

Item No 04:-

16/00092/OUT (CT.1698/A)

**Nettlestead
Burford Road
Lechlade
Gloucestershire
GL7 3ET**

Item No 04:-

Outline application for the erection of up to 6 dwellings (appearance and landscaping to be reserved for future consideration) at Nettlestead Burford Road Lechlade Gloucestershire GL7 3ET

Outline Application 16/00092/OUT (CT.1698/A)	
Applicant:	Mr Jamie Orton
Agent:	Hunter Page Planning
Case Officer:	Alison Williams
Ward Member(s):	Councillor Sue Coakley Councillor Stephen Andrews
Committee Date:	13th July 2016
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle and sustainability
- (b) Affordable Housing
- (c) Highways
- (d) Impact on Residential Amenity
- (e) Arboricultural Impact
- (f) Drainage
- (g) Impact on Protected Species

Reasons for Referral:

Cllr. Sue Coakley has requested that the application is reported to the Planning and Licensing Committee for determination for the following reasons: "I believe that this does represent overdevelopment. If this scheme were to be approved I believe the existing crossing should be upgraded to either a formal crossing or, as a minimum, an island provided for increased protection of pedestrians crossing this busy road."

Cllr Stephen Andrews has also requested that the application is reported to the Planning and Licensing Committee for determination for the following reasons: "I would agree with the comment of others that the current proposal represents overdevelopment. Whilst I accept at face value your density calculation, I note that this is viewed against a policy rather than the housing density in the area immediately surrounding the property. I believe that it is important that any development should fit with the housing density in the area that that the development is taking place if it is not to impact upon that area."

1. Site Description:

The site is currently occupied by the detached bungalow of Nettlestead. The site is located to the east of Station Road (A361). There are residential properties to both sides, to the north is a detached 2 storey dwelling and to the south is the detached building which is sub-divided into 4 flats. Further to the north is a new housing development currently under construction.

Housing varies in design, scale and layout considerably in the immediate area. With no established building line of layout character.

The site is accessed via a central access with a low Cotswold Stone wall bounding the front of the site. The northern and southern boundaries are defined by a mature conifer hedge and there are other varying trees to the rear boundary and front of the site.

2. Relevant Planning History:

93.00001 - Erection of 4 flats land adjacent to Nettlestead - approved 18/02/1993

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR06 The Water Environment
 LPR09 Biodiversity, Geology and Geomorphology
 LPR10 Trees, Woodlands and Hedgerows
 LPR18 Develop within Development Boundaries
 LPR21 Affordable Housing
 LPR38 Accessibility to & within New Develop
 LPR39 Parking Provision
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Deve

4. Observations of Consultees:

Tree Officer - No objection subject to landscape scheme condition
 Highways - No objection subject to conditions
 Affordable housing officer - 2 affordable units required to be provided on site
 Conservation - comments provided to aid reserved matters
 Thames Water - No objection informative recommended in relation to water pressure

5. View of Town/Parish Council:

Object to proposal - too little information, outline applications should be tied to design brief, weight afforded to neighbourhood plan, over development, loss of trees, impact on the character and appearance of the area, access to the rear of plots, visitor parking not provided and impact on the highway.

6. Other Representations:

5 third parties have raised the following objections:

- i) Impact on the highway (busy road) and pedestrian safety
- ii) Loss of a bungalow
- iii) Over development
- iv) Loss of trees
- v) Car parking
- vi) Impact on character of the area

7. Applicant's Supporting Information:

Design & Access Statement

8. Officer's Assessment:

The proposal seeks outline permission for the construction of up to 6 dwellings. It should be noted that the appearance and landscaping of the scheme would be subject to a reserved matters application and as such the plans provided show only the access point, layout and scale of development proposed.

(a) Principle of development

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 site is located within the development boundaries of Lechlade and therefore Policy 18 applies. Policy 18 sets out that development within the boundaries will be supported in principle subject to consideration of the level of community facilities available, density being 30 dwellings per hectare or more and development respects the character of the area.

