

PLANNING COMMITTEE

10th June 2015

ADDITIONAL PAGES UPDATE

DISTRIBUTED AT THE COMMITTEE MEETING

**AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE LOCAL
GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Additional Representations on Schedule Items

Pages 33-70

PLANNING COMMITTEE

10th June 2015

ADDITIONAL REPRESENTATIONS ON SCHEDULE ITEMS

Item	Ref No.	Content
01	14/02444/FUL CD.1320/L	<p>Illustrations – Please see attached.</p> <p>One further letter of objection received -</p> <p>'1. We support the eight objections made by Stow Town Council in para. 5 on page 7, particularly that Houses 1 and 2 and their car barns should be omitted from the plan. We understand that Stow Council should have referred to Plots 1 and 2 as well as C1 and C2 at para.viii.</p> <p>2. We refer you to the photograph of the Site Entrance on page 27 and the area of grass and the holly tree to the right of the picture. The developers are intending to remove the grass area and tree to make way for the access road. This will be extremely close to our main living-room window thus affecting our privacy and amenity of our property by causing noise and nuisance from the many cars travelling backwards and forwards from the proposed 21 plots. We believe that if Plot 2 and C2 were omitted then there would no need to take away the grass area or tree and therefore the impact of traffic on us would be less severe.</p> <p>3. We consider the access on to Union Street from Oddington Road is too narrow to cope with any more traffic - it is dangerous as it is as two cars cannot pass and requires one or other car to reverse. It is even more dangerous if vans or lorries are involved. We suggest that there should be no "left turn" coming down from Park Street into Union Street or that Union Street should be made "one way".</p> <p>4. Please note that the developers chopped down T2 and T9 on the Tree Preservation Order dated 18th February 2013 earlier this year before Planning Permission is granted.</p> <p>To fully appreciate the implications referred to in Paragraphs 1, 2 and 3 above we would urge that a Site Inspection is carried out before your decision is made.'</p>
02	14/04879/REM CD.4545/Y	<p>Letter from Gloucestershire Care Services – Please see attached dated 5th June 2015.</p>
04	15/00655/FUL CT.8950/D	<p>Email from Cllr Parsons -</p> <p>'Following our discussion this morning I am writing to express my objection to the above planning application. My objection is to the size of the dwelling.</p>

I accept that the farming enterprise requires at certain times of the year a 24 hours on site presence, which therefore justifies the need for a dwelling. Independent advice has also confirmed that the farming enterprise is sustainable.

However the size of the building is much larger than would be historically acceptable for an agricultural workers residence. The additional size would seem to be justified on the basis that the applicant wants to start a new business on site, namely bed and breakfast. However no figures are given to support how much business this is likely to generate, and it would also seem that little thought has been given as to how it would operate in practice. For example It is unclear how the B&B accommodation can be considered en-suite, when the disabled WC and wash room is also available to the public (see drawing page 118). As is well known in many cases B&B accommodation when not occupied by guest(s) can be and very often is used by members of the household.

Further I consider that the applicant has failed to prove that the guest accommodation is reasonably necessary (see page 151.) There are many bed and breakfast accommodations nearby which can be demonstrated by a search of the web.

The key issue is It is the requirements of the enterprise rather than those of the owner or occupier that are relevant in determining the size of the dwelling that is appropriate to a particular holding. I consider that the size of the dwelling in this application is not justified by the requirements of the enterprise.

I would be grateful if you would put my concerns before the committee.'

Summary of applicant's response to points raised by Cllr Parsons -

Visitors staying on site will not use the external Disabled Visitors facilities. They will have their own which will be incorporated into the room marked "B&B room with ensuite. The En Suite Facilities in the "B & B" room will also be designed especially for Disabled Visitors, giving correct access for Carers to attend to their needs but also providing the facilities for able Visitors in that room. There is an established need for an internal Disabled facility as well as an external one. There are NO B&Bs within South Cerney or the locality with Disabled facilities.

I would also like to add that in 2014, I obtained prohibitive quotations in excess of £16k for just a Disabled toilet/shower facility whereas by incorporating them into the farmhouse ground floor, the cost as an Agricultural Worker is affordable.

The current application for an integral room for visitor's means there would be no external additional building to accommodate visitors. Likewise the Disabled Toilet facility is incorporated into the dwelling house and avoids another extra building.

Prior to my Yurt application (14/04592/FUL) which would have added two buildings to the site, I established that there is a need for

Alpaca clients (agisted), visitors to my courses, Alpaca Events and international clients to stay on site. This included providing facilities for Disabled Visitors (varying forms of disability as mentioned above) and hence the Yurts were specifically designed to accommodate both physically able and disabled visitors. We have already provided two vehicles for the transportation of less able visitors around the farm to see the Alpaca.

Please note that I also looked at numerous other forms of accommodation for visitors to stay on site which included Pods but these were also rejected by the MOD. Therefore all other alternatives have been considered but this is the only way needs can be catered for whilst being sympathetic to the surrounding countryside and my Alpaca Farmstead.

The on site accommodation is required for National and International Alpaca clients and Visitors, Alpaca Events, Alpaca corporate Days, Alpaca courses and Alpaca Marketing events. For example, whilst Kubota filmed their Case Study here last week it would have been beneficial if they had been able to stay on site. I understand several of my clients have mentioned their need to stay on site in their letters of support for this application and indeed the Yurts previously. The NPPF supports farm diversification whereupon it does not impact upon the farming itself which this would not. Mr Fox report has also supported the need for on site accommodation and the size proposed to facilitate this in an independent report sought by CDC.

It should be noted that it is to compliment the Agricultural Farming of Alpaca that my visitors desire to stay on site. These visitors include groups whereby some are less able than others.

My Business plan did not show projected figures for occupancy. The reason for this is that the figures were not for years in which the facility had been built. ie the B & B facility will not be established until 2016/early 2017 subject to when/if planning is granted. However, when making my Yurt application, the model I researched and proposed was that the Yurts would be occupied from April to September with a couple of weeks possibly over Easter and Christmas. This would give an occupancy in the region of 210 nights per annum.

Many of my International clients are from countries which have "opposite seasons" ie their Winter is our Summer and vice versa. Therefore, with the ability to accommodate my clients now to be within the farmhouse not under canvas, I envisage the new model once established will be a higher occupancy of 260 nights. Disabled Visitors and able Visitors will then enjoy the whole intrinsic Alpaca experience.

Four further letters of support received –

(i) We visited the farm whilst staying in the Cotswold Water Parks earlier this year, having booked an Alpaca Walk as a surprise visit for Valentines Day.

Our Alpaca Walk with two calm, gentle Alpaca was simply amazing... the video on the website www.kensmyth.com shows us grinning from ear to ear at the experience.

We totally recommend a visit to this farm for anyone of any age as it is a fantastic Tourist attraction for the area, and Helen is just an amazing person who is so nice and so funny and has loads of knowledge and stories about the alpacas she has.

I can honestly say I'd go back time and time again.'

(ii) 'I write in reference to the Planning Application 15/00655/FUL for Mrs Kendall Smith's Alpaca Farm in Cirencester.

Kubota UK are currently working on a Filmed Case Study for International Distribution about this Agricultural Alpaca Farm and its use of Kubota machinery on site.

Mrs Kendall Smith uses two Kubota RTV four seat machines for transporting less able Visitors around the 25 acres and the site has been sensitively organised to facilitate this alongside essential biosecurity measures for the protection of the health of her herd.

I have visited this farm myself recently, during filming and was given the opportunity to walk a gentle, trained Alpaca. This was such a memorable experience that I have booked a visit for my 77 year old Mothers birthday treat.

This Alpaca farm provides a "a once in a lifetime opportunity" for some but for many is such a joyous feeling that I know many clients will return year on year.

I fully support this application.'

