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**Item No 12:-**

**15/01047/FUL (CT.2339/1/P)**

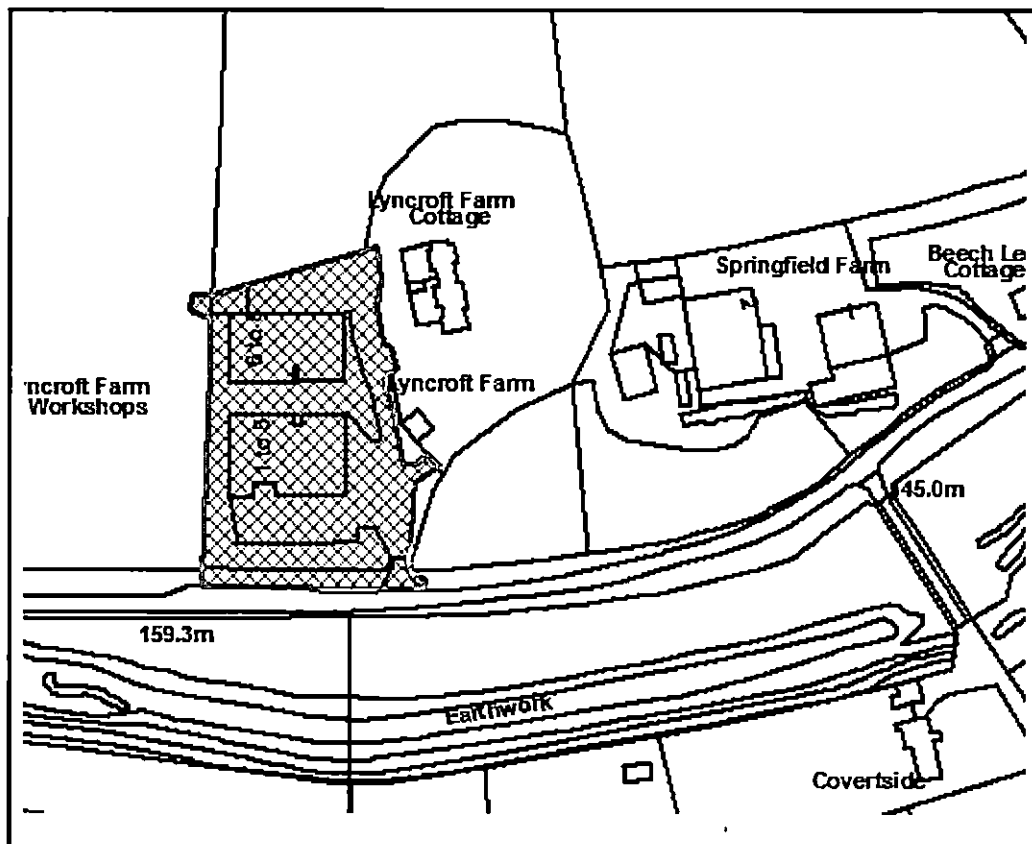
**Lyncroft Farm Workshops  
Perrotts Brook  
Bagendon  
Gloucestershire**

## Item No 12:-

**The demolition of existing workshops and erection of 2 detached dwellings and associated works at Lyncroft Farm Workshops  
Perrotts Brook Bagendon Gloucestershire**

<b>Full Application 15/01047/FUL (CT.2339/1/P)</b>	
Applicant:	Formal Holdings Ltd
Agent:	Pegasus Group
Case Officer:	Mike Napper
Ward Member(s):	Councillor Jenny Forde
Committee Date:	19th August 2015

### Site Plan



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**RECOMMENDATION: DELEGATED PERMISSION SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT TO LINK THE IMPLEMENTATION OF THE PERMISSION TO THE ASSOCIATED BAGENDON DOWNS FARM DEVELOPMENT**

**Main Issues:**

- (a) Principle of Residential Development
- (b) Impact on Neighbours
- (c) Highways Impact

**Reasons for Referral:**

The application is presented to Committee as it is relevant to the consideration of the preceding Bagendon Downs Farm application (ref. 15/01048/FUL), which the Ward Member has asked to be determined by the Committee.

**1. Site Description:**

The Lyncroft Business Park (site area approx. 0.43 ha) adjoins the western edge of the village and comprises a former farmyard converted and further developed as a light industrial estate providing approx. 1086 sq m of floorspace. The limitation of the use to B1 is imposed by a condition on one of the buildings under the earlier permission, although the other building did not have such a conditional limitation, other than being permitted for 'light industrial' use. It is occupied by two large buildings and associated hard standing currently in active use. The site adjoins residential development (Lyncroft Farm) to the east and is set down from road level to a degree that the buildings are relatively discreet from public viewpoints along the road. The buildings themselves are of functional appearance and constructed of timber cladding walling and profiled metal roofing. Access is from Welsh Way.

**2. Relevant Planning History:**

CT.2339/R Conversion of poultry house to form 6 craft workshops: Permitted 20.09.89.

CT.2239/X Conversion of redundant poultry unit to light industrial use: Permitted 29.10.91.

15/01048/FUL Redevelopment and conversion of former pig farm buildings to provide 4 light industrial workshops (Use Class B1(c) and Ancillary B8) with associated car parking and access: Pending consideration (please see previous Schedule item).

**3. Planning Policies:**

LPR05 Pollution and Safety  
 NPPF National Planning Policy Framework  
 LPR09 Biodiversity, Geology and Geomorphology  
 LPR19 Develop outside Development Boundaries  
 LPR21 Affordable Housing  
 LPR24 Employment Uses  
 LPR38 Accessibility to & within New Develop  
 LPR39 Parking Provision  
 LPR42 Cotswold Design Code  
 LPR45 Landscaping in New Development  
 LPR46 Privacy & Gardens in Residential Deve

**4. Observations of Consultees:**

Drainage Engineer: No objection, subject to condition.

Environmental Protection Officer: No objection, subject to conditions.

Highways Officer: No objection, subject to conditions.

County Archaeologist: No objection, subject to condition.

Tree Officer: Views incorporated within Officer's Assessment.

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

Bagendon Parish Council: Support.

