

PLANNING AND LICENSING COMMITTEE

9th December 2015

ADDITIONAL PAGES

ADDITIONAL PAGES - CIRCULATED TO MEMBERS BY POST

**AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Additional Representations on Schedule Items

Pages 1 - 37

PLANNING AND LICENSING COMMITTEE

9th December 2015

ADDITIONAL PAGES ON SCHEDULE ITEMS

Item	Ref. No	Content
01	15/01020/OUT CD.2581/H	<p data-bbox="577 589 1075 618">Three letters of objection received -</p> <p data-bbox="624 658 1345 1059">i) I am writing to once again request you to please reconsider and not develop our little village of Blockley. All development in our village should reflect the beauty and the heritage of this wonderful little village that has a history spanning 2000 years - It is too far away from any gainful employment and the public transport system to be of much benefit to young employed people who need housing. I do hope that our little village which is a safe haven for young children and old people alike, retains its position as a beautiful historic village.</p> <p data-bbox="624 1099 1345 1599">ii) While we all accept that more houses are needed – and indeed welcome developments of ten or more houses in sites previously stated – it is quite contrary to what I think Conservation Officers call ‘the Cotswold vernacular’ to build an entire estate on an area which until now has been part of the village heritage. Villages are made up of the many and various, and not whole heaps of houses plonked down in any available field. Any Conservation Officers would, I imagine, throw up his or her hands in horror at the suggestion. I do not feel that our concerns have been properly thought –this would be a blight on what is a supportive and growing community as it is.</p> <p data-bbox="577 1639 1271 1702">Letter from Blockley Environment Action Group – Please see dated 29th November 2015.</p> <p data-bbox="577 1742 1326 1771">Officer response to BEAG letter – Please see attached.</p>

02	15/03546/FUL CD.9514	Letter and documents from resident objecting to application – Please see attached.
03 & 04	15/02289/FUL CD.8481/F & 15/03075/FUL CD.8481/G	Revised plans – Please see attached. Further supporting statement from Agent – Please see attached.
05	14/03884/FUL CD.0479/J	<p>One email received from a Local Resident -</p> <p>'In respect of the proposal to demolish the existing garage and replace with housing.</p> <p>I have no comments as such regarding the proposal but have concerns regarding the additional traffic entering and leaving Granbrook Lane to and from the proposed homes.</p> <p>Granbrook Lane is increasingly busy, more and more cars park on the road and it appears that fewer drivers adhere to the speed limit - and especially so those from the Armscote direction and into the bend where the new houses will be.</p> <p>I'm amazed that there are not more accidents in Granbrook Lane and more cars increases such a risk.</p> <p>I would suggest that this development includes an assessment of the road and perhaps a mini-roundabout or other options to slow/calm traffic. '</p> <p>Officer Update: The Officer report refers to two of the proposed dwellings (plots 6 and 7) being located within the Cotswolds AONB. The aforementioned plots lie on the field to the south of the developed land occupied by the garage buildings and the associated vehicle storage/parking area. With regard to the position of the AONB the SHLAA Review May 2014 refers to 'AONB on greenfield southern half of plot'. In addition, the AONB boundary map shown on the Defra website also indicates that the AONB boundary extends around the edge of the existing garage site. Following the production of the Officer report the Case Officer has investigated further the exact position of the AONB boundary. A copy of the definitive AONB Order map relating to the Mickleton area has therefore been obtained from the Cotswolds Conservation Board. A copy of the map has been attached to these pages.</p> <p>It is evident from the definitive map that the AONB boundary extends across the existing garage site just to the south of the main garage building rather than along its existing southern boundary. The garage owner extended the original garage building southwards in 1977. In the following years the garage owner started storing vehicles</p>

		<p>and vehicle parts on the greenfield land to its south. The Council took Enforcement Action to secure the removal of the vehicles and machinery in 1994. The Planning Inspector allowed the land which is currently used for vehicle storage to be retained for such a use but upheld the Enforcement Notice requiring the removal of vehicles and vehicle parts from the remainder of the field to the south. A stretch of land measuring approximately 30-40m in length lying to the south of the main garage building (and falling within the AONB) has therefore continued to be used for the storage of vehicles and equipment from 1994 up until the present.</p> <p>In light of the boundary shown on the AONB Order map Members are advised that four of the proposed dwellings (Plots 4-7) lie within the AONB boundary rather than the two dwellings referred to in the Officer report. Notwithstanding this, it still remains the case that only Plots 6 and 7 will be located on greenfield land. Plots 4 and 5 will be located on previously developed 'brownfield' land (albeit within the AONB).</p> <p>Having regard to the definitive map it is still considered that the proposed development will not have an adverse impact on the character or appearance of this part of the Cotswolds AONB. Whilst Plots 4 and 5 will also be located in the AONB they will be sited on previously developed land that has a commercial character and appearance. They will also be seen in context with the existing residential development. When viewed from the Public Right of Way to the east the site is seen against a backdrop of 20th Century housing. The dwellings will not therefore result in a discernible encroachment of development into the AONB landscape. The replacement of the commercial operation with new landscaping and housing in natural stone would also represent a visual enhancement of the site and, in particular, the developed part of the site that currently lies within the AONB.</p> <p>The provision of four dwellings within the AONB is also considered not to constitute major development in the context of Paragraph 116 of the NPPF. The proposed development will remove commercial vehicle storage and associated paraphernalia from the site and introduce a newly landscaped development that will be more in character with adjacent residential development. The proposal will not result in a significant encroachment of development into the AONB landscape and will extend in line with the existing settlement boundary. The proposed development is of a scale, size, character and design that is sympathetic with the character of the locality and is considered to respect the local distinctiveness of this part of the AONB. Overall, it is considered that the proposal does not represent major development and will not have an adverse impact on the character or appearance of the</p>
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		AONB having regard to S85 of the Countryside and Rights of Way Act 2000 and Paragraphs 17, 109 and 115 of the NPPF.
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**Arreton House, Station Road, Blockley
Moreton-in-Marsh, Gloucestershire GL56 9DT**

29th November 2015

Mr Martin Perks
Senior Planning Officer
Cotswold District Council
Trinity Road
Cirencester GL7 1PX



Dear Mr Perks,

RE: Application 15/01020/OUT – to be considered on 09/12/2015

We write to you further in connection with the Legal Opinion submitted on 10/11/15 and the Case Officer's Report (COR) published 3/11/15. We are concerned that the COR does not adequately engage with the objections made by our community and we therefore ask you to consider further the following matters.

1. Blockley's Sustainability.

The COR affirms the Local Plan Regulation 18 Consultation Paper (LPR18C) identification of Blockley as a sustainable settlement. However, the COR does not engage with the concerns raised in numerous comments posted on that LPR18C relating to Blockley, many of which have been reiterated in opposition to this Application. In particular it does not weigh the objections concerning Blockley's inadequate infrastructure and sustainability.

- a. Those objections challenged the data provided in the LPR18C as inaccurate or greatly exaggerated¹. Here are three of many examples previously provided:
 - i. The score for Blockley that informs its alleged sustainability is taken from a table in the Settlement Hierarchy Final Topic Paper November 2008 that cannot² be achieved on the basis of the scoring system described therein.
 - ii. As the Local Plan has evolved, employment opportunities for Blockley have been exaggerated. Employment information is drawn from *The Cotswold Economy Study Part 2 Volume Employment Study October 2012* which lists three employment sites for Blockley all of which require some commuting. The following comments are taken from that study:
 - 1. The first location is Draycott Works which is "accessible via narrow country roads and is situated in an isolated rural location" which means there is "a lack of local facilities for the workforce" and "demand levels are relatively low".

