

**Item No 01:-**

**16/00937/OUT (CD.7315/B)**

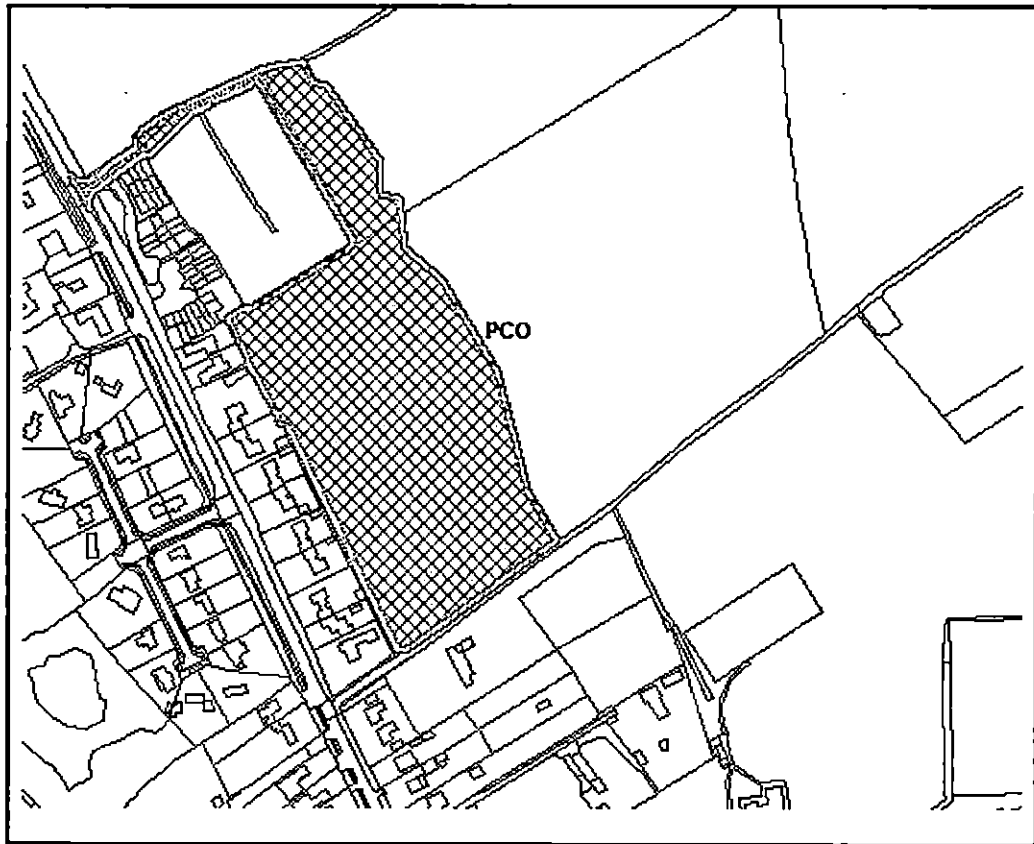
**Land Parcel North Of Chipping Campden School  
Aston Road  
Chipping Campden  
Gloucestershire**

## Item No 01:-

**Erection of 40 dwellings and associated works (Outline application) at  
Land Parcel North Of Chipping Campden School  
Aston Road Chipping Campden**

<b>Outline Application 16/00937/OUT (CD.7315/B)</b>	
Applicant:	Gloucestershire County Council
Agent:	Evans Jones Ltd
Case Officer:	Martin Perks
Ward Member(s):	Councillor Lynden Stowe Councillor Mark Annett
Committee Date:	8th June 2016

**Site Plan**



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**RECOMMENDATION: PERMIT SUBJECT TO S106 LEGAL AGREEMENTS COVERING PROVISION OF AFFORDABLE HOUSING AND FINANCIAL CONTRIBUTIONS TO EDUCATION AND LIBRARIES**

**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 Chipping Campden
- (d) Affordable Housing
- (e) Highway Safety and Traffic Generation
- (f) Loss of Agricultural Land
- (g) Impact on Biodiversity
- (h) Flooding and Drainage
- (i) Privacy and Residential Amenity

**Reasons for Referral:**

This application has been referred to Committee by Officers in consultation with Cllrs Stowe and Annett due to the size of the proposal and its location within the Cotswolds Area of Outstanding Natural Beauty and adjacent to the historic town of Chipping Campden.

**1. Site Description:**

This application relates to a parcel of agricultural land measuring approximately 2.94 hectares (7.35 acres) in size. It is located adjacent to the north eastern edge of Chipping Campden. The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). It is located outside Chipping Campden Conservation Area. The southern boundary of the application site is located approximately 200m to the north of the aforementioned Conservation Area.

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011. The south western boundary of the site adjoins the town's Development Boundary.

The site is orientated in a roughly north west to south east direction. The site runs parallel with Aston Road (B4035) which is one of the principal roads leading into and out of the settlement. The south western boundary of the site abuts the rear gardens of dwellings fronting the aforementioned highway as well as existing allotments. The north western and north eastern boundaries adjoin existing agricultural fields. The south east boundary adjoins residential land and playing fields forming part of Chipping Campden School.

The site measures approximately 340m long by approximately 120m deep at its widest point. It is currently used for arable purposes and comprises two fields separated by a native species hedgerow. The southernmost field is the larger of the two and occupies approximately 88% of the application site. Land levels across the southern field rise steadily from their lowest point in the southern corner of the site to its northern eastern boundary. Levels rise by approximately 6m across the southern most field. The northern field is flatter with levels varying by around 1m across its length.

**2. Relevant Planning History:**

15/00419/OUT Outline application for the erection of 90 dwellings with access Refused 2015

**3. Planning Policies:**

NPPF National Planning Policy Framework  
 LPR05 Pollution and Safety  
 LPR09 Biodiversity, Geology and Geomorphology

LPR10 Trees, Woodlands and Hedgerows  
 LPR19 Development outside Development Boundaries  
 LPR21 Affordable Housing  
 LPR34 Open Spaces & Play Areas in Residential Development  
 LPR38 Accessibility to & within New Development  
 LPR39 Parking Provision  
 LPR42 Cotswold Design Code  
 LPR45 Landscaping in New Development  
 LPR46 Privacy & Gardens in Residential Development

#### **4. Observations of Consultees:**

Gloucestershire County Council Highways: No objection subject to conditions

Gloucestershire County Council Lead Local Flood Authority: No objection subject to conditions

Gloucestershire County Council Community Infrastructure: No objection subject to contributions to education and library services.

Thames Water: No objection

Severn Trent Water: 'I can advise we would like the use of soakaways to obviously be investigated and evidence submitted in the instance that they do not work and a connection to the public sewer is required.'

Housing Officer: No objection

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

##### Object -

- '1. The land is high grade, productive agricultural land
2. The land is a breeding ground for Skylarks which are an endangered species.
3. Visibility within the AONB.
4. Proximity to the rear of the existing properties on Aston Road.
5. This is an application by stealth to overcome the previous application's unanimous refusal by CDC's planning committee and as such is unacceptable and unethical. This application is for 40 houses as opposed to the previous 90, but the applicant clearly states that this is just "phase 1" so must be considered as a major development within the AONB.
6. Chipping Campden has already provided 10 years-worth of its allocated 20 year supply so the Town has no housing need for another 40 houses at this point in time.
7. Chipping Campden Town Council seeks small, organic growth for new housing sites in its emerging Neighbourhood Development Plan: 40 houses on one site is contrary to this policy.
8. Unacceptable increase in traffic on Aston Rd, particularly during rush hour / school drop off and pickup times.
9. There is absolutely no "planning gain" for Chipping Campden contained in this major site proposal.'

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

23 letters of objection, 1 letter of support and 2 general comments received;

##### Main grounds of objection are:

- i) Proposal appears to be a simple resubmission of the last proposal except that the developers are obviously taking a bit at a time approach and will no doubt come back at a later date for the rest of the field.

- ii) Access from Aston Road into the Bratches is too narrow and the bend in the road makes it hazardous with more vehicles coming in and out.
- iii) The proposed entrance will be used at key times therefore impacting on build up of traffic exiting the site onto Aston Road. The volume of traffic through Campden all year round will be greatly affected by this development as will parking in the town.
- iv) Adverse impact on Cotswolds Area of Outstanding Natural Beauty
- v) Overdevelopment. This is 40 houses on 2.5 hectares whereas before it was 90 houses on 5 hectares. All they have done is halve the amount they build on but the density of housing will be the same.
- vi) It will ruin the beauty where Campden starts at the north end.
- vii) Once this land is built upon it opens the floodgates to continue building on the land. It will set a precedent.
- viii) 21 metres from the back of residents' houses on Aston Road is too close.
- ix) Adverse impact on drainage and increased risk of flooding.
- x) The land is defined as Grade 1 land and is therefore excellent farmland that should be retained.
- xi) There are skylarks and bats that live/breed/forage in the proposed development area and they will no doubt leave the site.
- xii) Residents of The Bratches have young children who play football and cycle not too far away from the entry point onto The Bratches. This is relatively safe at present as the traffic is minimal. This could change due to increased traffic.
- xiii) Adverse impact on residential amenity
- xiv) Heightened pressure on the Aston Road access and town facilities and resources
- xv) Unsightly first impression view on the entering the beautiful town
- xvi) Loss of prime agricultural land
- xvii) Proposal does not accord with provisions of development plan
- xviii) It is clear that Chipping Campden must make provision for new housing. It will be difficult to decide how to best allocate this around the town in a manner that will have the least possible impact on both its character and service infrastructure. Some of the housing need may eventually need to be satisfied by building on the land behind Aston Road. However, until the complete plan for new housing developments in Chipping Campden has been developed and agreed it is premature and outrageous to start by putting 40 houses on this land as a first phase and then to commence the conversation about where the rest should go.
- xix) An application which has further phases cannot be considered in isolation. Before consideration we need a clarification of GCC future intentions for this site. Application is premature. A comprehensive plan for Campden which spreads development should be given time to come forward. Deciding on piecemeal applications will destroy the harmony of the town.
- xx) The current infrastructure will not support an additional 40 dwellings with potentially 100 plus people and 80 plus vehicles. Pedestrian access into town is inadequate and necessitates crossing a busy highway. Current vehicular traffic is a considerable safety hazard.
- xxi) We recently moved into Campden attracted by the beauty and tranquillity offered by the town and feel certain that others would endorse this view. This development detracts from this charm and adds nothing to the environment which brings much needed commerce to the area.
- xxii) Although the farm track envisaged as a pedestrian/cycle entry into the proposed new estate is in the ownership of GCC the land either side is not. The width of the track is insufficient for the safe footpath/cycle route when it is regularly used by large farm vehicles, trucks and unprotected farm machinery.
- xxiii) Whilst not strictly in the CA this field is in the AONB for very good reasons and as such should be protected and not carved up in phases for new estates.
- xxiv) The field is outside the Development Boundary and so should not be under consideration for development.
- xxv) The density of houses has actually been increased. I hope that this will be considered unacceptable so that this area of outstanding natural beauty will not just become another money making sprawl.
- xxvi) The development is too large and too close to existing properties.