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.'

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.

Notwithstanding the current land supply figures it is necessary to have full regard to the economic, social and environmental roles set out in the NPPF when assessing this application. Of particular relevance in this case is the requirement to balance the social need to provide new housing against the potential environmental impact of the proposed scheme. These issues will be looked at in more detail in the following sections.

Lechlade Neighbourhood Plan has been through independent examination but is not yet adopted and therefore does not hold significant weight in the decision making process however consideration of the policies is still given. The plan contains 9 housing objectives including objective 4 which seek to ensure that housing development makes best use of previously developed land. Policy H1 requires development to be contained within the built-up area of Lechlade as is the case in this application. Policy H3 relates to affordable housing however the recent government planning policy guidance no longer requires affordable housing on developments of 10 units or less. Policy H6 supports housing on previously developed land which is the case in this application. Policies H8 and H9 relate to design principles and character, as this application is in outline with design and landscape reserved we cannot consider these elements at this stage. Policy H11 relates to residential parking and requires 2 parking spaces per dwelling up to 3 bedrooms which the layout plan demonstrates. There is no requirement within the policy for visitor parking.

The proposal would provide an additional 5 houses into the housing stock within the settlement of Lechlade. Lechlade is well served by community facilities that would be within walking distance of the site. The plans show that 6 houses can be accommodated within the site with associated parking, gardens and bin storage. While the design and landscaping would be subject to a reserved matters application the indicative design of the dwellings is reflective of the neighbouring properties. While The Gables is not of high architectural merit the proposals are reflective of the local vernacular and would be considered in detail at the reserved matters stage if outline permission is granted. Due to the design of the scheme the two terraces of 3 properties would when viewed be reflective in design of the adjacent detached properties rather than being viewed as a terrace.

The proposals would be contained within the developed area of Lechlade. Concerns have been raised by the Town Council and neighbours regarding overdevelopment of the site. The layout shows the construction of two terraces of 3 dwellings that are reflective in design of the adjacent property The Gables. Each property would be served by a reasonable sized garden and while the landscape detail is a reserved matter it is clear that access to the rear of the gardens could be achieved through a rear path way accessed from between the terraces. This can be controlled by condition.

The site occupies approximately 0.15 hectares and the provision of 6 houses would represent a 40 dwelling per hectare density. While Policy 18 states that 30 dwellings per hectare or more would be sought the NPPF does not seek to impose such specific density criteria. It is acknowledged that the housing densities surrounding the site are varied with detached properties, small terraces, cul-de-sacs and the flats to the south and as such there is no particular housing density in the area be it the immediate or wider that adds to the character. The proposed

buildings would be contained within two elements of construction the gap between these would be just over 2.4m. Separation between Eastview to the north would be 8m and 3.8m to the Gables to the South. The existing bungalow covers a wide footprint with similar separation between the neighbouring properties. It should also be noted that delegated authority has recently been given to a site to the south of the site adjacent to the filling station (15/05327/OUT see appendices). This was for outline permission for 3 detached dwellings. The indicative layout provided with that application shows a lesser gap between properties than that proposed in this application.

It is considered that the plans show that the proposed dwellings could be located within the site and would not result in constrained or compromised living conditions for the future occupants or adversely impact on the character of the area within the built up settlement limits of Lechlade and outside of the Conservation Area. As such it is considered that the proposals do not constitute overdevelopment.

The emerging Local Plan 2011-2031 Reg 19 has recently been published. This contains the policies for the emerging local plan however at present the Reg 19 policies do not carry any weight in the decision making process.

It is therefore considered that the principle of housing development on the site is supported by local and national policy and that the site would be sustainably located and would not impact adversely on the varied character and appearance of the area.

(b) Affordable Housing

Planning Policy Guidance was updated on the 19th May 2016 in relation to developments of 10 dwellings or less than a 1000sqm not being required to provide affordable housing contributions. In line with the government guidance no affordable housing provision is sought on this site.