(iii) 'I have no objection to a permanent dwelling (in the designated area on the plans) at Clay Meadow.

As this is a permanent dwelling consideration must be given to the speed limit on the Cirencester Road between the North Moor Lane turning & the army camp. The speed limit it currently 50mph compared to 30 or 40mph along the rest of the road. The boundary for the village speed limit should be expanded so the road passing the Clay Meadow & the public footpath is 30mph. It is & will be dangerous for vehicles for entering & exiting Clay Meadow while the speed limit is 50mph.

The erection of a two storey dwelling will cause some privacy issues at Lock House as the higher elevation of the Clay meadow will mean they can see into all the bedrooms at Lock House. Some screening will need to be put in place between Lock House & Clay Meadow. This has been discussed with the Kendall-Smith's & they

		<p>have agreed, in consultation with me, to put some in place.</p> <p>(iv) 'I have been the owner director of an established used Porsche dealership for the last 27 years.</p> <p>Advertising and Marketing has changed phenomenally over the years and it is always difficult to find ways of marketing my products in a professional manner and also to support other new enterprises. To this end, this year I am supporting Kensmyth Stud with their Alpaca 100% Natural Clothing "Autumn Holiday 2015"</p> <p>I have many customers in the Cotswolds and have myself visited the Alpaca Farm at Clay Meadow. It is meticulously run with keen attention paid to the health and welfare of the Alpaca.</p> <p>The game park appearance of the fencing and the rolling hills for the Alpaca give a very open feel to the Farm which is not only pleasing to see but also an excellent venue for photographic purposes.</p> <p>Visitors to the farm leave with an understanding of how Alpaca are kept both in the wild and in captivity on this farm which is promoted with in an educational manner as well as a leisure experience.</p> <p>When I visited the farm I was impressed by the efforts she has made to ensure the farm is accessible for disabled visitors.</p> <p>My mother died from multiple sclerosis and thus I can speak with a lifetime's experience of how so few venues make such efforts to accommodate less able visitors.</p> <p>Whilst she has promoted the venue for corporate event and team building exercises, it's refreshing to see someone dedication to introducing interaction with animals towards the disabled.</p> <p>I fully support this application and am proud to support this Alpaca Farm.</p> <p>I trust the council will support and promote this unique project and its benefits to the community that Mrs Kendall Smith is striving to build.'</p>
05	14/05225/OUT CT.6991/Z	<p>Comments have also been received by Councillor Hodgkinson (Glos County Councillor (Bourton & Northleach)). Set out below</p> <p>-</p> <p>'I very much support the inclusion of riding facilities in this application. Many people have expressed to me how much they value the riding opportunities which they and their children have had to take part – taking part in an outdoor activity which benefits their physical and emotional wellbeing. There are few riding schools in the area now serving both the Cotswolds and Cheltenham and the site is accessible for town dwellers below the Cotswold escarpment. Having met with the new owners, their architects and agents, I know that those who run the current riding school on site feel that with the appropriate safeguards to assure continuity of the business during development, easy access and enough space set</p>

aside for the new facilities, the riding centre can continue for many years into the future'.

Agent Update - The agent has clarified the current position in respect of the Minimum Energy Performance Standards (MEPS) and the longevity of the use of existing buildings on the application site i.e. those in B2/B8 use. A copy of this correspondence is attached for Members' consideration.

Amended Plans - Due to the minor changes made to the proposed layout there has been a need to update the following drawings for consistency: PL008 (now Rev C), PL005 (now Rev B) and PL011 (now Rev C). Delegated Authority is sought to make final amendments to the conditions to reflect up to date plan numbers. If necessary.

Archaeology - An Archaeological Evaluation was provided by the agent on the 7th June 2015. The County Archaeologist has confirmed that the works undertaken found that archaeological remains of the later prehistoric and Roman periods are potentially present in the eastern sector of the site (represented by a Roman ditch in Trench 17 and a probable Iron Age pit in Trench 19). However, the remains are not of sufficient quality and significance to constrain development. There is no objection to the proposed development with the proviso that a condition is attached in order to secure further investigation of any archaeological remains which may be adversely affected by development on this site, and also to secure recording of the WWII buildings. **No objection, subject to condition(s).**

Highways - The Highway Authority has confirmed that they have no objections subject to conditions. Full response attached.

Suggested Conditions Update - Further to the receipt of the County Archaeologist's consultation response, Condition 10 has been updated as follows:

No works shall take place within the application site (including demolition) until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, including the recording of the WWII standing structures, in accordance with a written scheme of investigation (including appropriate archive deposition) which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To make provision for a programme of mitigation, so as to record and ensure advance understanding of any heritage assets which will be lost, and to maintain adequate records of the heritage assets on the application site, in accordance with Section 12 (paragraph 141) of the National Planning Policy Framework. Such items would potentially be lost if development was commenced prior to the implementation of a programme of archaeological work. It is therefore important that such a programme is agreed prior to the commencement of development.

A further condition is also recommended to ensure the demolition of the existing buildings:

"With the exception of the equestrian facilities referred to in Condition 20, prior to the construction of any external wall of the development hereby approved, the existing buildings on the site shall be demolished and their materials removed from the site, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the proposed enhancements to the Cotswold AONB and Cheltenham-Gloucester Green Belt are delivered in accordance with the provisions of the National Planning Policy Framework.

For completeness a full list of (revised) conditions are attached to these pages. (Including Highway Authority conditions).

Further Third Party Representations:

A further 33 letters of support (57 in total) and 2 general comments (11 in total) have been received. The majority of which confirm their support of the application on the basis that the riding school is replaced. One response (from a near neighbour) has made reference to previous concerns regarding the local water supply but has confirmed that:

"The developers have reacted to our concerns in a timely and professional way doing a geological survey and implementing a sampling programme before, during and after development to monitor the impact of their work. Having reduced the plots from 27 to 20 and considering the dilapidated state of many of the existing buildings if the developers apply themselves to the site in the same professional way they have dealt with us I think the development will be a great improvement and would be happy to support it."

No further grounds, other than those already reported, have been raised.

Parish Council Further Comments - A further response has been provided by Coberley Parish Council confirming their 'qualified' support. A full copy of the Parish Council's further response is attached.

Petition(s) - The originator of the petition has contacted the Case Officer to confirm that, given the replacement of the riding school, the petition is no longer considered relevant to the application. The originator has email the following further response for the attention of members:

*"FOR THE ATTENTION OF THE PLANNING OFFICES
REGARDING THE ULLENWOOD COURT PLANNING
APPLICATION SCHEDULED FOR 10TH JUNE 2015.
AS THE ORGANISER OF THE PETITION TO SAVE
ULLENWOOD COURT RIDING SCHOOL, DIANNE YOUNG.*

