

Item No 02:-

15/05165/OUT (CT.9143)

**Land To The South Of Love Lane
Cirencester
Gloucestershire**

Outline application for the erection of up to 88 dwellings, to include vehicular access off Park Way; new pedestrian and cycle links to the wider area; improvements to Siddington School, including improved access facilities and the erection of a new purpose built school hall; a solar park; ecological enhancements; strategic landscaping; and associated infrastructure at Land To The South Of Love Lane Cirencester Gloucestershire

Outline Application 15/05165/OUT (CT.9143)	
Applicant:	Great Gable Ltd
Agent:	Hunter Page Planning
Case Officer:	Mike Napper
Ward Member(s):	Councillor Shaun Parsons
Committee Date:	10th August 2016
RECOMMENDATION:	MINDED TO REFUSE

Main Issues:

- (a) Residential Development Outside a Development Boundary
- (b) Sustainability of Location
- (c) Landscape Impact
- (d) Impact upon Heritage Assets
- (e) Highway Impact
- (f) Community Benefits

Reasons for Referral:

Officers consider that it is appropriate for the Members of the Planning and Licensing Committee to determine this major application in order to assess the complex balance of potential benefits and identified disbenefits of the proposals. This application is now the subject of an appeal and the Committee is therefore unable to formally determine it, hence the Officer Recommendation in this case. Members will note that this application is a duplicate of the preceding Schedule item, which has been submitted to allow the Committee to make a determination of the proposed development.

1. Site Description:

The site is located to the east of the Spratsgate Lane and is adjacent to the southern edge of Cirencester, adjoining the town's Development Boundary, as defined within the current Cotswold District Local Plan. The site is not within the Cotswolds AONB and has no other landscape designation. The area is located immediately to the south-west of the existing Love Lane industrial estate and to the west of Siddington Primary School, bordering the school grounds. The site comprises approximately 10.86 hectares (ha) of pastoral land. The site is bounded by a wide belt of early mature plantation woodland to the western and northern boundaries and a native hedgerow to the school perimeter and Park Way road. The applicant site is subject to a Tree Preservation Order (TPO) to protect the woodland area and five individual trees, although the serving of the TPO is currently the subject of an appeal.

Major visual features are the High Tension power lines and pylons which cross the site in an east-west direction to the north of the site. In terms of topography the site itself is relatively flat and the

surrounding context slopes down gently towards the River Churn. A pond adjoins the western boundary of the school.

Additionally, a high pressure gas main/gas valve compound lies to the west of the site on Spratsgate Lane. The route of the high pressure pipeline does not cross the application site, but runs north - south alongside Spratsgate Lane. An intermediate pressure pipeline does, however, cross the site from the compound running east - west, approximately across the middle of the site.

There are nearby Grade II listed buildings, including the Old Rectory, School House, and Barton Farmhouse along with its associated curtilage listed historic agricultural buildings to the south and east of the application site. The Local Planning Authority is statutorily required to have special regard to the desirability of preserving their setting, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The site is accessed from a single field gate to the south, off Park Way, a narrow country road that leads from Spratsgate Lane to the west, which runs north-south parallel to the application site, to the centre of Siddington village. There is also an access via the Gas Valve Compound off Spratsgate Lane. There are a number of Public Rights of Way (PROWs) that cross the wider countryside and the nearest follows the boundary of the school grounds to the east.

2. Relevant Planning History:

16/02360/OUT Outline application for the erection of up to 88 dwellings, new vehicular access off Park Way, erection of a new purpose built school hall and provision of a solar park: Pending consideration (please see preceding Schedule item).

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR03 Higher Quality Agricultural Land
 LPR05 Pollution and Safety
 LPR09 Biodiversity, Geology and Geomorphology
 LPR10 Trees, Woodlands and Hedgerows
 LPR12 Sites of Archaeological Interest
 LPR21 Affordable Housing
 LPR24 Employment Uses
 LPR38 Accessibility to & within New Develop
 LPR45 Landscaping in New Development
 LPR19 Develop outside Development Boundaries
 LPR42 Cotswold Design Code
 LPR43 Provision for the Community
 LPR45 Landscaping in New Development
 LPR49 Planning Obligations & Conditions
 LPR02 Renewable Energy

4. Observations of Consultees:

Highways Officer: No objection, but conditions to be formulated on receipt of additional information (please see letter attached dated 01.06.16).

Health & Safety Executive: Currently advise against the development, but the applicant's response to this objection is currently being re-assessed and an update will be provided at the Committee Meeting.

National Grid: No objections.

Water Company: No objection - *"Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.*

Surface Water Drainage - With regard to surface water drainage 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. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments - The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

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

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

Supplementary Comments - Waste: Thames Water met with the developer on 21st April 2016 to discuss the drainage proposals. This meeting proved productive and Thames Water are broadly supportive of the drainage proposals to provide a relief sewer. We have requested that a 'Grampian Style' condition be imposed to provide us with the opportunity to agree the detail and delivery mechanism with the developer once there is certainty that the development will go ahead. It is understood that surface water will be disposed of via SuDS. Thames Water would like to commend the developer for adhering to the disposal hierarchy and not proposing to connect surface water to the public network."

Lead Local Flood Authority: No objection, subject to conditions in respect of i) submission of details of surface water Drainage Strategy, ii) details of SUDS maintenance plan and iii) details of groundwater table.

Glos County Council Economic Development & Strategic Planning: No objection, subject to financial contributions of £135,949 towards Primary school shortfall at Siddington School of 11 places, and £248,794 towards Secondary school shortfall at either Kingshill or Deer Park Schools of 13.2 places, together with local library contribution of £17,248.

Glos Constabulary Crime & Design Officer: Raises serious concerns with regard to personal safety of users of the proposed footpath and covered environmental shelter, which should be omitted from the proposals, and capacity for the Spratsgate Lane/Park Way and junction and new site access to cope with increased traffic.

Housing Strategy Officer: Having regard to Local Plan Policy 21, there is an identified local need for 50% Affordable Housing provision of which two-thirds should be for rent (with 4-bed houses or larger being for social rent) and one third for subsidised low-cost home ownership. If a lower percentage is proposed, the applicant will need to provide a full viability assessment demonstrating why 50% is not feasible.

Tree Officer: No objection, subject to conditions.

Biodiversity Officer: No objection, subject to a condition requiring Construction Environmental Plan and Landscape & Environmental Management Plan.

Landscape Officer: Views incorporated within Officer's Assessment.

Conservation & Design Officer: Views incorporated within Officer's Assessment.

County Archaeologist: No objections, following archaeological investigation works.

Environmental Protection Officer: No objection, subject to conditions regarding potential ground contamination.

Neighbourhood Services Officer: No objection.

5. View of Town/Parish Council:

Siddington Parish Council: Objects (please see comments attached in full in letter dated 21.01.16).

Cirencester Town Council (neighbouring parish): General comments - "For the purposes of the Local Plan's Development Strategy, Cirencester is considered to include the developed parts of adjacent parishes that abut, and are effectively part of, the built-up area of the town, such as Kingshill Meadow and Siddington Road/North Hill Road (except the area around Siddington Primary School [which is the subject of this planning application] and The Old Rectory). All of Love Lane Industrial Estate is considered to fall within Cirencester.

