

155

Item No 08:-

14/05629/OUT (CD.9408/A)

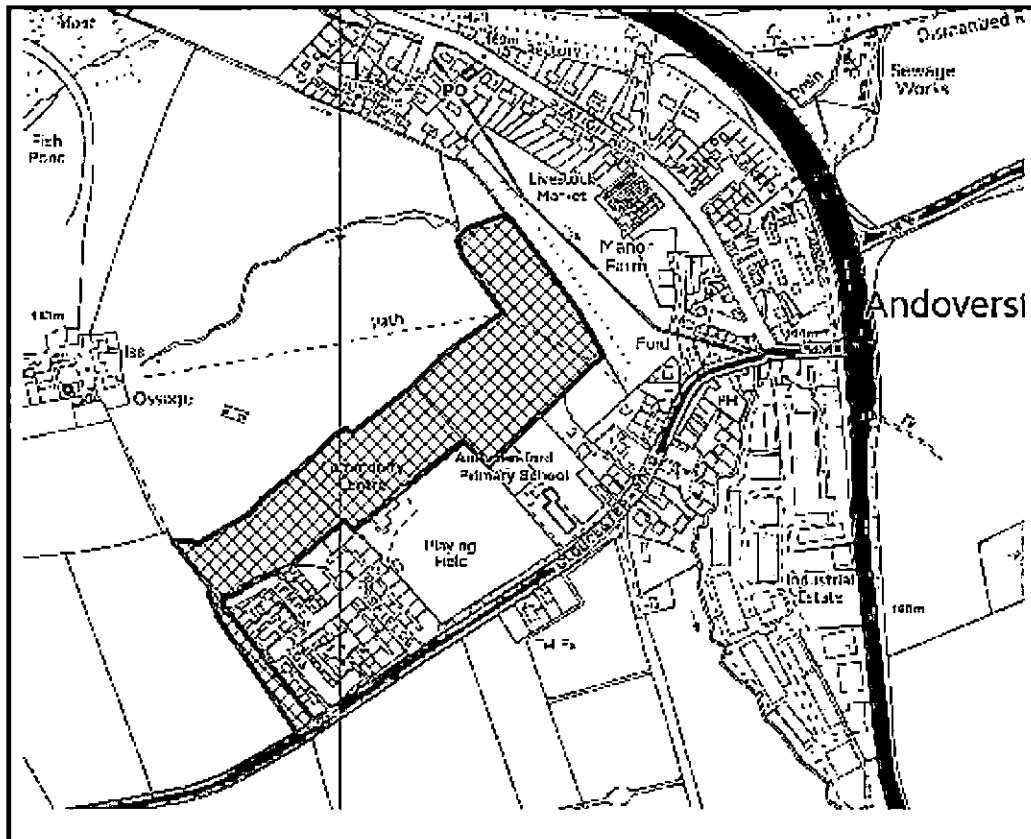
**Land To The Rear Of Templefields And Crossfields
Andoversford
Gloucestershire**

Item No 08:-

Outline planning application for a residential development of 57 dwellings with all matters reserved except access at Land To The Rear Of Templefields And Crossfields Andoversford Gloucestershire

Outline Application 14/05629/OUT (CD.9408/A)	
Applicant:	The Maintenance Trust Of The Whittington Court Estate
Agent:	DNS Planning And Design
Case Officer:	Katherine Brommage
Ward Member(s):	Councillor Robin Hughes
Committee Date:	19th August 2015

Site Plan



© Crown copyright and database rights 2011 Ordnance Survey, SLA No. 0100018800

RECOMMENDATION: REFUSE

Main Issues:

- (a) Residential Development Outside a Development Boundary
- (b) Sustainability of Location
- (c) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty and Setting of Andoversford
- (d) Major Development within the Cotswolds AONB
- (e) Affordable Housing
- (f) Access, Highway Safety and Traffic Generation
- (g) Loss of Agricultural Land
- (h) Impact on Biodiversity
- (i) Flooding and Drainage
- (j) Impact on Heritage Assets
- (k) Arboricultural Issues
- (l) Other Matters

Reasons for Referral:

This application has been referred to Committee by Officers due to the size and nature of the proposal and its location within the Cotswolds Area of Outstanding Natural Beauty and adjacent to the village of Andoversford.

1. Site Description:

This application relates to a greenfield site measuring approximately 4.9 hectares in size. The application site adjoins the north western edge of the existing settlement and comprises three distinctive and well-hedged pastoral fields. The existing residential area of Templefield/Crossfields, the Village Hall and playing fields, adjoin the site to the south. The site's west, east and northern boundaries adjoin existing agricultural land. The (dismantled) railway embankment lies adjacent, to the east, and physically separates the application site from residential development along Station Road. The application site is bounded by existing mature hedgerow along all boundaries apart from the section of the southern boundary that adjoins Templefields, which is defined by a post and wire fence. The site's far western boundary is open to the agricultural land beyond.

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011 and is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). The application site is gently undulating and slopes from west to east towards the Coln and toward the north eastern boundary. The far eastern field comprises ridge and furrow. The far north east corner of the 'L shaped' field is located in Flood Zone 3. However, the majority of the application site falls within Flood Zone 1.

A Public Right of Way (PROW) runs along the site's northern boundary before crossing the far eastern field. The application site lies between two grade II-listed buildings: Ossage Farm to the west, and Manor Farm to the east; and is separated from each by a field. The Mount, which is also grade II listed, is located to the south of the site on the other side of the playing fields and fronts Gloucester Road.

2. Relevant Planning History:

None

3. Planning Policies:

- LPR05 Pollution and Safety
- LPR09 Biodiversity, Geology and Geomorphology
- LPR10 Trees, Woodlands and Hedgerows
- LPR19 Develop outside Development Boundaries

LPR21 Affordable Housing
 LPR34 Open Spaces & Play Areas in Res Deve
 LPR38 Accessibility to & within New Develop
 LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Deve
 LPR47 Community Safety & Crime Prevention
 LPR49 Planning Obligations & Conditions
 NPPF National Planning Policy Framework

4. Observations of Consultees:

Gloucestershire County Council Highways: Awaiting final response.

Gloucestershire County Council Community Infrastructure: Financial contributions requested towards primary education, secondary education and library provision.

Gloucestershire County Council Archaeology: No objection.

Conservation Officer: Objection. Comments included in 'Officers Assessment'.

Landscape: Objection. Comments included in 'Officers Assessment'.

Environment Agency: No objection. Comments included in 'Officers Assessment'.

Thames Water: The existing water supply infrastructure is considered to have insufficient capacity to meet the additional demands for the proposed development. An impact study of the existing water supply infrastructure should therefore be submitted to the local authority prior to the commencement of development. No objections to the proposals on water infrastructure capacity.

Biodiversity Officer: Objection. Comments included in 'Officers Assessment'.

Crime Prevention Design Advisor: General comments made relating to detailed design stage.

Tree Officer: No objection. Comments included in 'Officers Assessment'.

Forward Plans: Concerns with regard to the proposed density and whether access and drainage issues can be satisfactorily resolved. Subject to these issues being resolved to the satisfaction of the relevant experts then from a planning policy viewpoint, the principle of the proposal would be supported as it is in line with the emerging local plan. Full response attached.

Contamination Officer: No objection subject to further site assessment and remediation (if required) in accordance with Local Plan Policy 05 and Section 11 of the National Planning Policy Framework.

Housing Enabling Officer: No objection. Comments included in 'Officers Assessment'.

Waste Officer: General comments relating to detailed design.

5. View of Town/Parish Council:

Andoversford Parish Council have objected to the planning application as follows:

- i. The Parish council represent the residents of Andoversford and at a recent public meeting to discuss this planning application (attended by at least 45 residents) the vote of residents was unanimous against the principal of any houses being built on the proposed parcel of land.

- ii. The possible consequential flooding of properties lower in the village resulting from the 2.9 Hectares of impermeable land (houses, roads, paths etc).
- iii. The residents of Andoversford were requested to assist the Forward Planning Team at CDC in carrying out an assessment of the parcel of land, which is the subject of this application. This assessment was completed and the result was that it was considered that the area nominated was not suitable for housing. The main reasons were access and - the site is often water logged and acts as a natural water storage containment area to help prevent flooding in the lower parts of the village - this is probably the reason why the lower end has ancient 'ridge and furrows' clearly visible on Google maps.
- iv. The application concerns building a large number of houses, for a village of this size, in an AONB. This will not enhance the visual aspect of the village and will change the character forever of the village. Many residents have moved here as they enjoy its rural nature, this large development will not improve the village ambience.

6. Other Representations:

Letters of Objection

32 letters of objection have been received, including from The Governors of The Cotswold School. However, a number of letters appear to be from the same property and at least 3 are further comments submitted in respect of earlier objections. Main grounds of objection are as follows:

- i. Unsustainability of the site.
- ii. Increased risk of flooding in the lower parts of the village.
- iii. In the event that the site is developed a corridor of at least 75 metres wide should be left between any building and the embankment based on photographic evidence.
- iv. Andoversford village school is oversubscribed.
- v. Loss of amenity.
- vi. Additional street lighting that would be detrimental to wildlife and residents.
- vii. The application site is a working farm. Removing this land for housing will lead to loss of local employment. The proposals will make the farm practically impossible to manage.
- viii. Any decision on planning before the local plan is published would undermine the consultation process that the local residents have engaged in.
- ix. Inadequate and unsafe access.
- x. The village is within the Cotswold Area of Outstanding Natural Beauty. The views over the open valley from the surrounding hills are amongst the most picturesque in the Cotswolds.
- xi. The selected sites A-2 and A-3A are very visible from the hills to the N.E. especially between Syreford and Whittington.
- xii. General biodiversity impact.
- xiii. The ecological assessment of the site was superficial and does not clearly establish the presence or absence of reptiles, particularly Great Crested Newts.
- xiv. The proposals will have permanent adverse visual effects on the landscape in this AONB.
- xv. Andoversford has grown by 29% due to the building of Coln Gardens, Jubilee Mews and the Market Site, currently under construction.
- xvi. The preferred area for development is on land to the rear of the Old Police House and Telephone Exchange in Old Gloucester Road in a S.E. direction running parallel to the Industrial Estate and River Coln.
- xvii. The proposed development is over large and divorced from the established village.
- xviii. The proposed density is low and, on a less obtrusive site, the density could be much higher and a better use of valuable land.
- xix. The Cotswold District Councils planning forecast for some 40 more dwellings over the next 15 - 16 years is more reasonable and is supported provided suitable sites are found.
- xx. Loss of prime agricultural land.
- xxi. Pumping station capacity concerns.
- xxii. There is no local doctors surgery or open village pub. The nearest doctors surgery is 5 miles away in Charlton Kings.

