

Item No 03:-

16/03435/FUL (CD.5221/A)

**Blockley Water Works
Bell Bank
Blockley
Gloucestershire**

Item No 03:-

**Construction of a single dwelling and detached garage at Blockley Water Works
Bell Bank Blockley Gloucestershire**

Full Application 16/03435/FUL (CD.5221/A)	
Applicant:	Thames Water Utilities Ltd
Agent:	Savills UK Ltd
Case Officer:	Martin Perks
Ward Member(s):	Councillor Mrs Sue Jepson
Committee Date:	9th November 2016
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Residential Development Outside a Development Boundary
- (b) Sustainability of Location
- (c) Impact on Character and Appearance of Blockley Conservation Area
- (d) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty
- (e) Impact on Trees
- (f) Impact on Protected Species
- (g) Impact on Highway Safety

Reasons for Referral:

This application has been referred to Planning and Licensing Committee by Cllr Jepson due to the potential impact of the development on Blockley Conservation Area, the potential loss of trees and the number of objections received to the application.

1. Site Description:

The application site measures approximately 0.1 hectares in size. It forms part of the Blockley Water Works site which extends to approximately 1 hectare in area. The site occupies the south western corner of the Water Works site. The site area is hard surfaced and was formerly used as a parking/storage area by Thames Water in connection with the management of the Water Works. The site is classed as previously developed (brownfield) land.

The southern western boundary of the site is defined by a drystone wall which measures approximately 2m in height and is currently partly covered with vegetation. The aforementioned boundary faces onto the northern part of a roadside grassed area and a single carriageway lane (Chapel Lane). The southern boundary of the site adjoins the rear garden of a dwelling (Bell Bank). The north eastern and north western boundaries of the site adjoin the existing Water Works site. The Water Works land immediately adjoining the application site is primarily covered by trees and undergrowth.

The application site is located approximately 17m from the rear elevation of the nearest dwelling (Bell Bank) at its closest point.

The application site is relatively flat and lays broadly level with the adjacent grassed area, garden and road. The remainder of the Water Works site drops steeply to the north east of the application site. A steep grassed bank drops down to a reservoir and former mill building. Trees and vegetation also lie between the application site and the existing mill building which is located approximately 50m to the north east of the application site.

The area to the south/south west of the application site comprises a grassed area measuring approximately 600 sq. metres in size. The grassed area is public open space and lies alongside Chapel Lane to its west and a lane called Bell Bank to its south. The junction of Chapel Lane and Bell Bank lies approximately 25m to the south of the application site.

The site is located within Blockley Conservation Area (CA) and the Cotswolds Area of Outstanding Natural Beauty (AONB).

The site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011.

A Public Right of Way (HBY59) extends in an east west direction across the field to the west of the application site. The present route of the Right of Way extends alongside the northern and western boundaries of Elm Barns which is located to the south west of the application site.

2. Relevant Planning History:

CD.5221 Use of waste land as water works store. Vehicular access Granted 1972

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR05 Pollution and Safety
 LPR10 Trees, Woodlands and Hedgerows
 LPR15 Conservation Areas
 LPR19 Develop outside Development Boundaries
 LPR38 Accessibility to & within New Develop
 LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR46 Privacy & Gardens in Residential Deve

4. Observations of Consultees:

Gloucestershire County Council Archaeology: No objection subject to condition

Environmental Health – Contamination: No objection subject to condition

Drainage Engineer: No objection subject to condition

5. View of Town/Parish Council:

General comments;

'Immediately adjacent to the proposed site are a number of significant mature trees. These are, currently, in the same land ownership. Consideration should be given to placing TPO's on these trees to ensure that, if development is permitted, adequate screening of the site is maintained. The root systems of a number of these 'off site' trees will impinge onto the proposed development site. Any permission should ensure the root protection areas are carefully observed.

Consideration should also be given to the impact on the wildlife on this site and any issues of pollution dealt with professionally.'

6. Other Representations:

42 Letters of objection and 1 General Comment received.

Main grounds of objection are;

i) I fail to see how the erection of a six-bedroom house alongside a conversation area will meet any housing need in Blockley other than those of the folk who can already afford to buy large houses in the village.

I'm also not sure how a six bedroom dwelling will enhance the character of this beautiful little backwater in the village. Additionally, I am concerned about the borehole and it's contamination by the building works.

ii) This area should be preserved for water purification reasons and for natural history too, as an important wild life sanctuary. A house of this size is clearly not going to solve our shortage of affordable housing, but is clearly merely yet another investment opportunity

iii) Thames Water took over the Mill and installed large water tanks into which the lake and the spring filters to this day., In the event that, in future, the tanks rot or break any building below it, as the Mill is, will be flooded. There is a vast amount of natural spring water in that area. Any attempt to construct a property upon that area would indeed be stupid. There is the constant sound of running water and the area is very wet.

iv) This sets a dangerous precedent for "one-off" considerations for building outside development boundaries in an area where it is explicitly and repeatedly mentioned in the Blockley Plan that such developments are not welcome. In particular, the property would be visibly and obtrusively positioned in front of a 150m long unbroken line of attractive, tall trees, seriously degrading the western boundary of the Conservation Area along Back Ends, a popular village walking route as well as being on both the Diamond and Heart of England Ways.