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

1 Third Party letter of making General Comments: Approve of the proposals as the existing use of the site is incompatible with a residential area due to noise and heavy goods vehicle traffic, but i) feel that Plot 2 should be moved further to the west to avoid overlooking; ii) sufficient provision should be retained to allow vehicles to leave Lyncroft Farm and enter the public highway in forward gear; iii) proper provision should be made for surface water management to avoid flooding of Lyncroft Fm, which has occurred previously; iv) foul drainage on the adjacent land should be de-commissioned; v) all existing trees should be retained.

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

Planning Statement  
Transport & Infrastructure Statement  
Archaeological Assessment

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

##### **The Proposals**

The proposals comprise the demolition of the two existing employment buildings and replacement with two detached five-bed dwellings and two bay garages. Access would be unchanged. The proposed dwellings would be of two storeys (max height approx 9.00 metres) and designed in a vernacular style using natural stone walling and artificial stone slate roofing.

##### **(a) Principle of Residential Development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the adopted 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 Local Plan Policy 19: Development Outside Development Boundaries. Criterion (a) of Local Plan Policy 19 has a general presumption against the erection of new build open market housing (other than those 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 contravene Local Plan Policy 19 criterion (a). 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 the guidance and policies contained 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'.

In October 2014 an OAN Report was finalised. The figures contained therein have since been utilised to provide an up to date assessment of the District's five year housing land supply. The most recent five year housing land supply figures, 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. Therefore, the up to date position is that the Council 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 Local Plan 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 the 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 adopted Local Plan have essentially been exhausted. In order to meet its requirement to provide an on-going supply of housing land there will therefore 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 fully into account during the decision making process.

The 'in principle' objection to new open market housing outside existing Development Boundaries set out in Local Plan 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 Local Plan 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 too broadly accord with the objectives of the NPPF. They are therefore considered to carry more weight when assessed against the guidance in Paragraph 215 than criterion (a).

Notwithstanding the current land supply figures and the wording of Local Plan 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.

In terms of the sustainability of the location in this case, Perrotts Brook is a small settlement that is not well-served by services and facilities, although it is close to the main Cheltenham-Cirencester (A417) road and the public transport connections that use it. Due to its size and relative inaccessibility to services, it is not considered suitable for a material increase in growth. Nevertheless, having regard to the policies within the NPPF it is proper that consideration is given to small-scale residential development on the merits of each individual case.

In this instance, in addition to the benefit of assisting the Council's supply of housing, the application site is previously developed land and immediately adjoins the existing residential edge of the village. The site as a planning unit is well defined in relation to the village edge in this context. The close proximity of the site to the nearest residential property (Lyncroft Farm) is not ideal, notwithstanding the light industrial use of the employment units. Although the visual impact of the existing buildings, due to the site levels, is not so obtrusive as to be significantly harmful to the AONB, they clearly do not make a positive contribution to the natural or scenic beauty of the area.

The applicant contends that the existing buildings are increasingly unfit for modern employment purposes and in need of continual maintenance. Policy 24 (Employment Uses) of the Local Plan does not explicitly seek to protect existing employment sites outside of the District's principal settlements. Nevertheless, it is noted that the proposals at Lyncroft Business Park are linked to the Bagendon Downs Farm scheme and given the potential loss of an active rural employment

site, it may be considered reasonable to seek to ensure that the residential redevelopment of the site is not implemented until such time as the new employment units are completed for occupation.

The provision of two new-build units at this site is therefore not felt to be materially significant to the sustainability of the village and when considered in the context of the characteristics of this particular site. The principle of new-build residential development to provide two two-storey dwellings in this location is therefore capable of support, having regard to the relevant NPPF policies, particularly in providing some benefit to the need to provide a continuous housing land supply and, notwithstanding the relatively unobtrusive nature of the existing buildings, there is an opportunity to improve the visual impact of the site within the AONB as a 'rounding off' of the village.

### **(b) Impact on Neighbours**

Notwithstanding the potential benefits of the change of use of the site to residential, the nearest neighbours have raised some concerns regarding the some issues. Officers have had regard to those issues and are content that, following some negotiated amendments, there would be no material loss of privacy as a result of the development proposed, as the nearest window from Plot 2 facing Lyncroft Farm would be approx. 30 metres away. There would be no windows from Plot 1 directly facing Lyncroft Farm.

In terms of parking and manoeuvring, the Highways Officer is content that the application site as proposed can operate without causing harm to the occupants of the neighbouring property, having regard to Local Plan policies 38 and 39.

In respect of surface water drainage, the Drainage Engineer raises no objection subject to a condition to ensure that the detailed proposals are appropriate. Given the existing longstanding use and character of the application site, it may be expected that there would in fact be an improvement to drainage impact, having regard to the relevant provisions of the NPPF and Local Plan Policy 5.

### **(c) Highways Impact**

The Highways Officer has considered this application on its merits and in association with the Bagendon Downs application and clearly the impact on the local highways of this development would be likely to generate less traffic than the existing use of the site. The issue of the cumulative impact with the proposed redevelopment of Bagendon Downs Farm will have been assessed under the previous Schedule item. The characteristics of the existing access in terms of highway safety are considered to be equally satisfactory for the proposed development having regard to Local Plan Policy 38.

## **9. Conclusion:**

In terms of other matters, officers have had regard to Local Plan Policy 21, but are content that the provision of two dwellings would not generate a need to provide an Affordable Housing contribution.

There are several trees that make an important contribution to the village edge and to the site. Consequently, officers have recommended a condition to ensure their protection during construction, having regard to Local Plan Policy 10.

In conclusion and for the reasons explained within this report, officers feel able to recommend support the application subject to the conditions listed and to the completion of a S106 legal agreement to address the loss of the occupancy of the Bagendon Downs Farm development in the event that the Committee has found it acceptable.

**10. Proposed Conditions:**

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

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

Prior to the occupancy of any part of the development hereby permitted, the existing employment use(s) shall permanently cease.

**(Reason:** To ensure that the use of the site as a whole is compatible with residential occupancy, in accordance with Cotswold District Local Plan Policy 5 and the provisions of the NPPF.