Noting the above, it is recommended that Cotswold District Council should treat this site as a strategic site as it immediately adjoins the Cirencester Strategic Site.

Members had no objection to the application but had concerns with regard to the traffic impact on Spratsgate Lane towards Cirencester, the sewerage infrastructure and screening, all of which would require further investigation and confirmation as a condition of planning approval."

Preston Parish Council (neighbouring parish): Objects - i) strain on surrounding infrastructure such as schools, parking, health services, sewerage and drainage; ii) supports Siddington PC's response.

Somerford Keynes Parish Council (neighbouring parish): Objects - "1. The Parish Council supports the objections in principle and particular submitted by Siddington Parish Council, but in

addition, wishes to make the following points which impact upon the residents of Somerford Keynes Parish:

2. Our primary concern is with the effect of this proposed development on the dispersal of surface water which is likely to be directed via the County Ditch towards Somerford Keynes. This has been a cause of flooding in Somerford Keynes in the recent past both in and around existing dwellings. There is such concern within the community about flooding that a Community Proposal is included in the emerging Neighbourhood Development Plan addressing the impact of extra-Parish developments on water flow within the Parish boundaries.

3. An associated concern is the provision for sewage processing. The Shorncote Works of Thames Water already discharge onto land which floods a Public Right of Way, regularly making it impassable. Placing additional demands upon Shorncote plant can only exacerbate this problem.

4. The roads surrounding this development are all important thoroughfares for the residents of Somerford Keynes and are heavily used already. Park Way is a narrow country lane and there appears to be no proposals for improvement to cope with the inevitable increase in traffic. Additionally, traffic turning right out of the proposed development into Park Way will follow that narrow lane, with a sharp and potentially dangerous, bend then have to access a main thoroughfare from a narrow junction that already carries considerable traffic. We do not believe that the interests of road safety would be served by increasing the number of vehicular movements in that location."

South Cerney Parish Council (neighbouring parish): "The Parish Council wishes to express its concern at this proposal's impact on local infrastructure, particularly sewerage capacity. The Parish Council broadly supports Siddington Parish Council's views on this and would also like to see further studies undertaken on the impact the development would have downstream at the sewage works at Shorncote, which already experiences flooding issues."

6. Other Representations:

12 Third Party letters of Objection:

- i) overdevelopment resulting in encroachment of proposals into the vicinity of the High Pressure Gas pipelines and high tension electricity pylons resulting in potential harm to public safety;
- ii) overdevelopment in an unsuitable location, which does not meet local needs due to expected above average property prices for the new dwellings, which would be unaffordable for younger local people. Other more suitable and less costly development sites are available within the existing village;
- iii) increase in flood risk to existing properties, including low-lying land at Bowly Crescent, flooding of roads and on land for future development. The flood mitigation proposals would be totally inadequate;
- iv) Parkway is an entirely unsuitable access road with a 60mph speed limit, being narrow, pot-holed, lacking a pedestrian footpath and subject to frequent flooding, and would increase known highway dangers, particularly due to the very dangerous bend. The road would also become a 'rat run', which would change its character. The traffic generated by the development on the unsuitable road would be increased by the need for future residents to travel by car to facilities and services. Notwithstanding the alleged benefits to the school, the increased use of the road and associated risk to the safety of schoolchildren would create greater social and environmental harm. Existing roadside parking at Parkway restricts the traffic to single carriageway, which may lead drivers to use Canal Rd (The Butts), a lane that is wholly unsuitable for additional traffic. As the road is a public highway, the applicant does not have the powers to restrict access;
- v) proposed improvements to school do not take account of its inability to meet the imminent increase in local needs. The current school site is too small and lacks facilities for viable expansion and will require complete relocation. Improvements to the school could be delivered by S106 contributions from other identified developments, including the Chesterton Fm scheme, via

- the Local Education Authority (LEA). Additionally, there is no certainty that the LEA would support plans to increase facilities at Siddington School;
- vi) proposed solar farm is unnecessary and, due to its location and size, would be inefficient. Solar energy requirements could be provided on individual properties. Risk of the solar panels being affected by nearby pylons;
 - vii) the proposed scheme would not accord with sustainable village expansion or the wider interests of the wider community. It could add an additional 30% to the village population, which would change its character and would prevent gradual growth that could be absorbed and integrated;
 - viii) the site is not allocated within the emerging Local Plan, and there is insufficient infrastructure to support this proposal in addition to the expected "2500" homes at Chesterton Farm "and another 2500 going in at Kemble";
 - ix) the site is in countryside on the edge of the Siddington Parish boundary and isolated from both Cirencester and Siddington (and from the Proposed Chesterton Fm site) with no nearby amenities other than the school which is at capacity, and development of the site, particularly with the access road from Parkway, would set a precedent for further development to the south in the future that would link Cirencester and Siddington. An earlier appeal decision confirmed that no further development should take place to the south of Love Lane;
 - x) harmful visual impact on setting of Listed Buildings and village Conservation Area;
 - xi) some of the submitted plans do not show all existing residential properties neighbouring the site and insufficient landscaping is shown to prevent harm from the close proximity of the proposed dwellings, two of which are listed buildings (The Coach House and The Old Rectory);
 - xii) the proposals do not take account of the private third party ownership of the drive from the school to the north of The Coach House, which is not a cycle route. Although a public footpath runs up the drive, cycling is forbidden on it. The cycle route is shown as passing through an existing dwelling (The Coach House);
 - xiii) the ecological survey fails to identify the use of the application site by deer;
 - xiv) the proposals do not accord with the Development Plan and the Council can demonstrate a 5 year housing land supply and the site was rejected as part of the SHLAA exercise. The application should not be determined until the strategic site at Chesterton Fm has been resolved, which will help to decide whether further development is required. The effect of the potential Chesterton Fm development increases the importance of the application site to prevent the coalescence of Siddington with Cirencester;
 - xv) the size of the proposed 'drop off' point for the school would be inadequate;
 - xvi) the site forms an important gap between the edge of the town, of which the overhead pylons form a boundary, and Siddington village. The proposals would have a harmful landscape impact and would spoil the approach to Cirencester from the south and would require the removal of a considerable number of well-established trees, which act as a screen for the Love Lane industrial estate;
 - xvii) the proposed access would be harmful to the residential amenity of existing properties, including Birch Cottage, and would result in the loss of the long-established wildlife-supporting hedgerow;
 - xviii) the proposed footpaths do not provide links to anywhere other than the development itself and the footpath proposed through the woodland at the western boundary of the site, now protected by a Tree Preservation Order, would urbanise the open land between Siddington and Cirencester and would be harmful to its character, ecology and arboricultural quality;
 - xix) there are very few shops or facilities within the acceptable distances provided in current guidance and none that are connected by safe and deliverable footpaths and pedestrian routes. There are no public transport services during normal working hours with good connection to the application site. The proposed new footpath and cycle links to Cirencester, relied upon to mitigate otherwise poor connectivity, would seem to connect through the existing woodland, which would be unsuitable for pedestrians, to Spratsgate Lane, which does not have a footway. Consequently, the applicant is unable to provide sustainable connections to local services and facilities;
 - xx) the drainage proposals to serve the development seem to rely upon the sewerage infrastructure improvements that would be delivered IF the strategic Chesterton Fm development is approved at some time in the future. Consequently, the drainage proposals do not meet the needs of the current application;

- xxi) the proposed community contribution towards the school is wholly inadequate in relation to the strain that the development would place on other village facilities;
- xxii) concerns regarding the close proximity of the development to the existing gas pipelines.

