

CT. 2609/4
Objector's Comments

Mr. Chairman, Councillors. I am an adjacent home owner and also represent all seven other adjacent homeowners who along with the Town Council object to this application.

Having received a misleading planning department e-mail stating the racking was "neither a building or a structure but purely on site storage which was outside of the control of the planning department" The onus fell on us to find test cases proving it was a structure. This I did and in due course Colt were invited to make an application.

On an industrial estate we would agree with the Officer's report stating "the racking has an industrial appearance in line with the warehouse and it is adjudged it's appearance is acceptable and causes no material harm". However it is NOT on an industrial estate, it is a lone industrial unit in the heart of a residential area and must respect this area. That Colt Cars are putting it at the back of the building suggests they too do not think it looks "in keeping" with their office and by placing it at the back are indeed trying to hide it.

For many years we have enjoyed and appreciated the totally bland inanimate appearance of the warehouse. Due to the ever changing nature of its contents, over which there will be no control, the racking can neither be considered bland or to blend with the warehouse.

Granting approval would make it well nigh impossible to reject any similar future applications not only at Colt but throughout C.D.C. area.

Please bear in mind that the Planning Act is there to protect both the few equally as for the many and powerful and a lack of onsite storage space is not a planning reason for approval.

This application fails to create a single new job. In my three minutes I've little time for details but for the Officer to say it complies with local plan policies 18, 24, 42 and N.P.P.F. section 7 is just plain misleading for example N.P.P.F. section 7 states that good design is a key aspect, is indivisible from good planning and should contribute positively to making places better for people.....NOT WORSE!. Local plan policy 24 New buildings and structures required for an existing business will be permitted provided the development is DESIGNED TO AVOID VISUAL HARM I rest our case.

Thank you.

JOHN PEAROCK,

"SNAILS",

CITY BANK ROAD,

CIRENCESTER,

GL7 1LG.

15/03215/FUL

COLT CARS RACKING.

CD. 2581/H - Parish Council Comments

Blockley Parish Council, local organisations and residents have made huge efforts to help inform CDC in making a decision on this Application. To date these have largely been ignored.

Our views should be considered at least as compelling, important and relevant as the Applicants.

We believe that this site is only being considered because it is available, and, all the reasoning and mitigation proposed and suggested by the applicant and CDC have been contrived to justify it being an acceptable site.

It is not, and it does not represent good planning policy or practice.

We have taken many steps to seek the views of residents.

The last was a survey which clearly indicated that Blockley was not against development. But, in a statistically relevant response, 83% were against any development on this site. This reinforced the previous findings of the SHLAA Assessments.

We are constantly being told that local views matter – we urge you not to ignore them now.

This site is in an AONB. A recent independent report urged that it be included within the Blockley Conservation Area. An indication of its importance.

The south side of the Blockley Brook is virtually undeveloped, it is a natural wildlife corridor and development boundary.

Hundreds of years of evolving development have left it virtually untouched.

Do you really wish to be the Councillors and Planning Committee that now allows relatively large scale development in this location and to irrevocably impact this sensitive environment and landscape?

Potentially it will also set a precedent and 'open the door' for further development on the south side.

At this stage of the emerging plan you have your 5+ years. The pressure to grant permission for fear of losing an appeal is significantly diminished.

Whatever central Government pressure it still falls to you to ensure that protection is given to sensitive sites within an AONB.

We also consider that more appropriate sites will emerge during the life of the proposed plan. Not just in Blockley but across the district.

We note that the application is now for up to 23 – compared to the original 33. We are deeply concerned that if permission to develop is granted controlling the final numbers will be potentially much more difficult.

This site is of sufficient size to provide considerably higher numbers.

This statement has been prepared by and unanimously approved by BPC for presentation to this meeting.

It is a brief summary of our community's concerns.

We urge you to consider and respect those views, to protect our environment and landscape and to reject this application.

RE: IN THE MATTER OF AN APPLICATION FOR OUTLINE PLANNING PERMISSION
LAND OFF DRAYCOTT ROAD, DRAYCOTT ROAD, BLOCKLEY, GLOUCESTERSHIRE

OPINION

Introduction

1. I am asked to advise the Blockley Environmental Action Group ("BEAG") extremely urgently as to the contents of the Case Officer's Report ("COR") on a residential development for up to 23 dwellings and associated works in Blockley, Gloucestershire. BEAG is a local group which was formed in April 2014 by more than 100 residents.
2. There have been a number of concerns raised in relation to this development. These are summarised as the "Main Issues" at the beginning of the COR. For reasons which will become clear, I do not agree that this list is accurate. Nevertheless, it is helpful to list them here. They are:
 - (a) Residential Development Outside Development Boundaries
 - (b) Sustainability Location
 - (c) Impact on Character and Appearance of Cotswold Area of Outstanding Natural Beauty and Setting of Blockley
 - (d) Impact on Heritage Assets
 - (e) Affordable Housing
 - (f) Highway Safety and Traffic Generation
 - (g) Loss of Agricultural Land
 - (h) Impact on Biodiversity
 - (i) Flooding and Drainage
 - (j) Archaeology
3. I understand this application has been referred to Committee by Officers "*in consultation with the Ward Member due to the size of the development, its location within the Cotswolds Area of Outstanding Natural Beauty and the level of local opposition to the application*" and is due to be considered at a Committee Meeting this week.

Significant concerns

4. I have a number of significant concerns about this COR. Many of them are encapsulated in the approach to NPPF Paragraph 16.

NPPF Paragraph 16

5. The applicability of NPPF Paragraph 116 is self-evidently of major importance to the proper and lawful determination of this scheme. If this application did fall within NPPF Paragraph 16, it has plainly not been properly assessed (and it would almost certainly fail those tests, given *inter alia* that the current need for this development given that the LPA can demonstrate a 7 – 9 year HLS and there is at best low demand for affordable housing in this locality itself, is weak).
6. However, this is not listed as a "Main Issue". It is first referred to as a material consideration at p.33 of the COR, where it is finally set out. It is helpful to set it out NPPF Paragraph 116 again (emphasis added):

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:

- 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
- The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

7. The COR is correct to set out that the phrase "*major development*" does not have a uniform meaning. It has to be determined in its local context.
8. However, some of the reasons and analysis given for concluding that this site does not fall within NPPF paragraph 116 are illogical, poorly reasoned, selective/partisan, and in some cases entirely irrelevant. This is deeply worrying.
9. Firstly, the starting point (but not, of course, the end point) for consideration of whether this application is a "major development" has to be that this application has been referred to the Committee precisely because of:
 - (i) The "*size of the development*"
 - (ii) its "*location*" within the "*Cotswolds Area of Outstanding Natural Beauty*"
 - (iii) the "*level of local opposition to the application*"
10. There is no analysis whatsoever as to the level of local opposition to the application, and whether this should have any relevance as to whether or not an application should be considered "*major*". Clearly, the level of local opposition is not of itself necessarily relevant to the planning merits of an application. However, where a clearly sizeable scheme, in an AONB, has aroused such substantial passion that a local action group has been formed against it by more than 100 members of the village, who have carefully argued a cogent case based on the planning merits of an application, that is a factor which one would expect to at least see assessed in determining whether or not a scheme is "*major*". That opposition is substantial – indeed it has led to my instruction.
11. Secondly, the concluding section on this issue begins that "*on balance, and having regard to issues such as location, scale, content, design and local distinctiveness, it is considered that the proposal will have a very localised impact on the AONB*". It goes on to explain that this is why the COR considers that it does not constitute major development in the context of the NPPF, and adds
If Members were to consider that the proposal does constitute major development, then an approval would need to be justified in the context of the aforementioned Paragraph 116.
12. In my view, whether or not this site is a "major application" is clearly one that must be reached "on balance". It is finely balanced. It is also undoubtedly a question for Members to determine in the exercise of their planning judgment. To that extent I agree with these concluding remarks.