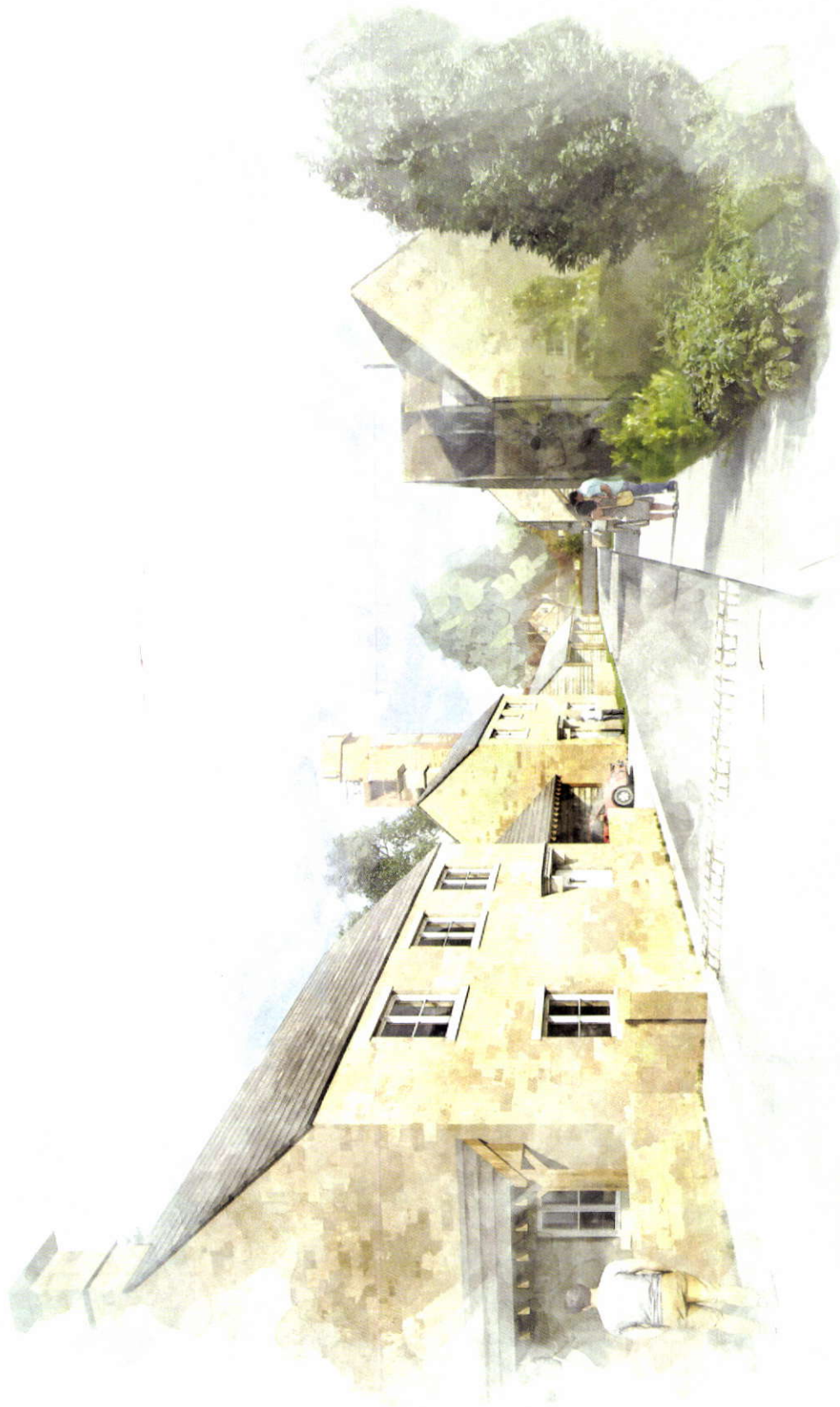
PLEASE NOTE THAT THE OBJECTIONS/SIGNATURES ON

		<p><i>THIS SUBMITTED PETITION TO SAVE ULLENWOOD COURT RIDING SCHOOL IS NO LONGER APPROPRIATE, SO PLEASE DISMISS THIS PETITION.</i></p> <p><i>THE PETITION WAS TO SAVE ULLENWOOD COURT RIDING CENTRE. HOWEVER AS THE NEW PLANNING APPLICATION IS TO KEEP/INCLUDE A RIDING CENTRE AT ULLENWOOD COURT , NO PERSONS WHO SIGNED THIS PETITION OBJECTS TO THE NEW PLANNING APPLICATION.</i></p> <p><i>SO PLEASE DISMISS THE PETITION".</i></p>
06	14/04198/REM CT.7615/K	<p>Amended Plans: The applicant has confirmed that since the submission of the application minor changes have been made to the site levels. The correct levels are shown on R321/45 Rev B. Delegated Authority is sought to make final amendments to the conditions to reflect up to date plan numbers if/where necessary for consistency.</p> <p>Suggested Conditions Update: It has been noted that two of the suggested conditions recommended have not pulled through to the Committee Report. For completeness, a full list of conditions can be found attached.</p>
07	14/04583/FUL CT.9067	<p>Comments from existing objector raising no new issues -</p> <p>'Thank you all for your time and contribution to our world in south Gloucestershire. I cannot say I agree with all of the decisions made and the horrible over development of Fairford with its 100s of new houses would be near the top of the list of bad ones but life goes on.</p> <p>I am sorry that I will not be able to be present for the meeting on June 10th as work must come first but I hope that this email and its contents will suffice.</p> <p>With respect to the development of Fayre Court I hope that you will be able to refuse it on both common sense and development grounds. We cannot be responsible for destroying a Fairford landmark that should be listed nor have you the right to approve building works that detract from my property and take direct light from it. I have already lodged formal and emotional grounds for objection and have noted that only the property owner supported the development so I hope that we objectors will, in this instance, prevail. The summary of my comments are:</p> <ol style="list-style-type: none"> 1. The building of the houses on "plot 2" and to a lesser extent "plot 3" represents a clear invasion of what can be regarded as a reasonable expectation of privacy. 2. The building and position of the house on "plot 2" will completely blot out the morning light specifically and general light for which our breakfast room was built. Everything you see in the photograph above the wall line will be filled with the upper wall/windows and roof of "plot 2". The removal of our light making our breakfast room darker is not acceptable to us nor, if I understand my rights, approvable by the Council.

		<p>3. For the record we have seen, locally, a dramatic increase in local bird life particularly robins and wrens and the gardens of Fayre Court are a significant part of this so please don't allow this habitat to be destroyed.</p> <p>4. Fayre Court is a beautiful house standing in reasonable gardens and lawns and its over development can have no significance on the need for more housing, following the 300 or 400 properties you have already approved for Fairford, so this is down to being lucky enough to have a front lawn and being allowed to build three houses on it. That cannot be in the words or spirit of such a significant property standing wholly in a conservation area that, given the other over development, we must try and protect. You, the Council, are the only chance the conservation area has.</p> <p>5. Lastly, and not admissible as evidence, is that the presentation makes much of the importance of the site and the history of Fayre Court yet presents you, the Council who watches over our town and conservation area, with probably the three most ugly, unimaginative properties drawn to date.</p> <p>Many thanks for your time and I will live, briefly, in hope that you will be able, this time, to make the decision that makes sense for the town rather than the developer'.</p>
08	14/05373/FUL CD.3670/H	Statement from Objector raising no new issues – Please see attached.
09	14/05595/FUL CT.2165/Y	<p>Statement from the Applicant – ‘The original proposal was amended, according to the advice and suggestions of the conservation officer, who clearly considered the scale to be completely in keeping with the existing buildings.</p> <p>To be very clear – we did exactly what the conservation officer said we should do in order to meet his approval, and that of the planners’.</p>
10	14/02783/FUL CT.4203/2/L	<p>Environment Agency – No objection.</p> <p>Case Officer - Further to the Environment Agency's response, the following revised wording to Condition 11 (page 307 of the Schedule) is now recommended:-</p> <p>The development hereby permitted shall not be occupied before drainage works, including any sustainable drainage system (SUDS), have been carried out in accordance with details to be submitted and approved in writing by the Local Planning Authority, <u>and the development shall not be occupied until the approved works have been completed in full.</u></p> <p>Reason: To ensure the development is provided with a satisfactory means of drainage thereby preventing the risk of flooding and pollution in accordance with Cotswold District Local Plan Policy 5 and the provisions of the NPPF.</p>

11	15/01018/FUL CT.2255/Y	Case Officer – A revision to the proposed rear elevation has recently been submitted and therefore the drawing attached to these papers is to supersede the rear elevation shown on Page 323 of the Schedule.
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184/02444/FUL



Hema 43
14/02444/FUL
CD. 132014



Hema 44
1402444/FUL
CO. 132014.