v) A full environmental impact of the site and its relationship with the surrounding area should have been undertaken. This is an Area of Outstanding Natural Beauty and allowing one such blatant variation creates a template for further variations. Is this what the council wants? It is certainly not what the residents want. The broader impact on the tranquillity and beauty of a significant portion of the village, as well as community spaces is unacceptable. If this is passed, then the council will be dealing with a plethora of similar variation demands and will have failed in their duty.

vi) The application is an absolute departure from the Development Plan for the village, being outside the village Development Boundary. The proposed development has nothing to do with the village's housing needs (where is the evidence that a 6-bedroom house is "needed"?). It would set a damaging precedent for other such developments outside the Development Boundary. Indeed, it could be used as a lever to apply for future planning permission on both sides of Backends, completely ruining the charming and idiosyncratic approach to the little top green and Bell Bank. The lane is narrow single-track, presenting problems for traffic as it is.

vii) The building proposed, on this high site, would itself impact adversely on the approach to the village from the footpath, which is one of the three named long-distance paths which meet transiently in Blockley, and which are widely used by walkers visiting the Cotswolds for their beauty. The idiosyncratic outline of the Development Boundary reflects the de facto nature reserve (now a designated Green Space) lying outside the village limits. It is not an opportunity/invitation for in-filling. This site should be preserved for water purification, natural history and as a local green space. Blockley does not need another large and expensive house, especially right in the middle of the village.

viii) Concerned by the possibility of groundwater contamination, since I am aware of a previous incident from a property in the village considerably lower down the same slope.

ix) It is a wonderful, quiet and unspoilt site with many birds and animals visiting it.

x) The design is an oversized urban 'spec developer' house with badly thought out proportions that pay only lip service to the local vernacular.

xi) No consideration has been given to the slope of the site and the larger section shows this as flat with presumably a large amount of cut and fill. The fall in level across the house is at least 1m and this is a wasted opportunity as the change of level should have been incorporated making a more interesting and sustainably built house.

xii) Allowing one 'executive house' would be at the expense of losing or at best compromising natural amenity and the loss of local green space within the village.

- xiii) The area's tranquillity is a rapidly disappearing characteristic of quintessentially rural England and is part of what makes Blockley such an attractive and unique village. It must be preserved for present and future generations.
- xiv) Back Ends is a narrow and twisty lane. Any further traffic in this special area will create a safety hazard.
- xv) Adverse ecological impact. Site was active for storing materials until around 2003. The amount of recolonization in the intervening 13 years is evidence for the species rich surroundings of the site which must be protected.
- xvi) The trees on the site are protected by virtue of being located within Blockley Conservation Area. Many of the well-established and prominent trees within and adjacent to the site will come under threat of damage and removal. Loss of trees will impact the environmental value of the site.
- xvii) The recently adopted Blockley Development Boundary excludes not only the land at Coneygree Mill which is designated as a Green Space but also the proposed development site. This strongly implies CDC considered that the whole of this particular area should be protected from development in its entirety, not just the Green Space area.
- xviii) Development on the site cannot be classified as infill as it would stand alone and will stand out severely damaging the visual appeal of this area of Blockley.
- xix) Once again our delightful unique village is under threat from an inappropriate and speculative planning application.
- xx) Significant risk of groundwater pollution.
- xxi) Executive homes are not required in this district, especially Blockley where there is an excess of executive homes on the market and used purely for holiday rental. The village has had an influx of second home owners who rent their property out at weekends. This has led to the death of village shops.
- xxii) The site is a key natural site within the village conservation area adjoining one of Blockley's historic mills seriously in need of preservation.
- xxiii) The site is a green space at the centre of the village and a habitat for a variety of wildlife.
- xxiv) This is a tranquil area of the village with nature at its best.
- xxv) The blind bend at this location is already dangerous for those walking the highway as well as cars. To add another entrance for an additional property would add to this problem.
- xxvi) The proposed site of the property is on an upper, relatively flat western section of the woodland valley that constitutes the one hectare Coneygree Mill site. This upper area is integral to the whole site and it is this complete, whole site that should be examined, considered and valued as one.
- xxvii) This is the quiet heart of the village where nature rules. There are no buildings to the west of the site and the countryside is able to flow in from the farmed hillside.
- xxviii) The large trees on the upper site slopes are visible from the village centre, the green, across from the open hillsides that surround Blockley and from further down the valley towards Warwickshire. The development would cause visual changes and interruption for many, particularly when viewed from the west and from the green next to the site.
- xxix) Adverse impact on tourism.
- xxx) Woods and hedges would have to be thinned, if not removed, to provide access and natural light. Artificial light would interfere with the nocturnal habitat and the water quality could not be relied on.
- xxxi) The new property will be a blot on the landscape, in particular from the pathway from the opposite side of the route as it leads down from the rolling hills.
- xxxii) The building's design is far too pedestrian, could say suburban issue, for the location within a historic village. If a new house is to be built either go completely architecturally modern or make it of more general architectural interest.

General Comments are:

- i) The Planning Statement gives the impression that this is a brownfield industrial site on the boundary of Blockley. This is misleading given the elongated narrow shape of the village and its conservation area. The site is actually at the heart of the village just a couple of minutes' walk down Bell Bank to the shop or the church. Although the site may technically be previously developed land in reality it is part of a woodland wildlife haven which is rare and precious so close to the village centre. It would be a great shame to lose this.

Cotswolds Conservation Board:

'The Cotswolds Conservation Board have objected in the past to the "major" greenfield housing sites outside the settlement boundary of Blockley due to the impact of these developments on the character and special qualities of the AONB. This has included the recent application at Land off Park Road, Blockley (38 dwellings) which was indeed refused planning permission by the Council and which included a reason for refusal making reference to the impact on the Cotswolds AONB.

