap between no. 57 and 59 Pecked Lane, but it is noted that it would be slightly inset from the side wall of the existing dwelling which would help to break up the mass of the resulting building. It is therefore considered that the proposal would preserve the character and appearance of the street scene.

5.2 The impact of the proposed extension on neighbouring properties has been carefully considered and the objections made in this respect are noted. As a guideline to help establish the impact of the extension on the light and outlook from the windows in the rear of the adjacent properties no's 57 and 61 Pecked lane the 45 degree code has been applied. Officers can confirm that the proposed extension would not conflict with the code applied from the nearest windows in the rear of both of the adjacent properties. On this basis it is considered that the proposed extension would cause no unacceptable loss of light or outlook to the main habitable rooms in the rear of the adjacent properties.

5.3 It is noted that the proposed extension may reduce the direct sunlight received through a glazed kitchen door in the east side of the adjoining property no. 57 Pecked Lane. The main kitchen windows would not however be unduly affected by the proposal and officers do not consider that the proposal would cause an unacceptable reduction to the amenity of this adjoining property. It should also be noted that a slightly reduced first floor extension (3m in depth rather than the proposed 4 metres) could be added to this part of the property without the need for planning permission under Part 1, Class A of the General Permitted Development Order. Such a proposal would have the same effect as the proposed development on the light received through the kitchen door to the adjoining property.

5.4 It is noted that the proposed extension would be up to the boundary with no. 61 Pecked Lane but it is evident from the officer's site visit that this adjoining property has had a single storey extension to the rear of its garage. It is considered that this would break up the massing of the proposed extension and avoid it having an undue overbearing impact.

5.5 It is noted that there are a number of new windows proposed in the west side elevation of the dwelling. These would however be obscurely glazed and thus no concerns are raised over them causing a loss of privacy. This can be secured by condition.

6.0 Conclusion

6.1 The proposal would be of an acceptable design and would preserve the appearance of the street scene and have no adverse impact on the amenity of the adjoining occupiers. On this basis it can be concluded that the proposal would be in accordance with Policy HOU8 of the TBLP and officers are minded to recommend that planning permission is granted.

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 Drawing Numbers 21501-04 Rev A and 21501-02 Rev A (both received 28/05/15).
- 3 The external materials of the proposed extension shall match as near as possible the materials of the existing dwelling.
- 4 The proposed new windows in the west side elevation of the dwelling shall be fitted with obscure glazing and any opening parts shall be located no less than 1.7 metres above the floor level of the room in which the window is located.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interest of proper planning.
- 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 in accordance with the NPPF.
- 4 To protect the amenity of the adjoining occupier in accordance with Policy HOU8 of the Tewkesbury Borough Local Plan to 2011.

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.



NOTES
CONTRACTOR TO CHECK ALL DIMENSIONS
COMPATIBLE WITH ALL

PROJECT
59 Pecked Lane
Berhampore

TITLE
Site Plan as Existing and
Location Plan

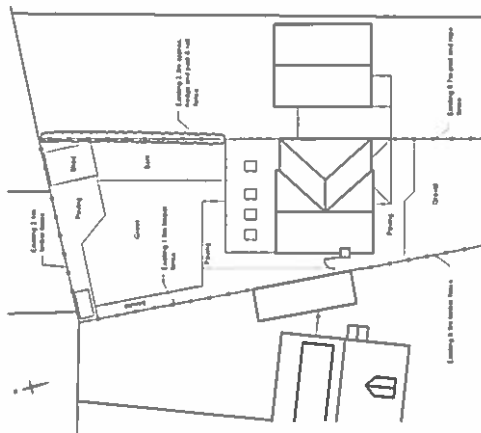
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DATE FEB 2015

PROJECT REF / DRAWING	
21501 / 01	

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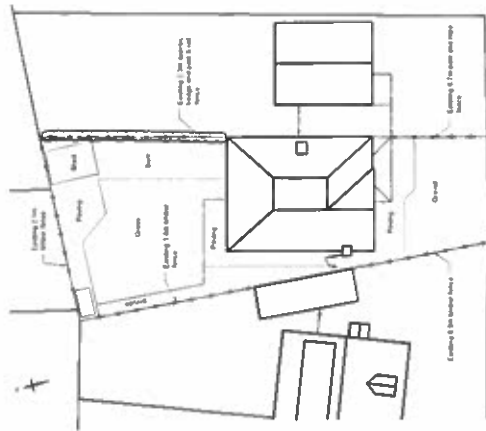
Location Plan 1:250



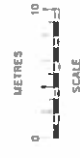
Site Plan As Existing 1:200



Block Plan 1:500



Site Plan Aa Proposed 1:200



ARTICLE 5
CONTRACTOR TO OBTAIN ALL NECESSARY
CONSENTS FROM THE LOCAL AUTHORITY.

PROJECT
59 Peckham Lane
Barnet, Greater London

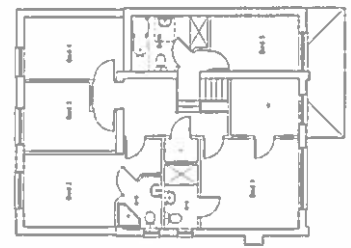
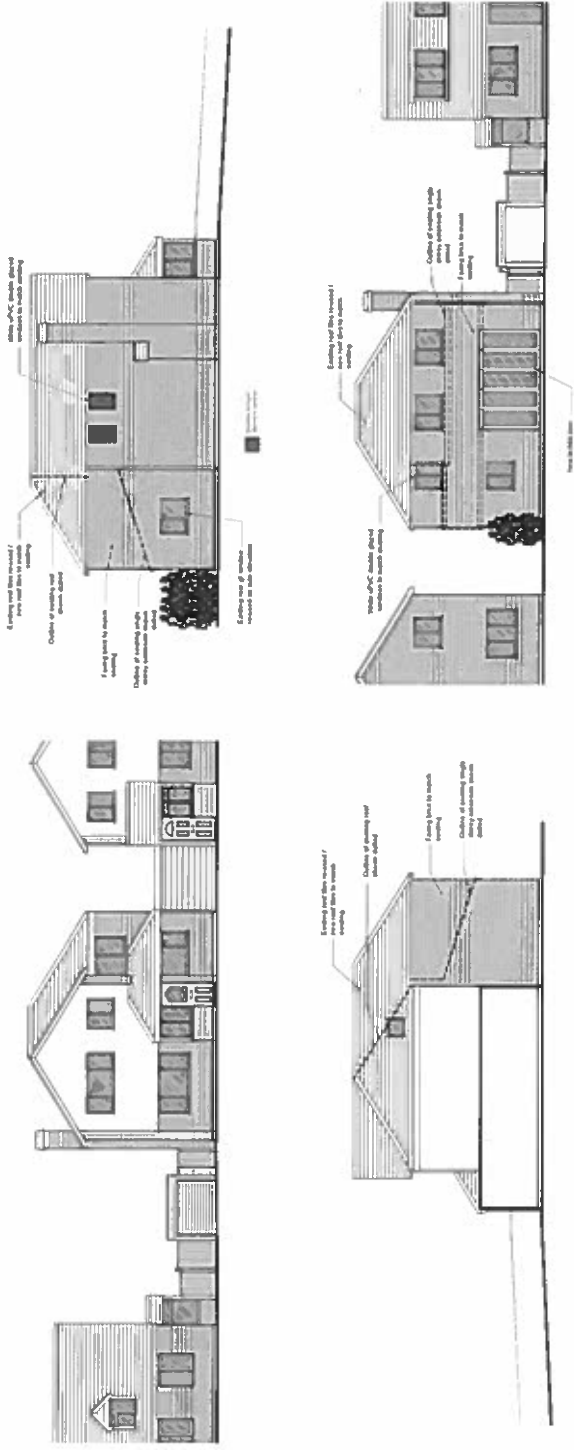
TITLE
Site Plan and Block Plan as
Proposed

SCALE 1:200 1:250 @ A1
DATE FEB 2015

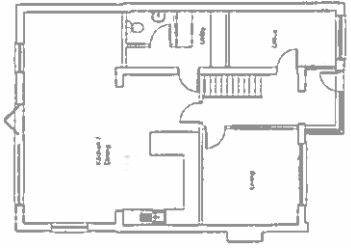
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21501

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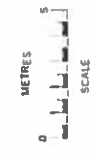
108/B



First Floor Plan



Ground Floor Plan



0 5 METRES
SCALE

NOTES
CONSTRUCTION TO THE DIMENSIONS
AND FINISHES SHOWN
UNLESS OTHERWISE SPECIFIED

PROJECT
59 Pinedale Lane
Baysheep Close

TITLE
Plans and Elevations
As Proposed

SCALE 1:100 @ A1
DATE FEB 2015

PROJECT REF	DMG/15/	DA
21501		
A		

198/c

15/00738/FUL
755 Read Way
Valid 07.07.2015

7 Read Way, Bishops Cleeve, Cheltenham

5

Proposed front porch extension, first floor rear extension and single storey rear extension

Grid Ref 395793 226840
Parish Bishops Cleeve
Ward Cleeve Grange

Mr & Mrs Leon Piercy
7 Read Way
Bishops Cleeve
GL52 8EL

RECOMMENDATION Permit

Policies and Constraints

NPPF
Planning Practice Guidance
Tewkesbury Borough Local Plan to 2011 - March 2006 - HOU8
JCS Submission Version November 2014
Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Parish Council - Object. The length and height of the proposed 2 storey extension would be overbearing and compromise the residential amenity of the adjacent dwellings. The addition is not subservient to the character of the main dwelling by virtue of its width across the whole extension of the rear of the building.

Two letters of objection have been received from the neighbours at 5 and 9 Read Way. The planning reasons for objection are summarised as follows:

- Loss of light to the side elevation of 9 Read Way (landing window, kitchen window and rear entrance door). The first floor extension would create an imposing and overbearing wall.
- The single storey rear extension would also add to the overbearing wall and loss of daylight situation.
- Loss of light / outlook to 5 Read Way.
- Impact on the current views enjoyed by the occupants of 5 Read Way.

Planning Officers Comments: Mrs Sarah Barnes

1.0 Application Site

1.1 This application relates to 7 Read Way, a detached brick dwelling located in Bishops Cleeve (site location plan attached).

2.0 Planning History

2.1 There is no recent / relevant planning history.

3.0 Current application

3.1 The current application is for the erection of a front porch, a first floor rear extension and single storey rear extension (see attached plans).

3.2 The first floor extension would be 3.5 metres long with a pitched roof, slightly lower than the main ridge height. It would create a larger bedroom and an ensuite. The single storey rear extension would be about 3.2 metres by about 4.5 metres and would create a sunroom.

4.0 Policy Context

4.1 Section 7 of the NPPF makes it clear that the Government attaches great importance to the design of the built environment.

4.2 Policy HOU8 of the Local Plan sets out, inter alia, that extension to existing dwellings will be permitted provided that the proposal respects the character, scale, and proportion of the existing dwelling. The policy requires that proposals must not have an unacceptable impact on adjacent property in terms of bulk, massing, size and overlooking. The proposal must also respect the character and appearance of the surrounding area. This policy is considered consistent with the framework and as such should be given due weight according to paragraph 215 of Annex 1 of the framework.

5.0 Analysis

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

Design and Size

5.2 The Parish Council have raised concerns about the first floor extension not being subservient to the main dwelling by virtue of its width across the whole extension of the rear of the building. The concerns raised by the Parish Council are noted, however, the ridge line of the extension would be slightly lower than the existing and it would only be 3.5 metres in length. It is therefore considered that the extension would not be excessive or out of character with the scale or proportions of the existing dwelling. There are also similar first floor rear extensions along this road, for example at 37 Read Way.

5.3 Overall it is considered that the proposed extensions would be of an appropriate size and design in keeping with the character and appearance of the property and would comply with the requirements of Policy HOU8 in this regard.

Residential amenity

5.4 The proposal would result in a 3.5 metre first floor extension, measuring approximately 4.4 metres high to the eaves and 6.3 metres to the ridgeline.

5.5 The Parish Council and the immediate neighbours to the west (9 Read Way) and east (5 Read Way) have objected on the grounds that the development would have a harmful impact on their residential amenity in terms of loss of light and outlook.

5.6 The occupiers of No.9 Read Way (to the west of the site) are concerned that the proposal would result in a loss of light to their property, in-particular their ground floor kitchen window, first floor landing window and ground floor rear entrance door on the nearest side elevation. In terms of the landing window, this serves a non-habitable space and the rear door is obscure glazed so there would not be an adverse loss of light. With regards to their kitchen window, this is a secondary window (there are also windows at the rear / side of the living room which provide light into the kitchen area). Whilst there may be some loss of light, given the orientation of the sun, the proposal would not result in an unacceptable loss of light or outlook that would warrant a refusal on these grounds. The single storey 'conservatory' style extension would also not create a detrimental loss of light given that it would be a single storey, light weight structure of a relatively modest size.

5.7 The occupiers of No 5 Read Way (to the east of the site) have raised concerns about the loss of light and outlook to their property. However, there are not any habitable windows on the nearest side elevation and the nearest windows on the rear elevation would be about 3.5 - 4 metres away from the extension. Given the distance and the orientation of the sun, the loss of light / outlook would not be harmful or detrimental. In terms of the 'loss of view' this is not a planning issue.

5.8 Overall, after careful consideration, it is not considered that the proposed extension would cause demonstrable harm to the amenities of the neighbouring dwellings in line with Policy HOU8.

6.0 Conclusion

6.1 Overall, it is considered that the proposal would not result in an unacceptable loss of residential amenity to neighbouring dwellings and would be of an acceptable size and design. The proposal would therefore accord with the NPPF and Policy HOU8 of the Local Plan and is **recommended for permission**.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The external materials of the proposed extensions shall match as near as possible the materials of the existing dwelling.

Reasons:

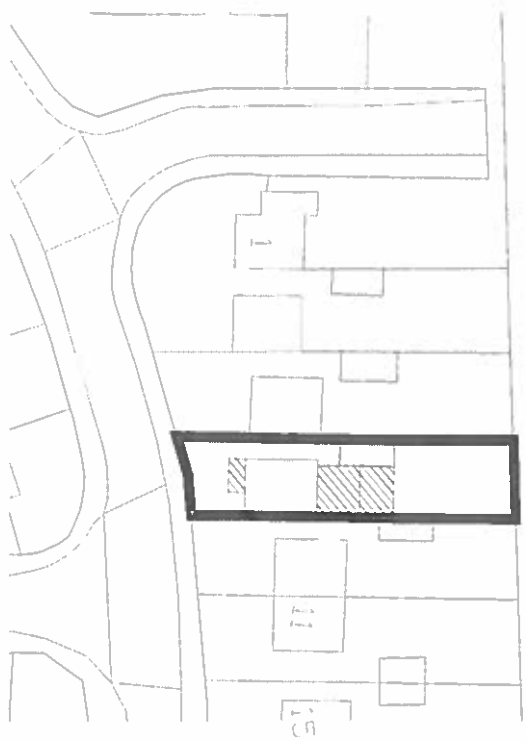
- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that the extension is in keeping with the existing building in accordance with Policy HOU8 of the Tewkesbury Borough Local Plan to 2011 - March 2006.