- xxiii. The village does not have the levels of employment opportunities indicated nor does the school have capacity currently for further expansion.
- xxiv. Light pollution.
- xxv. Noise pollution.
- xxvi. Loss of light.
- xxvii. Loss of private view/outlook.
- xxviii. Loss of property value.

The Governors of The Cotswold School have grave concerns regarding the quantity of development that has received planning permission within the catchment of The Cotswold School, much of which has not provided Section 106 funding. Over 646 dwellings have been given planning permission to proceed. The Cotswold School is the only secondary education provider in the catchment area is already heavily oversubscribed.

Letters of Support

1 letter of support has been received from Withington Parish Council as follows:

'The Parish Council does not have any objection to the development. They would like it put on record though that so much development of affordable housing is being built in Andoversford and does not seem equitable to other small communities in the area and does not address the problems of lack of this type of housing in Withington.'

General Comments

1 general comment has been received, set out as follows:

'This application, for 59 houses, does not sufficiently consider the need for sustainable transport for the likely new residents. The residents are likely to work in Cheltenham or Gloucester, and their children to attend schools in Cheltenham and Bourton. Whilst there are some bus and school bus services to all these places it is likely that most of the journeys, in keeping with existing habits, will be made by private car. We know that more car use and less walking and cycling contributes to the national epidemic of obesity and the additional release of greenhouse gases. The opportunity should be taken therefore to encourage the developers to help fund/provide a safe and pleasant walking and cycling route into Cheltenham, and to encourage the development of safe cycling routes from Andoversford to Gloucester, Bourton and Cirencester. Otherwise there will be another 50 or so vehicles driving in and out of Cheltenham on the A40, along the A436 to Seven Springs and Gloucester and Cirencester, and to and from Bourton every day.'

The Cotswolds Conservation Board have also made general comments:

'The Board notes that this site does feature in the emerging Cotswold Local Plan as a preferred allocation site (sites A2 & A3a), though it also recognises the Plan is still subject to the Hearings process.

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.

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.

The Board also wishes to raise the question over whether the scale of development at 59 dwellings is actually appropriate both in relation to impact on the AONB but also in relation to the

modest scale of the village. The Parish had a population of 555 people in 2011. This proposal for 59 dwellings is likely to result in a population growth of some 135 people (2.3 / dwelling) which represents an approximate growth in population by 25% for the whole Parish from a single housing site.

It is also noted that the northern part of the site (SHLAA site A3a) is a very distinctive area of Ridge and Furrow landscape (as also noted in the SHLAA). Consideration therefore should be given to a reduction in the scale of this development to reduce the impact on the wider landscape of the AONB; to avoid development in area A3a and protect the Ridge and Furrow; and provide for a level of new housing more in balance with the scale of the village.

The Board also questions whether a more suitable access can be found into the site rather than having to breach the remaining open field adjacent to the proposed housing sites.

If the above changes could be achieved including a smaller site area, which is very carefully designed and landscaped then the Board would in principle accept the development of the SHLAA Site A2.'

7. Applicant's Supporting Information:

Illustrative Plans
 Planning Statement
 Design and Access Statement
 Ecological Assessment and Addendum
 Arboricultural Survey, Impact Assessment and Method Statement
 Flood Risk Assessment and Drainage Strategy
 Sequential Assessment
 Transport Statement
 NMU Context Report
 Stage 1 Safety Audit
 Designer's Response
 Statement of Community Involvement
 Archaeological Evaluation
 Geophysical Survey
 Land Quality Search

8. Officer's Assessment:

Proposed Development

This application is seeking to establish the principle of development on the site and is submitted in Outline with access to be determined only. Other matters relating to Landscaping, Layout, Scale and Appearance have been reserved. The proposed layout (Illustrative Master Plan INFO-03A Rev A) is purely indicative and intended to demonstrate how the site could accommodate the proposed level of development.

The applicant is seeking permission of 57 dwellings, of which 50% would be allocated for affordable housing. Vehicular access is proposed via a new access from Gloucester Road to the west of the existing Templefields and Crossfields development.

(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 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, 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/A13/2205247) 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 ongoing 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.

(b) Sustainability of Location

Andoversford is a modest size settlement but has an above average level of services and facilities for a village of its size and ranks 11th in the District in terms of its social and economic sustainability. Andoversford's level of self-containment however, is low at 38% which could be explained by its relatively close proximity to the major urban area that is Cheltenham. Andoversford benefits from good bus links to Cheltenham, Northleach, Burford and beyond for both employment and leisure. In terms of the strategy for Andoversford, the Council's emerging Local Plan document states that 'Andoversford's role as a local service and employment centre should be enhanced to help enable it to service a number of villages within a few miles' radius, and reduce reliance on car travel to Cheltenham/Charlton Kings to the west' (Source: 'Local Plan Reg 18 Consultation: Development Strategy and Site Allocations').

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 (NPPG). Given Andoversford above average level of services and facilities, as well as its connectivity, it is accepted by the Council that Andoversford is a sustainable location in principle for new development. It is one of 17 settlements that has sufficient facilities and services to accommodate new residential development in the period up until 2031 as identified in the emerging Local Plan document 'Local Plan Reg 18 Consultation: Development Strategy and Site Allocations'. However, in the context of the current adopted Local Plan Andoversford is not identified as a Principal Settlement.

The Government's Planning Practice Guidance states;

'It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. This is clearly set out in the National Planning Policy Framework, in the core planning principles, the section on supporting a prosperous rural economy and the section on housing.

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

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

Strategic Policy 5: Distribution of Housing and Employment Development in Local Plan Regulation 18 Consultation Paper allocates a total of 108 dwellings to the settlement for the period between April 2011 and April 2031. The 108 dwelling total represents a 33.8% increase in the village's existing housing stock which currently stands at 319 dwellings (source: Local Plan Consultation Paper May 2013). The Regulation 18 Consultation Paper states that 'This represents a reasonable level of house building, despite Andoversford modest size. The consequent growth in the community's population will - in association with its continuing employment role - help to sustain existing facilities. Importantly, it will also help to enhance Andoversford's potential role as a local service centre in an otherwise poorly-served part of the District. Additional housing will also address the relatively modest need for affordable housing in the Andoversford area'.

Part of the application site was identified as a potential future housing site in the Council's Strategic Housing Land Availability Assessment (SHLAA). The SHLAA Review May 2014 divides the three distinct fields into two smaller sites: A_2 and A_3A. In respect of the two sites the SHLAA 2014 makes the following assessment: 'Very rural in character and any development would need to acknowledge this with transitional landscape belts and low densities. Existing trees and hedgerows very characteristic and should be retained. Reasonable amount of new development would help to mitigate impact of existing modern development. Sensitive design

required. Biodiversity may limit development as site may be unimproved grassland with bog areas of bog and marsh. Landscape and access issues will need to be addressed'. Notwithstanding both sites were identified as being suitable, available and achievable for development within a 6-10 year period and identified as having a combined capacity of 40 dwellings. At 3.84 hectares this represents a dwelling per hectare density of 10 dph.

The SHLAA 2014 (Page 4) makes clear that the inclusion of a site within the SHLAA does not determine whether a site will be allocated for development. It therefore, has no policy status. In addition, the SHLAA only identifies potential constraints and suggested actions that may be taken to overcome constraints. The list of identified constraints however, is not absolute and it may be that further issues are identified when further survey work is undertaken i.e. at the planning application stage. Accordingly, the inclusion of a site in the SHLAA does not mean that planning permission will be granted. All planning applications fall to be determined in accordance with Section 38(6).

The Local Plan Regulation 18 Consultation Paper identifies A_2 and A_3A as favoured sites for residential development (as a result of the findings of the SHLAA 2014). Notwithstanding this endorsement however, 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 indicate a direction of travel they are not final versions and allocation within them are therefore not cast in stone and could be subject to change or deletion.

It should also be noted that the application site extends outside of SHLAA Sites A_2 and A_3A and incorporates part of A_5 and A_3B (see SHLAA Map attached). Neither of which were considered to be developable in the SHLAA. In respect of A_5 the SHLAA 2014 comments 'Unsuitable - too remote from village. Scale is too large for size of village. The topography rise to the west and the site has a prominent position within the AONB. Development would be visible from a great distance'. With regard to Site A_3B the SHLAA 2014 comments 'Flood Zone 3b (SFRA Level 2). Historic railway embankment. Ridge and furrow landscape issues. Potential biodiversity issues.'

Sites A_2 and A_3A have been subject to community engagement and consultation during the emerging Local Plan process. Both sites were considered by the Parish Council to be unsuitable for allocation. The main reasons being that the sites were considered to be poorly connected with a high environmental sensitivity to change and prone to flooding. In respect to flooding both sites were considered to act as a natural water storage containment area to help prevent flooding in the lower parts of the village. It is noted that the applicants undertook their own pre-application public consultation. The outcome of which is reported in the Statement of Community Involvement submitted with the application.

Notwithstanding, it is evident that the ability of Andoversford to accommodate new residential development has been assessed as part of the emerging Local Plan process. The Regulation 18: Development Strategy and Site Allocations paper recognises that the village 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 village's population to help address local affordable housing needs and sustain existing facilities. Andoversford is therefore 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 Andoversford

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to conserve or enhance the natural beauty of the area.

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.'

Paragraph 115 also states that 'The conservation of wildlife and cultural heritage are important considerations in all these areas'.

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 7 'High Wold'. The High Wold landscape area comprises the plateau landscape to the east of the escarpment. The principal area of the High Wold extends from the north of Stroud and then sweeps north-eastwards to Chipping Campden and to the west of Bourton-on-the-Hill. However, there are a number of smaller and physically separate sections of the High Wold where the plateau has been dissected by valleys.

Andoversford falls within Landscape Character Type 'Cotswolds High Wold Plateau'. The Landscape Character Assessment states that arable farming predominates although improved pastures grazed by cattle and sheep are also in evidence. The Landscape Character Assessment states, inter alia, that the 'High Wold plateau is generally an expansive, large scale, windswept landscape. Its elevated position allows long distance views over wide areas, and in areas of limited woodland cover a sense of exposure persists. Locally, however, tree cover provides some seclusion and limits views across the plateau and beyond to neighbouring landscape types. Despite being fragmented by the deeply incised valleys that have been cut into it, long views over them give the impression of a cohesive plateau.'