This site, although only for a single dwelling, is still outside the settlement boundary. It does appear in the past that the settlement boundary was drawn in such a way to specifically exclude this area of land from development, whilst also provide an additional level of protection through the Conservation Area designation. The emerging Local Plan policy is still subject to the Hearings process and the eventual publication of an Inspectors Report before Adoption. However, it still excludes this site from the settlement boundary and also excludes development of this form where it would harm open spaces or gaps that make a positive contribution to the character of the village, including views and vistas. The applicant has quoted Paragraph 14 of the NPPF whilst not making reference to the related Footnote.9. that confirms that the presumption in favour of sustainable development does not automatically apply due to the AONB and Conservation Area designations and that there are specific policies in the NPPF that "indicate development should be restricted."

The exclusion of this site from the settlement boundary therefore remains relevant. There is a large gap along this section of Chapel Lane where there are no dwellings. This area of land is where the countryside comes into the village and this has been recognised in the location of the settlement boundary. Development on this site would harm the character of this immediate part of the village as visible both from Chapel Lane and from the public footpath to the west by introducing new development into a gap where no development exists. The proposed development of this site would result in a negative impact on the character and special qualities of an area of land that currently positively contributes to the AONB and Conservation Area. The Board therefore wishes to raise an objection and notes Paragraph 115 of the NPPF that states "great weight should be given to conserving landscape and scenic beauty" in AONBs. '

Campaign to Protect Rural England:

The Site and its Surroundings

Representatives of CPRE visited the site on 14 October 2016 walking around this large enclosed woodland wildlife sanctuary, containing a covered reservoir and pumping station, possibly unique to the centre of any village settlement. It was viewed over surrounding dry stone walls and through dense shrubbery, brambles and tree belts. The site for this substantial six bedroom house and outbuilding occupies the small flat area that sits above a deep narrow cleft sloping downhill into the village. The whole woodland area including the site is, de facto, a nature reserve within the Blockley Conservation Area and the A.O.N.B. Under the Local Plan, lying as it does outside the development area, any such development would not be permitted. In addition we understand that some 90% of the woodland and scrub areas but excluding the upper platform of the proposed building site has been afforded a Green Space designation by CDC.

Landscape and Visual Impact

We support the evidence given by The Cotswold Conservation Board in their objection, and state that this evidence negates the lengthy views presented in the proposer's Landscape and Visual Impact Assessment which are not relevant in this case and which are outweighed by Paragraph 115 in NPPF: that "great weight should be given to conserving landscape and scenic beauty...in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty".

We also support the views of the those older local residents who describe this site in terms of a 'heritage asset' open to a long-time and growing wildlife occupation, and this is stated in the

reports submitted by both the Council's Biodiversity and Landscape Officers, whose Conditions, if this damaging development be allowed, would be difficult to enforce in the future.

This proposed large house and outbuilding, at the top end of this area, would have a serious adverse effect on the environment - this 'nature reserve' would be downgraded with loss of wildlife, trees and section(s) of drystone walling. As CPRE stated in our objection to application 16/01925/OUT land at Park Road Blockley: '... it is especially important to distinguish between landscape impacts on the one hand and visual impacts on the other. The absence of visual impacts does not mean that there are no landscape impacts'. In fact the building and its entrance would have one major visual impact when approaching the village from the west on the Diamond Way footpath, and along Chapel Lane. For these reasons we earnestly request that this damaging application be refused.'

7. Applicant's Supporting Information:

Planning Statement

Design and Access Statement

Tree Survey incorporating Arboricultural Impact Assessment

Tree Constraints Plan

Archaeology Desk Based Assessment

Ecological Appraisal

Landscape and Visual Assessment

Phase 1 Ground Condition Assessment

8. Officer's Assessment:

Proposed Development

This application is seeking Full planning permission for the erection of a single dwelling and a detached garage building. The proposed dwelling will be orientated in a roughly south east to north west direction and will be set back approximately 7m from the existing front (south western) boundary wall. It will have a linear form and will comprise a principal two storey element and a subsidiary 1.5 storey range to its side (south east). Two storey gables will extend to the front and rear of the proposed development. The proposed dwelling will measure approximately 16.5m wide by 8.5m high. The gable width of the principal two storey element will be 6.5m. The external walls of the proposed dwelling will be constructed in natural stone and the main roof will be tiled in artificial stone slate. A lean to rear extension will be tiled in natural blue slate.

In addition to the proposed dwelling the applicant is also seeking permission to erect a detached garage building. The proposed building will be located approximately 1.5m to the North West of the proposed dwelling. It will measure approximately 6.3m wide by 6m deep by 4.7m high. The external walls of the garage will be timber. The roof will be tiled in natural blue slate.

Vehicular access to the site will be via a re-opened access onto Chapel Lane. The access formerly served a parking area on the application site. A stone wall was erected across the entrance a few years ago by the landowner for security reasons. The proposal will re-instate a vehicular access that has historically been used in connection with the wider Water Works site.

(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 dwelling proposed in this instance would therefore typically contravene the guidelines set out in Policy 19. Notwithstanding this, the Council must also have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to guidance and policies in the National Planning Policy Framework (NPPF). Paragraph 2 of the NPPF states that the Framework 'is a material consideration in planning decisions.'