xxvii) Impact on access track to rear of properties on Aston Road. New houses would directly abut the back garden of these houses. The whole design is far too dense and is even less sympathetic to its rural setting. Our homes are at the bottom of the slope so the full horror of this ugly development is laid out before us as it spreads up the hill to the mid point of the field. Whilst many other developments seem to genuinely incorporate significant green spaces and tree conservation and/or planting this design seems to offer few concessions to the fact that it is sited in the countryside and is hugely significant as a part of the town's rural setting.

xxviii) The provision of a small extra strip of land alongside the access track to rear of properties on Aston Road would turn into a dark enclosed tunnel which would not only be aesthetically horrific but would also pose security issues for our homes, into something that feels like a country lane.

xxix) The proposed development would be neither organic or discrete and is certainly not infill. To approve the application would be akin to approving the unknown.

xxx) Paragraphs 109/115 of the NPPF emphasise the importance of protecting natural and historic landscapes. However, anyone arriving into Chipping Campden down Kingcombe Lane or Westington Hill can see the fields on which the development would be sited. This development would have a material impact on the image and character of Chipping Campden and the wider AONB, irreversibly extending the town edge beyond the agreed development boundaries.

xxxi) Paragraph 112 of the NPPF states 'where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality.' It is recorded as Grade 1 which is far too high a quality to be irreversibly lost to housing.

xxxii) The site is visible from a number of locations within the AONB and any new development would expand the width of the visible developed area of the town when approached along Aston Road. It would permanently damage the AONB.

xxxiii) Adverse impact on tourism. A number of properties offering bed and breakfast back onto the site. Their rural setting will be lost. A new housing estate would immediately remove one of their major attractions and damage these businesses as well as risk reducing resources in the tourism sector of the local economy.

xxxiv) Cumulative impact of this proposed development with other approved schemes including Badger's Field, Berrington Mill and Campden School will produce a rapid increase in the number of new houses with consequential population and traffic growth which Campden cannot easily absorb.

xxxv) Proposed dwellings are too close to rear of properties on Aston Road.

xxxvi) Where are the jobs locally to provide the economics for buying these properties?

xxxvii) The track is not wide enough to accommodate a proposed pedestrian/cycle path, especially where it runs parallel to the property Astonia. This would jeopardise the new residents' safety from not only farm vehicles but vehicles accessing my property as rear parking is the only option. Crossing the road from the track would be a safety issue too.

xxxviii) Pavement on the opposite side of Aston Road from the proposed development is very narrow, in poor condition and barely adequate for the use of those walking between the town and Grevel Lane and beyond at the moment. Substantial works are already needed to improve and even preserve the path.

Main grounds of support are:

i) 'Totally in support of the new needed development. I have lived in Chipping Campden all of my life and would like to raise my family in this beautiful town but house prices are preventing me doing so. I currently live in a 2 bedroom part rent in the Bratches with me, my husband and our 4 month old son, which we love but if we are to have another child we will have to move from Chipping Campden due to lack of affordable housing. More 3 bedroom part rents need to be built so young families have a chance in staying in this beautiful town.'

General Comments are:

- i) A doctor's surgery has to have a great deal of parking because the lack of parking at the present surgery is a huge problem. The surgery also has to be physically large enough.
- ii) Draft plans for surgery show inadequate parking which will result in overspill parking on neighbouring streets.
- iii) Any pedestrian access to the new surgery will require a significant improvement to the quality of the footpath on Aston Road. At present it is not wide enough and is not adequately maintained.

**Cotswolds Conservation Board**

'The Board does note that this current scheme represents a reduction in housing numbers and site area to be developed in comparison to the previous refused application (15/00419/OUT). The impact on the landscape of the AONB has therefore been reduced to a degree. However, the potential landscape impact of even this reduced development should not be underestimated. The SHLAA correctly identified the constraints of this site in terms of landscape impact as it would intrude into the AONB. 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. The site is in a crest / ridge location so views can be had from various public viewpoints.

It is also recognised that the draft Local Plan seeks to identify sites for 208 dwellings at Chipping Campden. However, given the size of the existing village and the landscape constraints due to the AONB designation the Council should be clear as to the need for additional housing at this scale for this village and whether the need can be met elsewhere either within more suitable sites or parts of sites within the village or indeed even from sites outside the AONB.

In conclusion, the Board recognises there is a need for local needs housing provision within the village, but the target of 208 dwellings may not be easily achieved given the AONB designation. Even if the Council consider Paragraph 116 of the NPPF is no longer considered relevant to this smaller scheme, Paragraph 115 of the NPPF still confirms that "great weight" should be given to conserving landscape and scenic beauty. Given this application is premature to the Local Plan Hearings, consideration should be given to whether there are alternatives to meet local needs in more suitable ways or more suitable locations to avoid the loss of this open, edge of village greenfield site, before considering whether this amended scheme is acceptable.'

**The Campden Society:**

Object -

'In 2015 Application No:15/00419/OUT for the construction of 90 dwellings, of which this site forms part, was unanimously Refused by CDC Planning Committee. This new application ( for 40 dwellings) claims to largely overcome the reasons for the original refusal. However, para.3.9 of the Design and Access Statement clearly states that this application does not preclude future applications on the remainder of the site. Thus this application is no different, apart from minor layout changes, from 15/00419/OUT but is seeking approval overtly or covertly for 90 dwellings to be implemented in stages. The whole then constituting a MAJOR development in terms of NPPF.

Additionally there is reference to a proposal for a Surgery for which there are no details other than a possible location. We argue that this Application is incomplete for the uncertainty it introduces and should not be considered in its current form and supporting information.

## BACKGROUND

In the Draft Local Plan Chipping Campden is asked to provide 208 new dwellings in the period 2011-2031. Current approved applications amount to 127. Four additional sites in various stages of approval are planned to contribute a further 30 units leaving some 51 dwellings to be provided by 2031.

It was recognised by CDC Planning Officer, Martin Perks, in his refusal report and recommendation of July 2015 Ref:15/00419/OUT that Campden already has sufficient approvals to meet its short to medium term requirement for new dwellings.

In the longer term The Society shares the view of the Town Council that Campden will be best served in meeting the additional requirement through organic growth based upon a number of smaller sites. We objected, in our letter of 23 March 2015 to the original application on the ground that it was not desirable to have large suburban estates at the entrance to this historic country market Town within the AONB.

## CONCLUSION

This is an Application located within the Area of Outstanding Natural Beauty which if approved will probably allow a MAJOR Estate by implementation of later stages.

The development boundary around the whole larger site has been conveniently relocated to embrace this land in the draft Local Plan against the will of the local population and contrary to proposals contained within the draft Neighbourhood Development Plan.

This site is not the only land available in the Town capable of meeting the requirement for additional housing and therefore there are no exceptional circumstances.'

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

Landscape and Visual Impact Assessment  
 Bat Activity Surveys  
 Statement of Community Involvement  
 Waste Minimisation Statement  
 Hedgerow Assessment  
 Ecological Appraisal  
 Design and Access Statement  
 Planning Statement  
 Topographical Survey  
 Land Classification Survey  
 Flood Risk Assessment  
 Transport Assessment  
 Travel Plan  
 Breeding Skylark Survey

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

#### **Background and 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 is seeking permission for up to 40 dwellings. Of these, 50% (20) would be allocated for affordable housing.

Vehicular access to the site would be via an existing access located off Aston Road (B4035). The existing access serves The Bratches residential development which is located to the west of the application site. An existing field entrance links the application site to The Bratches. Vehicular access would be via the existing field entrance, through The Bratches and onto Aston Road.

A pedestrian and cycle access is also proposed for the south western corner of the site. It would link into a driveway which opens onto Aston Road between two properties (Astoria and Highclere).

This application is a resubmission following the refusal of a previous application for the erection of up to 90 dwellings (15/00419/OUT) on a larger parcel of land than that now proposed in July 2015. The aforementioned application extended to approximately 4.9 hectares and was therefore approximately 2 hectares larger than the current development site. The previous application also extended further to the east and north east than the current proposal. The northern and southern parts of the site were approximately 80m and 50m wider respectively than that now shown.