13. However it must be reached lawfully.

14. Thirdly, I am concerned at the lawfulness of the rest of the analysis in this section for the following six major reasons:

- 1) I see no reason at why in an outline application whereby all matters are reserved other than access that "design and local distinctiveness" has any relevance as to whether or not this is a "major application". They are irrelevant considerations (in the usual way such expressions are understood) as to whether or not this application falls within NPPF Paragraph 16.
- 2) A proposed increase of 3.1% is plainly in principle capable of being significant. A 3.1% in London's housing stock would be an enormous development. A 3.1% increase in a small rural community in a valley with poor roads and poor bus-links is also plainly capable of being significant.
- 3) The size and scale of developments that took place in the early 1990s under a different planning framework is essentially irrelevant to whether or not NPPF paragraph 116 is engaged nearly twenty years later. From the analysis, in any event one of them was in the centre of the village, and they may or may not have been regarded as major at the time, but they give no indication at all as to how this settlement would today cope with the significant expansion that is proposed.
- 4) Further, it is at best unclear and at worst irrational to conclude that "*the level of development now proposed is commensurate with the size of developments that have been accommodated in the past*" where one of the core issues is the capacity of Blockley to absorb such sizeable development, particularly in its highway network, and in the context of NPPF Paragraph 16, whether the development is better located elsewhere.
- 5) The size and scale of developments in Welland and Ampleforth, in Worcestershire and Yorkshire respectively, is also essentially irrelevant as to whether in this particular case this scheme is or is not a major development in its local context. The only relevant conclusion that can be drawn from this evidence is that it is quite clear that as an Inspector had to determine this issue in two recent appeals, that it is clearly a very live issue in decisions of this type for this scale of development. This is not surprising – clearly sizeable developments will engage consideration of NPPF Paragraph 16 – and is precisely the conclusion that needs to be properly determined.
- 6) See below.

15. Lastly (and sixth, continuing the list above), the analysis in this (and other) sections of the report is arguably inadequate and significantly misleading, such that it could be considered partisan and flawed in law. This is particularly acute in the context of determining whether Paragraph 116 of the NPPF is engaged (although also goes to the lawfulness of the remainder of the COR).

16. The proper approach was recently ably summarised by Dove J in *R (Sainsbury's Supermarkets Ltd v London Borough of Hillingdon v Albemarle Developments Ltd, Arla Foods UK Property Company Ltd* [2015] EWHC 2571 (Admin). Dove J was of course a highly experienced planning barrister now appointed to the High Court, and unsurprisingly for a challenge by Sainsburys the parties were all represented by leading planning QCs; Mr David Forsdick QC, Mr Craig Howell-Williams QC, and Mr Patrick Clarkson QC. Dove J held (emphasis added):

35 The examination of the making of these types of decision and in particular the assessment of the committee report, which will no doubt in every case underpin such a decision, needs to be undertaken in the context of the legal principles before approaching such a committee report which were aptly summarised by Mr Justice Hickinbottom in *R (On Application of Zurich Insurance Ltd T/a Threadneedle Property Investments) v North Lincolnshire Council* [2012] EWHC 3708 at paragraph 15 as follows:

- i. "15 Each local planning authority delegates its planning functions to a planning committee, which acts on the basis of information provided by case officers in the form of a report. Such a report usually also includes a recommendation as to how the application should be dealt with. With regard to such reports:
 - i) In the absence of contrary evidence, it is a reasonable inference that members of the planning committee follow the reasoning of the report, particularly where a recommendation is adopted.
 - ii) When challenged, such reports are not to be subjected to the same exegesis that might be appropriate for the interpretation of a statute: what is required is a fair reading of the report as a whole. Consequently:
 - ii. [A]n application for judicial review based on criticisms of the planning officer's report will not normally begin to merit consideration unless the overall effect of the report significantly misleads the committee about material matters which thereafter are left uncorrected at the meeting of the planning committee before the relevant decision is taken.' (*Oxton Farms, Samuel Smiths Old Brewery (Tadcaster) v Selby District Council* (18 April 1997) 1997 WL 1106106 , per Judge LJ as he then was).
 - iii) In construing reports, it has to be borne in mind that they are addressed to a 'knowledgeable readership', including council members 'who, by virtue of that membership, may be expected to have a substantial local and background knowledge' (*R v Mendip District Council ex parte Fabre (2000) 80 P & CR 500* , per Sullivan J as he then was). That background knowledge includes 'a working knowledge of the statutory test' for determination of a planning application (*Oxton Farms* , per Pill LJ)."

17. In my view, there is a very real risk that this COR "*significantly misleads the committee about material matters*" for the following reasons:

- 1) It is of course correct that this site has been allocated in emerging Local Plan documents. However, nowhere in the COR does it properly set out the extent and depth of local opposition to that allocation or the detailed reasons why. That is highly relevant to sub-paragraph (ii) of NPPF Paragraph 16 "*...scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way....*"

It is also highly relevant that NPPF Paragraph 216 is engaged, but nowhere has this been properly addressed or considered. This indicates that whilst decision-takers may give "*weight*" to relevant emerging policies ("*unless material considerations indicate otherwise*") a key consideration in that weight is "*the extent to which there are unresolved objections to relevant policies*". There are plainly "*unresolved objections*" to these relevant draft emerging policies in this case.

Proper consideration of this application requires the decision-maker to properly engage with the first of the 12 "*core planning principles*" of the NPPF at NPPF Paragraph 17. This is that planning should "*be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.*"

Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues". In this case, this requires the COR to properly engage with the Parish Council (and BEAG's) representations on this scheme including other sites and cumulative impacts.

There are also good prospects that it would be unlawful for a straightforward breach of a failure to have considered alternatives. Whether or not alternatives are a material consideration in any particular case "will depend upon the precise circumstance of the case, as assessed by the local planning authority", see *R (Langley Park School) v Bromley LBC* [2009] EWCA Civ 734. By analogy with Sullivan LJ analysis in *Langley Park School*, where there is harm caused by an application, where that harm may be reduced by a different siting, and where there are clear objections to a proposed development, alternatives are more relevant. Sullivan LJ indicated the following (non-exhaustive) factors were relevant. They are all in play in this case and the COR does not engage with them in any real sense:

"likely to have a bearing on the issue of whether alternative [schemes] are relevant in a given case:
i. the nature and degree of the harm arising from the proposal;
ii. the nature and urgency of the need;
iii. the scope for alternatives which could sensibly satisfy the need;
iv. the extent to which the feasibility of such alternatives has been demonstrated (ie the weight which can be attached to them)."

- 2) Nowhere (in this section of the COR, or at all) does it refer to the (Independent) RPS Group's review of the Blockley Conservation Area and its conclusions as to the expansion of that area and the inclusion of this area – plainly relevant when considering whether or not NPPF Paragraph 116 is engaged.

It is also a very serious omission that this is not referred to at all in section (d) of the COR "*Impact on Heritage Assets*", where one would expect the evidence of a relevant independent consultant to at least have been set out.

- 3) Nowhere (in this section of the COR, or at all) does it set out in any detail or engage with the possibility of cumulative harm from this (and other) developments to the AONB, which is plainly an acutely relevant consideration when considering if paragraph 116 of the NPPF is engaged (as well as the other matters raised in 17(1)).
- 4) Nowhere in this section of the COR where it is most relevant does the Officer refer to the fact that applications for 76 and 90 houses in Chipping Campden were considered by this LPA to be major development, nor the representation by BEAG and others (set out at no. xxviii of the list of representations) that in the same context (given their respective population sizes, which is also not set out) 23 houses in Blockley in an AONB and outside a Development Boundary must also be considered major, especially as it comprises almost 50% of Blockley's remaining quota until 2032; nor does it refer again to the representation (at no. xxix) that the detailed, through village consultation that Blockley Parish Council carried out "*identified that small scale development of*

up to 10 dwellings is acceptable but that estate development on the scale proposed is unacceptable”

18. In the context of the last point in particular, I would emphasise that it is noteworthy that not only is Paragraph 116 of the NPPF essentially “buried” within this COR, but further although it sets out *“If Members were to consider that the proposal does constitute major development, then an approval would need to be justified in the context of the aforementioned Paragraph 116.”* It does not then address that question.
19. In my view, on the evidence before me in relation to this application, it would clearly fail those tests. Members should clearly be advised of that fact.
20. For all these reasons (and probably others which I have not been able to identify in the time available), I consider that the approach to Paragraph 116 of the NPPF is likely to be unlawful.