Note:

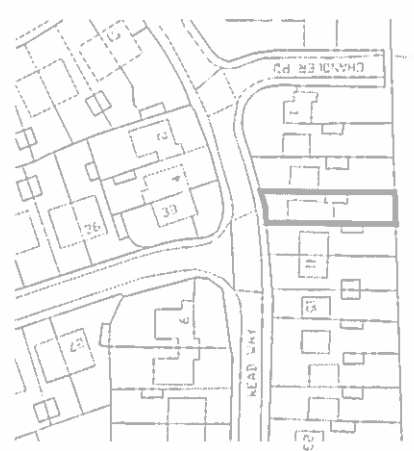
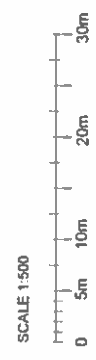
Statement of Positive and Proactive Engagement

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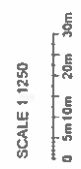
15/00738/kul



**BLOCK PLAN
AS PROPOSED**



**LOCATION PLAN
AS EXISTING**



Drawings Survey 40 Green Copyright 2015 All rights reserved. Licence number: 100001212

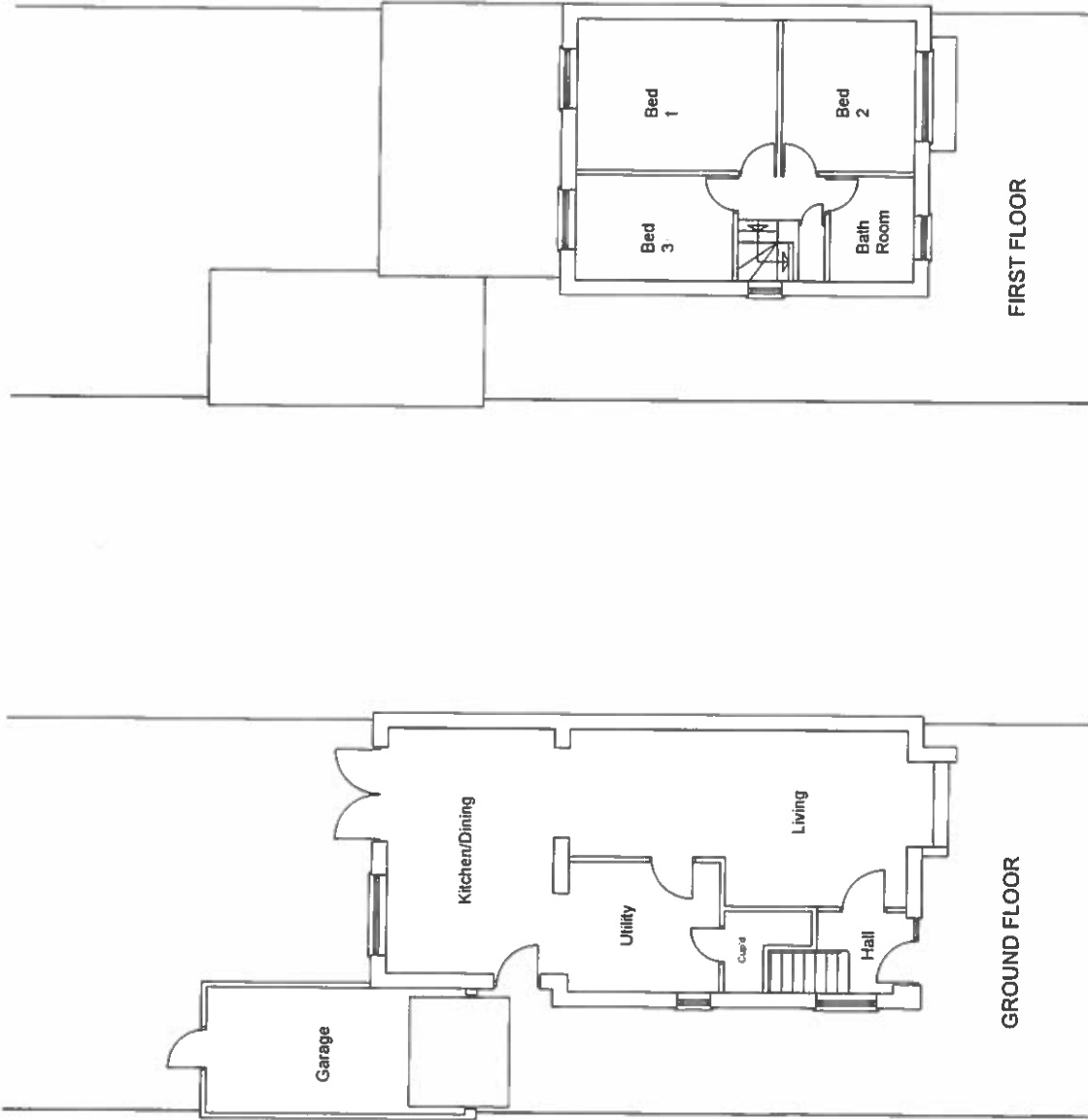
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PROJECT TITLE	PROPOSED EXTENSIONS TO 7 READ WAY, BISHOPS CLEEVE, CHELTENHAM, GLOUCESTERSHIRE.		
DRAWING TITLE	LOCATION & BLOCK PLANS	SCALE	1:500 & 1:1250
DRAWING NUMBER	755/013	DATE	JUNE 2015
		REVISION	

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201/A

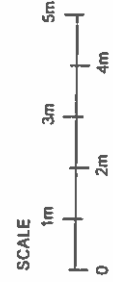
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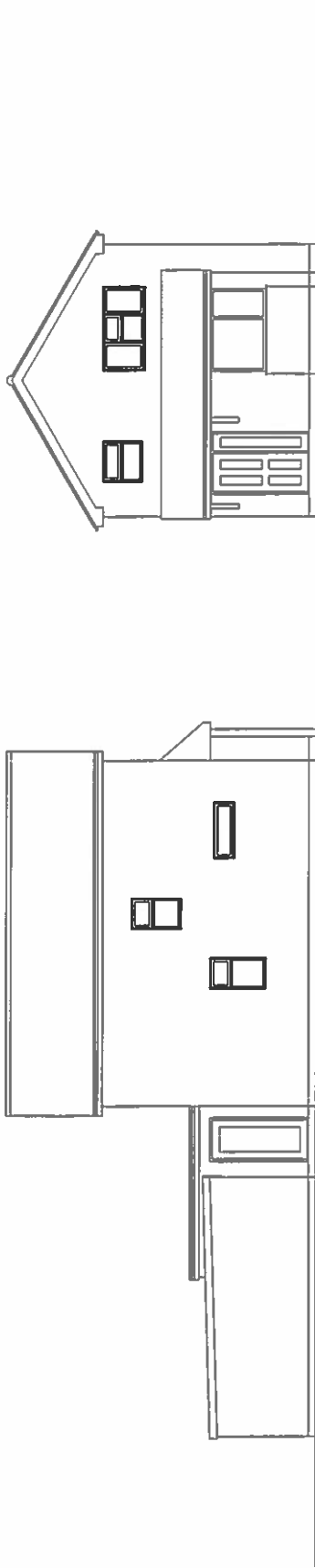
MR & MRS L. PIERCY			
PROPOSED EXTENSIONS TO 7 READ WAY, BISHOPS CLEEVE, CHELTENHAM, GLOUCESTERSHIRE.			
EXISTING FLOOR PLANS			
DRAWING NUMBER	755/001	DATE	JUNE 2015
DRAWING TITLE		SCALE	1:100
PROJECT TITLE			
CLIENT			

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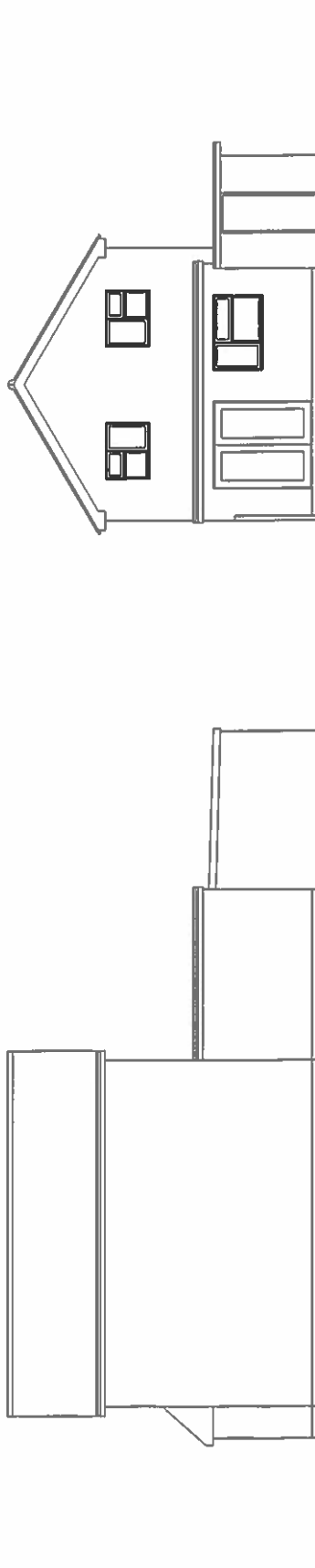
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15/00738/hul



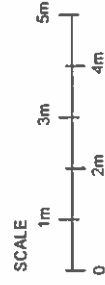
FRONT ELEVATION

SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION



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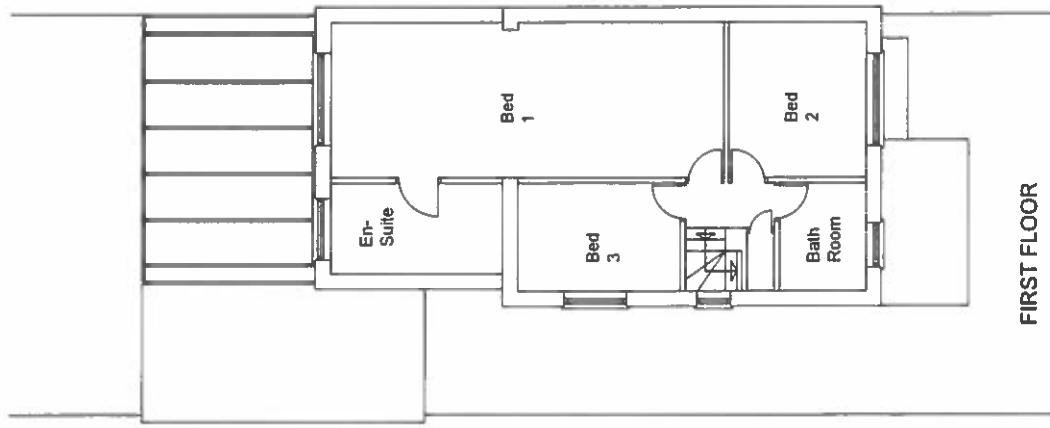
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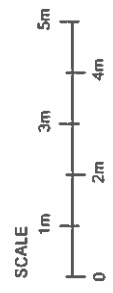
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DRAWING NUMBER	755/002	DATE	JUNE 2015
		REVISION	

2011c

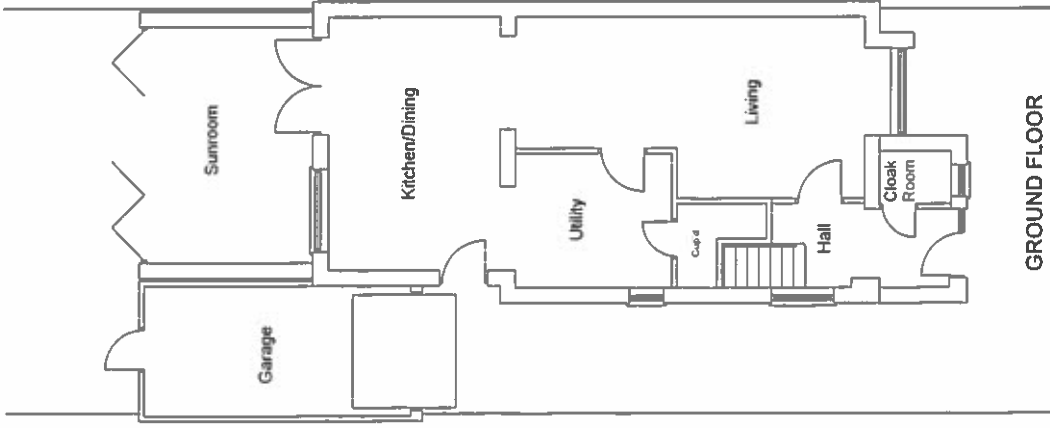
15/00738/fel



FIRST FLOOR



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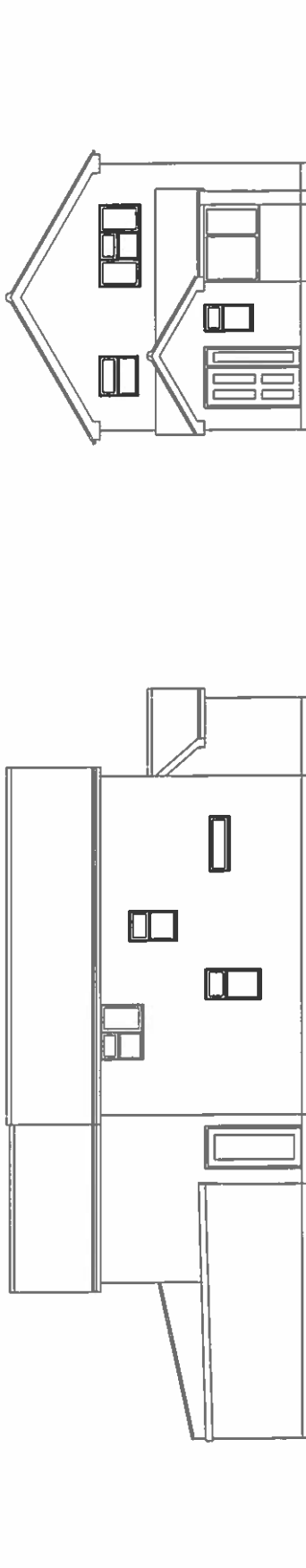
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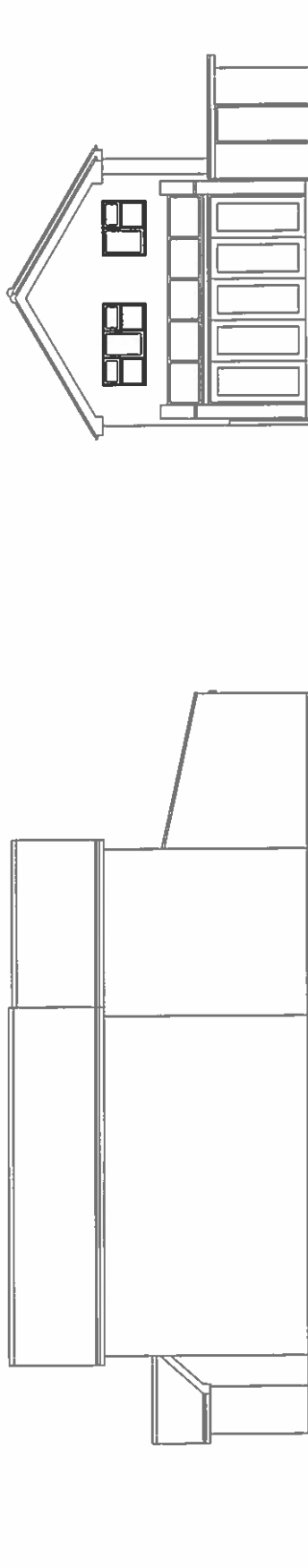
CLIENT	MR & MRS L. PIERCY		
PROJECT TITLE	PROPOSED EXTENSIONS TO 7 READ WAY, BISHOPS CLEEVE, CHELTENHAM, GLOUCESTERSHIRE.		
DRAWING TITLE	PROPOSED FLOOR PLANS	1:100	
DRAWING NUMBER	755/003	JUNE 2015	

15/00738/hul



FRONT ELEVATION

SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION



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DRAWING NUMBER	755/004	DATE	JUNE 2015
		REVISION	

201/E

15/00131/OUT
PP-03895379
Valid 04.03.2015

Land Rear Of Rectory Farm, Main Road, Maisemore

6

Outline application for a mixture of 28 open market and affordable dwellings and associated infrastructure (appearance and landscaping to be reserved for future consideration)

Grid Ref 381169 221167
Parish Maisemore
Ward Highnam With Haw
Bridge

Rivar Ltd
C/o Agent

RECOMMENDATION Delegated Permit

Policies and Constraints

Tewkesbury Borough Local Plan to 2011 - March 2006 - Policies GNL2, GNL8, GNL11, HOU1, HOU4, HOU13, TPT1, TPT3, TPT6, TPT11, EVT2, EVT3, EVT5, EVT9, LND2, LND7, RCN1, RCN2, NCN5
NPPF

Planning Practice Guidance

Joint Core Strategy - Submission Version (November 2014)

Flood and Water Management SPD

Fields in Trust: Planning And Design For Outdoor Sport And Play

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

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Maisemore Parish Council - Object to the application for the following reasons:

- Considered to be an inappropriate development type and scale for Maisemore.
- Previous refusals on highway safety grounds - including one in 1999 for 20 houses on this site.
- Maisemore is typified by individual distinctive dwellings in a wide variety of styles and construction materials and by very small scale development, so this development would alter the settlement character.
- The Bell House Farm development along with four other known property developments would fulfil the development requirements for Maisemore in just one year. In addition, the Joint Core Strategy does not require individual developments of this scale - 2 to 3 new houses a year in Maisemore would be enough and this is the typical scale of new windfall sites in the village.
- The proposed development is wholly outside the village boundary. There is no local need to justify this.
- Sewerage in the village is at capacity. A new sewer would require consent of the adjoining landowner.
- Development would result in noise disturbance and light pollution to neighbouring properties. There would be considerable loss of privacy as a result of the new properties.
- The access road level should be no higher than the existing lane.
- Concerns about an aquifer to the west of the site.
- Concerns that there are bats within the existing site.
- Loss of the stable business undermines the categorisation of Maisemore as a service village. Development should be expected to strengthen the sustainability of the community, not damage it.
- This development of 30 dwellings will increase traffic using the A417 and queuing at Over roundabout. Traffic load at Over roundabout already causes tailbacks, occasionally right through the village.