The development hereby permitted shall be completed strictly in accordance with the finished levels shown by drawing F.0188\_04-1.

**Reason:** To ensure that the visual impact is appropriate to the location which is within an AONB, in accordance with Cotswold District Local Plan Policy 19 and the provisions of the NPPF.

No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the submission of the findings which has been submitted by the applicant and approved in writing by the Local Planning Authority.

**Reason:** To ensure that items of archaeological interest are properly recorded, in accordance with the provisions of the NPPF. Such items would potentially be lost if development was commenced prior to the implementation of a programme of archaeological work. It is therefore important that such a programme is agreed prior to the commencement of development.

Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.

**Reason:** To ensure the proper provision for surface water drainage and/or to ensure flooding is not exacerbated in the locality, in accordance with Cotswold District Local Plan Policy 5, the provisions of the NPPF and Planning Policy Statement 25 Technical Guidance).

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;



- iii) Details of proposed finished ground levels within the defined root protection areas of all retained trees;
- iv) Details of tree protection fencing and excluded activities;
- v) Details of ground protection measures where access and working space is needed outside the tree protection fencing but within the root protection area of any tree;
- vi) Details of any underground services within the root protection areas of the retained trees and how they will be installed;
- vii) Details of how the tree protection measures will be monitored by the site manager.

**Reason:** To safeguard the retained tree in accordance with Cotswold District Local Plan Policies 10 and 45, and the provisions of the NPPF.

The development shall not start before a comprehensive landscape scheme has been approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

**Reason:** To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 45.

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

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

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

**Reason:** To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy 45.

No development shall take place until details of the provision to be made for artificial bird nesting sites/boxes and artificial bat roosting sites/boxes have been submitted to and approved by the Local Planning Authority. The development shall be completed and thereafter maintained fully in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that bird and bat species are protected and their habitat enhanced. (Nesting birds are protected under the Wildlife and Countryside Act 1981 as amended. All species of bats are protected under the Wildlife and Countryside Act 1981 as amended and the Conservation of Habitats and Species Regulations 2010).

The development shall not start until samples of the proposed walling and roofing materials have been approved in writing by the Local Planning Authority and only the approved materials shall be used.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

The development shall not start until a sample panel of walling of at least one metre square in size showing the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar has been erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policy 42, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

All windows hereby approved shall be constructed in accordance with the District Council's 'Traditional Casement Windows Design Guide'.

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

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

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

The windows shall be in a colour to be first submitted to and approved in writing by the Local Planning Authority and shall thereafter be permanently retained in the approved colour unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

Prior to the development being brought into use, surface water attenuation/storage works for the extension/dwelling hereby permitted shall be provided by the installation of a functioning water butt (minimum capacity 200 litres) in the position agreed on the approved plans/in a position to be agreed. The water butt shall thereafter be permanently maintained in working order in the agreed position unless an alternative siting is approved in writing by the Local Planning Authority.

**Reason:** To enhance water conservation and as a precautionary measure to reduce the possible increased risks of flooding associated with water runoff.

## 6. PLANNING ASSESSMENT

6.1 In view of the application proposals and the relevant national and local planning policy framework the planning issues to be considered in this case are:

- Principle of Development.
- Housing Land Supply.
- Design and Impact upon the Cotswolds Area of Outstanding Natural Beauty (AONB).
- Impact on Residential Amenity.
- Contaminated Land.
- Heritage Impact.

### Principle of Development

6.2 The starting point for the determination of any planning application is the Development Plan. The planning system is plan led and requires that applications for planning permission must be determined in accordance with the Development Plan, unless other material considerations indicate otherwise.

6.3 In this case, the application site is currently in employment use with existing workshop units. As explained previously, these units are however no longer fit for purpose and as such it is proposed to relocate the existing local business tenants from the application site to the proposed purpose built workshop units at Bagendon Downs Farm, the redevelopment of the former pig farm is subject of a separate application submitted alongside this application. Whilst the two applications are submitted separately they are intrinsically linked and it is proposed that the occupation of the proposed dwellings are tied to the completion of the proposed workshop units at Bagendon Downs Farm. The applications should be considered simultaneously in circumstances where:

- i. the redevelopment of the application site with viable dwelling houses is essential to fund the scheme for new and replacement workshops at Bagendon Downs Farm, and
- ii. The development of the application site will not result in the loss of employment if linked to replacement units at Bagendon Down Farm; and
- iii. An important aspect of the sustainability of the proposals is the provision of improved workshop accommodation to facilitate the growth of existing small rural businesses.

- 6.4 The Bagendon Downs Farm application will mitigate the loss of employment floorspace at this site by relocating and accommodating the existing tenants at the Lyncroft Farm Workshops to the new development, keeping them in the local area, whilst at the same time providing for a net increase in the overall level of employment floorspace to meet the needs of starter and expanding local businesses.
- 6.5 Policy 24 is only concerned with protecting employment uses within or adjacent to Cirencester and the principle settlements. However, the enabling of enhanced workshops floorspace and secured growth of the existing rural businesses at Lyncroft Farm by funding from the redevelopment for housing, is a significant material consideration and contributes to the sustainability of the proposals.
- 6.6 Such an approach will also ensure that the development proposals comply with the requirements of 'saved' Policy 19 of the adopted Local Plan in that the new-build open market housing will help meet the social and economic needs of the rural area (criterion 'A'), fit in with the existing pattern of development in the area by utilising an area of previously developed land (criterion 'B'), lead to a reduction in daily traffic flows on Welsh Way<sup>2</sup> (criterion 'C'), not adversely affect the vitality and viability of settlements (criterion 'D'), and not compromise the principles of sustainable development (criterion 'E').
- 6.7 Thus, the proposals accord with the development plan and represents sustainable development in terms of securing economic growth whilst improving the local environment. In accordance with paragraph 14 of the NPPF this means approving the development proposals without delay.
- 6.8 In addition, the NPPF makes it clear that the planning system must look to increase housing delivery by seeking to boost significantly the supply of housing. The NPPF sets out that there are three dimensions to sustainable development, namely: economic; social and environmental. Each of the dimensions are addressed throughout this Section of the Planning Statement. However in short, the key dimension in this instance will be the economic role the application proposals will fulfil by allowing new purpose built modern accommodation for existing local businesses at Bagendon Downs Farm, thereby securing their long term future within the local area as well as facilitating their expansion. In terms

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<sup>2</sup> See the accompanying 'Technical Note on the proposed vehicular access' prepared by BWB Consulting Limited.

of the environmental role, the application proposals will provide the opportunity to improve the visual impact of the site through a high quality designed development that reflects the character of the site and its location within the AONB.