Other matters

21. Many of the points raised above self-evidently overlap with other issues. I am particularly concerned at the number of omissions in the report. It is, of course, the duty of an COR to set out the issues fairly so that Members can make an informed judgment for themselves.
22. In addition to those I have raised above, other examples of *“significant inadequacy”* which concern me include:

Sustainability Assessment

23. The “Sustainability assessment” section sets out the local bus services between Stratford-upon-Avon and Evesham (via Chipping Capden and Moreton-in Marsh), operating 5 times a day in one direction and 4 times in reverse, and that a mainline railway station operates at Morteon in Marsh. It fails to set out the representations of BEAG and others that the reality is that this service is plainly insufficiently frequent to be much use, that Moreton-in-Marsh is a major pinch-point, and their representations in relation to the fact that the network is such that cycling to Morteon in Marsh is unrealistic.
24. These are highly relevant to the overall sustainability assessment under the NPPF which is of course a key consideration in any development, but particularly one in an AONB.
25. The “sustainability assessment” section also sets out that the site is “approximately 850m” from the village’s shop and primary school, and the guidance from the Guidance in Manual for Streets that *“walkable neighbours are typically characterised by having a range of facilities within 10 minutes (up to 800m) walking distance of residential areas which residents may access comfortably on foot”*. It then sets out that they would have to progress up hill to reach the centre of the settlement and says *“However, they would also benefit from a downhill journey on their return. The gradient is considered*

not to be unduly steep or of a level that would be unduly prohibitive to pedestrians and cyclists". Whilst this example sets out the relevant facts, the analysis appears flawed and partisan. The reality is that (i) older people and (ii) families with young children – who are the two groups who indicated they were most interested in affordable housing – would not walk 850m uphill to the local shops. Thus this is likely to be beyond "within 10 minutes". There is no real engagement with the consequences of this point – clearly, they reduce the degree to which the development is sustainable, and substantially increase the likelihood that local facilities will be accessed by car.

26. Similarly with the assessment of the sustainability of the transportation links. There is a serious criticism levelled that 2001 census data is used which substantially underestimates the level of commuting out from the village, putting it below the relevant averages. All of the evidence I have seen in relation to the availability of bus services in Blockley and the lack of many employment options or other facilities suggest it is unlikely to be below average, and it is substantially more likely that, as BEAG suggest, it is significantly above it. BEAG further reference the draft Gloucestershire Local Transport Plan which apparently suggests that the figures would be 5% higher than the county average. The levels of estimated movements for 23 dwellings in Blockley seem to me to be unlikely to be accurate in these circumstances. I would also factor in the point raised immediately above as to the likelihood of people in fact walking 850 metres uphill.
27. Clearly, none of these factors are fatal to a conclusion in Members' planning judgment that overall a site is sustainable. BEAG also set out other relevant matters, in particular such as the lack of local employment. It has some relevance that the local shop is only supported by a National Lottery grant and its management committee run voluntarily and that other services are on a skeletal or part-time staff. The core point is that the degree to which this site is sustainable is significantly more finely balanced than the COR represents (if indeed it should be properly concluded that it is sustainable), and that has important repercussions for the overall balancing exercise (see below).

SHLAA Review and Affordable Housing

28. The explanation of where the evidence is on the SHLAA Review and the assessment of the Council's Forward Planning Section is at best inadequate and at worst is highly partisan. It is simply not sufficient to assess the complex stage that those Proposed Housing Allocation sites are at in the emerging Local Plan documentation as

"Forward Planning noted the comments of the Parish Council in respect of the whole site. However, the comments also had to be considered alongside national planning policy guidance and the substantial amount of other evidence collected about a number of SHLAA sites., On balance and having regard to all factors Forward Planning considered that the current application site was potentially suitable for residential development

29. I am also surprised that nowhere in the analysis in the COR is there any proper reference to, let alone analysis of:

- 1) The representations made by Brockley in relation to the proposed allocation (which is hotly contested); I have already noted the surprising omission of detailed consideration of this point, given that NPPF Paragraph 216 is plainly engaged and would substantially reduce the weight that

can be placed on these emerging policies as “*there are unresolved objections to relevant policies*”.

- 2) Blockley’s detailed community engagement consultation in December 2014. It is not even referred to in section (e) where “*affordable housing*” is analysed. Bizarrely it there states that “*a housing needs survey of the parish of Blockley was last conducted in 2010....*” but does not reference the most recent door-to-door survey conducted by the Parish Council, which is plainly a material consideration.

This December 2014 community engagement included a Housing Needs Survey delivered to every household in Blockley, with 149 surveys returned. Only 13% of the respondents (some 19 households) said they were in any type of housing need. Approximately even numbers said they wished to move to a smaller property (11 people). Only 4 wished to rent from a Housing Association. Only 6% said they a family member had left Blockley in the last 5 years because of affordability problems – 90% said that no family member had done so. From other analysis that Blockley did, it would appear that there are 23 empty properties in Blockley;

- 3) The other sites being put forward. Clearly, it is only in certain circumstances that considerations as to alternative sites are relevant, most commonly in the Greenbelt. However, this is development in an AONB, and where the allocation of this site in the emerging housing land supply reviews is highly controversial, and where there has been detailed analysis of the local need which raises substantial questions in relation to such development. It is plainly a case where these are material planning considerations as to the situation on this site. It is highly surprising that there is no analysis of this.

30. The COR does record that there is a 7- 9 year HLS.

31. In these circumstances where the COR has completely failed to set out or engage with the competing representations in relation to sites, or to set out the very real and hotly contested issues which are taking place as part of that process (and will be subject to detailed review), and yet seeks to put material weight on the need to continue to release sites, I am concerned that this conclusions is unlawful:

“...It is also evident that the continuing supply of housing land will only be achieved, prior to the adoption of the new Local Plan, through the planning application process. Allocated sites in the current Local Plan have essentially been exhausted. In order to meet its requirement to provide an ongoing supply of housing land there will remain a continuing need for the Council to release suitable sites outside Development Boundaries for residential development. It is considered that the need to release suitable sites for residential development represents a material consideration that must be taken into fully into account [sic] during the decision making process”.

32. Whilst it is not “wrong” either in law or in fact that this “need” is capable of being a material consideration (in principle many matters in planning are capable of being material considerations) the evidence set out and the analysis engaged with in the COR is simply not likely to properly sustain such a conclusion. The LPA has a 7- 9 year supply. Not only is there (or in any event,

should be) ongoing reviews of the HLS but it seems highly unlikely that there will not be a new Local Plan in place at some point within that period.

33. The weight being placed on this factor in these circumstances also verges on *Wednesbury* unreasonableness and there are good prospects it would be seen as irrational (see further paragraph 42-46 below).

Character and appearance of the AONB and setting of Blockley

34. I am concerned at the approach to the assessment of the character and appearance of the AONB and the setting of Blockley. These are, of course, quintessentially matters of planning judgment.

35. I have already noted the failure to have set out references to the RPS Group's analysis. Although I consider the COR does go into more detail in relation to its assessment of the Landscape and Visual Impact, in my view I have three major concerns with this section of the COR.

36. First, in addition the points already made above about the approach to the impact on the conservation area, in my view the Officer's Report falls into a clear error of law where it states:

On balance it is considered that short range views of the site reveal it to be seen in context with existing development. There is a degree of visual inter-connectivity between the site and the settlement with the result that the site does not appear as a distinctly separate parcel of land with no visual or landscape connection to the village. The applicant's Landscape and Visual Impact Assessment (LVIA) identifies that the proposal will have a medium magnitude of change and the significance of the visual effect will be moderate. Officers consider this to be a reasonable assessment

37. I contrast the final sentence with that of the analysis on HBY71 and HBY43, where the conclusion is "*Officers concur that the proposed landscape and visual impact will not have an adverse impact on the character or appearance of the AONB from HBY71 and HBY43*"

38. The question is not whether the Landscape and Visual Impact Assessment is "reasonable". It is not about whether the applicant's LVIA team reached a decision that was reasonably open to them to reach. The LPA must form its own view.

39. Paragraph 115 of the NPPF states that "*great weight should be given to conserving landscape and scenic beauty in.... Areas of Outstanding Natural Beauty*".

