

Fairford Town Council Statement on 18/02520/FUL June 2020

Fairford Town Council objects to this application on 3 grounds: drainage, access and impact on heritage. We are surprised at the recommendation to permit.

Residents of Lygon Court are concerned about the risk of flooding from surface water off the site and that the owner is not protecting their interests adequately. We are concerned that their right to enforce relevant elements of the legal agreements is excluded.

We hope Committee members remember how difficult access to the site is for construction and large delivery vehicles. Despite requests, the applicant has not provided a swept path analysis for anything more than a large car, to demonstrate that this is feasible without encroaching on the land of Cotswold Cottage. Damage has already been done to a building there. Given the possibility of injunction, we don't see how CDC can be confident, as required by NPPF paragraph 198, that the development could be completed lawfully after the proposed partial demolition of the wall, which is part of the fabric of the Conservation Area. We also don't think it is reasonable to put the burden of enforcement onto the neighbours.

The area adjacent to the A417 (near the bend) is a shared access and parking area for a number of adjacent properties which is also crossed by a Public Right of Way. We don't see how this can safely be used as an area for unloading large construction items, or indeed that this would be a practical arrangement. We think a detailed Construction Method Statement needs to be provided before any permission is contemplated, to demonstrate the feasibility.

Given the information in the applicant's own Heritage Assessment and drawings, the judgement that there is NO visual impact on the Conservation area and the setting of East End House is perverse and irrational. With the wholly unexceptional design of the buildings proposed, rather like the modern houses in Moor Lane, there must be some 'harm', particularly since, as Historic England's guidance on The Setting of Heritage Assets says, landscape features such as planting are "impermanent". Policy EN10 requires the 'harm' to be weighed against public benefits to decide whether this is justified. It is unclear to us what these benefits might be, and there certainly seem to be a number of disbenefits to be considered in the balance.

We therefore urge you to refuse this application. However, if you are minded to permit, we would strongly urge you to impose a condition withdrawing permitted development rights, e.g. for additional dormers or roof lights, to avoid the likelihood of even worse harm to the setting of the heritage assets, as has happened at Fayre Court.

Objector's comments in respect of application
18/02520/FUL

The design, inappropriate for the Conservation Area, damages the setting of a listed building.
2 matters particularly concern local residents.

Access. access to the site is inadequate, via a very long narrow drive with a sharp bend which can't accommodate large vehicles. These will all have to park near the road on someone else's land. Neighbours are concerned that large vehicles parked on the drive will obstruct access and possibly block their entrances. Developers have a right of access, but not parking which obstructs access for others. Officials have asked for conditions to make the proposed development acceptable, a bound surface on the first 20 metres of the lane, which is not owned by the developers, and cutting back of a hedge, again owned by someone else. These conditions are unenforceable.

Flood risk The site is subject to flooding, and the ground unsuitable for soakaway drainage. Developers propose to deal with excess surface water by piping it into a manhole in Lygon Court, (after payment to absentee landlord) with no concern for possible consequences. The drain from this manhole, which also carries highway run-off, discharges into the Court Brook around 80 metres away. Residents are very worried about this proposal. Lygon Court is a Zone 2 Flood risk area, which does flood. The Court Brook floods regularly in wet seasons and highway run-off fills the discharge pipe, but no investigation has been made whether this drainpipe can cope with extra surface water, or what the consequences of development might be. Calculations show surface water leaving the site at a controlled rate, but heavy rainfall is likely to overwhelm the infrastructure. Developers say that if the system fails, floodwater will follow the slope to the south into the Court Brook. In wet seasons there will be more highway run-off, the attenuation tank will overflow, the new hard driveway will channel additional surface water from London road into the site, and it will all run down and flood Lygon Court before reaching the Court Brook. The Drainage Engineer has asked for conditions, including a management plan for maintenance and confirming how the outlet into the receiving watercourse will be kept clear. The developers give full details of the scheme up to the manhole in Lygon Court but there is no management plan or information beyond that, and no mention of the outlet into the Court Brook. Can conditions for clearing the outlet many metres away from the site and in different ownership be enforced? This development doesn't meet requirements of CDC's SFRA, NPPF (158) and CDC LP EN 14. It would have a harmful impact on 6 neighbouring houses, residents of Moor Lane and 33 households in Lygon Court. Please refuse it. [451words]

