

Item No 03:-

20/02285/FUL

**Land South Of
Back Lane
Ampney Crucis
Gloucestershire**

Item No 03:-

Demolition of existing Class B1 building and erection of 3 no. dwellings together with associated ancillary development at Land South Of Back Lane Ampney Crucis

Full Application 20/02285/FUL	
Applicant:	T. Hawkins and S. Lewis
Agent:	Plan-A Planning And Development Ltd
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Lisa Spivey
Committee Date:	11th November 2020
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of development
- (b) Sustainability of the location
- (c) Conservation and design
- (d) Landscape impact
- (e) Biodiversity
- (f) Highway safety
- (g) Residential amenity
- (h) Drainage
- (i) CIL

Reasons for Referral:

The application has been referred to the Planning and Licensing Committee by the Ward Member, Councillor Lisa Spivey, for the following reason:

'Thank you for your very detailed report on this application and the time you have taken to discuss it with me.

Whilst I can see why you have reached your decision and the balancing you have done getting there, I am still concerned that this development in itself is simply 3 more market homes in a non-principal settlement and as such does not contribute to the sustainability of the village.

Therefore I would like for this application to go to the planning committee for discussion and decision.

1. Site Description:

The site is located to the north western edge of the village of Ampney Crucis. Ampney Crucis is a small rural village with development primarily scattered in a linear arrangement along the main village road. The village is not located within any designated landscape area.

The site comprises a parcel of land to the southern side of Back Lane, which is a narrow lane leading from the main road that runs through the village. The site itself is approximately

0.27 hectares in area, and is currently occupied by a single storey building that is understood to have been in Class B1 use.

2. Relevant Planning History:

None

3. Planning Policies:

EN8 Bio & Geo: Features Habitats & Species
EN10 HE: Designated Heritage Assets
EN11 HE: DHA - Conservation Areas
TNPPF The National Planning Policy Framework
DS3 Small-scale Res Dev non-Principal Settle
DS4 Open Market Housing o/s Principal/non-Pr
EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN14 Managing Flood Risk
EN15 Pollution & Contaminated Land
INF3 Sustainable Transport
INF4 Highway Safety
INF5 Parking Provision

4. Observations of Consultees:

Conservation and Design Officer: No objection subject to conditions, comments incorporated into the report

Landscape Officer: No objection

Biodiversity Officer: No objection subject to conditions

Highway Authority: No objection subject to conditions

Tree Officer: No objection subject to condition

5. View of Town/Parish Council:

Objection. Due to the length of the comments these are attached as an appendix to this report.

6. Other Representations:

34 representations objecting to the proposal have been received, making the following comments:-

- contrary to the development plan and creates a precedent
- object to piecemeal development along the lane
- lane past the site not suitable for extra traffic
- loss of trees prior to application being submitted
- fundamental change from the conversion of the existing buildings and would create a precedent
- access at the end of the lane has poor visibility

- impact upon pedestrians in the village from extra traffic
- concerns about drainage
- insufficient parking provided
- impact of parking during construction works
- contrary to Policy DS3
- object to the design
- impact upon amenity of neighbouring properties

7. Applicant's Supporting Information:

Planning Statement
 Design and Access Statement
 Heritage Assessment
 Ecological Appraisal
 Reptile Survey
 Arboricultural Impact Assessment
 Transport Statement
 Proposed plans

8. Officer's Assessment:

(a) Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of an application would therefore be the current development plan for the District which is the Cotswold District Local Plan 2011-2031.

Local Plan Policy DS3 (Small-Scale Residential Development in Non-Principal Settlements), allows for small-scale residential development in non-Principal Settlements where this:

- a. demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;
- b. is of a proportionate scale and maintains and enhances sustainable patterns of development;
- c. complements the form and character of the settlement; and
- d. does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.

Policy DS3 recognises that although many of the rural villages and hamlets within the district are not sustainable locations for residential development, some settlements have greater sustainability credentials. As such Non-Principal Settlements are those which have reasonable access to everyday services, facilities and/or employment opportunities, either within the settlement itself, at a Principal Settlement, or at a neighbouring rural settlement.

The NPPF has at its heart a 'presumption in favour of sustainable development'. It states that there are three overarching objectives to achieving sustainable development: economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.

With regard to the principle of development, an application for the erection of two houses on the opposite, northern side of the lane, was refused under reference 18/04770/FUL. The refusal reason was as below:

"The application site is in an isolated location outside any settlement boundary defined in the Cotswold District Local Plan, and outside the built up area of Ampney Crucis. The application site therefore represents an unsustainable location for new build open market residential development and would result in future occupiers of the proposed dwellings having to rely on the use of the private motor car to undertake most day to day activities. The proposal will therefore increase reliance on the use of the private motor car materially increasing car borne commuting and compromising the principles of sustainable development.

Notwithstanding the fact that the buildings on site may be converted to residential dwellings under the provisions of Part 3, Class Q of the Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), whilst this is a material planning consideration it is not of sufficient weight to justify the construction of open market housing in open countryside outside of any settlement boundary defined in the Cotswold District Local Plan, and contrary to the Development Strategy for the delivery of housing over the period 2011-2031.

No special circumstances have been advanced for the erection of these dwellings, and the proposal is therefore be contrary to Cotswold District Local Plan Policies DS1 and DS4, and guidance contained in the National Planning Policy Framework, in particular paragraph 79."

An appeal was lodged against this decision, (PINS Ref: APP/F1610/W/19/3230303), with this being allowed on 3rd January 2020. With regard to the principle of development, the Inspector made the following comments:

"5. Policy DS1 of the Cotswold District Local Plan 2011-2031 (LP) sets out the settlement strategy for the district. The strategy seeks to concentrate the majority of new dwellings within Principal Settlements as the most sustainable locations to deliver future growth. Cirencester is identified as the main Principle Settlement and is in close proximity to Ampney Crucis, with bus services connecting the two.

6. Policies DS3 and DS4 of the LP subsequently define how development outside of Principal Settlements should occur. Specifically, Policy DS3 provides scope for small scale residential development to occur in Non-Principal Settlements where some rural settlements may have greater sustainability credentials. Ampney Crucis is a Non-Principal Settlement and has no defined development boundary. Policy DS4 restricts the construction of new-build open market housing outside of both Principal and Non-Principal Settlements.

7. The rural character of Ampney Crucis and pattern of development is such that it merges into the surrounding landscape. The appeal site appears as part of the rural village despite its location on the edge of the settlement and separation distance to existing dwellings. This is supported by the extant planning permission 16/05309/FUL for two residential dwellings, which adjoins the appeal site and existing dwellings on Backs Lane. Accordingly, in my judgement Policy DS3 of the LP is relevant to the assessment of the appeal proposal as opposed to Policy DS4 as identified by the Council in their decision notice. I am also satisfied that the appeal proposal would not result in isolated homes under Paragraph 79 of the National Planning Policy Framework (the Framework) for the above reasons.

8. In line with the criteria under Policy DS3, the evidence submitted by both parties identify a number of local facilities and services within Ampney Crucis which would benefit from

development of this scale. The close proximity of Ampney Crucis to Cirencester, and the presence of connecting local bus services further adds to the sustainability credentials of the appeal site. The size and scale of the proposed residential development would appear proportionate to, and complementary of the size and character of the settlement and surrounding rural area. In my view the proposed development would not result in cumulative harm to the rural character and appearance of the surrounding area.

9. I note the comments from Council and other interested parties regarding the concern of precedent. I am satisfied that the specific circumstances pertaining to this appeal would not result in a harmful precedent facilitating the undue expansion of the Ampney Crucis settlement. No directly comparable sites have been put forward to which this might apply. The policies under the LP are robust and set clear criteria limiting new development in the open countryside. That withstanding, each planning decision is made on its own merits which I have done in this instance, and a generalised concern of this nature does not justify withholding permission in this case."

Having regard to this application, therefore, the proposal must be assessed against Policy DS3 of the Local Plan, which is permissive towards small-scale residential development in non-principal settlements, subject to the criteria above being satisfied.

With regard to criterion a of Policy DS3, whilst the development is small-scale in nature, future occupants of the dwellings would increase the population of the village and potentially assist in enhancing or supporting the vitality of the local community and the continued availability of services and facilities locally.

In respect of criterion b and d, the total number of new dwellings already granted along Back Lane is 4, with 2 of these nearing completion, whilst works have recently commenced upon the scheme allowed on appeal. Considering the scale of the village, it is not considered that the cumulative impact of development is such that it would adversely impact upon the settlement. Officers are aware of one other dwelling granted in another part of the village during the last 5 years, at The Old Mortar Mill (16/04932/FUL), resulting in a total of 5 dwellings with planning permission.

Discussion with regard criterion c is contained below, in respect of whether the development complements the form and character of the settlement.

(b) Sustainability of the Location

The supporting text to Policy DS3 guides the decision maker to make a judgement on the accessibility to everyday services, facilities and/or employment opportunities, where "reasonable access" helps to avoid unnecessary traffic movements and social isolation. Distance, quality of route, topography and pedestrian safety are important issues when considering the accessibility of services and facilities (Para 6.3.4). The Local Plan's development strategy seeks to promote sustainable patterns of development in the District and residential development in rural areas is directed to those locations where it will enhance or maintain the vitality of rural communities. In the absence of special circumstances, the plan seeks to avoid permitting new isolated homes in the countryside. Policies DS3 and DS4 are central in this respect.

In terms of the sustainability of the location, Ampney Crucis is a settlement that is not well-served by day-to-day services and facilities. For this reason, it has not been included as one of the Principal Settlements in the Local Plan. Therefore, housing development in significant numbers and/or high density is unlikely to be supported in this location; however, having regard to Policy DS3 and the NPPF, it is proper that consideration is given to small-scale residential development on the merits of each individual case.

