

Item No 03:-

15/00419/OUT (CD.7315/A)

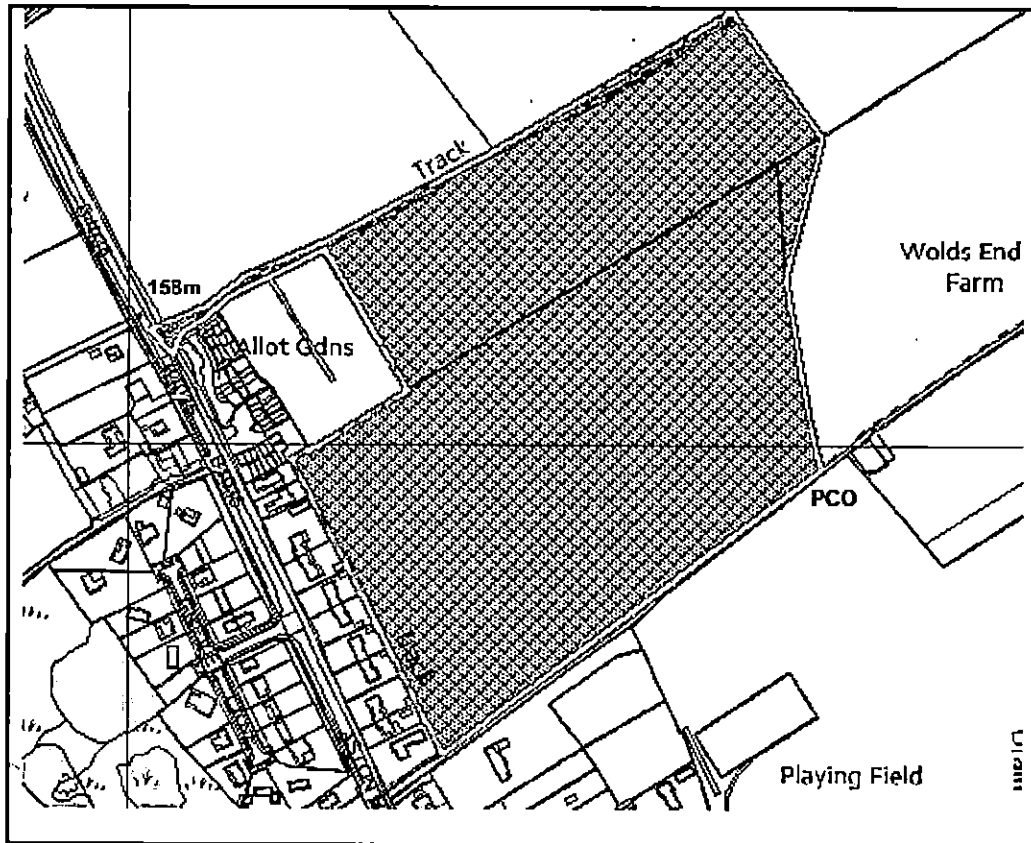
**Land Off Aston Road
Chipping Campden
Gloucestershire**

Item No 03:-

**Outline application for the erection of 90 dwellings with access at
Land off Aston Road
Chipping Campden Gloucestershire**

| Outline Application 15/00419/OUT (CD.7315/A) | |
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| Applicant: | Gloucestershire County Council |
| Agent: | Evans Jones Ltd |
| Case Officer: | Martin Perks |
| Ward Member(s): | Councillor Lynden Stowe Councillor Mark Annett |
| Committee Date: | 8th July 2015 |

Site Plan



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RECOMMENDATION: REFUSE

Main Issues:

- (a) Residential Development Outside Development Boundaries
- (b) Sustainability of Location
- (c) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty and Setting of Chipping Campden
- (d) Affordable Housing
- (e) Highway Safety and Traffic Generation
- (f) Loss of Agricultural Land
- (g) Impact on Biodiversity
- (h) Flooding and Drainage

Reasons for Referral:

This application has been referred to Committee by Officers due to the size of the proposal and its location within the Cotswolds Area of Outstanding Natural Beauty and adjacent to the historic town of Chipping Campden.

1. Site Description:

This application relates to a parcel of agricultural land measuring approximately 4.93 hectares (12.3 acres) in size. It is located adjacent to the north eastern edge of Chipping Campden. The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). It is located outside Chipping Campden Conservation Area.

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011.

The site is orientated in a roughly north west to south east direction. The site runs parallel with Aston Road (B4035) which is one of the principal roads leading into and out of the settlement. The south western boundary of the site abuts the rear gardens of dwellings fronting the aforementioned highway as well as existing allotments. The north western and north eastern boundaries adjoin existing agricultural fields. The south east boundary adjoins residential land and playing fields forming part of Chipping Campden School.

The site measures approximately 310m long by approximately 160m deep at its widest point. It is currently used for arable purposes and comprises two fields separated by a native species hedgerow. The southernmost field is the larger of the two and occupies approximately three quarters of the application site. Land levels across the southern field rise steadily from their lowest point in the southern corner of the site to its northern eastern boundary. Levels rise by approximately 6m across the southern most field. The northern field is flatter with levels varying by around 1m across its length.

2. Relevant Planning History:

None

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR05 Pollution and Safety
 LPR09 Biodiversity, Geology and Geomorphology
 LPR10 Trees, Woodlands and Hedgerows
 LPR19 Development outside Development Boundaries
 LPR34 Open Spaces & Play Areas in Res Development
 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: No objection

Gloucestershire County Council Community Infrastructure: Request contribution of £73,660 towards pre school education, £240,632 to secondary education and £17,640 towards library services

Thames Water: The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water).

The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

Severn Trent Water: No objection subject to foul and surface water drainage condition

Environment Agency: Refer to Standing Advice

Historic England: 'The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.'

Natural England: No comments

Drainage Officer: No objection

Environmental Health Contamination: No objection subject to ground investigation condition

5. View of Town/Parish Council:

Object. See attached letter and comments below;

'The size of the site for 90 dwellings means that it is contrary to NPPF para 116.

The size, extent and situation of the site makes it a visual intrusion into the AONB and therefore contrary to NPPF para 115.

The applicant claims that the land is agricultural grade 3b. This is disputed by the Town Council: the Town Council's evidence will be forwarded to the Planning Officer. Therefore, by not protecting and enhancing valuable agricultural land the application is contrary to NPPF paras 109 and 112. In addition, the field is a known nesting site for Skylarks, who are close to becoming an endangered species, therefore the application is contrary to NPPF para 117.'

6. Other Representations:

62 Letters of objection received. Main grounds of concern are:

i) Too many houses and much too overdeveloped for a place like Campden meaning that most services and roads won't cope.

- ii) You are destroying a beautiful area of countryside for a sudden demand of houses when there are other larger scale developments within 15 miles of the town.
- iii) An historic market town like Chipping Campden cannot maintain its essential character if developments of this size are permitted on its outskirts. If perceived housing needs are to be met then smaller organic growth on multiple sites would be preferable. The desire of GCC to maximise the return on its land holdings should not be made at the expense of the locality.
- iv) A large development will form a satellite village which will not integrate well into the structure or life of the town. Mainly because of parking problems a lot of the town shops are not prospering and we now find it better to shop in Mickleton.
- v) The houses will extend well up the slope and will be visible as a solid mass from roads and footpaths around the site.
- vi) Water draining from the field already pours down Aston Road and only escapes down the sump beyond Back Ends, this will be exacerbated by the development.
- vii) A single block of development off Aston Road in an Area of Outstanding Natural Beauty conflicts with Paragraph 116 of the NPPF as well as building on designated high grade agricultural land.
- viii) Increased traffic
- ix) Massive overdevelopment which is completely at odds with the rural setting and urban landscape of the town.
- x) Paragraph 116 of the NPPF states that planning permission should be refused for major development in AONBs.
- xi) Paragraph 115 of the NPPF seeks to conserve landscape and scenic beauty in AONBs. These fields are highly visible from most vantage points on entering Campden.
- xii) The fields support breeding skylarks. NPPF 117 seeks to minimise impacts on biodiversity by promoting the conservation of priority habitats such as this skylark breeding area and the hedges surrounding the fields which support huge numbers of bats.
- xiii) The fields are high grade versatile agricultural land. It is Grade 1 land.
- xiv) It is too far to walk to town to shop.
- xv) It is too large for the town and will irretrievably ruin the views and landscape of the AONB and this beautiful town.
- xvi) It will accelerate the urbanisation of the town and destroy the unique townscape and landscape.
- xvii) The view from Furze Lane is over the Aston Fields to the 15th Century tower of St James. The view would be lost and dominated by new housing.
- xviii) Poor exit/entry facility.
- xix) Creation of a separate, over large, homogenous urban village at the entry to the historic town.
- xx) Potential flooding from extra run off water.
- xxi) The site does not offer sufficient open, green space and alternative recreation facilities are too far away.
- xxii) Proposed development would adversely affect B and B businesses on Aston Road and would be a blot on the landscape of a town trying to attract tourists.
- xxiii) Town Council is proposing several smaller developments on sites which are available and would be part of steady growth, more easily assimilated into the special character of the town.
- xxiv) Traffic is already bad on Aston Road and this development and the access will only increase congestion and the risk of accident.
- xxv) The land has been in cultivation for over 90 years and over the last 35 years has grown oil seed rape, turnips and maize and has never suffered any signs of drought or laid fallow over this time.
- xxvi) The present footpath down Aston Road is notably less than 0.8-1.3m. There is a dangerous narrow bottle neck after crossing Back Ends. This is not a safe pedestrian passageway for a mother with two children.
- xxvii) The economic viability of Chipping Campden is inextricably associated with its character as a small somewhat isolated market town whose size and shape have remained largely unchanged for centuries. Over years it has evolved a progressive and balanced economy with a good mix of light industrial, residential and agricultural elements closely adapted to the geography that constrains housing, infrastructure and access. Whilst contributing incremental development matched by additional work opportunities is important to our future, disturbing this balance

through concentrations of housing estates will change the character of the town and hence its attractiveness as a place to live, work and visit.

xxix) In order to protect the economic health of the town any development needs: to be of a size contemporaneous with infrastructure improvements to reduce strain on existing facilities; to reinvigorate its status as a small working market town and ensure it does not become a dormitory, a retirement town or theme park; to be part of an overall strategy rather than piecemeal.

The Campden Society: Object

The application is for a large group of 90 dwellings in the AONB on the edge of the town, out of proportion with Aston Road, which could lead to a separate community developing, not integrated with the rest of the town.

There is a second application elsewhere in the town for 76 dwellings being considered at the same time. The Society recognise the need for more dwellings to be built in the Plan period. However, to avoid an urban feel to any part of the town, the Society recommends that no individual development should be greater than 30/40 dwellings.

The application allows for 50% of the dwellings to be affordable housing. The Society considers this to be excessive against known local demand and recommend that future approvals be restricted to one third affordable housing.

On the basis that the 5 year figures prevail then the application must be rejected under Policy 19 of the current Local Plan. Should it arise where Para 14 of the NPPF is applied then under Paragraphs 115/116 which restrict development in the AONB except in exceptional circumstances, the application must also be rejected. The Aston Road application is not the only land available in the town capable of meeting the requirement for housing and therefore there are no exceptional circumstances.

On the 17th February 2015 the Town Council held an exhibition on the Draft Local Plan. The overwhelming opinion was that the Town Council should strongly oppose the inclusion of the site in this application in the Draft Local Plan. It was also expressed that there were other sites in Chipping Campden which could accommodate the proposed requirement for housing, with no development larger than 30/40 dwellings.

There is a draft Neighbourhood Plan for Campden nearing completion that recommends sites to meet the CDC requirement for available land which is in sympathy with the views expressed above. It is expected to be available shortly and therefore should be considered alongside other evidence when decisions are being made on this application.

The application would create a large estate in the AONB outside the development boundary of Campden. It is not the sole opportunity to provide the required target for new dwellings and is quite contrary to community views. It should be rejected under Policy 19 of the Local Plan or Paras 115/116 of the NPPF whichever is deemed applicable.

Cotswolds Conservation Board:

The Board does note that this site features in the emerging Cotswold Local Plan as a preferred allocation site, though it also recognises the Plan is still subject to the Hearings process. The potential landscape impact of this development should not be underestimated. The SHLAA correctly identified the constraints of this site in terms of landscape impact as it would intrude into the AONB. The loss of an open, edge of village greenfield site to a housing development would impact on the recognised scenic quality of this nationally protected landscape that is afforded "great weight" through Paragraph 115 of the NPPF. The site is in a crest / ridge location so views can be had from various public viewpoints. There are a number of views towards the site (for example viewpoints 5, 13, 14, 15, 16, 17 in the LVIA) from the surrounding landscape and the addition of 90 dwellings would feature in these views and clearly extend the built extent of the village into one of the most exposed landscape components of the village. There will therefore be

a new level of harm to the AONB from this development which has not been fully mitigated against.