Despite our objection, if development is permitted we would require the following s106 contributions (in order of priority):

1. Increase the capacity of the sewerage and drainage systems
2. Lessen the impact of flooding closure of the A417
3. Improve speeding controls through the village
4. Village Hall improvements for storage, play facilities and landscaping
5. Assurance that there would be not increased burden on maintenance for the Parish Council
6. No need for a new centre of the village with a new play area

Note from Maisemore Parish Council in response to Technical Note from Glanville on Foul Drainage.

The note is correct in relation to the foul drainage, but fails to address the real problem in Maisemore, which is a link between surface/storm water drains and the sewers. This results in water from all the hard surfaces - including the A417 and its pavements plus house roofs and drives - entering the sewer system, surcharging it. Our calculations show that around 1,000,000 litres (220,000 gallons) of storm water is generated by a 25mm (1 inch) rainfall.

Severn Trent have told Maisemore Parish Council that there is no prospect of resolving this matter within the next 10 years. It does not feature in their capital expenditure plans. It is also unlikely that any Section 106 agreement would provide sufficient funding to find where the links are and remedy the problem. Most of the sewerage system in Maisemore is unmapped.

This storm water surcharging can result in manhole covers being lifted and raw sewage being discharged on to the roads and pavements at the lower end of the village. Maisemore Parish Council regard this as unacceptable and any development that exacerbates the problem should not be allowed. Photographic and video evidence showing this discharge are available.

The quantity of sewage generated by new developments is not the main concern, although it can only contribute more to the foul material capable of being discharged.

The greater concern is the amount of storm water generated and contributing to the surcharging problem. It is for this reason that Maisemore Parish Council strongly advocates the inclusion of rainwater harvesting in any new development. This would prevent the proposed development from contributing storm water into the system.

The statutory right to connect to a sewer is not relevant. That right only exists if the development is permitted. It is not a reason to ignore the surcharging problem that already exists in the village.

County Highways - No objection to the principle of development. Has requested further information in relation to the detailed highway design.

County Archaeologist - No objection. No further archaeological investigation or recording need be undertaken in connection with this scheme

Environmental Health Officer - No objection.

Environment Agency - Offer Standing Advice.

Severn Trent Water Ltd - No objections subject to conditions requiring the submission of drainage details.

Local Residents - 18 letters have been received from Local Residents objecting to the proposal for the following reasons:

- The A417 which runs through the village has fast moving traffic and is dangerous due to the number of junctions and driveways that join it. Also, cars are parked at dangerous locations on bends making it more hazardous.
- The road can be cut off during flood events resulting in more traffic on narrow country lanes. The application for 15 dwellings at Bell House Farm which would add further traffic.
- The access is a single car width wide meaning that vehicles would need to wait on the main road if a vehicle was exiting the site.
- The site is a haven for wildlife.
- The proposal would detrimentally affect the amenities of the existing neighbouring properties. Some dwellings are in close proximity. May also result in overlooking.
- Proposed new access to Rectory Farm will result in the loss of existing screening and allow views of cars with the proposed parking area in that site. Will also cause disturbance to the property opposite the new access when cars/vehicles exit Rectory Farm.
- Concerned that any raising of the level of the existing access to the site would have a harmful impact on the amenities of the adjoining neighbours.
- A previous application on this site has been refused (1999) and the infrastructure in the village has not changed since then.
- The existing sewer system is inadequate and there is a poor water supply.
- The village lacks adequate services and facilities and there is poor public transport links.
- Due to slope of the land, our property already suffers from a significant flow of water across land during heavy rain. The development with more soakaways would likely exacerbate this.
- No need in the village for more affordable houses.
- This proposal on top of the other proposals would result in the village losing its rural character.
- We might support a proposal for a smaller scale development if concerns about highways, ecology, light pollution and landscaping could be addressed.

- The proposal does not reflect the concerns expressed by residents at the consultation event.
- The consultation plan showed a green verge along the access adjacent to neighbours.
- The proposed development on the highest point of the rear elevation of the village boundary will have a negative landscape impact.
- Loss of valued outdoor sporting facility.
- Site is outside the village boundary and contrary to Policy.
- Would set a precedent for further development.
- A proposal for 30 dwellings at one time would be disproportionate to a village the size of Maisemore.

Planning Officers Comments: Mr John Hinett

1.0 Introduction

1.1 The application site comprises a working Livery located on the southern boundary of Maisemore with an area of approximately 3.43ha (**see location plan**). The livery comprises a collection of buildings (including stables and outbuildings) located on the eastern part of the site and associated paddock land located on the western part. Residential properties form the northern boundary to the site with open countryside to the remaining boundaries.

1.2 The site is unaffected by any landscape designations.

1.3 Access to the site off the A417 is existing. There are no public rights of way crossing the site.

2.0 Planning History/Background

2.1 Outline planning application 89T/8567/01/01 for the erection of a detached dwelling with garage including means of access was refused on the basis that it conflicted with housing policy at the time and on landscape impact grounds.

2.2 88G/4912/01/02 for the erection of 16 loose boxes was permitted.

2.3 Part of the site was allocated in the Deposit Draft version of the Tewkesbury Borough Local for approximately 20 dwellings (Policy MA1). The allocation was not carried forward to the Adopted Local Plan after Maisemore was re-categorised as a HOU3 settlement - suitable only for infilling.

Recent application for 15 dwellings within Maisemore

2.4 Planning application 14/00965/FUL and Listed Building application 14/00966/LBC for the demolition of existing curtilage listed outbuildings and proposed residential development comprising of 15 dwellings and associated landscaping, parking and garaging (Revised scheme further to Ref: - 14/00089/FUL) went to planning committee in April 2015 when Members delegated Authority to Officers to Permit the applications subject to the completion of a Section 106 Legal Agreement.

3.0 Current Application

3.1 The application is Outline and proposes a mixture of 28 open market and affordable dwellings and associated infrastructure (**see layout plan**). This has been reduced from 30 dwellings as originally proposed in the application. Appearance and landscaping are to be reserved for future consideration.

3.2 Although Outline, the Design and Access Statement (DAS) suggests the dwellings would comprise five one bedroomed dwellings, five 2 bedroomed dwellings, eight 3 bedroomed dwellings and ten 4 bedroomed dwellings. It is anticipated that the dwellings would be two storeys - in keeping with the majority of the surrounding built form.

3.3 The existing access onto the A417 would be 'upgraded' with a new internal footpath system linked to the existing network.

3.4 The red line includes a large area of land to the eastern and southern parts of the site which the application states would be 'restored' but is not described as public open space.

(Plans will be displayed at Committee).

4.0 The Community Infrastructure Levy Regulations

4.1 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 developed a levy the regulations stipulate that, where planning applications are capable of being charged the levy, they must comply with the new tests set out in the CIL regulations. These new 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.

4.2 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. Where planning obligations do not meet the above tests, it is 'unlawful' for those obligations to be taken into account when determining an application. The need for planning obligations is set out in relevant sections of the report.

4.3 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.

5.0 Principle of Development

The Development Plan

5.1 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 saved policies of the Tewkesbury Borough Local Plan to 2011 - March 2006.

Tewkesbury Borough Local Plan to 2011 - March 2006

5.2 The application site lies outside the recognised settlement boundary of Maisemore as defined by the Tewkesbury Borough Local Plan to 2011 - March 2006. Consequently, the application is subject to policy HOU4 which states that new residential development will only be permitted where such dwellings are essential to the efficient operation of agriculture or forestry or the provision of affordable housing. However, HOU4 is based on the now revoked Structure Plan housing numbers and for that reason is considered out of date in the context of the NPPF in so far as it relates to restricting the supply of housing. The policy is also out of date because the Council cannot demonstrate a five year supply of deliverable housing sites.

5.3 Other relevant local plan policies are set out in the appropriate sections of this report.

Emerging Development Plan

5.4 The emerging development plan will comprise the Joint Core Strategy (JCS), Tewkesbury Borough Plan and any adopted neighbourhood plans. These are all currently at varying stages of development.

5.5 The Pre-Submission Joint Core Strategy (April 2014) is the latest version of the document and sets out the preferred strategy over the period of 2011-2031. This document, inter alia, sets out the preferred strategy to help meet the identified level of need. Policy SP2 of the Pre-Submission JCS sets out the overall level of development and approach to its distribution.

5.6 Within the rural areas of Tewkesbury Borough, approximately 2,612 dwellings are proposed to be delivered in the plan period to 2031. A large proportion of this rural development has already been committed through planning permissions already granted. The remainder of this requirement will be allocated at rural service centres and service villages through the Tewkesbury Borough Plan and neighbourhood plans. The Borough Plan is at an early stage of development and can be given very limited weight only at this stage.

5.7 Paragraph 216 of the NPPF sets out that decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given)

5.8 The Submission version of the JCS as now been submitted to the Secretary of State and is currently undergoing Examination. The weight to be applied to specific policies will be discussed in the relevant sections of this report.

5.9 The Tewkesbury Borough Plan (2011-2031) will sit beneath the JCS. The draft Site Option and Policies document is currently being consulted upon and as such is at a much earlier stage of development than the JCS and thus can only be given very limited weight at this stage. It is relevant to note that Policy HOU1 of the Site Option and Policies document does not include an estimate of numbers required for each settlement. Following the consultation, the Council will refine these potential options before narrowing the number of proposed allocations, which will then be included as proposed allocations in the next stage of the plan. This site forms part of one of the options included within the consultation document. The 'Approach to Rural Sites' Background Paper which supports the plan process includes within it a disaggregation process which indicates that 28 dwellings may be required for Maisemore. It should be stressed however that this is just part of the evidence base to the emerging plan which will eventually include specific allocations, and should not be afforded weight but does give some indication of the sort of numbers which may be allocated by the Borough Plan.

Other Material Considerations

5.10 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF also sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay. The NPPF goes on to say that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or where specific policies in the Framework indicate development should be restricted.

5.11 The NPPF requires applications to be considered in the context of sustainable development and sets out that there are three dimensions to sustainable development: economic, social and environmental. In essence, the economic role should contribute to building a strong, responsive and competitive economy; the social role should support strong, vibrant and healthy communities; and the environmental role should contribute to protecting and enhancing the natural, built and historic environment. These roles should not be undertaken in isolation, because they are mutually dependant.

5-Year Housing Land Supply and the implications of the NPPF

5.12 The NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites. Where there has been a persistent under-delivery of housing, a 20% buffer is applied, effectively making the requirement a six year supply. Where local authorities cannot demonstrate a five year supply of deliverable housing sites, paragraph 49 of the NPPF sets out that housing policies contained within development plans should not be considered up-to-date.

5.13 The Council cannot currently demonstrate a five year supply of deliverable housing sites and on that basis, the Council's relevant policies for the supply of housing are out-of-date. In accordance with paragraph 14 of the NPPF, the presumption in favour of sustainable development therefore applies and permission should be granted unless there are any adverse impacts of doing so which would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

Conclusions on the principle of residential development

5.14 In view of the above it is clear that the decision-making process for the determination of this application is therefore to assess whether the adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh the benefits.

6.0 Landscape and Visual Impact

6.1 One of the core planning principles of the NPPF sets out that the planning system should recognise the intrinsic character and beauty of the countryside. Section 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, amongst other things, protecting and enhancing valued landscapes. Policy LND4 of the Local Plan states that in considering proposals for development in rural areas, regard will be given to protect the character and appearance of the rural landscape. The Policy has been recently accepted by the Planning Inspectorate as being fully consistent with the NPPF. Policy SD7 in the Pre-Submission JCS states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being.

6.2 As set out above, the application site comprises a working Livery containing a collection of buildings (including stables and outbuildings) located on the eastern part of the site and associated paddock land located on the western part. Part of the site to the eastern boundary comprises an old builders yard that allegedly contains extensive tipped materials and machinery. The site is unaffected by any landscape designations, although the Landscape Protection Zone (LND3) is located beyond the eastern boundary. Whilst a single dwelling was refused on landscape grounds in 1999, that was in a very different policy context which has changed markedly, and most recently with the publication of the NPPF in 2012.

6.3 The applicants' Landscape and Visual Impact Appraisal (LVIA) notes that the 'Maisemore Hillocks' Landscape Character Area (LCA) surrounds most of the village and therefore any new residential development on the edges of the village is most likely to occur within this area which is assessed as being of Medium landscape sensitivity. It is argued that at a site level, the site is of no particular landscape merit, comprising degraded land, a significant area of utilitarian buildings and associated yards and storage areas, and heavily grazed horse paddocks subdivided by fencing. In landscape terms, the LVIA suggests the site is less sensitive to landscape change than those areas that are more 'intact' around other parts of the village. Furthermore, the site is visually well contained with the only significant public views of the site being over the Leadon valley from parts of two public rights of way on Lassington Hill around 1km to the south west. Whilst new development within the site would be apparent in these views in the short to medium term, the LVIA suggests that the application proposal has been developed to take account of them and ensure that the development would be assimilated through new significant planting, including hedgerow restoration. The application also proposes (by way of mitigation) to reinstate an area of heavily grazed paddock to the south part of the site and the builders yard to east (comprising approximately 2.1ha) to 'managed pasture' with new or reinforced native hedgerow and trees - to be agreed through a Landscape Management Plan, which could be agreed by planning condition.

6.4 The LVIA concludes that the site is well suited to accommodating a modest scale of development without material landscape or visual harm, and offers an opportunity to restore some areas and strengthen and manage associated areas of land on this part of the village periphery.

6.5 The Landscape and Visual Sensitivity Study (Rural Service Centres and Service Villages) undertaken as part of the evidence base for the emerging Borough Plan includes an assessment of all land surrounding Maisemore. The study assesses the application site's Landscape Character as being of Medium Sensitivity and with a visual sensitivity to new housing also as Medium. The study notes the strong influence of the existing settlement edge which provide some mitigation potential and that the site is well screened from local vantages in the village by the existing buildings and mature and robust hedges. The assessment concludes that the parcel (which includes the application site) does retain some visual tolerance to new development *"...if it were to respect the existing settlement form without appearing prominent, nor intrude into the open countryside."*

6.6 Although the application site comprises an area of 3.43ha, only 1.25ha of this is proposed for residential development - the rest proposed to be restored to provide enhanced landscape (see block plan). The residential part of the site would adjoin existing dwellings along Persh Lane at its western edge and would protrude no further to the south. The eastern part of the site comprises the livery which contains a number of stable buildings and a large barn and meets the definition of 'previously developed land' as set out in the glossary to the NPPF and PPG. Whilst the dwellings proposed on this part of the site would likely be two storey and therefore taller than the majority of the existing stable buildings, they would not extend beyond the southernmost extent of the livery complex. Consequently, the proposed development would well contained within the existing settlement pattern of the village and would not intrude into the open countryside or appear prominent. The proposal to bolster existing hedge boundaries and the provision of tree planting along the southern edge of the residential area would help to mitigate the visual impact. The applicant's proposal to restore the paddock area and former builders yard would provide additional landscape benefits. Conditions would be required to secure the implementation of the landscaping proposal (including long-term management).