(c) Highways

Access is subject to consideration at the outline stage. The Highways Officer has been consulted who raises no objections to the proposals. They comment that 'In accordance with Manual for Gloucestershire Streets (MfGS) standards for a private access serving up to 6 dwellings the access should be a minimum of 5m in width with adjacent walls, gate posts, fences or hedges set back a minimum of 0.5m from the edges of the access to provide for two-way passing and clearance. Such space can be accommodated on site and within the highway and provided via condition. The plans would provide 6 x 3 bedroom properties. Cotswold Council have no minimum or maximum parking standards however the 2 spaces per dwelling as shown would be considered sufficient to the size of the properties. Visitor parking is also not a policy requirement.

Sufficient spaces are available on site for cycle and waste storage within a suitable distance from the highway.

While it is noted that the local Ward Member would prefer for a formal crossing or island crossing to be installed. The highways department raise no objections to the proposals and therefore it is not considered necessary for such a crossing to be required. The site includes a proposed new footway and an informal pedestrian crossing with tactile drop kerbs. In accordance with MfGS standards a 2m minimum width footpath should be provided, however as there is an existing pedestrian crossing slightly to the south in the direction of the town centre at the end of the existing footway into the petrol station and convenience store. A condition is therefore recommended that would require a 2m footway connecting to the existing footway and pedestrian crossing.

The proposals are therefore considered subject to condition to be in accordance with Policies 38 and 39 of the Cotswold District Local Plan and paragraphs 38 and 39 of the NPPF.

(d) Impact on Residential amenity

The plans submitted with the application show 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 and neighbouring properties would not be subject to an unacceptable loss of privacy, amenity, light or overbearing impact in accordance with Local Plan Policy 46.

(e) Arboricultural Impact

The proposals would result in the removal of some trees. The trees are not within a Conservation Area and are not protected by a Tree Protection Order. The Council's Tree Officer has been consulted on the proposals and comments that there are no significant trees within the site that are of public amenity value. As such they do not raise any objections to the proposals. A condition is recommended to require a landscape scheme that would ensure tree replacement and suitable landscaping of the site. As such the proposals are considered to be in accordance with Policy 45 of the Cotswold District Local Plan.

(f) Drainage

The site is not located within a flood zone. A condition is recommended to ensure that surface water drainage is correctly managed. There has been no request from the drainage team for the provision of water butts.

(g) Impact on protected species

Daytime internal inspection of the building due to be demolished by All Ecology has established that a bat roost is present - indicated by droppings most likely pertaining to brown long-eared bat, which is a UK Biodiversity Action Plan species.

An external assessment of the building additionally found low roosting potential for crevice-dwelling species. The survey was not in full accordance with the most recent Bat Survey Guidelines in that no night time emergence studies have been undertaken. However, as this an outline application and as there is scope within the site to accommodate a new roost, it is considered that there is sufficient information before the Local Authority to reach an opinion that the proposal need "not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range" as required by Regulation 53 of The Conservation of Habitats and Species Regulations 2012.

Saved Policy L9 of the Cotswold Local Plan (2001 - 2011) requires that where development is permitted, the Council will require the retention and management of any significant species, habitats, and features.

The National Planning Policy Framework (NPPF) requires consideration of the potential biodiversity gains that can be secured within developments; "opportunities to incorporate biodiversity in and around developments should be encouraged" (Para 118).

A condition is therefore recommended to ensure that protected species are not adversely impacted upon by the proposals.

9. Conclusion:

The principle of residential development is supported within the settlement limits of Lechlade to which this site resides. The proposals would not give rise to an adverse impact on highway safety. The plans show that 6 dwellings could be incorporated within the site with the landscaping and design being subject to a reserved matters application. The plans show that the number of dwellings could be incorporated into the site without adversely impacting on neighbouring

residents. Conditions are recommended in relation to highways, drainage, ecology and landscape. It is therefore considered that the proposals are in accordance with Local Policies 09, 18, 38, 39, 42, 45 and 46 and paras 118, 38, 39, 49 and chapter 6 of the NPPF.

