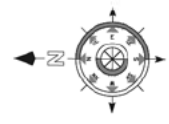


- ☐ FEASIBILITY
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- ☐ FOR COMMENT
- ☐ PRELIMINARY
- ☒ PLANNING
- ☐ BUILDING REGULATIONS
- ☐ TENDER
- ☐ CONSTRUCTION ISSUE
- ☐ AS BUILT

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Rev A: DB - 2018.09.13
 Red line adjusted and blue line added.



Scale 1:1250
 0 10 20 30 40 50m

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 e info@beswick.co.uk
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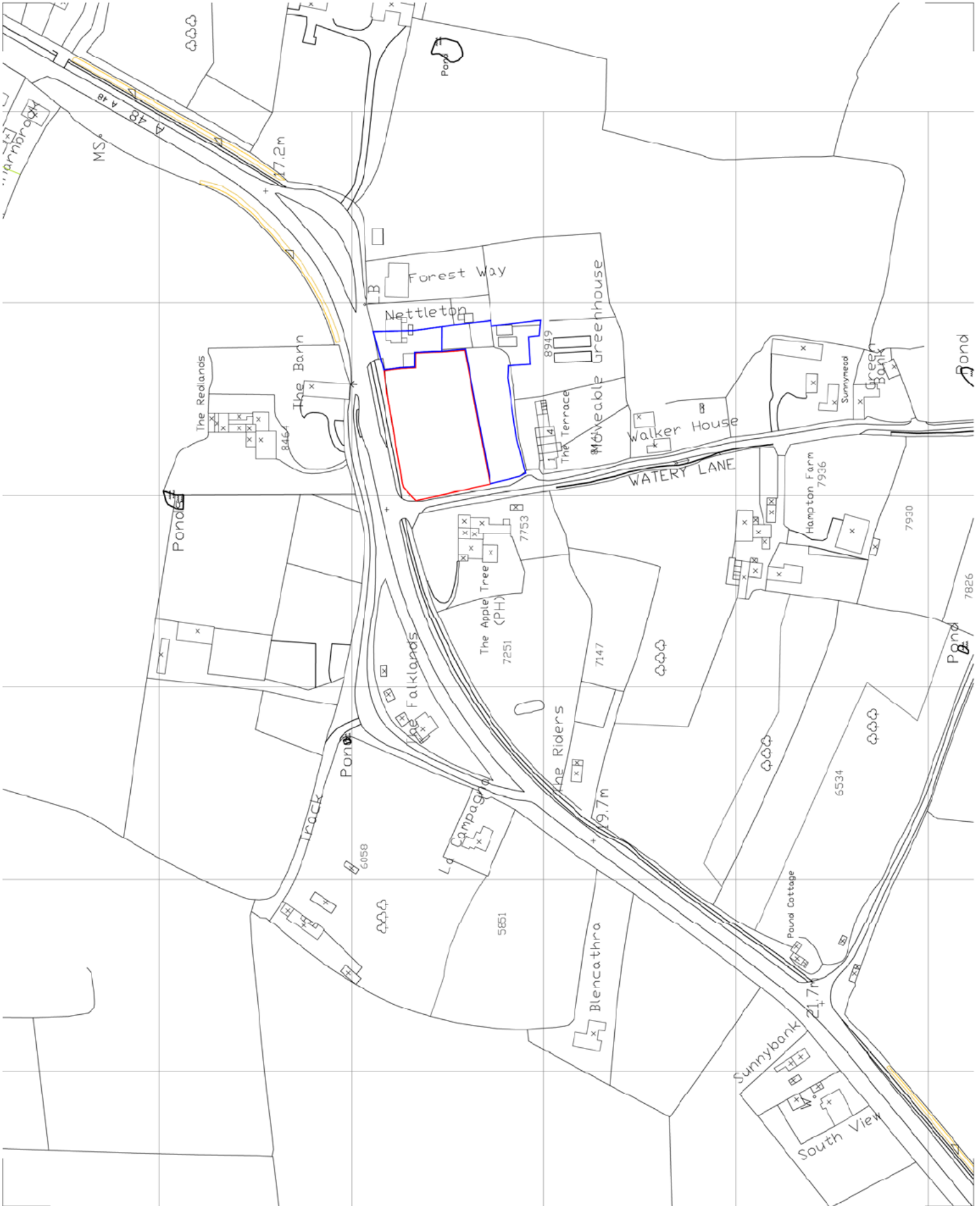
client: [REDACTED]