¹ BEAG Submission on LSB Final pp.19-28 & BEAG letter 25/2/15 to Cllr Robin Hughes on LPR18C pp.11-18 and seriatim

² BEAG Submission on LSB Final p.19

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2. Next is Northwick Business Centre where works buildings are described as “generally of low quality and minimally maintained” while environmentally it is noted that the open spaces are run down. “The site is accessible via narrow country roads, which provide reasonable access, but the site is situated in an isolated rural location.” The report notes the lack of local facilities for the workforce.
 3. The third is Paxford Brickworks where strategic access is described as follows: “the location is poor, being isolated and rural, which makes it only accessible via private car along rural roads (B4479 Station Road). The lack of local facilities for the workforce adds to make this an unsustainable location.”
- iii. County Cllr. Moor and BEAG have advised that the data used for calculating car journeys are based on locations that are not comparable with Blockley’s rural situation. Further, we have noted that 2001 census data have been used in preference to more relevant readily available 2011 data. Relatively, the former understate the likely impact of car trip commuting. These objections have not been addressed nor has the greater concern that this development can only increase dependence on private motor vehicles.
1. While any future residents at this site might be able to reach Blockley’s limited facilities on foot, albeit on a gradient and while the distance is greater than the DCLG’s guidance in the Manual for Streets, they would be likely to be dependent on the use of private cars to gain access to employment, shopping, community, leisure and other facilities contrary to National³ policies 7, 29, 34, 35 and Saved Plan policies 1⁴, 19, 36, 37, 38 and emerging plan policies INF4 and INF5.
- b. BEAG’s Legal Opinion notes NPPF paragraph 216 is engaged but has not been adequately considered. It indicates that whilst decision-takers may give “weight” to relevant emerging policies (“*unless material considerations indicate otherwise*”) a key consideration in that weight is “*the extent to which there are unresolved objections to relevant policies*”. There are “*unresolved objections*” to the relevant draft emerging policies in this case that go to the heart of the proposed strategy⁵ and they preceded this planning application.
- c. In the second LPR18C (2nd LPR18C) document published November 2015, policy DS1 continues to recognise the importance of “*monitoring planning application decisions within and outside development boundaries.*” We refer you to the recent dismissed Appeal⁶ for residential development in Dumbleton relevant for its comparable issues, proximity some 14 miles away on the edge of the Cotswold AONB and for its recency - 20/11/2015. At point 5 in that Decision it is noted:
- “Statutory development plan policies relevant to the proposal are set out in the Tewkesbury Borough Local Plan which was adopted in 2006. The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, which was submitted for examination in November 2014, also contains relevant policies. Whilst this has reached an advanced stage, the examination has not concluded meaning that I attach limited weight to those policies.” (Our underline).*
- Similarly, that Decision later notes:
- “Whilst opportunities to maximise sustainable transport solutions differ between urban and rural areas, given the relatively poor public transport links and limited local facilities, I am not persuaded that the village is a sustainable location for a*

³ NPPF

⁴ Policy 1, 3. Energy

⁵ BEAG Submission on CDC LPR18C dated 25/2/2015

⁶ Appeal ref: APP/G1630/W/15/3129433

development of the scale proposed. Nor is there any specific evidence to indicate that allowing the proposal would lead to more local facilities being provided or improvements to public transport services."

It continues:

"I conclude on this issue that the proposal would not contribute towards a sustainable pattern of development in the borough and would be contrary to the objectives of national policy 7, local plan policy..... which collectively seek to achieve a distribution of development that is informed by sustainability principles, promote sustainable transport and healthy communities, and ensure safe and convenient access and that an appropriate level of public transport infrastructure and service is available".

We note that the number of dwellings proposed for Dumbleton relative to 2011 Settlement census data population is proportionately similar to that in this Application for Blockley and that the same infrastructure issues are involved and no road improvements are intended for Blockley in the Emerging Local Plan.

2. Housing Need

The Saved Local Plan allocates no housing to Blockley and we refer you to the foregoing point at 1.c regarding weight that might be appropriate for Emerging Plan policies. It is common ground that Objectively Assessed Needs (OAN) are a material concern but the question defining how significant they are essentially concerns the need for this quantity of unphased housing at this location.

- a. The COR affirms there is a demonstrable 9 year supply⁷ of housing land supply within Cotswold District to satisfy OAN and any notional buffer imposed. In that context the Saved Local Plan may be described as up-to-date. As BEAG's Legal Opinion advised it is highly likely a new Local Plan will be adopted during that time and that a need to continue to release land is not demonstrable.
- b. People's housing needs do not recognise administrative boundaries. In recent representations⁸ we have provided evidence of the very considerable volume of housing being planned within a 10 mile radius of rural Blockley among adjacent LPAs which, with recent additions in Chipping Campden, now stands above 13,000 dwellings, about 80% higher than the quantity being mooted within a similar radius of urban Cirencester and including the strategic new town. There is plainly a high volume of housing nearby under consideration to satisfy both Blockley's and any wider regional OAN and exclusive of this site. The 4 closest towns to Blockley with reasonable facilities are Broadway, Chipping Campden, Moreton-in-Marsh and Shipston-on-Stour. Between them, there are some 2,042⁹ dwellings under consideration and such quantum indicates no shortage of nearby future housing provision. Further, it adds substance to the sustainability concerns of our community by indicating the consequent additional strain on public transport and rail provision, pinch points, creaking road and other infrastructure and the inevitable higher employment demand that will compel workers to commute further afield. Of course, these towns will be under pressure from new residents not only in Blockley but also from other nearby communities with their own housing plan requirements.
- c. Further, there is sound evidence¹⁰ from Blockley Parish Council that demonstrates marginal housing requirement of any kind in Blockley.
- d. The Affordable Housing Supplementary Planning Document adopted by CDC in 2007 states that Parish Housing Needs Surveys will "*take precedence over the District wide survey in determining specific parish housing needs.*"

⁷ COR p.25

⁸ BEAG 2nd Submission on LSB Final & Open letter to Planning Committee Councillors LSB 4nov15

⁹ BEAG 2nd Submission on LSB Final, p.19

¹⁰ COR pp.47-62

- e. There is an estimated 7 years worth of empty dwellings in Blockley¹¹.
- f. In the previously mentioned Dumbleton Appeal of 20/11/2015 the Inspector noted the site abutted the Cotswold AONB and said:
"I attach great weight to the objective of preserving or enhancing the character and appearance of these designated and non-designated heritage assets and their settings."

He further states in that case:

"whilst clearly there is a need for a greater level of housing development in the borough, there is no particular requirement that I have been made aware of for this to be provided in Dumbleton. I do not, therefore, accept that the proposal can be justified on the basis that it is the "least worst" option for development in or around the village."

Given the location of this Blockley site within the Cotswold AONB and the high level of housing land supply in Cotswold District relative to OAN, it is appropriate to demonstrate how different views of housing need and the potential of alternative locations have been weighed in the assessment.

3. Presumption in Favour of Sustainable Development

- a. The presumption in favour of sustainable development set out in NPPF paragraph 14 states that for decision-taking *"this means.... granting permission unless specific policies in this Framework indicate development should be restricted"*. Footnote 9 to this section defines those restrictions to include *"...sites protected under the Birds and Habitats Directivesan Area of Outstanding Natural Beauty...and locations at risk of flooding."* All three are in play at this site and the relevant guidance for each indicates alternative sites should be considered.
- b. NPPF paragraph 116 states development should be refused for major development in such designated areas. Whether a development is major is determined on local context and members will make their own decision. However, it is common ground that if this development were deemed major then it should have to satisfy 3 tests and in this case it is considered most unlikely that it would do so¹². Argument weighing in favour of it being major includes:
 - i. It was brought before members precisely because of its size, AONB location and the level of local opposition¹³.
 - ii. It represents almost half of the remaining allocation in the 20 year period of the Emerging Plan, to be built on one site and at one time which, by any natural meaning of the word, can only be construed as 'major'.
 - iii. We refer you to one of the objections listed in the COR¹⁴ relating to consistency in decision-taking but which has not been addressed: *"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."*
 - iv. The COR lists¹⁵ but does not address the concern of the Cotswolds Conservation Board which was:
"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

¹¹ BEAG Submission on LSB Final p.12
¹² BEAG Legal Opinion p.1-2, items 5-11
¹³ COR p.16
¹⁴ COR p.22
¹⁵ COR pp.22*23

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."

- v. The Applicant's Planning Statement argues¹⁶ the development is not major because it would, at 33 dwellings, represent a 4.5% uplift (3.1% at 23 dwellings) in households a figure less than the Applicant's suggested 5% trigger for what represents major in a recent appeal involving up to 20 dwellings in Willersey (APP/F1610/A/14/2227938). However, that assumption on Blockley population is incorrect and inflated because the numbers used in the Planning Statement incorporate dwellings beyond the settlement boundary where development is proposed.
- vi. 2011 Census data give the population of Blockley settlement where development is proposed as 1104 individuals. The COR states¹⁷ the Housing Officer's recommendation for the 11 affordable units it describes should provide accommodation for 39 persons. Scaling up proportionally, 23 dwellings would provide for 82 persons' accommodation or an uplift of 7.4% on Blockley's population. However, as affordable housing units are customarily smaller than open market units it is most likely that the number of new residents that could be accommodated would be substantially higher. Either way, it is plain that new resident impact would be more than double that suggested in the COR and far higher than the point at which the Applicant evidences 'major' is engaged.
- c. We are concerned that flooding risk has been inadequately evaluated and our objections have not been taken into account.
 - i. It is common ground that the area at the north of the site in Flood Zone 3 is a flood risk and that it might be possible to mitigate the fluvial risk. However, the COR does not adequately address the objections relating to pluvial surface water. These are that the FRA relies upon an out-of-date Strategic Flood Risk Assessment (SFRA) from 2008 that does not include Blockley in the examined areas and, meanwhile, excludes that from JBA Consulting used to inform the LPR18C and in Forward Planning's evidence base.
 - 1. JBA's SFRA examines this site in Blockley and advises a comprehensive investigation into surface water flood risk should be undertaken and that this site should pass an Exception test. Neither of these has been undertaken.
 - 2. The COR advises SuDS techniques to manage risk would be employed but it does not engage with the objection that if the site is saturated for almost 6 months of the year¹⁸ it is unclear that there is any suitable