10. Proposed conditions:

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 be started either by five years from the date of this decision notice or before the end of 2 years from the date that the last of the reserved matters is approved, whichever is the later.

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

The development shall not be started before approval of the details relating to landscaping and design has 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.

The development hereby approved shall be implemented in accordance with the following drawing number(s):

0890/DPA101 01 Location Plan, 0890/DPA102 Rev 01 Proposed Block Plan, 0890/DPA103 Rev 01 Proposed site plan

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

Notwithstanding the submitted plans no building permitted shall be occupied until a minimum width 5m width shared surface access has been provided with the first 5m completed up to surface course level and with no adjacent vertical boundary features within 0.5m of the site access edge.

Reason: To reduce potential highway impact by ensuring 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.

No buildings shall be occupied until details have been submitted and approved by the Local Planning Authority for a 2m width footway south from the site access and a pedestrian crossing across over the A361 and constructed in accordance with approved details 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 paragraph 32 of the National Planning Policy Framework.

The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided generally in accordance with the submitted plan 0890/DPA103, and those facilities shall be maintained available for those purposes thereafter.

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 35.

Note: 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.

No development shall commence on site until the existing roadside frontage boundaries have been set back where necessary to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework paragraph 32 and 35 .

The development shall not start before a comprehensive landscape scheme has been approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. In addition a pedestrian access to the rear garden of units 2 and 4 shall be provided. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 45.

The entire landscaping scheme shall be completed by the end of the first planting season following the completion of the first building on the site.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy 45.

Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

Reason: To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy 45.

No part of the development shall be occupied until the surface water drainage works serving the said development have been permanently carried out in accordance with details to be first approved in writing by the Local Planning Authority.

Reason: To prevent the risk of flooding and pollution in accordance with Cotswold District Local Plan Policy 6 and the NPPF.

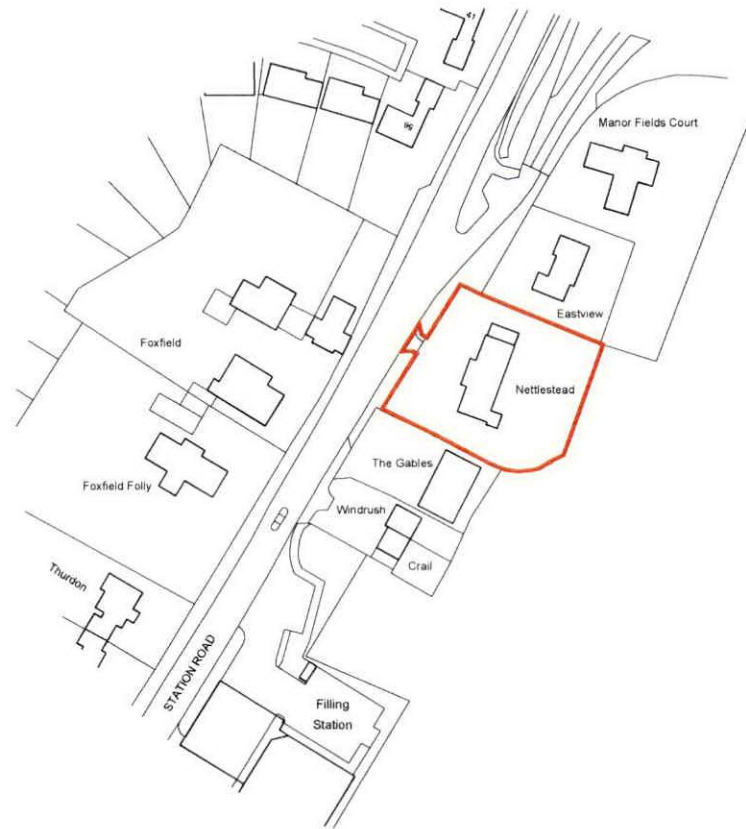
Prior to any works commencing on site a detailed Bat and Bird Mitigation Scheme, in accordance with the recommendations set out at paragraphs 6.7 to 6.15 of the Inspection Survey for Bat Roost Potential (All Ecology, December 2015) must be provided to the Council for its approval. Each of the measures shall be implemented in full prior to the development being brought into use.