project:
 GREEN ACRES, MAIN ROAD
 MINSTERWORTH
 GLOUCESTERSHIRE
 GL2 8JQ

drawing title:
 SITE LOCATION PLAN

scale:
 1:150 @ A2
 date: 2017.12.21
 drawn by: DC
 checked by: PAB
 drawing number:

939,81 - 20A



- ☐ AS BUILT
- ☐ CONSTRUCTION ISSUE
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REV: 001: 20/06/13
C: 20/06/13

DESCRIPTION:
PROPOSED SITE LAYOUT

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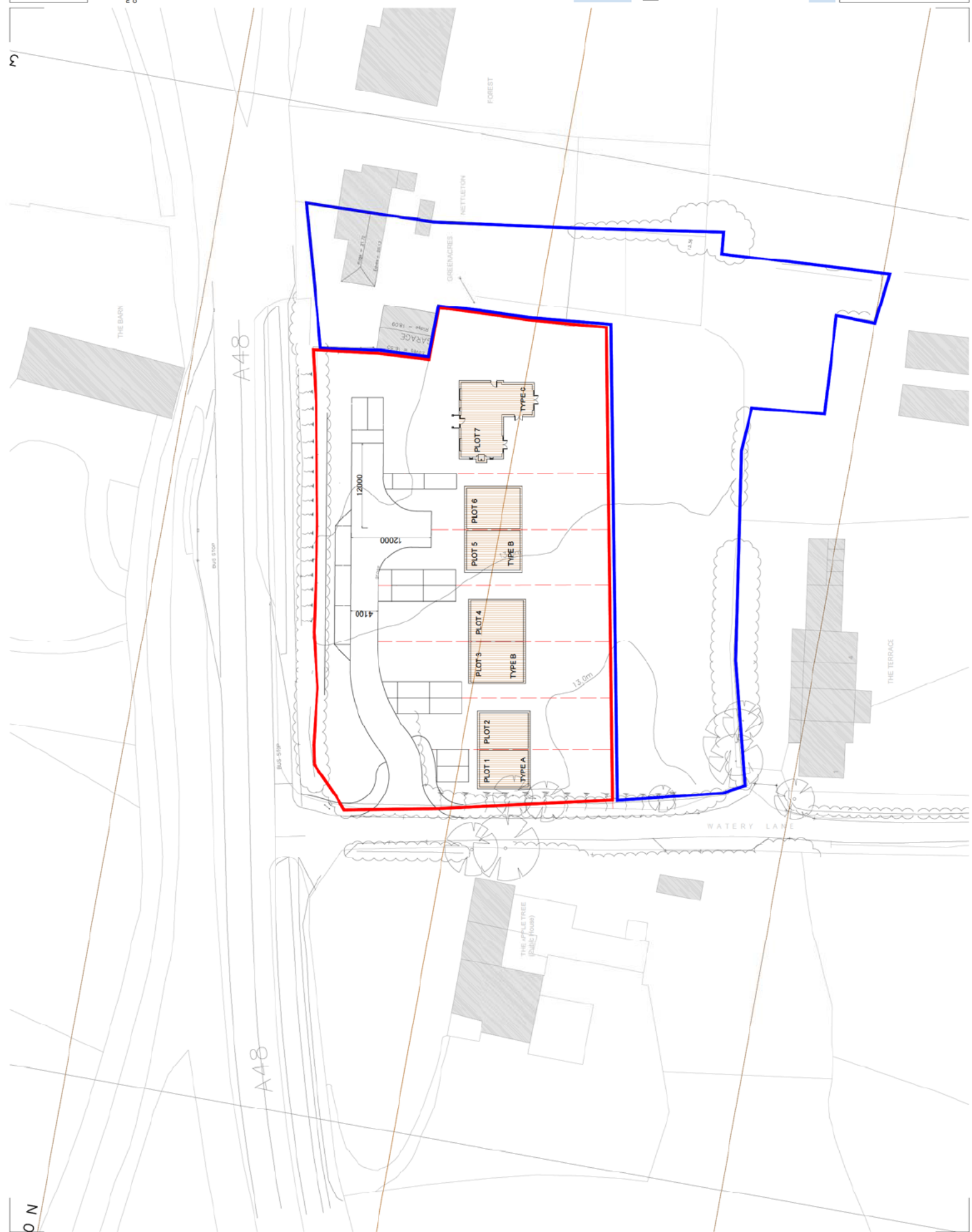
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C: 20/06/13