¹⁶ Planning Statement p.16, 4.26

¹⁷ COR p.36

¹⁸ Applicant's Agricultural Assessment, pp. 4-5

- location where the proposed notional empty subterranean storage crates could be placed without immediately filling up before any weather event occurs. At the very least it is necessary to establish that the obvious and high surface flooding risk is even capable of attenuation before deciding a condition can be imposed for a drainage scheme to be agreed before development.
3. It has not been advised that the Local Lead Flood Agency for Surface Water (GCC) has been consulted.
- d. There are two particular elements in the Application that give rise to serious road safety concerns that we would again bring to your attention.
- i. Visibility criteria¹⁹ for drivers turning right at the junction from Draycott Road into Station Road are not based upon good practice as set out in the government's Manual for Streets guidance. The accepted principle is that visibility splays are taken from the nearside kerb line. The advised visibility distance is not achievable at this junction and so an alternative spot 1.25 metres distant from the kerb line has been propounded as acceptable so as to enable the required visibility distances. The only basis for this variation, accepted by the Highway Authority, is that in practice vehicles do not travel on the kerb line. It is not argued in government guidance that all vehicles travel on the kerb line, though some might especially on narrow rural roads like this one, but rather, given the multiplicity of vehicular positions possible, that the relevant location to set the position for calculating safe distances should be taken at the kerb line. The Application's argument contravenes government guidance on road safety.
 - ii. The Applicant's plan²⁰ shows an uncontrolled pedestrian crossing on Draycott road west of the proposed development entrance. Its purpose is to enable visitors to the site to cross the road to access the existing footway to the village. The Applicant's plan shows the 30 MPH restriction sign moved some distance to the east of the site on safety grounds. However, the Highway Authority wishes the sign to remain on its existing location and not as shown on the plan. A third party objector²¹ commissioned a speed survey whose findings have not been addressed. It recorded an 85th percentile speed of 41MPH on the approach to the village. The clear implication from both pieces of evidence is that some vehicles will be approaching this crossing at speeds over 30MPH plainly demonstrating a road safety hazard.
- e. Geoffrey Clifton-Brown, Member of Parliament for the Cotswolds has written to object to the Application. Such an objection is not unique from him but so rare as to be almost unprecedented. He supports the overwhelming local objection that Blockley has already taken its fair share of development and considers that time must be given to allow social cohesion to grow. His objection is that the proposed development would be unsustainable at present.

We ask you to consider the information in this letter and to weigh it in any updated assessment.

Yours sincerely,

Michael Reid
For and on behalf of the Blockley Environment Action Group

¹⁹ Plan P1025/203

²⁰ Plan P1025/201A

²¹ COR p.20, xl

Officer comments in respect of BEAG Letter dated the 29th November 2015;

Blockley has been subject to a detailed analysis by the Council's Forward Planning Section as part of the preparation of the new Local Plan. The village has been subject to sustainability appraisals which have used 24 sources of evidence to assess whether the settlement does represent a sustainable location for new residential development. Prior to the current Local Plan the village was also identified in previous Local Plans as a location where new housing could be acceptable. It must also be noted that Blockley does not have to be completely self sufficient in terms of services and facilities in order to constitute a sustainable settlement. Paragraph 55 of the NPPF is clear in stating that development in one rural settlement can assist other services in other nearby villages and that it should be located where it would *'enhance or maintain the vitality of rural communities'*. In the recent appeal for 90 dwellings at Broad Marston Road, Mickleton the Inspector accepted that a 30% increase in the size of the settlement was acceptable. He also went on to state that *'there is some evidence that new developments would result in more trade for the local shops, more customers for the local pubs and more support for the local school.'*

There are three industrial/business estates within 2.5km of the application site. In addition to the quotes made by BEAG the Economy Study also states in respect of Draycott Works that *'There are, however, low levels of vacancy and the site is generally in good use'*. Overall, it states *'Established industrial estate in an isolated rural location. In use, protect.'* With regard to Northwick Business Centre the Study states *'The site consists of a collection of 104 converted barrack buildings and a handful of larger, medium sized units.'* It goes on to state *'there is a low level of vacant units'* and *'the site is an old, established site, which provides for small scale accommodation for new business and is dominated by local occupiers. Agents report the site serves a local need in providing for small, flexible and low cost accommodation. Agents also highlighted the low turnover of units and long term occupation by established local businesses.'* With regard to Paxford Brickworks the Study also states *'There is one vacant unit and a good level of past take up. There is limited scope for expansion. The site generally has a good range and variety of occupiers, with a locally derived demand base.'* Overall it states *'Generally in use, protect.'* The Study also states *'Vacancy rates are low including on sites of poor quality such as Northwick Business Centre. This illustrates that poorer sites with lower rents form a valuable part of the overall employment offer in the District.'*

The proposed development will be located in reasonable proximity to the aforementioned employment sites and has the potential to provide accommodation for people working in the three employment areas. The sites are considered to be isolated from the larger settlements and main highway routes. However, as identified in the Economy Study the sites largely serve a local need and demand. The fact that the Economy Study recommends protection of the industrial estates demonstrates their importance to the local economy. The proposed housing is considered to be sufficiently close to the employment so as to provide future residents with reasonable access to a range of employment opportunities.

With regard to the Dumbleton appeal decision the Inspector also stated *'I note that Dumbleton is not identified as a service village in the emerging core strategy.'* He went on to state that *'The proposal would also not be in accordance with the draft core strategy, albeit that this has limited weight at the present time.'* Whilst giving the draft Core Strategy limited weight the Inspector did note that the settlement had not been identified as a service village in the aforementioned document which added to his reasoning as to why the site was considered not to be a sustainable location for new residential development. The village of Dumbleton also has a population of approximately 576 which is roughly half that of Blockley. There are therefore distinct differences between the Dumbleton site and the current proposal.

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With regard to '2.Housing Need' the Council has a requirement to provide 7600 dwellings in the period between 2011 and 2031. Equally, Wychavon District Council and Stratford-on-Avon District have requirements to meet their housing needs. The level of housing being constructed/proposed in the locality is intended to address, in part, the future housing needs of three district councils. Cotswold District Council still has to meet its own requirements regardless of the level of development being undertaken outside the District's boundary. The level of development that is being proposed for Blockley is commensurate with its size and the number of facilities on offer and forms part of a wider distribution strategy for the District which has been set out in the emerging Local Plan. The level of development is similar to that undertaken in the village in the 1990's and the early 2000's.

With regard to affordable housing the Parish Survey was not undertaken in consultation with the District Council. They also did not engage Gloucestershire Rural Communities Council (GRCC) to undertake the survey. GRCC would normally be engaged by CDC to undertake such surveys. Notwithstanding this, a Housing Needs Survey is only one piece of information that is taken into consideration when assessing housing need. The Council also has regard to other sources of information such as the Gloucestershire Homeseeker website and its own records. The District Council's Housing Section considers that there is an identified need for affordable housing in the parish. Consideration must also be given to the findings of the Planning Inspector in relation to the Mickleton appeal referred to earlier. He stated *'although the 2 permitted schemes at Canada Lane and Arbour Close should deliver some 73 affordable units, the 45 affordable dwellings that could materialise on the appeal site would provide for the annual local needs arising over some 4 years, or for a slightly shorter period if used to meet any existing shortfall.'* He also went on to add that the *'provision of affordable housing seems to me to be one of the few effective ways (in the absence of Council housing) to address the housing affordability issues recognised by the Council itself as operating in the District.'*

The Dumbleton appeal site fell within and adjacent to the village's Conservation Area. There were also a number of Listed Buildings within close proximity to the site. The aforementioned proposal differs from the Blockley site in this respect.

With regard to the issue of major development this is dealt with in the original Officer report and the Officer update.

The proposal has been assessed by the Council's Drainage Engineers, Thames Water, Severn Trent Water and the Environment Agency. No objections have been raised. The built area of development will be restricted to Flood Zone 1. There is no formal requirement to notify Gloucestershire County Council as Lead Local Flood Authority as the application was received before the 15th April 2015. They only comment on applications received after the aforementioned date.

With regard to highway safety Gloucestershire County Council Highway Officers have examined the application together with comments previously made by BEAG. They raise no objection to the proposal. The speed limit for the sections of Draycott and Station Roads leading from the application site to the village centre are also subject to a Traffic Order which intends to reduce speeds from 30mph to 20mph. This will improve highway safety in the vicinity of the site.