141 04879/REM

Gloucestershire Care Services



NHS Trust

Cotswold District Council - Post Room		
App Of	Initials	Date Rec'd
		8 JUN 2015

North Cotswolds Hospital
Stow Road
MORETON IN MARSH
Gloucestershire
GL56 0DS

Tel: 0300 421 8770

Fax: 01608 654493

Email linda.edwards@glos-care.nhs.uk

Planning Dept
Cotswold District Council
Trinity Road
CIRENCESTER
GL7 1PX

5 June 2015

Dear Sirs

Your Ref: 14/04879/REM

I write with reference to your letter regarding Approval of Reserved Matters for Demolition of existing building and erection of food store, with associated parking, landscaping and ancillary works of development granted under permission 13/01971/OUT at Fosseyway Farm Stow Road Moreton in Marsh GL56 0DS.

I refer you to our letter dated 31 May 2013 and reiterate again the following points made at that time:

Environmental Impact

The hospital was designed with peaceful and tranquil grounds to act as an aid to the physical recovery of our patients, and to foster their well being. A busy supermarket immediately next door will shatter the calm and quiet environment we have created for patients experiencing periods of ill health.

The grounds of the hospital have three swales, deliberately designed to assist in the natural drainage of excess rain water in periods of wet weather. The development will increase surface water during such weather conditions, increasing the risk of flooding.

Noise Pollution

Supermarket deliveries take place at potentially very unsocial hours, causing disturbance either late at night or early in the morning.

Item 02
14/04879/REM
CD-4545/1

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Heavy lorries in and out of the supermarket site over a 24 hour period is likely to be disruptive to patient care and recuperation.

Perimeter Fence

To ensure adequate containment of the hospital site we would require a fence of a suitable structure to prevent access into the hospital site from the supermarket by the climbing of, or by other method. It would need to be high and robust enough to prevent children from getting over or through due to the dangers of the swales.

Road Traffic

On any busy day a supermarket will only increase the volume of traffic.

Has any change to the road layout been considered? All vehicles will be entering and exiting the supermarket onto the Fosse Way. This is likely to increase traffic congestion and cause disruption. This creates the potential for emergency vehicles being delayed as they attempt to get into and out of the hospital.

The increase in traffic raises safety concerns for pedestrians walking to the hospital site. Access to the supermarket increase these concerns.

Planning Regulations

Approval granted already for the supermarket represents ribbon development. As stated in our letter from May 2013, the North Cotswolds Hospital had special permission to be built on land outside the town perimeter. Further development with the construction of the supermarket is regrettable and will have a detrimental effect on the environment and on the town itself.

Yours sincerely

Linda Edwards
Matron
North Cotswolds Hospital

Item 02
14/04/07/12em
CD 4545/1y

14/05225/OUT

Katherine Brommage

From: Simon Firkins
Sent: 08 June 2015 12:37
To: Katherine Brommage
Subject: FW: Ullenwood Court

Dear Katherine

In seeking to clarify for you the issue of the EPC, please see below an email from a qualified surveyor in this regard.

This essentially explains how the commercial buildings at the site would fail to meet the new EPC in their current condition. Their current condition means that the tenants of the site have benefitted from rent at lower than the market rate. To upgrade the buildings to enable them to meet the new EPC would require considerable investment. This would not be viable for on-going employment uses regardless of the outcome of the current application because the corresponding increase in rent to cover the expenditure of the work would push them way above market rate and considerably higher than the tenants at the site have been used to thus far – and this essentially is the difficulty that the site represents for any on-going employment use.

On the other hand the additional value that would be created for residential use of the buildings means that converting and upgrading them for that purpose would be viable. Even though we consider it to be a far less appropriate solution for the site as a whole when compared to its comprehensive redevelopment (with replacement stables and the other benefits arising in the form of high quality designs, landscape enhancements, contributions to affordable housing and education etc) it would be worth doing and would be carried out in the alternative. The scheme submitted though is we feel by far the better approach.

I hope my brief explanation above and the details from the surveyor below provide any clarification you might need on this point, and do please come back to me if you require anything further.

With best regards

Simon

Simon Firkins MRTPI

SF Planning Limited | 12 Royal Crescent
Cheltenham | Gloucestershire | GL50 3DA
Tel: 01242 231575 | Mobile: 07836 247317



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A large, stylized black graphic element resembling a swoosh or a drop shape, positioned behind the award text.

THE RTPI AWARDS FOR 2015
**PLANNING
EXCELLENCE**
FINALIST

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HEM 05.
14/05225/OUT.
CT. 69911Z

From: Richard Crabb [mailto:
Sent: 04 June 2015 16:16
To: Simon Firkins
Subject: FW: Ullenwood Court

You have asked that we consider and comment on Minimum Energy Performance Standards (MEPS).

The Energy Act 2011 commits the Secretary of State for Energy and Climate Change to bring in force regulations making it unlawful to let commercial property which does not meet a minimum Energy Performance Standard.

The previous owner needed to let units at Ullenwood Court at a discount compared to more modern accommodation, but we anticipate the expenditure required to bring the very old, basic and inefficient accommodation to the minimum required standard would be significant and in all likelihood uneconomic.

Do let me know if you require more information.

Richard N G Crabb
BSc MRICS
Consultant

M 07908 576332



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Item 05
14/05225/OUT
CT.6091/2

Coberley Parish Council

SUBMISSION TO CDC PLANNING COMMITTEE REF: OUTLINE PLANNING APPLICATION 14/05225/OUT FOR RESIDENTIAL RE-DEVELOPMENT CONSISTING OF 20 UNITS AND ASSOCIATED WORKS AND THE PROVISION OF EQUIVALENT REPLACEMENT STABLE FACILITIES AND RIDING ARENA AT ULLENWOOD COURT

Chairman, Members of the Committee

Coberley Parish Council submitted its views against the original application as you have seen in your briefing papers.

Since that time, the application has been modified, - the number of proposed dwellings reduced by 7 and the Riding Centre reinstated. These are positive steps in our view, particularly as there was a major objection from the public at the prospect of losing the Riding Centre.

We have also received responses to our comments from the applicants' agent.

Based on all this, together with the uncertainties associated with the fall-back position through the prior approval, Coberley Parish Council gives qualified support to this outline application.

Why 'qualified'?

There is a strong belief on the Parish Council that a traditional Cotswold design style, with stone cladding and pitched roofs, should be maintained in our parish. This was reinforced in a Design Statement survey carried out in the Parish some 5 years ago.

Although we are aware that dwelling design is not covered by this application, it is clear from the plans and layout, that the basis of this scheme is a contemporary design.

We do, however, recognise that this design achieves a low-level development with reduced visual impact, which we are in favour of.

What we ask of the applicant and CDC Planning is that, if this outline application is approved, they work together to introduce more traditional aspects in the building design to optimise the Cotswolds style of the scheme.

We also ask that strict conditions and monitoring are applied to ensure optimum planting and landscaping, to assure thorough screening, not only from the roadside, but also from other vantage points such as Leckhampton Hill.

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Ham 05.
14/05225/OUT.
CT. 69912

Coberley Parish Council

With regard to Section 106 funding for education, the Planning Officer's Advice Note indicated that Gloucestershire County Education has confirmed that the nearest primary school to the site is Shurdington, 1.5 miles away. However, this isn't realistic due to the unsuitability of the direct route for motor vehicles. The realistic distance to this school is some 4.5 miles. However, the parish's own primary school is less than 2.5 miles away. We ask therefore that any primary school funding determined should be focused on Coberley school.

Similarly, reference is made in the application to a financial contribution to allow affordable housing provision off-site.

The Parish conducted a Housing Needs Survey this year, which identified one family being in need of affordable housing in the parish. We ask therefore, that Coberley Parish needs are given priority in the allocation of any such funding.