The 'Role and Function of Settlements Study' published by the Council in 2012 identifies the village as having five facilities listed, including a pre-school, primary school, pub, community hall and place of worship. The site is also within walking distance of bus stops, with an internet search indicating that there is an hourly bus route to and from Cirencester 7 times a day on weekdays, thereby the site is accessible by public transport to and from the main town and service centre within the District. NPPF paragraph 78 states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.'

There have been recent planning applications for single new residential dwellings within/adjoining Ampney Crucis or nearby settlements that have either been granted permission or refused on the grounds that did not include the principle of development. For example, a single dwelling has been granted at The Old Mortar Mill in Ampney Crucis (16/04932/FUL) in March 2017, following a refusal (15/05598/FUL) based solely upon the impact upon the setting of heritage assets. More notably for this application is the approval for 2 dwellings granted under reference 16/05309/FUL on land directly opposite to the application site, and which are currently being constructed, in addition to the 2 dwellings allowed on appeal (18/04770/FUL). There will, however, be a limit as to the number of dwellings that Ampney Crucis could reasonably and sustainably accommodate in accordance with local and national planning policy.

(c) Conservation and Design

The site is located on the edge of Ampney Crucis and the eastern boundary of the application runs along the boundary to the Ampney Crucis Conservation Area wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. This duty is required in relation to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 16 of the National Planning Policy Framework asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 193 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also notes that significance can be harmed through alteration or development within the setting. Paragraph 194 states that any harm to or loss of the significance of a heritage asset should require clear and convincing justification.

Paragraph 195 states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits, whilst Paragraph 196 states that where a development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

Paragraph 130 within Section 12 of the National Planning Policy Framework states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

The Cotswold District Local Plan, Policy EN2, states that development will be permitted which accords with the Cotswold Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

Policy EN11 of the Cotswold District Local Plan which refers to conservation areas states that development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they 'preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features'.

Back Lane historically formed little more than an agricultural track, rather than an actual lane. Nevertheless, recent planning history has seen a number of developments allowed along Back Lane that would effectively transform it into a lane with flanking ribbon development. This is not, in itself, uncharacteristic of Ampney Crucis, where much of the historic settlement comprised a similar pattern of development.

Nonetheless, the majority of the new development approved along Back Lane forms a comparatively narrow band flanking the lane, rather than being long plots running back from the lane into the more open, edge-of-settlement, paddock (and formerly orchard) areas that formed the traditional transition between the settlement and the wider open countryside.

The siting of Cottages 1 and 2 conforms to this pattern, although the siting of the proposed barn-style dwelling would be anomalous it would relate to the position of the existing B1 building on the site. The scheme has been amended since submission to reduce the extent of the curtilage to this unit, with an area of orchard planting now shown which is considered to screen the development and form a more gentle and traditional transition to the paddocks beyond. This would also restore a feature historically characteristic of the village.

The two houses are considered to be a plausible interpretation of the early-vernacular inspired Arts-and-Crafts. A few minor changes have been made to the design, for example the car ports are open with oak framing, the use of natural blue slate roofing and the windows to the two front gables being reduced to two-light in width to reflect the traditional hierarchy of fenestration.

With regard to the 'barn dwelling', the design has been significantly amended to provide a two storey property that would be constructed with natural Cotswold rubble stone to the walls, with some vertical timber cladding, and a metal roof.

These amendments to the design of the dwellings are considered to have addressed the concerns previously raised in respect of the development of the site with regard to the impact upon the setting of the Ampney Crucis Conservation Area. Subject to conditions, therefore, the proposal is now considered to be in accordance with both Policy EN2 and Appendix D (Cotswold Design Code), in addition to the NPPF.

(d) Landscape impact

Paragraph 170 of the NPPF requires the planning system to recognise the intrinsic character and beauty of the countryside. Policy EN2 of the Local Plan states that development will be permitted which accords with the Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

Policy EN4 of the Local Plan states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. This policy requires that proposals will take account of landscape and historic landscape character, visual quality

and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, settlement patterns and heritage assets.

The site is located to the north western edge of Ampney Crucis which has development mainly scattered in a linear arrangement along the main village road. The village is not located within any designated landscape area.

The site itself is L-shaped and is occupied by existing B1 industrial building and an overgrown area of grass. The site adjoins the existing village upon its eastern side, and is directly opposite the two dwellings granted under reference 16/05309/FUL. Whilst the proposals would represent a slight expansion of the existing village along the southern side of Back Lane, considering its context and the existing building upon the site, the Landscape Officer is raising no objection, commenting that given the residential context of the area and the amount of development proposed on a partially brownfield site, the proposals do not represent an incongruent addition to the landscape in this area.

(e) Biodiversity

The proposed development site is in a rural location on the edge of the village, surrounded by fields, lanes/paths and a garden. The site itself comprises an existing single storey building built from blockwork and an area that was overgrown at the time of visiting the site. The proposed development site is located within a Site of Special Scientific Interest (SSSI) Impact Risk Zone although the type of development is not included as being of high risk.

An Ecological Appraisal has been submitted that includes the building upon the site, and this has identified no adverse impact upon protected species. The Biodiversity Officer is raising no objection subject to conditions, which would include various biodiversity enhancements, for example bay and bird boxes, but also a Hedgerow Management Plan.

There are no objections to the proposed development on biodiversity grounds, having regard to Policy EN8 of the Local Plan and paragraphs 170 and 175 of the NPPF.

(f) Highway safety

Concerns have been raised by the local community regarding the impact upon traffic using Back Lane, the lack of passing spaces, in addition to its junction with the road network in the village to the east of the site. The site has been visited by an Officer from the Highway Authority.

Notwithstanding the local concerns, the Highway Authority are raising no objection to the development, and as such the proposal is considered to accord with Policies INF4 and INF5 of the Local Plan, and Section 9 of the NPPF. Having regard to paragraph 109 of the NPPF, there is not considered to be an unacceptable impact on highway safety considering the traffic that would be generated if the established use of the existing buildings upon the site was to be recommenced, and that the residual cumulative impacts on the road network would not be 'severe'.

(g) Residential amenity

Policy EN2 and the Cotswold Design Code require consideration of the impact of development in terms of residential amenity, which is also referred to within paragraph 127 (f) of the NPPF.

The relationship to the existing residential development would appear to be acceptable, having regard to the layout plan submitted. The nearest of the dwellings to the existing development has the car port closest to the site boundary, with a blank side elevation, and there being an acceptable distance to the side boundary. In addition, the only windows on the side of this property are to the projecting rear gable, and these too are an acceptable distance from the side boundary to not cause any material loss of amenity to existing residents.

The living conditions for future occupants of the site are considered acceptable, which no overlooking of neighbouring gardens and sufficient amenity space being provided for each property.

The proposal therefore accords with Policy EN2 and the Cotswold Design Code, in addition to the NPPF.

(h) Drainage

Policy EN14 of the Cotswold District Local Plan requires development to minimise flood risk, although it should be noted that the application site is within Flood Zone 1 and therefore at the lowest risk of flooding.

The representations have referred to storm and foul sewage, however in respect of surface water the submitted documents refer to soakaways being provided. Considering the size of the plots, and subject to the necessary infiltration tests, this would appear to be an acceptable solution, although a condition is recommended requiring full surface water details to be provided. Foul water would be disposed of via the mains sewer.

The proposal therefore accords with Policy DS14, subject to the condition recommended.

(i) CIL

This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

9. Conclusion:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

Ampney Crucis is not a settlement that benefits from an adopted settlement boundary therefore the site is considered to be in the open countryside. Notwithstanding this, Policy DS3 of the Local Plan does allow for small-scale residential development in Non-Principal Settlements.

Having regard to the amendments made to the design and scale of the proposed development, it is considered that the proposal accords with the policies in the Development Plan, in addition to the NPPF, which are not outweighed by other material planning considerations.

The recommendation is for planning permission to be granted.

10. Proposed conditions:

1. The development shall be started by 3 years from the date of this decision notice.

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 approved shall be carried out in accordance with the following drawing numbers:

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

3. The external walls of the development hereby permitted shall be built of natural Cotswold stone and shall be permanently retained as such thereafter.

Reason: To ensure that in accordance with Cotswold District Local Plan Policy EN2 the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

4. Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling and roofing materials shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

5. Prior to the construction of any external wall of the development hereby approved, a sample panel of walling of at least one metre square in size showing the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

Reason: To ensure that in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

6. All windows and doors shall be of timber construction and shall be permanently retained as such thereafter.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

7. All door and window frames shall be recessed a minimum of 75mm into the external walls of the building and shall be permanently retained as such thereafter.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

8. Prior to the first occupation of the development hereby permitted, the windows and doors shall be finished in a colour to be first submitted to and approved in writing by the Local Planning Authority and shall thereafter be permanently retained in the approved colour unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

9. No external woodwork shall be installed in the development hereby approved, until a sample of the external woodwork finished in the proposed colour has first been submitted to and approved in writing by the Local Planning Authority. The external woodwork shall be finished fully in accordance with the approved details within one month of its installation and shall be retained as such thereafter unless a similar alternative is first agreed in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2. The colour of the finish of the external woodwork will have a material effect on the appearance of the proposed development.

10. No bargeboards or eaves fascias shall be used in the proposed development.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

11. New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the Local Planning Authority and shall be permanently retained as such thereafter.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

12. No wires, plumbing or pipework other than those shown on the approved plans shall be fixed on the external elevations of the building.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

13. No external doors, windows or rooflights shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

14. The works shall be completed in accordance with the arboricultural recommendations laid out in the consultancy report 'Arboricultural Impact Assessment' by SJ Stephens Associates, dated June 2020. All of the recommendations shall be implemented in full according to any timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the retained/protected trees in accordance with Cotswold District Local Plan Policy EN7.

15. Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be

carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proper provision for surface water drainage and/or to ensure flooding is not exacerbated in the locality in accordance with Policy EN14 of the Cotswold District Local Plan, The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance. If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

16. The development shall be completed in accordance with the recommendations in Section 4 of the Ecological Appraisal report dated 10th August 2020 prepared by All Ecology, as submitted with the planning application. This includes a requirement for bat surveys of trees before the removal of ivy and tree surgery works where roosting bats might be present, including the ivy covered ash tree on the northern boundary of the site ("T7"). All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that bats, reptiles, amphibians, nesting birds, hedgehogs and hedgerows are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Policy EN8 of the Cotswold District Local Plan 2011-2031, Circular 06/2005, paragraphs 170 to 175 of the National Planning Policy Framework and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

17. Before the erection of any external walls of any of the buildings hereby permitted, details of the provision of integrated bat and bird boxes shall be submitted to the Local Planning Authority for approval. The details shall include a technical drawing showing the types of features, their location(s) within the site and their positions on the elevations of the buildings, and a timetable for their provision. The development shall be completed fully in accordance with the approved details and the approved features shall be retained in accordance with the approved details thereafter.

Reason: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with the EC Wild Birds Directive, Policies EN1, EN2, EN7, EN8 and EN9 of the Cotswold District Local Plan 2011-2031, paragraphs 170 and 175 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act 2006.

18. Before the occupation of the development hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority, which shall incorporate the following biodiversity enhancements and a 5-year aftercare maintenance plan.

- Supplementary planting of existing hedgerows with native tree/shrub species to enhance their diversity and biodiversity value;
- New native species-rich hedgerows comprising at least 6 tree and shrub species from the following list: Hawthorn, Hazel, Field maple, Holly, Spindle, Wild privet, Dog rose, Guelder rose, Honeysuckle and Elder;
- Appropriate wildflower meadow within the orchard area, e.g. general purpose wildflower meadow seed mix;
- Small wildlife pond (no fish), if possible; and
- Native trees and local orchard fruit tree varieties.

The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes.

The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

Reason: To enhance the site for biodiversity in accordance with Policies EN1, EN2, EN7, EN8 and EN9 of the Cotswold District Local Plan 2011-2031, paragraphs 170 and 175 of the National Planning Policy Framework and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

19. Any trees or plants shown on the approved landscaping scheme to be planted or retained that die, are removed, are damaged or become diseased, or grassed areas that become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical, thereby achieving the objectives of Policy EN2 of the Cotswold District Local Plan 2011-2031.

20. Before occupation a 10-year Hedgerow Management Plan shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Hedgerows are an important landscape and biodiversity feature and should be protected and enhanced in accordance with Policies EN7 and EN8 of the Cotswold District Local Plan 2011-2031, and the National Planning Policy Framework (Chapter 15).

21. Before occupation, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that light spillage into wildlife corridors (e.g. hedgerows, orchard and single trees) will be minimised as much as possible. All external lighting shall be installed in accordance with the specifications and locations set out in the details, and these shall be retained thereafter. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To protect foraging/commuting bats and other nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Policies EN1, EN2, EN7, EN8 and EN9 of the Cotswold District Local Plan 2011-2031, paragraphs 170 to 175 of the National Planning Policy Framework, Circular 06/2005 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

22. The development shall be completed in accordance with the recommendations in section 4.19 of the Ecological Appraisal, dated July 2020 prepared by All Ecology, as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that great crested newts are protected in accordance with The Conservation of Habitats and Species Regulations 2017 as amended, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework and for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

23. No works shall commence on site on the development hereby permitted until details of a vehicle passing bay between the development site and Quarme Cottage have been submitted to

and approved in writing by the Local Planning Authority and no occupation/opening to the public shall occur until the approved works have been completed and are open to the public.

Reason: In the interest of highway safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation.

24. The vehicular access hereby permitted shall not be brought into use until all existing vehicular accesses to the site (other than that intended to serve the development) have been permanently closed beforehand.

Reason: In the interests of highway safety.

25. No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking areas and turning spaces shown on the approved plans PP02revE has been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

26. The development hereby permitted shall not be occupied until cycle storage facilities for a minimum of 2 no. cycles per dwelling have been made available for use and those facilities shall be maintained for the duration of the development.

Reason: To ensure the provision and availability of adequate cycle parking.

27. Development shall not begin until visibility splays are provided from a point 0.6 metres above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of the land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

28. The development hereby permitted shall not be first occupied until the proposed dwellings have each been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities.

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the garage/car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the Local Planning Authority.

Reason: To retain garage/car space for parking purposes.

30. Prior to the occupation of the development hereby permitted, the vehicular accesses shall be laid out and constructed in accordance with the submitted plan PP02revE with any gates situated at least 5 metres 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 metres of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: In the interest of highway and pedestrian safety, and to ensure vehicles are able to pull clear of the adopted highway and avoid becoming an obstruction to oncoming traffic.

31. 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:

- a) specify the type and number of vehicles;
- b) provide for the parking of vehicles of site operatives and visitors;
- c) provide for the loading and unloading of plant and materials;
- d) provide for the storage of plant and materials used in constructing the development;
- e) provide for wheel washing facilities;
- f) specify the intended hours of construction operations;
- g) measures to control the emission of dust and dirt during construction;
- h) specify the route to be taken to and from the site by vehicles during demolition and construction works.

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.

Informatives:

1. Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, under separate cover. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate. There are further details on this process on the Council's website at www.cotswold.gov.uk/CIL.

2. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015
- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.

3. Please note that planning permission does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992, including hedgehogs.

For information on hedgehog gaps/holes in fences and walls, please visit <https://www.hedgehogstreet.org/help-hedgehogs/link-your-garden/>

With regard to the condition for bird and bat boxes, it is recommended that several Integrated (i.e. built-in) bird boxes such as swift bricks are installed in the east elevation of the cottages and the north elevation of the barn dwelling (at least 3 swift bricks in close proximity, e.g. 1 metre apart, due to the colonial breeding habits of this species); and that integrated bat boxes are installed into the walls at the apex of each of the gables on the southern elevation of the cottages (rear), the southern elevation of the garage to Cottage 02 and the east elevation of the barn dwelling (apex of the gable) [e.g. at least 1 on each elevation]. All boxes should be positioned away from doors and windows. The applicant and their architect should note the advice of Swift Conservation with regard to the installation of the swift bricks available at <https://www.swift-conservation.org/Nestboxes&Attraction.htm#Built%20in>

4. The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

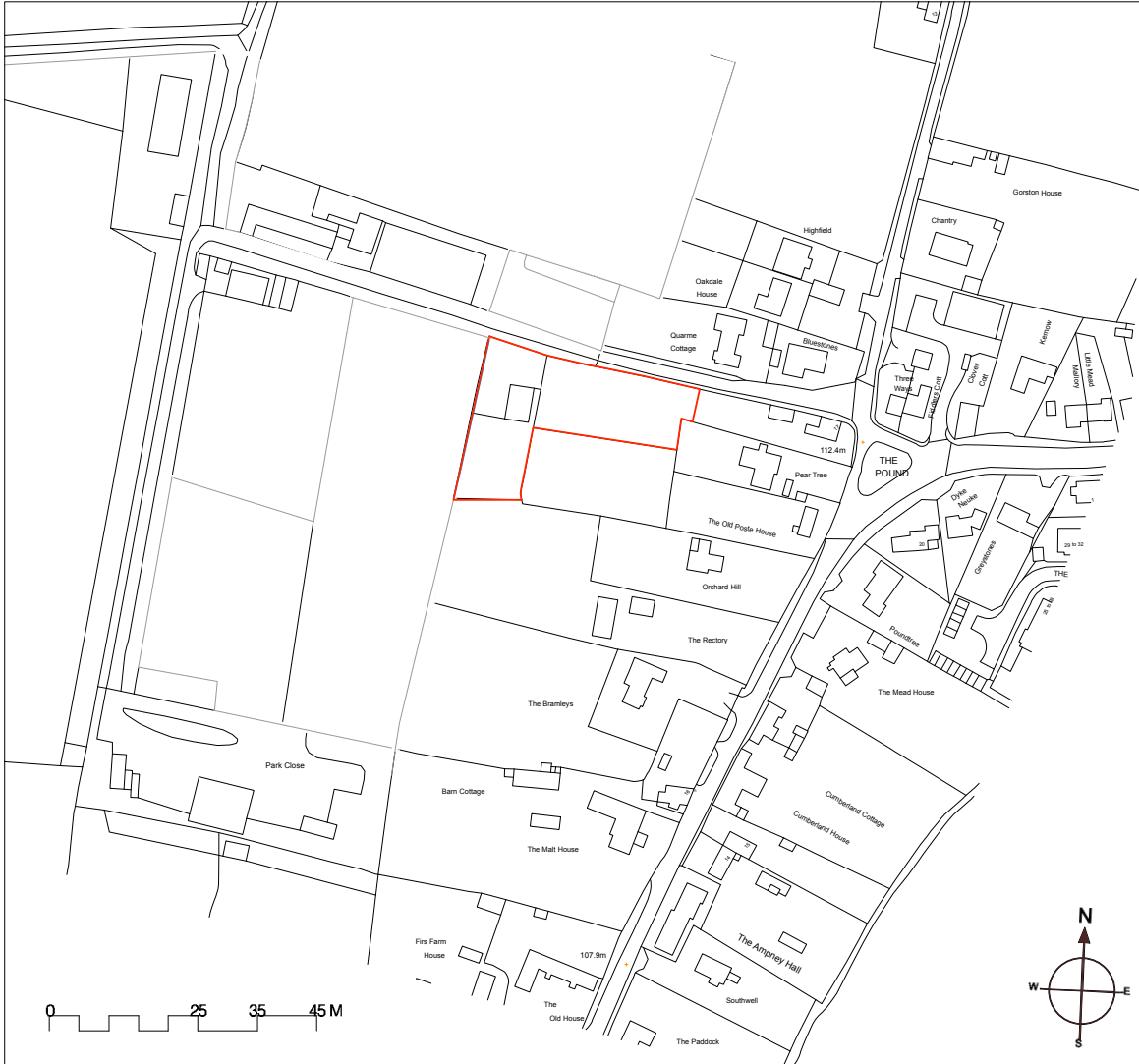
Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