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15/03546/ALC

November 26th 2015

Dear Members of the Cotswold District Council Planning and Licensing Committee

Ref: Planning Application Ref GLO0057 23m Mobile Telephone Mast Nash Barn

Please find enclosed 2 documents in relation to the application for a 23m mobile Telephone Mast at Nash Barn ref: GLO0057

- 1) **Letter From Ed Vaizey Minister for Culture and the Digital Economy to Geoffrey Clifton Brown MP** - informing the above application is no longer part of the Mobile Infrastructure Project and funding has been withdrawn. I understand the applicant has informed the planning department they have withdrawn. However I believe for some reason you are required to still consider this application at committee 9th December 2015
- 2) **Critique of the Application** - This document has been prepared by members of the Sevenhampton and Brockhampton local community in the hope you will take into account relevant information you don't appear to have received to date

It is important to ensure you are aware we fully support the need for improved mobile coverage. We are however, opposed to such a significant structure as a means to achieve this.

There are now many alternative solutions available some do not require a mast at all and others only require a small antennae type mast of under 9m

We have been in direct contact with the ministerial office who expressed full support of local projects and the use of new technology. As a result Sevenhampton Parish Council have already started work to source the appropriate solution for us

I hope you will be able to take into account the attached documents and our commitment to delivering the benefits without the need for a 23m high mast

With Regards

Claire Allen

2 Nash Cottage

Sevenhampton

GL54 5TN

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Department
for Culture
Media & Sport

Minister for Culture and the Digital
Economy
4th Floor
100 Parliament Street
London SW1A 2BQ

18 November 2015

Our Ref: 274152/bp

Geoffrey Clifton-Brown MP
cliftonbrowng@parliament.uk

Dear Geoffrey,

Thank you for your email of 23 October on behalf of your constituent, Ms Claire Allen, of 2 Nash Cottage, Sevenhampton, GL54 5TN, about a telephone mast near the village of Brockhampton. I am responding as the Minister responsible for this policy area.

I can confirm that the site to which Ms Allen refers, in your constituency of Sevenhampton (which is case reference: GLO0057), will not be progressing as part of the Mobile Infrastructure Project (MIP). The funding for MIP is contracted to end on 31 March 2016 and by this date all MIP sites must be operational. Unfortunately, it will not be possible to progress any sites which did not reach legal agreement with landowners or were not granted planning permission by the end of October 2015. These dates are based on the project's delivery agent Arqiva's experiences to date in implementing the MIP sites.

A substantial amount of public funding has been invested towards bringing mobile coverage to communities for the first time. As with all major Government programmes, steps are taken to ensure that appropriate value for money criteria are met and extending the programme beyond the contracted end date would prove an unacceptable risk to the taxpayer.

I am aware this will be disappointing news. The challenge in delivering MIP has always been to bring together all the essential elements of a four-operator MIP mast on one site at an acceptable cost and within the available time frame. Those elements include, but are not limited to, a site in the right place to achieve the necessary mobile coverage of not spots, with a landowner willing to make it available for 20 years, a cost efficient power supply and the ability to connect into the mobile operators' networks, access to build and maintain the site, community support, and planning permission.

Arqiva, the appointed supplier, and their acquisition agent, Harlequin, have been actively engaged with the community in Sevenhampton in considering and assessing sites suggested by the community. However, evaluating those alternative sites to confirm whether they met all the necessary criteria is a labour-intensive and time-consuming process, and it has not been possible to identify suitable alternative sites that Arqiva were



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confident could be completed within the timescales of the project.

I would like to assure Ms Allen that mobile coverage remains a key priority for the Government and that MIP officials remain committed to providing coverage to as many areas as possible within the project timeframe.

I hope that Ms Allen find this information helpful.

|

Ed Vaizey MP

Minister for Culture and the Digital Economy

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Critique of the Current Planning Application Nash Barn Mobile Telephone Mast



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Introduction

This report presents a critique of the current application proposing to place a 23 metre high mobile telecommunications mast and supporting structures at Nash Barn intended to improve mobile telephone network coverage to the area of Brockhampton and Sevenhampton.

The report is positioned as a helpful critique of the proposal taking into account all known information as at 23rd November 2015.

It reflects the need to achieve the three dimensions to sustainable development: economic, social and environmental, and recognises these roles 'should not be taken in isolation, because they are mutually dependent'.

In doing so this document should be read in the context of the work being undertaken by Sevenhampton Parish Council with regard to alternative solutions.

Extensive work has been undertaken and advice and guidance sought to fully understand the complexities of existing and emerging planning guidance and the associated advances in mobile communications.

Overarching Objectives

The report is compiled with the acknowledgement of the need to balance a duty of care for the beauty of a landscape set in an Area of Outstanding Natural Beauty and the requirement to improve mobile coverage.

It responds to the request by the Ward Councillor for the Area that this application is considered by the Planning and Licensing Committee.

'This application has been referred to Planning and Licensing Committee at the request of Cllr Hughes so that Members can balance the environmental impact of the proposal on the

Cotswolds AONB against the social and economic benefits of improved communications services.'

The report addresses three key planning questions that do not appear to have been adequately addressed in the original application;

- Does the level of harm outweigh the benefits
- Are there alternatives that have not been considered
- Has the level of noise pollution been adequately addressed

In doing so the report adheres strictly to planning reasons as set out in the National Planning Policy Framework section 5 Paragraph 46 states 'Local Planning Authorities must determine applications on planning grounds'.

Issues Addressed

This paper presents a critique of the current application and explores

- Key planning and telecommunications guidance
- Level of Harm – the Location
- Level of Harm – the Design
- Predicted Level of Benefits
- Alternative Site Locations
- The Level of Noise Pollution

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Background and planning considerations

Telecommunications Policy and Guidance

National Planning Policy Guidance states a clear message for the support of telecommunication development.

Section 5 'Supporting high quality Communications Infrastructure' of the National Planning Policy Framework (NPPF) provides guidance on telecommunications related development.

Paragraph 42 of Section 5 states 'Advanced, high quality communications infrastructure is essential for sustainable economic growth'.

Paragraph 43 states 'In preparing Local Plans, Local Planning Authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband'.

They should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network.

Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.'

Environmental policy and guidance

National Planning Policy guidance gives great regard to the environmental impact including a statutory duty to have regard for conserving and enhancing the natural beauty of the landscape.

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

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

Local policy guidance Local planning policy 41 states the committee have to be assured;

1. That there are no alternative sites, particularly for proposals within or affecting the Cotswolds AONB.

New draft planning policy INF10 states that telecommunications infrastructure development which is likely to have a negative impact on the environment is required to demonstrate;

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

Summary

These conflicting guidance statements pose a challenge and the ultimate aim would be to achieve the benefits without breaching the statutory duty with regard to the environment.

However decision making requires for each case a judgement that balances social economic and environmental impact and none of these elements should be taken in isolation.

It is clear local planning decision makers are faced with conflicting planning guidance that requires a drive to deliver improved communications whilst not imposing an unsightly vertical structure in an Area of Outstanding Natural Beauty.

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Does the level of harm outweigh the Benefits?

Level of Harm – Location

The site is located on a high point with no established woodland to obscure the structure.

It forms part of extensive views from Cleeve Common to the Marlborough Downs approximately 40 miles in distance without an obtrusive structure marring the view.



Aerial view

The Electricity pylons can only be seen when standing on the actual site but from no other view point. They are not in line of sight from the north, west or south and from the east the land falls away to an extent that it leaves the site as the skyline with no visible structure other than the proposed mast.

It is also worth noting the National Grid has invested £500M to remove electricity pylons from National Parks and Areas of Outstanding Natural Beauty.

The beauty of the area is enjoyed by both locals and visitors and is directly on the sightseeing walking route from the popular prehistoric site Belas Knapp to the site of a medieval settlement Old Sennington.

The location is one mile from Cleeve Common and there are many footpaths within half a mile that are frequently used by locals and visitors to the area.

The site only allows for the base to be obscured leaving two thirds of the structure in line of view from all surrounding public rights of way.

The proposed 23m high development will be located adjacent to a group of existing farm buildings which measure approximately 8m in height.

This speaks for itself as to how little of the 23m urban style structure is obscured from view by 8 m high farm buildings.

Two thirds of the structure would remain unobscured and exposed on the skyline.

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There is no established woodland next to the site and very limited vegetation in the surrounding area of which nothing exceeds the height of the 8m height of the barns.

Great emphasis in the Planning Officers report is placed on hiding the base from view whilst the majority of the structure is exposed with no ability to hide from view.

The site is within 60m of two residential cottages dating back to the early C18th.

The farmyard in which the mast is proposed is the site of a Napoleonic stone barn with the plaque to commemorate its existence remaining in the wall.

As stated by the Planning Officer '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.'

Super imposed to scale

The Planning Officer's view that this will not pose a negative impact on an Area of Outstanding Natural Beauty and the impact will be localised is brought into question given the size, location and lack of natural camouflage. However the Planning Officer's report continues later to state;

'On balance it is considered that the proposed mast will have an impact on the character and appearance of the AONB.'

On balance it appears the size, scale and position of the structure and the limited ability to obscure only the base constitutes a level of harm that contravenes the Council's statutory duty in relation to conserving and enhancing the natural beauty of the landscape.

