

Item No 01:-**15/01020/OUT CD.2581/H****Land Off Draycott Road
Draycott Road
Blockley
Gloucestershire**

Item No 01:-

**Residential development for up to 23 dwellings and associated works
(Outline application) at Land Off Draycott Road
Draycott Road Blockley Gloucestershire**

Outline Application 15/01020/OUT (CD.2581/H)	
Applicant:	Cala Homes
Agent:	Hunter Page Planning
Case Officer:	Martin Perks
Ward Member(s):	Councillor Mrs Sue Jepson
Committee Date:	9th December 2015

Site Plan



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RECOMMENDATION: PERMIT SUBJECT TO S106 AGREEMENT COVERING PROVISION OF AFFORDABLE HOUSING AND FINANCIAL CONTRIBUTIONS TO EDUCATION AND BLOCKLEY PARISH COUNCIL

This application was deferred from the meeting held on the 11th November so that Members could have time to examine and assess the Counsel Opinion submitted on behalf of Blockley Environmental Action Group (BEAG). A copy of the Opinion has been attached to this report. In response to the aforementioned Opinion the District Council has also

sought legal advice on the matter (see attached). In summary, the advice states 'I do not regard any of the matters raised in the Opinion as giving rise to even arguable grounds for legal challenge.' In addition, legal Opinion has also been received from Morag Ellis QC who was engaged by the applicant, CALA Homes, to undertake a review of the Officer report and the Opinion provided on behalf of BEAG. A copy of this advice is also attached to this report. In summary, Morag Ellis QC states that 'a challenge on the basis that the Report would significantly mislead members as to material matters would fail.' She also states 'a challenge to a committee decision taken in reliance on the Report on the basis that there was an error of law or irrationality in the decision should similarly be unsuccessful.'

Notwithstanding the above, both Counsels have advised, for the sake of clarity, that the Officer report addresses a number of points in more detail. These points are as follows;

S85 of the Countryside and Rights of Way Act 2000

In their legal advice the Counsels advise that further reference could be made to the statutory duty 'to have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.' In response, the original Officer report did advise Members of the aforementioned duty. The first paragraph under the 'Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty and Setting of Blockley' refers to Section 85 of the Countryside and Rights of Way 2000 as referred to by Counsel. However, for the avoidance of doubt it can be confirmed that Officers have had regard to the purpose of conserving and enhancing the natural beauty of the AONB when reaching their final recommendation. Members should also have full regard to this duty when determining the application. Section 9. Conclusion of the Officer report balances the impact of the proposal on the AONB against the benefits arising from the scheme and its identification in the emerging Local Plan as a Proposed Housing Allocation site. The landscape and visual impact of the proposal on the character and appearance of the AONB is considered to be limited and not to outweigh the benefits arising from the proposal such as the provision of affordable housing. Independent landscape assessments have also identified that the site has a medium sensitivity and could potentially accommodate residential development. The proposed development will also be viewed in conjunction with the existing settlement, including post war agricultural buildings, a water treatment plant and 20th Century housing, rather than as a disconnected parcel of land unrelated to the existing village. Due regard has been given to the purpose of conserving and enhancing the natural beauty of the AONB in light of the requirements of S85 of the CROW Act 2000 and Paragraphs 17, 109 and 115 of the NPPF. However, in this instance it is considered that there are strong grounds for supporting the release of the site for residential development which outweigh the limited landscape and visual impact of the proposal.

The Emerging Local Plan

The Council is currently in the process of producing a new Local Plan which will cover the period up until 2031. The emerging plan is currently in its consultation phase. The current consultation stage is entitled 'Local Plan Reg. 18 Consultation: Planning Policies (November 2015)' and will last until the 21st December 2015. The Council has already undertaken community engagement and feedback exercises in respect of its proposed development strategy and site allocations. The next stage of the process will be the 'Publication' (Pre-submission) of the whole Local Plan and final Sustainability Appraisal (Reg. 19 & 20) which will take place in Spring 2016. Following this, it is anticipated that the new Local Plan will be submitted to the Secretary of State (Reg.22 & 23) in Autumn 2016 with final adoption anticipated in 2017.

The weight that can be given to the emerging Local Plan increases as it moves towards adoption. Whilst the weight that can be given to the document at the current time is still limited it is still a relevant material consideration that must be taken into account when

determining this application. It is noted that the local community has expressed concern about the allocation of sites such as that now proposed for new housing. However, it must also be noted that the latest Local Plan consultation document has been produced having full regard to the community feedback received from local residents and Blockley Parish Council during previous consultation exercises. The Council has taken full account of these comments when preparing its latest consultation document 'Local Plan Reg. 18 Consultation: Planning Policies (November 2015)'. It is of note that the aforementioned document includes new Development Boundaries for the proposed 17 Principal Settlements (of which Blockley is one). The proposed Development Boundary for Blockley includes the current application site. It is evident therefore that the current site has been considered as a potentially suitable site for new residential development in the emerging Local Plan having regard to a number of factors including local opinion, landscape and sustainability assessments and the Council's Distribution Strategy which aims to direct new housing towards the more sustainable settlements across the District. The site and the village has therefore undergone a number of assessments which indicate that the site and the village can accommodate the level of development now proposed. This gives the emerging Local Plan more weight than it carried in its earlier stages of preparation. It also weighs in favour of the proposed development.

Major Development

The Government's Planning Practice Guidance states that whether a proposed development should be treated as major development in the context of Paragraph 116 of the NPPF will be a matter for the decision taker taking into account the 'proposal in question and the local context'. With regard to 'issues such as location, scale, context, design and local distinctiveness' it is evident that the site adjoins the existing settlement along two sides and lies adjacent to one of the larger villages in the north of the District. It therefore relates to an existing settlement and is not located in an isolated countryside location disconnected from existing built development. The proposal represents an increase in the size of the village's housing stock of approximately 3.1% and is of scale that is commensurate with the level of development that has previously been successfully accommodated in the village. The proposal does not therefore represent a disproportionate addition to the settlement in terms of scale. The proposed development is for one and two storey dwellings which are considered to be of a size and scale consistent with adjacent development. The proposed scheme lies adjacent to a part of the village that comprises a mix of utilitarian post war buildings, 20th Century dwellings and some historic buildings. The proposed development will be seen in context with these developments and is of a residential nature. It is considered not to represent a form of development that is out of character with its location. In terms of design the applicant has stated that they would be seeking to pursue a traditional approach of one and two storey dwellings constructed in natural stone and reflecting traditional building techniques. This is considered to be consistent with the local area. Independent landscape assessments indicate that the site has a medium sensitivity and could be suitable for residential development. The site has a visual and physical connection to the existing settlement and the density of proposed development is considered to be low at 10 dwellings per hectare. Indicative plans illustrate that the development could provide a transition between the settlement and the open countryside rather than a hard urban edge. It is considered that the proposal will not have a significant adverse impact on local distinctiveness that would constitute it falling within the definition of major development.

Local Objections

The concerns raised by local residents are summarised in the Officer report. The views of Blockley Parish Council and Blockley Environment Action Group (BEAG) are attached in full. Due to the length of the objections the Officer report does not individually address each and every point of objection raised. Instead it provides an overall analysis of the application having full regard to all the comments received. For instance, a full assessment of the impact of the proposal on the AONB has been set out in the Officer

report. This assessment includes an analysis of the comments and views referred to by BEAG in their objection. For example, the two photographs included in the BEAG report are of landscape views which have been specifically referred to in the Officer report.

BEAG is critical of the landscape assessment as well as other technical reports submitted by the applicant. However, all of the aforementioned reports have been assessed by the relevant technical consultees and no objections have been raised from the respective consultees to the proposed development.

In response to local concerns and comments from Officers the applicant has reduced the number of units from 33 to 23. They have also undertaken further ecological and archaeological surveys/investigations as well as updating their landscape and visual impact assessment and transport statements to take into account concerns raised. The application has therefore been updated and amended to try and address local concerns.

Alternative Sites, Applications and Proposals

The Council is currently not determining any other applications for residential development in or adjacent to the village that are of a similar or larger size to this proposal. In addition, no smaller sites have been put forward which would equal the level of development now proposed if taken cumulatively. Indeed, the Council is not currently dealing with any other applications for residential development in the village.

In the period between April 2011 and September 2014 the number of extant permissions and building completions in the village totalled 8 residential units (of which 4 units were to be created as a result of conversions). In the period since September 2014 permission has been granted for single dwellings at The Brambles, Pasture Lane (14/05625/FUL) and Lower Farmhouse, Land off School Lane (14/05276/FUL).

The comments of Blockley Parish Council in support of sites of 5 homes or fewer are noted. However, it is evident from the above that the number of smaller sites being brought forward as an alternative to this site are very limited and would not address the numbers set out in the emerging Local Plan. Moreover, the sites that were brought forward for development as part of the SHLAA process were of a comparable or larger size than the current site and/or extended further into the AONB landscape. The current site along with the two other SHLAA sites identified for allocation in the emerging Local Plan are considered to represent the most appropriate locations for new residential development in terms of their relationship with the settlement and their potential impact on the AONB.

