

**Item No 07:-**

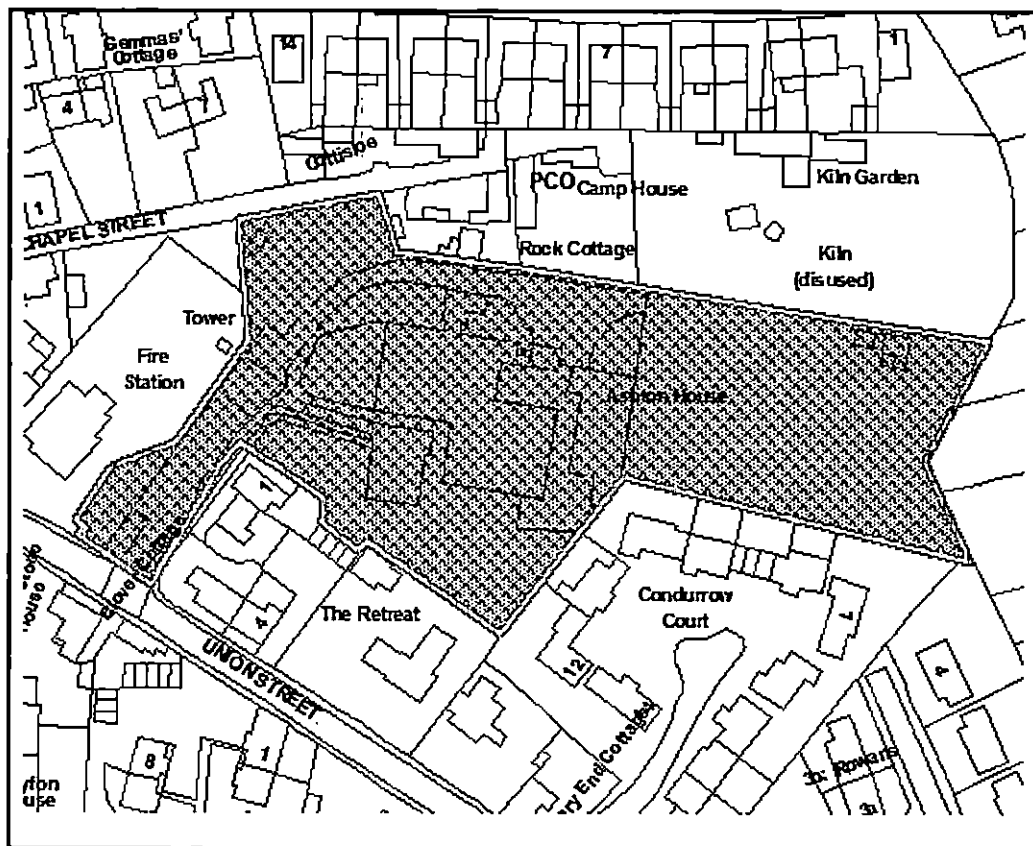
**14/02444/FUL (CD.1320/L)**

**Ashton House  
Union Street  
Stow-On-The-Wold  
Gloucestershire  
GL54 1BU**

**Demolition of former care home and redevelopment of site with 20 dwellings  
including garages and associated infrastructure at  
Ashton House  
Union Street Stow-On-The-Wold**

<b>Full Application 14/02444/FUL (CD.1320/L)</b>	
Applicant:	Spitfire Properties
Agent:	Hunter Page Planning
Case Officer:	Martin Perks
Ward Member(s):	Councillor Barry Dare
Committee Date:	8th July 2015

**Site Plan**



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**RECOMMENDATION:** PERMIT subject to no objection from Gloucestershire County Council Highways and contribution of £53,496 towards secondary education and £5683 towards affordable housing

**OFFICER UPDATE:**

This application was deferred by Committee Members at the Planning and Licensing Committee held on the 10th June so that issues relating to the position of Plots 1 and 2, archaeology and highways could be addressed.

With regard to Plots 1 and 2 the applicant has removed the car barn (C1) that was attached to Plot 1 and also deleted Plot 2 from the scheme. The amendment therefore removes the dwelling that was located directly opposite 1 Eastview Gardens. The resultant space will now form part of an extended garden for Plot 1. The car barn formerly serving Plot 2 will now be utilised by Plot 1. The revised layout provides a greater sense of space at the front of the site and reduces the potential impact of the proposal on 1 Eastview Gardens. Officers consider that the revised arrangement is acceptable. The application description has also now been amended to refer to 20 dwellings rather than 21.

With regard to highways the applicant has widened the width of the road to the north of Plots 7-9. The aforementioned plots have been set back 1m from the highway allowing the road to be widened by the same amount. The bends in the road outside Plots 7-9 have also been widened to provide increased manoeuvring space for vehicles. The revisions follow a meeting with Gloucestershire County Council Highway Officers who agreed that such changes would be acceptable in principle. At the time of writing this report the Highway Officer was on leave and as such a formal no objection has not yet been received. However, it is anticipated that a formal highway response will be provided prior to the 8th July meeting.

The removal of Plot 2 has implications for the viability of the scheme. The surplus that is now available to be spent on S106 contributions/affordable housing has been reduced from £156,067 to £59,179 as a result of the removal of the aforementioned plot. The education contribution has also been reduced as a result of the removal of Plot 2 from £56,171 to £53,496. This leaves a figure of £5683 which could be used towards affordable housing. The Council's Housing Officer accepts this revised figure. The applicant also agrees to make the respective contributions.

With regard to archaeology Officers have looked further into the matter. The County Archaeologist objects to the application on the grounds that the proposal would harm a site of archaeological interest as the site reveals evidence of a historic bank forming part of a hill fort. He states that the area in the eastern part of the site represents a continuation of the Scheduled Ancient Monument (SAM) which is located approximately 100m to the north of the application site. For information a copy of a plan showing the application site, SAM and extent of the bank feature is attached to this report.

It is evident from the archaeological plan that the line of the SAM if extended would fall beyond much of the eastern boundary of the application site. The archaeological investigation that was undertaken revealed evidence of a bank feature extending for approximately 8m into the application site. The plans submitted to the June Committee indicated that dwellings would be set back approximately 6-15m from the eastern boundary. Following discussions with Officers the applicant has moved the dwellings (Plots 17-20) a further metre to the west and removed the rear extensions. The proposed dwellings now lie 12-20m from the eastern boundary. They therefore lie at least 4-5m from the bank feature identified in the archaeological investigation. Notwithstanding this, the County Archaeologist still considers that a 20m-broad zone adjoining the eastern limit of the site should be excluded from any development and this area managed so as preserve the archaeological remains. He has also previously advised that 'an area of land (measuring 40m by 40m) adjoining the area of preservation should be protected against any development requiring ground works which could damage or destroy archaeological remains. Options for development in that area might therefore include the use of piled or rafted foundations to support any new houses above the level of archaeological interest, and any new services and drainage should also be restricted to above that level.' He considers that the archaeological interest of the site is of 'demonstrably of equivalent significance' to an ancient monument and as such Paragraph 139 of the NPPF is applicable.

Paragraph 139 of the NPPF states ' Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.'

Paragraph 132 advises that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable , any harm or loss should require clear and convincing justification.' It goes on to state that substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, should be wholly exceptional.

Paragraph 133 states that 'where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.'

Paragraph 134 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

In essence, in order for the site to be considered as a designated heritage asset it must fulfil the 'demonstrably of equivalent significance' criterion set out in Paragraph 139.

Further guidance on the phrase 'demonstrably of equivalent significance' can be found in Paragraph 040 of the Government's Planning Practice Guidance (PPG) . It states:

'Those that are demonstrably of equivalent significance to scheduled monuments and are therefore considered subject to the same policies as those for designated heritage assets (National Planning Policy Framework Paragraph 139). They are of three types:

- i) those that have yet to be formally assessed for designation
- ii) those that have been assessed as being nationally important and therefore, capable of designation, but which the Secretary of State has exercised his discretion not to designate usually because they are given the appropriate level of protection under national planning policy
- iii) those that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979 because of their physical nature'

In the case of this site the County Archaeologist states that he considers the site to be demonstrably equivalent to an ancient monument and as such Paragraph 139 is applicable. However, he has not referred the site to Historic England which is the body responsible for formally assessing whether sites should be registered as SAMs. He has also advised that he does not intend to do so. Officers therefore have reservations as to how the site can reasonably be considered to be demonstrably of equivalent significance in light of the guidance set out in Paragraph 040 of the PPG. Criterion i) of Paragraph 040 refers to sites that 'have yet to be formally assessed for designation.' As previously stated the formal assessment process is undertaken by Historic England. The use of the phrase 'yet to be' would also tend to indicate that the site would at some stage be subject to formal assessment. However, in this instance the County Archaeologist does not intend to refer the site to Historic England and as such it will not be formally assessed. Officers therefore have reservations as to whether the site can reasonably be considered 'demonstrably of equivalent significance' in light of the guidance in Paragraph 040 of the PPG.