The Landscape Strategy and Guidelines for the Cotswolds AONB identifies that, despite its predominantly agricultural character, the wide, elevated, gently undulating plateau landscape retains a strong sense of remoteness contributing to its high sensitivity. Wide panoramic views, a high degree of inter-visibility and limited woodland cover also add to the sensitivity of the High Wold landscape, particularly to tall vertical elements.

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 the;

- Erosion of distinctive radial and linear settlement patterns.
- Intrusion of expanded settlement fringes into the landscape.
- Potential loss of archaeological remains and historic features.
- Proliferation of suburban building styles/ materials and the introduction of ornamental garden plants and boundary features.

In such areas the 'Outline Landscape Strategies and Guidelines' advises it should be ensured that:

- new development does not adversely affect settlement character and form

- new built development to be visually integrated with the rural landscape setting so it does not interrupt the setting of existing villages or views

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. This reports states that: 'Long views [of Andoversford] are generally limited with the exception of the view of the settlement from the hill to the north [west of Syreford]. Development would have the most impact from here where it is located on the upper slopes adjacent to Templefields.'

With regard to this site the aforementioned report provides the following assessment of the SHLAA sites A_2 and A_3A. With regard to site A_2 the report states;

'The site comprises of two improved pastures on the valley side sloping north with a small spur rising slightly to the north west helping to enclose the area in this direction. An outgrown hedge lies on the north western boundary while outgrown hedges with mature trees lie on the eastern, western and shared boundaries. To the south, the 20c housing at Templefields and Crossfields looks over the western field across the access road or behind properties. The Community Centre, Playing Fields and play area back onto the fields further east. The site's fields provide a rural context for the recreation area allowing filtered views out the countryside beyond, albeit unsightly shipping containers, a garage and sheds lie on the boundary. Long views are possible to the current housing edge which is of limited merit from the north/north east. Views from the west up the slope are filtered by intervening hedgerows and trees.

The site has limited tranquillity due to its location adjacent to housing albeit in a rural location.

The site has some susceptibility to change through housing development as it is on a valley side in open countryside. Development would also enclose views from the recreation area/playing fields. However, the site is moderately enclosed by its site boundaries and by topography and intermediate hedges and trees. There is also an opportunity to provide a more positive edge to the settlement than the existing housing. It would be important for the hedges and trees on the boundaries to be retained to soften any built form and these should be located in public areas rather than private gardens if at all possible.'

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

In respect of site A_3A it states;

'The site comprises of an improved pasture with ridge and furrow on the lower valley side sloping north. Outgrown hedges lie on the north eastern, north western and south eastern boundaries while an outgrown hedge with mature trees lies on the south western boundary. To the south east, there is the primary school and its grounds with a small stand of trees which help to integrate and screen the school building. There are small plots and paddocks backing onto the properties on Gloucester Road. To the north east, the site abuts the enclosed and intimate valley floor with its stream and wet pasture which is an attractive part of the village. The site provides a rural context for the school allowing filtered views out the countryside beyond. The site has limited views in and out. A PROW runs along its boundaries as well as over the stream to the east.

The site has some tranquillity due to its rural location albeit next to the settlement.

The site has some susceptibility to change through housing development as it is on a valley side in open countryside adjacent to the attractive valley floor to the east with ridge and furrow. Development would also enclose any potential views from the school. However, the site is well enclosed by its site boundary hedges and by topography and surrounding hedges and trees. If development were permitted it would be important for the hedges and trees on the boundaries to

be retained to soften any built form and these should be located in public areas rather than private gardens if at all possible. The setting to the valley floor to the north is particularly important to the character of the village.'

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

The applicant's Landscape and Visual Impact Assessment (LVIA) states that the site is significantly detracted by the existing residential areas and community buildings adjacent. The LVIA indicates that the site has very limited inter-visibility due to the strong vegetated boundaries and elevated dismantled railway. Accordingly, the LVIA finds that, while located in the AONB, the site is of moderate sensitivity with a good capacity to accommodate change and absorb the impacts of residential development.

The nearest public view of the site is from the Public Right of Way (PROW) that runs along the site's northern boundary and then crosses it to the site's south-eastern boundary. This footpath connects to the centre of the village via Manor Barns and then Gloucester Road, but is not surfaced. The application site is also visible from public vantage points along Gloucester Road e.g. those from across the playing fields.

The LVIA identifies a number of longer distance public viewpoints approx.2km from the application site including from elevated land between Withington and Syeford and Sandywell Park Showground. Given their location within the AONB these vantage points are correctly identified as being of high sensitivity. An assessment that officers agree with. However, in respect of closer views, the LVIA does appear to rely heavily on the detraction of existing development in assessing the sensitivity of receptors closer to the application site and, in particular, the existing Templefields/Crossfields development, a development which is somewhat of an anomaly in the overall context of Andoversford. While the influence of this development on the most westerly field in particular cannot be disputed, officers would recommend Members to err on the side of caution in relying too heavily on the presence of this development to support significant encroachment into open countryside in this location, particularly given that the development was constructed in the immediate post-war period and would not therefore have been subject to the stringent policies applied today.

The LVIA identifies that, on balance, the magnitude of the visual impact of the proposed development on existing visual receptors is Low Significant and concludes that the proposals would not result in any significant landscape or visual impact that would outweigh the benefit of providing additional new housing.

It is notable that at the time of the SHLAA assessment it was envisaged that vehicular access to the application site would be taken through the existing residential area of Templefields and Crossfields. However, a new vehicular access is proposed further west of this existing development. This will necessitate the formation of an artificial field boundary to 'screen' the proposed road. The visual impact of this new access was raised as a concern by officers early on in the application process. Of concern was the requirement for substantial landscape mitigation but also the effect of what will be an urban form along a section of road that is currently experienced as a rural approach to the village. It is clear from site visits that one does not get a true sense of entering the village from the westerly direction until the Templefields/Crossfields access is reached. The introduction of the proposed access further west will therefore give rise to further encroachment of urban development along Gloucester Road to the detriment of the current rural setting of the village which needs to be taken into consideration.

The Council's (former) Landscape Officer considered that while it would be possible to create a tree belt to form a new defensible boundary to the housing, the proposed access route will be through existing open countryside and would therefore be a definite change in character, from the current rural setting to the village. It is also noted that an estimated 100 metres of hedgerow will need to be 'translocated' to facilitate the proposed new access. Translocation is not always successful. There is therefore a risk of more significant short term impacts than what has been

assessed by the LVIA. This risk can be mitigated to an extent through the agreement of an appropriate translocation method statement.

The applicant has sought to mitigate the potential impact of the proposed development by making amendments to the indicative layout following concerns raised by officers with regard to the initial scheme. Officers recommended that in order to make the proposals more acceptable that the illustrative layout should be revised to reflect one that is more transitional in nature; including the incorporation of more substantial (and functional) landscape belt to the north and the pulling back of the residential development away from the far eastern boundary, extending as little as possible into the ridge and furrow landscape. Whilst the applicant has made some attempt to address the concerns raised they fall far short of what officers require in order to be more supportive of the proposals in the current policy context. It is the view of officers that, despite the amendments, the proposals 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; such a change will be significant in the local context.

The fact that the Templefields/Crossfields Estate is poorly located in landscape and visual terms and remote from the main part of the village, does not mean that development above the valley floor should therefore be extended to the north. The size of the proposals and their encroachment further east and west than considered in the SHLAA will have an adverse impact on the character and appearance of the existing site and immediate surroundings.

It is considered by officers that, in terms of value, the site forms an important countryside feature beyond the built edge of the village. The impacts of the proposals would be evident from a number of public vantage points and the scale of the development proposed would significantly alter the relationship of the north western part of the village with the wider AONB landscape.

In conclusion therefore, while some residential development in this location may be acceptable in principle, that the current proposals will result in a development that neither conserves nor enhances the character of the AONB or the qualities for which it has been designated. Whilst it is noted that the applicant has made some attempt to allay officer concerns, there remains significant objections. The application site is susceptible to change. Officers are not convinced by the information submitted in support of the application that a proposal for 57 dwellings on the application can be successfully accommodated as proposed. Officers are not therefore in a position to support the proposals in landscape and visuals terms.

The proposed allocation of Sites A_2 and A_3A can be accorded only little weight. On balance therefore, 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.

(d) Major development within the Cotswolds AONB

Paragraph 116 of the NPPF states that '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 within the Cotswolds AONB. The proposal would result in an encroachment of built development into the countryside which 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 17.8%) 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.

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 29 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 village 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 village and accordingly, the AONB. However, it is of note that planning permission has recently been granted for a 17 dwelling development at the Former Cattle Market (ref: 13/03775/FUL) which makes a notable contribution to the delivery of homes identified as being required in the emerging plan period up to 2031. Against the context of the NPPF there is no immediate need to release further land for housing in this case.

With regard to bullet point iii) it has already been identified that the proposed scheme is likely to have a significant adverse impact on the character and appearance of the AONB. Whilst the scheme has been designed in a manner that seeks to minimise its 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.

(e) Affordable Housing

The applicant is proposing to provide 50% affordable housing on site. This would equate to 29 units. The 50% provision accords with Local Plan Policy 21: Affordable Housing. The Council's Housing Officer advises that different sources of information is considered when assessing need. A recent search of Gloucestershire Homesearch, the housing register, has shown that 82 households with a connection to Cotswold district are registered for rented affordable housing in Andoversford. At least 14 of these households also have an identified relevant local connection with the parish of Andoversford or the immediately surrounding parishes of Dowdeswell, Shipton, Withington and Whittington. It is important to remember that the Housing Register provides a snapshot view of the current need for rented accommodation only and will slightly underestimate the number of people with connections.

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 Andoversford is in the Bourton on the Water sub-area of the HNA and was assessed as having a gross annual need for 63 affordable homes.

It is recognised that the Cattle Market site was recently granted consent in Andoversford and will deliver a combined total of 8 affordable dwellings (mix of rented and low cost home ownership). Considering the current need of identified households requiring housing in Andoversford there would still be a need for additional affordable housing within Andoversford when the Cattle Market site is delivered. There is also a current need for larger units in Andoversford and/or the surrounding parishes which will not be met by this application which is a public benefit.