Finally, one point outside of the planning process:

We are aware that included within the land purchase were a further 86 acres..... green field land, within the Green Belt and AONB. Whilst we'd expect the latter to protect the land's future, we urge the applicant to put as much safeguarding in place as possible to ensure the long-term preservation of the remaining land as agricultural or pastoral.

Thank you for your time.

Coberley Parish Council 8 June 2015

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Hem 05
14/05225/OUT
CT. 699112



Highways Development Management

Shire Hall
Gloucester
GL1 2TH

Katherine Brommage
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email: alison.curtis@gloucestershire.gov.uk

Please ask for: Alison Curtis

Phone: 01452 425697

Our Ref: C/2015/033312

Your Ref: 14/05225/OUT

Date: 9 June 2015

Dear Katherine,

TOWN AND COUNTRY PLANNING ACT 1990 HIGHWAY RECOMMENDATION

LOCATION: Ullenwood Court Ullenwood Gloucestershire

PROPOSED: Outline planning application for residential re-development consisting of 20 units and associated works, and the provision of equivalent replacement stable facilities and riding arena (access, layout and scale to be determined)

The application seeks permission for demolition of the existing buildings resulting in the loss of 10,267sqm of industrial (B1, B1c, B2 & B8) floor space and the erection of 27 residential dwellings.

Current planning policy requires development to be sustainable in three aspects, economic, social and environmental. With specific regard to transportation, developments should be located to '... give priority to pedestrian and cycle movements and have access to high quality public transport facilities...'. This site does not benefit from any of the above and purely in these terms should be recommended for refusal. However, one of the core principles of the NPPF encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Planning History

It is a material consideration that employment uses exist on site and that permission has been granted under *Prior Approval* for some of the existing offices to be converted to residential use.

Proposed Access

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The proposal seeks to retain the existing access to the site from the B4077 with gates set back 25m from the edge of the carriageway and hung so as to open inwards. The B4077 provides a link from the A436 close to the Air Balloon Roundabout and the A417 and M5 to Leckhampton and Cheltenham.

Parking

The proposed car parking will need to be justified in accordance with the criteria set out in paragraph 39 of the NPPF.

Impact on the highway network

I refer to the Technical Note reference R/151160/02/Iss2 detailing the trip generation comparison submitted in support of the application. The details are sufficient to quantify the impact of the proposal, although ideally the existing trip generation should have been taken from a survey of the existing site operation.

Site Layout

Swept Path Analysis of a large refuse vehicle traversing a site with an oncoming car have been submitted on drawing numbered 151160 – AT06(C), 151160-AT01(C), 151160-AT02(C), 151160-AT03(C), 151160-AT04(C) and 151160-AT05(C).

These amended plans show more clearance and/or intervisibility between the vehicles than that shown on previous Swept Path Analysis. Some additional amendments may be required at Technical Approval stage.

Recommendation

I refer to the above planning application received on 5th June 2015 with Plan(s) Nos: AT06(C), 151160-AT01(C), 151160-AT02(C), 151160-AT03(C), 151160-AT04(C) and 151160-AT05(C). I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:

No building on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 32 of the National Planning Policy Framework and Policy 38 of Cotswold District Council Local Plan.

No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

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Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

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

The areas shaded blue on drawings numbered 151160 – AT06(C), 151160-AT01(C), 151160-AT02(C), 151160-AT03(C), 151160-AT04(C) and 151160-AT05(C) shall be maintained free of all obstructions over 0.6m in height above the adjoining carriageway for the duration of the development.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 & 35 of the National Planning Policy Framework and Policy 38 of Cotswold District Council Local Plan.

The details to be submitted for the approval of reserved matters shall include vehicular parking and turning facilities within the site, and the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 & 35 of the National Planning Policy Framework and Policy 38 of Cotswold District Council Local Plan.

Notes:

The applicant is advised that to discharge condition [user defined no. - GCC22]. that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

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10. Conditions/Refusal Reasons:

The development shall be started either by five years from the date of this decision notice or before the end of 2 years from the date that the last of the reserved matters is approved, whichever is the later.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

Application for the approval of the reserved matters (landscaping and appearance) shall be made to the Local Planning Authority by three years from the date of this decision notice.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

The development hereby permitted shall be carried out in accordance with the following approved plans: PL001 Rev A, P003 Rev F, PL004 Rev B, PL005 Rev B, PL008 Rev C, PL011 Rev C, AT06(C), 151160-AT01(C), 151160-AT02(C), 151160-AT03(C), 151160-AT04(C) and 151160-AT05(C).

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the guidance provided by the National Planning Practice Guidance.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no alterations to the residential dwelling hereby approved shall be made including the erection, construction or siting of extensions, means of enclosure, containers, walls/fences, hard standings or outbuildings within its curtilage, other than that permitted by this Decision Notice or subsequent Reserved Matters approval(s).

Reason: To ensure that the character of the building and the appearance of the site is conserved in accordance with Cotswold District Local Plan Policy 42 and the provisions of the National Planning Policy Framework given the site's location in the Cotswold AONB and Cheltenham-Gloucester Green Belt.

No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an option appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The detailed remediation scheme should bring the site to a condition suitable for the intended use by removing unacceptable risks to human health buildings and the natural environment and be submitted to the local planning authority. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

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Reason: To protect groundwater and surface water quality as required by the National Planning Policy Framework at paragraph 109 and 121 and to ensure any contamination of the site is identified and appropriately remediated in accordance with Cotswold District Local Plan Policy 5 and Section 11 of the National Planning Policy Framework. It is important that the above is submitted prior to the commencement of development as any groundworks could cause contamination or a risk to human health or the environment.

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan.

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect groundwater and surface water quality as required by the National Planning Policy Framework at paragraph 109 and 121 and to ensure any contamination of the site is identified and appropriately remediated in accordance with Cotswold District Local Plan Policy 5 and Section 11 of the National Planning Policy Framework.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority and development must be halted on the part of the site affected by the unexpected contamination immediately.

An assessment must be undertaken in accordance with the requirements of Condition 5, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Condition 5. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the Local Planning Authority in accordance with Condition 6.

Reason: To protect groundwater and surface water quality as required by the National Planning Policy Framework at paragraph 109 and 121 and to ensure any contamination of the site is identified and appropriately remediated in accordance with Cotswold District Local Plan Policy 5 and Section 11 of the National Planning Policy Framework.

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding and pollution in accordance with Cotswold District Local Plan Policy 5 and the provisions of the National Planning Policy Framework. This site is located over the Birdlip Limestone (Principal Aquifer) and groundwater feeds the springs at the source of the Ullenwood Stream located to the South East of the site. Whilst it is appreciated that sewage is currently treated on site by a private system that discharges to a reed bed the Local Planning Authority need to ensure that the current system has capacity to deal with this proposed residential development. The Local Planning Authority also need to know what management scheme will be in place to deal with ongoing maintenance of a reed bed system. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority.

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The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 with an allowance for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. Prior to occupation the scheme shall be implemented in accordance with the approved details. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding in accordance with the provisions of the National Planning Policy Framework. It is important that these details are established prior to the commencement of development so that it can be shown that such measures can be satisfactorily accommodated within the approved scheme thereby reducing the risk of flooding in the locality. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

No works shall take place within the application site (including demolition) until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, including the recording of the WWII standing structures, in accordance with a written scheme of investigation (including appropriate archive deposition) which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To make provision for a programme of mitigation, so as to record and ensure advance understanding of any heritage assets which will be lost, and to maintain adequate records of the heritage assets on the application site, in accordance with Section 12 (paragraph 141) of the National Planning Policy Framework. Such items would potentially be lost if development was commenced prior to the implementation of a programme of archaeological work. It is therefore important that such a programme is agreed prior to the commencement of development.