Moreover, the County Archaeologist's approach would not afford the site any protection outside the scope of this planning application. The landowner could undertake general groundworks or permitted development works that could potentially harm the archaeological interest of the site without the need for planning permission or SAM consent. A subsequent planning application could then be submitted advising that the value of the archaeological asset had been eroded or lost. It would then be very difficult to resist such an application on archaeological grounds.

Notwithstanding the above, if the site is considered to be a designated heritage asset then it is firstly necessary to assess whether the proposed development would represent substantial or less than substantial harm. In this instance the proposed area of development falls outside the projected line of the existing SAM. The proposed built development also lies beyond the 'extent of bank feature' identified in the archaeological investigation. The proposed development therefore falls outside those areas identified as being particularly sensitive. On this basis it is considered that the proposal would not result in the total or substantial loss of the heritage asset. In such circumstances Paragraph 134 of the NPPF is applicable and it is necessary to weigh the harm to the heritage asset against the public benefits of the proposal. In this instance the proposal will provide new housing and will contribute to the Council's ongoing need to provide a continuing supply of housing land. It is considered that these benefits weigh in favour of the scheme. In light of the amendments that have been made to the layout in order to provide an increased buffer zone to the area of archaeological interest it is now considered that the scheme can be undertaken without conflicting with Paragraph 134 of the NPPF.

**The Officer report for the 10th June Committee was as follows;**

**Main Issues:**

- (a) Design, Layout and Impact on Setting of Stow-on-the-Wold Conservation Area
- (b) Impact on Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty
- (c) Provision of Affordable Housing
- (d) Impact on Residential Amenity
- (e) Highway Safety, Parking and Traffic Generation
- (f) Impact on Trees

**Reasons for Referral:**

The Case Officer and former Ward Members agreed prior to the election that this application should be referred to Planning Committee due to the size of the development, its sensitive location in the centre of Stow-on-the-Wold, its proximity to neighbouring dwellings and due to the level of local interest in the development.

**1. Site Description:**

The application site measures approximately 0.85 hectares (2.1 acres) in size. It is located within the Development Boundary for Stow-on-the-Wold as designated in the Cotswold District Local Plan 2001-2011. It is also located within the Cotswolds Area of Outstanding Natural Beauty.

The site is occupied by a vacant 1970's care home building. The building and its associated parking areas occupy the western half of the application site. The eastern half of the site is occupied by open garden/amenity land.

The entrance to the site lies off Union Street to its south west. The entrance lies adjacent to Stow-on-the-Wold Conservation Area.

The north western edge of the site abuts the town's fire station. The northern, eastern and southern boundaries of the site adjoin existing residential development. Existing site boundaries consist of stone walling, timber fences and vegetation.

The site is occupied by a number of trees which are subject to 18 Tree Preservation Orders (TPOs). The protected trees are spread throughout the site.

**2. Relevant Planning History:**

Application Site:

- CD.1320/A 48 bed elderly persons house Granted 1971
- CD.1320/F Various minor alterations to existing building Granted 1997

Land Adjacent to Ashton House:

- CD.1320/C Erection of 5 houses and garages and new access. Granted 1978
- CD.1320/D Erection of 4 houses and garages and new access Granted 1978
- CD.1320/E Erection of 2 detached dwellings Dismissed at appeal 1997
- CD.1320/G Outline application for residential development. Refused 1998
- CD.1320/H Erection of a single dwelling Granted 2000
- CD.1320/J Erection of a 4 bed dwelling Granted 2001
- CD.1320/K Conversion of garage to ancillary accommodation and addition of first floor gable window (The Retreat) Granted 2006

### 3. Planning Policies:

NPPF National Planning Policy Framework  
 LPR09 Biodiversity, Geology and Geomorphology  
 LPR10 Trees, Woodlands and Hedgerows  
 LPR15 Conservation Areas  
 LPR18 Development within Development Boundaries  
 LPR38 Accessibility to & within New Development  
 LPR39 Parking Provision  
 LPR42 Cotswold Design Code  
 LPR45 Landscaping in New Development  
 LPR46 Privacy & Gardens in Residential Development  
 LPR49 Planning Obligations & Conditions

### 4. Observations of Consultees:

Gloucestershire County Council Highways: Require further information

Gloucestershire County Council Archaeology: Object - 'advise that the application site is archaeologically sensitive, since it is located within a prehistoric hill fort. The proposed development area has' in recent years been the subject of an archaeological desk-based assessment (in 2011) and a field evaluation (in 2012), and I note that the latter report is submitted in support of this planning application.

The field evaluation confirmed the presence of the buried remains of a defensive bank relating to the hill fort, located adjacent to the eastern boundary of the application site. It is thought that this boundary reflects the alignment of the prehistoric defensive circuit. The bank measures a minimum of 8m broad and appears to be of several phases. Finds associated with the bank include pottery dating to the Late Bronze Age/Iron Age periods and animal bone.

The hill fort is a monument of very high significance, and is of particular interest since unusually there is evidence to indicate that it functioned during the Middle Bronze Age, Late Bronze Age and Iron Age periods. Elsewhere (north of Camp Gardens and Shepherds Way) a portion of the hill fort's defensive circuit is designated a Scheduled Monument in recognition of the national importance of the remains. In my view the defensive bank found during the evaluation at Ashton House is of equally high significance.

Indeed, the whole of the open area forming the eastern portion of the Ashton House site should be considered of high archaeological interest, containing as it does the defensive circuit and interior of the prehistoric hill fort. This is one of very few surviving open areas within the hill fort (since much of the interior has been destroyed by development).

I advise that I have no objection in principle to the redevelopment of the Ashton House site. However, I am concerned that construction ground works required for the proposed dwellings within the eastern portion of the application site will have an unacceptably adverse impact on a heritage asset (ie, a prehistoric hill fort) of high significance. In my view the open area merits conservation as a heritage asset of equivalent value to that part of the hill fort already designated as a Scheduled Monument.

Therefore, in accordance with the NPPF, paragraphs 132 and 139, I am writing to recommend that planning permission for this development is refused.'

Gloucestershire County Council Community Infrastructure: Request a contribution of £56171 towards secondary education.

Thames Water: 'With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following

'Grampian Style' condition be applied - "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".'

Housing Officer: Comments incorporated into report.

Drainage Engineer: No objection

### **5. View of Town/Parish Council: Object**

'Stow Town Council object to this application on the following grounds:

Over development, there are too many houses for the site;  
 House C2 is very narrow, has inadequate amenity space and is too close to the fire tower and radio masts. Concern was expressed about potential radiation;  
 Stone would be more in keeping with Stow than the wood proposed for the barn garages;  
 Visitor parking is limited. Any kerb side parking would restrict access on the site;  
 There is inadequate amenity space for rubbish bins;  
 There is inadequate amount of green space;  
 Removal of existing parking spaces used by residents of Union Street exacerbate parking problems in Union Street and Well Lane;  
 Stow Town Council would like to have units C1 and C2 omitted from the plan and for parking provision to be provided for local residents (S106).'

### **6. Other Representations:**

Letters of objection from 18 properties to original proposal for 26 dwellings. Objections from 7 properties have been received to amended proposal for 21 dwellings. 3 General Observations have also been received.

#### Main grounds of objection are:

- i) There is considerable concern about access onto Union Street and its narrow accesses onto the more major roads within the town;
- ii) Designs are a considerable improvement on those suggested before but whilst architects have begun to grasp the essence of the Cotswold style they have now produced a fairly repetitive scheme based, for the most part on one house style;
- iii) Design and Access Statement states that all houses are to be built in reconstructed stone. Strongly urge that all houses are constructed in natural stone. The roofs should be a mix of both slate and reconstructed stone slate. All chimneys should be in ashlar stone or engineering brick and no glass fibre dummies;
- iv) Concerned about felling of whitebeam to rear of 12 Condurrow Court. Plans should be adjusted to take account of all the trees covered by the TPOs. The AONB must be maintained as far as possible so that Stow-on-the-Wold does not become an area of new builds without greenery and without wildlife;
- v) Traffic flow is understated due to siting of traffic counter. Existing flows from residents living between the location of the counter and the Oddington Road junction and from residents in Condurrow Court and Mount Pleasant Close will not have been captured so the estimated impact starts from a false base;
- vi) The Union Street/Oddington Road junction is dangerous being blind on entry into and exit from Union Street. The road is particularly narrow at this point preventing two cars from passing at the same time. The junction is also a well used crossing point for pedestrians. Any additional traffic will heighten the existing accident risk;
- vii) Assessment of estimated increase in traffic flows is understated because it takes no account of the likely change in timing of vehicular traffic to be expected from a residential development