6.9 Whilst little weight can be attached to the emerging Cotswold Local Plan it provides an indication of the likely Policy direction to be adopted in Cotswold District, reflecting national planning policy. Draft Policy SP7 (Rural Housing) would provide support for new-build open market housing where it is shown that there are clear social, economic or environmental benefits resulting from the development and there would be no adverse impact on, inter alia, the character and appearance of the landscape, the setting of designated or non-designated heritage assets, highway safety, and the amenity of nearby residents. The social, economic and environmental benefits of the development have already been described above when discussing how the proposals will accord with the three dimensions of sustainable development as set out in the NPPF. Furthermore, the redevelopment of the site for the residential use will facilitate the aim of draft Policy SP2 (Economic Development) by supporting start-up businesses and small and medium sized enterprises (SMEs) at the development proposed at Bagendon Downs Farm, including for and wherever possible encouraging the growth and/or expansion of existing businesses together, as well as providing support for the economy in accordance with central government objectives set out in the NPPF.

6.10 Therefore to summarise on the principle of the development:-

- i. The Bagendon Downs Farm application will mitigate the loss of employment floorspace at this site by relocating and accommodating the existing tenants at the Lyncroft Farm Workshops to the new development keeping them in the local area whilst at the same time providing for a net increase in the overall level of employment floorspace.
- ii. Whilst the two applications are submitted separately they are intrinsically linked and it is proposed that the occupation of the proposed dwellings are tied to the completion of the proposed workshop units at Bagendon Downs Farm.
- iii. Such an approach will ensure that the development proposals comply with the requirements of 'saved' Policy 19 of the adopted Local Plan in that the new-build open market housing will help meet the social and economic needs of the rural area, fit in with the existing pattern of development in the area by utilising an area of previously developed land, lead to a reduction in daily traffic flows on Welsh Way, not adversely affect the vitality and viability of settlements, and not compromise the principles of sustainable development.

- iv. Thus the proposals are considered to be in accordance with the development plan in which case the presumption in favour of sustainable development means that the proposals should be approved without delay (Para 14 NPPF).

### **Housing Land Supply**

- 6.11 The NPPF sets out the planning framework for England and at paragraph 47 it seeks to "*boost significantly the supply of housing*". The Requirement for LPAs to maintain an adequate supply of deliverable land for housing (i.e. five years) continues to be a central theme of planning guidance within the NPPF and paragraph 47 requires authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against housing requirements with an additional buffer of 5% or 20% in cases where the Council has persistently undelivered housing in the past.
- 6.12 The Secretary of State decision in respect of Highfield Farm, Tetbury, of February 2013, found sound at the High Court in a judgement of November 2013, confirmed that the District Council's reliance on the Structure Plan housing requirement as the basis for calculating housing land supply was inappropriate. It also set out that in the Cotswold District there has been persistent under delivery of housing and in accordance with paragraph 47 of the NPPF this justifies an additional buffer of 20%. As such, the Secretary of State concluded that the housing land supply identified during the course of that appeal amounted to a "very serious" shortfall against the lowest estimate of the five year requirement.
- 6.13 More recently (22 September 2014) in the appeal decision at Cirencester Road, Fairford (Council Ref 13/03097/OUT) the Inspector concluded that the Council was unable to demonstrate a 5 year housing land supply. The inspector was critical of the lack of any objective assessment of housing need.
- 6.14 Following this, Cotswold District Council has published their position of the 5 year housing land supply with the most up-to-date position set out in the January 2015 document as part of the evidence base for the emerging Local Plan. This document outlines the Council's position on their housing requirement and supply for the Cotswold District for the next five years. The January 2015 document sets out that for the period 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2019, taking account of the 20% NPPF buffer, the District has a 6.5 year supply.

- 6.15 This position has, however, not been tested at Examination or appeal and in such circumstances the Tetbury and Fairford decisions are still relevant where at best there is uncertainty that the Council has a sufficient supply of housing land for the next five years to meet their requirement.
- 6.16 The proposed development will make a small but valuable contribution towards the District's housing land supply.
- 6.17 The absence of a demonstrable 5 year housing land supply would be a further material consideration in favour of the development. However, the development proposal, as linked to the creation of replacement employment floorspace, is considered to be in accordance with the development plan. The case for granting planning permission is not therefore reliant upon demonstrating a 5 year housing land supply shortfall.

**Design and Impact upon the Cotswolds Area of Outstanding Natural Beauty**

- 6.18 The existing former chicken sheds and associated works buildings cover the majority of the application site. Whilst such buildings may form part of the agricultural character of rural areas, the buildings are a particularly dominant feature in close proximity to a group of houses on the edge of Perrott's Brook.
- 6.19 There can be little doubt that the removal of the buildings and replacement with low density housing on particularly spacious plots would enhance the impact of the site on the local landscape and amenity for neighbouring properties. The spacious plots will provide ample opportunity for additional planting to supplement the already mature landscaping around the site's boundaries. Given the sensitivity of the location the proposed dwellings have been designed to reflect the Cotswold vernacular.
- 6.20 The Site Layout shows the arrangement of the proposed housing. The two new plots utilise the existing levels and place each dwelling on one of the existing plateaus. Plot 1 is sited to provide some frontage to the Welsh Way and to also take advantage of views from the rear of the house over the garden and to the wider landscape, it also provides a frontage to the entrance of the site. Plot 2 is sited to the northern plateau and defines the public, parking and entrance space to the front of the dwelling whilst creating a defensible rear garden and minimising any overlooking of the two dwellings. The entrance to the site and the

two dwellings is along the existing site access and retains the access to the existing dwelling to the east.