Having regard to the above and existing stock which is predominantly 1, 2 and 3 bedroom family housing we request the following mix for this development (out of 57 units total):

Rent:

8 x 1 bed 2 person house/flat of not less than 45 m²

7 x 2 bed 4 person houses of not less than 75 m²

2 x 3 bed 6 person houses of not less than 95 m²

1 x 4 bed 7 person houses (social rented) of not less than 108 m²

1 x 5 bed 9 person house (social rented) of no less than HQL minimum size for 5 bed 9 person (and using furniture layout method)

Low cost home ownership:

6 x 2 bed 4 person houses of not less than 75 m²

3 x 3 bed 5 person houses of not less than 85 m²

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

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

The affordable housing should be designed and constructed to comply with the Housing Corporation Design and Quality standards and will need to be tenure blind and should comply with all of the other requirements of the affordable Housing Supplementary Planning Document (SPD) and provisions of Local Plan Policy 21. However, the detail will be dealt with at reserved matters. The local connection cascade as set out in the S106 template within the SPD would apply.

Overall, it is considered that there is an identified need for affordable housing in Andoversford. The current proposal would help to address this need and would accord with guidance in Local Plan Policy 21 and the Council's Housing SPD.

(f) Access, Highway Safety and Traffic Generation

The application site is currently agricultural fields. Therefore, all trips generated by the proposal will be considered as being new to the highway network. The Transport Statement, submitted as part of the application, has assessed the impact of a 70 dwellings development and therefore presents a worst case scenario as only 57 dwellings is proposed.

The vehicular trip generation has been predicted using the TRICS database, with the site selection criteria being representative of the characteristics of Andoversford. A capacity analysis of the junction access has been undertaken and demonstrates that the access is predicted to operate with approximately 95% spare capacity, at year of opening and for the horizon year. The impact of the development is not therefore considered severe and would comply with paragraph 32 of the NPPF.

The proposed development is to be accessed via a new access from Gloucester Road. Emerging visibility splays from the proposed site access have been determined using national guidance in Manuals for Streets based on the 85th percentile recorded speed of the road 46.5mph and westbound 47.8mph and the measured topography. The resulting splays of 2.4 x 145.5m west and 2.4m x 122.4m to the east have been shown on drawing numbered 13249/001 Rev A. The removal of some of the existing vegetation to the west of the site access will be required to facilitate such a splay.

In terms of the site's accessibility, it is noted that there are bus stops located within 350m and 500m of the site, serving routes to Moreton in Marsh, Bourton on the Water, Oxford and Cheltenham. These services would be suitable for a journey to work, assuming normal working hours. Therefore, the opportunities for sustainable transport have been taken up in accordance with paragraph 32 of the NPPF. While additional services run to other locations they would not be suitable for a daily commute. Rail services are available at Moreton in Marsh and Cheltenham to link with London Paddington.

An illuminated 1m wide footway is available on the northern (site side) of the carriageway between Crossfields to Andoversford. However, the footway is unlit to the west. The site is bounded to the south and east by residential properties. The primary school, village hall, sports club and playing fields are located to the south of the site. There is currently no direct access through from the application site to the community centre and/or school but it is acknowledged that the agents have been in discussion with both the Parish Council, and Village Hall Committee, to facilitate the delivery of a link. The details of which will be considered as part of the subsequent reserved matters. Correspondence has been received from the Village Hall Committee which confirms that should planning permission be granted then access across land owned by the Village Hall Committee can be achieved. This confirms that there is reasonable prospect of the footway being implemented.

The principle of providing accesses to the PROW to the north is acceptable however, the PROW will need to be upgraded, details of the upgrading (e.g. surfacing, lighting, widening) and the suitability of the route are required.

A Non-Motorised Users (NMU) Context Report, Stage 1 Road Safety Audit (RSA) and designer's response has now been provided following the Highway Authority's request of the 11th May 2015. Initial comments in respect of this further information has highlighted the need for some additional information before the detail of the access can be agreed. It has however, already been confirmed that the Highway Authority has no in principle objection to the proposals. While the detail of the access still needs to be agreed, it is the Highway Authority's view that the proposals can achieve an appropriate visibility splay to enable the development, without the need for additional highway works. Nonetheless, final comments from the Highway Authority are awaited.

(g) Loss of Agricultural Land

The application site comprises approximately 5 hectares of 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 3. However, the maps do not distinguish whether the Grade 3 land is Grade 3a or Grade 3b. The land around Andoversford as a whole is identified on the maps as being Grade 3. However, Natural England advises that 'These maps are not sufficiently accurate for use in assessment of individual fields or sites and any enlargement could be misleading.' The applicant has not submitted an Agricultural Land Classification report with the application. It is not therefore possible, at this time, to conclude if any of the application site is in fact Grade 3b and therefore not BMV. Accordingly, as a precaution, it is considered appropriate 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 Andoversford is recognised as being of equal quality. It is not therefore the case that what is to be lost as a result of the development is an isolated area of higher quality agricultural land in an area that is of generally lower quality. It is however notable that the application site is currently occupied by an agricultural tenant.

Notwithstanding, 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.

(h) Impact on Biodiversity

Paragraph 109, Chapter 11, of the NPPF states that 'The planning system should contribute to and enhance the natural and local environment by: '..minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity'

Paragraph 118 states that when determining planning application, local planning authorities should aim to conserve and enhance biodiversity by applying three principles. The first principle states that:

'..if significant harm resulting from development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, the planning permission should be refused.'

The development plan position in respect of biodiversity matters is set out in saved Local Plan Policy 9. Local Plan Policy 9 states that the Council will not permit development that harms, either

directly or indirectly, a site supporting any legally protected species or its habitat unless safeguarding measures can be provided. Where development is permitted, the Council will require the retention and management of any significant species, their habitats and features and opportunities, where possible, should be taken to enhance, or create, habitats and populations of species identified as priorities. Local Plan Policy 9 is therefore considered to be consistent with the aforementioned aims of the NPPF.

An Ecological Assessment (DNS Planning and Design November 2014) has been submitted with the application. This document brings together the results of the Dormice Survey, Reptile Survey, Bat Activity Survey and detailed Botanical Survey undertaken on behalf of the application in 2014.

In summary, no evidence of badgers, dormice or reptiles were found at the application site but it was noted that the reptile tiles/tins were subject to disturbance which may implicate the results. The Bat Activity Survey found a total of five different species foraging on site. The most notable being a Noctule bat close to sunset which would indicate the Noctule is roosting adjacent to the application. There was also a recording of a lesser horseshoe bat along the site's northern boundary. The Bat Activity Survey also confirms that there were also high numbers of Pipistrelles recorded during the survey. These observations show that all of the hedgerows within the application site are well used by bats, and not just the site's boundaries.

The Botanical Survey was carried out in July 2014, which is within the optimum period. The survey found areas of plants which would normally indicate an unimproved sward within the ridge and furrow area, including species such as birds foot trefoil, ladies bedstraw, salad burnet and quaking grass. At 'Quadrant 1' (see Appendix 1 of the Ecological Assessment) a total of 23 different species were recorded. At 'Quadrant 4' 20 different species were found: results which are significant. It must also be noted that a significant part of this field was identified in the SHLAA as an area not currently developable (i.e. A_3B).

The revised illustrative masterplan shows this area to be left partly as open space, where there would be some potential for restoration, but will predominantly be used to site the proposed sustainable urban drainage system (SUDS). It is noted that the revised masterplan continues to show two SUDS ponds: features which will involve digging up the species rich semi-improved grassland and creating areas of open water, with the remaining species rich grassland utilised for residential development. It is the view of the Council's Biodiversity Officer, which has been informed by her own site visit, that the value of the 'L shaped' field, given its diversity of notable plant species and prominent ridge and furrow, has been undervalued in habitat terms.

Accordingly, the revisions are not considered to have gone far enough to allay officer concerns. The additional information Addendum to Ecological Assessment (DNS June15) states that the 'proposed SUDS attenuation pond has been relocated away from the species rich area of meadow in the north east of the site'. However, the original Ecological Assessment identified that Quadrants 1 and 4 contained the widest diversity of species but now appear to be shown under two houses and the central section of the field under a SUDS attenuation pond. While it is appreciated that the illustrative masterplan is for indicative purposes only, these observations do cast significant doubt on the ability to accommodate 57 units on this site in a sustainable manner that accords with the provisions of the development plan and those of the NPPF.

Furthermore, it is noted that while the length of the hedgerow to be removed for the new access road is identified as 'important' no bat surveys have been carried out to establish the use of this hedgerow by bats, as has been done so for the rest of the application site. Officers are not therefore clear on the impact that this particular element of proposals, with or without mitigation, will have.

This is material given that bats are a European protected species.

Therefore, in conclusion, the illustrative masterplan submitted is not considered to be acceptable, as it fails to demonstrate that a development of this size can be accommodated on the application site without an overall loss of biodiversity. On the basis of the information provided, it is apparent

that the proposals will result in a loss of biodiversity and the loss of a priority habitat, with insufficient mitigation provided to militate against this loss. Accordingly, it is considered that there will be a loss of a biodiversity and no net gain as a result of the proposed development. The proposals are therefore contrary to the provisions of Local Plan Policy 9, Paragraph 109 of the NPPF and the requirements of relevant legislation/regulation including The Conservation of Habitats & Species Regulations 2010.

It is therefore recommended that the application is refused on the basis that the application has failed to demonstrate that the proposed development would not result in an overall loss of biodiversity and will have an unacceptable impact on habitats and species of principal importance in accordance with 109 and 118 of the NPPF and Local Plan Policy 09.

(i) Flooding and Drainage

The majority of 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%). However, as per the Environment Agency Flood Map it is clear that the north east portion of the application site is located within Flood Zones 3, which is at a higher risk of flooding.

A Flood Risk Assessment (FRA), prepared by BSP Consulting and dated 25/11/2014, was submitted with the application. However, this has been revised to reflect the amendments made to the proposals. The Revised FRA demonstrates that none of the built development is proposed to be located within Flood Zones 2 or 3. There will be a balancing pond located within the north-east corner of the site to attenuate surface water for the development (see Appendix F for details) which will be located within Flood Zone 3.

The revised FRA identifies that the main sources of potential flooding in the vicinity of the site comprise the River Coln, Local Watercourses and the drainage ditch to the rear of the site. The revised FRA states that from a review of the mapping data, at its closest point the River Coln lies approximately 2m below the level of the proposed development area. Therefore, given that the proposed development area is higher than the River Coln it is considered that this particular river does not pose a flood risk to the proposed development.

With regard to local watercourse, the revised FRA identifies that there are two which flow through the northern section of the application site. As a result of the location of these two watercourse the EA Flood Map indicates that the northern area of the site could be affected by flooding from the watercourses with a 1 in 100 or greater chance of happening each year, Flood Zone 3. The proposed development will be kept outside of Flood Zone 3 with the exception of surface water attenuation.