6.7 However, notwithstanding the proposed mitigation, the proposal would result in some landscape harm and this is a matter that must be put into the planning balance to weigh against proposal.

7.0 Design and Layout

7.1 The NPPF sets out that the Government attaches great importance to the design of the built environment (paragraph 56). Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 57 the NPPF advises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

Layout

7.2 The application is made in Outline with layout and scale being matters to be considered at this stage. Accordingly, a detailed layout plan has been submitted which indicates not only the position of the dwellings, but also their height, width and depth (**see layout plan**). The applicant's Design and Access Statement (DAS) states that the proposed layout has been influenced and developed by the outcomes of a contextual analysis and in response to the opportunities for, and constraints to, new development identified.

7.3 The Council's Urban Design Officer had some concerns with the original layout commenting that the western section of the site appeared too dense in comparison to the adjacent existing settlement. There were also concerns that the proposed heights of the dwellings would, in places, not reflect the characteristic heights of the existing dwellings and would therefore appear overly prominent. It was considered the inclusion of more 1.5 storey units would be beneficial and more reflective of the inherent characteristics of the settlement. It was considered that the overall approach of providing spatial definition of the street scenes via principle active frontage was commendable, but the orientation of some of the dwellings forming the southern boundary should be reconsidered to ensure that they actually provide outward facing development in these locations. It was also considered that the overall pedestrian permeability and connectivity within the settlement would be improved if a formalised footpath connection to Persh Lane was provided. A footpath linking the three cul-de-sacs across the southern edge of the development should be provided.

7.4 A revised layout has been submitted in response to these concerns and recommendations. All the units adjacent to the bungalows along Persh Lane have been substituted for bungalows with two units omitted. The effect is a lowering of the density for this part of the site that is considered to be more reflective of the existing settlement pattern and with a scale that would similarly reflect those dwellings. Dwellings along the southern edge of the site have been orientated so that their front elevations face the open countryside. The proposed footpath along the southern boundary has also been extended to link all three cul-de-sacs and to Persh Lane to the west (**see revised layout plan**). The revised layout is now considered to be acceptable in the context of the surrounding development.

Size and Scale

7.5 The housing density would be approximately 22 dwellings per hectare. The layout plan provides an indication of the size and scale of the proposed dwellings which would comprise a mix of bungalows and a range of two to four bed two storey dwellings. The majority of the units would be detached with three pairs of semi-detached and single a terrace of three. The location of the bungalows (units 23 - 27) adjacent to those on Persh Way is entirely appropriate and would provide a soft transition from existing dwellings into the proposed new development. The DAS states that the remaining dwellings would comprise two storey dwellings. However, the scale parameters on the original layout plan suggested a maximum ridge height for some of the units of 12.5m, which Officers considered would be more reflective of 2.5 storey dwellings that would be unacceptable on this sensitive edge of the village. The scale parameters have subsequently amended to 8 - 9 metres for the 2 storey units and 5.5 - 6.5 metres for the bungalows (**see revised layout plan**). These heights are considered to be more appropriate and now acceptable.

7.6 Although appearance is a reserved matter, the block plan shows a variety of house types. Given the context of this surrounding area which comprises a number of different house types and styles, it is considered that the proposed mix and variety of house types as indicated on the block plan, would be acceptable. Subject conditions, requiring the submission of materials and detailed design, the proposal is considered acceptable in this regard.

8.0 Access to local services and facilities

8.1 Section 4 of the NPPF (Promoting sustainable transport) recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. It states at paragraph 29 that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that "opportunities to maximise sustainable transport solutions will vary from urban to rural areas". Paragraph 32 states that planning decisions should take account of whether opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure. Furthermore, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 34 states that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in the Framework, particularly in rural areas.

8.2 The NPPF also states at paragraph 28 (supporting a prosperous rural economy) that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

8.3 Maisemore is a named Service Village in the current pre-submission version of the JCS and ranks alongside Alderton in the JCS Rural Settlement Audit (September 2014). Although 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 in Alderton and Twynning have made it clear that that neither national nor local planning policy regards 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. In view of this clear and consistent position from the Government's Inspectorate, and having regard to the accepted "*significant and serious*" housing supply shortfall, Officers do not consider it reasonable to refuse the current proposal on the grounds that the new residents would be reliant on the car.

9.0 Scale of Development and Social Impacts

9.1 The pre-submission JCS recognises that the retention of services within rural service centres is intrinsically linked to the size and distribution of the resident population and it is important that these services remain viable, although more development will be accommodated at the rural service centres than at the service villages.

9.2 It has been established in a number of recent appeal decisions (including those in Alderton) that the cumulative impact of development and the consequential increase in population without proportionate increases in infrastructure, employment opportunities and other local services risks eroding community cohesion. This is a material planning consideration.

9.3 The existing number of dwellings in Maisemore is 210. Members recently delegated authority to Officers to permit application 14/00965/FUL for 15 dwellings (subject to completion of a legal agreement). Once implemented the additional 15 dwellings would increase the number of dwellings in Maisemore by 7.1%. The addition of a further 28 dwellings would increase a further 12.5% resulting in an overall increase of approximately 20.5% as a result of the two proposals.

9.4 Although all Service Villages are unique and direct comparisons cannot always be made, the recent Appeal Decisions in Alderton are relevant. Here two residential schemes have been allowed totalling 71 new dwellings representing an approximate increase of the community of 26%. Whilst accepting that this increase was not insignificant for a rural village, the Inspector was of the view that it could not be concluded that it would be disproportional to the role of Alderton as a service village in emerging Joint Core Strategy (eJCS).

9.5 The work undertaken as part of the evidence base for the Borough Plan (Approach to Rural Site - Background Paper) explores how the overall housing requirement could be disaggregated between the Service Villages. For Maisemore the background paper postulates that 28 new dwellings could be accommodated. Whilst this proposal in addition to the Bell House Farm scheme would exceed the background paper's figure, very little weight can be given to background paper, which is itself dependent upon the figures in the eJCS.

9.6 Having regard to all of the above, Officer opinion is that the impact of this cumulative increase would not be sufficiently harmful to the social wellbeing and cohesion of Maisemore to warrant refusal on this ground.

10.0 Highway Safety

10.1 Section 4 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Local Plan Policy TPT1 relates to access for developments and requires that appropriate access be provided for pedestrians, cyclists and vehicles, and that appropriate public transport services and infrastructure is available or can be made available. It further requires that traffic generated by and/or attracted to the development should not impair that safety or satisfactory operation of the highway.

10.2 A number of objections have been received on highway safety grounds. Reference has also been made to previous refusals on this site however the only refusal for housing on this site, as referred to above, was for a single dwelling and that application was not refused on highway safety grounds.

10.3 Access into the site would be via the existing simple T-junction on A417 that serves the current stable complex on site. It is proposed to widen the existing access to 5.5m and also provide a 2m footway on the eastern side linking the development to the footways on the A417. A new access to Rectory Farm is proposed from the access road to the residential development (see layout plan).

10.4 The County Highways Authority (CHA) have assessed the submitted details and whilst have no fundamental concerns. The addition of 26 dwellings at this location would not result in a severe impact and as such the proposals would have an acceptable impact on transport in light of national policy contained within the NPPF. The CHA have requested further information relating to visibility splays within the site. At the time of writing this report the applicants have committed to provide this information which they consider will satisfy the CHA's requirements. **(An up-date will be provided at Committee)** have requested further information.

11.0 Residential Amenity

11.1 One of the core planning principles of the NPPF is to ensure a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17 bullet point 4).

11.2 Objections have been raised by neighbouring residents relating to the impact of the proposed dwellings on existing properties in terms of loss of privacy and light, and also that the proposed dwellings would be overbearing.

11.3 The revised layout has been amended to reflect the advice of Officers with regard to the impact on neighbours. In particular, Plot 1 has been moved further away from the rear boundary of No. 6 The Riding (from 1m to approximately 8m) which it is considered considerably improves the relationship with that property to what is now considered to be an acceptable one (see revised layout plan). Plots 23 to 27 have been amended from two storey units to bungalows with a maximum ridge height of 6.5m. The relationship with the neighbouring properties to the rear western boundary (themselves bungalows) is considered acceptable.

11.4 The occupier of No. 7 'The Ridings' has also expressed concern about the proposed new driveway to Rectory Farm. The neighbour points out that the Rectory occupies higher land and that car headlights could shine into their property when exiting The Ridings. In response, the applicant has provided a cross-section plan of the proposed new driveway. The plan indicates that the levels within The Ridings would be re-graded to slope down to meet the level of the existing roadway. Cars would therefore have their headlights facing downwards when exiting Rectory Farm and it is not considered that the proposed new driveway would result in significant harm to the amenity of the occupiers of No. 7 'The Ridings'.

11.5 The access to the site is existing and serves a working Livery. There are therefore a number of existing vehicle movements associated with that use. The pattern and number of vehicle movements would inevitably increase as a result of the current proposal. However, it is not considered that the impacts arising from the scale of development proposed would be so significantly more harmful than the existing situation such that the proposal would be unacceptable in this regard. Further, it is noted that there is no adverse comment from the Councils Environmental Health advisor. Subject to a condition requiring full details of the levels of the proposed access and driveway to Rectory Farm, the proposal is considered acceptable in this regard.

12.0 Affordable Housing

12.1 Local Plan Policy HOU13 provides that the Council will seek to negotiate with developers to provide affordable housing and is supported by an Affordable Housing Supplementary Planning Guidance (SPG) which was adopted by the Council in August 2005.

12.2 The application proposes that 10 of the dwellings would be affordable (5 x 1 bed; 3 x 2 bed; and 2 x bed) which equates to 35.7% of the total.

12.3 The Council's Strategic Housing & Enabling Officer confirms that revised layout and house types are an improvement to the original proposal and are in line with the housing need requirement, the 'flat over garage' has been removed and there has been the inclusion of 1-bed bungalows. The location of the affordable housing to the west of the site is acceptable. Subject to a requirement that the bungalows are built to Lifetime Homes Standards (or equivalent criteria that provides the homes to be accessible and adaptable) the Enabling Officer considers the proposal is acceptable in this regard. The Enabling Officer is flexible regarding the tenure mix of the affordable housing where this can be agreed at a more suitable time with the Registered Provider when the homes are transferred to them. This flexibility with the Registered Provider enables us to better meet local needs when the homes are nearing completion.

12.4 Subject to the completion of a Section 106 Agreement, the affordable housing proposal is considered to accord with Policy HOU13 of the Local Plan.

13.0 Flood Risk and Drainage

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

13.2 Policy EVT5 of the Local Plan requires that certain developments within Flood Zone 1 be accompanied by a flood risk assessment and that developments should not exacerbate or cause flooding problems. Furthermore, Policy EVT9 of the Local Plan requires that development proposals demonstrate provision for the attenuation and treatment of surface water run-off in accordance with sustainable drainage systems (SUDS) criteria.

13.3 The application has been supported by a flood risk assessment (FRA) which demonstrates that the site lies within Flood Zone 1 (FZ1) and concludes that the site is not considered to be at risk from any potential sources of flooding. In terms of surface water drainage the FRA proposes to utilise shallow sustainable infiltration techniques on-site to discharge surface water run-off at source. It is anticipated that this would be implemented through the use of permeable construction within roads and parking bays and/or rear garden soakaways. All SuDS would be designed to accommodate run-off from the 1 in 100 year plus climate change event. The FRA also suggests that the incorporation of rainwater harvesting and reuse systems into the development should also be considered. The FRA concludes that there are no significant flooding issues that would prevent the site from being developed for its intended use.

13.4 With regards to foul sewerage, the applicants preferred strategy is to discharge by gravity to the Severn Trent sewer - in accordance with the hierarchy for the disposal of foul drainage as set out in the Building Regulations (Part H). However, the concerns of the local community with regard to the capacity of the existing sewerage infrastructure are noted and therefore a second option is also offered proposing an on-site Sewerage Treatment package plant. The applicant considers that both routes are implementable and would appropriately deal with foul drainage from the site. Members will recall that a similar scenario was offered (and accepted) for the Bell House Farm proposal for 15 dwellings (14/00495/FUL).

13.5 The Council's Flood Risk Management Officer (FRMO) assessed the proposal and notes the proposal to incorporate infiltration to discharge surface water which are welcomed, as is the commitment to rainwater harvesting/recycling, water quality improvement and utilising permeable (or porous) surfacing. With regard to foul water, the FRMO would have no objection to either disposal to the mains sewer or via a package treatment plant. A condition is recommended that requires the details of surface water and foul drainage prior to the commencement of development. Subject to the above, the Council's FRMO has no objection to the proposal.

14.0 Open Space, Outdoor Recreation and Sports Facilities

14.1 The NPPF sets out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. The NPPF follows that 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.

14.2 Local Plan Policy RCN1 also requires that for residential development of 10 dwellings or more, provision of outdoor playing space will be expected to be made in accordance with this standard to cater for the needs of future residents. Where provision of playing pitches is not proposed on site (as in this case), Local Plan Policy RCN1 states that equivalent provision off-site, or the equivalent financial contribution for existing provision, plus changing provision, should be made.

14.3 In accordance with these policies, the proposal would generate a requirement for 0.16ha of open space of which 760sq.m should be playing pitches. Although there is a large area of land to the south of the residential part of the site (annotated as being "to be restored") this would not be public open space. Although a small strip of POS is proposed to the southern boundary of the dwellings - its recreational usefulness would be limited. A contribution towards off-site facilities is therefore required. Based on Sport England figures, a contribution of £35,000 (£7,500 for playing pitches and £27,500 for changing facilities) would be required for playing pitches and changing facilities. The contribution would go towards facilities at the Village Hall.

14.4 In terms of the balance of open space required, a further area of 840sq.m would be required. The layout shows an area to the site frontage. However, this would provide for landscaping rather than useable public open space. A contribution of £769 per dwelling is therefore sought towards existing provision within the village. A contribution towards maintenance is also required.

14.5 In addition to sports pitches, demand for other sports facilities has been identified using the Sports Facility Calculator which is an interactive tool developed by Sport England. Based on 28 dwellings, demand has been identified for local sports facilities. In order to address these demands, the following contributions have been sought:

* Contribution towards the Village Hall - £12,033

* Contribution towards the nearest Astro Turf - £1,649.

14.6 Discussions with regard to these contributions are on-going and **an up-date will be provided at Committee).**

15.0 Community, Education and Library Provision

15.1 Local Plan Policy GNL11 highlights that permission will not be provided for development unless the infrastructure and public services necessary to enable the development to take place are either available or can be provided. This is supported by and consistent with section 8 of the NPPF.

15.2 With regards to education, following consultation with Gloucestershire County Council, it is advised that by virtue of the number and mix of houses, a minimal number of early years children would arise from the proposal. The County consider there would be adequate space at local nurseries to accommodate these children and therefore an early years contribution is not required. With regards to Primary requirements, the current forecast data indicates there would be adequate capacity at Hartpury C of E School to accommodate the 7.5 primary pupils likely to arise from this proposed development. Therefore a primary education contribution is not required.

15.3 The nearest secondary school is Newent Community School which is similarly forecast to have adequate capacity to accommodate the 4.5 secondary pupils likely to arise from this proposed development. Therefore a secondary education contribution is not required.

15.4 Gloucestershire County Council have also confirmed that no contribution towards public libraries is requested.

15.5 In terms of the need for other community facilities, the Council's Community Planning and Partnerships Officer has been in consultation with a number of community bodies, including Maisemore Parish Council. The contributions are still under negotiation and **an up-date will be provided at Committee).**

16.0 Archaeology and Cultural Heritage

16.1 The NPPF sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

16.2 The County Archaeologist (CA) advises that the County Historic Environment Record indicates there is no archaeological interest within the site and which therefore has low potential to contain any significant archaeological remains. The CA therefore recommends that no further archaeological investigation or recording need be undertaken in connection with this scheme.