Reason: All species of bats are protected under the Wildlife and Countryside Act 1981 as amended. Bats and their roosting structures are given further protection by the European Habitats Directive 1992, implemented in Britain by the Conservation of Habitats and Species Regulations 2012. Policy L9 of the Cotswold Local Plan (2001 - 2011) requires that where development is permitted, the Council will require the retention and management of any significant species, habitats, and features.

Informatives:

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

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.



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location plan (existing)

1:1250@A3

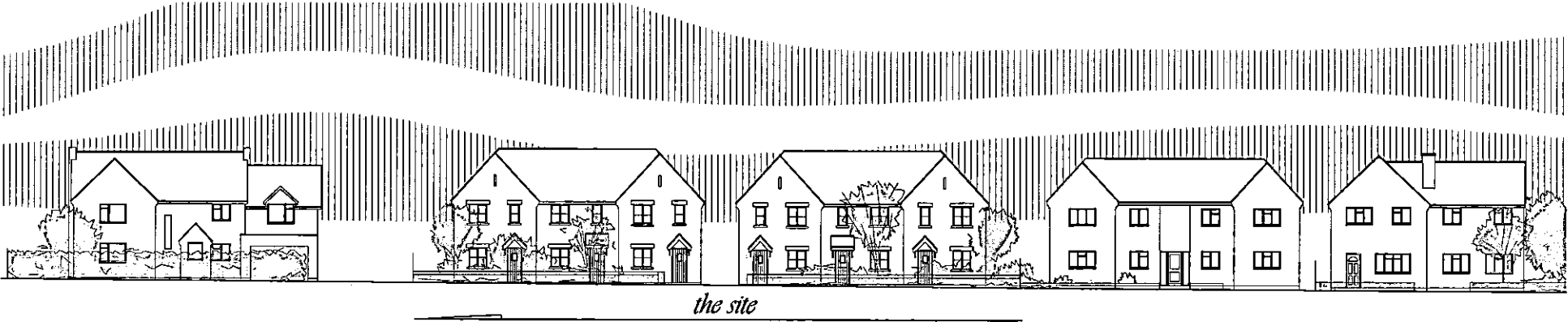
bis design

01243 850411 07887 777085 ben@bisdesign.co.uk www.bisdesign.co.uk

0890/DPA101
Nettlestead
revision 01

16/00092/SMT

note - all adjacent ridge and eaves heights taken from topographic survey



indicative street elevation

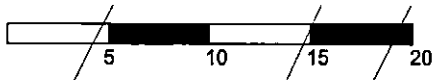
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materials palette:

- limestone walls
- painted timber casement windows
- oak porches (untreated)
- stained hardwood front doors
- stone window sills and heads
- tiled roof - grey/brown