On the basis that this application has come in before the site can be considered in detail through the Local Plan Hearings, the Council is recommended to consider the development under paragraphs 115 and 116 of the NPPF. The attached Averil Close decision in Broadway illustrates how in that case 70 dwellings was considered to be major development and the scheme failed to meet the tests of paragraph 116 of the NPPF.

It is recognised that the draft Local Plan seeks to identify sites for 208 dwellings at Chipping Campden. However, given the size of the existing village and the landscape constraints due to the AONB designation the Council should be clear as to the need for additional housing at this scale for this village and whether the need can be met elsewhere either within more suitable sites or parts of sites within the village or indeed even from sites outside the AONB (see the tests of Paragraph 116).

In conclusion, the Board recognises there is a need for local needs housing provision within the village, but the target of 208 dwellings may not be easily achieved given the AONB designation. This site should be considered under the test of Paragraph 116 which includes considering developing elsewhere outside the AONB or whether the need can be met in a more suitable way. This could include other more suitable sites within the village, or potentially if need is established, even a reduced development on part of this site with a far more significant landscape buffer to protect the most sensitive edges to the north and east.

Council to Protect Rural England: See attached

7. Applicant's Supporting Information:

Landscape and Visual Impact Assessment
 Bat Activity Surveys
 Statement of Community Involvement
 Waste Minimisation Statement
 Hedgerow Assessment
 Ecological Appraisal
 Design and Access Statement
 Planning Statement
 Topographical Survey
 Land Classification Survey
 Flood Risk Assessment
 Transport Assessment
 Travel Plan
 Breeding Skylark Survey

8. Officer's Assessment:

Proposed Development

This application is seeking to establish the principle of development on the site and is in Outline form. Matters relating to Access form part of this application. However, other matters relating to Landscaping, Layout, Scale and Appearance have been reserved for later detailed approval. The current layout is purely indicative and intended to demonstrate how the site could accommodate the proposed level of development.

The applicant is seeking permission for up to 90 dwellings. Of these, 50% (45) would be allocated for affordable housing. The applicant undertook a community engagement process prior to the submission of this application. Following the engagement process the applicant reduced the potential number of dwellings from 110 to the current 90. The latter number would represent a density of approximately 18 units per hectare

Vehicular access to the site would be via an existing access located off Aston Road. The existing access serves The Bratches residential development which is located to the north west of the application site. An existing field entrance links the application site to The Bratches. Vehicular access would be via the existing field entrance, through The Bratches and onto Aston Road.

A pedestrian and cycle access is also proposed for the south western corner of the site. It would link into a driveway which opens onto Aston Road between two properties (Astonia and Highclere).

(a) Residential Development Outside a Development Boundary:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the Cotswold District Local Plan 2001-2011.

The application site is located outside a Development Boundary as designated in the aforementioned Local Plan. Development on the site is therefore primarily subject to Policy 19: Development Outside Development Boundaries of the current Local Plan. Criterion (a) of Policy 19 has a general presumption against the erection of new build open market housing (other than that which would help to meet the social and economic needs of those living in rural areas) in locations outside designated Development Boundaries. The provision of the open market dwellings proposed in this instance would therefore typically contravene the guidelines set out in Policy 19. Notwithstanding this, the Council must also have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to guidance and policies in the National Planning Policy Framework (NPPF). Paragraph 2 of the NPPF states that the Framework 'is a material consideration in planning decisions.'

The NPPF has at its heart a 'presumption in favour of sustainable development'. It states that 'there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles'. These are an economic role whereby it supports growth and innovation and contributes to a strong, responsive and competitive economy. The second role is a social one where it supports 'strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations'. The third role is an environmental one where it contributes to protecting and enhancing the natural, built and historic environment.

Paragraph 8 of the NPPF states that the three 'roles should not be undertaken in isolation, because they are mutually dependent'. It goes on to state that the 'planning system should play an active role in guiding development to sustainable solutions.'

Paragraph 47 of the NPPF states that Councils should identify a supply of deliverable sites sufficient to provide five years worth of housing. It also advises that an additional buffer of 5% or 20% should be added to the five year supply 'to ensure choice and competition in the market for land'. In instances when the Council cannot demonstrate a five year supply of deliverable housing sites Paragraph 49 states that the 'relevant policies for the supply of housing should not be considered up-to-date'.

In such instances the Council has to have regard to Paragraph 14 of the NPPF which states that where the development plan is absent, silent or relevant policies are out-of-date permission should be granted unless;

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.'

The Council's land supply position has been subject to scrutiny in recent months. In September 2014 the Planning Inspectorate issued a decision in relation to the erection of up to 120 dwellings on land to the south of Cirencester Road, Fairford (APP/F1610/A/14/2213318, CDC Ref 13/03097/OUT). In the decision the Planning Inspector stated 'I conclude that the Council is unable to demonstrate a five-year supply of deliverable housing sites.' He also considered that the Council had not undertaken a calculation of Objectively Assessed Needs (OAN) for the District. The Council could not therefore demonstrate that it had the requisite land supply. Paragraph 47 of the NPPF states 'that local plans are required to meet the full, objectively assessed needs for market and affordable housing for that area, so far as is consistent with other policies of the NPPF'.

Following the Fairford appeal decision the Council's Forward Planning Section produced an OAN and undertook a review of its land supply figures. The most recent figures, which were endorsed by the Council's Cabinet at their meeting on the 11th June 2015, indicate that the Council has a 7.74 year supply of housing land. This figure is inclusive of the 20% buffer.

The Council's position is that it can now demonstrate the requisite 5 year (plus 20%) supply of deliverable housing land. As such, the Local Plan Policies that cover the supply of housing, such as Policy 19, are no longer considered to be out of date having regard to Paragraph 49 of the NPPF.

Notwithstanding the above, it must be noted that even if the Council can demonstrate the requisite minimum supply of housing land it does not in itself mean that proposals for residential development outside existing Development Boundaries should automatically be refused. The 5 year (plus 20%) figure is a minimum and as such the Council should continually be seeking to ensure that housing land supply stays above this minimum in the future. As a result there will continue to be a need to release suitable sites outside Development Boundaries identified in the current Local Plan for residential development. If such sites are not released the Council's housing land supply will soon fall back into deficit. At a recent appeal for up to 15 dwellings in Honeybourne in Worcestershire (APP/H1840/A/13/2205247) the Planning Inspector stated 'the fact that the Council do currently have a 5-year supply is not in itself a reason to prevent other housing sites being approved, particularly in light of the Framework's attempt to boost significantly the supply of housing.' In relation to an appeal relating to a proposal for 100 dwellings in Launceston in Cornwall dating from the 8th April 2014 (APP/D0840/A13/2209757) the Inspector stated (Para 51) 'Nevertheless, irrespective of whether the five-year housing land supply figure is met or not, NPPF does not suggest that this has to be regarded as a ceiling or upper limit on permissions. On the basis that there would be no harm from a scheme, or that the benefits would demonstrably outweigh the harm, then the view that satisfying a 5 year housing land supply figure should represent some kind of limit or bar to further permissions is considerably diminished, if not rendered irrelevant. An excess of permissions in a situation where supply may already meet the estimated level of need does not represent harm, having regard to the objectives of NPPF.'

It is also evident that the continuing supply of housing land will only be achieved, prior to the adoption of the new Local Plan, through the planning application process. Allocated sites in the current Local Plan have essentially been exhausted. In order to meet its requirement to provide an ongoing supply of housing land there will remain a continuing need to release suitable sites outside Development Boundaries for residential development. If the Council does not continue to release such sites the land supply will be in deficit and the criteria set out in Paragraph 14 of the NPPF will apply. It is considered that the need to release suitable sites for residential development represents a material consideration that must be taken into fully into account during the decision making process.

The 'in principle' objection to new open market housing outside existing Development Boundaries set out in Policy 19 must also be weighed against the guidance in Paragraph 215 of the NPPF which states that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight they can be given)'. There will be instances where new open market housing outside existing Development Boundaries can constitute sustainable

development as required by the NPPF. The blanket ban on new open market housing outside such boundaries is therefore considered not to carry full weight when assessed against Paragraph 215. Notwithstanding this, other criteria in Policy 19 such as preventing development that; causes significant harm to existing patterns of development, leads to a material increase in car-borne commuting, adversely affects the vitality and viability of settlements and results in development that significantly compromises the principles of sustainable development are considered to broadly accord with the objectives of the NPPF. They are considered to carry more weight when assessed against the guidance in Paragraph 215.

Notwithstanding the current land supply figures and the wording of Policy 19 it is necessary to have full regard to the economic, social and environmental roles set out in the NPPF when assessing this application. Of particular relevance in this case is the requirement to balance the social need to provide new housing against the potential environmental impact of the proposed scheme. These issues will be looked at in more detail in the following sections.

(b) Sustainability of Location

Chipping Campden is designated as a Principal Settlement in the current Local Plan. In addition, emerging Local Plan document 'Local Plan Reg 18 Consultation: Development Strategy and Site Allocations' also identifies the town as one of 17 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 stated that 'Chipping Campden ranks 5th in the District in terms of its social and economic sustainability and is the main service centre in the far north of the District. The town possesses a good range of services and facilities, and the area has a good employment base, with a higher than average proportion of jobs in growth employment sectors.'

Emerging Local Plan documents state that Chipping Campden along with Willersey, Mickleton and Blockley form part of a cluster of settlements that serve the northernmost part of the District. Collectively the aforementioned settlements are considered to have the necessary services, facilities and employment opportunities to provide for the local population. Taken together the settlements are also considered to be able to accommodate sufficient housing to make a reasonable contribution to the overall District requirement of 7600 dwellings without compromising the strong environmental constraints present at Chipping Campden. Paragraph 55 of the NPPF states that 'where there are groups of smaller settlements, development in one village may support services in a village nearby.' This is reinforced in the Government's Planning Practice Guidance which 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.'

Strategic Policy 5: Distribution of Housing and Employment Development in Local Plan Reg 18 Consultation Paper allocates a total of 208 dwellings to the settlement for the period between April 2011 and April 2031. At the time of writing this report approximately 81 dwellings had been delivered or approved in the town since April 2011 leaving a figure of 127 dwellings to be

provided. The 208 dwelling total represents a 17.5% increase in the town's existing housing stock which currently stands at 1187 dwellings (source: Local Plan Consultation Paper).

The application site has also been identified as a potential future housing site in the Council's Strategic Housing Land Availability Assessment (SHLAA). The SHLAA Review May 2014 paper divides the site into two smaller units - CC_23B measuring 1.37 hectares occupying the northern part of the application site and CC_23C measuring 4.22 hectares covering the southern part of the current site. With regard to the former the SHLAA comments 'Development on higher grade agricultural land should be dealt with sequentially in accordance with the NPPF. Site would also intrude into the AONB and is separated from the settlement boundary by allotments. A scheme that relocates the allotments would be preferable but may not be achievable. Potential access from The Bratches.' In respect of CC_23C the SHLAA states 'Development on higher grade agricultural land should be dealt with sequentially in accordance with the NPPF. Site would also intrude into the AONB but is adjacent to development boundary but access is an issue and may require a joint scheme with CC_23B and CC_23E. Potentially suitable, subject to a detailed assessment of agricultural quality.' Both sites are stated as being suitable, available and achievable for development within a 6-10 year period. Sites CC_23B and CC_23C are identified as having a capacity of 34 and 80 dwellings respectively.

The Council's Forward Planning Section have advised that 'the SHLAA capacity figures are an indicative guide to the amount of development likely to be delivered on a site. This is because 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. Also evidence does show that the capacities in the SHLAA tend to be on the conservative side compared with what is actually delivered.'

The Local Plan Reg 18 Consultation Paper identifies CC_23B and CC_23C as 'proposed housing allocation' sites. They are identified as the favoured sites for residential development in the town in emerging Local Plan documents. Notwithstanding this endorsement it must be noted that the emerging Local Plan is still at a stage where it carries limited weight. It is only once it has been submitted for Examination in Public that it carries significant weight. Whilst the latest Local Plan documents do indicate a direction of travel they are not final versions and allocations within them are therefore not cast in stone.

Sites CC_23B and CC_23C have also been subject to community engagement and consultation during the emerging Local Plan process. Site CC_23B was considered by the Town Council to be unsuitable for allocation. The key reason was that 'Visibility and ecologically this development will compromise the AONB.' However, 30 out of 50 people who responded individually considered the site suitable for allocation or suitable with mitigation.

With regard to site CC_23C the Town Council considered the site unsuitable for allocation. The site assessor concluded that the site 'is a potential allocation subject to on or off site mitigation.' Of 51 individual responses 32 people considered the site suitable for allocation or suitable with mitigation.