5. The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

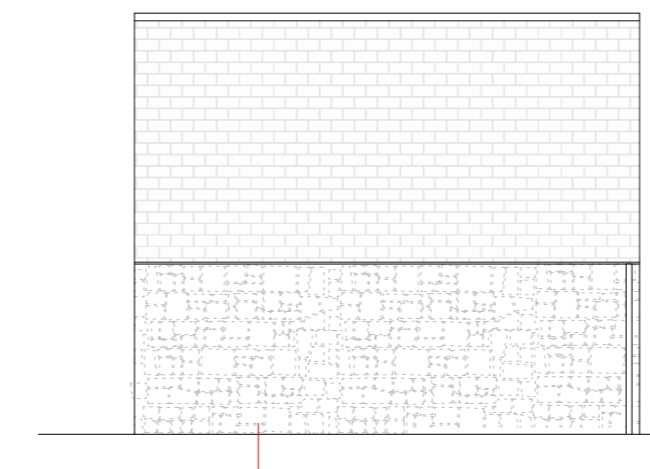
6. There is a low risk that great crested newts (GCN) may be present at the application site. However, the application site lies within a red impact zone as per the modelled district licence map, which indicates that there is highly suitable habitat for GCN within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If a GCN is discovered during site preparation, enabling or construction phases, then all works must stop until the advice of a professional/suitably qualified ecologist and Natural England is obtained, including the need for a licence.