The previous application was refused on the grounds that the proposal represented major development in the AONB having regard to Paragraph 116 of the NPPF. The aforementioned Paragraph states that planning permission for major development in AONBs should be refused unless there are exceptional circumstances. No such circumstances were demonstrated in the case of the previous application. In addition, the previous proposal was also considered to have an adverse impact on the character and appearance of the AONB by virtue of its size and its degree of encroachment into the countryside.

#### **(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 two Public Inquiries. The Inquiries in question relate to proposals 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) and up to 71 dwellings on land to the south of Collin Lane, Willersey (APP/F1610/W/15/3121622, CDC Ref 14/04854/OUT).

In relation to the Mickleton 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.' In the case of the Willersey application the Inspector agreed that a 5% buffer was appropriate and that the 'LPA can reasonably show a 7.63 year supply of deliverable housing land.'

Since the issuing of the above appeal decisions the Council has also reviewed the Objectively Assessed Need (OAN) for housing in Cotswold District. The review indicates an increase in the housing requirement for the District from 7,600 to 8,400 dwellings over the period of the emerging Local Plan (2011-2031). In order to meet this additional requirement the Council will need to increase supply from 380 to 420 dwellings per annum. Whilst this increase has an impact on the Council's 5 year supply recent completion rates have been in excess of the 420dpa figure meaning that the Council can still demonstrate a supply in excess of 7 years. It is therefore considered that the Council can demonstrate a robust 5 year supply of deliverable housing land in accordance with Paragraph 49 of the NPPF. 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.' The Inspector in the Willersey case reached the same conclusion. In light of these opinions Officers consider 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 not a maximum 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 such sites 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. These issues will be looked at in more detail in the following sections.

## **(b) Sustainability of Location**

Chipping Campden is designated as a Principal Settlement in the current Local Plan. In addition, emerging Local Plan document 'Local Plan Reg 18 Consultation: Development Strategy and Site Allocations' (January 2015) also identifies the town 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 'Chipping Campden ranks 5th in the District in terms of its social and economic sustainability and is the main service centre in the far north of the District. The town possesses a good range of services and facilities, and the area has a good employment base, with a higher than average proportion of jobs in growth employment sectors.'

Emerging Local Plan documents state that Chipping Campden along with Willersey, Mickleton and Blockley 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 8400 dwellings without compromising the strong environmental constraints present at Chipping Campden. 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 the Local Plan Reg 18 Consultation Paper allocates a total of 208 dwellings to the settlement for the period between April 2011 and April 2031. At the time of writing this report approximately 81 dwellings had been delivered or approved in the town since April 2011 leaving a figure of 127 dwellings to be provided. The 208 dwelling total represents a 17.5% increase in the town's existing housing stock which currently stands at 1187 dwellings (source: Local Plan Consultation Paper). However, it must be noted that the figure is liable to change as a result of the recent OAN figures which increase the Council's housing requirements from 7600 to 8400 dwellings in the period up until 2031. The figures for Chipping Campden set out in the Reg 18 document are therefore only a guide and are likely to be amended. They do not therefore represent a definitive total for the town.

The application site has also been identified as a potential future housing site in the Council's Strategic Housing Land Availability Assessment (SHLAA). The SHLAA Review May 2014 paper divides the site into two smaller units - CC\_23B measuring 1.37 hectares occupying the northern part of the application site and CC\_23C measuring 4.22 hectares covering the southern part of the current site. With regard to the former the SHLAA comments 'Development on higher grade

agricultural land should be dealt with sequentially in accordance with the NPPF. Site would also intrude into the AONB and is separated from the settlement boundary by allotments. A scheme that relocates the allotments would be preferable but may not be achievable. Potential access from The Bratches. ' In respect of CC\_23C the SHLAA states 'Development on higher grade agricultural land should be dealt with sequentially in accordance with the NPPF. Site would also intrude into the AONB but is adjacent to development boundary but access is an issue and may require a joint scheme with CC\_23B and CC\_23E. Potentially suitable, subject to a detailed assessment of agricultural quality. ' Both sites are stated as being suitable, available and achievable for development within a 6-10 year period. Sites CC\_23B and CC\_23C are identified as having a capacity of 34 and 80 dwellings respectively.

The Council's Forward Planning Section 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.'

The Local Plan Reg 18 Consultation Paper identifies CC\_23B and CC\_23C as 'proposed housing allocation' sites. They are identified as the favoured sites for residential development in the town in emerging Local Plan documents. Notwithstanding this endorsement it must be noted that the emerging Local Plan is still at a stage where it carries limited weight. It is only once it has been submitted for Examination in Public that it carries significant weight. Whilst the latest Local Plan documents do indicate a direction of travel they are not final versions and allocations within them are therefore not cast in stone.

Sites CC\_23B and CC\_23C have also been subject to community engagement and consultation during the emerging Local Plan process. Site CC\_23B was considered by the Town Council to be unsuitable for allocation. The key reason was that 'Visibility and ecologically this development will compromise the AONB.' However, 30 out of 50 people who responded individually considered the site suitable for allocation or suitable with mitigation.

With regard to site CC\_23C the Town Council considered the site unsuitable for allocation. The site assessor concluded that the site 'is a potential allocation subject to on or off site mitigation.' Of 51 individual responses 32 people considered the site suitable for allocation or suitable with mitigation.

The objection raised by Chipping Campden Town Council to the current application is noted. However, it must also be noted that the Town Council has given their support for residential development on the site in their responses to previous applications in the town. In relation to a proposal for 16 dwellings at Badger's Field (13/01538/OUT) in 2013 the Town Council indicated that the land off Aston Road could accommodate 100 dwellings. In a letter dated the 11th September 2013 they stated that the Aston Road site 'could sustain at least 100 houses and hence if this site alone were to be progressed the net balance of the 20 year target would be met and still maintain a net buffer of around 70 houses in our remaining two options which we anticipate are also realisable.'

In response to the previous application for 90 dwellings on this land (15/00419/OUT) the Town Council stated that the town's future housing needs should be addressed through a number of smaller developments across a number of sites. In a letter dated the 26th March 2015 they put forward a figure of 30 dwellings for the Aston Fields site (CC23C in the SHLAA). The Town Council stated 'a strategy to develop by phased organic growth to meet the target over this period and with a rigorous policy to limit the size of such sites seems totally appropriate and realisable.' Notwithstanding the Town Council's response to this proposal it is evident that they have previously indicated support for the principle of development on this site.

The comments of objectors regarding prematurity are also noted. Guidance on the weight that can be given to emerging Local and Neighbourhood Plans is set out in Paragraph 014 of the Government's Planning Practice Guidance. It states;

'arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.'

In light of the above it is considered that the emerging Local Plan is not at such an advanced stage that it would be possible to sustain an objection to the application on grounds of prematurity.

In terms of accessibility the southern entrance to the site is located approximately 800m from the centre of the town, 500m from the secondary school and GP surgery and 1km from the primary school. 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.' Pedestrian access to the town's facilities can also largely be undertaken using existing pedestrian footways and along relatively flat routes. It is considered that the site is located sufficiently close to the town so that future residents would be afforded access to a range of services and facilities without having to rely solely or mainly on the use of the private motor car.

It is evident that the ability of Chipping Campden 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 town 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 town's population to help address local affordable housing needs; sustain existing facilities; and maintain the town's role as a local service centre. Chipping Campden 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 Chipping Campden**

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 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 sites CC\_23B and CC\_23C.

With regard to site CC\_23B the report states;

'The site forms part of a medium/large arable field on the crest of a minor rounded ridge. The southern part of the site therefore falls gently to the south towards existing settlement whilst the northern part falls to the north towards the wider countryside. A low cut hedge forms the north western and south eastern boundaries, allotments lie to the south west and the rest of the arable field runs to the north east terminating at an outgrown hedge. The B4035 approaches to the settlement lie to the south west. The road is flanked by hedges and maturing lime trees. Users of the road would have glimpse/filtered oblique views towards the site in winter. Further south, 20c ribbon development in maturing gardens lies on either side of the road and would screen any development. A public footpath lies to the east with varying views towards the site. The site is exposed to views from the north and north east. It is also intervisible with the church tower. It has some tranquillity although road noise is apparent. The site lies within the Cotswolds AONB.

The site has susceptibility to housing development in respect of being located on a low ridge top in open countryside exposed to view from the north. This would increase the perceived extent of the settlement which otherwise is discreet and set down in these views. The closest receptors are users of the A4035 in winter, and users of a public footpath and minor road to the north. The southern corner of the site at a lower level is slightly less sensitive. The value of the site is its location in the Cotswolds AONB. If development was carried out then tree screening would be highly desirable on its north western and north eastern boundaries to soften the edge and help integrate any development into the landscape.'

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

In respect of site CC\_23C it states;

'The site forms part of a large arable field on the south facing slopes of a minor ridge falling towards existing settlement. A low cut hedge forms the north western and south eastern boundaries. Ribbon development housing along the A4035 lies to the south west and the rest of the arable field runs to the north east terminating at an outgrown hedge which lies close to the ridge crest. A narrow track running from the road to Wolds End Farm runs along the southern boundary but there is no public access. The housing in maturing gardens would screen any development from the road although any new access to the site would be apparent. The Heart of England Way/Monarch's Way lie to the east but would have limited views of the site due to intervening landform and vegetation. Any potential development on the northern corner of the site



which is the highest point may be visible from the north. The site is also intervisible with the church tower. It has some tranquillity although road noise and the adjacent housing are apparent. The site lies within the Cotswolds AONB.