The comments of objectors regarding a draft Neighbourhood Plan are also noted. Guidance on the weight that can be given to emerging Local and Neighbourhood Plans is set out in Paragraph 014 of the Government's Planning Practice Guidance. It states;

'arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions

about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.'

In light of the above it is considered that the draft Neighbourhood Plan is not at such an advanced stage that it would be possible to sustain an objection to the application on grounds of prematurity.

In terms of accessibility the southern entrance to the site is located approximately 800m from the centre of the town, 500m from the secondary school and GP surgery and 1km from the primary school. Guidance in Manual for Streets (Para 4.4.1) 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.' Pedestrian access to the town's facilities can also largely be undertaken using existing pedestrian footways and along relatively flat routes. It is considered that the site is located sufficiently close to the town so that future residents would be afforded access to a range of services and facilities without having to rely solely or mainly on the use of the private motor car.

It is evident that the ability of Chipping Campden to accommodate new residential development has been assessed as part of the emerging Local Plan process. The Development Strategy and Site Allocations paper recognises that the town is able to offer a range of services and amenities which can meet many of the day to day needs of the community. Moreover, it also supports a reasonable growth in the town's population to help address local affordable housing needs; sustain existing facilities; and maintain the town's role as a local service centre. Chipping Campden has therefore been recognised as a potentially sustainable location for new residential development in terms of accessibility to services, facilities and amenities.

(c) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty and Setting of Chipping Campden

The 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'

Paragraph 109 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.'

Local Plan Policy 42 advises 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, street scene, proportion, simplicity, materials and craftsmanship'

The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment as falling within Landscape Character Area 17B Vale of Moreton. This in turn falls within Landscape Character Type Pastoral Lowland Vale. Characteristics of this particular landscape are;

- Extensive pastoral vale defined by the Farmed Slopes with flat or gently undulating landform fringed by distinctive shallow slopes, with views often limited by intervening vegetation and undulating landform.
- Generally human scale intimate landscape, but with intermittent open expansive character and expansive views in some areas with views possible across flat landscapes bordering river channels where vegetation cover is minimal and from areas of raised landform.
- Extensive drift deposits mask underlying solid geology, reflected in the relative absence of stone as a building material.
- Productive and verdant landscape of lush improved and semi-improved pastures.
- Network of hedgerows of varying height and quality with intermittent hedgerow trees and occasional stone walls create a neat patchwork of fields.
- Areas of wet meadow and limited areas of species rich grassland bordering river channels indicate intensive management of the agricultural landscape.
- Limited woodland cover including ancient woodland indicative of a long history of clearance and intensive agriculture within the vale.

One of the principle characteristics of The Vale of Moreton is a predominance of permanent improved pasture 'although some arable farming is evident. Lush pastures and fields of crops are divided up by a network of hedges. These are gappy in places and boundaries reinforced by post and wire fencing. Where this has occurred, the pattern of fields is difficult to discern in the landscape, particularly where agricultural land use is the same across a number of large fields.'

The Landscape Strategy and Guidelines for the Cotswolds AONB identifies the 'expansion of settlements' amongst its list of 'Local Forces for Change'. 'Potential Landscape Implications' of such development are identified as;

- Erosion of distinctive settlement patterns.
- Proliferation of suburban building styles/materials and the introduction of ornamental garden plants and boundary features.

The 'Outline Landscape Strategies and Guidelines' advises;

- Oppose ribbon development along major access or through routes.
- Ensure that new development does not adversely affect settlement character and form.
- Ensure new built development is visually integrated with the rural landscape setting and does not interrupt the setting of settlements or views along or across the vale

As part of the emerging Local Plan process the Council has commissioned an update to the detailed landscape report entitled 'Landscape Assessment of Land around Cotswold Settlements' produced by White Consultants dated June 2000. The updated report 'Study of land surrounding Key Settlements in Cotswold District: Update' dated October 2014 provides a fresh analysis of landscapes around the District's key settlements. With regard to this site the aforementioned report provides the following assessment of SHLAA sites CC_23B and CC_23C.

With regard to site CC_23B the report states;

'The site forms part of a medium/large arable field on the crest of a minor rounded ridge. The southern part of the site therefore falls gently to the south towards existing settlement whilst the northern part falls to the north towards the wider countryside. A low cut hedge forms the north western and south eastern boundaries, allotments lie to the south west and the rest of the arable field runs to the north east terminating at an outgrown hedge. The B4035 approaches to the settlement lie to the south west. The road is flanked by hedges and maturing lime trees. Users of the road would have glimpse/filtered oblique views towards the site in winter. Further south, 20c ribbon development in maturing gardens lies on either side of the road and would screen any development. A public footpath lies to the east with varying views towards the site. The site is exposed to views from the north and north east. It is also intervisible with the church tower. It has some tranquillity although road noise is apparent. The site lies within the Cotswolds AONB.

The site has susceptibility to housing development in respect of being located on a low ridgetop in open countryside exposed to view from the north. This would increase the perceived extent of the settlement which otherwise is discreet and set down in these views. The closest receptors are users of the A4035 in winter, and users of a public footpath and minor road to the north. The southern corner of the site at a lower level is slightly less sensitive. The value of the site is its location in the Cotswolds AONB. If development was carried out then tree screening would be highly desirable on its north western and north eastern boundaries to soften the edge and help integrate any development into the landscape.'

The report considers the site to have a high/medium landscape sensitivity.

In respect of site CC_23C it states;

'The site forms part of a large arable field on the south facing slopes of a minor ridge falling towards existing settlement. A low cut hedge forms the north western and south eastern boundaries. Ribbon development housing along the A4035 lies to the south west and the rest of the arable field runs to the north east terminating at an outgrown hedge which lies close to the ridge crest. A narrow track running from the road to Wolds End Farm runs along the southern boundary but there is no public access. The housing in maturing gardens would screen any development from the road although any new access to the site would be apparent. The Heart of England Way/Monarch's Way lie to the east but would have limited views of the site due to intervening landform and vegetation. Any potential development on the northern corner of the site which is the highest point may be visible from the north. The site is also intervisible with the church tower. It has some tranquillity although road noise and the adjacent housing are apparent. The site lies within the Cotswolds AONB.

The site has susceptibility to housing development in respect of being located in open countryside with the northern tip of the site on a low ridgetop exposed to view from the north. This would increase the perceived extent of the settlement which otherwise is discreet and set down in these views. The site is otherwise fairly discreet although any new access from the A4035 would be apparent. The value of the site is its location in the Cotswolds AONB. If development was carried out then tree screening would be highly desirable on its northern boundaries and corner to soften the edge and help integrate any development into the landscape.'

The report considers the site to have a medium landscape sensitivity.

The application site adjoins the existing settlement along its western and southern boundaries. Its northern and eastern boundaries adjoin existing agricultural land. The northern boundary is defined by a hedgerow whilst the eastern boundary is open. The north western corner of the site also joins an existing allotments. The site itself is relatively flat and open. It is characteristic of the working arable farmland that adjoins large areas of the settlement.

The nearest public view of the site is from the B4035 Aston Road as it runs in a north south direction to the west of the application site. Existing housing along Aston Road screens the site

from public view to the immediate west of the application site. Views of the site for road users heading southwards towards the settlement are also well screened by roadside trees and vegetation. The applicant's Landscape and Visual Impact Assessment (LVIA) states that approximately 50m of development frontage would be visible from a point where Kingcombe Lane joins Aston Road to the north of the application site. The applicant's LVIA states that the magnitude of change would be moderate with a moderate to low landscape and visual impact. Officers agree that this is a reasonable assessment of the proposal from this vantage point.

To the west of the site a Public Right of Way (HCC5) extends up a hillside parallel with Kingcombe Lane. Vegetation and topography largely screen the site from this Right of Way and the impact of the proposal from this location is considered to be negligible.

More prominent views of the site can be experienced from adjacent to the reservoir on Kingcombe Lane. The viewpoint is located approximately 600m to the north-west of the application site. The elevated position of the viewpoint allows views down onto the site as well as of existing housing on Aston Road. The magnitude of change is considered to be moderate to high when viewed from this location. However, the viewpoint does not form part of a Public Right of Way and there is no pavement adjacent to the lane. People experiencing the view are therefore most likely to be motorists rather than walkers. The sensitivity of the receptor is therefore considered to be moderate to low. The applicant's LVIA considers that the residual impact when viewed from this location would be moderate to low. Officers consider that the impact would be towards the moderate end of the moderate to low scale due to a large extent of the site being visible from this location.

The application site is also visible from Furze Lane which is located approximately 600m to the north of the proposed development. Whilst the lane is relatively narrow it is also one of the routes to Hidcote Manor Gardens and signposted with brown tourist direction road signs. It is therefore utilised by visitors to the area. The southern edge of Furze Lane is relatively open and allows expansive views out across the fields to its south and towards Chipping Campden. The tower of St James' Church in the town is visible from Furze Lane. The rooftops of dwellings at The Bratches are also visible from the lane. The introduction of new development to the east of The Bratches would be readily noticeable from the lane and would represent a clear encroachment of development into the AONB landscape. The applicant's LVIA identifies that the magnitude of impact from this location would be moderate to high. However, this could be mitigated with new landscaping and as such the residual impact would be low. Officers consider this vantage point to be particularly sensitive as the current views are primarily of open fields with limited built development being visible. The views are very much of an open agricultural landscape which contribute positively to the setting of the town. Following discussions the applicant has sought to reduce the level of development that is proposed for the northernmost part of the site thereby attempting to reduce the visual and landscape impact of the proposal when viewed from Furze Lane. Whilst this is welcomed Officers still have concerns about the potential impact of the proposed development when viewed from the north.

The other notable public view of the site will be from the Public Right of Way (HCC7) which runs in a north south direction approximately 400m to the east of the site. Existing topography and vegetation will screen views of the site for sections of its length. However, views will be available from stretches of the path immediately to the east of the site. The views will be screened to a certain extent by a hedgerow/trees that lie midway between the application site and the Right of Way. However, in winter months in particular, the site is visible through the existing vegetation. The applicant has sought to mitigate this impact by proposing a landscape buffer zone along the eastern boundary of the site. In the longer term this will provide further screening of the proposed housing from the Right of Way to the east. However, it would also introduce a block of planting into what is currently a rather open and exposed landscape.

A long distance view of the site and Chipping Campden is also available from Ebrington Hill located approximately 3.5km to the east of the application site. The proposed development would be visible from the aforementioned location. However, in light of the distance involved it is considered that the impact from this location would be low. The introduction of landscape buffer

planting along the eastern side of the site would further reduce the landscape and visual impact when viewed from this location.

The applicant's LVIA states that the landscape and visual impacts of the proposal would be moderate to low. It goes on to state that 'considering the sensitivity of the visual receptors, the value of many of the existing views, and the magnitude of change, the visual effects of the proposals are considered to be Moderate to Low reducing to Low, at worst, within as little as fifteen years as the mitigation proposals start to take effect.'

In discussion with Officers the applicant has sought to mitigate the potential impact of the proposal by making amendments to the indicative layout. The initial scheme submitted was considered to be too similar to a generic housing estate and to lack any real sense of place or connection to the town. The applicant subsequently amended the layout so that views through the site would be available southwards to St James' Church. The number of units proposed for the northern part of the site has been reduced and there is a greater variety of house types within the scheme. The road layout has also been revised to give an impression of a network of lanes and back streets rather than cul de sacs and shared private drives.

The indicative layout has therefore attempted to respond sympathetically to its location. Notwithstanding this, the proposal will still result in the introduction of a significant amount of additional development onto a greenfield site within the AONB. It will result in a discernible encroachment of the settlement into the open countryside and will replace an agricultural field with built development. The size of the proposal means that it will have a material impact on the character and appearance of the existing site, the AONB and the setting of the town. The impact of the proposal would be evident from a number of public vantage points and it is considered that the proposal would significantly alter the relationship of the north eastern part of the town with the wider AONB landscape. On balance it is considered that the proposal would neither conserve nor enhance the AONB and as such it would conflict with S85 of the Countryside and Rights of Way Act 2000, Local Plan Policies 19 and 42 and guidance contained in the NPPF, in particular Paragraphs 17, 109 and 115.

In addition to the above views of the tower of the church of St James are also visible from within the site. The tower is a Grade I Listed Building and is visible when looking south across the site and across the existing allotments. The applicant has amended the indicative layout to seek to ensure that vistas towards the church will remain.

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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.'

Historic England and the Council's Heritage and Design Section have examined the potential impact of the proposal on the setting of the church. Neither party has raised an objection to the proposal. Subject to views of the church being retained as part of a final detailed layout it is considered that residential development could be introduced onto the site without having an adverse impact on the setting of the designated heritage asset in accordance with the aforementioned legislation and guidance.