It is noted from the revised FRA that there is a drainage ditch that flows along the northern boundary of the site. There is no flood risk indicated on the Environment Agency Map in connection with this ditch, however, it is understood that the EA do not hold any modelled flood level information for local drainage ditches. The FRA comments that the upstream catchment areas for this ditch is not considered to be sufficient to generate flows that could exceed the capacity of the current ditches. Although, it is recommended that the existing piped culvert in this location is replaced with a 225mm land drain to mitigate the flood risk in this location. Given that the developable area of the site lies within Flood Zone 1 there is generally no set minimum finished floor levels to protect the site from the flooding of watercourses.

Notwithstanding, it is proposed than any dwelling proximate to the Flood Zone indicated on the flood maps will have its finished floor level set at least 300mm above the existing ground level in the north east corner of the site. This will ensure a positive freeboard to any flood event, however unlikely. As access to and from the site will be provided off Gloucester Road (A436), during a flooding event, the site will not be cut off from the wider area by flooding as access to most major routes is still possible during a flood event.

The revised FRA confirms that the proposed impermeable area will be approximately 2.90ha. The reports also comments on the feasibility of a range of surface water attenuation options. The attenuation measures recommended by the applicant's consultants comprise a mix of SuDS methods across the site, including private porous paving with lined storage and highway swales, in addition to an attenuation structure (i.e. pond). The attenuation pond is to be located at the north-east of the site where the connection into the local watercourse is made.

It is a requirement that no properties, on and or off-site, are to be placed at risk from flooding for rainfall events up to and including the 100 year event, plus a 30% allowance for climate change. The applicant's consultants maintain that the investigations carried out as part of revised FRA and flood risk management measures proposed demonstrate that the development will be safe, without increasing flood risk elsewhere, as required by the EA and the NPPF.

It is confirmed that further to the submission of the revised FRA, the Environment Agency has withdrawn their original objection to the proposals, subject to imposition of a condition requiring the submission and approval of a detailed surface water drainage scheme prior to commencement of the development.

Notwithstanding, given that part of the development proposals utilise land identified as being at higher risk of flooding i.e. Flood Zone 2 and 3, in accordance with the NPPF there remains a requirement for this Local Planning Authority to apply the 'Sequential Test'.

Paragraph 103 of the NPPF states that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.'

Paragraph 103 states that 'When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including a safe access and escape routes where required.'

Paragraph 104 provides that for individual development on sites allocated in development plans through the Sequential Test, applicants need not apply the Sequential Test. The site however, is not an allocated site.

The Technical Guidance to the NPPF confirms that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Flood Zones 1 are the starting point for this assessment (paragraph 3 of Technical Guidance). Where there are no reasonably available sites in Flood Zone 1 local planning authorities determining planning application should take into account the flood risk vulnerability of the land uses and consider reasonably available sites in Flood Zone 2 (paragraph 5 of the Technical Guidance). The Technical Guidance (Table 2) identifies residential dwellings (without basements) as a 'more vulnerable' use. Flood Control infrastructure is identified as 'water compatible development'. Table 3 confirms that 'more vulnerable' uses are appropriate in Flood Zone 1 and 'water compatible development' is appropriate across all flood zones.

A Sequential Assessment has been submitted with the application (TPS Consulting December 2014). The assessment concludes that the sequential test does not apply in this case since, as shown by the site layout, the proposed residential uses will be located within Flood Zone 1 and the water compatible development within the part of the site identified as being at higher risk of flooding (part of which is identified as being in Flood Zone 3b). Both uses are consistent with the variation of flood zones across the site. On this basis the assessment concludes that the

requirements of the NPPF and NPPG in terms of the sequential test are met. An assessment which officers agree with.

In terms of the disposal of foul and surface water Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. In the event that planning permission is granted Thames Water have recommended that a planning condition is imposed requiring details of a drainage strategy detailing any on and/or off site drainage works, prior to commencement of the development and in consultation with the sewerage undertaker.

Thames Water is also responsible for water supply in the area. Thames Water has also identified that the existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Accordingly, a planning condition is recommended requiring water impact studies of existing supply capacity to be undertaken prior to commencement of the development.

(j) Impact on Heritage Assets

The application site lies between two grade II-listed buildings: Ossage Farm to the west, and Manor Farm to the east; and is separated from each by one field. The grade II listed property, The Mount, which fronts Gloucester Road on the opposite side of the playing fields to the application site is also visible. The Local Planning Authority is statutorily required to have regard to the desirability of preserving features of special architectural or historic interest in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. 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.

Section 7 of the NPPF requires good design. Paragraph 58 states that decisions should ensure that developments: function well in the long term and add to the overall quality of an area; establish a strong sense of place, creating attractive and comfortable places; and respond to local character and history, reflecting the identity of the surroundings and materials, whilst not stifling innovation. Paragraph 60 states that local distinctiveness should be promoted or reinforced and Paragraph 61 that connections between people and places, with the integration of new development into the built and historic environment.

Section 12 of the NPPF asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 132 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within the setting. Paragraph 134 states that where proposals will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm should be weighed against the public benefits of those works. The NPPF describes setting as: 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'

Paragraph 13 of the Historic Environment section of the National Planning Practice Guidance (NPPG) states that: 'Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.'

Historic England's Historic Environment Good Practice Advice in Planning: Note 3, the Setting of Heritage Assets, states that: 'Setting is separate from the concepts of curtilage 'Curtilage is a legal terms describing an area around a building and, with listed structures, the extent of the curtilage is defined by consideration of ownership, both past and present, functional association and layout. The setting of a historic asset will include, but generally be more extensive that its curtilage'.

'When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.' (Paragraph 13)

Historic England's Historic Environment Good Practice Advice in Planning: Note 3, the Setting of Heritage Assets, states that: 'Setting is separate from the concepts of curtilage Curtilage is a legal terms describing an area around a building and, with listed structures, the extent of the curtilage is defined by consideration of ownership, both past and present, functional association and layout. The setting of a historic asset will include, but generally be more extensive that its curtilage'.

Historic England's Advice Note 3 also advises that views which contribute more to understanding the significance of a heritage asset include those where relationships between the asset and natural features are particularly relevant; including those with functional or historical associations (Paragraph 6).

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

The Mount comprises an eighteenth-century house. The property fronts onto Gloucester Road and is located adjacent to Andoversford Primary School, which is located immediately east. While the proposed residential units will be visible from The Mount to the rear, given that the property is a typical village house (located within the village) and not an historic farmstead, the impact of the proposed residential development, over and above the view currently experienced, would not have a significant detrimental impact on its setting. While there may be some impact, the impact would be limited and is therefore acceptable on balance.

Ossage Farmhouse (listed as 'Kennel House') comprises an eighteenth-century farmhouse. The principal façade of the building faces south-south-east, and the associated farm buildings are situation to the north and west of the house. The main façade of the farmhouse has been clearly and intentionally orientated away from the farm buildings and towards the open view. This rural setting is characteristic of farm complexes, due to the functional association between the working farm, and its fields.

Currently the setting of the building remains comparatively rural, although the existing development of Templefields and Crossfields does intrude strongly into the current view, which has harmfully eroded the setting of the listed building. Nevertheless, the Templefields and Crossfields development is two fields away. This distance provides something of a buffer and it is quite a narrow intrusion into the setting, as the area behind the Community Centre, and to the east of this, remains fundamentally rural in appearance. The proposed development would come further towards Ossage Farm, leaving only a single field as a 'buffer' and onto ground that slopes down towards the farm, which currently contributes to its open, rural setting. The proposed development would also extend significantly further to the east of the existing development, thus giving rise to a continuous ribbon of suburban development across the principle outlook from Ossage Farm. This would harmfully and majorly further erode the historically appropriate rural setting, thereby failing to sustain the significance of the heritage asset in accordance with Section 12 of the NPPF.

Manor Farm comprises a farmhouse of 16th, 17th and 19th century date. The house backs onto the farm complex (separately listed, and now converted to residential use) which separates it from Station Road to the north-east. The principal façade faces south-west, across the stream and the flood meadows to the open countryside. The immediate view in this direction is, at low level, truncated by the former railway embankment, topped by scrubby vegetation; nonetheless the glimpses over the embankment, between and through the scrub are uninterrupted by any development, thus maintain a rural outlook. There is extensive development along Station Road, and in 2013 planning permission was granted to develop the Former Cattle Market, to the north of Manor Farm (ref: 13/03775/FUL). However this is to the north-east of the house, leaving a fundamentally open prospect to the west and south-west.

As at Ossage Farm, the open rural outlook of Manor Farm is a characteristic setting of historic farms, and the historic functional interrelationship of the building and the land, as well as the clear and intentional orientation of the house away from the other buildings, towards open views. As such the surviving rural setting to the west and south-west is an important contributing factor to the significance of the heritage asset.

The proposed development would be set back from the former railway embankment behind an open space, incorporating a sustainable drainage system pond, but it would nevertheless erode the open rural aspect to the south-west of Manor farm, harming its setting and thereby failing to sustain its significance.

Consequently the setting and significance of both designated heritage assets would be harmed. On balance, however, given that Ossage Farm would still enjoy a fundamentally rural setting to the north, west and east, Manor Farm is considered to be the more sensitive. On balance, landscape mitigation of a sufficient quality may render the impact [on Ossage Farm] acceptable. However, for the same reasons expressed above there are significant concerns regarding the illustrative landscaping shown. To this end officers are not satisfied that, on the basis of the current information, that a residential proposal of this nature and scale can be accommodated without significant harm to the significance of Ossage Farm, as a result of an unacceptable erosion of its setting.

By comparison, officers consider that the impact upon Manor Farm would remain significant, irrespective of mitigation. It is considered by officers that the only reasonable mitigation would be, as has been discussed with the agents of the application, the pulling away of the development from the railway embankment, ideally by one whole field. Regrettably the revised proposals, far from seeking to address the concerns raised by officers, proposes to move the development further to the west and closer to Manor Farm.

Paragraphs 133 and 134 of the NPPF states that in cases of harm (both substantial and less than substantial) the potential harm should be weighed against any potential public benefits that may accrue from the proposal. The PPG states that: 'significance derives not only from a heritage asset's physical presence, but also from its setting ... in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest' (Conserving and enhancing the historic environment, paragraph 017).

However, it has to be borne in mind that: 'substantial harm is a high test, so it may not arise in many cases' (paragraph 017), but this does not imply that harm does not exist, or that the level of harm is justified. The extent of the harm that would accrue from the current proposal may not impact upon a 'key element' of the heritage asset's significance, and therefore may not constitute 'substantial harm' but it is considered by officers that harm would nevertheless result.

Whilst case law states that the provision of affordable housing does constitute a public benefit, this does not override other issues, but should be balanced against the level of resultant harm.