The Council is required to provide a supply of deliverable housing land and to ensure that sufficient housing is provided over its plan period in order to address future housing needs. At present the Council needs to provide sites for 7600 dwellings in the period up until 2031. The Council is seeking to meet this requirement by allocating dwellings to the most sustainable locations in the District. Blockley has been identified as a sustainable settlement which in combination with Chipping Campden, Willersey and Mickleton can make a notable contribution to the housing requirements of the northern part of the District. The basis for this Distribution Strategy is set out in the Council's emerging Local Plan documents. The approach accords with guidance in the NPPF, in particular Paragraph 55.

Other Matters arising since the 11th November meeting.

Following the Committee Meeting an objection to the application has also been received from Geoffrey Clifton-Brown MP. A copy of his correspondence is attached to this report.

In addition to the above, Gloucestershire County Council has now made an Order under the Road Traffic Regulation Act 1984 to reduce vehicle speed limits on roads within and

adjacent to the village. The Order reduces the speed limit on Station Road (from its junction with Draycott Road to the village centre) from 30mph to 20mph. The existing 30mph section of Draycott Road extending from the bend located to the south west of the application site to its junction with Draycott Road to the west is also reduced from 30mph to 20mph. A copy of the Order Notice and Order plan has been attached to this report.

The speed limit changes will reduce vehicle speeds along the main vehicle and pedestrian route linking the application site to the centre of the village from 30mph to 20mph. It will also result in a reduction in vehicle speeds at the junction of Draycott Road and Station Road and help to reduce the speed of vehicles as they pass the application site. The speed limit changes are considered to improve road safety and to provide a safer environment for pedestrians and cyclists which has the potential to encourage more non-motorised trips from the application site to the village centre.

Main Issues:

- (a) Residential Development Outside Development Boundaries
- (b) Sustainability of Location
- (c) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty and Setting of 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

Reasons for Referral:

This application has been brought 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.

1. Site Description:

This application relates to a parcel of agricultural land measuring approximately 2.3 hectares (5.75 acres) in size located adjacent to the eastern edge of Blockley. The site consists of two fields with a native species hedgerow separating the two areas. The westernmost field occupies approximately three quarters of the application site with the eastern field occupying the remainder of the land. The western field is primarily used as grazing land. The eastern field appears more overgrown and at the time of the Officer site visit contained evidence of building waste and materials. The site is known locally as Little Shoe Broad.

The western and northern boundaries of the site adjoin the eastern edge of the village of Blockley. The western boundary adjoins gardens belonging to a mix of 19th and 20th century dwellings. The northern boundary adjoins a watercourse known as Blockley Brook. The brook extends along the length of the site's northern boundary and is lined by a number of trees. To the north of the brook lie gardens and associated residential development.

The eastern boundary of the site is defined by a native species hedgerow and a number of trees. Agricultural land lies to the east of the site. The southern boundary of the site lies adjacent to a Class C highway (Draycott Road) which links Blockley to the village of Draycott located approximately 900m to the east of the application site. The southern boundary is defined by an established native species hedgerow which extends for approximately 120m along the roadside boundary. The remainder of the boundary closest to the village is more open and consists of a post and rail fence and field entrance.

The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). The site is located outside Blockley Conservation Area. The westernmost part of the site is located approximately 65m from the easternmost part of the conservation area.

The majority of the site is located within Flood Zone 1 as designated by the Environment Agency. However, a strip of land lying adjacent to Blockley Brook is designated as Flood Zone 3. The aforementioned Flood Zone measures approximately 25m in width and extends across the northern edge of the site.

The southern part of the site is relatively flat. However, the site does slope gently downwards to the north and north west as it approaches Blockley Brook. The brook is approximately 6m lower than the land adjacent to Draycott Road.

2. Relevant Planning History:

Application Site

CD.2581 Outline application for the erection of dwelling houses Refused 1960
 CD.6928/A Single 2 storey dwelling Refused 1991 Appeal dismissed 1992
 CD.6928/B Single dwelling Refused 1991

Adjacent Land

CD.2581/A Use of building as a farm shop and the creation of a parking area for 25 cars at land adjacent to Sheafhouse Farm Granted 1992

CD.2581/B Conversion to create one self-catering holiday dwelling at former dairy buildings, Sheafhouse Farm Granted 1994

CD.2581/C Outline planning permission for erection of a single dwelling at land adjacent to Sheafhouse Cottages Refused 1995 Dismissed at appeal 1995

CD.2581/D Change of use from self-catering holiday dwelling to dwelling at former dairy building Sheafhouse Farm Refused 2000

CD.2581/E Change of use from holiday dwelling to permanent dwelling at former dairy building Sheafhouse Farm Granted 2001

CD.6082/A and /B Erection of 14 two and three bedroomed houses and bungalows with garaging, landscaping and screening Allowed at appeal 1988 (The Dell)

CD.6082/C Erection of 14 dwellings and associated garages and works Draycott Road Granted 1994 (The Dell)

CD.6928/C Erection of two dwellings at Sheafhouse Farm Granted 1997

CD.6928/D Erection of a dwelling at Sheafhouse Farm Granted 1999

CD.8934 Erection of a two storey dwelling Refused 2005 - land to east of application site

3. Planning Policies:

NPPF National Planning Policy Framework

LPR05 Pollution and Safety

LPR09 Biodiversity, Geology and Geomorphology

LPR10 Trees, Woodlands and Hedgerows

LPR15 Conservation Areas

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
 LPR49 Planning Obligations & Conditions

4. Observations of Consultees:

Gloucestershire County Council Highways: No objection subject to conditions

Gloucestershire County Council Archaeology: No objection subject to conditions

Gloucestershire County Council Community Infrastructure: Response to original proposal for 33 dwellings requested contributions of £96,459 towards primary education, £88,268 towards secondary education and £6468 towards library services. No response received to amended proposal for 23 dwellings.

Thames Water: Recommend the following informative be attached to any planning permission: There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes.

There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.'

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

Housing Officer: Comments included within Officer report

Natural England: Does not wish to comment on this development proposal.

Environment Agency: No objection subject to condition

Drainage Officer: Recommend that surface water drainage condition is attached should permission be granted.

5. View of Town/Parish Council:

Object - responses to proposals for 33 and 23 dwelling schemes attached

6. Other Representations:

106 letters of objection and 1 letter of support received to original proposal for 33 dwelling. 61 objections and 1 comment received to amended proposal for 23 dwellings

Main grounds of objection to proposal for 33 dwellings were:

i) Proposed site for development is unspoilt Cotswold meadowland and is an integral part of Blockley's landscape. Its beauty is important to the local community as a picturesque entrance to the village from the east.

- ii) The site is rich in wildlife -barn owls, kestrels, herons and green woodpeckers visit to feed as well as deer, mammals and birds heading to the first piece of undeveloped brook on the east side of the village.
- iii) The site has historical significance as a ridge and furrow field. It gives modern residents a great sense of historical continuity and is a thread of living history we should not squander on a sea of rooftops. Even the smallest scale of housing would irretrievably lose these features.
- iv) It is not a huge tract of land but it is of significant local importance.
- v) Site is located on a narrow country lane next to a blind corner. This is an unsuitable location for such a large increase in vehicular traffic.
- vi) The proposal would double the number of homes in the immediate neighbourhood (14 in the Dell and 6 in Draycott Road).
- vii) Large scale development would recklessly degrade wildlife habitats, destroy ancient pastureland and begin the process of turning a cherished close knit community into an urban sprawl.
- viii) Industrial traffic to local business park already provides a hazard, mounting the verge and hemming in pedestrians.
- ix) Where will people find work?
- x) Development would totally compromise the village and its status as a heritage area worth preserving for future generations.
- xi) Parking in and around the village is already overstretched and any new residents are unlikely to help sustain the village shop as they are likely to shop in Moreton.
- xii) Site is in a low lying area and will be subject to a flooding risk.
- xiii) Blockley is situated within the Cotswolds AONB. It is centrally located in the AONB nowhere near the boundary of the important area. It is a totally unsuitable location for a large development of modern houses. The proposed scheme is too large for this small community to assimilate without causing seriously detrimental effects related to social cohesion. The negative visual impact on this unspoiled area would be impossible to reverse or minimise.
- xiv) Transport Statement is fundamentally inaccurate and misleading. Traffic surveys mention speed and number of vehicles but not the size of vehicles using the narrow country lanes. There are 3 small Business Parks outside Blockley. These attract an excessive number of extremely large vehicles whose drivers struggle to negotiate the narrow country lanes causing serious and recurring damage to verges, gateways and road surfaces. Additional traffic from housing would cause an increase in hazards and would be likely to compromise the safety on all roads around Blockley and the surrounding villages.
- xv) There have been a number of road traffic incidents in the area, the evidence being debris from collisions left on the road and verges.
- xvi) A recent increase in traffic density on the very narrow bend where access to the potential site is proposed has been caused by the recent opening of an indoor and outdoor gym in one of the redundant farm buildings at Sheafhouse Farm. The gym opened in November and membership is increasing weekly. Consequently, the traffic survey results must be considered inaccurate.
- xvii) The steep gradient and the very poor, narrow footpaths between the site and the village amenities mean that most residents are unlikely to walk to the village or the school on a regular basis. Excessive car usage is already a huge problem in the village.
- xviii) Flood risks to the site are considerable. Those of us who were living in the village in 2007 know that the field was, in fact a series of huge lakes which were filled by the runoff water cascading down from the higher ground to the south. The water was running so fast that the Draycott Road became a rushing river and any building on the field would have suffered significant flood damage.
- xix) It will set a precedent for more ribbon development.
- xx) Blockley Parish Council data shows that there is no need for such an estate in Blockley as there is already empty social housing in the village.
- xxi) Development would further bring the villages of Draycott and Blockley together through housing estates which is not in the interest of keeping the Cotswold village as small settlements and would damage the identity of villages and the area.
- xxii) Employment is not readily available and this leads to further commuting, higher pollution through emissions, noise pollution and increased risk of accidents.
- xxiii) The village has limited facilities and infrastructure which would be put under greater strain by an increase in the housing stock.