The site has susceptibility to housing development in respect of being located in open countryside with the northern tip of the site on a low ridge top exposed to view from the north. This would increase the perceived extent of the settlement which otherwise is discreet and set down in these views. The site is otherwise fairly discreet although any new access from the A4035 would be apparent. The value of the site is its location in the Cotswolds AONB. If development was carried out then tree screening would be highly desirable on its northern boundaries and corner to soften the edge and help integrate any development into the landscape.'

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

The application site adjoins the existing settlement along its western and southern boundaries. Its northern and eastern boundaries adjoin existing agricultural land. The northern boundary is defined by a hedgerow whilst the eastern boundary is open. The north western corner of the site also joins existing allotments. The site itself is relatively flat and open. It is characteristic of the working arable farmland that adjoins large areas of the settlement.

The nearest public view of the site is from the B4035 Aston Road as it runs in a north south direction to the west of the application site. Existing housing along Aston Road screens the site from public view to the immediate west of the application site. Views of the site for road users heading southwards towards the settlement are also well screened by roadside trees and vegetation. The applicant has also reduced the amount of development proposed for the northern part of the site with the result that it is now approximately 80m narrower than that submitted in 2015. The reduction in site area will therefore result in less development being visible from the B4035, especially for road users heading south towards the town centre. It is considered that the revised proposal will not have an adverse impact on the character or appearance of the AONB or the town when approaching from the north.

To the west of the site a Public Right of Way (HCC5) extends up a hillside parallel with Kingcombe Lane. Vegetation and topography largely screen the site from this Right of Way and the impact of the proposal from this location is considered to be negligible.

More prominent views of the site can be experienced from adjacent to the reservoir on Kingcombe Lane. The viewpoint is located approximately 600m to the north west of the application site. The elevated position of the viewpoint allows views down onto the site as well as of existing housing on Aston Road. The magnitude of change is considered to be moderate to high when viewed from this location. However, the viewpoint does not form part of a Public Right of Way and there is no pavement adjacent to the lane. People experiencing the view are therefore most likely to be motorists rather than walkers. The sensitivity of the receptor is therefore considered to be moderate to low. The reduction in site area means that development will not extend as far into the countryside as that previously proposed. It will therefore be seen far more in context with the existing built form of the town than that previously shown. There will be a degree of visual connection between the proposed development and existing houses and school playing fields to the south. The reduced site area results in a development that appears as a more natural and organic extension of the town than that submitted in 2015. It is considered that the overall impact will be moderate to low when viewed from Kingcombe Lane.

The application site is also visible from Furze Lane which is located approximately 600m to the north of the proposed development. Whilst the lane is relatively narrow it is also one of the routes to Hidcote Manor Gardens and signposted with brown tourist direction road signs. It is therefore utilised by visitors to the area. The southern edge of Furze Lane is relatively open and allows expansive views out across the fields to its south and towards Chipping Campden. The tower of

St James' Church in the town is visible from Furze Lane. The rooftops of dwellings at The Bratches are also visible from the lane. The introduction of new development to the east of The Bratches would potentially be noticeable from the lane and would represent an encroachment of development into the AONB landscape. Officers consider this vantage point to be particularly sensitive as the current views are primarily of open fields with limited built development being visible. The applicant has responded to these concerns by reducing the width of the northern part of the site by approximately 80m. The revised scheme now shows the northern part of the site being occupied by an access road and four dwellings. The original scheme showed 27 dwellings in this location. In addition, the scheme now submitted shows further landscape planting along the north eastern boundary. A replacement hedgerow will also be planted alongside the new entrance road adjacent to the northern boundary of the site. It is considered that the reduction in the size of this part of the site combined with the reduced house numbers and the potential new landscaping will significantly reduce the visual and landscape impact of the proposal when viewed from Furze Lane. It is considered that the impact will be low when viewed from the aforementioned lane.

The other potential public view of the site will be from the Public Right of Way (HCC7) which runs in a north south direction approximately 400m to the east of the site. Existing topography and vegetation will screen views of the site for sections of its length. However, views will be available from stretches of the path immediately to the east of the site. The views will be screened to a certain extent by a hedgerow/trees that lie midway between the application site and the Right of Way. However, in winter months in particular, the site is visible through the existing vegetation. The applicant has sought to mitigate this impact by proposing a landscape buffer zone along the eastern boundary of the site. In the longer term this will provide further screening of the proposed housing from the Right of Way to the east. The reduction in the width of the site also means that the proposed development will be set back further from the Right of Way than previously submitted. In combination with the landscaping, topography and distance it is considered that the proposal will not have a significant adverse impact on the character or appearance of the AONB when viewed from the east.

A long distance view of the site and Chipping Campden is also available from Ebrington Hill located approximately 3.5km to the east of the application site. The proposed development would be visible from the aforementioned location. However, in light of the distance involved it is considered that the impact from this location would be low. The introduction of landscape buffer planting along the eastern side of the site would further reduce the landscape and visual impact when viewed from this location.

The applicant has submitted an indicative layout plan with the scheme to demonstrate how the site could accommodate 40 dwellings and associated infrastructure. The submitted layout shows the majority of the housing being located on the southern field. It would be bordered to the north, south and west by existing housing, allotments and gardens. The road layout has also been revised to give the impression of a network of lanes and back streets rather than cul de sacs and shared private drives. Landscaping and open space is also proposed along the eastern side of the site in order to provide a green buffer between built development and the surrounding countryside. The indicative layout has therefore attempted to respond sympathetically to its location. The density of development equates to approximately 13.6 dwellings per hectare. It is noted that this is a relatively low figure. However, it does ensure that the development will be able to incorporate areas of green space and good sized gardens for all properties. It will therefore be sympathetic to its edge of settlement location and ensure that the development can be undertaken in a manner that provides a gradual transition between the settlement and the wider countryside thereby respecting its rural setting.

Overall, it is considered that the revised proposal addresses the concerns about landscape and visual impact raised during the course of the previous application. The residential nature of the proposal is consistent with the character of adjacent development and does not represent an incongruous addition to the landscape. The proposed development is also reasonably well

screened from public view and will not therefore appear as a particularly obtrusive form of development in terms of its appearance. Officers have had full regard to the purpose of conserving and enhancing the natural beauty of the AONB as required by S85 of the CROW Act 2000 when considering this proposal. In this instance it is considered that the proposal will not have an adverse impact on the natural beauty of this part of the AONB. It is therefore considered that the proposal will not conflict with S85 of the Countryside and Rights of Way Act 2000, Local Plan Policies 19 and 42 and guidance contained in the NPPF, in particular Paragraphs 17, 109 and 115.

In addition to the above views of the tower of the church of St James are also visible from within the site. The tower is a Grade I Listed Building and is visible when looking south across the site and across the existing allotments. The indicative layout to seek to ensure that vistas towards the church will remain.

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.

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.'

Historic England did not raise an objection to the previous proposal for 90 dwellings in respect of the setting of the church. The revised scheme seeks to retain views through the site to the church thereby ensuring its visual presence is maintained. It is considered that residential development could be introduced onto the site without having an adverse impact on the setting of the designated heritage asset in accordance with the aforementioned legislation and guidance.

### **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 judgement in 'Aston and another v Secretary of State for Communities and Local Government and others' the judge determined that the phrase 'major

development' did not have a uniform meaning and to define it as such would not be appropriate in the context of national planning policy. The Government's Planning Practice Guide also states 'whether a proposed development in these designated areas should be treated as a major development, to which the policy in Paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context.'

The application refused in 2015 was considered to be of a size and form that did represent major development in the context of Paragraph 116. It was for 90 dwellings (a 7.5% increase in the town's housing stock) on a site measuring approximately 4.9 hectares. In contrast the current proposal is for 40 dwellings on approximately 2.9 hectares. The proposed housing equates to an increase of approximately 3.3% in the town's housing stock. In addition, the current application site does not extend so far into the surrounding countryside and development has been moved away from the more exposed northern part of the site. As a result it is considered that the size and scale of the proposed development is more commensurate with the size of the settlement and more respectful of the qualities of local distinctiveness that define this part of both the town and the AONB. It is therefore considered that the proposal does not represent major development when assessed against the guidance in Paragraph 116 of the NPPF.

#### **(d) Affordable Housing**

The applicant is proposing to provide 50% affordable housing on site. This would equate to 20 units. The 50% provision accords with Local Plan Policy 21: Affordable Housing.

#### The Council's Housing Officer advises that:

'We consider different sources of information when assessing need. A recent search of Gloucestershire Homeseeker, the housing register, has shown that 194 households with a connection to Cotswold district are registered for rented affordable housing in Chipping Campden. At least 92 of these households also have an identified relevant local connection with the parish of Chipping Campden or the immediately surrounding parishes of Willersey, Saintbury, Weston Subedge, Aston Subedge, Mickleton, Ebrington and Blockley. 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 Chipping Campden sub-area of the HNA and was assessed as having a gross annual need for 11 affordable homes.

In accordance with the latest district wide Housing Needs Assessment we would normally be seeking the following mix:

- 25% x 1 bedroom
- 45% x 2 bedrooms
- 20% x 3 bedrooms
- 10% x 4 or more bedrooms

In accordance with our current Supplementary Planning Document (SPD) two-thirds of the affordable homes should be for rent, with the larger houses of 4 bedrooms or more being social rent properties. The remaining third should be subsidised low cost home ownership.

In accordance with the findings of the HNA we prefer the 2 bedroom units to be houses rather than flats. We also prefer the shared ownership properties to be 2 or 3 bedroom units.