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It also appears to contradict the NPPF guidance related to;

- Planning should recognise 'the intrinsic character and beauty of the countryside'.
- Planning system should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes'.
- 'Great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty.'

In addition it appears to contradict the applicant's own policy documents agreed with the government which state;

- A commitment to avoid 'sky lining on exposed hilltops or ridgelines which have insufficient natural screening.



View from road to Brockhampton

Level of Harm - Design

There is a common theme running through the selected design and location of the mast

The Applicant fails to consider its own commitment to using fibre optic cabling. (A commitment agreed as part of its government contract)

This is a critical factor – The use of fibre optic cabling enables;

- much greater choice of location
- no requirement for skyline placing
- much wider choice of design
- ability to place discreetly



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NB: Fibre optic cabling is available for use in the area.

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 the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship'.

Many alternative designs are available and designs specifically for sensitive areas have advanced considerably over recent years.

Choice can be expanded through the use of fibre optics which the applicant fails to address.



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The Applicant's own published set of principles agreed with the Government as part of the national program and states;

- To use a range of design solutions to minimise appearance and ameliorate potential visual impact.
- Where, if possible and appropriate, a pole mast is to be considered with bespoke mast design to reflect especial settlement considerations, features and characteristics.
- Acknowledgement of the validity of utilising the fibre optic network.

Instead the applicant chooses to use the lattice tower design.

The Landscape Character Assessment identifies the 'Introduction of vertical elements such as communication masts', The Potential Landscape Implications of such development are stated as being;

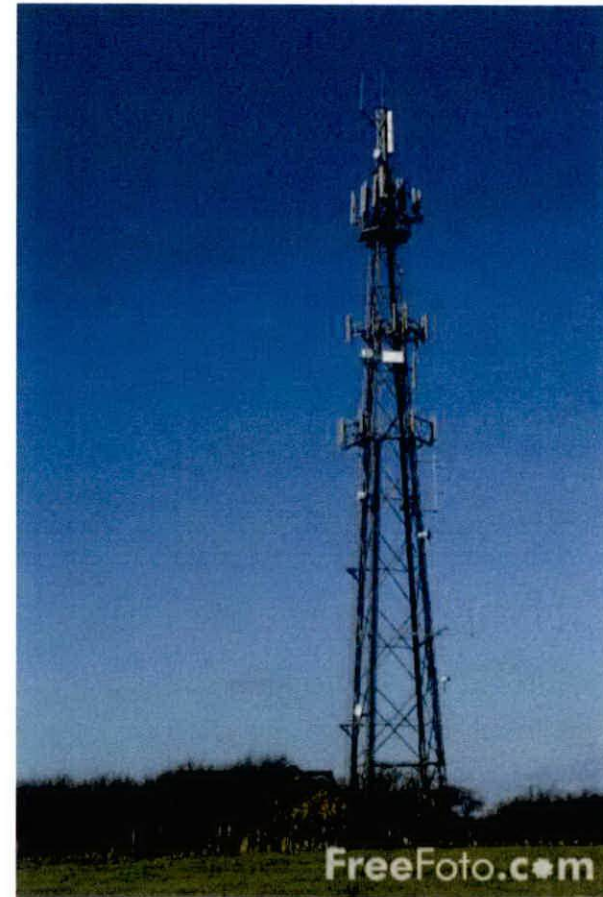
- An introduction of visually intrusive 'urban' features to rural landscapes.

There is no reference in the application to any explorations of alternative designs other than the metallic lattice tower. There is a simple statement within the documentation informing there are no alternatives due to the number of dishes and antennae the structure is required to support.

The use of a metallic lattice tower when there are alternatives appears to contradict national, local and the applicants own guidance.

The Applicant also implies the ability to see through the lattice design makes the structure more visually acceptable.

This indicates alternative designs are available and greater effort could have been made to select a more sensitive design in keeping with the natural vegetation and more sensitive to the landscape



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Benefits

When considering the level of harm as presented above it is important in line with national guidance for each case to balance the harm against the social and economic benefits of mobile network coverage.

In principle the social and economic benefits of mobile communication are undisputed however what is questioned in this section is the level of benefit delivered by this application.

The lack of careful consideration with regard to siting misses the opportunity to maximise the benefits by failing to address the lack of coverage in parts of Sevenhampton and a number of surrounding hamlets.

The Applicant places great weight on the benefits and these are presented as 63 residents plus unquantified benefits to rural business and farm safety.

There are three important aspects to consider when viewing the benefits;

- The central Government decision; This site 'will not be progressing as part of the Mobile Infrastructure Project'(See attached letter). As a result the applicant has withdrawn however, the application has not been withdrawn.
- The National Mobile Infrastructure Project will no longer continue with the current approach of using base station masts.
- A number of local areas including Sevenhampton and Brockhampton have received expressed support from the Ministerial Office for local projects and use of alternative solutions.
- Alternative solutions are available and being rolled out across the country. These either do not require a mast at all or one of

significantly less size and height and no requirement to place on a high landscape point.

The intended plan for Sevenhampton and Brockhampton with the Ministerial Office, local MP and County Councillor in support is to pursue the appropriate solution for the area. This approach is consistent with a vast number of rural areas across the country including the local areas of Minchinhampton and Chedworth.

The timescale to determine the best local solution are focused upon this financial year in order to secure Government investment.

Therefore, the social and economic benefits that are proposed by this application will be achieved without the need for a 23m high metallic structure.

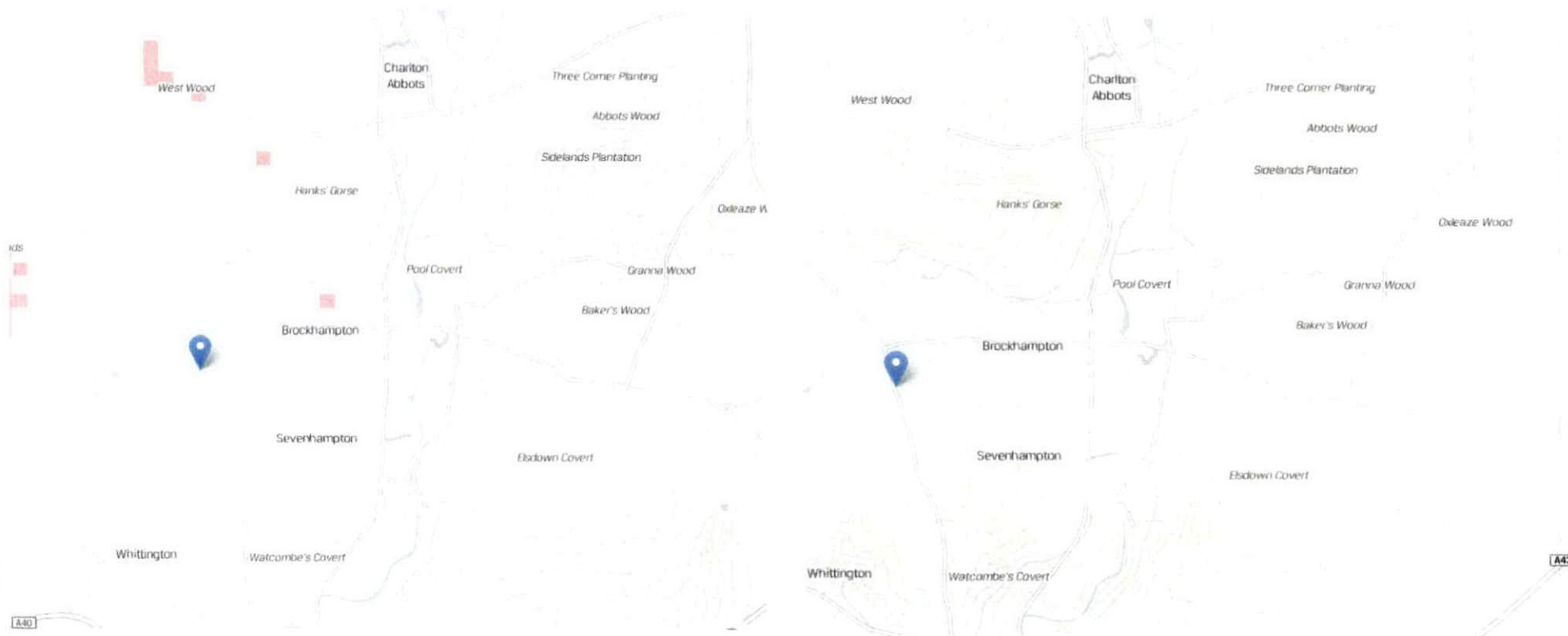
With regard to this specific proposal, using an outdated 23m lattice tower, the benefits presented are misleading. It omits to inform of current coverage across the area already delivered by the main network providers.

On checking Ofcom's website it shows for the area presented by the applicant that all fields surrounding the villages and parts of the village are already receiving mobile phone coverage. Therefore, any consideration of the reported benefits in regard to farm safety and wider benefits should be considered in the context of this duplication.