- compared with a care home. The peak time flows from the former will be much higher than those associated with the latter. Higher flows of delivery traffic to the site;
- viii) Parking on Union Street means road is very tight with HGVs and refuse vehicles driving on the pavement;
  - ix) Houses 1 and 2 should not be built. The approach road to Ashton House should be used for community car parking to relieve existing parking problems in the area;
  - x) There are over 50 houses on Union Street. Adding a further 21 dwellings is far too many for an already well developed and congested area;
  - xi) Do not think car barns are appropriate for a development in a Cotswold town centre. There is not enough space on the site for the developer to build as many dwellings as they would wish if each property had a garage with an off road parking space in front of it. Wood panelling to side and rear walls of car barns is inappropriate for the locality;
  - xii) Understand the estate roads will be privately managed and not adopted by the Council. Roads will be shared surface which we consider could be a safety issue for pedestrians. Object to development on the western side of the access road adjoining the fire station as it requires the narrowing of the access road which is very detrimental to the amenity of our property by way of proximity and noise;
  - xiii) Plot 2 will be virtually opposite our house and given the narrowing of the road will affect the amenity of our property. Windows in bedroom and the kitchen/breakfast/family room will be exactly opposite our main bedroom and sitting room windows;
  - xiv) Garden to the front of our property is 'open plan'. It will now lie alongside a rear access serving Plots 3,4 and 5. It will affect the amenity of their property, particularly privacy and noise from wheelie bins. The only footpath to be incorporated on the site is the one next to our large main window. The path will be frequently used by everyone living on the estate and will seriously affect our amenity from noise and lack of privacy;
  - xv) The rear bedroom of Plot 10 will look down on to our conservatory and small rear garden and thus will affect our privacy;
  - xvi) The Neighbourhood Plan states there should be 20 houses not 21. This house (9 Condurrow Court) will have no privacy at all at the back with 3 houses overlooking the small garden and 4 houses looking sideways on;
  - xvii) The Snake Bark Maple tree (TPT T1) appears not to exist on the latest layout plan whereas we were led to believe by the developers that this would remain. We would urge that this beautiful tree which is next to our house stays;
  - xviii) The distance between the north-west gable end of our house and the front building wall of Plot 2 is just under 9 metres which we believe is far too close;
  - xix) We object to the position of the side gate (which was added on 11/5/2015) to Plot 3 as this will open opposite our front door and our virtually open-plan small side garden. Obviously, this appears to be because the position of the cycle/bin storage has been repositioned and is now adjacent to the Plot 3 house and the exit door for the wheelie bins will not now impose on their comfort and the bins possibly kept outside on the south side of their garden which is again opposite our front door and garden;
  - xx) We object to the only footpath from the development of 21 houses being so close to our main window in our living-room. This will severely impact on our privacy. We are aware that this has always been a footpath and in our deeds gives us access by foot to our front door round the side. However, our house was built when Ashton House was a Care Home and we feel sure that it was never envisaged that 21 houses would be built on the site. Certainly, when we lived here when it was still a Care Home there would probably be no more than one or two people walking past. Others "walked" in the middle of the road or drove their cars and this would only be for 6 or 7 staff on changing shifts. Quite different to the footfall of a 21 house development.

General Observation comments:

- i) We are concerned that we have adequate access for repair and maintenance of drystone wall on northern boundary of the site. Apart from this concern have no objection to the proposed development;
- ii) 'House No.8 will look directly into the private rear garden of our house and No.7 will be opposite our stair window. These 3 houses (7, 8 and 9) are closer to us than Ashton House so please advise what mitigation measures Spitfire will provide if they are successful';

iii) Wondering what the developers are giving back to the community? Would like to request that donation is given to improving facilities available in Stow for children. Present equipment at King George's Field falls far below that of other local parks. I am also concerned at losing the current parking spaces on the site available for visitors/residents on Union Street. Would like to see provision made to keep these parking spaces.

Cotswold School, Bourton-on-the-Water:

'The Governors of The Cotswold School object to this application due to grave concerns regarding the quantity of development that has received planning permission within the catchment of The Cotswold School - much of which has not provided Section 106 funding. This application also does not make provision for S106 funding. To date over 820 dwellings have been given planning permission to proceed. Meanwhile, The Cotswold School - the only secondary education provider in the catchment area and an 'outstanding' school (Ofsted 2015) - is already heavily oversubscribed. No regard has been given in this application to S106 monies (or similar funding), which is vital in order that we can increase our capacity to cope with the rising roll and maintain our standards. Building at this level - without appropriate investment by developers in the local infrastructure - is insupportable.'

### **7. Applicant's Supporting Information:**

Design and Access Statement

Planning Statement

Arboricultural Report and Tree Condition Survey

Extended Phase 1 Ecology Survey

Daytime Bat Survey

Archaeological Evaluation

Statement of Community Engagement

Transport Statement

Development Drainage Strategy

### **8. Officer's Assessment:**

#### **Background and Proposed Development**

The application site is occupied by a vacant two storey former residential care home and its associated gardens and parking areas. The existing building dates from the early 1970s and was until recently operated by Gloucestershire County Council as a care home for the elderly. Following the recent completion of new care accommodation in Bourton-on-the-Water the Ashton House site became surplus to requirements and was subsequently sold by the County Council.

The applicant is seeking to demolish the existing buildings on the site and to erect a total of 21 dwellings and associated garages/car barns in their place. The applicant initially sought to erect 26 dwellings on the site (including 8 affordable units). However, Officers had concerns about the number of units being proposed and the overall design of the scheme. The applicant subsequently amended the scheme in order to address the aforementioned concerns. The overall design was simplified to better reflect traditional Cotswold building styles. The proposal now primarily consists of terraced units with plain frontages and projecting rear gable extensions. The applicant states that the reduction in the number of units means that the provision of affordable housing is no longer viable. As a consequence they have submitted a viability appraisal which is intended to support their stance. The appraisal has been independently assessed by the District Valuer in consultation with the Council's Housing Section.

The development comprises one 2 bed unit, thirteen 3 bed units and seven 4 bed units.

The proposed development will utilise the existing access serving the Ashton House site. Future residents would therefore enter and exit the site via Union Street. All the proposed dwellings will be two storey in height with all but Plot 2 being approximately 8.5m high. Plot 2 will be approximately 7.5m in height. Parking for each property will primarily be provided in the form of

an open fronted car barn. The applicant proposes at least 2 parking spaces per dwelling with a further 9 spaces set aside for visitor parking. The car barns will measure approximately 5m in height and will be clad in timber.

### **Development Within A Development Boundary**

The application site is located within a Development Boundary as designated in the Cotswold District Local Plan 2001-2011. The proposed development is therefore primarily covered by Policy 18: Development Within the Development Boundaries of Cirencester and the Principal Settlements of the aforementioned plan.

Local Plan Policy 18 offers 'in principle' support for new build residential development in locations within established Development Boundaries. Criterion c) of Policy 18 states that development will be permitted provided that the siting, appearance and scale of the development respects the traditional form, character, appearance and setting of the settlement, and would cause no significant adverse environmental or visual harm to the site or its surroundings. This criterion is still considered to carry significant weight when assessed against the guidance in the NPPF.

Stow-on-the-Wold is also identified in emerging Local Plan documents as one of 17 key settlements that has sufficient facilities and services to accommodate new residential development in the period up until 2031. The Local Plan Consultation Paper: Preferred Development Strategy May 2013 states that the town has good self containment in that 50% of travel to work journeys start and finish in the Ward. Most of the employment opportunities are focused on the town centre. Stow-on-the-Wold town centre ranks 2nd amongst the town centres in Cotswold District and is described as: 'healthy and vibrant with lower than average vacancies.' The Local Plan Reg18 Consultation: Development Strategy and Site Allocations sets out a proposed housing allocation of 121 new dwellings for the town in the period up until April 2031: A total of 91 dwellings have been completed or granted permission since April 2011 leaving a total of 30 dwellings still to be provided to meet the overall 121 dwelling allocation.

The site has also been included in the Council's Strategic Housing Land Availability Assessment (SHLAA) Review 2014 under reference S\_46. The SHLAA states the following;

'Constraints: Demolition and clean up costs. AONB. 17 TPOs. Potential archaeology (previous hill fort). No contamination issues. Parking requirement of a new development would need to be contained within the existing site boundary. Intensification of traffic on Union Street.'

Capacity : 20

Comments: Conditionally suitable, subject to TPO issues being overcome. Care home still in use but site being actively marketed. Potential drainage issues with increased hard surfaces.

Deliverability: 0-5 years'

The site is identified in the most recent Local Plan consultation paper ( Local Plan Reg18 Consultation: Development Strategy and Site Allocations) as a 'Proposed Housing Allocation' site.

With regard to the SHLAA Forward Planning Officers advise that SHLAA capacity figures are an indicative guide to the amount of development likely to be delivered on a site. It is only at the detailed application stage when the site is designed and laid out, and the various constraints and policy requirements (such as mix and type of housing) are taken into account, that the precise capacity is reached. They also advise that evidence shows that the capacities in the SHLAA tend to be on the conservative side compared with what is actually delivered.

In terms of national policy and guidance the Government's Planning Practice Guidance states;

'It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and

smaller settlements. This is clearly set out in the National Planning Policy Framework, in the core planning principles, the section on supporting a prosperous rural economy and the section on housing.

A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.'

It goes on to say; 'all settlements can play a role in delivering sustainable development in rural areas and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.'