xxiii) The Draycott Road, from the junction with Station Road to Draycott, already presents a real hazard to pedestrians. The narrow verges have been eroded by the heavy volumes of traffic. There are no passing places. Crossing the road is very dangerous. The Draycott Road is in practice a one lane road. An elderly lady told me she was hit by a wing mirror and I sustained severe spinal injuries as a result of a heavy lorry driving onto the pavement in 2010.

xxiv) The corner around Lower Brook House has become a 'high noon' stand-off with juggernauts, buses and speeding traffic competing for single passage around the tight bend.

xv) Village has a very limited bus service.

xxvi) Development within the village should be gradual keeping the character of the village. Proposed allocation of 51 units in Local Plan should take place over the plan period. This proposal would account for some 65% of CDC's expansion plans for the village on one site and at the very outset of the Plan period, as such we fail to see how a development of this scale is proportionate to the local environment or indeed CDC's own published draft plan.

xxvii) Blockley is widely recognised as a particularly successful example of an integrated and self-supporting community. The size, at a little under 200 inhabitants, and layout with its mixed property types and long traditions of service have enabled it to become egalitarian, caring and dynamic. Any alteration in the communal balance will destroy this harmony. There are a number of smaller enclosed sites where some useful infill could be designed.

xxxviii) The important junction between Station Road and Draycott Road has not been explored fully in the application documents. Visibility splays at the junction are substandard. Traffic speeds along Station Road are recorded as being 34mph in each direction and are therefore above the 30mph speed limit. Based on this the visibility requirement would be 57m in each direction. Visibility to the east from Draycott Road is significantly lower than the requirement, with a shortfall of 21m. A new stone wall reduces visibility further.

xxxix) Future residents would be required to cross Draycott Road adjacent to the bend in the road which would be unsafe. They would also have to cross Station Road at the junction with Draycott Road in order to reach the existing footway on the western side. The use of shared services for pedestrian connectivity between a residential site and a village centre, particularly along a bendy rural lane with restricted forward visibility does not represent best practice.

xL) The applicant's speed counter was placed at a point just to the west of the site access, close to a bend in the road where vehicle speeds would be less than further east along the site frontage. The results of the applicant's speed survey show 85th percentile speeds to be around 28mph, whereas our speed surveys show speeds of 40/41mph in each direction taken about halfway along the site frontage. Visibility splays should therefore be based on speeds of 41mph and not 28mph.

xLi) Emerging Local Plan has not been tested at Examination in Public. It conflicts with evidence gathered in the Communities' Consultation in Spring 2014. The positive assessment of the site within the SHLAA cannot be used as the sole or main reason to support development on the site, as this broad brush assessment does not rely on detailed specialist reports, such as a highway assessment.

xLii) Blockley is linear in form. Blockley Brook forms a natural boundary to the settlement edge. To encroach eastwards past the brook into the AONB would compromise the settlement pattern and would have an adverse impact on the AONB.

xLiii) Too large a development for the village of Blockley.

xLiv) Paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection in relation to landscape and scenic beauty. Given this direction it is clear that the application should be rejected on the grounds that it would cause the destruction of an ancient ridge and furrow greenfield site and in the centre of the AONB.

xLv) Loss of residential amenity.

xLvi) Previously three planning applications for this meadow have been rejected for projects ranging from one to six houses.

xLvii) Blockley has grown by evolving, adding or altering on a small scale more or less continuously for at least two centuries. Even the Winterway and Springfield post war development, though larger, was a response to need felt within the community, not a marketing opportunity.

xLviii) There is no transition from the built environment to the open countryside.

xLix) Conservation Area review commissioned by Blockley Parish Council states that the site as well as most of the buildings beyond the Dell at the gateway to the village should be included within a new boundary. The review identified that without policy protection the lack of recognition of the value of the open spaces that preserve the most iconic views of the village in its setting is a significant concern.

L) Blockley Parish Council's Community Engagement Site Assessment states that the site is unsuitable as 'the site is poorly connected and has high environmental sensitivity to change.' Five other sites were found to be suitable with mitigation for small scale development within the existing development boundary.

Li) Paragraph 116 of the NPPF states that planning permission for major development in AONBs should be refused. 33 houses out of 52 at one fell swoop compared with 3 houses per annum average cannot be considered as anything but 'major development.'

Lii) Unacceptable light pollution in an area of the village which has dark skies.

Liii) Loss of rural views which are highly valued by the people who live there.

Liv) Risk of unbalancing a successful, vibrant, active, close knit community.

Lv) The Blockley Parish Plan 2010 clearly shows that 92% of residents are opposed to large scale (10+) new building developments. This is absolute proof that the community is against large scale development.

Grounds of objection to amended proposal for 23 dwellings re-iterate above and add the following:

i) New development will be visible from Park Road.

ii) We've been assessed as needing 60 homes in the next 20 years. This development will provide more than 50% of that quota immediately, which is not sensitive to the community.

iii) It would despoil the unique beauty of the village of Blockley. How can such desecration even be contemplated in an AONB and in a village full of buildings listed for their architectural importance. This application demonstrates that the current boundaries of the Blockley Conservation Area are drawn far too narrowly.

iv) Small scale, one or two build infilling is one thing. A housing estate is quite another.

v) One of the major industries in the area is tourism, it would be economic self-harm to permit this to proceed.

vi) Site is unsuitable due to constraints such as drainage, flooding, traffic and pedestrian safety.

vii) Development will blight our wonderful wildlife habitat.

viii) Road is not wide enough and is dangerous now with buses and lorries going along it. Danger to pedestrians.

ix) Archaeological surveys indicate much more of importance from Roman and medieval periods and this may be the original site for the Anglo-Saxon settlement.

x) Impact on views from Park Road will be very high and not medium as stated in the LVIA. The view from Park Road shows the detrimental impact and the encroachment into the surrounding landscape that the development will actually have. Views from Diamond Way further north show the site more clearly. Views from Holly Walk on Blockley Downs and the Broad Campden Road in the neighbourhood of Hangman's Hill Farm have been ignored, yet these are the points from which the site becomes most visible from the Blockley valley landscape.

xi) LVIA is based on subjective judgment and fundamentally incorrect. There is enormous intervisibility between the Conservation Area and the site when viewed from the higher ground.

xii) Residents living in the village in 2007 know that this area became a series of lakes which were being filled by the run-off water cascading down from the high ground to the south.

xiii) Extra population will bring no economic benefit to the Blockley shop/cafe as the lack of parking space would inevitably encourage shoppers to Moreton-in-Marsh or elsewhere.

xiv) We have a great turnover of houses in Blockley which are being purchased as investments and weekend retreats. This would be the fate of any house building adding nothing to the community but destroying a beautiful environment.

xv) The roads in the area are narrow and unlit. Proposal will increase risks to all road users.

xvi) It would make so much more sense to have development areas adjacent to Moreton-in-Marsh or Evesham which are already substantial hubs.

- xvii) Proposed site is a precious ridge and furrow meadow in an area of outstanding natural beauty. The land is a recognised green area of the village and home to an enormous variety of bird and insect species. Such precious biodiversity should be protected and conserved.
- xviii) There is still potential for 50 or more cars on the site. The road is too narrow to support extra cars and the new entrance will be dangerous.
- xix) Would move village boundary closer to Draycott and result in a move towards coalescence of the settlements.
- xx) Application is not and never will be sustainable development. Blockley is unsustainable and this can be demonstrably proven. Adverse effects on the natural and historic environment would be severe. Existing lack of infrastructure would never cope with an increased population. Would result in urban sprawl by means of a suburban style housing estate thus destroying the diversity of a Conservation Area and AONB.
- xxi) Blockley has a great community but it is at full stretch. Any addition to the population by dumping a large scale housing estate will have an adverse effect. If you allow the expansion of Blockley you will harm Blockley, stretch it past its breaking point and future generations will be left with nothing, except for a broken community that will fragment socially. Blockley cannot sustain this type of growth and does not have sufficient infrastructure to accommodate it.
- xxiii) Proposed access is unsafe. Traffic approaching Blockley round the final corner from Draycott before the proposed access is often met by blinding sun immediately ahead during spring and autumn afternoons. It completely obscures vision.
- xxiv) Will set a precedent for development on adjoining land.
- xxv) There are currently huge numbers of dwellings being built within a 10 mile radius. Huge overload on the local area and local infrastructure.
- xxvi) New Masterplan shows the homes as one blob of colour which is just not good enough.
- xxvii) The proposal represents major development. Paragraph 116 of the NPPF states that planning permission for major development in AONBs should be refused unless there are exceptional circumstances. Blockley's community engagement consultation process reviewed 8 sites, putting this site as unsuitable whilst favouring 2 other sites and marking 3 others suitable with mitigation. The relevant part of the summary is 'that the site is poorly connected and has higher environmental sensitivity to change. It is important to the village and a gateway - highly visible site.'
- xxviii) Planning Officer considered that applications for 76 and 90 houses in Chipping Campden were major development. In the same context 23 houses in Blockley in AONB and outside Development Boundary must also be considered as major, especially as it comprises almost 50% of Blockley's remaining quota until 2031.
- xxix) Village consultation identifies that small scale development of up to 10 dwellings is acceptable but that estate development on the scale proposed is unacceptable.
- xxx) The Blockley shop and school are 1 km from the site and the pavement narrows to less than 1m by The Dell. None of the documents report the height gain of 148 feet or the 5 road crossings.
- xxxi) Destruction of ancient ridge and furrow greenfield site in an AONB.
- xxxii) Unacceptable highway and traffic impact.
- xxxiii) View from crossing point to west is affected by setting sun. Vision at the blind corner is significantly reduced due to the setting sun and with the approaching vehicle taking the bend at a substantial speed and moving towards the centre of the road, the decision to place a crossing point here is not just unsafe it is suicidal.
- xxxiv) There is significant heavy goods traffic along this road on a regular basis and with parked vehicles in or around the corner it is only possible for traffic to move in one direction at a time.
- xxxv) The alteration to the access plan appears to be a separation of the pedestrian and vehicular access points and the removal of the species rich native hedgerow to improve visibility at the proposed vehicle access point. None of these alterations change the extreme dangers I referred to in my last letter of objection. Because of the east/west orientation of this stretch of road mitigation cannot be achieved by moving access points.
- xxxvi) Yes there is a need for houses for the less well-off and working people of Blockley and surrounding area but there is no need for new houses as country retreats for well off city dwellers or for use as holiday lets.