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

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

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

In instances where the development plan is absent, silent or relevant policies are out-of-date the Council has to have regard to Paragraph 14 of the NPPF which states that planning permission should be granted unless;

- ' - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.'

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

The land supply position has recently been considered at two Public Inquiries. The Inquiries in question relate to proposals to erect up to 90 dwellings on Land to the east of Broad Marston Road, Mickleton (APP/F1610/A/14/2228762, CDC Ref 14/02365/OUT) and up to 71 dwellings on land to the south of Collin Lane, Willersey (APP/F1610/W/15/3121622, CDC Ref 14/04854/OUT).

In relation to the Mickleton decision the Planning Inspector stated 'I consider that a 5-year supply of deliverable housing land is demonstrated.' He stated 'the agreed supply of housing would be sufficient to satisfy the 'objectively assessed housing need' of 380dpa over almost the next 9 years'. The Inspector also stated that he considered that the Council was no longer a persistent under deliverer of housing and that 'it is thus inappropriate to apply the 20% buffer now.' In the case of the Willersey application the Inspector agreed that a 5% buffer was appropriate and that the 'LPA can reasonably show a 7.63 year supply of deliverable housing land.'

Since the issuing of the above appeal decisions the Council has also reviewed the Objectively Assessed Need (OAN) for housing in Cotswold District. The review indicates an increase in the housing requirement for the District from 7,600 to 8,400 dwellings over the period of the emerging Local Plan (2011-2031). In order to meet this additional requirement the Council will need to

increase supply from 380 to 420 dwellings per annum. Whilst this increase has an impact on the Council's 5 year supply recent completion rates have been in excess of the 420dpa figure meaning that the Council can still demonstrate a supply of 7.54 years (May 2016). 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. It is considered that the need to release such sites represents a material consideration that must be taken into fully into account during the decision making process.

Notwithstanding the current land supply figures it is necessary to have full regard to the economic, social and environmental roles set out in the NPPF when assessing this application. These issues will be looked at in more detail in the following sections.

(b) Sustainability of Location

Blockley is not designated as a Principal Settlement in the current Local Plan. However, it has been identified as such in the latest emerging Local Plan consultation paper (Cotswold District Local Plan 2011-2031: Submission Draft Reg.19 June 2016). It has been identified as one of 17 settlements that has sufficient facilities and services to accommodate new residential development in the period up until 2031.

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

Emerging Local Plan documents state that Blockley along with Willersey, Mickleton and Chipping Campden form part of a cluster of settlements that serve the northernmost part of the District. Collectively the aforementioned settlements are considered to have the necessary services, facilities and employment opportunities to provide for the local population. Taken together the

settlements are also considered to be able to accommodate sufficient housing to make a reasonable contribution to the overall District requirement of 8400 dwellings without compromising the strong environmental constraints present in the area.

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

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

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

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

Emerging Local Plan documents have put forward a figure of 59 dwellings to be delivered in the settlement in the period between April 2011 and April 2031. At the time of writing this report approximately 30 dwellings had been delivered or approved in the village since April 2011 leaving a figure of 29 dwellings still to be provided. The 59 dwelling total represents an 8% increase in the village's existing housing stock which currently stands at 739 dwellings (source: Local Plan Consultation Paper). The 29 dwellings in the Reg 19 paper are allocated to site BK_8 Land at Sheafhouse Lane (13 dwellings) and site BK_14A The Limes, Station Road (16 dwellings). However, it is of note that a single dwelling has recently been granted permission on part of the BK_14A site which means that the aforementioned site is unlikely to accommodate the level of development set out in the emerging Local Plan. There will therefore be a need to consider alternative sites within the village in order to meet the figures set out in the Reg 19 paper.

The application site falls just outside the proposed Development Boundary for the village set out in the Reg 19 consultation paper. The southern boundary of the application site abuts the proposed Development Boundary which extends around the edge of the Blockley Water Works site. The majority of the Water Works site has been put forward as a Local Green Space in the emerging Local Plan thereby affording it some protection from development. However, the application site falls within the south west part of the Water Works site that is not included within the Local Green Space designation.

The final emerging Local Plan consultation paper (Cotswold District Local Plan 2011-2031: Submission Draft Reg 19 June 2016) includes the following draft policy. The policy provides an indication of the new Local Plan's approach to new residential development outside the 17 proposed Principal Settlements.

Policy DS3 RESIDENTIAL DEVELOPMENT OUTSIDE THE PRINCIPAL SETTLEMENTS

1. Outside the Development Boundaries of Principal Settlements, small-scale residential development will be permitted provided it:

- (a) is within or adjacent to a rural settlement;
- (b) is of a proportionate scale and maintains and enhances sustainable patterns of development;
- (c) complements the form and character of the settlement;
- (d) does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period; and

(e) demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally.

2. Applicants proposing two or more residential units on sites outside Development Boundaries should complete a rural housing pro-forma and submit this with the planning application.

The above draft policy may be subject to change as a result of the recent consultation process and consequently carries minimal weight at the present time.

With regard to the site itself its main entrance is located approximately 430m from the entrance to the primary school and 270m from the village shop. Bus stops are located in the village centre. It is considered that there is a reasonably good degree of pedestrian connectivity between the site and a number of day to day facilities and services. Guidance in Manual for Streets (Para 4.4.1) states that 'walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes (up to about 800m) walking distance of residential areas which residents may access comfortably on foot.' It is considered that future residents will not be totally dependent on the use of the private motor car to undertake a range of day to day activities. In light of the proposed designation of Blockley as a Principal Settlement in the emerging Local Plan and the availability of a range of services within reasonable walking and cycling distance it is considered that the site does represent a sustainable location in terms of its accessibility to services and facilities.

