

TEWKESBURY BOROUGH COUNCIL

Schedule of Planning Applications for the consideration of the **PLANNING COMMITTEE** at its meeting on 18th February 2020

| | (NORTH) | (SOUTH) |
|---|----------------|----------------|
| General Development Applications Applications for Permission/Consent | (621 – 675) | (676 – 727) |

PLEASE NOTE:

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

CONTAINING PAGE NOS. (621 to 727)

Codes for Application Types

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

National Planning Policy

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

INDEX TO PLANNING SCHEDULE (RECOMMENDATIONS) 18th February 2020

| Parish and Reference | Address | Recommendation | Item/page number |
|------------------------------------|---|-------------------|------------------|
| Toddington 19/00865/FUL | 6 The Square Toddington Cheltenham Gloucestershire | Split decision | 1/621 |
| Click Here To View | | | |
| Ashchurch Rural 18/01251/FUL | Starveall Farm Pamington Road Pamington Tewkesbury | Permit | 2/628 |
| Click Here To View | | | |
| Gotherington 19/00476/FUL | Part Parcel 5778 Malleson Road Gotherington Cheltenham | Permit | 3/652 |
| Click Here To View | | | |
| Tewkesbury 19/01056/FUL | Hayrob 21 Wynyards Close Tewkesbury Gloucestershire | Permit | 4/667 |
| Click Here To View | | | |
| Ashleworth 19/01154/FUL | Little Haven The Village Ashleworth Gloucester | Permit | 5/670 |
| Click Here To View | | | |
| Bishops Cleeve 19/00758/OUT | Land At Homelands Farm Gotherington Lane Bishops Cleeve Cheltenham | Refuse | 6/676 |
| Click Here To View | | | |
| Churchdown 19/00997/FUL | 95 Orchard Way Churchdown Gloucester Gloucestershire | Permit | 7/693 |
| Click Here To View | | | |
| Churchdown 19/01124/FUL | Raleigh Lodge Station Road Churchdown Gloucester | Permit | 8/697 |
| Click Here To View | | | |
| Bishops Cleeve 19/01155/FUL | 19 Snowhill Drive Bishops Cleeve Cheltenham Gloucestershire | Permit | 9/700 |
| Click Here To View | | | |
| Bishops Cleeve 19/00817/APP | Local Centre Plot 7 And 8 Cleevelands Evesham Road Bishops Cleeve | Delegated Approve | 10/704 |
| Click Here To View | | | |
| Innsworth 19/00996/APP | Land North Of Innsworth Lane Innsworth GL3 1DU | Delegated Approve | 11/711 |
| Click Here To View | | | |

Valid 02.09.2019

Construction of 3 no. outbuildings comprising a garden room, double garage and gazebo.

Grid Ref 403517 233015

Parish Toddington

Ward Isbourne

RECOMMENDATION Split decision**Policies and Constraints**

National Planning Policy Framework; 2018 (NPPF)

Planning Practice Guidance

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

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

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

HOU8

Winchcombe and Sudeley Development Plan 2011-2031 (GNPD):

5.1, 5.3

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

RES10

Flood and Water Management SPD

Manual for Gloucestershire Streets

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

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Toddington Parish Council - Objection. Concerns include:

- The application would be detrimental to the setting of the listed buildings
- The garage would be in close proximity to grade 1 listed St Andrews Church
- The height of the buildings would harm the landscape and AONB
- The Parish request an environmental survey to assess impacts on wildlife - bats in particular
- The buildings would harm the TPOs
- The credibility of the heritage statement is questioned given that it does not quantify the scheme and falsely states the buildings are not visible from Toddington House Gateway
- Daylight and sunlight would be impacted on
- Privacy of historic assets and neighbouring properties would be impacted
- The Parish request a sunlight/daylight survey
- The public benefit test does not apply because the buildings would not be used by the public

Conservation Officer - Split:

Objection (garage and garden room). Concerns include:

- A garage with a pyramid roof is wholly out of keeping with the historic architectural aspects of the surrounding heritage assets and would appear discordant. The principle of the location of a new building in this area would also disrupted the sense of formal landscape and dilute the special character of this area. As such it is considered that the proposal to site a garage in this location would be harmful (less than substantial harm) to the setting of the heritage assets present for which there is no public benefit to outweigh the harm.
- The garden room is a square building with a flat roof and decorative pitched edge with a glazed roof lantern. The location of the garden building is clustered near other garden buildings and would not be particularly intrusive within the setting of the listed building. However the form and design of the building, especially the roof configuration is a hybrid of contrived forms, none of which relate to or are sympathetic to the historic environment and its component heritage assets.

No Objection (gazebo). Comments involve:

- The gazebo is close to the host listed building. However it is relatively modest in scale and having no sides appears as a lightweight garden structure. As such it is not considered that the addition of this structure would be harmful to the setting of the listed building.

Tree Officer - No objection subject to the submission and approval of an arboricultural method statement and tree protection scheme prior to the commencement of works.

The Gardens Trust - The garden trust neither object to nor support the application but make the following points:

- This part of the historic garden is well managed and retains a fine visual character. The proposal would introduce a more domestic visual intrusion to the park boundary
- The proposal and thinned boundary screening would worsen impacts to the listed building
- The character of the buildings are temporary in appearance and are out of keeping
- The parkland would be better preserved if the site remained visually open and had additional thickening planting
- The garden room would be better placed on the south elevation of the double garage

Members of the public - The application has been publicised through the posting of a site notice, and the neighbour notification scheme and one letter of representation was been received in the 21 day statutory consultation period. Concerns include:

- The garden room and double garage would have a detrimental impact on the AONB, Manor Parkland and Listed buildings
- The garden room is some distance from the main dwelling and former a border with the Parkland. It would not be well screened
- The garage would not be well screened. A metal or plastic up and over door is not appropriate
- There is no screening to protect the church
- The TPO root systems would be damages
- There may be negative impacts to bats using the trees

Planning Officers Comments: Emily Pugh

1.0 Application Site

1.1 This application relates to 6 The Square, a residential dwelling located within a subdivided grade two listed former stable block. The building is arranged in a square shape and the majority of the dwellings benefit from an area of private curtilage. The curtilage of the application property is located to the West and is comprised of an area of well-manicured garden with gravelled driveway.

1.2 The site is located within close proximity to designated heritage assets; the remains of the former grade one listed Toddington House and its formal historic garden form the western border; and St Andrews Church is to the North over an existing private access road.

1.3 The site is subject to a tree preservation order (number 273), is located within the Cotswold Area of Outstanding Natural Beauty and Flood Zone 2. **see site location plan.**

2.0 Relevant Planning History

2.1 Applications were submitted under references 19/00658/FUL and 19/00659/LBC for 'Construction of 3 no. outbuildings comprising a garden room, double garage and gazebo' - however were withdrawn prior to determination because concerns were expressed relating to the proposal (heritage, landscape, design). The current scheme is virtually identical.

2.2 Permission and associated listed building consent was granted under references 15/01051/FUL and 15/01052/LBC for 'Proposed internal and external alterations including replacement and new roof lights, replacement rear dormer, re-roofing of rear roof slope with natural slate and installation of new floor within void area - Grade II Listed Building ref: 25/162'.

2.3 Listed building consent was granted under reference 14/00289/LBC for 'Proposed internal alterations, including new mezzanine gallery (Listing Building Ref: 1091784)'.

2.4 No further relevant history pertaining to this application.

3.0 Current Application

3.1 The current application is three-fold. Firstly it seeks the erection of a timber framed gazebo in the south-eastern curtilage, adjacent to the dwelling. The second part of the proposal seeks a garden room in the western corner of the curtilage. The final part of the proposal seeks the erection of a double garage to the northern curtilage adjacent to an existing turning/parking area.

3.2 The gazebo would comprise of oak posts with a Welsh slate roof and the two further buildings would comprise of horizontal timber cladding with Welsh roof slates and no information has been provided on the doors and windows. **see attached plans for all details.**

3.3 The application has been brought to the planning committee because of an objection raised by the Parish Council

4.0 Policy Context

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

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

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2018 and the emerging Tewkesbury Borough Local Plan (Preferred Options Consultation) 2011-2031 and the Winchcombe and Sudeley Neighbourhood Development Plan.

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

5.0 Analysis

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

Design and Impact on Historic Environment

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

5.3 Policy SD4 (Design Requirements) of the JCS and likewise Policy HOU8 of the TBCLP sets out that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting. It further sets out that design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, and having appropriate regard to the historic environment.

5.4 Policy SD8 of the JCS and Paragraph 200 of the NPPF sets out that designated heritage assets and their settings, and Conservation Areas will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.

5.5 Paragraph 184 of the NPPF states that: Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 193 states that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 states that: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

5.6 Whilst design and impact upon the historic environment are usually considered separately, in view of the historic context of the site and surroundings it is necessary to consider both concurrently.

5.7 The proposed development is within the grounds of The Square which is a Grade II Listed building (a designated heritage asset). It is also within the setting of St Andrews Church (Grade I), The remains of Toddington Manor (Grade II*) and Toddington Manor Registered Park and Garden (Grade II).

5.8 The first part of the proposal seeks a timber framed gazebo which would feature a hipped pyramid roof finished in welsh slate tiles. The gazebo would be located adjacent to the host dwelling and would function to cover an outdoor patio/sitting area. The gazebo is characterised by a lightweight framed structure which, because of the visual gaps between the frames, does not appear as bulky or dominant. It would form a position feature, in keeping with the historic setting. It would not cause harm to the host listed building or surrounding heritage. It is therefore considered that this element of the proposal is acceptable in terms of design and impact on the historic environment.

5.9 The second part of the proposal seeks the erection of a double garage which would be located north of the dwelling in its front curtilage, adjacent to an existing parking area. The garage would be externally clad with horizontal timber boards and would feature a wide up and over double door to its front elevation. The garage would be topped with a pyramid roof finished in welsh roof slates measuring 4.5m in total height. The total floor space of the garage would be 49m². Fundamentally, the scale and form of the garage is inappropriate. It is out of keeping with the historic setting and would form a harmful feature within the context of the site. The garage is well forward of the front elevation of the dwelling and would create a dominant and incongruous feature within the street scape. The front curtilage of each of the dwellings on this front elevations is undeveloped and as such there is an established development line, which the garage would flagrantly breach. The design and siting of the garage is therefore unacceptable and would result in less than substantial harm to the setting of The Square and St Andrews Church, both of which are designated heritage assets.

5.10 The Conservation Officer was consulted who confirms that the building is out of keeping with the historic architectural aspects of the surrounding heritage assets and would appear discordant. The principle of the location of a new building in this area would also disrupted the sense of formal landscape and dilute the special character of this area. Given that there is no public benefit to outweigh this harm, this part of the proposal is wholly unacceptable and contrary to policy.

5.11 The final part of the proposal seeks the erection of a garden building which would be located to the west of the dwelling in the corner of the curtilage adjacent to the boundary. The outbuilding would be constructed in Cotswold stone and would feature a pyramid roof finished in welsh slate tiles, measuring 4.3m in total height and 36m² in floor area. The front of the building would face towards the host dwelling and would feature double French doors with adjacent windows in a mock lancet style. The side (north) elevation would feature two further lancet windows and the further side (south) would feature a traditional rectangular window.

5.12 Unfortunately, the building is comprised of a number of contrived forms which in design terms do not work. Whilst it is appreciated that the fenestration may have been designed with mock historic detailing as a nod to surrounding heritage features, this doesn't work in the context of the overall design. Whilst the garden building results in limited harm setting of the listed, the hybrid configuration of designs is inappropriate and unsympathetic to the historic environment and its component heritage assets and as such results in less than substantial harm to the setting of the listed buildings. Given that no public benefit is demonstrated to outweigh this harm, this part of the proposal is unacceptable and contrary to policy.

5.13 In view of the above, it is considered that the gazebo is acceptable in terms of design and impact to the historic environment and is in accordance with policy.

5.14 Those parts of the proposal relating to the garage and garden room however result in unacceptable harm to the historic environment, contrary to Policies SD8 of the JCS and Section 16 of the NPPF.

Impact on Residential Amenity

5.15 The impact of the proposal on residential amenity has been carefully assessed.

5.16 Whilst the host dwelling is located within a closely arranged complex, the garden area is well screened. In view of the scale of each of the structures as well as boundary treatments and distances to neighbours, it is not considered that there would be any adverse impacts in terms of bulk, size or massing. The rear elevation of the garden room would be against the boundary with the parkland and would be blank. The outlook from the garden room would therefore face towards the host dwelling and potentially towards Number 7. Direct views in this direction are blocked by existing development, vegetation and boundary treatments however and it is not considered that overlooking would be an unacceptable issue.

5.17 It is therefore judged that the scheme has an acceptable impact to residential amenity and complies with the requirements set out in Policies HOU8 and SD14.

Impact on AONB

5.18 Policy SD7 states that developments are required to enhance the landscape, scenic beauty, cultural heritage and other special qualities in an AONB. The Cotswold AONB Management Plan is also a material planning consideration which sets out core values for the protection and future enhancement of the AONB with relevant emphasis placed on the creation of local distinctiveness.

5.19 In this regard, Policy CE3 of the Cotswolds AONB Management Plan sets out that proposals that are likely to have an impact on the local distinctiveness should be compatible with the Cotswolds Conservation Board's Landscape Character Assessment, Landscape Strategy and Guidelines and Local Distinctiveness and Landscape Change.

5.20 The Local Distinctiveness and Landscape Change document sets out specific characteristics for the Cotswold Vernacular and stresses the importance of maintaining this ethos.

5.21 The vernacular is a common theme throughout the document and roof and wall characteristics are explored in Section 4. Pyramid roofs are not featured; it is stated that traditional Cotswold vernacular buildings are characterised by a gable end with a steep pitch. Likewise, the use of metamorphic (welsh) slates is discouraged particularly in areas where buildings feature a strong presence of traditional materials such as stone slate and thatch.

5.22 The site is located adjacent to the historic park and garden of Toddington Manor and within close proximity to the remains of Toddington Manor which is grade 2 listed and a local tourist attraction. It is therefore necessary to have regard to maintaining traditional characteristics and features in the interests of preserving local distinctiveness and other special qualities of the Cotswold AONB. Whilst it isn't considered that the impact to the AONB would render sufficient reason to refuse the scheme, positive enhancements should be sought wherever possible.

Highway Impact

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

5.24 Although the erection of the garage would result in the loss of a small portion of the front driveway, the development would not adversely affect existing parking arrangements. Whilst it is likely that it would impact on visibility to the west, this area is a turning-t and as such there are no concerns over highway safety in this regard,

Flooding

5.25 The wider site is located within flood zone 2 as defined by the environment agency. However, the flood map evidences that only the western half of the garden is located within the flood zone and the house and eastern part of the curtilage is located outside of that area.

5.26 A flood risk assessment was submitted which sets out that the garden room would be raised to ensure that, in the event of a flood, excess water would not be displaced. It is also stated that regular maintenance of drains and culverts will be carried out. As such, it is not considered that the proposal would worsen the impacts of flooding to the locality and is therefore in accordance with Policy INF2 and the standing advice issued by the environment agency.

Arboricultural Impact

5.27 The site is subject of a Tree Preservation Order (No 273) which covers a number of different trees, and as such the Tree Officer was consulted. The garage would require crown lifting to a Leyland cypress tree which raises no concerns. The gazebo is located adjacent to the dwelling and outside of any root protection area and is likewise of no concern. However, the garden room would be located adjacent to an important cluster of trees and no schedule of works has been provided to detail the infrastructure which would be required to implement the building. As such, in view of concerns over potential damage to the trees and their roots, the Tree Officer requests a condition be attached seeking an Arboricultural Method Statement to be submitted, in the event permission is granted

Other Matters

5.28 The impact of the proposal on ecology has been considered. It is possible that the wider area is used by bats as a flight path and place of hunting but no habitat is directly affected. As such, an ecological survey is not required at this stage however the applicants' attention is drawn to the relevant sections of the Wildlife and Countryside Act 1981.

6.0 Conclusion & Recommendation

6.1 In view of the above, it is considered that the part of the proposal relating to the gazebo is acceptable and in accordance with relevant policies, and that the part of the proposal relating to the garage and garden room are unacceptable and contrary to policy. A **split** decision is therefore recommended; to **permit** the gazebo and **refuse** the garage and garden room.

RECOMMENDATION Split decision

Conditions:

PERMIT

Conditions:

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The gazebo hereby permitted shall be carried out in accordance with the following approved documents:
 - Site Plan: 19.021-150 (Gazebo only), received 30th August 2019.
 - Proposed gazebo plans and elevations: 19.021-201, received 30th August 2019.;except where these may be modified by any other conditions attached to this permission.

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

3. Notwithstanding the provisions of the Town and Country Planning (Permitted Development Order) 2015, all timber hereby permitted to be used in the development shall be left to silver naturally unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the development hereby permitted is in keeping with the surrounding Area of Outstanding Natural Beauty.

Notes:

1. This decision relates solely to the proposed gazebo. That part of the application relating to the garage and garden store was refused planning permission. This decision notice forms only one of two parts of the formal decision of the Local Planning Authority relating to the application reference 19/00865/FUL.
2. 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.
3. This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.
4. All species of bats are protected by the Wildlife and Countryside Act 1981. If your site is used by bats you must consult with English Nature before any works, which might affect a roost site, may be carried out. The local office for Gloucestershire is Gloucestershire Office, Bronsil House, Eastnor, Nr. Ledbury, Herefordshire, HR8 1EP Tel: 01531-638500, Fax: 01531-638501.

REFUSE

Reason:

1. The proposed development, by nature of its location and design would be harmful to the architectural and historic significance of the listed buildings known as The Square and St Andrew's Church. No justification for this has been demonstrated nor are there any public benefits to outweigh the resultant harm. This is contrary to the advice contained within Section 16 of the National Planning Policy Framework, Policy SD8 of the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy (December 2017) and section 16 of the Planning (Listed Buildings and Conservation Areas) Act.
2. By virtue of its location and design, the proposed development would fail to respect the character, scale and proportions of the existing dwelling and that of the surrounding area. The application is therefore contrary to Policy HOU8 of the Tewkesbury Borough Local Plan (2006-2011) and Section 12 of the National Planning Policy Framework.

Note:

1. In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding. However, as a consequence of the clear conflict with Development Plan Policy no direct negotiation during the consideration of the application has taken place.
2. This decision relates solely to the proposed garage and garden store. That part of the application relating to the gazebo was granted planning permission. This decision notice forms only one of two parts of the formal decision of the Local Planning Authority relating to the application reference 19/00865/FUL.

| REV | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |



627/A



Site Location Plan 1:1250



brodie
planning
associates

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 email: info@brodieplanning.co.uk
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 office: 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200

project description:
 Construction of garden room, double
 garage and gazebo

location:
 6 The Square, Toddington

title:
 Site Location & Block Plan

drawing number:
 19 021-100

scale:
 As noted @ A3

date:
 June '19



Site Plan 1:500

PLANNING

revision: 0

Notes: This plan is to be used in conjunction with the Planning Application Form and the Planning Statement. It is not to be used as a basis for any other planning application. The site is shown as being within the curtilage of the existing building. The site is shown as being within the curtilage of the existing building. The site is shown as being within the curtilage of the existing building.

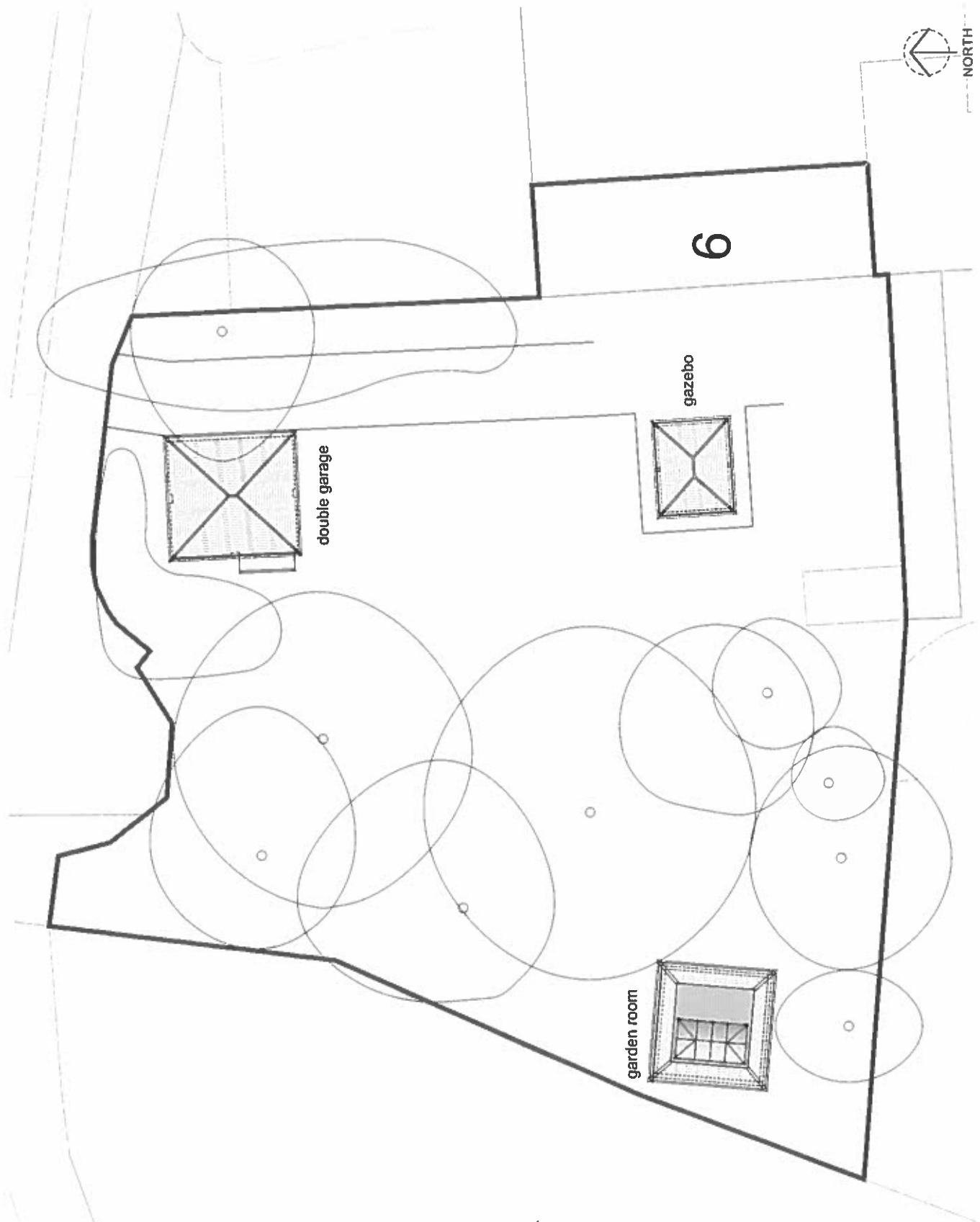


6271/B
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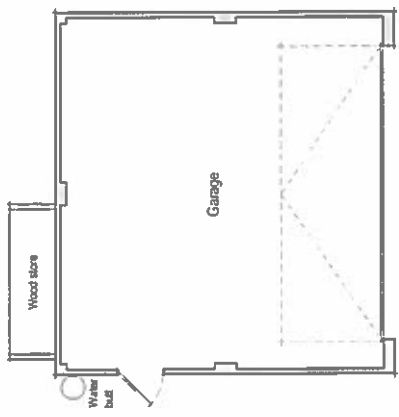
PROJECT DESCRIPTION
 Construction of garden room, double
 garage and gazebo
 LOCATION
 6 The Square, Tootingham
 19.021
 Site Plan

| drawing number | scale | date | revision |
|----------------|------------|----------|----------|
| 19.021-150 | 1:200 @ A3 | June '19 | 0 |

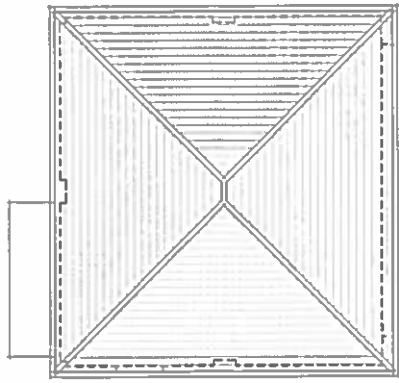
PLANNING
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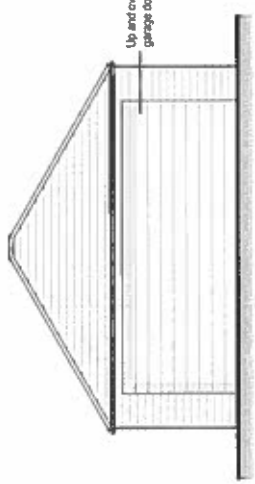
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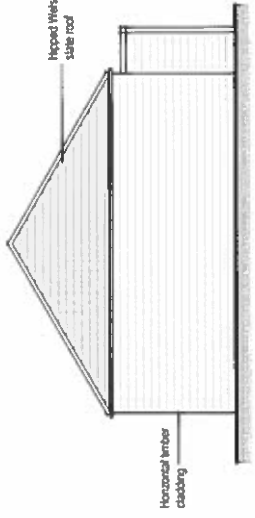
Floor Plan



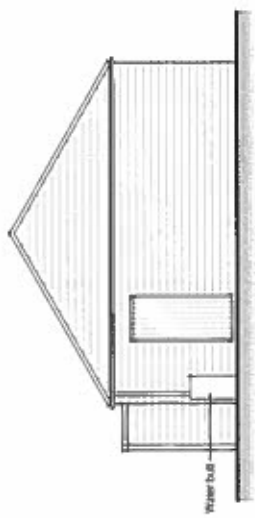
Roof Plan



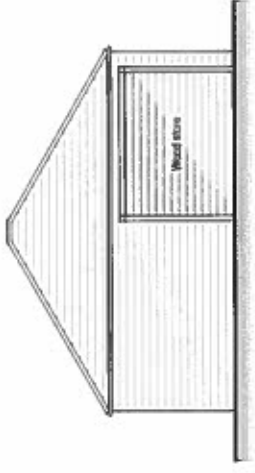
Front Elevation - Option Two



Side Elevation



Side Elevation



Rear Elevation



CONTACT: 01249 22266
 11, 12 & 13, The Square, Toddington, Northampton, NN17 1JH
 01249 22266
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 01249 22266

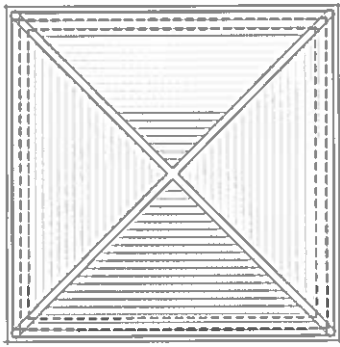
PROJECT REF: 19021000
 PROJECT TITLE: Construction of garden room, double garage and gazebo
 PROJECT ADDRESS: 6 The Square, Toddington

PROPOSED: Proposed double garage plans and elevations
 DRAWING NUMBER: 19021-200
 DATE: 11/06/19
 SCALE: A3
 DRAWING TYPE: PLANNING

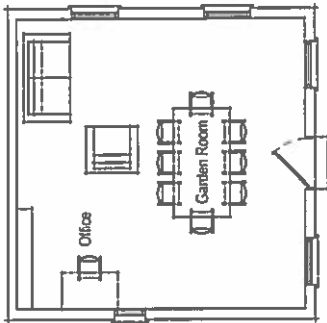
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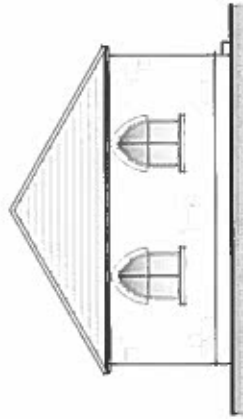
REV
A
10/12/19
Revised roof design and timber external finish replaced with stone



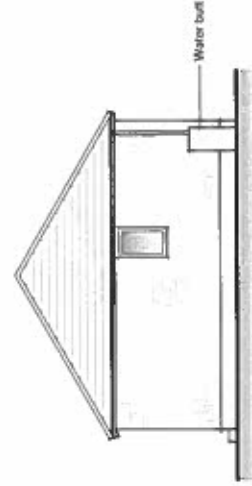
Roof Plan



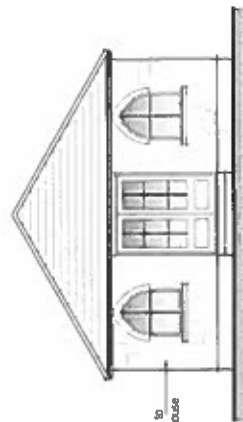
Floor Plan



Side Elevation

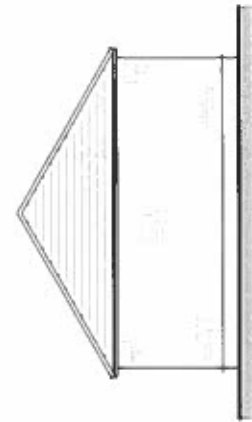


Side Elevation



Front Elevation

Stone siding to match main house



Rear Elevation



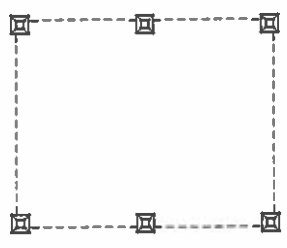
BP A. brodie planning associates
 1001202
 19/02/202
 1:100 @ A3
 June '19
 19/02/202

Project description
 Construction of garden room, double garage and gazebo
 Location
 6 The Square, Toddington
 11109

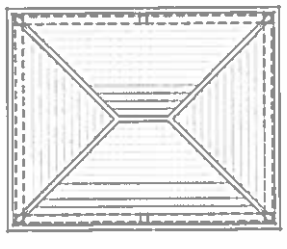
Proposed garden room plans and elevations
 Drawing number
 19/02/202
 Scale
 1:100 @ A3
 Date
 June '19
 19/02/202

PLANNING A
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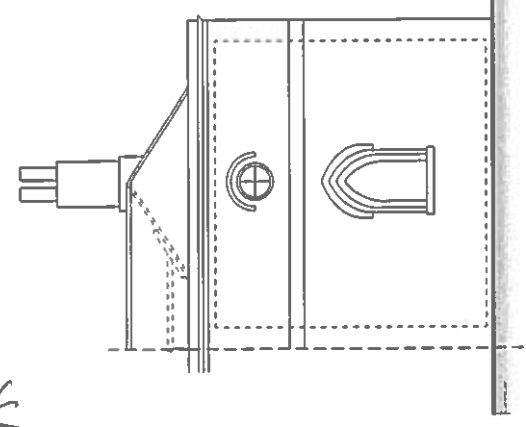


Floor Plan

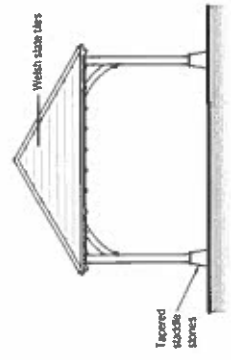


Roof Plan

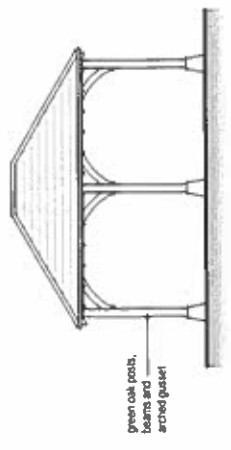
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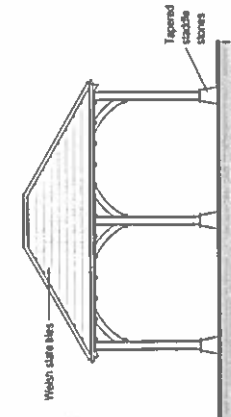
Side Elevation (relationship with main dwelling)



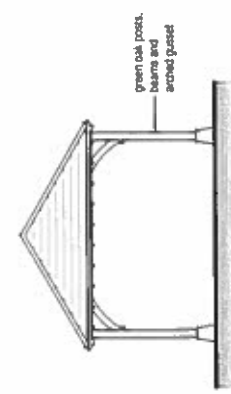
Rear Elevation



Side Elevation



Side Elevation



Front Elevation



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planning
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CONTACT: South West
1140 22256 Mendocino County
101 Old Postoffice Road Ukiah, CA 95568
409 438-3000 Fax: 409 438-3001
11/2011 REF: 19.021

PROJECT DESCRIPTION
Construction of garden room, double
garage and gazebo
PROJECT
6 The Square, Toddington
TITLE

Proposed gazebo plans and elevations
DRAWING NUMBER 19.021-201
DATE 11/00 @ A3
REVISION
PLANNING Ø

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Valid 06.02.2019

Hybrid planning application; Full planning application for the proposed erection of a new poultry site for up to 360,000 birds with solar panels, biomass boilers and associated buildings & development. Outline planning application for one agricultural workers dwellings with all matters reserved apart from access

Grid Ref 393967 231679
Parish Ashchurch Rural
Ward Isbourne

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework 2019 (NPPF)

National Planning Policy Guidance (NPPG)

Joint Core Strategy, Adopted 2017

SD1 - Employment - except retail development

SD3 - Sustainable Design and Construction

SD6 - Landscape

SD8 - Historic Environment

SD9 - Biodiversity and Geodiversity

SD10 - Residential Development

SD14 - Health and Environmental Quality

INF1 - Transport Network

INF2 - Flood Risk Management

INF3 - Green Infrastructure

Tewkesbury Borough Local Plan to 2011- March 2006

AGR2 - Agricultural Workers Dwellings

AGR 5 - New Agricultural Buildings

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

Flood and Water Management SPD

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

The First Protocol, Article 1 (Protection of Property)

The Conservation of Habitats and Species Regulations 2017

Classified Highway - B4079

Public Right of Way

Gas Pipeline

Consultations and Representations

Ashchurch Parish Council - Object for the following reasons:

- Further expansion will create an excess of traffic onto the site at the B4079/A435 junction, and will require significant measures to remedy and assurances will be needed that the junction remains in place.
- The smell from the site currently invades the surrounding area and an expansion from 4 to 10 bins can only exacerbate this
- Further expansion may ultimately result in a move to processing on site

Oxenton Parish Council Oxenton Parish residents have raised the following concerns:

- The effects of an inevitable increase in traffic on an already overloaded road network, (A435 & A460) and on a dangerous road (seven bends B4079)
- Periodic highly offensive smells drifting south westward in the prevailing winds affecting both our villages (Woolstone and Oxenton). Residents are already concerned about disgusting smells drifting in this direction from Starveall activities and have previously complained to the Council. Note if planning goes ahead we would like to see shed clearance expressly prohibited on any weekend or public holiday in particular.
- Resiting of footpath - we would hope this would not happen as a result of the buildings as many residents use this footpath on a regular basis.

- Intensive Chicken Farming of the nature proposed is cruel and in our modern enlightened society with increasing recognition of Animal Rights, there is no place for expanding and encouraging this outmoded practice. If it is to be allowed we would hope with the restriction of adhering to the higher welfare standards set out by the RSPCA and NOT than those of the 'Red Tractor' which are in our opinion inhumane (38kg per sq metre).

Environment Agency - No objection

Gas Pipeline

A major accident hazard pipeline is located within close proximity to the development site. Whilst we understand the pipeline is outside of the development site, the Council should seek comments from the pipeline operator before proceeding.

Environmental Permitting Regulations

The proposed development will accommodate up to 360,000 birds, which is above the threshold (40,000) for regulation of poultry farming under the Environmental Permitting (England and Wales) Regulations (EPR) 2016, as amended.

The Environment Agency have issued a variation to the existing Permit for the poultry operation on 31 August 2017 (reference EPR/RP3534VV). This allows six additional poultry sheds on site, stocking a total of 595,000 birds. The whole installation site will also operate a total of twenty 230kWh biomass boilers. (Officer Note: Following inconsistencies identified between the Permit and the planning application the Environment Agency have advised that they are carrying out a review of the site's Permit).

Ammonia emissions

Ammonia may be emitted from livestock and from manure, litter and slurry, and may potentially impact on local people or conservation sites i.e. vegetation/habitat (permits may be refused if critical loads to the environment are exceeded).

With regard to 'cumulative impact', we only undertake a screening approach based on the potential impact of intensive poultry farms regulated by the Environment Agency. The same approach applies to cases when detailed ammonia modelling may be required to determine the risk to nature conservation sites. There may be other poultry or livestock farms not regulated by the Environment Agency in the area which could be considered with respect to any 'in combination assessment' and Habitats Regulation Assessment (HRA) in your competent authority role for the planning application.

Environmental Permit Controls

The Environmental Permit will control relevant point source and fugitive emissions to water, air and land; including odour, noise, dust, from the intensive poultry farming activities within the permit 'installation boundary'.

The Environment Agency do not make detailed comments on these emissions as part of the current planning application process. It will be the responsibility of the applicant to undertake the relevant risk assessments and propose suitable mitigation to inform whether these emissions can be adequately managed. For example, management plans may contain details of appropriate ventilation, abatement equipment etc. Should the site operator fail to meet the conditions of a permit we will take action in-line with our published Enforcement and Sanctions guidance.

Odour and Noise

As part of the permit determination, the Environment Agency do not normally require the applicant to carry out odour or noise modelling, but require a 'risk assessment' be carried out and if there are sensitive receptors (such as residential properties or businesses) within 400 metres of the proposed installation boundary then odour and noise management plans are required to reduce emissions from the site. A Management Plan should set out the best available techniques that the operator intends to use to prevent and minimise odour and noise nuisance, illustrating where this is and is not possible.

A management plan may not necessarily completely prevent all odours, or noise, or at levels likely to cause annoyance. The OMP can reduce the likelihood of odour pollution but is unlikely to prevent odour pollution when residents are in proximity to the units and there is a reliance on air dispersion to dilute odour to an acceptable level. In addition, the OMP/NMP requirement is often a reactive measure where substantiated complaints are encountered. This may lead to a new or revised OMP/NMP to be implemented and/or other measures to be in place.

The Environment Agency advise that they do not regulate all sources of odour and noise associated with a site and only to certain levels. For example, they cannot control noise and emissions from feed lorries/vehicles.

For the avoidance of doubt, they not directly control any issues arising from activities outside of the permit installation boundary.

Bio-aerosols and dust

Intensive farming has the potential to generate bio-aerosols (airborne particles that contain living organisms) and dust. It can be a source of nuisance and may affect human health. Sources of dust particles from poultry may include feed delivery, storage, wastes, ventilation fans and vehicle movements.

As part of the permit determination, we do not usually require the applicant to carry out dust or bio-aerosol emission modelling. We do require a 'risk assessment' be carried out and if there are relevant sensitive receptors within 100 metres of the installation boundary, including the farmhouse or farm worker's houses, then a dust management plans is required.

Water Management

Clean Surface water can be collected for re-use, disposed of via soakaway or discharged to controlled waters. Dirty Water e.g. derived from shed washings, is normally collected in dirty water tanks via impermeable surfaces. Any tanks proposed should comply with the Water Resources (control of pollution, silage, slurry and agricultural fuel oil) Regulations 2010 (SSAFO). Yard areas and drainage channels around sheds are normally concreted.

Buildings which have roof or side ventilation extraction fans present, may deposit aerial dust on roofs or "clean" yards which is washed off during rainfall, forming lightly contaminated water. The EP will normally require the treatment of such water, via French drains, swales or wetlands, to minimise risk of pollution and enhance water quality.

Manure Management (storage/spreading)

Under the Environmental Permit Regulations the applicant will be required to submit a Manure Management Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, in cases where this is done within the applicants land ownership. It is used to reduce the risk of the manure leaching or washing into groundwater or surface water. The permitted farm would be required to regularly analyse the manure and the field soil to ensure that the amount of manure which will be applied does not exceed the specific crop requirements i.e. as an operational consideration.

Any Plan submitted would be required to accord with the Code of Good Agricultural Policy (COGAP) and the Nitrate Vulnerable Zones (NVZ) Action Programme where applicable.

The manure/litter is classed as a by-product of the poultry farm and is a valuable crop fertiliser on arable fields. In cases where the applicant proposes to pass the manure to a third party they are required to keep quantity records of where the by-product has been transferred to and have a contingency plan in place for alternative disposal or recycling sites in cases of an emergency.

Separate to the above Environmental Permit consideration, the Environment Agency also regulate the application of organic manures and fertilisers to fields under the Nitrate Vulnerable Zone (NVZ) Rules where they are applicable, in line with Nitrate Pollution Prevention Regulations.

Environmental Health (Noise and Odour) - No objection further to clarifications from applicant

Environmental Health (Air Quality) - No adverse comments

Highways England - No objection

Highways Authority - No objection subject to conditions

Local Lead Flood Authority - No objection and no requirement for any conditions.

Public Rights of Way Officer - No objection subject to conditions

Planning Casework Unit - No comments to make on the Environmental Statement

County Archaeologist - No objection, the development has low potential to have any impact on archaeological remains.

Natural England - No objection, based on the plans submitted the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites

National Grid - Further to clarifications from applicant agree with the plans in principle subject to a Deed of Consent being completed

Health and Safety Executive - Do not advise against

Severn Trent - No objection

Conservation Officer - No objection

Local Residents - 3 representations have been received objecting to the proposal for the following reasons:

- There is sometimes odour noticeable from the site which would get worse if the size of the operation is increased
- The present site is visible from the AONB to the east and the increase in size would cause another unacceptable visual intrusion into the open countryside
- The increase in traffic would make the B4096 and the junctions to the north and south even more unsafe.
- The existing planning conditions are regularly flouted

Planning Officers Comments: Paul Instone

1.0 Application Site

1.1 Starveall Farm is located in the Parish of Ashchurch in an area of open countryside east of Tewkesbury. The nearest settlement is Pamington which is just less than one mile to the north, the edge of Tewkesbury is some 2.6 miles north west. The total landholding at Starveall Farm amount to 18.4 hectares.

1.2 There are four existing broiler rearing units on Starveall Farm Provision and associated infrastructure including 16 feed bins which were granted planning permission in 2014 (ref:12/01083/FUL). These units are owned and operated by the applicant and have been operating for approximately 5 years. Vehicular access to the poultry rearing units is via a private drive which connects to the B4079 to the north east of the site. This was granted planning permission in 2014 (ref: 14/03074/FUL). There is also an existing agricultural workers dwelling on the site which is located approximately 20 metres to the west of the existing poultry units. The remainder of the landholding including the application site itself is laid to grass and used for grazing.

1.3 The application site itself relates to a 6.6 hectare parcel of land located approximately 150 metres to the south of the existing poultry units at the closest point. The application site is broadly rectangular with established hedgerows on the east and west boundaries. The southern boundary of the application site is open field and the Gloucestershire Way Long Distance Footpath which is a Public Rights of Way runs on an east west axis immediately to the south of the application site. The site is relatively flat with levels being around 31-32 AOD.

1.4 The land is situated in an area designated primarily as grade 3 land on the provisional land classification maps published by Defra. This grade is defined as land with moderate limitations due to soil, relief or climate, or some combinations of these factors.

1.5 The application site is not subject to any statutory designations other than being located within area designated as a Nitrate Vulnerable Zone under the European Commission Nitrates Directive.

1.6 A high pressure gas main runs across the northern part of the site in between the existing and proposed poultry units.

1.7 The nearest residential properties to the proposed poultry units, not associated with the agricultural holding, is the farmhouse at Claydon Farm, which is approximately 430m to the west of the proposal site. The other nearest properties are approximately 570 m to the west and Claydon Cottages, which are approximately 710 m to the west.

1.8 The application site is located in Flood Zone 1.

2.0 Planning History

12/01083/FUL - Provision of new poultry unit for up to 200,000 birds to be formed by erection of four poultry houses and associated infrastructure including 16 feed bins. Permitted February 2014

12/01084/OUT - Outline application for erection of an agricultural workers dwelling. Permitted June 2014.

14/00037/CONDIS - Application for the approval of details subject to conditions 2,4,6,8,12 and 16 of planning permission 12/01083/FUL. Discharged June 2014

14/00307/FUL - 1. Proposed upgrade of existing access onto B4079 and new access track to serve poultry unit at Starveall Farm and agricultural land. 2. Removal of conditions 13, 14 and 15 (requiring details of passing bays and highway improvements to Starveall Lane and Pamington Lane) relating to planning permission 12/01083/FUL and variation of condition 10 (hours of operation) to allow limited collections outside of the stipulated delivery times. Permitted June 2014

14/00770/FUL - Retention of agricultural storage building non livestock, bio-mass boiler (inside the storage building), landscape bund and two water tanks. Permitted April 2015

14/00873/APP - Reserved Matters - Erection of agricultural workers dwelling. Approved May 2015

15/00110/CONDIS - Application for approval of details subject to condition 1 of planning application ref 14/00770/FUL. Pending Consideration

18/00125/AGR - Agricultural building to provide a gatehouse and bio-secure building for Starveall Poultry Farm. Non-intervention October 2018

3.0 Current Application

3.1 This is a hybrid application and comprises a full application for the erection of 6 broiler rearing units with capacity for 360,000 birds and well as biomass boiler buildings, 18 feed bins and other ancillary structures and infrastructure which is detailed below. The application also includes outline proposals for the erection of one agricultural works dwelling. The application has been amended since submission reducing the proposed number of agricultural workers dwellings from two to one.

3.2 The six poultry units would site parallel to each other and each unit would measure 91.8 metres, by 27.7 metres, with an eaves height of 2.9 m and a ridge height of 5.3 metres. The units would be ventilated by side inlets and 15 high velocity ridge fans and 10 gables end fans on each unit. The gable end fans on the west elevation would be covered by a 3 metres canopy. Solar panels are proposed on the south facing roof slope of each unit.

3.3 To the front (east) of the units a 3 metre bio-secure control room corridor is proposed which would run across the front of the broiler rearing units. Adjacent to the bio-secure control room corridor two biomass boiler building are proposed in front of units which would have a ridge height of 7.2 metres and an eaves height of 6.2 metres. The majority of the remaining area to the front of the units would be covered by a canopy which would be the same height as the biomass boiler buildings and alongside the biomass boiler buildings would be 15 metres wide.

3.4 A total of 18 feed bins are proposed which would be located in two groups; one group of 12 in front of units 4 and 5 and one group of 6 to the front of unit 1. The proposed feed bins would be 7.2 metres high.

3.5 Between the poultry rearing units 5 mixer sheds are proposed with a footprint of 20 sq m and pitched roof with a ridge height of circa 4.8 metres.

3.6 At the northern end of the site, on the northern side of unit 1 is a proposed two storey biosecurity service and welfare building which would measure 10 metres by 15 metres with an attached storage area. The building would have a pitched roof and would have an eaves height of 6 metres and a ridge height of 6.8 metres.

3.7 To the front of the proposed poultry units would be a concrete yard and a parking area adjacent to the welfare building. Vehicular access would be provided by extending the existing access road serving the poultry units to the north by approximately 430 metres along the eastern boundary of the site where it would join the concrete yard. It is proposed that this track will continue to run along the eastern boundary past the proposed poultry units to allow farm vehicles and machinery to access the remainder of the holding.

3.8 Other associated development comprises:

- Two groups of 6 gas tanks located to the front of the of the poultry units
- Provision of maintenance track to the rear of the poultry units
- Three underground dirty water tanks located east of the units
- One above ground water tank located east of the biosecurity and welfare building
- One dead bird shed located to the front of the of the poultry units
- One electrical generation cabin located by the parking area
- Detention pond located at north-east of the proposed poultry units for the management of surface water.
- Earth bund approximately 1.5m in height to the south of unit six.

3.9 Once operational the combined 6 poultry units would have a capacity for 360,000 bird places. Broilers would be brought into the farm at one day old and depopulated between 32 to 43 days (two phases). Including cleaning of the units there would be 7.75 cycles per year.

3.10 At the end of the production cycle, the birds are removed and transported to the processing site. The buildings then go through a thorough clean-out phase which involves dry-cleaning to remove organic material, wash down and disinfecting. The normal turn around period is around 7-10 days before the buildings can be re-stocked and the cycle starts again. The break between crops could be longer at certain times of the year such as Christmas or if clean-out is delayed.

3.11 It is proposed that all poultry litter/manure will be removed from the site and taken to third party land / sites by an approved local contractor. As part of this process records will be kept to record how much litter has been removed, where it has been taken to and confirmation from the recipient that it will be stored or spread in appropriate circumstances and conditions in compliance to their manure management plan and DEFRA guidelines (RB209).

3.12 The application also seeks outline planning permission for an agricultural workers dwelling which would be located approximately 112 metres to the north of the closest proposed poultry unit. The application for the dwelling is submitted with all matters reserved apart from access which is shown to be achieved via the proposed new access to the poultry units.

3.13 The existing Environmental Permit for the 4 existing poultry units and biomass boilers on the wider landholding was varied to include the 6 proposed units and additional biomass boilers. The varied permit was granted by the Environment Agency on 31st August 2017 (Permit number EPR/RP3534VV/V002). This Permit increased bird numbers from 215,000 to a maximum of 595,000.

3.14 Due to the size of the enterprise, the development falls under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 which requires that all proposals for units in excess of 85,000 broilers must be the subject of an Environmental Impact Assessment (EIA). The application as submitted was accompanied by an Environmental Statement which includes sections covering the following areas:

- Description of Development
- Need for the Development
- Assessment of Alternative
- Planning Policy
- Air Quality, Health and Climate Impacts
- Landscape and Visual Impacts
- Highway Impacts
- Ecology Impacts
- Amenity Impacts
- Noise Impacts

- Odour Impacts
- Ammonia Impact
- Water Resources Impact
- Cultural and Heritage Impacts
- Summary and Conclusions

4.0 Policy Context

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

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

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework and the emerging Tewkesbury Borough Local Plan (Preferred Options Consultation) 2011-2031.

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

5.0 Community Infrastructure Levy Regulations

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

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

5.2 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 and restrictions, it is 'unlawful' for those obligations to be taken into account when determining an application.

5.3 In October 2018 the Council adopted CIL and implemented the levy on the 1st January 2019. For CIL purposes the application site falls within a 'Generic Site' and is subject to the levy for residential development at £200 per square metre on all the market elements of the proposed development.

5.4 Infrastructure requirements specifically related to the impact of the development will be secured via a S106 legal agreement, which may include the provision of commuted sums. CIL would be collected in addition to any site specific S106 requirements.

6.0 Analysis

6.1 The principal determining issues are the principle of the development, need and alternatives, effect on the character of the area including landscape and visual impact, transportation and highways, impact on residential amenity including bio-aerosols, odour, noise, vibrations, traffic movements and drainage issues, flooding, ecological and environmental issues, impact on heritage assets, archaeology and impact on the emerging Tewkesbury Garden Town proposals. The principle of an agricultural workers dwelling in this location and the residential amenity of future occupiers, is also a determining issue. The proposals, in accordance with regulations, are considered on their own merit and in terms of the accumulation with other development.

Principle of Poultry Development

6.2 The definition of agriculture, provided by section 336 of the 1990 Town and Country Planning Act, includes 'breeding and keeping of livestock (including any creature kept for the production of food)'. The application does not include the processing of meat at the site and therefore it is considered that the proposal falls under the definition of an agricultural activity and should be assessed against agricultural policies in the development plan.

6.3 Paragraph 80 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In respect to the rural economy paragraph 83 of the NPPF states that planning decisions should, inter alia, enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses

6.4 Policy SD1 of the JCS sets out that employment related development will be supported where it is located within or adjacent to a settlement or existing employment area and is of an appropriate scale and character; and farm diversification projects which are of an appropriate scale and use.

6.5 Policy AGR5 of the Tewkesbury Borough local Plan to 2011 - March 2006 supports proposals for the erection of agricultural buildings subject to certain criteria which are discussed in the relevant sections below. Similarly emerging policy AGR1 and AGR2 of the emerging Borough Plan support agricultural development subject to acceptable impacts on the area.

6.5 The broad principle of the proposals is therefore considered to be acceptable subject to the overall planning balance taking into account the material planning considerations.

7.0 Need

7.1 The applicant has advised that the need for the proposed poultry units primarily comes from a combination of a growing population and increasing demand for British grown food. The British Poultry Council's document, 'Economic Impact of the British Poultry Meat Industry 2015' states that "The UK poultry meat industry is estimated to support a £3.6 billion gross value added contribution to GDP through its direct, supply chain and wage consumption impacts".

7.2 The industry continues to grow to meet the demand of home grown produce and suppliers require sites. The continued growth of the UK poultry sector has made an important contribution to the UK poultry meat production capacity and the proposed site at Starveall Farm is part of this process. This is part of the development of the industry to bringing the UK closer to being self-sufficient in poultry meat and reducing the need to import meat, reducing greenhouse gasses from fossil fuel in transportation and other associated pollution.

8.0 Alternatives

8.1 The Environmental Impact Assessment Regulations require the assessment of main alternatives considered by applicants and the main reasons for the chosen proposal taking into account environmental effects.

8.2 The applicants existing farm holding was discounted from the site selection process as it was closer to neighbouring residential properties and closer to existing poultry sites. The site at Starveall Farm was purchased by the applicant specifically with the idea of using it as a poultry site.

8.3 Against this context, the Environmental Statement confirms that the proposed location was selected for the following reasons:

- The site has direct access off the B4079 and is approximately 5.5 miles from the M5 based on the HGV route plan.
- The existing on-site track can be utilised to access the poultry units.
- The site is located over 400m from the nearest neighbouring residential properties and there are few residential properties in the locality.
- An Environmental Permit was approved for the proposed poultry site.
- The site has existing mature hedgerows on all its eastern and western boundaries, which will help screen the physical development.
- The site has no special environmental or ecological designations.
- Initial findings and research confirmed that environmental impacts and impacts of residential occupiers would be likely to be minimal.

9.0 Tewkesbury Garden Town

9.1 The Tewkesbury Garden Town is a development proposal for the Tewkesbury area. The size of the development will help to meet the housing and employment needs for the longer term. The Garden Community scheme is a Government led initiative to bring forward development to help meet the target of 300,000 homes delivered nationally per annum by 2025.

9.2 A Draft Concept Masterplan for the Tewkesbury Garden Town was published in January 2018. The Concept Masterplan provides an indicative boundary of the Garden Town which is centred around Ashchurch. The existing poultry units are located within but on the edge of the indicative boundary and the proposed poultry units would be located just to the south of the indicative boundary. The final phase of the Masterplan (phase 4) indicates that land approximately 200 metres to the north of the existing poultry units and 450 metres to the north of the proposed poultry units is a 'potential future residential area'.

9.3 The following sections of this report indicate that the proposal, alongside the existing poultry units, give rise to the potential for environmental impacts in respect to odour on some land identified for potential residential development within the Masterplan.

9.4 However, it is a material consideration that there are existing poultry units at Starveall Farm, which are an existing potential source of odour emissions, that are located closer to the land identified for potential residential development within the Masterplan than the current proposal. In addition the current application is not introducing a new use onto the wider landholding.

9.5 Paragraph 182 of the NPPF states that planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and that where the operation of an existing business facility could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed. Future planning applications within the Masterplan Area would be determined in accordance with these principles (or in accordance with prevailing policy at the time of submission).

9.6 Section 38(6) of the Town and Country Planning Act 2004 requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which "indicate otherwise". Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced its 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 NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

9.7 In this instance, given the very early stage in preparation of the Concept Masterplan, the indicative nature of the potential future land uses and the likely timeframe for the development proposals it is considered that very little weight can be afforded to the emerging development proposals in the decision making process.

10.0 Landscape Impact

10.1 Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, inter alia:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

10.2 The application site is not identified as a 'valued' landscape in the development plan.

10.3 Policy SD6 of the JCS states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. Proposals will have regard to local distinctiveness and historic character of different landscapes and proposals are required to demonstrate how the development will protect landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement area.

10.4 Policy AGR5 of the Local Plan requires that proposals for the erection of agricultural buildings should be well sited in relation to existing buildings, ancillary structures and works and landscape features in order to minimise adverse impact on the visual amenity of the locality. Furthermore, that the proposed development should be sympathetically designed in terms of height, mass materials, colour and landscaping where appropriate.

10.5 The application site is not within an area subject to any national or local landscape designation, although the AONB is located approximately 600 metres to the east of the site and the Gloucestershire Way PROW runs immediately to the south of the site. The application site itself is on level ground and there are mature hedgerows to the north, west and east of the site as well as hedgerows and woodland within the wider area which filter and screen views of the site from level ground within proximity, including from the B4079.

10.6 The application site is visible from the Gloucester Way Footpath which runs to the south of the site and the proposed development would be highly visible from short sections of this footpath, however the development would be viewed in the context of the existing poultry units to the north. The application also proposes a 1.5 metre high bund with tree planting between the proposed units and the PROW which would mitigate the visual impact of the proposal from the PROW as well as from further viewpoints to the south.

10.7 The application site is visible from more elevated viewpoints to the east, including from a PROW on Oxenton Hill a **photo of this viewpoint is provided in the Committee Presentation** which is located within the AONB. The application proposals would be viewed in the context of the existing broiler units to the north and by virtue of the scale of the proposal and the cumulative built form within the wider site the application would have an adverse effect on the landscape. However, the visual impact would be partially impacted by the colour of the proposed buildings which from distant viewpoint would help to mitigate the prominence of the built form.

10.8 The planning application is supported by a Landscape and Visual Impact Assessment which assesses the visual impact of the proposal from 10 viewpoints, including both short distance and long distance viewpoints and similarly concludes that visual impact from parts of the PROW to the south would be moderate/major adverse and that the impact from elevated viewpoints on Oxenton Hill would be minor adverse. Further to site visits officers agree with this assessment.

10.9 Overall, it is concluded that there would be harm to the landscape arising from the proposal, given the scale of the buildings and extent of the site. However, it is considered that the impact is primarily restricted to short sections of the PROW in the vicinity of the application site and there is precedent for large scale agricultural buildings in the vicinity, and it is considered that due to the low-lying nature of the site the proposed bund and planting would provide effective mitigation. It is also concluded that there would be a minor adverse impact on the landscape from elevated viewpoints to the east.

10.10 The harm to the landscape is a factor that weighs against the proposal in the overall planning balance, but the landscape impact is tempered by the colour of the built form, which will be controlled by condition, landscape mitigation and by virtue that the application site is not identified as a 'valued' landscape in the development plan.

11.0 Pollution Control, Residential Amenity and Local Amenity Considerations

11.1 The effect of a development upon the vitality and social inclusivity of a local community has been shown to be a material planning consideration that is rooted in planning policy guidance. Paragraph 8 of the NPPF states that the planning system performs a social role; supporting strong, vibrant and healthy communities. More specifically, paragraph 91 states that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Further to this, the PPG advises that local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making.

11.2 The NPPF states at paragraph 180 that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to the impacts that could arise from the development.

11.3 It also makes clear at paragraph 183 that when determining applications, local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

11.4 Policy SD14 of the JCS states that development must cause no unacceptable harm to local amenity including the amenity of neighbouring residents and result in no unacceptable levels of air, noise, water, light or soil pollution or odour either alone, or cumulatively, with respect to relevant national and EU limit values.

11.5 Article 8 of the Human Rights Act gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the Country in the interests of the Community. First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents. The potential for cumulative impacts arising from the proposed development (site operations and vehicular HGV traffic generated by the development) upon the local area, including residents and all users of the highway and public rights of way network, is a key factor.

11.6 In order to operate, the proposed poultry units require an Environmental Permit as regulated by the Environmental Permitting (England and Wales) Regulations (EPR) 2016. The Environment Agency issued an Environmental Permit for the proposed development on 2nd August 2017, although this is currently being reviewed further to comments raised by the planning authority about the existing agricultural workers dwelling to the north.

11.7 Key environmental issues that are covered in the Permit include emissions to water, air and land including odour, noise, bio-aerosols and dust and relate to emissions that are generated from within the installation boundary. The Permit does not control any issues arising from outside the installation boundary.

11.8 No odour or noise modelling is submitted as part of the Permit application and Environment Agency policy is that odour and noise modelling is not required as part of the intensive farming Environmental Permitting Regulation (EPR) application. Within the permitting process, where there are sensitive receptors within 400m of the installation boundary, the Environment Agency require Odour and Noise Management Plans to reduce emissions from the site. Under the EPR the applicant is also required to submit a Manure Management Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, in cases where this is done within the applicants land ownership.

11.9 Notwithstanding that a Permit has been issued for the proposal it is a requirement to submit an Environmental Impact Assessment in support of the application and the local authority are duty bound to robustly consider the applicant's submission which includes an assessment of odour, noise and dust arising from the proposal. The planning and permitting processes are separate from each other and are properly operated independently of each other. The permitting regime is concerned with the operation of facilities; the planning system looks at whether a proposed facility is acceptable in land use planning terms, including whether there are acceptable impacts, in planning terms, on the living conditions of the local community.

11.10 There have been a number of objections to the proposal on the grounds of potential smell and odour. The application site is located in a remote rural location with the nearest settlement (Pamington) lying just under one mile to the north, the edge of Tewkesbury is some 2.6 miles north west. The nearest residential property, not associated with the poultry units, is the farmhouse at Claydon Farm which is approximately 430 metres to the west; Claydon Farmhouse, approximately 570 metres to the west and Claydon Cottages which are located approximately 710 metres to the west.

11.12 There is also an existing agricultural workers dwelling located approximately 26 metres to the north of the existing poultry houses and this dwelling would be located approximately 380 metres from the proposed poultry houses. In addition a new agricultural workers dwelling is proposed between the existing and proposed poultry houses; and would be located approximately 110 metres from the proposed poultry houses and 125 metres from the existing poultry workers houses.

11.13 As part of the application process the local planning authority employed a specialist odour and bio-aerosol consultant to review the applicant's submission in order to assess the impact of the proposal on residential amenity and health. Public Health England, the Environment Agency and Environmental Health have also been consulted on the proposals.

Odour

11.14 The Environment Agency odour bench mark of 3.0 ouE/m³ 1-hour average 98%ile is proposed to ensure no reasonable cause for annoyance at neighbouring properties. An odour assessment has been submitted with the application which uses computer modelling to assess the impact of odour emissions. The assessment has also been updated further to comments from the Council's advisors.

11.15 In respect to odour, the Council's review of the assessments raised concerns over the robustness of the methodologies and considers that there are very little margins for errors in the predicted odour impact, but identifies that the maximum modelled odour concentration at the nearest sensitive residential receptor (Claydon Farm) is 2.8 ouE/m³ 1-hour average 98%ile, being 93% of the Environment Agency's benchmark to ensure no reasonable cause for annoyance at neighbouring properties.

11.16 This allows very little margin in the modelling for unaccounted uncertainty without exceeding the Environment Agency benchmark. However, if the Environment Agency bench mark is exceeded causing unreasonable levels of odour in the neighbourhood, then measures to reduce odour emissions would be required by the Environment Agency through an odour management plan such as reducing the number of birds at the farm.

11.17 The odour contours presented in the odour dispersion model does identify that the Environment Agency benchmark is exceeded on some land identified for residential development in the Tewkesbury Garden Town Masterplan. However, for the reasons set out in Section 9 of this Report, very limited weight can be afforded to the potential future use of this land in the decision making process.

11.18 In respect to poultry litter, the Environmental Statement states that states that all poultry litter will be removed from the site and taken to third party land/sites by an approved local contractor via covered trailers to be stored or spread in compliance with their manure management plans and DEFRA guidelines. Environmental Health have confirmed that any complaints arising from the spreading of chicken litter would be dealt with under the provisions of the Environmental Protection Act 1990, Statutory Nuisance.

11.19 The Council's Environmental Health Officer has been consulted on the application and advises that there is no objection to the application in regard to odour.

Dust and Bio-aerosols

11.20 In respect to public health issues, the Environment Agency requires a bioaerosol risk assessment and dust management plans for instances where there is a sensitive receptor within 100 metres of the installation boundary ,including agricultural workers dwellings.