Prior to commencement, including demolition, a detailed Arboricultural Method Statement and Tree Protection Details must be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the retained/protected tree(s) in accordance with Cotswold District Local Plan Policies 10 and 45. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could have an adverse impact on the well being of existing trees, some of which are subject to a TPO.

There must be no incursion into the Root Protection Areas (as shown on the Tree Protection Plans 33.100.02/1 and 33.100.02/2) or canopies of protected trees, unless specifically agreed in writing with the Local Planning Authority.

Reason: To safeguard the retained/protected tree(s) in accordance with Cotswold District Local Plan Policies 10 and 45.

A Daylight Study shall submitted as part of the Reserved Matters to demonstrate that the design and layout of buildings allow for light levels that accord with BS 8206-2:2008 and BRE 209.

Reason: To safeguard the retained/protected tree(s) in accordance with Cotswold District Local Plan Policies 10 and 45 and to ensure adequate residential amenity in accordance with Local Plan Policy 46.

Prior to commencement, including demolition, a plan showing the route of all services must be submitted to and approved in writing by the Local Planning Authority. All services must be positioned outside of the root protection areas (as shown on the Tree Protection Plans 33.100.02/1 and 33.100.02/2) of protected trees.

Reason: To safeguard the retained/protected tree(s) in accordance with Cotswold District Local Plan Policies 10 and 45. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could have an adverse impact on the well being of existing trees, some of which are subject to a TPO.

A comprehensive landscape scheme shall be submitted as part of the Reserved Matters. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the

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land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes as well as the timing of new landscape planting. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 45. It is important to identify trees and other landscape features that are to be retained and provide adequate protection prior to the commencement of development and, in the particular circumstances of this case, to enable the planting to begin to become established at the earliest stage practical and thereby achieving appropriate mitigation and the objectives of Cotswold District Local Plan Policy 45 and National Planning Policy Framework. Due to the sensitivity of the site the landscaping scheme is considered to be an integral part of the proposals and must be considered comprehensively considered with the other reserved matters.

Notwithstanding Condition 15, 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: For the avoidance of doubt and to ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy 45.

Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which 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 planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy 45.

No development, or site works, shall take place until a 10 year Landscape and Ecological Management Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The plan must be based on the Ecological Appraisal and the landscape strategy illustrated on drawing no 14.74.102. The plan shall include:

- i) Long term landscape and ecological objectives
- ii) Appropriate management prescriptions
- iii) Maintenance schedules, including annual work programmes for the first five years.
- iv) Habitat features, for example bird nesting and bat roost provision on built structures
- v) Monitoring schedule, including annual reporting to the Local Planning Authority.

Reason: In the interests of the character and appearance of the site and surrounding area in accordance with Cotswold District Local Plan Policy 45 and to ensure that the biodiversity of the site is protected and enhanced in accordance with the Wildlife and Countryside Act 1981. It is important that these details are agreed prior to the commencement of development in order to ensure proper management of the landscape and biodiversity at the site both during and following the construction of the approved scheme.

No development, or site works, shall take place until a Protected Species Mitigation Strategy for bats, reptiles and amphibians (based on the recommendations in the Survey for Bats, Reptile Survey and the Ecological Appraisal). The Protected Species Mitigation Strategy thereby approved shall be implemented in full prior to occupation or the buildings being brought into use and/or if outlined in the Strategy, following commencement of use. Works undertaken shall be retained in accordance with the details of the agreed Strategy.

Reason: To ensure that birds, bats, reptiles, amphibians and their habitats are protected and enhanced in accordance with the Conservation of Habitats and Species Regulations 2010, the

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Wildlife and Countryside Act 1981 as amended, the National Planning Policy Framework (in particular section 11) and Cotswold District Local Plan Policy 9 and to enable the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

It is important that these details are agreed prior to the commencement of development in order to ensure the proper management and protection of protected species at the site both during and following the construction of the approved scheme.

The replacement equestrian facilities (including vehicular and pedestrian access, stables, tack room(s), feed/hay store(s) and riding arena), shall be provided on site prior to the demolition of any part of the existing equestrian facilities unless otherwise agreed in writing with the Local Planning Authority. Access (including vehicular and pedestrian access) shall be maintained to the existing equestrian facilities until such time that the replacement equestrian facilities have been provided.

Reason: The existing riding school and stable facilities is an important local facility and its timely replacement is consistent with ensuring a prosperous rural economy and the provision of opportunities for outdoor sport and recreation in the Green Belt in accordance with Cotswold District Local Plan Policy 31 and the provisions of the National Planning Policy Framework.

With the exception of the equestrian facilities referred to in Condition 20, prior to the construction of any external wall of the development hereby approved, the existing buildings on the site shall be demolished and their materials removed from the site, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the proposed enhancements to the Cotswold AONB and Cheltenham-Gloucester Green Belt are delivered in accordance with the provisions of the National Planning Policy Framework.

No building on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 32 of the National Planning Policy Framework and Policy 38 of Cotswold District Council Local Plan.

Prior to the construction of any external wall of the development hereby approved, details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

Prior to the construction of any external wall of the development hereby approved, a scheme shall be submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

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

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The areas shaded blue on drawings numbered 151160-AT06(C), 151160-AT01(C), 151160-AT02(C), 151160-AT03(C), 151160-AT04(C) and 151160-AT05(C) shall be maintained free of all obstructions over 0.6m in height above the adjoining carriageway for the duration of the development.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 & 35 of the National Planning Policy Framework and Policy 38 of Cotswold District Council Local Plan.

The details to be submitted for the approval of reserved matters shall include vehicular parking and turning facilities within the site, and the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 & 35 of the National Planning Policy Framework and Policy 38 of Cotswold District Council Local Plan.

INFORMATIVES :-

1 The applicant is advised that to discharge condition [user defined no. - GCC22], that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

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10. Conditions/Refusal Reasons:

The development shall be started by 2 years from the date of this decision notice or five years from the date of outline planning consent ref: 12/00528/OUT, whichever is the later.

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.

The development hereby approved shall be implemented in accordance with the following drawing number(s):

RHSW.5348.02.LP001, RHSW.5348.02.PL002 Rev H, RHSW.5348.02.MP002 Rev G, RHSW.5348.02.EP002 Rev E, RHSW.5348.02.SH002 Rev B, RHSW.5348.02.AP002 Rev B, RHSW.5348.02.SS002, F-SD0902, F-SD0906, F-SD0910, F-SD0911, F-SD0917, F-SD0918, F-SD0922, D08 Rev H, D03, RED 19718 11C Sheet 1 of 3, RED 19718 11C Sheet 2 of 3, RED 19718 11C Sheet 2 of 3, R321/03, R321/21 Rev G, R321/22 Rev G, R321/23 Rev G, R321/27 Rev F, R321/28 Rev E, R321/29 Rev F, R321/24 Rev F, R321/25 Rev F, R321/26 Rev E, R321/37 Rev C, R321/43, R321/45 Rev B, R321/54, R321/63 Rev C, Single Garage Type 1 Rev B, Double Garage Type 2 Rev B, Triple Garage Type 1, Triple Garage Type 2 Rev C, Tavy/Dart 'Shared Ownership' (45-48) Floor Plans Rev B, Tavy/Dart 'Shared Ownership' (45-48) Elevations Rev B, Tavy/Dart 'Shared Ownership' (45-48) Side Elevations Rev B, Tavy/Dart 'Rented' 30-33 Floor Plans Rev B, Tavy/Dart 'Rented' 30-33 Elevations Rev B, Tavy/Dart 'Rented' 30-33 Side Elevations Rev B, Tavy 'Rented' Floors Plans, Tavy 'Rented' Plots 1-4 Elevations Rev C, Tavy 'Rented' Plots 1-4 Side Elevations Rev B, Highgate 5 Elevations and Floor Plans, Balmoral Elevations and Floor Plans, Burford Floor Plans, Burford Elevations Rev A, Harrogate Elevations and Floor Plans, Poulton Elevations and Floor Plans, Cambridge Elevations and Floor Plans, Warwick (Corner) Rev A and Warwick Rev B.