- 6.21 The dwellings are arranged off the shared access point with individual private driveways and parking areas. The associated garages have been detached from the main dwelling to minimise the massing of the buildings. The access has been designed to enable sufficient manoeuvring and circulation space and allows all vehicles to exit the site in a forward gear. All proposed dwellings are limited to 2 storeys and follow shallow plan footprints with steep roof pitches as seen within the local vernacular. The residential buildings include subtle changes in eaves and ridge heights and forms. This creates interest in the building, breaks up the massing but also follows the simplicity of the Cotswold form.
- 6.22 The proposed dwellings are intended via scale, architectural design and material choice to complement, yet not impose the existing buildings in the vicinity of the site. In response to the developments location within a rural setting it is intended to establish a high quality architectural response for the proposed development at this application stage. The dwellings and the garages will include the use of high quality construction materials and will be built from reconstructed Cotswold Stone, reconstructed Cotswold slates, timber windows and black rainwater goods.

#### **Impact on Residential Amenity**

- 6.23 There is only one residential property directly affected by the development, which shares the same access currently servicing the workshops. The owner of this property has welcomed the proposals and the subsequent removal of commercial traffic from using the access. Any potential disturbance from the existing workshops will also be removed to provide a significantly enhanced residential environment.
- 6.24 Plot 2 has been orientated to avoid directly overlooking the adjoining property, with intervening trees screening the site in any case.
- 6.25 In terms of overall traffic impact in the locality the statement in support of the application for the Bagendon Downs Farm site proposals, refers to a Trip Generation Comparison Report that has considered the traffic generation of the approved Equestrian Centre and Lyncroft workshops with the impact of the combined proposal. This has demonstrated, to the satisfaction of the Highways



Officer, that the redevelopment of both sites would result in a reduction in daily traffic flows along Welsh Way, which in turn would have a beneficial impact on the operation, safety and environment of the local highway network.

### **Contaminated Land**

- 6.26 Initial pre-application advice from the Council suggested that given the former use of the application site it may be necessary to undertake a land contamination survey. Pre-application advice was therefore sought from the Council's Environmental Protection Officer who confirmed that whilst the Council would require a Phase 1 Desk Study a condition could be attached to any grant of planning permission requiring the submission of such a study prior to the commencement of development. A copy of the email from the Council's Environmental Protection Officer is attached at Appendix 6.

### **APPENDIX 6: EMAIL FROM ENVIRONMENTAL PROTECTION OFFICER**

### **Heritage Impact**

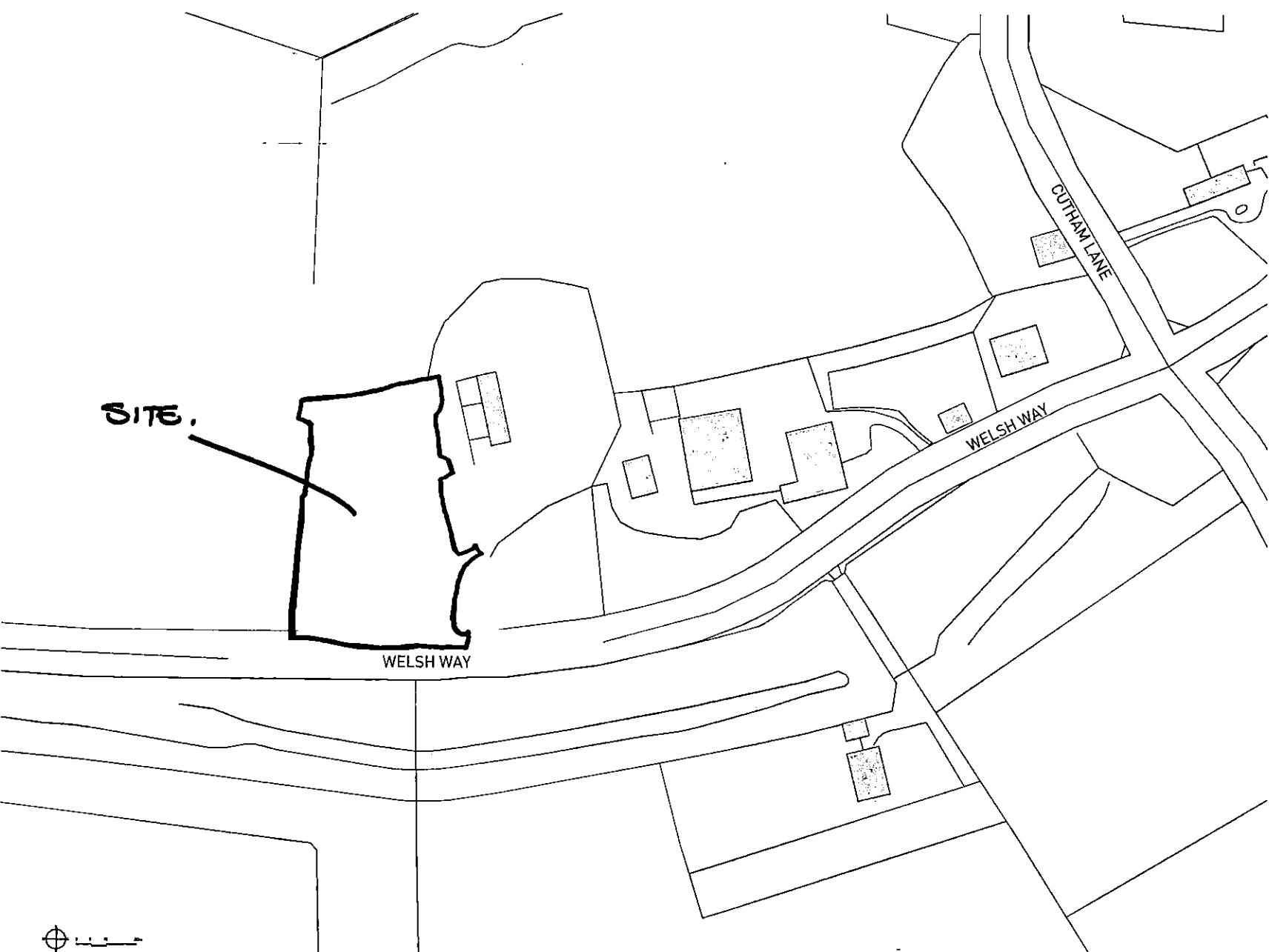
- 6.27 In terms of heritage impacts, the planning application is accompanied by a Heritage Desk-Based Assessment, prepared by Cotswold Archaeology, which looks at the designated and non-designated heritage assets within the area and the impact of the proposed development upon their significant.
- 6.28 In terms of interests in the area, the proposed development is located within the area of the Bagendon Oppidum, a late Iron Age Territorial Oppidum defined by a number of discontinuous dykes. These include the Perrott's Brook Dyke Scheduled Monument, which comprises two dykes respectively located c. 15m south (Dyke F) and c. 370m north-east (Dyke A) of the proposed development site, as well as two non-designated dykes which are respectively situated c. 17 and 90m north of the proposed development site.
- 6.29 The Desk-Based Assessment however concludes that whilst the proposed development will potentially be visible within views north from a small part of Dyke F, it will not limit any appreciation or understanding of the monument, or its relationship with other dykes to the north.
- 6.30 The accompanying report also describes how a linear earthwork is visible crossing the proposed development site on aerial photographs of 1931. No extant remains of this earthwork have been identified, and it is thought to have been removed throughout the 20th-century by quarrying, ploughing, and the construction of