11.21 There are no residential receptors located outside the applicant's landholding within 100 metres and the Environmental Statement concludes there is no risk to public health in this regard. Furthermore, in regard to the Tewkesbury Garden Town proposals, the applicant's submission advises that the background concentrations of dust and bioaerosol emissions would be well within air quality limit values.

11.22 There is public footpath located as close as 20m from the proposed broiler houses. However, it is the case that the duration and frequency of exposure to dust, bio-aerosols as well as other emissions would be infrequent and minimal on the PRow. The short term air quality objective is 50µg/m³ as a daily (24-hour average) not to be exceeded for more than 35 times per year. This objective would not be exceeded at this location as members of the public would not be at this location for periods of 24 hours.

11.23 The proposed agricultural workers dwelling would be located approximately 110 metres from the proposed poultry houses and 125 metres from the existing poultry workers houses and similarly the applicant's submission and the Council's advisor conclude that there is no risk to public health for future residents of this dwelling.

11.24 However, the existing agricultural workers dwelling is located approximately 25 metres from the existing poultry units. The recent variation in the Permit has increased the number of birds consented by the Environment Agency in the existing poultry units to 235,000 birds, although the planning permission is for 200,000 birds. Should the number of birds be increased in the existing units, then the applicant would be required to vary the existing planning permission, or submit a new planning application. With 235,000 birds, the Council's advisor has advised that dust (PM₁₀) concentrations would exceed the 24-hour mean PM₁₀ air quality objective of 50 µg/m³ whereas the applicant shows that with 200,000 birds, the air quality objective would not be exceeded. There would also be an addition to PM₁₀ concentrations from the proposed new poultry houses housing up to 360,000 birds.

11.25 This has been reported to the Environment Agency who are responsible under the Industrial Emissions Directive to ensure that the operation of an installation does not cause environmental quality objectives to be exceeded. It is understood that the Environment Agency are reviewing the Permit in light of this. Should environmental quality objectives be exceeded at the workers dwelling, then mitigation measures such as electrostatic precipitators treating air within the poultry houses could be required by the Environment Agency through a dust management plan.

11.26 Environmental Health have been consulted on the application and advise that the proposed development and cumulative process contribution of pollutants NO₂ (nitrogen dioxide) and PM₁₀ (particulate matter) are 'negligible' and total pollutant concentrations are well below long term and short term Air Quality Objectives.

11.27 In conclusion, in respect to residential receptors outside of the applicant's landholding, the Council's advisor has advised that the proposed development would not cause the air quality objectives to be exceeded at the nearest sensitive development in compliance with the NPPF. The potential impact of the proposal on the existing agricultural workers dwelling has been reported to the Environment Agency who are responsible under the Industrial Emissions Directive to ensure that the operation of an installation does not cause environmental quality objectives to be exceeded.

Noise

11.28 Sources of noise arising from the proposal would be derived from both on-site and off-site sources, the latter of which would not be controlled through the Permit regime.

11.29 Sources of noise would include noise from ventilation fans, on-site vehicular activity of loading and unloading and additional heavy vehicles. The additional vehicle movements would also be a source of vibration.

11.30 The Environmental Statement includes an environmental noise assessment and assesses the operational period effects and construction period effects of the development proposals. The key noise source associated with the poultry houses relate to the operation of ventilation fans which do not operate continuously as they are controlled by a temperature control system.

11.31 The Environmental Noise Assessment has been reviewed by Environmental Health who have confirmed that there is no objection to the application in regard to noise emissions.

Conclusions Local Amenity Considerations

11.32 Overall it is considered that there is some potential for loss of amenity at residential receptors as a result of on-site and off-site operations. This is a matter which weighs against the proposal. However, given the relative remoteness of the application site and the presence of the existing facility it is considered that any loss of amenity arising from the proposal would be negligible. It is considered that any impact that would arise could be mitigated to an acceptable impact through the Environmental Permitting Regime and the imposition of planning conditions.

11.33 There would also be a detrimental impact on peace, tranquillity and amenity including through odour, noise and dust for users of parts of the PRow network. This is a matter which weighs against the proposal. However, it is also considered that the extent of the impact would be minimal within the overall context of the PRow network in the vicinity of the application site and the environmental impact will be mitigated to an acceptable impact through the Environmental Permitting Regime.

11.34 The NPPF ultimately seeks to deliver social well-being for all, balanced against the economic and environmental gains of a proposed development. Policy SD14 of the JCS states that development must cause no unacceptable harm to local amenity including the amenity of neighbouring residents. The perception from within the community of the impact of the use on local amenity as a consequence of the environmental effects of the development (either alone or in combination) is also a consideration which weighs against the development in the planning balance.

11.35 However, taking into account the context of the site, it is concluded that the cumulative impact of odour, bioaerosols, dust, noise, vehicle movements, and vibrations from on-site and off-site activities would not cause unacceptable harm to the residential amenity enjoyed by nearby residents, the wellbeing of the community, and users of the PRow network. It is considered that the impact on amenity would be acceptable and the proposed development does not conflict with the NPPF and policies INF1 and SD14 of the JCS.

12.0 Highway Issues

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

12.2 Vehicular access to the poultry units would be obtained through a new build extension to the existing farm track via the existing access junction off the B4079. The geometry of the junction of the existing access onto the B4079 is designed so as to ensure that HGV's will only turn right out of the site and left into the site. During the determination of this application the County Highways Authority have also requested a routing strategy to demonstrate all site vehicles will only be routed to turn left into the site and have requested a condition is imposed on the planning permission to ensure that vehicles accord to the routing strategy.

12.3 The application is supported by a Transport Statement which reviews the highways implication so the proposed six poultry units as well as the cumulative impact arising from the existing poultry site to the north. The Transport Statement advises that the existing poultry units give rise to 70 one way HGV vehicle movements over a 7 week crop cycle and that the proposed units would give rise to 109 one way HGV vehicle movements over a 7 week crop cycle. It is advised that to minimise the cumulative impact of the proposed existing operation it is proposed that the existing and proposed poultry buildings will run a staggered crop cycle with the proposed operation starting the rearing programme 3 weeks later than the existing units, to seek to avoid clusters of vehicle movements at times of deliveries and collections.

12.4 The County Highways Authority have been consulted on the application and have advised that forward visibility splays illustrated as available were below that required to right turning vehicles into the site based on ATC 85th percentile recorded speeds. However as the routing strategy demonstrates all site vehicles will only be routed to turn left (and the geometry of the junction also secures this) this application is acceptable in this regard. The Highways Authority has also confirmed that there is sufficient land for the largest expected vehicles to pass within the site and that the site also allows sufficient space for parking, although at least one electric vehicle and disabled vehicle parking space would be required. In conclusion, the County Highways Authority raised no objection to the application subject to conditions and advisory notes as required.

12.5 Highways England have also assessed the application and offer no objection.

12.6 Whilst the concerns of objectors are noted, it is considered that the proposal would not have a 'severe' impact on the safety or satisfactory operation of the highway network, and subject to conditions would accord with the NPPF and policy INF1 of the JCS.

Public Rights of Way

12.7 In respect to PRow the Gloucestershire Way Long Distance Footpath (Ashchurch 55) runs on east west axis approximately 15-20 metres from the southern most poultry unit and would be located adjacent to parts of the bunds. Stock proof fencing is proposed immediately to the north of the PRow. The proposed track would cross the PRow providing access into the field beyond for vehicles. The applicant has indicated that this track would be surfaced with crushed stone and it is recommended that the surfacing is controlled by planning condition. The Ashchurch 54 PRow is also located to the west of the units and runs on a north south axis, within a separate land parcel and is partially screened by vegetation and would be unaffected by the proposals

12.8 The Public Rights of Way Officer has been consulted on the proposals and raises no objection to the application subject to signage being erected to warn walkers of potential vehicles crossing the Gloucestershire Way. On this basis, and subject to the imposition of conditions the impact of the proposal on the PRow network is considered acceptable.

13.0 Flood Risk and Drainage

13.1 The site boundary comprises an area of approximately 6.6 hectares and is located within Environment Agency Flood Zone 1. Flood Zone 1 is defined by the Environment Agency as being land having a low probability of flooding of less than 1 in 1,000 annual probability of river or sea flooding.

13.2 The NPPF states that a site-specific flood risk assessment is required for proposals of 1 hectare or greater in Flood Zone 1 and when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere.

13.3 Policy INF3 of the JCS requires new development to, where possible, contribute to a reduction in existing flood risk and proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere.

13.4 The application is supported by a Flood Risk Assessment and Surface Water Drainage Strategy which sets out that surface water drains will discharge into a detention basin to the north of the poultry units which will provide stormwater storage as well as flow attenuation. The maximum storage provided in the basin would be circa 2625m³ which exceeds the maximum storage volume required for the 1 in 100 year storm plus an increase in rainfall of 40% as an allowance for future climate changes.

13.5 The strategy confirms that that foul water from any welfare facilities on site will be captured and handled entirely separately from the surface water drainage system and cleaning (dirty) water system. The cleaning water used within the poultry houses would be intercepted by drains within the units and taken to dirty water tanks underground for removal and subsequent land spreading as fertiliser.

13.6 The Local Lead Flood Authority have been consulted on the application and advise that the Flood Risk Assessment and Drainage Strategy shows that the development can take place without creating a flood risk either within the development or offsite and that acceptable methods have been used to calculate runoff rates and attenuation storage requirements.

13.7 In light of the above, there is no objection to the application on flood risk/drainage grounds and it is considered that the proposal would accord with the NPPF and Policy INF2 of the Joint Core Strategy.

14.0 Ecology and Nature Conservation

14.1 Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, inter alia:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); report
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

14.2 Policy SD9 of the JCS seeks to protect and enhance biodiversity in considering development proposals.

14.3 The Environmental Assessment includes an ecological assessment of the development site comprising a Desktop Study, an Extended Phase One Habitat Survey and a Great Crested Newt Assessment.

14.4 The Assessment identifies that there are no designated wildlife sites within 2 km of the site and there are no records of protected flora or fauna directly on the proposed site.

14.5 The Assessment concludes that the proposed development would affect areas of ecologically poor arable land and that the habitat of the proposed development site is of low ecological value. Although small sections of hedgerow will need to be removed to allow for the proposed development the assessment concludes that there will be no significant loss of habitats as a result of the development during the construction, operation or decommissioning stage.

14.6 The application also proposes the planting of trees as part of the proposed landscaping scheme which will provide an intermediate positive ecological effect.

14.7 In terms of ammonia, the applicant has provided an ammonia modelling assessment to assess the impacts from the existing and proposed poultry units and a Manure Management Plan.

14.8 All of the existing manure is exported off-site by a specialist licensed contractor, and taken to three local farms to be stored and spread across their farm holdings. The receiving farms store and spread the manure in accordance with their Manure Management Plans (MMP's), which they are required to have. Records are kept about the amount of manure being removed and where it is being taken to. If the manure cannot be taken direct to the farm when the manure is removed from the poultry units there is a storage facility at the former RAF Honeybourne Airfield, which is approximately 13 miles from Starveall Farm, where the manure can be stored temporarily. The same arrangements that are currently in place will be used for the proposals poultry units.

14.9 As the MMP's limit the amount of manure that can be applied such that there will be no additional application, ammonia, nitrogen and acid deposition from these sources would remain unchanged. Similarly, the manure storage facility at the former RAF Honeybourne Airfield is regulated by the Environment Agency with controls on the amount of manure that can be stored. As such ammonia, nitrogen and acid deposition would be regulated within existing capacities.

14.10 Natural England have been consulted on the application and advise that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

14.11 Overall, taking account of all of the above it is considered that the proposal accords with the NPPF and Policy SD9 of the Joint Core Strategy.

15.0 Impact on Heritage Assets

15.1 The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires special consideration to be given to the desirability of protecting and enhancing the setting of listed buildings. 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.

15.2 There are no designated heritage assets within the site and no designated heritage assets within 1 km of the site. The Council's Conservation Officer has been consulted on the application and raises no objection to the application.

15.3 It is therefore considered that the development would not harm the setting of listed buildings. This is neutral factor in the overall planning balance.

16.0 Archaeology

16.1 Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should be consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

16.2 In line with a brief supplied by the County Archaeologist a 2% trenching evaluation took place in December 2018 in order to ascertain the nature, significance and survival of any archaeological remains on the site. The results showed that the only features present on the site were the remain of ridge and furrow cultivation.

16.3 The County Archaeologist has been consulted on the application and confirmed that the result of the archaeological evaluation was negative in that no archaeological remains were observed during the investigation. On that evidence it is the officer's view that the proposed development has low potential to have any impacts on archaeological remains and it is recommend that no further archaeological investigation or recording should be required in connection with this development proposal.

16.4 It is therefore considered that the application is acceptable in this regard.

17.0 Gas Pipeline

17.1 A gas pipeline is located to the north of the proposed poultry houses and proposed dwelling and the access to the proposed poultry houses and dwelling would run over the pipeline. National Grid and the Health and Safety Executive have been consulted on the application and raise no objection subject to a Deed of Consent being completed to allow the utilities to cross the pipeline.

18.0 Agricultural Workers Dwelling

18.1 The application proposes an agricultural workers dwelling and detached garage to serve the poultry enterprise permitted above. The application is made in outline with all matters reserved for future consideration apart from access, which is shown to be achieved via the existing track.

18.2 Although layout is a reserved matter a layout has been provided showing how the dwelling could be sited within the plot with a parking area and rear garden. The Design and Access Statement (DAS) also states that building would have external dimensions no greater than 15m x 10m with eaves and ridge heights not exceeding 5.5m and 8.0m respectively.

Principle of Agricultural Workers Dwelling

18.3 The site lies in the open countryside outside any recognised Residential Development Boundary. The NPPF sets out at paragraph 79 that Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as 'the essential need for a rural worker to live permanently at or near their place of work in the countryside'.

18.4 Policy SD10 of the JCS states that outside allocated sites housing development will only be permitted, inter alia, where there are specific exceptions defined in district plans. In this regard, Policy AGR2 of the Local Plan states that applications for new permanent agricultural dwellings in open countryside will only be permitted where the applicant can demonstrate that there is a long term agricultural need for the dwelling.

18.5 The Reasoned Justification for policy AGR2 states that a functional test will be necessary in all cases to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times.

18.6 Policy AGR2 and its Reasoned Justification are derived from the advice in the superseded PPG7. This guidance was replaced by the also superseded PPS7 which in its Annex A set out tests for agricultural workers' dwellings which are well established and widely understood. No guidance on this matter is provided in the NPPF. Nonetheless, it remains open to decision makers to include in their assessment the tests set out in Annex A, even though PPS7 has been replaced. The applicant's submission refers to these tests and in the absence of any alternative guidance, Annex A is a material consideration in this application, albeit this is not on the basis

Functional Need

18.7 There is already one agricultural workers dwelling on the wider landholding and the application proposes one additional dwelling. At the advice of officer's the application has been amended and now seeks one additional dwelling rather than two.

18.8 The most frequent reason for a functional need for a rural worker to be permanently based on a site is so that there is somebody experienced to be able to deal quickly with emergency animal welfare issues that are likely to arise throughout the majority of the year and during the middle of the night.

18.9 The day to day management of the sites will be planned for, with routines varying with each stage of flock development. When birds are 'in', this will involve checking the birds a few times a day and sometimes in the night depending at what stage, plus continually monitoring the automated systems. Due to the Securcom arrangement in place if anything environmental /technical became amiss the site manager and whosoever else is selected would become immediately aware.

18.10 The important factor is that there should be somebody readily available on site who can make the correct decision and take the right action and considering the scale of operation it would be essential for there to be somebody based close enough to be able to get to the site quickly during those periods the houses are occupied, which is a scenario that occurs throughout the year.

18.11 It is therefore considered essential to have at least one dedicated poultry worker based within easy access of both sites. The question is, whether it is essential to have any further dwellings within easy access of the Starveall Farm, in case of an emergency occurring out of hours on either or both sites, and also taking into account the system monitoring/adjustment responsibilities that have to take place sometimes into the night.

18.12 The application has been reviewed by an independent agricultural advisor who has stated that considering the scale of the whole operation and also the round the clock monitoring responsibilities, it would appear unsustainable to not have two dedicated experienced workers readily available at Starveall Farm. However, having a third worker on site might be convenient and financially advantageous, but there is not considered to be a functional need for more than two people to be close to the poultry units. This functional need for two people relates to full time workers.

Establishment and Viability

18.13 A permanent dwelling clearly cannot be considered essential unless the enterprise on which the proposed essential need is based is viable, and likely to remain so for the foreseeable future. The Council's Agricultural Advisor has reviewed that application and advises that there is no reason to doubt that the proposed expansion will prove to be a financially viable decision and that the site will continue to thrive for the foreseeable future in what continues to be a buoyant sector.

Other Dwellings

18.14 If a functional need is identified it is necessary to consider whether there are other suitable dwellings readily available. At the current time, there appear to be no less dwellings for less than £250K within a 1-mile radius of the application.

Conclusion on Principle and Essential Need

18.15 In consideration of paragraph 79 of the NPPF it is considered that there would be an essential need for a further dwelling at Starveall Farm, but a case has not been established that a third dwelling would be essential.

Other planning requirements of Agricultural Workers Dwelling

Design and Landscape Impact

18.16 Policy AGR2 requires that the siting of accommodation should where possible enhance the environment in its location, scale and design, and where practicable should be sited close to existing buildings. Policy SD6 of the JCS states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being.

18.17 The proposal is made in outline with all matters reserved for future consideration. However, the Design and Access Statement (DAS) states that building would have external dimensions no greater than 15m x 10m with eaves and ridge heights not exceeding 5.5m and 8.0m respectively.

18.18 Although layout is a reserved matter, a plan has been provided which demonstrates how the dwelling could be satisfactorily accommodated within the site. The proposed dwelling would be in close proximity to the poultry units and in the context of the wider development, it is considered the impact of the proposed dwelling would have a very modest additional impact. The proposal is therefore considered acceptable in terms of landscape impact.

Size and scale of Agricultural Workers Dwelling

18.19 Policy AGR2 requires inter alia, that the scale of agricultural workers dwellings should be related to the size and function of the farm unit and that it is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding.

18.20 The DAS states that the detailed design would be agreed at reserved matters stage and would be commensurate with the enterprise and its occupant/s. Whilst upper limits have been stipulated in the DAS, it is considered size and scale is a matter that can be considered at reserved matters stage.

Highways Impact of Agricultural Workers Dwelling

18.21 The dwelling would be accessed via the existing track onto B4079 and the additional traffic arising from the dwelling would be minimal. The County Highways Authority have raised no objection to the application and it is considered acceptable in regard to highway safety.

Conclusions Agricultural Workers Dwelling

18.22 It is considered that a functional need for one additional agricultural worker's dwelling is established which relates to a full time worker in association with the permitted poultry enterprise in the best interest of animal welfare and bio-security. Furthermore, it is considered that the enterprise is viable and has a clear prospect of remaining so. Matters of size, scale and appearance would be considered at reserved matters stage.

19.0 Overall Conclusions

Benefits

19.1 The NPPF is supportive of development which promotes a strong rural economy and encourages policies which support the sustainable growth and expansion of all types of business and enterprise in rural areas, and which promote the development and diversification of agricultural and other land-based rural business. The supporting information submitted with the application sets out the need for a poultry enterprise. Although the proposal would not directly employ a large number of people, it would undoubtedly provide economic benefits to the area and the UK economy. This lends weight in favour of the social and economic dimensions of sustainability as defined in the NPPF.

Harms

19.2 There would be some harm to the landscape arising from the proposal and this is a factor that weighs against the proposal in the overall planning balance, but the landscape impact is tempered by the design approach, landscape mitigation and by virtue that the application site is not identified as a 'valued' landscape in the development plan.

19.3 There is the potential for loss of amenity at current and potential future residential receptors as a result of on-site and off-site operations. This is a matter which weighs against the proposal. However, it is considered that this could be mitigated to an acceptable impact through the Environmental Permitting Regime and the imposition of planning conditions.

19.4 There would also be a detrimental impact on peace, tranquillity and amenity including through odour, noise and dust for users of parts of the PROW network. This is a matter which weighs against the proposal. However, it is considered that the extent of the impact would be minimal within the overall context of the PROW network in the vicinity of the application site and the environmental impact will be mitigated to an acceptable impact through the Environmental Permitting Regime.

19.5 The perception from within the community of the impact of the use on local amenity as a consequence of the environmental effects of the development (either alone or in combination) is also a consideration which weighs against the development in the planning balance.

Neutral

19.6 There would be no undue impact in terms of the heritage assets, local highway network, ecology, archaeology and flooding.

Overall conclusion

19.7 It is considered that a functional need for one additional agricultural worker's dwelling is established which relates to a full time worker in association with the permitted poultry enterprise in the best interest of animal welfare and bio-security.

19.8 In respect to the poultry units, it is concluded that the proposed development is generally supported in principle by the NPPF and local plan policies. Whilst the site is not adjacent to a settlement or existing buildings, given the nature of the proposal it is important that such a use is not sited close to residential properties for the reasons explained above. Whilst there would be some impacts on the area as identified above, it is considered that the economic benefits of the proposal outweigh the harm in this case and the proposal 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.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Proposed Site Plan HA31028_02 P_G received 6th February 2020
 - Proposed Block Plan HA31028-04 P_B received 17th January 2019
 - Proposed Roof Plan illustrating Indicative Solar Panel Layout HA31028_06 P_E received 6th February 2020
 - Proposed Site Section HA31028_05 P_A received 17th January 2019
 - Proposed Site Plan Indicating Utilities Route HA31028_07 P_A received 18th December 2019
 - Floor Plans & Elevations PRO-FP-ELEV Rev 9 received 4th February 2020
 - Gate House Pro-Gatehouse (Rev 5) received 17th January 2019
 - Electric Shed Pro-Mains and Pump Room received 4th February 2020
 - Dead Bird Storage Shed Pro-Dead Bird received 4th February 2020
 - Site Plan Illustrating Proposed External Surfaces HA31028_08 P_B received 6th February 2020

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

3. Notwithstanding the submitted details no development shall take place above DPC level until samples (to include the proposed colour and finish) of the external materials of all the buildings and structures including, poultry units, boiler house, pellets bins, feed bins and gatehouse have been submitted to and approved by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: In the interests of visual amenity

4. Notwithstanding the submitted details no development shall take place above DPC level until details of the proposed solar panels (to include the proposed colour, finish and size) have been submitted to and approved by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: In the interests of visual amenity

5. Notwithstanding the submitted details no development shall take place above DPC level until samples of all surface materials, including the access road, concrete apron and turning area have been submitted to and approved by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: In the interests of visual amenity

6. The finished floor levels and finished ground levels after the completion of the development shall accord with the approved details on drawings no. Proposed Site Section HA31028_05 P_A received 17th January 2019 Unless otherwise agree in writing by the Local Planning Authority

Reason: In the interests of visual amenity

7. No development shall take place above DPC level before a fully detailed landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be broadly in accordance with approved drawing no. HA31028_07 P_A and the Landscape Strategy Plan L006

The works shall be carried out before any part of the development is operational or in accordance with a programme submitted to and approved by the Local Planning Authority. Any trees, plants or areas of turfing or seeding, which, within a period of 5 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of visual and residential amenity and to ensure appropriate protection of biodiversity

8. The development hereby approved shall be carried out in accordance with the mitigation recommended in the Ecological Assessment prepared by Star Ecology (ref KH/2108/18.2) dated 28th September 2018

Reason: In the interests of biodiversity

9. The development hereby approved shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy prepared by RSK ADAS Ltd dated November 2018

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

10. No fencing shall be erected on site other than in accordance with the approved details on Proposed Site Plan drawing no. HA31028_02 P_G unless otherwise agree in writing by the Local Planning Authority

Reason: In the interests of visual amenity.

11. No part of the development shall be commenced until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details must include the cross-sections of the proposed pond and grading and mounding of land. No part of the development shall be used until the approved scheme has been carried out.

Reason: To protect and enhance the visual amenities of the area and to ensure the satisfactory development of the site.

12. 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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours

13. Deliveries to and from the site shall only take place between the hours of 7am -9pm Monday to Friday and 8am to 1pm Saturday. Collections from the site can take place between the hours of 7am -9pm Monday to Friday and 8am to 1pm Saturday with collections occurring no more than 30 days a year outside of these times, or if animal welfare issues should arise.

Reason: To ensure that the proposed development does not cause undue nuisance and disturbance to neighbouring properties and to protect the amenity of the locality (at unreasonable hours)

14. The lighting scheme proposed shall comply with the parameters of Environmental Zone 2 of the Institute of Lighting Engineers Guidance Notes for the Reduction of Intrusive Light.

Reason: To ensure that the light emitted from this development is not a source of nuisance to occupants of nearby residential property and to ensure that the new development will be visually attractive in the interests of amenity.

15. Throughout the construction period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities
- v. The vehicle routing strategy 'Starvell Farm Location and Access Route Plan' shall be adhered to throughout the construction period.

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

16. The vehicle routing strategy 'Starvell Farm Location and Access Route Plan' shall be adhered to for all development related traffic from occupation and beneficial use thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided.

17. No above ground works shall commence on site until a scheme has been submitted for the provision of fire hydrants for the benefit of the commercial development in a location agreed with the Council and should meet the requirements of Building Regulations Approved Document B Volume 2 Sections 15 &16 (Fire Hydrants/Water Supplies and Vehicle Access). The commercial development buildings shall not be occupied until the hydrants have been provided to the satisfaction of the Council.

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

18. The building(s) hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plan HA31028_02 Rev P_G Proposed Site Plan with the addition of at least 1 electric vehicle charging space including charging infrastructure, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided.

19. The development hereby permitted shall not be occupied until secure and covered cycle storage facilities for a minimum of 1 bicycle per dwelling and 2 bicycles for employment floorspace has been made available.

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

20. No works shall take place above DPC level until details of signage to be on the Gloucestershire Way Public Right of Way to warn walkers of potential vehicles crossing have been submitted to and approved in writing by the Local Planning Authority. These details must No part of the development shall be used until the approved scheme has been carried out and the signage shall thereafter be retained.

Reason: To protect users of the public rights of way network

21. The maximum number of birds within the poultry units hereby permitted shall be 360,000.

Reason: To ensure that the development operates in accordance with the parameters of the Environmental Impact Assessment

22. The agricultural workers dwelling for which permission is hereby granted shall not be begun before detailed plans thereof showing the layout, scale and external appearance of the building(s), landscaping, and the means of access thereto (hereinafter referred to as "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: The application is in outline only and the reserved matters referred to in the foregoing condition will require further consideration.

23. Application for the approval of the reserved matters for the agricultural workers dwelling shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

24. The development of the agricultural workers dwelling hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved

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

25. Samples of the external materials proposed to be used for the agricultural workers dwelling shall be submitted to and approved in writing by the Local Planning Authority as part of the reserved matters application in accordance with Condition 22 and all materials used shall conform to the sample(s) so approved.

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

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), the dwelling shall not be extended without the prior express permission of the Local Planning Authority.

Reason: To ensure that the size of the dwelling is related to the size and function of the holding.

27. A plan indicating the positions, design, materials and type of boundary treatment to be erected for the agricultural workers dwelling shall be submitted to and approved in writing by the Local Planning Authority as part of the reserved matters application in accordance with Condition 22. The boundary treatments shall be completed in all respects in accordance with the approved details and thereafter retained.

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

28. No development shall commence on the agricultural workers dwelling until details of existing and proposed levels, to include details of finished floor levels, have been submitted to and approved in writing by the Local Planning Authority as part of the reserved matters application in accordance with Condition 22. All development shall be carried out in accordance with the approved details.

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

29. The reserved matters application for the agricultural workers dwelling shall include details for the disposal of surface water and foul sewage to be submitted to the Local Planning Authority for approval in writing. The approved details shall be completed in all respects prior to first occupation of the dwelling.

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

30. The reserved matters application required by Condition 22 shall not exceed the parameters relating to the scale of development as set out within the design and access statement received 4th February 2020.

Reason: The permission for the agricultural workers dwelling is outline and compliance with the parameters is required to provide certainty and to ensure that the development integrates harmoniously with its surroundings.

31. The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined by Section 336 of the Town and Country Planning Act 1990, or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person. No development shall commence until the related broiler unit has been completed and is about to be brought into full use.

Reason: The site is not in an area intended for general development. Permission is granted for the present proposal solely because the dwelling is required to house a person or persons employed or last employed in agriculture or forestry.

Notes:

- 1. Statement of Positive and Proactive Engagement**
In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating the removal of an agricultural workers dwelling from the proposal.
- 2. The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.**

Pamington Court Farm

CHURCH RURAL CP

Pamington Fields

The Lodge

Existing Poultry Site

31

B 4079

34

26

Claydon Farm

New Poultry Site

Gloucestershire Way

95

Pike House

94

44

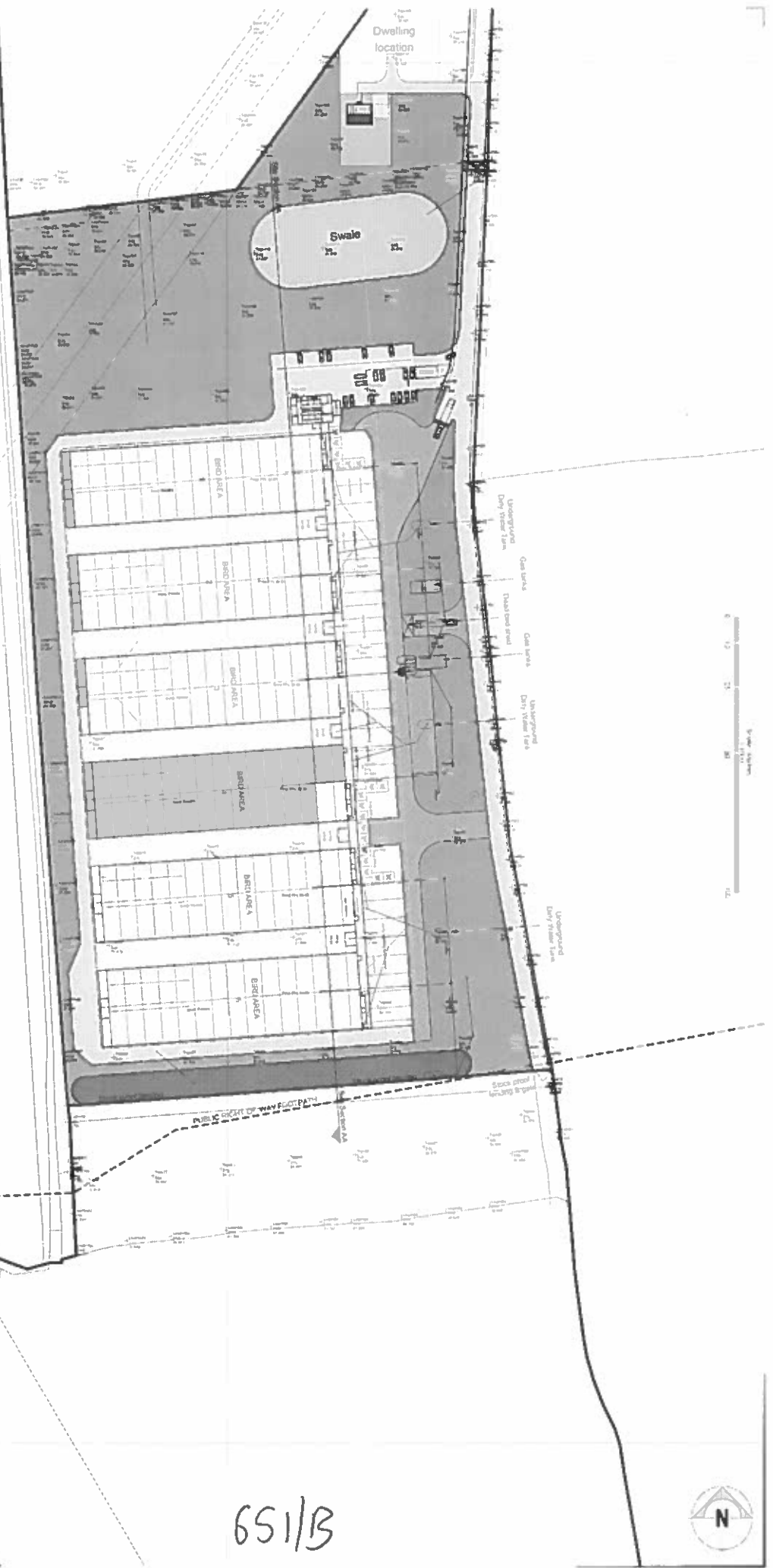
GS1/A

Date of Issue: 11/07/19
 Date of Revision: 11/07/19
 Version: 1.0
 Project Name: Church Rural CP
 Project Location: Pamington, Gloucestershire
 Client: Pamington Court Farm
 Author: Berrys
 Date: 11/07/19

BERRYS
 www.berrys.co.uk

Planning Application
 11/07/19



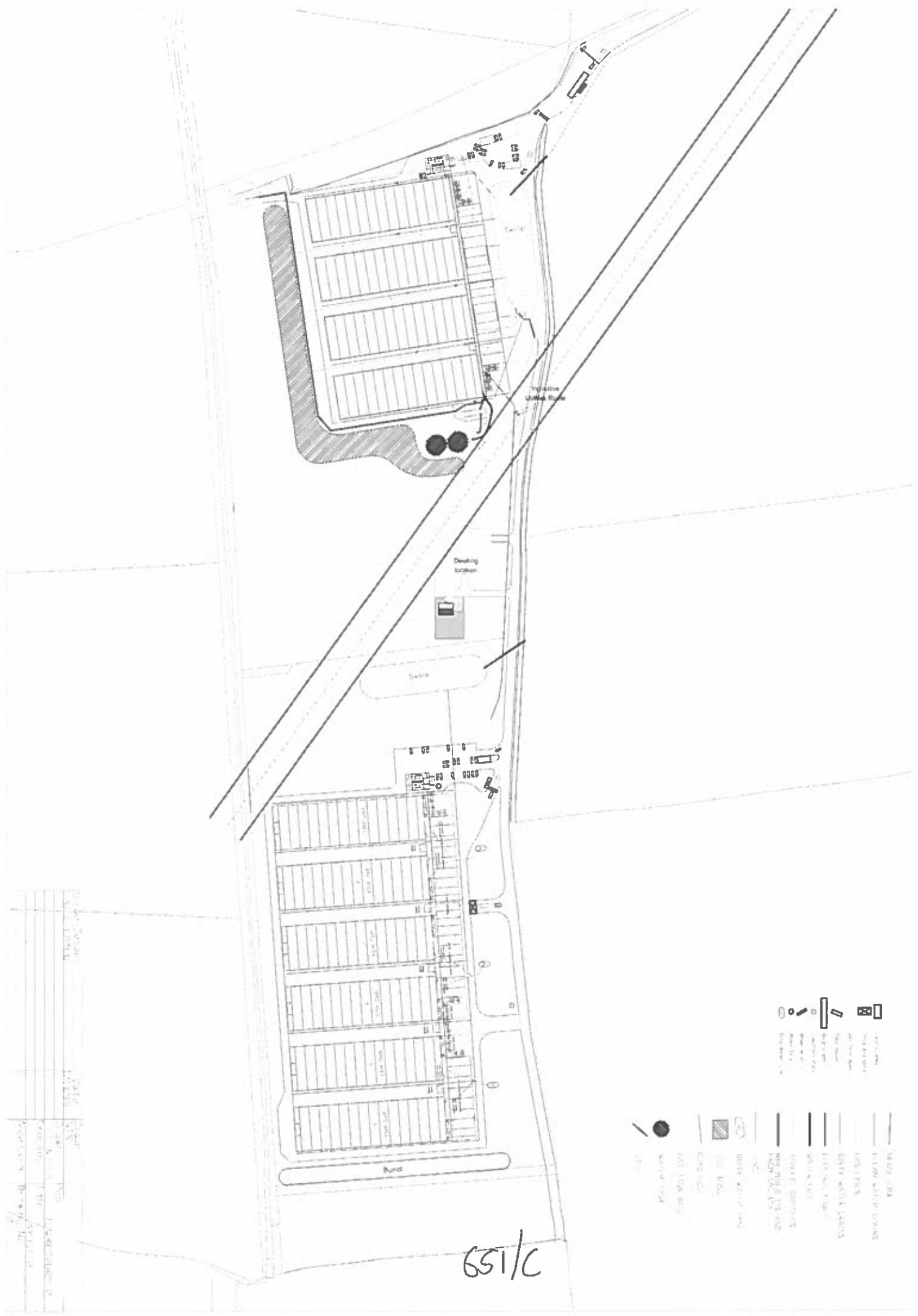


6511/B

External Surface Material Key

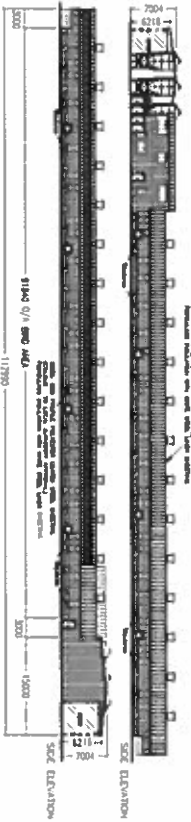
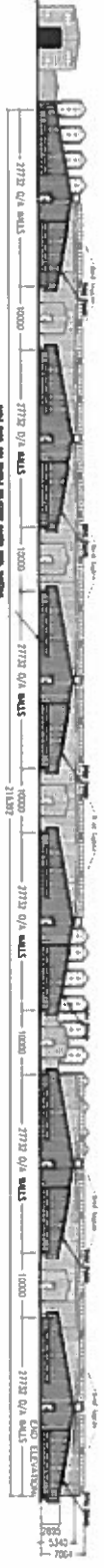
- Hard Landscaping Areas - Concrete
- Hard Landscaping Areas - Crushed Stone
- Soft Landscaping Areas - Grass
- Soft Landscaping Areas - Planting

BERRY'S
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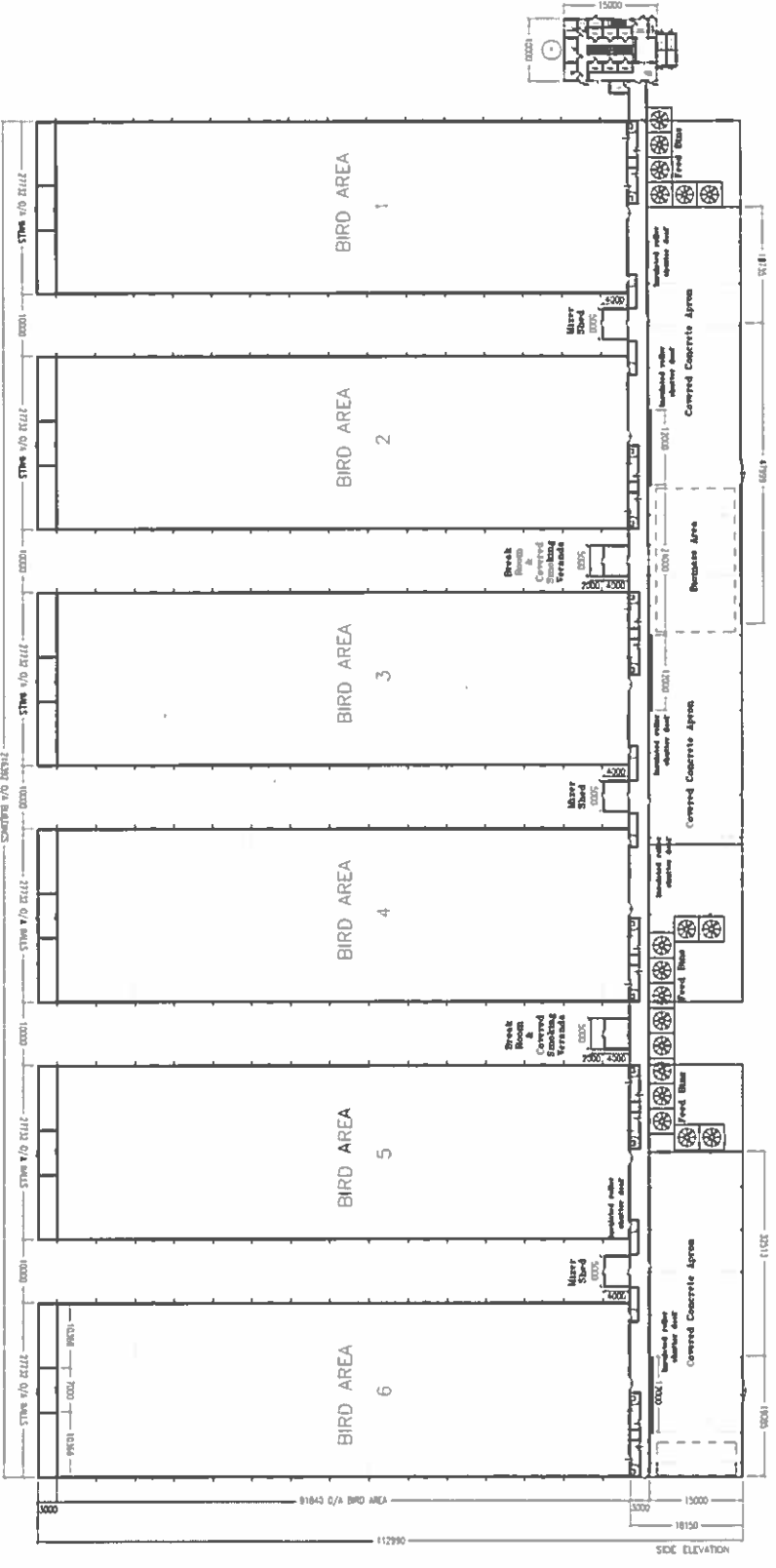


651/C

NOT FOR CONSTRUCTION



PROVISIONAL DRAWINGS
NOT FOR CONSTRUCTION



D/159



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DATE: 01/02/2010
DRAWN BY: J.A.M
SCALE: 1:400 = A1
JOB NO: TEMESBURY 2
CLIENT: RNSCT HENR

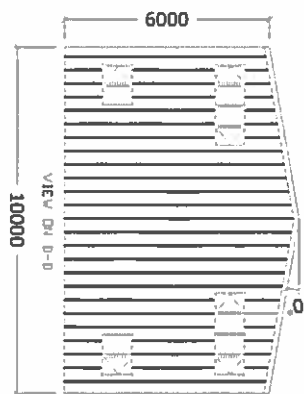
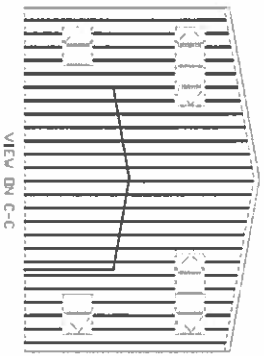
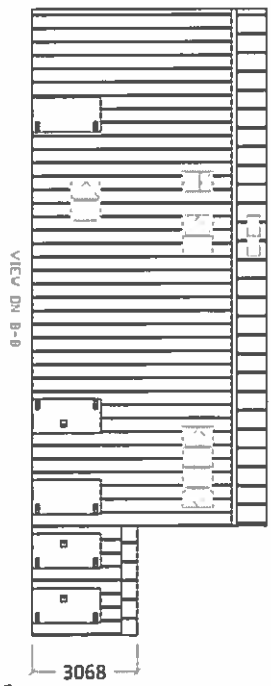
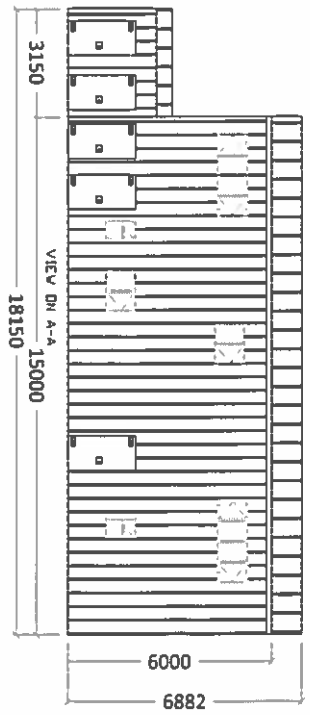
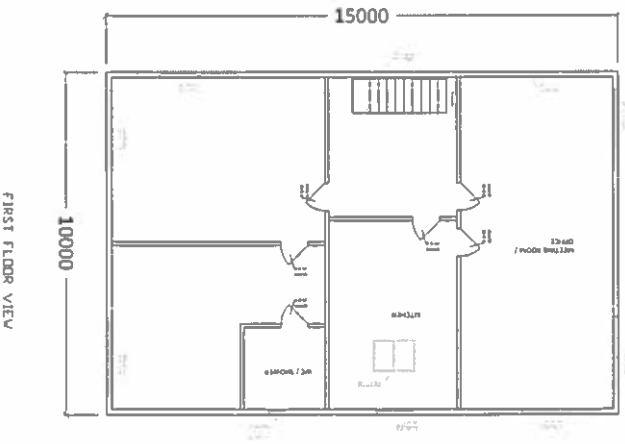
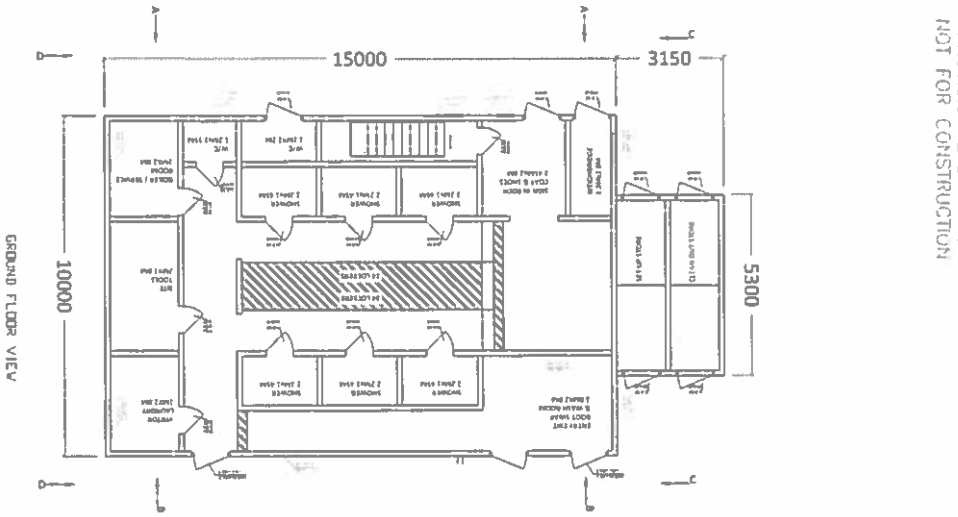
IN
TEMESBURY 2

PROVISIONAL DRAWING
NOT FOR CONSTRUCTION
FLOOR PLAN & ELEVATIONS

NOTES:
FEED BIN AND
CONTROL ROOM
TO BE
POSITIONED AS
PER SITE PLAN

DRAWG NO.
PRO-FP-ELEV
REV 9

PROVISIONAL DRAWING
NOT FOR CONSTRUCTION



651/E

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DATE: 28/06/2018
DRAWN BY: M.A.W
SCALE: 1/25 - A1
JOB No: TEMESBURY 2
CLIENT: KMSLEY HEATH

TITLE:
TEMESBURY 2

PROVISIONAL DRAWING
NOT FOR CONSTRUCTION
GATE HOUSE

NOTES:
FEED BIN AND
CONTROL ROOM
TO BE
POSITIONED AS
PER SITE PLAN

DWG NO.
PRO-GATEHOUSE
(REV 5)

Valid 11.06.2019
 Grid Ref 395603 229684
 Parish Gotherington
 Ward Cleeve Hill

Erection of 9 residential dwellings and associated vehicular access.

RECOMMENDATION Permit

Policies and Constraints

DEFERRED at 18.06.19 COMMITTEE (ITEM 2 - PAGE NO 413)

National Planning Policy Framework; 2018 (NPPF)
 Planning Practice Guidance

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

SP1, SP2, SD3, SD4, SD6, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF5, INF6, INF7

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

TPT3, LND2

Gotherington Neighbourhood Development Plan 2011-2031 (GNDP):

GNDP01, GNDP02, GNDP04, GNDP07, GNDP09, GNDP12

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

RES1, RES5, RES12, RES13, DES1, LAN1, NAT1, COM4, TRAC1, TRAC2

Flood and Water Management SPD

Affordable Housing SPD

Manual for Gloucestershire Streets

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

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Gotherington Parish Council - Objection - The Parish Councils objection relates to the proposed erection of 9 dwellings. Gotherington's NDP specifies the land is suitable for about 6 units, not 9 which is a 50% increase.

Building Control Officer - The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

County Highways - No objection (subject to conditions).

Tree Officer - No objection subject to the turning area adjacent to the Oak Tree is constructed with a 'no dig' approach and grass-crete surfacing is used.

Urban Design Officer - No objection.

Land Drainage Officer - No objection.

Severn Trent- No objection (Subject to conditions)

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

Strategic Housing and Enabling Officer - No objection - Affordable Housing contribution would not be required and site is not within a designated rural area so a lower threshold triggering a contribution would not apply.

Public Rights of Way Officer - No objection - The development would not impact any recognised PROW.

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

Planning Officers Comments: Mr James Lloyd

1.0 Application Site

1.1 The application site is located on the western edge of the village of Gotherington and comprises agricultural land, presently laid to pasture. The site measures approximately 0.49ha in size and is situated to the north of Malleson Road. The site is broadly rectangular in shape and its boundaries are comprised of hedgerows with the occasional trees. To the east of the site are residential properties that extend along the length of Malleson Road into the village. **(See attached location plan)**

1.2 The site is a strategic site (Reference GNDP02/1) within the adopted Gotherington Neighbourhood Development Plan (GNDP). The site is also identified with the emerging Tewkesbury Borough Plan, Preferred Options, under Policy RES1 (Gotherington) site A.

1.3 The site is not located within any specific landscape designated areas, however, is situated adjacent to the Special Landscape Area (SLA) (to the East). The application site is also located within Flood Zone 1 as identified on the Gov.uk Flood Maps for Planning website.

2.0 Relevant Planning History

2.1 None pertaining to this site

3.0 Current Application

3.1 The application seeks full planning permission for residential development of 9 dwellings. The development would be laid out with the majority of the dwellings in a linear form, facing onto the main road. **(See attached Site Layout Plan)**

3.2 The site would be accessed from the main road into Gotherington (Malleson Road). The internal road layout would run parallel to the main road with 'turning heads' located at the east and western ends of the site. Pedestrian access into the site would be provided, connecting from the existing footpath to the east of the site.

3.3 The proposal would provide a mix of detached and semi-detached dwellings comprising:

2 x 2 bed semi detached
2 x 3 bed semi detached
3 x 4 bed detached
2 x 5 bed detached

3.4 There are 5 house design types proposed on the site, with a mixture of materials (predominantly reconstituted stone). The properties would range from small pairs of semi's (5 metres high to eaves and overall height of 8.7 metres) to larger bay fronted detached properties (5 metres high to the eaves and an overall height of 8.4 metres). The detached plots would be provided with detached double garages and off road parking spaces and the semi-detached with off road parking. **(See attached plans)**

3.5 Landscaping and additional planting is proposed.

4.0 Planning Policy Context

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

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

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

4.4 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework and the emerging Tewkesbury Borough Local Plan (Preferred Options Consultation) 2011-2031 and the Gotherington Neighbourhood Development Plan.

4.5 Other relevant policies are referred to in the relevant sections below.

Five Year Housing Land Supply

4.6 Members will be aware that the Council's methodology for calculating the five year supply was recently challenged in the Courts in relation to the appeal decision relating to a land at Oakridge, Highnam. The key reason for this was that the Council includes advanced delivery against annual housing requirements in its five year supply calculations. However, in his Judgement issued in July 2019 the Judge concluded that he was not satisfied that it was appropriate for the court to exercise its jurisdiction to adjudicate upon an academic dispute in a judicial review claim. The challenge was therefore unsuccessful with regard to the five year supply calculation methodology and the Council therefore remains of the opinion that its approach to calculating five year supply is correct and sound.

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

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

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

National Planning Policy Framework and Planning Practice Guidance

4.10 The NPPF aims to promote sustainable development and the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The three dimensions to sustainable development: economic, social and environmental.

- 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 protect and enhance the natural, built and historic environment.

4.11 Paragraph 12 of the NPPF clarifies that it does not change the statutory status of the development plan as the starting point for decision-making. However, where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

5.0 Community Infrastructure Levy Regulations

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

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

5.2 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.

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

5.4 In October 2018 the Council adopted a CIL and implemented the levy on 1 January 2019. For CIL purposes the application site falls within a 'Generic Site' and is subject to the levy for residential development at £200 per square metre on all the market elements of the proposed development.

5.5 Infrastructure requirements specifically related to the impact of the development will be secured via a S106 legal agreement, which may include the provision of commuted sums. CIL would be collected in addition to any site specific S106 requirements.

6.0 Analysis

Principle of Development

6.1 The proposed site is located adjacent to the existing linear settlement along Malleson Road, the main route into the village of Gothington. Gothington is served by facilities such as a school, village shop, public house and village hall. Gothington is assigned 'Service Village' status through the JCS and whilst the application site is located on the edge of the settlement it is not considered isolated.

6.2 JCS Policy SP2 sets out that development at rural service centres and service villages will be allocated through the Tewkesbury Borough Plan and Neighbourhood Plans, proportional to their size and function, and also reflecting their proximity and accessibility to Cheltenham and Gloucester and considering the environmental, economic and social impacts including existing levels of growth over the plan period.

6.3 JCS Policy SD10 sets out the Council's approach to housing development and states that residential development will be permitted at sites allocated for housing through the development plan and allocations in district and neighbourhood plans. For completeness, the site is not supported by the other criteria of Policy SD10.

6.4 Policy GNDP02 of the adopted Gothington NDP allocates sites outside of the defined settlement boundary of the village. This Policy allocates the application site as GNDP02/1 - Land to the North of Malleson Road (0.95 hectares). The NDP goes on to advise the following: "This site is suitable for a small frontage development of about six units. Development only along the frontage will maintain the linear form of the village."

6.5 The site is allocated for a recommended 6 units and the application proposes 9 units. The Parish Council has objected to the number of dwellings proposed, highlighting that the scheme would result in a 50% increase over the recommended quantum. Whilst the Parish Council's objections are acknowledged the GNDP states that the development could consist of 'about 6 units', it is considered that this is not an absolute or ceiling number and the spirit of the policy is not intended to restrict the amount of units on site to 6. As discussed later in this report the form and layout of the proposed development demonstrates that the site is capable of accommodating up to 9 dwellings, it is therefore considered that an increase from 6 to 9 units is acceptable within the scope of Policy GNDP01/02 of the GNDP..

6.6 The emerging Development Plan is at the pre-submission consultation stage prior to submitting for examination, with this in mind limited - moderate weight is afforded to any emerging policies. Policy RES1 proposes to allocate the application site for housing development (Site A). This policy details that the site should be for approximately 6 dwellings, and advises that development at the site should be in accordance with the policies and proposals within the Gotherington Neighbourhood Development Plan.

6.7 On the basis of the allocation of the site for housing in the GNDP the principle of the proposed development is considered in accordance with JCS Policy SD10.

Design and layout

6.8 The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Policy SD4 of the JCS advises that new development should respond positively to and respect the character of the site and its surroundings, enhance local distinctiveness and the grain of the locality. Neighbourhood Plan Policy GNDP07 sets out the design principles for assessing planning applications and requires new buildings to enhance the distinctive character of the village by way of their layout with provision of off-road parking.

6.9 The proposed development would predominantly front Malleson Road, the dwellings would be set back from the road and would provide a continuation of the broadly linear form of the village and would provide a mix of house types and sizes which would reflect the varied character of the village. The proposed mix and scale of the dwellings are therefore considered appropriate for the site.

6.10 The proposed dwellings would draw upon the features of existing dwellings and the mix of materials used in the village. The application proposes the use of reconstituted stone and timber cladding as the principal facing materials, with a mixture of slate and reconstituted concrete roof tiles. The properties would be detailed with reconstituted stone lintels. This varied materials palette is considered appropriate for the site however the precise details of the materials will require further consideration and can be secured by condition in order to ensure a high-quality finish to the development.

6.11 Each of the detached dwellings would have detached double garages which would typically be set behind the building line which would result in a subservient appearance and ensure a more spacious layout and appearance, with prominent gaps between buildings being maintained.

6.12 The Council's Urban Design Officer has been consulted and advises that the scheme is in keeping with the linear pattern of the existing village and follows the predominant building line as well as retaining an appropriate form and density. It is also positive that the development provides for smaller dwellings as well as larger unit types. The turning of the end units to face west would also create a more positive edge to the settlement.

6.13 The proposed appearance and scale of the dwellings would allow the development to deliver a variety of house sizes and styles which would reflect upon elements of the existing village whilst delivering a development of its own character. As a result it is considered that the appearance and scale of proposal would be of an acceptable standard. The proposal is therefore considered to accord with the requirements of JCS Policy SD4 and the NPPF.

Landscape

6.14 Policy SD6 of the JCS states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. Proposals will have regard to local distinctiveness and historic character of different landscapes and proposals are required to demonstrate how the development will protect landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement area.

6.15 The application site is located adjacent to the Special Landscape Area. Policy LND2 of the TBLP provides that special attention will be accorded to the protection and enhancement of the SLA 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. Furthermore, Policy GNDP09 requires development to preserve the existing settlement patterns, including the strong East-West form and preservation of hedgerows and field patterns.

6.16 The proposed dwellings would be set back from the road behind a landscaped buffer and existing hedgerow fronting Malleson Road. The proposed landscaping scheme would entail the retention where possible and enhancement of the existing site boundary planting to the north, southern and western boundaries of the site. However, some hedgerow removal will be necessary to the southern boundary in order to form the site access point and associated visibility splays. In these instances, the landscaping scheme proposes additional compensatory tree and hedge planting.

6.17 In terms of hard landscaping, the application proposes the use of block paving to most of the proposed parking areas and private access drives. Boundary treatments would comprise 0.6 metre high stone walling to frontages of plots 7 & 6 with 1.8 metre brick walls around the side and in between plots 9 & 8. 1.8 metre high fences would be erected within the rear gardens of the site. Additional tree planting is proposed between parking spaces to soften the facing street side.

6.18 The scheme would be visible upon approach to Gotherington when travelling east along Malleson Road. The scheme proposes plots 9 and 8 are turned to face west, it is considered that this would create a positive edge to the settlement when approaching the village. The landscape assessment carried out by the Parish Council through the GNDP process has identified the site as a 'low visual impact' site.

6.19 Given the above it is considered that the impact of the development on the surrounding landscape, together with the proposed hard and soft landscaping scheme would be acceptable and would provide for appropriate softening of the development, the benefits of which will increase over time and would minimise the impact of the development on the landscape character of the SLA to the east.

Ecology and existing trees

6.20 Policy SD9 seeks the protection and enhancement of biodiversity and geological resources of the JCS area.

6.21 The application has been accompanied by an ecological survey which has sought to determine the existence of any ecologically valuable areas and/or protected species. A two stage approach was taken, a desk-top survey and a walk-over field survey. The survey concludes that there are no habitats of international, national, county or local importance that would be directly affected by the proposals. It goes on to conclude that the site is deemed to be of overall negligible or low ecological value with no evidence of protected species recorded. Notwithstanding this, the ecological survey has made a number of recommendations to enhance the site's biodiversity. This includes the installation of bird/bat boxes on some of the existing vegetation or incorporated into the new build to provide enhanced nesting/roosting opportunities. It is also recommended that new planting should aim to use native species or species of known value for wildlife. This can be controlled by a suitably worded condition(s).

6.22 There are a number of trees would need to be removed to accommodate the proposed dwellings although some trees and boundary vegetation has been incorporated into the proposed landscaping scheme. The Tree Officer has been consulted on the application and has raised no objection to the proposed development, however, comments that the oak tree is of significant interest and should be retained on site. The trees that are identified for removal would however not provide any significant amenity value and would not be worthy of a Tree Preservation Order. The Tree Officer has also recommended additional planting to rear gardens to compensate for the loss of trees as a consequence of the proposed development. It is recommended that a condition be imposed for protective tree fencing to be installed prior to any works commencing on site and retained throughout the construction phase in respect of those trees/hedgerows to be retained.

6.23 The Ecology report also raises concerns regarding the impacts of light pollution upon amenity and the natural environment. It is clear that development in this location would result in change with lighting from the proposed dwellings, however such domestic lighting would not result in undue harm. In terms of the impact of street lighting a condition is recommended to restrict the installation of street lighting within the development in order to protect the dark rural character of the area.

Residential Amenity

6.24 Paragraph 127 of the NPPF specifies that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. This advice is reflected in JCS Policies SD4 and SD14 which require new development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

6.25 The proposed layout would result in 7 plots facing onto Malleson Road with gardens located to the rear. This would reflect the existing organic linear character of the area while the introduction of dwellings on this site and in proximity to existing services would contribute to a sense of place in association with the recent development to the South.

6.26 Plot 1 would be located approximately 18 metres to the west of an existing property, the design of this plot does not include a first floor level window on the eastern elevation. Given the separation distance and the fact that no first floor windows are proposed facing this property, it is considered proposal would not result in demonstrable harm to the living conditions of these occupiers.

6.27 The proposed units on site have been designed as to not give any rise to unacceptable overlooking between dwellings, this has been achieved by using black elevations on some units and using windows for bathroom/en-suites on other units. It is therefore considered that the overall layout would not result in demonstrable harm to the living conditions of future occupiers. Whilst plots 8 and 9 would face towards the rear gardens of plot 7, it is considered that there is a reasonable separation distance between the plots, as well as an intervening garage, that would mean there would be no demonstrable harm to plot 7's amenity.

6.28 The proposal would provide sufficient outdoor amenity space commensurate to the size and scale of the proposed dwellings. Each dwelling would have reasonably good outlook in line with JCS Policy SD4.

6.29 For the above reasons, it is considered that the proposed dwellings would not have a significant harmful impact upon the amenities of neighbouring properties nor upon the occupiers of new dwellings with regards to a loss of privacy, overbearing impact or loss of light. The proposal is therefore deemed to comply with the requirements of JCS Policies SD4 and SD14 in this regard.

Accessibility and Highway Safety

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

6.31 The scheme proposes the creation of one new access point from Malleson Road, serving all of the plots on site. A public footway is also proposed from the eastern site access along the frontage of the existing properties along Malleson Road, which would provide a pedestrian link to the village. A 1.2 metre footpath would be created along the frontages of each property.

6.32 Each of the plots would have a minimum of two off street parking spaces, a further two garage spaces would be provided with plots 1, 6, 7, 8 and 9.

6.33 Initially the County Highways Department requested further details to be provided to demonstrate that safe and suitable access can be achieved. Details have been received and presented to County Highways whom are now satisfied given the latest revisions to the site. The County Highways Officer therefore raises no objection to the scheme subject to conditions being attached to any permission granted.

6.34 Subject to the imposition of relevant highways conditions, the proposal is deemed to comply with the requirements of JCS Policy INF1 and would ensure safe and suitable access to the site for all users without having a detrimental impact on the safe and efficient operation of the highway network.

Drainage

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

6.36 The application has been accompanied with by a drainage strategy for the site. The scheme proposes the foul to flow into an onsite chamber before being pumped via the rising main to the offsite Severn Trent manhole within Malleson Road to the East of the site. The Storm Drainage will utilise a direct connection into the adjacent ditch recently re-constructed by Persimmon Homes as part of the development opposite the site. To attenuate the discharge rate the applicant would construct a storage system within the private areas to control the outflows via a hydro brake chamber into the piped ditch adjacent the site (This element would pick up all rainwater gathered by the driveways, roofs and tarmacked areas).