16.3 The Council's Conservation specialist has assessed the proposal and notes that the development would not be in close proximity to any designated heritage assets, and therefore its impact on the historic environment would be negligible.

17.0 Ecology and Nature Conservation

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

17.2 Concerns have been raised by the Parish Council in relation to potential bat roosts within the existing stable buildings.

17.3 The application has been supported with a preliminary Ecological Appraisal (undertaken on 21st November 2014). Based on the fieldwork, and desk-study data the assessment concludes that the habitats that would be affected are of low ecological value. The hedgerows on site are similarly assessed as species poor and do not qualify as important under the Hedgerow Regulations 1997. Seven of the buildings on site represent a potential roosting resource for bats; however these are all graded as having 'Low suitability', with the remaining buildings having only 'Negligible potential'. The appraisal considers that the quality of the bat foraging and commuting habitat on site, when considered in the local context, is poor. It is however, recommended that a single dusk/ dawn bat detector survey is carried out to support any subsequent full/reserved matters planning application. This survey should be undertaken during the peak bat activity survey season of May to August (inclusive). No evidence of badgers was recorded on the site and no further surveys or mitigation are considered necessary. It is recommended that, wherever possible, vegetation clearance works and building demolition is scheduled to avoid the nesting season (March to August inclusive). To compensate for any loss of nesting opportunities it is recommended that nest boxes are incorporated into a proportion of the new buildings.

17.4 Natural England (NE) offer their standing advice with regard to protected species - which includes recommendations on potential opportunities for bio-diversity and landscape enhancement that could be achieved via appropriate planning conditions

17.5 Subject to appropriate planning conditions following the recommendations of the Ecological Appraisal (including the requirement to undertake further bat surveys) and to secure biodiversity enhancements and mitigation as necessary, the proposed development is considered to accord with the NPPF and policy NCN5 of the Local Plan.

18.0 Ground Conditions

18.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by, amongst other things, remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 121 sets out that planning decisions should also ensure that sites are suitable for new uses taking account of ground conditions resulting from previous uses. Following any necessary mitigation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

18.2 A Phase 1 Geo-Environmental Assessment has been submitted with the application which considers it unlikely that ground contamination has occurred from the materials stored in the on-site livery buildings or off-site agricultural buildings as a result of direct migration to sub-soils, as the concrete slabs will have acted as a

barrier to this potential pathway and protected the sub-soils below. It is anticipated that with exception to the rubbish dump, any potential sources of contamination on and adjacent to the site are assessed as having a very low risk as if managed correctly they should not be a source of significant source of ground contamination. The rubbish dump has been assessed as having a medium risk as the materials stored, the presence of any impermeable protection base and is unknown. However, the Assessment considers that given that the rubbish dump is located downhill of the site, the site is considered at low risk to contamination through surface water. The report makes a number of recommendations but concludes that subject to the recommendations made within the report, there should be no significant geo-environmental issues that would prevent the site from being developed for its intended residential use.

18.3 The Councils Environmental Health advisors have assessed the report and comment that the applicants Phase 1 geo environmental assessment is satisfactory in terms of assessing potential ground contamination risks on the proposed development site. The report's recommendations are considered appropriate in terms of ensuring the site is investigated further for potential contamination risks. However, it is recommended that in addition to these proposals, detailed soil sampling and trial pitting across the site is carried out in order to confirm ground conditions and levels of soil contamination. Subject to a condition requiring the above the Environmental Health advisor has no objection to the proposal.

19.0 Overall Balancing Exercise and Conclusions

19.1 Paragraph 14 of the NPPF requires that development proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or where specific policies in the Framework indicate development should be restricted.

19.2 In this case the proposal conflicts with policy HOU4 of the local plan. However this policy is out of date for the reasons explained in section 5 of this report. As such planning permission should be permitted unless there are significant and demonstrable harms which outweigh the benefits. In terms of the economic benefits, it is now widely accepted that new housing developments bring benefits during the construction phase and through the additional spending power in the local economy as a result of the increased population. The social benefits of providing additional market and affordable housing is also well accepted. In environmental terms, the development would have limited landscape harm and potentially some environmental benefits through the restoration of an old builders yard and paddock land, and through providing enhanced opportunities for bio-diversity.

19.3 The application demonstrates that other matters such as the impact in terms of ground contamination, ecology, drainage, heritage assets and archaeology are acceptable, or can be made so by planning conditions. Subject to the road layout being successfully resolved, there would be no adverse impacts that would significantly and demonstrably outweigh the benefits of granting planning permission, when assessed against the policies of the Framework as a whole.

19.4 It is not considered that the development of an additional 28 dwellings in Maisemore, when considered in conjunction with the 15 recently consented at Bell House Farm, could be considered to undermine the emerging Joint Core Strategy or pre-determine the location of strategic development. Furthermore, it is not considered that an objection could be sustained in relation to the possible prejudice to the development of the Tewkesbury Borough Plan or any future Neighbourhood Plans.

19.5 It is concluded therefore that the economic and social benefits would outweigh any environmental harm resulting from the use of the private car and the limited landscape harm arising from the proposals. As such, based upon the three-stranded definition of Sustainable Development within the NPPF, the proposal would represent a sustainable form of development.

20.0 Conclusion

20.1 It is therefore recommended that **permission be delegated to the Development Manager subject: to the County Highway Authority's confirmation of the acceptability of the proposed road layout and access; and to allow for any necessary amendments to the proposed planning conditions (as necessary) and to allow for the completion of a Section 106 Agreement to secure the following planning obligations:**

- Affordable Housing - 35.7% provision.
- Off-site sports provision (playing pitches and changing facilities) - £35,000.
- Off-site contribution towards play facilities of £769 per household.
- Off-site contribution of £13,682 indoor sports facilities.
- Community - contribution towards community related facilities - to be confirmed.
- Recycling - £50 per dwelling
- Dog bins & signs - 1 bin per 45 houses at £350 per bin. 1 sign per 10 houses at £50 per sign

RECOMMENDATION Delegated Permit

Conditions:

- 1 Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3 The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.
- 4 Notwithstanding the submitted information, applications for the approval of the reserved matters shall be in accordance with the scale parameters described on the block plan and development shall be limited to no more than 2 storeys (with a maximum ridge height of 9 metres).
- 5 The submission of reserved matters, pursuant to condition 1 shall include details of the existing and proposed ground levels and proposed ground floor slab levels of the buildings and roads, access and driveway to Rectory Farm, relative to ordnance datum. Thereafter, the development shall be carried out in accordance with the details, as approved.
- 6 Trees and hedgerows on the site shall be retained during the course of development in accordance with details within the Arboricultural and Planning Integration Report prepared by GHA Tress, dated December 2014, and as shown on the block plan numbered 1552PO2 Rev *. Prior to the commencement of development details showing how the retained trees and hedgerows will be protected during the course of construction shall be submitted to and approved in writing by the Local Planning Authority. The protection measures shall accord with BS 5837: Trees in relation to construction. All approved protection measures shall be in place prior to the commencement of construction and shall be retained until construction has been completed.
- 7 The reserved matters submitted pursuant to condition 1 shall be accompanied by full details of both hard and soft landscape proposals. These details shall include, as appropriate:
 - (i) Positions, design, materials and type of boundary treatment to be erected;
 - (ii) Hard surfacing materials;
 - (iii) Restoration of areas referred to as 'Landscape Restored' on block plan (including any changes to levels) ;and

Soft landscape details shall include:

- a. Planting plans including positions for all tree, hedge and shrub planting;
- b. Written specifications (including cultivation and other operations associated with plant and grass establishment);
- c. Schedules of plants, noting species, planting sizes and proposed numbers;
- d. Densities where appropriate; and
- e. Implementation timetables including time of planting.

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 LPA, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place.

- 8 No development shall take place until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the local planning authority. The EMP shall be in accordance with the mitigation and enhancement measures set out in the Preliminary Ecological Appraisal Report (dated December 2014). It shall include a timetable for implementation, details for monitoring and review, and details of how the areas concerned will be maintained and managed. Development shall thereafter be carried out in accordance with the approved details and timetable of the EMP.
- 9 No development shall take place until details of the provision of fire hydrants served by mains water supply, including a timetable for their provision, have been submitted to and approved in writing by the local planning authority. The fire hydrants shall be provided in accordance with the approved details and timetable.
- 10 Prior to the first occupation of any of the dwellings hereby permitted, an External Lighting Strategy shall be submitted to and approved in writing by the local planning authority, and development shall be carried out in accordance with the approved details. Thereafter no external lights shall be installed on the dwellings or anywhere else within the appeal site otherwise than in accordance with the approved External Lighting Strategy, unless the written approval of the local planning authority has first been obtained.
- 11 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors
 - ii) the hours to which construction work, deliveries and the running of external plant and equipment will be restricted
 - iii) loading and unloading of plant and materials
 - iv) storage of plant and materials used in constructing the development
 - v) wheel washing facilities
 - vi) measures to control the emission of dust and dirt during construction, and
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 12 No development, shall take place until the following components of a scheme to deal with the risks associated with contamination of the site are submitted to and approved, in writing, by the local planning authority:
- i) No development, shall take place until a phase 2 site investigation should be carried out, the details of which shall have been submitted to and approved, in writing, by the local planning authority. In addition to the proposals outlined in the phase 1 geo environmental assessment, this should also include detailed soil sampling and trial pitting across the site in order to confirm ground conditions and levels of soil contamination.
 - ii) Where remediation is necessary a remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

iii) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. A further investigation and risk assessment must be undertaken in accordance with the following requirements:

The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (a) a survey of the extent, scale and nature of contamination;
- (b) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (c) an appraisal of remedial options, and proposal of the preferred option(s).

where remediation is necessary, the requirements of condition 2 should be followed.

- 13 No external construction works, deliveries, external running of plant and equipment or internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1400 on Saturday. There shall be no such working Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.
- 14 Development is not to begin until comprehensive evidence based surface water and foul drainage details, including a SuDS/drainage management plan, have been submitted and approved by the authority. These should fully incorporate the principles of sustainable drainage and improvement in water quality, along with a robust assessment of the hydrological influences of the detailed drainage plan, including allowances for climate change. The scheme to subsequently be implemented in accordance with the approved details before the development is finished and put into use, and subsequently maintained to the required standard. In addition, unless foul water is to be treated via a package treatment plant, that the sewerage authority must first take any steps necessary to ensure that the public sewer will be able to cope with the increased load, and there being in place adequate and appropriate sewerage facilities to cater for the requirements of the development without increase of flood risk or ecological damage.

Reasons:

- 1 The application is in outline only and the reserved matters referred to in the foregoing condition will require further consideration.
- 2 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.
- 3 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 To ensure that the development integrates harmoniously with its surroundings and does not adversely impact upon existing residential properties in accordance with the NPPF and Policy LND4 of the Tewkesbury Borough Local Plan - March 2006.
- 5 To ensure that the development integrates harmoniously with its surroundings and does not adversely impact upon existing residential properties in accordance with the NPPF and Policy LND4 of the Tewkesbury Borough Local Plan - March 2006.
- 6 To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policy LND7 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 7 To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policy LND7 of the Tewkesbury Borough Local Plan to 2011 - March 2006.

- 8 To ensure proper provision is made to safeguard protected species and their habitats, in accordance with the guidance set out in the NPPF and Policy NCN5 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 9 To ensure that fire hydrants are provided in suitable locations within the development in the interests of community safety in accordance with Policy GNL11 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 10 To protect the amenities of nearby residential property and in the interests of visual amenity in accordance with Policies LND4 and EVT2 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 11 In the interests of highway safety in accordance with Policy TPT1 of the Tewkesbury Borough Local Plan - March 2006
- 12 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with guidance in the NPPF.
- 13 To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours in accordance with Policy EVT3 of the Tewkesbury Borough Local Plan - March 2006.
- 14 To ensure that the development is provided with a satisfactory means of drainage, as well as reducing the risk of flooding both on the site itself and the surrounding area, and to minimise the risk of pollution, all in accordance with the saved policies and NPPF guidance.

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 an improved layout and design, and ensuring that highway safety and residential amenity issues have been addressed.

15/00131/01

SITE LOCATION PLAN

DATE	18/09/14	DATE	18/09/14
DRAWN BY	AM/MS	CHECKED BY	AM/MS
SCALE	1:1250	SCALE	1:1250

CLIENT: **River Ltd**
 PROJECT: **Land at Malesmore**
 DRAWING: **Site Location**
 SCALE: **1:1250 @ A3/DWG ID: 1552 P 01**
 DATE: **Nov '14** REV: #



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 Tel: 01323 811111 Fax: 01323 811112



218/A

REV	DATE	BY	CHKD
1			

DRIVEWAY TO
RECTORY FARM
SECTION

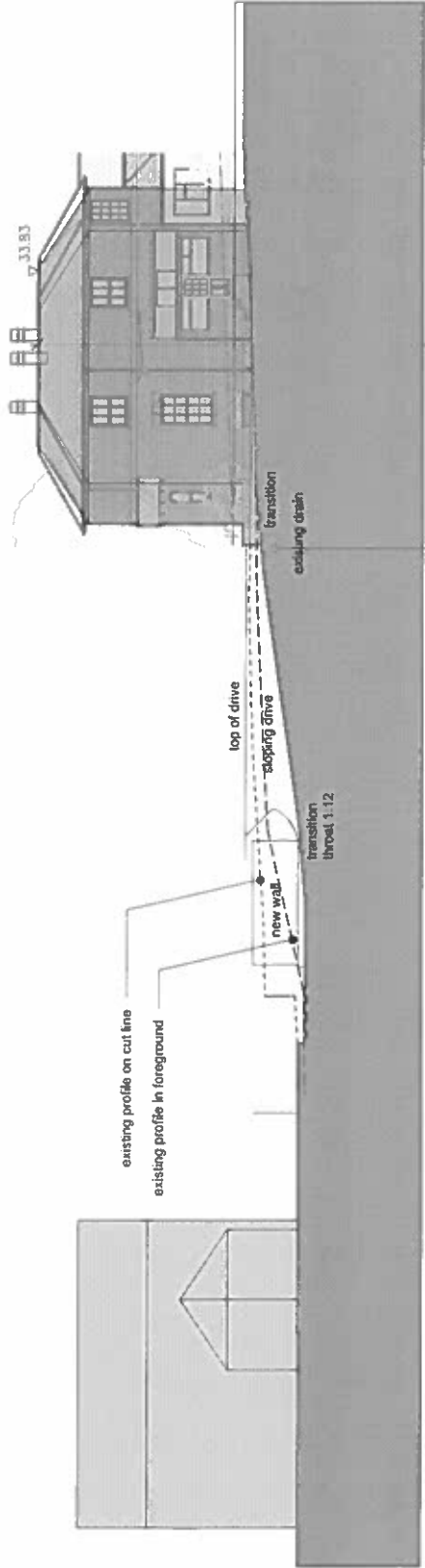
CLIENT:
Rivar Ltd
PROJECT:
Land at Maiseimore