40. Second, in my view, the COR does not analyse in any real or proper detail the principal criticisms made by BEAG of the Appellant's Landscape and Visual Impact Assessment Study. For example, it does not engage with the individual photographs that BEAG puts forward nor the analysis of the different site views put forward. It also does not properly engage with the fact that whether this density can work on this site given the tension between (i) the need to provide the "area of open space at the front of the site" relied upon in relation to the AONB and (ii) with the other constraints that are also put forward (in particular that of the brook corridor that also needs to be included within the open space provision, and the uncertainty around the visibility splays

that I refer to below). Such a detailed analysis is required given Paragraph 115 of the NPPF (and the other policies set out in the COR).

41. Third, I am concerned about the rationality of the final conclusion. This reads:

Overall, it is considered that the proposal will help to address the Council's needs to provide a continued supply of housing land and will provide affordable housing to meet local needs. It is noted that the Council can currently demonstrate a robust 5 year supply of deliverable housing land. However, this requirement is a minimum not a maximum and as such the Council still needs to ensure that a supply of land is maintained in order to meet its ongoing requirements. Whilst the weight that can be given to the need to provide housing when the supply is in surplus is less than when the supply is in deficit the provision of housing still carries weight when considering this application, especially given the requirement of the NPPF to 'boost significantly the supply of housing' (para 49).

In addition to the above the site is also located in a sustainable location in terms of accessibility to services and facilities and has been identified in emerging Local Plan documents as a proposed housing allocation site. In addition, no objections have been received to the proposal from any statutory or technical consultees in respect of matters such as highway impact and safety, drainage and flooding, ecology, archaeology, heritage or infrastructure. These matters are considered to weigh in favour of the proposal.

It is noted that great weight should be given "to conserving landscape and scenic beauty" in AONBs. The impact of the proposal on the designated area has been given careful consideration. It is of note that the ability of the site to accommodate residential development has been assessed as part of the emerging Local Plan process. Independent landscape consultant's reports indicate that the site has a medium sensitivity and the emerging Local Plan identifies it is a potential housing site. The level of development now proposed for the site is low at approximately 10 dwellings per hectare and as such it could represent a transitional form of development rather than an abrupt urban edge to the settlement. Long range views of the site are limited and reveal the site to be seen in context with existing village development. With regard to short range view the site is bordered on two sides by residential development and has a degree of visual connection with the village rather than appearing as a disconnected and unrelated parcel of land. It is considered that the impact on the AONB is not such that it would outweigh the benefits arising from the proposal. It is considered that the proposal accords with the principles of sustainable development as set out in the NPPF... and is therefore recommended for approval.

42. This conclusion is predicated on the earlier conclusion in relation to (1) that having a housing land supply well beyond 5 years is nevertheless important and a material consideration and (2) the assertion that the site's location is "sustainable".

43. I am concerned at the rationality of this approach where Paragraph 115 of the NPPF is engaged. The starting point has to be that great weight is placed on the AONB.

44. Against that "great weight", there is the fact that yes, longer term housing land supplies are beneficial. Clearly they are. But this is a LPA that can demonstrate a 7 – 9 year housing land supply, and where the relevant local community is saying very clearly having conducted a household level survey that it does not need this development and where BEAG's analysis indicates a substantial number of developments in the pipeline in the relatively near vicinity (which of itself is not surprising if there is a 7-9 year housing land supply). Properly analysed, the sustainability of this site is far from clear, and it is misleading to assert in such clear and certain terms that there is a sustainable location in relation to "*accessibility to services and facilities*" and that it has been "*identified in emerging Local Plan documents as a proposed housing allocation*

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site” without even setting out the very important caveats to those two conclusions (including other sites that the emerging Local Plan may prefer.

45. Put shortly, in my view, this conclusion (and the analysis more generally in the COR) does not display full, clear, adequate reasoning. For a decision to be lawful, it must grapple with the “*principle controversial issues*” and do so rationally and reasonably, indicating how and why those principle controversial issues were resolved. On one side of the scales there is a hefty consideration – either Para 116 of the NPPF (in which case the “exceptionality” tests have to be met, which it seems highly unlikely that they could be) or Para 115 of the NPPF and the AONB. On the other side of the scales, there are some far more light-weighted considerations that have not been full and adequately considered, for the reasons I have set out.

Other matters

46. I am not able to comment on the approach to the flood risk assessment, other than to note that the concerns in relation to surface water do not appear on the face of the COR to have been adequately addressed, including whether Gloucestershire County Council has been consulted. I am also uncertain whether the issues in relation to the relevant speeds on the roads adjacent and proximate to the development, the highway capacity within Brockley, and the adequacy of the visibility splays, has been properly resolved. It may be that these matters can be adequately dealt with by condition, given that this is an outline application, but this is not clear from the COR. Given the other inadequacies in the report, however, it seems to me there is a real risk that these considerations (or the evidence before the LPA on which to reach a conclusion) has been inadequate.

SASHA BLACKMORE
LANDMARK CHAMBERS
10 NOVEMBER 2015

Ecob1a Representation

CS.2581/A

26 Gander Hill
Haywards Heath
West Sussex
RH16 1QX

email:

10th November 2015

Kevin Field
Planning and Development Manager
Cotswold District Council
Trinity Road
Cirencester
Gloucestershire GL7 1PX

Dear Kevin Field,

Re: Outline Application for Residential development for up to 23 dwellings and associated works (Outline application) at Land Off Draycott Road Draycott Road Blockley Gloucestershire for Cala Homes

I am writing to oppose this development for the following reasons:

The recent archaeological survey of the site showed significant finds: Roman artefacts and also evidence of prehistoric, Saxon and Medieval occupation and structures. This all points to the likelihood that part of Blockley could be where the first settlers made their homes; there is fresh water, 'Ley' means a fairly flat area of grassland - livestock - and 'Block' means a wooded valley. The heritage of this site is of importance to the essence of the village, and is material in its Area of Outstanding Natural Beauty status.

Over recent years, large numbers of new homes have been built in a ten mile radius around Blockley, not just in the North Cotswolds but in the adjoining counties (Warwickshire, Oxfordshire and Worcestershire). The effect is a significant overload on already creaking infrastructure with limited upgrade potential because it is mostly surrounded by private land, Conservation or other protected areas.

Cotswold District Council has published a development area for Blockley. On their own calculations this could result in fifty-one extra dwellings being built in this part of Blockley, but there will also be individual plots, in-filling and residential conversions elsewhere in the village. Based on past trends, that could result in a further sixty dwellings over the twenty year period. Blockley Environmental Action Group estimates that over the plan period, more than one hundred and ten houses could be built in Blockley if this site goes ahead. However, it could be much more as once planning permission has been granted there is nothing to stop developers and landowners coming back with denser schemes to build more houses. We know other developers are waiting on the outcome of this application.

As mentioned above, Little Shoe Broad is a Cotswold Area of Outstanding Natural Beauty. May it be possible please to build instead on brownfield land? I understand

that it costs a bit more to build on brownfield land, and more effort is needed to prepare the site. May this extra cost be spent please, to improve our less pretty areas and to save the beautiful landscape for our children to enjoy in time to come?

In terms of social housing, it has been shown that moving people from cities to quiet villages does not help them out. For example, most city people are likely to become frustrated with the slower pace of Blockley village, and miss the entertainment that a city offers. It has been shown that their problems are not solved and sadly, instead, further problems are caused within a village.

Parts of Little Shoe Broad are liable to flooding.

It is a picturesque and peaceful site. There is an extensive range of birds to be seen in the field. Some of these must be conserved to keep their numbers up, both here in the UK and worldwide. There are also other species that critically need to be looked after. There are bats and wild flowers, the latter encouraging insect pollinators.

Where will we be in a few years' time if we do not stop and think about our actions now?

The field is outside the boundary of the village. This would make it difficult for some people to have easy access to the amenities in the village. Consequently, this will increase the use of cars, leading to environmental issues.

Over the past few years, various new housing has been built in our area. Unfortunately, this has increased the use of cars. I walk with my children up a hill on our way to school, and it now causes me concern that the children are breathing in too many dangerous fumes. I think this a desperate situation; research shows that children do better at school if they have walked/biked/scooted there, and they have the chance for some exercise too. I hope that other children can do so, filling their lungs with fresh air. This is possible when housing is built closer to schools, encouraging the majority to leave their cars at home.