6.37 The Council's Flood Risk Support Officer has considered the proposal and has raised no objection.

Affordable housing

6.38 Policy GNDP04 of the GNDP advises that "To ensure that future housing development meets the needs of the existing and future population the following will apply; a) on sites of 5 or more dwellings a range of tenures, house types and sizes of dwellings will be required, including, where the viability allows, a proportion of affordable homes as defined in the NPPF 2012 Glossary to meet the housing needs of households with a connection to Gotherington Parish"

6.39 The GNDP was adopted on 19th September 2017, forming part of the development plan. Policy GNDP04 was prepared on the basis of the previous NPPF 2012 which sought a lower dwelling threshold for the delivery of affordable housing on residential housing schemes.

6.40 The JCS was subsequently adopted in December 2017 after the GNDP and also forms part of the Development Plan. Policy SD12 of the JCS and sought additional thresholds for the provision of affordable housing on sites of 10 units or less.

6.41 Applications for planning permission should be determined in accordance with the development plan unless material consideration indicate otherwise. With regard to affordable housing a more recent material consideration has been introduced in the current version of the NPPF (2019) which supersedes advice in previous versions.

6.42 The NPPF 2019 states that 'Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required...' however, goes on to advise that 'Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)'.

6.43 Paragraph 212 of the NPPF (2019) clarifies that "The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of publication". With this in mind it is considered that given the GNDP and JCS policies have since been superseded by more recent policy the affordable housing thresholds should be adhered to in accordance with the NPPF 2019, which carries more weight than that set out in Policy GNDP04 and paras (iii) and (iv) of the JCS.

6.44 The Councils Strategic Housing Enabling Officer (SHEO) has provided comments and advises; 'the site would not be classed as a 'major development' as per the NPPF (Feb 2019, updated 19 June 2019) and an Affordable Housing contribution would not be required. The site is also not within a designated rural area so a lower threshold triggering a contribution would not apply'.

6.45 The site measures 0.49 hectares in size and proposes 9 dwellings. The development would not be classified as 'major development' and is therefore not required to deliver affordable housing.

Housing mix

6.46 JCS Policy SD11 states that housing development will be required to provide an appropriate mix of dwelling sizes, types and tenures in order to contribute to mixed and balanced communities and a balanced housing market and development should address the needs of the local area. This is consistent with Section 5 of the NPPF which, at paragraphs 60 and 61, requires that the local planning authority should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups of the community. The Gloucestershire Strategic Housing Market Assessment (2015) (the SHMA) identifies the greatest level of need for market dwellings in Tewkesbury Borough over the plan period will be for 2 and 3 bedroom dwellings.

6.47 This application proposes a mix of dwellings, with two 2-bed dwellings, two 3 -bed dwellings, three 4-bed dwellings and two 5-bed dwellings, which is considered acceptable for the locality and meets the needs of the local area in line with JCS Policy SD11.

7.0 Overall balancing exercise and conclusions

Benefits

7.1 The site is allocated for housing through the GNDP and the emerging plan. Given that the NDP forms part of the adopted development plan great weight is afforded to this and the delivery of housing to meet a locally identified need.

7.2 Weight can be attributed to the economic benefit arising from the proposal both during and post construction. Whilst this weight is limited by virtue of the scale of the development, it is nevertheless a matter which weighs in favour of the proposal.

Neutral impacts

7.3 The impact upon the wider landscape and the existing trees has been addressed. Whilst there would be a loss of some trees and hedgerows, mitigation (through a condition) would provide an acceptable solution to the loss.

Harms

7.4 Harm arises from the conflict with the development plan policies, in particular JCS policy SD12 and GNDP04 in terms of the provision for affordable housing. However, this conflict must be considered having regard to the weight given to the threshold tests within the NPPF (2019) which carries more weight at this current time.

8.0 Conclusion & Recommendation

8.1 For the aforementioned reasons, the proposed development is considered acceptable in principle and is considered to be of an appropriate design and housing mix that responds to the local characteristics and protects the amenity of existing and future occupants in line with the requirements of JCS Policies SD4, SD10, SD11 and SD14. The proposal would not impede the safe and efficient operation of the highway network and makes appropriate provision for off-road parking spaces. For these reasons, and subject to relevant conditions, the proposal is deemed to comply with relevant national and local planning policy and is therefore recommended for Permit.

8.0 Update - 17th December 2019

8.1 At Planning Committee on the 19th November 2019 Members resolved to permit the subject to an amendment to secure the provision of affordable housing in accordance with Policy GNDP04 of the Gotherington Neighbourhood Development Plan.

8.2 In response, the applicant has advised that they are not in position to offer any affordable housing as they do not believe that the current policies support the lower threshold set out in the Neighbourhood Plan. Further to this the applicants have submitted a statement which outlines their position on the matter of affordable housing provision.

8.3 Summarising the submitted statement, the applicant maintains that the Gotherington Neighbourhood Development Plan policy (GNDP04) for affordable housing was formulated in the context of a policy that has since been superseded by JCS Policy SD12 (which seeks a higher threshold for the provision of affordable housing). In turn the applicant considers that JCS Policy SD12 is superseded by paragraph 63 of the NPPF (2019).

8.4 With this in mind the applicant concludes that, as the Neighbourhood Development Plan policy (GNDP04) was based on a previous policy that has been twice superseded, it cannot hold any weight in the decision making process. The applicant's position remains that the affordable housing threshold within the NPPF should be given more weight than the thresholds set out in Policy GNDP04 of the Gotherington NDP.

8.5 The applicant also considers that the Neighbourhood Development Plan policy was based on an identified affordable housing need (from 2014) that has since been met (Although at the point of writing this update no evidence has been provided to corroborate this position). The applicant has also advised that they will be seeking Counsel's Opinion on the matter and will provide this for Members prior to the day of Committee.

8.6 The applicant's comments are noted however officer advice remains as it was at the committee meeting. The weight to be attached to any particular policy is down to the decision-maker (in this case the Planning Committee). As advised at the Committee meeting in November, if the Committee considers there is evidence to support the lower threshold set out in the GNDP, then it would not be an unreasonable position to give more weight to it than the policies of the JCS/NPPF.

8.7 The Strategic Housing and Enabling Officer (SHEO) has been consulted in respect of need. He advises that a housing needs survey is currently being prepared for Gotherington Parish, the results of which are due early in the New Year. Notwithstanding this, and the fact that as pointed out by the applicant 19 new affordable homes are being provided through existing permissions in Gotherington (notably on the Persimmon Homes development opposite the current application site), the SHEO confirms that there is some evidence of need for affordable housing in the Parish in the housing register. There are 9 people on the register with a local connect and a further 105 who have indicated Gotherington as an area of preference. Based on Registered Provider (landlord) returns, there has been no delivery of affordable housing since 2017 in Gotherington. Five rented and five shared ownership properties are expected to be delivered on the Persimmon site referred to above in the spring of 2020.

8.8 The evidence from the housing register is not conclusive however and the position will become much clearer in the New Year once the housing needs survey has been reported. Should Members wish to pursue the provision of affordable housing on this site, it is recommended that the application be deferred to allow consideration of the evidence arising from the housing needs survey. This does come with the potential risk of a non-determination appeal, however given the short timescale for the publication of the survey, deferral does not appear to be unreasonable in the circumstances.

9.0 UPDATE - 18.2.2020

9.1 At its meeting on 17th December 2019, the Planning Committee resolved to defer the application to allow consideration of the applicant's email containing advice from Counsel and the evidence arising from the housing needs survey.

9.2 Counsel's advice on behalf of the applicant was circulated to members in advance of the December Committee. Counsel summarises his advice as follows:

a. An inspector would very likely find that Policy GNDP04 was out-of-date and that significantly reduced weight should be given to it in deciding the planning application;

b. If the Council were to refuse planning permission on the basis that the development would not provide any affordable housing contrary to Policy GNDP04, then an inspector would likely allow the appeal and grant planning permission: and

c. In the above circumstances, there is at least a significant risk that Centaur would succeed in obtaining a substantive costs award against the Council.

9.3 Paragraphs 6.42 and 6.43 above explain why, in officer's view, an affordable housing contribution should not be sought on this site. Bullet point a) above effectively corroborates officer's view that the lower threshold set out in the Neighbourhood Plan is superseded by both the JCS and NPPF, both of which were adopted/published after the Neighbourhood Plan.

9.4 It is also noted, although not referred to in Counsel's advice, that s38(5) of the Planning and Compulsory Purchase Act (2004) states that:

"If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan."

This confirms therefore that Policy GNDP04 has been superseded by the JCS and most recently the 2019 NPPF which adopts a threshold of 10.

9.5 Nevertheless, it is not considered that this necessarily must be the end of the matter. What Counsel does not touch on in his advice is the material consideration which is the Housing Needs Survey (HNS). As set out in paragraph 4.1 above, s38(6) of the 2004 Act requires proposals to be determined in accordance with the development plan unless other material considerations indicate otherwise. The results of the HNS are a material consideration and the weight to be applied to any material consideration is, as Counsel advises, generally a matter for the decision maker.

9.6 The Gotherington Parish Housing Needs Survey Report December 2019 (HNS) was made available to officers on 15th January 2020. The HNS was undertaken by GRCC as part of an ongoing programme of parish surveys. As part of the survey, 500 letters were sent to households with 186 responses received. Of these responses, 27 were received where the household self-identified themselves as in need of alternative housing. Of these, 22 households identified themselves as having a need for open market housing, with five requiring affordable housing.

9.7 In assessing the significance of the HNS as a material consideration in determining this application, consideration must be given to the specifics of the needs identified and whether there are other realistic options to meet this need.

9.8 Of the five households in need of affordable housing, four of those indicated a need for affordable rented housing. Of those, two stated that they had no preference as to where they would prefer to move, one indicated that they would prefer to move anywhere in Tewkesbury Borough, with the fourth expressing a desire to move outside the Borough to be closer to their place of work. The fifth household expressed a need for home ownership, within Gotherington parish only.

9.9 In respect of alternative options it is clear that the needs of those in need of rented accommodation do not specifically need to be met in Gotherington. There is considerable affordable housing being provided within the Borough including at nearby Bishop's Cleeve and at the Malleson Road site, directly opposite this application site. As set out above, five affordable rented properties (as well as five shared ownership units) are being provided at Malleson Road which are expected to be delivered in Spring of this year, although it is recognised that those properties are not restricted to meet the needs of local people. In this respect it is also noted that in agreeing that 50% of the affordable housing need at the Malleson Road site could be dealt with by way of an off-site contribution, the Housing Enabling Officer advised (in October 2016) that,

"After discussions with the housing allocations team and the parish council it is felt that 40% of on-site affordable homes would over-supply the parish due to:

- A small parish housing need as identified in the parish housing needs survey 2014.**
- A site already providing on-site affordable homes and**
- A number of other sites in the parish that may also contribute to affordable housing requirements."**

It should be noted that the 2014 HNS identified that there were 8 households in affordable housing need.

9.10 In light of the above, it is not considered that the HNS and its conclusions represent a significant material consideration which indicates that the application should be determined otherwise than in accordance with the development plan. It is therefore recommended that the application be PERMITTED for the reasons outline at paragraph 7.1 above.

RECOMMENDATION Permit

Conditions:

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

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

2. Unless where required or allowed by other condition attached to this permission, the development hereby permitted shall be carried out in accordance with the information provided on the application form and the following approved plans/drawings/documents:
 - Site Location Plan (drawing no: P18-0290_09 REV A)
 - Revised Site Plan (drawing no: P18-0290_04 REV I)
 - Plots 4 and 5 (drawing nos: P18-0290_03 SHEET 01 REV A)
 - Plots 2 and 3 (drawing nos: P18-0290_03 SHEET 02 REV A)
 - Plots 6 and 7 (drawing nos: P18-0290_03 SHEET 03 REV A)
 - Plots 1 and 9 (drawing nos: P18-0290_03 SHEET 04 REV A)
 - Plot 8 (drawing nos: P18-0290_03 SHEET 5 REV C)
 - Materials Plan (drawing no: P18-0290_05 REV E)
 - Enclosures Plan (drawing no: P18-0290_06 REV E)
 - Drainage Strategy Plan (drawing no: 19 016 / DS01 A)
 - Drainage Strategy Report Revision A (dated June 2019)
 - Arboricultural Report, prepared by Tree King Consulting (dated April 2018 - TKC Ref 38.01)
 - Ecological Report, prepared by AA Environmental Ltd (dated May 2019 - Job Number 193088)

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the submitted details, prior to its/their installation as part of the development hereby approved, samples of the materials and finish for the external walls and roofing proposed to be used for the dwellings and detached garages shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials as approved.

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

4. Notwithstanding the submitted details, prior to its/their installation as part of the development hereby approved, samples of the materials and finish for the enclosures (Stone walls, close board fences and brick walls) proposed shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials as approved.

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

5. No development shall commence until details of existing and proposed levels, to include details of finished floor levels, relative to Ordnance Datum Newlyn including a datum point outside of the site, have been submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the approved details.

Reason: To ensure that the development integrates harmoniously with its surroundings and does not adversely impact upon the amenity of neighbouring residents.

6. Notwithstanding the submitted details, before the development hereby permitted is first occupied a comprehensive scheme of soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:-

(i) a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.

(ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.

(iii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.

(iv) a written specification outlining cultivation and other operations associated with plant and grass establishment.

(v) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.

(vi) details of a precise specification of the proposed materials for the hard landscaping of the site (including roads, paths, parking areas and other hard surfaces);

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

The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the five year defects period.

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

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

7. Details of the specification and position of fencing and of any measures to be taken for the protection of any retained trees and hedgerows from damage before or during the course of development (including all preparatory work) shall be submitted to and approved in writing by the Local Planning Authority prior to any works being carried out onsite. The tree protection measures shall be in accordance with BS 5837:2012 and shall be retained onsite in accordance with the approved details for the duration of the construction process.

Reason: To safeguard the root systems of the trees/hedgerow to be retained and in the interests of visual amenity and the character of the area.

8. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

9. The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. P18-0290_04I, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

10. No dwelling hereby permitted shall be occupied until a scheme for the provision of fire hydrants to serve the development has been implemented in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The fire hydrants shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework.

11. Prior to occupation of the proposed development hereby permitted details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraph 108 and 110 the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 127 of the Framework.

12. Throughout the construction period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:
- i. parking of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in constructing the development;
 - iv. wheel washing facilities

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

13. The development shall be carried out in strict accordance with the recommendations set out in Section 4.0 (Discussion and Recommendations) of the Ecological Report, undertaken by AA Environmental Ltd (Job No.193088, dated May 2019) and details showing the type, number, location and timescale for implementation of the compensatory bird / bat boxes shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The scheme shall be implemented in strict accordance with the approved details.

Reason: To increase the biodiversity of the site and to mitigate any impact from the development hereby approved.

14. The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 1no. bicycle per dwelling has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

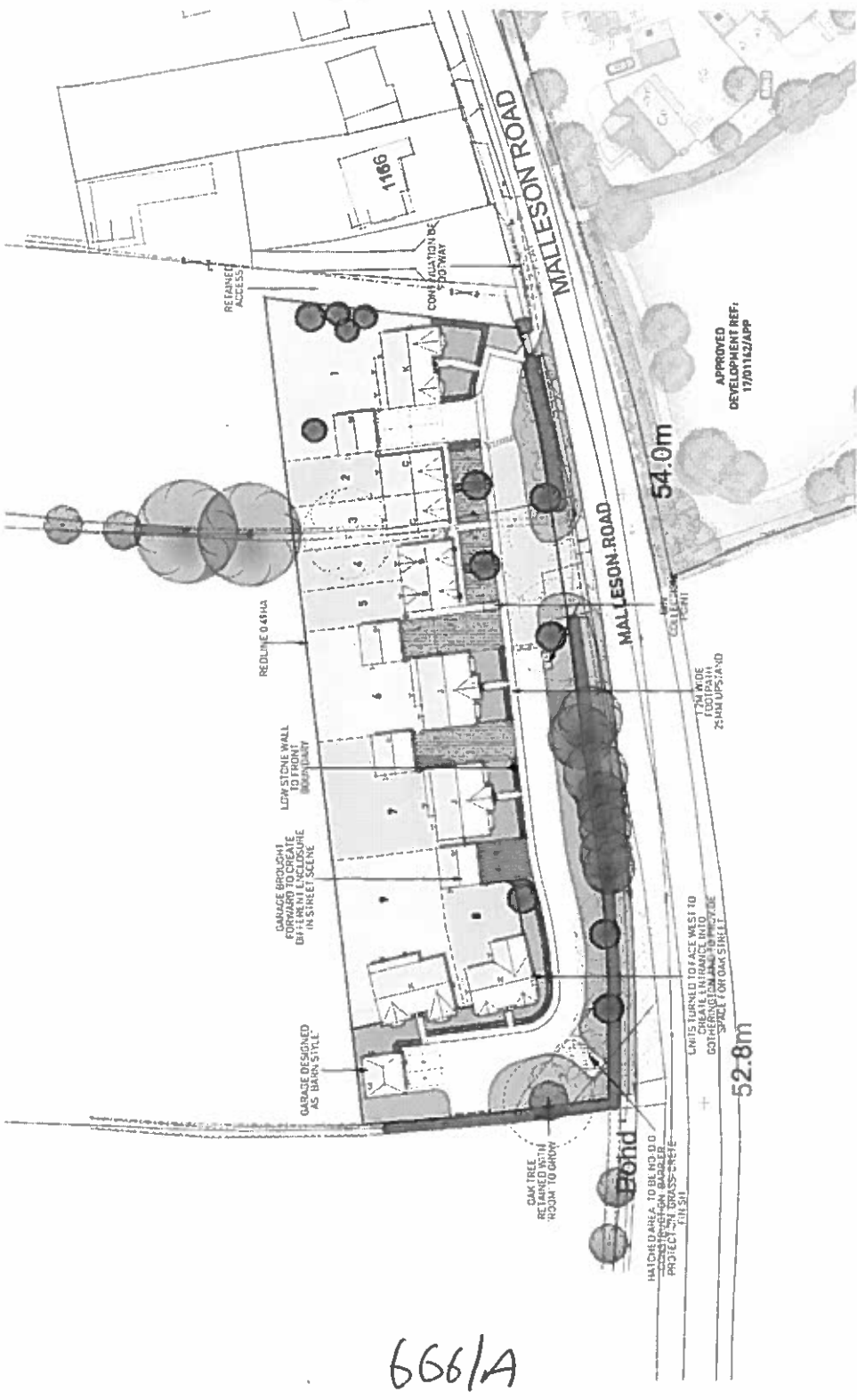
15. The development shall be carried out in strict accordance with the drainage details set out in the Drainage Strategy Revision A (Dated June 2019) and the Drainage Strategy Plan (Drawing No. 19-016/DS01 Rev A). The approved drainage works shall be implemented in accordance with the approved details before the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Notes:

- 1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
2. The upgrade works to the vehicular and pedestrian accesses will require alteration to the existing highway network and must be undertaken by the Highway Authority or its appointed agents. An Agreement under Section 278 of the Highways Act 1980 will be required. The Local Highway Area office will need to be contacted prior to commencement of work on the access.

The applicant is also advised that it is an offence under section 161 of the Highway Act 1980 to deposit anything on a highway the consequence of which a user of the highway is injured or endangered. It is strongly recommended that during any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided and used within the site, to prevent contamination and damage to the adjacent roads.
3. The applicant is advised that to discharge condition 11 that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
4. The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.



KEY:

- SITE BOUNDARY (ID 4914A)
- PRIMARY ACCESS TO DWELLING
- SECONDARY ACCESS TO DWELLING
- 1.8M HIGH BRICK WALL
- 1.8M HIGH FENCE
- GATE ACCESS
- BLOCK PAVING
- INDICATIVE PROPOSED PLANTING (REFER TO DETAILED LANDSCAPING SCHEME)

NOTE: BINS TO BE STORED IN BACK GARDENS UNLESS OTHERWISE SHOWN. HARD STANDING TO BE BLACK TOP UNLESS SHOWN AS OTHERWISE.



666/A



666/B

KEY



SITE BOUNDARY (0.47M)



LAND NORTH OF MALLESON ROAD, GOTHERINGTON - SITE LOCATION PLAN

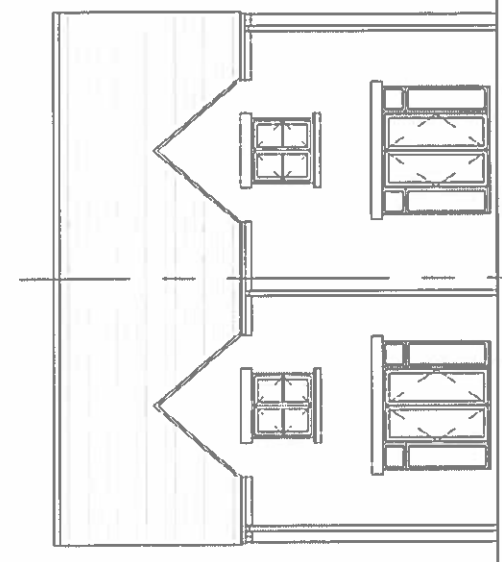


PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | www.pegasusgroup.co.uk | TEAMWORKING BETTER | 01773 653111 | DATE ISSUED: 17/05/23 | SCALE: 1:250 | REF: P18 0270 | REV: A | CLIENT: CENTAUR HOMES

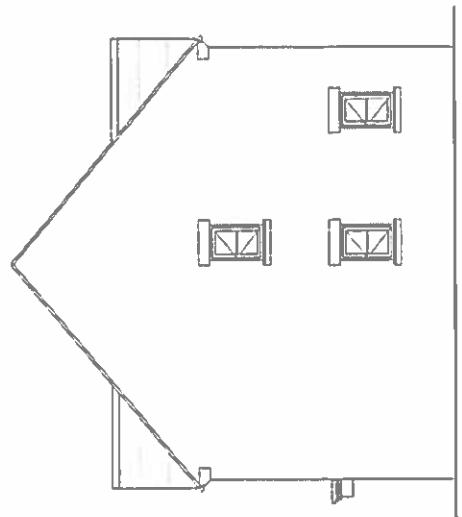
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FRONT ELEVATION



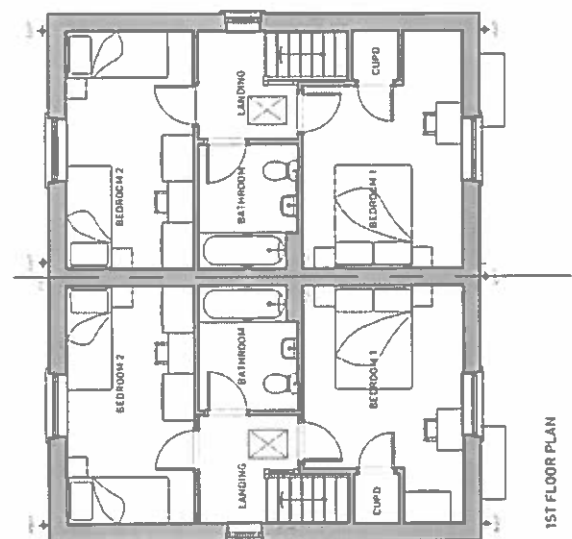
REAR ELEVATION



SIDE ELEVATION

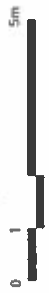


GROUND FLOOR PLAN



1ST FLOOR PLAN

SCALE BAR 1:100



PLOTS 4, 5

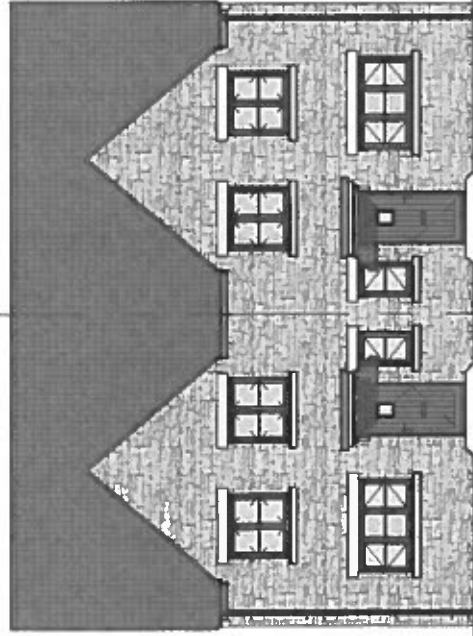
LAND NORTH OF MALLESON ROAD, GOTHERINGTON - HOUSETYPE B



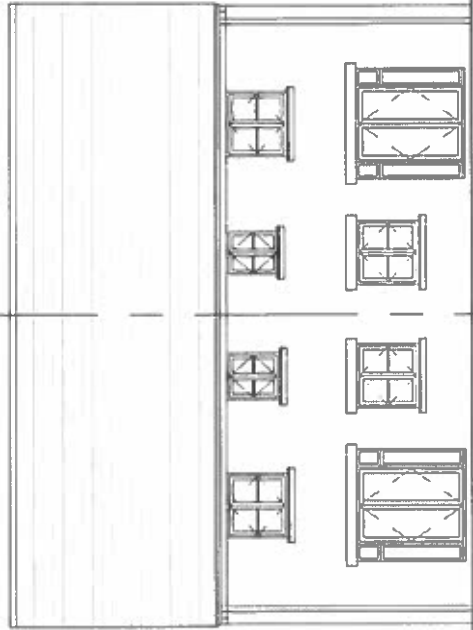
666/c

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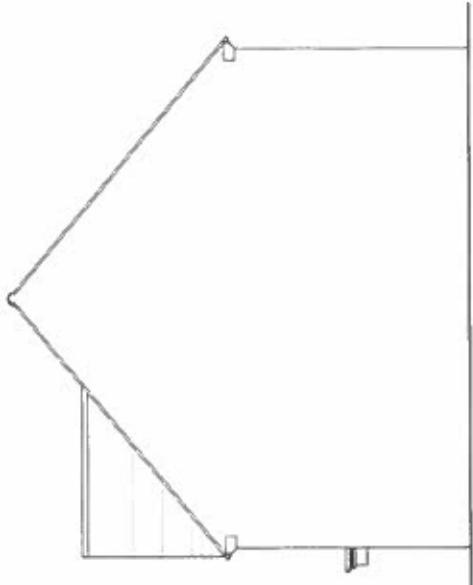
666/D



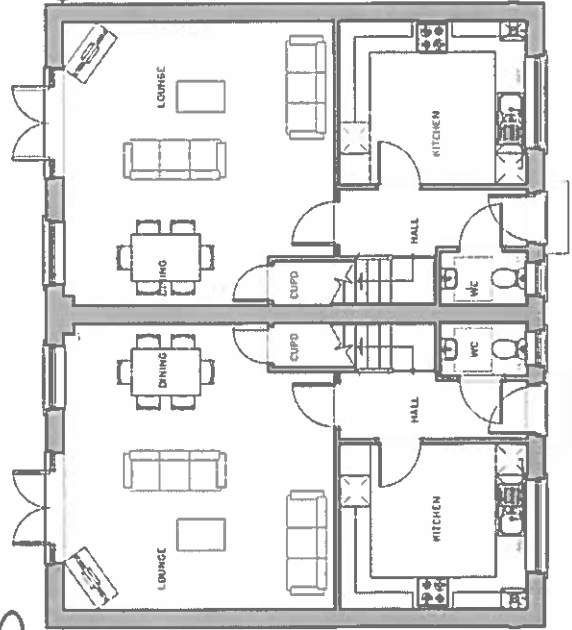
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REAR ELEVATION

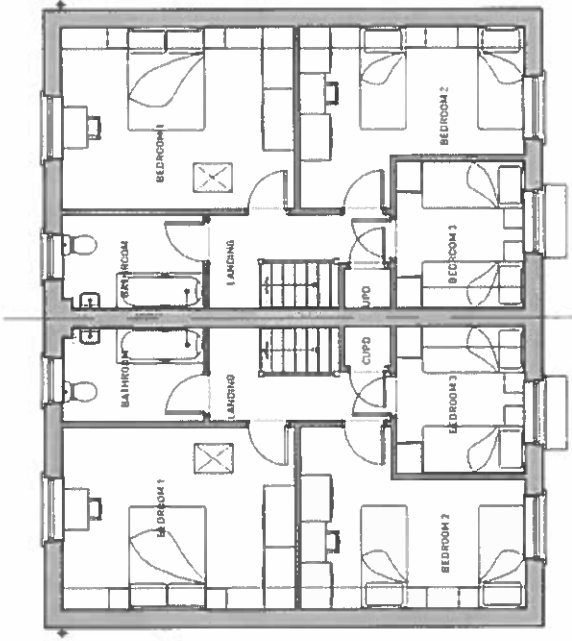


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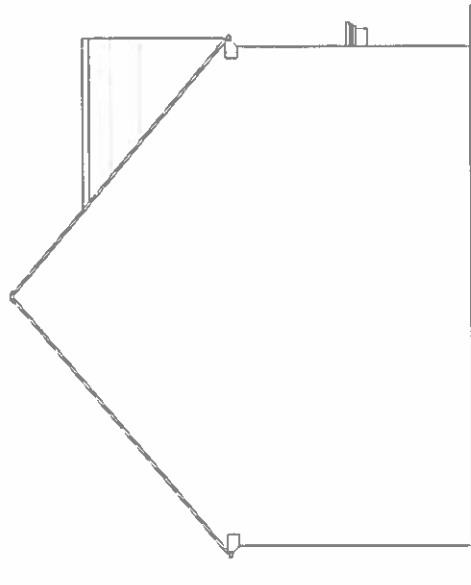


GROUND FLOOR PLAN

SCALE BAR 1:100



1ST FLOOR PLAN

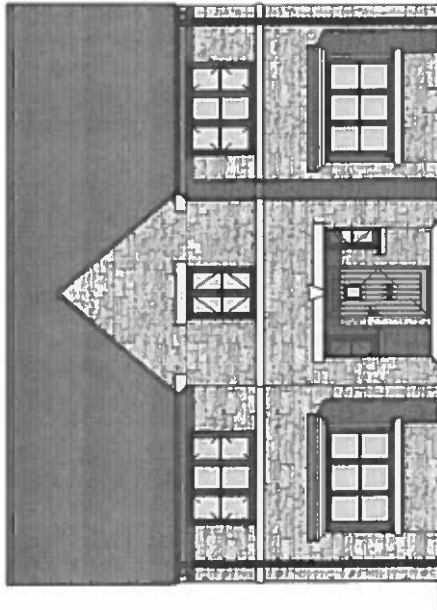


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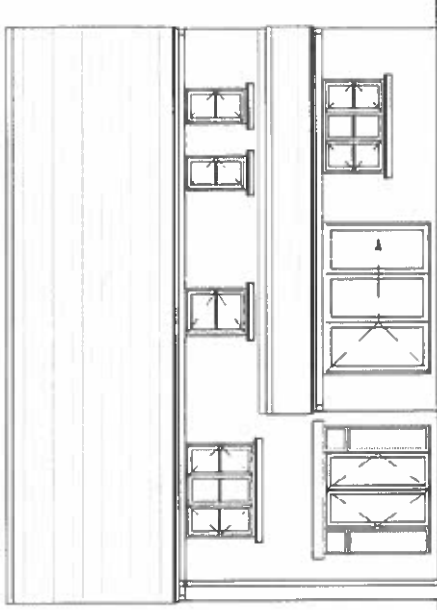
PLOTS: 2, 3

LAND NORTH OF MALLESON ROAD, GOTHERINGTON - HOUSETYPE C

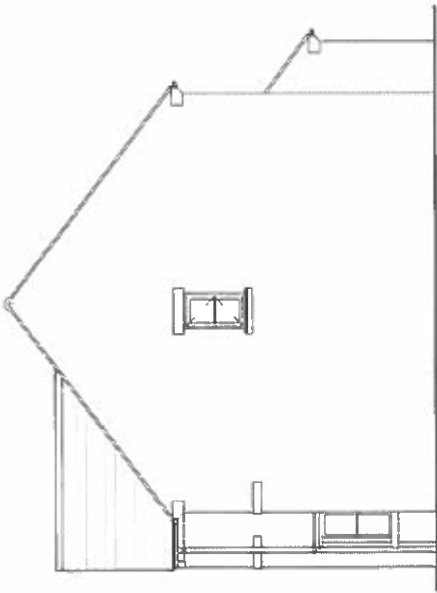




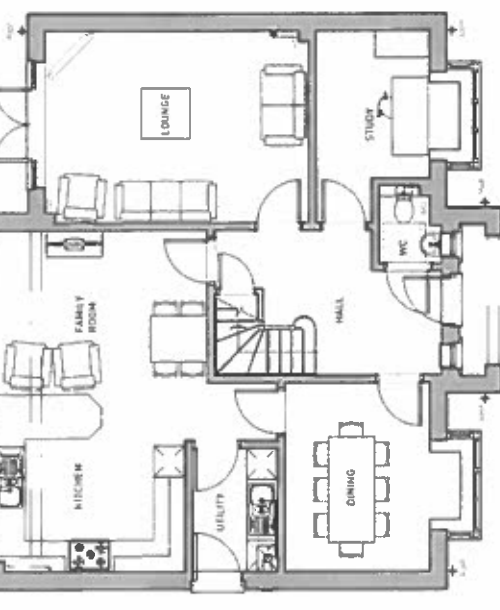
FRONT ELEVATION



REAR ELEVATION

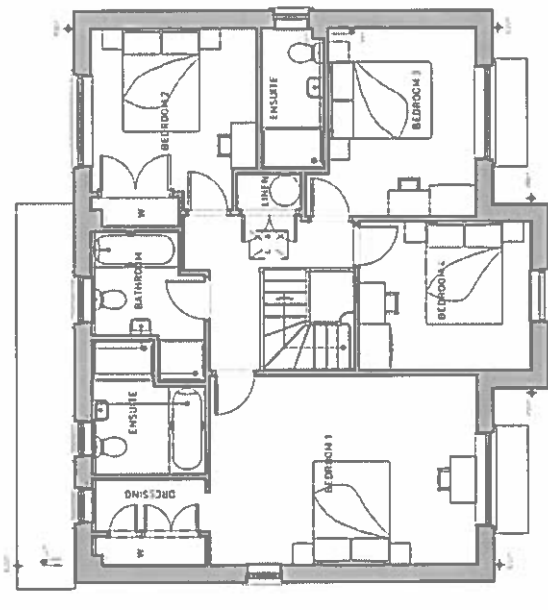


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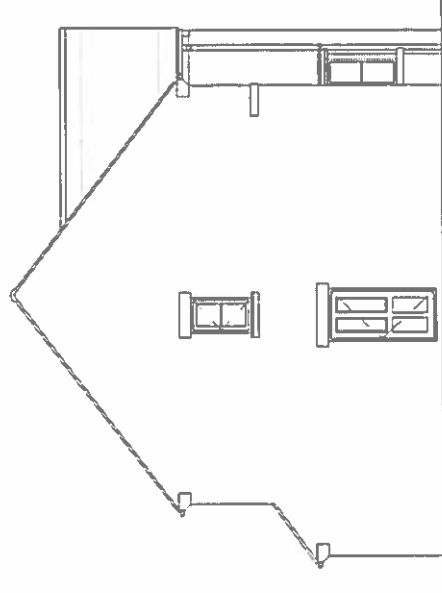


GROUND FLOOR PLAN

SCALE BAR 1:100



1ST FLOOR PLAN



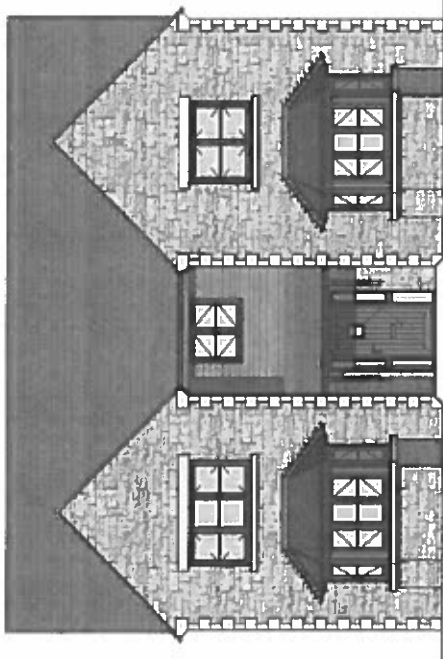
SIDE ELEVATION

G66/E

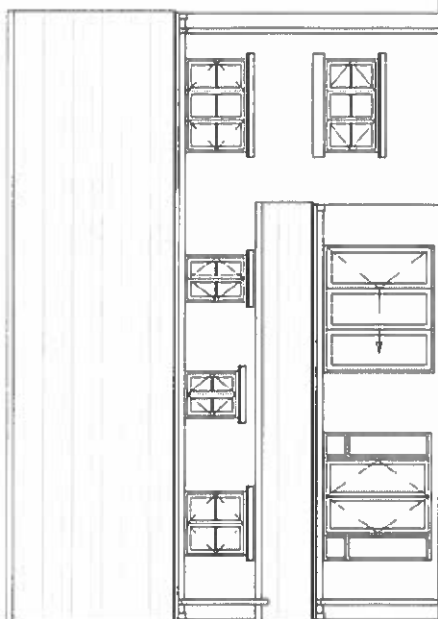
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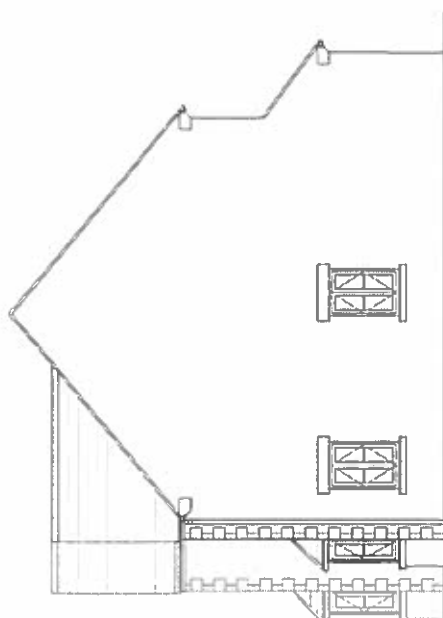




FRONT ELEVATION



REAR ELEVATION

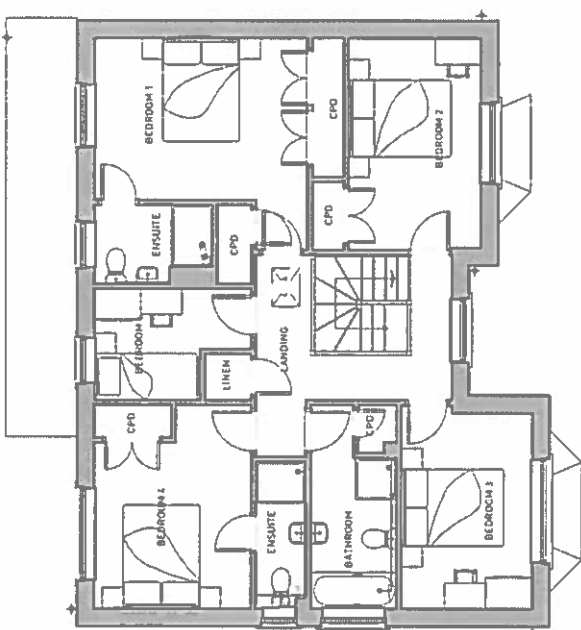


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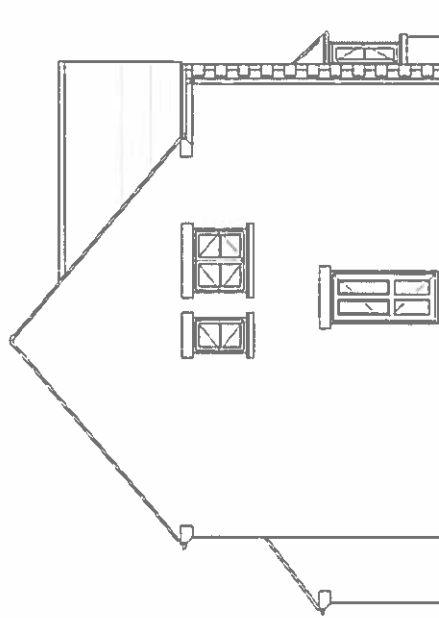


GROUND FLOOR PLAN

SCALE BAR 1:100



1ST FLOOR PLAN



SIDE ELEVATION

PLOTS: 1, 9

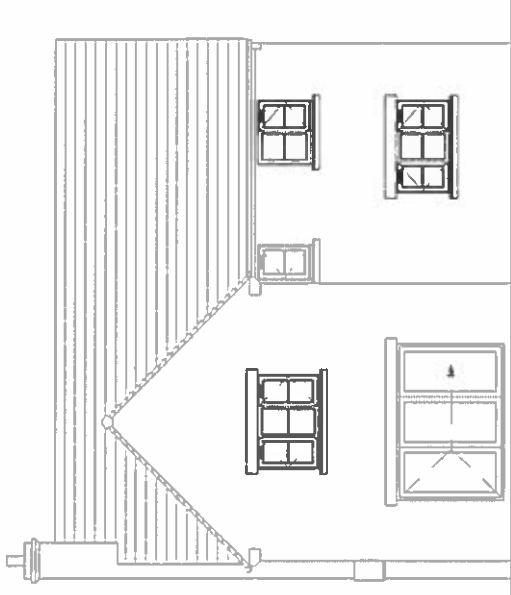
LAND NORTH OF MALLESON ROAD, GOTHERINGTON - HOUSETYPE K

Pegasus Design

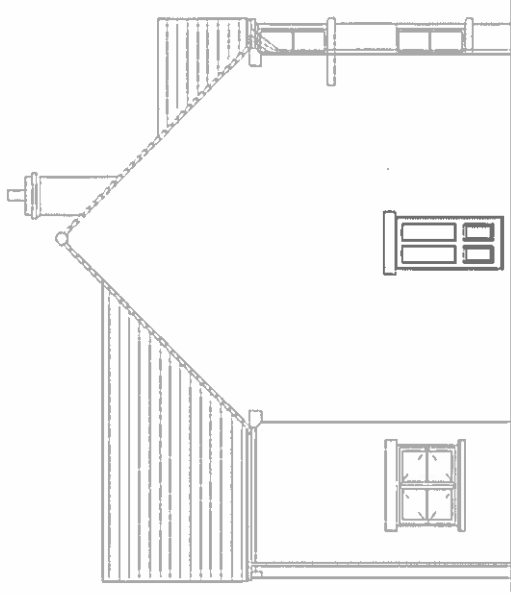
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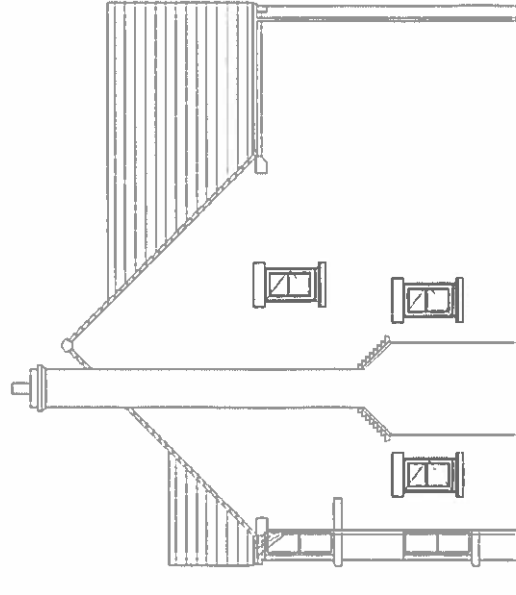
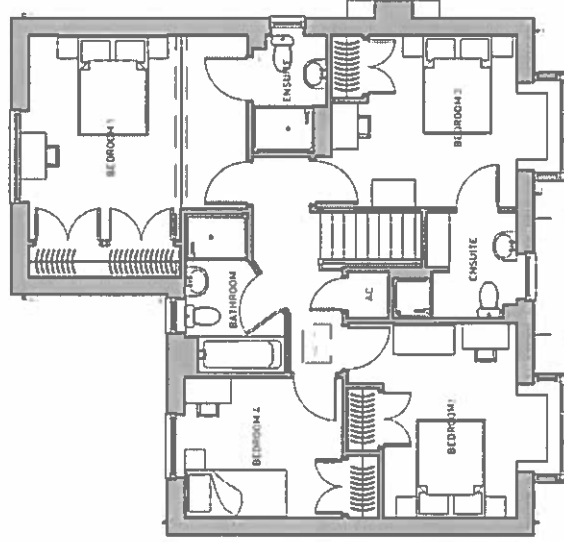
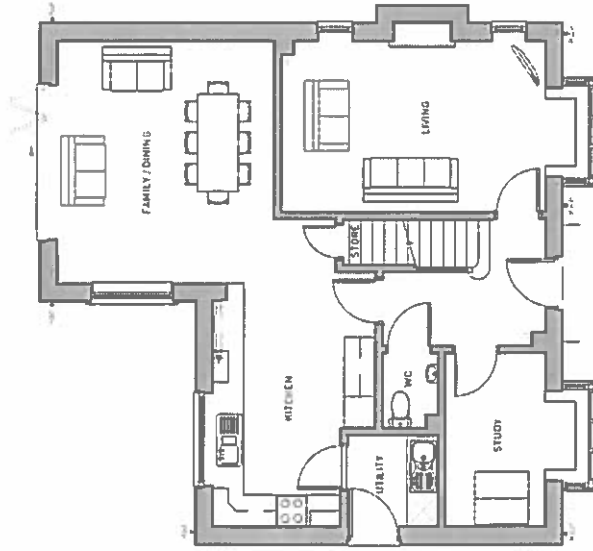
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

666/G

SCALE BAR 1:100



PLOTS: 8

Pegasus
Design

LAND NORTH OF MALLESON ROAD, GOTHERINGTON - HOUSETYPE N

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS WWW.PEGASUSGROUP.CO.UK HEAD OFFICE: 01753 627211 EMAIL: 01753 627211 SCALE: 1:100/1:25 DESIGN: PEGASUS DESIGN SHEET NO: N15-C-1 CLIENT: CENTAUR HOMES LTD

Valid 03.12.2019

Change of use of land to residential garden and erection of a new boundary fence.

Grid Ref 389842 232834

Parish Tewkesbury

Ward Tewkesbury Town South

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework; 2018 (NPPF)

Planning Practice Guidance

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

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

Planning (Listed Buildings and Conservation Area) Act 1990

Flood and Water Management Supplementary Planning Document

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

The First Protocol, Article 1 (Protection of Property)

Flood Zone 2

Consultations and Representations

Tewkesbury Town Council - No Objection.

Property Services - No Objection.

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

Planning Officers Comments: Emily Pugh

1.0 Application Site

1.1 This application relates to 21 Wynyards Close 'Hayrob', a semi-detached brick built dwelling located on a residential estate comprised of dwellings varying in form and appearance - many of which have been extended or altered. The site backs onto a small grassed area of public open space and is located within Flood Zone 2. **see site location plan.**

2.0 Relevant Planning History

2.1 No relevant planning history pertaining to this application.

3.0 Current Application

3.1 The current application seeks to remove a section of boundary fencing to the rear of the property and reinstate it to the north, encapsulating a small rectangular piece of land. This would constitute a material change of use from public open space to residential garden.

3.2 The fence would comprise of a concrete post and close boarded timber panel design.

The application is brought before the Planning Committee because the land is currently within the ownership of Tewkesbury Borough Council.

4.0 Policy Context

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

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

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

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

5.0 Analysis

5.1 The main issues to be considered are design and visual amenity.

Design and Visual Amenity

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

5.3 Policy SD4 (Design Requirements) of the JCS and likewise Policy HOU8 of the TBCLP sets out that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting. It further sets out that design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, and having appropriate regard to the historic environment.

5.4 The proposal seeks to remove the existing rear boundary treatment, and install new fencing 2.1m to the north, encapsulating an area of land measuring 13.1 square meters. The fencing would be standard residential close boarded panels supported between concrete posts which is in keeping with the surroundings and considered to be acceptable. The proposed fence line would follow on from neighbouring properties to the west and would be well related to the area and would not appear as discordant or incongruous. Therefore, the associated change of use of land is not harmful and would not detract from the openness of the wider area of public open space.

5.5 It should be noted that if any further development into this space would need to be carefully considered on its own merits in order to prevent overdevelopment or unacceptable levels of encroachment.

5.6 In view of the above, the proposal is considered to have an acceptable impact on visual amenity and it therefore complies with the requirements set out in Policies HOU8, SD4 and the NPPF.

Impact on Residential Amenity

5.7 Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Local Plan Policy HOU8 provides that extensions to existing dwellings should not have an unacceptable impact on adjacent property and residential amenity.

5.8 In view of the scale and nature of the development, it is not considered that there would be any impact to neighbouring amenity and it would accord with Policies HOU8 and SD4.

Impact on Flooding

5.9 The site is located within flood zone 2 as defined by the Environment Agency. No flood risk assessment has been submitted, however in view of the nature of the development it is not considered that the proposal would worsen the impacts of flooding to the locality and is therefore in accordance with Policy INF2.

Other Matters

5.10 The land is not currently in the ownership of the applicant and as such, notice has been served on the owners (Tewkesbury Borough Council) under Certificate B. The Property Services Team raise no objection to the scheme and advise that it would be amenable to selling the land if planning permission were granted.

6.0 Conclusion & Recommendation

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

RECOMMENDATION Permit

Conditions:

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved documents:

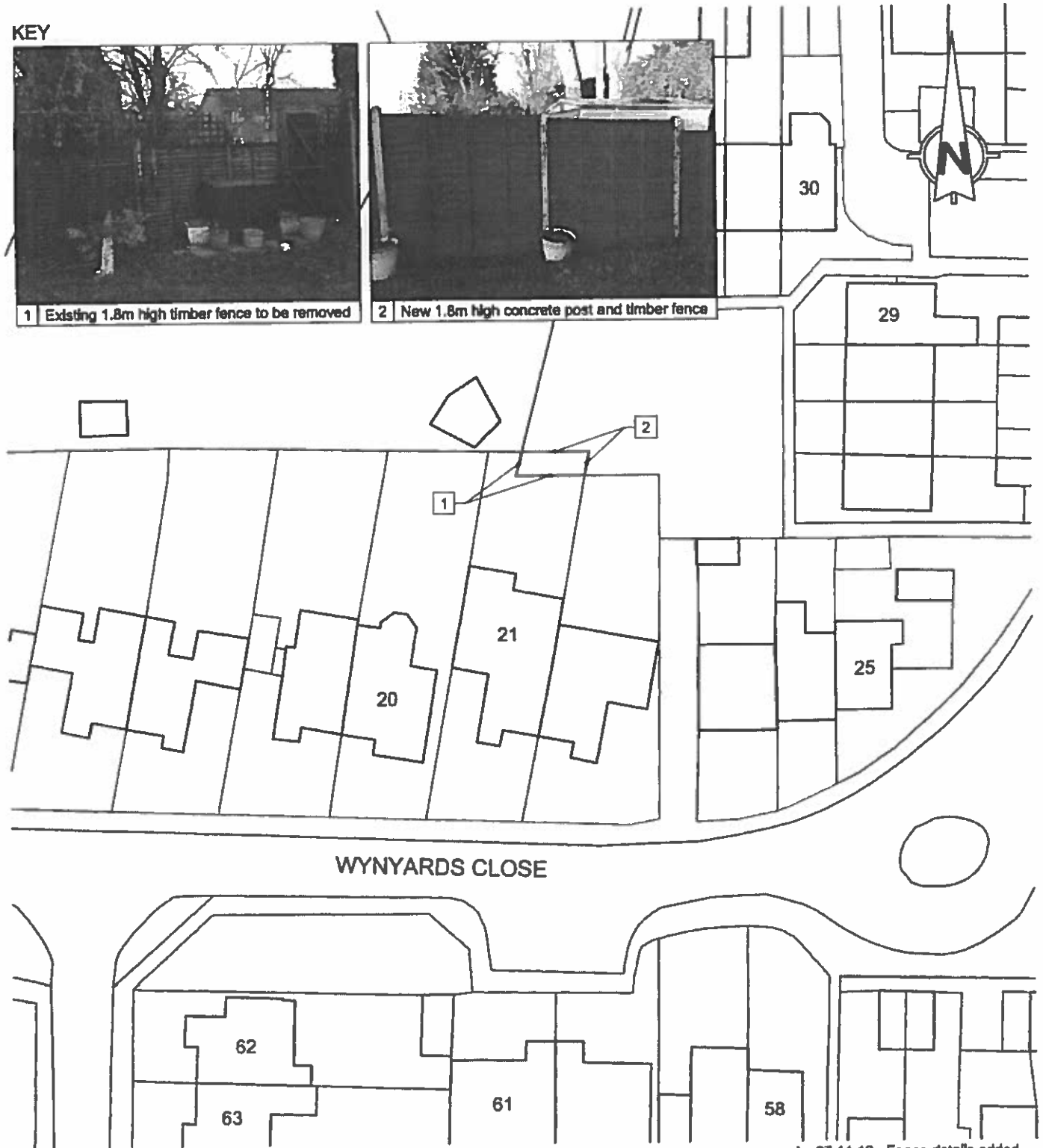
- Proposed block plan: HYS19.01 02 A, received 3rd December 2019.
; except where these may be modified by any other conditions attached to this permission.

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

3. The fence hereby permitted shall comprise of a 1.8m post and panel fence as illustrated on block plan reference HYS19.01 02 A, received 3rd December 2019.


Reason: To ensure that the proposed development is in keeping with the surrounding area.

KEY



A 27.11.19 Fence details added.

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| | | | | | | | |
|---|----------------------------|---------------------|---------------------|--|----------------------|------------------|--|
| Client | | | |  | | | |
| Project Hayrob, 21 Wynyards Close, Tewkesbury | | | | | | | |
| Drawing Title Block Plan | | | | | | | |
| Date Nov 2019 | Scale 1:500 @ A4 | Drawn GMP | Status PA | Job No. HYS19.01 | Dwg No. 02 | Rev. A | |

7 Bath Mews • Bath Parade • Cheltenham • GL53 7HL **669/A**
 T 01242 806170 M 07766 112132 E gary@urbanaspects.co.uk

www.urbanaspects.co.uk

Valid 11.12.2019
 Grid Ref 381244 225734
 Parish Ashleworth
 Ward Highnam With Haw
 Bridge

New single dwelling and garaging

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework and Planning Practice Guidance
 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) - Adopted 11 December 2017 - SD3, SD4, SD6, SD9, SD10, SD11, SD14, INF1 and INF2
 Tewkesbury Borough Local Plan to 2011- Adopted March 2006 (saved policies not replaced by the JCS) - LND3
 Tewkesbury Borough Local Plan 2011-2031 - Preferred Options Consultation Draft (October 2018: Emerging TBLP) RES4
 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

Tree Officer- No objection, the proposal will have no impact on the protected Horse Chestnut tree as this is on the adjacent plot. The hedgerow fronting the highway that has been removed will need to be replaced with native hedgerow as shown on the proposed site plan.

Land Drainage Officer- No objection provided the development being in accordance with the documents submitted (primarily being those related to drainage design and maintenance).

Ashleworth Parish Council - Objection Request a committee determination

- the garage is too far forward with the back of it facing the road which would be detrimental to the street scene.
- The access would be more suitable at the southern end of the plot and clearer clarification required from Highways regarding the access.
- No scaling in comparison to other properties.
- Request a committee site visit is undertaken.

The Highway Authority - no objection subject to conditions for a construction management plan and the access track is of a bound material.

Severn Trent Water Ltd - no objection

Building Control - Requires Building Regulation Approval

Neighbour representations (in summary)

Objection

- Garage/workshop is overbearing impact the on adjacent dwelling and amenity space, it is higher than the existing house.
- Northern window of bedroom is orientated directly onto the blank gable elevation of the building situated some 5m away, resulting in loss of light.
- The siting, scale, bulk and orientation of the garage workshop will have an overbearing effect and result in loss of day light.

Planning Officers Comments: Dawn Lloyd

1.0 Application Site

1.1 The application site is located to the eastern side of the main highway which runs through the village and occupies a central position within the village of Ashleworth. The village post office and community hall are located to the north of the site. The site is a parcel of land at Little Haven between a recently erected dwelling to the north and a semi-detached dwelling to the south.

1.2 The entire site lies within the Landscape Protection Zone, as designated by saved policy LND3 of the Tewkesbury Borough Local Plan.

1.3 The site is located within Flood Zone 1.

2.0 Planning History

2.1 Outline consent was refused in 1997 for a single dwelling at Little Haven 97/00423/OUT but later granted under application 97/10061/0423/OUT, which was renewed under applications 00/01335/OUT, 03/01395/OUT, 06/01146/OUT, 09/01163/OUT and 12/01134/FUL.

2.2 In 1998 outline consent was refused for application 98/00260/OUT for the erection of two dwellings at Little Haven.

2.3 18/00823/FUL- Demolition of existing conservatory and erection of a single storey rear extension granted 5th December 2018.

3.0 Current application

3.1 The proposed scheme is for a detached four bedroomed dwelling and garage/workshop on land to the south of the recently constructed dwelling (at Little Haven) and to the north of Okanagan Cottage. The site is significantly sloping with ground levels rising to the north. The proposed dwelling is one and half stories and is situated towards the northern boundary with the garage /workshop to the south situated towards the front boundary. The proposed materials of the dwelling are red brick walls with elements of stained timber cladding on the front and rear gable, clay roof tiles, woodgrain uPVC window casements; on the rear elevation a clad box bay window at first floor and a full length Fakro roof light and at ground floor aluminium glazed doors.

3.2 Concerns were raised regarding the scale and siting of the garage/workshop and impact on the streetscene and adjacent dwelling. Amended plans were submitted of a hipped roof design with the garage set back from the front boundary. As proposed it would not extend beyond the building line of the dwelling to the south. The garage is 6.6 m in width and 7.5 m in length, 2.3 m to the eaves and 4.9 m the ridge. The materials are red brick plinth, timber clad walls and clay roof tiles. Further amendments were submitted on 3rd February 2020 to remove the first floor window in the gable facing Okanagan Cottage to have recessed brickwork to form a blind "tax" window in its place. Secondary windows for the utility and study on the south elevation are reduced in size. An additional small roof light is proposed for the rear elevation.

3.3 The amended plans were subject to further consultation at the time of writing the report and an update will be presented to planning committee on any additional comments.

4.0 Policy Context

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

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

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

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

5.0 Analysis

5.1 The main issues to be considered in this application are the principle of development, the layout and design, impact upon residential amenity, rural landscape character and risk of flooding.

Principle of the development

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

5.3 The site closely related residential development with dwellings to the north and south, as such the development which would represent infill and as such the principle of housing in this location would be acceptable and in accordance to JCS Policy SD10.

5.4 However, whilst the principle of a new dwelling in this location may be acceptable there are other material planning considerations to be taken into account as set out below.

Design and Visual Amenity

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

5.6 Criterion 6 of Policy SD10 'Residential Development' of the JCS states the residential development should seek to achieve maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network.

5.7 The location of the dwelling within the plot provides parking to the side, with the rear and side garden is descriptive of the layout of existing properties, maintaining the street pattern which is linear but with the dwelling set back from the road. The dwelling exceeds the minimum space standards and complies with SD11 in this regard.

5.8 Amended plans were submitted on the 30th January 2020 to reduce the size and bulk of the garage and to set it back from the front boundary. Further plans were submitted on 3rd February to amend the windows in the south side elevation and to add a small roof light to the rear.

5.9 The design of the dwelling is characteristic of the properties within the village and it is within a similar scale and size to existing dwellings. The proposed materials of red brick and timber cladding on the front elevation under a red clay tile roof hipped roof complements the materials of its surroundings. The amended plans are considered more appropriate in terms of scale. The garage would be set back and in line with the building line of the dwelling to the south. A hedge is proposed on the front/side boundary with a tree in the front amenity space. The siting of the garage is more in keeping with streetscene, it is less visually dominant and landscaping proposed will help to screen the garage from the highway. The amended plans for a smaller garage and the proposed timber cladding is therefore considered to be more appropriate and in keeping with the character of the area and complies with JCS policy SD4.

Residential amenity

5.10 JCS policies SD4 and SD14 require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.

5.11 The proposal is set on higher ground than neighbouring properties as the land rises to the north, however the nearest residential property is located approx. 20 m to the south. Concerns have been raised regarding impact of the proposal on privacy and overlooking of the property to the south. The design has been amended to reduce the of the development in terms of privacy and overlooking. On the south side elevation the first floor window has been removed with a blind recess design feature in its place. The ground floor windows have been reduced in width and they are secondary windows to a study and utility room. The windows on the north elevation of Okanagan are small high level secondary windows. Therefore, it is considered that there is no significant direct overlooking of windows. In addition the dwelling is sited over 17 m from the shared side boundary and the amended location of the garage will partially block views from the study. The proposed dwelling is in an elevated position, the views from the full length roof light and principal windows on the rear elevation are directed towards to the west with oblique views to the south. The ground floor secondary utility window faces towards the neighbouring boundary. The windows on the north elevation are to an ensuite at first floor and a secondary window to the open plan kitchen/family room. The recently constructed dwelling to the north has no first floor windows on the south side elevation and the ground floor windows are secondary.

5.12 Concerns have been raised by the neighbour to the south. However, it is considered that due to the proximity to the shared boundaries, distance to the shared side boundary to the south and the fact that the utility room is not a habitable room, the impact in terms of privacy and overlooking is considered not of demonstrable harm and complies with JCS Policy SD14 in this regard.

Landscape Character

5.13 The NPPF states that planning decisions should recognise the intrinsic character and beauty of the countryside and should protect and enhance valued landscapes in a manner commensurate with their statutory status of their identified quality in the development plan. Policy SD6 of the JCS echoes this requirement.

5.14 The application site is located within a Landscape Protection Zone (LPZ). Policy LND3 of the Local Plan states that within the LPZ special attention is given to the ecology and visual amenity of the river environments and development will not be permitted which has a detrimental visual or ecological effect on the character of the River Bank or the associated landscape setting of the Severn Vale, or has an adverse impact on the water environment.

5.15 The proposed development is an infill site within the village Ashleworth with residential development to the north, south and western boundaries. The existing hedge has been removed but is to be replaced with the planting of native hedge boundary to the east. The development is read in conjunction with existing residential development in the vicinity of the site. The proposal is keeping with the landscape character of the village would have minimal impact on the on the surrounding landscape.

Highway Matters

5.16 Policy INF1 'Transport Network' states that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters.

5.17 The Highway Authority have no objection to the proposed new access onto the highway in terms of highway safety. Conditions are required for the access to be of a bound material and a construction management plan is required.

5.18 Given the size of the plot, it is considered that there is sufficient space to the side of the dwelling within the application site for vehicles to park and manoeuvre so that vehicles could enter the highway in a forward gear. In addition the proposed garage will provide additional parking within the site.

5.19 As such, it is considered that an acceptable access arrangement could be provided and the proposal would not have a severe impact on the highway network in accordance with JCS Policy INF1.

Flood Risk and Drainage

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

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

5.22 The application is accompanied by plans and a structural engineer's report by Rowntree Partnership with foul drainage to connect to the existing public foul sewer and surface water excess flows to the surface water sewer. Our Land Drainage Officer and Severn Trent Water LTD has no objection to the proposed drainage and maintenance arrangements and therefore is accords with INF2 in terms of flood risk.

Tree protection and Ecology

5.23 The Horse chestnut tree in the north eastern corner of the adjacent site is protected by a Tree Preservation Order and will not be adversely impacted by the proposal. Hedging has been removed from the front boundary and the proposed site plan indicates that the planting of a native hedge and a tree to the eastern boundary. The proposed planting will soften the development and mitigation is provided with the introduction of native species with a planting plan to be covered by condition.

6.0 Conclusion

6.1 It is considered that the proposal would accord with relevant policies as outlined and it is recommended that planning permission be **Permitted** subject to the following conditions.