(c) Impact on Character and Appearance of Blockley Conservation Area

With respect to any buildings or other land in a conservation area Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Considerable weight and importance must be given to the aforementioned legislation.

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

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

Paragraph 135 states that 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

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

Paragraph 013 of the PPG states 'Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.'

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

Paragraph 2 of Policy 15 states that development will be permitted unless;

- (a) They result in the demolition or partial demolition of a wall, structure or building, or the replacement of doors, windows or roofing materials, which make a positive contribution to the character or appearance of the Area;
- (b) the siting, scale, form, proportions, design, colour and materials of any new or altered buildings, are out of keeping with the special character or appearance of the Conservation Area in general, or the particular location; or
- (c) they would result in the loss of open spaces, including garden areas and village greens, which by their openness make a valuable contribution to the character or appearance, or allow important views into or out of the Conservation Area.

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

Blockley Conservation Area Statement (Adopted April 1998) does not attribute any particularly important characteristics to the site other than groups of important trees to the North West and north east of the application site. The roadside grassed area lying between the south west boundary of the application site and the road is identified as falling within the 'area of landscape value, important green open space and significant verges' category. The front stone boundary wall is identified as an important wall in the statement. An 'important view' is also identified looking across the green area to the fields to the west (away from the application site).

The site is located approximately 50m to the south west of a former mill building known as Coneygree Mill. Historical records indicate the presence of a mill building on the site in the 17th century. The mill became a collar and shirt factory in 1885 before being taken over by Cotswold Water Board. Blockley Heritage Society state that 'by 1988, the site had contracted to an uninhabited pumping station. Today it is in the ownership of Thames Water and simply feeds spring water to a nitrate extraction plant elsewhere in the village.' The existing building is identified in the Blockley Conservation Area Statement as a 'building of special character'. In light of its history the part of the Blockley Water Works site containing the former mill building and its surrounding land has been put forward as a potential Local Green Space (LGS2) in the emerging Local Plan. If adopted this would afford the area with a degree of protection from future development. Notwithstanding this, the application site falls outside the area proposed as Local Green Space. The site occupies a former parking/storage area and is partly hard surfaced. It is elevated above the former mill and its associated reservoir. Trees and a steep grass bank separate the application site from the historic core of the site. The application site appears distinct from the mill and reservoir which are themselves located in a hollow in the landscape. The fact that the site has been left out of the proposed Local Green Space allocation highlights the distinction in visual, landscape and heritage terms between the application site and the remainder of the Water Works site. The whole of the Water Works site is also currently in the ownership of Thames Water and there is currently no public access to the land.

The front of the proposed dwelling will face to the south west and towards the lane that currently passes the application site. It will be set back approximately 7.5m behind the existing stone boundary wall and approximately 15-16m from the lane. The south eastern side elevation of the proposed dwelling will face towards the garden of a neighbouring dwelling (Bell Bank). The north eastern and north western elevations will face towards existing woodland. In terms of public visibility the south west (front) and south east of the proposed dwelling will be visible from Chapel Lane and Bell Bank (the road) to the south west and south respectively. It will also be visible from the grassed area located adjacent to the junction of the two highways. Views of the north eastern and north western elevations will largely be screened by existing woodland.

The application site borders a triangle of green space which lies alongside the junction of Chapel Lane and Bell Bank. The green space has the characteristics of a small village green and has buildings located to its south, east and west. The dwellings to the south of the green front directly onto the highway and look over the open space. Existing dwellings therefore already face onto the green space. In combination the green space and the adjacent dwellings are considered to be

a notable characteristic of this part of the CA. It is noted that the proposed development will result in the introduction of new development adjacent to the north eastern boundary of the green. However, the presence of a building adjacent to the green would not in itself be out of character with existing development which already borders/faces the aforementioned space. The proposed dwelling will be located to the northern side of the green and will therefore be further north than existing dwellings. However, the application site consists of previously developed land which was formerly used as a storage/parking area. The site also benefits from an established access to its north west. In addition, land to the south of the site is used as garden land and therefore has a domestic character. The woodland backdrop to the site will also be retained thereby helping to preserve the setting of the existing site. The proposed dwelling will therefore be located in an area which has been subject to previous development. It will also be seen in context with existing domestic development. There is a good degree of visual interconnectivity between the site and existing development which means that a dwelling could be incorporated onto the site without appearing out of character with its surroundings. It is considered that the proposed development will not have an adverse impact on the character of this part of the CA.

In terms of appearance the proposed dwelling has been designed to reflect traditional building forms. It is gable ended with a main gable span of approximately 6.5m and a roof pitch of 46 degrees. The mass of the proposed dwelling has been reduced by the introduction of a subsidiary side range. The windows, dormer windows and chimney reflect advice in the Council's design guides. The use of natural stone for external walls and artificial Cotswold stone tiles for roofing is in keeping with the materials seen elsewhere in the CA. The proposed garage is detached and of a simple functional form. The Conservation Officer has examined the proposed scheme and has no objection to the design of the proposed dwelling. It is considered that the design does respond to local character and distinctiveness and does therefore accord with Local Plan Policy 42.