DRAWN BY:
Access to Lodge

SCALE: 1:2000 @ A3 DWG I/PD 1552 P 03
DATE: July 15 2014

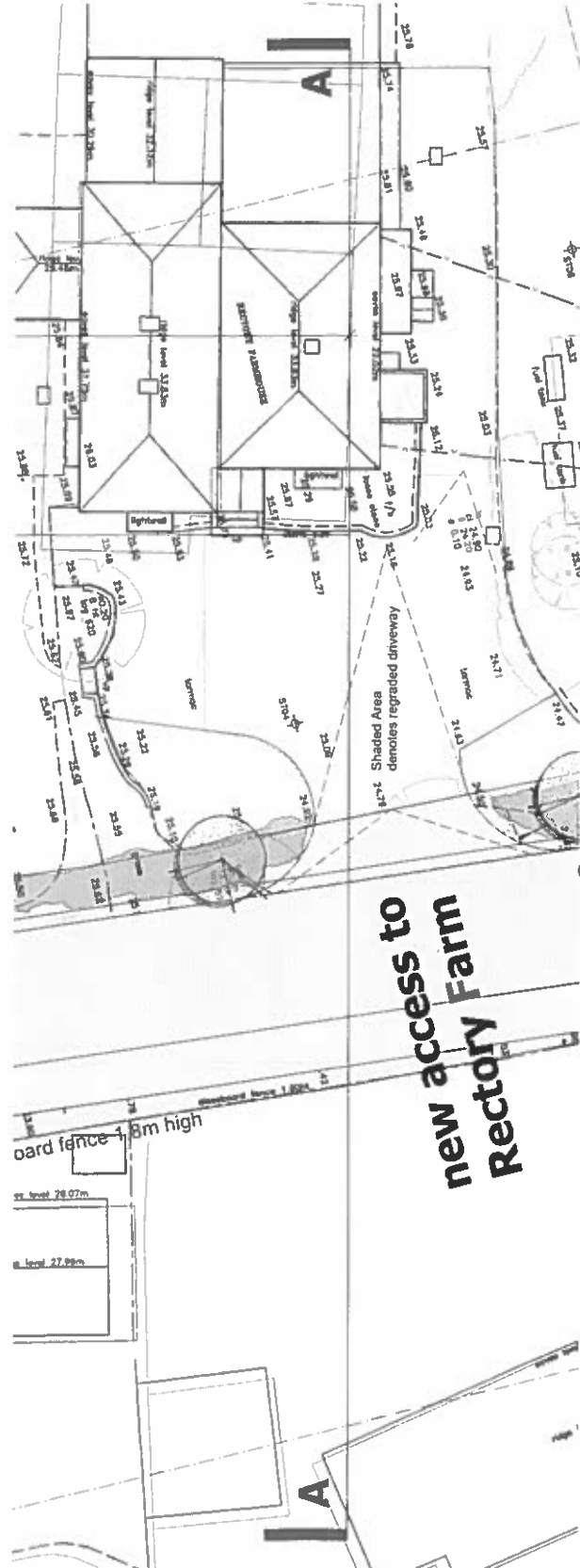


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Section on A

218K



new access to Rectory Farm

Plan (shows existing levels)



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1	1 bed	17.0m
2	2 bed	17.0m
3	3 bed	17.0m
4	4 bed	17.0m

Legend

- Existing tree
- New tree
- Existing hedgerow/landscape
- New hedgerow/landscape
- New obstacle: hedgerow/groundcover
- Public Open Space (0.2 Ha)

House Types:

Dimensions range:

width: 7-10m

depth: 6-10m

area: 50-100sqm

ridge: 5.5-6.5m

Dimensions range:

width: 5-10m

depth: 5-10m

area: 25-100sqm

ridge: 6-8m

Dimensions range:

width: 5.5-13m

depth: 5.5-13m

area: 30-170sqm

ridge: 6-9m

Dimensions range:

width: 7-12.5m

depth: 7-12.5m

area: 50-156sqm

ridge: 6-9m

Colour Code:

- 1 bed affordable dwelling
- 2 bed affordable dwelling
- 3 bed affordable dwelling
- 2 bed open market dwelling
- 3 bed open market dwelling
- 4 bed open market dwelling

Scale: 1:500 @ A3 (1:1000 @ A1)

Date: Jan 15

Project: 1555 P02

REVISED LAYOUT 28 UNITS



218/0

Valid 03.03.2015

Installation of standalone PV modules and associated infrastructure covering a 10 hectare site.

Grid Ref 393922 226330

Parish Bishops Cleeve

Ward Cleeve Grange

Rochester 008

The Coach House

Telford House

46 New Street

Ross-on-Wye

Herefordshire

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

Planning Practice Guidance

JCS Submission Version November 2014 - SD1, SD7, SD10, SD15, INF2, INF3 and INF6

The Tewkesbury Borough Local Plan to 2011 - March 2006 - GRB1, LND4, LND7, TPT1, EVT1, EVT3, EVT5 and NCN5.

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

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Bishops Cleeve Parish Council - support the application.

Environment Agency - Refer to standing advice.

County Archaeologist - Recommends that in advance of the determination of this planning application the applicant should provide the results of an archaeological field evaluation which describes the significance of any heritage assets contained within the application site and how these would be affected by the proposed development.

Natural England - No objection

Severn Trent Water - No objection, subject to drainage condition.

County Highway Authority - No objections subject to condition.

One letter of neighbour representation received raising the following objections:

- The proposed development would result in increased risk of flooding.
- The electricity network is unlikely to cope with the increase electrical load and would require upgrading.

Two letters of representations received in support of the application:

- We have an obligation to play our part in securing energy for the country and projects such as this will play an important role. PV sites are quickly constructed and cause no disturbance once built, passively generating electricity for many years.
- The proposed development would not be readily visible from the surrounding area and Cleeve Hill which is some distance from the hill and in such a wide field of view would barely register within such a vast landscape.

Planning Officers Comments: Mr Ciaran Power**1.0 Introduction**

1.1 The site covers an area of approximately 10 hectares of agricultural farmland at Home Farm, Brockhampton Lane which is located approximately 1200m to the south west of the edge of Bishops Cleeve. The site comprises open pastoral fields, divided by well-established hedgerows with some mature trees. The site is located within Flood Zone 1 and is also located within the Green Belt, as designated in the local plan.

2.0 History

2.1 A number of planning applications have been considered in respect of the Wider Home Farm agricultural holding for agricultural use, equestrian use and farm diversification however none are considered directly relevant in the determining of the current planning application.

2.2 The proposed development has been subject of a screening opinion which concluded that the proposal was not Environmental Impact Assessment (EIA) development for the purposes of the EIA Regulations.

3.0 Current Application

3.1 The proposed development comprises the construction of a 6.68MW capacity solar farm to be operational for a 31 year period. The proposed solar farm would comprise a series of photovoltaic modules (PV) fixed onto a aluminium mounting system these are then mounted in driven posts. The maximum height of the solar arrays, of which there will be a total of 800, would be 2.9 meters. The steel frame tables would be affixed to galvanized steel posts, which would be piled into the ground. The rows of tables would be aligned in an east-west direction with the panels facing south.

3.2 The solar farm includes 5 inverter transformer buildings, as well as one private substation, one substation building and one storage container.

4.0 Policy Context

4.1 At the heart of the NPPF is a presumption in favour of sustainable development, of which there are three dimensions: economic, social and environmental. The NPPF does not change the statutory status of the development plan as the starting point for decision making but emphasises the desirability of local planning authorities having an up-to-date plan. According to paragraph 215 of Annex 1 of the NPPF, due weight should be given to relevant policies in existing development plans according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given).

4.2 Paragraph 216 of the NPPF sets out that that from the day of publication decision-makers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan. The weight to be attributed to each policy will be affected by the extent to which there are unresolved objections to relevant policies with the emerging plan (the less significant the unresolved objections, the greater the weight that may be given) and the degree of consistency of the emerging policies to the NPPF. The more advanced the preparation of a plan, the greater the weight that may be given.

4.3 Policy GRB1 of the Local plan states that 'in the Green belt, planning permission will not be granted for development other than the construction of new buildings for the following purposes:

- Necessary for the efficient use of agriculture or forestry.
- Essential facilities for outdoor sport and outdoor recreation.
- Limited extension, alteration or replacement of dwellings.
- The carrying out of an engineering or other operation or the making of - a material change in the use of land provided that it maintains the openness of the Green Belt and does not conflict with the purposes of including land in it.'

4.4 The NPPF mirrors the advice of the Development Plan by stating at paragraph 89 that 'local planning authorities should regard the construction of new buildings as inappropriate in Green Belts. Exceptions to this are: buildings for agriculture and forestry, provision of appropriate facilities for outdoor sport and recreation etc, 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, limited infilling in villages and limited affordable housing for local community needs'.

4.5 In addition, paragraph 90 advises that 'certain forms of development are also not inappropriate in Green belt provided they preserve the openness of the Green belt and do not conflict with the purposes of including land in Green Belt.' They do not however list the proposal as an appropriate form of development. In relation to the Green Belt, paragraph 91 of the NPPF specifically states that 'elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.'

4.6 Paragraph 93 of the NPPF advises that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is echoed in Policy EVT1 of the Tewkesbury Borough Local Plan which advises that proposals for the development of renewable energy installations will be supported provided that they:

- a) do not result in unacceptable loss of amenity to local residents or businesses by reason of noise, traffic or other disturbance.
- b) do not result in any risk to public health and safety.
- c) do not adversely affect the quality of conservation areas or landscapes designated as areas of outstanding natural beauty, special landscape area or landscape protection zone.

4.7 Policy INF6 of the JCS Submission Version also supports proposals for the generation of energy from renewable resources provided the wider environmental, social and economic benefits of the installation would not be outweighed by a significant impact on the local environment.

4.8 Policy LND4 of the Local Plan states "In considering proposals for development in rural areas other than the Area of Outstanding Natural Beauty, Special Landscape Area and Landscape Protection Zone, regard will be given to the need to protect the character and appearance of the rural landscape".

4.9 Policy NCN5 of the local plan and Policy SD10 of the JCS (Submission Version) seeks to protect and, wherever possible enhance biodiversity, including wildlife and habitats.

4.10 Local Plan Policy EVT3 provides that new development should be sited away from sources of noise and planning permission should not be granted for development where noise would cause harm and could not be ameliorated. Similarly policy SD15 of the JCS (Submission Version) seeks to promote health and environmental quality and ensure that new development does not result in unacceptable levels of noise.

4.11 Policy EVT5 of the Local Plan requires that certain developments within Flood Zone 1 be accompanied by a flood risk assessment and that developments should not exacerbate or cause flooding problems. Furthermore, Policy EVT9 of the Local Plan requires that development proposals demonstrate provision for the attenuation and treatment of surface water run-off in accordance with sustainable drainage systems (SUDS) criteria. Similarly Policy INF3 of the JCS (Submission Version) seeks to ensure that development proposals avoid areas at risk of flooding and do not increase the level of flood risk.

4.12 Policy TPT1 of the local plan seeks to ensure that highway access can be provided to an appropriate standard which would not adversely affect the safety or satisfactory operation of the highway network, nor cause an unacceptable loss of amenity to users of adjacent land. Similarly policy INF2 of the JCS (Submission Version) seeks to protect the safety and efficiency of the transport network.

4.13 The above local plan policies in respect of conserving the natural environment and supporting renewable energy are considered to be consistent with the NPPF and are therefore considered to have significant weight. The JCS Submission Version policies detailed above are also considered to be consistent with the NPPF and as such should be accorded some weight.

5.0 Analysis

5.1 The main issues in this case are considered to be the principle of the development in the Green Belt and its effect on the landscape character and visual amenity of the area.

Principle of development

5.2 The NPPF states that 'Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.' When determining planning applications, local planning authorities are advised that they should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and
- approve the application if its impacts are (or can be made) acceptable.

5.3 Planning Practice Guidance (PPG) on 'Renewable and low carbon energy' advises inter alia, that the need for renewable energy does not automatically override environmental protections and that local topography is an important factor in assessing whether large solar farms could have a damaging effect on landscapes and recognise that the impact can be as great in predominantly flat landscapes as in hilly or mountainous areas. It also sets out particular factors a local planning authority (LPA) will need to consider which includes encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value. Where a proposal involves greenfield land, an LPA will need to consider, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use and/or encourages biodiversity improvements around arrays.

5.4 Furthermore, the UK Solar PV Strategy (2013) sets out four guiding principles for solar PV, the third of which states, amongst other things, that solar PV should be appropriately sited with proper weight being given to environmental considerations such as landscape and visual impact. Following publication of this strategy, the Minister for Energy and Climate Change produced a letter dated 1st November 2013 indicating that *..Inappropriately sited solar PV is something that I take extremely seriously and I am determined to crack down on'.*

5.5 The provision of renewable energy development is encouraged in local plan policies EVT1 of the local plan and INF6 of the JCS Submission Version, as detailed above, but subject to the need to protect the quality of designated landscape areas. This site lies within the open countryside within the Green Belt.

5.6 The panels would be connected to the national grid and it is anticipated that they would generate up to 6.68MW of power. The panels would be erected for a period of 31 years and would see renewable energy (RE) fed into the grid, thus representing a contribution to the UK's renewable energy targets. The Planning Statement states that the energy generated would be sufficient to power 1498 homes and would save up to 1939 tonnes CO2 per year.

5.7 These benefits would accord with the NPPF's renewable energy provisions, which indicate that the delivery of renewable, low carbon energy is central to the economic, social and environmental dimensions of sustainable development and that local communities have a responsibility to contribute to the generation of such energy amongst other things.

5.8 Notwithstanding these benefits it is necessary, as advised in the PPG, to consider the effect of the proposal on the landscape and visual amenity of the area, whether it has been demonstrated that development of agricultural land is necessary and whether very special circumstances exist to outweigh any harm to the Green Belt.

Green Belt

5.9 Paragraph 91 of the NPPF considers renewable energy developments in green belts, and states that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

5.10 The Framework indicates that the essential characteristics of Green Belts are their openness and permanence. Very special circumstances which clearly outweigh harm to the Green Belt by inappropriateness, and any other harm, must be demonstrated to justify inappropriate development in the Green Belt. The intention to remove the solar farm after 31 year means that it would not be permanent, so to that extent the harm to the Green Belt is reduced. However 31 years is a substantial period of time. The proposal would therefore clearly cause some harm to the Green Belt. The degree of harm must therefore be considered. The site is relatively enclosed and not readily visible within the immediate area. It would be visible from further vantage points some distance away (discussed in more detail in Landscape Section). It would be seen in distant views in the context of a landfill site and Anaerobic Digestion Plant however it would still remain visibly separate from any settlement and its requirement to be removed would ensure that it would remain open in the longer term. Having regard to this whilst there are clearly impacts upon the function of the Green Belt these are considered to be low to moderate impacts.

5.11 The proposed development would generate enough electricity to provide energy for approximately 1500 homes. This is a considerable amount of energy, and paragraph 98 of the NPPF recognises that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions. In addition the proposed

development would assist in meeting local and national targets and aspirations in utilising renewable energy to mitigate climate change. These are important environmental benefits which carry substantial weight.

5.12 In addition the application documentation states that the scheme proposed, incorporates a number of significant environmental and socio-economic benefits and it's these which form the very special circumstances as follows:

- The scheme is a simple and proven passive technology providing a source of safe, locally produced renewable energy for many years after construction, with no by-products.
- The application is supported by a range of assessments and reports which have found that potential impacts of the development are not significant and where they exist can be suitably mitigated.
- The proposal includes targeted plans to provide places for nature and wildlife, both by preserving the ecological assets onsite and by seeking to increase the biodiversity of the site in the future through sensitive management methods. These factors represent net gains for biodiversity in comparison to the current permanent pasture system onsite.
- The proposals are fully reversible and temporary in nature. Therefore there would be no long term impacts from the development.
- The proposal will generate both long term and short term employment opportunities. In the short term, a local labour force will be required to prepare the site, deliver materials to the site and erect the solar farm. In the longer term a labour force will be required to monitor the site through CCTV, maintain the panels, and maintain the site, including the hedges and trees.
- The proposal will still enable the site to be grazed and subject to a suitable local flock being found will provide an additional agricultural income for a local tenant farmer.
- The landowner will receive a consistent and elevated income (per acre) for the land, over the period of the installation. The rent for the land would be expected to exceed the return for conventional farming on this land. This would make a significant contribution towards the rural economy, at a time when commercial rural activity is becoming less and less viable and when landowners are beginning to rely upon innovative rural diversification schemes to support and compliment traditional practices.

5.13 In light of the above it is considered that the harm to the openness of the Green Belt would be limited. It is further considered that the contribution towards renewable energy, net biodiversity gains, the reversible nature of the development and economic benefits, when taken together, are capable of amounting to the very special circumstances necessary to justify inappropriate development in the Green Belt. These matters must be considered in the overall planning balance.

Sequential assessment

5.14 As detailed above, it is necessary to consider whether it has been demonstrated that development of agricultural land is necessary and, if so, whether it has been shown that land of poorer agricultural quality has been chosen in preference to higher quality land. A sequential analysis has been undertaken in support of the application.