It is evident that the ability of the town to accommodate new residential development has been assessed as part of the emerging Local Plan process. The Local Plan Consultation Paper recognises that the settlement is able to offer a range of services and amenities which can meet many of the day to day needs of the community. Stow-on-the-Wold has therefore been recognised as a potentially sustainable location for new residential development in terms of accessibility to services, facilities and amenities.

The current application site is located to the east of the town centre. The entrance to the application sites lies approximately 350m from the Market Square and 500m on foot from the town's primary school. The distance from the site to the town centre and school is consistent with guidance in Manual for Streets (Para 4.4.1) which states that 'walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes (up to about 800m) walking distance of residential areas which residents may access comfortably on foot.' The site is considered to be within reasonable walking and cycling distance of amenities, facilities and public transport links. It is considered that the site does represent a sustainable location for new residential development in terms of accessibility.

#### **(a) Design, Layout and Impact on Setting of Stow-on-the-Wold Conservation Area**

The application site is located close to the centre of Stow-on-the-Wold. The site is located outside Stow-on-the-Wold Conservation Area (CA). However, the boundary of the CA extends along Union Street to the south of the application site. The site entrance abuts the CA boundary. The western boundary of the site adjoins the town's fire station. An existing fire tower lies in close proximity to the site's western boundary. The southern and eastern boundaries of the site adjoin post war residential development. The northern boundary adjoins older more traditional stone dwellings and their gardens.

The present site consists of a two storey residential block located in the western half of the site. The eastern half of the site primarily consists of former amenity space and garden land used in association with the care home. The proposed scheme seeks to demolish the existing buildings and introduce new residential development across the whole site.

The following legislation, policies and guidance is considered pertinent to the determination of this application.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Paragraph 56 of the NPPF states that the 'Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

Paragraph 64 states that '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.'

Paragraph 132 states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.'

Paragraph 134 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

Cotswold District Local Plan Policy 15 states that construction 'within or affecting a Conservation Area must preserve or enhance the character or appearance of the area as a whole, or any part of the designated area.'

Cotswold District Local Plan Policy 42 states that 'development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, setting, harmony, streetscene, proportion, simplicity, materials and craftsmanship.'

Ashton House is a post war utilitarian building constructed in artificial stone. It is considered not to be of any architectural, historic or other merit and as such no objection is raised to its demolition.

The application has been the subject of numerous discussions and meetings between the applicant and Council Officers. As a result of these discussions the scheme has been significantly amended both in terms of the number of dwellings being proposed and its overall design. The number of units has been reduced from 26 to 21 and the design of units has been simplified. The revised scheme submitted by the applicant has sought to reflect the traditional terraced styles of housing that are seen in the centre of many Cotswold settlements. The introduction of terraced dwellings fronting directly onto the street is also consistent with existing development on nearby Union Street. The introduction of relatively plain frontages and projecting rear gables is also consistent with traditional building forms. The applicant also proposes to install painted timber windows and doors, chimneys and simple stone canopies above front doors. The external walls of the dwellings will be constructed in reconstituted stone with artificial stone and blue slate being used as roofing materials. Natural stone drystone walls are proposed to the front of dwellings facing onto the main internal estate road. It is considered that these elements of the scheme are reflective of local distinctiveness and as such accord with Local Plan Policy 42.

The proposed scheme also introduces a number of detached linear outbuildings throughout the site. The outbuildings or car barns will be open fronted and timber clad. They will provide covered parking for residents' vehicles and cycles as well as storage space for refuse bins. The introduction of covered parking bays will help to conceal vehicles within the development which is considered to be a benefit. It is noted that this will increase the amount of built development on the site. However, the open fronted lightweight timber construction of the car barns will help to provide a contrast to the lines of terraced stone dwellings thereby adding interest to the scheme and helping to soften what would otherwise appear as large areas of stone, tarmac and parked vehicles. It is considered that the car barns are an appropriate addition to the site and accord with guidance in Local Plan Policy 42.

With regard to the impact of the proposed development on the CA it is of note that the majority of the proposal will be separated from the aforementioned area by existing development. Development in the centre and eastern part of the site will therefore not be readily visible from the CA. The western part of the site will be visible from the site entrance onto Union Street which forms part of the CA boundary. At present views into the site from the Union Street entrance reveal 1970s dwellings to the right and a formal paved area and car park to the left. To the left of

the entrance are post war buildings serving the Fire Station. The applicant is proposing to introduce a vernacular style dwelling to the left of the entrance together with a further dwelling and a line of car barns on the left as you progress into the site. On the right, beyond three existing dwellings ( 1- 3 East View Gardens) will be erected a further car barn and a terrace of four dwellings. To the front of each of the dwellings will be erected 900mm high drystone walls. It is considered that the proposed scheme will improve both the existing entrance and views into the site by creating an arrangement of buildings that is more reflective of traditional building patterns. It is considered that the proposal will enhance the appearance of the site when viewed from Union Street and as a consequence improve the setting of the CA. The proposal is considered to accord with Local Plan Policy 15 and guidance in Section 12 of the NPPF.

The only Listed Building within the vicinity of the application site is a Grade II bottle kiln located within the grounds of Kiln Gardens to north of application site. The kiln is not visible from within the application site. An existing stone boundary wall separates the application site from Kiln Gardens. The applicant is proposing to erect a row of car barns alongside the boundary wall. However, the barns are relatively low in height and considered not to have a material impact on the garden of Kiln Gardens or the setting of the Listed bottle kiln located within it. The proposal is therefore considered to accord with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and guidance in Section 12 of the NPPF.

Overall, it is considered that the revised design is a sympathetic interpretation of traditional Cotswold building forms and is reflective of the terraced styles of development typically seen in the centre of Cotswold settlements. In terms of design the proposal is considered to represent and enhancement of the site and to accord with Local Plan Policy 42.

**(b) Impact on Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty**

The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have special regard to the desirability of conserving and enhancing the natural beauty of the landscape.

Paragraph 17 of the NPPF states that planning should recognise the 'intrinsic character and beauty of the countryside and support thriving rural communities within it.' It also states that planning should 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.'

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes'.

Paragraph 115 states that 'great weight should be given to conserving landscape and scenic beauty in ... Areas of Outstanding Natural Beauty.'

Cotswold District Local Plan Policy 42 states that 'development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, setting, harmony, streetscene, proportion, simplicity, materials and craftsmanship.'

The application site forms part of the town's urban environment and consists of land that has been previously developed. The proposal will not result in the encroachment of development into the open countryside or have a material impact on the setting of the town within the AONB landscape. The proposed development will be integrated amongst existing development. The introduction of residential development on the site is considered not to represent an incongruous or inappropriate form of development in its context and as such would not have an adverse impact on the character or appearance of the AONB in this location. It is considered that the proposal is of a scale and form that can be undertaken without having an adverse impact on the character and appearance of the AONB and therefore accords with Local Plan Policy 42 and guidance in Paragraphs 17 and 109 of the NPPF.

### Major development within the Cotswolds AONB

Paragraph 116 of the NPPF states 'planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of;

- i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that can be moderated'.

In the recent High Court judgement 'Aston and another v Secretary of State for Communities and Local Government and others' the judge determined that the phrase 'major development' did not have a uniform meaning and to define it as such would not be appropriate in the context of national planning policy. The Government's Planning Practice Guide also states '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.'

In this particular case Stow-on-the-Wold contains 1286 dwellings (Source: Local Plan Consultation Paper: Preferred Development Strategy May 2013). The settlement already appears as a well established feature within the AONB landscape. The proposal would increase the town's existing housing stock by approximately 1.6%. This increase is considered not to be significant when placed in context with the existing settlement as a whole. The proposed development will be integrated with the existing settlement and will occupy land that has already been developed and which has an urban character. The revisions to the scheme also result in a lower density of development which is more reflective of the local area. Whilst the proposal will result in the introduction of additional development onto the site it is considered that the size, form and design of the scheme are not of a nature that will adversely affect the characteristics of this part of the AONB either locally or on a wider scale. The proposal is therefore considered not to constitute major development in the context of Paragraph 116 of the NPPF.

#### (c) Provision of Affordable Housing

Local Plan Policy 21: Affordable Housing seeks to secure the provision of up to 50% affordable housing on developments such as that now proposed. If less than 50% affordable housing is proposed then the applicant is required to submit a viability appraisal demonstrating that the scheme would not be viable if such an amount was provided. In addition to these guidelines, it must also be noted that the Government introduced new guidance regarding affordable housing provision in December 2014. The guidance appears as part of the Government's Planning Practice Guidance (PPG). Paragraph 021 of the guidance states 'Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.' In this instance the floorspace of Ashton House can be discounted from the scheme as a whole as it qualifies as a vacant building. The affordable housing contribution has therefore to be calculated solely on the additional floorspace created by the proposed development. In this instance this would reduce the affordable requirement from 50% to 31%. As this guidance post dates Local Plan Policy 21 it takes precedence and as such the Council could only seek a maximum of 31% affordable housing provision as part of this scheme. If less than 31% is proposed, as it is in this instance, the applicant is still required to undertake a viability appraisal to demonstrate that the scheme would not be viable if the requisite amount of affordable

housing was provided. The applicant has submitted such an appraisal which has been independently assessed by a District Valuer (DV).