6 Third Party letters of Support:

- i) "The village of Siddington needs younger families to keep the village school going. This development would bring families with younger children to the village and ensure the long term viability of this good village school. That is essential for the future sustainability of Siddington. The plans show other benefits to the school too. A development of 88 houses at an average density of 22 houses per hectare is in keeping with surrounding areas of Cirencester and also the Cotswold District. I support this proposed development on Severills Field;"
- ii) Cirencester is in need of new housing and this site is well-located to access routes, the proposed number of dwellings is proportionate with the surrounding area and will bring benefits to the local school;
- iii) improvements to existing infrastructure are to be commended;
- iv) the development would benefit Siddington by bringing new families, younger people and a more diverse demographic to the area;
- v) the solar area could be used as part of the school's educational resources;
- v) a new school hall, which would also be of benefit for use by the wider community as a social hub, as the current hall is inadequate;
- vi) the development would provide a safe route to school for families and leave the Coach House road, which currently can become blocked, for staff use;
- vii) the road between Love Lane and Siddington would still act as a divide and Siddington would still be maintained as a village in its own right;
- viii) the density of the proposed development is appropriate;
- ix) the development is supported by the local community who have been consulted from the start;
- x) the development would be sited close to existing school, employment and neighbouring housing and is within walking distance of local shops and is therefore very sustainable;
- xi) the development would not be publicly visible due to sympathetic landscaping.

1 Third Party letter making General Observations: i) the conclusions on the application are dependent upon whether the applicant can demonstrate that the Council's 5 year housing land supply position is deficient;

- ii) the proposals offer improvements to local infrastructure and schooling provisions as a result of the inevitable pressures that the development would place on them. The existing school is "less than capable of coping of catering for its current pupil numbers" without fundamental reorganisation. The proposals for possible alterations to the existing school and additional buildings "is a red herring" as any such proposals are not within the control of the applicant and there are currently no definitive proposals for such works from the education authority, which would in any event be subject to consideration on their own merits. Consequently, the proposals are undeliverable and should not be linked to the application;
- iii) the current single track vehicular access road to the school and its parking and turning facilities are wholly inadequate. If the Council is minded to permit the application, the developer must be required by legal agreement to provide the proposed alternative access, although this has not been fully addressed in the proposals;
- iv) the applicant's proposal for cycle ways and additional footpaths are not deliverable as the land is either unsuitable or is not under its direct control. A recent proposal to introduce a cycle way over the same route was rejected on safety grounds. The application should be amended accordingly to omit reference to the cycleway provision;

7. Applicant's Supporting Information:

Planning Statement
 Design & Access Statement
 Illustrative Layout
 Transport Assessment
 Arboricultural Report

Illustrative Landscape Masterplan
 Flood Risk Assessment & Drainage Strategy
 Phase 1 Ecological Survey
 Ecological Mitigation Strategy
 Ground Investigation Report
 Heritage Assessment
 Landscape & Visual Appraisal
 Statement of Community Involvement
 Waste Minimisation Statement
 Archaeological Evaluation

8. Officer's Assessment:

The Proposals

The applicant seeks Outline permission for i) the erection of up to 88 dwellings, including 50% Affordable housing (28 social rented and 16 intermediate dwellings); ii) provision of a new vehicular access off Park Way, the associated closure of the existing Park Way field access and other highways-related works; iii) new pedestrian and cycle links to Spratsgate Lane and Siddington village; iv) provision of a solar panel park of approx. 0.4 ha at the northern point of the site where it adjoins the Love Lane industrial estate; v) works to Siddington Primary School, including new vehicular and pedestrian access from the proposed access road, the erection of a new school hall, and provision of new outdoor teaching facilities; vi) ecological enhancement works; vii) strategic landscaping; and viii) associated infrastructure, including the provision of new foul drainage infrastructure.

The proposed development would also be subject to the Government's 'New Homes Bonus' scheme, although this has not been regarded as a material planning consideration in the Officer Recommendation.

As the application is made in Outline form, all matters of detail, other than the provision of the proposed new access, are reserved for future consideration. A copy of the illustrative layout and proposed access are attached to this report, together with a copy of the Agent's Planning Statement. If Members wish to source any of the other supporting information, it can be accessed via the Council's website or the Case Officer.

An appeal has now been lodged against non-determination of the application and therefore the Committee cannot now make a final determination of it, hence the wording of the Officer Recommendation in this instance. Nevertheless, the resolution of the Committee will be taken forward to the appeal. A separate duplicate application has also now been submitted to allow the Council to make a determination of the proposed development, which is also included on this Committee Schedule of Applications as the preceding item.

(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.'

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 on-going 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.

The application site, in part, adjoins the Development Boundary of Cirencester to north. Cirencester is and, under the emerging Local Plan will remain, "the main focus of additional housing and employment growth", as expressed within the 'Local Plan 2011-2031: Submission Draft Reg. 19' document of June 2016. The Reg. 19 document comprises the consideration of representations received following the Reg. 18 (Development Strategy and Site Allocations) consultation process and updated evidence preparatory to submission for the Local Plan Inquiry stage. The document goes on to state (para. 7.1.1.1) that "About 25% of the District's population lives in Cirencester. A third of all employment is based in the town, and it is listed in the top 200 retail centres in the UK." Cirencester is therefore clearly a sustainable location for new-build housing development in terms of the availability of services and facilities. In this context, the Reg. 19 document states (para. 7.1.1.4) that "Cirencester is considered to include the developed parts of adjacent parishes that abut, and are effectively part of, the built-up area of the town." It goes on to state that "These include Kingshill Meadow; Siddington Road/North Hill Road (except the areas around Siddington Primary School and The Old Rectory) and all of the Love Lane Industrial Estate."

In terms of delivering the development strategy for Cirencester and having considered constraining factors, such as the close proximity of the Cotswold AONB boundary to the town edges, the Reg. 19 document proposes the allocation of a single large (120 ha) mixed use strategic site (Strategic Policy S2) south of Chesterton, abutting Spratsgate Lane to the east, which is planned to deliver up to 2350 dwellings and 9.1 ha of Use class B1, B2 and B8 employment land. The easternmost boundary of the strategic site would be opposite the application site the subject of this report. Members will be aware that an outline application for the strategic site has now been submitted.

The application site the subject of this application has not been allocated within the Reg. 19 document, although it was put forward for consideration as published within the Strategic Housing Land Availability and Strategic Economic Land Availability Assessment (May 2014). The site assessment commentary (SD_9D) states that it is "Unsuitable - Development would erode the gap between Siddington and Cirencester, leading to coalescence. In addition, there are major sewage infrastructure capacity issues within Siddington that could make development unviable. The site is also predominantly within the gas pipeline buffer zone. Although the gas pipeline could be relocated, this would take time to implement." The site is therefore shown as not currently deliverable.