RECOMMENDATION Permit

Conditions:

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the application form, documents and drawing numbers received on 29th November 2019:
 - Site Location Plan
 - Site Topography Plan 19.10.015 PL004
 - Drainage Plans 501 Rev P2 and 502 Rev P1
 - Water Management Statement
 - Structural Engineers Report by Rowntree Partnership dated 28th November 2019.
 - Block plan 19.10.015 PL003 A received 3rd February 2020
 - Proposed House Floor Plans and Elevations 19.10.015 PL006 A received 3rd February 2020
 - Proposed Site Layout Plan received 19.10.PL005 B received 29 January 2020
 - Proposed Garage Elevations and Floor Plan 19.10.015 PL007 A received 29th January 2020except where these may be modified by any other conditions attached to this permission.

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

3. Notwithstanding the submitted details, prior to its/their installation as part of the development hereby approved, a specification of the materials and finish for the external walls, doors, windows, roofing and hardstanding proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials as approved.

Reason: To ensure the new materials are in keeping with the surroundings and represent quality design.

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

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

5. A schedule detailing sizes and numbers of all proposed trees/plants and sufficient planting specification including support details to ensure successful establishment and survival of new planting shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

6. The property hereby approved shall not be occupied until the drainage works have been completed in accordance with the approved plans and documents.

Reason: To ensure development would not result in unacceptable risk of pollution or harm to the environment and to ensure the proposed development does not exacerbate flood risk and deals with surface water run-off from the site in a sustainable manner

7. Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan drawing no. 19.10.PL005 B with any gates situated at least 5.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and] [with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material], and shall be maintained thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

8. 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:

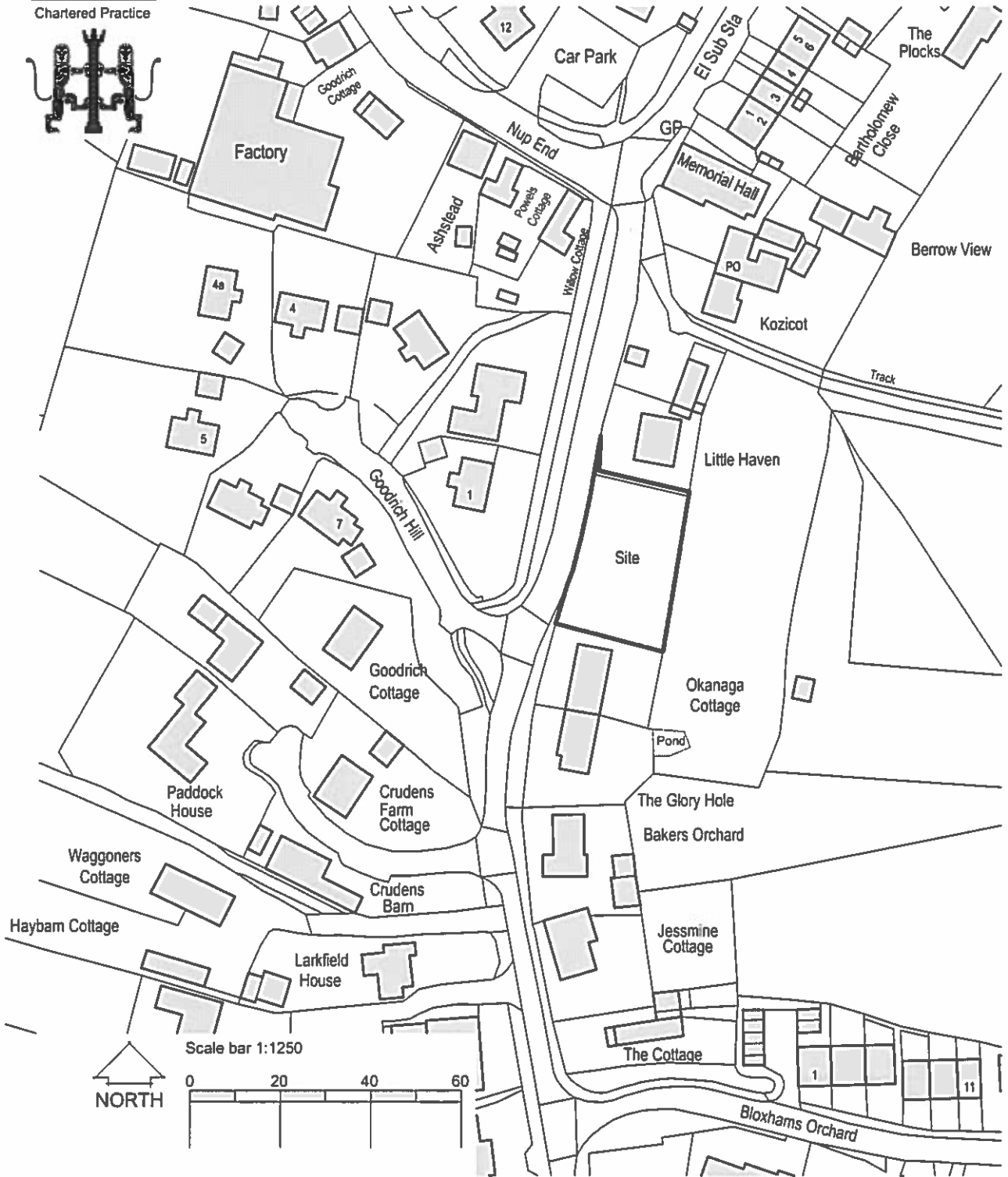
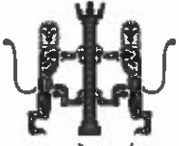
- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. specify measures to control the emission of dust and dirt during construction

Reason: To protect the residential amenity of future residents.

Notes:

Statement of Positive and Proactive Engagement

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



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Drawing title: Location Plan

Client:

Drawn by: AH Checked: JE

Project No: 19.10.015

Project: Land At Little Haven,
 Ashleworth

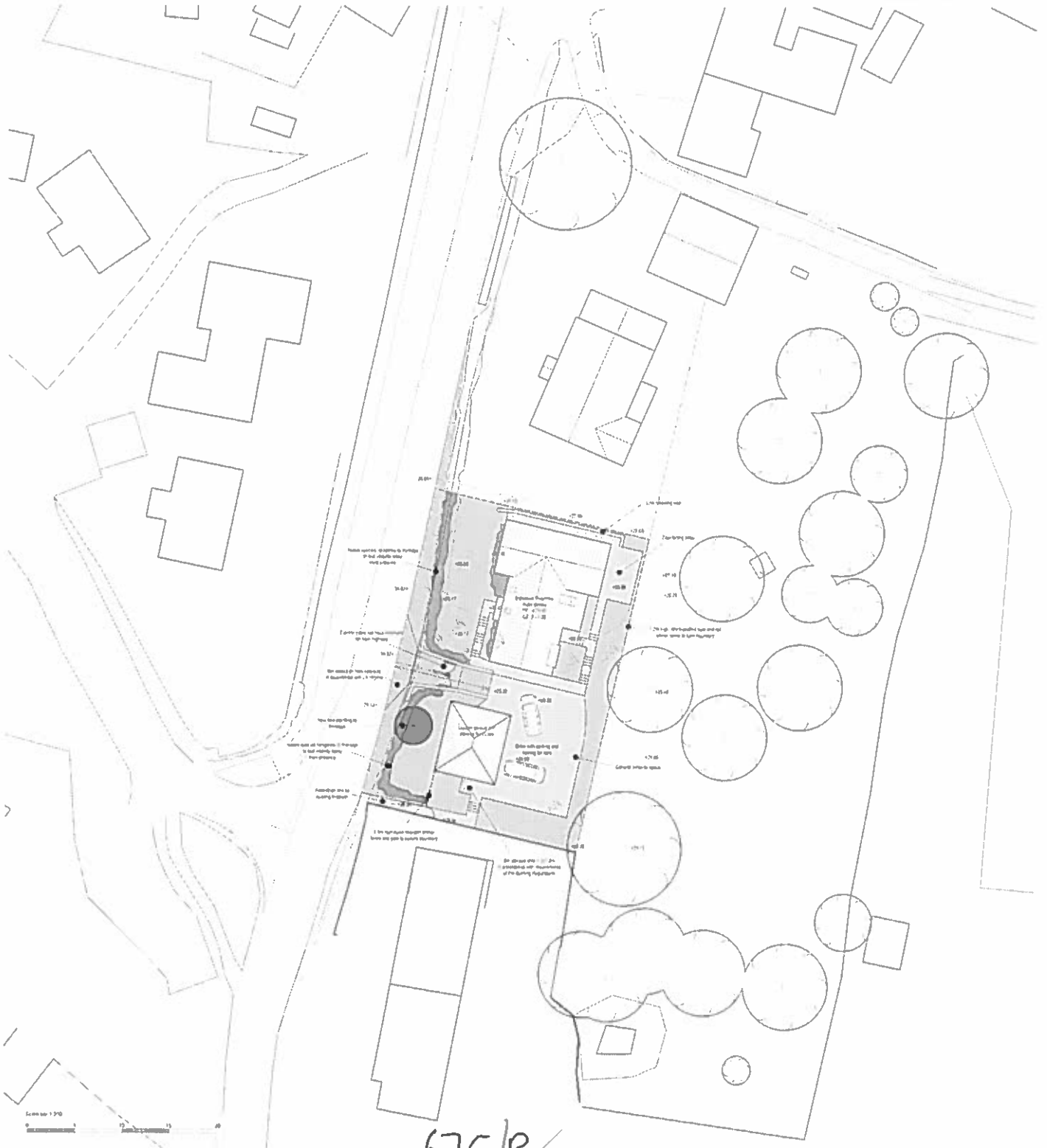
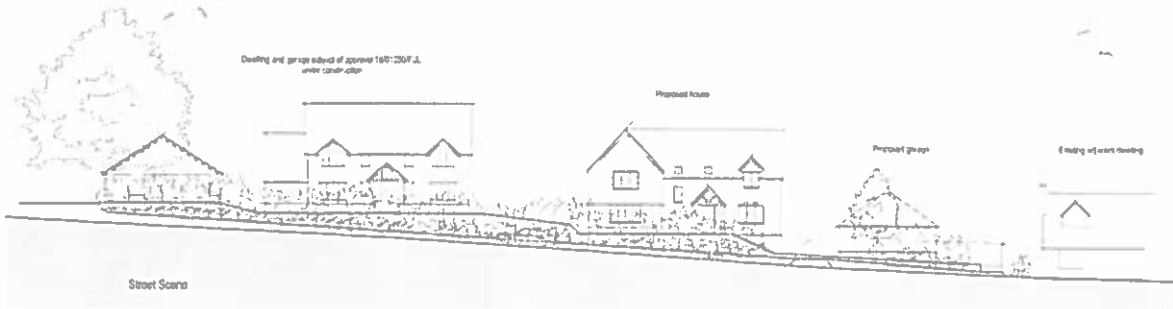
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Date: November 2019

Project / Drawing No: 19.10.015 PL001

675/A

Land At Little Haven, Ashleworth



675/B

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Preliminary
Final
Planning
Building Regulations
Tender
Construction phase
As Built

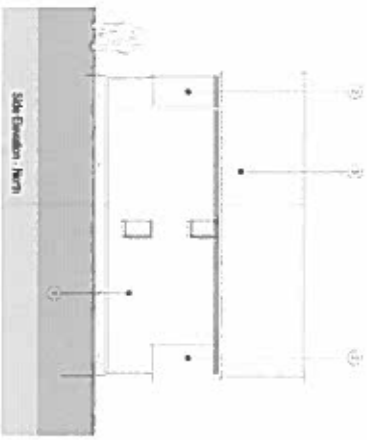
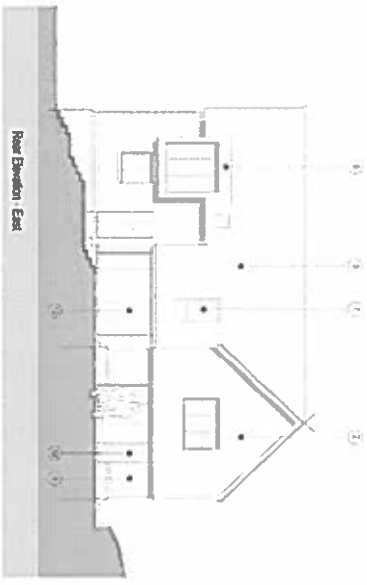
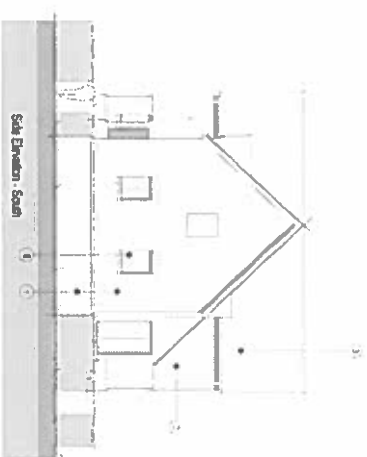
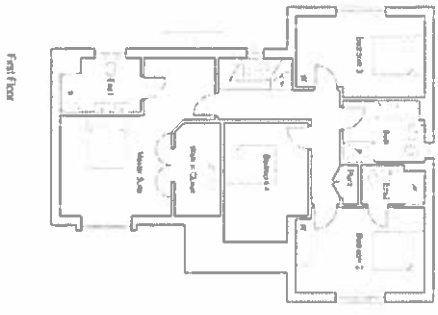
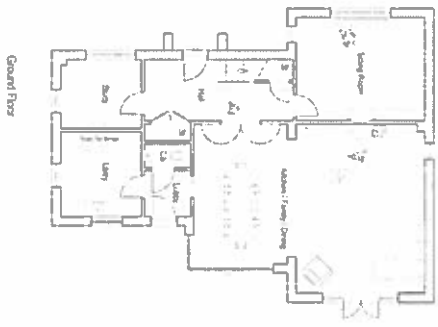
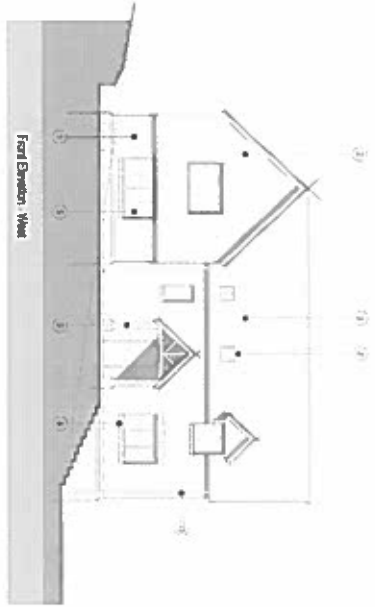


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Drawings
1. 10/10/15 - 10/10/15
2. 10/10/15 - 10/10/15
3. 10/10/15 - 10/10/15
4. 10/10/15 - 10/10/15

Drawing title: Proposed Site layout
Client: Ashleworth
Drawn by: AH
Checked by: JE
Project No: 19 10 015

Project: Land At Little Haven - Ashleworth
Date: 12/09/15
Date: November 2015
Project Drawing No: 19 10 015 PL 005 B



- Fixtures Key**
- 1. As per J1/J2 schedule
 - 2. As per J3/J4 schedule
 - 3. As per J5/J6 schedule
 - 4. As per J7/J8 schedule
 - 5. As per J9/J10 schedule
 - 6. As per J11/J12 schedule
 - 7. As per J13/J14 schedule
 - 8. As per J15/J16 schedule
 - 9. As per J17/J18 schedule
 - 10. As per J19/J20 schedule
 - 11. As per J21/J22 schedule
 - 12. As per J23/J24 schedule
 - 13. As per J25/J26 schedule
 - 14. As per J27/J28 schedule
 - 15. As per J29/J30 schedule
 - 16. As per J31/J32 schedule
 - 17. As per J33/J34 schedule
 - 18. As per J35/J36 schedule
 - 19. As per J37/J38 schedule
 - 20. As per J39/J40 schedule
 - 21. As per J41/J42 schedule
 - 22. As per J43/J44 schedule
 - 23. As per J45/J46 schedule
 - 24. As per J47/J48 schedule
 - 25. As per J49/J50 schedule
 - 26. As per J51/J52 schedule
 - 27. As per J53/J54 schedule
 - 28. As per J55/J56 schedule
 - 29. As per J57/J58 schedule
 - 30. As per J59/J60 schedule
 - 31. As per J61/J62 schedule
 - 32. As per J63/J64 schedule
 - 33. As per J65/J66 schedule
 - 34. As per J67/J68 schedule
 - 35. As per J69/J70 schedule
 - 36. As per J71/J72 schedule
 - 37. As per J73/J74 schedule
 - 38. As per J75/J76 schedule
 - 39. As per J77/J78 schedule
 - 40. As per J79/J80 schedule
 - 41. As per J81/J82 schedule
 - 42. As per J83/J84 schedule
 - 43. As per J85/J86 schedule
 - 44. As per J87/J88 schedule
 - 45. As per J89/J90 schedule
 - 46. As per J91/J92 schedule
 - 47. As per J93/J94 schedule
 - 48. As per J95/J96 schedule
 - 49. As per J97/J98 schedule
 - 50. As per J99/J100 schedule



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Professional
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 Tender
 Construction Phase
 As Built

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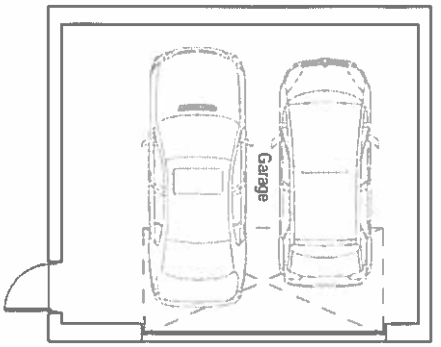
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7/5/19

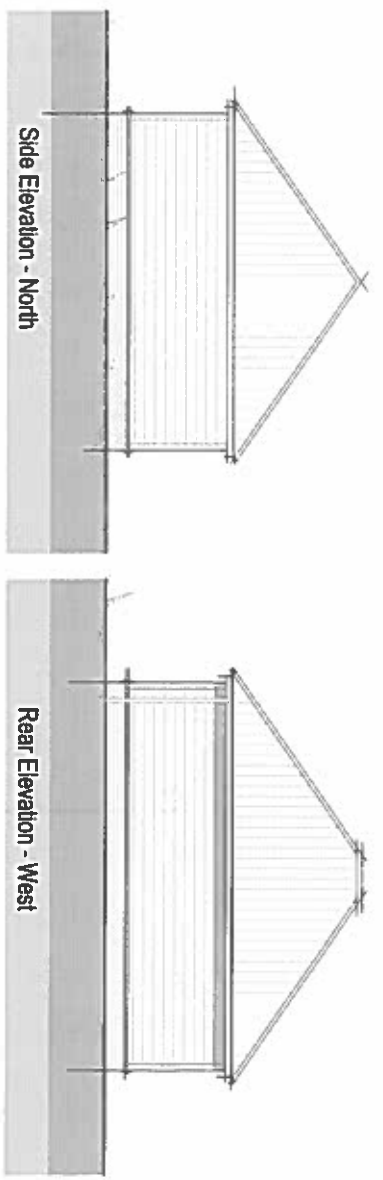
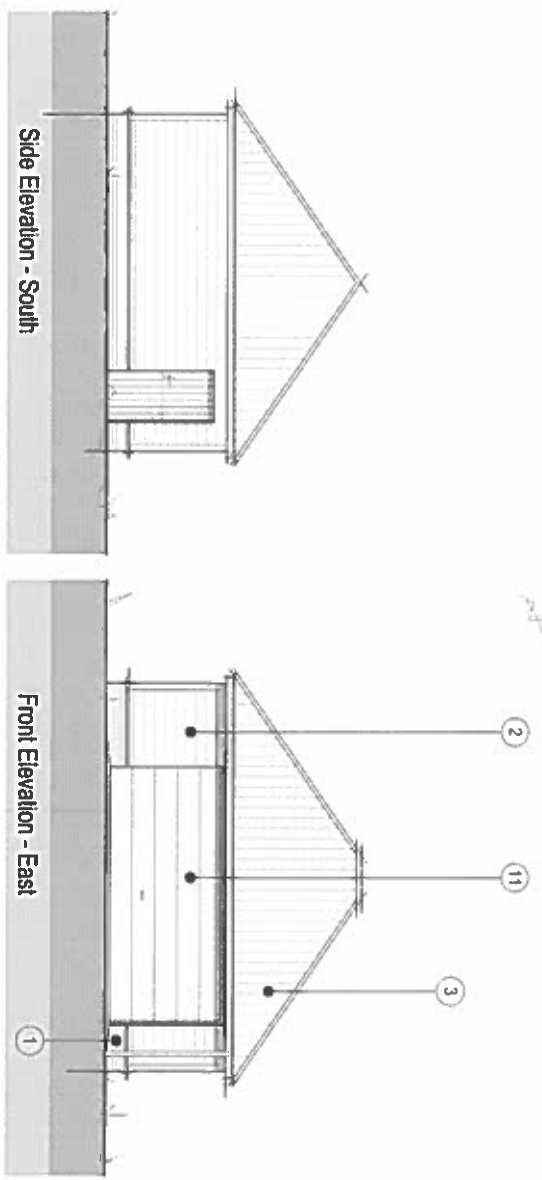


Plan

Finishes Key

- 1 Red brick to LPA approval
- 2 Stained timber cladding
- 3 Clay tile to LPA approval
- 4 Brick head and sill details as indicated
- 5 Woodgrain UPVC casement windows
- 6 Stained timber framed porch
- 7 Full length Fakro roof light with fixed lower section
- 8 Conservation roof light
- 9 Clad box bay with powder coated aluminium glazing
- 10 Black rainwater goods
- 11 Sectional up-and-over door
- 12 Powder coated aluminium glazing and glazed doors

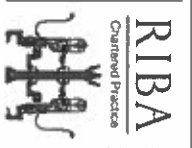
Revisions
A 01/20/20 JA Garage reduced in size and roof rapped



675/D

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



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 4. Engineering information is indicative only and should be taken from structural engineers' design.
 Scale bar 1:100

Drawing title: Proposed Garage, Plan and Elevations
 Client: _____
 Drawn by: AH Checked: JE
 Project No: 19.10.015

Project: Land At Little Haven, Ashleworth
 Scale: 1:500 @ A3
 Date: November 2019
 Project / Drawing No: 19.10.015 PL007 A

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Valid 26.07.2019

Hybrid planning application, seeking; 1. Full planning permission for 65 residential units (to include affordable housing, public open space, associated highways and drainage infrastructure); and, 2. Outline planning permission, with all matters reserved except access, for up to 2,000 sqm (GIA) small scale employment use (B1 use class) and associated demolition, parking and open space.

Grid Ref 396337 228712
Parish Bishops Cleeve
Ward Cleeve St Michaels

RECOMMENDATION Refuse

Policies and Constraints

National Planning Policy Framework (NPPF; 2019)
Planning Practice Guidance
Gloucester, Cheltenham & Tewkesbury Joint Core Strategy (2017) - SP2, SD1, SD4, SD6, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF4, INF6, INF7
Tewkesbury Borough Local Plan to 2011 (March 2006) - RCN1
Tewkesbury Borough Flood and Water Management SPD (2018)
Pre-Submission Version Tewkesbury Borough Plan (PSTBP; 2019) - RES1, RES5, EMP2, DES1, LAN3, NAT1, NAT3, RCN1, TRAC1, TRAC2, TRAC9
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 - Object to the original and revised proposal for the following reasons (as summarised):

- Existing infrastructure cannot support additional housing. Schools are at capacity.
- Gotherington Lane is a country road which is coming under significant pressure from existing traffic and poor investment. The proposal would have long term infrastructural impacts for Bishops Cleeve.
- The application site is prime agricultural land which is of economic and environmental benefit.
- No on-site social infrastructure has been provided, with the nearest park/play area already serving a significant number of new homes.
- The proposed design subpar and fails to respect the character and appearance of Bishops Cleeve.
- Bishops Cleeve 'village' has been inundated with large scale residential development and is at saturation point in terms of absorbing new homes at a sustainable rate. This proposal will result in harm to social wellbeing and community cohesion.
- Homelands Farm is not a suitable location for employment. The additional traffic generation would be unacceptable.
- The submission of a hybrid application is unusual and suggests the developer is using this guise to somehow make the proposal more palatable.
- Further large scale development in Bishops Cleeve would skew the JCS spatial strategy. Future residential development should focus on Tewkesbury town - the principal settlement - where there is greater service provision, employment opportunities and close proximity to M5 corridor.

Gotherington Parish Council - Object to the original and revised proposal. In respect of the revised scheme, it is commented that the reduction in numbers by a small amount has not changed the Parish Council's original comments. The site was originally designated as a school site, required because of lacking infrastructure. This issue has not been addressed.

Urban Design Officer - No objection following the submission of revised plans which made amendments to the site layout and clarified the boundary treatments fronting onto areas of open space.

County Highways Authority - No objection subject to conditions for layout and access to be constructed in accordance with the submitted details.

Landscape Advisor - No objection to the revised proposal, although it is commented that additional planting should be provided in the landscaped green edge. Recommend conditions to secure planting details, the informal play equipment and landscaping details to be provided in connection with outline proposal.

Consultant Ecologist - No objection following submission of additional information, subject to conditions.

Tree Officer - No objection following submission of revised plans which increase the number of street trees across the development. Recommend conditions for the protection of existing trees to be retained.

Strategic Housing & Enabling Officer - The revised plans provide a positive schedule and affordable housing mix although it would be preferable to secure a 1x 4-bed social rented property on site to meet the identified housing needs.

Lead Local Flood Authority - No objection subject to conditions.

Severn Trent Water - No objection subject to condition.

County S106 Officer - Objection. GCC is currently discussing the need for a new school site with Tewkesbury BC to meet the requirement for places generated by developments across Bishops Cleeve. In the meantime GCC has no choice but to object to all Bishops Cleeve Primary Planning Area developments until a new primary school site becomes available; when this happens we will require a full s106 contribution towards school provision.

County Minerals & Waste - A detailed waste minimisation statement accompanies the application. No further comments.

Environmental Health Officer - No objection in terms of noise disturbance / pollution. In respect of the outline element of the proposal, any subsequent reserved matters should consider the layout in terms of plant equipment areas so that the commercial buildings can act as a screen to residential development.

Natural England - No objection.

County Archaeologist - No objection. The site is at low risk of archaeological remains and no further survey works would be required.

Local Residents - The application has been publicised in the Gloucestershire Echo and by the display of site notices allowing 21 days for any representations. A total of 21 letters of representation have been received in respect of the original proposal which raise the following objections / concerns (as summarised):

- The development would not be in keeping with the Gotherington NDP and would increase coalesce between Gotherington and Bishops Cleeve, undermining their separation.
- The ability of the roads to cope at peak times with the increase in traffic movements within the village and surrounding area.
- If approved, traffic should not be allowed to turn left out of the site to transit via Gotherington. Gotherington Lane is already used as rat-run and this will only add to the issue, reducing safety of pedestrians that cross the lane.
- The lack of safe crossing points for children walking to local schools from the north of the village, particularly on Finlay Way and Station Road.
- Clarification on access point for construction traffic. Linden Homes have informed this would be via Gotherington Lane. Any other route would have a negative impact on Homelands residents, road safety and the newly surface roads.
- There would be an increased amount of light pollution in the surrounding area. No street lighting or lighting leading to further light pollution should be allowed.
- There is a lack of infrastructure within the village to support additional developments; the existing village has facilities to support a 'village' not a small town.
- Sharing Grove and Croft Drive would become a thoroughfare as the primary access route to the proposed development. These internal estate roads are not equipped to accommodate traffic for the proposed development and there would be a danger to highways safety.
- Croft Drive is much too narrow for access to more than the existing two properties it serves and would be unsuitable for emergency vehicles and refuse trucks. Any widening of the access would compromise the designated green space.
- The proposal will decrease water drainage of the area by introducing more hard surfaces.
- New housing will increase noise and light pollution and create further waste and mess. The existing

- Homelands development already has a lot of rubbish surrounding the perimeter that is never cleaned up.
- The Statement of Community Involvement (SCI) is misleading in that some attendees were not offered the opportunity to complete a feedback form. New residents had been promised that no further housing would be built.
 - Bishops Cleeve needs to be improved for existing residents before building new dwellings.
 - The development will negatively impact on views from property.
 - There does not seem to be any reason why the new residential development cannot be accessed directly from Gotherington Lane or through the Homelands Farm where the proposed business units are to be built.
 - New development should be directed to brownfield sites, of which there are many in Gloucestershire.
 - There is existing planning permission for hundreds of houses in this locality which are still to be built. These developments should be completed before granting planning permission for any more.
 - The public transport provision in this area is very poor and there is no footpath and cycle paths to/from Gotherington past this area. Gotherington Lane is unsafe.
 - Loss of hedgerows and wildlife.
 - The application site should be used to accommodate a new school, where the community is being developed to enable walking to school rather than additional car journeys.

Planning Officers Comments: Mrs Helen Stocks

1.0 Introduction

1.1 The application site is located on the northern edge of Bishops Cleeve and to the south of Gotherington village. It comprises approximately 2.87 hectares of agricultural land (including existing farm buildings) which is bound by open fields to the north, Gotherington Lane to the east and the 'Homelands 2' development to south and west (see attached location plan).

1.2 The existing farm buildings are located in the northern part of the site, with access gained from Gotherington Lane. The southern part of the site comprises a largely flat, open field which is currently accessed from the north through Homelands Farm. There is mature hedgerow extending along the north and east site boundaries and a small watercourse (Middle Brook) which runs in an east-west alignment across the site and divides the agricultural buildings from the undeveloped field.

1.3 The application site lies in open countryside and is not subject to any heritage or landscape designations; the Special Landscape Area is located approximately 150 metres north of the existing farm buildings. There is a planned cycle path to the east of the site, on the opposite side of Gotherington Lane which was consented as part of the earlier 'Homelands' and 'Cleevelands' development, and would provide an off-road connection between Bishops Cleeve and Gotherington.

1.4 The site is located in Flood Zone 1 as defined on the Environment Agency's Flood Risk Maps.

1.5 It is material to note that the application site is identified as an emerging allocation - BIS2 (residential) and EMP2 (employment) - in the Pre-submission Tewkesbury Borough Plan (October 2019).

2.0 Relevant Planning History

2.1 Pre-application planning advice has been sought in respect of the current proposal.

2.2 It is also considered necessary to provide a brief outline the planning history in relation to the wider 'Homelands' development which immediately borders the application site to the south and west. This is summarised as follows:

- Outline planning permission for the erection of approximately 450 dwellings and ancillary development including access was allowed at appeal by the Secretary of State following a non-determination appeal in 2008 (ref: 07/00448/OUT). Reserved matters have subsequently been approved and the planning permission has now been implemented ('Homelands 1').

- Outline planning permission for up to 450 dwellings and ancillary development (including a local centre, employment, community hall, health and leisure, strategic parkland and public open space, access and drainage) was allowed at appeal by the Secretary of State following a non-determination appeal in 2012 (ref: 10/01005/OUT). Reserved matters have been approved and the planning permission has been implemented, with the development - known as 'Homelands 2' - under construction.

2.3 The illustrative masterplan for 'Homelands 2' did not include the current application site within its site boundary but this area of land was annotated as being a 'potential school site'. This did not come to fruition as the outline planning permission was granted with a section 106 contribution secured for early years, primary and secondary education in place of delivering a new school.

3.0 Current Application

3.1 The current application is a hybrid application insofar as it seeks both full planning permission and outline planning permission for different elements of the proposed development:

- Full planning permission is sought for the erection of 65 dwellings to include affordable housing, public open space, associated highways and drainage infrastructure.

-Outline planning permission is sought for the provision of up to 2,000 sqm (GIA) small-scale employment use (B1) and associated demolition, parking and open space. All matters are to be reserved for future consideration except for access.

3.2 The description of development has been amended over the course of the application, following the submission of revised plans, and the total number of proposed residential dwellings has been reduced from 70 to 65 units. The application sets out 40% of the proposed dwellings would be affordable, with a suggested tenure split of 75% social-rented and 25% shared ownership.

3.3 Access to the residential element of the proposed development would be gained from a sole point of access through the existing 'Homelands 2' development while access to the employment area would be from Gotherington Lane. An indicative layout has been provided in respect of the outline element of the proposal, which indicates the likely character of the development, and how this would relate to and function alongside the planned residential development to the south (see attached plans).

4.0 Policy Context

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

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

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

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

4.5 The relevant policies, and where necessary the weight to be afforded to them, are set out in the appropriate sections of this report.

5.0 Analysis

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

Principle of Development

Residential - 65 new dwellings

5.2 The application site is outside the recognised development boundary for Bishops Cleeve, as identified in the Tewkesbury Borough Local Plan to 2011 Proposals Map. It is however located adjacent to the northern edge of Bishops Cleeve and adjacent to the 'Homelands 2' development.

5.3 Bishops Cleeve is defined as a Rural Service Centre in the JCS and is recognised as a settlement that contains "higher range of services and facilities". JCS Policy SP2 sets out that Rural Service Centres and Service Villages will accommodate lower levels of development to be allocated through the Borough Plan and Neighbourhood Development Plans (NDPs), proportional to their size and function, and also reflecting their proximity to Cheltenham and Gloucester and taking into account the environmental, economic and social impacts including existing levels of growth over the plan period.

5.4 With regard to the residential element of the proposal, JCS Policy SD10 is the relevant starting point in considering the principle of development. Policy SD10 sets out the Council's approach to housing development and states that residential development will be permitted at sites allocated for housing through the development plan. Proposals on unallocated sites will only be permitted under certain circumstances, none of which apply to the proposed development. The application is therefore in conflict with JCS Policy SD10 and this weighs against the proposal.

5.5 Notwithstanding the above conflict with the Development Plan, the application site does feature as one of the identified Housing Site Allocations for Bishops Cleeve in the PSTBP (2019) and would be included within the proposed residential development boundary for the settlement. Emerging Policy RES1 (Housing Site Allocations) considers the application site to have an indicative capacity for 35 dwellings, with site specific requirements sets out in emerging Policy BIS2 (Land at Homelands Farm) as follows:

- Development should be well integrated with the adjacent housing development to the south and west;
- A landscaped green edge should be provided to the north of the site corresponding to, and providing visual and functional connectivity with, the green infrastructure in the adjacent development (Homelands 2) and providing biodiversity net gains;
- Vehicular access should be from the adjacent development to the south unless demonstrated not to be feasible; and
- Pedestrian and cycle connectivity with Gotherington Lane and the adjacent to the south and east should be achieved.

5.6 The PSTBP can be afforded limited weight at this stage of its preparation, with an unresolved objection to the site's allocation for housing development from Gloucestershire County Council on grounds that there is insufficient primary school provision available to meet the needs of local residents. It is cited that there has already been significant new housing development at several sites to the north of Bishops Cleeve in recent years with no site allocated for new primary school provision to serve these developments (this is discussed in more detail below). The nature of this unresolved objection to the allocation of this site means only limited weight can be afforded to emerging Policy BIS2 in accordance with paragraph 48 of the NPPF (2019).

Five Year Housing Land Supply

5.7 While the proposal is contrary to JCS Policy SD10, it is also currently the case that the Council cannot demonstrate a five year supply of deliverable housing sites. It is the Council's current position that a 4.33 years supply of housing can be demonstrated. In this scenario, paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development. For decision making this means:

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

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

5.8 The NPPF clarifies (footnote 7) that planning policies for housing will be judged out of date, inter alia, where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. Furthermore, there are no policies in the Framework that protect areas or assets of particular importance that provide a clear reason for refusing the development in this instance. It is therefore considered that the 'tilted balance' is engaged.

Employment - up to 2,000 sqm (GIA) use class B1

5.9 For the purposes of JCS Policy SD1, the application site is located within the wider countryside where employment-related development will be supported provided that it is:

- a) located within or adjacent to a settlement or existing employment area and of appropriate size and scale;
- b) employment-generating farm diversification projects, which are of an appropriate scale and use, particularly where they involve the re-use of appropriate redundant, non-residential buildings.

5.10 Emerging Policy EMP2 of the PSTBP identifies the northern part of the application site as a Rural Business Centre. The allocation itself is larger than the application site, measuring approximately 1.4 hectares, and extends to include the existing agricultural buildings to the west. The reasoned justification for this emerging policy sets out that the Homelands Farm allocation is considered appropriate on the basis that it relates to redundant farm buildings that would be suitable for conversion and/or redevelopment in accordance with Policy EMP2.

5.11 The employment element of the proposal is submitted in outline form. The site is considered to be located adjacent to Bishops Cleeve and its redevelopment for employment use would be of an appropriate scale and character when considered in relation to the surrounding context. It would be located in close proximity to existing and proposed residential development and would expand the local services and facilities available to existing and future residents in a location easily accessible by sustainable transport modes. The principle of development is therefore considered acceptable and would accord with JCS Policy SD1 (v) and emerging Policy EMP2 of the PSTBP.

Conclusion on principle of development

5.12 The proposed employment use is deemed acceptable in principle in accordance with JCS Policy SD1. However, the residential element of the proposal is not compliant with the requirements of JCS Policy SD10. There are emerging policies in the PSTBP which support the proposed development but these can only be afforded limited weight at present. The Council's five year housing land supply position means the 'titled balance' is engaged. Thus, there is a presumption in favour of sustainable development where planning permission should be granted unless there are adverse impacts resulting from the proposal that would significantly and demonstrably outweigh the benefits.

Access to local services and facilities

5.13 Bishops Cleeve is one of two Rural Service Centres in the Borough, along with Winchcombe, which are envisaged, as set out in JCS Policy SP2, to accommodate "in the order of" 1860 new homes in addition to existing commitments. Its status as a Rural Service Centre means Bishops Cleeve is recognised as a sustainable location for accommodating future growth. It benefits from a wide range of services and facilities, including public transport provision, which would be within reasonable walking distance from the application site. The proposal itself would also generate additional employment opportunities (approximately 2,000sqm of flexible office space to support at least 150 FTE jobs) to the benefit of new and existing residents that would further contribute towards the sustainability of the settlement, enabling people to live and work in the same area.

5.14 The Tewkesbury Borough Plan Housing Background Paper (HBP) (October 2019) provides an 'indicative' housing requirement for the Rural Service Centres by disaggregating the SP2 allocation according to their size, function and proximity/accessibility to Cheltenham/Gloucester. Bishops Cleeve is given an indicative requirement of 1,263 dwellings; this would increase the size of the Service Village by approximately 28%. The HBP acknowledges there have already been 1,638 dwellings committed at the settlement within the plan period (as of April 2017), the most significant being at Cleevelands (550 dwellings) and Homelands Farm (866 dwellings). By reason of its publication date, the HBP does not take account of recent planning permissions, particularly the 215 dwellings at Stoke Road (ref: 18/00249/OUT) and the additional 40 dwellings at Cleevelands Phase 3 (ref: 18/01146/FUL) over and above the previous consents relating to the site. The inclusion of these recent permissions means there would be 1,893 dwellings already committed at Bishops Cleeve within the plan period.

5.15 Notwithstanding this increase in housing commitments, the PSTBP does acknowledge that the proposed site allocations for Bishops Cleeve would collectively provide in excess of the remaining JCS Policy SP2 requirement. It is subsequently made clear that the SP2 requirement is not intended to represent an upper limit to housing development at Rural Service Centres and Service Villages provided that the levels of housing growth identified for each settlement are balanced alongside the size, function and accessibility of the settlement whilst avoiding adverse environmental and social impacts. On this matter, the Inspector for the Stoke Road appeal (ref: APP/G1630/W/19/3229581) concluded that Bishops Cleeve is an appropriate location for development in accordance with the settlement strategy as set out in the JCS. It was reasoned that there was no evidence to suggest that Bishop's Cleeve, as a Rural Service Centre, lacks the physical, environment or social capacity to accommodate the appeal scheme and the infrastructure demands arising from the appeal proposal could be met with the provision of justified contributions in a planning obligation or through the CIL payment.

5.16 In terms of considering the current proposal, it is therefore necessary to assess whether the proposed housing development would be balanced alongside the size, function and accessibility of the settlement in the context of its designation as a Rural Service Centre and proximity to Cheltenham and Gloucester.

5.17 JCS Policy INF6 relates directly to infrastructure delivery and states that any infrastructure requirements generated as a result of individual site proposals and/or having regard to cumulative impact, new development should be served and supported by adequate and appropriate on/off-site infrastructure and services. The Local Planning Authority will seek to secure appropriate infrastructure which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. JCS Policy INF7 states the arrangements for direct implementation or financial contributions towards the provision of infrastructure and services should be negotiated with developers before the grant of planning permission. Financial contributions will be sought through s106 and CIL mechanisms as appropriate.

5.18 Several objections have been received from local residents and Bishops Cleeve Parish Council citing concerns over the lack of social infrastructure to accommodate additional housing growth. Gloucestershire County Council (GCC) has also objected to the proposal on grounds there is no capacity within existing schools to cater for the needs of children arising from the proposed development. GCC has calculated the pupil yield for each phase of education in respect of the revised proposal for 65 dwellings as follows:

- o Pre-school: 15 pupils
- o Primary: 24 pupils
- o Secondary: 13 pupils

5.19 These figures have been generated using the GCC Guidance 'Child Yields in New Developments' where it is stated that planning contributions will be required in all cases where there is no identified surplus in the forecast for school places. A planning obligation has been sought towards each educational phase (pre-school, primary and secondary) on the basis that there is no capacity to accommodate the needs of new residents resulting from the proposed development. Notwithstanding the requested contribution in respect of primary education, GCC has identified primary school provision as a significant issue as there is no capacity within existing primary schools and currently no school site available in which to direct the requested sum. GCC has also objected to the draft allocation of the site in the emerging Borough Plan on this basis, and further information has been provided within that objection to substantiate the reason for their position. It is stated that there are five primary schools within the Bishops Cleeve area of Cheltenham and, with the exception of Gotherington Primary School, all primary schools have expanded to increase their reception intake due to the rise in birth rate and new housing developments in the area:

- o **Bishops Cleeve Primary Academy** permanently expanded from 1 form of entry (FE; 30 places per year group) in 2013 to become a 3 FE primary school (total 630 places);
- o **Grangefield Primary School** permanently expanded by 0.5 FE (15 places) on a temporary basis in 2015 and 2016 and permanently expanded by 1 FE (30 places) in 2017 to become a 2 FE primary school (420 places);
- o **Tredington Community Primary School** increased the school's Published Admission Number (PAN) from 12 to 14 places per year group in 2015. There has been a further permanent increase in PAN to 18 places per year group in 2019 (126 places); and
- o **Woodmancote School** expanded by 0.5 FE (15 places) on a temporary basis in 2015 and permanently expanded in 2016 to become a 2 FE primary school (420 places).

5.20 GCC has advised that there are limited provisions to further increase these schools to meet the additional demand on the basis that they have already been expanded to their maximum capacity in order to meet demand arising from early housing developments. It is subsequently advised that there is a current need from existing and approved housing for a 3 FE primary school to accommodate 630 pupils. The current application, which generates a primary school pupil yield of 24 pupils, would be in addition to these 630 places.

5.21 GCC has reiterated that it has a statutory obligation to ensure there are sufficient school places available where they are needed. The previous demand has been met through expanding existing primary schools. However, for the reasons stated above, these schools are unable to accommodate any future demand for places. GCC has therefore objected to the current proposal and has advised that no new housing development should be approved within the 'Bishops Cleeve Primary Planning Area' until a new school site becomes available. GCC would not otherwise be able to meet its statutory duty to deliver sufficient school places. The objection to this application stands irrespective of the developer's willingness to enter into a section 106 agreement to secure education contributions as there is currently no school site available in which to direct the requested sums.

5.22 The demonstrable absence of primary school capacity for meeting the needs arising from the proposed development, contrary to Policy INF6 of the JCS. This weighs significantly against the proposal in the overall planning balance.

Design and Layout

5.23 The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. JCS Policy SD4 advises that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting. PSTBP Policy RES5 similarly requires high quality development for new housing.

5.24 Full planning permission is being sought for the residential element of the proposal meaning the scale, layout and detailed design are for consideration at this stage. Officers initially raised concern in respect of the quantum of development for the original proposal (70no. dwellings) and questioned the scheme's ability to comply with the site-specific requirements in respect of emerging Policy BIS2 of the PSTBP which requires, amongst other things, development to be well integrated with adjacent housing development to the south and west and for a landscaped green edge to be provided to the north of site. In particular, it was considered that the provision of 70no. dwellings compromised the proposal's ability to achieve the landscaped green edge with a turning-head already shown to encroach into the narrow strip of land between the residential dwellings and proposed employment area.

5.25 Following detailed discussions, the number of proposed residential dwelling was reduced to 65 units and the description of development was amended accordingly. The revised plans show the overall perimeter block layout would remain the same and would be consistent with the housing layout of 'Homelands 2'. The area of public open space has been increased in the north-west part of the site to aid the creation of a feathered landscape edge and the proposed dwellings along the northern boundary have been spaced to give a 'looser' feel to the development. The revised plans also show the turning head has been removed from the landscape buffer and formal/informal footpath connections have been shown through to the adjoining public open space to the west and provision made for an informal play trail.

5.26 The Urban Design Officer has been consulted on the revised plans and is satisfied with the proposed layout. Further amendments have been made to address the Urban Design Officer's comments in terms of securing an active frontage onto areas of public open space by the turning of plots and minor alterations to the house types to ensure there are sufficient window openings on those dwellings which abut the open space in order to provide natural surveillance. Clarification has also been provided in respect of the proposed boundary treatments, with a mixture of brick walling and railings to be constructed in areas which border the open space and internal roads, to afford privacy to garden areas without compromising the character and appearance of the public realm and wider street scene with long runs of fencing.

5.27 The majority of parking would be provided on-plot, either to the side of dwellings within individual parking bays and garages set back behind the building line to allow both ease of access to the dwellings and prevent vehicles from dominating the street scene. Where on-street parking has been provided in respect of the mews/terraced housing, solutions have been included in the form of street tree and shrub planting to enable convenient parking close to the dwellings which they serve, while also softening the visual impact of parked vehicles, improving the visual appearance of the street scene and providing valuable habitat for wildlife. A number of visitor parking spaces are also shown to be provided along the central road and side roads.

5.28 In respect of the proposed employment area, the proposal has been submitted in outline form. However, an illustrative layout plan with an accompanying Design and Access Statement (DAS) has been provided setting out the design rationale. The DAS indicates the design and layout would be reflective of the previous agricultural use of the site and suggests low pitched roofs could be appropriate, helping to blend the proposed office buildings into their rural setting. It also specifies the scale parameters for employment buildings as maximum 2 storeys in height, 10 - 45 metres in length and 5 - 20 metres in width. It is suggested that the proposed materials could comprise reconstituted stone, brick, timber or metal to retain an agricultural appearance.

5.29 The concept of retaining an agricultural feel to the development, with the creation of courtyards, is considered appropriate for this edge of settlement location and would aid the urban to rural transition. The Urban Design Officer has no objection to the indicative layout which would sit comfortably alongside the residential element of the proposal. Further consideration to the detailed design, scale, layout and appearance would be discussed and secured as part of any reserved matters approval.

5.30 To conclude, it is considered that the site layout is in accordance with the design principles specified in JCS Policy SD4 and would form a logical block structure in keeping with the character of the surrounding area. The proposal is deemed to be of acceptable design which, subject to securing the landscaping planting and boundary treatments, would create an attractive street scene. The hybrid scheme is therefore deemed to comply with JCS Policy SD4 and emerging Policies BIS2 and EMP2 in this regard.

House Types

5.31 The house types proposed in this current application are similar to those approved and built as part of the 'Homelands 2' development. There would be variances between the elevational and architectural detail to create interest across the development while ensuring consistency with the local vernacular and neighbouring 'Homelands 2'. The majority of residential dwellings within the development would be 2 storey with a ridge height of 8 metres although there would be some 2.5 storeys dwellings, with a maximum height of 9.2 metres, to add variety to the street scene. The proposed materials - red multi brick and reconstituted stone - are considered acceptable and would reflect the palette of materials used on 'Homelands 2' to ensure a seamless transition between the two development. It is considered that the proposed house types are acceptable subject to conditions to ensure appropriate materials are used.

Housing Mix

5.32 JCS Policy SD11 states, amongst other things, that housing development will be required to provide an appropriate mix of dwellings and tenures in order to contribute to mixed and balanced communities and a balanced housing market, and reflect the needs of the most up to date Strategic Housing Market Assessment (SHMA). PSTBP Policy RES13 reflects the JCS Policy. The most up-to-date evidence is from the latest JCS SHMA Update (2015) which identifies that in Tewkesbury there is a greatest need for two and three bed dwellings, with the highest need being for 3 bedroom properties. The mix proposed in the current application closely reflects this need with 12% of the units being 1-bed, 23% 2-bed, 46% 3-beds and 19% 4-beds. The proposal is therefore considered to provide an appropriate mix of dwellings to contribute towards a balanced and mixed community in line with JCS Policy SD11.

Affordable Housing

5.33 JCS Policy SD12 sets out that on sites outside of strategic allocations, a minimum of 40% affordable housing will be sought, should be provided on site and should be seamlessly integrated and distributed throughout the development scheme.

5.34 The proposed development would provide 26 affordable houses, which represents a 40% proportion of the 65 dwellings proposed at the site. The proposed affordable housing mix is:

- o 8no. 1 bed properties
- o 11no. 2 bed properties
- o 7 no. 3 bed properties

5.35 The Council's Strategic Housing Enabling Officer (SHEO) has recommended a 75/25 tenure split between social-rented and shared ownership in line with the latest Strategic Housing Market Assessment (SHMA) outputs. This would be secured by way of a section 106 agreement.

5.36 While it is accepted that the proposed dwellings would make a positive contribution towards the delivery of affordable housing in the borough, the SHEO has requested the provision of 1x 4-bed social rented property which would achieve an acceptable mix for this development. It is commented that the proposed mix for open-market dwellings includes 12no. 4 bed dwellings (approximately 30%) and the contribution of 1no. 4-bed affordable unit would be feasible in this location. This matter would be capable of resolution subject to the developer's agreement although no further amendments have been made and there is no signed s106 obligation to address affordable housing.

Residential Amenity

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

5.38 The proposed layout allows for an acceptable relationship between the proposed dwellings and provides for acceptable living conditions. There is also adequate back-to-back separation (approx. 21 metres) between existing and proposed dwellings. The layout is such that there would be no detrimental impact on existing properties in terms of overlooking, loss of light or overbearing impact. The proposal is therefore considered acceptable in this regard.

5.39 Environmental Health have been consulted on the proposal and have raised no objection in respect of the relationship between the proposed residential and employment areas which would be separated by the landscape buffer. Further, the Environmental Health Officer does not consider the remaining agricultural buildings - currently used for grain store, tractor storage and occasional lambing - to have an adverse impact on the amenity of future residents. It is advised in respect of the outline proposal that the site layout should be given careful consideration at reserved matters stage to allow for the positioning of any plant equipment associated with the employment uses to be screened from the residential area by the siting of the proposed B1 commercial units.

Landscape and Visual Impact

5.40 JCS Policy SD6 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. Proposals should have regard to local distinctiveness and historic character of different landscapes and proposals are required to demonstrate how the development will protect landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement area.

5.41 The Tewkesbury Borough Landscape and Visual Sensitivity Study for Rural Service Villages (2014) advises that Bishops Cleeve is sensitive to development that would reduce the perceived gap between Bishops Cleeve and Gotherington. It is also sensitive to development that is uncharacteristic of the existing settlement form and that protrudes into the open countryside on the expansive vale to the west. The application site falls within a smaller part of land parcel Bish-01 which is assessed as having medium landscape sensitivity and high visual sensitivity. The landscape character is summarised as:

"An open arable landscape set beneath the imposing Cotswold scarp. It is influenced by both the open vale to the west and the steep slopes and high ground of the AONB to the east. New development is proposed to the south which will heavily influence the character of this remaining parcel of land between Bishops Cleeve and Gotherington. [...] There is limited potential to mitigate new development in this open landscape."

"It is overlooked from elevated vantages including valued national trails and popular view points in the AONB. It is prominent in views from the local road network (Gotherington Lane) and the A435. The parcel plays an important role in separating Bishops Cleeve from Gotherington and this represents the greatest visual sensitivity. Consented development (Homelands 2) will reduce the visual gap considerably. This land assessment parcel will increase in its sensitivity to new development that might reduce the perception of the gap further both locally and as seen from elevated vantages."

5.42 Emerging Policy BIS2 of the PSTBP has acknowledged the landscape and visual sensitivities of the site and this forms the reasoning behind the site-specific requirement for an indicative capacity of 35 dwellings and a landscaped green edge to be provided to the north. The application has been accompanied by a Landscape and Visual Impact Assessment (LVIA) which considers the topography of the site, combined with hedgerow and tree planting, to limit short and middle distance views towards the site. Distant views of the site are possible from areas with a rising topography i.e. Crane Hill, Cleeve Hill and Nottingham Hill. It is considered that the retention of tree and hedgerow planting along the full extent of the site's eastern boundary with Gotherington Lane will continue to serve as a visual buffer to views of the development. The LVIA concludes that there are no issues arising which would override the benefits of the proposal and reiterates the design principles have been landscape-led.

5.43 A number of objections have been received from local residents and Bishops Cleeve and Gotherington Parish Councils in respect of the harm arising from the proposal by virtue of its encroachment into the landscape which would separate the gap between the two settlements. In this instance, the presence of the Homeland farm buildings to the north are considered to moderate the visual impacts of the proposal and would provide a definitive edge to the extent of urban development with countryside beyond. Nevertheless, it is considered important to limit the extent of encroachment northwards towards Gotherington, particularly in light of this proposal also seeking outline consent for the redevelopment of the existing farm buildings which would have an urbanising effect on the site. For this reason, it is considered pertinent to maintain openness and achieve sufficient separation between the proposed residential development and the employment area.

5.44 The Policy Team originally commented that the quantum of development is higher than envisaged which does create a denser form of development in this edge of settlement location. The revised proposal has sought to mitigate this by reducing the housing numbers and spacing the proposed dwellings in the northern part of the site to create a sense of transition between the development and open countryside. Further, the proposal does provide a landscaped green edge which separates the residential and employment areas, thus avoiding continuous development along Gotherington Lane. This limits the landscape and visual impacts of the proposal and it is acknowledged that the retention/enhancement of the hedgerow along the east boundary would provide a visual buffer to the site when viewed in short to middle distance views. It is also worth noting that the site itself is not included within the strategic gap as shown on the emerging PSTBP Proposals Map in connection with Policy LAN3 which serves to protect land between Bishops Cleeve and Gotherington. As such, it is concluded that the proposal would result in harm to character and appearance of the rural landscape as a result of the loss of open field and its replacement with 65 dwellings and associated infrastructure and the redevelopment of the farm buildings for employment use. However, this would be mitigated to an extent through site-specific landscaping (see below) and would need to be weighed in the overall planning balance.

Landscaping Details

5.45 In respect of site specific landscaping details, JCS Policy SD4 requires new development to ensure the design of landscaped area, open space and public realm areas are of high quality, provide a clear structure and constitute an integral and cohesive element within the design. The contribution of public realm designs, at all scales, to facilitate the preferential use of sustainable transport modes should be maximised.

5.46 The Council's Landscape Advisor raised concern in respect of the original proposal on grounds that additional tree planting and hedgerow improvements should be accommodated within the site boundary to provide visual softening of the development from within the site itself and in long-distance elevated viewpoints to the east. It was further commented that the removal of incongruous conifers and replacement of native trees would be benefit to the wider landscape. The incorporation of street trees was recommended; a viewpoint shared by the Council's Tree Officer. In respect of the landscaped green edge, the original proposal was considered to provide an insufficient planting scheme and it was recommended that provision should be made for native trees and hedgerows, plus marginal planting to the attenuation basin which would also offer an ecological benefit.

5.47 The revised proposal has sought to address many of these concerns and the Council's Landscape Advisor is satisfied with the amended residential layout which is taken to provide a sufficiently sized landscape buffer to the north of the site, although it is commented that further planting could be accommodated in this area. The inclusion of a play trail is also welcomed along with the inclusion of a perimeter footpath route to improve connectivity for local residents. It is recommended that sections of this path should be surfaced (e.g. 1.5m wide self-binding gravel path) to improve accessibility for all users. This could be secured by condition.

5.48 The landscaping of the outline scheme is reserved for future consideration although illustrative details have been provided (drawing no: 11237/P09A). The Council's Landscape Advisor and Tree Officer recommend strong perimeter planting and the inclusion of trees within the car parking areas to add amenity value. This would also have the added benefit of creating a shaded area to the vehicles parked. Adding seating around the attenuation pond and positioned where people would benefit from some shade from trees in warm months would be a welcome addition. These details would be given full consideration as part of any reserved matters application.

5.49 In summary, the detailed landscaping of the residential element of the proposal is deemed acceptable and would comply with JCS Policy SD4 and emerging Policies BIS2 and RES5 of the PSTBP.

Ecology and Nature Conservation

5.50 The NPPF sets out, inter alia, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments. Policy SD9 of the Joint Core Strategy seeks to protect and enhance the biodiversity of the JCS area. PSTBP Policy NAT1 requires that proposals conserve, and where possible restore and/or enhance biodiversity. It is also a site-specific requirement of PSTBP Policy BIS2 that the development should provide biodiversity net gains.

5.51 In terms of ecology, the application has been accompanied by an Extended Phase 1 Habitat Survey and detailed surveys relating to bats, badgers and water sampling for great crested newt DNA and reptiles. The surveys identified the site as being of low intrinsic ecological value but identified a small number of habitat features and protected species that would need to be respected. The Consultant Ecologist has assessed the proposal and has commented that the submitted information has provided a comprehensive assessment of the site's ecological features and has made provision for appropriate mitigation as part of the proposal. Mitigation measures for protected species include the retention/buffering of site-value habitats, including the majority of boundary plantings, and the provision of public open space to minimise impact on nearby habitats and designations.

5.52 The Consultant Ecologist concludes there to be no likely significant effect on the Cotswold Beechwood SAC as a result of the increased housing numbers provided the on-site open space is delivered in accordance with the submitted plans. Further, it is not considered that the development would have an adverse impact on wildlife or habitats and the Consultant Ecologist has raised no objection to the revised proposal subject to conditions requiring the submission of Ecological Construction Method Statement (ECMS), Local Ecological Management Plan (LEMP) and lighting plan prior to first occupation of the development.

5.53 In accordance with emerging Policies BIS2, NAT1 and NAT3 of the emerging PSTBP, the application has also been supported with a Biodiversity Impact Assessment which uses the DEFRA matrix calculations to demonstrate a net increase in biodiversity. This has been reviewed by the Consultant Ecologist who concurs with the findings of the assessment; the scheme accommodates a significant amount of green space and the revised proposal would provide a biodiversity net gain of 13.59% which is above the 10% requirement as detailed in emerging planning policy. The Consultant Ecologist has also welcomed the use of the Building with Nature (BwN) standards/assessment model and the revised proposal is assessed as achieving the BwN "good" standard.

Archaeology

5.54 Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. A geophysical survey and archaeological evaluation of the site was undertaken as part of the previous development. The County Archaeologist has assessed the proposal; the site is at low risk of archaeological remains and it is recommended that no further survey works would be required.

Highways and Parking Arrangements

5.55 Paragraph 109 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. JCS Policy INF1 requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. PSTBP Policy TRAC9 requires that developers demonstrate an adequate level of car parking for their proposals.

5.56 Access to the residential element of the proposal would be via a single point from Croft Drive / Sharing Grove in the south-west corner of the application site. This would provide connections to Gotherington Lane / Evesham Road through the wider 'Homelands 2' development. A separate access from Gotherington Lane would be provided to the employment area. The existing farm access would be relocated approximately 15 metres north of its current positioning to allow for a shared access to the proposed employment area and the retained agricultural buildings. There would not be any vehicular access between the proposed residential and employment areas although a hard-surfaced footpath is proposed.

5.57 Objections have been received from local residents in respect of the traffic implications of the development and the safety of the proposed access to the residential part of the site which would require future residents to travel along internal estate roads which are not capable of supporting the additional traffic generation.

5.58 The County Highways Authority (CHA) have assessed the proposal and have raised no objection, confirming they are satisfied with the proposed layout. Vehicle tracking has been undertaken and the relocated access from Gotherington Lane satisfies the required visibility. The revised proposal also makes adequate pedestrian and cycle connections across the site and through to neighbouring development to create a legible and accessible environment as required by emerging Policy PSTBP BIS2. The County Highways Authority consider the two points of access to be acceptable and would not have a detrimental impact on the safe and efficient operation of the highways network subject to conditions securing the layout, parking and access to be built in accordance with the submitted details.

Flood Risk and Drainage

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

5.60 JCS Policy INF2 advises that development proposals must avoid areas at risk of flooding and must not increase the level of risk to the safety of occupiers of a site and that the risk of flooding should be minimised by providing resilience and taking into account climate change. PSTBP Policy ENV2 set out additional principles that will need to be considered in any proposals.

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

5.62 The application site is located within Flood Zone 1 and is in a location that would be least at risk from flooding. The application is supported with a Flood Risk assessment and Drainage Strategy. This concludes that satisfactory surface water drainage and flood mitigation design can be provided on site in compliance with the aforementioned policies. Foul drainage from the site would be routed into the existing adopted sewerage system in Barleyfields Avenue.

5.63 The LLFA has raised no objection to the proposal based on the drainage strategy described in the Flood Risk Assessment produced by Callidus, dated 12 July 2019. The LLFA have recommended the necessity for a planning condition should permission be granted for details of the surface water drainage works to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any building works on site. This is to ensure the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution for the lifetime of development.

5.64 Severn Trent Water have also been consulted on the application and have raised no objection subject to condition to secure drainage plans for the disposal of foul and surface water flows which would need to be submitted and approved prior to the commencement of development.

Waste Minimisation

5.65 The Minerals & Waste Planning Authority (M&WPA) requires all major applications (10 or more dwellings, residential sites of 0.5ha or more and other development in excess of 1,000m² or over 1ha) to be accompanied by an appropriately detailed Waste Minimisation Statement (WMS). This is a specific requirement of the development plan for Gloucestershire as set out under WCS Core Policy 02 - Waste Reduction.

5.66 The application has been accompanied by a detailed waste minimisation statement. This has been reviewed by M&WPA who have raised no objection to the proposal in this respect.

Open Space, Outdoor Recreation and Sports Facilities

5.67 Saved Local Plan Policy RCN1 requires public open space provision of 2.43ha/1000 population. Assuming that the 65 dwellings have an average of 2.4 occupants per dwelling, this would generate an additional population of 156 persons. As such, there would be a resulting requirement for provision of 0.36ha of open space.

5.68 The application complies with the open space requirement and would deliver in excess of the 0.36ha required. In addition, the site is well located in relation to neighbouring areas of open space delivered as part of the Homelands development which provided 16.58ha of open space. There is an existing LEAP within 400 metres (5 minutes) walking distance as recommended by the Fields in Trust (FiT) standards. As such, it is accepted that there is no requirement for another LEAP to be provided as part of this proposal. Instead, the Communities Team has sought provisions for informal play to be accommodated on site in the form of a natural play trail designed to integrate into the wider landscape. This is indicated on the revised plans and would require a planning condition to secure details of the equipment and its implementation.

5.69 There are no formal play or sports pitches proposed within the site itself but it is acknowledged that the adjoining area of green space would provide opportunities for informal recreation, with formal and informal footpath connections shown to be provided to/from the application site.

Community Infrastructure

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

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

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

5.72 The CIL Amendment Regulations 2019 came into force on 1 September 2019 and made a number of important changes to the operation of CIL and s106 obligations. Amongst other matters, Regulation 123 of the CIL regulations has been removed in its entirety which removes the restriction on pooling funds for a single infrastructure from more than five s106 obligations. It also allows both CIL and s106 contributions to be secured for the same infrastructure project although the aforesaid tests (Regulation 122) continue to apply.