The DV has advised that there is an approximate surplus of £151,067 which could be used towards affordable housing and S106 contributions. The only S106 contribution request received at the present time is from Gloucestershire County Council who are seeking £56,171 towards secondary education. If this figure is taken from the surplus it will leave a figure of £98,896 which could be used towards affordable housing. At the time of writing this report the Council's Housing Section was considering whether this contribution would be sufficient to fund on site provision or whether an off site contribution would be more appropriate. Even if the contribution was sufficient to fund the provision of one unit there would still be a need to find an affordable housing provider who would be willing to take on a single dwelling.

If on site provision is agreed then it is likely that a change will need to be made to the design of one of the units to meet current identified needs. Housing Officers advise that 'at present there are no 1 bed units shown, the only two bed unit is below our minimum floor area of 75m<sup>2</sup> for a 2 bed 4 person house (and we do not want 2 bed 3 person houses as they are very difficult to let) and the 3 bed houses considerably exceed our 3 bed 5 person minimum floor area of 85m<sup>2</sup>. While we are not averse to floor areas exceeding our minimum requirements, Registered Providers (RPs) can only afford to build/acquire units based on the capitalised rent which is restricted to affordable levels. Similarly, if the units were to be low cost homeownership, the units need to be affordable for people on low incomes to purchase. The larger the property the less likely this becomes.' They state further that: 'we will require the flexibility to alter the proposed house types to suit on-site affordable housing provision, and should an RP not be found to take on a small number of units, the option to take an off-site commuted sum in lieu of the on-site affordable housing provision.'

It is evident that the current design of the dwellings would not necessarily meet the Council's affordable housing requirements in terms of need or size. However, it is also considered that there is scope within the scheme to accommodate such changes without having to make significant changes to the layout or position of units. If Members are minded to support the application in principle it is recommended that delegated authority is given so that Officers can negotiate the appropriate mix, tenure and form of affordable units on the site, or if this is not achievable, through the securing of an off site contribution equating to £98,896. If agreement cannot be reached over the provision of affordable housing it is also recommended that delegated authority is given to refuse the application on the grounds of inadequate affordable housing provision.

#### **(d) Impact on Residential Amenity**

The application site is bordered on three sides by existing residential development. The western boundary adjoins a fire station. Existing boundaries largely comprise a mix of stone walling, timber fences and vegetation.

The proposed scheme includes a private garden area for each dwelling. The garden sizes are reasonable in size and considered to be commensurate with the family sized homes that are being proposed. The layout and arrangement of the proposed units indicates that each dwelling can be provided with a private outdoor seating area. Distances between facing windows within the development are also considered to be acceptable.

With regard to its relationship with surrounding development the applicant has repositioned a number of units in order to provide a greater degree of separation between facing windows in rear elevations and between windows and private outdoor amenity space. For example, Units 15-17 have been moved further north so that a distance of 22m lies between windows in the proposed dwellings and those in Condurrow Court to the south. Whilst the current Local Plan does not specify a minimum separation distance the former Local Plan did indicate that a 22m distance between facing windows would be sufficient to prevent an unacceptable loss of privacy and



amenity. Such a figure is typically used as guide when assessing appropriate separation distances between rear and side windows serving habitable rooms.

With regard to comments from Rock Cottage to the north of the site and potential overlooking from Units 7-9 it is noted that there is an existing drystone wall and hedge measuring approximately 3m in height located along the site's northern boundary. The wall/hedge will screen the garden from the ground floor windows in the aforementioned units. The height of the hedge will also prevent views of most of the garden from first floor windows in the proposed front elevation. The angle of view from the first floor window is such that the hedge will limit the opportunity to look directly down onto the neighbour's garden. On balance it is considered that the development could be undertaken without having a significant adverse impact on the amenities of Rock Cottage or its neighbour.

An objection has also been received from 1 Eastview Gardens to Unit 2. Concerns have been raised about the proximity of the front elevation of the proposed unit to windows serving the objector's property. The submitted plans show a distance of approximately 9m between the roadside frontages of the respective dwellings. The roadside frontage of 1 Eastview Gardens houses a lounge and bedroom window. The applicant has been made aware of the objector's comments. However, they consider that the layout will not have an adverse impact on 1 Eastview Gardens or future residents of their property and wish to proceed with the proposal as it stands. In reaching a recommendation Officers have to take into consideration the fact that roadside frontages will be subject to a lesser degree of privacy by virtue of vehicle and pedestrian movements being undertaken in front of the property. It is also of note that the current Local Plan does not specify a minimum separation distance between front windows. Moreover, the former Local Plan advised that windows in front elevations were excluded from any distance calculations when looked upon by other facing windows. It is also of note that it is not uncommon within an urban environment for dwellings to face one another across a street. There are a number of terraced streets across the district where such a relationship is evident. In combination with the fact that 1 Eastview Gardens already faces onto a road which has been subject to a degree of activity and movement it is considered that it would not be possible to sustain an objection to the positioning on Unit 2 in this particular case.

With regard to the potential impact of the proposal on the occupiers of Eastview Gardens in respect of passing vehicles and pedestrians it must be noted that the established use of the site is a 43 bed care home. The site therefore has historically generated vehicle and pedestrian movements. The applicant's Transport Statement indicates that traffic flows will not be significantly above those associated with the established use (See following section). It is considered that the proposed development will not have an unacceptably greater impact on existing residents than the established use. The applicant has also agreed to remove the pedestrian gate in the side fence facing 1 Eastview Gardens so as to address one of the grounds of objection.

In terms of daylight impact the proposal accords with guidance in Building Research Establishment document Site Layout Planning for Daylight and Sunlight. The separation distances between gable walls in the proposed development and existing residential properties are sufficient to satisfy the aforementioned guidance. It is noted that the existing properties on Condurrow Court to the south and south east of the application site are predominantly single and 1.5 storey in height. However, the 12m distance between existing and proposed dwellings has been assessed and is considered to be sufficient to avoid issues of overbearing impact.

Overall, it is considered that the proposal can be undertaken without having a significant adverse impact on the amenity of existing residents as well as providing future residents with adequate amenity space, privacy and light. It is therefore considered that the proposal accords with Local Plan Policy 46.

### **(e) Highway Safety, Parking and Traffic Generation**

The application site is served by a single vehicular access point located in its south west corner. The access served Ashton House during its time as a care home. Vehicles entering and exiting the site will drive along Union Street before joining onto Well Lane to the west or Park Street to the east. Union Street is approximately 5m wide for much of its length. However, it does narrow to around 4m in width at points near the Fire Station and its junction with Park Street.

The applicant submitted a Transport Assessment with the initial application. The figures used in the assessment were based on the original 26 dwelling scheme rather than the amended 21 unit proposal. The figures indicate that the care home use generated 117 two way trips over a 14 hour period (07.00 - 19.00) whereas the 26 dwelling scheme would generate 148 two way trips over the same period. Peak AM and PM trips would increase from 8 to 15 and 9 to 16 movements respectively. GCC Highway Officers considered that the residual cumulative impact of the 26 dwelling scheme was not severe when considered against guidance in Paragraph 32 of the NPPF. Since the initial submission the applicant has reduced the number of dwellings proposed for the site. This has further reduced the number of vehicle movements that would be anticipated to arise from the proposed development. Vehicle movements from the site are also likely to be reduced by virtue of the site's proximity to the town centre and primary school. Future residents will therefore not be entirely dependent on the use of the private motor car to undertake many day to day activities. Overall, it is considered that the proposed 21 dwelling scheme will not have an unacceptable adverse impact on the local highway network.

With regard to the internal road layout and car parking arrangements the applicant has indicated that they do not intend to place the estate road up for adoption. The management/maintenance of the road/highway layout will be transferred to future residents rather than the County Council. Notwithstanding this, the road layout will still need to be of a standard that can accommodate the Council's refuse vehicles. At the time of writing this report the County Council was still seeking further technical details in relation to matters such as carriageway widths, junction radii and shared surfacing. It is anticipated that these matters will be resolved prior to Committee.

With regard to car parking the applicant is proposing a minimum of 2 dedicated spaces per dwelling (50 in total) together with a total of 9 unallocated visitor parking spaces. The level of parking provision is considered to be commensurate with the size, location and form of the proposed development. It is considered that the site can accommodate the level of parking that will be generated by the proposal without resulting in displacement parking on nearby streets.

Subject to final agreement from Gloucestershire County Council Highway Officers it is considered that the scheme could be undertaken without having an unacceptable highway impact.