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

The external walls of the development hereby permitted shall be built of natural rubble walling stone, artificial rubble walling stone and roughcast through-coloured render.

Reason: To ensure that in accordance with Cotswold District Local Plan Policy 42, 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.

The roofslopes of the development hereby permitted shall be covered with artificial Cotswold stone tiles, laid to diminishing courses, and natural blue slates.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy 42, 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.

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 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

Prior to the construction of any external wall of the development hereby approved, a sample panel of natural stone 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.

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Reason: To ensure that in accordance with Cotswold District Local Plan Policy 42, 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.

Prior to the construction of any external wall of the development hereby approved, a sample panel of artificial stone 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 42, 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.

Prior to the construction of any external wall of the development hereby approved, a sample panel of render of at least one metre square in size showing its proposed texture and colour 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 42, 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.

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 42.

All door and window frames shall be recessed a minimum of 75mm into the external walls 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 42.

The external 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/finish 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 42.

All other timber finishes (gates, fences, lintels, posts and porch canopies) shall be first submitted to and approved in writing by the Local Planning Authority and shall thereafter be permanently retained in the approved colour/finish 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 42.

Notwithstanding the approved plans, prior to the construction of any external wall of the development hereby approved, the design and details of the ridges, verges, eaves, valleys, chimneys, dormers, lintels, cills, reveals, windows, bay windows, doors, porches, garage doors and railings shall be 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.

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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 42.

The new rooflight(s) shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflight(s) is/are located.

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 42.

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 ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy 45.

Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which 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 planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy 45.

Before any part of the development is occupied, a Landscape Management Plan, including management responsibilities and maintenance schedules for all landscape areas (including the Public Open Space and equipped play area), both during and after the implementation of the approved development, shall be approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: To ensure proper management of the landscape at the site which is important to the appearance and character of the site and surrounding area in accordance with Cotswold District Local Plan Policy 45.

Notwithstanding the submitted plans, details of the play equipment labelled on RED 19718 11C Sheet 2 of 3, including a timescale for its installation, shall be submitted to and agreed in writing by the Local Planning Authority prior to first occupation.

Reason: To ensure that adequate play equipment is provided and that proper on-going management is in place which is important to the appearance and character of the site and surrounding area in accordance with Cotswold District Local Plan Policy 45 and the National Planning Policy Framework.

Notwithstanding the approved plans, prior to installation, samples of the proposed hard surfacing pavers and slabs for the adopted carriageway, private driveways and front access paths shall be submitted to and 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 Policies 42 and 45, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

Notwithstanding the submitted details, prior to the occupation of Plots 30 - 35, the design and details of the proposed acoustic fence shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and retained as such at all times. All other recommended mitigation measures outlined in Section 8 of the External Noise Control Report (May 2015) shall be implemented prior to first occupation of Plots 30 - 35.

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14/04/198/REM
CT-7615/K

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 5, 45 and 46.

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Item 06.
14/04/08/Rem
CT.7615K.

Re; Planning Application 14/05373/FUL

Please find below my objection to the proposed development 14/05373/FUL.

It is already clearly acknowledged that this proposed development would never historically have been even remotely considered, for in the words of the Cotswold District Council, it “does not accord with the provisions of the development plan in force in the area in which the application site is located.”

To combat this, the applicants have sought to use the recently introduced NPPF guidelines to their advantage however, in doing so, are at best misunderstanding this document. They have also proposed that other planning guidelines already in place, such as those referred to by the Council itself in the previous paragraph, be deemed irrelevant and obsolete in the face of the NPPF, This is emphatically not the case and it is abundantly clear that the NPPF Guidelines be examined in conjunction with existing frameworks as well as forthcoming ones, in particular the Emerging Local Plan.

Study of the NPPF document, upon which the Applicants appear exclusively reliant, emphatically shows that it does not give carte blanche to development in Conservation Areas and Areas of Outstanding Natural Beauty, within both of which this proposed development lies. On the contrary, the document bestows ‘*Great importance*’ (the Government’s emphasis) on the protection of “**natural beauty**”.

“One of the core principles in the National Planning Policy Framework is that planning should recognise the intrinsic character and beauty of the countryside. Local plans should include strategic policies for the conservation and enhancement of the natural environment, including landscape. This includes designated landscapes but also the wider countryside.” (NPPF Guidance)

“Planning permission should be refused for major development in a National Park, the Broads or an Area of Outstanding Natural Beauty except in exceptional circumstances and where it can be demonstrated to be in the public interest. Whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context. The Framework is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas irrespective of whether the policy in paragraph 116 is applicable.” (NPPF Guidance)

and again, in the following excerpt from the NPPF Guidance, the emphasis of “**Great weight**” being given to this matter:

“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.” (NPPF Guidance)

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CO.3670/H1

“The highest status of protection”. The Emerging Local Plan similarly and correctly lends significant weight to the subject:

“It is imperative that the character, appearance and diversity of the District is protected and wherever possible enhanced, especially within areas of high historic, landscape or nature conservation importance.” (Paragraph 4.2)

and

“The District’s natural and historic environments are its greatest assets.”
(Paragraph 4.3)

This development causes significant visual harm to both a Conservation Area and an AONB.

Sustainability is similarly important to this Application and Chedworth is now even less sustainable than it was in 2012 at the time of the introduction of the NPPF Guidelines. It is hard to see how, as the Applicants assert, “residents can already access all basic day to day needs without being dependent on use of the private car”. The only shop is a Farm Shop, which bears little relation to what might be called a general village stores, being, as it is, a niche market entity selling speciality produce and where a packet of breakfast cereal is twice the price of the equivalent product in a supermarket. Even this Farm Shop is well over one mile from the main part of the village, only realistically within reach of those with a private car. Apart from this, the nearest food shops, or indeed Post Offices, are in either Northleach or Cirencester, the latter some nine miles away. What basic day to day needs are available in the village? The claim that Chedworth residents can access all basic day to day needs without the use of a private car is an astonishing one.

The Applicants appear to be citing their approximately one third of an acre of vines as the one and only possible benefit to the local community. The vineyard is very small, faces in an unfavourable direction for the production of good quality grapes in any significant quantity and will not provide local employment. One established vintner in this country, whose opinion I sought on this matter, described as ‘ridiculous’ the prospect of these vines providing any local employment.

Design excellence in either a Conservation Area or an AONB has always been of great importance and the NPPF recognises the continued importance of it. The Applicants’ Paragraph 3.12 promises that

‘the house as proposed is intended to reflect the best architectural and sustainable design principles of its time,’

Whilst design is probably a subjective matter, in my opinion the design is average and generic. Once again,

“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”
(NPPF Guidance).

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Perhaps a respected body such as the Architectural Association should be asked whether this proposed house reflects ‘the best architectural...design principles of its time.’?”

“In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.” (NPPF Guidance)

The wooded area to be cut down is a long-standing home, well known to ornithologists, to a number of birds of prey, including buzzards, sparrowhawks and kestrels. It is against the law in this country to interfere with this, quite apart from the fact that these birds of prey are an inherent part of this AONB.

Throughout, the applicants have used glib and generic language, presumably in an attempt to gloss over important issues which might impede their application.

For example, they claim that the Conservation Area and AONB status ‘washes over’ the entire village, suggesting that it is by mere default that the site of their proposal is within this delineation. The fact is that this part of Upper Chedworth is arguably the most picturesque part of the village and its status as both a Conservation Area and AONB is no accident.