buildings, including buildings terraced into the slope within the proposed development site.

6.31 Therefore no heritage impacts have been indentified arising from the proposed development that will preclude the granting of planning permission.

KEY  
SITE LOCATION

SITE.

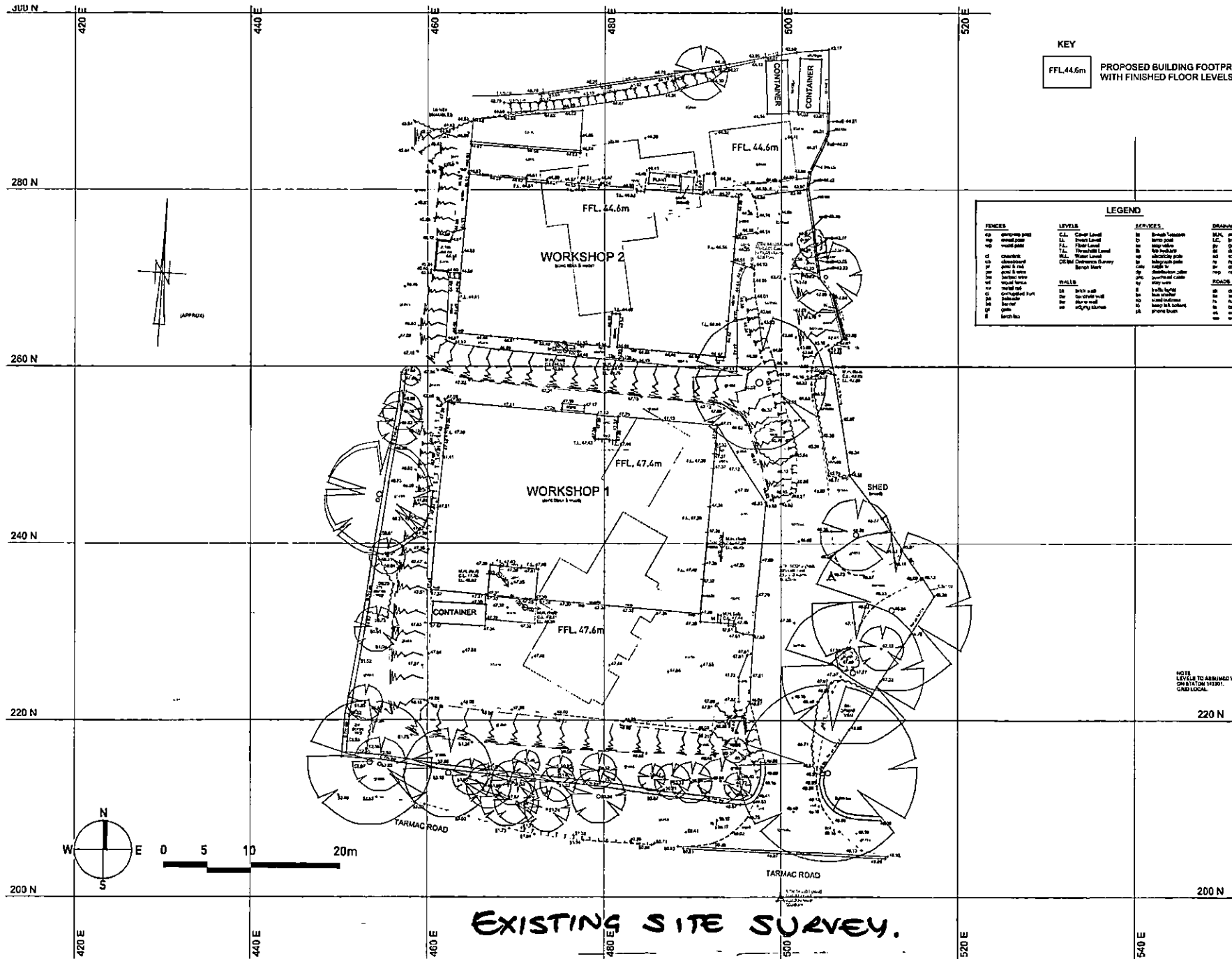


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LYNCROFT FARM,  
PERROTTS BROOK.