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MINSTERWORTH
GLOUCESTERSHIRE
GL2 8JG

drawing title:
PROPOSED SITE LAYOUT

scale:
1:250 @ A1: 1500 approx @ A3: 2018.06.13

checked by:
JAD

drawing number:
939.81 - 09

revision:
C





West Elevation

North Elevation

East Elevation



Ground Floor Plan

First Floor Plan

Shell Size 5.4m x 7.5m
Area: 40.5m² x 2

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rev: A date: 2018.08.16
 description: 40 deg roof pitch

client: [redacted]
 scale: 1:100 @ A2
 date: 2018.08.16
 checked by: [redacted]
 drawn by: [redacted]
 project: GREEN ACRES, MAIN ROAD
 MINSTERWORTH
 GLOUCESTERSHIRE
 GL2 8JG
 drawing title: HOUSE TYPE A
 drawing number: 939,81 - 33
 revision: [redacted]



West Elevation

North Elevation

East Elevation



Ground Floor Plan
Shell Size 6.0m x 8.1m Int
Area: 48.60m² x 2

First Floor Plan
3 bedrooms

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rev: date: A

1. All dimensions are to the internal face of the walls and floors unless otherwise stated.
2. All dimensions are to the internal face of the walls and floors unless otherwise stated.
3. All dimensions are to the internal face of the walls and floors unless otherwise stated.

project: GREEN ACRES MAIN ROAD
MINSTERMOUTH
GLOUCESTERSHIRE
GL1 2JG

drawing title: HOUSE TYPE B

scale: 1:100 @ A2
date: 2016.08.20
checked by: RAL
drawn by: IT

bpl
architecture



Front Elevation

Side Elevation

Side Elevation



Rear Elevation



Ground Floor Plan

First Floor Plan

Shell Size 10.8m x 11.2m max int
Area: 91.2m²

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- ☐ BUILDING REGULATIONS
- ☐ TENDER
- ☐ CONSTRUCTION ISSUE
- ☐ AS BUILT

rev: date: description:

client: [REDACTED]
scale: 1:100 @ A2
date: 2016.08.09
drawn by: DB
checked by: RAB

project:
GREEN ACRES MAIN ROAD
MINSTERMORTH
GLOUCESTERSHIRE
GL2 8JG

drawing title:
HOUSE TYPE C
drawing number:
939,81 - 32
revision:

17/01268/FUL

Greenacres , Main Road, Minsterworth

Valid 29.12.2017

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

Grid Ref 378882 217577
Parish Minsterworth
Ward Highnam With Haw
Bridge

RECOMMENDATION Delegated Permit

Policies and Constraints

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

Consultations and Representations

Minsterworth Parish Council - Supports the application.

Highways England - Offer no objection.

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

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

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

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

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

Conservation Officer - No objection.