The village of Siddington, which lies to the east of the application site, is not proposed as one of the District's 17 most sustainable settlements within the Reg. 19 document. The latter Principal Settlements were selected on the basis of their social and economic sustainability, including accessibility to services and facilities. By definition, therefore, Siddington is considered to lack the services and facilities necessary to sustain major growth over the emerging Local Plan period. Nevertheless, the village does contain a shop, primary school and public house, and is relatively close to employment opportunities at Love Lane.

It is important to reiterate the policy within the NPPF 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." 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 that "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."

Taking account of all of the above in the assessment of the current application, the applicant has confirmed that the proposal is for an urban extension to Cirencester, rather than being an extension of Siddington village (please see agent's letter attached in full dated 25.03.16). In light of this, the applicant contends that the links to the high level of services and facilities provided within Cirencester would be accessible by means other than the private car, being conveniently located for pedestrians and cyclists within 1 km of the site principally via the existing public footpath to Love Lane, a continuation of Coach Road immediately to the east of the application site, that would be upgraded, where not in Third Party ownership, to an adoptable cycle/footpath link. The applicant also refers to existing public bus services that operate along Siddington Road (approx. 650m from the application site) and Somerford Road. A draft Travel Plan has been submitted and which could be secured by legal agreement, which would encourage the use by residents of alternatives to the private car. A proposed cyclepath link to Spratsgate Lane has been the subject of objection from both the Highways Officer and Crime and Design Officer. Consequently, it has been shown indicatively by the applicant as being potentially deliverable in the event that a link could be beneficially provided to the strategic site at Chesterton.

The Highways Officer has confirmed his satisfaction regarding the accessibility to services and facilities in accordance with the guidance provided by 'Manual for Streets' (please see letters dated 02.02.16 and 01.06.16), subject to details being approved to ensure delivery of an improved cycle/footpath link along Coach Road (Route A in his letters). These would include walking distances of 2km to secondary education (Deer Park School), although the most convenient route with footways would be 3km, and 1.7km to Cirencester Hospital, although guidance normally suggests a maximum distance of 1.2km. The Highways Officer (and Crime & Design Officer) currently object to the potential cycle/footpath link to Spratsgate Lane).

Notwithstanding the Highways Officer's satisfaction regarding the accessibility of the site, officers remain concerned that distances and routes to the full range of services and facilities that would be reasonably necessary for residents of the proposed development would not be so attractive to users that they would be readily used to a degree that would demonstrate the sustainability of the location and its integration with the town. The location of the proposed development is considered to be incongruous insofar as it would create an isolated residential enclave that would relate poorly to existing large-scale residential areas of the town and the overall pattern of development.

The applicant has made reference to the close proximity of the Chesterton strategic site, which includes the strip of land between Spratsgate Lane and the western boundary of the application site, and the 'rounding off' effect of the proposed development in relation to it. It should be noted, however, that in parameter plans submitted with the pending strategic site application, the strip of land in question is allocated as employment land, rather than residential, due to the location of the main gas pipeline, which would still leave the proposed development unattached to any significant residential area. In terms of 'rounding off', the land defined by the strategic site allocation is itself intended to comprise the completion of the town edge and the new Development Boundary, whilst retaining an undeveloped buffer to the east of the disused railway line to avoid coalescence with Siddington village.

Officers are therefore concerned that the proposed development would not meet the social dimension of the NPPF, which is one of the three central considerations of achieving sustainable development. Para. 7 of the NPPF defines the social role as "supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being." Para. 56 states that "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good

planning, and should contribute positively to making places better for people." Para. 58 states that "Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping."

Para. 61 goes on to state that "Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

Consequently, officers conclude that the application fails to accord with the objectives within the NPPF, in significantly boosting the supply of housing, to also deliver good design.

(c) Landscape Impact

Paragraph 17 of the National Planning Policy Framework states that the planning system should recognise the intrinsic character and beauty of the countryside.

Policy 19 of the Local Plan states that development appropriate to a rural area will be permitted, provided that the proposal relates well to existing development. It should be noted, however, that this policy is considered now to be out-of-date, having regard to the policies of the NPPF and should therefore be afforded little weight.

Policy 42 states that development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of the Cotswold District.

Policy 45 of the Local Plan states that high standards of appropriate landscaping should be required in all developments and any attractive, existing landscape features, such as trees, hedgerows and other wildlife habitats should be retained and integrated into all landscaping schemes.

The submitted Landscape and Visual Appraisal (LVA), dated November 2015, concludes that the urbanising features to the southern settlement boundary of Cirencester contribute to the character of the application site, making the site less sensitive to development and that mitigation planting would further enhance the scheme. The report concluded that the introduction of 88 dwellings would present slight visual and landscape effects.

Officers, however, largely disagree with the conclusions drawn from the LVA. While the industrial estate is located on adjoining land and HT power lines occupy the northern extents of the site, the existing plantation provides a level of screening. This belt of vegetation creates a strong visual break between the industrial estate and the open countryside beyond. Officers consider that this boundary vegetation and the alignment of the dismantled railway provide an effective and distinctive settlement boundary to Cirencester.

The site is visually more related to Siddington, whereby development to the edge of the village is limited to scattered individual dwellings and farmsteads. It is considered that the addition of 88 dwellings along with access from Park Way will have an urbanising effect. Although at this stage

the proposed access works are relatively low-key, this also has the potential to impact on the appearance and character of the Park Way road, with future pressure to potentially widen or remove existing hedgerows to accommodate visibility splays and introduce suburban features such as kerbs and traffic calming. Whilst a belt of vegetation has been planted to the south of the proposed dwellings this will take time to establish and the proposed scheme will appear visually prominent in views from Park Way and the PROW to the east of the site, particularly with the eye drawn to the movement of cars across the land.

Despite being illustrated as a very low-key access, this road would still be the access for a substantial area of housing. The new access would also inevitably have more presence than a modest field entry and access track or very small lane, with visibility splays, markings and, of course, the much increased traffic movements. This would detract from the rural character of the area. It is not just the roadway itself, but also the inclusion of the tract of land west of this that would weaken the agricultural appearance of this location. However, carefully designed, managed public open space is treated and used in an entirely different way to agricultural open countryside, and results in a more urbanised appearance.

The village of Siddington lies just south-east of the site and paragraph 7.1.15 of the supporting text in the current Local Plan states that "the band of countryside separating the village from Cirencester is very important in helping to maintain Siddington's separate identity". Additionally the study for SHLAA sites by White Consultants, dated August 2015 concluded that the site has high/medium landscape sensitivity. Officers consider the application site to remain very important in providing a landscape buffer between the two settlements, which is confirmed in the current Reg. 19 document (para. 7.1.1.1.4) quoted earlier.