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Ofcom Vodafone Coverage

Ofcom O2 Coverage



Likelihood of having sufficient signal to make calls or send texts

Voice Calls Key

- Good coverage for calls and texts likely
- You may experience some problems
- You are unlikely to receive a reliable signal.



The current coverage by these two major providers suggests the area which really has no coverage is Sevenhampton
The area not covered by this application is Sevenhampton

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In summary

In essence the benefits reported are under question and evidence demonstrates that these benefits can be achieved or exceeded without breaching the statutory requirements to have regard to the purpose of conserving and enhancing the natural beauty of the landscape.

- *The proposed coverage duplicates existing coverage.*
- *There is a missed opportunity to address coverage in surrounding hamlets.*
- *The social and economic benefits of mobile communications for Sevenhampton and Brockhampton can be achieved without any level of harm.*
- *The pace of development potentially means erecting a 23m lattice tower base station is obsolete before it could be built.*



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Are there alternatives that have not been considered?

The application presents an eighteen site option appraisal. This was completed without local knowledge. As a result;

- Site consideration excluded the use of fibre optic cabling, thus limited location selection to skyline positions. The Applicant's own policy statements are clear; fibre optic cabling will be used where it is available.
- Twelve of the options did not meet the simplest of criteria required for the use of the outdated solution selected i.e. line of sight with existing telephone masts.
- Three were outside the geographical boundary requirements.
- Of the remaining three only one had confirmed landowner support.

As a result only one of the eighteen sites put forward by the Applicant was a viable option.

On viewing the options for siting it was evident the Applicant had no knowledge of the terrain.

By applying local knowledge residents believe there are better sites that could significantly improve the level of coverage and reduce the level of harm. As a result a further Options Appraisal was undertaken with the aim of identifying the best site in terms of coverage and limiting visual impact. Eight alternative locations were put forward. These were carefully selected to ensure all met the criteria stipulated by the applicant;

- Within the geographical boundary stipulated by the applicant
- Line of sight with the existing masts

- Sight into the valley and all areas of the villages
- Access available
- Electricity within reasonable distance
- Landowner consent

In addition local residents were mindful the Applicant's proposed site excluded parts of the community. As a result, whilst ensuring all the criteria were met, a selection priority was given to the line of vision to all parts of both villages and beyond to small hamlets where coverage is known to be poor. Local residents were confident a number of sites provided much greater opportunities to improve coverage and reduce the visual impact.

Map references were provided and offers were made to show the Applicant precise locations.

The Applicant only undertook a technical feasibility assessment on one of the sites.

The remaining seven were dismissed without due consideration. Correspondence from the Applicant repeatedly states they had no time to consider alternatives.

Further correspondence states the Applicant is unclear with regard to locations put forward and states 'the attempt to identify sites has been made that simply have benefit of tree copse or woodland in the interest of minimising visual impact'.

The Planning Officer surprisingly considers this an acceptable response to local Planning Policy 41 – That the committee is assured 'there are no alternative sites, particularly for proposals within or affecting the Cotswolds AONB.'

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However, despite the alternatives presented the most important factor is the lack of consideration to the use of fibre optic cabling as reported in the section above regarding design. Fibre optic cabling is a vital component in the delivery of alternative sites, structure, size and design.

These alternatives do not require the ridged stipulations of the outdated mast solution and enables;

- A much reduced height of mast
- Site locations much lower in the valley and off the skyline
- Greater flexibility regarding locations
- Wider range of camouflage options through design and local vegetation

This opens up a whole range locations that have not been considered despite the Applicant's commitment to use fibre optic cabling where it is available.

The planning officer reports;

'The Council's Landscape Officer and the Cotswolds Conservation Board have both assessed the application. Both parties consider that the impact of the proposed development is limited and is outweighed by the public benefits of providing the development'.

This is misleading by omission. The final paragraph in the response from the Cotswold Conservation Board states;

'However, it is understood that since the application has come in there may be additional more suitable sites that have not been considered within the site search process. The Council are therefore requested that if an even more suitably located site can be found, which reduces the impact even further whilst still meeting need, then any additional

alternatives should be considered before forming a decision on this application'

Whilst emphasising in the report consultation with the Conservation Board this statement was omitted and the request has been ignored.

This approach does not appear to concur with the Cotswold District Local Planning guidance.

Plan Policy 41: Telecommunications which states 'that proposals for the provision of telecommunications equipment will be permitted where the following criteria have been met;

- a) That there are no alternative sites, particularly for proposals within or affecting the Cotswolds AONB'

It is understood the Planning Committee are required to adhere to the current guidance. However, it is to be noted this is four years out of date and whilst the new Local Development Plan is still in the consultation stage it would seem unreasonable to ignore the more up to date and intended guidance given the unlikelihood of a development occurring at all or at the very least beyond the agreement deadline for the new guidance.

Policy INF10 of the new guidance states that telecommunications infrastructure development which is likely to have a negative impact on the environment is required to demonstrate;

- 1 **All** technically feasible alternatives have been found to be unviable.
- 2 There are **no** alternative locations which are likely to be less conspicuous.

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Has the level of noise pollution been adequately addressed?

The application reports six units will be placed at the base of the station.

The application documentation reports;

'The radio equipment housing will need to be mechanically ventilated to avoid overheating of equipment. The ventilation equipment is only likely to operate during the day during hot weather '.

This was raised as a concern by local residents particularly in light of the close proximity of two residential properties with gardens less than 30m away.

Local residents also raised directly with the Applicant and as part of formal consultation, concerns regarding wind noise through a lattice tower, particularly given the proposed site is on a high skyline directly in line with the prevailing westerly winds with no screening.

The Applicant agreed to undertake noise tests on the cooling engines and wind through the lattice tower. The Applicant informed local residents this was common practice and agreed to undertaken the relevant tests.

The Applicant continues in his report to state;

'If it is considered specific noise attenuation measures to be necessary, we would be pleased to discuss practicable solutions'.

This has not been addressed by the Applicant or referred to in the Planning Officer's report at the time of completing this critique.

There is currently no noise pollution in the area

Noise tests have not been undertaken despite acknowledgement they are required and agreement to do so.



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Summary

It is clear the Planning and Licensing Committee are faced with conflicting planning guidance.

Whilst balancing the need to deliver improved communications with the statutory duty to protect an Area of Outstanding Natural Beauty from harm, it is important to recognise the social economic benefits of improved communications hold equal weight to the environmental impact

When considering the level harm there is no doubt the current site will have a level of negative impact significant enough to require attention

With regard to this particular application the benefits are brought into question for three main reasons;

- Alternative solutions that require no structure supersede this approach and the local community are pursuing this with ministerial support. Therefore improved coverage can be achieved without a this level of harm
- Alternatives have not been considered that can deliver the benefits,(or potentially exceed) without the level of harm
- The proposal misleads regarding the level of benefit by failing to present coverage already in place

In terms of assuring there are no alternative sites that would have less impact it is clear a number of opportunities have been missed both associated with the option of a mast and also the option of using fibre optic cabling. There potentially remains multiple alternatives yet to be considered

Finally there is the outstanding issue of potential noise pollution. It is evident from viewing the applicants report testing noise levels and taking remedial action are factors acknowledged as requiring attention and this has not been addressed. This is of particular importance due to 2 residential properties attached to the site with gardens within 30m and the nearest habitable room less than 60m rom the site. There is also currently no noise pollution in the area

CONCLUSION

This document provides evidence of strong and valid planning reasons for refusal of this application;

- *The level of harm outweighs questionable benefits*
- *The committee cannot be assured all alternative locations have been explored*
- *The committee cannot be assured the level of noise is of an acceptable level*