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

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

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

Planning Officers Comments: Victoria Stone

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

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

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

1.4 The site is not subject to any landscape designations.

1.5 Minsterworth is defined as a Service Village in the Settlement hierarchy (Table SP2c) of the JCS. The village offers two or more primary services, two or more secondary services and benefiting from bus services

and/or road access to a major employment area (Rural Area Settlement Audit, updated in 2015).

2.0 Planning History

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

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

3.0 Details of Proposal

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

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

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

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

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

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

4.0 Policy Context

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

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

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

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

5.0 Analysis

5.1 The main issues to be considered in this application are the principle of the development, the design, scale and layout of the new dwellings, the visual impact, impact upon highway safety, upon residential amenity and upon the setting of the listed building to the west of the application site.

Principle of Development

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

5.3 Minsterworth is a linear, dispersed, settlement and the application site is located approximately 1km from the core of the village where St Peters Church and the Village Hall are located. The application site itself is

located in the vicinity of a number of dwellings and cannot therefore be considered to be isolated.

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

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

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

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

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

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

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

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

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

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

5.14 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The application conflicts with policies SP2 and SD10 of the JCS and therefore the starting point is that the proposal should be refused in accordance with the development plan unless other material planning considerations indicate otherwise.

Housing Mix

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

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

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

5.17 The following mix of units would be provided:

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

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

Affordable Housing

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

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

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

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

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

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

Impact on Heritage Assets

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

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

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

that the development would harm the setting of Redlands.

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

Design

5.27 Section 12 of the NPPF which sets out that the creation of high quality buildings and places is fundamentally to what the planning and development process should achieve and that good design is a key aspect of sustainable development, creating better places in which to live and work and helping make development acceptable to communities. This advice is echoed in JCS Policy SD4 which states new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.

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

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

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

Visual Impact

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

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

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

Impact upon residential amenity

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

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

5.36 In respect to the amenity of future occupiers, the proposed dwellings would be located in a linear position which would ensure there would be no overshadowing issues. Further, all windows above ground floor level

of either side elevations would serve non-habitable rooms. A condition requiring the glazing to be obscure glazed is considered reasonable to prevent any direct overlooking.

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

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

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

Highways and parking issues

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

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

Ecology

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

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

Drainage

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

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

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

Archaeology

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

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

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

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

6.0 Planning Balancing and Conclusion

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

Benefits

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

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

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

Harms

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

Neutral

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

Conclusion

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

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

6.9 It is therefore recommended that **PERMISSION is delegated to the Development Manager subject to the completion of a legal agreement to secure on-site affordable housing contribution and no adverse**

comments being received from County Highways Authority.

Summary of Reasons for Decision:

RECOMMENDATION Delegated Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
 - 2 Unless where required or allowed by other conditions attached to this permission/consent, the development hereby approved shall be carried out in accordance with the information provided on the application form and the following plans/drawings/documents:
939,81-20A - Site Location Plan
939,81-09 Rev C - Proposed Site Layout Plan
939,81-32 Rev A - Elevations and Floor Plans - House Type C
939,81-33 Rev A - Elevations and Floor Plans - House Type A
939,81-34 Rev A - Elevations and Floor Plans - House Type B
 - 3 Notwithstanding the submitted details, prior to its/their installation as part of the development hereby approved, a specification of the materials and finish for the external walls (including the proposed weatherboarding), doors and windows and roofing proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials as approved.
 - 4 Before any dwelling hereby permitted is first occupied a scheme of soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:-
 - (i) a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.
 - (ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.
 - (iii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
 - (iv) a written specification outlining cultivation and other operations associated with plant and grass establishment.
 - (v) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.
 - (vi) details of a precise specification of the proposed materials for the hard landscaping of the site (including roads, paths, parking areas and other hard surfaces);
- All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the occupation of any dwelling hereby permitted.
- The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- The hard landscaping of the site shall be completed before the first occupation of any dwelling hereby permitted or in accordance with a timetable agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5 Before the first occupation of any dwelling hereby permitted a plan indicating the positions, design, materials and type of boundary treatment to be erected, including those to be installed between the plots, shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the first occupation of the development hereby permitted. Development shall be carried out in accordance with the approved details.