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'.

No definition of major development is provided within the NPPF or in either of its forerunners - namely PPS7: Sustainable Development in Rural Areas and PPG7: The Countryside which also made similar references to major development within designated landscapes such as AONBs. However, in the recent High Court judgement in '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 the proposal would result in the loss of approximately 5 hectares of agricultural/greenfield land adjacent to a historic settlement within the Cotswolds AONB. The proposal would result in an encroachment of built development into the countryside and would therefore have a discernible impact on the character and appearance of the existing land and its context within the AONB. The level of development proportionate to the size of the settlement as a whole (approximately 7.5%) is also considered to represent a major development proposal in the context of Paragraph 116. As a result planning permission should be refused unless there are exceptional circumstances and where it can be demonstrated the proposal is in the public interest.

At the present time the Council is able to demonstrate that it can provide the requisite 5 year supply of housing land. Moreover, the most recent housing land figures indicate a land supply well in excess of the minimum requirement. As such the need to release land for housing does not carry the level of weight that it would if the land supply was in deficit. A shortfall in the requisite land supply has previously been considered by Planning Inspectors to constitute an exceptional circumstance that could justify allowing a major development scheme in the AONB. However, now that the Council's land supply is in surplus it is considered that such an exceptional circumstance cannot be justified in this particular case.

It is noted that the scheme will also provide an element of affordable housing which will be a benefit. Whilst the provision of 45 affordable units is noteworthy it is considered not to be of a level that would represent an exceptional circumstance in the context of Paragraph 116.

With regard to economic benefits it is noted that the construction phase will create employment and associated spending. However, this will be temporary in nature and therefore limited in its benefit. The proposal also has the potential to increase spending on facilities and services. Whilst this is a potential benefit it is considered not to be at such a level that its loss would have a significant adverse impact on the local economy should the scheme not proceed.

With regard to bullet point ii) of Paragraph 116 it is noted that the town and its environs lie entirely within the Cotswolds AONB. There is no scope to provide housing elsewhere around the

settlement that does not fall within the designated landscape. It is therefore acknowledged that the future housing needs of the settlement will need to be addressed within or adjacent to the existing town. However, it is also of note that planning permission has recently been granted for a number of other developments in the town including 16 dwellings at Badger's Field (13/01538/OUT), 26 dwellings at Berrington Mill (13/02227/OUT) and a net increase of 20 dwellings at Chipping Campden School (14/02442/OUT). The provision of the aforementioned 62 dwellings would therefore make a notable contribution to the projected housing allocation for the town which is intended to cover the period up until 2031. In light of the extant permissions it is evident that there is no exceptional need to release land for housing in the town at the current time. Alternative options are available that allow housing to be brought forward in a more proportionate manner.

With regard to bullet point iii) it has already been identified that the proposed scheme is likely to have an adverse impact on the character and appearance of the AONB. Whilst the scheme has been designed in a manner that seeks to minimise that impact it is considered that the scale of development is still one that would fail to conserve or enhance the natural beauty of the landscape.

On balance it is considered that there are no exceptional circumstances that justify a departure from the presumption against major development in AONBs as set out in Paragraph 116 of the NPPF.

(d) Affordable Housing

The applicant is proposing to provide 50% affordable housing on site. This would equate to 45 units. The 50% provision accords with Local Plan Policy 21: Affordable Housing.

The Council's Housing Officer advises that;

'We consider different sources of information when assessing need. A recent search of Gloucestershire Homeseeker, the housing register, has shown that 179 households with a connection to Cotswold district are registered for rented affordable housing in Chipping Campden. At least 82 of these households also have an identified relevant local connection with the parish of Chipping Campden or the immediately surrounding parishes of Willersey, Saintbury, Weston Subedge, Aston Subedge, Mickleton, Ebrington and Blockley. However, it is important to remember that the Housing Register provides a snapshot view of the current need for rented accommodation only. These figures will slightly underestimate the number of people with connections because some households will have family and work connections which will not have been identified by this search.

The district wide Housing Needs Assessment (HNA November 2009) found an annual requirement for 535 additional affordable housing units in Cotswold District however the updated Strategic Housing Market Assessment (March 2014) states the annual requirement has now risen to 574 additional affordable housing units. The parish of Chipping Campden is in the Chipping Campden sub-area of the HNA and was assessed as having a gross annual need for 11 affordable homes.

In accordance with the latest district wide Housing Needs Assessment we would normally be seeking the following mix:

- 25% x 1 bedroom
- 45% x 2 bedrooms
- 20% x 3 bedrooms
- 10% x 4 or more bedrooms

In accordance with our current Supplementary Planning Document (SPD) two-thirds of the affordable homes should be for rent, with the larger houses of 4 bedrooms or more being social rent properties. The remaining third should be subsidised low cost home ownership.

In accordance with the findings of the HNA we prefer the 2 bedroom units to be houses rather than flats. We also prefer the shared ownership properties to be 2 or 3 bedroom units.

The details of tenure, number of bedrooms and size of units should be included in the negotiated S106 agreement. The District Council's Affordable Housing Supplementary Planning Document contains a template for this document. This includes the following requirement in relation to the size of homes to be provided:

one bedroom 2 persons flats of not less than 45 sq metres;
 two bedroom 3 persons flats of not less than 55 sq metres;
 two bedroom 3 persons bungalows of not less than 65 sq metres;
 two bedroom 4 persons houses of not less than 75 sq metres;
 three bedroom 5 persons houses of not less than 85 sq metres;
 four bedroom 6 persons houses of not less than 95 sq metres;

Having regard to existing stock and current needs information we would suggest the following mix for this development:

Rent:

12 x 1 bed 2 person house/flat
 12 x 2 bed 4 person houses
 4 x 3 bed 6 person houses
 2 x 4 bed 7 person houses (let at social rent level)

Low cost home ownership:

8 x 2 bed 4 person houses
 7 x 3 bed 5 person houses

The development should be tenure blind and should comply with all of the other requirements of the affordable Housing Supplementary Planning Document (SPD). The local connection cascade as set out in the S106 template within the SPD would apply. The affordable homes should also comply with the appropriate current construction standards.

There is also the possibility of some local authority grant funding being available, either to provide more than 50% affordable housing or perhaps to increase the eco-credentials of some of the affordable homes. We would welcome the opportunity to discuss this with the developer.

Overall, it is considered that there is an identified need for affordable housing in Chipping Campden. The current proposal would help to address this need and would accord with guidance in Local Plan Policy 21.

(e) Highway Safety and Traffic Generation

The application site is currently accessed by an existing field access located in the north western corner of the site. The access opens onto The Bratches residential development which in turns accesses onto the B4035 Aston Road. The stretch of Aston Road outside The Bratches is subject to a 30mph speed limit. The speed limit rises to 40mph at a point approximately 40m to the north of The Bratches access.

A traffic survey commissioned by the applicant recorded two way flows along Aston Road of 570 vehicles in the AM peak hour and 554 vehicles in the PM peak hour. No queues were recorded during the course of the survey. The proposed development is predicted to generate 48 vehicular trips in the AM peak and 51 in the PM peak hour. The junction of The Bratches with Aston Road is identified at 1% of its capacity. The proposed development would increase use to 8% of its operational capacity. Gloucestershire County Council Highway Officers consider that the impact of the development on The Bratches junction and the adjacent section of Aston Road would not be severe and is therefore compliant with Paragraph 32 of the NPPF.

The potential impact of the development on the local highway network and the town in general has also been considered. The proximity of the site to the town centre means that future residents will have the opportunity to walk or cycle to existing facilities and services. In addition, residents will also be able to drive to locations such as Stratford-upon-Avon, Evesham or Cheltenham without having to pass through the town centre. It is considered that the highway impact of the proposal on the town centre will not be severe having regard to Paragraph 32 of the NPPF.

Gloucestershire County Council Highway Officers have no objection to the application.

(f) Loss of Agricultural Land

The application site comprises approximately 5 hectares of arable agricultural land. Paragraph 112 of the NPPF states that 'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in preference to that of a higher quality.' The best and most versatile (BMV) land is classed as that falling within Grade 1, 2 and 3a.

Natural England Agricultural Land Classification (ALC) maps based on 1960s/1970s data identify the site as predominantly Grade 1 with the southernmost part of the site being Grade 3. The maps do not distinguish whether the Grade 3 land is Grade 3a or Grade 3b. The land around Chipping Campden as a whole was identified on the maps as being a mix of Grade 1, 2 and 3. In 1992 a further survey was commissioned by MAFF in relation to a number of sites around Chipping Campden. The current application site did not form part of the survey. However, of the land that was surveyed 73.8% fell within the BMV category.

Natural England advises that the 1960s/70s map data is 'not sufficiently accurate for use in assessment of individual fields or development sites, and should not be used other than as general guidance.'

The applicant has submitted an Agricultural Land Classification report with the application. The report was based on a field survey which took soil samples and profiles. The report states the land across the site is Grade 3b quality. In response to this report Chipping Campden Town Council commissioned their own survey which looked at variables such as depth of soil, stoniness, texture, climatic conditions, droughtiness and crop versatility. The Town Council survey report states that the land on the site is Grade 2. The applicant has provided a rebuttal to the Town Council's report and reiterates their initial view that the land is Grade 3b. It also makes reference to the fact that other land in around the town that was identified as Grade 1 on initial ALC maps was subsequently classed as Grade 2 and Grade 3b in the 1992 detailed surveys. This indicates that the grade of land can vary quite considerably over relatively short distances.

It is evident that there is a potential conflict in the information available with regard to the agricultural quality of the site. The work undertaken on behalf of the applicant is thorough and based on detailed site analysis. Equally, the Town Council's report has looked at the site in detail. In light of this Officers have considered the proposal on a worst case scenario basis and that the proposed development could fall on Grade 2 land. In such circumstances there is a need to have regard to Paragraph 112 of the NPPF.

Paragraph 112 of the NPPF does not provide a definition of what is meant by 'significant development' and as such this element of the aforementioned Paragraph is open to a degree of interpretation. However, it is of note that the threshold for consulting Natural England in relation to proposals for the loss of BMV land is 20 hectares. The application site is under this figure. The land around Chipping Campden is also recognised as being of a generally high quality. The proposed development would therefore not be built on the only BMV land in the locality. Other land of an equal and higher quality will remain in the area. The proposal will also not result in an existing farming operation becoming unviable as the applicant also owns over 40 hectares of adjoining land which will continue to be farmed. On balance it is considered that the proposal

would not constitute the significant development of agricultural land and as such the proposal could be undertaken without conflicting with guidance in Paragraph 112 of the NPPF.

(g) Impact on Biodiversity

The application site primarily comprises two open arable fields bordered by hedgerows, residential garden boundaries and an allotments. The applicant has commissioned an Ecological Appraisal, Bat Activity Surveys, Breeding Skylark Survey and a Hedgerow Assessment which have been submitted with the application.

The Ecological Appraisal considered the site to be of low ecological value in terms of the habitats present. However, it did identify that there was potential for foraging bats and nesting birds to be present on the site. As a result further bat activity survey was undertaken. Local residents also stated that skylarks were nesting and breeding on the site. The applicant subsequently undertook a Breeding Skylark Survey.

With regard to bat activity the survey identified the presence of Noctule and Common Pipistrelle bats across the site. All species of bats are protected under the Wildlife and Countryside Act 1981. The principal activity was to the rear of existing dwellings on Aston Road. The survey indicates that in the absence of mitigation the proposed development could lead to a displacement of a small number of foraging and commuting bats of common species. However, it considers that the introduction of a sympathetic landscaping scheme, enhanced hedgerows and residential gardens; would potentially increase foraging habitat for bats. The introduction of landscape buffer zones to the east of the site could improve bat habitat. It is therefore considered that the proposal could be undertaken without having an adverse impact on the existing bat population.

With regard to skylarks the survey has identified that the site is a breeding site for skylarks. Skylarks are protected under the Wildlife and Countryside Act 1981 and are also identified as UK Biodiversity Action Plan Priority Species. The survey identified at least two males displaying in five separate locations. Two of the locations were in the application site and another close to the north east boundary of the site.

The presence of skylarks on a site is largely dependent on the agricultural practises undertaken on the land. For instance, cereal crops sown in the autumn become too tall and dense to allow skylarks to raise more than one early brood. Skylarks typically need two or three broods of young each year to maintain their population. The survey indicates that the current field is subject to autumn planting and as such it limits the broods that could be reared on the site. It considers that the parts of the field proposed for development are unlikely to be important on a national or regional level but are of local importance. In order to compensate for the loss of the existing nesting habitat the survey recommends that skylark plots are established on neighbouring fields (within the control of the applicant). The plots would measure approximately 4m by 4m and would number two per hectare. The plots take the form of unplanted/undrilled ground in winter cereal fields. Such areas allows the skylarks to forage during spring and early summer in areas that would otherwise be densely covered with crops. It also allows skylarks to increase the number of chicks that can be reared in areas planted with winter cereals. The Council's Biodiversity Officer has examined this proposal and considers that it would represent an appropriate form of mitigation and that it could actually enhance their breeding success. Without such mitigation the existing skylark population would continue to be vulnerable to changes in existing farm methods.