5.15 The applicant's analysis considered the National Land Use Database of Previously Developed Land (NLUD-PLD), which provides a record of all brownfield sites in England. Of all the 938 sites that could potentially be available for solar farm developments only 1 site is within Gloucestershire. That site is a 0.26ha area of previously developed manufacturing land and its listing states that it is safeguarded as employment land.

5.16 The site comprises a mix of undifferentiated Grade 3 agricultural land but a soil analysis of the site gives it a land grading of 3a and 3b. The agricultural appraisal informs that the land has been down to permanent pasture for the past 35 years, probably due to the variable soil depth and conditions. Therefore it is argued there would be no loss of food producing agricultural land. In addition the applicants point out that the proposed scheme would provide an annual income to the owners of Home Farm to continue to support the agricultural business and therefore it would not be practicable to look for other sites.

5.17 In conclusion, the assessment is considered to demonstrate that there are no available or suitable areas of PDL, nor sites of lower quality agricultural land (Grade 4 or 5), suitable for the proposed solar park development.

Effect on landscape character and visual amenity of the area

5.18 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application which concludes that "no significant direct or indirect effects would occur on on-site landscape features, or on the character of the surrounding landscape; no significant adverse visual effects would arise during construction, on completion or in the long-term for residents of dwellings near the site; and no significant visual effects would arise for users of public footpaths or the recreational landscape, or for those using the road network".

5.19 The site is surrounded by a number of commercial uses including an Anaerobic Digestion Plant (AD Plant) to the north and landfill operations. The site is relatively flat and it is accepted that localised views would be predominantly screened by existing and proposed planting and the artificial landscape created by the adjacent landfill, which would largely contain the visual impacts of the proposed development in the locality.

5.20 Due to the scale, layout and form of this development, it will be visible from elevated vantages in the AONB, particularly along the prominent and valued Cotswold Scarp including several long distance walking routes. From elevated vantage points in the AONB the proposed solar farm would be noticeable and the geometric and striated form with a blue hue would stand out from those areas of the vale remaining in agricultural use. It will clearly be recognisable as "development". Furthermore, due to its size, it will be seen as a large-scale development albeit in an expansive view.

5.21 The Council's Landscape Consultant raises concern regarding the potential cumulative impact of the solar farm along with other new developments when viewed from these elevated vantage points within the AONB. Nevertheless, whilst the development would be visible from vantage points within the AONB it must be acknowledged that the application site is located some 3.1 Km (approximately) away from the edge of the AONB and the application site is in a landscape area which has been heavily influenced by the landfill sites and gravel works; the equestrian centre and nearby barns; and wider industrial and suburban development near Bishop's Cleeve, all of which degrade the quality of the landscape.

5.22 In light of the above, the proposed development would result in a large scale development which would be visible from elevated distant views within the AONB which weighs against the development and must be considered in the planning balance.

Archaeology

5.23 The application has been submitted with a geophysical survey which indicates the presence of ground anomalies which the County Archaeologist considers very probably represent prehistoric or Roman remains, and it is highly likely that there will be further archaeological remains not predicted by the geophysical work.

5.24 The extent, date, character and significance of any archaeological remains contained within this site is currently unknown, and in those circumstances the County Archaeologist advises that there is a need to undertake a programme of archaeological field evaluation to understand those issues before this planning application is determined, in accordance with the NPPF paragraph 128. The applicants have confirmed that they fully intend to carry out the necessary survey works, however this work has not been received to date.

Ecology

5.25 The application has been supported with an Ecological Appraisal Report which identifies that the site is not located in any international or national areas of conservation importance. Wingmoor Farm Meadow a Key Wildlife Site (KWS) is located to the north east of the application site. Natural England have been consulted on the application and raise no objections to the proposal in terms of its impact on the adjacent KWS. The report concludes that no specific mitigation or compensation measures are required for the small-scale impacts on the areas of improved grassland within the site. Hedgerow protection is recommended as well as additional hedgerow planting to infill gaps within the hedgerows as well as hedgerow management, survey any trees to be removed for the presence of bats, provide enhancements to grassland habitats in context of adjacent KWS, avoid external lighting and create log piles.

5.26 The ecological findings, as well as the findings of the LIVA, have led to the creation of a Landscape and Ecological Management Plan submitted with the application which seeks to provide, inter alia, enhanced and new habitats. Having regard to the above, should members be minded to grant planning permission a condition should be imposed requiring the measures identified in the Landscape and Ecological Management Plan to be carried out. Subject to appropriate planning conditions to secure protection of existing habitats, biodiversity enhancements and mitigation as necessary the proposed development is therefore considered to accord with the NPPF and policy NCN5 of the Local Plan.

Flood risk

5.27 The application site is located within Flood Zone 1 however due to its size is accompanied by a Flood Risk Assessment (FRA). The FRA shows that the impermeable area introduced across the site is very small relative to the size of the site and as such will have limited impact upon the runoff rates from the site. A swale system has been proposed to allow the interception and infiltration of the flow from these areas.

5.28 As such it is concluded that there will be no impact on the nearby watercourses and neighbouring sites as a result of the proposed development. In addition the pragmatic approach to the design of the swales will provide an improved storage and interception capacity and will reduce any risks to adjacent sites from runoff, when compared to the predevelopment situation.

5.29 Having regards to the above it is considered that subject to an appropriately worded condition requiring the mitigation out line on the FRA to be carried out the proposal would not have a detrimental impact upon flood risk.

Access and Highway Safety

5.30 Access to the site is to be via the main entrance to Home Farm following the existing track used to provide access to the existing equestrian centre and caravan/motor home storage facilities at the Farm. A short track would be constructed within the farm to provide direct access to the construction site. Evidence has been submitted, in the form of vehicle track plots, to show that the largest vehicle likely to require access to the site during the construction phase (an articulated vehicle of 16.5m length and 2.55m width) could enter and leave the site in forward gear. The existing highway network presents levels of junction visibility that are deemed to be acceptable for the speed of the highway.

5.31 The County Highway Authority raise no objection to the proposal subject to a condition requiring the submitted construction method statement to be adhered to.

Residential Amenity

5.32 The nearest residential properties, not associated with Home Farm are located some distance away and given the nature of the proposed development it is not considered that there would be any significantly detrimental impact upon residential amenities.

6.0 Overall Planning Balance and Conclusions

6.1 The economic, social and environmental roles for the planning system, which derive from the three dimensions to sustainable development in the Framework, require that a balancing exercise be performed to weigh the benefits of the proposed solar panels against their disadvantages.

6.2 Weighing against the proposal are the harm identified to the Green Belt, both in terms of inappropriateness and loss of openness, and the harm to the character and appearance of the Countryside when viewed from elevated view points within the Cotswolds AONB. As set out above however it is considered that the harm to the openness of the Green Belt would be limited, as would the impact on longer distance views from the Cotswolds AONB.

6.3 The benefits of the proposal are the significant contribution that would be made towards the reduction of Greenhouse Gas emissions. The development would also contribute to the local rural economy and would have energy security benefits. It would also improve biodiversity. As set out above these matters, when taken together, are capable of comprising very special circumstances which would outweigh the harm to the Green Belt. Further, the applicant has demonstrated that there are considered to be no available or suitable areas of lower quality agricultural land (Grade 4 or 5) suitable for the solar development of the proposed scale.

6.4 Overall, It is considered that the harm to the function of the Green Belt, the local landscape and wider setting of the AONB would not be significant and that the benefits of the proposed development represent very special circumstances which would be sufficient to clearly outweigh the harms identified.

6.5 Having regard to the above, whilst finely balanced, it is considered that the proposal would accord with relevant policies of the Local Plan and emerging JCS and would represent sustainable development as set out in the NPPF. It is therefore recommended that permission be **delegated to the Development Manager subject to the necessary Archaeological work being completed to the satisfaction of the County Archaeologist.**

RECOMMENDATION Delegated Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1463-D001, 1463-D003, 1463-D004, 1463-D005, 1463-D006, 1463-D007, 1463-D008, 1463-D009, 1463-D010 received on 3rd March 2015.
- 3 Notwithstanding the submitted details, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; hard surfacing materials; planting plans, specifications and schedules and details of tree and hedgerow protection for existing planting, to be retained, in accordance with BS 5837: Trees in relation to construction. All approved tree and hedge protection measures shall be in place prior to the commencement of the development and shall be retained thereafter until the development is complete. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.
- 4 The recommendations outlined in the Landscape and Ecological Management Plan, dated February 2015 shall be implemented in full in the timeframes stated unless otherwise agreed in writing with the Local Planning Authority.
- 5 No external lighting shall be installed on the site at any time other than in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.
- 6 The planning permission hereby granted is for a period of 31 years from the date of first export of electricity from the development to the grid (the 'first export date') after which the development hereby permitted shall be removed. Written notification of the first export date shall be given to the Local Planning Authority no later than 14 days after the event.
- 7 Not less than 12 months before the cessation of the development hereby permitted, a Decommissioning Method Statement (DMS) shall be submitted to and approved in writing by the Local Planning Authority. The Decommissioning Method Statement shall include details of the removal of the panels, supports, inverters, cables, buildings and all associated structures and fencing from the site, and a timetable. The DMS shall also include details of the proposed restoration. The site shall be decommissioned in accordance with the approved DMS and timetable within 6 months of the expiry of the 31 year period of planning permission.
- 8 Notwithstanding the submitted details development shall not begin until drainage details, incorporating sustainable drainage principles have been submitted to and approved in writing by the Local Planning Authority and the scheme shall subsequently be implemented in accordance with the approved details before the development is brought into use.
- 9 The Construction Management Plan (CMP) submitted with the application, dated February 2015 shall be implemented in accordance with the details therein. The CMP shall be adhered to throughout the construction period.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 To ensure that the development permitted is carried out in accordance with the approved plans.
- 3 In the interests of visual amenity and the character of the area.

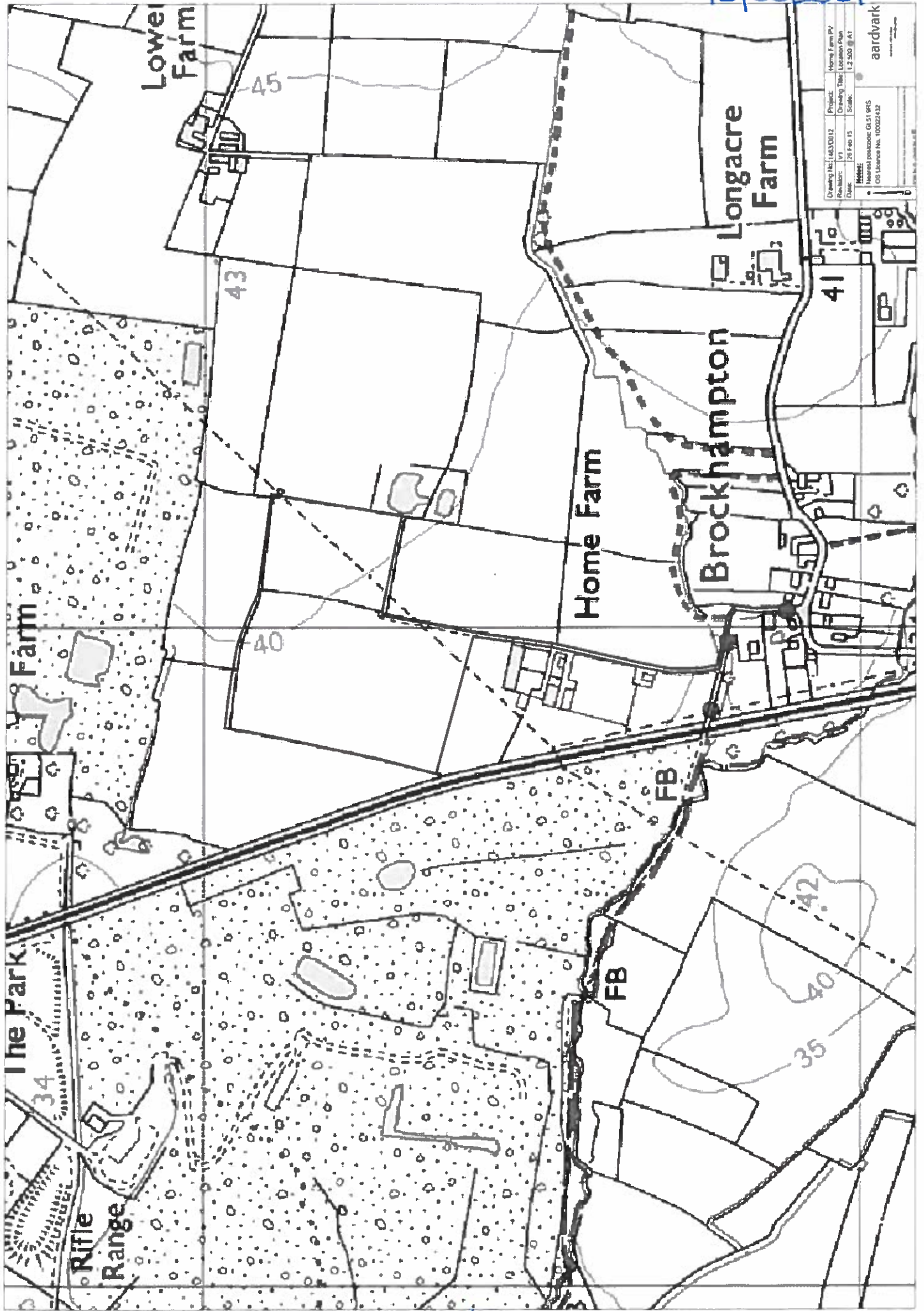
- 4 In the interests of visual amenity and the character of the area and to ensure ecological enhancements are appropriately managed.
- 5 In the interests of visual amenity and to protect biodiversity in accordance with the guidance set out in the NPPF and Policies GRB1, LND4 and NCN5 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 6 In the interests of visual amenity to accord with the NPPF.
- 7 In the interests of visual amenity to accord with the NPPF.
- 8 To ensure adequate disposal of surface water drainage and to reduce the risk of creating or exacerbating a flooding problem in accordance with Policies EVT5 and EVT9 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 9 In the interests of highway safety and in accordance with Policy TPT1 of the Tewkesbury Borough Local Plan to 2011 - March 2006 and the NPPF.