**Land at Wick House – Planning Committee Speech 10th June 2020**

This committee speech has been prepared by Paul Jenkins, a member of the RTPI and chartered town planning consultant at SF Planning Limited based in Gloucestershire.

Our Clients, Mr David & Julian George and family owned Wick House for 18 years until recently and have lived in the Cotswolds for nearly 30 years.

Your officers' report, which again recommends approval, provides a concise, robust summary and update of the reasons why planning permission should be granted. We therefore wanted to focus on the two points committee requested additional information for back in June 2019 in relation to access and drainage.

The applicant has gone above and beyond for a scheme of this scale to provide the information to satisfy and fully address the final two concerns from members. In this regard, the following extra work and expert consultant reports were commissioned adding significant additional time and expense to satisfy members and neighbouring residents concerns;

1. An independent road safety opinion;
2. Further discussions with GGC and agreement to surface the current access route to the site which is in a poor condition;
3. Surface water infiltration testing;
4. A CCTV survey of existing drainage routes in the vicinity;
5. A full surface water drainage strategy;
6. Drainage option agreement negotiated with the freeholders of the relevant part of Lygon Court confirming the proposed drainage strategy is viable.

This additional information has been reviewed and scrutinized by independent consultees. As your officers' report confirms, there have been no objections from all technical consultees on the application. The council's conservation officer, Solicitor and drainage engineer as well as GCC Highways and the Environment Agency, ***all*** raise no objection to the proposals. The town council also confirm no objection to the proposed drainage solution.

It must also be noted that after the heavy rainfall during the winter there were no issues in the vicinity of the site with flooding. These proposals, will only improve the situation on and around the site with the removal of an impermeable tennis court that lacks drainage and the provision a bespoke sustainable drainage design as part of the development.

Our Client also confirms agreement and supports the proposed 20 conditions put forward by officers to ensure the scheme is implemented fully in accordance with the recommendations of the expert drainage and highway consultants.

In our view, it is more important than ever to support the economy promote appropriate development such as these proposals to aid our recovery from the economic implications arising from Covid-19.

We therefore ask members to approve this scheme following the submission of the additional information at your request, in line with Officers robust recommendation to once again grant planning permission.

objector's comments

Statement Cotswold District Planning Committee

10th June 2020

Sheafhouse Farm, Draycott Road, Blockley, Moreton-in-Marsh, GL56 9DY

Planning application 19/03585/FUL

The Officer's Committee Report talks of Planning Balance. It suggests that the economic benefits in terms of generating employment opportunities and income for the local economy, attracts weight in this applications favour. The Report maintains that these benefits outweigh the partial conflict with polices EC3 and EC11.

Whilst we sympathise with this view, another, equally important balance needs consideration.

The Report suggests that no residential amenity harm could be attributed to this application. **This is simply not true. The application has provoked numerous objections due to noise disturbance caused by this business.**

The balance we ask to be redressed, is that between business interests and the interests of local residents and their amenity in what is normally, a quiet rural village.

Freestyle 360 business activities have expanded since the previous approvals and have extended to very significant, unregulated, outside gym facilities and outdoor activity as detailed in our recent letter.

Frequently these activities have been accompanied by external public address systems, providing motivational encouragement to clients, further exacerbated by events where **external amplified recorded and live music entertainment** is provided.

The proposed Shepherd Huts would encourage more outside activity on this site and elsewhere on Sheafhouse Farm, external to the consented gym. If not properly regulated, this will aggravate an already unacceptable nuisance to local neighbours.