People do need to live somewhere but it would be kind if an alternative site could be found please, as building on Little Shoe Broad will affect the quality of life for the current residents. For example, there is a retired Head Teacher whose house is on the boundary of this site. She worked in the local school in Blockley village, and put a tremendous amount of effort into her work. There are other people there who have served the community, supporting local children's educational charities and have worked diligently for many years, and are now reaching retirement. It would be kind if Little Shoe Broad may be kept as a peaceful piece of land please.

Yours sincerely,
Megan Healy

CD. 9514 Parish Council Comments

SYNOPSIS OF COMMENTS MADE ON 11 NOVEMBER 2015 BY GORDON DAY ON BEHALF OF SEVENHAMPTON PARISH COUNCIL CONCERNING APPLICATION NO. CD.9514

I assume that all members of the Committee have read the Parish Council's letter of 21 September which can be found at pages 116 and 117 of your papers and that accordingly I do not need to repeat the procedural shortcomings described in that letter which are of great concern to us.

The Parish Council supports in principle the improvement of mobile telephone coverage in the parish and in rural areas generally. However, this application provides only a partial solution for the parish, with some areas still excluded from mobile coverage.

Had proper and timely consultation taken place prior to the filing of this application, the question of alternative sites providing a solution for Sevenhampton as well as Brockhampton and indeed the alternative technologies available and being developed to address such problems could have been properly considered by all concerned. We are concerned that all technically feasible alternatives have not been explored and that local knowledge has not been sought. Local consultation would have revealed less conspicuous and technically more viable sites.

Instead the Parish Council was told by the Applicant at its meeting on 16 September that no consultation was possible due to its own self-imposed deadline of 31 October for the obtaining of full planning permission, a threat repeated in its letter of 9 October at page 111 of your papers. Indeed, if this letter is to be taken at face value, the project may already have been abandoned. We were put in a straight "take it or leave it" situation as you have been.

The Parish Council is concerned that if this proposal proceeds at an estimated cost to public funds of some £180,000, the possibility of further expenditure being approved to provide improved coverage for Sevenhampton and other areas failed by this application is remote.

The Parish Council would therefore invite the Committee to defer this application to enable proper consultation to take place between all interested parties without any artificial time constraints and with all the relevant data being made available.

Thank you.

CD. 9514 Objector's Comments

Good morning Chair and members.

I represent over 30 residents of the local community who all support the need for improved network coverage but not at any price.

May I say that poor mobile reception is the problem for us - the residents. This is our community and any scheme is supposed to solve our problems. We should have ownership of the problem and the solutions. Arqiva in 3 years work have never properly consulted the community.

Arqiva's proposal uses the most basic technology and most convenient location. It directly benefits only 63 dwellings and leaves many Not Spots untouched. Of course and most importantly it achieves their financial objective before the scheme closes.

However, we wish you to reject this application on planning grounds that I will explain.

Policy INF10 of the proposed local plan under consultation states that telecommunications infrastructure development which is likely to have a negative impact on the environment is required to demonstrate:

1. ALL technically feasible alternatives have been found to be unviable.
2. There are NO alternative locations which are likely to be less conspicuous.

Their application falls on both counts and ~~this stems directly from the applicants failure to conduct the pre-planning consultation which was required of them by the Code of Good Practice to which they signed up.~~

The applicant has not considered alternative technological solutions although these exist and they have not investigated all reasonable alternative sites. . At short notice residents proposed 8 alternative sites (there may be more), Arqiva cursorily rejected 3 but never considered the other 5.

With regard to the proposed site

- The location is at the highest, most open spot which impacts one of the most dominant skylines in that area.
- The structure is out of context with its surroundings. A 23m high aerial with no natural screening and only 1x 8m high farm building demonstrates how intrusive this will be on the AONB
- No consideration has been made of alternative less offensive aerial designs or camouflage
- Concerns regarding noise pollution have not been investigated despite previous agreement by the applicant to conduct noise tests.
- ~~The applicant has assumed there is no requirement for a fixed light and therefore light pollution but has not checked with relevant authorities~~

On this basis we believe

- the potential level of harm outweighs the limited benefits
 - the application does not comply with the local plans
- and
- there are many many outstanding issues to be resolved

We therefore request you refuse this application or at the very least defer a decision until the applicant can satisfy the committee that

1. The full benefits have been quantified taking into account the local context and existing coverage
2. ~~Alternative technological solutions and less conspicuous site options have been fully investigated~~
3. ~~Alternative aerial designs are considered in consultation with local residents~~
4. ~~Noise tests are undertaken~~
5. ~~Confirmation regarding the need for a warning light is sought from the relevant authorities~~

We beg your support to our request

Philip Ross
On behalf of other residents

Planning Application Ref: 15/03546/FUL

Erection of a 23.0 m high lattice tower with 6 antennas and two dishes, installation of 6 equipment cabinets, ancillary development within 2.2 m high fencing and new access track

Land Adjacent to Nashs Barn, Park Lane, Sevenhampton, Gloucestershire GL54 5XH

Statement made by Saleem Shamash BSc (Hons) FRICS MRTPI, Arqiva - National Town Planning Manager

Cotswold District Council Planning Committee 11 November 2015

Mr Chairman, Members - Good Morning

I am the National Town Planning Manager from Arqiva, the company appointed by the UK Government to implement the Mobile Infrastructure Project.

Mobile connectivity has existed in the UK for 30 years. As we move into the Digital Age the Government believes it must intervene to help bring coverage to complete not spot areas without mobile connectivity.

The not spot data has been supplied by Government through OFCOM. In turn, OFCOM has used information from all the Mobile Network Operators, who are participants in the project.

The site selection has been subject to the rigorous testing and approval process adopted by the Government and the Mobile Network Operators. All parties are keen to ensure that the proposal:

- satisfies the project objectives**
- delivers value for public money**
- and offers the likelihood of a reasonable economic return over the planned 20 year life of the installation, during which time the operators will share the operational costs.**

The site selection has also followed due consultation as part of the attempt to strike an acceptable balance between environmental and operational considerations.

The resultant proposal should cover over 18 not spots within which there are 63 premises. However, the mast will provide an umbrella of coverage over a wider area and so will have the added benefits of:

- Eradicating partial not spots, for example, where Vodafone, but not Orange may provide service
- Provide coverage to farmland, ~~which is important to farmers now faced with a plethora of online forms from DEFRA and in case of emergency~~
- Provide coverage over roads and public rights of way - again this is vital for 999 calls or to summon the breakdown services
- All MIP sites have been developed straight to 4G, i.e. superfast wireless broadband

Now regrettably as with all forms of infrastructure essential to a modern society the installations are not invisible and the fact that the mast must support all operators dictates a more traditional structure.

It is perhaps unsurprising that after 30 years the solution raises some localised issues. These have been fully and comprehensively addressed by your Planning Officer in the application process and in assessing the planning balance.

The only thing I will add is that over time, the visibility of the mast which will be localised will diminish. From most vantage points the mast will just become a minor feature in a wider panorama.

By contrast the advantages will increase :

- 20 years will see us to 6G - and think about what your devices could not do 10/15 years ago and project forward to consider what they might do in the future
- Smart phones and tablets have only existed for 5 years and have already transformed our lives

- The pace of change is therefore phenomenal and to lose out will in the future place local communities and businesses at a very serious disadvantage

So in conclusion I urge you to accept your officer's recommendation and grant planning permission.

Thank you.

14/00188/FUL

CS.0411/S - TOWN COUNCIL COMMENTS

I support most of the points made by the Planning Officer in recommending refusal.

Where I take issue with her is where she dismisses the case for retaining the site for employment use.

She says "Although the loss of any commercial operation is regrettable, the site is not considered to be strategically important and is not protected by Local Plan policy. In this instance it is considered that the provision of new housing on a brownfield site would outweigh the potential harm arising from the loss of a commercial operation"

This is disingenuous. The CDC January 2015 consultation on the emerging Local Plan laid stress on the desirability of finding a site for small workshops (relevant extract attached). The Stow Ag site fits that bill to a T.

Stow Town Council has objected to the proposed change of use from Business to Housing and in our emerging Neighbourhood Plan have identified the Stow Ag site for the development of small workshops. It is the only feasible site for such development which is much needed to help balance the town's economy which is overwhelmingly dependant on tourism and retail.