Letter from Blockley Environmental Action Group attached.

Main grounds of support are;

i) Blockley needs more social housing. I have been a resident of Blockley for 33 years and found it very difficult to get social housing in the village when I started my family. Blockley has a new shop which is in financial difficulty so new houses will only help the shop. The village pub needs new houses to help it over the quiet winter months. There are many families in Winter Way overcrowded in 2 bedroom properties. I have 4 children in a 3 bed we are not overcrowded but would love a 4 bed but there are none available in Blockley. Why should I leave the village I was born in? Blockley needs to grow to help the existing shop and pub survive.

General Comments

i) Are bungalows to be included. As a disabled person who would like to continue to live here it would be ideal especially with an aging population who might like to remain with the community and children all grown and moved away.

Cotswolds Conservation Board:

Comments relating to proposal for 33 dwellings were;

'The Board notes that this site does feature in the emerging Cotswold Local Plan as a preferred allocation site (BK5), 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. It should also be noted by reason of footnote 9 in relation to paragraph 14 of the NPPF, the 'presumption' in favour of sustainable development does not automatically apply due to the restrictions of the AONB. As the NPPG advises it is also a requirement for the decision maker (the Council in this case) to assess whether Paragraph 116 of the NPPF is relevant in this case. However, even if Paragraph 116 is considered not to be relevant by the Council, the NPPG advises that the AONB should still be afforded great weight. An appeal decision at Upper Quinton (within the Cotswolds AONB) where an Inspector considered a 9 house site proposal to be inappropriate by reason of impact on the AONB and that there was no overriding need in that case. The Board is also aware of the interest within the village to potentially extend the Conservation Area to include this site, whilst also seeking out potentially more acceptable housing sites to meet local need.

The Board also notes that the SHLAA originally suggested that this site should only accommodate 22 dwellings. The Board considers the current proposal for 33 dwellings will inevitably result in greater impact and that the development should not develop land both in the first paddock and then break through the hedge into the second adjacent paddock to the east (despite what has been shown in the SHLAA and Local Plan map). The current scheme therefore unnecessarily extends the level of development beyond that originally proposed in the SHLAA in terms of housing numbers, on a site that was already considered to be in a sensitive location in the AONB.

In conclusion, given this site has been submitted for consideration prior to the Local Plan Hearings process, the Council are requested to consider the need for the development in terms of the current 5 year housing supply figures and within the planning balance ensure that 'great weight' is afforded to conserving landscape and scenic beauty within the nationally protected AONB. Even if the Council conclude there is still a need for this development despite the above, the scheme should still be amended to be no more than 22 dwellings and avoid development into the second adjacent paddock to the east.'

No response received to amended proposal for 23 dwellings.

Campaign to Protect Rural England:

Response to proposal for 33 dwellings was that a representative of CPRE has examined the proposal and visited the site on the 10th July. Taking into account the applicant's Landscape and Visual Impact Assessment it is concluded that any adverse landscape impact would not be sufficient to warrant refusal. We also note that the site is the largest of three proposed to be allocated for housing at Blockley in the emerging Local Plan. As a result, CPRE raises no objections to the proposed development. However, we also consider that two important issues should also be taken into account.

The first concern relates to capacity. The application proposes 33 dwellings compared with the 22 envisaged in the emerging Local Plan. The indicative layout plan shows how the proposed number of dwellings could be accommodated; the layout appears to us to be satisfactory. The Council could therefore look at reducing the size of the other proposed allocations for Blockley or withdraw one of them altogether.

The second issue is that of consistency. An application for 90 dwellings at Aston Road in Chipping Campden was refused even though it was proposed for allocation for housing in the emerging Local Plan. The material circumstances of the two sites and Chipping Campden and Blockley may be different but what they have in common is the Council's view that these sites should be developed for housing as a means of helping to meet the total requirements over the Plan period. We consider that if the Council is to be consistent in its approach it should treat the current application at Blockley in the same way as it did the proposal at Aston Road, Chipping Campden.

No response received from CPRE to amended proposal for 23 dwellings.

7. Applicant's Supporting Information:

Design and Access Statement
 Transport Statement
 Heritage Statement
 Landscape and Visual Impact Assessment
 Ecological Assessment
 Flood Risk Assessment
 Archaeological Report
 Tree Survey and Impact Assessment
 Waste Minimisation Statement
 Statement of Community Involvement
 Planning Supporting Statement
 Additional Species Surveys

8. Officer's Assessment:

Proposed Development

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

The applicant initially submitted a scheme seeking permission for up to 33 dwellings on the land. However, following discussions with Officers and in response to local concerns about the development the applicant now seeks permission for up to 23 dwellings. This equates to a density of approximately 10 dwellings per hectare.

The applicant has advised that they would be seeking to pursue a 'vernacular' style of development reflective of traditional Cotswold building forms. The proposed dwellings would be a mix of 1 and 2 storey dwellings with detached garages. The applicant has stated that natural stone will be used for the external walls of the dwellings with artificial stone tiles and natural blue slate used for roofing. Garages would be constructed in red brick.

The applicant is proposing to provide 11 affordable dwellings within the development scheme.

Vehicular access to the site will be via a new entrance point located approximately 30m to the east of an existing field entrance. It will be located in the southern boundary of the site and will open onto Draycott Road.

(a) Residential Development Outside a Development Boundary

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

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

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

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

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

In instances where the development plan is absent, silent or relevant policies are out-of-date the Council has to have regard to Paragraph 14 of the NPPF which states that planning 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.'

In the case of sites located within the Cotswolds Area of Outstanding Natural Beauty the second bullet point above is applicable by virtue of Footnote 9 accompanying Paragraph 14.

The land supply position has recently been considered at a Public Inquiry in relation to a proposal to erect up to 90 dwellings on Land to the east of Broad Marston Road, Mickleton (APP/F1610/A/14/2228762, CDC Ref 14/02365/OUT). In his decision the Planning Inspector stated 'I consider that a 5-year supply of deliverable housing land is demonstrated.' He stated 'the agreed supply of housing would be sufficient to satisfy the 'objectively assessed housing need' of 380dpa over almost the next 9 years'. The Inspector also stated that he considered that the Council was no longer a persistent under deliverer of housing and that 'it is thus inappropriate to apply the 20% buffer now.' On this basis it is considered that the Council can demonstrate a robust 5 year supply of housing land in accordance with Paragraph 49 of the NPPF and is subject to a 5% buffer. In such circumstances Officers consider that the adopted Local Plan policies that cover the supply of housing (eg Policy 19) are not automatically out of date in the context of Paragraph 49. Notwithstanding this, it does remain pertinent for a decision maker to consider what weight should be attributed to individual Local Plan policies in accordance with Paragraph 215 of the NPPF. Paragraph 215 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 therefore 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 to carry little or no weight when assessed against Paragraph 215. In the Mickleton appeal previously referred to the Inspector considered that Policy 19 was 'time-expired, conforms to a superseded strategy, fails to reflect the advice in the Framework (NPPF) in severely restricting rather than significantly boosting the supply of housing and conflicts with the emerging strategy.' He considered that Policy 19 'can only be regarded as out of date.' Officers have taken further legal advice on this matter and it is deemed that Policy 19 is out of date in the context of the NPPF and as such the tests set out in Paragraph 14 are applicable when determining this application.