Notes:

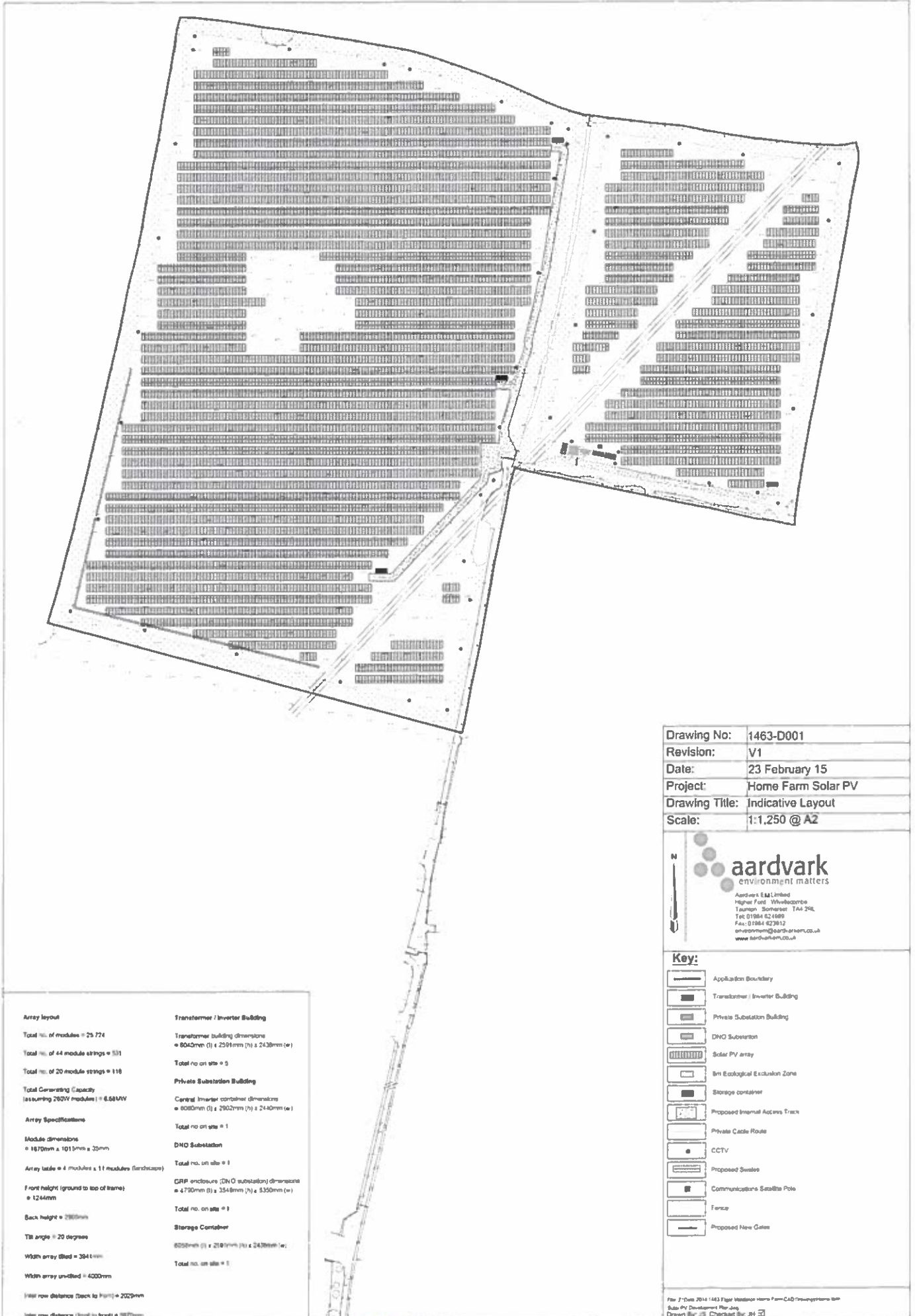
1 **Statement of Positive and Proactive Engagement**

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

- 2 Attention is drawn to the Council's Code of Good Practice for Building and Demolition Site Operators.



227/A



Array layout	
Total no. of modules = 25 774	
Total no. of 44 module strings = 531	
Total no. of 20 module strings = 118	
Total Generating Capacity (assuming 260W modules) = 6.68MW	
Array Specifications	
Module dimensions = 1670mm x 1013mm x 32mm	
Array tilt = 4 modules x 11 modules (landscape)	
Front height (ground to top of frame) = 1244mm	
Back height = 2800mm	
Tilt angle = 20 degrees	
Width array tilted = 3941mm	
Width array un-tilted = 4000mm	
Vest row distance (back to front) = 2000mm	
Inter row distance (front to front) = 3870mm	
Transformer / Inverter Building	
Transformer building dimensions = 8040mm (l) x 2591mm (h) x 2430mm (w)	
Total no. on site = 5	
Private Substation Building	
Central Inverter container dimensions = 8080mm (l) x 2902mm (h) x 2440mm (w)	
Total no. on site = 1	
DNO Substation	
Total no. on site = 1	
GRP enclosure (240 substation) dimensions = 4730mm (l) x 3548mm (h) x 5350mm (w)	
Total no. on site = 1	
Storage Container	
6050mm (l) x 2181mm (h) x 2430mm (w)	
Total no. on site = 1	

Drawing No:	1463-D001
Revision:	V1
Date:	23 February 15
Project:	Home Farm Solar PV
Drawing Title:	Indicative Layout
Scale:	1:1,250 @ A2

aardvark
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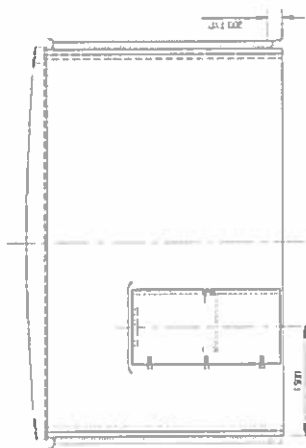
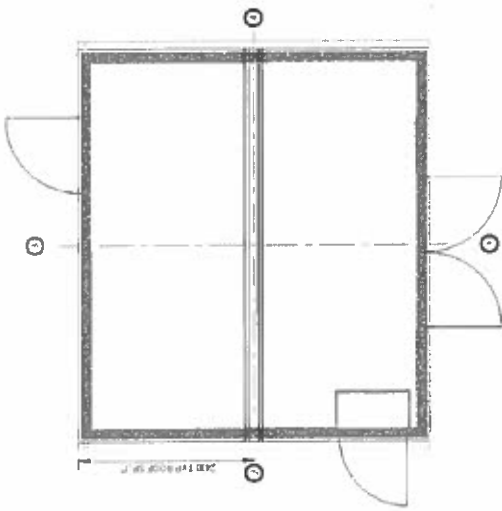
Key:

	Application Boundary
	Transformer / Inverter Building
	Private Substation Building
	DNO Substation
	Solar PV array
	Bm Ecological Exclusion Zone
	Storage container
	Proposed Internal Access Tracks
	Private Cable Route
	CCTV
	Proposed Streetlights
	Communications Satellite Pole
	Fence
	Proposed New Gates

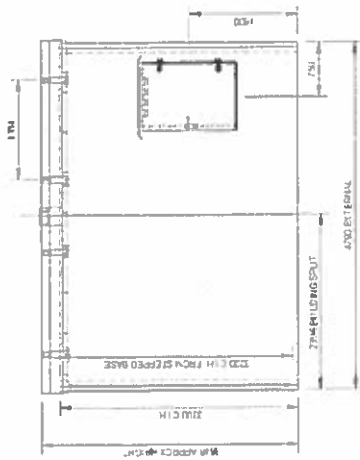
Plan 7 - Date 2014 1463 Final Masterplan Home Farm CAD (New) systems SH
 AutoCAD Development Plan Job
 Drawn By: [initials] Checked By: JM

227/B

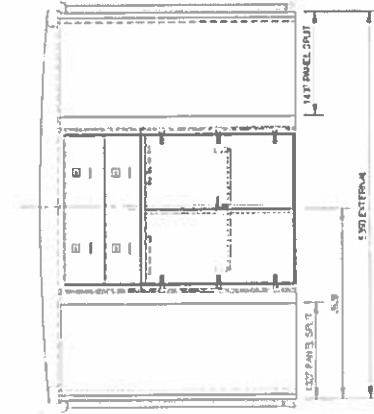
External Plan View



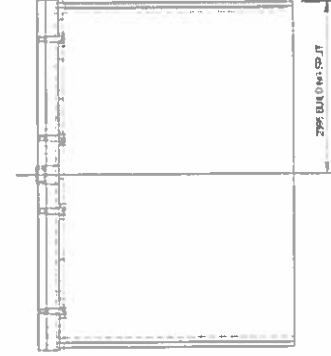
External View Wall 3



External View Wall 2



External View Wall 1



External View Wall 4



Elgar Middleton
Infrastructure & Energy

Drawing no:	1483-D004
Revision:	v.0
Date:	16 Feb 15
Project:	Home Farm Solar
Drawing Title:	1483-D004 - 1, Elevation and Plan 1/1
Scale:	1:100 @ A4

aardvark
CONSTRUCTION SOFTWARE
10000 1/2 Street
Suite 100
P.O. Box 1000
10000 1/2 Street
10000 1/2 Street

Notes:
Building colour RAL 6005
DNO building made of GRP

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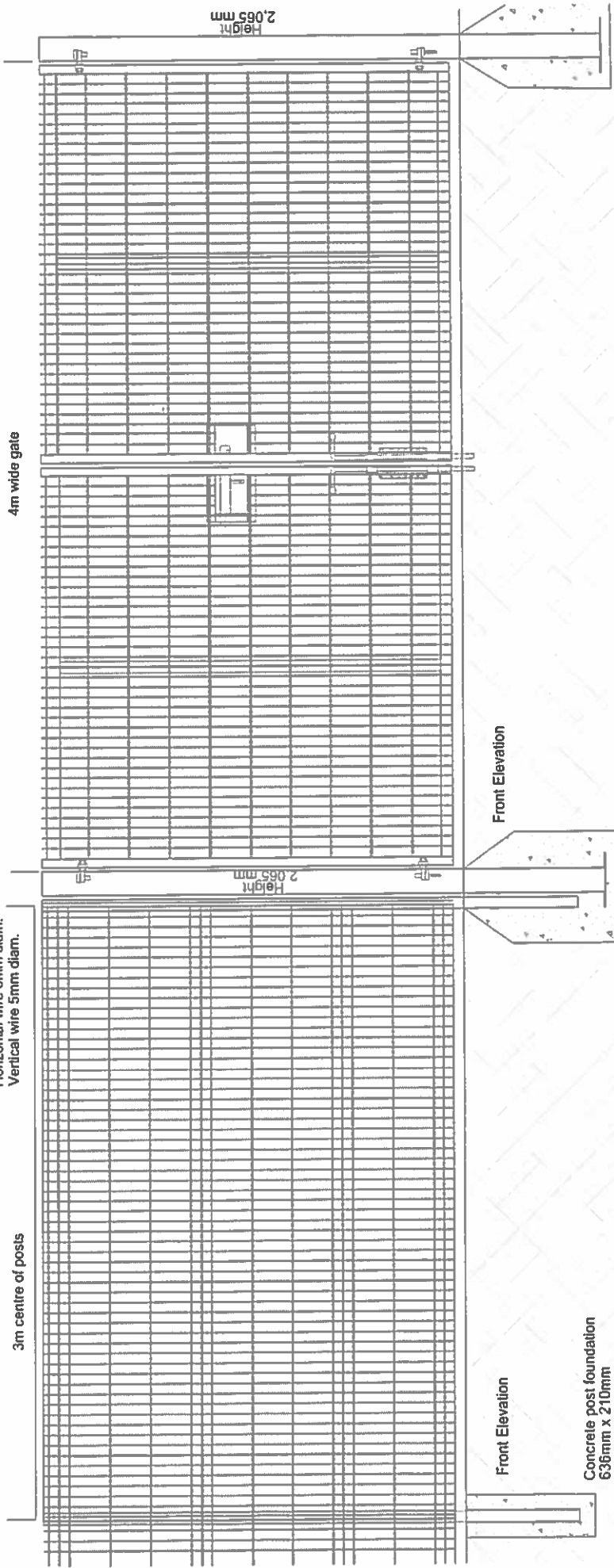
227/c

FENCE AND GATE DETAIL 1:20 @ A3

Fence Notes:
 200 x 50 mm weld mesh
 Horizontal wire 5mm diam.
 Vertical wire 5mm diam.

3m centre of posts

4m wide gate



Height
2.065 mm

Height
2.065 mm

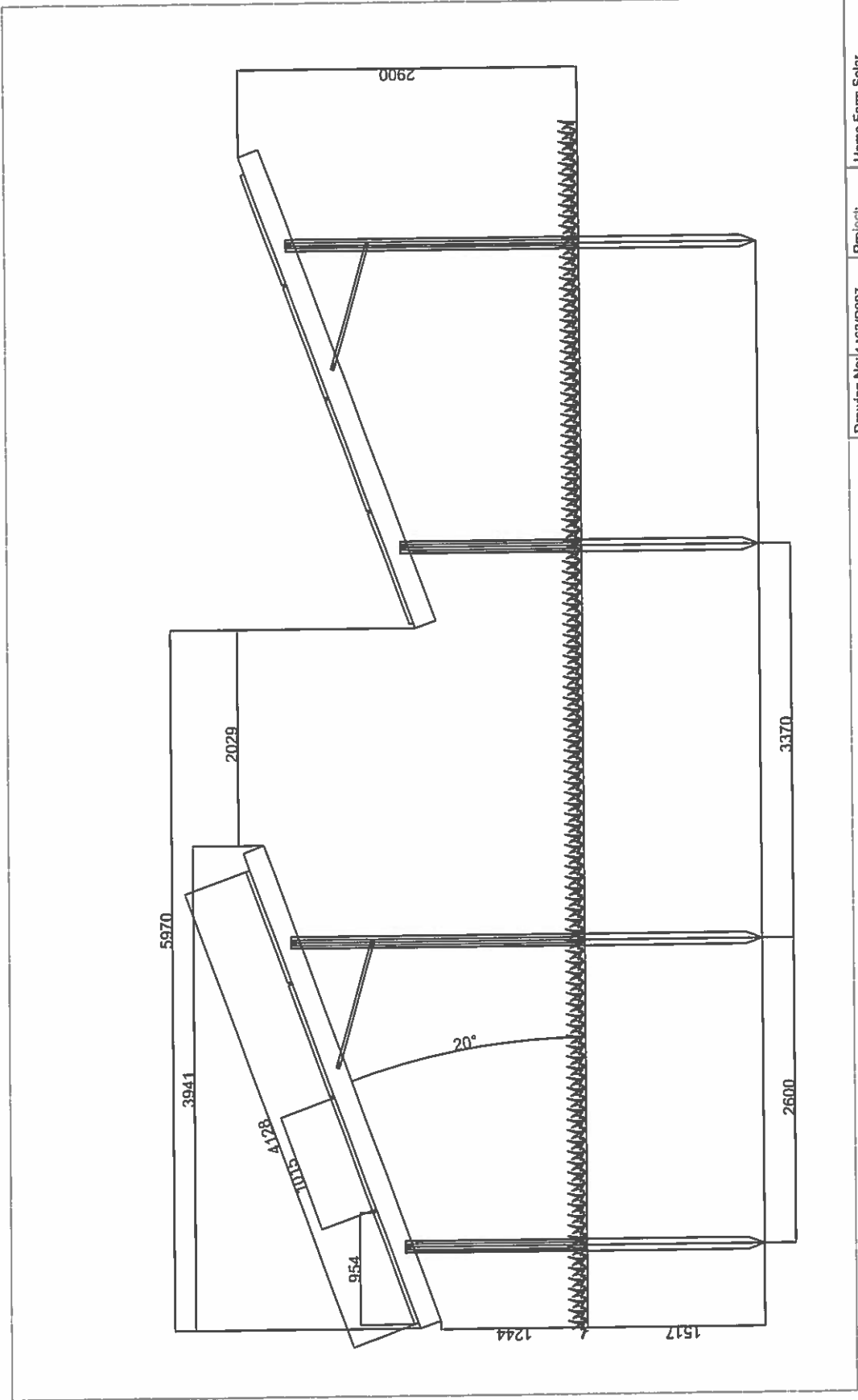
Front Elevation

Front Elevation



Concrete post foundation
636mm x 210mm

Drawing No:	1463/D005	Project:	Home Farm Solar
Revision:	v.a	Drawing Title:	Fence and Gate Elevation
Date:	16 Feb 15	Scale:	1:20@ A3
<p>Notes: Fence and Posts Colour RAL 6005</p>			
<p>aardvark environmental matters</p> <p>Aardvark Ltd United Kingdom 1999 Postville Road 17th Floor Tel: 01984 621999 Fax: 01984 621912 www.aardvark.co.uk</p>			

0/122



227/E

Drawing No:	1463/0007	Project:	Home Farm Solar
Revision:	v.a	Drawing Title:	Panel Cross Section
Date:	16 Feb 15	Scale:	1:50 @ A4
Notes:			
<p>  </p>			
<p>  Aardvark Environmentalists Registered Environmentalists 100 St. Johns Street, St. John's, NL A1B 1X9 Tel: 709-634-2289 Fax: 709-634-2287 www.aardvarkenvironmentalists.com </p>			

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Ward	Parishes or Wards of	Councillors	Ward	Parishes or Wards of	Councillors
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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 Mrs 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	Mrs P A Godwin Mrs E J MacTiernan
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Cleeve Grange	Cleeve Grange	Mrs S E Hillier- Richardson	Shurdington	Shurdington	P D Surman
Cleeve Hill	Prescott Southam Woodmancote	M Dean Mrs 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 Mrs 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	Twynning	Tewkesbury (Mythe Ward) Twynning	T A Spencer
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11 May 2015

Please destroy previous lists.