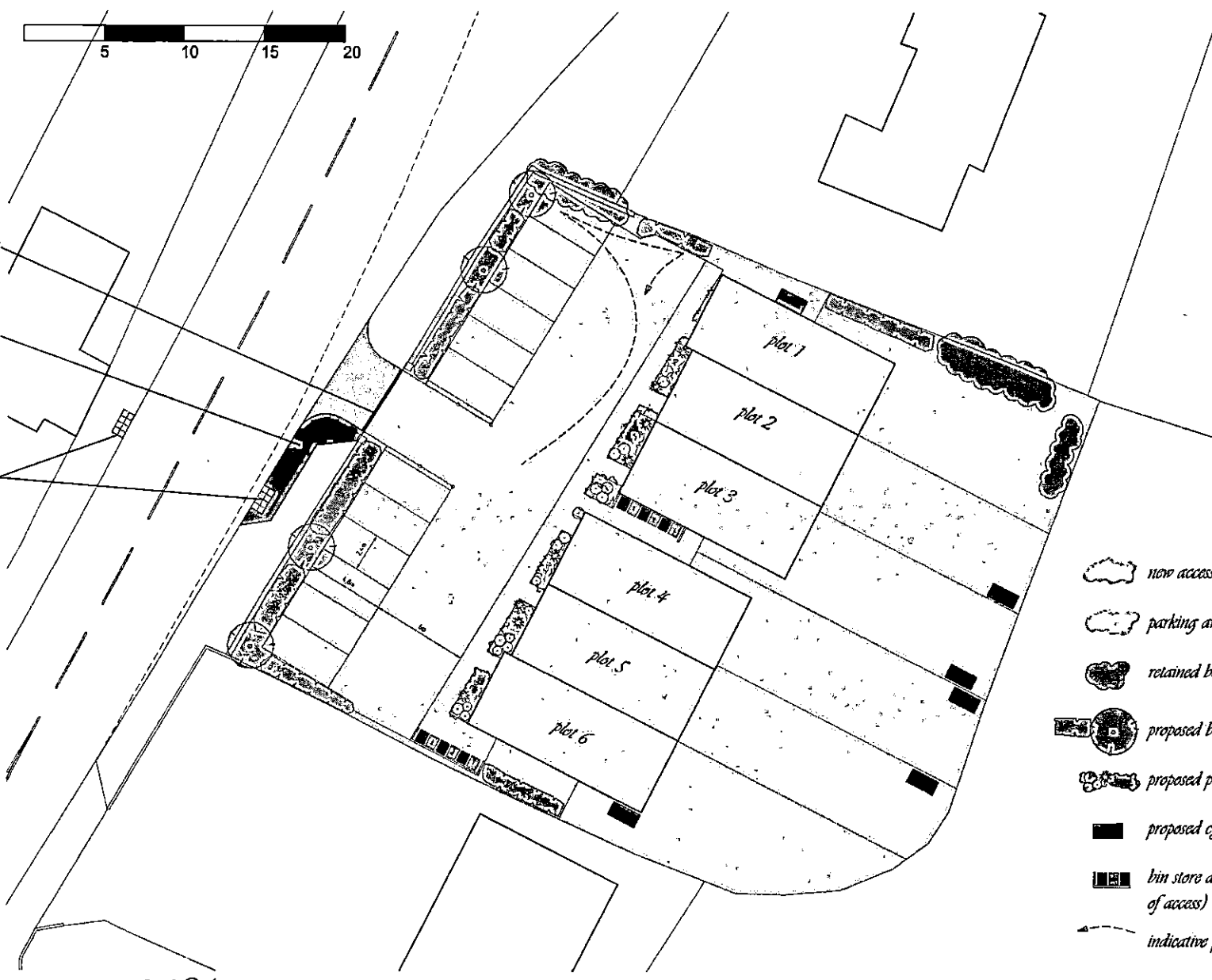
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