Paragraph 28 of Historic England's Historic Environment Good Practice Advice in Planning: Note 3, the Setting of Heritage Assets states that: 'Options for reducing the harm arising for development may include the relocation of a development...For some developments affecting setting, the design of a development may not be capable of sufficient adjustment to avoid or significantly reduce the harm, for example where impacts are caused by fundamental issues such as the proximity, location, scale, prominence or noisiness of a development.' Consequently it is also reasonable to consider whether any alternative sites could produce a comparable level of benefit without the resultant harm.

The preservation of the historic environment is, in itself, another form of public benefit, and is one of the Core Principles outlined in Paragraph 17 of the NPPF i.e. to 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'.

Consequently, it is considered by officers that the proposal would harmfully erode the setting of the designated heritage assets, thereby failing to sustain their significance. Any mitigating public benefit has not been adequately justified in terms of seeking alternative, less harmful sites, and is not proportionate to the harm that would accrue. Accordingly, there remains a fundamental conservation objection to the proposals. The proposal therefore conflicts with Government Guidance as laid out in Section 12 of the NPPF and the associated Planning Practice Guide.

It is therefore recommended by the Conservation Officer that the application is refused on the basis that the proposed development, by virtue of its scale and location, would harmfully erode the rural setting of Ossage Farm (Kennel House) and Manor Farm, both of which are listed grade II, and will thereby fail to sustain their significance as designated heritage assets. While the harm identified is less than substantial, paragraph 132 of the NPPF provides that great weight should be accorded to an asset's conservation. Whilst public benefit would accrue from the provision of housing, they would not be proportionate to, or outweigh the resultant level of harm identified, particularly given that the Council is able to demonstrate the requisite 5 year supply of deliverable housing land. As such, there is no exceptional need to release the land for housing. The proposals are therefore contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the guidance contained in Section 12 of the NPPF and associated Planning Practice Guidance.

(k) Arboricultural Issues

The Council's Tree Officer has confirmed that the Arboricultural Survey, Impact Assessment and Method Statement, submitted with the planning application, appears to be a reasonable assessment of the trees located on and adjacent to the site. However, since the submission of the original application the Local Planning Authority has served Tree Preservation Orders (TPOs) on a number of trees within the application site. See TPO plan attached.

Having considered the submitted illustrative masterplan, it is considered by the Tree Officer to be possible to construct the proposed estate road between the two TPO ash trees (T2 and T3), as indicated on the masterplan, without requiring any significant pruning or causing significant damage to roots. The relationship between the protected trees and the residential properties proposed would therefore appear reasonable and consistent with ensuring their long term retention in accordance with Local Plan Policy 10 and 45.

The Arboricultural Impact Assessment does identify a need to fell a total of three trees within the application site in order to facilitate the proposed development - T16, T9 and G4 - to which there is no objection. T12 may also require felling however this is identified as a C1/U category tree. Accordingly, there would be no objection to its removal and replaced as suggested in the Arboricultural Impact Assessment if that becomes necessary.

The Tree Officer has recommended a condition that requires the submission of a detailed arboricultural method statement (AMS) and tree protection plan (TPP) with any reserved matters

application which is considered to be both reasonable and necessary in accordance with Local Plan Policy 10 and 45.

(I) 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, with the exception of pre-school provision. They have therefore recommended contributions of £176,116 (14.25 pupils x £12,359) towards primary education at Andoversford Primary School and £161,150 (8.55 pupils x £18848) towards secondary education at The Cotswolds School. 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 £11,172 (57 x £196) 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.

Members should note that Draft Heads of Terms have been submitted by the agent of the application which is in the process of being considered by officers along with a number of potential S106 contributions that have been put forward by the Parish Council. A separate update will be provided to Members in this regard.

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 accordance with Local Plan Policy 19 criterion a). 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 must 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 (proportionate to the size of the existing settlement) 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 that they are in the public interest.

Furthermore, the proposals will fail to sustain the significance of the designated heritage assets proximate to the application site [Ossage Farm and Manor Farm]. While the harm identified is less than substantial, the benefits of the proposals are not sufficient to outweigh the harm identified and paragraph 132 of the NPPF provides that great weight should be accorded to the asset's

conservation. Furthermore, the proposals would result in an overall loss of biodiversity and will have an unacceptable impact on habitats and species of principal importance.

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, particularly given the other harm that has been identified. Moreover, there are currently extant planning permissions for residential development within Andoversford which addresses the village's housing needs in the short term.

It is considered that the development could be undertaken without having a significant adverse highway, drainage or arboricultural 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, the overall loss of biodiversity and the harm caused to the significance of the identified heritage assets, outweighs other benefits arising from the proposed development, namely the provision of open market and affordable housing.

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 Local Plan 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 Local Plan Policy 19. The introduction of a development of the size proposed would also fail to respect the setting of the village 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 9, 19 and 42 and guidance in the NPPF, in particular Paragraphs 17, 109, 115, 116, 118, 132 and 134.

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. Refusal Reasons:

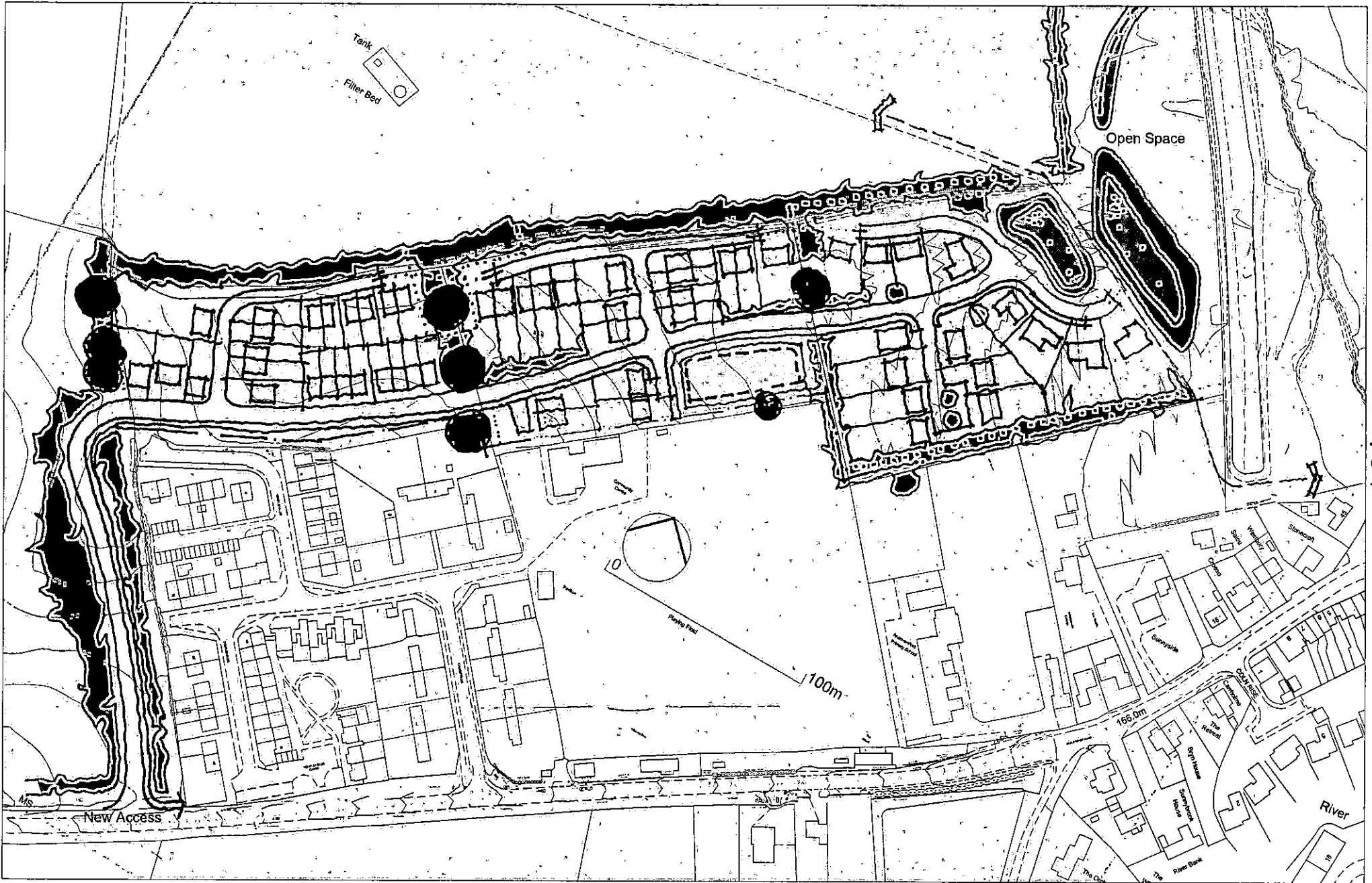
1. The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Local Planning Authority is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposed development by virtue of its size, proportionate to the size of the existing settlement, and location would represent a significant and unacceptable encroachment of development into the AONB landscape and would result in the loss of a greenfield site within the AONB that currently makes a positive contribution to the setting of the settlement to the detriment of its intrinsic character and appearance. Furthermore, the application site 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 little weight can be accorded to the emerging Local Plan. 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. There is no over-riding need for the site to be developed which will outweigh the fundamental harm to the character and visual qualities of the AONB and setting of Andoversford. No exceptional justification has been advanced and it has not been demonstrated that the development is in the public interest, sufficient to outweigh the environmental harm

outlined. The proposals are therefore 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 proposed development, by virtue of its location, would harmfully erode the rural setting of Ossage Farm (Kennel House) and Manor Farm, both of which are listed grade II, and will thereby fail to sustain their significance as designated heritage assets. While the harm identified is less than substantial, the benefits of the proposals are not sufficient to outweigh the harm identified, particularly given that, 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. Paragraph 132 of the National Planning Policy Framework (NPPF) provides that great weight should be accorded to the asset's conservation. As such the proposals are considered to be contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the guidance contained in the NPPF, in particular Paragraphs 17, 132 and 134 and associated Planning Practice Guidance.

3. Failure to demonstrate that the proposed development would not result in an overall loss of biodiversity on the application site. As such, the proposals will have an unacceptable impact on habitats and species of principal importance in accordance with Local Plan Policy 09 and paragraph 109 and 118 of the National Planning Policy Framework (NPPF).