In terms of proposed planting, the submitted Illustrative Landscape Masterplan indicates a large proportion of the site allocated as public open space to the south-west corner. Clearly it is important to provide high quality open space within a residential scheme. However, this should be readily accessible and should be a safe environment for users. Officers would be concerned that the area allocated to the south-west corner would lack surveillance and could promote anti-social behaviour. In addition to this, while the matrix of woodland, orchard and meadow grass will provide a positive bio-diversity enhancement, it is considered that this area is likely to become manicured and would appear inappropriate in a characteristically rural, conspicuous location.

Consequently, officers feel that the proposals fail to accord with the environmental sustainability objectives of the NPPF and Local Plan policies 42 and 45.

(d) Impact upon Heritage Assets

There are nearby listed buildings including the Old Rectory, School House and Barton Farmhouse, along with its associated curtilage listed historic agricultural buildings. The Local Planning Authority is statutorily required to have special regard to the desirability of preserving their setting, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Section 12 of the National Planning Policy Framework requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Para. 132 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within the setting. Para. 133 states that:- "Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - the harm or loss is outweighed by the benefit of bringing the site back into use."
- Para. 134 goes on to state 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."

Section 7 of the NPPF requires good design. Paragraph 58 states that decisions should ensure that developments function well in the long term and add to the overall quality of an area; establish a strong sense of place, creating attractive and comfortable places; and respond to local character and history. Paragraph 60 states that local distinctiveness should be promoted or reinforced, and Paragraph 61 that development should address connections between people and places, with the integration of new development into the built and historic environment.

Within the Core Planning Principles of the NPPF, at Paragraph 17, it is stated that planning should take account of the different roles and character of different areas, promoting the viability of our main urban areas, protecting the Green Belts around them, and recognising the intrinsic character and beauty of the countryside. There is no Green Belt designation around Cirencester, but the principles of taking account of the character of built areas and the surrounding landscape apply here.

Policy 19 states that outside development boundaries proposals should not cause significant harm to existing patterns of development, including the key characteristics of open spaces in a settlement. This policy is, however, considered to be out-of-date having regard to the housing policies of the NPPF and should therefore be afforded little weight.

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

The proposed development includes a solar array to the far north of the site, adjacent to existing commercial units at Love Lane, and separated from views from the south by existing woodland. There are no objections to this element in respect of its impact upon local heritage assets.

In terms of the impact of the proposed dwellings, officers agree that the Old Rectory to the east of the proposed new housing has (and was probably always intended to have) a relatively secluded setting, especially in this direction. Its garden front opens on views to the east. But to the west trees enclose its entrance and it does not have a very direct relationship to the school or the site beyond.

The setting of the school itself would be affected, but this C19 building is a non-designated heritage asset, the significant elements of which would not be physically affected by the proposals. Its setting has already been altered by more modern structures and there are not concerns over the new housing in this respect. The potential siting of the new school hall would not be of concern to officers.

School House on the corner to the south, adjacent to Barton Farm, would to some extent be affected by the proposed development. Part of its setting and significance derives from its village edge location and rural surroundings.

The greater impact would be on Barton Farm itself. As described above, this complex consists of farmhouse and historic agricultural buildings (curtilage listed), as well as some more modern farm structures. The setting of historic farms is very important to their significance. Much of that significance derives from the agricultural surroundings and rural backdrop, as there is such a strong visual and functional relationship between buildings and land. It is typical that farms fall on the edge of settlements, and here Barton Farm is one of the outlying buildings of Siddington village. The approach to the farm along Park Way, views from the lanes in the vicinity, and views

from within the complex and the surrounding land all contribute to the setting in which the listed buildings are experienced.

The new housing to the north-west would be perceived in relation to Barton Farm. The masterplan is slightly misleading in showing the 'existing structural' tree belt as fairly mature. This is recently planted. The houses would initially, and for some time, be perceived in views. So instead of open rural views a town edge would be seen, altering the character of Barton Farm's wider setting.

For the above reasons, officers consider the proposed development would be harmful. In terms of heritage impacts, the housing and access would detract from the setting of Barton Farm, and would therefore diminish its significance as a designated heritage asset. There would be harm. This would not be substantial, but has to be weighed against the public benefits in this case.

(e) Highways Impact

The issue of the accessibility of the site has been discussed under section (b) of this report, including the Highways Officer's assessment of it. This section will therefore deal with the highway safety impacts of the development proposals.

Section 4 of the NPPF deals with promoting sustainable transport. In relation to proposed developments that generate significant amounts of traffic movements, para. 32 requires that decisions should take account of opportunities for sustainable transport modes, safe and suitable access for all people and improvements to limit the impact of developments. It states, however, that "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

Para. 34 requires that "Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas." Para. 35, inter alia, states that developments should be designed to give priority to pedestrian and cycle movements and to "create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones."

Local Plan policies 38 and 39 are consistent with the highway provisions of the NPPF in seeking sustainable, safe and suitable accessibility to and within developments and the provision of appropriate levels and forms of on-site parking.

The application site is located to the South west of Cirencester and to the west of the village of Siddington. The site is bordered by class 3 Park Way to the south, Spratsgate to the west and the class 4 Coach Road to the east. Coach Road provides the current vehicular and pedestrian access to Siddington Primary School and a small amount of dwellings to the north. The lane is single working with some provision for passing and traffic calming measures. The highway has no pedestrian facilities or street lighting. The northernmost end continues into a private lane with a public right of way (PROW) access to the Love Lane Industrial Estate. The character of Park Way is a single lane two-way class 3 highway. There are two priority junctions at each end of Park Way with a small section of footway present towards the east connecting Siddington with Coach Road. Park Way has a 30mph zone up until a point 160m west of Coach Road whereby the speed limits changes to the national speed limit of 60mph. The western end of Park Way is typically rural in appearance with verges, hedgerows and no pedestrian facilities.

Spratsgate Lane is a single carriageway, two-way class 3 highway subject to a 60mph speed limit, which has no pedestrian facilities or street lighting and is rural in nature. The highway is regarded as a part of national cycle route 45 and provides access to Cirencester. The Ashton Road/Siddington Road (the village road) is located to the east of the development site and is accessed via a priority junction from Park Way. The highway is subject to a 30mph speed limit and features street lighting and pedestrian provisions.

The applicant has submitted a full Transport Assessment as part of the supporting information and has provided additional information in response to queries raised by the Highways Officer, including accident records. A copy of the Highways Officer's two letters (dated 02.02.16 and 01.06.16) providing his detailed response are attached to this report and explains his conclusion that the development overall would not have a significant impact upon the local highway network and that, therefore, its residual cumulative impact would not be severe, having regard to para. 32 of the NPPF. His conclusion includes his assessment that "The lane [Park Way] is perceived to be narrow, which in itself acts as a means of slowing vehicles down. Widening of Park Way, other than the small section required for the access may result in increased vehicle speeds. Furthermore, the proposed re-profiling of the hedgerow to improve forward visibility around the bend south west of the access may encourage greater speed as drivers can see further ahead. It is therefore agreed to keep the hedgerow in its current location. MfS [Manual for Streets] states that reducing forward visibility is a means of reducing speed. Furthermore, the improvements would not be required in order to make the development acceptable and would not pass the tests of planning conditions; moreover there have been no recorded personal injury collisions along Park Way and in particularly the bend south west of the access. This suggests, although narrow and perceivably not ideal, that there are no inherent safety issues with the [Park Way] highway layout which would require improvements to be undertaken or mitigated for by the development."