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

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

Having regard to existing stock and current needs information we would suggest the following mix for this development based on 50% of 40 units:

Rent:

- 6 x 1 bed 2 person house/flat
- 4 x 2 bed 4 person houses
- 2 x 3 bed 5 person houses
- 1 x 4 bed 7 person houses (let at social rent level)
- 1 x 5 bed 9 person houses (let at social rent level)

Shared ownership:

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

The development should be tenure blind, with the affordable homes distributed evenly across the site, and should comply with all of the other requirements of the Affordable Housing Supplementary Planning Document (SPD). The local connection cascade as set out in the S106 template within the SPD would apply. The affordable homes should also comply with the appropriate current construction standards.'

Overall, it is considered that there is an identified need for affordable housing in Chipping Campden. The current proposal would help to address this need and would accord with guidance in Local Plan Policy 21. The provision of affordable housing weighs in favour of the proposal.

**(e) Highway Safety and Traffic Generation**

The application site is currently accessed by an existing field access located in the north western corner of the site. The access opens onto The Bratches residential development which in turns accesses onto the B4035 Aston Road. The stretch of Aston Road outside The Bratches is subject to a 30mph speed limit. The speed limit rises to 40mph at a point approximately 40m to the north of The Bratches access.

A traffic survey commissioned by the applicant recorded two way flows along Aston Road of 570 vehicles in the AM peak hour and 554 vehicles in the PM peak hour. No queues were recorded during the course of the survey. The proposal is predicted to generate 21 vehicular trips in the AM peak and 23 in the PM peak hour. The junction of The Bratches with Aston Road is identified at 1% of its capacity. The proposed development would not breach the operational capacity of the junction. Gloucestershire County Council Highway Officers consider that the impact of the development on The Bratches junction and the adjacent section of Aston Road would not be severe and is therefore compliant with Paragraph 32 of the NPPF.

The potential impact of the development on the local highway network and the town in general has also been considered. The proximity of the site to the town centre means that future residents will have the opportunity to walk or cycle to existing facilities and services. In addition, residents will also be able to drive to locations such as Stratford-upon-Avon, Evesham or Cheltenham without having to pass through the town centre. It is considered that the highway impact of the proposal on the town centre will not be severe having regard to Paragraph 32 of the NPPF.

A secondary pedestrian/cycle access is proposed from the south western corner of the site onto Aston Road via a farm track leading to Wolds End Farm to the east. The track extends for approximately 50m from the proposed access point onto Aston Road. It is surfaced in a crushed/compacted stone. The track/verge measures approximately 4.5m in width. Gloucestershire County Council Highway Officers have examined the access arrangements and consider them to be acceptable from a highway safety standpoint. The width of the track would be sufficient to enable pedestrians/cyclists and farm vehicles to pass one another. Highway Officers have also requested a condition requiring details of improvements to the Wolds End Farm track such as re-surfacing should permission be granted.

Pedestrian access from the site to the town centre can be achieved via an existing footway that extends along the western side of Aston Road. The footway extends from the Bratches entrance to the town centre. The path is hard surfaced and approximately 1m in width. It is also bordered to either side by grass verges thereby providing a buffer between the carriageway and the pedestrian footway. The footway lies between 1m and 5m from the carriageway for much of its length. It is considered that the footway does provide a safe means of access for pedestrians from the site to the town centre.

Gloucestershire County Council Highway Officers have no objection to the application and it is considered that the proposal accords with Local Plan Policy 38 and Section 4 of the NPPF.

#### **(f) Loss of Agricultural Land**

The application site comprises approximately 2.94 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.

Natural England Agricultural Land Classification (ALC) maps based on 1960s/1970s data identify the site as predominantly Grade 1 with the southernmost part of the site being Grade 3. The maps do not distinguish whether the Grade 3 land is Grade 3a or Grade 3b. The land around Chipping Campden as a whole was identified on the maps as being a mix of Grade 1, 2 and 3. In 1992 a further survey was commissioned by MAFF in relation to a number of sites around Chipping Campden. The current application site did not form part of the survey. However, of the land that was surveyed 73.8% fell within the BMV category.

Natural England advises that the 1960s/70s map data is 'not sufficiently accurate for use in assessment of individual fields or development sites, and should not be used other than as general guidance.'

The applicant has submitted an Agricultural Land Classification report with the application. The report was based on a field survey which took soil samples and profiles. The report states the land across the site is Grade 3b quality. In response to this report Chipping Campden Town Council commissioned their own survey which looked at variables such as depth of soil, stoniness, texture, climatic conditions, droughtiness and crop versatility. The Town Council

survey report states that the land on the site is Grade 2. The applicant has provided a rebuttal to the Town Council's report and reiterates their initial view that the land is Grade 3b. It also makes reference to the fact that other land in around the town that was identified as Grade 1 on initial ALC maps was subsequently classed as Grade 2 and Grade 3b in the 1992 detailed surveys. This indicates that the grade of land can vary quite considerably over relatively short distances.

It is evident that there is a potential conflict in the information available with regard to the agricultural quality of the site. The work undertaken on behalf of the applicant is thorough and based on detailed site analysis. Equally, the Town Council's report has looked at the site in detail. In light of this Officers have considered the proposal on a worst case scenario basis and that the proposed development could fall on Grade 2 land. In such circumstances there is a need to have regard to Paragraph 112 of the NPPF.

Paragraph 112 of the NPPF does not provide a definition of what is meant by 'significant development' and as such this element of the aforementioned Paragraph is open to a degree of interpretation. However, it is of note that the threshold for consulting Natural England in relation to proposals for the loss of BMV land is 20 hectares. The application site is under this figure. The land around Chipping Campden is also recognised as being of a generally high quality. The proposed development would therefore not be built on the only BMV land in the locality. Other land of an equal and higher quality will remain in the area. The proposal will also not result in an existing farming operation becoming unviable as the applicant also owns over 40 hectares of adjoining land which will continue to be farmed. On balance it is considered that the proposal would not constitute the significant development of agricultural land and as such the proposal could be undertaken without conflicting with guidance in Paragraph 112 of the NPPF.

#### **(g) Impact on Biodiversity**

The application site primarily comprises two open arable fields bordered by hedgerows, residential garden boundaries and allotments. The applicant has commissioned an Ecological Appraisal, Bat Activity Surveys, Breeding Skylark Survey and a Hedgerow Assessment which have been submitted with the application.

The Ecological Appraisal considered the site to be of low ecological value in terms of the habitats present. However, it did identify that there was potential for foraging bats and nesting birds to be present on the site. As a result further bat activity survey was undertaken. Local residents also stated that skylarks were nesting and breeding on the site. The applicant subsequently undertook a Breeding Skylark Survey.

With regard to bat activity the survey identified the presence of Noctule and Common Pipistrelle bats across the site. All species of bats are protected under the Wildlife and Countryside Act 1981. The principal activity was to the rear of existing dwellings on Aston Road. The survey indicates that in the absence of mitigation the proposed development could lead to a displacement of a small number of foraging and commuting bats of common species. However, it considers that the introduction of a sympathetic landscaping scheme, enhanced hedgerows and residential gardens would potentially increase foraging habitat for bats. The introduction of landscape buffer zones to the east of the site could improve bat habitat. It is therefore considered that the proposal could be undertaken without having an adverse impact on the existing bat population.

With regard to skylarks the survey has identified that the site is a breeding site for skylarks. Skylarks are protected under the Wildlife and Countryside Act 1981 and are also identified as UK Biodiversity Action Plan Priority Species. The survey identified at least two males displaying in five separate locations. Two of the locations were in the application site and another close to the north east boundary of the site.

The presence of skylarks on a site is largely dependent on the agricultural practises undertaken on the land. For instance, cereal crops sown in the autumn become too tall and dense to allow skylarks to raise more than one early brood. Skylarks typically need two or three broods of young each year to maintain their population. The survey indicates that the current field is subject to autumn planting and as such it limits the broods that could be reared on the site. It considers that the parts of the field proposed for development are unlikely to be important on a national or regional level but are of local importance. In order to compensate for the loss of the existing nesting habitat the survey recommends that skylark plots are established on neighbouring fields (within the control of the applicant). The plots would measure approximately 4m by 4m and would number two per hectare. The plots take the form of unplanted/undrilled ground in winter cereal fields. Such areas allow the skylarks to forage during spring and early summer in areas that would otherwise be densely covered with crops. It also allows skylarks to increase the number of chicks that can be reared in areas planted with winter cereals. The Council's Biodiversity Officer has examined this proposal and considers that it would represent an appropriate form of mitigation and that it could actually enhance their breeding success. Without such mitigation the existing skylark population would continue to be vulnerable to changes in existing farm methods.

The proposed scheme would require the removal of two sections of hedgerow. The first section of hedgerow extends in an east west direction across the site. It separates the northern and southern fields. Approximately 40m of hedgerow is shown as being removed. The existing hedgerow extends for approximately 360m. The removal is required to facilitate access between the two fields. The second hedgerow runs along the northern boundary of the site. Its removal is required to enable the introduction of the proposed entrance road. A section of hedgerow measuring approximately 110m is proposed for removal. It is proposed to plant a replacement hedgerow approximately 5m to the north of the existing hedgerow once the entrance road has been created.

The applicant has submitted a Hedgerow Assessment which has examined the quality of the hedgerows. The assessment considers that the hedgerows are Important Hedgerows in accordance with the Hedgerow Regulations 1997 as they are over 30 years old and form an integral part of field system pre-dating the Inclosure Acts. Notwithstanding this, they do not meet any of the other criteria which dictate whether a hedgerow can be classed as an Important Hedgerow such as number of species present, archaeological interest or by virtue of its position adjacent to a Public Right of Way.