5.73 The NPPF sets out that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of planning conditions or obligations. It makes clear that obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

5.74 As set out in paragraph 5.17 above, JCS policies INF6 and 7 combine to require infrastructure to be delivered to meet the infrastructure and services required as a consequence of development.

5.75 Primary education is considered at paragraphs 5.18 - 5.22 above. GCC has requested section 106 contributions to be secured towards pre-school and secondary education as well as library provision. The request towards education provision has been assessed as directly related to the development and is needed in order to mitigate the education needs arising from the proposal. Officers consider the requested contributions to meet the statutory tests and support the position taken by GCC. The agent has confirmed the developer is willing to enter into the s106 agreement as requested.

5.76 In respect of library provision, officers consider there is currently insufficient justification from GCC to substantiate their request for £12,740.00 and further clarification has been sought on how this is directly related to the proposed development. **An update will be provided to Members at Committee.**

5.77 Taking account of consultation responses, this application would result in the following infrastructure requirements to be secured by s106 obligations:

- Affordable Housing - 40%
- Education - pre-school £225,610.45, secondary £255,659.30
- Library contributions - tbc
- Recycling & waste bins - £73 per dwelling

5.78 Bishops Cleeve and Gotherington Parish Councils have requested monetary contributions via s106 agreement towards the extension of the consented off-road cycle path which serves to connect Gotherington and Bishops Cleeve. This has been discussed with the County Highways Authority although it is considered that such requirement is not justified in the context of this application as it would not meet the three test as set out in paragraph 56 of the NPPF. The parishes have also requested sums towards the provision of facilities to be provided in connection with the 'Homelands' and 'Cleevelands' community buildings once built. This has been duly considered but is deemed to be covered by way of CIL rather than s106.

6.0 Overall Balancing Exercise

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

6.2 On the basis that the Council cannot at this time demonstrate a five year supply of deliverable housing sites, the Council's policies for the supply of housing are out of date. In accordance with paragraph 11 of the NPPF, the presumption in favour of sustainable development indicates that permission should be granted unless policies for protecting areas of assets of particular importance in the NPPF provide a clear reason for refusing the development proposed, or any adverse impacts of permitting the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

6.3 There are no NPPF policies for the protection of areas or assets of particular importance which apply in this case and therefore, it is clear that the decision-making process for the determination of this application is to assess whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Benefits

6.4 The delivery of market and social housing on the edge of a Rural Service Centre, which is recognised as a sustainable and accessible location with good links to Tewkesbury, Cheltenham, Gloucester, is a social and economic benefit arising from the proposal. There would be economic benefits arising from the proposal both during and post-construction, with the outline element of the application providing the delivery of 2,000 square metres of flexible B1 office space which could support approximately 150 FTE jobs. This complies with JCS Policy SD1 and emerging Policy EMP2 of the PSTBP. The employment use would be to the benefit of existing and future residents and would improve employment land provision within an accessible location, thus improving the sustainability of Bishops Cleeve. These are recognised as substantial benefits that weigh in favour of the proposed development.

6.5 The provision of public open space would be a social benefit which would serve the needs of the existing community as well as new residents and there would be a biodiversity net gain resulting from the site's development through additional landscaping and habitat improvement. These are recognised as limited benefits in support of development.

Harms

6.6 Harm arises from the conflict with the development plan and in particular JCS Policy SD10. While the principle of development would be consistent with PSTBP Policies RES1 and BIS2, these policies can be afforded limited weight at this time in light of the unresolved objections.

6.7 GCC have identified there is no capacity within existing schools to accommodate the needs of new residents as a result of the proposed development and have therefore raised an objection. In particular, there is no capacity within existing primary schools which have already been expanded to their maximum capacity to meet demand arising from previous consented schemes. No primary school site has been identified to accommodate new pupils and GCC has objected to the current proposal on the basis that no new housing development should be approved within the 'Bishops Cleeve Primary Planning Area' until a new school site becomes available otherwise GCC cannot meet its statutory duty to deliver sufficient school places. The developer has expressed a willingness to enter into a section 106 agreement to secure education contributions to pre-school, primary and secondary provision; however, GCC has made clear that in the absence of an identified primary school site there would be nowhere to direct the request contributions towards primary education. This indicates that Bishops Cleeve does not currently have the social infrastructure required to support the development in this respect which gives rise to further issues.

6.8 Landscape harm would arise from the loss of part of an existing field and the proposal would have an urbanising effect upon the area that would increase the amount of built form between Bishops Cleeve and Gotherington. However, it is accepted that the site itself is not located within the identified strategic gap (PSTBP Policy LAN3) and visual harm could be mitigated through the provision of a landscaped green edge, appropriate design and landscaping. These details would be secured by way of condition in respect of the outline element of the proposal and subsequently considered as part of any reserved matters application.

6.9 The absence of a signed section 106 agreement in respect of securing affordable housing and contributions for recycling/waste, pre-school and secondary education (and potentially library) weighs against the proposal at this stage. However, these matters could be resolved through the completion of appropriate section 106 obligations.

Neutral

6.10 Subject to compliance with conditions, the proposal would result in a neutral impact on ecology, archaeology, highways, flood risk and drainage.

7.0 Conclusion

7.1 The Council cannot demonstrate a five year supply of deliverable housing sites which means that, in accordance with paragraph 11 of the NPPF, planning permission should be granted unless any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

7.2 The benefits arising from the proposal are substantial. However, the identified harms, particularly the absence of capacity to meet the needs of primary age children arising from the development, significantly and demonstrably outweigh the benefits in this case. The lack of social infrastructure to support the proposal would fail to achieve a healthy, inclusive and safe community and would not represent sustainable development, contrary to the provisions of the NPPF. For these reasons it is recommended that the application is **REFUSED**.

RECOMMENDATION Refuse

Reasons:

- 1 The proposed development is not on previously developed land and is outside of the built-up area of Bishop's Cleeve. Furthermore, the cumulative impact of consented housing schemes in Bishop's Cleeve has resulted in a lack of social infrastructure, specifically primary school provision, which would fail to satisfactorily accommodate the needs of new residents arising from the proposed development. As a result, the proposed development would not be served by adequate and appropriate infrastructure/services and for these reasons would not constitute sustainable development, contrary to policies SD10 and INF6 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (JCS) (December 2017) and the provisions of the National Planning Policy Framework (2019).
- 2 In the absence of an appropriate planning obligation, the application does not provide housing that would be available to households who cannot afford to rent or buy houses available on the existing housing market. As such, the proposed development conflicts with SD12 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017).
- 3 In the absence of an appropriate planning obligation, the application does not make provision for the delivery of recycling/waste bins and education contributions for pre-school and secondary provision education. The proposed development is therefore contrary to Policies INF4, INF6 and INF7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 -2031 (December 2017) and the National Planning Policy Framework.

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 seek solutions to overcome the planning objections and the conflict with Development Plan Policy by seeking to negotiate with the applicant to address identified issues of concern and providing on the council's website details of consultation responses and representations received. However, negotiations have failed to achieve sustainable development that would improve the economic, social and environmental conditions of the area.



692/A



1:1250

0 50m

-  Outline Application site boundary
-  Outline Application with Full Details submitted site boundary

Project:
Homelands Farm, Bishop's Cleeve
 Drawing No:
11200004
 Date:
 June 2013

Site Boundary Plan

urbandelignbos.co.uk

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| Client | Author |
|--------|----------|
| UDB | UDB |
| UDB | AJ |
| UDB | Planning |



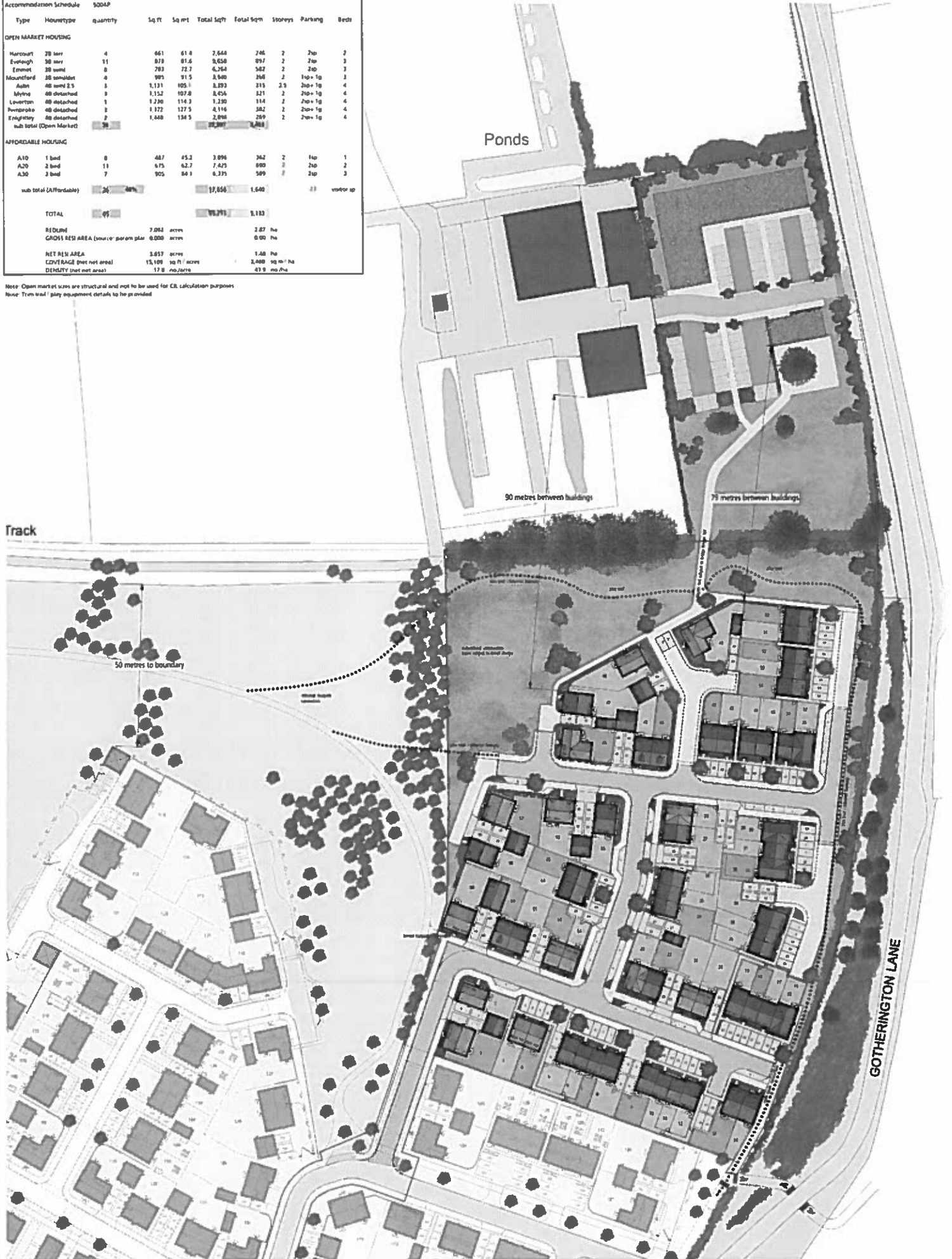
Land at Homelands Farm, Bishops Cleeve

Accommodation Schedule S004P

| Type | House type | quantity | Sq Ft | Sq mt | Total Sqft | Total Sqm | Storeys | Parking | Beds |
|--|-------------|-----------|----------------------|-------|---------------|-----------------|---------|---------|------|
| OPEN MARKET HOUSING | | | | | | | | | |
| Harcourt | 2B terr | 4 | 661 | 61.4 | 2,644 | 246 | 2 | 2hp | 2 |
| Evrough | 3B terr | 11 | 818 | 81.6 | 8,998 | 827 | 2 | 2hp | 3 |
| Emmet | 3B semi | 8 | 793 | 72.7 | 6,364 | 582 | 2 | 2hp | 3 |
| Mountford | 3B semi-det | 4 | 905 | 81.5 | 3,620 | 336 | 2 | 1hp+1p | 3 |
| Ash | 4B semi 2.5 | 3 | 1,131 | 102.1 | 3,393 | 313 | 2.5 | 2hp+1p | 4 |
| Myers | 4B detached | 3 | 1,152 | 107.0 | 3,456 | 321 | 2 | 2hp+1p | 4 |
| Lewerton | 4B detached | 1 | 1,230 | 114.3 | 1,230 | 114 | 2 | 2hp+1p | 4 |
| Powderke | 4B detached | 3 | 1,172 | 107.5 | 3,516 | 322 | 2 | 2hp+1p | 4 |
| Engletery | 4B detached | 2 | 1,448 | 134.5 | 2,896 | 269 | 2 | 2hp+1p | 4 |
| sub total (Open Market) | | 38 | | | 39,397 | 3,623 | | | |
| AFFORDABLE HOUSING | | | | | | | | | |
| A10 | 1 bed | 8 | 487 | 45.2 | 3,896 | 362 | 2 | 1hp | 1 |
| A20 | 2 bed | 11 | 675 | 62.7 | 7,425 | 690 | 2 | 2hp | 2 |
| A30 | 3 bed | 7 | 905 | 84.1 | 6,335 | 590 | 2 | 2hp | 3 |
| sub total (Affordable) | | 26 | 48% | | 17,656 | 1,642 | | | 33 |
| TOTAL | | 64 | | | 57,053 | 5,265 | | | |
| REDLINE | | | 7.062 acres | | | 2.87 ha | | | |
| GROSS RES AREA (source: param plan) | | | 0.000 acres | | | 0.00 ha | | | |
| NET RES AREA | | | 3.657 acres | | | 1.48 ha | | | |
| COVERAGE (gross net area) | | | 15,109 sq ft / acres | | | 1,408 sq m / ha | | | |
| DENSITY (gross net area) | | | 17.8 no./acre | | | 43.9 no./ha | | | |

Note: Open market sizes are structural and not to be used for CB calculation purposes
 Note: Tram track / play equipment details to be provided

Track



69213



Bishop's Cleeve
 Planning Layout (Colour)
 UDB

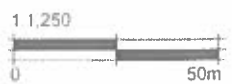


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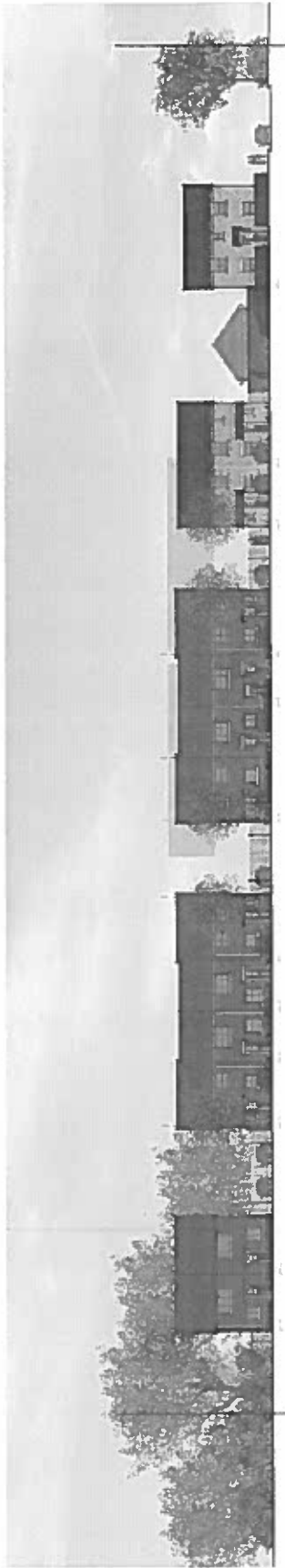
-  Outline application site boundary
-  Full application site boundary
-  Proposed all modes access
-  Land required to access adopted highway
-  Residential development, see detail plans for further information
-  Employment development including streets, parking, landscaping and drainage area

client:
 project:
Homelands Farm, Bishops Cleeve
 Drawing 1/10
Parameter Plan

job number:
 LIN101
 scale:
 1:1250@A3
 date:
 July 2016
 drawing number:
 2001A
 or cwm
 AJ
 Planning



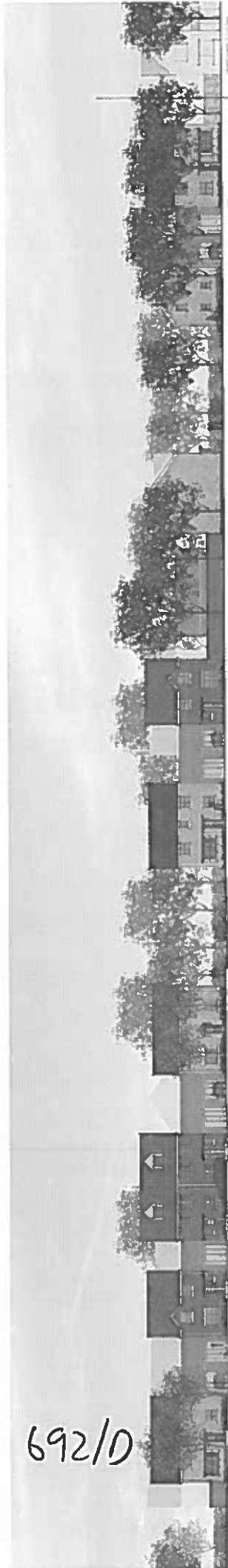
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Street Scene Elevation AA



Street Scene Elevation BB



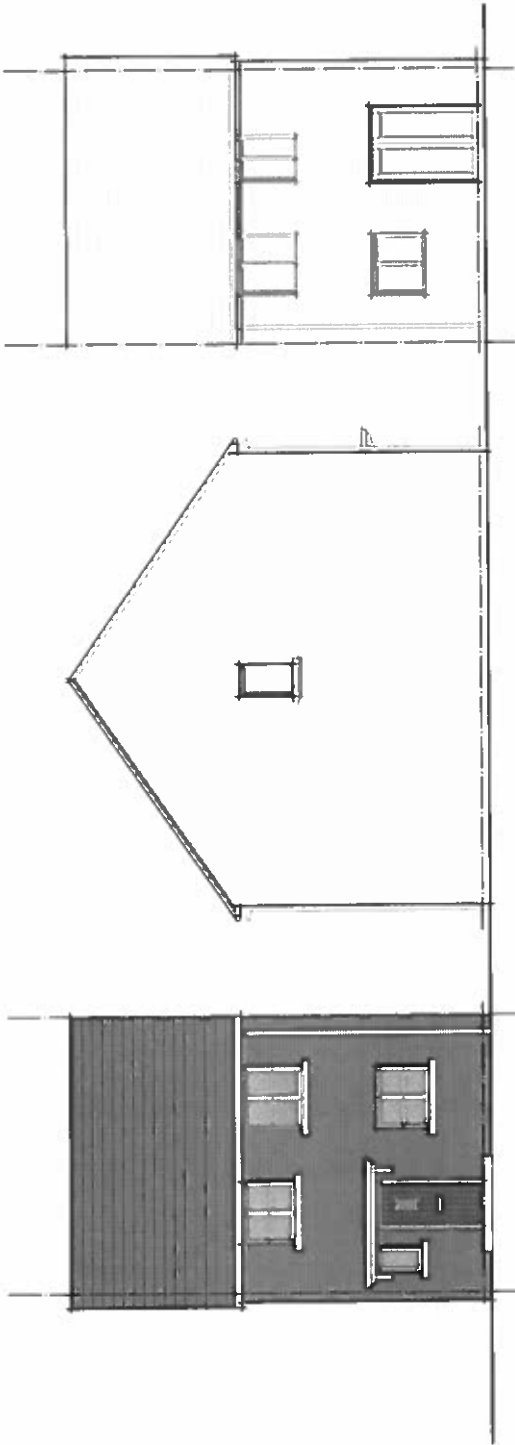
Street Scene Elevation CC



Approved: _____
 Date: _____
 Title: _____
 Name: _____
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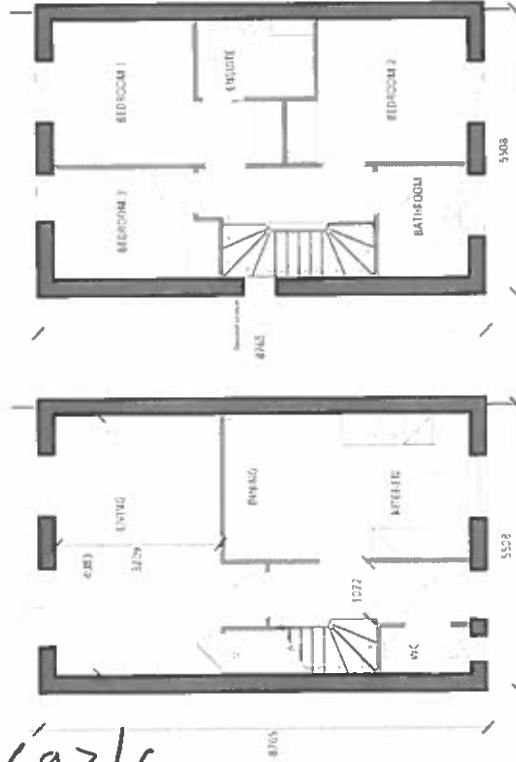


FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

692/E



GROUND FLOOR

FIRST FLOOR

1:100



FOUNDATION
brick

ROOF TYPE
Eveleigh
Dormers
3

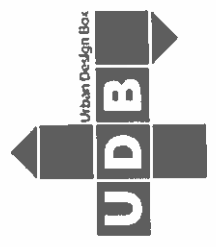
PERIMETER
5

SQUARE FOOT
878

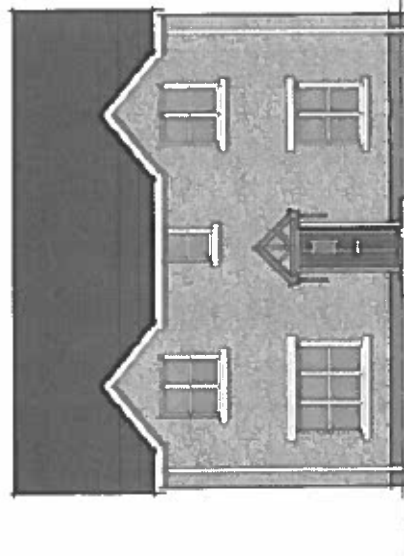
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81.57

Note: Roof and wall colours are indicative. refer to Materials Plan for details

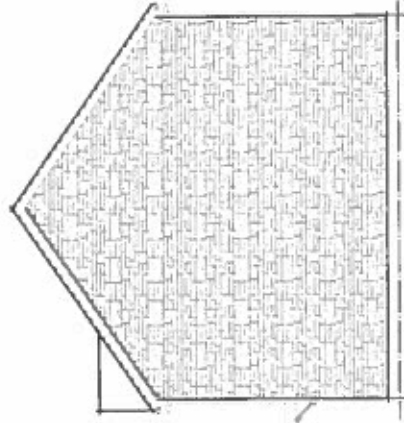
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| Architect | Urban Design Box | Site Area | 1,108 @ 43 |
| Phase | July 2019 | Scale | 1/4" |
| Category | Bishop's Cleeve Eveleigh - Plans and Elevations | Status | Planning |



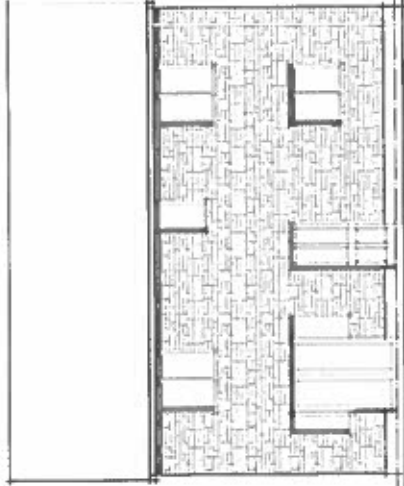
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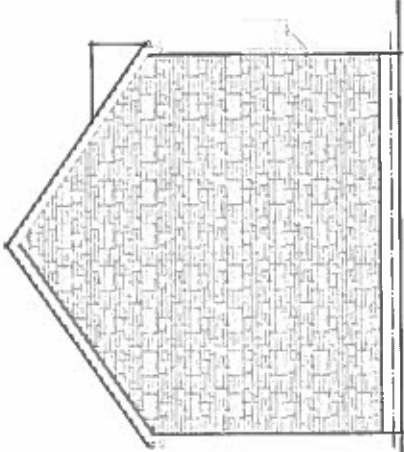
FRONT ELEVATION



SIDE ELEVATION



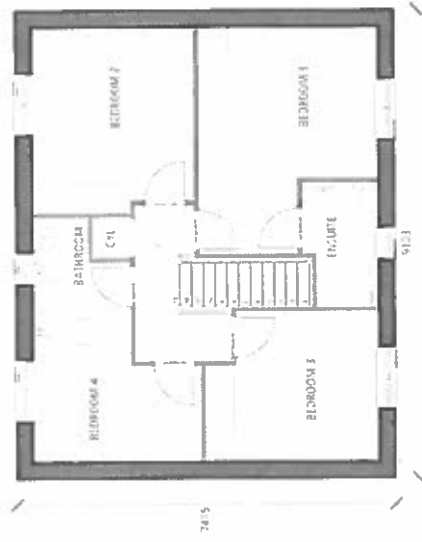
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR



FIRST FLOOR

1:100



PROPOSED FLOOR
Levinton
 No. of Windows 4
 Proposed Area 1230

EXISTING FLOOR
brick
 No. of Windows 6
 Proposed Area 1143

Note: Roof and wall colours are indicative refer to Materials Plan for details

PROJECT
Bishop's Cleeve
 (Planning ID) Levinton LEV10
Levinton - Plans and Elevations

DATE
 July 2019
 DRAWN BY
 JPA
 CHECKED BY
 Planning

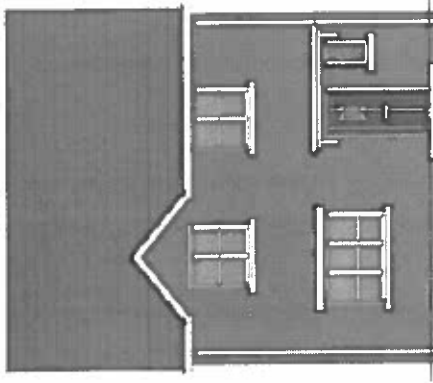
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DATE OF ISSUE
 01/08

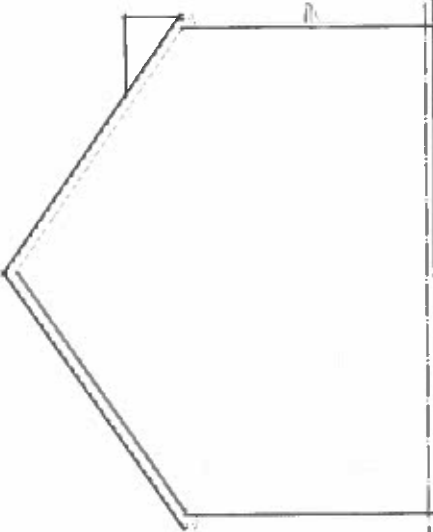


Urban Design Box

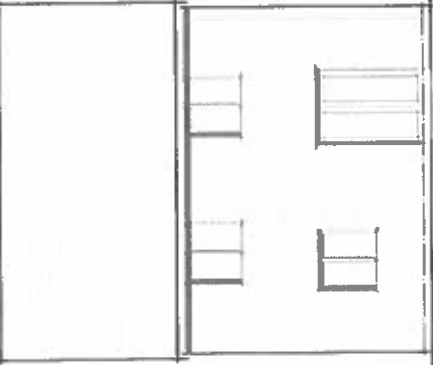
urbandesignbox.co.uk
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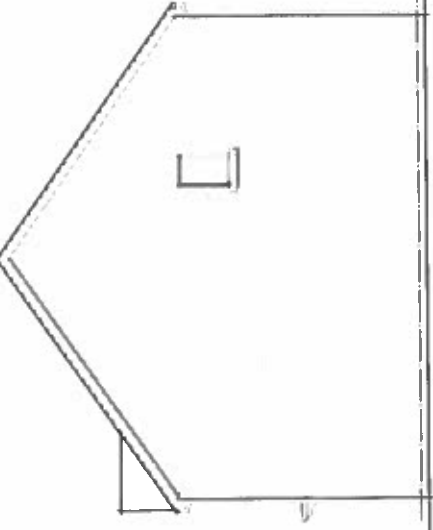
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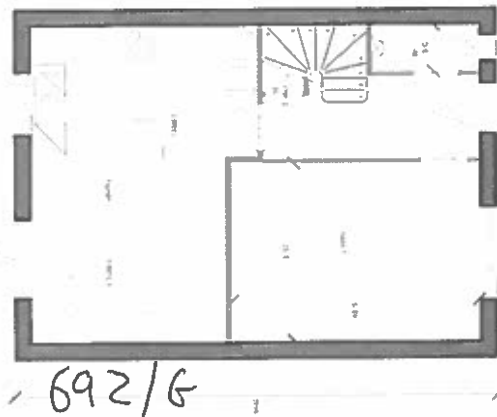
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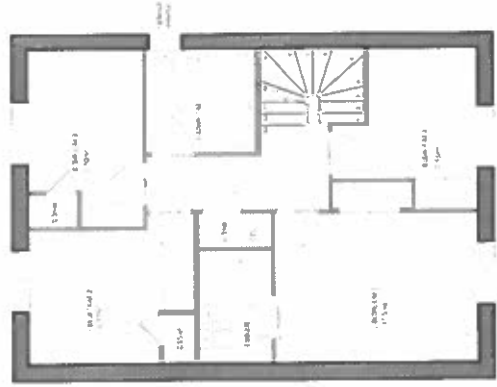
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR



FIRST FLOOR



1:100

BRICKWORK
Myline
DECKINGS
4

WALL FINISH
brick
PITCHING
6
SQ. METRE COVERED
107

Note: Roof and wall colours are indicative, refer to Materials Plan for details.

CLIENT
8 2nd Floor, 111-113
111-113
111-113

Bishop's Cleeve
Bishop's Cleeve
Myline - Plans and Elevations
urbandesignbox.co.uk

DATE SUBMITTED
11/01/19

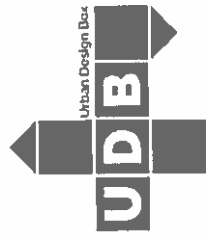
DATE OF ISSUE
11/01/19

DATE OF PLAN
11/01/19

DATE OF PLAN
11/01/19

DATE OF PLAN
11/01/19

DATE OF PLAN
11/01/19



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Valid 15.10.2019

Erection of a two storey side and rear extension, single storey rear extension and front porch.

Grid Ref 387816 221137
Parish Churchdown
Ward Churchdown St Johns

RECOMMENDATION Permit

Policies and Constraints

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

Consultations and Representations

Parish Council - Objection on grounds of over development
Revised plans - object, as previously stated on 22nd October 2019, on the grounds of over development.
Local residents - two letters of objection have been received from neighbours. The reasons for objection are summarised as follows:
- Loss of light to the side kitchen window at no 97 due to the height of the proposed extension.
- Loss of light to the adjoining dwellings bedroom window - unless the two storey rear extension is reduced to 3 metres.
- The application appears to include a loft conversion so the proposal is really for a three storey extension not a two storey - there are no such extensions in Orchard Way.

Planning Officers Comments: Mrs Sarah Barnes

1.0 Application Site

1.1 This application relates to 95 Orchard Way, a semi-detached dwelling located in a housing estate in Churchdown (site location plan attached).

2.0 Current application

2.1 The current application is for a two storey side and rear extension, single storey rear extension and a front porch (plans attached). It would create a larger Living area, Kitchen, Utility room, W.C and porch at ground floor level along with two additional bedrooms and an additional bathroom at first floor level. Revised plans were submitted on the 3rd January 2020 reducing the length of the first floor rear extension to 3 metres (plans attached).

3.0 Recent History

3.1 There is no recent / relevant planning history.

4.0 Policy Context

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

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

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

5.0 Analysis

Design, Size and Visual amenity

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

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

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

5.3 In relation to the Parish Council's concerns regarding 'overdevelopment' of the site, their concerns have been noted and revised plans were sought to reduce the first floor aspect of the rear extension to 3 metres. Revised plans were subsequently submitted on the 3rd January 2020. It is not considered that the proposal as revised would result in 'overdevelopment' given that the dwelling has not been previously extended (apart from a conservatory under PD) and there would still be sufficient amount of garden space left free from additions / extensions.

5.4 It is considered that the proposal as revised would have an acceptable impact on the character of the surrounding area and would comply with the requirements of Policy HOU8 of the Local Plan and Policy SD4 of the JCS. The side extension would be set well back from the front building line and there are lots of other similar extensions in this area.

5.5. In relation to the high level 'triangular window' on the proposed rear elevation, it would provide natural light to the second floor attic area. This space would have very limited headroom (**section attached**) so it would be used as a storage area. The agent has confirmed that there would be no staircase to access the area other than a standard loft access hatch and a folding ladder. In order to make the area a 'habitable space' in the future the ceiling joints would need to be 'beefed up' thereby reducing the useable height (and consequently the width) of any room. Lots of dwellings have loft conversions / attic spaces so this would not be unacceptable.

Residential amenity

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

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

5.8 Now that the first floor aspect of the rear extension has been reduced to 3 metres, it is considered that there would not be a harmful loss of light / outlook to the occupiers of the adjoining dwelling. In relation to the impact on no 97 Orchard Way (the dwelling to the south), the nearest aspect of the side extension would be 4.5 metres away from the side of no 97. Given the orientation of the sun, along with the distance, the impact on this property is not considered to be harmful / adverse and would not warrant the refusal of permission.

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

6.0 Conclusion

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

RECOMMENDATION Permit

Conditions:

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers: 19-701-02L and 19-701-03B dated 3rd January 2020, 19/701/05 dated 28th January 2020, 19/701/05A dated 5th February 2020 and 19-701-04 dated 11th October 2019 except where these may be modified by any other conditions attached to this permission.

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

3. The first floor window in the side elevation of the extension serving the bathroom / ensuite shall be glazed in obscure glass to level 4 Pilkington or equivalent and fitted with 'DGS Egress Friction Stays with inbuilt child restrictors' to restrict the opening of the windows to a maximum of 200mm. The window shall thereafter be retained as such and not altered without the prior consent of the Local Planning Authority.

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

Note:

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

75

87

97

111

696/A

ORCHARD WAY

THIS DRAWING
ON BEHALF OF PROPOSED
EXTENSION

MCLENNAN AVENUE

175 ORCHARD

175 ORCHARD

175 ORCHARD

metres
LOCATION PLAN



| | |
|-------------------------------|-------------|
| DRAWING AND DOCUMENT SERVICES | |
| Project | 11 OCT 2019 |
| Client | |
| Scale | |
| Date | |
| Drawn by | |
| Checked by | |
| Approved by | |



BLOCK PLAN

metres

project 95 ORCHARD WAY, CHURCHDOWN

client

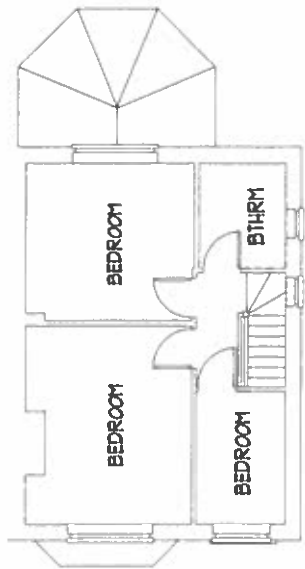
drawn by LOCATION AND BLOCK PLANS

tel: 01452 531112

Alex Clennett BA(hons) BArch Architect
 Fountain Gate Studios, Churchdown, Churchdown, Glos GL3 2AE

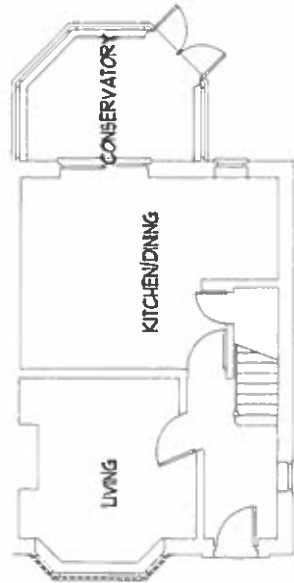
scale 1:1250 & 1:500

no: 19/10/04
 e-mail: alex@acdesignuktd.com

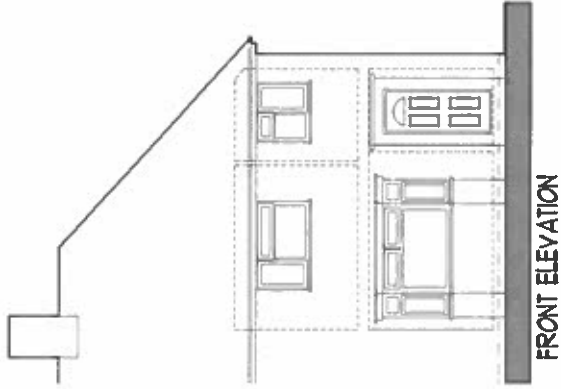


FIRST FLOOR PLAN

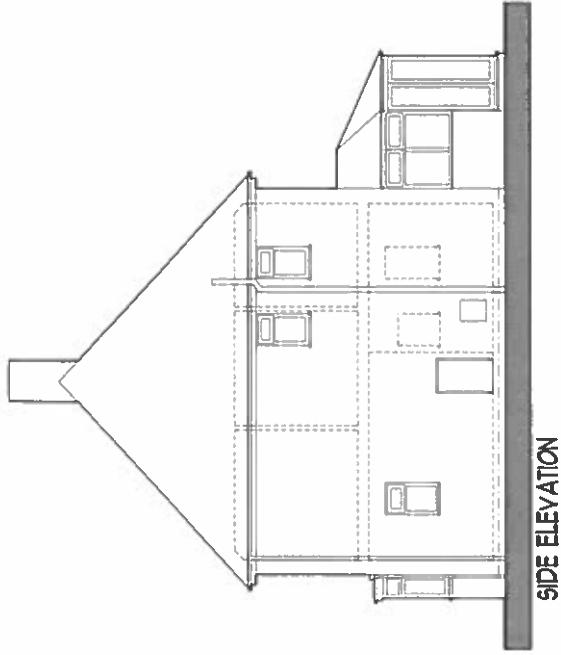
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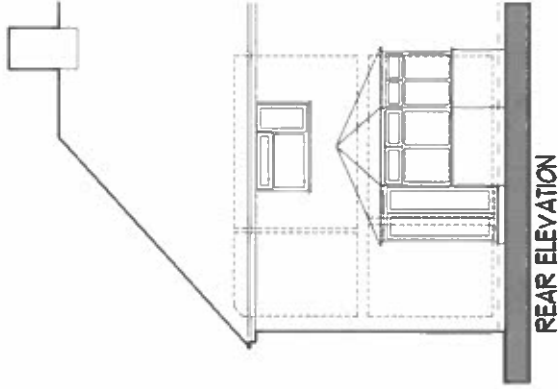
GROUND FLOOR PLAN



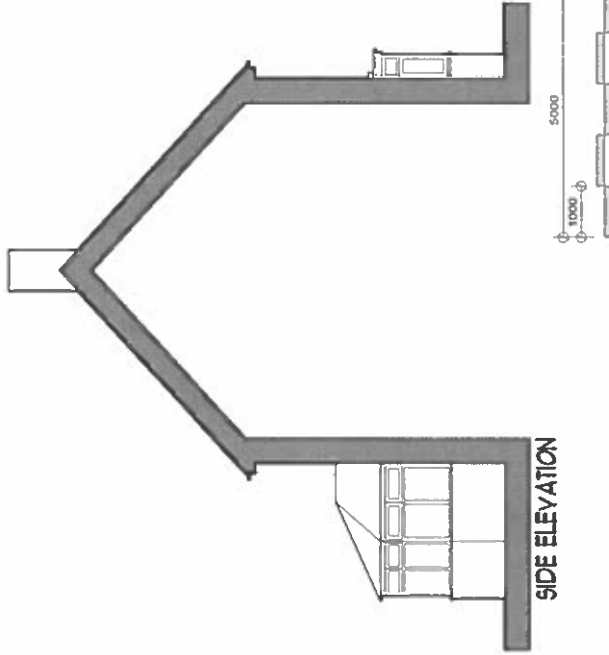
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



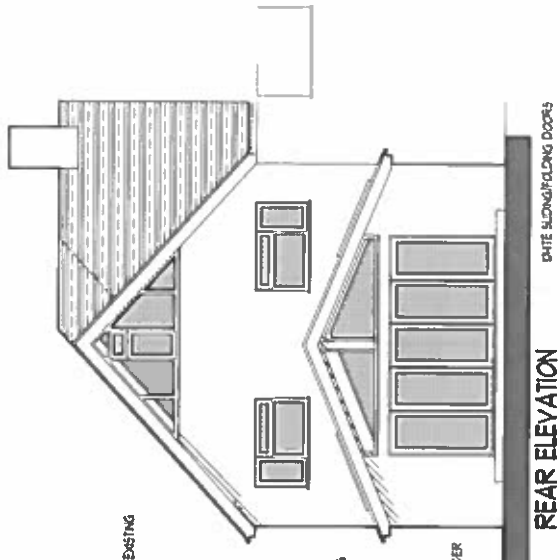
SIDE ELEVATION

| | | | |
|--|-------------------------|---|----------------------|
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| <p>drawing SURVEY DRAWING</p> | <p>scale 1:100 @ A3</p> | <p>no. 19/10/10</p> | <p>DATE 19/10/10</p> |
| <p>tel: 01452 531112</p> | | <p>e-mail: alex@acdesignuktd.com</p> | |



VELUX ROOF WINDOW

FRONT ELEVATION



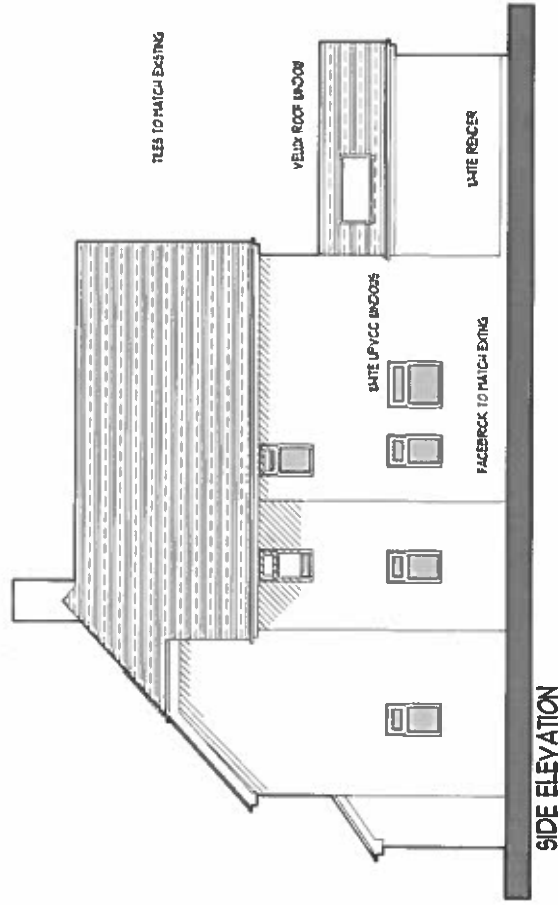
TILES TO MATCH EXISTING

FACEBRICK TO MATCH EXISTING

DATE RENDER

REAR ELEVATION

DATE SLIDING/FOLDING DOORS



TILES TO MATCH EXISTING

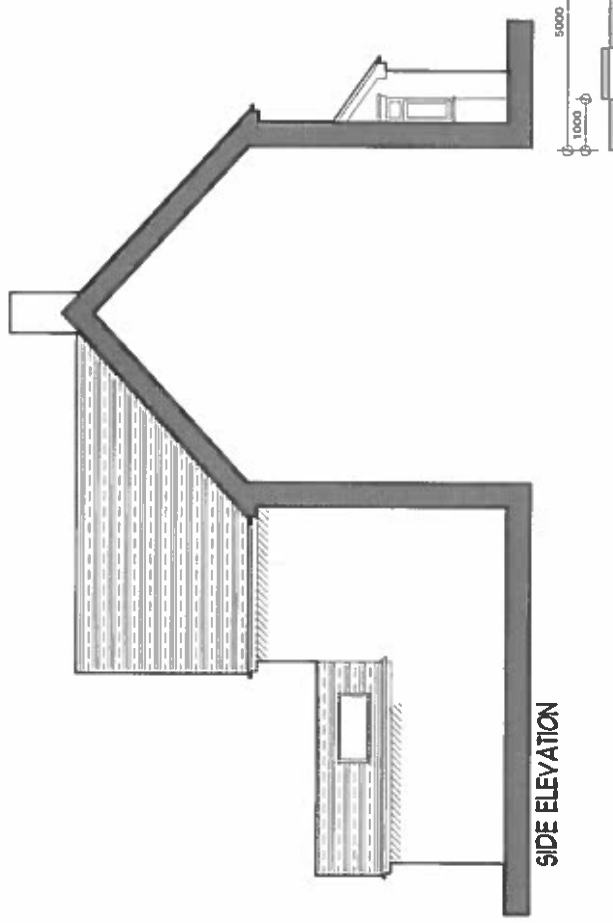
VELUX ROOF WINDOW

DATE UPVC WINDOWS

FACEBRICK TO MATCH EXISTING

DATE RENDER

SIDE ELEVATION

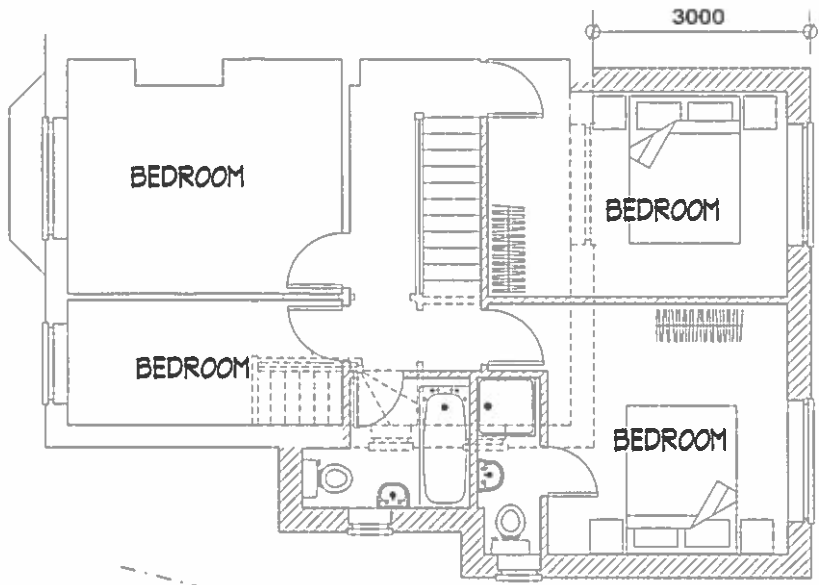


SIDE ELEVATION

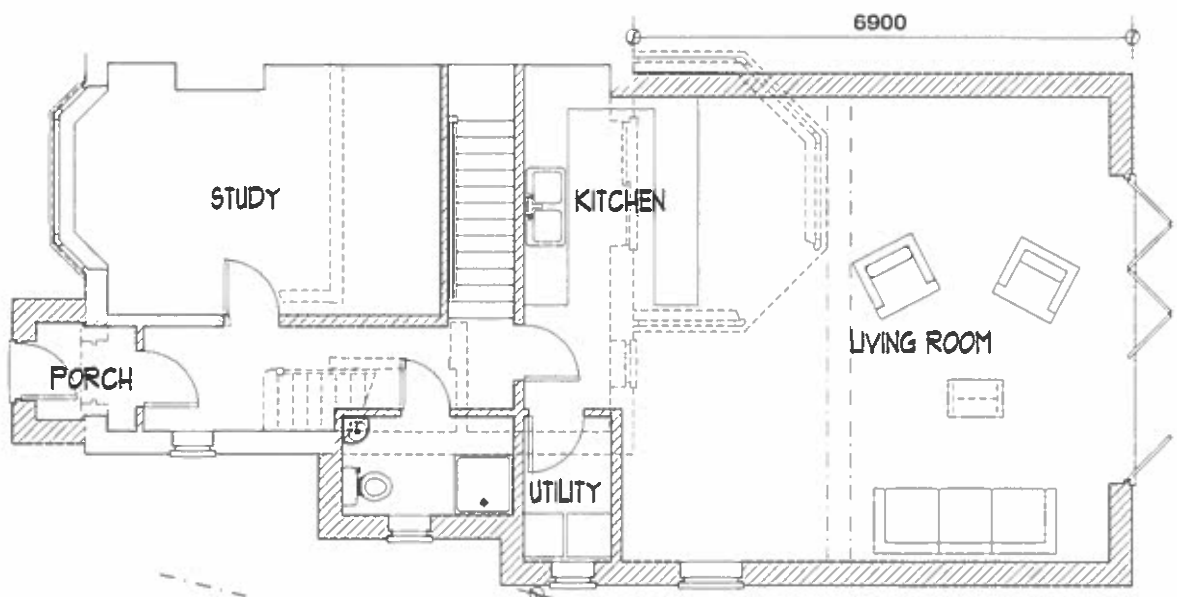
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| A C Design (UK) Ltd | | Alex Clennett BA(hons) BArch Architect 8 Springwell Gardens Churchdown Glos GL3 2AL | |
| Project | 95 ORCHARD WAY, CHURCHDOWN | Scale | 1:100 @ A3 |
| Drawing | SCHEME DRAWING- ELEVATIONS | Date | 19/10/03 |
| Tel: | 01452 531112 | E-mail: | alex@acdesignukltd.com |

B

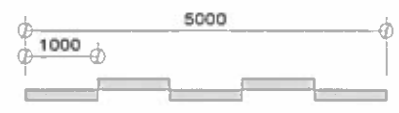
696/c



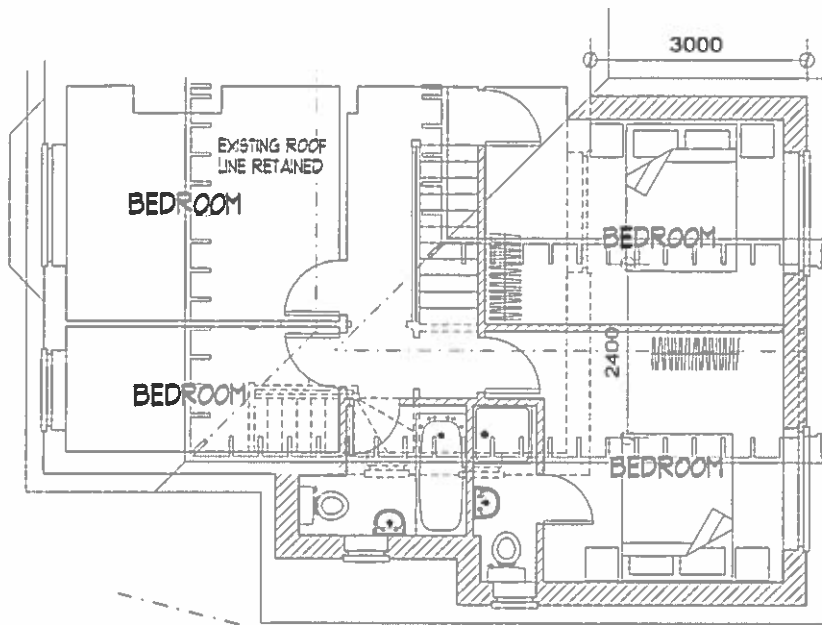
FIRST FLOOR PLAN



GROUND FLOOR PLAN



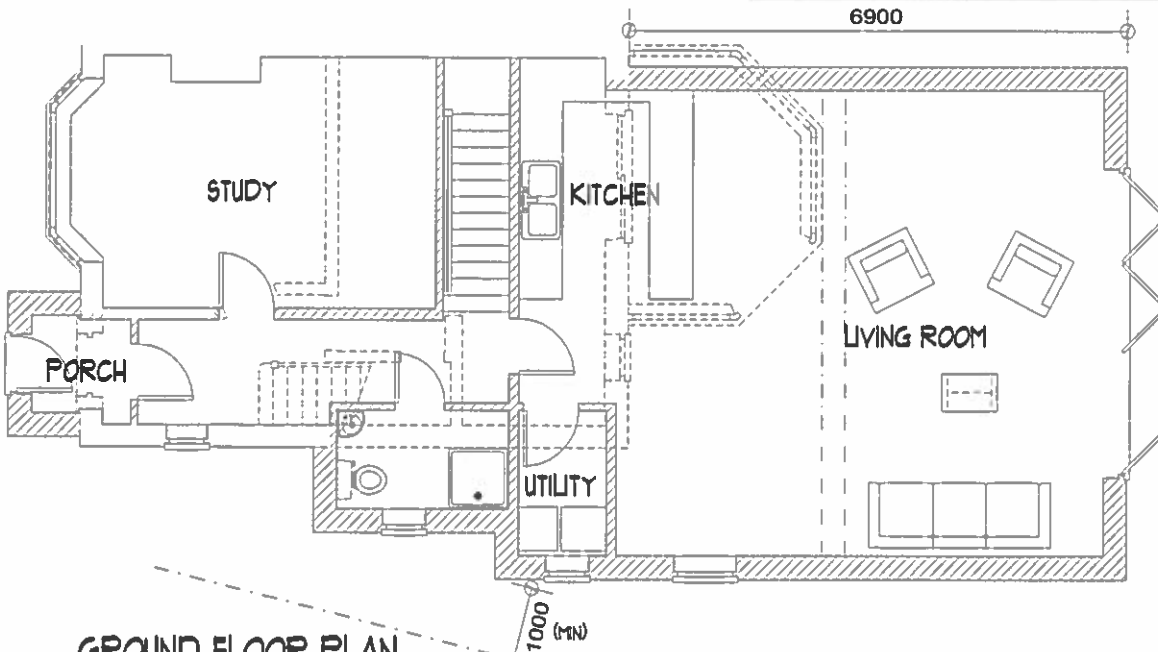
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| <h1>A C Design (UK) Ltd</h1> | | Alex Clennett BA(hons) BArch Architect 8 Springwell Gardens Churchdown Glos GL3 2AL | |
| project 95 ORCHARD WAY, CHURCHDOWN | | | <div style="border: 1px solid black; border-radius: 50%; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center;"> L </div> |
| drawing SCHEME DRAWING PLANS | G96/D | scale 1:100 @ A4 | no: 19/10/02 |
| tel: 01452 531112 | | e-mail: alex@acdesignukltd.com | |



FIRST FLOOR PLAN
ROOF PLAN (IN RED)
 CUT THROUGH AT 1500MM ABOVE TOP OF CEILING JOIST



REAR ELEVATION



GROUND FLOOR PLAN

A C Design (UK) Ltd

Alex Clennett BA(hons) BArch Architect
 8 Springwell Gardens Churchdown Glos GL3 2AL

project **95 ORCHARD WAY, CHURCHDOWN**

client

696/E

A

drawing **SCHEME DRAWING WITH ADDED ROOF PLAN**

scale no:
 1:100 @ A4

19/10/05

tel: 01452 531112

e-mail: alex@acdesignukltd.com

Valid 25.11.2019

Erection of a single storey rear extension and first floor front extension over garage. Extension to existing loft space with a rear dormer window and installation of timber cladding.

Grid Ref 388332 219891
Parish Churchdown
Ward Churchdown Brookfield
With Hucclecote

RECOMMENDATION Permit

Policies and Constraints

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

Consultations and Representations

Parish Council - Objection on the grounds of overdevelopment
Local residents - none

Planning Officers Comments: Mrs Sarah Barnes

1.0 Application Site

1.1 This application relates to Raleigh Lodge, a detached dwelling located in Churchdown (site location plan attached).

2.0 Current application

2.1 The current application is for a single storey rear extension, first floor front extension over the garage and extension to existing loft space with a rear dormer window (plans attached). It would create a kitchen diner at ground floor level, an ensuite at first floor level and a larger bedroom, a store and a shower room at second floor level.

3.0 Recent History

3.1 None relevant

4.0 Policy Context

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

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

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

5.0 Analysis

Design, Size and Visual amenity

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

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

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

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

5.4 Overall, it is considered that the proposed extensions would be of an acceptable size and design and would be constructed from suitable materials. It is considered that the proposal would have an acceptable impact on the character of the surrounding area and would comply with the requirements of Policy HOU8 of the Local Plan and Policy SD4 of the JCS.

Residential amenity

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

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

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

6.0 Conclusion

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

RECOMMENDATION Permit

Conditions:

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved documents:

19031/17, 19031/18 dated 21st November 2019, site / block plan dated 25th November 2019 and 19031/6A and 19031/5C dated 4th February 2020 except where these may be modified by any other conditions attached to this permission.

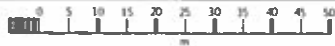
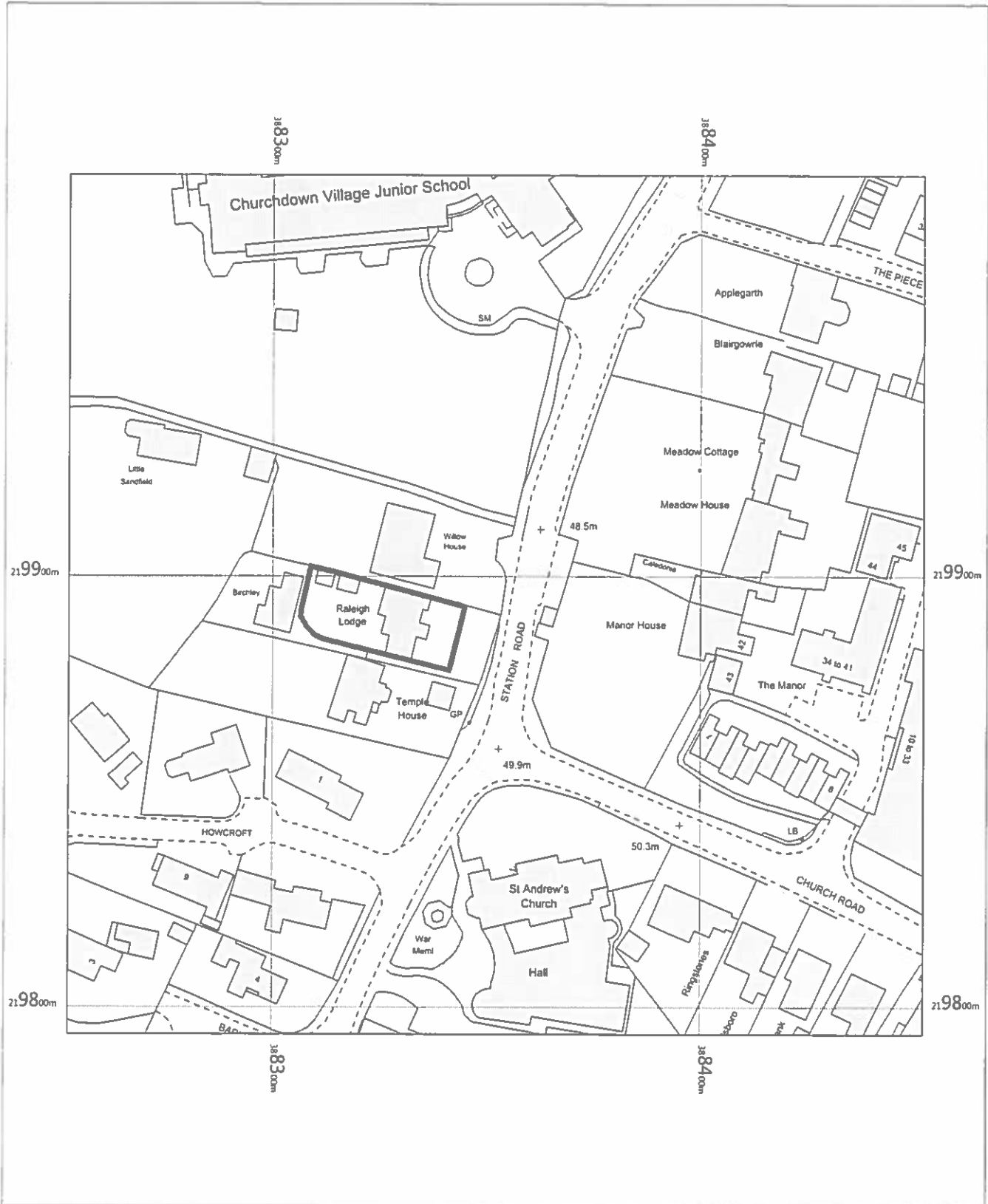
Reason: To ensure that the development is carried out in accordance with the approved plans.

3. The flat roof area over the single storey rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the granting of further specific permission from the local planning authority.

Reason: To safeguard the residential amenity of neighbouring dwellings.