On this advice, officers raise no objection to the proposals in terms of highway safety.

(f) Community Benefits

At the heart of the NPPF is the presumption in favour of sustainable development that, when it can be demonstrated as being sustainable, should be permitted without delay. This is a 'golden thread' that runs through the document and is relevant to the requirement for local planning authorities to boost significantly the supply of housing. As has been explained in section (a) of this report, the fact that the Council can demonstrate a 5 year housing land supply for the emerging Local Plan period should not be considered a barrier to approving other sites as they come forward where it can be demonstrated that they also sustainable. In this context, the opportunity afforded by the current application to add to a continual supply of housing is important and should clearly be considered a planning benefit, particularly in respect of the delivery of Affordable Housing.

The applicant also proposes other benefits over and above policy requirements to be assessed in the balance of the determination of the application. Officers' response to each of the benefits is undertaken as follows.

Affordable Housing

In providing a continuous housing supply, the NPPF requires the delivery of a wide choice of homes (para. 50) to create sustainable, inclusive and mixed communities. This should be achieved by

- planning for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identifying the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, setting policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

The current Local Plan Policy 21 requires the provision of up to 50% Affordable Housing where a need can be demonstrated. Policy H2 (Affordable Housing in Principal Settlements) of the Reg. 19 Submission Draft document for the emerging Local Plan proposes up to 40% on non-'brownfield' sites. The latter percentage is that sought in respect of the draft strategic site policy (Policy S2). Policy 21 of the current Local Plan is the development plan policy for determining applications at present due to the status of the emerging Local Plan.

The applicant has confirmed preparedness to comply with the policy requirement, but is currently dissatisfied with the 50% provision being requested and asks the Council to refer to the work undertaken for the purposes of providing the evidence base for the emerging Local Plan and, on this basis, suggests that the affordable housing requirement is only 34%. Due to the fact that the Reg. 19 policies, and the evidence supporting them, have yet to be tested, officers are nevertheless applying the requirements of Policy 21 in assessing current applications.

Notwithstanding the applicant's position, in accordance with the Local Plan policy, the Council would therefore expect 50% provision of affordable housing in this instance based on need and subject to viability. If it is being proposed that less than 50% of the homes will be affordable on this development, the applicant should provide a full viability assessment demonstrating why this is not feasible. No such viability assessment has been provided to date. As such, the Housing Enabling Officer's comments are as follows:-

"We consider different sources of information when assessing need. A recent search of Gloucestershire HomeSeeker, the housing register, has shown that 285 households with a connection to Cotswold district are registered for rented affordable housing in Siddington. At least 38 of these households also have an identified relevant local connection with the parish of Siddington. However, it is important to remember that the Housing Register provides a snapshot view of the current need for rented accommodation only. These figures will slightly underestimate the number of people with connections because some households will have family and work connections which will not have been identified by this search.

The district wide Housing Needs Assessment (HNA November 2009) found an annual requirement for 535 additional affordable housing units in Cotswold District however the updated Strategic Housing Market Assessment (March 2014) states the annual requirement has now risen to 574 additional affordable housing units. The parish of Siddington is in the South Cerney sub-area of the HNA and was assessed as having a gross annual need for 84 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 88 units:

Rent:

12 x 1 bed 2 person house/flat
10 x 2 bed 4 person houses
4 x 3 bed 6 person houses
2 x 4 bed 7 person houses (let at social rent level)
1 x 5 bed 9 person house (let at social rent level)
Shared ownership:
10 x 2 bed 4 person houses
5 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 SDP would apply. The affordable homes should also comply with the appropriate current construction standards.

It has not been possible to identify the proposed location of the affordable homes using the submitted Location Plans and additional submitted drawings. However we would make an additional comment that any proposed affordable homes should have individual access directly off the adoptable road including on plot parking, not private access roads and parking courts etc. as the latter increases management and maintenance costs (for what are intended to be affordable homes). Any alternative proposal other than individual access would not promote a tenure blind development as the affordable homes would be easily identifiable from their shared parking arrangements."

Due to the fact that no final percentage of provision has yet been agreed and that there is therefore no mechanism in place for delivery, officers recommend that the application should be refused to ensure that this issue is addressed as part of the forthcoming appeal. In the event that the matter can be resolved prior to the Committee Meeting, Members will be updated.

Relief Sewer

The applicant offers to provide an over provision of the sewerage infrastructure by increasing the size of the pipework that would be necessary to serve the proposed development in itself to connect to the Shorncote Sewage Works to a size that would also accommodate the existing Chesterton estate to which it could be connected to improve the sewerage system to that part of the town. Thames Water are positive about this proposal.

Education Contributions & School Hall

Following consultation, the Glos County Council (GCC) Economic Development & Strategic Planning Officer has made the following comments:-

"The requirement here is for a primary contribution of to cover the shortfall of eleven places arising from the impact of this development - in 2019/20 there is forecast to be 11 surplus places with a yield of 22. Across the secondary sector there is some variation but overall there is a significant shortage within the catchment for which a contribution covering the full amount is required.

The Primary contribution is: 11 x £12359 (Siddington School);

The secondary contribution will be: 13.2 x £18848 to Kingshill School (or Deer Park);

A library contribution is also required (88 x £196 = £17248)."

The applicant is, however, providing the opportunity for the construction of a new school hall to serve Siddington Primary School, as indicated on the masterplan. The applicant contends that this would allow the existing sub-standard school hall to be converted into classrooms which would increase the capacity of the school to 110 pupils. Consequently, the applicant suggests that GCC accept the school hall in lieu of the primary contribution, and reduce the secondary education contribution to reflect the difference between the cost of the school hall and the primary education contribution.

For example, if the school hall would cost the developer £250k to build, the primary education contribution would not be paid and would only pay £113,094 towards secondary education (based on the figures suggested by the County). In the event that GCC are not agreeable to this suggestion, then the applicant would be prepared to pay the requested contributions.

GCC are not currently convinced that the payment towards the new hall would accord with the requirements of the CIL Regulations and therefore maintain the requirement for the contributions as currently set out.

Due to the fact that no final agreement has yet been and that there is therefore no mechanism in place to provide delivery of the contributions, officers recommend that the application should be refused to ensure that this issue is addressed as part of the forthcoming appeal. In the event that the matter can be resolved prior to the Committee Meeting, Members will be updated.

Solar Array

The proposals include an area of approx. 0.4 ha of the application site given over to the provision of solar panels. Positioned beneath the existing overhead power lines at the northern tip of the application site, the panels would be connected to the national grid and would therefore assist in providing a source of renewable energy to the wider community. Such development accords with section 10 of the NPPF, which states that the delivery of energy infrastructure is central to economic, social and environmental dimensions of sustainable development (para. 93). Policy 2 of the Local Plan accords with the NPPF's positive approach to such development.

Officers' assessment of the application proposals, as stated earlier in this report, confirms that no landscape or other objections are raised in relation to this element of the proposals.