1 Site Location Plan
1:1250



1 Front - Lane Elevation (North)
1:100



2 Garage Side Elevation (West)
1:100

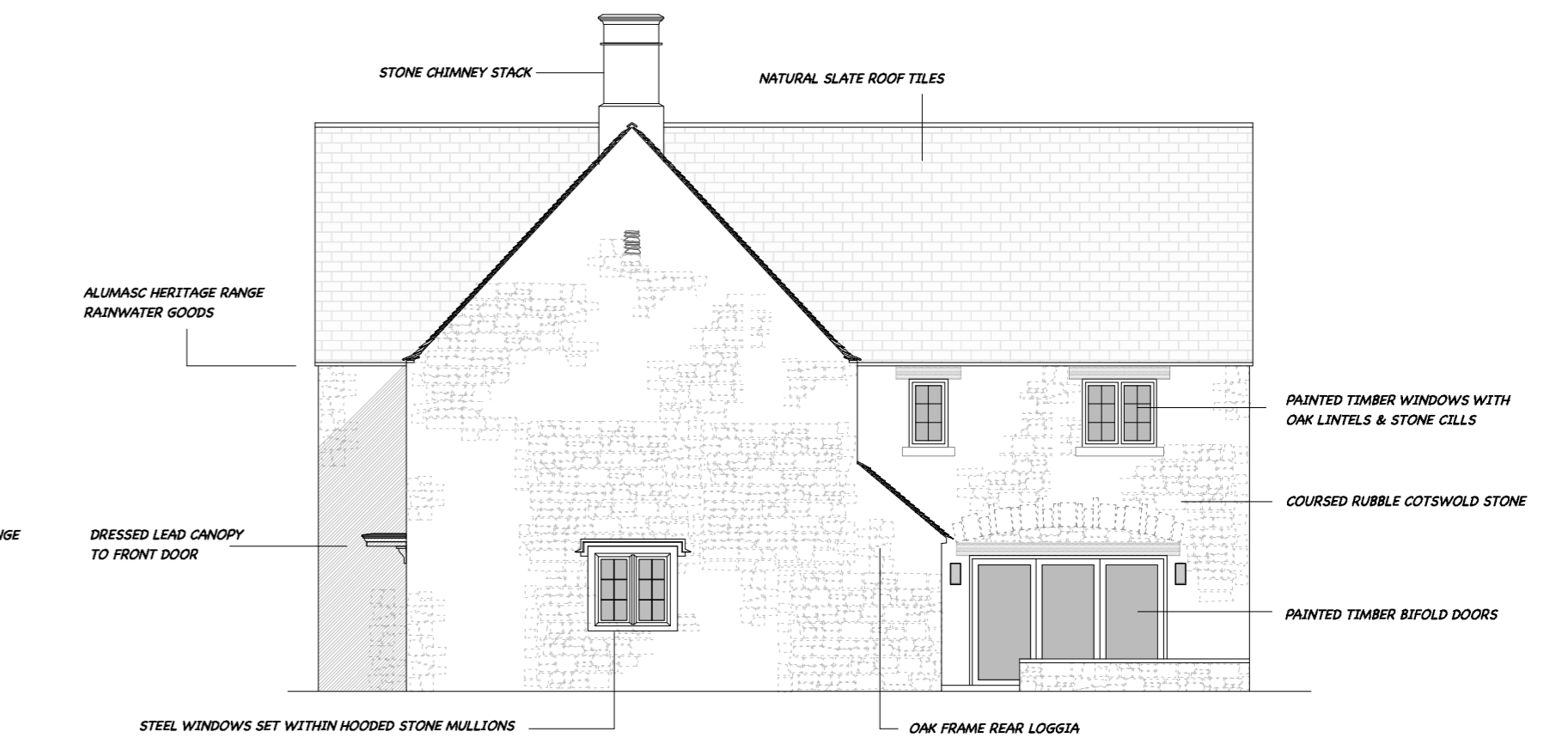


3 Side Elevation (East)
1:100



4 Garage Side Elevation (East)
1:100

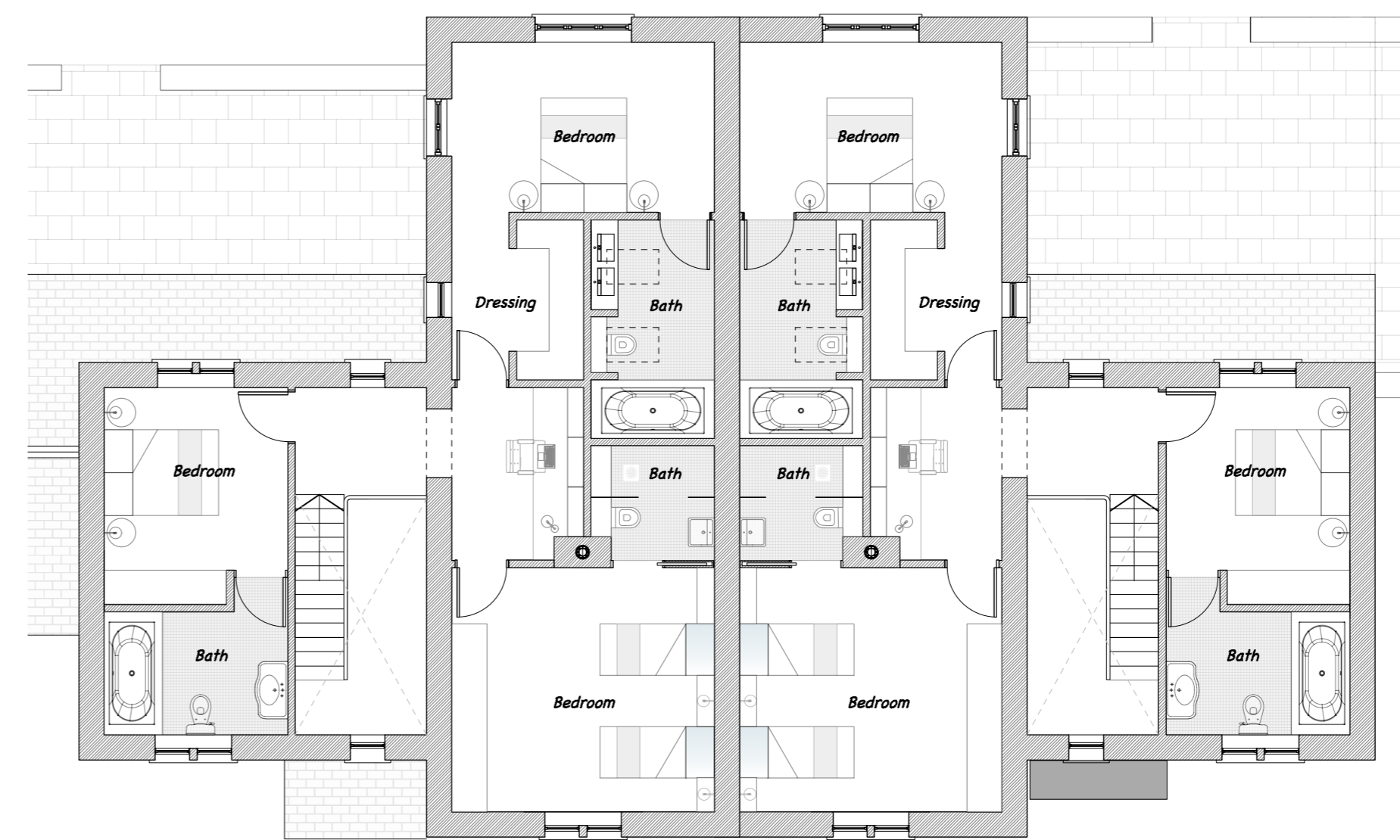
5 Rear Elevation (South)
1:100



6 Side Elevation (West)
1:100



7 Ground Floor Plan
1:100

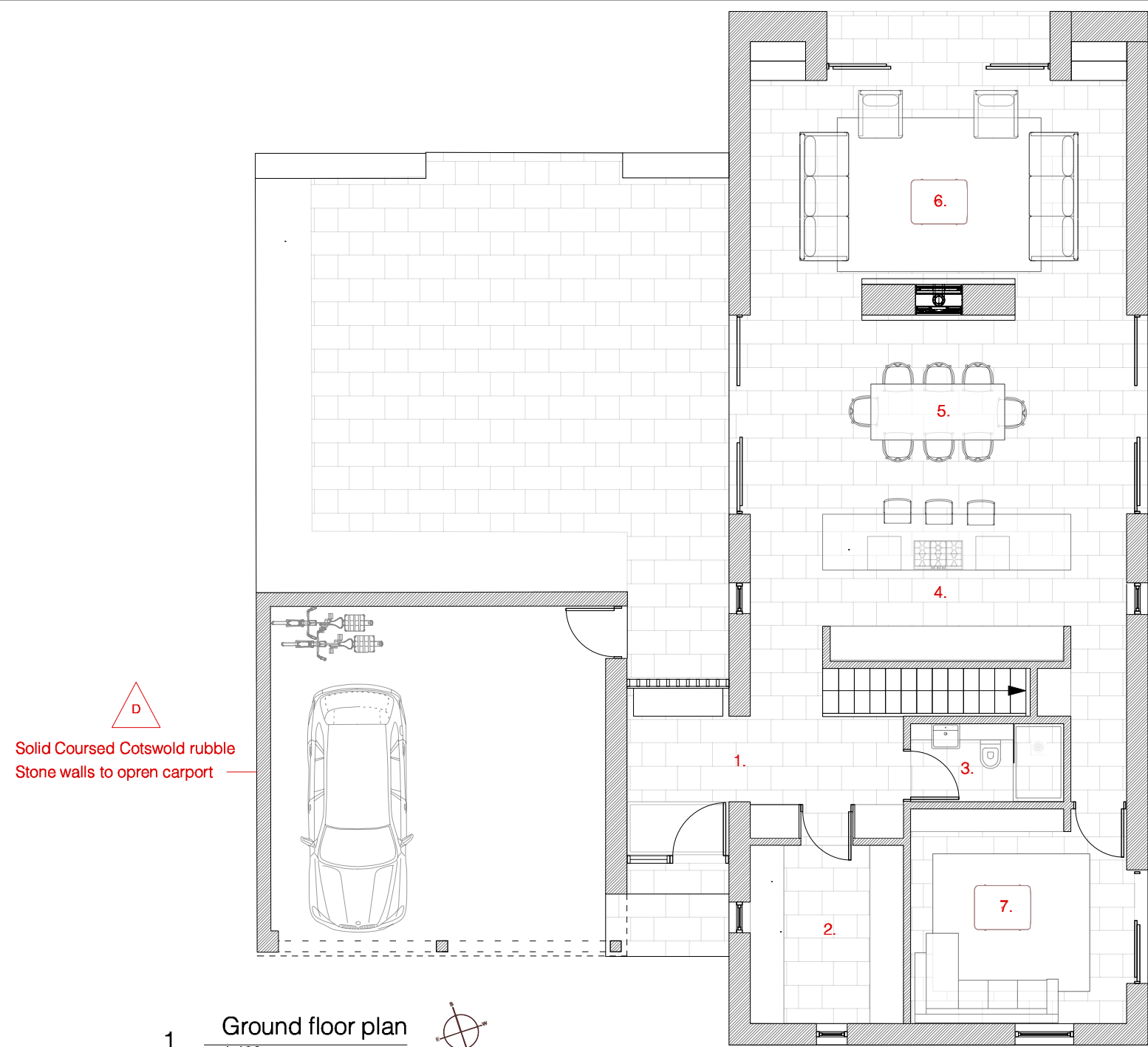


8 First Floor Plan
1:100

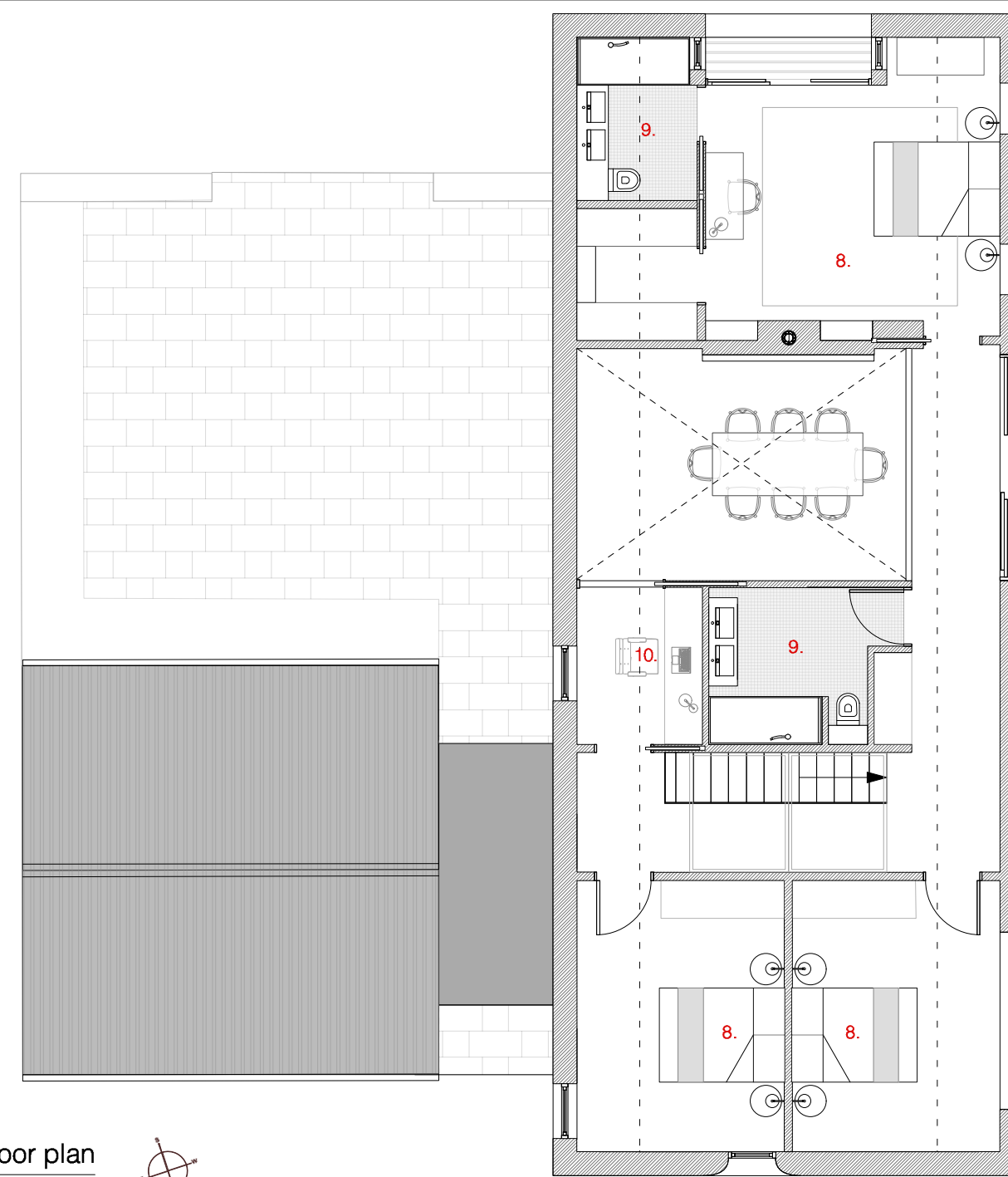
REVISIONS:		
A	05.03.20	Cottage Plans and setting revised
B	30.04.20	Cottage Plans & Elevations amended further to Tree Constraints plan and Highway report
C	07.05.20	Setting of cottages set back further from Lane + revised drive to Cottage 01. Provision of Study to cottages
D	10.08.20	Revisions further to Conservation feedback.
E	24.08.20	Include Garage elevations.
F	24.09.20	Solid stone walls / Oak frame annotated to open Carports...

HENRY HOMERSHAM ARCHITECT
 The Walked Garden, Marston Hill, Maysley Hampton, Gloucestershire, GL7 5LF
 Telephone: +44 (0)1282 712 522 Mobile: +44 (0)7950 68114 E: henry@henrysham.com