### **(f) Impact on Trees**

The application site is covered by 17 individual and 1 group Tree Preservation Orders (TPOs). The applicant is proposing to remove 4 of the protected trees. The trees in question are as follows; plum tree to the rear of Plot 3 (T2), Norway spruce to the rear of Plot 13 (T3), sorbus to the side of Plot 14 (T5) and sycamore to the rear of Plots 20, 21 (T9). The applicant has agreed to retain a protected snake bark maple (T1) to the rear of Plot 3 following concerns from a neighbour. The Council's Tree Officer has examined the proposal and considers that there are reasonable grounds for the removal of the trees so as to facilitate the development. The applicant has also agreed to plant 5 new trees elsewhere on the site to mitigate against the loss of the respective trees. The growth potential of a number of the trees is restricted by their proximity to existing buildings and boundaries. The replacement planting would be undertaken in areas, and using species, that would be able to develop in an urban context. Newly planted trees could also be subject to TPO designation.

Local Plan Policy 10 states that development will not be permitted unless the removal of the protected tree would 'be of benefit to the character and appearance of the area' or 'in the interests of good forestry or arboricultural practice.' In this instance the proposed scheme is considered to

bring about enhancements to the site through the removal of the existing 1970s care home and the creation of a development that is more reflective of traditional Cotswold building patterns. The removal of the trees in question will facilitate a development that will enhance the character and appearance of the site. Their removal will therefore benefit the character and appearance of the area. The introduction of replacement trees will also ensure that the loss of the existing trees will be offset by new planting. On balance it is considered that there is a reasonable justification for the removal of the trees and consequently there is no objection to the removal of the specified trees.

### **Other Matters**

With regard to archaeology the Senior Archaeologist at Gloucestershire County Council is objecting to the application on the grounds that the works proposed in the eastern portion of the site will have an unacceptable adverse impact on a prehistoric hill fort which he considers to be a heritage asset. The eastern part of the site contains the defensive circuit and interior of a prehistoric hill fort. The Senior Archaeologist considers that the site is one of the few surviving open areas within the hill fort and is therefore of high significance. He recommends that a 20m zone extending from the eastern edge of the site should be excluded from development and that a further zone measuring 40m by 40m should be limited to development that can only be erected using piles or raft foundations. The concerns of the Senior Archaeologist are noted. However, the site is not designated as part of a Scheduled Ancient Monument neither does it fall within a Conservation Area. It does not therefore constitute a designated heritage asset. A Scheduled Ancient Monument (SAM) entitled 'Prehistoric enclosure known as Stow Camp' is located approximately 100m to the north of the application. It extends in a linear form for approximately 280m around the northern eastern edge of the settlement. However, it is separated from the application site by existing post war development. There is therefore a degree of separation between the two areas and there is no visual link between the two sites. In this instance it is considered that the proposed development will not have an adverse impact on the setting of the SAM or impact on a site that has an archaeological or historic designation. The eastern part of the site is grassed and has the characteristics of a garden/amenity space. It slopes downwards in a relatively gentle uniform manner in a west to east direction before falling more sharply beyond the eastern boundary of the site. The land does not have any particular or distinct visual characteristics and is not readily visible from public view. The proposed development would also leave open garden areas of between 6m to 15m to the rear of proposed dwellings. A degree of space will therefore remain between the proposed development and the eastern boundary. On balance it is considered that it would not be possible to sustain an objection to the proposal on the grounds raised by the Senior Archaeologist. Paragraph 135 of the NPPF advises that 'in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this instance it is considered that the scale of harm is not so significant as to outweigh the other benefits arising from the proposal.

The site is located in Flood Zone 1 as designated by the Environment Agency. It is located in the lowest designated of Flood Zone where the residential development can be acceptable in principle. The Council's Drainage Officer raises no objection to the proposal.

With regard to protected species the applicant commissioned an initial ecological survey which accompanied the initial application. A subsequent daytime bat survey was also undertaken which examined the interior of Ashton House as well as the site as a whole. No evidence of bats was found during survey work. The applicant proposes to introduce bat and bird boxes within the development as part of ecological enhancement. It is considered that the proposal can be undertaken without having an adverse impact on protected species or their habitat and as such accords with Local Plan Policy 9 and guidance in Paragraphs 109 and 118 of the NPPF.

The proposed development will be subject to the New Homes Bonus. The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes in their area. The New Homes Bonus is paid each year for 6 years. It is based on the amount of extra

Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There is also an extra payment for providing affordable homes.

With regard to financial contributions Gloucestershire County Council has examined pre-school, primary and secondary education provision and projections. They have advised that Stow-on-the-Wold Primary School will have sufficient capacity to accommodate the 5 pupils arising from the development. With regard to secondary education Cotswold School in Bourton-on-the-Water is forecast to be over capacity and so a secondary education contribution of £56,171 (3 pupils x £17,832) has been sought. The contributions would be used towards capital works to extend, remodel, upgrade and improve the capacity and suitability of the respective schools to accommodate the new pupils arising from the proposed development.

The above contribution is considered to be directly, fairly and reasonably related in scale and kind to the development proposed and necessary to make the development acceptable in planning terms. They are therefore considered to accord with the requirements of Paragraph 204 of the NPPF and Paragraph 122 of the Community Infrastructure Levy Regulations 2010.

The objection from Cotswold School is noted. However, a contribution of £56,171 towards secondary education has been requested by Gloucestershire County Council. This money would be used to fund infrastructure improvements at Cotswold School. The school has not received money from previous residential developments in its catchment area as the County Council considered that the school had capacity to accommodate those developments. This was supported by the Planning Inspector in relation to the appeal for 100 dwellings on land off Station Road, Bourton-on-the-Water (12/03616/OUT - APP/F1610/A/13/2196383) dated January 2014.

#### **9. Conclusion:**

Overall, it is considered that the proposal will result in a sympathetic redevelopment of a town centre site. It will create a more traditional form of development than currently exists on the site and as such will enhance the character and appearance of the locality. The proposal will provide new housing in a sustainable location in close proximity to a range of services and facilities. The proposed development will also contribute to the Council's ongoing need to provide a continuing supply of housing land. The release of the site will therefore reduce pressure on more sensitive locations across the district.

It is noted that the proposed development will be located in close proximity to a number of existing dwellings and will result in the loss of a small number of TPO'd trees. The comments of the County Archaeologist are also noted. However, these impacts are considered not to be so severe, either individually or cumulatively, that they would justify a refusal of the scheme. The benefits of the proposal are considered outweigh its limited impacts. It is therefore recommended that the application be approved subject to final agreement from GCC Highway Officers and agreement over affordable housing provision.

#### **10. Proposed conditions:**

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.

The development hereby approved shall be carried out in accordance with the following drawing number(s): 1545-01 D, 1545-03 D, 1545-04 D, 1545-05 C, 1545-06 C, 1545-07 C, 1545-08 C, 1545-09 D, 1545-10 D, 1545-11 N, 1545 12 C, 1545- 13 E, 1545-14 D

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

Prior to the erection of any external wall of the development hereby permitted 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 erection of any external wall of the development hereby permitted 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 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.

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.

No bargeboards, eaves fascias or exposed rafter feet 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.

Prior to their installation/insertion the design and details of the windows, dormer windows, external doors, cills, eaves, verges and chimneys 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 1:10 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 42.

Within one month of their installation all windows and external doors shall be painted/finished in their entirety in a colour that has first been agreed in writing by the Local Planning Authority and they shall permanently 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 42.

All drystone walls shall be constructed in natural Cotswold stone.

**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.

Prior to the commencement of development a detailed Arboricultural Method Statement and Tree Protection Plan shall be submitted to the Local Planning Authority and approved in writing.

The Arboricultural Method Statement and Tree Protection Plan shall be in accordance with the guidance in BS 5837:2012 "Trees in relation to design, demolition and construction. Recommendations" and shall include details of:

- A pre - commencement site meeting with an appointed arboricultural consultant, the site manager and any contractors carrying out works within the root protection areas of the retained trees. The Local Planning authority is to be given 5 working days notice of the meeting so that they can send a representative to attend
- Details of arboricultural supervision during construction works and how the tree protection measures will be monitored by the site manager
- The timing of all tree protection measures
- Details of tree protection fencing and excluded activities
- Details of ground protection measures where access and working space is needed outside the tree protection fencing but within the root protection area of any retained tree
- Details of any underground services within the root protection areas of the retained trees and how they will be installed along with appropriate arboricultural supervision
- Details of the construction of any no dig surfaces and how they will be installed along with appropriate arboricultural supervision

The development shall be carried out fully in accordance with the agreed details.

**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 established prior to the commencement of development as site preparation and construction works could have an adverse impact on the well being of existing trees.

Prior to the end of the first planting season following the first occupation of the development hereby approved 5 specimen trees shall be planted on the site in locations to be first agreed in writing by the Local Planning Authority.

The new trees will all be of the same species or of two species chosen from the following list:

Sequoia sempervirens  
 Sequoiadendron giganteum  
 Metasequoia glyptostroboides  
 Cryptomeria japonica

The trees must be a minimum 1.5m in height at the time of planting. The ground around the base of the trees (0.75m radius) must be mulched with a suitable material (eg woodchip) to discourage weed growth and reduce moisture evaporation. Any trees which die, are removed, are damaged or become diseased, within 5 years of their planting, 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 suitable replacement trees are planted to offset the loss of the existing trees and in the interests of the visual amenity of the area in accordance with Local Plan Policy 45.