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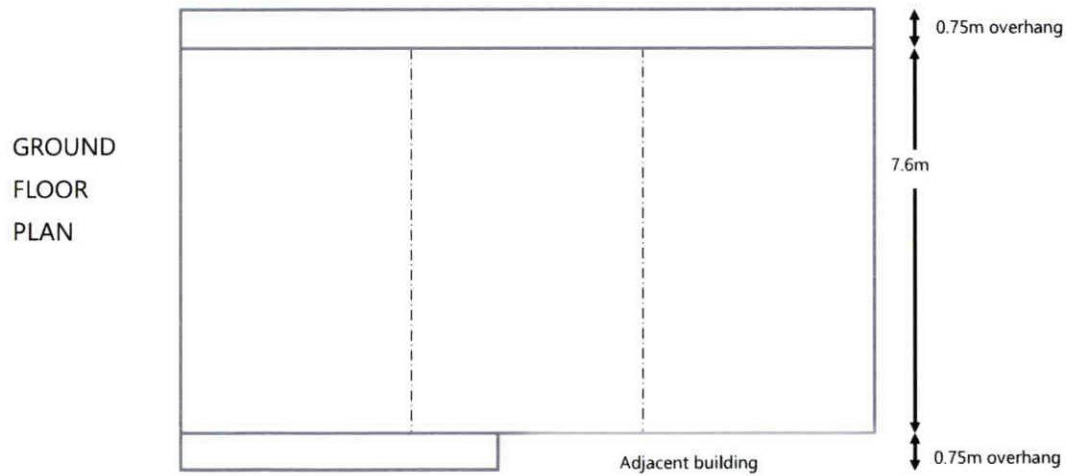
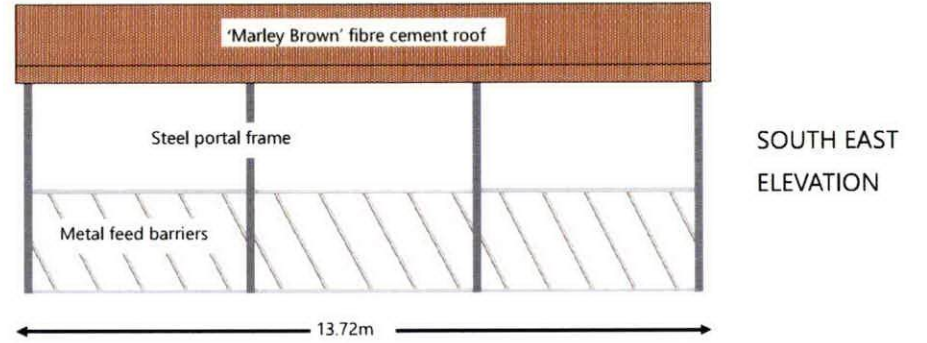
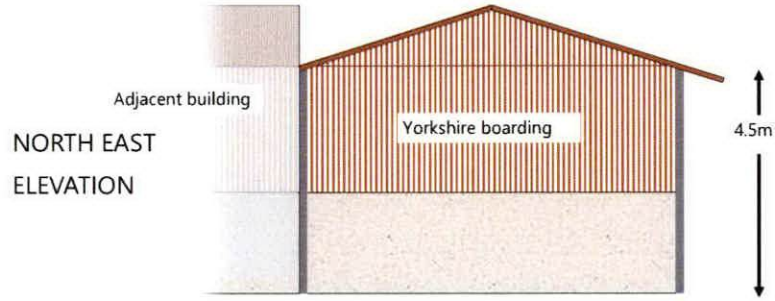
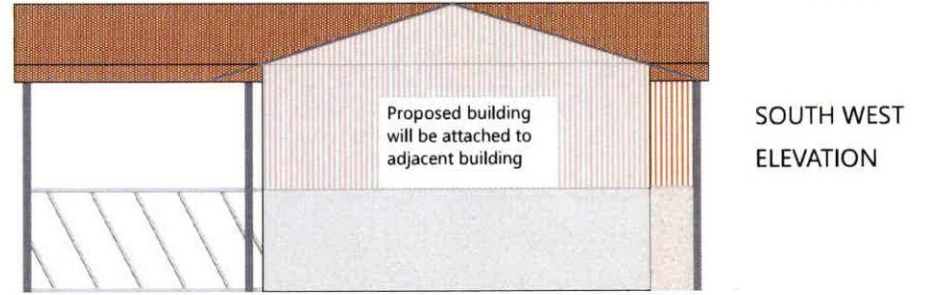
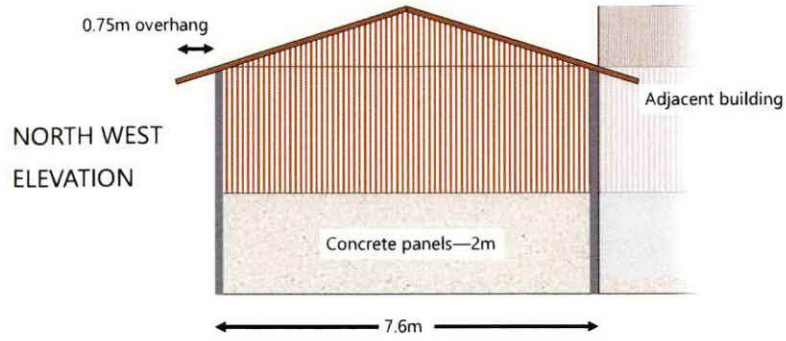
*Thank you for taking the
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Scale 1:100



Edward Gilder & Co
 Proposed agricultural building
 Proposed elevations 1:100 at A3
 Drawing No: GI213.003-a
 July 2015

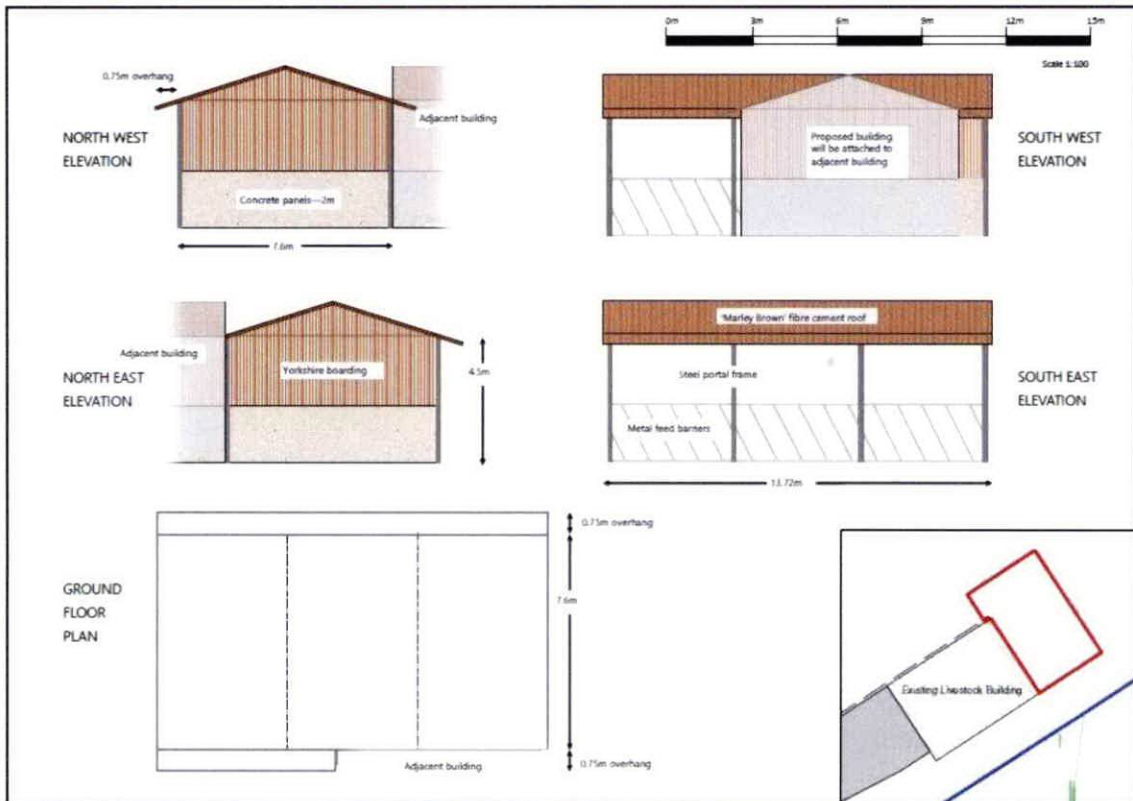
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I write following the deferral of the following applications at The Old Quarry, Broadwell
15/03075/FUL & 15/02289/FUL

We welcome the site visit by the planning committee members on Wednesday 2nd December in order that they might assess the impact of the proposals on the AONB and thought it may be useful for them to have the proposed building elevations and photographs courtesy of Google street view, which may act as a handy visual aid on site.

The drawing below is an amended version of the elevation drawings originally submitted due to an error in the position of the adjacent building as shown on the south-west elevation. Please note, no amendments have been made to the proposed building.



Only a brief glimpse of the existing building is available to traffic passing at 60mph. There are no footways or public rights of way with pedestrian views of the site.

As an aide memoire, we provide below a short summary of the applicant's business, the operations undertaken on the application site and why the proposals are required.

The Ed Gilder group is a well-established specialist haulage firm, transporting on average over 500,000 sheep and 20,000 cattle per annum as well as pigs and other livestock, temperature controlled goods and bulk haulage, on a national and international scale.

The applicant is the third generation of livestock hauliers with a long family connection to Broadwell and has three sons already showing an interest in the business! The business turns over in excess of £2million, employs 15 full-time members of staff providing full training as well as supporting other local businesses such as feed merchants. The business is a significant contributor to the local rural economy.

The main operating centre is at Bourton on the Water, which is where the lorries are stored and maintained. The application site is utilised as an agricultural lairage in conjunction with the livestock haulage side of the business, enabling them to meet various legislative requirements.