The development is overly large with inadequate parking and amenity space. It is poorly located for pedestrian access to town. The pedestrian phase suggested for the traffic lights would add to the congestion on the already overloaded Fosse Way which carries some 20000 vehicles a day.

The other point I would wish to stress is that Stow already has a very aged population. That is going to be exacerbated by The Brackley development north of Tesco with 48 apartments for the elderly and the English Care Village application granted on appeal. Taken together these two developments are likely to add some 200 elderly to a town that has a population of just over 2000 of whom some 37% are over 60 (the percentage for England is 22%) How on earth can adding further to this problem be considered sustainable/

and 1 of every 6 residents
is over 75

ALUN WAITE

STOW TOWN COUNCIL

8.175 As one of the district's main tourist attractions, Stow on the Wold is an important contributor to the area's success, with a good range of shops and services. Hotels, pubs, restaurants and tea/ coffee shops are abundant, and the town has a high proportion of holiday accommodation with short term and long term stay sustaining the economy all year round. About 50% of working age residents are employed within the town in about 1,130 jobs. An appropriate and discreetly located site, capable of delivering a development of small local workshops at Stow, would beneficially diversify the town's economy.

8.179 The Preferred Development Strategy sought to identify an appropriate and discreetly located site capable of delivering a development of small local workshops in Stow. No sites have come forward through the Strategic Employment Land Availability Assessment. Indeed, evidence demonstrates that there is a viability issue regarding the development of sites for employment purposes at Stow-on-the-Wold.

	Stow	Cotswold	SW	England
Pop	2042	82881	5288935	53012456
0 to 4	72	3929	264094	3318449
5 to 17	243	11815	712519	8018511
18 to 44	521	23730	1769557	19565788
45 to 59	429	18529	1063214	10276902
60 to 74	418	15805	894409	7724560
75 to 84	220	6281	348759	2928118
85 and over	139	2782	153783	1180128

	Stow	Cotswold	SW	England
	2042	82881	5288935	53012456
	3.53	4.74	4.99	6.26
	11.90	14.26	13.47	15.13
	25.51	28.63	33.46	36.91
	21.01	22.36	20.10	19.39
	20.47	19.07	16.91	14.57
	10.77	7.58	6.59	5.52
	6.81	3.36	2.91	2.23

Economic Activity

Active

Pop 16 to 74	1414			
Part Time	210			
Full Time	471			
Self Employed	279			
Unemployed	30	1491	126208	1702847
Student	27			

Inactive

Retired	256			
Student	48			
Carer	46			
L T Sick Dis	29			
Other	18			
	1414			

Unemployed %	2.1	2.5	3.3	4.4
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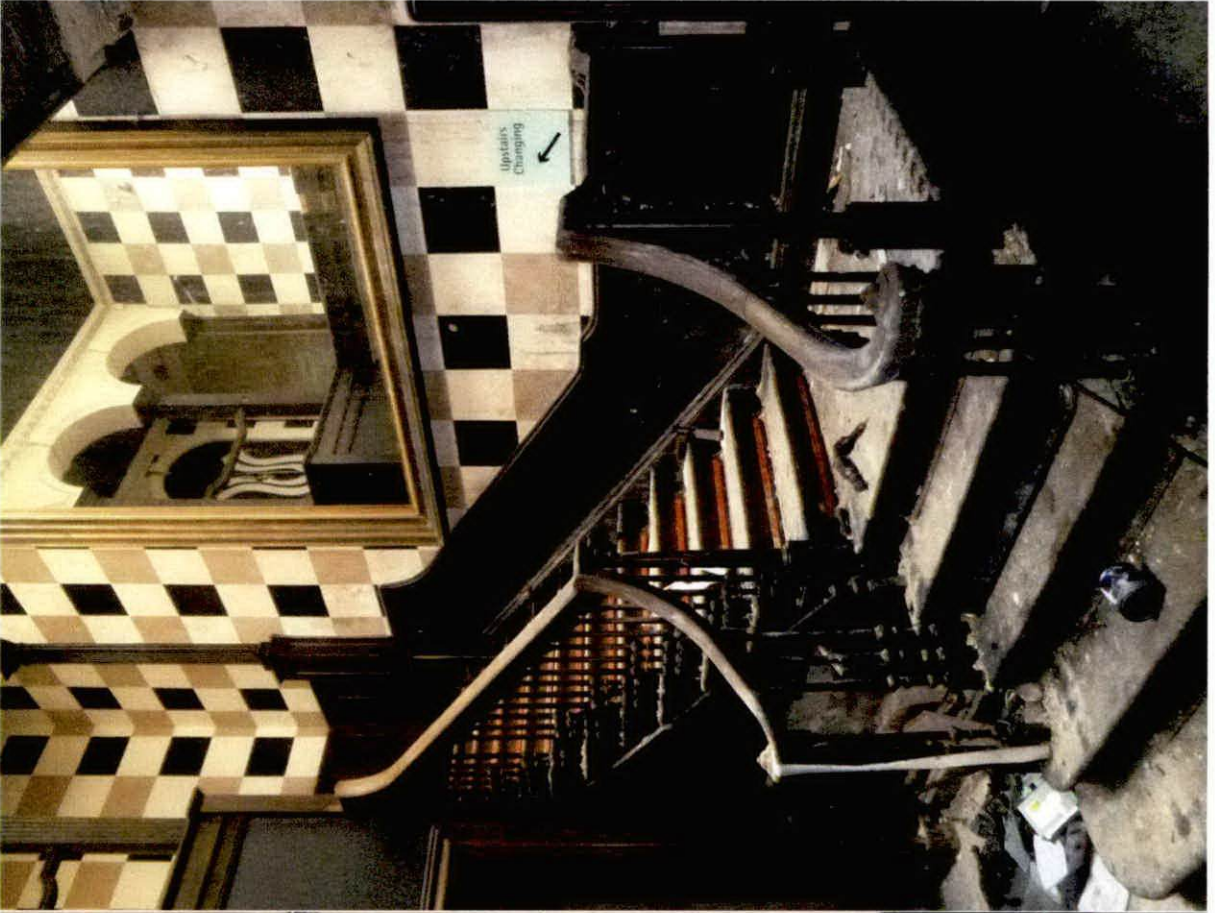
Car/Van Ownership

Households	966	
None	186	19.25
One	439	45.45
Two	240	24.84
Three	71	7.35
Four or more	30	3.11
Total owned	1262	130.64