In addition to the above, it must also 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 5%) 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 an appeal for up to 15 dwellings in Honeybourne in Worcestershire (APP/H1840/A/13/2205247) the Planning Inspector stated 'the fact that the Council do currently have a 5-year supply is not in itself a reason to prevent other housing sites being approved, particularly in light of the Framework's attempt to boost significantly the supply of housing.' In relation to an appeal relating to a proposal for 100 dwellings in Launceston in Cornwall dating from the 8th April 2014 (APP/D0840/A13/2209757) the Inspector stated (Para 51) ' Nevertheless, irrespective of whether the five-year housing land supply figure is met or not, NPPF does not suggest that this has to be regarded as a ceiling or upper limit on permissions. On the basis that there would be no harm from a scheme, or that the benefits would demonstrably outweigh the harm, then the view that satisfying a 5 year housing land supply figure should represent some kind of limit or bar to further permissions is considerably diminished, if not rendered irrelevant. An excess of permissions in a situation where supply may already meet the estimated level of need does not represent harm, having regard to the objectives of NPPF.' In August 2015 a Planning Inspector in allowing a scheme for 32 dwellings near Pershore in Worcestershire (APP/H1840/W/15/3005494) stated 'it is agreed between the parties that the Council can demonstrate a 5 year supply of deliverable housing sites as required by paragraph 47 of the Framework. Under these circumstances, the decision-taking criteria contained in paragraph 14 of the Framework are not engaged. Whilst this is so, the Framework seeks to boost

significantly the supply of housing and the ability to demonstrate a 5 year housing land supply should not be seen as a maximum supply. Regardless of such a supply being available, the Framework advocates a presumption in favour of sustainable development and the application must be considered in these terms.'

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 during the decision making process.

Notwithstanding the current land supply figures 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

Blockley is not designated as a Principal Settlement in the current Local Plan. However, it has been identified in emerging Local Plan documents as a 'Key Settlement'. Emerging Local Plan document 'Local Plan Reg 18 Consultation: Development Strategy and Site Allocations' identifies the village as one of 17 settlements that has sufficient facilities and services to accommodate new residential development in the period up until 2031.

The Local Plan Consultation Paper: Preferred Development Strategy May 2013 stated that 'Blockley ranks 12th in the District in terms of its social and economic sustainability'. It states that 'Blockley is a sizeable village, which despite suffering the loss of some facilities over the years is still able to cater for certain day-to-day community needs.' The village has a primary school, village shop, hotel and public house. Employment opportunities are available nearby at Draycott, Northcot Business Park and Northwick Business Centre. These sites lie within approximately 2km of the application site.

Emerging Local Plan documents state that Blockley along with Willersey, Mickleton and Chipping Campden form part of a cluster of settlements that serve the northernmost part of the District. Collectively the aforementioned settlements are considered to have the necessary services, facilities and employment opportunities to provide for the local population. Taken together the settlements are also considered to be able to accommodate sufficient housing to make a reasonable contribution to the overall District requirement of 7600 dwellings without compromising the strong environmental constraints present in the area.

Paragraph 55 of the NPPF states that 'where there are groups of smaller settlements; development in one village may support services in a village nearby.' This is reinforced in the Government's Planning Practice Guidance which states;

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

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

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

Strategic Policy 5: Distribution of Housing and Employment Development in Local Plan Reg 18 Consultation Paper allocates a total of 59 dwellings to the settlement for the period between April 2011 and April 2031. At the time of writing this report approximately 8 dwellings had been delivered or approved in the village since April 2011 leaving a figure of 51 dwellings still to be provided. The 59 dwelling total represents an 8% increase in the village's existing housing stock which currently stands at 739 dwellings (source: Local Plan Consultation Paper). It must be noted that the 59 dwelling figure is not fixed in stone and may be subject to change as the new Local Plan progresses. Limited weight can therefore be attached to the figure at the current time. However, the figure does provide a guide as to the level of development that the town will be expected to accommodate over the next Local Plan period.

The site has been considered as part of the Council's Strategic Housing Land Availability Assessment (SHLAA) process. The SHLAA is prepared to help inform the site allocations made in the Local Plan (it is not an allocations document in itself). It establishes whether land is suitable, available and economically viable for housing development over the plan period.

The application site was included in the SHLAA Review May 2014 under the reference 'BK_5 Land North of Sheafhouse Farm'. The Review stated that the site was available, suitable, achievable and was deliverable within a 6-10 year time period. Its comments on the site were;

'Site is a gateway into the village. Site is mainly rough grassland with some hedges and scrub, although the eastern part of the site contains an area of low quality land, currently used as a heavy material store and is brownfield in nature. Although there are some less well-designed developments in the vicinity, site still retains rural character. Development would change rural character of nearby lane and would impact on the AONB. Flood zone area to north must be excluded. However, southern part of site is most sensitive in landscape terms. Wildlife corridor running along stream, which is important and runs through the whole village. No footpath to the site with a narrow road. Narrow, poor roads approaching the site; no current access onto site; need to extend 30mph limit. Bus route. Heavily used by HGVs. Site is now under option with a developer.'

The SHLAA Review states that BK_5 has an area of 2.3 hectares of which 1.94 hectares lies outside land designated as Flood Zone 2 or 3. The SHLAA Review indicates a capacity of 22 dwellings. However, Forward Planning Officers have since advised that the figure should be 24. They have advised that 'the SHLAA capacity figures are an indicative guide to the amount of development likely to be delivered on a site. This is because it is only at the detailed application stage when the site is designed and laid out, and the various constraints and policy requirements (such as mix and type of housing) are taken into account, that the precise capacity is reached. Also evidence does show that the capacities in the SHLAA tend to be on the conservative side compared with what is actually delivered.'

Further analysis of the site was also undertaken by Forward Planning prior to the preparation of the Local Plan Reg 18 Consultation paper. The site has subsequently been put forward as a 'Proposed Housing Allocation' site in the latest emerging Local Plan document.

The Council's Forward Planning Section had regard to feedback from Blockley Parish Council prior to the allocation of BK_5 in the latest Local Plan consultation paper. The site assessment feedback form submitted by the Parish Council split the site into eastern and western parts. They considered that the larger western part of the site was unsuitable for development. They considered that the smaller eastern field or 'eastern rectangle' was suitable for development with mitigation. The Parish Council's comments in respect of this parcel of land were that it was 'fenced, hedged and distinct from bulk of site. Currently used as a tipping ground - hence virtually brownfield and suitable in principle in line with the Parish Plan.'

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.

In terms of accessibility the site is located approximately 850m from the village's shop and primary school. An existing pedestrian footway extends along the western side of Draycott Road. The footway commences outside Sheafhouse Barn which is located approximately 30m from the proposed pedestrian entrance point into the application site. The footway extends up to Station Road. A pavement extends along the northern side of Station Road into the centre of the village. Guidance in Manual for Streets (Para 4.4.1) states that 'walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes (up to about 800m) walking distance of residential areas which residents may access comfortably on foot.'

Bus services run between Stratford-upon-Avon and Moreton-in-Marsh (via Blockley) from Mondays to Saturdays. Services operate up to 5 times a day in the aforementioned direction and 4 times a day in reverse. A mainline railway station operates at Moreton-in-Marsh

The route from the site to the village centre rises in a gradual uniform manner for most of its length. Pedestrians or cyclists would need to progress up hill to reach the centre of the settlement. 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. The availability of a designated pedestrian footway along the vast majority of the length of the route also means that pedestrians are segregated from the carriageway. It is noted that the footway alongside Draycott Road does narrow to approximately 1m in width in places. However, it is considered that it is still adequate to provide a practicable and useable route to the village centre that avoids the need for pedestrians to walk on the carriageway. It is considered that there is a reasonable degree of connectivity between the site and the village centre for both pedestrians and cyclists.

It is evident that the ability of Blockley to accommodate new residential development has been assessed as part of the emerging Local Plan process. The Development Strategy and Site Allocations paper recognises that the 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; sustain existing facilities; and maintain the village's role as a local service centre. Blockley has therefore been recognised as a potentially sustainable location for new residential development in terms of accessibility to services, facilities and amenities.

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

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape (S85 of the Countryside and Rights of Way Act 2000).

Paragraph 17 of the NPPF states that planning should recognise 'the intrinsic character and beauty of the countryside'

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

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

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

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

Extensive pastoral vale defined by the Farmed Slopes with flat or gently undulating landform fringed by distinctive shallow slopes, with views often limited by intervening vegetation and undulating landform.

- Generally human scale intimate landscape, but with intermittent open expansive character and expansive views in some areas with views possible across flat landscapes bordering river channels where vegetation cover is minimal and from areas of raised landform.

- Extensive drift deposits mask underlying solid geology, reflected in the relative absence of stone as a building material.

- Productive and verdant landscape of lush improved and semi-improved pastures.

- Network of hedgerows of varying height and quality with intermittent hedgerow trees and occasional stone walls create a neat patchwork of fields.

- Areas of wet meadow and limited areas of species rich grassland bordering river channels indicate intensive management of the agricultural landscape.

- Limited woodland cover including ancient woodland indicative of a long history of clearance and intensive agriculture within the vale.

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

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

- Erosion of distinctive settlement patterns.

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

The 'Outline Landscape Strategies and Guidelines' advises;

- Oppose ribbon development along major access or through routes

- Ensure that new development does not adversely affect settlement character and form.

- Ensure new built development is visually integrated with the rural landscape setting and does not interrupt the setting of settlements or views along or across the vale

As part of the emerging Local Plan process the Council has commissioned an update to the detailed landscape report entitled 'Landscape Assessment of Land around Cotswold Settlements' produced by White Consultants dated June 2000. The updated report 'Study of land surrounding Key Settlements in Cotswold District: Update' dated October 2014 provides a fresh analysis of

landscapes around the District's key settlements. With regard to this site the aforementioned report provides the following assessment of SHLAA site BK_5.