The Council's Environmental Health Officer proposed three conditions and suggested that all three could be applied to this application.

We would request that all of his suggested conditions are applied to any consent and ask that these conditions are amended to include any public address systems to cover the issue of client motivational coaching as well as music and entertainment. We suggest that the conditions read as follows:

- There shall be no external amplified public address, music or entertainment on site. 'External' means not originating within the confines of a hut.
- There shall be no amplified public address, music or entertainment on the site that may or may not require a licence from the Local Authority.
- No sound from a speaker, radio or similar device, originating within a hut, shall be audible at the boundary of the site.

We believe these conditions would avoid any ambiguity or potential loopholes. The single condition proposed in the report would still allow unregulated, loud or amplified music inside a hut with the door and windows open.

This proposal would serve as a standard which shows “respect to the character of the countryside” as required by the National Planning Policy Framework. It would also go some way to create balance and mutual respect between Freestyle 360 and local residents, in order that we can coexist without undue disruption to either party and allow their business continued success.

Applicant's comments in respect of application

19/03585/RUL

Dear Members,

Following your site visit, we hope you are now able to support the professional judgment offered by the Landscape Officer; in that the development will not harm the landscape context.

Over the past 5 years we have spent a lot of time, money and effort returning an unkept farm back to its former beauty with good management, husbandry, planting and maintaining a balance between nature, the environment and active farming business. We have chosen shepherd huts as they are distinctly agricultural in appearance and will complement the existing setting. We consider these far less prominent and obtrusive in the landscape than a campsite full of multi-coloured tents or white caravans.

Nonetheless, high-level mature boundary hedging surrounds the site, which filters views from the village and public footpath. This will further be enhanced by additional landscaping, secured by condition. A further condition ensures the huts are not in situ over the winter months when trees and hedgerows are not in leaf. Additionally, should the use of the land ever cease, the site can easily be restored to its original condition.

Overall, the proposals would not have any undue harm on localised views by virtue of the scale, siting, and design of the huts; the additional vegetation proposed and their seasonal occupancy.

Since the submission was made last September, public interest in this application has gained momentum. While 48 individuals have demonstrated support for the scheme, 16 people expressed concerns. In the hope of overcoming any genuine issues raised, we wrote personally to all objectors in February inviting them to the farm to mediate. Sadly, no one responded.

It is therefore disappointing that 10 months into the application process, matters are still unresolved. The issues largely relate to noise arising from outdoor gym activities. While the operation of Freestyle360 is irrelevant in the consideration of this application, to appease the locals we have dismantled and removed the mud run obstacle course. In a further and final attempt to satisfy the key objectors, a further condition has been added to the decision notice, which seeks to restrict external amplified sound from the shepherd huts.

It's now more important than ever, that this application is determined favourably. The farms income has reduced by 50% due to COVID-19 and the subsequent closure of our gym. It's clear that when we re-open, government guidelines on social distancing will only allow for a 50% occupancy, resulting in the business barely breaking even for many months ahead. This glamping venture is therefore essential for the continuance of our farm income. It would also help retain the employment of 9 local people and has the potential to offer further job opportunities, which is vital during this economic downturn.

COVID-19 is set to boost staycation popularity and so we want to be ready to offer a small-scale upmarket Cotswold farm-stay experience on a tranquil site, where guests can enjoy the beautiful environment.

Please help support our small business adapt and move forwards during these unprecedented times.

Yours sincerely,

Tim & Tanya Spittle

Comments in respect of application
19/02605/FUL

Cirencester Town Council would like to submit the following comment:-

"Taking into account the planning history of the site, the design of the house not being in keeping with the surrounding area and the narrow access, members objected to the application on the said grounds".