- For bio-security reasons, lairage facilities are required away from the location where the company's larger articulated vehicles are held (used for transporting high value livestock) to reduce the risk of spread of disease.
- The Welfare of Farmed Animals (England) Regulations 2000 also requires the firm to have isolation facilities to offload sick and injured animals. These are required to be separate but in close proximity to the main operating site for biosecurity and logistical purposes.
- The business does not currently have the facilities to lairage pigs alongside cattle and sheep due to the requirement for them to be housed separately.
- The company operates under the Farm Assurance, Red Tractor scheme and prides itself on the highest standards of animal welfare and biosecurity.

The application site also acts as a collection facility for local farmers producing relatively small numbers of livestock, which are brought to site then amalgamated to form larger loads to meet the demand of larger retail buyers. This provides economic benefits to a number of farmers and reduces the number of individual stock movements on the wider road network.

Last year over 9,500 sheep and 500 cattle passed through the application site with numbers for 2015 projected at nearly 11,000 sheep and over 500 cattle. The livestock are loose housed on straw beds during their stays, which are typically 8-24 hours before they're moved off again. For biosecurity reasons, the building is cleaned out and disinfected between each load. The resultant Farm Yard Manure, is stacked on site before being collected and taken away.

The site lies within a Nitrate Vulnerable Zone for ground and surface waters and there is a legislative requirement for muck to be stored on an impermeable base with provision for the collection and containment of any run-off. The muck store enables compliance with this legislation, with the walls preventing spillage onto neighbouring land and/or the road.

Items 03 + 04.

15/02289/FUL CD. 8481/F.

15/03075/FUL CD. 8481/G.

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There is commercial demand to increase capacity on this site and allow business growth. The additional building will also provide distinct, separate housing so that pigs, cattle and sheep can be off loaded at the same time.

Assuming the proposed lairage building is permitted and based on projected increased stock numbers, the existing nature of operations continuing in the same vein and applying the existing charging structure; turnover will be increased by £10,990 in 2016.

Annual livestock numbers and traffic movements (actual and projected) summarised below;

Annual Livestock Numbers

	2013	2014	2015*	2016*	*projected
Sheep	5,455	9,614	10,990	13,740	
Cattle	337	513	520	650	
Pigs	-	-	-	960	

Annual traffic movements:

	2013	2014	2015*	2016*	*projected
Livestock on:	240	368	416	520	
Livestock off:	145	195	220	277	
Feed & Bedding	28	35	40	40	

The proposals extend the existing facilities of an established agriculturally based business, proportionate to the demand experienced, the size of the site and business resources, allowing the applicant to meet legislative requirements, maintain the proper functioning and growth of his business, which is important to the local farming community and rural economy. The use of the building and muck store, by their agricultural nature, are appropriate to a rural location and the company does not own any other land on which such additional facilities could be located.

The site is generally elevated and well screened from public view with the proposed building sited behind the existing building in the most part and not exceeding the existing ridgeline. We appreciate that the muck store is positioned close to the road and is currently visible, however the impact of this can be adequately mitigated against with a suitable planting scheme, bringing additional ecological and biodiversity benefits. We would be happy to accommodate any amount of landscaping on the former access area as deemed necessary by condition.

Your planning officer reported his satisfaction as to the applicant's business activities, the use of the site and justification for the proposed building and muck store, recommending them both for approval.

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Contrary to comments made at the committee meeting, I confirm that the applicant is not a scrap dealer and though it bears no relevance to these applications we felt a little information on the other planning matters on site may also be of background interest;

Access improvements

The applicant was not aware that a planning application was required to improve an existing access. Once alerted to the fact, he engaged rural planning consultants Moule & Co who submitted a retrospective application, which has been approved.

Residential Caravan

Consent was granted in 2012 for the siting of a residential caravan on site for use in conjunction with the lairage building permitted at the same time. The caravan has been in constant use and habitation by an employee of Ed Gilder & Co in connection with the lairage use of the site and council tax has been paid for that period. The renewal application was submitted prior to the original consent's expiration but has since lapsed and awaits determination. It is not intended to retain this caravan should consent be granted for a permanent workers dwelling.

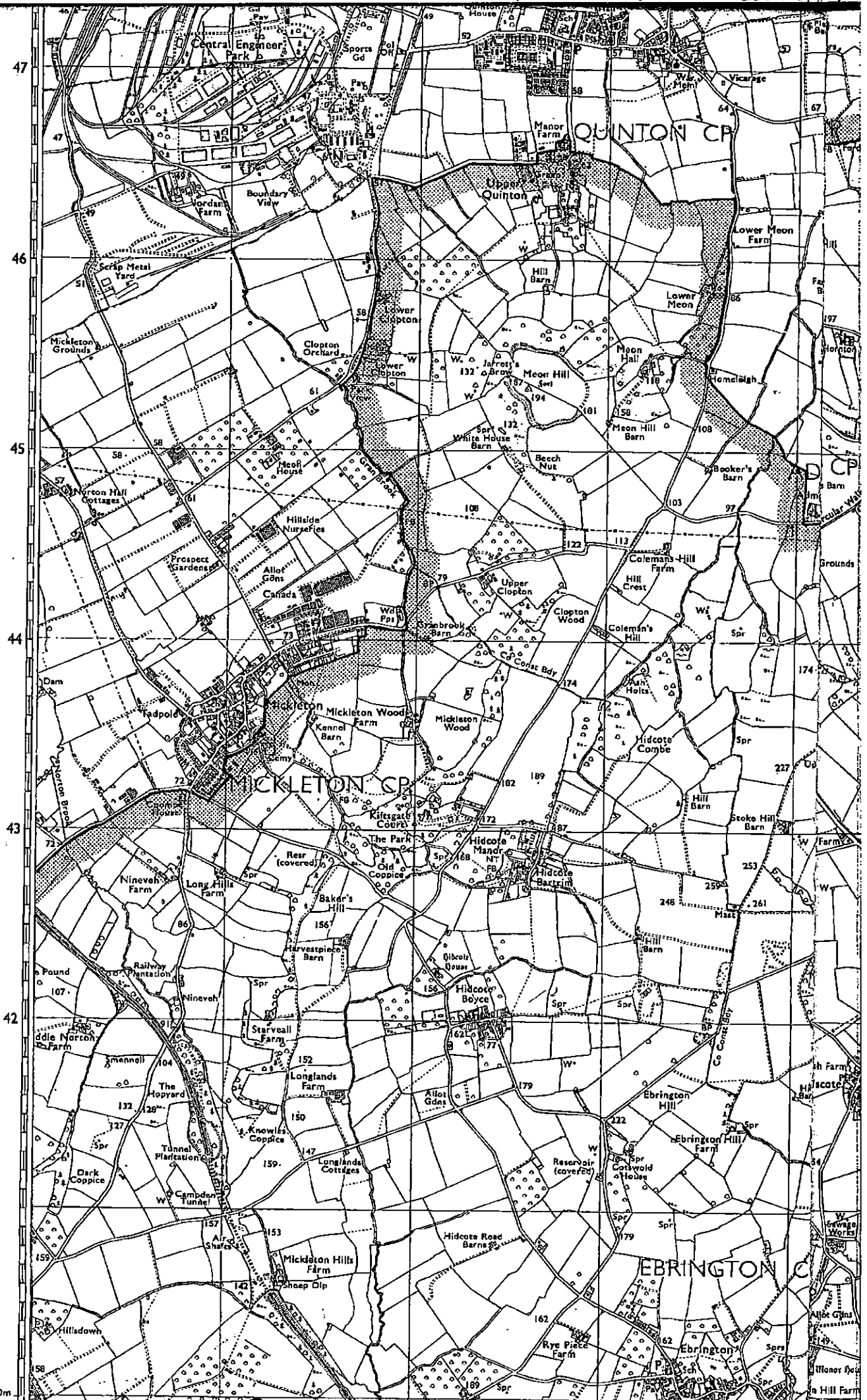
Permanent Dwelling

The structure on site, which is subject to a retrospective application for a permanent rural worker's dwelling started life as a replacement caravan. The applicant believed the structure, which is a timber framed and clad building, to fit within the planning definition of a caravan and could therefore replace the existing caravan on site for which the consent was still live. Whilst the enforcement officer deemed the structure not to be a caravan, and invited a retrospective application, it does still fit within the **dimensions** definition of a caravan. The proposals divide the internal space into four bedrooms to accommodate each of the applicant's three sons however the dimensions and scale remain that of a caravan which is by no means excessive. Had it been intended to construct a permanent dwelling from the outset, then a planning application would have been submitted in advance in the usual way and a more traditional construction may have been proposed. Having invested heavily in the structure on site there are no plans to shelve this in favour of a conventional 'house'.

Having provided a brief background into the applicant's planning history on this site, we politely request that the judgement of these applications are made on their own merits, are not influenced by outside opinion, other planning matters which are being dealt with under separate applications or speculation on future development.

Items 03 + 04
15/02209/FUL CD. 2481/F.
15/03075/FUL CD. 2481/G.
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