- 6 The development hereby permitted shall be carried out in strict accordance with the recommendations set out in Section 4 (Discussion and Recommendations) of the Preliminary Ecological Appraisal, carried out by Wild Service, dated November 2017 and submitted with this application.
- 7 Development shall not begin until details of the proposed drainage works, both surface and foul, have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the details approved prior to the occupation of the dwellings.
- 8 No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 9 Before any dwelling hereby permitted is first occupied a noise assessment together with a scheme of noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the indoor ambient noise levels in living rooms and bedrooms and external amenity areas meet the standards in BS 8233:2014 for the appropriate time period. The approved measures shall be implemented before any dwelling hereby permitted is first occupied and shall be retained thereafter.
- 10 The construction work on the buildings hereby approved shall not be commenced until the precise floor slab levels of each new building, relative to the existing development on the boundary of the application site have been submitted to and approved in writing by the local planning authority. Thereafter the new buildings shall be constructed at the approved floor slab levels.
- 11 Throughout the construction period of the development hereby permitted provision shall be made within the site to accommodate the likely demand generated for the following:
 - i) parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) provide for wheel washing facilities;
- 12 Before the first occupation of the dwellings hereby permitted any window at first floor or above on any of the side facing elevations shall be fitted with Pilkington Level 4 obscured glazing or equivalent and shall be permanently retained in that condition thereafter.

Reasons:

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To define the permission.
- 3 To ensure that the new materials are in keeping with the surroundings and/or represent quality design and to protect and conserve the setting of the adjacent heritage asset.
- 4 To protect the amenities of properties and ensure the proposed development does not have an adverse effect on the character and appearance of the area.
- 5 To protect the amenities of properties and ensure the proposed development does not have an adverse effect on the character and appearance of the area.
- 6 To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area.
- 7 Insufficient information has been submitted with the application and to ensure that the development is provided with a satisfactory means of drainage.
- 8 To protect, conserve and enhance the significance of heritage assets.
- 9 To ensure the proposal preserves residential amenity and to prevent unacceptable noise pollution to

the detriment of human health.

- 10 To ensure the proposed development does not have an adverse effect on the character and appearance of the area.
- 11 To reduce the potential impact on the public highway and accommodate the efficient delivery of goods.
- 12 To protect the amenities of adjoining/nearby properties from unacceptable overlooking/loss of privacy.

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 a revised design, layout and scale of development.

out that the replacement dwelling would have a much larger footprint and floor space than the existing dwelling and she questioned why Paragraph 5.16 went on to state that this was reasonable. The report also made reference to the modern and contemporary dwellings in the immediate area – most notably No. 1-4 The View – but she was of the opinion that four wrongs did not make a right.

- 47.40 A Member noted that Cleeve Hill was notorious for slippage and work had been carried out to “sure up” the road beneath the development. With this in mind, he questioned whether it was possible to condition the planning permission to ensure that the foundations of the replacement dwelling were sufficient and that there was no detrimental effect on land in the area. The Technical Planning Manager advised that this had been raised previously by Members but it was a matter for structural engineers and building control; it was not for the Planning Committee to impose any conditions in this regard.
- 47.41 A Member indicated that there was already a dwelling on the site therefore it was a question of whether the proposed replacement dwelling fitted with the Council’s policies in terms of size; on that basis, he could see no reason to refuse the application. Upon being put to the vote, the proposal to refuse the application was lost. It was subsequently proposed and seconded that the application be permitted in accordance with the Officer recommendation. A Member drew attention to the Conservation Officer’s concerns regarding the proposed white render finish for the west facing elevation and she asked that a condition be included to ensure a softer and subtler finish and to ensure that as many bushes and trees as possible remain in place in order to give stability to the subsoil and prevent erosion of the garden and slope below. The Planning Officer confirmed that there was no intention to remove any trees and a condition was recommended to ensure that a specification of materials and finishes for the external walls, doors, windows and roofing proposed be submitted and approved by the Local Planning Authority prior to installation.
- 47.42 Upon being put to the vote, it was
RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