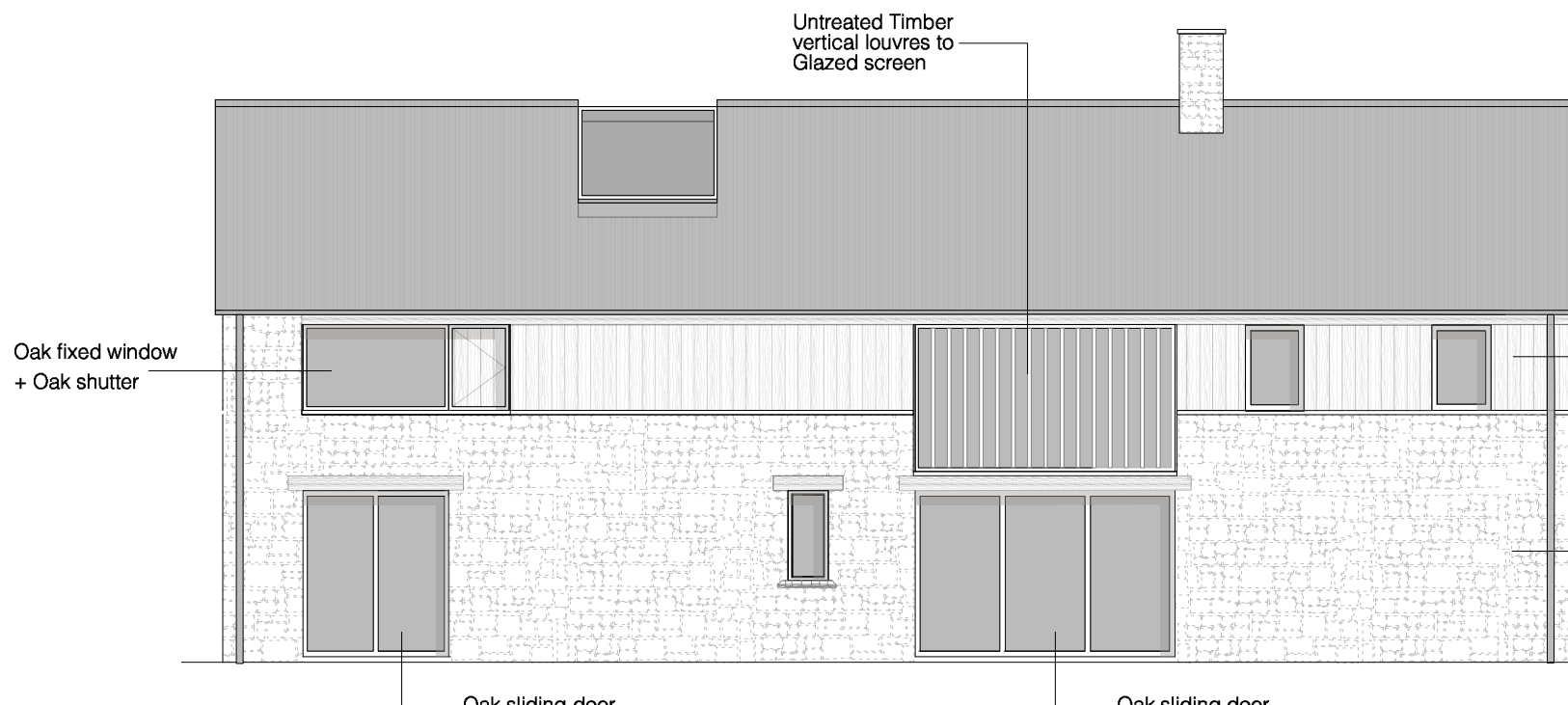
JOB TITLE: Backs Lane
 DWG TITLE: Cottage General Arrangement
 DRAWING STATUS: For Planning
 SCALE: & SIZE: 1:100 @ A1
 SCALE BAR: 0 5 M
 DATE: 24.09.20
 DWG NO. & REV: PP04 revF