(g) Other Matters

Following consideration of the supporting information, no objections are raised by officers in respect of the potential impacts upon the trees the subject of existing Tree Preservation Orders, subject to the assessment of the detailed layout under future Reserved Matters. Officers are content that the proposals indicated can, in principle, be sited to ensure that no material harm would be caused to the trees, having regard to Local Plan Policy 10.

Similarly, officers have had full regard to the ecological survey and proposed mitigation for biodiversity in accordance with section 11 of the NPPF and Policy 9 of the Local Plan. The Extended Phase One Habitat Survey & Assessment and the Great Crested newts, Bat, reptile and Dormouse Surveys identified the application site's habitats as being arable, species rich hedgerows, mature trees, pond, ditches and broadleaved woodland and broadleaved plantation woodland. Within these habitats a low population of common lizards and a breeding population of great crested newts and a low foraging use by bats were identified.

As such a mitigation strategy for the great crested newts would be required and the Great Crested Newt Ecological Mitigation Strategy has been submitted, which provides the detail of the mitigation necessary which refers to the need for habitat corridors & connectivity, the retention of existing habitats suitable for newts and the need for a construction environmental management plan.

The submitted illustrative masterplan drawing shows how the proposed habitats can be retained and other areas enhanced to compensate for the loss of the plantation woodland areas. Whilst better connectivity could have been designed into the scheme along the eastern boundary above the identified GCN pond area, the plan clearly shows how overall mitigation and ecological enhancements could be achieved and the most important mature trees and wildflower areas retained.

Subject to the delivery of the mitigation proposals, the development would not cause harm to GCN or bats or birds and therefore the policy and guidance requirements of Policy 9 of the Cotswold Local Plan, the NPPF (including section 11) and the NPPG are all met.

9. Conclusion:

The proposed impacts of the development proposals, both positive and negative, have been fully assessed by officers and the conclusions of that exercise are finely balanced. Nevertheless, whilst the issues outlined in section (f) are considered to provide community benefits, officers are of the opinion that, in the event that agreement is reached for the mechanism of delivery in respect of Affordable Housing and education contributions, they are considered to be insufficient to outweigh the harm described in terms of the unsympathetic effect upon the existing pattern of development of the area, and landscape and historic heritage impacts. Consequently, officers recommend that the Committee is minded to refuse the application for the reasons given.

10. Refusal Reasons:

The application site is an area of previously undeveloped land adjoining Love Lane Industrial Estate and the edge of Siddington village. The proposed development would result in an isolated and incongruous residential enclave within open countryside, poorly related to existing residential areas of Cirencester and Siddington, that would fail to reflect, and integrate with, the existing pattern of development of the area. Consequently, the proposals fail to accord with the provisions of section 7 of the NPPF.

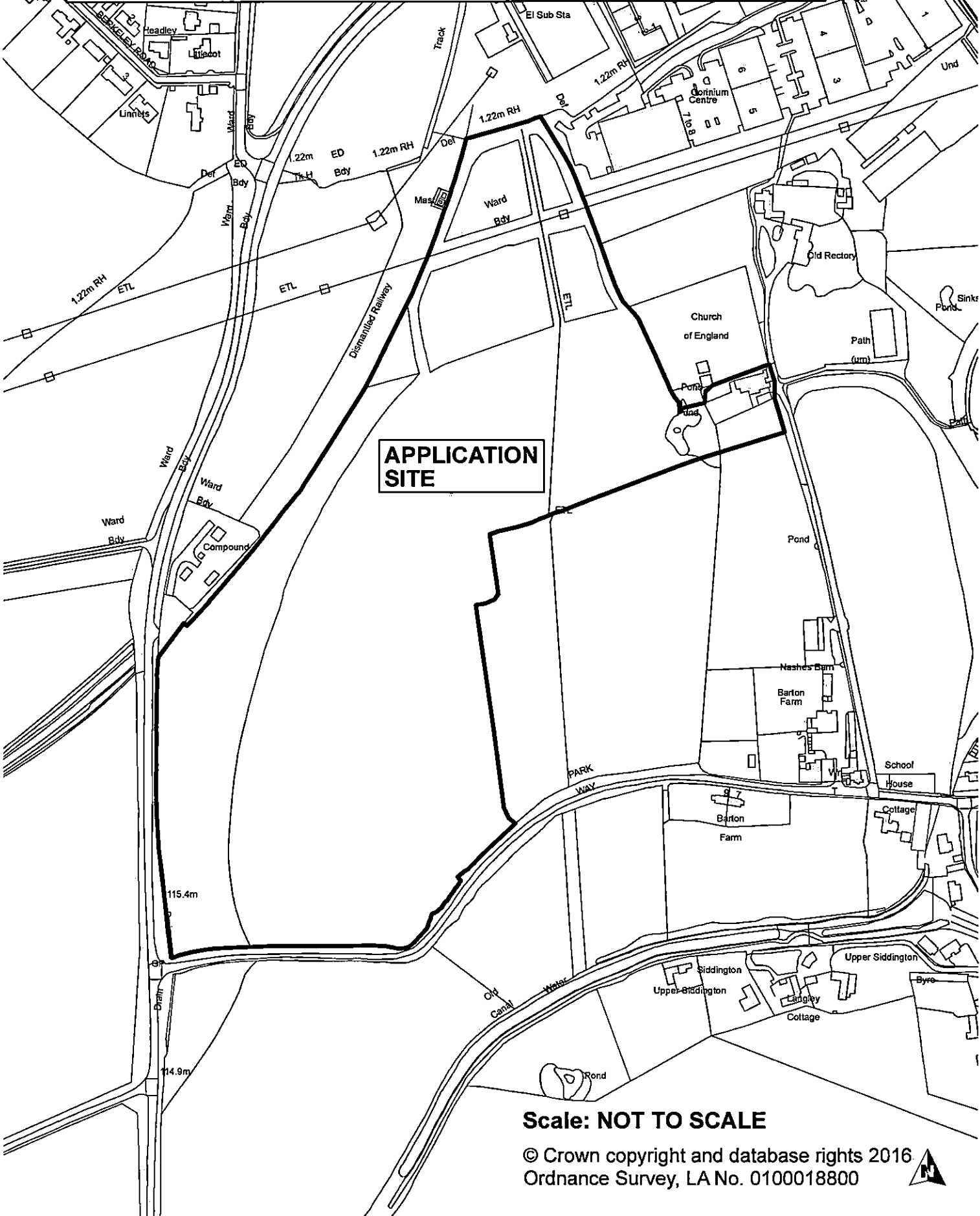
The proposal would represent encroachment of built development into the countryside and is situated within the buffer area between Cirencester and Siddington. The scale and massing of built form, along with the proposed access, would have an urbanising effect and form an isolated, incongruous development in the countryside. The proposed mitigation planting will not overcome the potential harm to the character. The proposal is contrary to NPPF and Cotswold District Local Plan policies 42 and 45.