18/00851/FUL – Rose Cottage, School Lane, Southam

- 47.43 This application was for the demolition and replacement of existing detached garage.
- 47.44 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. The proposer of the motion advised that the Parish Council had raised concern about the doors and the colour of the proposed garage but she noted that these matters were covered by conditions. Upon being put to the vote, it was
RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

17/01268/FUL – Greenacres, Main Road, Minsterworth

- 47.45 This application was for the removal of existing barns and stables, change of use from ancillary equestrian use to residential use and erection of seven new dwellings.
- 47.46 The Planning Officer explained that the Officer recommendation on the Committee papers was to delegate authority to the Technical Planning Manager to permit the application, subject to completion of a legal agreement to secure on-site affordable housing and no adverse comments being received from County Highways. These comments had now been received and County Highways considered that the applicant had failed to demonstrate that the impact could be effectively mitigated and the development would therefore have an unacceptable impact on highway

safety. The Officer recommendation had subsequently been changed from delegated permit to defer in order to allow the applicant time to submit information to address the issues raised by County Highways. In response to a query, the Planning Officer clarified that the comments had been made in response to the findings of the transport statement.

- 47.47 A Member indicated that the Parish Council was happy with the proposal and County Highways had not raised any concerns when a similar application had recently been permitted in this area. He was disappointed that County Highways had waited until this late stage to make these comments and questioned whether a deferral was really necessary. The Chair sought a view from Officers as to whether the Council would be putting itself at risk if it did not take County Highway's comments on board. The Legal Adviser indicated that, in this instance, the Council had been given very strong advice that the impact on the junction would be unacceptable; the difference between the recently permitted application and this one was that the former had a fallback position whereas this one did not. With regard to that application, the Technical Planning Manager explained that Members had been concerned with the junction but, in that case, the proposed development would result in less vehicle movements than the previous use so that was a very different situation to this where the applicant had no control over comings and goings on the neighbouring site which could still be lawfully used as a public house. He felt deferral would be a sensible way forward; however, he would also be comfortable with a delegated permission if Members would prefer to let Officers resolve the outstanding highways issues. He reiterated that, although it was unfortunate this had arisen at such a late stage, there was a real concern about the junction and Members would be well advised to heed that concern.

- 47.48 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to defer the application in order to allow the applicant to submit information to overcome the concerns raised by County Highways and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Technical Planning Manager to permit the application, subject to the completion of a legal agreement to secure on-site affordable housing and suitable information being received from the applicant to overcome the concerns raised by County Highways. Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Technical Planning Manager to **PERMIT** the application, subject to completion of a legal agreement to secure on-site affordable housing and suitable information being received from the applicant to overcome the concerns raised by County Highways.

17/01356/OUT – 48 Brookfield Road, Churchdown

- 47.49 This was an outline application for the demolition of the existing dwelling and replacement with two new dwellings with access, layout and scale for approval.
- 47.50 The Planning Officer explained that the Officer recommendation on the Committee papers was to delegate authority to the Technical Planning Manager to permit the application, subject to a number of recommended conditions and no adverse comments being received from County Highways. Since the publication of the Committee papers, comments had been received from County Highways raising concern with the current layout on the grounds that the northern access failed to demonstrate adequate visibility to vehicles on Brookfield Road and pedestrians on the footway. As such, the Officer recommendation had been changed to defer in order to allow the applicant to amend the layout to address these comments and to re-advertise the application, should it be necessary. It was noted that there were existing accesses but County Highways was concerned about their intensification and visibility.