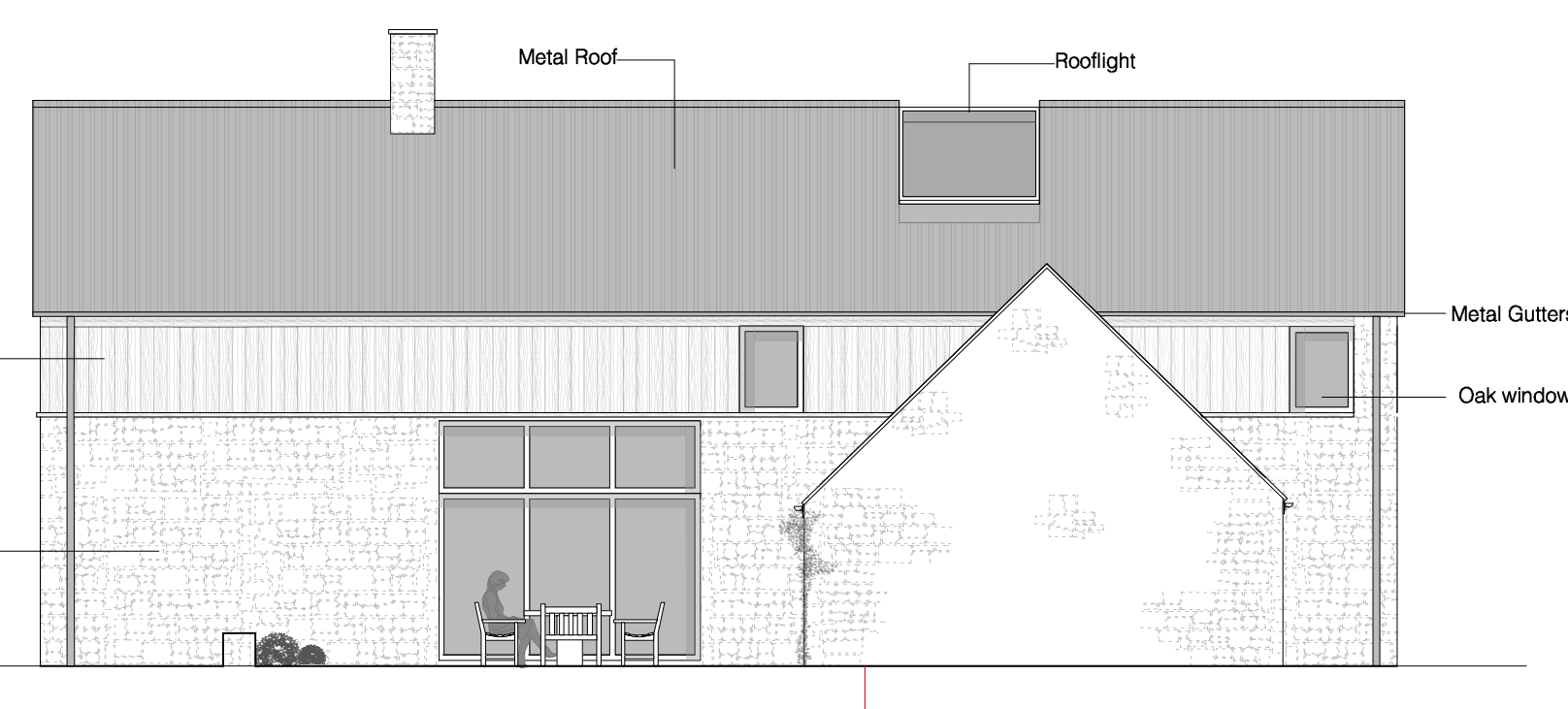
1 Ground floor plan
1:100



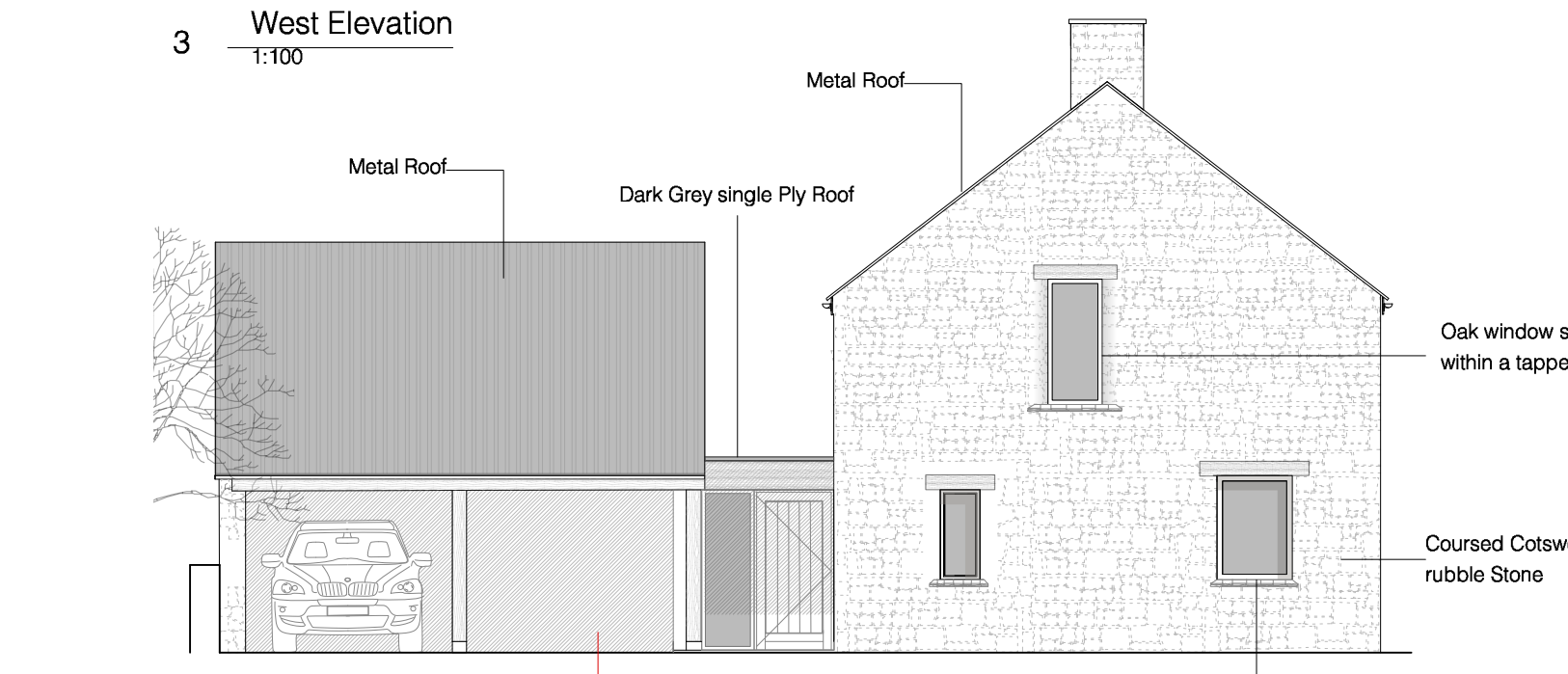
2 First floor plan
1:100



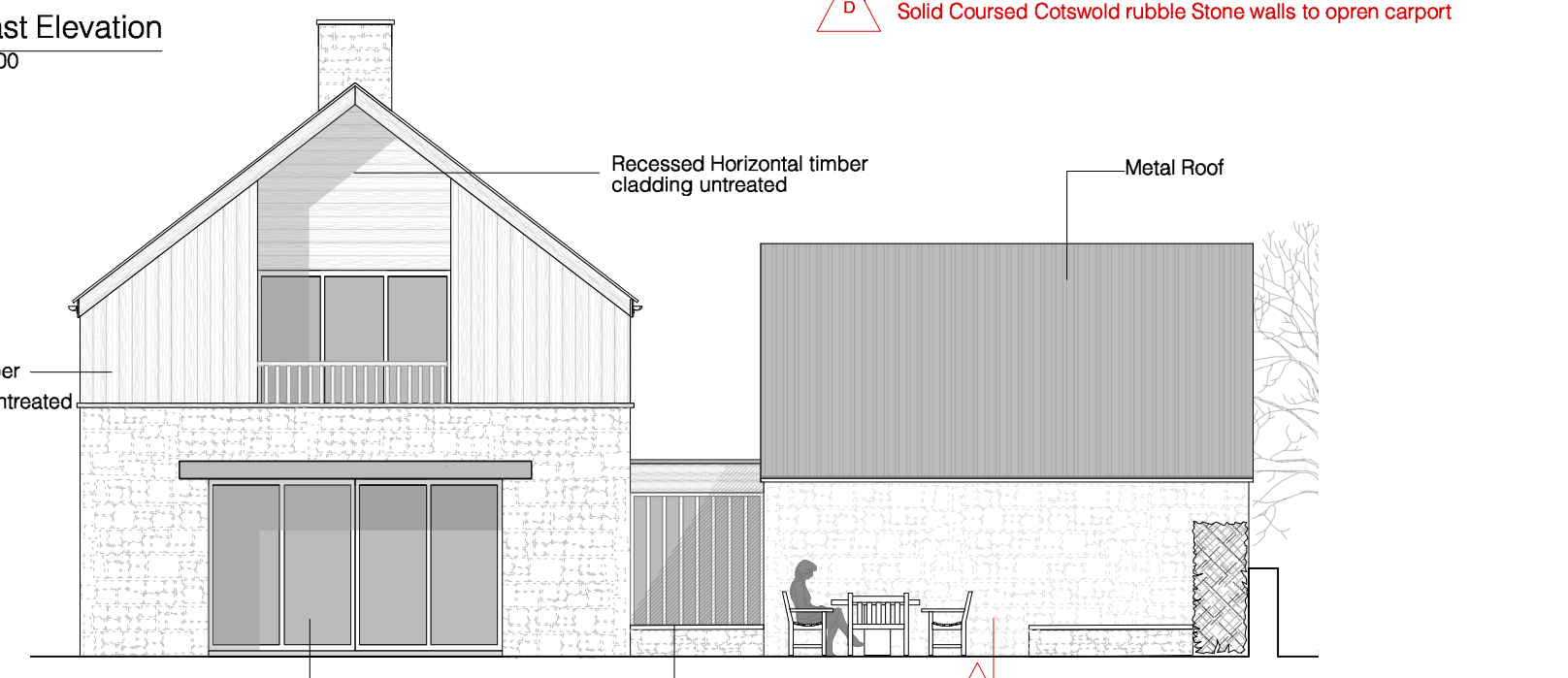
3 West Elevation
1:100



4 East Elevation
1:100



5 North Elevation
1:100



6 South Elevation
1:100

KEY:

1.	Entrance Hall
2.	Cloak room & utility
3.	Washroom
4.	Kitchen
5.	Dining
6.	Living room
7.	Study / Snug
8.	Bedroom
9.	Bathroom
10.	Study

REVISIONS:

A	24.08.20	Revised Elevations and Materials further to Conservation comments New sited Garage included
B	10.09.20	Revised elevations & amendments to plans further to Conservation comments
C	22.09.20	North Elevation Revised further to Conservation comments
D	24.09.20	Carport annotation illustrated to confirm solid stone wall

GENERAL NOTES:
Do not scale from this drawing, contractors must verify all dimensions on site before commencing work, any discrepancies to be referred to the Architects for clarification. The drawing is to be read in conjunction with all other information issued by other consultants. The copyright of this drawing is vested in the Architects. This drawing may not be copied or reproduced without written consent.

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Telephone: +44 (0)1285 712 823 Mobile: +44 (0)75 955 98114 E: henryhomersham@btinternet.com

JOB TITLE: Backs Lane
DWG TITLE: Proposed Barn Dwelling
DRAWING STATUS: Planning
SCALE: & SIZE: 1:100 @ A2
SCALE BAR: 0 5 M
DATE: 24.09.20
DWG NO: & REV: **PP05revD**









**CROWTHORNE
AMPNEY CRUCIS
CIRENCESTER
GL7 5SF**

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[REDACTED]

Mrs Christine Gore
Interim Chief Executive Officer
Cotswold District Council
Trinity Road
CIRENCESTER
GL7 1PX

13th August 2020

Dear Mrs Gore

Planning Application Ref: 20/02285/FUL – Three dwellings & ancillary development at Back Lane, Ampney Crucis.

Approval of the above application would represent a departure from the current Cotswold District Local Plan and Ampney Crucis Parish Council wish to register their **VERY STRONG OBJECTION** to the application as follows.

The Applicant throughout this application has placed a heavy reliance upon the outcome of the Planning Inspector's decision in the Appeal regarding an earlier application on Back Lane (Ref: 18/04770/FUL).

The Appeal was based upon a complex series of circumstances including Permitted Development under 17/03018/OPAN and decisions regarding earlier applications that, had they followed proper consultative process, may have resulted in very different outcomes.

CDC's senior planning officer is also on record as stating that **ALL** planning applications are, and will be decided on their own merits, regardless of precedent.

Based on his assurance, we expect that this application will be considered in true isolation to any previous decisions, other than the cumulative impact of those decisions as required by Policy DS3 of the current Cotswold District Local Plan.

1) Policy DS3 states that small-scale residential development in non-principal settlements will [only] be permitted provided it:

A) *Demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;*

The village primary school is OFSTED rated as "Outstanding" and has been fully subscribed for a number of years. A new classroom has been built in the last three years and there is no further scope for expansion.

The Village Hall is well supported by many village organisations (e.g. the WI, Brownies, Gardening Club, Rural Cinema, Toddlers Club and the Youth Club). It is also widely booked by commercial organisations from within the village and surrounding area.

There is no traditional village pub. The Crown hotel and restaurant on the A417 has a well-established business based on commercial and tourist accommodation together with weddings and the restaurant attracts residential as well as passing trade.

There is no Village shop. The Village shop and Post Office closed some years ago when its rent was increased to a level that made the business no longer viable. The building has since been converted to a house and sold.

Public transport into the village is limited to a maximum of 6 services on weekdays only (No 50). The earliest departure from the village is at 09.16 and the last departure at 15.16 during school holidays, it is at 14:16 otherwise, so an even shorter working time frame. That schedule certainly does not meet the needs of either full or most time workers or students in further education who would otherwise have to use private cars or taxis. That there is no weekend service further frustrates the needs of local residents working in Cirencester.

The above limited facilities are not going to change as a consequence of this proposed development or indeed those already under construction. Therefore, the provision of three new open-market dwellings cannot be said to demonstrably support or enhance the vitality of the local community and the continued availability of services and facilities locally.

B) Is of a proportionate scale and maintains and enhances sustainable patterns of development;

The proposed development of three, three bedroom houses is proportionate to the size of the site though the height of the properties is a good deal more than the cottages opposite under construction and the design of the Barn House is totally inappropriate for the setting and too far back from the lane edge.

However, it cannot be justifiably claimed that it will maintain or enhance sustainable patterns of development. For the reasons stated above it will not enhance the sustainability of the village as a rural community. On the contrary, the additional pressure it will place on already stretched and in some cases, overloaded utilities such as waste water disposal, clean water supply and fast broadband provision.

There does not appear to be any detail on how sewage will be dealt with or with outflow from the ditch that runs at the front of part of the site

It will also increase pressure on local highways and local road safety. Back Lane is a very narrow single track highway and after completion of already permitted developments there would be minimal grass verges to allow pedestrians to step off the highway to allow vehicles to pass.

At the blind junction with the Village Street, there would be an estimated 400% cumulative increase in private car movements with a commensurate increase in risk of collision and/or injury.

In addition, most of the village roads are partially or wholly single track, including the bridge over the Ampney Brook which is the main access point for the village. The cumulative impact on those roads of this and previously permitted but incomplete developments cannot be ignored.

C) Complements the form and character of the settlement;

The settlement of Ampney Crucis follows a historically linear form along the line of the Village Street that runs from the A417 at the Crown of Crucis to Dudley Farm Corner at the junction with Ridings Lane. Housing in the village reflects a healthy socio-economic mix with Housing Association houses, bungalows and flats alongside larger and smaller privately owned dwellings of varying ages.

The secondary lanes off the Village Street are all single track and development has been limited to four or less homes on each, all very close to junctions with the Village Street so that the historic building line has essentially been maintained.

Back Lane is a spur off one of those secondary lanes (Butchers Arms Lane) and prior to approval of the new dwellings under construction (referenced above), was essentially little more than an agricultural track, a point that has been acknowledged by the Applicant.

The new buildings under construction are all on the north side of Back Lane with open fields to the north and hedgerows to the south side overlooking fields down to the south west of the village.

The proposed development would intensify and urbanise this previously quiet lane that is widely used by pedestrians for regular exercise.