Libby Hughes
Finance & Admin. Officer

t: 01285 655646

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objector's comments

**OBJECTION 19/02005/FUL Land To The Rear Of Albion Street Albion Street,
Stratton, Cirencester, Gloucestershire**

To be read to the Committee at its Meeting on Wednesday 10 June 2020 by an Officer.

The proposed development will completely over shadow my property and its garden and will have a huge impact on my ability to enjoy quiet time in my own garden , it will block much if not all of the light that naturally enters the rear of the property and will completely put my garden in shadow.

In the Autumn when the boundary bushes and trees lose their foliage and leaves, my property will be completely exposed and my privacy will be significantly compromised.

There is very little space between my boundary wall and the proposed development and it has been designed with little consideration for the immediate surroundings and environment. I believe this development is disproportionate in size to the plot and will adversely affect the privacy and light to the surrounding properties.

I would ask that this development is not approved on the basis that it's too intrusive to the neighbouring properties, with my property being the most adversely affected.

Rachel Vincent

AGENDA ITEM 09 – Item No. 03

19/02005/FUL – Land to the rear of Albion Street, Stratton, Cirencester

Applicant Statement

Thanks for letting me make this statement. I welcome the Officer's recommendation for approval.

This new home will let me return to the Street I love and on which I have lived for much of my adult life. All four of my Children were born and took their first steps here.

I know this application has caused controversy, but I have always tried to be as nice as possible to those who object to the plans and will continue to do so. I have repeatedly changed them over the last four years to accommodate the issues raised by objectors whenever possible.

I read the reasons why the local Councillor called the plans to Committee and would like to show again how these issues have been addressed in consultation with your officers.

For site access, it is clear that the Highway Authority now accept the conclusions reached by the Inspector that dealt with the appeal against my earlier proposals. Accordingly, highway officers now have no objections to the proposals on highway grounds, subject to the proposed conditions. The objections they made in respect of the previous proposals for the site no longer carry any material weight and would therefore fail to provide a sustainable reason on which to refuse planning permission in this case. Furthermore, concerns raised in respect of access by fire service vehicles have been overcome by the proposed use of a sprinkler system which is to be incorporated within the building.

In terms of the proposed design, Members will note that this is the direct result of working with your officers. I have put everything they asked for into the plans. As confirmed within the officer's report, this has resulted in a scheme which has successfully addressed all concerns raised by officers' in respect of previous proposals and, in conjunction with an appropriate palette of materials "*...will provide a high-quality and contemporary finish to the scheme*". The report confirms that the proposed design responds well to the opportunity presented by this well enclosed and generous plot, whilst reflecting the form, character, massing and materiality of the local area.

Finally, and whilst not specifically raised by the local Councillor, the relationship between my new house and surrounding properties has now been effectively addressed. In particular, the proposals meet the minimum separation distances set out within the Cotswold Design Code, ensuring everyone's privacy and amenity is maintained.

In conclusion, it is clear that the officer's report has comprehensively addressed all relevant issues and planning considerations associated with the proposal and confirms that my proposals represent a balanced and carefully designed scheme which satisfies all relevant planning policy requirements. Accordingly, I would urge Members to accept the officer's recommendation for approval.

Little Rissington Parish Council
The Clerk, Hunters Mead, Little Rissington GL54 2ND

Application: 19/03646/FUL – Church Farm, Little Rissington GL54 2ND

The Parish Council's objection continues to be with regards to highways matters caused by the cumulative build-up of ever-increasing numbers of recently consented new dwellings to be serviced off this lane or track as one official report calls it. At the beginning of 2019 this lane served 3 homes, the church car park and various agricultural barns. Approaching 2 years later, if this application is to proceed, the number will have grown to 14.

Our primary concern is that Church Lane – Class 5 road – is accessed by a virtually blind right hand turn off Rissington Road, meaning that vehicles having to significantly cross the oncoming lane before adequate vision is possible to see if it's safe to do so. Secondly the lane has a very narrow entrance leading to a single track with virtually no adequate passing places other than a private driveway entrance. A major issue is how agricultural vehicles will be able to safely navigate the lane. The Traffic Report carried out in December 2019 is totally unrepresentative of reality being at seasonally quiet period.