In their paragraph 2.2, they claim that ***‘To the east there is a short gap within the boundary vegetation which, in conjunction with the site’s east facing slope, allows for some views into and out of the site across the valley towards other residential properties within the village.’*** This statement is misleading, as is the photograph used in the application, due to the overtly oblique angle at which the hedge is presented. The ‘short gap’ accounts for approximately one third the entire length of the field in question and the majority of the remainder of the boundary vegetation is so low as to create no visual shield whatsoever, The reason for this is simple – that any vegetation of any significant height will interrupt sunlight onto the vineyard, an essential ingredient to the production of grapes. The accompanying photographs clearly show this. This is, in fact, the reason that the Applicants have, over the last two to three years, removed much vegetation from this boundary and cut down perfectly healthy large and mature trees. From only about 50m up Cooks Hill, the site of the proposed development is clearly visible above any line of vegetation and it remains such all the way to the top of the hill opposite, openly visible to anyone walking on either the roadway or the lattice of public footpaths found here.

In fact, the view from these public footpaths is critical to this Application: as can be seen from the accompanying photographs, the location of the proposed house is in full view and stands out significantly from the otherwise clearly defined development that is Chedworth. In terms of both location and design, it is incongruous in the extreme and will be seen as a blight on the landscape. The series of photographs attached gives the lie to the assertion by the Applicants that the house may only be ‘glimpsed’ from the road or other public areas. This is a flagrant untruth.

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Paragraph 3.1 refers to their '*much loved vineyard*'. The reality is that the vines were planted only two or three years ago, whereas the picture the applicants paint is one of a long established vineyard, perhaps the result of decades of hard work and vision.

There are further examples of poetic and generalised language which will not have passed the Council's notice.

In conclusion, this development causes significant harm to Heritage Assets and has no demonstrable public benefit. It would blight a beautiful view, fully visible from extensive public areas in an Area of Outstanding Natural Beauty, it is not sustainable, negatively impacts on the openness of the area, does not contribute to, in fact erodes, the existing character of this Conservation Area causing permanent and irreparable landscape harm and is wholly incongruous. It is contrary to the protection of Natural Beauty, to which such 'great weight' is given by NPPF Guidelines

To quote from those Guidelines once more,

"Planning permission should be refused for major developments in these designated areas [Conservation Areas and AONBs] except in exceptional circumstances and where it can be demonstrated they are in the public interest.

There is no level on which the proposed development is an exceptional circumstance any more than it is in the public interest - the sole beneficiaries of this development will be the Applicants.

Therefore the grounds are compelling for this and indeed any future application to build on this previously undeveloped site to be rejected.

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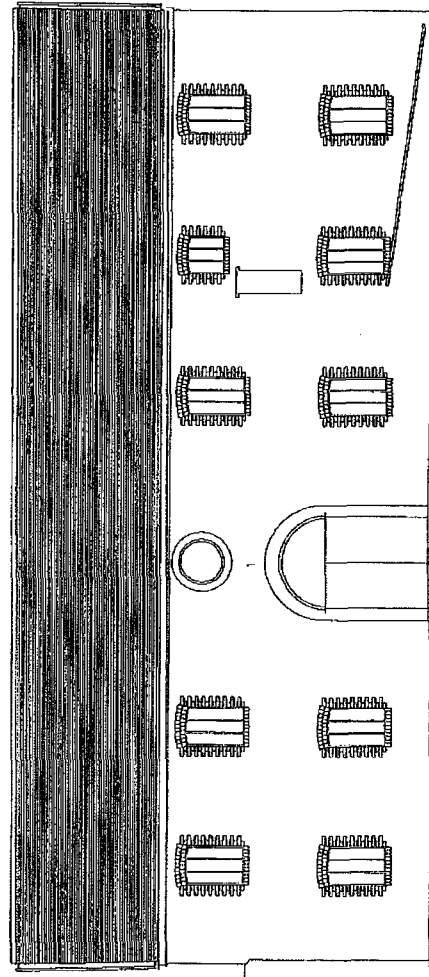
Hemos.
14/05/23/FUL.
CD.3670/H.

...ONE OF THE DRAWINGS REFERRED TO IN

OUR CONTRACT DATED

SIGNED (EMPLOYER)

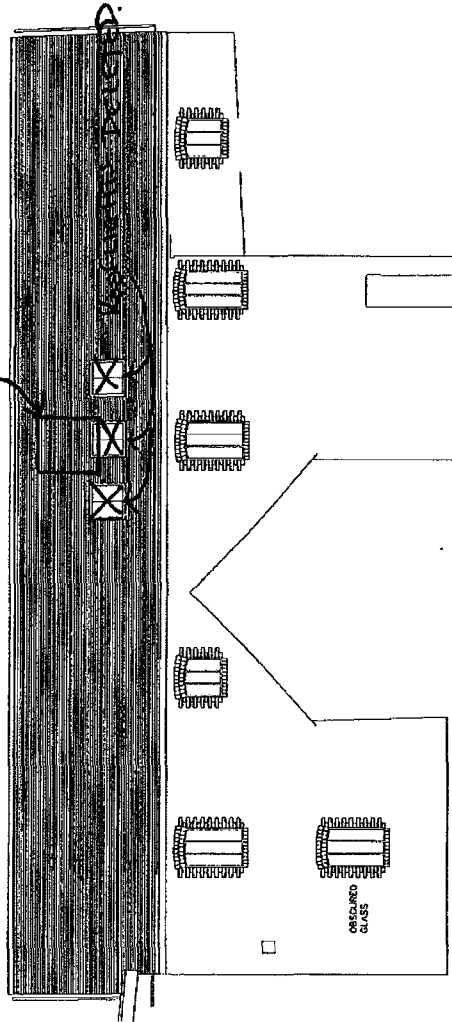
(CONTRACTOR)



SOUTH ELEVATION

1 ASHLAR STONE DRESSED OPENINGS RETAINED

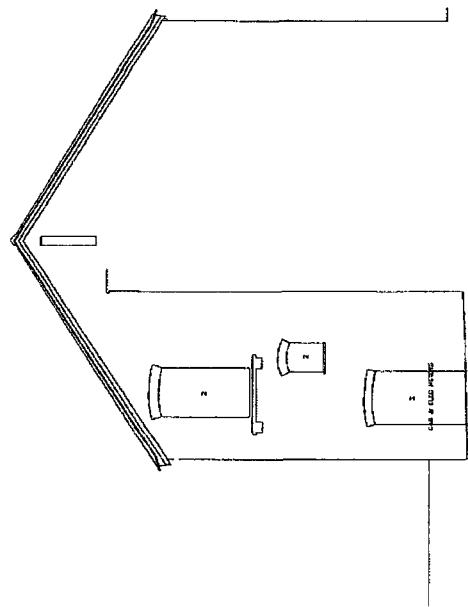
PROPOSED NEW ROOFLIGHT
1100x1100.



NORTH ELEVATION

WEST ELEVATION

5



EAST ELEVATION

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CT. 2255/Y.

C.A.D. INFORMATION

SCALE	DATE	BY
1:50	15/01/18	TA
PROJECT NO.	DATE	BY
15/01018	15/01/18	TA

REVISIONS

A. 15/01/14	GENERAL UPDATES
B. 24/11/14	FIRST FLOOR WINDOW AMENDMENTS

REVISIONS

C. 05/04/14	REMOVAL OF PV PANELS ON THE SOUTH ELEVATION
D. 14/01/14	GENERAL UPDATES

REVISIONS

E. 25/01/14	SOUTH ELEVATION AMENDMENTS
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POTTER & HOLMES - ARCHITECTS

15/01018	15/01/18	11-18	E
15/01018	15/01/18	11-18	E

15/01018/15/01/18/11-18/E