Comments regarding the size of the proposed dwelling are noted. Whilst six bedrooms are shown in the proposed dwelling one is located in the loft space and one is shown as a bedroom/study. The proposed dwelling is shown as having a floor space of 235 square metres which is considered not to be excessive. As a guide a number of agricultural worker's dwellings approved across the District have floor areas of between 180-220 square metres. The size of such dwellings is normally restricted to ensure that they remain of a size affordable to agricultural workers. The proposed dwelling is not significantly larger than these. The proposed dwelling is of a size and scale that is considered appropriate for the site. It is also smaller than Elm Barns which is located opposite the application site.

Existing dwellings at Bell Bank and Broughton Cottage to the south of the application site are identified in Blockley Conservation Area Statement as being 'buildings of special character'. As such they could be considered to be non-designated heritage assets. Whilst the site sits within the setting of the aforementioned properties the Conservation Officer considers that it does not contribute to their intrinsic significance. The proposal will not have an adverse impact on their setting or detract from the special qualities that they currently exhibit. The proposal is therefore considered not to conflict with Paragraph 135 of the NPPF.

In the context of Local Plan Policy 15 the proposal will not result in the demolition of any walls or buildings; its siting, scale, form, proportions, design, colour and materials are not out of keeping with the special character or appearance of the Conservation Area in general, or the particular location and; it will not result in the loss of open spaces, including garden areas and village greens, which by their openness make a valuable contribution to the character or appearance, or allow important views into or out of the Conservation Area.

It is considered that the proposed development will preserve the character and appearance of the CA and as such will not conflict with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the NPPF and Local Plan Policies 15 and 42.

(d) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty

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

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

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

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

The application site was put forward by the landowner as potential development site during the Strategic Housing Land Availability Assessment (SHLAA) process. The site was given the reference 'BK_2 Blockley Land at Blockley Water Works'. The Strategic Housing and Economic Land Availability Assessment - January 2016 Consolidation Report lists the site in the 'Discounted Residential Sites' category. It makes the following comments about the site;

'Tree constraints will limit the capacity to a level that is below 5 dwellings. Although this disqualifies the site from the SHLAA, this is a brownfield site within the built up area and has a good level of existing screening. Sensitive design required but some limited redevelopment may be suitable. Liaison with highways will be necessary to identify any highways issues (e.g. very narrow lanes with poor visibility splays). Tree survey also needed to identify specimens requiring protection. Other constraints include: site clearance and clean up; AONB; Conservation Area.'

It is evident from the above that the site was excluded from further consideration because it could accommodate fewer than 5 dwellings rather than because of an 'in principle' objection to its development.

The application site is located on the western edge of the village. It occupies a parcel of previously developed land that was formerly used for parking and storage purposes in connection with Thames Water's management of the Water Works site. In response to the comments of an objector previously developed land is defined in Annex 2 of the NPPF as being land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The definition goes on to exclude 'land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.' Over the course of the last decade parts of the application site have become overgrown with scrub and undergrowth. Vegetation has also started to grow over the front boundary wall. Notwithstanding this the site is still managed by Thames Water and has been made secure by the erection of a stone wall across the original access into the site. The hardstanding and 1.5m high storage compound walls are still evident within the site itself. The parking/storage area has therefore not been abandoned and is considered not to have reached a stage where it has 'blended into the landscape in the process of time.' It is therefore considered to fall within the definition of previously developed land. Paragraph 17 of the NPPF states that planning should 'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.'

The site lies on the eastern side of Chapel Lane and is therefore separated from the open countryside to the west by the aforementioned highway and hedgerows. A large dwelling (Elm Barns) is located opposite the application site on the western side of Chapel Lane. The site lies within a walled and wooded area that has been used for many years in connection with the Water Works. It is therefore connected visually and historically with the aforementioned development.

The principal views of the site will be from the green, Chapel Lane and Bell Bank immediately to the south and west of the site. From this location the site is seen in context with village

development and does not encroach into the nearby agricultural landscape. The proposed development sits within a village context and is of a size and form that is consistent with a village environment. It is considered not to have an adverse impact on the character or appearance of the AONB when viewed from the adjacent green and highways.

A combination of existing vegetation, buildings and topography means that the proposed development will not be readily visible to the north or east of the site. The site will be visible from a Public Right of Way (HBY59) which extends in an east west direction across the field to the west of the application site. The Right of Way extends alongside the northern boundary of Elms Barn before heading southwards to its west. The application site is not readily visible from the Right of Way where it extends to the west and south west of Elm Barns. The site will be visible from the Right of Way where it runs alongside the northern boundary of Elm Barns. At present the view is of woodland. The proposed development will result in the introduction of built development into this view. However, the view is currently influenced by the side elevation of Elm Barns which lies alongside the Right of Way. In addition, views to the north from the Right of Way reveal residential development lying Greenway Road and the exposed southern elevation of a dwelling (Bay Tree House) which was allowed at appeal in 2001 (CD.8468). The aforementioned dwelling is located on the western side of Chapel Lane and is particularly prominent from the Right of Way. Whilst the proposed development will result in the introduction of new development into the view from the Right of Way it is considered that the view is already heavily influenced by the presence of existing dwellings to its north and south. The character of this stretch of the Right of Way is therefore one of an approach into a village rather than one of walking through open countryside. It is considered that the proposed development will not have an adverse impact on the character or appearance of the AONB when viewed from the Right of Way.