LYNCROFT FARM, PERROTTS BROOK - SITE LOCATION PLAN

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Urban Design



KEY  
 FFL 44.6m PROPOSED BUILDING FOOTPRINTS WITH FINISHED FLOOR LEVELS

LEGEND			
<b>FENCES</b>	<b>LEVELS</b>	<b>SERVICES</b>	<b>DRAINAGE</b>
<ul style="list-style-type: none"> <li>cp concrete post</li> <li>sp steel post</li> <li>wp wood post</li> <li>cl chainlink</li> <li>cb chainlink post</li> <li>cp concrete post</li> <li>sp steel post</li> <li>wp wood post</li> <li>cl chainlink</li> <li>cb chainlink post</li> </ul>	<ul style="list-style-type: none"> <li>CL Chain Level</li> <li>FL Floor Level</li> <li>HL High Level</li> <li>WL Water Level</li> <li>ORM Ordnance Survey</li> <li>BM Bench Mark</li> </ul>	<ul style="list-style-type: none"> <li>BS Bench Station</li> <li>LD Lamp Post</li> <li>WP Water Pipe</li> <li>SP Spigot</li> <li>AL Aluminium Pipe</li> <li>CP Concrete Pipe</li> <li>SP Steel Pipe</li> <li>WP Wood Pipe</li> <li>ORM Ordnance Survey</li> <li>BM Bench Mark</li> </ul>	<ul style="list-style-type: none"> <li>SLC Stormwater Channel</li> <li>SLC Stormwater Channel</li> <li>SLC Stormwater Channel</li> <li>SLC Stormwater Channel</li> <li>SLC Stormwater Channel</li> <li>SLC Stormwater Channel</li> <li>SLC Stormwater Channel</li> <li>SLC Stormwater Channel</li> <li>SLC Stormwater Channel</li> <li>SLC Stormwater Channel</li> </ul>
<b>ROADS</b>	<b>WALLS</b>	<b>WALLS</b>	<b>WALLS</b>
<ul style="list-style-type: none"> <li>DR Drive</li> <li>LA Lane</li> <li>LA Lane</li> <li>LA Lane</li> <li>LA Lane</li> <li>LA Lane</li> <li>LA Lane</li> <li>LA Lane</li> <li>LA Lane</li> <li>LA Lane</li> </ul>	<ul style="list-style-type: none"> <li>BR Brick Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> </ul>	<ul style="list-style-type: none"> <li>BR Brick Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> </ul>	<ul style="list-style-type: none"> <li>BR Brick Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> <li>ST Stone Wall</li> <li>CM Concrete Wall</li> </ul>

NOTE  
 LEVELS TO ADJACENT VALUE OR  
 ON DATUM 1930.  
 GRID LOCAL.

EXISTING SITE SURVEY.

LYNCROFT FARM, PERROTTS BROOK - TOPO SURVEY AND PROPOSED FINISHED FLOOR LEVELS

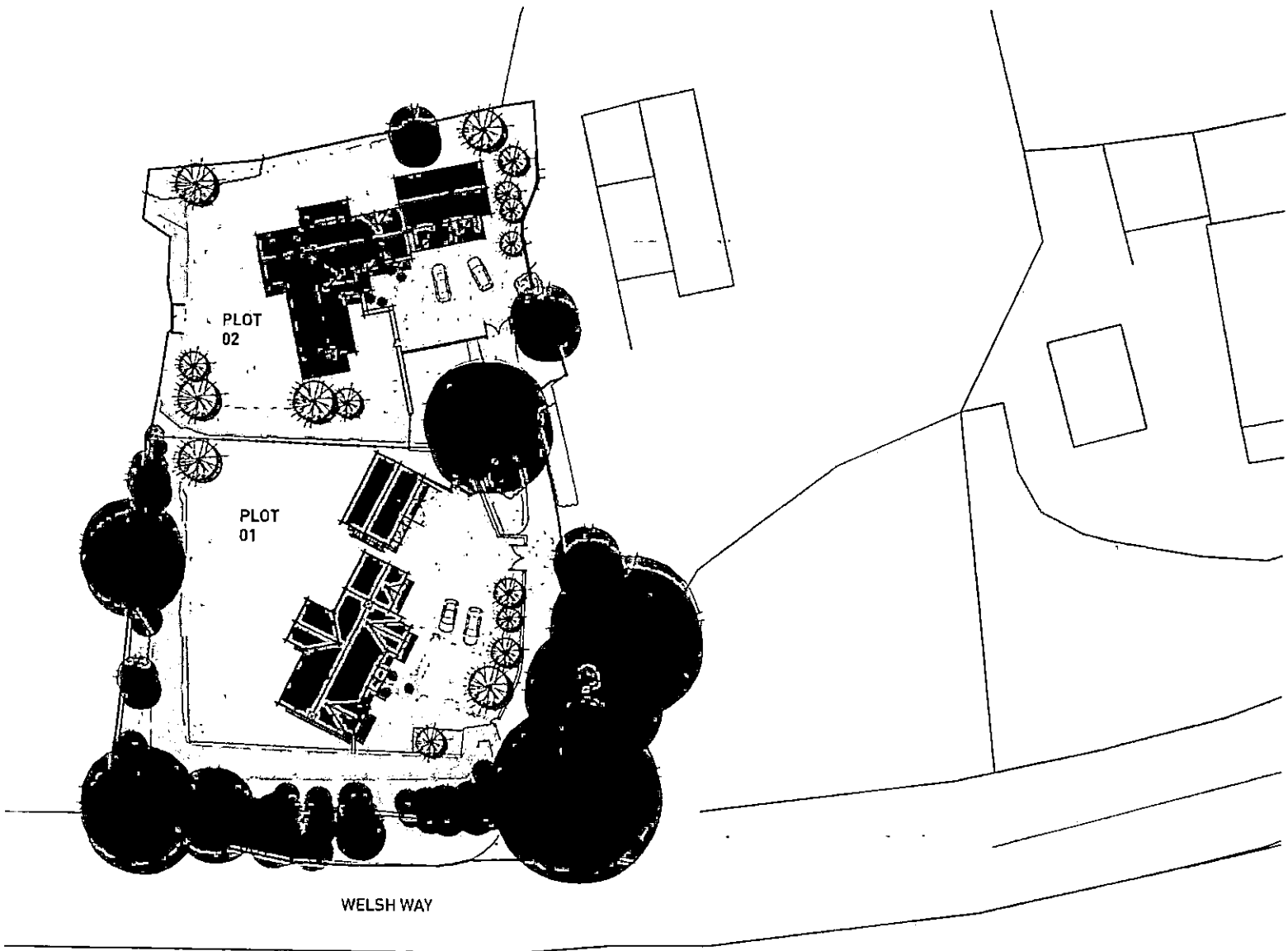
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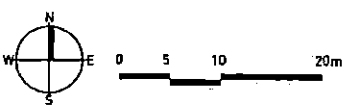
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KEY  
 [ ] SITE LOCATION

312

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 LYNCROFT FARM,  
 PERROTTS BROOK.