The proposal would require the removal of a 40m section of the hedgerow in the centre of the site to facilitate an access road. The remainder of the hedgerow can be retained and enhanced and will ensure that the existing field pattern defined by the hedgerow is retained. The removal of the northern hedgerow will have a greater impact. However, a new hedgerow will be planted roughly parallel with the existing and will therefore ensure that the current field pattern will be little altered. The existing hedgerow contains a limited variety of species. A replacement hedgerow could contain a greater variety of species that could represent a betterment in terms of biodiversity in the longer term. Landscaping details would be dealt with as part of a Reserved Matters submission should this application be granted.

The Council's Tree and Biodiversity Officers have no objection to the proposal subject to hedgerow protection measures and additional landscape planting being introduced to offset the loss of the hedgerows in question.

Overall, it is considered that the proposal could be undertaken without having an adverse impact on historic field patterns, protected species or their habitat in accordance with Local Plan Policy 9 and guidance in Paragraphs 109 and 118 of the NPPF.



### **(h) Flooding and Drainage**

The application site is located in Flood Zone 1 as designated by the Environment Agency. Flood Zone 1 is the lowest designation of Flood Zone with an annual risk of flooding of less than 1 in 1000 (<0.1%). 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 Gloucestershire County Council in their role as Lead Local Flood Authority.

The proposed scheme will also be seeking to introduce measures that restrict surface water run off through and from the site. The intention is that surface water run off will be designed to be no greater than existing greenfield rates (plus 30% to allow for climate change). Infiltration testing indicates that surface water can infiltrate satisfactorily into the ground and that soakaways could be a practicable option within the site. Other measures such as on site attenuation, permeable paving, swales could also be utilised to address surface water run off from additional areas of hard surfacing. It is considered that the proposed scheme could be designed so as not to cause an unacceptable increased risk of flooding to existing properties in the locality. No objections have been raised by Gloucestershire County Council in their role as Lead Local Flood Authority. It is therefore considered that the proposal accords with guidance in Paragraphs 100 and 103 of the NPPF.

In terms of the supply and disposal of foul and surface water no objection has been raised by Thames Water. Severn Trent Water has not objected to the application but have requested that the applicant investigates whether infiltration can be used to dispose of surface water prior to a connection to the public sewer being considered. Surface water drainage and infiltration will be addressed by condition as requested by Gloucestershire County Council.

### **(i) Privacy and Residential Amenity**

The indicative plan submitted with the application shows that each of the proposed dwellings could be provided with a level of outdoor amenity space commensurate with the size of the respective unit. The layout plan also demonstrates that the proposed dwellings could be positioned in a manner that would ensure that each dwelling would not be subject to an unacceptable loss of privacy, amenity, light or overbearing impact in accordance with Local Plan Policy 46.

In response to local concerns about the potential impact of the proposed development on existing residents on Aston Road it is noted that some of the proposed dwellings will back on to the rear of dwellings located along the eastern side of the aforementioned road. However, these properties are currently positioned 15-20m from the site boundary. The dwellings on the indicative layout plan are also set 15-20m from the site boundary. A separation distance of 30-40m could therefore be achieved between existing and proposed dwellings. New landscaping could also be introduced along the site boundary. It is considered that the development could be undertaken in a manner that would not have an unacceptable impact on the privacy or amenity of existing residents on Aston Road or future residents of the proposed scheme.

A concern has been raised about the landscaping of an existing track that extends along the south western boundary of the site to the rear of properties on Aston Road. The track is in the ownership of Gloucestershire County Council and is used by residents on Aston Road to provide a rear access to their dwellings. The track does not form part of the application site and will remain under the control of the County Council should permission for this scheme be granted. The landscape treatment of the south western boundary would be determined at the Reserved Matters stage. However, it is anticipated that it would take the form of a native species hedgerow. At present the field side of the track is open. The introduction of landscaping would therefore enclose the eastern side of the track. However, it is considered that a native species field hedge would not represent an inappropriate addition to the area. It would be reflective of existing

boundary hedging and would also be more sympathetic in landscape terms than the existing mix of outbuildings, fences and garden hedging that presently lie to the rear of the Aston Road properties. The potential hedging would also not lie along the garden boundaries of properties on Aston Road and would not therefore have a direct impact on their existing gardens. Whilst hedging could increase the sense of enclosure along the track it is considered not to be of a scale that would have an adverse impact on residential amenity or on the character or appearance of the locality.

The indicative layout demonstrates that the proposed development could be undertaken in a manner that could provide adequate levels of public open space in accordance with Local Plan Policy 34.

### **Other Matters**

A number of local residents have made comments in respect of a doctor's surgery building being erected adjacent to the north east corner of the site. For information Officers can advise that the existing GP practice in the town is looking to relocate to an alternative site. Their existing site on Back Ends is cramped, provides very limited car parking space and offers little space to expand. Gloucestershire County Council has indicated that they would be amenable to offering the GP surgery a parcel of land adjacent to this application site. Discussions are still ongoing between the County Council and the GP practice in respect of the matter. If agreement is reached a planning application would need to be submitted and the proposal assessed on its planning merits. The creation of a new GP premises does not form part of this current application.

The proposed development will be subject to the New Homes Bonus. The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes in their area. The New Homes Bonus is paid each year for 6 years. It is based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There is also an extra payment for providing affordable homes.

With regard to financial contributions Gloucestershire County Council has examined pre-school, primary and secondary education provision and projections. They have advised that the existing education provision within the application's catchment area is forecast to be at capacity in coming years (based on projections and applications coming forward in the area). They have therefore recommended contributions of £123,590 (10 pupils x £12359) towards primary education and £113088 (6 pupils x £18,848) towards secondary education. The contributions would be used towards capital works to extend, remodel, upgrade and improve the capacity and suitability of the primary and secondary schools in the town in order to accommodate the new pupils and children arising from the proposed development. The primary school contribution may be subject to change depending on the outcome of other planning applications currently being determined in the town (eg 30 dwellings at The Leasows 16/01256/OUT). The primary school may therefore have sufficient capacity if this development proposal proceeds in isolation. It is recommended that delegated authority is given to Officers to negotiate the final level of contribution.

A contribution of £7,840 towards library services has also been requested.

Subject to the proviso covering primary school capacity it is considered that the 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.

Chipping Campden Town Council has submitted a request for financial contributions towards footway widening and the creation of a cycle path along Aston Road as well as a vehicle activated speed sign on the north bound carriageway of Aston Road. They have also requested financial

contributions towards play/recreation equipment at Castle Nurseries on Station Road to the east of the town and for additional car parking at the 'Recreation Ground / Wolds End Orchard'. In response it must be noted that works to the highway such as footway widening, cycle paths or speed signs would be undertaken by Gloucestershire County Council Highways rather than the Town Council. The County Council has been made aware of the Town Council's request and considers that existing links to the town centre from the site are acceptable for the size of development proposed. They consider that the highway improvement works and speed sign cannot be justified having regard to Paragraph 204 of the NPPF.

With regard to the Town Council's other requests no detailed information has been provided to quantify either the extent of the proposed works or a detailed breakdown of the costs involved. The Town Council has also not set out how the contributions would be necessary to make the proposed development acceptable in planning terms or how they would directly, fairly and reasonably related in scale and kind to the development proposed. It is considered that the Town Council's request does not meet the tests set out in Paragraph 122 of the Community Infrastructure Levy Regulations 2010 or Paragraph 204 of the NPPF.

### **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).

The proposed scheme will result in the development of a greenfield site located within the Cotswolds Area of Outstanding Natural Beauty wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposed development will lie adjacent to existing residential development and has been identified in emerging Local Plan documents as a Proposed Housing Allocation Site. Independent landscape reports indicate that the site could accommodate new residential development without having an adverse impact on the character or appearance of the AONB. The submitted indicative layout also demonstrates that development can be introduced onto the site in a manner that would enable the provision of landscape buffer zones as well as a level of development that is consistent with existing patterns of development. It is considered that the proposed development could be undertaken without having an adverse impact on the character or appearance of the Cotswolds AONB.

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 highway impact and safety, drainage and flooding, ecology or heritage. It is also considered that it would not result in the significant development of the best and most versatile agricultural land or have an unacceptable impact on residential amenity or the town's infrastructure. These matters are considered to weigh in favour of 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 that this constitutes a significant material consideration that justifies a departure from the current Development Plan. It is therefore recommended that the application is granted subject to the following conditions.

## 10. Proposed 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 and provide affordable housing to meet local needs. It will also be located adjacent to a Principal Settlement and is therefore considered to represent a sustainable location in terms of access to facilities and services. 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 land outlined in red on drawing P3 date 08.02.16 and the access details shown on drawing MBSK150424-01 Rev C .

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

No vehicles associated with the development hereby permitted shall use the site access at the Aston Road/The Bratches until the existing roadside vegetation has 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 120m to the north and 90m to the south (the Y points). The area between those splays and the carriageway shall be reduced in level and existing vegetation set back 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 and maintained prior to dwelling occupation.

**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 paragraph 32 and 35 and Policy 38 of Cotswold District council Local Plan.

Pedestrian crossing facilities shall be constructed in accordance with the drawing numbered MBSK150424-01 Rev C before any of the dwellings hereby permitted are first occupied.

**Reason:** To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework and Policy 38 of Cotswold District council Local Plan.

Prior to the first occupation of any of the dwellings hereby approved improvements to the track to Wolds End Farm shall be undertaken fully in accordance with details that have first been agreed in writing by the Local Planning Authority and thereafter maintained.

**Reason:** To ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 and 35 of the National Planning Policy Framework and Policy 38 of Cotswold District council Local Plan.

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 50m 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 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 the National Planning Policy Framework 32 and 35 and Policy 38 of Cotswold District council Local Plan.