4. The absence of a Section 106 Legal Agreement means that the contributions to improve community services in terms of education and library services cannot be guaranteed and no mechanism is in place to secure the provision of affordable housing. Without these contributions and commitments the proposal would not be acceptable in planning terms and would therefore be contrary to Cotswold District Local Plan Policy 49 and Paragraphs 203, 204 and 206 of the National Planning Policy Framework (NPPF). [TBC]



184

14|05629|SRT

dns: planning|design
 email: mn@dns-planning.co.uk

Whittington Court Maintenance Trust| Land at Andoversford

Illustrative Master Plan			
May 2015	Scale as Noted	INFO-03A	rev.

185

6. This drawing and the details specified for the project are to be used in conjunction with all other information and drawings by written permission. US License No. 130211272

A1

General Notes

1. DO NOT SCALE.
2. This drawing is to be used in conjunction with all other relevant drawings and details.
3. Should there be any conflict between the conditions on this drawing and those indicated on other drawings for the project, the conditions on this drawing shall prevail.
4. Until technical approval has been obtained from the relevant authority, it should be understood that drawings issued for the project are for information only and do not constitute a contract. It is the responsibility of the client to ensure that the drawings are used only at their own risk.
5. All dimensions are in millimeters unless otherwise stated.
6. The DTP (Digital Terrain Profile) and the associated information for the project is not to be used without the written consent of the contractor/PLM for the commencement of any works on site.

NO.	REVISION	DATE	BY	CHKD.	APPD.
1	ISSUED FOR PERMIT	27.06.2014	MS	MS	MS
2	REVISED TO REFLECT THE PROPOSED DEVELOPMENT	27.06.2014	MS	MS	MS
3	REVISED TO REFLECT THE PROPOSED DEVELOPMENT	27.06.2014	MS	MS	MS
4	REVISED TO REFLECT THE PROPOSED DEVELOPMENT	27.06.2014	MS	MS	MS
5	REVISED TO REFLECT THE PROPOSED DEVELOPMENT	27.06.2014	MS	MS	MS

hsp CONSULTING

100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200

100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200

FOR APPROVAL

Whittington Estates

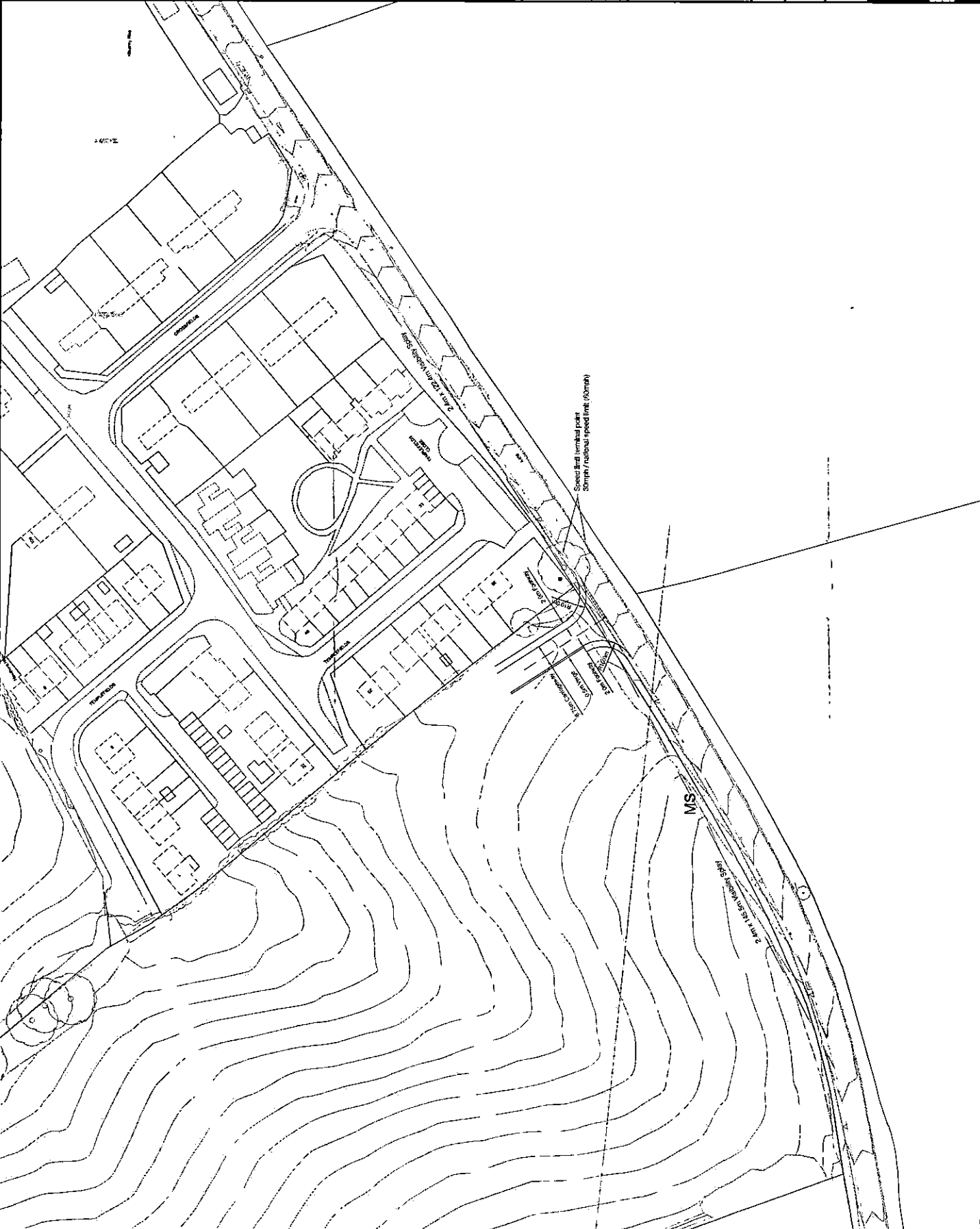
Proposed Residential Development
Land at Andoverford

Site Access Arrangements

13249/001

23.08.14






B

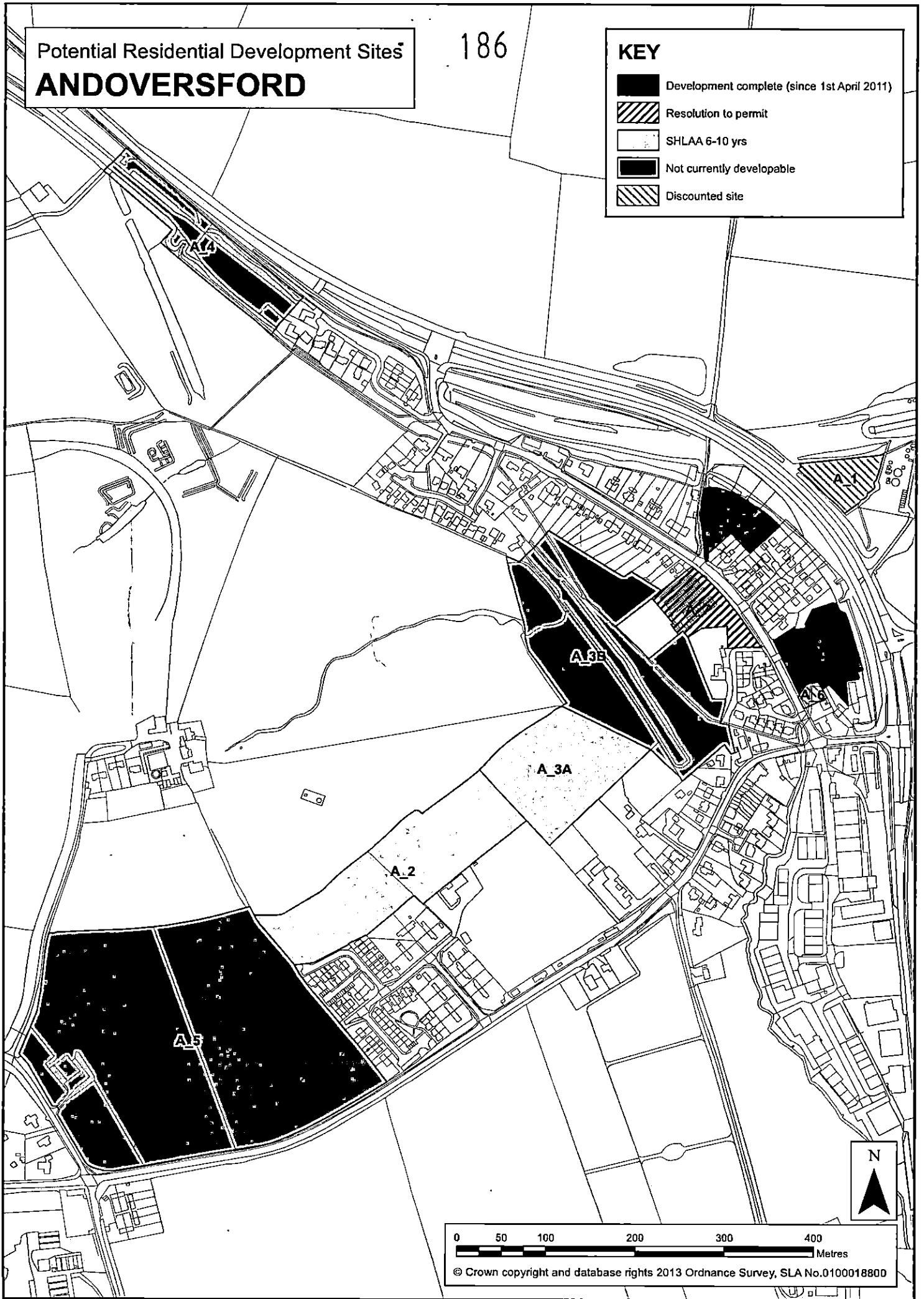


Potential Residential Development Sites
ANDOVERSFORD

186

KEY

-  Development complete (since 1st April 2011)
-  Resolution to permit
-  SHLAA 6-10 yrs
-  Not currently developable
-  Discounted site





Memo

To: Katherine Brommage

From: Joanne Billingham / Nicola Melville (Forward Planning Service)

CC: Chris Vickery

Date: 05/08/2015

Re: 14/05629/OUT CD.9408/A

Outline planning application for a residential development of 59 dwellings with all matters reserved except access at Land To The Rear Of Templefields And Crossfields Andoversford Gloucestershire

This response is based on the emerging local plan, "*Local Plan Reg 18 Consultation: Development Strategy and Site Allocations January 2015*" and the evidence gathered to date to inform this document.

Andoversford was identified as a sustainable settlement in the "*Local Plan Consultation Paper: Preferred Development Strategy May 2013*" with a proposed allocation of 130 dwellings for the plan period 2011 to 2031.