The site is located on the border of character areas 15B Farmed Slopes: Vale of Moreton Farmed Slopes and 17B Pastoral Lowland Vale: Vale of Moreton in the Cotswolds Landscape AONB Character Assessment (LCA). The Council's Landscape Officer states that 'the character assessment states that "Existing vale settlements may have the capacity to accommodate some development where this does not interfere with or detract from their landscape setting". The Cotswold Conservation Board has identified "expansion of settlements" as a local force for change. The potential implications are "erosion of distinctive settlement patterns" and "proliferation of suburban building styles/materials and the introduction of ornamental garden plants and boundary features". Within the guidelines it states that proposed development must "ensure that new development does not adversely affect settlement character and form" and "ensure that new built development is visually integrated with the rural landscape setting and does not interrupt the setting of settlements". The house would front onto a triangular shaped green. While the site is located just outside of the settlement boundary there are a number of existing dwellings that already adjoin this area and while the site borders the countryside I consider that the site would be seen within the context of the built settlement of the village. In my opinion the proposed dwelling as shown on the submitted plans and elevations is acceptable in terms of scale, massing and materials which would be in character with the surroundings. The retention of the stone wall to the frontage will help to reinforce the local character. A small section of this wall will be removed to accommodate the access, but this section of walling was a later addition which gapped up the existing access. I do not have any objection to reinstating this access.'

The concerns of the Cotswolds Conservation Board are noted. In response to their comments about the proposed Development Boundary it must also be noted that other developed sites in the village such as the primary school, St George's Hall and Jubilee Centre are not included in the proposed Development Boundary for the village. It does not therefore automatically follow that sites that have been excluded from the Development Boundary are themselves of important landscape value in AONB terms. In terms of the countryside coming into the village the main characteristic of the site in this respect is the existing woodland. This feature will remain as part of the development proposal and the existing woodland will still be visible from the Right of Way and the wider landscape. The existing site is not an undeveloped parcel of agricultural land that extends into the village. It is a parcel of previously developed land that has historic connections with the village and which has become overgrown in recent years. The character of the site is

therefore more closely related to the village than is to the wider AONB landscape. The proposed development would not result in an encroachment of development into the open countryside or result in a form of development that fails to respect the character or appearance of the local area.

Overall, it is considered that the proposed development will not have an adverse impact on the character or appearance of the AONB and accords with S85 of the CROW Act 2000, Local Plan Policy 42 and guidance in Paragraphs 17, 109 and 115 of the NPPF.

(e) Impact on Trees

The Water Works site has become wooded over time and the trees within the area now make a positive contribution to the setting of both the village and the application site. The trees and woodland identified as being important in Blockley Conservation Area Statement are not proposed for removal as part of this application. The wooded background that currently contributes positively to the appearance of the area will therefore be retained. The Council's Tree Officer has examined the submitted tree reports and advises that none of the trees proposed for removal within the site are considered to be of such individual or group importance to warrant protection with a Tree Preservation Order. The proposal involves the removal of 4 individual trees (Goat Willow, silver birch, sycamore and crab apple) and the removal of the edge of a larger tree group containing goat willow, hawthorn, crab apple and elm. Those trees that are to be retained will continue to be protected by virtue of their location within the CA. It is considered that the proposal can be undertaken in accordance with Local Plan Policy 10. The proposal will also not result in the removal or alteration of the existing woodland groups and as such will not materially affect the setting of the village when viewed from further afield such from the Public Rights of Way along Pasture Lane to the east of the village or the Right of Way near Park Farm to the south of the settlement.

(f) Impact on Protected Species

The application is accompanied by an Ecological Appraisal report which has been assessed by the Council's Biodiversity Officer.

The application site is primarily surfaced with asphalt and gravel. These areas are being recolonised by vegetation including small areas of scrub and some scattered trees. The Biodiversity Officer considers these to be of limited ecological value. The woodland to the north and east of the site is considered to have higher ecological value as does a hedgerow located to the rear of the stone boundary wall forming the western boundary of the site. The hedgerow is considered to represent a Biodiversity Action Plan (BAP) priority habitat. The applicant has provided a plan which shows that the aforementioned hedgerow will be retained as part of the development proposal. An assessment of the site has been made for badgers, bats, other mammals, birds, reptiles, amphibians and invertebrates. The Biodiversity Officer states that 'two trees were identified as having potential for roosting bats, but are located at the margins of the site and can therefore be retained as part of the development.' The Biodiversity Officer considers that the 'impact of the proposed development would be relatively minor' and raises no objection subject to a number of conditions requiring details of new landscaping, hedgerow protection, a lighting strategy, new bird and bat boxes and construction environmental management plan.

The concerns of local residents regarding the impact of the proposal on protected species are noted. However, the proposed dwelling will be sited on areas that are of limited ecological value. Features of ecological value within the site can be retained. Overall, it is considered that the scheme could be undertaken without having an adverse impact on protected species or their habitat and in accordance with Local Plan Policy 9 and guidance in Paragraphs 109 and 118 of the NPPF.

(g) Impact on Highway Safety

The proposed dwelling will be accessed via a former vehicular access located in the North West corner of the site. The access previously served the storage/parking area on the application site

but was blocked up with a stone wall a number of years ago. The entrance splay in front of the wall is currently used as a parking area by local residents. The application seeks to remove the existing wall and re-open the access for vehicular use.

The access opens onto an unclassified single lane highway which is subject to a 30mph speed limit. Accesses onto such highways typically require visibility of 54m in both directions. Sufficient visibility can be achieved to the south. However, vegetation, topography and a bend in the lane limit visibility to the north to less than the requisite amount. Notwithstanding this, it must be noted that there has historically been a vehicular access at this point. In addition, vehicles are currently using the splay as a parking area and are therefore reversing directly onto the highway. The re-opening of the access and the associated creation of onsite turning and parking is considered to represent a betterment in highway safety terms when compared to the existing parking arrangements.