The details to be submitted for the approval of reserved matters shall include vehicular parking and turning within the site, and the buildings 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 the National Planning Policy Framework 32 and 35 and Policy 38 of Cotswold District council Local Plan.

No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

**Reason:** To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire. It is important that these details are agreed prior to the commencement of development as their provision will have implications for the construction phase of the development.

No development 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 Framework. It is important that these details are agreed prior to commencement in order to ensure that proper provision is made for the management and maintenance of the streets prior to their adoption.

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

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 with Paragraph 35 of the National Planning Policy Framework and Policy 38 of Cotswold District Council Local Plan. It is important that these details are agreed prior to the commencement of development as the construction phase of the development could have implications for the proper functioning of the highway and highway safety.

1. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a remediation report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins

2. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

**Reason:** To ensure any contamination of the site is identified and appropriately remediated in accordance with Local Plan Policy 5. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for pollution and public health.

No dwelling on the development hereby approved shall be occupied until new bus stops have been provided and made open to the public on the western (northbound) and eastern (southbound) sides of Aston Road in close proximity to Grevel Lane in accordance with details that have first been agreed in writing by the Local Planning Authority. Details of bus stop posts, flags and hardstandings with footway connections to the existing Aston Road footways including a pedestrian dropped kerb crossing between the bus stops shall be provided.

**Reason:** To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework.

Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100+30% event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed fully in accordance with the approved details prior to the first occupation of any dwellings hereby approved.

**Reason:** To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

No development shall take place until a SUDS Maintenance and Management Plan for all SUDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken fully in accordance with the agreed SUDS Maintenance and Management Plan with all SUDS/attenuation features and associated pipework maintained fully in accordance with the agreed details thereafter.

**Reason:** To ensure the continued operation and maintenance of drainage features serving the site and to avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

No development shall take place until details of the location of any proposed soakaways have been submitted to and agreed in writing by the Local Planning Authority (LPA). No soakaway should be located less than 5m from any building or boundary. No soakaway is to be constructed over an aquifer without the consent of the Environment Agency. If soakaway drainage is not possible on this site, an alternative method of surface water disposal shall be submitted to and

approved by the LPA prior to the commencement of the development. The scheme shall subsequently be completed in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved.

**Reason:** To ensure that the site can be adequately drained. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

If infiltration /soakaways are proposed as the preferred means of discharging surface water then it is necessary to conduct a BRE Digest 365 test to check infiltration rates. No development shall take place until a soakaway test has been carried out in accordance with BRE Digest 365, or such other guidance as may be agreed in writing by the Local Planning Authority (LPA). The results of the tests shall be submitted to and agreed in writing by the LPA. If infiltration/soakaways are to be used then the scheme shall be undertaken in accordance with the approved details prior to the first occupation of any dwellings hereby approved.

**Reason:** To ensure that the site can be adequately drained. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

Prior to the commencement of development details of surface water attenuation/storage works shall be submitted to and approved in writing by the Local Planning Authority. The volume balance requirements should be reviewed to reflect the actual development proposal, agreed discharge rate and the extent of impermeable areas and runoff to be generated. The scheme shall subsequently be completed fully in accordance with the approved details before the first occupation of any dwellings hereby approved.

**Reason:** To prevent the increased risk of flooding, It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality

No development approved by this permission shall be commenced until a Detailed Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy should be supported by evidence of ground conditions and modelling of the scheme to demonstrate it is technically feasible; and where applicable adheres to the NPPF, Non-statutory technical Standards for Sustainable Drainage, Building Regulation H and local policy. The drainage scheme shall be carried out fully in accordance with the approved details. Where surface water requires disposal off site (i.e. not infiltrated) the applicant must provide evidence of consent to discharge/connect through third party land or to their network/system/watercourse.

**Reason:** To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

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

The plan shall include

1. The long-term aims and objectives for ecological habitat creation, mitigation, management and monitoring (including baseline species and habitat information), based upon the All Ecology reports 2014 and 2015;
2. Details of ecological features to be retained
3. Details of how these features will be protected during construction
4. Details of structural planting and habitat creation



5. Details of external lighting
6. Details of long-term management and monitoring for at least 5 years post completion of the development
7. Maintenance schedules, including annual work programmes for the first 5 years

The approved management plan shall be implemented in full according to the timescales laid out in the plan, unless otherwise agreed in writing by the LPA.

**Reason:** To ensure that the biodiversity of the site is protected and enhanced, in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, the National Planning Policy Framework (in particular section 11), Cotswold District Local Plan Policy 9 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006

Prior to the erection of any external walls of the dwellings hereby approved a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority showing how the open space within the site will be provided, managed and maintained. The scheme shall also include the provision, type and layout of facilities and a programme for their implementation. The open space shall thereafter be laid out, maintained and managed in accordance with the approved details.

**Reason:** To ensure that future residents will have access to areas of open space and recreation and to ensure that such areas are provided and maintained to a satisfactory standard for the longer term in accordance with Policy 34.

Prior to the commencement of development a detailed Arboricultural Method Statement and Tree and Hedgerow Protection Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Arboricultural Method Statement and Tree and Hedgerow Protection Plan shall be in accordance with the guidance in BS5837:2012 'Trees in relation to design, demolition and construction Recommendations' and shall include details of;

- i) a pre-commencement site meeting with an appointed arboricultural consultant, the site manager and any contractors carrying out works within the root protection areas of the retained trees. The Local Planning Authority is to be given 5 working days notice of the meeting so that they can send a representative to attend.
- ii) Details of arboricultural supervision during construction works and how the tree protection measures will be monitored by the site manager.
- iii) The timing of all tree and hedgerow protection measures.
- iv) Details of tree and hedgerow root protection areas, protection fencing and excluded activities.
- v) Details of ground protection measures where access and working space is needed outside the protection fencing but within the root protection areas.
- vi) Details of any underground services within the root protection areas and how they will be installed along with appropriate arboricultural supervision.

**Reason:** To safeguard retained/protected trees and hedgerows in accordance with Cotswold District Local Plan Policies 10 and 45. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for the well being of trees and hedgerows on the site.

**Informatives:**

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

**Guidance for SuDS**

The LLFA does have a standing advice, Flood Risk Assessment guidance and SuDS and Design and maintenance Guidance document which can still be applicable in principle for this development. This can be accessed on the following website:  
<http://www.gloucestershire.gov.uk/extra/sudsplanning>

**Water Quality**

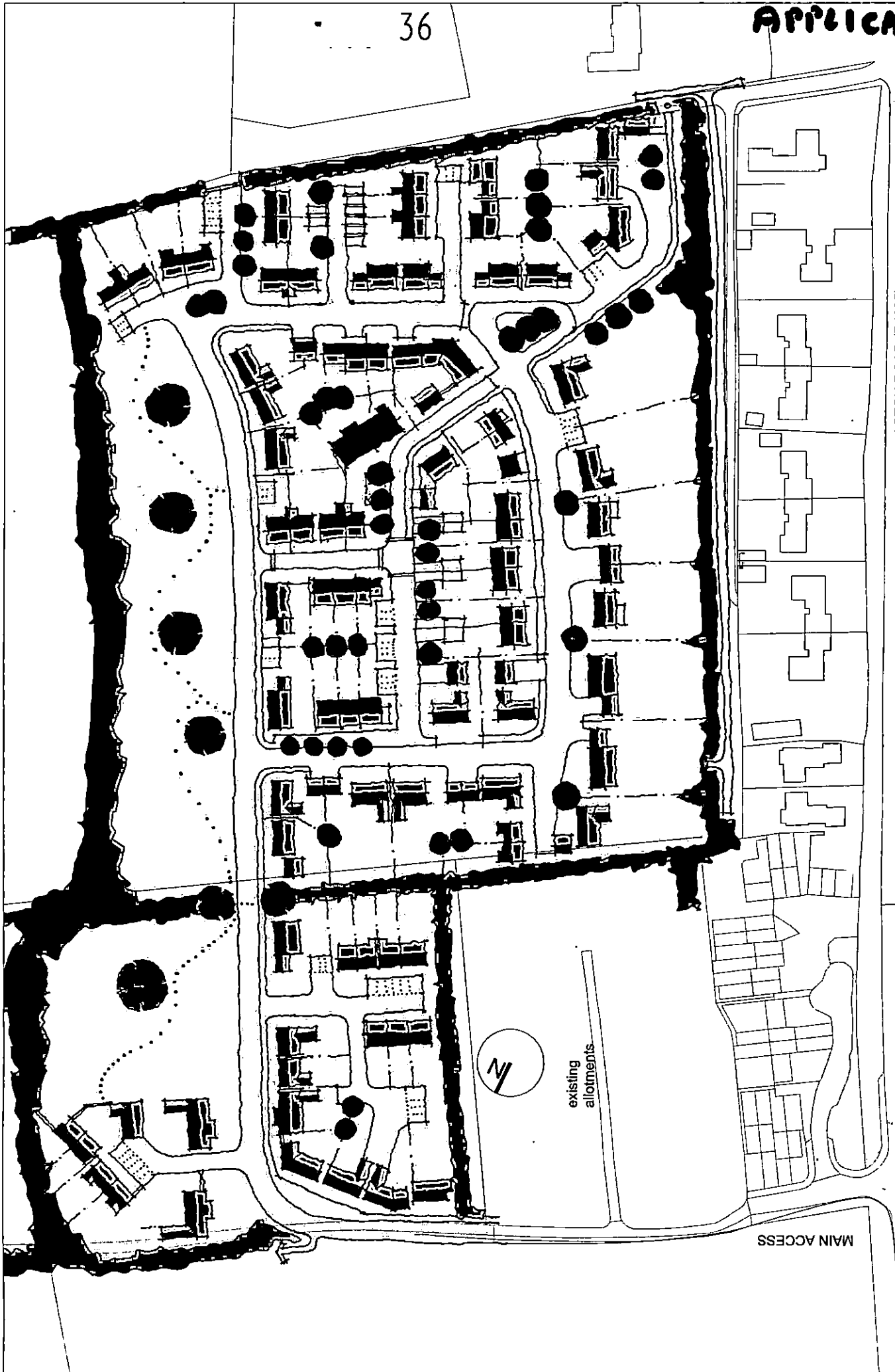
Please note that the Lead Local Flood Authority will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of Environment agency.