Work was then undertaken to identify sites to meet this requirement. This work is fully described in the "*Evidence Paper: To inform Non-Strategic Housing and Employment Site Allocations November 2014*".

The application site of 14/05629/OUT comprises two of the sites considered for this work, Site A_2 and A_3, and were subject to assessment by a comprehensive suite of evidence documents, including Sustainability Appraisal and Level 2 Strategic Flood Risk Assessment. The sites were subsequently proposed in the Local Plan Reg 18 Consultation document, as follows:

Settlement Strategy 3

Proposed Strategy for Andoversford

- 1. A total of 108 dwellings is proposed over the period April 2011 to March 2031, including housing built to date and outstanding permissions. The followings sites subject to the resolution of flood and access issues, are proposed for allocation for housing development*
 - A_2 Land to rear of Templefields and Crossfields*
 - A_3 Land to west of station Road (combined capacity of A_2 and A_3 is 40 dwellings)*
- 2. Contributions will be sought towards bus routes connecting the village with other key settlements.*



3. *Provision will be required for new natural open space or pocket park in Andoversford as part of any development proposals, in line with current and emerging evidence.*
4. *Andoversford Industrial Estate will be safeguarded for continued employment use.*

Whilst it would be preferred that development proposals for these sites would be considered through the plan-led system i.e. that an application would be submitted after the Local Plan has been examined and adopted, the following key issues are highlighted for this outline planning application:

Density :

The emerging Local Plan proposes 40 dwellings on the site. This has been informed by the "Strategic Housing Land Availability Assessment May 2014" which calculated that there should be a lower density of 40 dwellings on the combined site, with the following comments:

"Very rural in character and any development would need to acknowledge this with transitional landscape belts and low densities. Existing trees and hedgerows very characteristic and should be retained. Reasonable amount of new development would help to mitigate impact of existing modern development. Sensitive design required. Biodiversity may limit development as site may be unimproved grassland with bog areas of bog and marsh. Landscape and access issues will need to be addressed."

Further, the "Study of Land Surrounding Key Settlements in Cotswold District November 2014" assessed both sites and reports:

A_2 LANDSCAPE SENSITIVITY:

Evaluation: Medium

Justification:

The site has some susceptibility to change through housing development as it is on a valley side in open countryside. Development would also enclose views from the recreation area/playing fields. However, the site is moderately enclosed by its site boundaries and by topography and intermediate hedges and trees. There is also an opportunity to provide a more positive edge to the settlement than the existing housing. It would be important for the hedges and trees on the boundaries to be retained to soften any built form and these should be located in public areas rather than private gardens if at all possible.

A-3 LANDSCAPE SENSITIVITY:

Evaluation: High/medium

Justification:

The site has some susceptibility to change through housing development as it is on a valley side in open countryside adjacent to the attractive valley floor to the east with ridge and furrow. Development would also enclose any potential views from the school. However, the site is well enclosed by its site boundary hedges and by topography and surrounding hedges and trees. If development were permitted it would be important for the hedges and trees on the boundaries to be retained to soften any built form and these should be located in public areas rather than private



gardens if at all possible. The setting to the valley floor to the north is particularly important to the character of the village.

Access and Drainage

Cotswold District Council invited Andoversford Parish Council to lead the assessment and discussion of potential development sites to be included in the emerging Local Plan. The community feedback is presented in the *"Evidence Paper: To inform Non-Strategic Housing and Employment Site Allocations November 2014"*. In summary, both sites were considered by the Community as unsuitable for allocation on the grounds of access and drainage issues.

Access

As already noted, the *"Strategic Housing Land Availability Assessment May 2014"* highlighted access as an issue. Through the SHLAA process, the CDC Heritage and Design team flagged up the access to the site as a serious constraint given the potential harm to landscape and AONB. Through the detailed site allocations work on the Local Plan, it was still unclear whether the access issue could be overcome through design and mitigation measures, and therefore was flagged as 'Red' on the (RAG – Red, Amber, Green) site assessment chart (refer to the *"Evidence Paper: To inform Non-Strategic Housing and Employment Site Allocations November 2014"*).

The local community, through the site allocations work on the emerging Local Plan, also identified concern over increasing traffic on Gloucester Road. This has also been highlighted in the Infrastructure Delivery Plan (interim – Ma 2013). Contributions should be secured to deliver any traffic management measures required to mitigate the impact of the development.

Drainage

The Parish Council have submitted photographs showing localised flooding issues and further discussions with Parish Councillors has highlighted their concerns that any development will increase the flood risk to existing housing. The SFRA Level 2 (June 2014) prepared as part of the evidence base to support the emerging local plan assessed the site (SHLAA sites A_2 and A_3A) with regard to key flood indicators (such as EA flood zones, uFMfSW, local evidence and proximity to watercourses) and found that there were no constraints on the site itself. General advice is given on the implications of development in Andoversford with regard to a drainage strategy, FRA and SUDs etc (see pages 15/16 of the Appendices document and table 5.2, page 37 of main report and on the planning policy webpages - [Cotswold District Council - Evidence base and monitoring](#)). Similarly, the Sequential Test report (September, 2014) found that there were no constraints on the SHLAA sites A_2 and A_3A.

Whilst the District Council took into account the views of the Community wherever possible, the other planning evidence did not prevent the allocation of the sites for development. However, the community's concerns about access and drainage issues are important and have, therefore, been incorporated into the Proposed Settlement Strategy.



In summary, we have concerns with this application with regard to the proposed density, and whether access and drainage issues can be satisfactorily resolved. Subject to these issues being resolved to the satisfaction of the relevant experts (heritage/design team, highways authority and drainage engineer / EA) then from a planning policy viewpoint, the principle of the proposal would be supported as it is in line with the emerging local plan.

With regard to appropriate contributions / provision of infrastructure, reference should be made to the proposed settlement strategy and the Interim Infrastructure Delivery Plan (and subsequent updates). A useful summary to provide guidance on the infrastructure needs, requirements and community priorities for Andoversford is provided in Appendix D of the *"Evidence Paper: To inform Non-Strategic Housing and Employment Site Allocations November 2014"*. Other relevant evidence documents should also be referred to in order to identify needs / requirements to be addressed through development proposals. For example, the *Open Space and Recreation Study 2011* (and subsequent updates) indicates that there is a deficiency in allotment provision in Andoversford.

We hope this information assists you, please don't hesitate to contact us if you need to clarify anything.

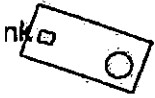
Kind regards

Jo Billingham & Nicola Melville

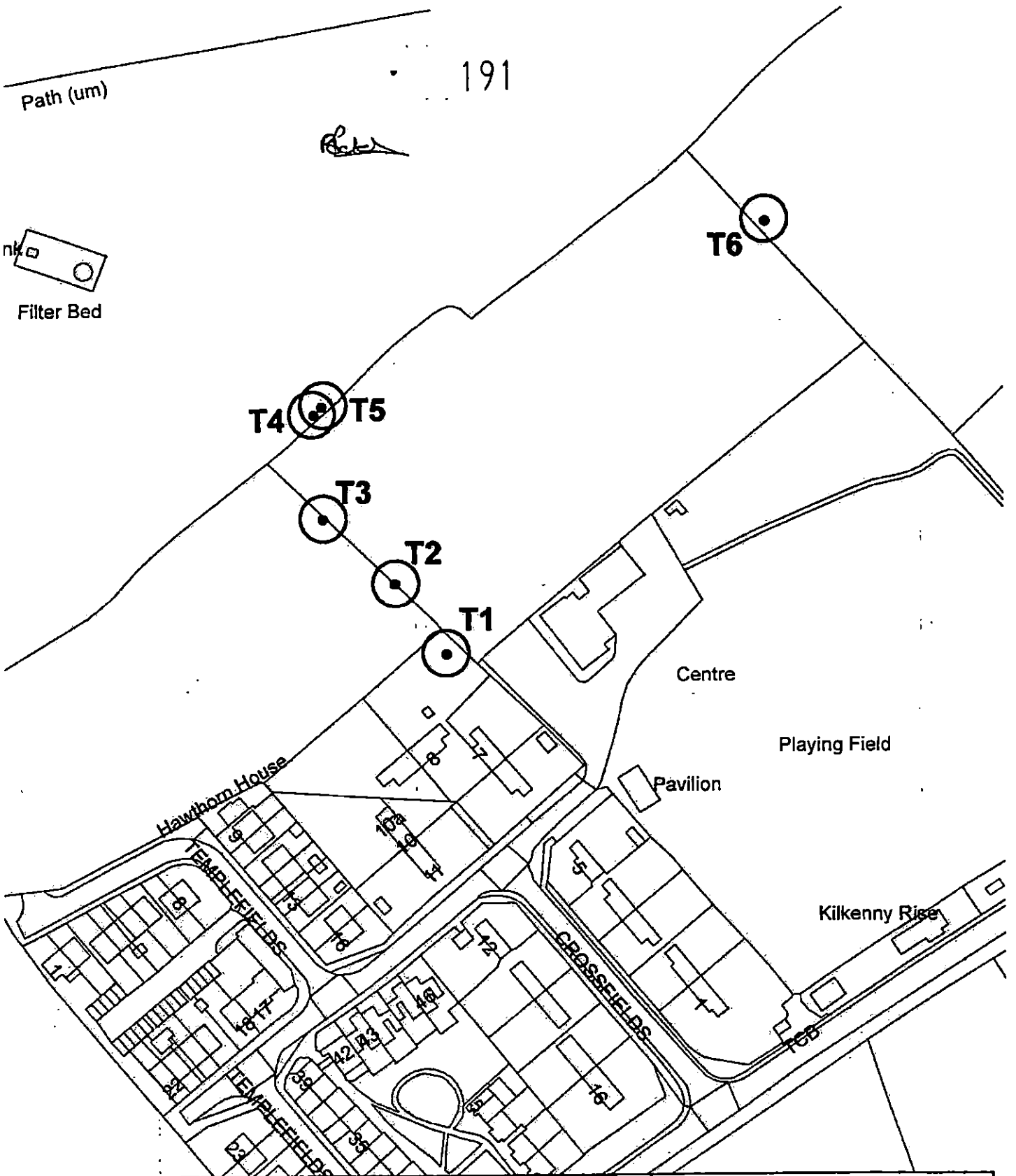
Path (um)

191

Path



Filter Bed



COTSWOLD DISTRICT COUNCIL

Land adjacent to Templefields,
Andoversford, Gloucestershire.

Scale: 1:1500

Ref: 15/00006

Date: 18 May 2015

© Crown copyright and database rights 2015. Ordnance Survey, LA No. 0100018800