'Description;

This site consists of two uneven grass paddocks on the gently sloping valley floor on the south eastern edge of the settlement, possibly associated with Sheaf House Farm. The boundary to Draycott Road to the south is a mixture of hedge and fence with open glimpse views into the site. A dense hedge separates the western and eastern parts and there is a dense tree line/hedge to the east. Houses on Station Road are intervisible with the site through ornamental planting and riparian vegetation. There is a small timber stable within the site. The northern edge bounds Blockley Brook and is within the floodplain. There are views from Draycott Road which is a quiet approach to the settlement but the site is generally fairly discreet, quiet and moderately tranquil.

Justification:

The susceptibility of this site lies in its contribution to the rural character of the valley floor and its stream corridor location on the settlement edge, the presence of the Flood Zone along its northern edge and its visibility from Draycott Road. Its value is indicated by its AONB designation and it contributes to its character, albeit degraded to an extent by fencing and horse related structures. However, it is screened from the wider landscape by the landform and woodland to the south and is adjacent to housing to west and north. Any development here should take account of constraining factors such as the Flood Zone, to create a green corridor leading from the settlement into open countryside and should present a positive elevation, including trees, to the roadside to improve the approach to the settlement from the east.'

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

In terms of public visibility the site is most readily visible from the stretch of Draycott Road that passes along the southern edge of the application site. A section of the southern boundary extending eastwards for approximately 40m from the edge of the village is defined by a post and rail fence. The site is open to view to road users passing the site at this location. The remaining section of the southern boundary adjoining Draycott Road is defined by a mature native species hedgerow which provides a screen to the site when passing along the aforementioned road.

The proposed development will retain existing boundary vegetation aside from approximately 10-15m of hedgerow in the eastern boundary of the larger field where it adjoins the smaller field lying to its east and the removal of approximately 60m of roadside hedgerow adjoining Draycott Road. The removal of the latter hedgerow is required to provide sufficient visibility for the proposed new vehicular entrance. The applicant proposes to introduce replacement hedgerow planting set back and parallel with Draycott Road to offset the loss of the existing hedgerow. A grassed verge will be maintained to the front of the new hedgerow.

The removal of the roadside hedgerow will have an initial impact on the character and appearance of the site and open it up to views from Draycott Road. However, existing hedgerow management requires the current hedgerow to be cut back at regular periods in order to ensure the good health of the hedgerow and also to prevent it growing out into the highway. The proposed hedgerow will be set back further from the highway thereby allowing it to develop more fully over time. The replacement of the existing hedgerow with a new native species hedgerow will ensure that this part of the southern boundary will retain a rural character.

Following discussions with Officers the applicant has reduced the number of dwellings proposed for the site from 33 to 23 units. This equates to approximately 10 dwellings per hectare. They have also reduced the number of units proposed for the eastern field down to a maximum of 2 dwellings. The reduction in numbers proposed for this part of the site will potentially reduce the level of development that is initially apparent to road users heading westwards along Draycott Road towards the village. There will therefore be a greater transition between the adjacent countryside and the development site. The illustrative Masterplan also indicates that dwellings will

be set back from Draycott Road thereby providing an area of open space at the front of the site. This will allow for some of the openness currently experienced by road users passing the site to be retained. The density of the proposed development is lower than adjacent development at The Dell (approx 32 dwellings per hectare). The 4 dwellings lying adjacent to the western boundary of the site have a density equating to approximately 20 units per hectare. Whilst the concerns of objectors regarding the creation of a housing estate are noted Officers are satisfied that the level of development proposed by the applicant does afford the opportunity to create a low density form of development that could be undertaken without having the characteristics of an urban housing estate. The level of development is such that the scheme could appear as a transitional form of development linking the village to the surrounding countryside rather than appearing as a hard urban edge.

On balance it is considered that short range views of the site reveal it to be seen in context with existing village 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 visual effect will be moderate. Officers consider this to be a reasonable assessment.

In terms of longer range views the site is visible from a Public Right of Way (HBY39) which extends across a field to the east of Park Road. The Right of Way lies approximately 500m to the north west of the application site. When viewed from the Right of Way the application site is seen just beyond existing post war housing development. It is seen over existing roof tops. The existing housing extends in a line across the landscape and is a notable feature when viewed from the Right of Way. Consequently, the application site is seen in context with this existing residential development and not as an isolated or disconnected parcel of land. The site also forms a relatively small component of a wider landscape view when viewed from this vantage point. The LVIA submitted by the applicant states the magnitude of change will be small and the significance of visual effect will be moderate. Officers concur with this assessment.

A further Right of Way lies (HBY 37) lies approximately 420m to the east of the site. Views from the Right of Way are across a relatively flat landscape interspersed with hedgerows. Existing hedgerows will screen lower parts of the development. However, rooftops and upper storeys will potentially be visible from the Right of Way. Notwithstanding this, the views available are relatively distant and existing housing on the higher ground in the village is already visible. It is considered that the proposal will not have an adverse impact on the character or appearance of the locality when viewed from the aforementioned Right of Way.

To the south of the application site lies a further Right of Way (HBY71) which extends southwards from Draycott Road up to Pasture Lane for approximately 470m. It joins onto a Right of Way (HBY43) which runs in an east west direction approximately 650m to the south of the application site. The latter Right of Way is elevated above the application site and affords views down onto both the valley bottom and of much of the village of Blockley. The application site is partially visible from a stretch of the HBY43. However, it is seen in context with existing development adjoining the site and as part of a wide panoramic view that reveals most of the village and hills beyond. In the context of the whole view the application site is considered to represent a very small component. The applicant's LVIA indicates that the proposal will have a Negligible- Not Significant impact when viewed from this location. Officers concur that the proposed landscape and visual impact will not have an adverse impact on the character or appearance of the AONB from HBY 71 or HBY43.

The application site is not readily visible from the centre of the village.

Overall, it is noted that the proposed development will result in the loss of an area of agricultural land located on the edge of the village and within the Cotswolds AONB. In terms of landscape character the LVIA considers that the proposed development 'is not considered to be uncharacteristic when set within the attributes of the receiving landscape. Therefore the overall

assessment of landscape impacts has been assessed as small as it is considered that the proposed development would lead to a minor loss or alteration to a few features. Based on a high landscape sensitivity the 'significance of effect on the landscape character resulting from the proposed development is therefore assessed to be moderate.' With regard to visual effects the LVIA considers the significance of effect to be moderate/minor. It is also of note that the independent White Consultant's report commissioned by the Council as part of the emerging Local Plan process considered the site to have a medium landscape sensitivity. The site's proximity to existing development, the presence of tree belts to the north and hedgerows to the south and east as well as the limited views that are available of the site from wider vantage points means that the site occupies a relatively discreet location in landscape and visual terms. The residential nature of the development is consistent with the character of adjoining development and as such the proposal does not represent an incongruous or alien form of development when adjoining land uses are taken into consideration. Existing residential development adjoins the application site on two sides and provides a backdrop to the site when heading towards the village. The retention of open space to the front of the site also means that the views of road users heading out of the village will not be obstructed by new development. Residential development will be set back from the highway thereby allowing for a retention of some of the openness that is currently experienced by road users heading eastwards along Draycott Road. Having regard to all these factors Officers concur with the findings of the LVIA and consider that the proposal would have moderate effect on landscape character and a moderate/minor visual effect.

Major development within the Cotswolds AONB

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

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

No definition of major development is provided within the NPPF or in either of its forerunners - namely PPS7: Sustainable Development in Rural Areas and PPG7: The Countryside which also made similar references to major development within designated landscapes such as AONBs. However, in the recent High Court judgment '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.'

The application site is located adjacent to a village that has been identified in emerging Local Plan documents as a potential Key Settlement. It is seen in context with existing village development. There is also a mixture of development in the area including a water treatment plant, portal framed barns and 19th and 20th century residential development. These developments act as a backdrop to the application site. Existing residential development lies along two boundaries of the application site.

Independent landscape assessments indicate that the site has a medium landscape sensitivity. Public views of the site are primarily from Draycott Road. The proposed development has been set back from the most exposed part of the site to reduce the potential impact of the proposal on the aforementioned highway. Existing hedgerows and buildings will help to mitigate the impact of development when viewed from other sections of the road. Other views from Public Rights of Way on Pasture Lane and near Park Road are distant and show the site in context with the existing settlement and as a relatively small component of a wider landscape view.

The proposed development will represent an increase of approximately 3.1% in the village's housing stock. It is consistent in size with development that has been undertaken in the village in recent decades. For example, 23 dwellings were allowed at Blockley Court towards the centre of the village in 1994 (CD.4471/T) and 24 affordable houses and flats were allowed off Summerfield Close to the north of Station Road in 2002 (CD.3169/K). In the period between 1991 and 1995 a total of 49 dwellings were approved as part of four separate planning applications. The level of development now proposed is commensurate with the size of developments that have been accommodated in the village in the past. The proposal is considered not to represent a disproportionate or major addition to the village or this particular part of the AONB in this respect.