Notes:

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



Location Plan

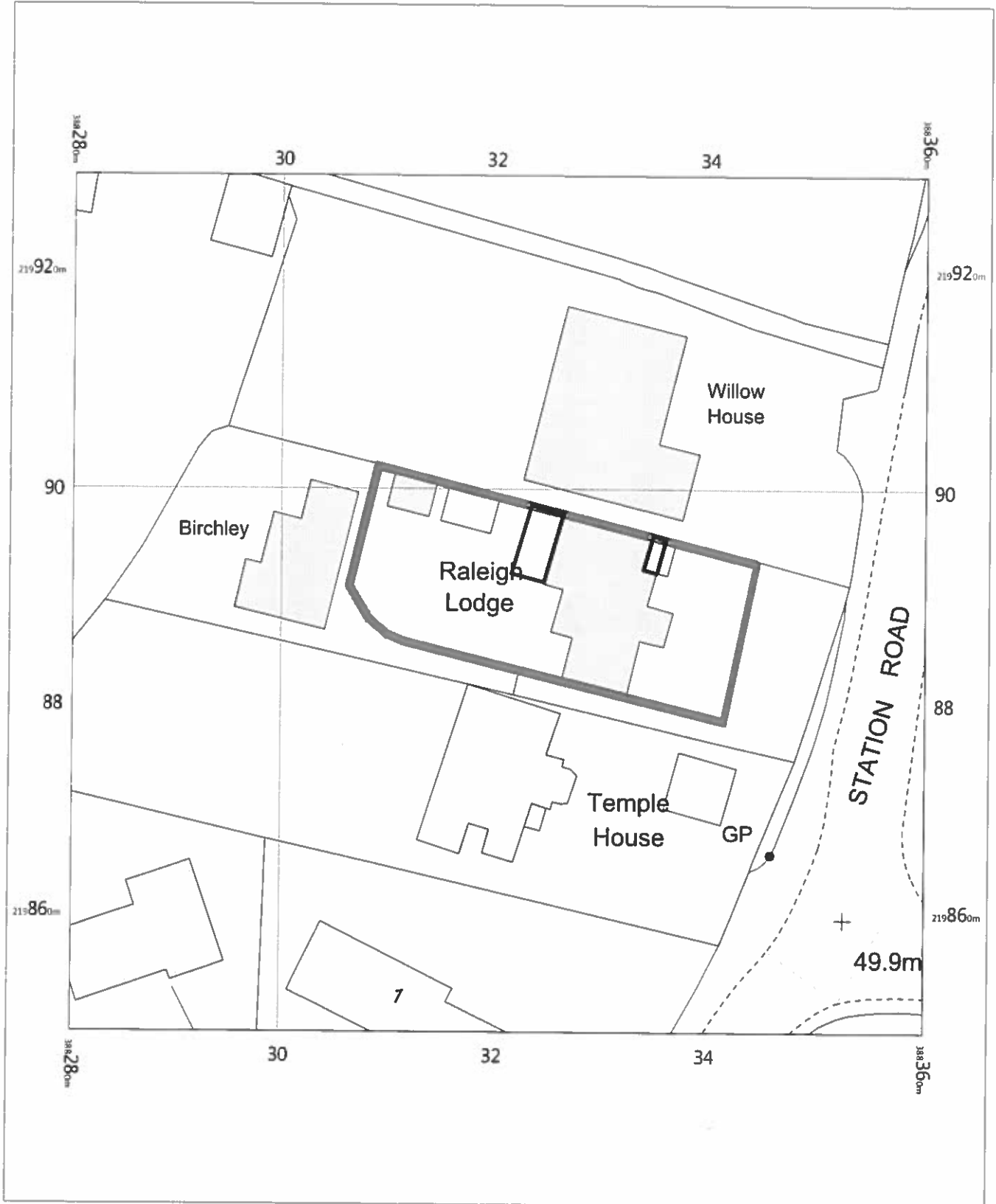
OS MasterMap 1250/2500/10000 scale
 Wednesday, November 20, 2019, ID: CM-00842567
www.centremapslive.co.uk
 1:1250 scale print at A4, Centre: 388352 E, 219894 N
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FOR A BETTER POINT OF VIEW

699/A

Raleigh Lodge



Block Plan

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———
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OS MasterMap 1250/2500/10000 scale
Wednesday, November 20, 2019, ID: CM-00842566
www.centremapslive.co.uk

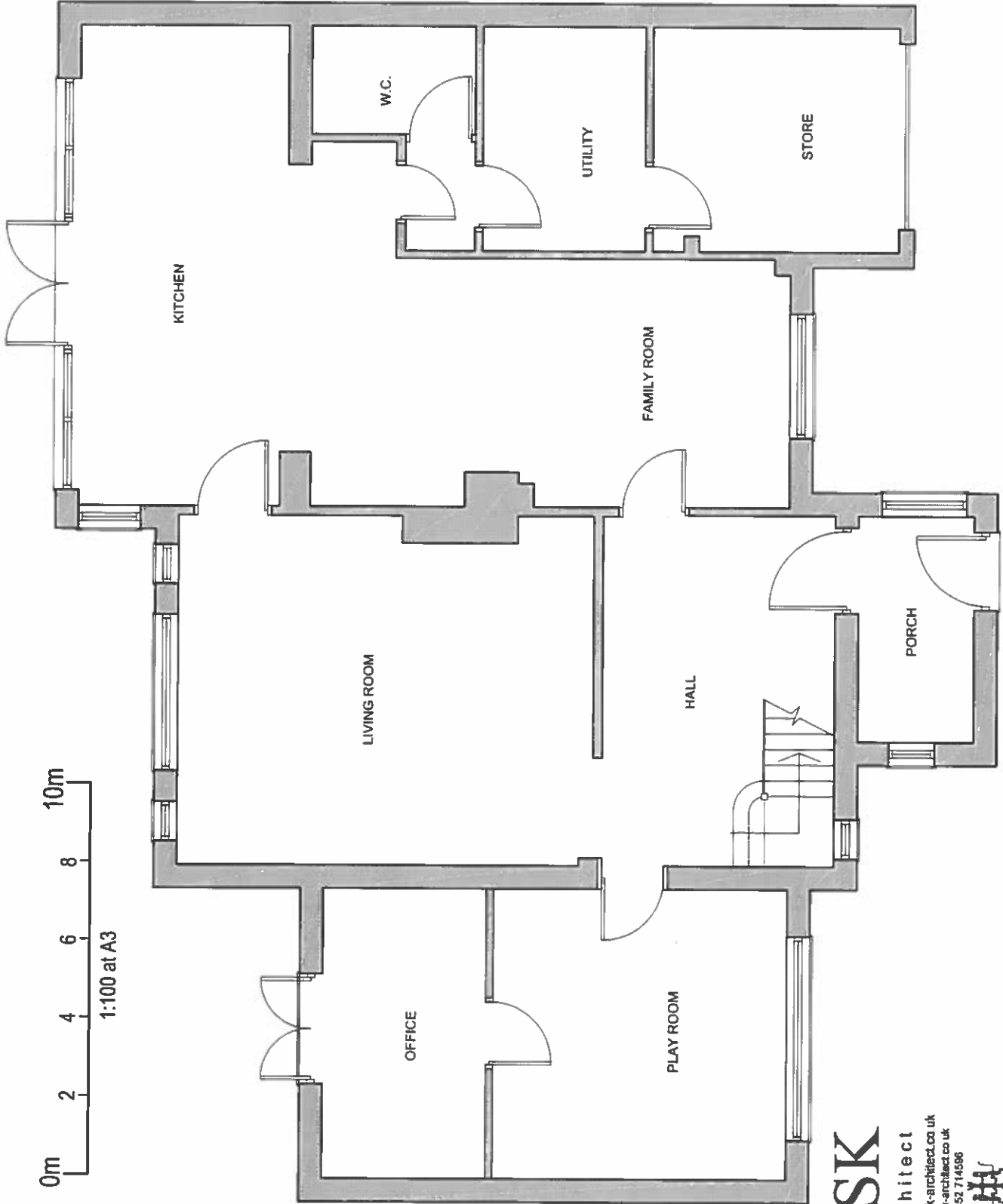
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699/B

**Existing Ground
Floor Plan**
Raleigh Lodge
Station Road
Churchdown
Scale 1: 50
19031/3



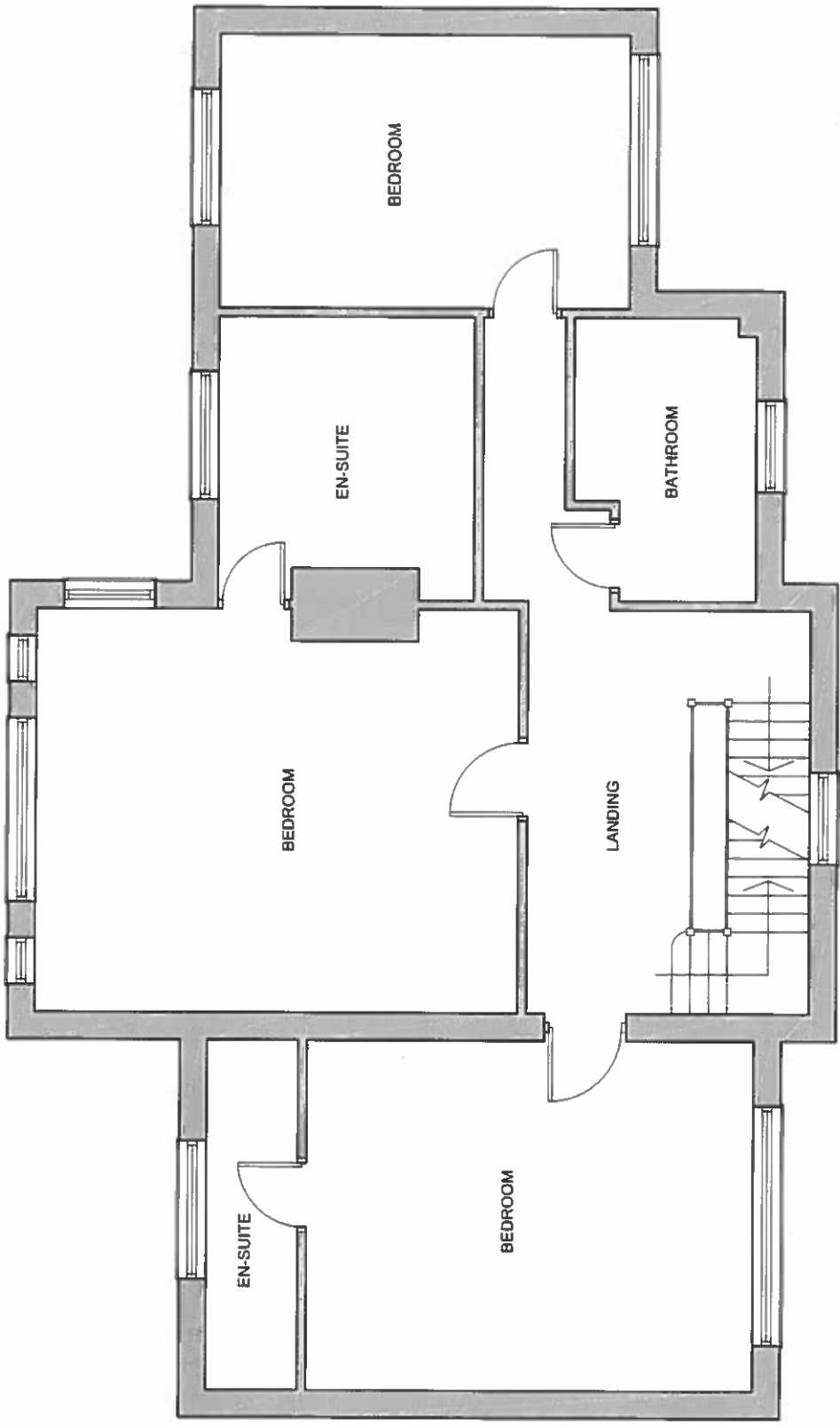
GROUND FLOOR PLAN

699/c

PSK
architect
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01452 714586



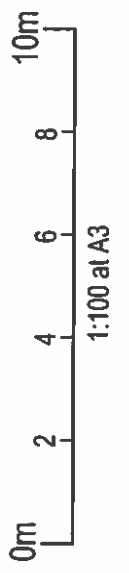
Do Not Scale From This Drawing. All dimensions must be checked on site prior to commencement of any work.



Existing First Floor Plan
 Raleigh Lodge
 Station Road
 Churchdown

Scale 1:100
 19031/2

FIRST FLOOR PLAN



699/D

PSK

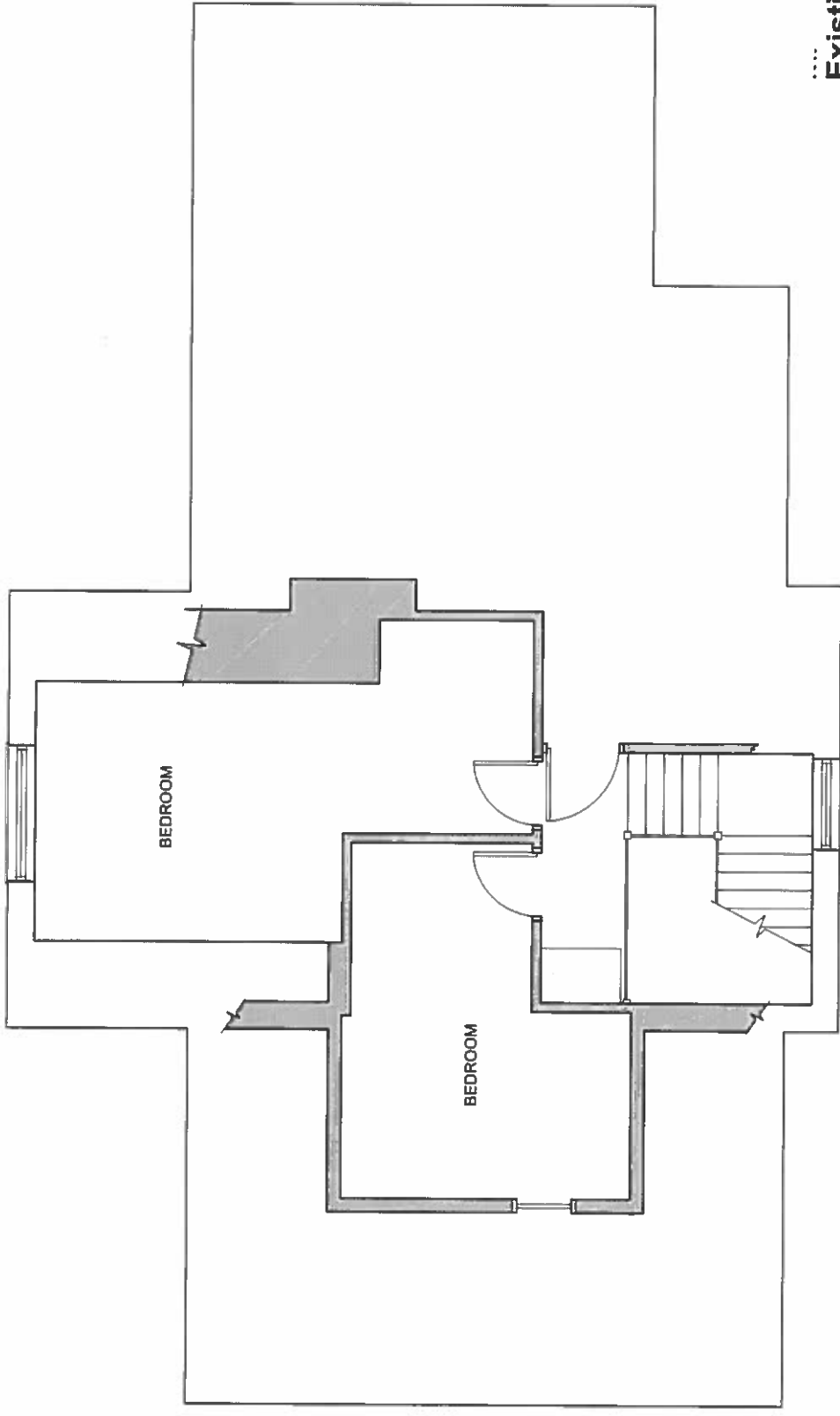
architect

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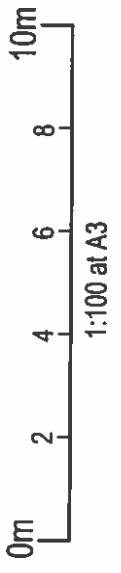


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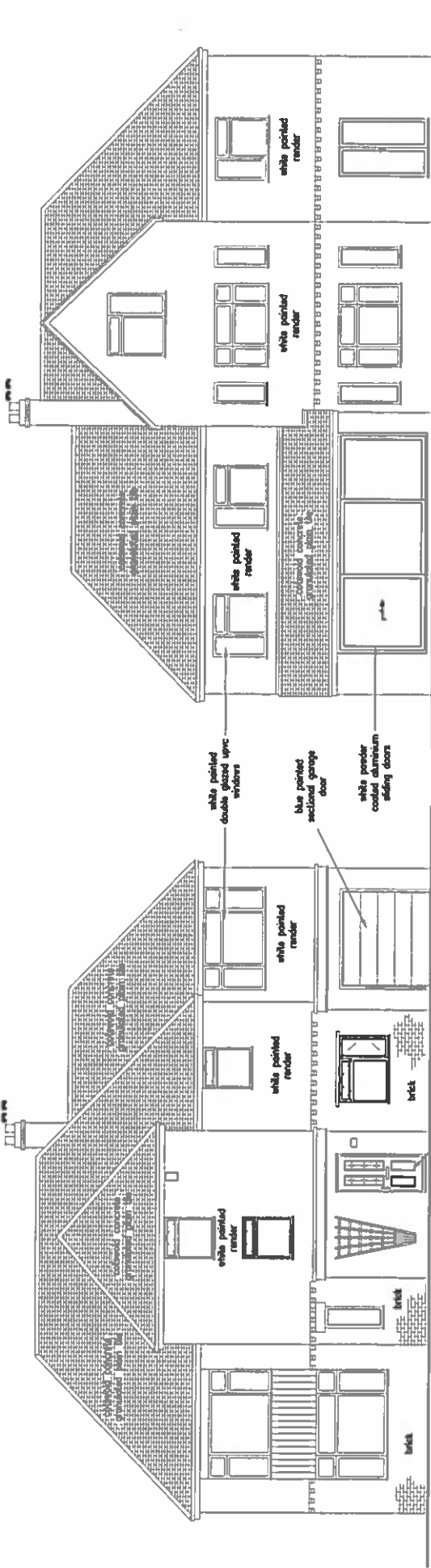
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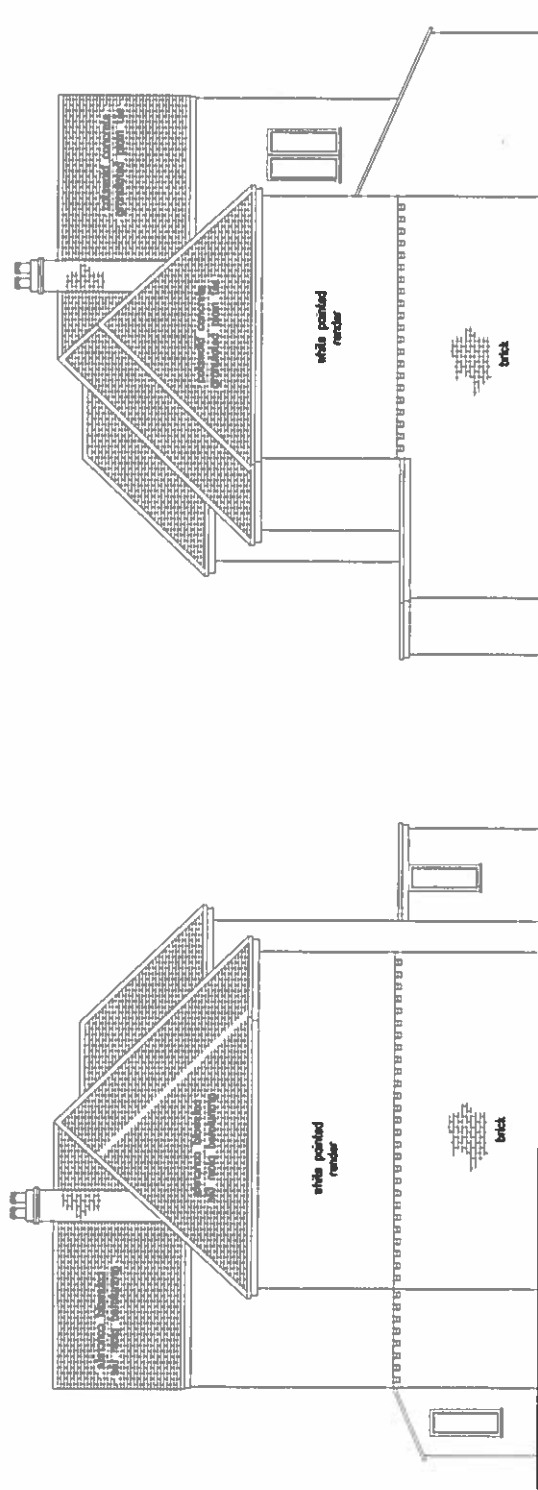
SECOND FLOOR PLAN



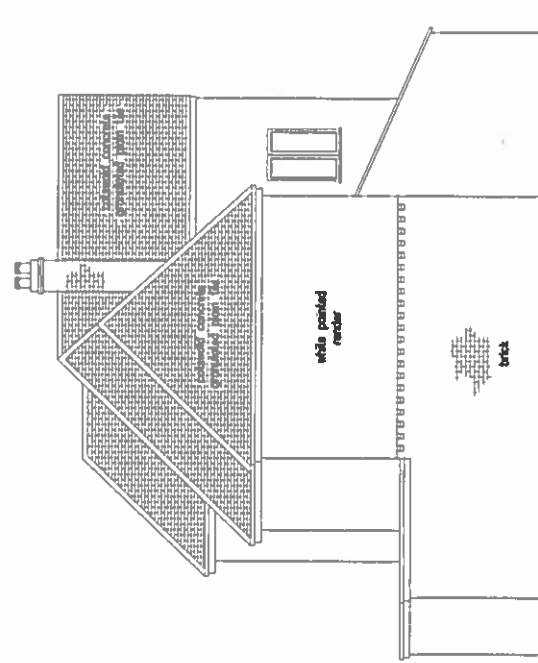
... Existing Second
Floor Plan
Raleigh Lodge
Station Road
Churchdown
Scale 1: 50
19031/4



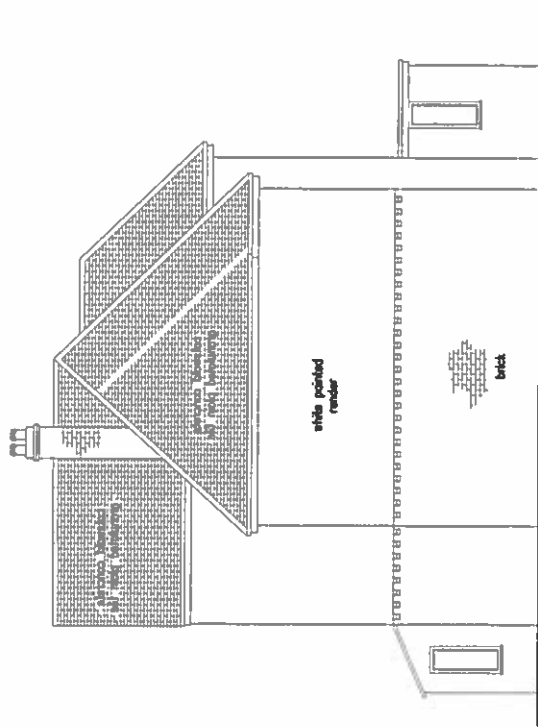
front elevation



rear elevation



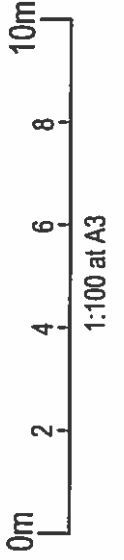
north facing side elevation



south facing side elevation

Existing Elevations
Raleigh Lodge
Station Road
Churchdown

Scale 1: 100
19031/1B



699/F

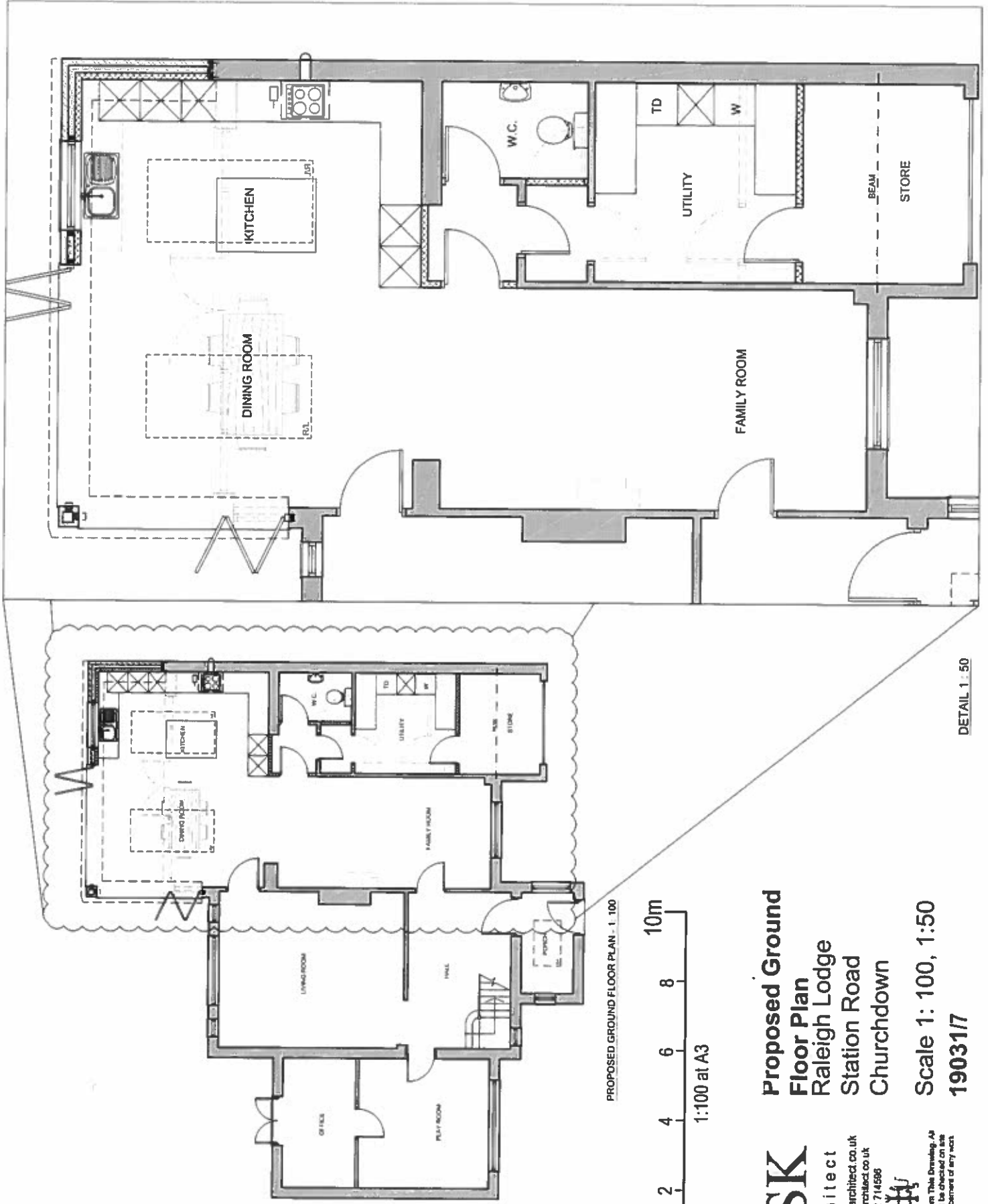
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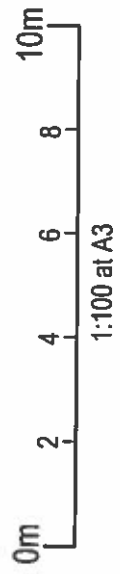


Do Not Scale From This Drawing. All dimensions must be checked on site prior to commencement of any work.



699/G

PROPOSED GROUND FLOOR PLAN - 1:100



DETAIL 1: 50

Proposed Ground Floor Plan
 Raleigh Lodge
 Station Road
 Churchdown

Scale 1: 100, 1:50
 19031/7

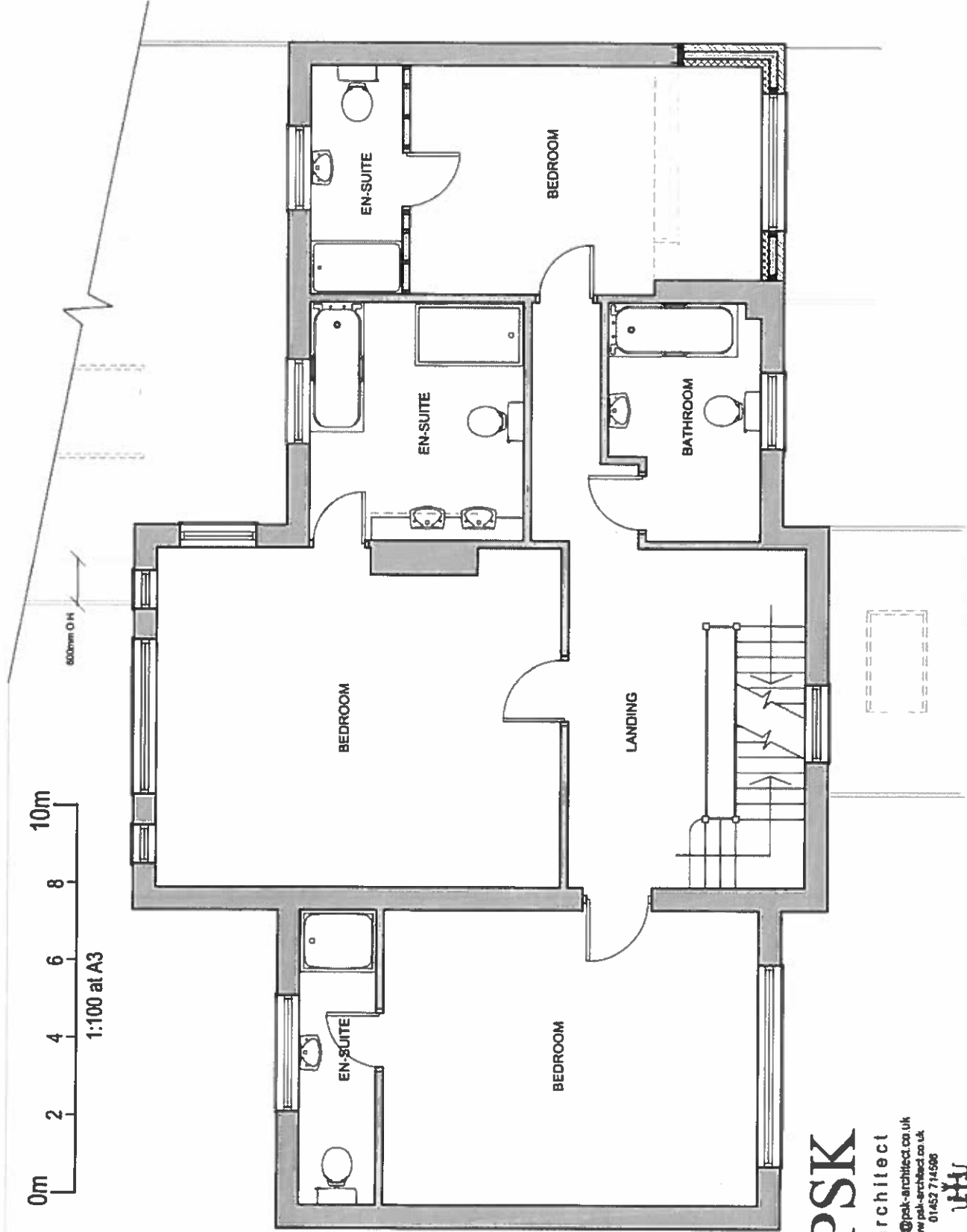
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Do Not Scale From This Drawing As dimensions must be checked on site prior to commencement of any work.

**Proposed First
Floor Plan
Raleigh Lodge
Station Road
Churchdown**

**Scale 1: 50
19031/6A**



699/H

PROPOSED FIRST FLOOR PLAN

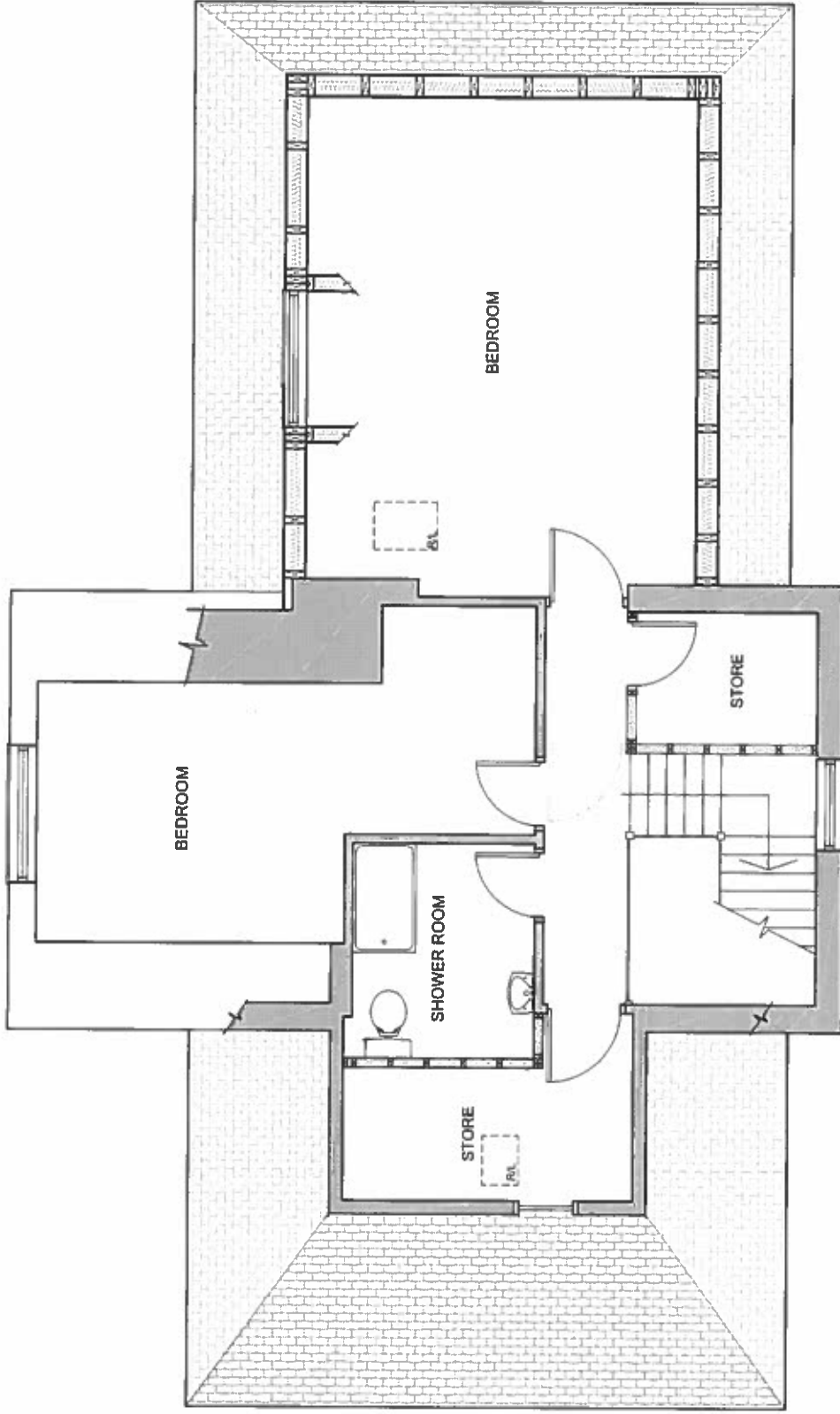
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PROPOSED SECOND FLOOR PLAN

Proposed Second
Floor Plan
Raleigh Lodge
Station Road
Churchdown

Scale 1:50
19031/8

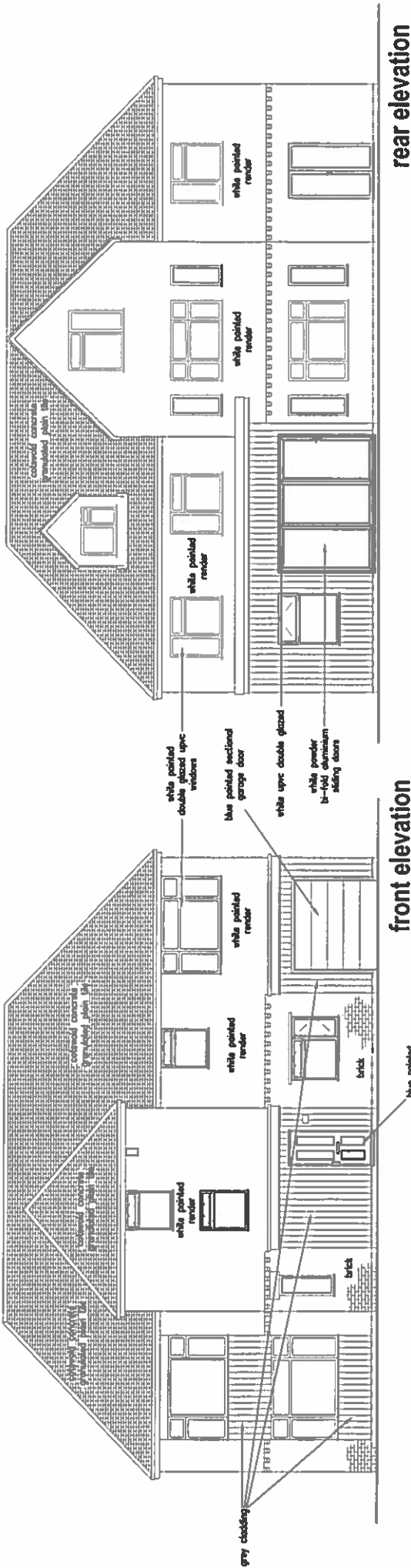
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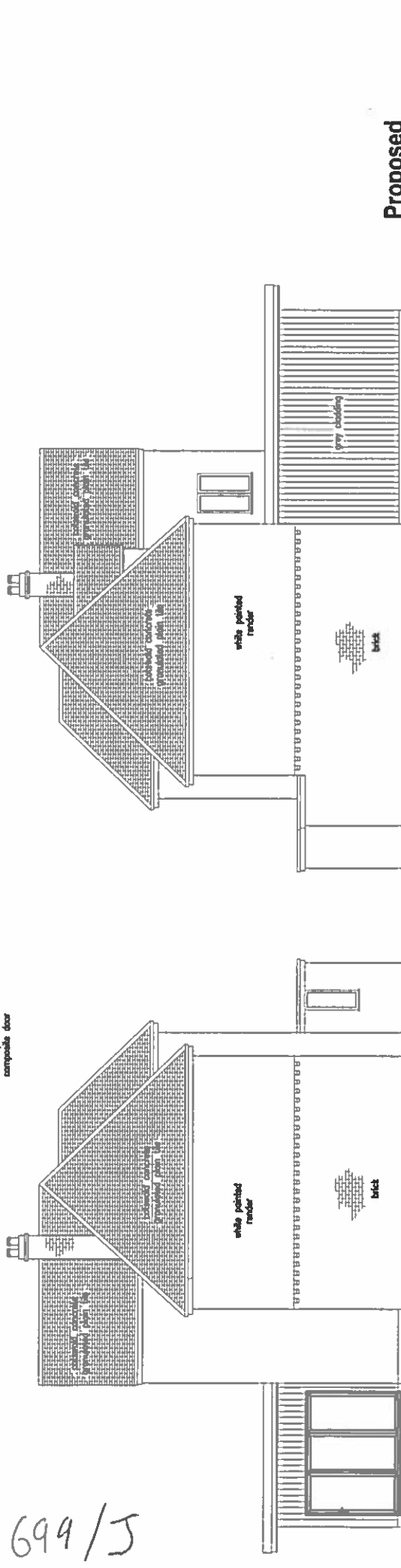


Do Not Scale From This Drawing. All
dimensions must be checked on site
prior to commencement of any work.



rear elevation

front elevation



north facing side elevation

south facing side elevation

Proposed
Elevations
Raleigh Lodge
Station Road
Churchdown

Scale 1:100
19031 /5C



1:100 at A3

699/5

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Do Not Scale From This Drawing. All dimensions must be checked on site prior to commencement of any work.

Valid 03.12.2019

Change of use of land from public open space to private residential garden including driveway.

Grid Ref 395602 227489
 Parish Bishops Cleeve
 Ward Cleeve West

RECOMMENDATION Permit

Policies and Constraints

Joint Core Strategy (2018) (JCS) - Policy SD4, SD6, INF1
 Tewkesbury Borough Local Plan to 2011(TBLP) - March 2006
 National Planning Policy Framework 2018
 Planning Practice Guidance
 Human Rights Act 1998 - Article 8 (right to Respect for Private and Family Life)
 The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Bishops Cleeve Parish Council - Objection the loss of green space for private ownership is not supported.
 Highway Authority - No comments received at the time of writing this report.

Local Residents:

Letters of support 4 (in summary)

- the proposal improves the look of the area by utilising a previously worn out strip of land.
- It is a small strip of land compared to the overall section of green space.
- The strip of land is not been well used.
- The assumption the proposal would open the flood gates for further similar applications is unfounded.
- Proposal fine provided it is enable an additional dwelling on the site.

Letters of Objection 4(in summary)

- Encroaches onto public open space
- No benefit to the local area or community
- Approving this application could give rise to similar applications, reducing precious green space / public open space within a built up area.
- Encourages privatisation of public open spaces within the village.
- Open space areas serve to reduce the impact of the building density both by introducing more green space and by breaking up the view of building elevations. Other infills in the area have reduced this, so not desirable.
- The dwelling will have a disproportionate garden compared to other and open up the possibility of extending the current garage thus increasing building density.
- Local residents up keep this area
- The proposal will not improve the hedging along the bottom section of the footpath which needs to be kept in check.
- A brick wall into green open space would not enhance the area.

The application is brought to committee for determination as the Tewkesbury Borough Council is the owner of the land which is subject to the proposed change of use.

Planning Officers Comments: Dawn Lloyd

1.0 Application Site

1.1 The application relates to 19 Snowhill Drive, a semi-detached two storey dwelling adjacent to public open space which has footpath connections from Snowhill Drive to residential development to the north. The site has open frontage with a wooden boundary fence on the side boundary to the garage. The side boundary treatment to the rear is a red brick wall.

1.2 The area is characterised by a mix of house types of similar materials.

2.0 Relevant Planning History

T.4402/N - Outline application for residential (approximately 1000 dwellings) employment and ancillary land use, development including provision of new highway system, water course improvement and drainage works was Permitted in August 1987.

89T/4402/11/03 - Reserved matters for erection of 38 dwellings comprising 8 semi-detached and 30 terrace. Construction of estate road cul-de-sac was approved in July 1989.

90T/4402/12/03 - Reserved matters for landscaping was approved in May 1990.

3.0 Current Application

3.1 The application is for change of use of part of the public open space to private residential garden of number 19 and to extend their driveway. The strip of land would extend 4m from the existing side boundary wall and 3m from the side elevation of the garage and driveway. The existing boundary wall is to be demolished, the proposed side boundary treatment is a new brick wall and a 1.8 close boarded wooden fence with a gate in line with the existing garage. Permitted development rights were removed under outline application 87/0026/OUT.

3.2 The material of the brick wall is to match the existing development.

3.3 The application is brought to committee for determination as Tewkesbury Borough Council own the public open space and the application site forms part of this area. In addition the Parish Council have objected to the proposal.

3.4 The strip of land comprising the application site is currently part of the public open space that was secured as part of the wider residential scheme for the original residential development T.4402/N (see above) and held by the Council. The advertisement of the potential disposal as required has taken place and the question for the Planning Committee is therefore whether or not the loss of this small strip of open space would be acceptable from a planning perspective. This is discussed below.

4.0 Policy Context

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

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

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

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

5.0 Analysis

5.1 The main issues to be considered are design and impact upon the character of the area amenity.

Design and Impact upon the character of the area

5.2 Policies SD 4 considers new development should respond positively to and respect the character of the site and its surroundings. The principle of urban design are applied to residential development in that there is clear distinction between public and private spaces and to promote accessibility to and within an area by foot and bicycle.

5.3 JCS policy SD6 considers that new development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. Applications for development will consider the landscape and visual sensitivity of the area which they are located or which they may affect.

5.4 The proposal seeks to extend the garden and drive way of number 19 Snowhill Drive by purchasing a strip of land of the adjacent public space. The public open space has residential properties to the north, east and west. A public foot path crosses the open space from north to south, the main area of open space is to the east of the footpath.

5.5 Gardens that are varied in size are a feature of the estate. The proposal is to incorporate a thin strip of land, a maximum of 4 metres in width on the western boundary of the open space into the amenity space of number 19. The land forward of the property would extend the drive to provide additional parking area of permeable block paving with a dropped kerb and the land to the rear would form a larger garden.

5.6 The character of the area is open plan frontages with no formal boundary treatment to the front. The proposal would retain the open character to the front and the existing panel fence to the front/side boundary is to be removed and the applicant has agreed to replace it with low level planting. The planting would provide a soft boundary treatment in an area where there was previously soft landscaping and this can be secure by condition.

5.7 The strip of land of the proposal is considered not a highly used area of the public amenity and is more limited amenity value. The existing trees are outside this area and the footpath is not affected. Some of the existing planting would be lost however, landscaping can be provided on the eastern side boundary of application site to provide additional screening of the driveway.

5.8 The existing side boundary to the rear of the garage is a red brick wall. This wall is to be removed and a new brick wall erected on the side boundary 14.8 m in length and 1.8 m in height. The front section of the side boundary treatment is a close board fence 5 metres in length and 1.8m in height providing a separation between public and private spaces in accordance with SD4. The boundary treatment is appropriate in terms of design and character of the area; red brick walls (to match the host dwelling) and timber fencing are evident within the vicinity of the site. It is considered that the proposal would not significantly detract from the overall design and appearance of the wider area in accordance with SD6.

5.9 Concerns have been raised regarding the loss of public amenity space. However, the majority of the amenity area that is utilised is retained and the public access to and through the site is not impeded. In addition, any future proposals to change the use of public open space would be considered on their own merits.

Impact on parking and highways

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

5.11 The proposal provides additional parking, the existing parking and access is retained and visibility improved with the removal of the fence. No comments have been received from the Highway Authority and the applicant has submitted an application to the highways for a dropped kerb. It is considered the proposal has no significant impact in terms of highway safety.

6.0 Conclusion & Recommendation

6.1 Whilst the Parish Council and neighbour comments have been carefully considered, taking all matters into account it is considered that the proposed scheme accords with the relevant policies of the development plan, and it is therefore recommended that planning permission is granted subject to conditions.

RECOMMENDATION Permit

Conditions:

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the application form, documents and drawing numbers:
 - Location Plan
 - Proposed site Plans
 - Elevation A Plan
 - submitted 3rd December 2019;except where these may be modified by any other conditions attached to this permission.

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

3. Prior to the demolition of the original brick boundary wall samples of the brick of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials as approved.

Reason: To ensure that the new materials are in keeping with the surroundings and/or represent quality design.

4. The boundary fence at the side of the existing driveway shall be removed prior to erection of the hard boundary treatment hereby approved.

Reason: In the interests of highway safety.

5. Details of the landscaping for the side boundary with the public open space shall be submitted and agreed in writing prior to the erection of the boundary fence. All planting shall be carried out in accordance with the approved landscaping scheme and in the first planting seasons following the erection of hard boundary treatment hereby permitted.

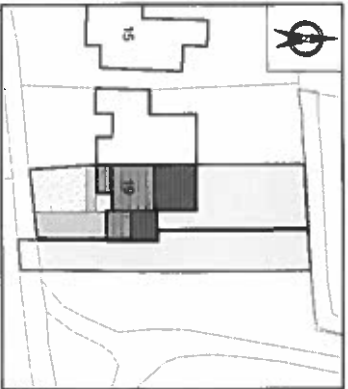
Reason: To ensure that the new development will be visually attractive in the interests of amenity.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting, substituting, amending, extending, consolidating, replacing or modifying that Order), no private car garages, extensions, garden sheds, gates, fences, walls, other means of enclosure, or structures of any kind (other than any hereby permitted) shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.

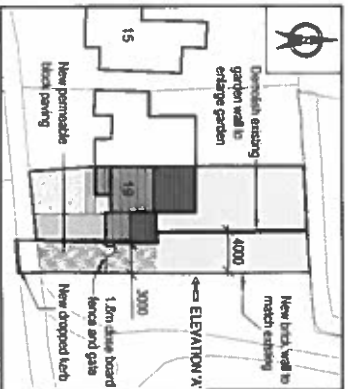
Reason: To preserve and enhance the visual amenities of the locality.

Notes:

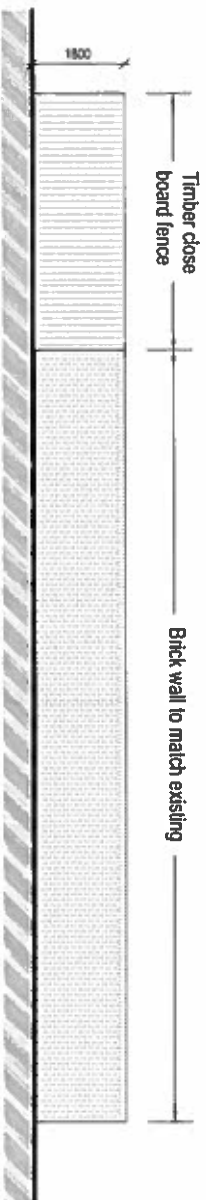
In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received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



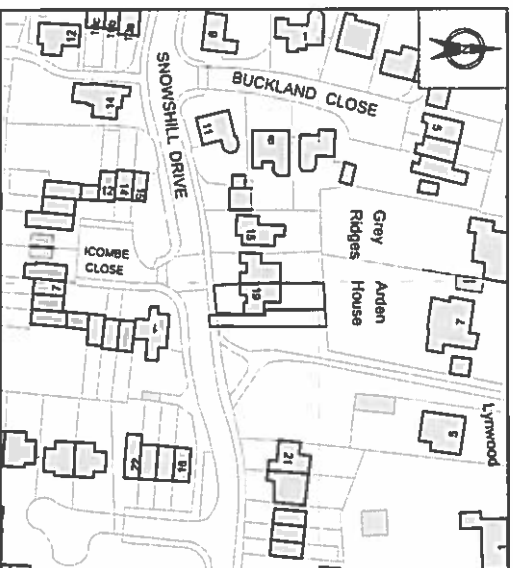
Existing Site Plan 1:500



Proposed Site Plan 1:500



Elevation 'A' - Scale 1:100



Location Plan 1:1250

703/A

19 Snowhill Drive
 Bishops Cleeve, Cheltenham,
 Glos, GL52 8SY

Site & Location Plans 101A

Scale as stated @ A3
 Nov 2019

Valid 09.10.2019

Approval of Reserved Matters (Access, Appearance, Landscape, Layout and Scale) pursuant to outline planning permission 17/00449/OUT for the erection of 30 dwellings.

Grid Ref 395261 228314
Parish Bishops Cleeve
Ward Cleeve West

RECOMMENDATION Delegated Approve

Policies and Constraints

National Planning Policy Framework (2019)
Planning Practice Guidance
Joint Core Strategy (2017) - SP1, SP2, SD3, SD4, SD6, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF6, INF7
Tewkesbury Borough Local Plan to 2011 (March 2006) - TPT3, TPT6
Pre-submission Tewkesbury Borough Plan 2011-2031 (Oct 2019) - RES2, RES5, RES12, RES13, DES1, ENV2, HEA1, TRAC1, TRAC9
Flood and Water Management SPD
Manual for Gloucestershire Streets
Human Rights Act 1998 - Article 8
The First Protocol - Article 1

Consultations and Representations

Bishops Cleeve Parish Council - Awaiting comments.

County Highway Authority - No objection.

Lead Local Flood Authority - No comment to make.

Environmental Health Officer - Recommends mitigation measures as part of the development to minimise impact on local areas of poor air quality and assist in alleviating pollution creep arising in the general area.

Housing Enabling Officer - Supports the proposal.

Urban Design Officer - Awaiting comments.

Borough Tree Officer - No objections to the revised proposal.

Local Residents - No representations received.

Planning Officers Comments: Victoria Stone

1.0 Application site

1.1 The application site comprises part of the 'Cleavelands' development located on the north western edge of Bishops Cleeve see location plan attached.

1.2 The application site consists of two parcels of land, measuring approximately 0.53ha. The western parcel sits adjacent to and overlooks a green corridor to the west and a local equipped area of play to its northern boundary. The eastern parcel lies adjacent to open space to its northern boundary with existing residential properties beyond this. To the east there are existing allotment gardens and the newly built medical centre and pharmacy is found to the south of this part of the site.

2.0 Planning History

2.1 An outline planning application for approximately 550 dwellings (including 30 units for retired people) and ancillary development including access proposals was submitted in November 2011, ref: 10/01216/OUT. All matters apart from access were reserved for future consideration. The application also proposed:

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

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

2.3 Numerous reserved matters have been approved since the grant of outline consent for a total of 550 dwellings; a 62 bed care home; the erection of a two storey medical centre and pharmacy and the provision of 5 units and a convenience store with retail space and office space.

2.4 Members resolved to permit a further 40 units in Phase 3 of the wider 'Cleevelands' site at the Planning Committee in October 2019. The decision is pending completion of a Section 106 Agreement - ref: 18/01146/FUL.

2.5 A planning application for the erection of a 725sqm Marston's family pub and restaurant and ancillary accommodation, ref: 18/01031/FUL, has recently been permitted.

2.6 On this particular site, outline consent, ref: 17/00449/OUT, for the erection of up to 30 dwellings (Class C3) was granted in December 2018. The proposal represented a variation to the original outline consent at the wider development site, ref: 10/01216/OUT, which permitted 16 live/work units within this part of the site. As part of the more recent outline consent financial contributions were secured for education provision, library facilities and towards a community building and the provision of 40% of the units were to be affordable housing.

3.0 Current Application

3.1 This application seeks reserved matters approval pursuant to the outline consent 17/00449/OUT for the access, layout, scale, appearance and landscaping of 30 dwellings.

3.2 Each parcel of land would be served by its own access point. The western parcel would be accessed off Sapphire Road; the eastern parcel would be accessed off the existing road to the allotments and medical centre car park. A total number of 45 car parking spaces are proposed, set within a courtyard arrangement on each parcel of land.

3.3 The majority of the proposed dwellings would be sited along the perimeter of the two parcels of land and front outwards onto the adjacent highway network. The dwellings would be set back slightly to allow for soft landscaping between the highway and the properties.

3.4 The development would comprise a variety of dwelling types including flats, terraced, semi-detached and detached properties. The appearance of the proposed dwellings is designed to provide a contemporary yet sympathetic solution.

3.5 Whilst the outline consent offers a policy compliant scheme of both affordable and market housing the residential development advanced under this reserved matters would deliver 30 affordable rent and shared ownership houses and flats. The objectives for the development are to offer a range of accommodation, providing for single occupancy up to family accommodation. The mix would consist of:

- 6 x 1 bed units
- 16 x 2 bed units
- 7 x 3 bed units
- 1 x 4 bed units

3.6 Landscape is proposed to be integrated into the scheme, mainly along the frontage and within the courtyard parking area.

3.7 Since the application was first submitted, the proposal has been subject to revisions which include minor changes to the layout and finished floor levels, amendment to the proposed boundary treatment and additional tree planting in response to officer concerns and consultee responses. A new consultation period has been carried out. This expires on 11 February 2020.

4.0 Policy Context

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

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

4.3 The consultation on the Pre-Submission Tewkesbury Borough Plan took place from 4th October to the 18th November 2019. This consultation was the final stage of consultation before the plan is submitted to the Secretary of State for its independent examination. On the basis of the stage of preparation the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded limited to moderate weight, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

4.4 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework, the National Planning Practice Guidance and the National Design Guide.

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

5.0 Analysis

Principle of the development

5.1 The principle of residential development at the site has already been established through the grant of outline consent. This application relates solely to the approval of the access, layout, appearance, landscaping and scale of the development.

Layout and Scale

5.2 Section 12 of the NPPF sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This is echoed in JCS policy SD4 and emerging policy RES5 of the Pre-submission Tewkesbury Borough Plan (2019) which states new development should respond positively to, and respect the character of, the site and its surroundings, enhance local distinctiveness and the grain of the locality.

5.3 The site layout generally reflects the indicative layout plan submitted with the outline application. The development follows a strong building line consisting of semi-detached and terrace housing units. The plots would be set back to allow for front gardens. The layout has carefully considered the building orientation and location to provide active frontages to all surrounding streets and areas of open space.

5.4 The flats would be located on the two corners to create a visual difference between the houses and flats which would be further reinforced by the use of differing materials and finish.

5.5 The majority of properties in the surrounding 'Cleevelands' development are characterised by two storey properties with traditional pitched roofs. The dwellings proposed would be two storey in height.

5.6 Given the above, it is considered that the layout, form and scale of the buildings responds to the character of the existing 'Cleevelands' wider development site and therefore the proposal would accord with the planning policy listed in paragraph 5.2 of this report.

Appearance

5.7 Appearance is the aspect of a building or space within the development which determine the visual impression the building makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

5.8 The existing housing within the wider 'Cleevelands' development site is largely characterised with red brick, white render, grey roof tiles and grey upvc window frames and in some cases weatherboard cladding.

5.9 Arranged in terraces and semi-detached blocks the street elevations feature gables and rendered units. The roof pitch has been designed to match the surrounding context and the fenestration has a simple rational with generous sized windows.

5.10 The scheme proposes a palette of materials, to include multi red and buff brick and off-white colour render. Grey concrete roof tiles and window frames would be used. Openings are articulated with weatherboard cladding panels in between to emphasize their proportions, and provide further interest in the elevation.

5.11 In terms of associated boundary treatment, in public areas flank walls would be constructed in facing brick, with close-boarded fencing restricted to rear/side and set-back garden locations. Other boundary treatments, in particular along the roadside boundaries include 900mm metal railing.

5.12 One of the conditions of the outline consent requires details of the proposed levels, including finished floor levels, to be submitted as part of the reserved matters application. In accordance with the requirements set out in the Flood Risk Assessment submitted with the outline consent, the finished floor levels have been set 300mm above ground level to mitigate against surface water flooding.

5.13 In light of the above, it is considered that the appearance of the proposed dwellings would provide for a coherent and cohesive scheme, one which would reflect the design aesthetic of the surrounding housing development.

Landscape

5.14 The National Design Guide defines 'Landscape' as being the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site, the area in which it is situated and the natural environment.

5.15 The NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Policy SD6 of the JCS states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. JCS policy SD4 (iv) requires the design of open space and landscaped areas to be of a high quality design, providing a clear structure and constitute an integral and cohesive element of the design.

5.16 The proposed landscaping of the site seeks to provide secure and private gardens to all dwellings and soft and hard landscaping to the roadside frontages and around the parking courtyards. The Council's Tree Officer (TO) requested additional tree planting to the proposed car parking courtyards and certain plots. The applicant agreed to these changes and revised the landscape plan. The Council's TO raises no objections to the revised plan.

5.17 Taking into consideration the above, it is considered the proposed landscaping would provide a suitable scheme for this level of development.

Highway Layout and Access Arrangements

5.18 Policy INF1 of the JCS advises that proposals should ensure safe and efficient access to the highway network is provided for all transport modes and that the impact of development does not have a severe impact upon the highway network. Policy SD4 (vii) also requires development to be well integrated with the movement network within and beyond the development itself, ensuring links by other modes and to green infrastructure.

5.19 The application proposes a new access for each parcel of land, which both would lead to a private shared parking area. A total of 45 car parking spaces are proposed. The County Highway Authority (CHA) have reviewed the scheme advanced and confirmed they have no objections to the development proposed. As such the development should not compromise highway safety.

Impact upon residential amenity

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

5.21 The application site is set away from the existing residential development at 'Cleevelands'; a green corridor and local equipped area of play runs along the north and west of the western parcel; a strip of open space separates the eastern parcel of land to the existing properties to the north. This separation distance would ensure the development should not cause any undue harm upon the residential amenity of the existing neighbouring properties.

5.22 The design of the layout of the site and the internal layout configuration has been carefully considered to ensure the development should not cause an adverse impact upon the residential amenity of the future occupiers neighbouring properties. Given the close proximity and the relationship between the rear elevation of Flat B4 to the private garden space to Plot 06 and the rear elevation of Flat C1 and the private garden space to Plot 21, as all the first floor windows would serve either a bathroom or a kitchen, to prevent any direct overlooking issues a condition requiring them to be obscure glazed is considered to be reasonable in this instance.

5.23 All dwellings would benefit from sufficient private garden space. The layout provides for private communal space for all flats, proportionate to the size of the flats.

5.24 Policy SD11 of the JCS states that new housing should meet and where possible exceed appropriate minimum space standards. Emerging Policy DES1 (Housing Space Standards) of the Pre-submission TBP requires all new residential development to meet the Government's nationally described space standards as a minimum, to ensure that high quality homes are delivered that provide a sufficient amount of internal space appropriate for occupancy of the dwelling. Whilst this is not currently an adopted policy all the proposed units would exceed the national space standards.

5.25 On this basis, it is considered the proposed development would result in acceptable levels of amenity being maintained for the existing residents and secured for future residents of the development.

Affordable Housing

5.26 The NPPF sets out that Local Planning Authorities should set policies for meeting affordable housing need on development sites. JCS Policy SD12 and emerging Policy RES12 of the Pre-submission Tewkesbury Borough Plan (2019) seeks 40% affordable housing to be provided, where possible, on site.

5.27 The outline consent secured 40% affordable housing on site, via a legal agreement. The proposal advanced seeks a scheme which would provide 100% affordable housing, an increase of 18 units overall. There would also be a greater variety of property types with 2, 3 and 4 bed units in addition to some 1 and 2 bed flats, as per the original mix. The tenure split of 50/50 would deliver 15 rented and 15 affordable homeownership units. The applicant has requested to vary the original Section 106 to incorporate the proposed change in the provision of affordable housing.

5.28 The Council's Housing Enabling Officer has reviewed the proposed affordable housing provision and raises no objections to the changes proposed.

Surface Water Drainage

5.29 JCS Policy INF2 advises that development proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on site or elsewhere. For sites of strategic scale, the cumulative impact of the proposed development on flood risk in relation to existing settlements, communities or allocated sites must be assessed and effectively mitigation. It also requires new development to incorporate Sustainable Urban Drainage Systems (SUDS) where appropriate to manage surface water drainage.

5.30 The means of disposing of surface water from the site was considered as part of the outline consent. It is proposed to connect the site to the northern attenuation basin provided for the wider 'Cleveland's' development site. The Lead Local Flood Authority confirmed at the time that this would be acceptable and the drainage works were secured via condition under the outline consent.

Addressing Climate Change

5.31 Addressing climate change is one of the core land use planning principles which the NPPF expects to underpin both plan-making and decision-taking. The NPPF emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development and sets out that the planning system should support the transition to a low carbon future in a changing climate. It should, amongst other things, help to shape places in ways that contribute to radical reductions in greenhouse gas emissions and support renewable and low carbon energy and infrastructure.

5.32 Policy SD3 of the JCS states that development proposals will demonstrate how they contribute to the aims of sustainability by increasing energy efficiency, minimising waste and avoiding unnecessary pollution of air, harm to the water environment and contamination of land or interference in other natural systems. All development will be expected to be adaptable to climate change in respect of the design, layout, siting, orientation and function.

5.33 Whilst minimum standards for sustainable construction are delivered through the building control framework and required for all developments, applicants are encouraged to meet higher standards wherever possible.

5.32 In this particular case, based on the plans submitted, the development would include the installation of solar photo voltaic panels on the roofs of all of the properties. As such, the proposed development would help contribute to the aims of sustainability by the use of renewable energy sources.

6.0 Conclusions

6.1 Taking into account all of the above, it is considered that the proposed development would result in acceptable access arrangements, layout, scale, appearance and landscaping. The scheme advanced would be broadly in accordance with the principles and parameters described and identified in the Illustrative plan of the outline consent at the site, ref: 17/00449/OUT.

6.2 It is therefore recommended that authority be delegated to the Technical Planning Manager to **Approve the application subject to no adverse comments being received during the revised consultation period which would alter the recommendation and the addition to/amendment of planning conditions as appropriate.**

RECOMMENDATION Delegated Approve

Conditions:

- 1 The development hereby approved shall be carried out in accordance with the following plans/drawings:
 - D20 Rev A - Site Location Plan
 - D01 Rev L - Site Layout
 - D02 Rev D - House Type A/A1 - Plots 19-20
 - D04 Rev B - House Type B1, B2, B3, B4 - Plots 7-10
 - D05 Rev B - House Type C - Plots 22-25
 - D06 Rev B - House Type D - Plots 3-6
 - D07 Rev B - House Type D - Plots 27-28
 - D08 Rev B - House Type D/D1 - Plots 14-15
 - D09 Rev B - House Type D/D1 - Plots 16-18
 - D10 Rev B - House Type D1 - Plot 21
 - D11 Rev B - House Type E/E1 - Plots 01-02
 - D12 Rev B - House Type E/E1 - Plots 11-13
 - D13 Rev B - House Type E/E1 - Plots 28-30
 - D14 Rev B - House Type F - Plot 26
 - D15 Rev D - Street Scenes
 - D21 Rev C - Proposed Finished Floor Levels
 - D22 Rev A - Vehicular Access Parking
 - D30 Rev B - Bin & Collection Point Layout
 - DL40 Rev B - Proposed External Lighting
 - D900 Rev C - Landscape Plan
 - D80 - Boundary Details - Close Boarded Timber Fence
 - D81 - Boundary Details - Brick Wall
 - D82 - Boundary Details - Metal Railing
 - D83 - Boundary Details - Knee High Timber Rail

Reason - To clarify the terms of the approval.

2. Before the first occupation of Flat C1 (plot 25) and B4 (plot 10) hereby permitted the windows (first floor) on the north facing rear elevation which would serve a kitchen and bathroom, shall be fitted with Pilkington Level 4 obscured glazing or equivalent and shall be permanently retained in that condition thereafter.

Reason - To protect the amenities of adjoining/nearby properties from unacceptable overlooking/loss of privacy.