The proposed scheme would require the removal of a section of the hedgerow that currently extends in an east west direction across the site. The applicant has submitted a Hedgerow Assessment which has examined the quality of the hedgerow. The assessment considered that the hedgerow was an Important Hedgerow in accordance with the Hedgerow Regulations 1997 as it was over 30 years old and formed an integral part of field system pre-dating the Inclosure Acts. The proposal would require the removal of a short section of the hedgerow to facilitate an access road. The remainder of the hedgerow can be retained and enhanced. The Council's Tree and Biodiversity Officers have no objection to the proposal subject to hedgerow protection

measures and additional landscape planting being introduced to offset the loss of the section in question.

Overall, it is considered that the proposal could be undertaken without having an adverse impact on protected species or their habitat in accordance with Local Plan Policy 9 and guidance in Paragraphs 109 and 118 of the NPPF.

(h) Flooding and Drainage

The application site is located in Flood Zone 1 as designated by the Environment Agency. Flood Zone 1 is the lowest designation of Flood Zone with an annual risk of flooding of less than 1 in 1000 (<0.1%). As the application site is in excess of 1 hectare in size the applicant has submitted a Flood Risk Assessment (FRA) with the application. The FRA has been examined by the Council's Drainage Officers and the Environment Agency.

The proposed scheme will also be seeking to introduce measures that restrict surface water run off through and from the site. The intention is that surface water run off will be designed to be no greater than existing greenfield rates (plus 30% to allow for climate change). Infiltration testing indicates that surface water can infiltrate satisfactorily into the ground and that soakaways could be a practicable option within the site. Other measures such as on site attenuation, permeable paving, swales could also be utilised to address surface water run off from additional areas of hard surfacing. It is considered that the proposed scheme could be designed so as not to cause an unacceptable increased risk of flooding to existing properties in the locality. No objections have been raised by the Environment Agency or the Council's Drainage Engineers and it is therefore considered that the proposal accords with guidance in Paragraphs 100 and 103 of the NPPF.

In terms of the disposal of foul and surface water Severn Trent Water raises no objection subject to a condition requiring technical details to be submitted. Thames Water is responsible for water supply in the area. In the event that planning permission is granted they have recommended that a planning condition is attached requiring water impact studies of existing supply capacity to be undertaken.

Other Matters

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 the existing education provision within the application's catchment area is forecast to be at capacity in coming years. They have therefore recommended contributions of £73,660 (6.3 x £11692) towards pre school education, £263,070 (22.5 pupils x £11692) towards primary education and £240,732 (13.5 pupils x £17,832) towards secondary education. 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 and children arising from the proposed development.

A contribution of £17,640 towards library services has also been requested.

The above contributions are 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.

9. Conclusion:

Overall, the proposed scheme will result in the development of a greenfield site located within the Cotswolds Area of Outstanding Natural Beauty. The site is also located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011 where such development would normally be restricted. In addition, the Council can also demonstrate a 7.74 year supply of deliverable housing land and is therefore able to meet its housing land supply requirements. The application has therefore to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The proposed scheme will result in a very discernible encroachment of development into the open countryside. By virtue of the size and extent of the proposed development it is considered that the proposal will fail to conserve and enhance the natural beauty of the AONB. In addition, the level of proposed development is considered to constitute major development in the context of Paragraph 116 of the NPPF. The aforementioned Paragraph advises that planning permission should be refused for major development in AONBs except in exceptional circumstances and where it can be demonstrated they are in the public interest. It is noted that the proposal will contribute to the Council's ongoing need to provide a continuing supply of housing land and will provide new affordable homes. However, in light of the Council's supply of deliverable housing land being well in excess of the requisite 5 year minimum requirement it is considered that there is no exceptional need to release an area of greenfield land of the size proposed within the AONB for residential development at the current time. Moreover, there are currently extant permissions for residential development within Chipping Campden which can address the town's housing needs in the short to medium term. The application site is therefore not the only option available to meet the town's future housing needs.

It is considered that the development could be undertaken without having a significant adverse highway, drainage or ecological impact. However, these are also considered not to be exceptional circumstances that justify the release of the land having regard to Paragraph 116.

It is considered that the impact of the proposal on the character and appearance of the AONB outweighs other benefits arising from the proposed development. The proposal would cause significant harm to existing patterns of development through a significant encroachment of development into the AONB landscape. It would therefore conflict with criterion b) of Policy 19. The landscape and environmental impact of the proposal would also result in a development that significantly compromised the principles of sustainable development thereby conflicting with criterion e) of Policy 19. The introduction of a development of the size proposed would also fail to respect the setting of the town and local distinctiveness and would therefore conflict with Local Plan Policy 42.

It is considered that the proposal would conflict with the Local Plan Policies 19 and 42 and guidance in the NPPF, in particular Paragraphs 17, 109, 115 and 116. There are no exceptional circumstances or other material considerations that outweigh the identified harms and as such it is recommended that the application is refused.

10. Reasons for Refusal:

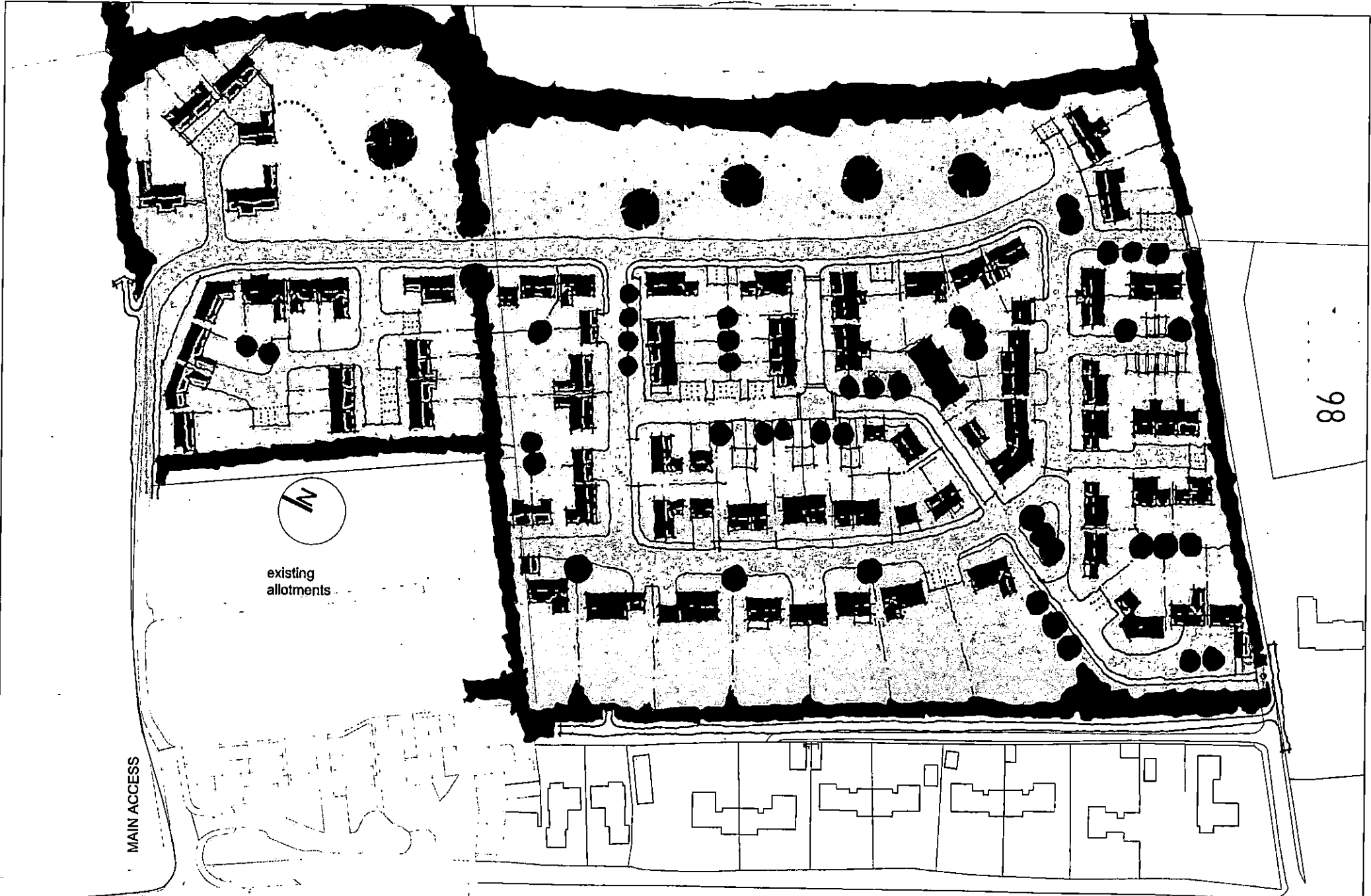
1. The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposed development, by virtue of its size, its position on greenfield land and the size of the scheme proportionate to the size of the existing settlement, is considered to constitute major development in the context of Paragraph 116 of the National Planning Policy Framework (NPPF). Paragraph 116 advises that planning permission should be refused for major developments in AONBs except in exceptional circumstances and where it can be demonstrated that they are in the public interest. At the present time the Council is able to demonstrate that it can provide the requisite 5 year supply of deliverable housing land

and as such there is no exceptional need to release the land for housing. The benefits arising from the scheme are considered to be limited and not to constitute exceptional circumstances as required by Paragraph 116. The development of the land would result in the loss of a greenfield site within the AONB to the detriment of its intrinsic character and appearance. There are no exceptional circumstances which justify the release of the land for the proposed development and as such it is considered to be contrary to Cotswold District Local Plan Policies 19 and 42 and guidance in the NPPF, in particular Paragraphs 17, 109, 115 and 116.

2. The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposed development, by virtue of its size, its position on greenfield land and the size of the scheme proportionate to the size of the existing settlement would represent a significant encroachment of development into the AONB landscape and the replacement of an area of agricultural land that makes a positive contribution to the setting of the settlement with built development. The development of the land would result in the loss of a greenfield site within the AONB to the detriment of its intrinsic character and appearance and as such it is considered to be contrary to Cotswold District Local Plan Policies 19 and 42 and guidance in the NPPF, in particular Paragraphs 17, 109 and 115.

Informatives:

This decision relates to the area outlined in red on drawing number 01.



Land at the Bratches | Chipping Campden: ILLUSTRATIVE SKETCH PROPOSALS 22.06.15

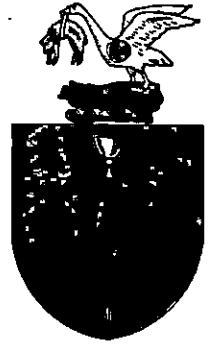
ASTON ROAD (B4035)

86

15/06/19/out.

CHIPPING CAMPDEN TOWN COUNCIL

OLD POLICE STATION · HIGH STREET · CHIPPING CAMPDEN · GLOS · GL55 6HB
TELEPHONE



Martin Perks
Planning Department
Cotswold District Council
Trinity Road
Cirencester
GL7 1PX

✓ 30/3
Indexed
UB

26th March 2015

Dear Martin,

In addition to its objections submitted on-line to CDC's Planning website, the Town Council (TC) wishes to support its objections to planning application 15/00419/out for the Land at Aston Road by reference to relevant sections of its response to CDC's draft Local Plan.

These policies were widely supported by a public vote at our exhibition and public meeting for CDC's Draft Local Plan and now form the basis of our draft neighbourhood plan.

Chipping Campden is a beautiful Cotswold market town with a unique character, history and culture. It is often credited with being one of the most architecturally important small towns in the country and quite naturally residents of the town value this most highly and wish to protect these unique qualities for the benefit of many future generations.

The TC chose not to challenge CDC's determined house build target for the town of 208 dwellings over 20 years (to 2031) during the public consultation period. There is however, a strong body of opinion, shared by the TC that this figure is excessive and should even now be contested in the context of real and justified demand. In other words the house build target number is seen as much more a "supply" than "demand" driven approach. The current number of houses already committed against the 208 target we have estimated at 93 leaving a balance of 115.