It is of note that a proposal for 24 dwellings at Welland in Worcestershire (APP/J1860/A/14/2217413) and another for 30 dwellings in Ampleforth in Yorkshire (APP/Y2736/A/13/2197184) were both considered not to constitute major development in the context of Paragraph 116 even though both proposals related to green field sites within AONBs and were adjoining settlements with smaller populations than Blockley. In respect of the Welland appeal the Inspector stated 'Having regard to the existing size of the village and the scale of the proposed development, as well as its location within the village and its location in the AONB, I conclude that this would not constitute major development when looked at either in the context of the village or in the context of the wider AONB.'

On balance, and having regard to issues such as location, scale, context, design and local distinctiveness it is considered that the proposal will have a very localised impact on the AONB. The proposal is therefore considered not to constitute major development in the context of Paragraph 116 of the NPPF. 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.

(d) Impact on Heritage Assets

The application site is located outside Blockley Conservation Area (CA). The boundary of the aforementioned CA lies approximately 65m to the west of the application site at its closest point. A number of dwellings and associated development lie between the application site and the CA.

There are no Listed Buildings located within or adjacent to the application site. The nearest Listed Buildings lie on Station Road approximately 280m to the west of the application site.

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 72(1) of the aforementioned legislation states that the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

The above legislation must be given considerable weight and importance when assessing the current application.

Paragraph 131 states 'in determining planning applications, local planning authorities should take account of; the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;' and 'the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.'

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

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

Paragraph 009 of the Planning Practice Guidance (PPG) states that 'heritage assets may be affected by direct physical change or by change in their setting.'

Paragraph 013 of the PPG states '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.'

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

The impact of the proposed development on the setting of both the CA and Listed Buildings has been considered by Officers during the course of the application. The application site is separated from the CA and Listed Buildings by existing development. The majority of the development is 20th Century. There is no direct visual inter-visibility between the eastern edge of the CA or the Listed Building's on Station Road and the application site by virtue of topography and existing development. Notwithstanding this, the hillside position of Blockley does mean that the site can be viewed from higher land within the CA to the north west. These views are primarily from the rear of private properties on Park Road and from Listed Buildings which are located along the aforementioned highway. Park Road is located approximately 480m to the west/north west of the application site. Views of the site from Park Road extend across the eastern part of the village and to the AONB landscape beyond. The application site forms a small component of these views and is seen in context with existing development, much of which is post war. In light of the distances involved and the context of the site it is considered that the proposal will not have an adverse impact on the character or appearance of the CA or the setting of Listed Buildings. The Council's Heritage and Design Section has examined the proposal and raises no objection to the application in relation to these matters.

It is considered that the proposal does not contravene the 1990 Act, Local Plan Policy 15 of guidance contained in Section 12 of the NPPF.

(e) Affordable Housing

The Council's Housing Officer has advised the following in relation to the application;

'We consider different sources of information when assessing need. A recent search of Gloucestershire Homeseeker, the housing register, has shown that 146 households with a connection to Cotswold district are registered for rented affordable housing in Blockley. At least 36 of these households also have an identified relevant local connection with the parish of Blockley or the immediately surrounding parishes of Chipping Campden, Ebrington, Batsford, Bourton on the Hill and Todenham. However, it is important to remember that the Housing

Register provides a snapshot view of the current need for rented accommodation only. These figures will slightly underestimate the number of people with connections because some households will have family and work connections which will not have been identified by this search.

The district wide Housing Needs Assessment (HNA November 2009) found an annual requirement for 535 additional affordable housing units in Cotswold District however the updated Strategic Housing Market Assessment (March 2014) states the annual requirement has now risen to 574 additional affordable housing units. The parish of Blockley is in the Chipping Campden sub-area of the HNA and was assessed as having a gross annual need for 11 affordable homes. A housing needs survey of the parish of Blockley was last conducted in 2010 it identified a need for 9 households with a local connection who had self-identified themselves in need of affordable housing in the settlement. It is likely that this figure will slightly underestimate the number of people with connections because some households will have historic and work connections which will not have been identified by this search.'

The last affordable housing that was provided in the settlement dates from 2002 when 24 affordable houses and flats were allowed at Summerfield Close. The current proposal will make a notable contribution to the identified affordable housing needs of an area that has not benefited from such development for a number of years. The provision of affordable housing would accord with Local Plan Policy and the Council's aspirations to provide homes for local people.

The Housing Officer has recommended that the development should provide the following mix of affordable units;

Rent:

- 4 x 1 bed 2 person house/flat/bungalow (to be provided with independent access, not communal stairs)
- 3 x 2 bed 4 person houses
- 1 x 3 bed 6 person houses

Shared ownership:

- 2 x 2 bed 4 person houses
- 1 x 3 bed 5 person houses

Overall, it is considered that there is an identified need for affordable housing in Blockley. The current proposal would help to address this need by providing 11 affordable units and would accord with guidance in Local Plan Policy 21. The provision of affordable housing is considered to represent a significant benefit arising from the proposal.

(f) Highway Safety and Traffic Generation

The application site lies adjacent to Draycott Road which is a class C highway. The road is subject to national speed limits for a stretch of the highway extending for approximately 90m along its southern boundary. The westernmost part of the site lying adjacent to the bend leading into the village is subject to a 30mph limit. An existing field entrance lies within this zone. The proposed entrance will be located within the national speed limit zone and will lie approximately 30m to the east of the existing 30mph signs.

The applicant has undertaken speed surveys which indicate 85th percentile speeds of 27.6mph westbound and 28.9mph eastbound. The proposed access arrangements show visibility splays of 2.4m by 60m and 2.4m by 90m which is greater than the 38m and 42m respectively required by Manual for Streets. The proposed entrance is also capable of accommodating an 11.51m long refuse vehicle and oncoming estate car.

The proposed development is predicted to generate 15 vehicle trips in the AM peak hour and 14 during the PM peak hour. A total of 115 vehicle trips are predicted between 0700 and 1900.

Draycott Road currently carries approximately 662 vehicles per 24 hour day. Highway Officers state that the 'predicted level of trip generation is not considered to be severe in context of existing traffic flows, and therefore is compliant with Paragraph 32 of the NPPF.'

As part of the access proposals the applicant is also proposing to provide an additional and improved section of footway on land immediately to south of Draycott Road to the south/south west of the proposed entrance. This would allow future residents to walk round the existing bend in the road without having to walk on the carriageway.

In response to concerns from some local residents further investigation has been undertaken into the safety/visibility of the junction of Draycott Road with Station Road which is located approximately 275m to the west of the application site. Local residents have raised concern about visibility to east when entering Station Road from Draycott Road. The applicant's Transport Consultant and the County Council's Highway Officer has examined this matter. The Highway Officer states that 'whilst visibility is slightly impaired by boundary features when looking right from Draycott Road, 2.4m by 59m visibility can be achieved when measuring 1.25m from the kerb line to the running lane of the approaching traffic. This is acceptable in practical terms as vehicles do not travel on the kerblines. In addition, the forward visibility of vehicles is good. The safety record of this junction was reviewed earlier and found no common causation factor for the two slight collisions recorded in the last 5 years. Traffic flows are light and there is no congestion at this junction.'

A full copy of the Highway Officer's comments are attached to this report.

Gloucestershire County Council Highways raises no objection to the proposal subject to the conditions appended to the end of this report. The proposal is therefore considered to accord with Local Plan Policy 38 and guidance contained in Section 4 of the NPPF.

(g) Loss of Agricultural Land

The application site comprises 2.3 hectares of arable agricultural land. Paragraph 112 of the NPPF states that 'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in preference to that of a higher quality.' The best and most versatile (BMV) land is classed as that falling within Grade 1, 2 and 3a.

The applicant has commissioned an agricultural land classification report which has assessed the land to be Grade 3b. The land does not therefore fall within the BMV category identified in the Paragraph 112 of the NPPF. The loss of the land will therefore not result in the significant development of high quality agricultural land.

(h) Impact on Biodiversity

The applicant submitted an Extended Phase I Habitat Survey with their initial submission. Following discussions with the Council's Biodiversity Officer the applicant has undertaken further ecological/protected species surveys. The additional survey work has included a reptile survey, water crayfish survey and a bat survey of the trees along the watercourse.

The resultant surveys found no crayfish present in Blockley Brook. Grass snakes were found on site and mitigation measures have been proposed to ensure that they are protected during the construction phase. With regard to bats no roosts were found in the trees along the brook. However, the trees and adjacent vegetation are an important linear and are used by at least 6 species as a 'flightline'. The Council's Biodiversity Officer states that 'this feature must be retained within any new development. The consultants' report highlights this issue but states that "the proposed development will not impact on these species as the corridor along the water course will be incorporated into the rear gardens of the new dwellings and as such will be unlit and unobstructed." This may not be a practical approach as it is difficult to control lighting and

long-term management of rear gardens, although I am aware that any permission, if granted, will be accompanied by a condition to control the construction of built structures to ensure that flood risk is not increased and this will obviously benefit wildlife movements.

This is an outline application and no detailed layout is agreed and therefore the options for the brook corridor are not yet available; this would have to be resolved at the reserved matters stage. However given the size of the site and the number of units there should be sufficient flexibility to achieve the long-term retention, management and enhancement of the brook corridor, for example through the appropriate layout of the site with the brook corridor included in the open space provision, and through the submission and implementation of a landscape and ecological management plan for the site. '

Overall, it is considered that the proposed level of development could be accommodated on site without having an unacceptable adverse impact on protected species or their habitat. The site is of sufficient size to reasonably accommodate measures to ensure the protection of the brook corridor. The attachment of a 15 year landscape and ecological management plan would also enable measures to be introduced that would secure enhancements to the site in the longer term. The application is considered to accord with Local Plan Policy 9 and guidance contained in Paragraphs 109 and 118 of the NPPF.