CT. 4203/2/1K - Casa Officer's Photographs









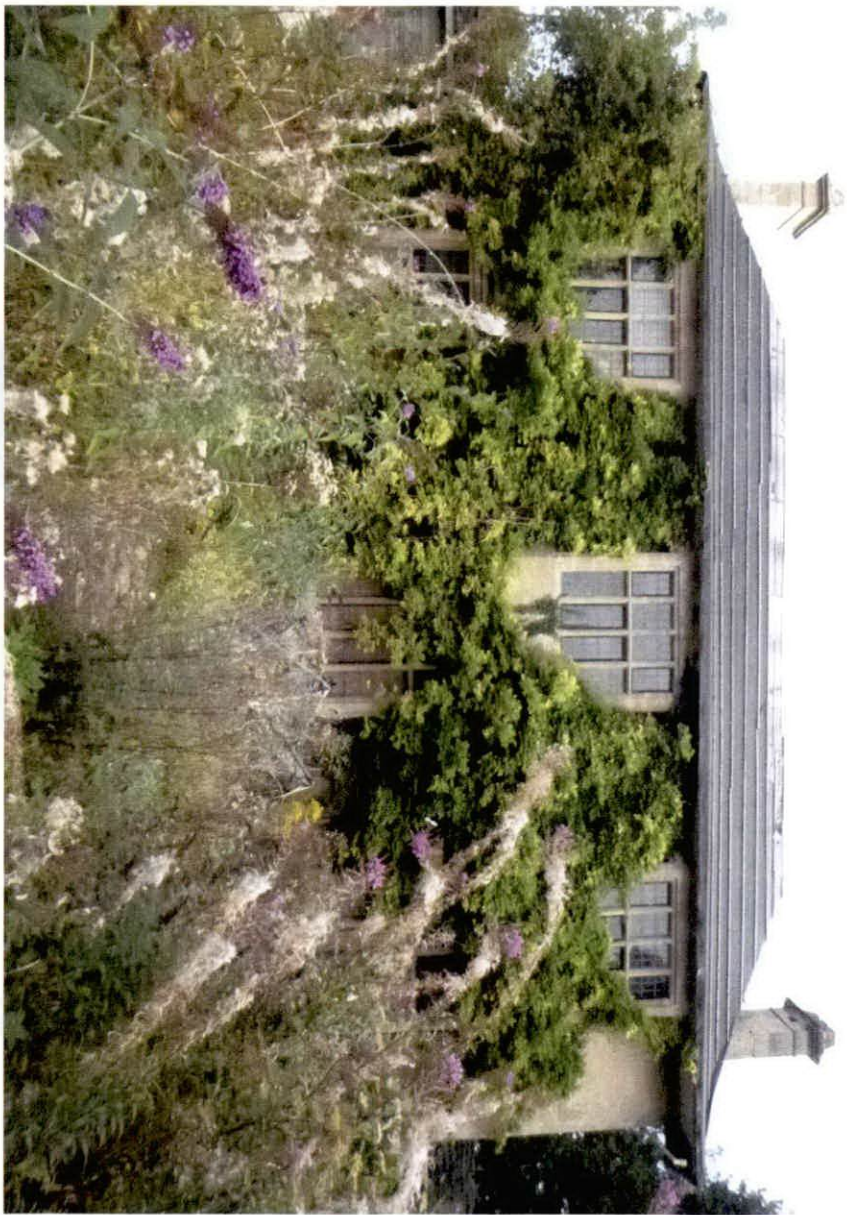
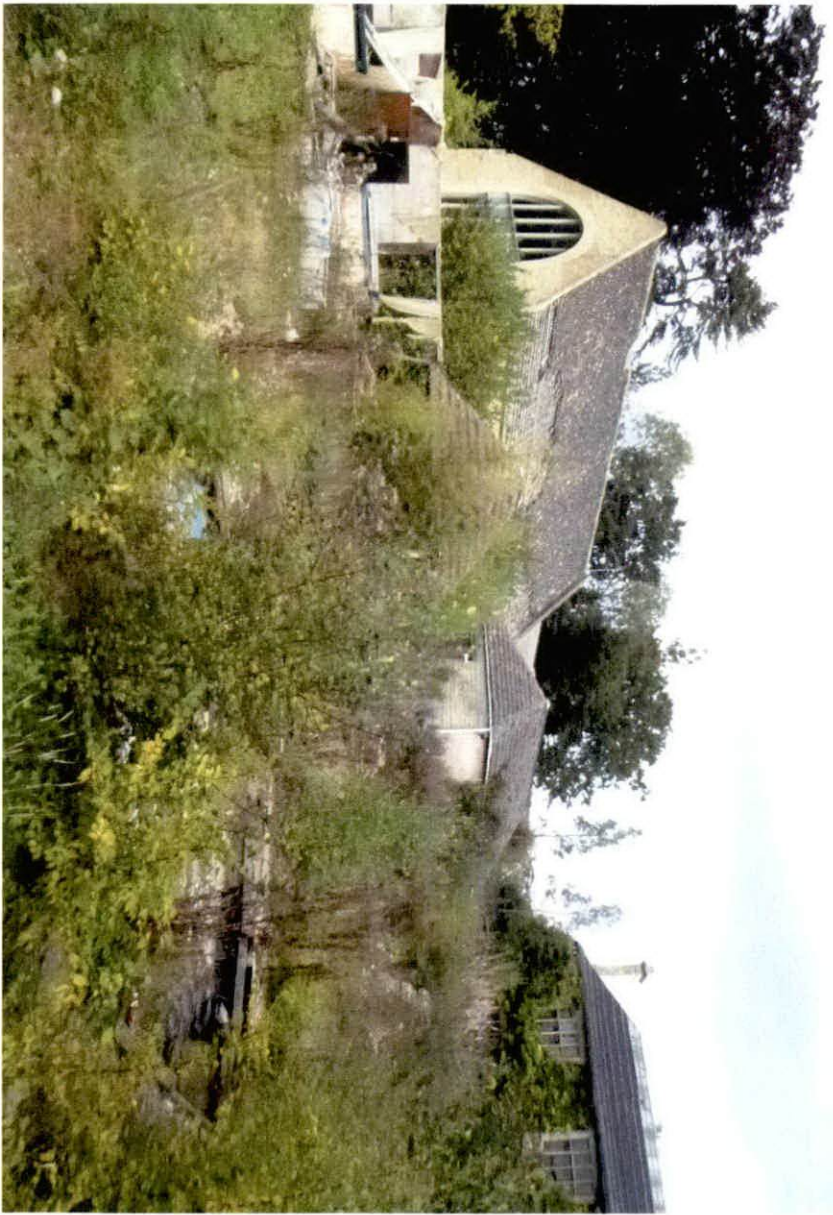


















From:
Sent: 05 November 2015 11:45
To:
Subject: Fwd: 4 Stratton Place- November 11th meeting

----- Original Message -----

From: _____
To: ĉ
Date: 05 November 2015 at 11:41
Subject: 4 Stratton Place- November 11th meeting

I am speaking as a resident of 4 Stratton place.

We understand the need for growth and development and would be supportive of any re-development of the existing site that would enhance the immediate environment which for us residents is not only hazardous but unsightly.

The proposed application we feel is an over development of the site and will create hazards of a different nature- 1) The dramatic increase in traffic entering and leaving the site through one main entrance 24 hours a day of both private and commercial vehicles which will no doubt interfere with our quiet enjoyment of our properties and also create a hazardous bottle neck effect to the main entrance of Stratton Place which is currently has only width for one car to pass through at a time. 2) Being a residential commercial building there will be the potential for 24 hour noise disturbance (kitchen/laundry/medical assistance) which will have a detrimental impact on our enjoyment of our properties and no doubt a detrimental effect on their value being within such close proximity of a round the clock commercial entity.

We would favor a smaller residential development that will create more housing for local residents and enhance the immediate landscape rather than create a commercial anti climax that will do nothing to enrich the local community but simply fill the coffers of a greedy developer.

Derek Chiplin

CT.4203/2/K Exct- Representation

From: Philip Farrelly <farrelly.philip@gmail.com>
Sent: 11 November 2015 07:30
To: Democratic
Subject: 15/03052/FUL

Unfortunately due to pressing work commitments, as a result of attending two funerals last week, I cannot now attend the planning committee as intended.

I live in Appletrees, a small bungalow in Albion Street that faces out onto the Le Spa site. After reading much of the planning submission, I have a number of comments to make.

Firstly I think that the proposal is completely out of proportion for the site, but taking a logical approach, I compare the plans submitted with the existing planning consent.

The site currently HAS consent for a 63 bed care home plus 7 domestic dwellings, and that has been the case since circa 2010, after a review by the Planning Inspectorate. So in simple terms, replacing a 63 bed care home with a 64 bed care home appears comparable - the KEY difference is the destruction and demolition of the Heritage asset that is the existing building. This building has fallen into disrepair - indeed I have witnessed this - when a team of approx 10 men arrived, erected scaffolding and removed the original Cotswold tiled roof, along with a huge crane to remove other assets from the garden.

However from a planning perspective I understand - and it is documented deep inside the submitted plans, that the state of the Heritage asset should bear NO weight in planning considerations - and that this is National policy. The fairly Planning Inspectors report (2010) after a period of consideration and deliberation commented that the facade was of considerable merit - and was of value to the local community, therefore instructed that the 7 dwellings were 'parted' to enable the facade to be available to be viewed from Gloucester Road.

The second element of the proposal is the amendment of 7 domestic dwelling with two high rise blocks of Assisted Living units, converting this whole site into a mini care village in an otherwise domestic setting. Whilst these blocks are further from my boundary with the site, they are considerably taller than the consented 7 houses.

However of much greater concern for me this the FOUR tiered Wellness Centre opposite to my bungalow. When there are no leaves on the existing line of Hornbeam trees, I will be overshadowed by this enormous construction - topped off with the open air roof terrace.

So in summary, I urge that the Committee resist the request to DESTROY the existing Heritage asset, and follow National policy to not be influenced by its current state, and take note of the considered opinion of the National Inspector to SAVE this noteworthy building.

I urge you to decline the 2nd element of the two Assisted Living blocks.