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

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

Notes:

- 1 The decision should be read in conjunction with outline consent, 17/00449/OUT, including the associated S106 legal agreements.
2. The Highways Authority should be contacted for technical approval of any vehicular crossovers as a result of this consent.
3. Visibility splays are satisfactory as proposed but the applicant should note that suitable rights will need to be established to maintain visibility splays as conditioned in the event of any promotion for adoption of the highway.



A/01/710

SCHEDULE OF ACCOMMODATION

| Code | Type | Area (m ²) | No. |
|---------------|--------------|------------------------|-----------|
| ● AA1 | 18 2P FLAT | 50.7 - 58.8 | 02 |
| ● B1/B2/B3/B4 | 18 2P FLAT | 50.5 - 59.4 | 04 |
| ● CC1 | 28 3P FLAT | 61.6 - 69.4 | 04 |
| ● DD1 | 28 3P FLAT | 70.4 - 71.8 | 12 |
| ● EE1 | 39 5P HOUSE | 93.8 - 94.0 | 07 |
| ● FF | 4B 7P HOUSE | 116.2 | 01 |
| | TOTAL | | 30 |

SITE AREA:

TOTAL AREA = 5300m² / 1.30 acres / 0.53ha
 UNITS PER HECTARE = 57
 CAR PARKING = 45

KEY

| | |
|--|---------------------|
| | Site boundary |
| | 1800mm timber fence |
| | 1800mm brick wall |
| | 900mm metal railing |
| | 450mm timber rail |
| | Proposed Trees |
| | Existing Trees |



Notes

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- Do not scale this drawing.
- Work to agreed dimensions only.
- Contractors and consultants are to advise BM3 Architecture Limited of any discrepancies.

Revisions

| Rev | Description | Date | By | CHK |
|-----|--|----------|----|-----|
| C | Layout updated as per topographic survey drawing | 12/09/18 | AK | MA |
| D | Plot 20 - 28 layout revised | 12/09/18 | AK | MA |
| E | Plot amendments to landscape presentation | 26/09/18 | AK | MA |
| F | Plot amendments to landscape presentation | 26/09/18 | AK | MA |
| G | Revised to PL comments | 05/07/19 | GR | GR |
| H | Revised to PL comments | 12/09/19 | AK | GR |
| J | Revised to PL comments | 27/09/19 | AK | GR |
| K | Revised to PL comments | 08/11/19 | AK | GR |

Project

High Street
 Cleavelands
 Bishop's Cleeves

Scale: 1:500 @ A3 30/04/18

Job No. 70560

Scale: 1:500 @ A3 30/04/18

Job No. 70560

Scale: 1:500 @ A3 30/04/18

Job No. 70560

Drawing

Site Layout

Drawing No. 001

Drawn by AL/RS

Checked MA

Project No. 001

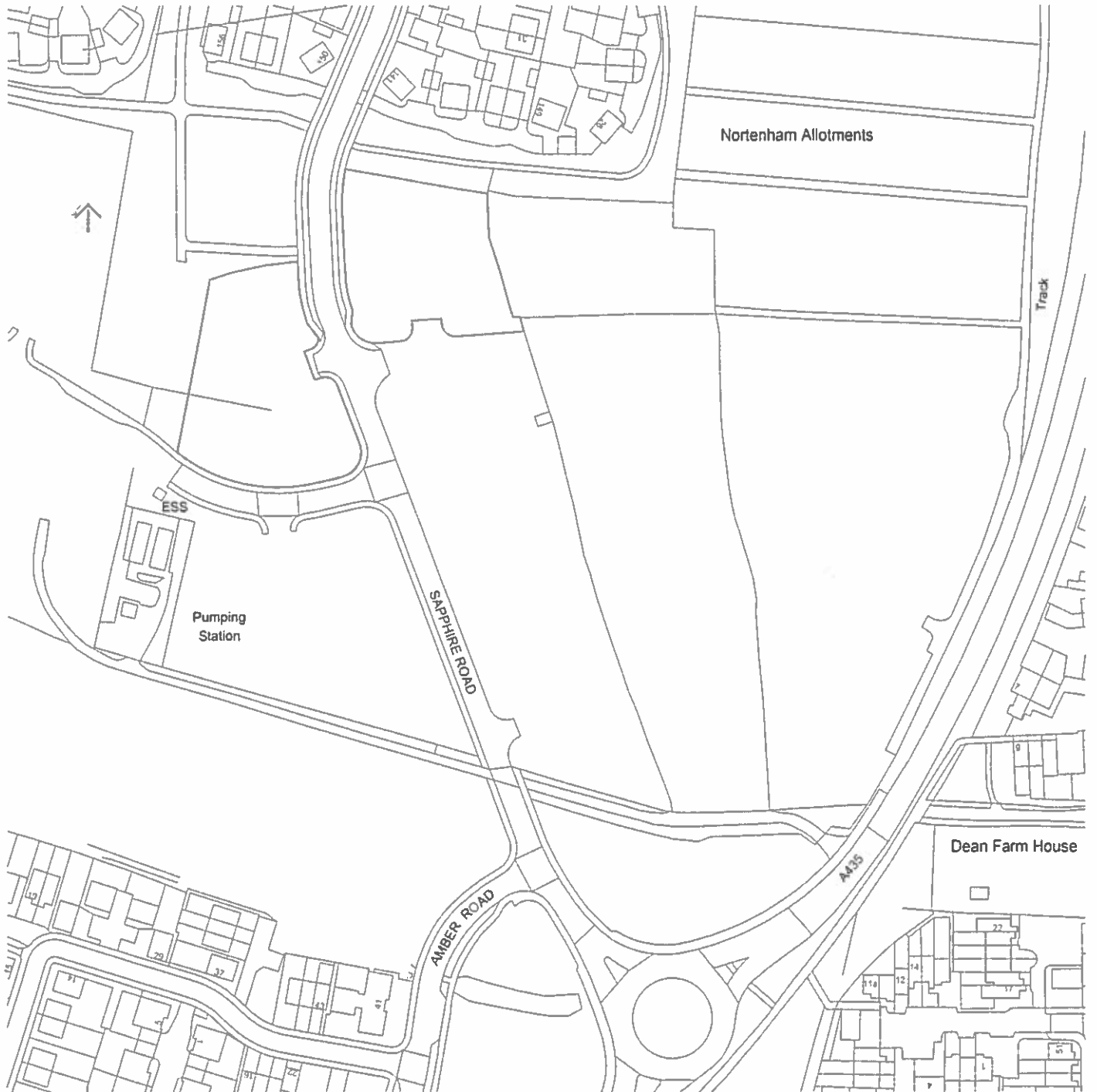
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Project: PLANNING

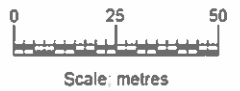
Revision: L



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| <p>Notes</p> <ul style="list-style-type: none"> - Copyright in the drawing remains the property of BM3 Architecture Limited - Do not scale the drawing. Work to figured dimensions only - Contractors and consultants are to advise BM3 Architecture Limited of any discrepancies |
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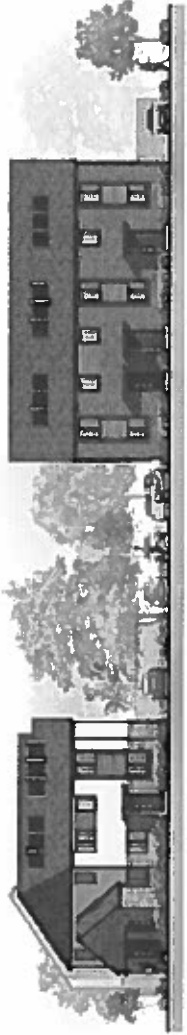
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710/B

| | | | | | | |
|-------------------------------------|------------------|-----------------|-------------------|--|--------------------------|-----------------------------|
| Revision A Revised Location Plan | Date 09/10/19 | By GR | Chkd . | Project Local Centre Plots 7 & 8 Cleavelands, Evesham Road Bishops Cleeve | Drawing Location Plan | Client |
| Scale 1:1250@ASP | Date 09/10/19 | Job No 70560 | Drawing No D20 | Drawn by GR | Checked - | CS/E Element FEASIBILITY |
| | | | | | | Revision A |





ELEVATION A
 Plan 07/10
 Type 1/1A



ELEVATION B
 Plan 01/10
 Type 1/1B



ELEVATION C
 Plan 20/10
 Type 1/1C



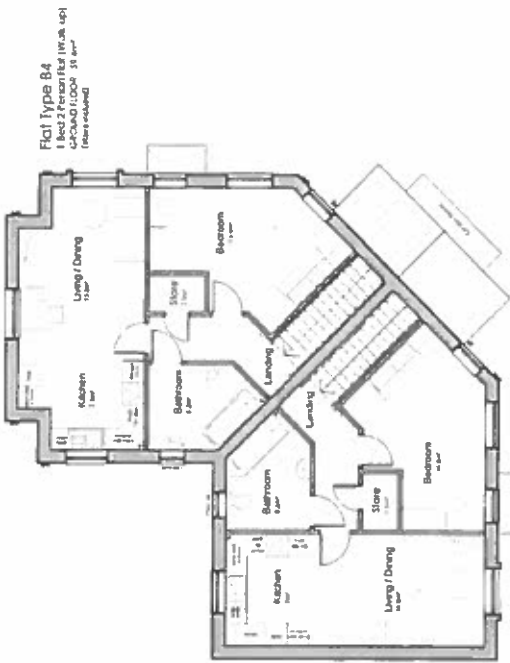
ELEVATION D
 Plan 22/10
 Type 1/1D

MATERIALS SCHEDULE

- Brickwork - Red Muri
- Brickwork - Buff Brick
- Render - Off-White Colour Render
- Roof - Grey Concrete Tiles
- Rainwater Goods - Black
- Windows - Grey PVC-U
- Doors - S&B Approved Doors
- Ceiling - S&B Approved Cladding - Grey
- Central Weatherboard Cladding - Grey
- Trespa Cladding - Grey

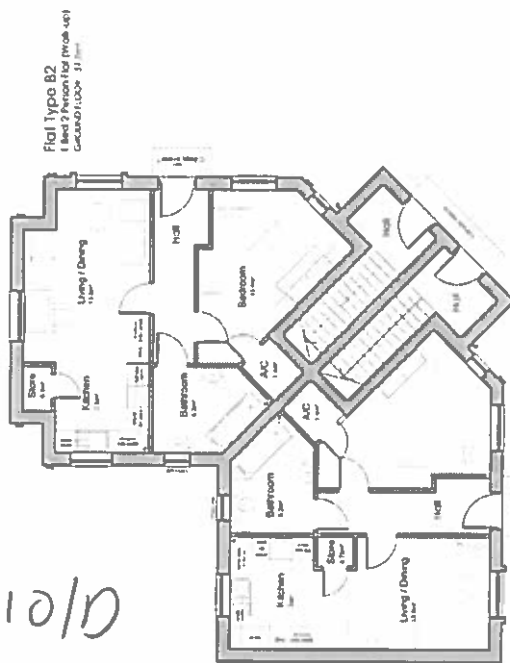
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|---|-------------------------------|
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| <p>Project Name: Highgate Street Estates</p> | <p>Client: MARTELL</p> |
| <p>Architect: Charmers</p> | <p>Drawn by: AN</p> |
| <p>Scale: 1:200 (A2)</p> | <p>Checked: AN</p> |
| <p>Date: 14/12/10</p> | <p>Drawn by: AN</p> |
| <p>Job No: 10208</p> | <p>Scale: 1:200</p> |
| <p>Project No: 10208</p> | <p>Drawn by: AN</p> |
| <p>Project Name: Highgate Street Estates</p> | <p>Client: MARTELL</p> |
| <p>Architect: Charmers</p> | <p>Drawn by: AN</p> |
| <p>Scale: 1:200 (A2)</p> | <p>Checked: AN</p> |
| <p>Date: 14/12/10</p> | <p>Drawn by: AN</p> |
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| <p>Project No: 10208</p> | <p>Drawn by: AN</p> |

7/01L

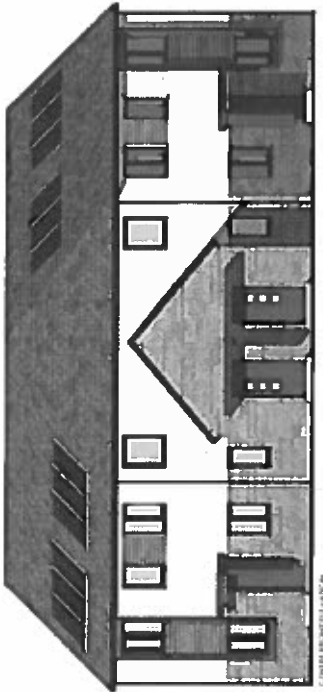


Flat Type B3
1 Bed 2 Person (7m x 4.5)
GROUND FLOOR 35.5m²
Stairs included

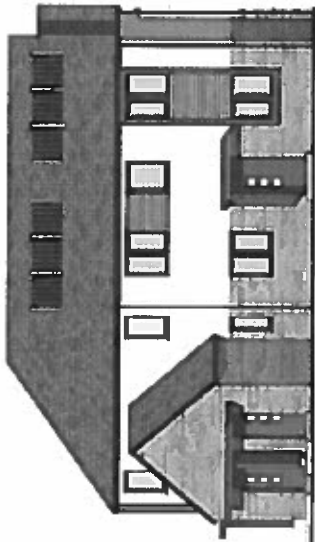
a/o/l



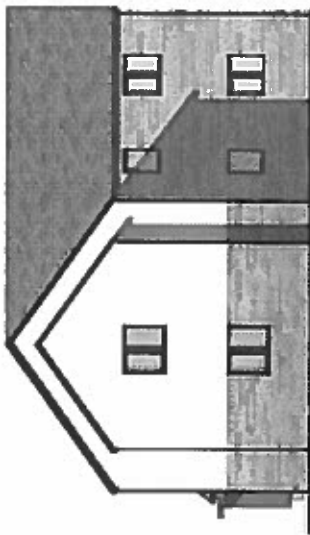
Flat Type B2
1 Bed 2 Person (7m x 4.5)
GROUND FLOOR 31.5m²



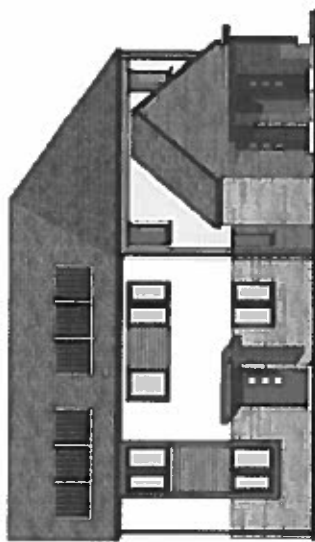
1/18 MICHAEL STREET, WYBORNE



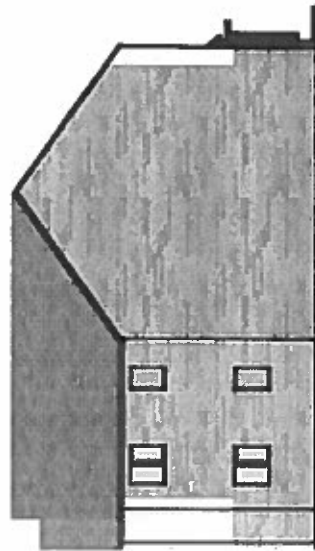
1/18 MICHAEL STREET, WYBORNE



1/18 MICHAEL STREET, WYBORNE



1/18 MICHAEL STREET, WYBORNE



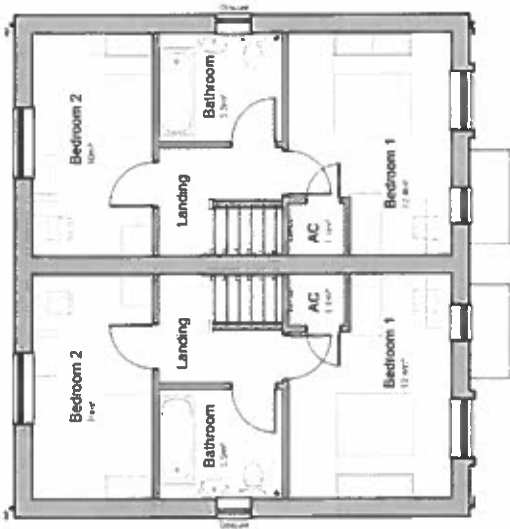
1/18 MICHAEL STREET, WYBORNE

Flat Type B1
1 Bed 2 Person (7m x 4.5)
GROUND FLOOR 35.5m²

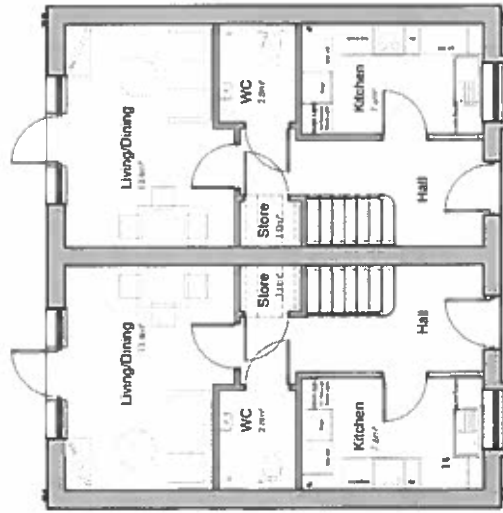
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| <ul style="list-style-type: none"> Changes to the drawings between the proposals at all stages are indicated in red Proposals and amendments are to include 100% construction details of any amendments | <ul style="list-style-type: none"> Box Bays indicated on floor plans A: Noted (typical retained) B: Noted (typical retained) Areas and external layouts amended | 11/07/18 | MP | AK |
| | | 11/07/18 | VS | GR |

| Project | Phase | Drawing No. | Scale | Revision |
|--|-----------------------------------|-------------|-------|----------|
| High Street Chorwicks Borough's Church | Flat Type B1, B2, B3 & B4, 1B, 2B | 01_10 | 1:100 | 0 |
| 11/07/18 | 11/07/18 | 01 | 1:100 | 0 |
| 11/07/18 | 11/07/18 | 01 | 1:100 | 0 |
| 11/07/18 | 11/07/18 | 01 | 1:100 | 0 |

| Client | Drawn By | Checked By | Scale | Revision |
|--------|----------|------------|-------|----------|
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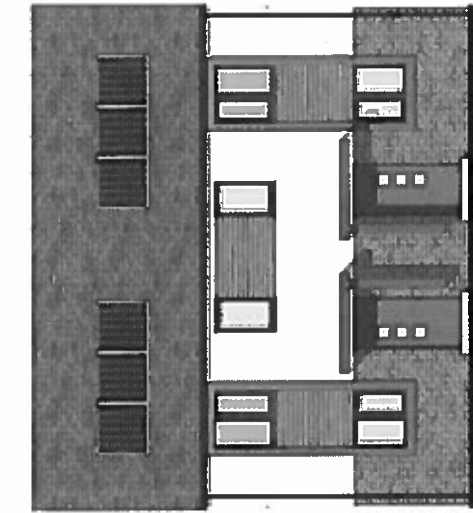


FIRST FLOOR - 35.2m²

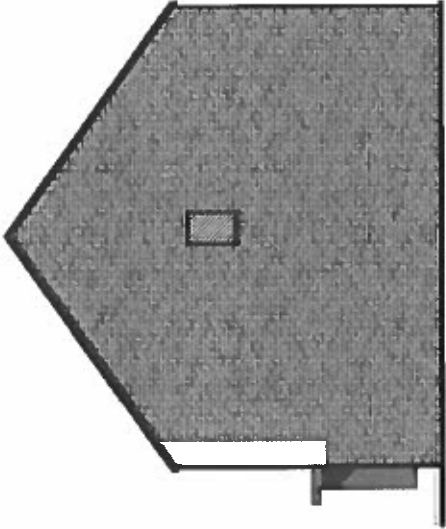


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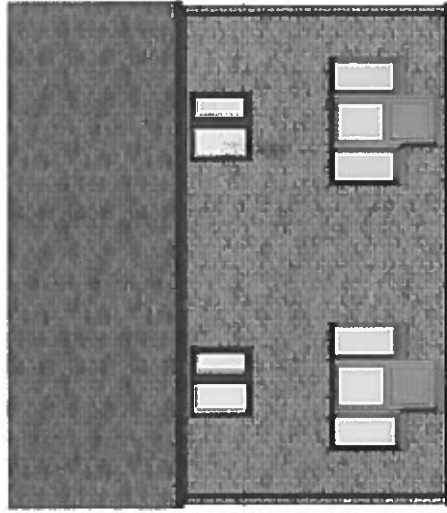
House Type D
 2 bed 3 Person
 Total Floor Area: 70.4m²



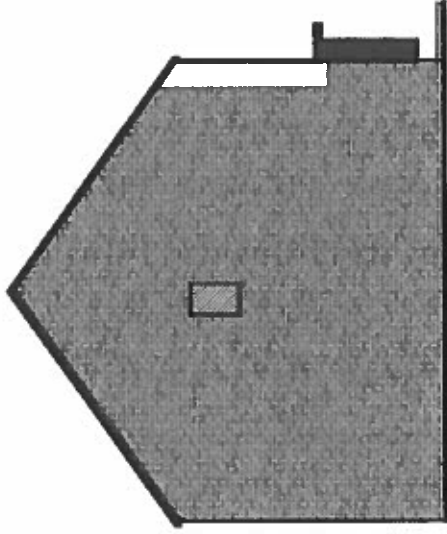
Front Elevation



RHS Elevation



Rear Elevation

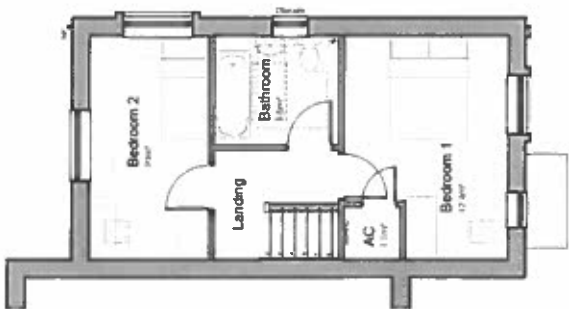


LHS Elevation

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|---|----------|-------------------|--------|----------------------|-------------------------------------|--|---------|--------------------|----------|------------------|-------|----------------|------|------------------|----|-------------|-------|----------------|--|
| Notes | Revision | | Client | | Drawing | | Project | | Job No | | Scale | | Date | | By | | Chk'd | | |
| | A | B | BM3 | Roofcorp | House Type D_2B_3P Plans 27 - 28 | High Street Cleavelands Bishop's Cleeves | 70560 | 1:100 | 31.07.19 | HP VS | AK GR | 30.11.18 | | 31.07.19 | | VS | | GR | |
| <ul style="list-style-type: none"> Copyright in this drawing remains the property of BM3 Architecture Limited Do not scale this drawing Work to figured dimensions only Construction and materials are to adhere to BM3 Architecture Limited of any discrepancies | | Drawing No D07 | | Drawn by HPISK AK | | Checked AK | | Job No AUG 2018 | | Date AUG 2018 | | Scale 1:100 | | Date 31.07.19 | | By HP VS | | Chk'd AK GR | |

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710/E

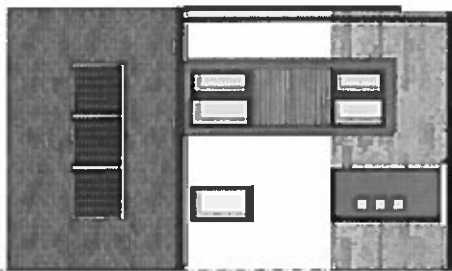


FIRST FLOOR - 35.2m²

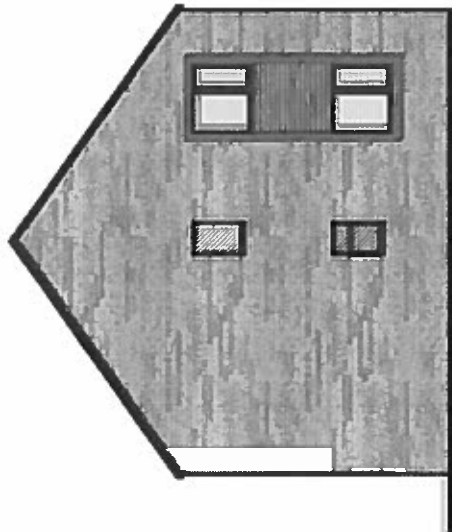


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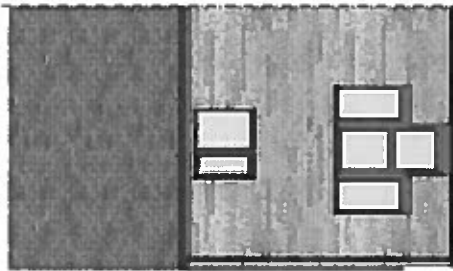
House Type D1
2 Bed 3 Person
Total floor Area - 70.4m²



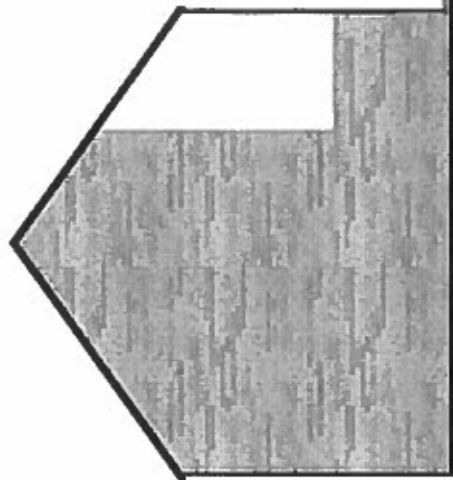
Front Elevation



RHS Elevation



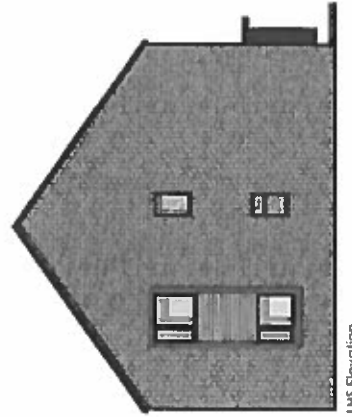
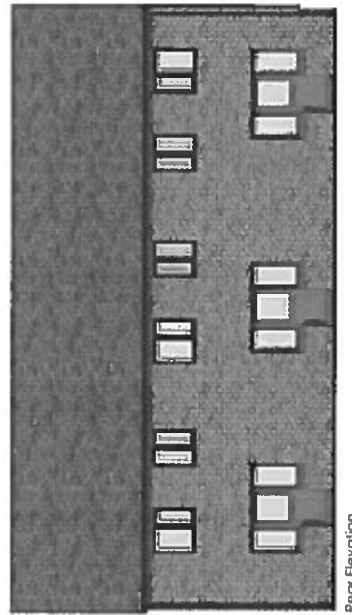
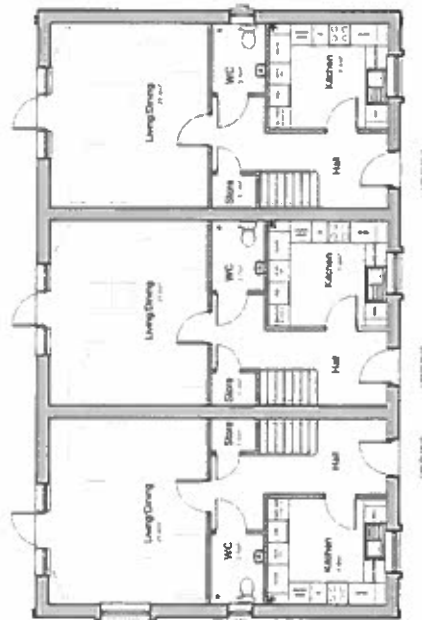
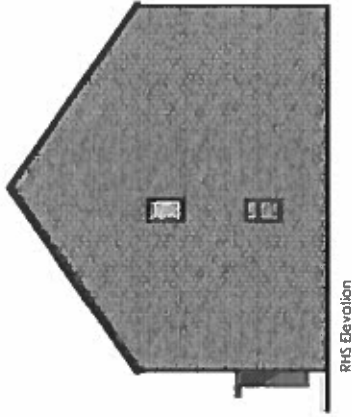
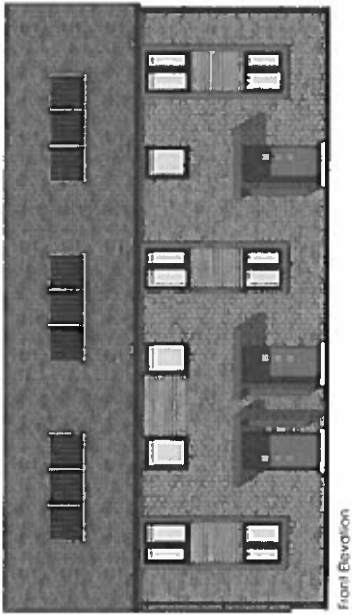
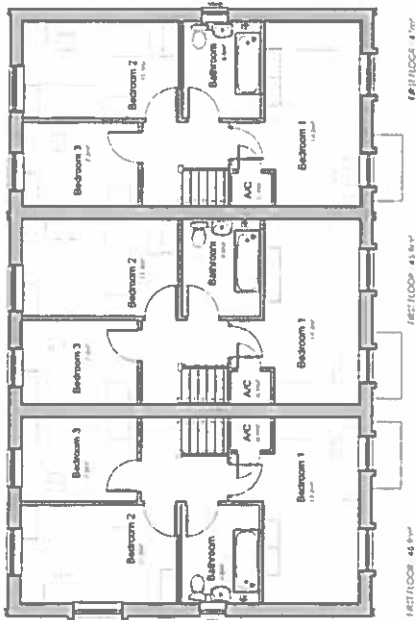
Rear Elevation



LHS Elevation

710/F

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|--|---|------------------------------|-----------------|-----------------------|---|--------------------------|--|-------------------|-----|
| Notes - Copyright in the drawing remains the property of BM3 Architecture Limited - Do not scale the drawing - Work to figured dimensions only - Contractors and consultants are to advise BM3 Architecture Limited of any discrepancies | Revision A Box Bay indicated on floor plans B Minor layout amendments | Date 03.12.18 31.07.18 | By HP VS | Checkd AK GR | Project High Street Cleveleys Bishop's Cleveleys | Drawing No D10 | Drawing House Types D1_2B_3P Plot 21 | Client Kooltop | BM3 |
| | Scale 1:100@A4 | Date AUG 2018 | Job No 70560 | Drawn by HP/PSK AK | Checked AK | CADD Element PLANNING | Revision B | BM3 | |



House Type E1
 3 Bed 1 Bath
 GROUND FLOOR 48.5m²
 Total Floor Area 152.5m²

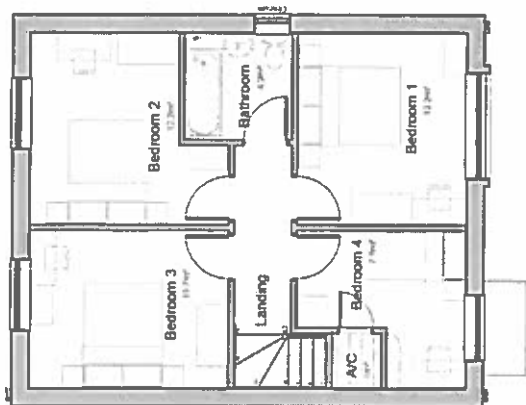
House Type E2
 3 Bed 1 Bath
 GROUND FLOOR 48.5m²
 Total Floor Area 152.5m²

House Type E3
 3 Bed 1 Bath
 GROUND FLOOR 48.5m²
 Total Floor Area 152.5m²

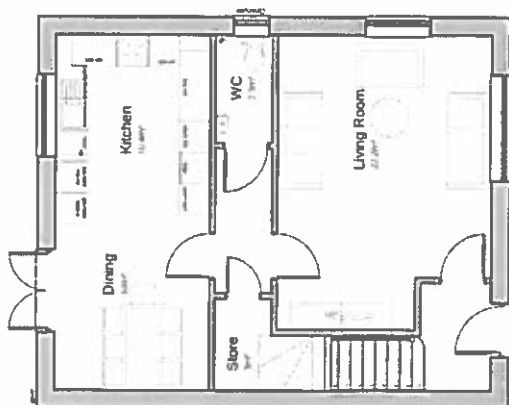
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| <p>Copyright of the drawing remains the property of BM3 Residential Limited</p> <p>Do not reuse the drawing</p> <p>Draw to specific instructions only</p> <p>Check measurements, number of windows, doors</p> | | <p>Drawn by: DM</p> <p>Checked by: AK</p> <p>Scale: 1:100</p> <p>Date: 20/08/2018</p> | | <p>Project: High Street Charabancs Bedford & Clereville</p> <p>Location: 1-11 High Street Bedford & Clereville</p> | | <p>Planning: House Type E E L 30 SP</p> <p>Permit: PA/18/0113</p> | | <p>Client: BM3</p> <p>Address: 101-103 High Street Bedford & Clereville</p> | |
|---|--|---|--|--|--|---|--|---|--|

710/G

H/O11

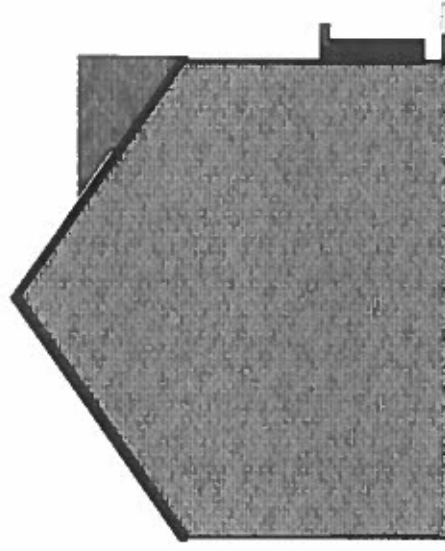
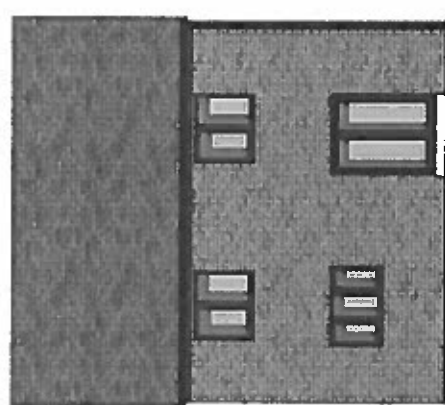
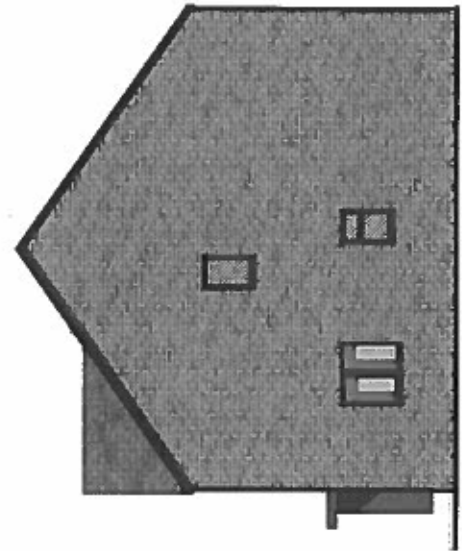


FIRST FLOOR - 58.1m²

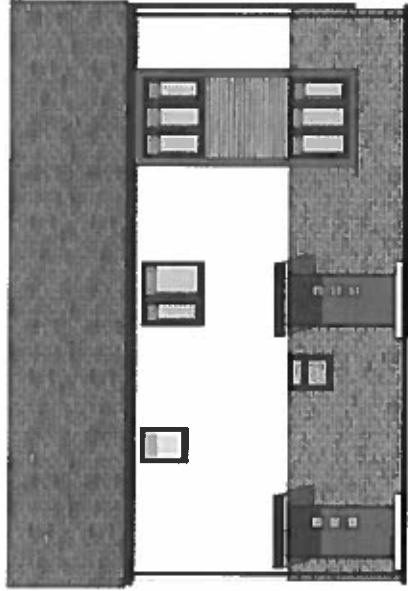


GROUND FLOOR - 59.1m²

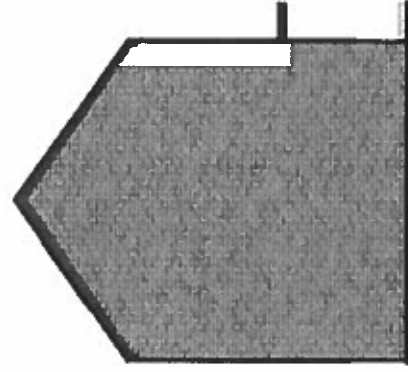
House Type F
 4 Bed 7 Person
 Total Floor Area - 116.2m²



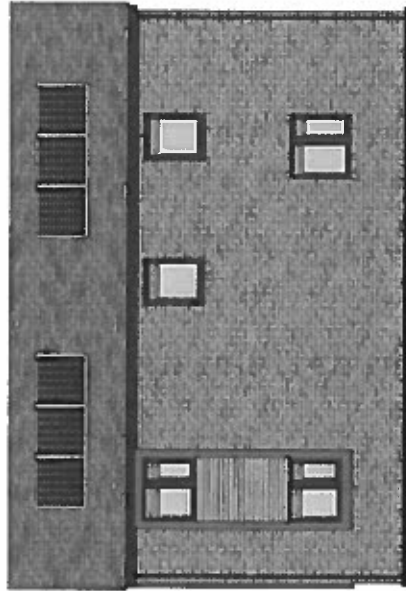
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|--|------------|----------------------------------|------|---------------------------------|----|---|-----|--|---------|---|--------|----------|----------|-------------|---------------|---------|----|------------|-----|
| Notes | Revision A | Box Bay indicated on floor plans | Date | 03.12.18 | By | HP | Chd | AK | Project | High Street Cleeveleas Bishop's Cleeves | Job No | 70560 | Client | CGS Element | Revision B | | | | |
| | Revision B | House type redesigned. | Date | 01.08.19 | By | VS | Chd | GR | Scale | 1:100 @ A1 | Job No | AUG 2018 | Drawn by | AKSK | | Checked | AK | Drawing No | D14 |
| Copyright in this drawing remains the property of BM3 Architecture Limited | | Do not scale this drawing | | Work to figured dimensions only | | Contractors and consultants are to advise BM3 Architecture Limited of any discrepancies | | BM3 Birmingham Office 28 Poolford Street, Digbeth, Birmingham, B5 5QH T: 0121 633 0000 F: 0121 633 0000 E: design@bm3.co.uk Planning | | | | | | | | | | | |



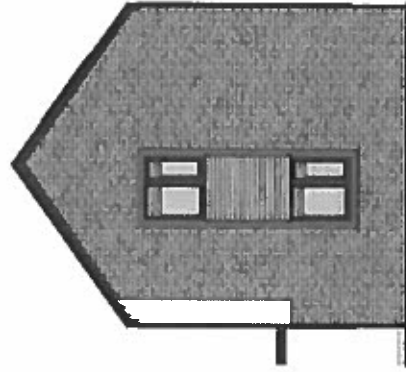
Front Elevation



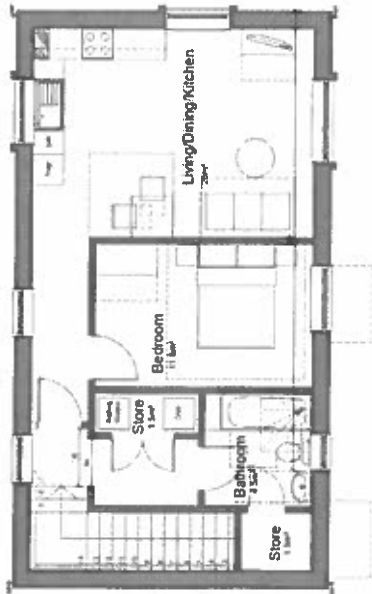
LHS Elevation



Rear Elevation

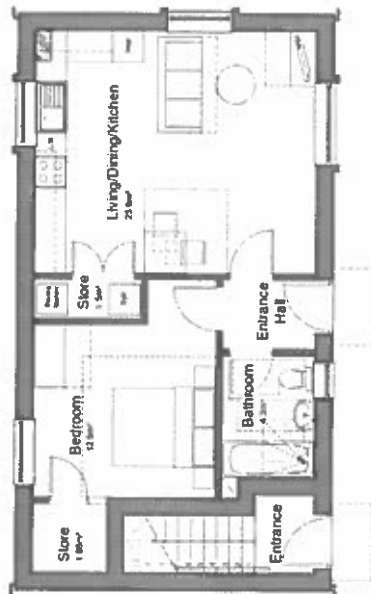


RHS Elevation



Flat Type A1

1 Bed 2 Person
 43.77 (GCR) - 38.8m²
 (not enclosed)



Flat Type A

1 Bed 2 Person
 49.00 (GCR) - 39.1m²

I/OIL

| | | | | | | | | | | | |
|---|--|--|----------------------------|--|--|---|-------------------------|-------------------------|----------------------------|----------------------------|---------------|
| Notes - Copyright in this drawing remains the property of BMS Architecture Limited. - Do not scale the drawing. - Work to signed dimensions only. - Generators and consultants are to advise BMS Architecture Limited of any discrepancies. | Revision A B C D | Date 14.12.18 21.07.19 11.11.19 15.11.19 | By SK GR MK MK | Check AK GR GR | Project High Street Cleveleys Bishop's Cleveleys Scale 1:100 @ A3 | Drawing Flat Type A & A1 - 1B 2P Plot 19 - 20 | Client | Drawn by AK/SK AK | Checked AK | C/Site Element PLANNING | Revision D |
| | Date 14.12.18 21.07.19 11.11.19 15.11.19 | By SK GR MK MK | Check AK GR GR | Project High Street Cleveleys Bishop's Cleveleys Scale 1:100 @ A3 | Drawing Flat Type A & A1 - 1B 2P Plot 19 - 20 | Client | Drawn by AK/SK AK | Checked AK | C/Site Element PLANNING | Revision D | |

Valid 11.10.2019

Approval of Reserved Matters for access, appearance, landscaping, layout and scale comprising Phase 2 of Outline planning permission ref: 15/00749/OUT for the erection of 175nos. dwellings with associated infrastructure.

Grid Ref 385508 221165

Parish Innsworth

Ward Innsworth

RECOMMENDATION Delegated Approve**Policies and Constraints**

National Planning Policy Framework (2019)

Planning Practice Guidance

Joint Core Strategy (2017) - SD3, SD4, SD6, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF5, A1

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

Preferred Options Consultation, Tewkesbury Borough Plan 2011 - 2031 (2018) - RES5, RES12, RES13,

DES1, NAT1, NAT3, ENV2, HEA1, TRAC1, TRAC2, TRAC3, TRAC9

Flood and Water Management SPD

Affordable Housing SPD

Manual for Gloucestershire Streets

Human Rights Act 1998 - Article 8

The First Protocol - Article 1

Flood Zone 1

Public Rights of Way

Consultations and Representations**Innsworth Parish Council: Comments**

- Planning rules and regulations should be respected;
- There is concern that the proposed access to Frogfurlong Lane is not sufficient;
- Drainage needs to be properly managed.

Churchdown Parish Council:Original Scheme

- Parish Council Members wish to emphasise their concerns regarding the potential increase in traffic density on Frogfurlong Lane.

Revised Plans

- Members express serious concern regarding development on a flood plain and the consequences thereof. Further Members endorse their comments about the potential increase in traffic congestion on Frogfurlong Lane.

Sandhurst Parish Council: No response at time of report writing

Urban Design Officer- UDO: No objection - the proposed layout is reflective of the approved Masterplan and pre-application discussions.

The UDO required a number of minor revisions to be incorporated within the layout, relating to;

- Additional space given over to the green infrastructure/footpath link;
- Minor revisions to the layout/connectivity/surveillance of the rear parking areas;

Housing Enabling Officer: No objection.

The affordable housing contribution was agreed at outline stage. The proposed Affordable Housing contribution for Phase 2 is in line with the S106 agreement and subsequent Deed of Variation and as such, there is no objection from this department in respect of this particular phase.

Landscape consultant: Awaiting comments

Original Scheme -

Revised Plans -

Lead Local Flood Authority - LLFA:

No objection - The drainage strategy illustrated in the General Engineering and Drainage Strategy Plan will be suitable as part of the overall drainage strategy agreed with consent 15/00749/OUT. Matters of appearance, landscaping, layout and scale are not expected to impact the overall drainage strategy in this development phase the LLFA therefore have no comment to make with respect to these matters.

Environmental Health Officer: No adverse comment to make in relation to noise/nuisance. The submitted noise assessment appears satisfactory in terms of the methodology used and the conclusions reached. In terms of Phase 2, the noise assessment predicts that both internal and external noise levels across the site will achieve those recommended in BS8233:2014 without any specific noise mitigation measures.

County Highway Officer: The CHO raised a number of points of detail to be addressed, in relation to the original scheme. These issues relate to;

- Proposed junction proximity of secondary streets in relation to the main single junction to/from Frogfurlong Lane;
- Extension of pedestrian footways serving a number of residential plots;
- Demonstration that shared spaces are tracked with a 2.0m wide unobstructed and maintained pedestrian corridor in order to allow adoption by the Highways Authority;
- Demonstration of adequate visibility within certain sections of the submitted layout plan, in accordance with target design speed;
- Demonstration of tracking/inter-visibility at all junctions, including fire tender tracking;
- Submission of a parking schedule and provision of hardstanding next to visitor spaces;
- Provision of cycle storage anchor points within a shed for all dwellings.

County Footpaths Officer (CFO) -

Original Plans - No objection - This development does not appear to affect the nearby public right of way EL06, however if there is any suggestion that it will, whether through a need for a temporary closure or permanent diversion then contact should be made with the PROW team at the earliest opportunity.

Highways England - No objection

Gloucestershire Wildlife Trust - No response or comments

Crime Prevention Officer: No response at time of report writing.

Severn Trent Water: No objection - As surface water is proposed to discharge to watercourse and not to the public sewerage system we have no comment to make on the proposals and advise these are discussed with the LLFA/EA.

Environment Agency - The Environment Agency has no objections or comments/conditions to this Reserved Matters application as Phase 2 is entirely within Flood Zone 1.

Natural England - No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites. This advice takes account of the agreed Landscape and Ecology Management Plans (LEMP) and their provisions for the wider Innsworth and Twigworth sites, together forming strategic allocation SA1 in the adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.

Ramblers Association - No objection to this proposed development as long as no adjacent public rights of way are obstructed.

Tree Officer - TO - Comments - The soft landscaping schemes as collectively shown on JBA 18/295-28 shows that there 58 trees proposed to be planted within this phase of the site. The proposed tree planting could be significantly increased as over time the trees will aesthetically contribute to the area and making the area a much more desirable place to live. It is important that landscaping, tree planting and ecological requirements are considered as an integral part of the design process on new development sites. The TO has suggested a number of areas within the proposed site that could incorporate additional tree planting.

Local Residents:

Original Scheme

The application was advertised by means of site notices. No letters of representation have been received from local residents.

Revised Plans - No comments received from local residents at time of report writing.

Planning Officers Comments: Miss Lisa Dixon

1.0 Introduction

1.1 Outline planning permission (reference: 15/00749/OUT) was granted by the Secretary of State for Communities and Local Government (as was) in December 2017 following a non-determination appeal. The description of development was as follows:

A mixed use development comprising demolition of existing buildings; up to 1,300 dwellings and 8.31 hectares of land for employment generating uses comprising a neighbourhood centre of 4.23 ha (A1, A2, A3, A4, A5, D1, D2, B1), office park of 1.31 ha (B1) and business park of 2.77 ha (B1 and B8 uses); primary school, open space, landscaping, parking and supporting infrastructure and utilities; and the creation of new vehicular accesses from the A40 Gloucester Northern Bypass, Innsworth Lane and Frogfurlong Lane.

1.2 The permission relates to the land located immediately to the north and west of Innsworth, and, for the purposes of the outline planning application, was referred to as 'Land at Innsworth' (see location plan attached). To the west, the wider site adjoins open countryside, including Horsbere Brook, which separates it from the settlement of Longford. Hatherley Brook defines the majority of the northern boundary, beyond which lies the adjoining 32 hectare site which is subject to outline planning permission for mixed use development comprising up to 725 dwellings, local centre, primary school, open space, supporting infrastructure and the creation of a new vehicular access off the A38 (Application ref: 15/01149/OUT).

1.3 A network of public rights of way (PRoW's) cross the outline site, including the Gloucestershire Way, which is a long distance footpath along its northern boundary.

1.4 The current Reserved Matters application represents residential Phase 2 of the approved outline scheme as defined in the approved phasing plan required by condition 7 of the outline permission. Phase 2 comprises a 4.49 hectare (11.10 acre) portion of the Outline site, and is located on the eastern edge within the residential development area, to the north of Innsworth Lane. Frogfurlong Lane immediately adjoins the eastern boundary of the site, with the grounds and buildings associated with the Ministry of Defence Imjin Barracks located further east, on the opposite side of the lane. The Phase 1 site, granted delegated approval at Planning Committee on 18.06.2019 (planning reference: 18/01285/APP - 253nos. dwellings), adjoins the Phase 2 site to the west and south-west. The future 'Phase 1 East' area, which will provide the Strategic Allocation's new Neighbourhood Centre, together with employment land, adjoins the site to the south, with Innsworth Lane beyond. Land allocated by the Outline permission, for employment use and coming forward for development as a future phase, lies in close proximity just beyond the south-western corner of the site.

1.5 A Public Right of Way runs close to the site beyond its northern/north-western extent, before continuing its northerly route across the wider Outline site.

1.6 The second phase would be largely served by the spine road, granted delegated approval at Planning Committee on 18.06.2019, under application reference: 18/01284/APP and which will form the main principal transport route, running roughly west to east through the overall development. A short section of the spine road will skirt the Phase 2 site, at its south-western corner.

1.7 Access would also be provided via Frogfurlong Lane at the north-eastern extent of the Phase 2 site. This access represents the sole vehicular access off Frogfurlong Lane, as indicated within the 'Access and Movement Parameter Plan (drawing ref: H.0355_29A-3), approved as part of the Outline permission. This access and associated secondary road formed part of the recent RM infrastructure application, granted delegated approval at Planning Committee on 18.06.2019. This route/highway, which would skirt the northern/north-western extent of Phase 2 before linking in with the main spine road which serves the wider Innsworth development.

1.8 The current application seeks approval for the second phase of residential development (Phase 2) of the Innsworth development in respect of Layout, Scale, Appearance, Landscaping and Access (**plans will be displayed at Committee**). Phase 2 would deliver 175 nos. dwellings, with an average density of 38.5 units per hectare. As such, the proposed density would accord with that of the Phase 1 approval for 253nos. dwellings.

1.9 The scheme would deliver 14 one bedroom units, 18 two bedroom units, 86 three bedroom units, 53 four bedroom units and 4 five bedroom units in a mix of apartments, terraced, semi-detached and detached forms. With regard to affordable housing provision, a mix of one and two-bedroom apartments and two, three and four bedroom houses, would be provided, dispersed throughout the development and offered either on an affordable rent or intermediate basis. A total of 69 affordable units would be provided, which equates to 39% of the total number of dwellings. The number and tenure of affordable dwellings would reflect the requirements of the S106 agreement and approved Affordable Housing Scheme (whole site). The accompanying Compliance Statement advises that this would provide a broad mix of homes and house types offering choice and flexibility to future residents.

1.10 As mentioned above, a separate Reserved Matters application for the site-wide highway and drainage infrastructure, including the principal spine road, has now received final approval on 08.11.2019, following Delegated Approval at Planning Committee on 18.06.2019 (Ref: 18/01284/APP). In addition, approval of the first residential phase of the Innsworth Outline site for 253nos. dwellings, was granted on 31.07.2019, following Delegated Approval at Planning Committee on 18.06.2019 (Ref: 18/01285/APP).

Conditional Requirements

1.11 The outline permission included conditions which required submission of information relating to the whole development with the first RMA. Other conditions required further information to be submitted with each phase of reserved matters. These conditions are summarised below:

- Condition 7 - Prior to or as part of the first reserved matters application, a Phasing Plan for the whole site which should include details of the approximate numbers of market and affordable dwellings for each phase, together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure and informal and formal public open space. This has been approved.
- Condition 8 - A Site Wide Masterplan Document (SWMD) , either prior to or as part of the first reserved matters application. This has been approved.
- Condition 9 - A Recycling Strategy for the whole site - this has been approved and the RMA for each phase shall include details of waste storage provision for that phase which shall be in general accordance with the approved Recycling Strategy.
- Condition 10 - The first RMA submitted shall include details of all existing trees within the site, which have a stem diameter exceeding 75mm, details of each retained tree including species and general health and stability. Details in respect of Condition 10 were duly submitted as part of the Phase 1 RM.
- Condition 11 - Submission of a tree and landscaping scheme for each phase.
- Condition 21 - Details of proposed arrangements for future management and maintenance of the proposed streets for each RM phase.
- Condition 25 - Details of existing and proposed ground levels included with the RMA for each phase.

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

1.13 The following documents/plans/information has been submitted in support of the application:

- Design Compliance Statement
- Materials, Boundary Treatments and Storey Height Plans
- Proposed Street Adoption Plan and Refuse Vehicle Tracking Plan
- Proposed Drainage Strategy Plan
- Proposed parking/cycle storage and refuse storage/collection plans
- Arboricultural Survey and Tree Protection Plan
- Proposed Landscaping/planting Plans
- Affordable Housing Layout plan.

2.0 Policy Context

2.1 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.

2.2 The development plan comprises the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) 2011 - 2031 (2017) and saved policies of the Tewkesbury Borough Local Plan to 2011 - March 2006.

2.3 The application site is subject to Policy A1 of the JCS which is the site specific policy for the Innsworth and Twigworth Strategic Allocation. Whilst much of the policy relates to the principle of development, of particular note to this reserved matters application are the following requirements:

- ix. A layout and form of development that respects the landscape character as well as the character, significance and setting of heritage assets and the historic landscape.
- x. A layout and form that integrates, where appropriate, important hedgerows within the development.
- xv. High quality public transport facilities and connections within and adjacent to the site.
- xvi. Safe, easy and convenient pedestrian and cycle links within the site and to key centres, providing segregated links where practical.

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

2.5 Other relevant policies are set out within this report.

3.0 Analysis

3.1 The principle of residential development at the site has been established through the grant of outline planning permission and its subsequent allocation for housing in the JCS as part of the wider Innsworth and Twigworth allocation (Policy A1). This application relates to the approval of the Phase 2 Reserved Matters in respect of access, layout, appearance, landscaping and scale of the development.

3.2 The key issues in relation to this reserved matters application are considered to be:

- Layout, character, scale and density;
- House types;
- Access, turning, parking and sustainable transport;
- Trees, landscaping and open space;
- Existing and future residential amenity;
- Affordable housing.

3.3 In assessing these matters it is also important to consider whether they accord with the Outline Consent and its supporting documents which set out the key principles governing the development of the site, namely: the approved Parameter Plans and the approved Site Wide Masterplan Document.

4.0 Layout, character, scale and density

4.1 The NPPF states that the creation, of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable in communities. Policy SD4 of the JCS advises that new development should respond positively to and respect the character of the site and its surroundings, enhance local distinctiveness and the grain of the locality. Policy INF3 states that where green infrastructure assets are created, retained or replaced within a scheme they should be properly integrated into the design and contribute to local character and distinctiveness.

4.2 As mentioned above, a number of parameter plans were agreed as part of the outline consent (15/00749/OUT). Four Parameter Plans in total were secured as part of the Outline consent, relating to Land Use; Building Heights; Access and Movement and Green Infrastructure. Further, condition 8 of the outline permission required a Site Wide Masterplan Document (SWMD), which has been approved and includes a set of Design Principles, including;

- The principles for determining the design, form, heights and general arrangement of external architectural features of buildings;
- The principles of the hierarchy for roads and public spaces;
- Potential arrangements for car parking;
- The principles for the design of the public realm; and
- The principles for the laying out of the green infrastructure including the access, location and general arrangements of sports pitches and play areas

4.3 As such, the SWMD encapsulates and embeds a number of important principles of good design and appropriate parameters and establishes a 'template' for the various phases of development within the site. All RMAs are required to be in accordance with the approved SWMD.

4.4 The Phase 2 RMA has been supported by a Compliance Statement (CS) in order to demonstrate the scheme's compliance with the SWMD. The CS sets out the Design Objectives, Streetscape Strategy, Soft Landscaping and Built Form elements of the Phase 2 proposal and how these align with the overarching parameters secured within the SWMD. Officers have assessed the CS and consider that, overall, it reflects and builds upon the principles and parameters set out in the Parameter Plans agreed at Outline stage and the SWMD. The Compliance Statement has been prepared in order to incorporate revisions to the overall layout of the Phase 2 scheme, as a result of initial discussions with Planning and Urban Design officers and also to address the initial concerns of the County Highways Officer.

4.5 Following initial officer/applicant discussions, the application includes responses to the key issues raised below, namely:

- Street design principles and pedestrian connection routes;
- Visual and pedestrian links to adjoining Neighbourhood Centre & Employment land;
- Redesign of distinct contemporary style units to frontage onto new Neighbourhood square.

These comments/guidance, together with the various site constraints have informed the current proposals with the following amendments to the site layout and proposals made:-

- Dwellings fronting out onto the adjoining green square to the Neighbourhood centre have been redesigned to provide a strong continuous frontage with a mix of 3 storey terraced town houses and apartment blocks. Vehicular access has been removed from the front of dwellings and provided at the rear with car parking in small private courtyards or directly off the highway, with space between parking bays to allow for tree and shrub planting. Relocation of car parking has allowed units to be re-sited forward behind a pedestrian footpath, in order to provide better enclosure and encourage activity to the square;
- To reinforce this key area of the development, a distinct, contemporary architectural design has been applied to the dwellings overlooking the square;
- Development adjoining the boundary to the employment/neighbourhood centre land to the south has been redesigned to provide pedestrian accesses and a vehicular access, with the proposed highway extended to the boundary. This would allow legible routes to be created between the various phases, facilitating connectivity and ease of movement. Dwellings would be orientated to side onto the boundary to improve activity and natural surveillance in the area;
- To further integrate the residential areas with the Neighbourhood centre and employment land, short sections of the existing hedgerow have been removed in the vicinity of the footpath/cycleway link adjoining the southern boundary in order to open up the area and provide a clear, attractive vista with good surveillance;

- A proposed new footpath/cycleway route would follow the line of the existing hedgerow which runs north to south through the application site. The would accord with the requirements of the Street Hierarchy Plan on its eastern side and would provide pedestrian access from the western side via a new pedestrian link from the end of the turning head serving plots 296-311;
- A 2m wide footpath has also been added along the frontage to the Neighbourhood square to connect to the footpath/cycleway to further improve connection and movement routes;
- Adoptable footpaths have been moved behind frontage car parking spaces where possible with space provided between bays to allow for soft landscaping to be provided to minimise the impact of the car on the street.

4.6 The layout has been designed to reflect the agreed Access and Movement Parameter Plan and Street Hierarchy principles set out within the SWMD, providing a clear hierarchy of routes and public spaces to enable safe navigation and movement through the site. The Masterplan layout incorporates a network of Primary Roads, Secondary/Community Streets and Tertiary Roads, which include 'shared surface lanes and 'Private Drives'. The SWMD shows the Primary/Spine road passing through the Innsworth site via the eastern and western ends with a hierarchy of secondary streets linking off it.

4.7 A small section of the current Phase 2 proposal would adjoin the main spine road, at its south- western edge. The spine road allows only limited direct vehicular access to dwellings, in line with the approved Masterplan, with car parking provided in shared front or more predominantly rear courtyards. The primary street adjoins the south west corner of Phase 2 and the proposed apartments and townhouses within the Neighbourhood Centre character area situated in this part of the site have been designed to continue the relationship with the street and the strong frontage established within the approved spine road element of Phase 1. The areas fronting out onto the spine road would also have a higher density in order to continue and reinforce the formality of the avenue and enclosure of the Neighbourhood square.

4.8 The secondary street adjoins the western and northern boundaries of Phase and provides vehicular and pedestrian connections off the main spine road, from Frog Furlong Lane and within the residential areas and are designed with a 5.5m wide carriageway and 2m wide footways to either side. Staggered 2.5m wide verges have been added, alternating from one side of the carriageway to the other to provide deflection and natural traffic calming. Verges allow for occasional tree planting and visitors car parking spaces. Dwellings provide continuous frontage with a mix of semi-detached and detached dwellings. Direct vehicular access is provided to plots with parking on plot, predominantly, to the side of dwellings. Careful setting out of dwellings and the use of repetitive house types has ensured a good building rhythm would be provided along the street.

4.9 A series of community streets provide interconnecting links to the secondary street or are designed on the periphery of residential parcels. A minimum carriageway width of 5.5m has been provided with 2m wide footway to one or both sides. Community streets provide a more informal, intimate and pedestrian friendly environment with changes in surfacing providing natural traffic calming, legibility and character. Occasional widening of the adopted carriageway is provided to allow for visitor's car parking spaces. Direct vehicular access is provided to plots with parking on plot, either to the side or front of dwellings. Where parking is provided to the front of plots the adopted footway has been taken behind car parking spaces, where possible, to provide a safer pedestrian route. Community streets have been taken to the boundary of the adjoining employment land to the south to provide visual and pedestrian links and encourage activity in the Neighbourhood Centre and employment areas.

4.10 Private drives are located on the periphery of parcels where adjoining green spaces. These provide access to a limited number of predominantly detached dwellings. Dwellings have generous frontages to allow for shrub and hedge planting with drives varying in width and size to create an informal rural edge.

Density

4.11 The proposed dwellings would provide an average density of 38.5 units per hectare. As mentioned within paragraph 4.7 above, the areas fronting out onto the spine road would have a higher density to reinforce the formality of the avenue and enclosure of the Neighbourhood square, with lower density proposed on the periphery of parcels where they adjoin green spaces in order to reflect the rural edge of the surrounding area. The density proposed is considered to make efficient use of the site and also to accord with the required design principles and objectives of each character area, as secured by the overarching Masterplan.

4.12 A number of amendments were requested by Planning and Urban Design Officers in respect of the proposal.

- The green footpath link north from the local centre should be given more space as the 'greenness' had been lost and incorporated to a large extent, within the adjoining road. This is an important link though the site and forms part of the green infrastructure, as secured by the approved SWMD;
- A small number of the proposed rear parking areas required revision in order to ensure that a good level of surveillance is maintained;
- A section of boundary walling required lowering or removal in order to ensure natural surveillance and permeability;
- The arrangement of units 368 - 371 required further, careful consideration given that it would be readily visible from the local centre square;
- Officers considered that there would be scope to provide only one vehicle access into the employment area to the south (as opposed to the original layout which proposed two vehicular accesses) as this may beneficially aid the re-working of the residential blocks to improve the overall layout. However, it was considered that the additional pedestrian/cycle links should be maintained;
- The architectural appearance of the buildings fronting the local centre square required a little more work, although the strong visual approach was generally supported by officers. The submitted Compliance Statement included a design rationale for the architectural approach taken within this area of the Phase 2 development - Officers considered that the inclusion of elements of lighter cladding within these buildings would provide interesting and complementary relief against the proposed blue brick;
- Additional clarification was required in respect of some of the proposed design elements incorporated within the apartment buildings;

In light of the above comments, revised plans were duly submitted by the applicant, which sought to address these issues.

4.13 The green corridor/footpath link has now been set away from the previously adjoining highway in order to provide a discernible and attractive landscape buffer and create a more pleasant pedestrian environment. Parking areas of previous concern have been appropriately revised and the proposed vehicular linkages through to the adjoining Neighbourhood Centre/Employment areas have been reduced from two to one accordingly, in order to allow improved layout of the perimeter blocks and improved orientation of dwellings.