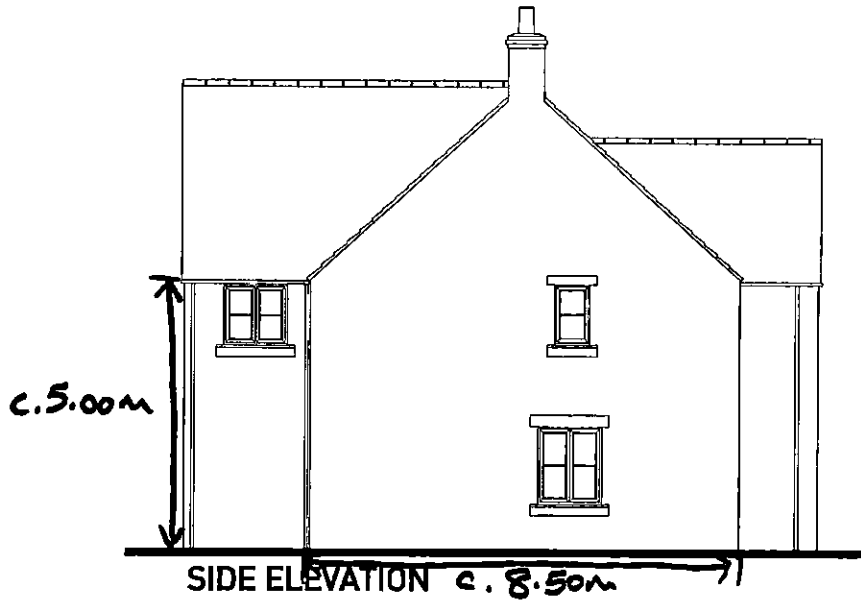


LYNCROFT FARM, PERROTTS BROOK - SITE LAYOUT

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FRONT ELEVATION



SIDE ELEVATION c. 8.50m

LYNCROFT FARM, PERROTTS BROOK - PLOT 1 ELEVATIONS



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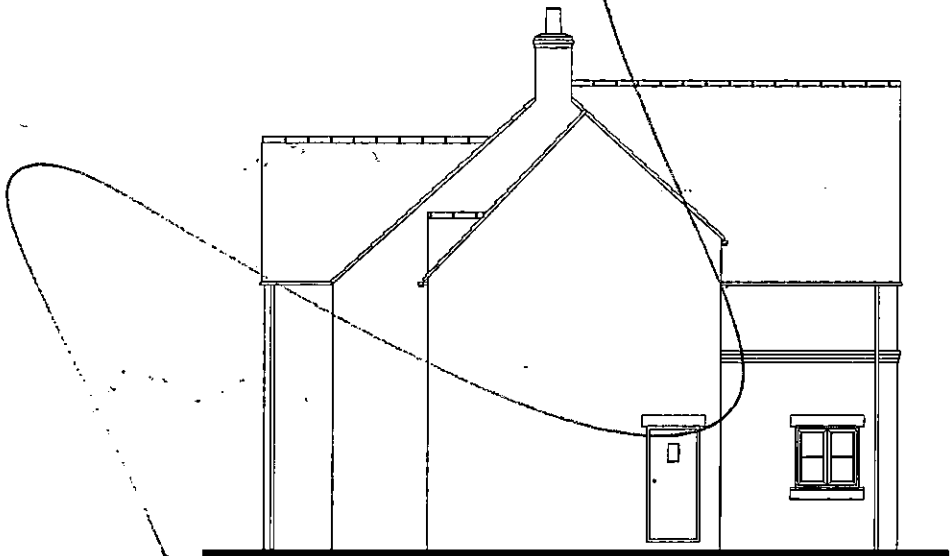
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LYNCROFT FM,  
PERROTTS BROOK.

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**REAR ELEVATION**



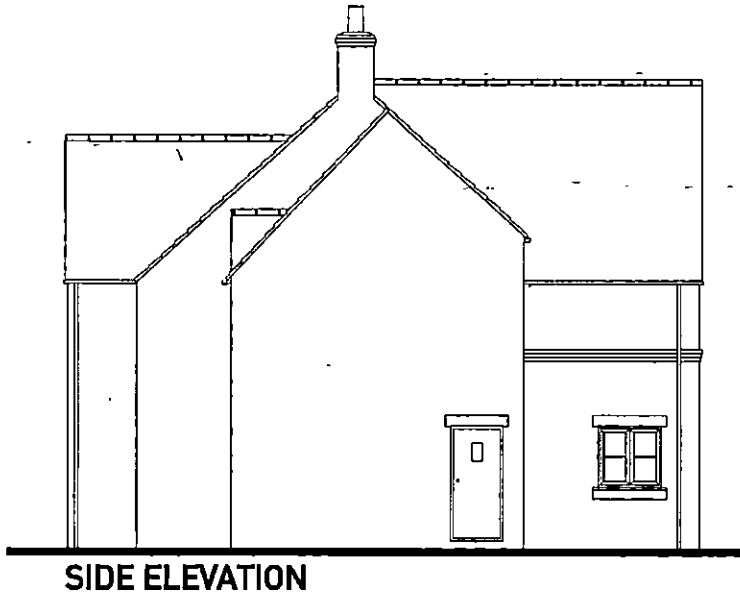
**SIDE ELEVATION**

314

**LYNCROFT FARM, PERROTTS BROOK - PLOT 1 ELEVATIONS**



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LYNCROFT FARM, PERROTTS BROOK - PLOT 1 ELEVATIONS

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| T 01285 641717 | F 01285 642348 | www.pegasuspg.co.uk | Team: MCC/EJT/RJ | Date: 4TH FEBRUARY 2015 | Scale: 1-100 @A3 | drwg: F.0188\_02E-2 | Client: FORMAL HOLDINGS LTD |

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REAR ELEVATION



SIDE ELEVATION

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LYNCROFT FARM, PERROTTS BROOK - PLOT 2 ELEVATIONS