(i) Flooding and Drainage

The majority of the application site is located within 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%). A section of the northern part of the site running alongside Blockley Brook and measuring approximately 25-30m in width falls within Flood Zones 2 and 3. Flood Zone 2 has an annual risk of flooding of between 1 in 100 and 1 in 1000 whereas Flood Zone 3 has an annual probability of flooding of 1 in 100 or greater. The proposed housing will be restricted to the Flood Zone 1 area. Residential development can be acceptable in principle in such locations. As the application site is in excess of 1 hectare in size the applicant has submitted a Flood Risk Assessment (FRA) with the application. The FRA has been examined by the Council's Drainage Officers and the Environment Agency.

Flood Zones 2 and 3 cover an area of the site that is lower in height than that covered by Flood Zone 1. Blockley Brook is over 2m lower than the northern extent of Flood Zone 1. Land within Flood Zone 1 also continues to rise as the site progresses southwards. The FRA indicates that 'finished floor levels would be anticipated to be set as least 2.5m above the modelled 1 in 100 year event, plus climate change.' It also states that the proposed development would incorporate Sustainable Drainage Systems (SuDS) in accordance with current national guidance. Surface water run off rates would be restricted to greenfield equivalent rates for events up to and including the 1 in 100 year period, including climate change. The FRA identifies that attenuation storage will be required to accommodate 1 in 30 and 1 in 100 year events.

No objections to the proposal have been raised by the Council's Drainage Engineer, the Environment Agency, Thames Water or Severn Trent Water. It is considered that the proposed development could be undertaken without posing an unacceptable risk of flooding to future residents of the site or elsewhere. The proposal is considered to accord with Paragraphs 100 and 103 of the NPPF.

(j) Archaeology

The applicant has undertaken an archaeological field evaluation of the application site. The results of the evaluation have been assessed by the Archaeologist at Gloucestershire County Council. A total of six trial trenches were dug on site. The resultant investigations confirmed the presence of 'widespread archaeological remains representing a settlement dating to the Roman period. These comprised numerous lengths of boundary ditch and pits. Many of the features were inter-cutting indicating that the activity is likely to be represent multiple phases of occupation.'

The County Archaeologist advises that Trench 3 revealed a length of wall foundation which 'is likely to represent the remains of a Roman building.' He also states that 'copious finds of pottery indicate that the Roman settlement was most intensively occupied during the 1st-2nd centuries AD. He goes on to state that the deposits are not of the first order of preservation, since they have undergone erosion from ploughing with the result that all surfaces associated with the remains have been destroyed. As such he considers that the Roman remains 'are not of the highest significance meriting preservation in situ. However, it is my view that the archaeological deposits on site have the potential to make a substantial contribution to our understanding of the archaeology of Gloucestershire and the wider region.'

With regard to the ridge-and-furrow earthworks covering the Roman remains the County Archaeologist advises that he considers the aforementioned feature to 'represent a heritage asset of low significance, and I would therefore have no objection to their removal as part of the development.'

Overall, the County Archaeologist states that he has no objection to the principle of development on the site subject to a condition requiring the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

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 Blockley Church of England Primary School and Chipping Campden School are forecast to be over capacity in the future. They provided an initial response to the proposal for 33 dwellings requesting a contribution of £96,459 to primary education and £88,268 towards secondary education. They have not as yet provided a response to the amended proposal for 23 dwellings. However, based on their stated calculation formula the revised scheme would require contributions of £67,229 (5.75 pupils x £11,692) towards primary education and £61,520 (3.45 pupils x £17,832) towards secondary education. The contributions would be used towards capital works to extend, remodel, upgrade and improve the capacity and suitability of the respective schools to accommodate the new pupils arising from the proposed development.

Blockley Parish Council has submitted a request for a contribution of £38,982.91 towards community projects such as play equipment, play area and open space maintenance, burial ground maintenance and cemetery path improvements. The applicant has agreed to this request.

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

9. Conclusion:

Overall, it is considered that the proposal will help to address the Council's need to provide a continuing 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 as 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 views 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 National Planning Policy Framework and is therefore recommended for approval.

10. Conditions:

In pursuance of their powers under the above Act, and having regard to the Town and Country Planning (Development Management Procedure) (England) Order 2015, the development was considered to be contrary to the following : Cotswold District Local Plan Policy 19. However, the following material considerations were of sufficient merit to justify the permitting of the development:

The proposed scheme will address the Council's need to provide a continuing supply of housing land, will provide affordable housing to meet local needs and is located in a sustainable location in terms of accessibility to services and facilities. These benefits are considered to outweigh the other limited impacts arising from the scheme including the impact on the Cotswolds Area of Outstanding Natural Beauty. The proposal accords with the principles of sustainable development as set out in the National Planning Policy Framework.

The Council therefore **PERMITS** the above development in accordance with the details given on the application form and submitted plans, which are subject to the following **conditions**:

Application for the approval of the reserved matters shall be made to the Local Planning Authority by three years from the date of this decision notice.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

The development shall be started by 2 years from the date that the last of the reserved matters is approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended)

The development shall not be started before approval of the details relating to Appearance, Layout, Landscaping and Scale have been given in writing by the Local Planning Authority.

Reason: These are "reserved matters" and were listed in the application for later approval. This is only an outline planning permission and these matters require further consideration by the Local Planning Authority. This condition is imposed to comply with the requirements of the Town and Country Planning Act 1990 as amended.

This decision relates to the area outlined in red on drawing number 060127-BP01 F and the access details shown on drawing P1025/201C

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

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

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

The development hereby permitted shall not commence until drainage plans for the disposal of foul sewage have been submitted and approved in writing by the Local Planning Authority. The scheme shall be carried out fully in accordance with the approved details before the development is first brought into use.

Reason: To ensure the proper provision for foul sewage in the interests of the amenity of future residents of the site and to prevent an unacceptable risk of pollution. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could potentially have implications for flooding and drainage in the locality.

There shall be no built development including decking, hard surfacing, fences, walls or other means of enclosure erected or sited within Flood Zones 2 or 3.

Reason: To reduce the risk of flooding to the application site and surrounding area in accordance with Paragraphs 100 and 103 of the NPPF.

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

Reason: To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework. It is important that these details are established prior to the commencement of development as any on site works could have implications for the archaeological interest of the site.

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

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

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework. It is important that these details are agreed prior to the commencement of development as the construction phase of the development will have highway implications for the local area.

No dwelling shall be occupied on the development hereby permitted until details of the pedestrian footway and crossing facilities along Draycott Road and at the junction of Draycott Road with Station Road have been submitted to and approved in writing by the Local Planning Authority, carried out fully in accordance with the approved details and are open to the public.

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

Details of the layout and access, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the National Planning Policy Framework and Policy 38 of the Cotswold District Council Local Plan. It is important that these details are established prior to the commencement of development as it is important that a safe and proper access and layout are established at the earliest opportunity in the interests of highway safety.

No development other than the creation than the approved access shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the NPPF.

The details to be submitted for the approval of reserved matters shall include vehicular parking and turning facilities within the site, and the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with

paragraphs 32 and 35 of the National Planning Policy Framework and Policy 38 of Cotswold District Council Local Plan.

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 60m to the west and 90m to the east (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 10m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason: To minimise hazards and inconvenience during construction of the development and for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework and Policy 38 of Cotswold District Council Local Plan.

No development shall take place until a 15 year landscape and ecological management plan for the site has been submitted and approved in writing by the Local Planning Authority.

The plan shall include;

1. The long-term aims and objectives for ecological habitat and landscape creation, mitigation, management and monitoring (including baseline species and habitat information);
2. Details of landscape and ecological features to be retained
3. Details of how these features and important species (in particular reptile species) will be protected during construction
4. Details of structural planting and habitat creation
5. Details of long-term management and monitoring for at least 15 years post completion of the development
6. Details of how the brook corridor will be retained, enhanced and managed to ensure its biodiversity value (in particular as a bat flightline and for crayfish)
7. Maintenance schedules, including annual work programmes for the first 5 years
8. Details and justification for the selection of baseline data and any thresholds that if occurring, or reached, will trigger remedial measures; and the details of those remedial measures
9. Submission of a report on the management and monitoring of the site to the LPA annually.

The development shall be carried out fully in accordance with the approved management plan and in accordance with the timescales laid out in the plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the landscape and ecology of the site is maintained and enhanced in accordance with Local Plan Policies 9 and 45 and Paragraphs 109 and 118 of the NPPF. It is important that these details are established prior to the commencement of development as any on site works could have implications for the landscape and ecological value of the site.

The submitted reserved matters details shall accord with the principles of layout, scale and landscaping as shown in Masterplan 01C.

Reason: To ensure that that the development is undertaken in a manner that is sympathetic to it locations within the Cotswolds Area of Outstanding Natural Beauty, in accordance with Local Plan Policy 42 and guidance in Paragraphs 17, 109 and 115 of the NPPF.

INFORMATIVES :-

1 The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))

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

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

2 The applicant is advised that to comply with Condition 12 that the Local Planning Authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

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