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 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.

**Reason:** To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality. It is important that these details are agreed prior to the commencement of development as on site construction works could have implications for flooding and drainage in the locality.

The development shall not be commenced until such time as a scheme to dispose of foul sewage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented fully in accordance with the approved scheme. No dwelling shall be occupied until the necessary infrastructure to serve that unit has been installed and made operative.

**Reason:** To ensure there is no detrimental impact on groundwater quality in accordance with paragraph 109 of the NPPF. To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding and pollution. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage and pollution in the locality.

Prior to the commencement of the development hereby permitted, plans showing the existing and proposed ground levels at the site, the finished floor levels, the eaves and ridge heights of the proposed building(s) and any neighbouring buildings adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the agreed details.

**Reason:** In order to clarify the levels and height of the development in relation to structures both on and off the site. The information is necessary to allow the impact of the development on surrounding properties to be accurately assessed. It is important that these details are established prior to the commencement of development as any groundworks will have implications for the final height of the scheme.

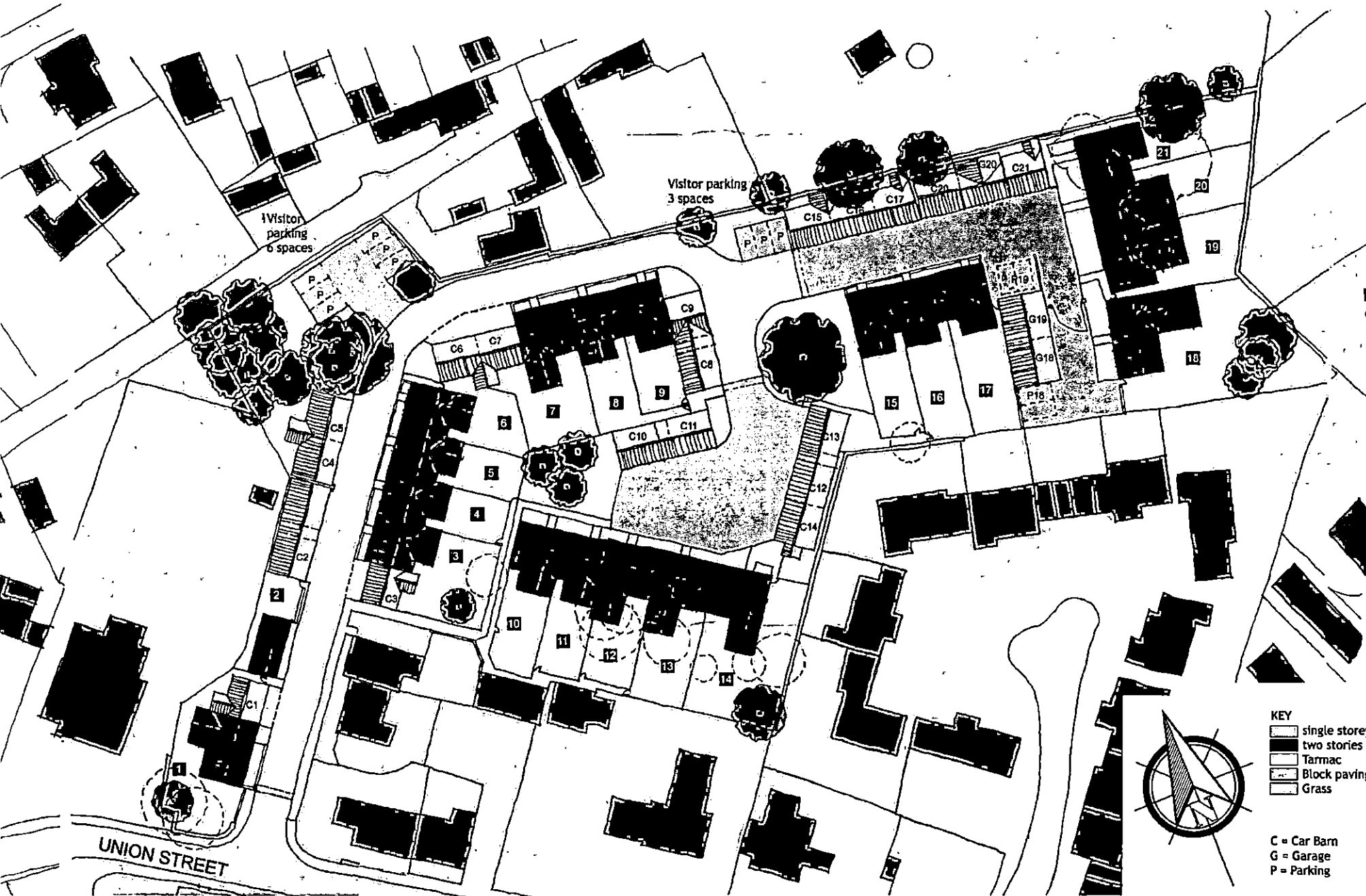
**Informatives:**

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))

The FWMA requires the drainage system for each new development or re-development (subject to exemptions) to be approved, adopted and maintained by the unitary or county council for the area before construction starts. The drainage system must take account of National Standards for the design and construction of sustainable drainage systems. These will set out the criteria on which the forms of drainage appropriate to any particular site or development can be determined.

GCC and the districts have commenced preliminary discussions with respect to the delivery model and procedures for implementing the SuDS Approval Body (SAB). However, the National Standards and commencement order for the implementation of SuDS have yet to be released. Until this is done the resources and actions, or operational timetable needed cannot be confirmed. (9.1.11 of GCC Local Flood Risk Management Strategy February 2014)



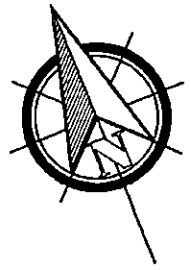
201

1410244161

June 10th 2012

- KEY**
- single storey
  - two stories
  - ▨ Tarmac
  - ▤ Block paving
  - Grass

C = Car Barn  
 G = Garage  
 P = Parking



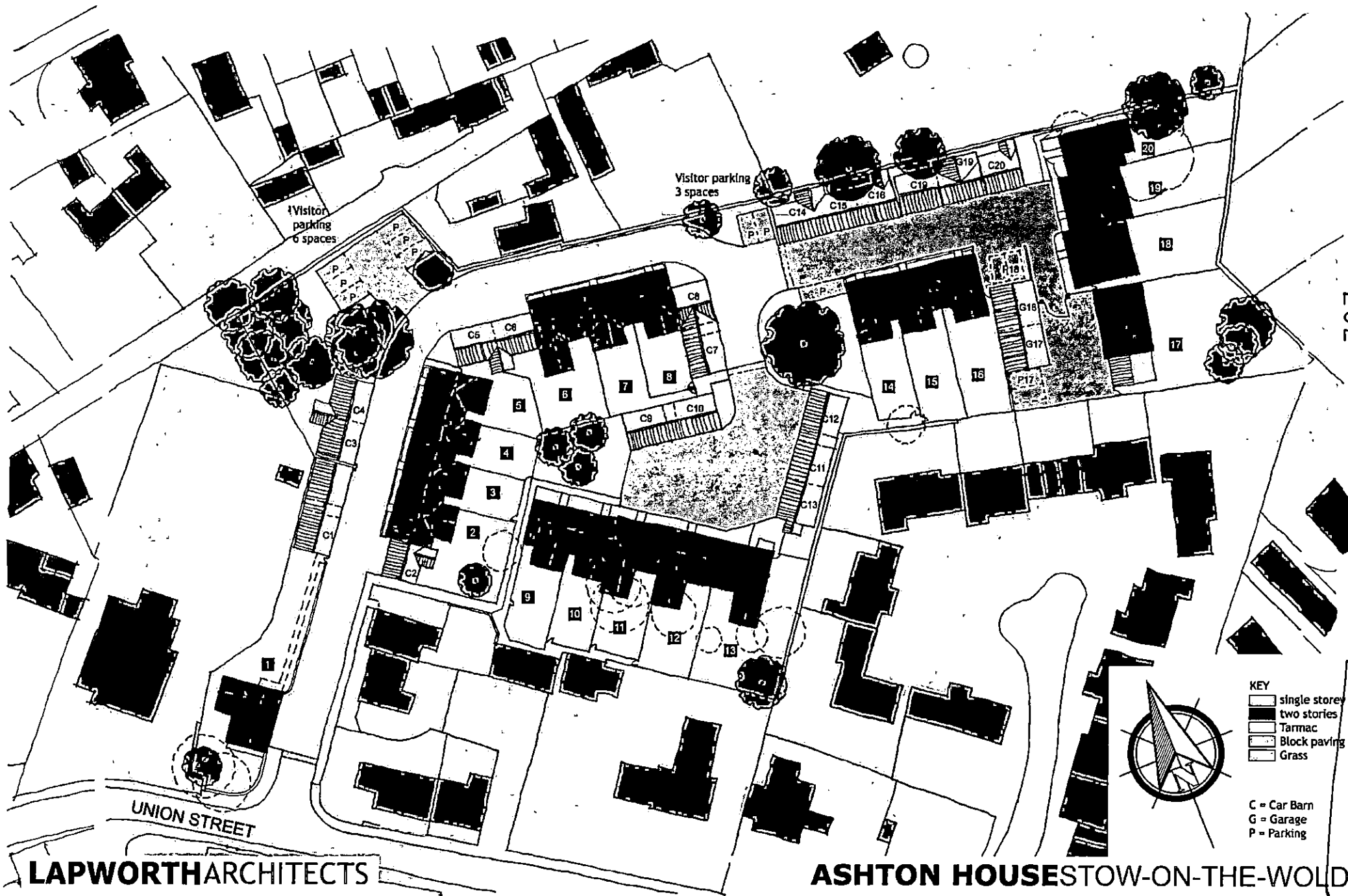
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202