The first significant point of contention from the TC perspective is the CDC proposal (Settlement Strategy 6 item 1) to dedicate housing development solely adjacent to the Aston Road and also to reject all other sites that had previously been under discussion in the earlier SHLAA analysis and in part recommended by the TC. In addition CDC's proposal in its draft local plan for 114 dwellings on the CC 23 (Aston Road) site plus 13 on CC 40 (Barrels Pitch, Aston Road) results in a total build of 127 (significantly IN EXCESS of the 20 year balance).

An additional net 20 houses have also recently been approved for the Barrels Pitch School site (CC 48) thence generating a potential of 147 total solely on the Aston Road.

The other likely long term outcome is that this programme would be very "front end loaded", which raises serious concern of the risk of additional major build programs in later years, propagated by

policy and/or Government change and a consequential far bigger programme than currently envisioned or permitted by the Local Plan.

Quite separate from the likely and highly undesirable excess long term build concern indicated above there are at least four criteria in the National Policy Planning Framework (NPPF) which support rejection of the largest site (CC23). These factors then constitute part of an evidence based response from the TC. The relevant NPPF issues upon which we object to the draft plan approach and site CC23 in particular are as follows:

Para. 116 contains a presumption against "major" development in the AONB. When contrasted against the size of Chipping Campden (1200 houses) we cannot believe that around 100 houses (or even the 90 proposed in 15/00419/out on one site (an increase of 8 %) would not be judged as "major" and therefore is unacceptable unless there are exceptional circumstances (see below).

Para 112 clearly guards against development on ... "the best and most versatile agricultural land". Natural England (the recognised Authority on this) subdivides and grades "the best and most versatile land" ...as Grade 1 (Excellent), Grade 2 (Very good), Grade 3 (Good to moderate). The preferred lower Grades for development are Grade 4 (Poor), and Grade 5 (Very Poor). The Natural England data for the Chipping Campden locality immediately illustrates that all land around the town lies in Grades 1, 2, 3...ie "best and most versatile" .. with Grade 1 being dominant. We contest the ascertain in the applicant's soil report that the land at Aston Rd is grade 3b.

Para. 112 demonstrates that development in our area should in general be discouraged.

The Aston Field site CC 23 specifically appears on the map as Grade 1, further adding weight to rejection of the site for development and we contest the ascertain in the applicant's soil report that the land at Aston Rd is grade 3b.

Paragraph 8.100 of the draft Plan states and we wholly agree that "*Chipping Campden arguably has the highest quality townscape of all the conservation areas in Cotswold District, together with a fine landscape setting within the AONB*" Pursuant to this it is very clear that the safeguards and guidelines included in the NPPF are of enormous significance in the Cotswolds and of greatest significance in Chipping Campden. Thus paras. 109 and 115 of the NPPF put great weight on "*protecting and conserving the landscape scenic beauty and wildlife.... in the AONB*". The Aston Field (CC23) site is on very open farm land and is visible from a range of directions. A large development on this site would dramatically and irreparably damage the landscape and it should thus be rejected. Photographic evidence is provided showing the serious impact of visibility in the AONB.

Para.117 further endorses protection for wildlife...stating "planning policy should promote the preservation, restoration and re-creation of priority habitats....and protection and recovery of priority species".... Hence both para 115 and 117 are very clear on this subject. Site CC23 is recognised as a local habitat for the endangered British bird the skylark and it is believed to be a nesting ground. Surveys have been initiated to confirm this situation. Supporting the degree to which the skylark is endangered the RSPB reports "In the UK the population halved during the 1990's, and is still declining. In the preferred habitat of farmland, skylarks declined by 75% between 1972 and 1996". A major development of the farmland on the Aston Fields site would completely

· destroy the resident skylarks' natural habitat and as clearly supported by paras.115 and 117, we must surely resist committing such permanent damage to our natural heritage. Suggestions that the skylarks would return at a later date once they have deserted their habitat is we understand totally erroneous. It is no accident that Vaughan Williams in his superb musical composition The Lark Ascending celebrated the wonder of this most beautiful English bird. We must do all in our power to resist its further decline.

Having established a robust evidence based case (supported by paras 109,112,115,116 and 117 of the NPPF) for rejection of the Aston Field site the TC formulated its first policy conclusion which states

CC STATEMENT 1:

We should not be developing large sites of typically 100 dwellings anywhere in the vicinity of the town because this will totally spoil the character and unique qualities of the town and its surrounding environment.

Furthermore as a much preferred alternative strategy, we concluded that development in Chipping Campden over the next 20 years should be phased and of an "organic" nature and based on a series of more discrete sites of a smaller size (eg. 30 dwellings and less). We believe that such an alternative approach can still meet the target build over the 20 year programme but is much more appropriate to minimize serious damage to the image character and natural heritage of the town and its immediate environment.

We maintain that this policy is of such crucial importance that it should be adopted and imbedded within the Local Plan documentation with reference to Chipping Campden. This second resulting policy can be summarised as:

CC STATEMENT 2:

We believe that housing development in Chipping Campden should be of an organic nature spreading the development over the 20 year plan period and based on a number of discrete, small and medium sized sites of no more than 30 dwellings, hence limiting the damage caused to the image, character, natural habitat and traffic conditions of the town and its immediate surroundings.

We mentioned above that para.116 restricting development of major sites in the AONB would only be admitted in "exceptional circumstances". The most obvious example of exceptional circumstances would be lack of alternative option sites that are or could reasonably become available within the 20 year horizon. We believe that such potential option sites are eminently realisable as will be shown below. This point of course underpins our extreme concern that the CDC draft Plan chose to reject other sites that had been proposed in the SHLAA process.

At this stage of our examination of the Draft Plan we revisited the SHLAA proposed sites and chose to focus on six of the listed sites purely as options with no prioritisation. This was also then totally aligned with our CC STATEMENT 2 shown above and we propose appropriate housing numbers for these option sites as listed below. We would note that in paragraph 8.102 of the draft Local Plan, whilst the 2014 SHLAA is mentioned absolutely no reference is made to or explanation given of why

the significant list of other option sites is ignored. We believe that is a serious omission when we are looking forwards for over a 20 year period which subsequent examination in public is likely to consider unsound. A strategy to develop by phased organic growth to meet the target over this period and with a rigorous policy to limit the size of such sites seems totally appropriate and realisable.

The option sites we propose are:

| | |
|--|----|
| Barrels Pitch (CC40 (included already in the draft plan) | 13 |
| Packing Station (CC43) (with relocation) | 30 |
| Back End Stables (CC 38a) | 8 |
| The Leasows (CC44) | 30 |
| Cricket Ground (CC41) (with relocation) | 30 |
| Aston Fields (CC23c) | 30 |
| TOTAL 141 (versus 115 balance target) | |

It is also worth noting that we consider The Bathing Lake R432 at Broad Campden a serious contender for our option list but we were verbally informed that this has been discounted. Broad Campden is within the parish so we are at a loss to understand this and wonder in any case where this option site for a potential 10 dwellings is indeed included if at all. The site is no further from the Town Centre than CC23.

We intentionally generated a target list with a total slightly in excess of the balance to allow for a buffer. Aston Field CC23 has very reluctantly been included as a buffer. Bearing in mind the substantial points of objection to this site we have only considered it as a back-up option on the acceptance of it being of a much reduced size. We would prefer to eliminate the site as an option in particular if the damage to the resident skylark population is found to be critical even for a smaller site.

A sound and in depth analysis of all the sites shows that on NPPF and other grounds all sites are likely to be flawed in some respect or other and hence the option list is based upon pragmatic judgement should there be no flexibility whatsoever on the build target.

In evaluating the potential of the above list of sites in a somewhat more systematic manner, we used the same approach as CDC and parameters that were considered were Local opinion, Agricultural Land Grading, Visibility in AONB, Size v para 116, Distance to town centre, Infill/brownfield or extension sites, Road access/traffic, Flooding, Availability and Deliverability. A green, amber and red colour coding was also employed to denote positive, questionable/longer term or negative results. Our table compares Town Council (TC) and CDC observations. Whilst our examination was extensive (and explanatory notes are overlaid on the table), we noted that the CDC evaluation of many of the parameters was often "no comment".

We believe that the results generated and summarised in the table demonstrate the realisability over 20 years of the target from several small to medium sized sites and in line with our CC STATEMENT 2. We request therefore that the Local Plan be redrafted to reflect these conclusions and recommendations and that the planning application 15/00415/out for 90 houses be refused.

| Site - 1 | The Bratches/Aston Road - CC23B/CC23C | |
|---------------------------------|--|---|
| View from | CDC | TC |
| Local Opinion* | 14/16/2020 | 200+ at Public Meeting - 95% AGAINST |
| Agricultural Land | Grade 1 Agricultural Land - conflict with NPPF | Grade 1 Agricultural Land - conflict with NPPF |
| Visibility in AONB | No Comment | Visible from surrounding hills & roads |
| Major site versus Para 116 NPPF | No Comment | 90 units = MAJOR SITE - conflict with NPPF |
| Distance to Town centre | No Comment | 2/3 distance of CC41/CC43 |
| Infill or Not | No Comment | Open land on 2-3 sides |
| Road Access | No Comment | Single entrance for 90 units is unacceptable. |
| Deliverability | No Comment | Available |
| Issues/Gains | No Comment | Potential access to road, school and future road, or foot path access to Metro Station Road, etc. |

| | | |
|-------------------|----------------------------------|--|
| CONCLUSION | Proposed Site - 154 units | Visibility & Impact on AONB & endangered species, Grade 1 land, |
|-------------------|----------------------------------|--|

Appendix 2 (attached) Photographic evidence of the impact of the Aston Rd site on views in the AONB.

Appendix 3: Soil Survey (to be delivered to Martin Perks by Cllr Bob King on 9th April 2015).

Yours sincerely,

Joanna Ellis

Town Clerk

AR 01 – through gateway on Kingcombe Lane ref CC23

Building line will stretch from Bratches (below top of gate) and 70% of way towards hedge. Roofs will completely obscure the hedge.

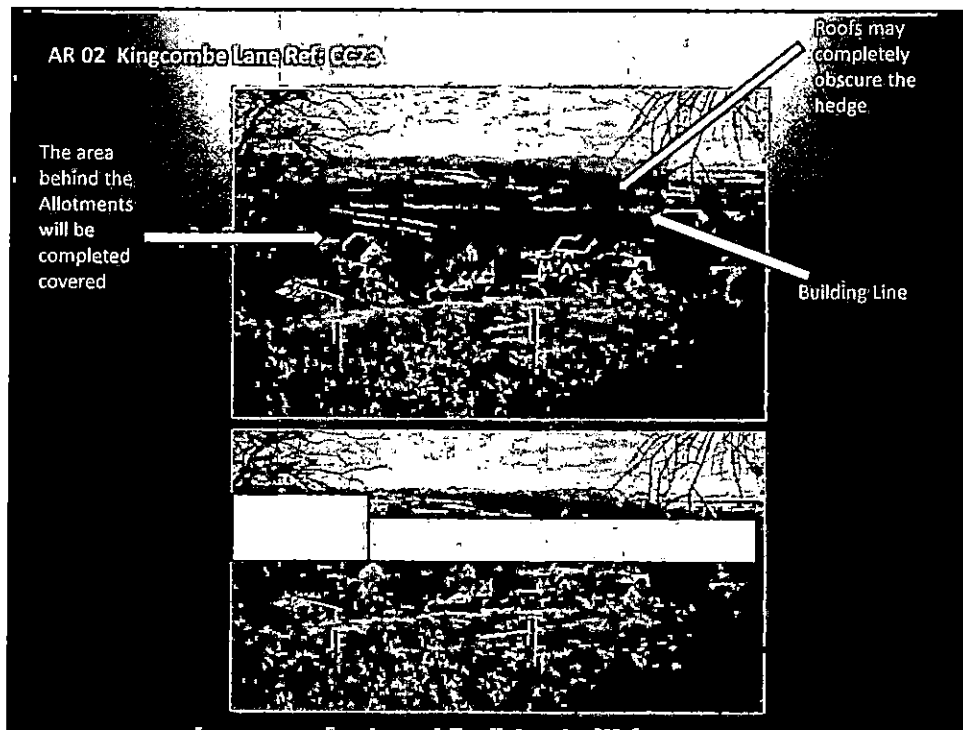


AR 02 Kingcombe Lane Ref CC23

The area behind the Allotments will be completed covered

Roofs may completely obscure the hedge

Building Line



AR 03. Aston Road/Kingcombe Lane
Junction Ref CC23

Building will be visible
from this point



AR 09. Westington/Conduit Hill

Most of the open view
behind the tops of the
Poplar trees will be lost

This is the most
beautiful and poplar
view into Chipping
Campden and on
towards Stratford
upon Avon.