Gloucestershire Highways reports summary:

- 22 Nov 2019 – Refusal – Reasons “Significant worsening of highway capacity resulting in unsustainable use of highway”.

“Further increase in residential development would require the lane to be made up to a standard to support major residential development”.
“requirement would now be for a continuous 4.8m carriageway (2 lane) and 2m footway provision”.
- 24 January 2020 – Refusal – Reason “Insufficient Information and severe impact of motorised vehicles on a rural highway. Intensification of use is unsustainable”.
- 1 March 2020 – Response to applicant's Traffic Survey report. “The development is proposed in an unsustainable location with a reliance on the private car and is not an identified site for housing within the Local Plan and does not meet the transport requirements for Policy DS3”.

- 20 March 2020 – No objection subject to conditions, "No occupation shall occur until such time as the applicant has demonstrated in writing that the improvements to Church Rise have been undertaken, namely a scheme of passing places".

We are mystified why the Highways recommendation has changed so radically without any substantive new requirements to minimise the risks and congestion. The bold facts are that this narrow lane, with a dangerous entrance, will see a significant increase in domestic traffic from currently 6 – 9 vehicles serving the 3 homes to 33 – 36 vehicles serving up to 14 homes coming and going throughout the day, alongside the agricultural use. This takes no account for the likely significant additional traffic from food, postal and other deliveries. The cumulative effect is unsustainable.

I ask the Committee to please listen to the community that will have to live with this and refuse consent.

Mark MacKenzie-Charrington
Chairman
Little Rissington Parish Council

Application Reference 19/03646/FUL
Church Farm, Little Rissington

Applicant submission to be read out at planning committee on 10 June 2020.

The applicants would like to thank planning officer Andrew Moody for his hard work with the application and comprehensive report. The officer recommendation to permit is welcomed. We note there are no neighbour responses and no objections from drainage, landscape, biodiversity and highways officers.

The application has been triggered to committee on highways grounds. The applicants appointed David Tucker Associates to review and advise on transport matters. A transport statement was submitted with the application. During the application, the Highway Authority requested further information relating to the use of the lane. Therefore, two sets of video surveys were undertaken to record movements on the lane by all users (cars, pedestrians, cyclists, equestrians etc). These were sited at the junction with the main road and by the entrance to the site.

The survey recorded 110 light vehicles (55 in and out) including cars and vans and 33 pedestrians on the weekday and 78 light vehicles and 32 pedestrians at the weekend. Plus a small number of tractor movements. The lane therefore caters for a modest number of vehicles over the course of the day.

The proposed conversion is forecast to generate 27 vehicle movements over the course of a day with approximately 3 of these movements occurring in each of the "peak" hours.

The previous consent for the conversion of barn 1 would give rise to a similar number of vehicles and was required to provide two passing bays on Church Lane as well as footway improvements around the junction of Church Lane and signage highlighting the presence of the land to approaching motorists on the main road. It is suggested and accepted that this application be required to provide the same measures should this be developed in advance of barn 1. This is secured in conditions 17 and 18.

The total level of traffic on the lane that would be generated by both developments would not materially change the use of operation of the lane and the proposed improvements would more than mitigate any impacts.

This information was provided to the Highway Authority, who upon review of the survey information submitted, support the application subject to conditions.

The junction of Church Lane is on the outside of the bend providing visibility splays in excess of those that would normally be required for the speed of the road. The junction has operated safely for at least the last 10 years due to there having been no recorded accidents over this period.

The Planning Officer concludes the development cannot be considered to result in a severe impact on highway safety or capacity and therefore, fully accords with the requirements of the NPPF. There's no technical reason to object on highways grounds.