The applicant is advised that to discharge Condition 11 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.

The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

36



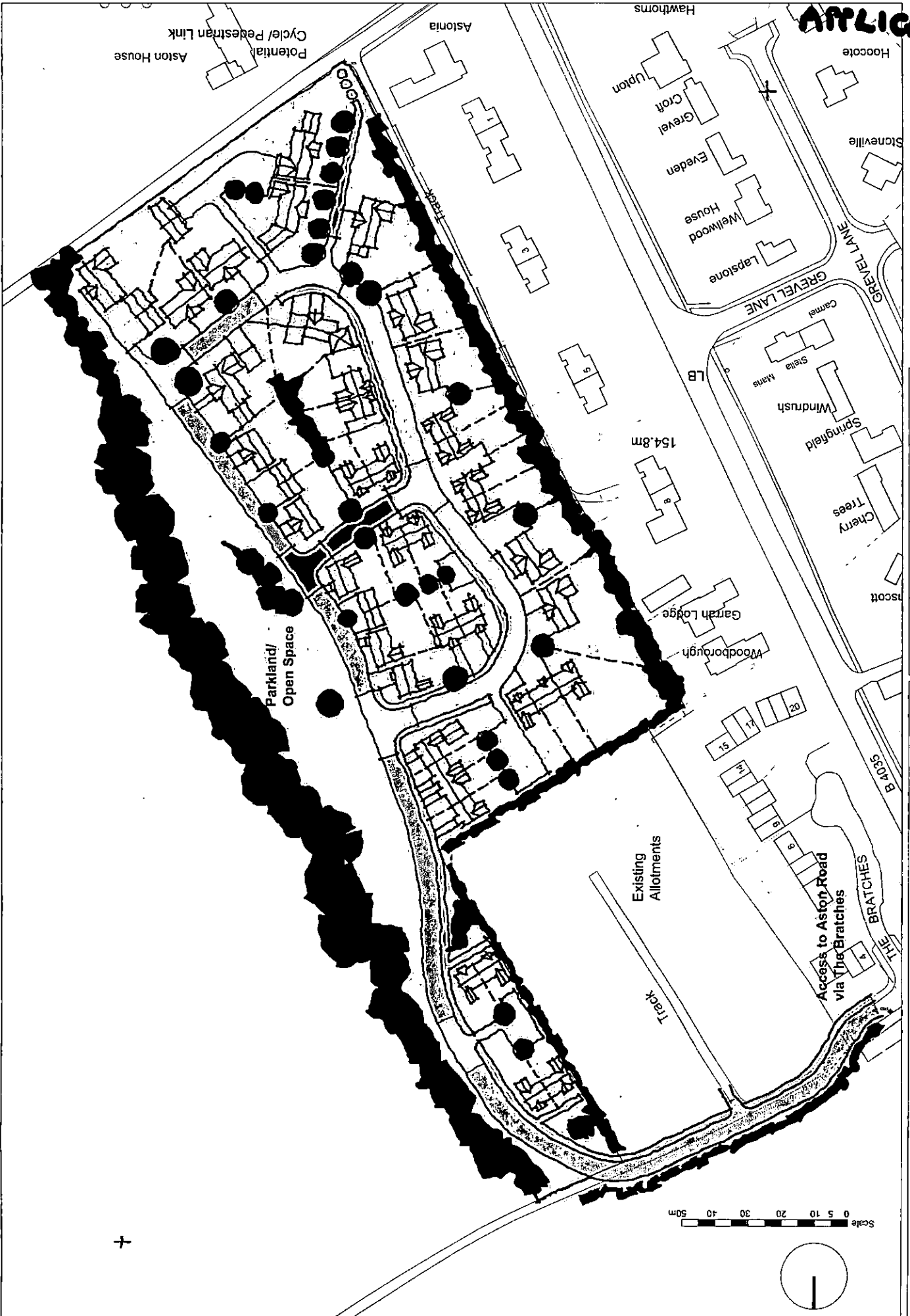
ASTON ROAD (B4035)

Land-at-the-Bratches| Chipping Campden: ILLUSTRATIVE SKETCH PROPOSALS 22.06.15

MAIN ACCESS

existing allotments



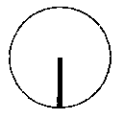


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1:1250 @A3	05.05.16	
Number		
P1		

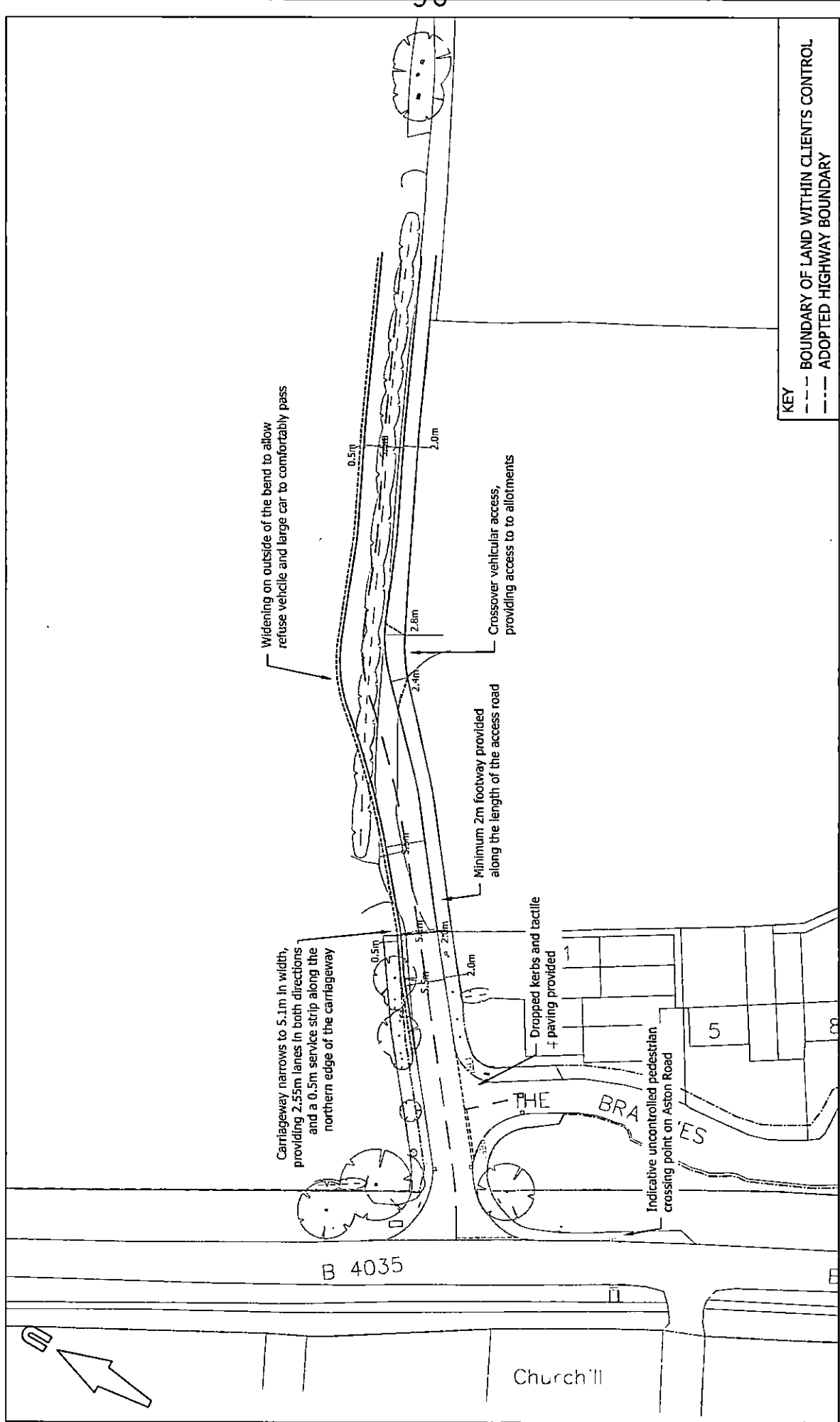
Land at the Bratches | Chipping Campden  
Illustrative Sketch Proposal

dns: planning|design

Scale 0 5 10 20 30 40 50m



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**KEY**  
 - - - - BOUNDARY OF LAND WITHIN CLIENTS CONTROL  
 - - - - ADOPTED HIGHWAY BOUNDARY

scale 1:500 @ A3 drawn by RB checked by AS  
 date MAY 2015 lead file MBSK150424-01.DWG  
 drawing number MBSK150424-01 rev. C

title  
 PROPOSED SITE ACCESS ROAD AND ASSOCIATED HIGHWAY WORKS TO PROVIDE ACCESS BETWEEN ASTON ROAD AND DEVELOPMENT SITE

client EVANS JONES  
 project PROPOSED RESIDENTIAL DEVELOPMENT LAND OFF ASTON ROAD, CHIPPING CAMPDEN

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