Campaign to Protect
Rural England
Gloucestershire

NORTH COTSWOLD DISTRICT

Chairman
Peter Loveday
Great Farmcote Cottage
Winchcombe
Glos. GL54 5AU

Cotswold District Council
Trinity Road
Cirencester
Glos GL7 1PX

For the attention of Martin Perks

20 April 2015

Dear Sirs,

Application Reference 15/00708/OUT: Land at the Leasows, Dyer's Lane, Chipping Campden

Application Reference 15/00419/OUT: Land at Aston Lane, Chipping Campden

First of all, may we apologise for the late submission of these representations. However, since both applications are likely to be determined at the July Committee, we hope this letter can be fully taken into account. Since the proposed developments are of broadly similar scale and in the same town, we thought it appropriate to deal with both in the same letter, and hope the Council will find this helpful.

These representations take into account the development plan, the NPPF and PPG, and the documents submitted with the applications, particularly the planning and design statements and landscape and visual assessments. In addition, we have considered the recent appeal decisions at Stow on the Wold (issued March 2015) and Fairford (issued September 2014).

The Sites and their Surroundings

Representatives of CPRE visited the sites on 14 April 2015.

The Leasows

CPRE noted the topography of the site and the condition of the boundaries, in particular that the north western facing boundary is undefined on the ground. Trial trenching was in progress at the time. The public right of way running along the south eastern facing boundary (Footpath 13) was well defined on the ground and clearly well used. However, the public right of way crossing the site (Footpath 1), although signposted at its eastern end, was not visible on the ground.

Aston Lane

CPRE again noted the topography of the site and the condition of the boundaries. There is a hedgerow running east west across the site of the proposed development which divides into two; both to the north and south of this hedgerow the eastern boundary is undefined. Unlike the Leasows, the Aston Lane site is not crossed or bounded by any public right of way.

The Development Plan and National Planning Guidance

The development plan now consists solely of the saved policies of the adopted Cotswold Local Plan 2001-2011. We have had regard to paragraph 215 of the NPPF, which states that “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework...”

Paragraph 115 begins by stating that “great weight should be given to conserving landscape and scenic beauty...in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty” [CPRE emphasis].

Thus any existing policies which seek to protect the AONB are entirely consistent with the NPPF and should be given considerable weight in the determination of both applications.

Paragraph 116 begins: “planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated that they are in the public interest”. “Major” is not defined, but we consider that both applications should be considered “major” on the grounds of their scale in relation to the size of Chipping Campden. The approach in paragraph 116 is the very opposite of the presumption in favour of sustainable development on which the NPPF is founded, and is another indication of the commitment to protecting AONBs and other designated areas. It is significant that the applicant’s Planning Design and Access Statement for the Dyers Lane application acknowledges at paragraph 5.12 the existence of footnote 9, attached to paragraph 14 of the NPPF.

The other two elements of paragraph 116 which need to be addressed are “exceptional circumstances” and “public interest”. Notwithstanding the slow progress of the emerging Local Plan and the general need to make appropriate housing provision in the District, CPRE considers that it has not yet reached the point where exceptional circumstances could reasonably be argued for the release of either site, and that as a result, the public interest would not be compromised. Exceptional circumstances might for example include the absence of a five year supply of land for housing. This matter is covered later on.

The specific provisions of the three bullet points in paragraph 116 are addressed below.

Turning to Local Plan policy, the planning statements for both applications state that Policy 19 is time expired. The term “time expired” can apply only to policies which include dates, for example those for the amounts of housing and employment land in a Plan period. This is not the case with Policy 19; and there is any event a difference between “time expired” and “out of date”. The latter criterion is the relevant one here. For reasons set out below, paragraph 49 of the NPPF is not engaged, and a policy which seeks to restrict development outside settlement boundaries, especially when such a large proportion of the District’s settlements lie in the Cotswold AONB, must continue to be given considerable weight. The Government has strongly emphasised the importance of the development plan at the very beginning of the NPPF, at paragraph 2 and again at paragraph 11. In our view, the other material considerations would cover the need for new housing and the degree of landscape impact of the two proposals separately.

Neither proposed development is likely to be contrary to part (d) of Policy 19. Both developments are likely to lead to an increase in commuting by car, and are thus in principle contrary to part (c). However, although accessibility and levels of car use are important components of sustainability, CPRE considers it unlikely that one of these developments would “significantly compromise” the principles of sustainable development, but to grant planning permission for both would in our opinion conflict with part (e). Both developments would be in principle contrary to part (a), but this must be weighed against the need to provide new housing to meet both demand and need, especially when the mechanisms for the provision of affordable housing depend in most cases on a measure of market housing.

However, it is in consideration of part (b) that there are clear differences between the two applications, in CPRE's opinion. Development at the Leasows would in our view indeed "cause significant harm to existing patterns of development", whereas the effects of the Aston Lane development would be much less significant in this respect.

Sustainability

CPRE does not dispute the Council's view that Chipping Campden is among the more sustainable of the District's small towns. Although its retail offer is relatively limited, the town has a quite strong employment base, and in particular has a secondary school. In principle it is therefore an appropriate location for future development.

In relation to the three dimensions of sustainable development, main economic benefits will be the provision of employment in the construction stage. Important as this might be, it is only temporary. The social benefits of both developments would be the provision of new housing and affordable housing in particular, an undoubted advantage of both schemes. However, our assessment of the two sites diverges when the environmental dimension is considered in relation to the irrevocable effect of new building in the AONB. What we consider to be the different impacts of the two sites are dealt with below.

The Supply of Land for Housing

CPRE understands that the Council has now adopted an objectively assessed need (OAN) figure for the provision of housing in the period covered by the emerging Local Plan of 2011 to 2031. Its status is made clear in the Housing Evidence Paper of December 2014 at paragraph 8.16. This is derived from the report of McDonald and Whitehead (October 2014) and amounts to 7,600 dwellings, or 380 a year.

This enables a years supply figure to be calculated. On the basis of projected completions set out on Table 2 of the Housing Evidence Paper, current supply appears to be 2,926 dwellings, and on this basis the years supply figure exceeds five. It is noteworthy that the appellants in the Fairford and Stow on the Wold cases did not dispute the availability of the 2,680 dwellings which at the time of those inquiries made up the supply.

This means that paragraph 49 of the NPPF is not engaged, and there is therefore no reinforcement to the provisions of paragraph 14.

Planning Policy

The Leasows

CPRE is puzzled by the Planning, Design and Access Statement (PDAS) which does not appear to follow the guidelines for approach and content. It resembles a planning supporting statement, which unlike a DAS is not obligatory. CPRE prefers to see documents accompanying a planning application which address the degree of compliance or otherwise with planning policy, whether in a DAS or separately; but in any case we disagree with the applicant's interpretation of policy.

Paragraph 1.4 of the DAS asserts "limited impact on the AONB" and paragraph 4.2 refers to "neutral impact". These are not the same; and in our opinion neither is correct. The LVIA states that none of the viewpoints lies any further than 2km from the site, but a site does not have to be widely seen for there to be adverse landscape impact. We consider that any planting along the currently undefined western boundary is likely to do little to mitigate the visual impact of the development in views from higher ground to the west, especially from

Dover's Hill and its surroundings. These considerations are very important, given this area's historic associations and the fact that it is close to the beginning (or the end) of one of Britain's best used National Trails, the Cotswold Way.

CPRE understands that the site was discounted from the 2014 SHLAA. This is not in itself an obstacle to development; nor is a site's inclusion in a SHLAA necessarily a benefit. However, inclusion in a SHLAA implies a stronger degree of suitability, a criterion which in our opinion must be met before the other requirements summarised in footnotes 11 and 12 of the NPPF, attached to paragraph 47, are considered.

Paragraph 6.14 of the PDAS states that the site is more sustainable than land at Aston Lane, because it is located closer to the town centre. In our view the differences are not significant, and do not outweigh what we regard as the disadvantages. Also, development at Aston Lane would allow safer travel by sustainable means to the secondary school.

Paragraph 6.33 states that the proposed development does not conflict with NPPF paragraph 109. Our reading is that the second and fifth bullet points are not applicable, and that the effect of the proposed development is likely to be neutral in respect of the fourth bullet point. It is not clear what drainage problems there are which the development would help to mitigate, if it did so at all.

In relation to the first and third bullet points, while the gardens of the proposed dwellings might provide more beneficial habitat than an open field with an arable crop (as at present), this is in our opinion of minor significance compared to the adverse impact on the landscape. Thus in our view the proposed development on balance conflicts, rather than complies, with paragraph 109.

CPRE also considers that the District Council should be wholly satisfied that the access arrangements onto Dyer's Lane are safe and appropriate, independent of any other considerations.

Aston Lane

CPRE considers that notwithstanding the site's relatively elevated location in relation to the rest of the town, the very fact that it is located on a plateau, sloping gently from east to west, means that its landscape impacts are likely to be small, especially if mitigated by the proposed planting. The proposed development would in our opinion have little if any adverse impact on the amenity of users of the Heart of England/Monarch's Way which passes to the east of the site. The existing development on both sides of Aston Lane would intervene in any views of the proposed development from the higher ground to the west.

The Planning Statement refers to a net density of 18 dwellings per hectare (dph). Although national guidance no longer refers to a minimum density, there is still a requirement for the efficient use of land. A density of 18 dph is substantially lower than the previously recommended minimum of 30 dph. Given the helpful shape of the site, and its topography, which is virtually flat, CPRE cannot identify any special circumstances which would warrant a density as low as 18 dph in this case.

To permit the development as proposed could have wider consequences, namely the release of more greenfield land than is necessary to meet the nominal housing requirement for Chipping Campden of 208 dwellings; furthermore in locations where the adverse effects on the Cotswold AONB could be more serious than in this case. We would ask the Council to give particular attention to this matter when reaching its decision.

Landscape Impact and the Planning Balance

CPRE accepts that some greenfield land will have to be released in Chipping Campden if the level of new housing for the town now proposed in the emerging Local Plan is to be successfully accommodated. The contribution that brownfield sites can make is apparently negligible. Any greenfield releases will inevitably be in the AONB, as it not merely surrounds the town but washes over it. We accept that, in relation to the first bullet point of NPPF paragraph 116, some housing should be provided at Chipping Campden as part of the Local Plan strategy to set out an appropriate and commensurate distribution of housing among the District's many small towns. This is reinforced by the sheer size of the District: it would not be sustainable, for example, to provide for Chipping Campden's needs in Tetbury or Fairford.

We also accept that, in relation to the second bullet point of NPPF paragraph 116, since the Cotswold AONB is so extensive, it would be inappropriate to meet the town's needs for housing outside the designated area. There is some land outside the AONB in this the northernmost part of the District, but would not provide sustainable locations for the scale of this development proposed.

This turns attention to the third bullet point of that paragraph, and in particular its reference to "any detrimental effect on the environment". The sites should be assessed on the basis of the degree of specific harm to the AONB which their development might bring about.

Conclusion

CPRE concludes that the potential adverse effects of the Leasows development on the Cotswolds AONB would be sufficiently serious to warrant refusal on this ground alone, and respectfully requests the Council to refuse the application for this reason.

CPRE is disappointed with the slow progress of the emerging Local Plan, which when eventually adopted will provide a (long overdue) degree of certainty about the amount and distribution of development in the District. In the meantime, the Council will need to consider applications in the context of the extent to which they might help to meet the objectives of the emerging Plan.

In the light of this, we raise no objection in principle to the proposed development at Aston Lane, subject to the comments set out above in respect of the efficient use of land.

Yours faithfully,

Peter Loveday

112

Highways Development Management

Shire Hall
Gloucester
GL1 2TH

Martin Perks
Cotswold District Council
Trinity Road
Cirencester
Gloucestershire
GL7 1PX

Please ask for: Alison Curtis

Our Ref: C/2015/033527

Your Ref: 15/00419/OUT

Date: 24 June 2015

Dear Martin,

TOWN AND COUNTRY PLANNING ACT 1990 HIGHWAY RECOMMENDATION

LOCATION: Land Off Aston Road Chipping Campden Gloucestershire
PROPOSED: Outline application for the erection of 90 dwellings with access

The proposal seeks outline permission for 90 residential dwellings and associated facilities, the point of access is to be determined at this stage with other matters reserved to a later stage. An illustrative layout has been included within the application as drawing numbered 02, this has been considered as illustrative only.

Site Location

The site is located to the west of Chipping Campden, accessed from Aston Road via the residential cul-de-sac of The Bratches at the edge of the town. The site is currently an agricultural field that benefits from an access to The Bratches, as such all trips generated by the proposal will be considered as new to the network. The site is bounded by the existing residential edge of the town.

The Bratches is a residential cul-de-sac subject to a 30mph speed limit and benefits from pedestrians footways and street lighting. The Bratches forms a priority junction with the B4035 Aston Road within the 30mph speed limit. 40m to the north of the junction the speed limit changes to 40mph. Aston Road provides a link towards Evesham and the A429 towards Shipston-on-Stour, Aston Road also provides links to the A44 to Moreton-in-Marsh and Evesham and to the surrounding villages including recreational facilities at Bourton on the Hill and Longborough.