Angus Deas Plan 2

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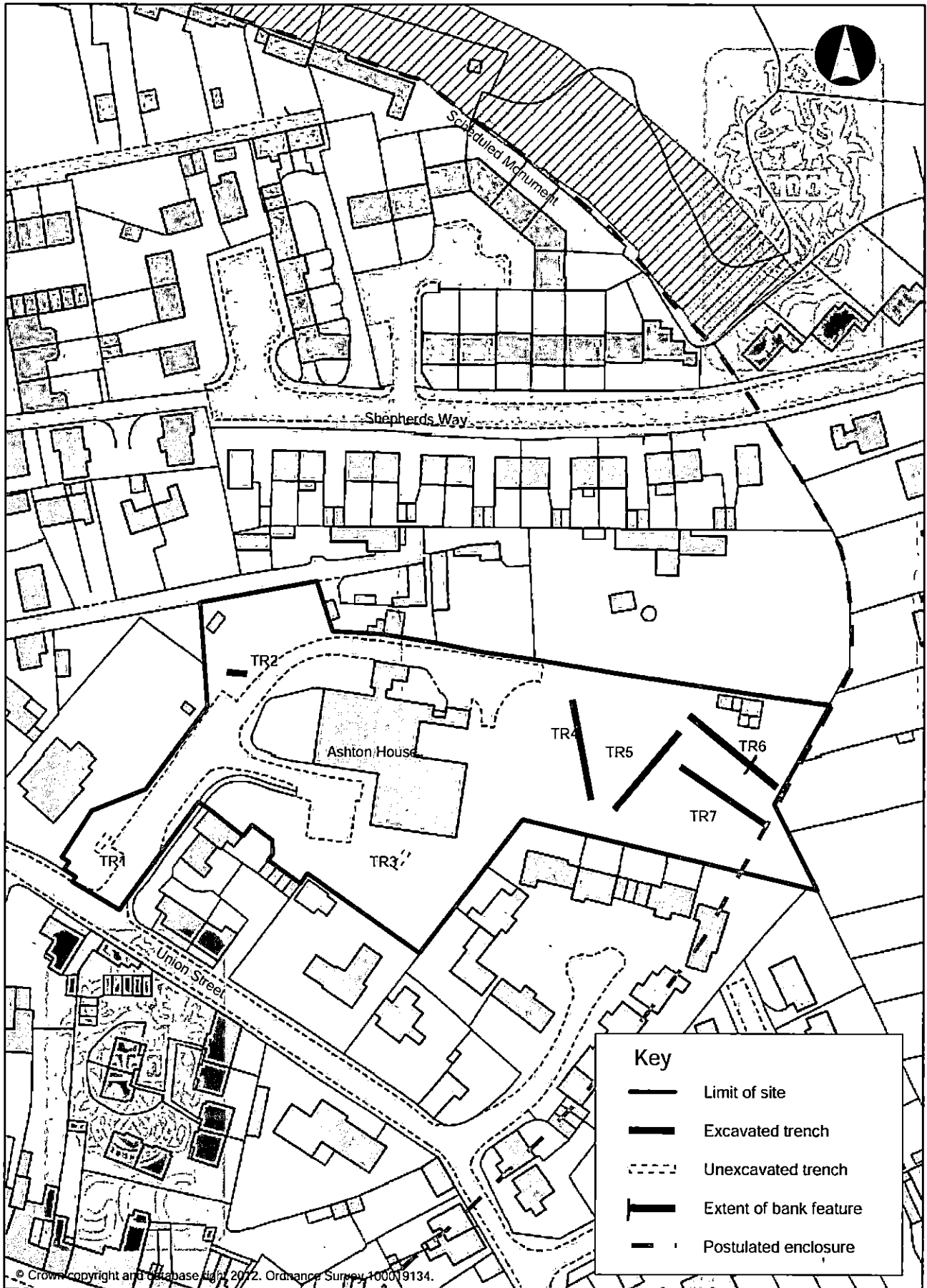


Figure 2: Ashton House site showing location of trenches, scheduled monument and circuit of postulated enclosure defences (scale 1:1250)

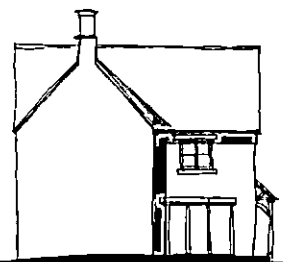


Side Elevation

Front Elevation

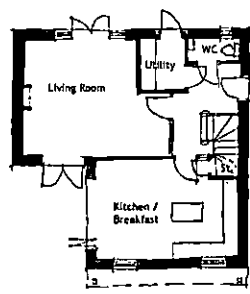


Side Elevation

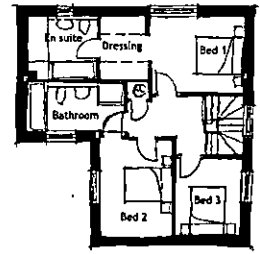


Rear Elevation

204



Ground floor plan  
Plot 1  
1361 sq.ft  
126.48 sq.m



First floor plan

<b>Plot 1</b> <b>1361 sq.ft</b> <b>126.48 sq.m</b>		
<small>                 D JUN 15 Canopy removed, window alterations                  C JUN 15 Utility amended, canopy added to front elevation                  B JUN 15 Internal layout amended, car barn removed                  A JUN 15 Window alterations             </small>		
Rev	Date	Comments
Job PROPOSED HOUSING DEVELOPMENT AT ASHTON HOUSE, STOW-ON-THE-WOLD FOR SPITFIRE PROPERTIES		
Draw Title PLOT 1 AS PROPOSED		
<b>LAPWORTH ARCHITECTS</b> <small>Lapworth Architects Ltd                  140 Victoria Road                  Leamington Spa, Warwickshire, CV32 3JF                  Tel: 01923 662000 Fax: 01923 662001</small>		
Scale	Date	Drawn
1:1000 A1 1:2000 A3	NOVEMBER 2014	
Job No.	Draw No.	Revision
1545	01	D

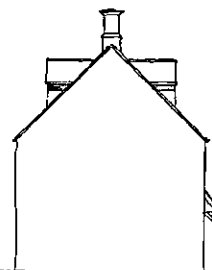


Plot 17 Front Elevation

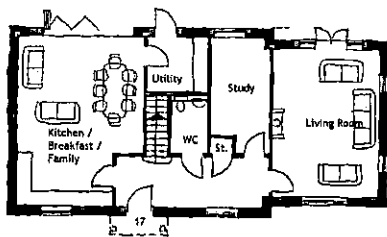
Side Elevation



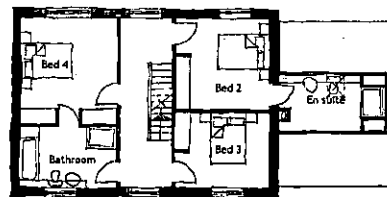
Rear Elevation



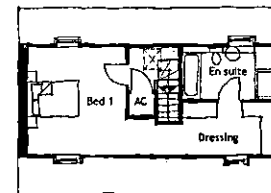
Side Elevation



Ground floor plan  
Plots 17  
2243 sq.ft  
208.38 sq.m



First floor plan



Second floor plan

205

Plot 17  
2243 sq.ft  
208.38 sq.m

C JUN 15 Window alterations  
B JUN 15 Layout amended, plot number changed  
A JUN 15 Window alterations

Rev: Issue Comments

Job:

PROPOSED HOUSING DEVELOPMENT AT  
ASHTON HOUSE, STOW-ON-THE-WOLD  
FOR SPITFIRE PROPERTIES

Dwg Title:

PLOT 17  
AS PROPOSED

**LAPWORTH ARCHITECTS**

Lapworth Architects Ltd  
Simpson House, 28-32 Victoria Road,  
Loughborough, Leicestershire, LE11 3AQ  
Tel: 01509 452 612 Fax: 01509 452 611

Scale: 1:1000(A1) 1:2000(A3) Date: NOVEMBER 2014 Drawn:

Job no. 1545 Dwg no. 07 Revision: C