Neither this or the under construction developments along Back Lane are creating properties that would be in the financial reach of most of our villagers or their children who have left home for work etc and now wish to return to their roots. These are destined for people escaping to the country life which sadly has increased in recent months as a consequence of COVID-19.

D) Does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.

To justify the proposed development, the application refers to *“recent permission for a modest number of dwellings on its northern side.”*

How can a 100% increase in dwellings be regarded as “modest”.

Inclusion of the separately permitted stable conversion pushes that increase to 125%, and if this application is also permitted, the increase would leap to 200%.

If the cumulative impact is measured by the increased number of bedrooms in houses on Back Lane, already permitted dwellings under construction or conversion represent an increase of 150%. If the proposed houses are added that increase jumps to 225%.

There are seven residents living in houses on Back Lane. The likely occupation of the approved houses would increase that by at least 240% and if we include the applied for houses, that increase would rise to at least 415%.

By any measure, a minimum four-fold cumulative increase in the population of such a contained part of the settlement must be considered excessive and therefore most definitely adverse as defined in CDC Policy DS3.

In summary, as well as failing the first three tests laid out in Policy DS3, the resulting cumulative adverse impact on utilities, local roads and highway safety is so significant that this application must also fail the fourth and definitive test of CDC's Local Plan Policy **DS3**.

2) Policy DS4 – Open Market Housing Outside Principal and Non-Principal Settlements.

The adopted Local Plan prohibits new build open market housing outside Principal and Non-Principal Settlements unless it is in accordance with other policies that expressly deal with residential development in such locations, primarily DS3.

This application does not qualify under any of the suggested exceptions listed in the Local Plan under para 6.4.3 and is therefore contrary to CDC's Development Plan.

Paragraph 6.4.5 also defines that any land that falls outside Development Boundaries and Non-Principal Settlements is referred to as countryside even if it is technically previously developed. This location is beyond any boundaries and is located on the periphery of a Non-Principal settlement and hence is countryside.

3) Policy EN2 – The Built Environment

The proposals for the pair of semi-detached houses are commensurate with the Cotswold Design Code.

However, the Barn proposal is not, a mix of timber and metal cladding to the exterior does not fit with good design for the location. There are no other buildings within the immediate area that make use of this combination of materials and indeed the existing building is made of concrete block with a metal roof.

In his Planning Statement, the Applicant also refers to the following:

4) CDC Policy INF 4 – Highway Safety, stating that “development will be permitted so long as it provides safe and suitable access that is well integrated with the existing transport network.”

The Application only refers to access from the development site onto Back Lane. It fails to address two critical points:

a. At the point of access to and egress from the site onto Back Lane, the lane is extremely narrow.

This application fails to allow for the fact that once the new houses under construction are completed, the available lane width including the grass verge will be significantly reduced, making any turning operations much harder.

That will result in delays to other road users and further damage to any remaining grass verges.

b. Road safety concerns at the blind junction with the Village Street. These have been repeatedly raised with both Gloucestershire County Highways and the planning authority and are a matter of record.

Given that the Applicant has shown such an interest in earlier applications, it is hard to believe he was not aware of those highway safety concerns and he has apparently chosen to ignore them.

This application fails to meet the needs of Policy INF-4 Highway Safety.

The National Planning Policy Framework (NPPF)

Para 59 and 117 relate to significantly boost the supply of housing and effective use of land.

The LPA already has demonstrated it has sufficient housing supply for 7.5 years so these dwellings would fall into the Windfall Category and hence there is no requirement for these new builds.

Paras 77, 78 and 79 are all relevant in that this is not an application for Affordable Housing, there is no identified need for additional housing in the village (there have been several properties on the market for up to 12 months locally), and for the reasons already identified above, the development would not add to the sustainability of village resources. There is no essential worker requirements or use of redundant or disused buildings.

In addition, the application fails to address any of the considerations set out in **NPPF Para 102**, other than a very brief paragraph about pedestrians and cyclist access to the nearest bus stop.

NPPF Para108 seeks to ensure that

a) Sustainable transport can be or are taken up given the type of development and location.

Nothing in the proposal even attempts to look at anything relating to this aspect.

b) Safe and suitable access to the site can be achieved for all users.

The exit from Back Lane is a blind junction onto a single track lane and as a consequence is unsafe particularly for cyclists and motorists, plus the access to the site is single track and no passing bay or footpaths for pedestrians have been proposed. The passing bay at the entrance to the new "orchard" as proposed as part of the scheme currently under construction further up the lane will almost certainly be utilised as additional parking for the two cottages under construction.

Additionally as stated in the Applicants Transport Statement on page 3 drawing from the NPPF, the Development should create places that are safe, secure and attractive and minimise the scope for conflicts between pedestrians, cyclists and vehicles etc. This narrow lane with narrow verges, no footpaths or passing bays is significantly increasing the risk of such conflict happening.

c) Any significant impact on highway safety can be cost effectively mitigated to an acceptable degree.

We maintain there will inevitably be increased highway safety problems and risks resulting from a cumulative fourfold increase in traffic over current levels and that those problems cannot be cost effectively mitigated due to the proximity of the property boundaries to the lane for the houses under construction on the north side and narrowness of the verges and drainage ditches on the south side.

We have commented earlier regarding the regularity and timing of the bus service. There are indeed footpaths running along the village street towards the bus stop. They represent between 30% and 50% of the paved footpaths on the Village Street

and the only access to them from the development site is via very narrow lanes without any form of footpath or usable verge.

There are no cycle paths or contiguous footpaths between Ampney Crucis and Cirencester along the A417, which is 50 mph where it runs adjacent to the village and is unlimited thereafter. Many of the verges and hedgerows have been left to grow to such an extent that in many places it is impossible to step off the road if a pedestrian was brave enough to try and walk to or from Cirencester.

In the event that either the Planning Authority or Gloucestershire County Highways consider the necessity to undertake a traffic survey, may we request that the timing of that survey is delayed until after the commencement of the new school year to ensure an accurate representation of real highway usage? This may even then not reflect the true volume of traffic that would normally be expected particularly during peak hours since the school may have to adopt a staggered attendance approach. As a consequence of the lack of alternative transport methods, any inhabitants of the proposed properties will be almost wholly reliant on cars for day to day transport. To repeat our earlier statement, a further increase in cars entering and exiting Back Lane by its only paved route will significantly increase highway safety risk for all pedestrians, cyclists and other road users due to the blind nature of the junction with Butchers Arms Lane, The Pound and the Village Street.

In the ecological assessment of the site we would point out there are a number of concerns, particularly the reference by the Applicants consultant in regard to using anecdotal evidence rather than physical site survey. We comment as follows:

Reptile Survey

From the Reptile report para 3.2 pg 6

'the refugia were checked during seven visits from the 16th June to the 2nd July 2020 during optimal weather conditions in accordance with recommendations set out by Hill et al. (2005)'.

From Hill et al 2005 (the Handbook of Biodiversity Methods)

'In order to encounter **at least 90% of the reptiles present**, and determine the approximate population size, the arrays should be visited and checked 15–20 times during the period from April to October. The best months of the year for finding most reptiles are April, May and September'.

This was not done. Surveys were only carried out in June - 7 visits.

Ecological Appraisal report:

Ref Para 3.20 pg 20

'the site provides optimal reptile habitat in the form of a small areas of scattered scrub, tall ruderal vegetation and hedgerows adjacent to multiple stone piles and stored building materials that provide cover and potential refugia. The site is considered large enough to support a reptile population with its hedgerows connecting into the wider landscape.'

Despite this the reptiles surveys were not undertaken as advised by Hill et al to encounter at least 90% of reptiles.

When the ecological surveys were undertaken the site had already been cleared.

Quote from All Ecology Ecological Appraisal Executive Summary July 2020.

'The site consists of a Workshop, Storage Shelter and Storage Box within a small yard surrounded **by recently cleared scrub**'. Surveys were undertaken in late May after scrub clearance.

It could be strongly argued that reptile presence could have been adversely affected by the previous scrub clearance.

Bats

Quote from 3.13

'Multiple records of bats were provided within 1 km of the site including a number of maternity roosts. The majority of records provided originate from a site located approximately 560 m south, which is poorly connected to the proposed development area.'

The multiple bat records referred to above were submitted by a well known local expert on bats. These were bats caught on the Ampney Brook under an NE project licence in the experts garden. Looking at Google Earth the connectivity between the garden and the development site is **good**, consisting of woodland, parkland and hedge lines. The Blue line on the below image links the development site to where the bat records came from.



Flawed Surveys should not be accepted especially where prior actions potentially impact those assessments. Bat flight paths are really important and at the very least can require significant mitigation to protect foraging routes. It is important to note that

once hedges become part of a residential boundary they can be cleared by the owner unless protected, so as the applicants consultant's report does mention Bat foraging/commuting along hedgerows, we expect the authority, if minded to permit, to ensure appropriate forms of protection. – The Parish Council believe that there is enough evidence from available published surveys to require a further Bat Survey carried out by an independent consultant, to establish if mitigation is at all possible, particularly as the comments from the applicants consultant on bats are only anecdotal at best and not supported by physical survey.

The Applicants indicate that there is not a pond within 250 metres of the site, however the application constraints page of the CDC website does clearly indicate a pond in the vicinity and we believe this may be a field pond around 100 metres to the north of the application site. Once identified this should be considered by a specific site assessment to ascertain if any protected species are present.

We respectfully request that this application be **REFUSED**.

Ampney Crucis P C also requests that should the Planning Officer be minded to Permit, that this Application is brought before the Planning Committee and that a Site Visit should be undertaken.

Yours sincerely

Doug Crook

cc: Cllr Lisa Spivey;

Mrs Jayne Webster, Clerk, Ampney Crucis Parish Council

(Sent by e-mail and submitted online as whole PDF)