There are listed buildings close to the application site, specifically the Old Rectory, School House and Barton Farmhouse, along with its associated curtilage listed historic agricultural buildings. The Local Planning Authority is statutorily required to have special regard to the desirability of preserving their setting, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. The proposed development would be harmful due to the fact that the housing and access would detract from the setting of the Grade II listed Barton Farm, and would therefore diminish its significance as a designated heritage asset. In considering the harm to the designated heritage asset, it is considered that there are no public benefits that would outweigh that harm. Consequently, the proposals would fail to accord with the provisions of section 12 of the NPPF.

The proposed development would be subject to the requirement for the provision of Affordable Housing, financial contributions towards education, libraries and the provision of public open space. The absence of a Section 106 Legal Agreement means that there is no mechanism in place to secure these contributions. Without these contributions, the proposals would be unacceptable and would therefore be contrary to policies 21, 34, 43 and 49 of the Cotswold District Local Plan and paragraphs 203, 204 and 206 of the NPPF.

Land To The South Of Love Lane, Cirencester

15/05165/OUT CT.9143



APPLICATION SITE

Scale: NOT TO SCALE

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Ordnance Survey, LA No. 0100018800



Siddington Parish Council

Clerk: Mr Kent Harrison

22, Hanover Court, Watermoor Road, Cirencester, Glös. GL7 1JR

Telepho

Mike Napper DipTP, MRTPI,
Team Leader (Development Management),
Planning Department,
Cotswold District Council,
Trinity Road,
CIRENCESTER.

21 January 2016

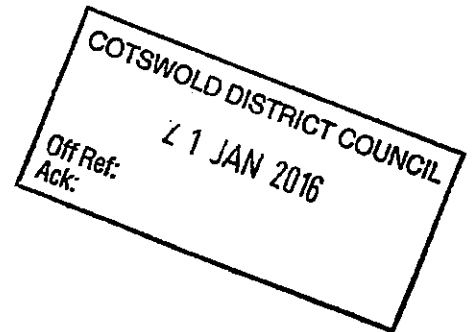
Dear Mike,

Objection to Planning Application 15/05165/OUT
Land to the South of Love Lane, Cirencester (Severalls Field).

I attach my Council's objection to the above planning application.

A copy has also been sent by email.

Yours sincerely,



OBJECTIONS BY SIDDLINGTON PARISH COUNCIL TO PLANNING APPLICATION 15/05165/OUT – LAND TO THE SOUTH OF LOVE LANE, CIRENCESTER (SEVERALLS FIELD).

Outline application for the erection of up to 88 dwellings, to include vehicular access off Park Way; new pedestrian and cycle links to the wider area; improvements to Siddington School, including improved access facilities and the erection of a purpose built school hall; a solar park; ecological enhancements; strategic landscaping and associated infrastructure.

THE OBJECTIONS ARE RECORDED IN TWO SECTIONS – (A) TWO MATTERS OF PRINCIPLE AND (B) FIVE MATTERS IN RELATION TO THIS PARTICULAR APPLICATION.

(A) MATTERS OF PRINCIPLE, i.e. the Council objects to the submission of any planning application for Severalls Field.

(1) LOCAL PLAN -

The Council has already objected to that part of the Local Plan that refers to residential development outside Cirencester (Policy DS2). This was because in the draft local plan deliberations - as a result of representations submitted by the Parish Council - Siddington was not included as a "settlement". The Local Plan now contains new criteria for developments outside Cirencester. Siddington now conveniently meets all five of these but has not been specifically exempted from this Policy.

(2) SHLAA -

The Strategic Housing and Economic Land Availability Assessment (May 2014) Addendum 11 – SHLAA site number SD 9D – states with regard to Severalls Field – page 12 -

" Although in Siddington Parish, the site sits adjacent to Cirencester's development boundary. A mixed use of development has been proposed. However, the Study of Land Surrounding Key Settlements (White Consultants, August 2015) found that the development of this site would have high/medium landscape sensitivity as the site prevents coalescence between Siddington and Cirencester. It also provides the landscape setting for the historic part of Siddington and is the rural setting for several listed buildings. In addition, the northern and western parts of the site are wooded and the trees to the north in particular provide screening for Love Lane Industrial Estate. This woodland, along with six other individual trees within the site, have a Tree Preservation Order. The site also does not directly connect to a road and the proposed access from the south would further compromise the historic setting of Siddington. Furthermore, the development proposal is isolated from other residential areas."

In the same report – page 12 – the "Explanation of Method" states at page 5 –

"Since the publication of the May 2014 SHLAA/SELA, Siddington has been removed from Cotswold District Council Development Strategy as a location that can suitably accommodate new housing or economic development at a strategic scale....."

In 2010, the Conclusion of Site Assessment for SHLAA site R316 (Land adjacent to Siddington Primary School) stated:-

"The site is not considered to be a suitable location for housing now as it does not contribute to the creation of sustainable mixed communities. It is not considered achievable as it is not known when such sustainability issues will be overcome, and this is

unlikely without a change in strategic policy. Therefore the site does not currently have a reasonable prospect of being developed within 15 years."

(B) MATTERS IN RELATION TO THIS PARTICULAR APPLICATION

- (1)** This is not only a departure from the Local Development Plan, but, as far as this particular application is concerned, will represent an out of character, isolated community, with closer links to Cirencester than Siddington. The proposed development will be seen as an extension of Cirencester and the proposed "New Community Development" at Chesterton, further eroding the distinction of Siddington as a separate village.
 - (2)** The proposals for storm water and sewage management systems do not suggest a satisfactory outcome, especially when Thames Water are saying that a massive investment is needed to bring the whole issue of drainage up to date in this area. The authority has carried out some minor work but there is no commitment to anything on a larger scale. Even if the proposals for the sewer systems are accepted, the application states that a new direct line to Shorncliffe Treatment Works is only envisaged when and if the new development at Chesterton goes ahead. Does this mean that Severalls Field depends on Chesterton going ahead or will the developers simply install a pump and push the sewage back into the main sewer system in Wilkinson Road – an option that was put forward in the drainage summary but then discounted.
 - (3)** The entrance to the school will be accessed from Park Way – a blind bend is located within 75 metres. The Upper Siddington section of Park Way that runs to the Somerford Road is basically a narrow country lane. The edges of the road are, once again, breaking away, even with current usage. Damaged road edges become damaged verges and increased traffic into the village centre will exacerbate the already chaotic situation at the Ashton Road junction, what with residents' and shoppers' parked vehicles and bus usage. Given the present financial situation with Gloucestershire Highways, there seems little hope in the foreseeable future that any road widening will be carried out to improve the situation in Upper Siddington.
 - (4)** West of the proposed new access road and before the blind bend is an area which floods badly after heavy rain. This is because both water flow and contour mapping show that this is the point at which water from the north, east and west converge before flowing south to the Cerney Wick brook. There is bound to be an increase in the water flow from the new road system causing even more flooding in this area. As the flood water leaves this area its flow is interrupted by the old Thames and Severn Canal which then channels the excess water down into the village causing flooding at the rear of Bowley Crescent because the pipe which takes the water under the Ashton Road is unable to take any additional flow.
 - (5)** The proposed footpath through the new development to Spratsgate Lane emerges on a bend, giving very poor visibility for crossing the road. Also there is no footpath on either side of the road, heightening the danger of walking in this area.
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