tarmac up to granite sets

new footpath

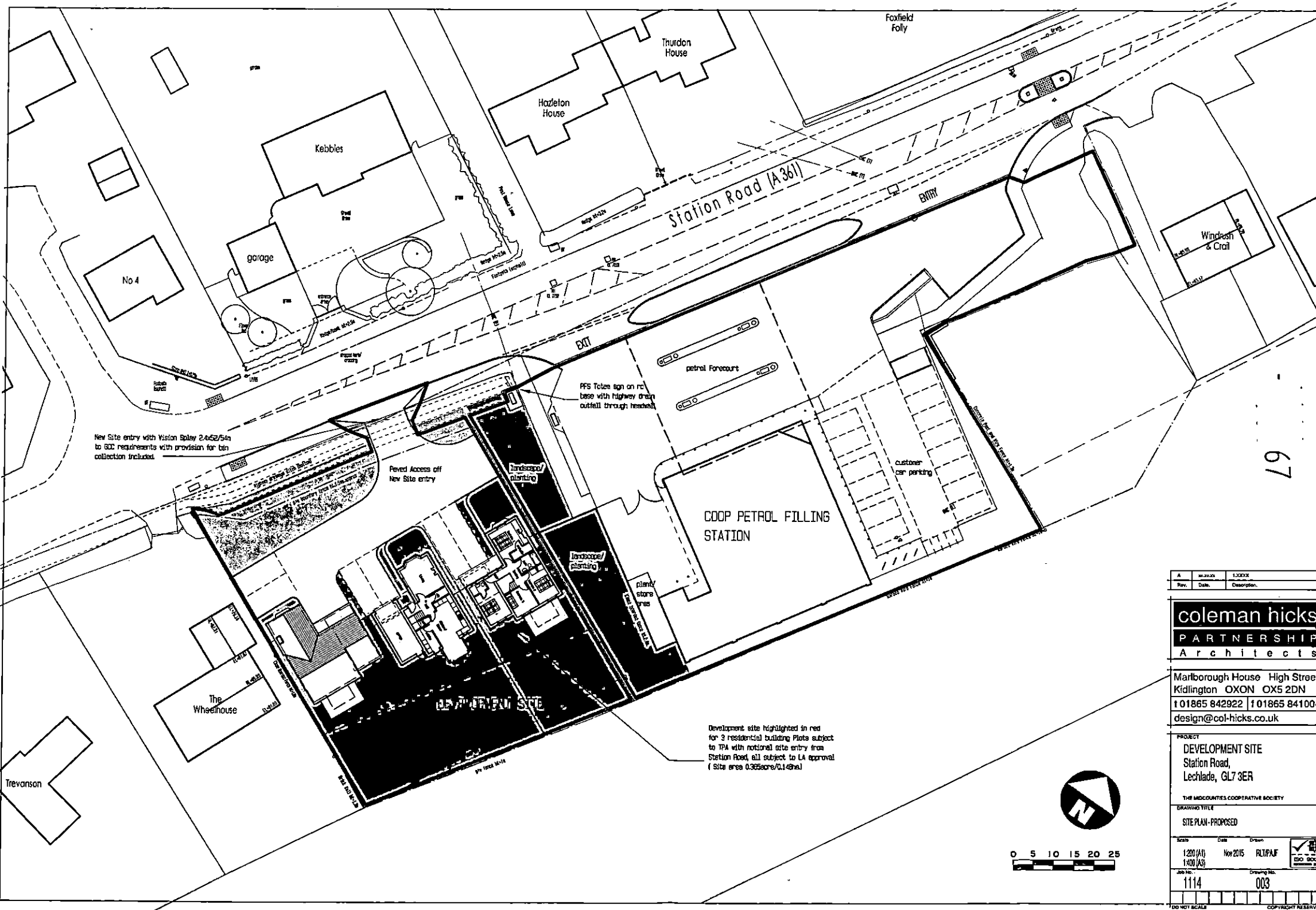
tactile paving and dropped kerbs



-  new access and turning - bound gravel
-  parking and footpaths - brick pavers
-  retained boundary planting (refer to tree report)
-  proposed boundary planting
-  proposed planting beds
-  proposed cycle store
-  bin store and collection point (within 25m of access)
-  indicative parking/turning

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proposed site plan 1:250@A3



New Site entry with Vision Splay 2.452/54m to GOC requirements with provision for bin collection included.

PFS Taken on an rd base with highway drain outfall through headfall

Paved Access off New Site entry

COOP PETROL FILLING STATION

DEVELOPMENT SITE

Development site highlighted in red for 3 residential building plots subject to TRA with national site entry from Station Road, all subject to LA approval (Site area 0.325acre/0.149ha)

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Rev.	Date	Description

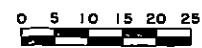
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design@col-hicks.co.uk

PROJECT
DEVELOPMENT SITE
Station Road,
Lechlade, GL7 3ER

THE MIDCOUNTRIES COOPERATIVE SOCIETY
DRAWING TITLE
SITE PLAN - PROPOSED

Scale	Date	Drawn	
1:200 (A1)	Nov 2015	RLT/PAJ	
1:400 (A0)			
1114		003	



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