Regards

Philip Farrelly

CT. 4203/2/10 - Eoctia Representation

Dear Councillors,

Update: proposed care village at Stratton Place, Cirencester

As you may know, a planning application by Court House Care to create a high-quality care village at Stratton Place in Gloucester Road, Cirencester is scheduled to come before Cotswold District Council's planning committee on November 11.

You may have seen the case officer's report and his recommendation to approve the application subject to conditions.

We'd like to take this opportunity of providing you with a brief update on the proposals and the efforts which have been made to work with both the council and local stakeholders since we last contacted you in July.

By way of background, you probably recall that the former hotel and spa building has been empty since 2011 when it came into bank ownership of the liquidators. During that period (ie, the last four years), the site has been persistently targeted by vandals and the buildings have fallen into a state of disrepair.

The new proposals envisage a private care village at Stratton Place which would regenerate the 1.3 hectare site, respond to the growing need for high-quality care facilities and breathe new life into a neglected parcel of land in Cirencester.

It would comprise:

- a 64-bed care home, 8 care suites and 34 assisted living units;
- a car park and underground parking for a total 62 cars;
- access from the current entrance in Gloucester Road;
- sensitive landscaping which respects the open space policy of Cotswold District Council.

In response to concerns raised by Cirencester Town Council about demolition of the existing buildings, the project team contacted Cirencester Civic Society which asked if the façade of the original building could be recorded and stored so that there might be a chance of selling it. We are pleased to let you know that a salvage and reclamation company has agreed to buy the façade and catalogue its features so that it can be sold in an appropriate manner, either as a complete façade, or piece by piece.

In addition, the District Council's Conservation Officer has suggested a planning condition, with which Court House Care is happy to comply, that the applicants agree a programme of architectural recording of pre-1948 structures and that the work be carried out to a standard recognised by Historic England and agreed with the council.

Court House Care has made every effort to keep neighbours informed about the proposals and, as a consequence, changes have been made to the design of the buildings to safeguard their privacy. The main changes are as follows:

- The footprint of Block 2 has been reduced in response to comments from neighbours about overlooking. This has led to a reduction of the total number of proposed assisted units from 36 to 34.
- The south east gable ends of Block 2, facing the site's eastern boundary, have been reduced by one storey to improve the perceived size and scale of the building.
- Windows in the corridor areas of the upper floors have been completely removed so that neighbours aren't overlooked from the upper floor levels.
- The whole second floor adheres to the recommended separation distance of 21m from the nearest neighbouring property.

One of the main issues raised by neighbours was landscaping and the overgrown hedges and trees. Court House Care's landscape expert has therefore held detailed discussions with neighbours on all sides. We share their concerns that the overgrown hedges and trees should be carefully managed so as to maximise privacy and minimise nuisance. The landscape schemes have been revised accordingly and a long-term maintenance plan has been drawn up that seeks to meet the neighbours' requests.

Court House Care is happy to comply with the conditions suggested by the case officer in his report with regard to landscaping and all other issues.

We hope that members of Cotswold District Council will feel able to support the scheme on November 11.

Attached, for your information, are some images of what the new care home would look like, along with a photograph of what the site looks like now.

If you have any comments or queries, please feel free to get in touch and we'll do our best to help.

Yours,

Anita Syvret
Project Communications for Court House Care







CD. 8481/F - Ajerh Commeh

15/02289/FUL

Introduction

My name is Melanie Holt of Moule & Co and I'm speaking on behalf of the applicants as their agent.

The Old Quarry site is the same as that for the lairage building previously considered, utilised in conjunction with the applicant's livestock haulage business.

The site provides an isolation facility to off-load sick and injured livestock, rest facilities for consignments of livestock being transported on journeys of more than 8 hours and collection facility for local farmers to bring smaller numbers of stock which are then amalgamated into larger, more viable loads for transport to market or direct to abattoir.

Detail

The Ed Gilder group transport on average 2,000 sheep and 80 cattle per day amounting to over 500,000 sheep and 20,000 cattle a year. Last year over 9,500 sheep and 500 cattle passed through the site with numbers for 2016 projected at nearly 11,000 sheep and over 500 cattle.

The livestock are loose housed on straw beds during their stays, which are typically 8-24 hours before they're moved off again. For biosecurity reasons, the building is cleaned out and disinfected between each load of livestock and as you can imagine, this creates quite a volume of Farm Yard Manure, which needs to be stacked somewhere on site before it can be collected and taken away.

The Old Quarry is within a Nitrate Vulnerable Zone designation which means there is a legislative requirement for that farmyard manure to be stored on an impermeable base with provision for the collection and containment of any run-off to stop this from entering ground waters.

The concrete panel walls are there to contain the spread of the muck pile within the yard and prevent it from spilling onto neighbouring land or being washed down onto the road. The scale and height are appropriate for the volume of manure produced and the frequency of its removal from site.

We appreciate that the store is positioned close to the roadside boundary and is currently visible. However some evergreen planting extending a line of mature trees along the roadside will completely screen the structure given a few short years to grow. In addition, a more natural planting scheme of native species has been proposed on the former access, to soften the view when approaching from the north. We would be happy to accommodate any additional amount of landscaping on this area as deemed necessary by condition.

Access

Negligible additional traffic movements will be generated and Highways have raised no objection.

In Summary

The services provided by Ed Gilder's Livestock Haulage and facilitated by this site are important to the local agricultural and rural community.

The muck store is a legislative and lairage site licence requirement, necessary for the proper functioning of the agricultural lairage.

The use as a muck store was existing and historic aerial photography would support this.

National and local planning policies support the existing business sectors in rural areas and emerging policy states the importance of supporting and strengthening the local economy to 'ensure... businesses can flourish'.

The siting is practical, from a Health and Safety and Animal Welfare point of view, it doesn't disrupt other traffic or animal movements within the site.

And any visual impact can be adequately screened.

We therefore request that you follow your Officer's recommendation in approving the application.

Introduction

My name is Melanie Holt of Moule & Co and I'm speaking on behalf of the applicants as their agent.

The Old Quarry site is just less than an acre with planning consent for use as an agricultural lairage. It's utilised in conjunction with the applicant's national and international livestock haulage business, providing essential facilities to meet with the requirements and legislation around the transport of livestock, animal health and welfare including minimising the risk of spread of disease.

The site provides an isolation facility to off load sick and injured livestock, rest facilities for consignments of livestock being transported on journeys of more than 8 hours and also a collection facility for local farmers to bring smaller numbers of stock which are then amalgamated into larger, more viable loads for transport to market or direct to abattoir. The animals typically spend 8-24 hours on site before being moved off.

The site is within the Cotswolds AONB but generally elevated from the road and well screened.

Detail

Livestock numbers and demand for the services provided by the site have increased year on year for the last three years and there is commercial demand to increase capacity on this site in support of the wider livestock haulage business.

The building will provide loose housing for livestock and ^{in the new building} additional fodder and feed storage; initially proposed for the housing of pigs, hay and straw at the same time as cattle, sheep and feed are accommodated in the existing building. The space will be flexible within those uses to accommodate different sized loads and consignments.

The additional facilities and capacity will bring efficiency benefits in staffing, business resources, and haulage movements, supporting the economic growth of an existing rural business.

The proposed building is well related to the existing building for practical and visual impact reasons, sited behind the existing building in the most part and not exceeding its dimensions.

Access

Likely additional traffic movements based on the proposed increased numbers of livestock through the site have been generated and provided within the submitted reports. Highways have raised no objection.

In Summary

The services provided by Ed Gilder's Livestock Haulage and facilitated by this site are important to the local agricultural and rural community.

The site is currently utilised for the purposes of an agricultural lairage in association with an existing, successful and profitable rural business. The proposal merely extends the existing undercover facilities.

The design is appropriate in scale, construction and use of materials for the proposed use. It is well screened and sited in good practical relation to the existing building and will allow for the natural expansion of the business without detriment to the surrounding countryside or neighbouring land uses.

The nature of objections has been well addressed in your officers' report, which are mostly irrelevant to this application, private matters or simply speculative.

National and local planning policies support economic growth in rural areas and existing businesses through well-designed new buildings. Emerging policy states the importance of supporting and strengthening the local economy to 'ensure... businesses can flourish'.

We therefore request that you follow your Officers recommendation in approving the application.