Aston Road benefits from a footway and street lighting linking the site with the centre of the town, albeit that pedestrians would need to cross Aston Road close to the junction with The Bratches. The footway varies in width between 0.8 – 1.3m due to the historical context of the town.

There are no dedicated off-road cycling facilities within Chipping Campden, but the network of country roads allows cyclists to travel the local area.

Chipping Campden benefits from local shopping facilities within the High Street including a Co-op, post office, banks and pharmacy. Primary and secondary education facilities, indoor and outdoor leisure facilities and health facilities including a doctors Surgery and dentist are also available. The facilities are within a reasonable walking distance of the site, the majority of Chipping Campden is within a 2km walking distance of the site.

The site is within 200m of the bus stops giving access to Moreton in Marsh, Evesham, Broadway, Willersey, Mickleton and Stratford upon Avon. The timetables are such that public transport would be an option for travel to work for normal office hours, therefore the opportunities for sustainable transport have been taken up in accordance with the NPPF.

Railway stations are available at Honeybourne and Moreton in Marsh, Honeybourne is closer but has limited parking.

Chipping Campden is within approximately 30 miles of Gloucester, Cheltenham, Worcester and Banbury, the site is well located to the local and regional road network.

A traffic survey on Aston Road recorded two – way flows of 570 vehicles in the AM peak hour (08:00 – 09:00) and 554 vehicles in the PM peak hour (16:15 – 17:15).

No queueing was recorded within the traffic survey undertaken, therefore the Transport Assessment assumes that the queueing reported at the public consultation is a result of unpredictable events/factors such as an obstruction ahead rather than lack of spare capacity.

A review of recorded personal injury collisions for the last available 5 years in the vicinity of the site has been undertaken, 1 collision occurred at the junction of Aston Road with Kingscomb Lane, the cause of the collision was driver error.

The site is considered to be sustainably located within the rural environs that the town is located.

Access Proposals

Following my previous response to the application the access to the site has been revised. The site access is illustrated in drawing numbered MBSK150424-01 Rev A and shows a widened access, generally 5.5m in width but with a narrowing to 5.1m where the current extent of The Bratches adjoins the track to the allotments. A 2m wide footway is proposed on the southern edge and a 0.5m service strip on the northern edge. the service strip maybe removed at technical approval stage. The access road includes access to the existing allotments which is demonstrated with a right turn lane on the above mentioned drawing. An assessment on drawing numbered MBSK150424-03 (the third figure in the TA Addendum) demonstrates that the access to the allotments is suitable.

CDC as Waste Collection Authority have confirmed that in this case a smaller refuse vehicle than that stated in their Waste and Recycling Guidance for Development will be used to collect waste. This smaller vehicle has been used in the Swept Path Analysis on drawing numbered MBSK150424-02 Rev A (the second figure of the TA Addendum) and shows that the refuse vehicle and an estate car can pass safely.

Emerging vehicular visibility splays from The Bratches onto Aston Road of 2.4m by 120m to the north and 90m to the south have now been demonstrated on drawing numbered MBSK150424-04 (the fourth figure in the TA Addendum).

Priority road markings will be added to The Bratches which will alter the existing priority flow of traffic to and from the development site. Dropped kerbs and tactile paving to enable pedestrians to cross this section of road are proposed, as shown on drawing numbered MBSK150424-01 Rev A.

A secondary pedestrian access is proposed to Aston Road via Wolds End Farm Track. The farm track is approximately 3.5m wide with a 1m verge which is appropriate for a vehicle to pass a pedestrian. It should be noted that this is a secondary access for non-vulnerable pedestrians, a route suitable for all pedestrians is proposed via The Bratches into the site. Notwithstanding a condition is recommended to upgrade the existing track and could include surfacing, lighting and a pedestrian crossing facility across Aston Road.

Non-Motorised User Access

The main pedestrian routes into the site are proposed via The Bratches, this links to the existing facilities on Aston Road that provide a route to the centre of Chipping Campden. Pedestrian crossing facilities on Aston Road from The Bratches to the west side of Aston Road, have been demonstrated on drawing numbered MBSK150424-05.

An NMU Context Report has been provided in accordance with HD42/05. The Design Engineer has identified the scheme objectives for non motorised users (pedestrians and cyclists). As this application is outline the NMU Audit will be required at detailed application stage. The NMU Context Report has set the objectives for non-motorised users and these objectives have been accepted.

NMU Audit

Once the Context Report has been agreed, a NMU Audit will be required at detailed design stage and will need to be updated post construction. The Audit should:-

- describe the issues for NMUs considered during the design stage and the actions taken to resolve those issues;
- note any material changes to the information in the NMU Context Report since its publication;
- confirm scheme objectives for NMUs set out in the NMU Context Report and design objectives specific to the stage being audited;
- include a statement of how design objectives have been satisfied. Reasons for failure to achieve objectives must be explained. There must also be a list of issues identified and actions taken to resolve them

Road Safety Audit

A stage 1 Road Safety Audit has been undertaken by an independent Auditor in accordance with the current guidance on Safety Audits. The Designer's Response has adequately addressed the problems raised and is accepted.

Development Impact – Trip Generation

The population selection criteria used for TRICS are representative of Chipping Campden and therefore have been accepted. The proposal is predicted to generate 85 total person trips in the AM peak hour and 85 total person trips in the PM peak hour, of these 48 are expected to be vehicular in the AM peak hour and 51 are expected to be vehicular in the PM peak hour. The remaining trips are divided between walking, cycling and public transport.

Using the existing trip distribution from The Bratches the junction with Aston Road has been assessed for the future capacity operation. The capacity analysis using the PICADY software indicates that the junction currently operates at approximately 1% capacity and the proposal will result in an increase in use to 8% of the operational capacity. The impact of the development on The Bratches junction and this section of Aston Road cannot be considered as severe and is therefore compliant with paragraph 32 of the NPPF.

An assessment of the residual cumulative impact of development in Chipping Campden has now been provided in the Transport Assessment Addendum. There are currently 130 permitted or waiting to be permitted residential properties in Chipping Campden, for the purposes of this assessment the dwellings are assumed to be committed and therefore capable of having an impact of the highway network. The Temprow growth factor has been used with the addition of the 130 dwellings, this will cause an amount of double counting which, although not ideal, presents a worst case scenario. The additional traffic would distribute across the local highway network, but to present a robust case it has been assumed that all these trips would traverse Aston Road past the junction with The Bratches. A capacity analysis of the junction of Aston Road with The Bratches has been undertaken with the existing traffic flows, the TEMPRO growth factor, the committed development and the development traffic from this development, the analysis predicts that this junction will operate with 92% spare capacity in the peak hours. This is not considered severe and therefore is deemed compliant with paragraph 32 of the NPPF.

Objections have been raised to this and the application at Dyers Lane (15/00708/OUT) due to the increased traffic on Park Road. The Transport Consultants have reviewed the routes through and from Chipping Campden and deemed that there are quicker and more direct routes out of Chipping Campden than Park Lane therefore this development is unlikely to have a material impact on Park Lane.

Travel Plan

A Travel Plan has been submitted as part of the application and seeks to promote modes of transport other than the private car. Travel Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of people. They should be seen as long-term management strategies for integrating proposals for sustainable travel into the planning process. They are based on evidence of the anticipated transport impacts of development, and set measures to promote and encourage sustainable travel (such as promoting walking and cycling). National guidance on Travel Plans can be found in the Planning Practice Guidance, and local GCC guidance at <http://www.gloucestershire.gov.uk/extra/tpguidance>. The Travel Plan (Final 02 May 2015) refers to measures to promote sustainable travel and reduce car borne trips including the carshare database.

Internal Access Road

The internal access road is not to be determined at this stage, these comments are for future reference.

Internal junction/private access visibility

Details of junction visibility throughout the layout are required and should be annotated on the submitted plan, commensurate with the design speed as detailed in Gloucestershire Manual for Streets. Emerging and forward visibility should also be checked from each dwelling access onto the highway.

Forward Visibility

Details of forward visibility around bends throughout the layout are required and should be annotated on the submitted plan, commensurate with the design speed as detailed in Gloucestershire Manual for Streets. Forward visibility around bends should be included within highway land.

Parking

Details of parking space widths, internal garage dimensions and parking aisle widths will be required. Car parking is required to be well located to the plot it serves to enable electric car charging. Information in section 5 of the Transport Assessment for this outline application demonstrates that the average car ownership is 1.6 vehicles per household, therefore at least 2 parking spaces are to be provided per dwelling. In addition, 0.2 visitor spaces are required per dwelling.

Street geometry

Details of all carriageway, footways/cycleways and shared surface widths annotated on plan, together with annotations to denote any changes in width. Are the widths appropriate to accommodate the expected vehicle movements and pedestrian/cycle flows wider footpaths will be appropriate outside local centres/schools etc. Ensure that footpaths/cycleways are of appropriate width, overlooked and lit if appropriate to ensure a secure and safe design.

Details of junction radii have to be annotated on plan.

Turning heads should be provided at the end of all streets (including private drives) that exceed 20m in length capable of accommodating the expected vehicles to access.

Vehicle Tracking

Details of vehicle tracking for an appropriately sized refuse vehicle* passing an estate car along all streets including, junctions with the existing highway and within turning heads with 500mm clearance to all vertical boundaries including kerbs and between vehicles.

*The applicant should confirm what size refuse vehicle is expected to service the development in consultation with the relevant district council.

To avoid large bend radii's, it is acceptable that a car and a refuse do not have to pass each other on a bend, providing that adequate forward visibility is provided to allow drivers to be able see another vehicle prior to committing to the manoeuvre. Two estate cars should however be able to pass on bends and junctions, whilst a refuse vehicle and box van should be able to pass on a straight. This is dependent on the function of the highway and whilst acceptable for estate roads consideration should be given to spine roads serving large developments.

Service Vehicles

Service vehicles should not be required to reverse for more than 12m unless a straight alignment is proposed. Residents can carry waste up to 30m to a storage point and waste vehicles should be able to get within 25m of the storage point MfS 6.8.9. Although not ideal this can technically result in a cul-de-sac length of 55m without provision to accommodate turning for service vehicles for restricted sites. Bin collection points should be provided where large groups of bins will cause an obstruction to the highway ie at the end of shared drives or flats.

Shared Surface Streets

Shared surface streets encourage low vehicle speeds, create a pedestrian friendly environment, promote social interaction and make it easier for people to move around. Disabled people's needs should be considered and a traffic free route for these users should be provided so that this group is not disadvantaged. Shared surface streets work well where they form short lengths, cul-de-sacs and the volume of traffic <100 vehicles a hour.

Shared surface streets require greater planning for services, lighting, gateway features, on street parking as the layouts are often quite restrictive. Consideration should also be given to access from dwellings and the possibility of windows and porches over-sailing the highway and visibility along street edge at access points.

Recommendation

I refer to the above planning application received on 2nd March 2015 with Plan(s) Nos: MBSK150424 - 01 Rev A, MBSK150424- 02, MBSK150424 - 04. I recommend that no highway objection be raised subject to a Section 106 agreement securing either a deposit of £38,550 or a contribution of £46,260 for the Travel Pan and the following condition(s) being attached to any permission granted:

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 120m to the north and 90m to the south (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 the National Planning Policy Framework and Policy 38 of Cotswold District council Local Plan.

The pedestrian crossing facilities shall then be constructed broadly in accordance with the drawing numbered MBSK150424-01 Rev A before any of the dwellings hereby permitted are first occupied.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework and Policy 38 of Cotswold District council Local Plan.

Details of the improvements to the track to Wolds End Farm shall be submitted to and approved in writing by the Local Planning Authority, implemented in accordance with the approved details prior to first occupation and thereafter maintained.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework and Policy 38 of Cotswold District council Local Plan.

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point [appropriate x distance] back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road [appropriate y distance] distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason:- To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 the National Planning Policy Framework and Policy 38 of Cotswold District council Local Plan. .

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 50m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder 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 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 and loading/unloading 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 the National Planning Policy Framework and Policy 38 of Cotswold District council Local Plan.

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.

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.

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.

Details of the layout and access, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling 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 35 of the National Planning Policy Framework and Policy 38 of Cotswold District council Local Plan.

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework and Policy 38 of Cotswold District council Local Plan.

No dwelling on the development shall be occupied hereby permitted until details of bus stop posts, flags and hard standing to be located close to Grevels Lane have been submitted to and approved in writing by the Local Planning Authority and the approved works have been completed and are open to the public.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

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 proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

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

Yours sincerely,

Alison Curtis
Development Co-ordinator