4.14 The buildings fronting the local centre square area have been revised in design and areas of lighter coloured cladding incorporated accordingly. Additional brick detailing has also been added to the fenestration within the rear elevations of the buildings, since they would also be readily visible within the public realm.

4.15 The Urban Design Officer has been re-consulted on the basis of the revised plans and is generally happy with the incorporated amendments. The courtyard area behind the units which front the local centre square are noted to be much improved, as is the colour variation of the units within this part of the site.

4.16 It is considered that the revised layout is now in accordance with the approved SWMD and is of an acceptable and appropriate design.

5.0 House Types

5.1 The approved SWMD sets out the underlying key design principles that will shape the fundamental structure of urban form, landscape and streetscape. The Compliance Statement submitted in respect of the current RM scheme takes forward the design principles and architectural approach embedded within the SWMD and notes that the application site falls predominantly within the Core Neighbourhood Character area, with a small number of dwellings situated in the south western section of the application site fronting out onto and included within the Neighbourhood Centre and Employment character area. The requirement for a clear street hierarchy and character is set out within the SWMD, and the current RMA seeks to deliver a hierarchy of legible street types, with streets being defined by appropriate use of formal and informal character with planting and hard materials.

5.2 The application proposes a mix of 1 and 2 bed apartments, and 2, 3, 4 and 5 bedroom detached, semi-detached and terraced properties providing a broad mix of homes and house types. **(House types, elevation and floor plans will be displayed at Committee).**

Neighbourhood Centre and Employment Character Area

5.3 Dwellings within the Neighbourhood Centre and Employment character area would front out onto the public spaces and have a higher density, with a range of 3 storey apartment blocks and 3 storey terraced town houses, which would provide a strong continuous frontage. Car parking is provided to the rear, with minimal breaks in the building frontage provided to allow for access. Estate style railings are proposed along the frontage set behind a new 2m footpath link.

5.4 Dwellings have been designed with a distinctive, more industrial, contemporary theme. The supporting CS provides the design rationale behind this approach and notes that this design could be carried forward within the design of the future retail and commercial buildings within the opposite phases. A simple palette of materials with limited colour variation is proposed comprising blue brick and light grey cladding, framed by projecting aluminium surrounds. Detailing is limited with cladding, metal surrounds and balcony elements. Roof tiles would be slate effect and roof pitches low, with flush eaves and verges to town houses and parapet walls and low hipped roofs to apartments. Contemporary fenestration pattern would be incorporated with all frames in dark grey and all doors coloured dark grey and in a contemporary style. Contemporary fenestration would be continued within the rear of the buildings, but with simpler detailing and absence of cladding, reflective of its less prominent, inward facing status.

5.5 As outlined within paragraph 4.12 above, the original submission proposed a more limited colour palette for this area. Officers understood the design rationale for these buildings, given their close relationship with the adjoining retail and commercial buildings which would comprise later phases. However, this original palette has been revised in response to officer comments and the proposed blue brick would now be balanced with areas of lighter grey cladding in order to provide additional elements of visual relief.

Core Neighbourhoods Character Area

5.6 The remainder of the application site falls within the Core Neighbourhoods Character Area and has been designed to act as a transition between the Spine Road and Hatherley Ribbon Park Character Areas. As such, in contrast to the Spine Road and in order, to provide a sensitive and suitable interface with the varying surrounding land uses, a series of sub character areas have been created within the overall Core Neighbourhoods area which would include a mix of contemporary and more traditional style dwellings. Those applicable to this application are as follows:-

- Core - Contemporary Character Area
- Core - Traditional Character Area
- Core - Green Corridor Character Area

5.7 Dwellings along the main secondary street have been designed in a contemporary style in accordance with the Masterplan document and approved Phase 1 scheme. Materials would comprise a mix of orange/red brick, grey cladding, slate effect roof tiles and contemporary fenestration with dark grey frames in order to provide cohesion with the Spine Road. Subtle detail changes have been introduced to elevational treatments to provide interest, variety and improve legibility such as different front door styles and occasional brick detailing.

5.8 Community streets within the Core area would be more traditional in design, with a mix of predominantly terraced and semi-detached and occasional detached dwellings in 2 and 2 and half storey. House designs would be varied and all windows and doors white, with slate effect and red plain effect roofing tiles and a mix of multi red brick and light coloured render walling. The use of similar brick and roof tiles as proposed across the wider character area would be employed to help provide a unified and harmonious development. Dwellings fronting out onto Frog Furlong Lane would be detached and set back from the existing highway with hedgerow planting and generous frontages. A palette of red brick and occasional reconstructed stone facades with simple and limited detailing is proposed to reflect and harmonise with the rural edge location.

5.9 Dwellings fronting out onto green spaces would have a more relaxed, rural feel. Detailing would include simple reconstituted stone corbels, heads and cills with occasional plain brick arches to windows. Window styles would be more limited and less formal in a mix of plain horizontal or cottage bar casement styles. Occasional black weatherboarding would also be incorporated within this area of the Phase 2 development.

5.10 The CS notes that elevational treatments would vary depending on character area but have been kept simple in order to reflect the local vernacular and integrate with the surrounding existing residential development. Pitched roofs with red facing brick would predominate, with simple brick and reconstituted stone detailing. The CS further advises that the proposed mix of contemporary and traditional style buildings would reflect the surrounding townscape whilst creating a distinctive development with its own identity and sense of place.

5.11 Dwellings have been designed to have their principal entrance at the front, with a range of canopies proposed to front doors in each character area, reflecting the style and design of the various house types. Houses have been designed to have habitable rooms overlooking the public realm and dual fronted buildings have been added at key junctions and corners to provide activity and closure to the street.

5.12 It is considered that the architectural treatment of the buildings across the Phase 2 site would be appropriate and, in combination with the proposed landscaping and layout, would provide a coherent and cohesive scheme. In terms of design, it is considered that the additional areas of contemporary design within the Phase 2 development would be visually and architecturally appropriate and reflect the design aesthetic set out within the SWMD and Compliance Statement and already carried forward within the approved Phase 1 scheme. It is also considered that the strong architectural approach proposed for the Neighbourhood Centre and Employment Character Area would be appropriate, given its close relationship with the adjoining non-residential phases.

5.13 Subject to conditions requiring the submission of details in respect of boundary treatments, and window, door and cladding detailing, the proposal is considered acceptable in this regard.

6.0 Access, turning, parking and sustainable transport

6.1 Policy INF1 of the JCS advises that proposals should ensure safe and efficient access to the highway network is provided for all transport modes and that the impact of development does not have a severe impact upon the highway network. Policy SD4 (vii) also requires development to be well integrated with the movement network within and beyond the development itself, ensuring links by other modes and to green infrastructure.

6.2 In support of the application a suite of technical plans and documents has been submitted, including: Refuse Vehicle Swept Path Analysis, Proposed Adoptable Highways Plan, External works Plan, which includes hard landscaping/surfacing details and detailed engineering plans.

6.3 The CS sets out how the detailed reserved matters submission complies with the SWMD. The SWMD outlines that the design of the development aims to create a legible layout, arranged on a walkable grid form to encourage ease of use by pedestrians and cyclists. A clear distinction should be provided between public and private space based on a hierarchy of streets. The grid will be based on a permeable network of primary, secondary and tertiary streets. The key proposed vehicular connections, the primary street/Spine Road and the secondary streets, reflect the meandering nature of the east west flowing Hatherley Brook. Access roads and streets across the site should allow views through to attractive planting and open spaces. Pedestrian and Cycle Movement would be prioritised, with segregated paths and connected streets which would prioritise ease of movement for pedestrians and cyclists to further encourage cycling and walking. The proposed street hierarchy has been designed in accordance with the approved Site Wide Masterplan, with simple routes of varying design in order to align with each character area and aid legibility. The primary street/spine road approved under 18/01284/APP, would adjoin the south west corner of Phase 2 and the proposed apartments and townhouses within the Neighbourhood Centre character area situated in this part of the site have been designed to continue the relationship with the street and the strong frontage established in Phase 1 for the spine road. As explained, the approved SWMD is based around defined character areas and road types with a 'primary street' running through the heart of the site which would act as a main bus/transport corridor linking each phase of the wider masterplan. 'Secondary' streets ('Core Neighbourhood') would accommodate car movements, with footways of varying width. 'Community Streets' and 'Green Lanes' would incorporate shared surface, narrower carriageways and priority given to pedestrian movement.

6.4 The secondary street adjoins the western boundary of this residential phase and provides vehicular and pedestrian connections off the main spine road, from Frog Furlong Lane and within the residential areas and is designed with a 5.5m wide carriageway and 2m wide footways to either side. Staggered 2.5m wide verges have been added, alternating from one side of the carriageway to the other to provide deflection and natural traffic calming. Verges allow for occasional tree planting and visitors car parking spaces. Direct vehicular access would be provided to plots with parking on plot, predominantly, to the side of dwellings. As with the primary/spine road, the secondary street formed part of the main infrastructure RM application (18/01284/APP), and as such, has already received approval.

6.5 A series of community streets would provide interconnecting links to the secondary street or are designed on the periphery of residential parcels. A minimum carriageway width of 5.5m would be provided, with 2m wide footway to one or both sides. Occasional widening of the adopted carriageway is provided to allow for visitor's car parking spaces and direct vehicular access would be provided to plots with parking on plot, either to the side or front of dwellings. Where parking is provided to the front of plots, the adopted footway would be taken behind car parking spaces, where possible in order to provide a safer pedestrian route, in agreement with the UDO and County Highways Officer (CHO) in respect of the Phase 1 residential scheme. Community streets would be taken to the boundary of the adjoining employment land to the south to provide visual and pedestrian links and encourage activity in the Neighbourhood Centre and employment areas. Officers considered that this inter-connection would be crucial in urban design/legibility terms and would help to facilitate and integrate the later employment and neighbourhood centre phases of development, when they come forward.

6.6 In accordance with the Masterplan, a number of private drives would also be provided, located on the periphery of parcels, adjoining green spaces. These would provide access to a limited number of predominantly detached dwellings and would have generous frontages to allow for shrub and hedge planting with drives varying in width and size to create an informal rural edge.

Car Parking

6.7 The CS notes that car parking has been designed to achieve the following Design and Access Statement and Site Wider Masterplan objectives:-

- Integration of car parking into the development so it does not dominate the public realm.
- Use of appropriate parking arrangements which contribute to, rather than dominate the development.
- Integration of parking which is clearly defined, overlooked, appropriately sized, conveniently located and safe to use.

The varying types of car parking provision are as follows:

- Private drives provide access to a limited number of dwellings and allow immediate access to on-plot parking.
- Detached dwellings with integral garages, together with a number of terraced units having frontage driveways or small groups of parking bays located off the public highway.
- Frontage car parking spaces are softened by new tree and shrub planting and provide convenient access to dwellings with good natural surveillance from overlooking properties.
- Groups of parking bays located within a shared courtyard accessed between dwellings to provide a more continuous frontage and help create a less cluttered street scene.
- Courtyards have been kept small and are well overlooked with new dwellings located and orientated to provide natural surveillance.
- Private garages located next to the dwelling and set back to provide secure on plot parking and help avoid a car dominated street scene.

6.8 The County Highways Officer reviewed the original submission and raised a number of points for revision and/or clarification. These matters related to the nearest junction to Frog Furlong Lane (serving plots 405-414) being located too close to the Frog Furlong Lane junction and its requirement to be located further away. Concerns were also raised in respect increased links for pedestrian footways in order to ensure good levels of connectivity throughout the development, adequate demonstration of visibility and vehicle tracking, including refuse vehicles and fire tender tracking and the provision of a parking schedule in order to fully demonstrate the total number of spaces provided throughout the development, including private driveways, garages, car ports, parking courts and visitor parking.

6.9 The proposed site layout for Phase 2 included in the reserved matters application has been reviewed to check the level of compliance with the approved SWMD, as well as the extent to which the proposals align with local and national guidance regarding the design of new residential development. Following the receipt of comments by the County Highways Officer (CHO), the applicant has sought to address the issues highlighted in paragraph 6.8 above, which has resulted in revisions to the layout and the provision of additional/updated information. The County Highways Officer has been re-consulted in respect of the revised plans are whilst many of their initial highways concerns have now been addressed, a number of matters still remain outstanding with regards to parking, tracking and layout. Further revised plans in respect of the outstanding matters have been requested by officers and an update will be provided at Committee.

6.10 Innsworth Parish Council have raised concerns in that they consider the proposed access onto Frogfurlong Lane to be insufficient. Churchdown Parish Council has raised similar concerns regarding the potential increase in traffic density along Frogfurlong Lane. Members may recall raising similar concerns at April 2019 Planning Committee with regard to the Phase 1 and infrastructure RM schemes (application ref: 18/01284/APP & 18/01285/APP). Highways and access issues relating to the site were considered in detail at outline stage. Vehicular access to/from Frogfurlong Lane was secured within the agreed 'Access and Movement Parameters Plan (Drawing No.H.0355_29A-3) which formed part of the outline permission. The Inspector imposed a condition (Condition 8) requiring the subsequent securing of a Site Wide Masterplan document (SWMD), which should be in conformity with the approved Parameter Plans. As such, the approved SWMD has carried forward the proposed new vehicular access to the site from Frogfurlong Lane. The principle of an access on to the Lane to serve the development was thus established within outline permission ref: 15/00749/OUT. Furthermore, the SOS (paragraph 21 of the outline appeal decision), agreed with the Inspector in '*that there was insufficient substantive evidence to show that the proposal would cause any significant harm to safety or the flow of traffic*', within the surrounding highway network.

6.11 The current Phase 2 application does not include the point of access onto Frogfurlong Lane. However, as set out previously within the report, the proposed vehicular access/junction onto Frogfurlong Lane has now been formally approved as part of the overarching infrastructure Reserved Matters application (18/01284/APP) and as such, is not for consideration as part of the current Phase 2 residential proposal.

6.12 On the basis of the revised plans and information and subject to a favourable response from the County Highways Officer, it is considered that the proposed development would ensure safe and efficient access to the highway network for all transport modes and would be well integrated with the movement network within and beyond the development itself, ensuring links by other modes and to green infrastructure, all in accordance with the relevant development plan policies.

6.13 The County Public Rights of Way Officer has been consulted with regard to the potential impact of the proposal upon the existing public footpath network that cross the Innsworth site. The current would not directly affect any existing public rights of way, with the nearest being public footpath no.EL06 to the north/north-east of the site. As such, the PRow Officer has confirmed that they have no objections in respect of the application.

7.0 Trees, landscaping and open space

7.1 JCS Policy SD6 seeks to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. All applications will consider the landscape and visual sensitivity of the area in which they are to be located and which they may affect. Furthermore, Policy GNDP09 seeks to protect and enhance the local landscape. Criterion (e) requires that the existing settlement pattern is preserved including the strong east-west form of the village, by avoiding encroachment into the open countryside. JCS Policy SD4 (iv) requires the design of open space and landscaped areas to be of a high quality design, proving a clear structure and constitute an integral and cohesive element of the design.

7.2 The Parameter Plans approved through the outline permission and subsequent approval of the SWMD in respect of Condition 8, details a strong network of existing and proposed green infrastructure across the wider site, with the creation of vegetated north south routes which retain existing hedgerows to form corridors connecting the developed areas of the site with the natural landscape to the north and east.

7.3 The Green Infrastructure (GI) Strategy embedded within the SWMD seeks to create a multifunctional network of open spaces and green corridors permeating through the new development and linking existing features such as Hatherley Brook, Hatherley Ribbon Park and surrounding areas of open space and the countryside. The SWMD further provides that GI assets will be incorporated into the development, including, but not limited to, hedgerows, trees, grassland, proposed street trees (using Sustainable Urban Tree Planting Systems), water bodies, balancing/attenuation ponds, sports pitches, natural play areas, community orchards and footpath and cycle ways. The design approach taken within the SWMD seeks to draw the best from the sites assets, landscape character and local context and responds to the issues of ecology, access, landscape and surface water management in an integrated way to create a multi-functional landscape. Key linear habitats and associated features are to be retained to maintain a comprehensive green and blue network across the site.

7.4 The applicant has submitted a suite of information in support of the application to demonstrate compliance with the SWMD and above referenced conditions 10 and 11 of the Outline consent. The information includes: soft landscape proposals, hard landscape proposals, Tree pit specifications for proposed street tree planting, Tree Survey Schedule and a Design Compliance Statement.

7.5 The submitted soft landscaping proposals indicate that the existing hedgerows located centrally, along the southern boundary and Frog Furlong Lane, are to be retained with short sections removed to provide necessary movement routes and open vistas.

New tree planting is proposed for the secondary streets and hedge and shrub planting would be added to the frontages of dwellings to provide a green edge and enhance the character, appearance and quality of the area. New planting has also been designed to create the following:-

- Help strengthen the local green infrastructure networks and mitigate visual impact.
- Form a setting and soften the proposed build form.
- Provide contrasts of scale, colour, texture and form.
- Help define legibility of road, create a sense of place and enhance external spaces.
- Mitigate the visual impact of car parking courts and in front plot car parking.

7.6 Front garden boundaries are proposed to be defined with a mix of hard landscaping (railings, brick piers) and or new hedging and shrubs to soften and visually improve the overall appearance. A fully detailed landscaping scheme has been submitted as part of this Reserved Matters application. A significant number of existing trees and hedges would also be retained, incorporated and enhanced. The proposed landscape approach is as follows:

7.7 The strategic planting has been designed to meet the requirements of the approved strategy for site wide green infrastructure, as set out within the SWMD and as follows:-

- The landscape design would retain existing corridors of vegetation within the layout and where necessary these areas are strengthened (for example, the existing PRoW);
- Landscaping within the streetscape aims to create a sense of place with defined spaces, including the use of hedges and trees. Green Infrastructure would be incorporated into the development, including hedgerows and proposed street trees (utilising Sustainable Urban Tree Planting Systems);
- The protection, retention and enhancement of green infrastructure through the site would provide wildlife linkages and opportunities identified in the Green Infrastructure Strategy and Ecological Management Plan.

7.8 The Tree Officer (TO) has been consulted in respect of the scheme and considered that there is significant potential to incorporate significantly more new tree planting within the Phase 2 development as over time the trees will aesthetically contribute to the area and making it a much more attractive place to live. A number of areas which could accommodate additional planting have been suggested by the TO, including in between parking spaces, next to visitor parking and within the rear gardens of some of the plots. The TO has further advised that the choice of species and location needs to be carefully considered to enable the trees to grow to maturity and as such, the size, shape, orientation, soil type etc must be carefully taken into account. The Landscape Consultant has also been consulted in this regard and their detailed comments are currently awaited. However, no objection has been raised, subject to appropriate planning conditions.

7.9 Revised planting details/specifications have now been duly submitted by the applicant, in order to take account of the Tree Officer's recommendations. The response of the TO is awaited and **an update will be provided at Committee**. The revised plans also sought to address initial concerns raised by officers with regard to the proposed green infrastructure footpath link which would run north-south through the site and provide a strong pedestrian link to the neighbourhood centre and employment areas, from the Phase 2 site and beyond. The original plans indicated that the GI footpath would adjoin one of the community streets serving Phase 2 so that this important 'green' link would appear partially 'consumed' by vehicular highway. The footpath is identified within the approved site wide masterplan as an important green corridor and part of the overarching Green Infrastructure (GI) strategy for the site, which would create a multifunctional network of open spaces permeating the new development and linking features such as Hatherley Brook, Hatherley Ribbon Park and surrounding areas of open space and the countryside. The revised plans now incorporate a more clearly defined and attractive green corridor with a discernible planting buffer and separation from the vehicular/street network.

7.10 Subject to appropriate planning conditions relating to additional tree planting throughout the site and the submission of additional details relating to existing/retained trees, it is considered that the revised planting scheme would accord with Policies SD4 and SD6 of the JCS and in accordance with the overarching landscape principles of the SWMD.

8.0 Existing and future residential amenity

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

8.2 The layout and proximity of the Phase 2 site to the existing community of Innsworth (Innsworth Lane and connecting residential streets) is such that there would be no undue impact on the residential amenity of existing residents. The site would be separated from the existing residential area by the future phases of the Neighbourhood Centre and Employment Areas and as such, there is a discernible degree of separation between the application site and the existing dwellings to the south. The proposed new dwellings to the eastern-most extent of the approved Phase 1 site, would be sited to the opposite side of the main secondary route which serves both phases. Separation distances between frontages of the Phase 1 and Phase 2 dwellings are a minimum of 16m and the relationship between the two phases appears visually balanced and appropriate with regards to neighbouring amenity.

8.3 The eastern extent of the site is bounded by Frogfurlong Lane, with the associated buildings and land comprising Imjin Barracks beyond, on the opposite side of the lane. The proposed dwellings fronting onto Frogfurlong Lane would be set back from the lane itself by a minimum distance of 12m, behind existing and additional hedgerow/planting. Due to the degree of set-back and intervening planting/landscaping, it is considered that there would be no undue impact on the living conditions of new occupiers, either from traffic utilising the lane off/from the Imjin Barracks site.

8.4 Condition 33 of the Outline consent requires each reserved matters application which includes dwellings to be accompanied by a noise survey to identify any dwellings that would be likely to be affected by road noise by Innsworth Lane. A Noise Impact Assessment was duly submitted to accompany the previous Phase 1 proposal and a further Noise Impact Assessment has been submitted in respect of the Phase 2 scheme. The Environmental Health Officer (EHO) has been consulted in respect of the current scheme and considered the submitted Assessment to be satisfactory in terms of the methodology used and the conclusions reached. In terms of Phase 2, the noise assessment predicts that both internal and external noise levels across the site will achieve those recommended in BS8233:2014 without any specific noise mitigation measures. Therefore, the EHO is happy for condition 33 to be discharged/approved for this phase of the development.

8.5 The site layout has been carefully considered to ensure that the development can achieve acceptable levels of amenity for the proposed new dwellings. It is considered that all dwellings would have access to an acceptable garden amenity area. The apartments are the exception as whilst these benefit from landscaped margins they do not have private gardens. They instead, would have access to areas of communal space to the rear of each building. In addition, a number of apartment units would benefit from private balconies in order to provide a degree of private amenity space for each. Wider access would also be available to the attractive public open space within the development, including the neighbourhood square area, located immediately to the south and to be provided as part of the 'Phase 2 Employment Area'. Apartments have also been designed to front out onto the public realm in order to maximise activity, surveillance and an attractive outlook for residents/occupiers. In light of the above, it is considered that the apartment units would be afforded an appropriate level of residential amenity space and are therefore acceptable in this regard.

8.6 The distances between dwellings has been assessed. The most sensitive rear facing elevations maintain a minimum 20m gap to minimise direct overlooking between dwellings. This distance is reduced to 15m and 17m for a couple of plots, where dwellings face onto each other at oblique angles. However, this is considered acceptable as direct overlooking of rear elevations is reduced. The distance between front elevations across highways and private drives is a minimum of 14m which is acceptable in a frontage situation. Increased distances are maintained between the three-storey apartment buildings and two-storey dwellings, with three storey and two and a half storey buildings being predominantly clustered together along the short section of the spine road, within the Neighbourhood Centre and Employment Character Area.

8.7 The perimeter block layout serves to provide secure and private rear garden amenity space. Rear garden boundaries would be close board fencing to clearly define and enclose the private spaces and where visible from the public realm, would be 1.8m high screen wall. This would serve to further secure an appropriate level of private amenity space for each dwelling.

8.8 Overall, it is considered that the proposed development would result in acceptable levels of amenity being maintained for future residents of the development and the nearby existing residents of Innsworth, in accordance with the relevant JCS policies.

9.0 Affordable Housing

9.1 JCS Policy SD12 seeks 35% affordable housing to be provided, where possible, on site, within Strategic Allocation sites.

9.2 The application is accompanied by an Affordable Housing Scheme for the site. This is required by the S106 Agreement governing the outline permission which sets out the obligations for affordable housing delivery across the development. The approved Affordable Housing Scheme (Whole Site) identifies that 35% of the total number of residential units constructed on the site shall be affordable housing and that no more than 50% of the dwellings and no less than 10% of the dwellings on any phase should be provided as general affordable housing units.

9.3 Condition 7 of the Outline approval required a Phasing Plan to be submitted for the whole site, either prior to or as part of the first reserved matters application. The submitted Phasing Plan should include details of the approximate number of market and affordable dwellings for each phase of development. A Phasing Plan was submitted as part of the approved Phase 1 RMA, together with a Schedule for Distribution. Furthermore, the Affordable Housing Layout Plan, submitted in respect of the current Phase 2 scheme, seeks to indicate the position and type of affordable housing units proposed within the development. The Phase 2 scheme proposes a total of 69nos. affordable units, with the following mix; 13nos. one-bedroom apartments, 5nos. two- bedroom apartments (all of which would be affordable rented and provided at ground, first and second floor levels within the apartment blocks within the Neighbourhood Centre and Employment Character Area); 14nos. two-bedroom houses, 28nos. three-bedroom houses and 9nos. four- bedroom dwellings, either as affordable rent or affordable intermediate properties. The affordable units would be dispersed throughout the development, although the affordable apartments would be clustered along the spine road area within the apartment blocks. The number of affordable units proposed within the Phase 2 site would equate to 39% of the total number of dwellings. This figure accords with the requirements of the S106 Agreement, which restricts affordable provision within each phase to between 10% and 50% of the total number of units.

9.4 The Housing Enabling Officer (HEO) has been consulted and has advised that the proposed Affordable Housing contribution for Phase 2 is in line with the S106 agreement and subsequent Deed of Variation. As such, no objection is raised from the HEO.

9.5 It is considered therefore, that the scheme provides an appropriate requirement for affordable housing in accordance with the relevant policies of the JCS and the approved outline permission.

10.0 Foul and Surface Water Drainage

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

10.2 Innsworth Parish Council have emphasised within their formal comments, the requirement to properly manage drainage within the development. Members may recall similar concerns being raised at April 2019 Planning Committee, in respect of both the infrastructure RM and Phase 1 RM proposals (18/01284/APP & 18/01285/APP). The principle of developing the site is of course, already established by the outline permission. An engineering and drainage strategy plan has been submitted as part of the current Phase 2 scheme in order to demonstrate how the site specific drainage infrastructure would accord with the drainage strategy for the entire site. Condition 26 of the Outline consent precluded the commencement of development works on site until a detailed surface water drainage strategy for the entire site has been submitted to and approved in writing by the LPA. Condition 26 of the outline permission further requires surface water drainage work details in respect of each RM application, to be submitted for approval in writing by the LPA, alongside/as part of that RM submission. Condition 27 also required that no dwellings should be located outside of Flood Zone 1 and Condition 28 required floor levels for all properties to be set a minimum of 750mm above the modelled 1 in 1000 year flood level (as a proxy to the 1:100 plus 70% climate change event). Levels details have been submitted as part of the detailed engineering plans for the current scheme and which accord with the details previously submitted in order to demonstrate compliance with Condition 28. In addition, Condition 26 (Site wide detailed surface water drainage strategy) of the Outline consent has been complied with and subsequently discharged and the detailed engineering and drainage strategy drawing submitted in respect of the current Phase 2 scheme, seeks to demonstrate how the proposal would fully accord with the aforementioned approved SuDS and would appropriately align with the overarching, site-wide strategy approved under Condition 26.

10.3 The site-wide flood risk attenuation works/engineering operations to create attenuation ponds, were considered and subsequently approved as part of Reserved Matters application ref: 18/01284/APP. The site-wide attenuation and drainage strategy for the current Phase 2 proposal has been prepared in alignment with the detailed surface water drainage strategy approved under Condition 26. The Lead Local Flood Authority (LLFA) has been consulted in respect of the current scheme and has advised that the drainage strategy illustrated within the General Engineering and Drainage Strategy Plan would be suitable as part of the overall drainage strategy approved by Condition 26 of the Outline consent 15/00749/OUT. Matters of appearance, landscaping, layout and scale are not expected by the LLFA, to impact the overall drainage strategy in this development phase and they, therefore advise that they have no comment to make with regard to these matters.

10.4 The Environment Agency (EA) has responded previously in respect of the Outline scheme and subsequent conditions relating to flood risk matters. The Environment Agency has also been consulted in respect of the current Phase 2 scheme and has raised no objections nor provided additional comments or conditions in view of the site's location, entirely within Flood Zone 1.

10.5 Severn Trent (ST) have also considered the proposal and have advised that, as surface water is proposed to discharge to watercourse and not to the public sewerage system they have no specific comments to make and defer to the LLFA/EA for detailed comments. No conditions were imposed by the Inspector/SOS upon the outline permission with regards to foul drainage details and this would be a matter for future assessment by Building Control Officers during development works in order to ensure compliance with relevant Building Regulations. The Environmental Statement (ES), submitted in respect of the outline permission (Section 11), states that the phasing of the foul drainage and connections to existing Severn Trent sewerage infrastructure would be carried out in accordance with the requirements of ST water, including any improvements that are required to accommodate flows from the development. The ES further sets out that the phased provision of the foul drainage would ensure that there would be no adverse effect resulting from foul sewage during construction of the development. Foul drainage is proposed within the ES to discharge either to the existing foul sewer in the northeast or to the Longford Sewage Pumping Station to the southwest. Sewage from the development would be treated at the 'Netheridge Treatment Works' and the treated effluent discharged to the River Severn. Paragraph 11.5.49 of the ES advises that Severn Trent had been consulted on the capacity of their existing foul infrastructure and the predicted flows arising from the development of the site. Any improvements required to infrastructure resulting from the additional flows, would be secured with ST in order to ensure that there would be no adverse effect in drainage terms.

11.0 Conclusions & Recommendations

11.1 Subject to the resolution of the highways technical matters and additional tree planting/soft landscaping matters raised within this report, it is considered that the proposal would result in an acceptable layout, scale, appearance, landscaping and access arrangements, which would be well related to the existing settlement of Innsworth and would integrate successfully with the Phase 1 Scheme approved under planning reference: 18/01285/APP and also into the surrounding landscape of the open countryside and later phases of the development.

11.2 It is recommended that authority be delegated to the Technical Planning Manager to Approve the application subject to a satisfactory response from the County Highways Officer, Tree and Landscape Officers and revised plans which satisfactorily address outstanding minor matters concerning highways/layout and landscaping being resolved and any other additional/revisions to conditions which may be required.

RECOMMENDATION Delegated Approve

Conditions:

- 1 Other than where varied by the conditions below, the development hereby approved shall be implemented in accordance with the following plans, documents and details;

Received on 14th October 2019;

To be confirmed

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

- 2 Notwithstanding the submitted details, no works above the floor plate level of any dwelling shall be commenced until the design and details of the doors and windows (external joinery - including finished colour) have first been submitted to and approved in writing by the Local Planning Authority. The elevations shall be at a minimum scale of 1:20 and the sections shall be at a minimum scale of 1:5 and shall indicate moulding details at full size. The works and fitted joinery shall be carried out in accordance with the approved details.

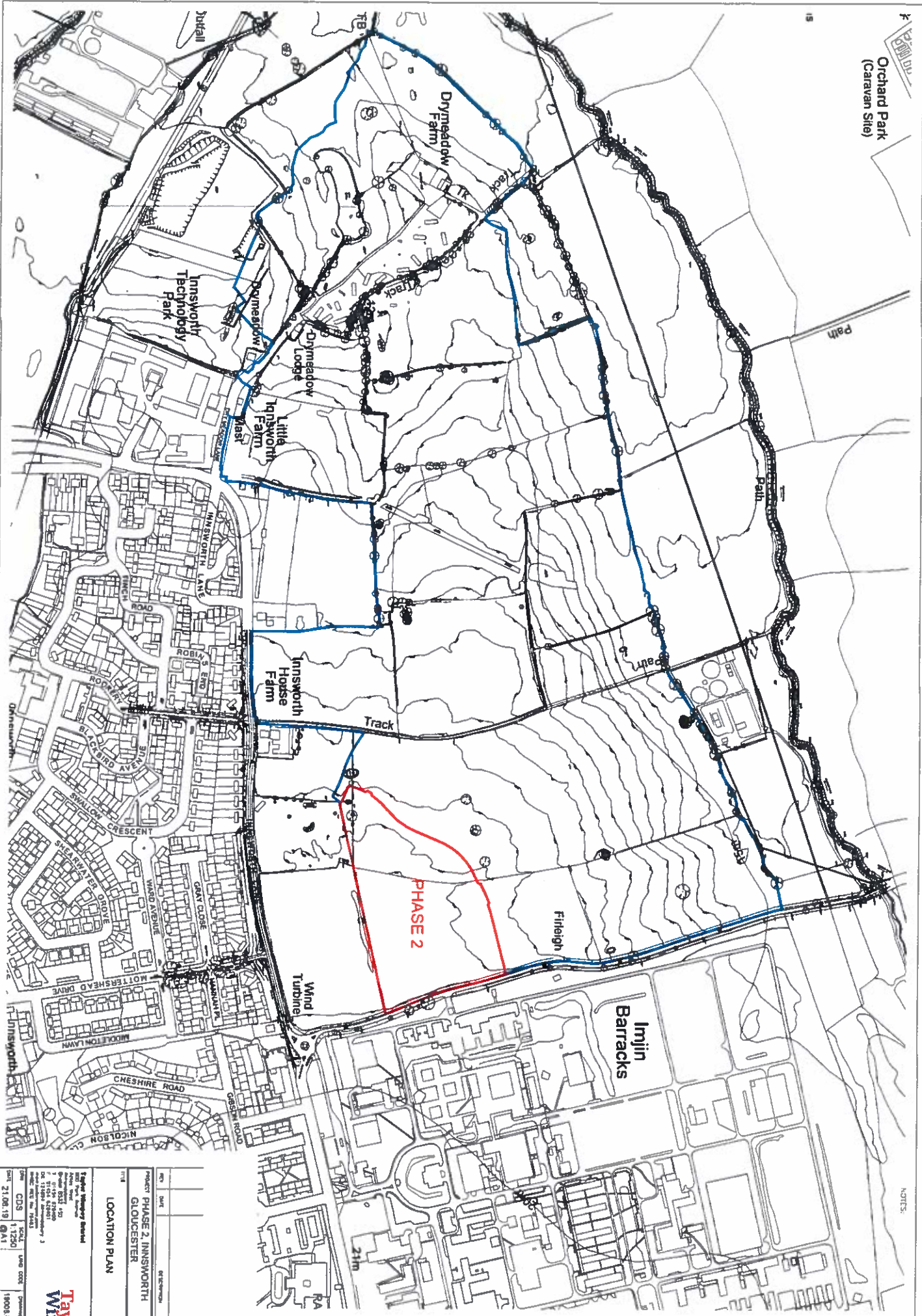
Reason: In the interests of visual amenity

Informative:

1. In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating to improve the site layout and the design/materials of the Neighbourhood Centre and Employment Character Area.
2. The applicant is advised that it is an offence under section 161 of the Highway Act 1980 to deposit anything on a highway the consequence of which a user of the highway is injured or endangered. It is strongly recommended that during any forms of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided and used within the site, to prevent contamination and damage to the adjacent roads.
3. The decision is to be read in conjunction with planning permission 15/00749/OUT including the associated S106 legal agreements.

19/00996/APP

Orchard Park
(Caravan Site)



NOTES:



A112L

| | | | |
|--|------|-------------|-----------|
| NO. | DATE | DESCRIPTION | ISSUED BY |
| | | | |
| PROJECT PHASE 2, INNSWORTH GLOUCESTER | | | |
| LOCATION PLAN | | | |
| Taylor Wimpey 19/00996/APP | | | |

19/00/996/LAPP Proposed Street Scenes



STREET SCENE AA
NEIGHBOURHOOD CENTRE AND EMPLOYMENT CHARACTER AREA



STREET SCENE B-B
CORE CONTEMPORARY CHARACTER AREA



STREET SCENE C-C
CORE - GREEN CORRIDOR CHARACTER AREA



STREET SCENE D-D
CORE TRADITIONAL CHARACTER AREA



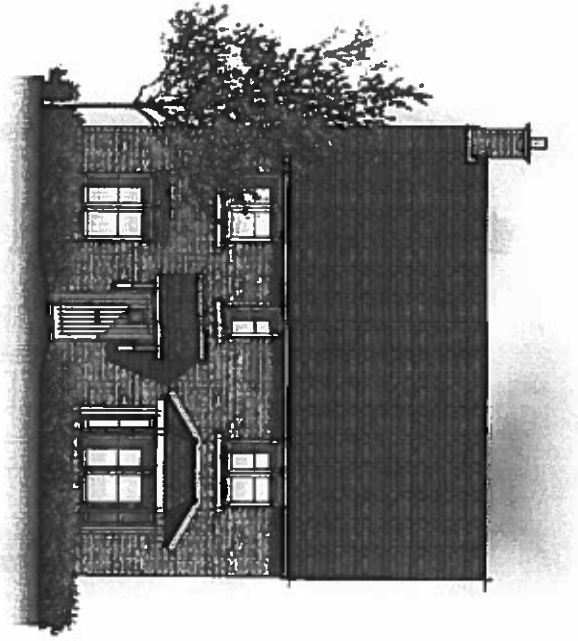
7/222

| | | | |
|-----------------------------|------------|------------|-----------------|
| DATE | 11/09/2011 | PROJECT | 19/00/996/LAPP |
| SCALE | 1:1250 | CLIENT | GLDCESTRIS/SHRE |
| DRAWN BY | | CHECKED BY | |
| DATE | | DATE | |
| 11/09/2011 | | 11/09/2011 | |
| PHASE 2 STREET SCENES | | | |
| TAYLOR WIMPEY ARCHITECTS | | | |
| 19/00/996/LAPP | | | |
| 11/09/2011 | | | |

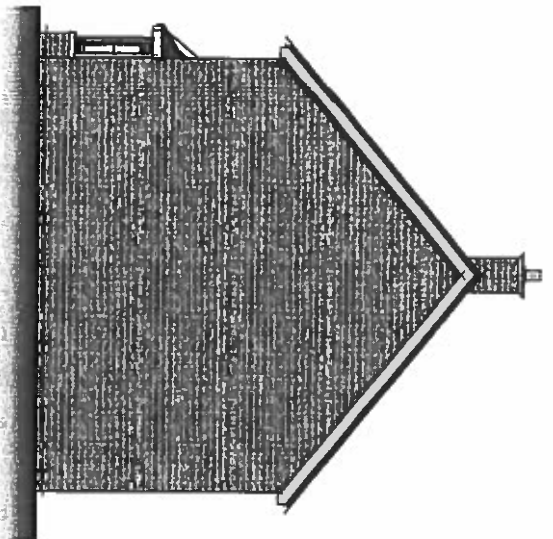
19/00996/APP

NOTES:

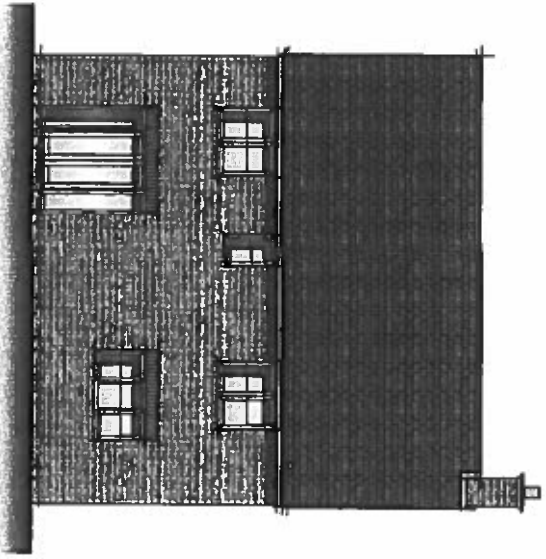
As: Plot 344



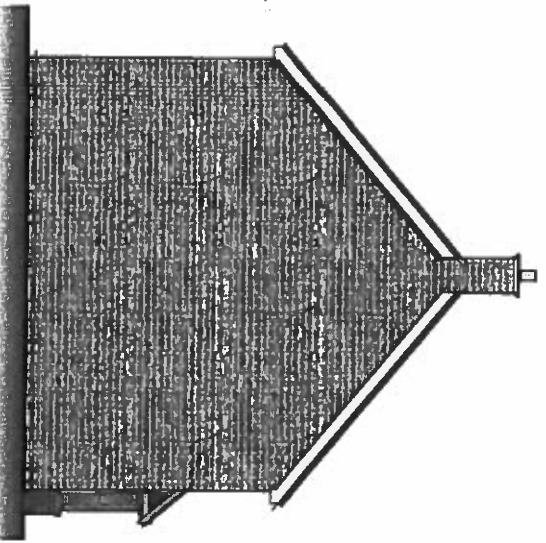
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

1385sqft

0/222

| REV | DATE | DESCRIPTION | DRAWN |
|--|------|---|-------|
| | | | |
| PROJECT PHASE 2 INNSWORTH GREEN CORRIDOR AREA TITLE N444 (MANFORD) VARIATION 1 FLOOR PLANS AND ELEVATIONS | | | |
| Taylor Wimpey Bristol 72 Staircase Drive Almondsbury Bristol BS32 4UE T 01454 628400 F 01456 628401 DX 124804 Almondsbury 3 HNR@TAYLORWIMPEY.COM HNR@TAYLORWIMPEY.COM | | | |
| DM CDS DATE 18.12.19 | | SCALE 1/100 DRAWING NUMBER 19008.NA444.601 | |
| | | REV | |

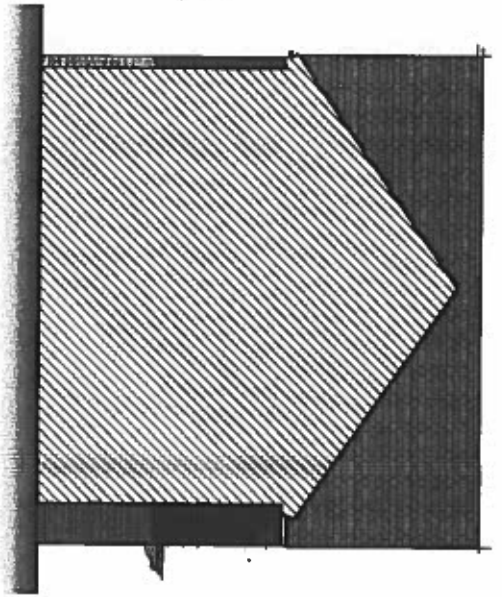
Z:\02 Projects\19008 Innsworth Phase 2 - Taylor Wimpey\01 CAD\04 House\ps11 3026 House 1\ps 03 Elev Combs.dwg

19/00996 /APP

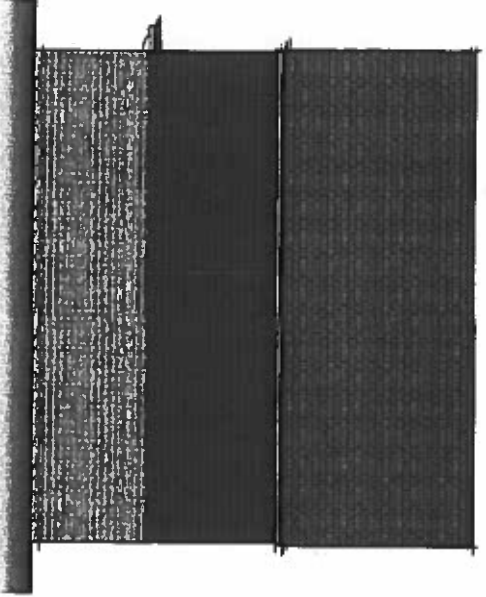
NOTES:
As: Plots 303 & 377
Handed: Plots 305 & 376



FRONT ELEVATION

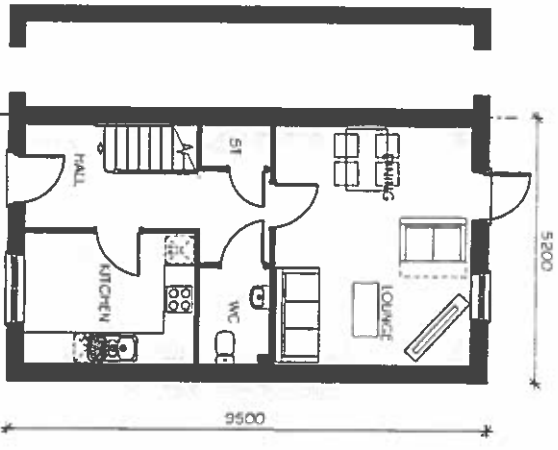


SIDE ELEVATION



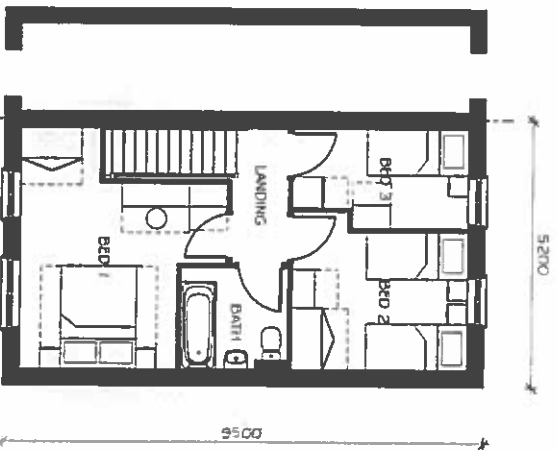
SIDE ELEVATION

2/22



895 sqft

GROUND FLOOR PLAN



FIRST FLOOR PLAN



REAR ELEVATION

| REV | DATE | DESCRIPTION | BY | CHK |
|-----|----------|--------------------------|----|-----|
| 0 | 22.12.19 | Final numbers generated. | | |
| A | 11.01.19 | Final numbers added. | | |

| | |
|---|--|
| Project PHASE 2 INNSWORTH GREEN CORRIDOR AREA - AFFORDABLE Title AA31 VARIATION 3 FLOOR PLANS AND ELEVATIONS | |
| Architect Taylor Wimpey Bristol 730 Waterside Drive Aztec West Almondsbury Bristol BS32 4UE T 01454 828400 F 01454 828401 D 01454 828401 www.taylorwimpey.com HMBC REG No 76483 | Scale 1/100 Drawing Number 19008_AA31_603 Date 19.09.19 |

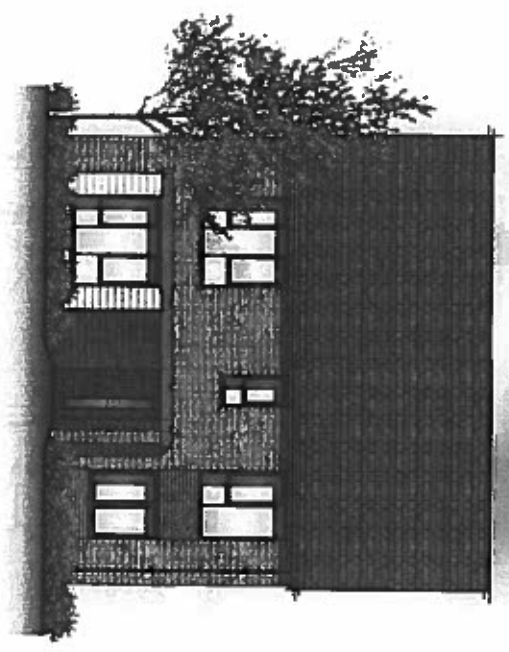
Z:\02 Projects\19008 Innsworth Phase 2 - Taylor Wimpey\01 CAD\04 House\19008 House 1\19008 AA31.dwg

19/00996/NPP

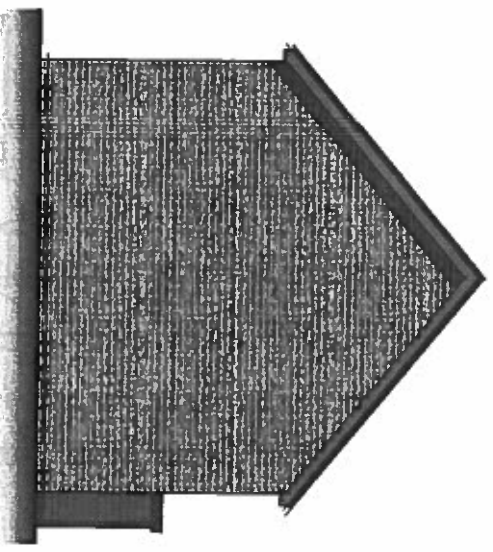
NOTES

Handed: Plot 427

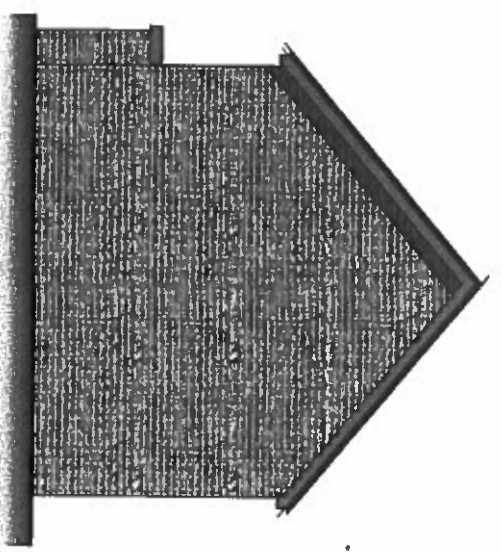
*Drawing is showing handed version, as it is the only variation.



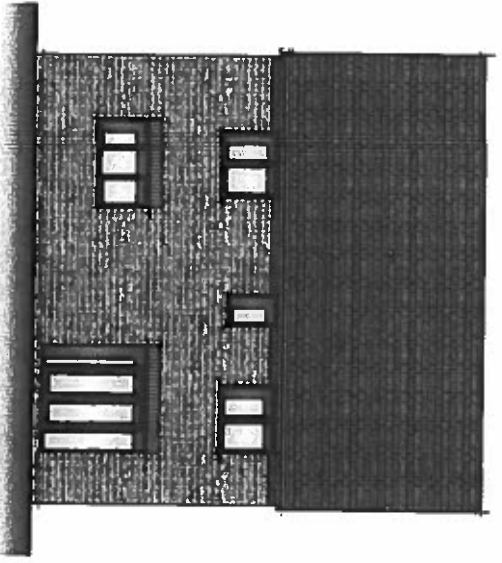
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

3/22

| REV | DATE | DESCRIPTION | DRAWN |
|-----|----------|---|-------|
| B | 24.12.19 | Plot number amended and hatched version shown as only variant | |
| A | 11.10.19 | Plot numbers added | |

PROJECT PHASE 2 INNSWORTH CORE CONTEMPORARY AREA
 TITLE D1389 (SUNFORD) VARIATION 1 ELEVATIONS

Taylor Wimpey Bristol
 730 Waterside Drive
 Astor West
 Almondsbury
 Bristol BS32 4UE
 T 01454 828400
 F 01454 828401
 DX 1000000 Almondsbury 3
 www.taylorwimpey.com
 NHBC REG No 76483

Taylor Wimpey

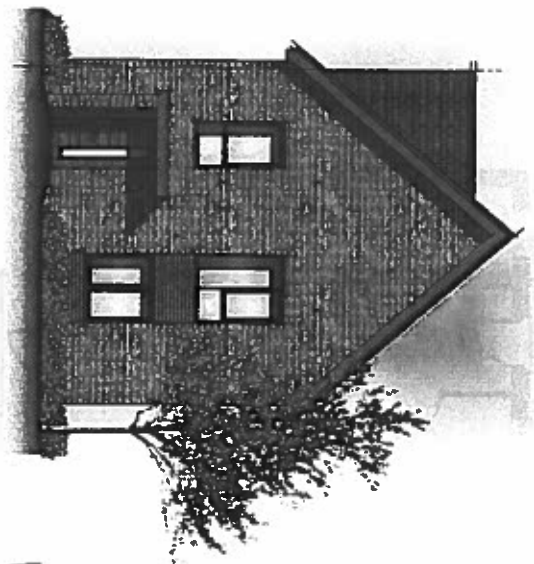
| DN | CDS | SCALE | DRAWING NUMBER | REV |
|------|----------|-------|-----------------|-----|
| DATE | 23.08.19 | 1/100 | 19008.D1389.501 | B |

1389s4ft

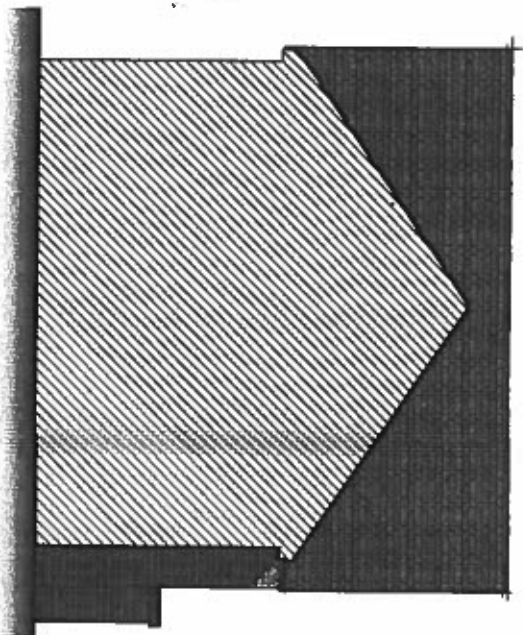
19/00 996 /APP

NOTES.

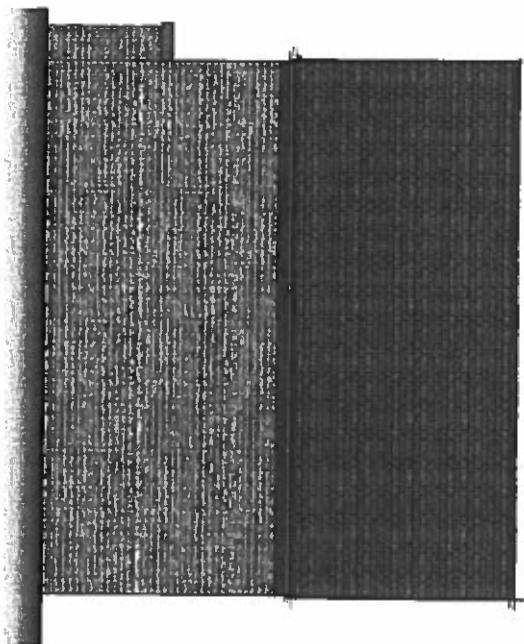
As: Plots 286 & 290



FRONT ELEVATION

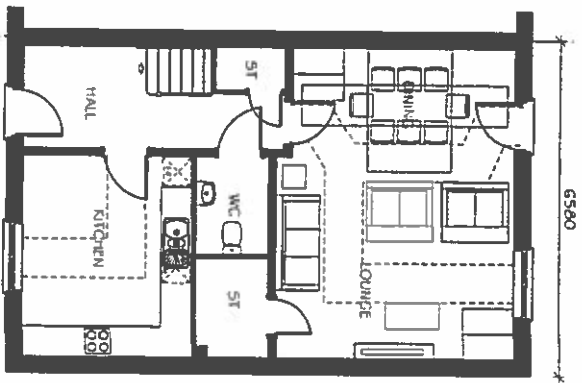


SIDE ELEVATION

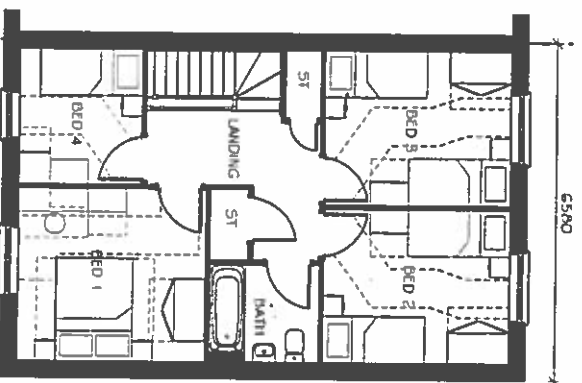


SIDE ELEVATION

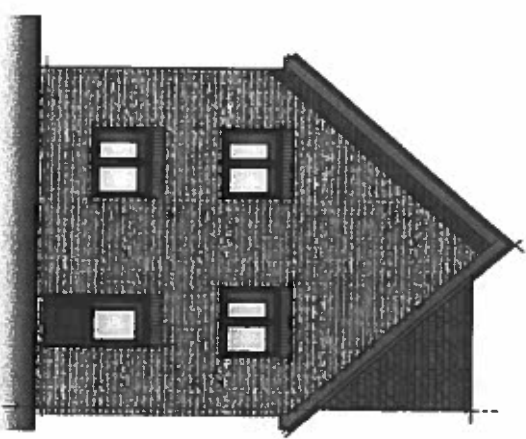
727/G



1260 sqft GROUND FLOOR PLAN



FIRST FLOOR PLAN



REAR ELEVATION

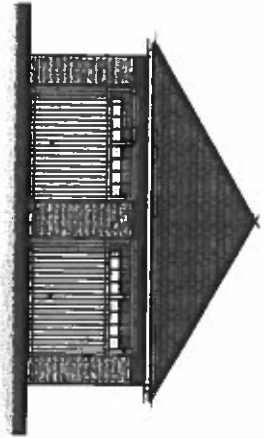
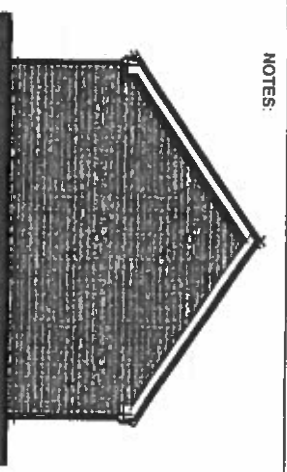
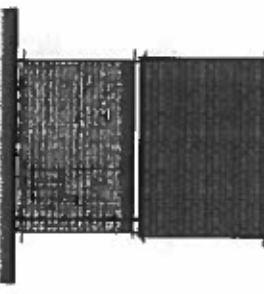
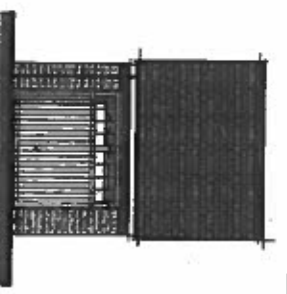
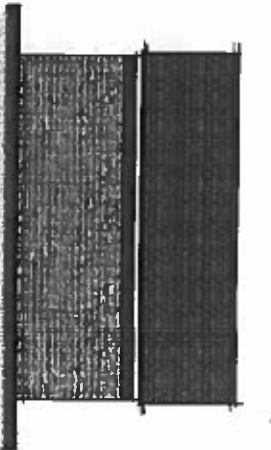
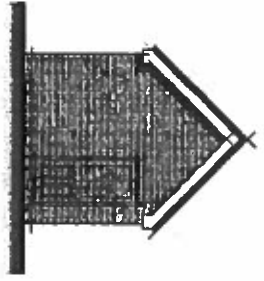
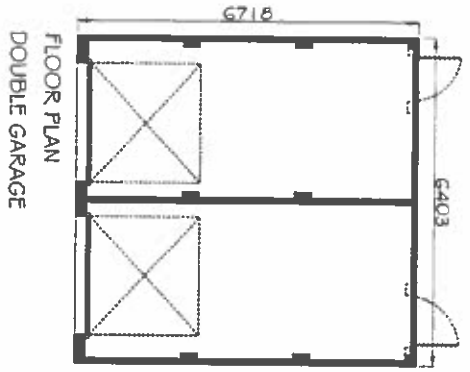
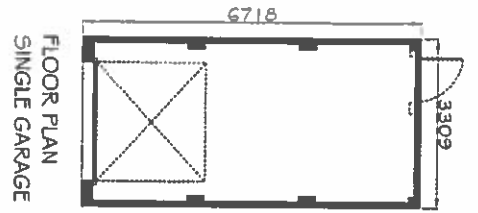
| | | | |
|-----|----------|--------------------------------------|-------|
| REV | DATE | DESCRIPTION | DRAWN |
| B | 23.08.19 | Handing added Final numbers added | |
| A | 17.10.19 | | |
| G | 24.12.19 | | |

| | |
|--|---|
| PROJECT | PHASE 2 INNSWORTH - AFFORDABLE CORE TEMPORARY AREA |
| TITLE | 4B7P FLOOR PLANS AND ELEVATIONS |
| <p>Taylor Wimpey Bristol 720 Waterloo Drive Alderley Hall Bristol BS32 4UE T 01454 628400 F 01454 628401 www.taylorwimpey.co.uk NHBC REG No 76483</p> <p style="text-align: right;">Taylor Wimpey</p> | |
| DATE | 23.08.19 |
| SCALE | 1/100 @ A3 |
| DRAWING NUMBER | 19008.4B7P.501 |
| REV | B |

Z:\02 Projects\19008 Innsworth Phase 2 - Taylor Wimpey\01 CAD\04 Floorplans\19008 House 1\plan 01 Contemporary and Affordable\01.dwg

19/00996/NPP

NOTES:



H/L2L

| REV | DATE | DESCRIPTION | DATE |
|-----|----------|------------------------------------|------|
| A | 24.12.19 | Single garage removed garage added | |

PROJECT PHASE 2 INNSWORTH, GLOUCESTER
CORE TRADITIONAL AREA

TITLE
SINGLE & DOUBLE GARAGE
FLOOR PLANS AND ELEVATIONS

Taylor Wimpey Bristol
730 Waterside Drive
Almondsbury
Dorset BA32 4UE
T 01454 828400
F 01454 828401
DX 12486 Almondsbury 3
www.taylorwimpey.com
NHBC REG NO. 76483

| DATE | SCALE | DRAWING NUMBER | REV |
|----------|------------|----------------|-----|
| 26.09.19 | 1/100 @ A3 | 19008.301.01 | A |

BOROUGH COUNCILLORS FOR THE RESPECTIVE WARDS 2019-2023

| Ward | Parishes or Wards of | Councillors | Ward | Parishes or Wards of | Councillors |
|---------------------------------------|---|---|------------------------------|---|--|
| Badgeworth | Badgeworth (incl. Bentham) Great Witcombe Staverton | Robert Vines | Isbourne | Ashchurch Rural (incl. Walton Cardiff) Buckland Dumbleton Oxenton Snowshill Stanton Stanway Teddington Toddington | John Evetts Mel Gore |
| Brockworth East | Brockworth Parish (East Ward) | Louise Gerrard Sara Stevens | | | |
| Brockworth West | Brockworth Parish (West Ward) | Craig Carter Deborah Harwood | | | |
| Churchdown Brookfield with Hucclecote | Churchdown Parish (Brookfield Ward) Hucclecote | Gill Blackwell Paul Smith Richard Smith | | | |
| Churchdown St John's | Churchdown Parish (St John's Ward) | Mary Jordan Clare Softley Scott Thomson | Northway | Northway | Pauline Godwin Elaine MacTiernan |
| Cleeve Grange | Cleeve Grange Ward | Helen Munro | Severn Vale North | Deerhurst Elmstone Hardwicke Leigh Stoke Orchard & Tredington | Heather McLain |
| Cleeve Hill | Gotherington Southam Woodmancote | Mike Dean Anna Hollaway | Severn Vale South | Boddington Down Hatherley Norton Sandhurst Uckington | Mark Williams |
| Cleeve St Michael's | Cleeve St Michael's Ward | Bob East Andrew Reece | | | |
| Cleeve West | Cleeve West Ward | Rob Bird Richard Stanley | | | |
| Highnam with Haw Bridge | Ashleworth Chaceley Forthampton Hasfield Highnam Maisemore Minsterworth Tirley | Paul McLain Jill Smith | Shurdington | Shurdington | Philip Surman |
| | | | Tewkesbury East | Tewkesbury Town (Newtown Ward) Wheatpieces | Christine Reid Vernon Smith |
| | | | Tewkesbury North and Twyning | Tewkesbury Town (North Ward) Twyning | Mike Sztymiak Philip Workman |
| | | | Tewkesbury South | Tewkesbury Town (South Ward) | Cate Cody Kevin Cromwell |
| Innsworth | Innsworth Longford Twigworth | Graham Bocking Paul Ockelton | Winchcombe | Alderton Gretton Hawling Prescott Sudeley Winchcombe | David Gray Jim Mason John Murphy |