Overall, it is considered that the proposal is acceptable and in accordance with Local Plan Policies 38 and 39.

Other Matters

The applicant has submitted an archaeological report with the application. The report has been assessed by the County Archaeologist who has no objection subject to a condition requiring the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

The application has been assessed by the Council's Drainage Officer who raises no objection subject to the attachment of a surface water drainage condition should permission be granted. It is considered that the proposed development could be undertaken without posing an unacceptable risk of flooding to future occupiers of the site or surrounding residents and is in accordance with Paragraphs 100 and 103 of the NPPF.

The Council's Environmental Health Section has examined the application including the Phase 1 Ground Condition Assessment submitted by the applicant. They raise no objection subject to a condition requiring a detailed site investigation to be undertaken. The initial ground condition assessment indicates that the site has a Low to Moderate potential for localised ground contamination relating to its past use as a depot. Risks associated with contamination in respect of human health and controlled waters are assessed as low. In response to comments about the site's location within a Source Protection Zone and the need to consult the Environment Agency (EA) there is only a requirement to formally consult the latter if the proposal relates to 'potentially contaminating development'. The erection of a single dwelling does not fall within such a definition as set out in the Land Contamination DoE Industry Profiles. Notwithstanding this, Officers have contacted the EA and they advise that the proposal is not one that they need to be formally consulted on. The proposal is therefore considered to accord with Local Plan Policy 5 and Paragraph 121 of the NPPF.

With regard to residential amenity the proposed dwelling will be afforded a garden area that is commensurate with its size as a family home. The proposed development, by virtue of its orientation and distance from neighbouring dwellings, will also not have an adverse impact on the privacy, light or amenity of existing or future residents. The proposal is considered to accord with Local Plan Policy 46.

9. Conclusion:

Overall, it is considered that the proposed dwelling will be located in a sustainable location in terms of accessibility to services and facilities. It will also contribute to the Council's ongoing requirement to provide a continuing supply of housing land. It will also accord with Paragraph 47 of the NPPF which seeks to 'boost significantly the supply of housing' and enable for the re-use of previously developed land. The proposed development could also be undertaken without having

an unacceptable adverse impact on trees, ecology, highway safety, drainage or residential amenity. These factors are all considered to weigh in favour of the scheme.

The site's location within Blockley Conservation Area and the Cotswolds Area of Outstanding Natural Beauty are noted. Considerable weight and importance has been given to the potential impact of the proposal on the character and appearance of the conservation area and great weight to conservation and enhancement of the AONB. The proposal is for a single dwelling within a village and it will not result in an encroachment of development into the open countryside. It will also not have an adverse impact on the setting of the village within the designated landscape. The proposed dwelling will also be seen in context with existing residential development and will be positioned adjacent to a small green which is already bordered by a number of existing dwellings. The proposed development will not therefore be out of character with the area and is of a design which is considered appropriate for its location. It is therefore considered that the proposed development could be undertaken without having an adverse impact on the character or appearance of the designated heritage asset or on the natural beauty of the landscape.

It is considered that the proposed development accords with the principles of sustainable development set out in the NPPF and that there are significant material considerations that justify a departure from the Development Plan. It is therefore recommended that the application is approved.

10. Proposed conditions:

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

The proposed scheme will address the Council's need to provide a continuing supply of housing land and is located in a sustainable location in terms of accessibility to services and facilities. The application site is also considered to allow for the sensitive redevelopment of previously developed land. These benefits are considered to outweigh the other limited impacts arising from the scheme including the impact on Blockley Conservation Area and the Cotswolds Area of Outstanding Natural Beauty. The proposal accords with the principles of sustainable development as set out in the National Planning Policy Framework.

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

The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be carried out in accordance with the following drawing number(s): 15-48-001, 15-48-002, 15-48-003 B, 15-48-004, 15-48-005, 15-48-006 A

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

Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling and roofing materials shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policies 15 and 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

Prior to the construction of any external wall of the development hereby approved, a sample panel of walling of at least one metre square in size showing the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

Reason: To ensure that in accordance with Cotswold District Local Plan Policies 15 and 42, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

All door and window frames shall be recessed a minimum of 75mm into the external walls of the building.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

No windows, external doors, dormer windows, chimneys, cills, lintels and garage doors shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

The design and details shall be accompanied by drawings to a minimum scale of 1:10 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such thereafter unless similar alternatives are first agreed in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

Within one month of their installation windows, external doors and garage doors shall be finished in their entirety in a colour that has first been agreed in writing by the Local Planning Authority and they shall be permanently retained in the approved colour thereafter unless a similar alternative is otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

All windows and doors shall be of timber construction and shall be permanently retained as such thereafter.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

No bargeboards, exposed rafter feet or eaves fascias shall be used in the proposed development.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

The external timber cladding in the garage hereby approved shall be left to weather and silver naturally unless an alternative finish is first agreed in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

Prior to any demolition or building works taking place on the site, a detailed arboricultural method statement (AMS) and tree protection plan (TPP) shall be submitted to the Local Planning Authority and approved in writing.

The method statement shall be in accordance with the guidance in BS 5837:2012 "Trees in relation to design, demolition and construction. Recommendations" and shall include details of:

- Defined root protection areas of all retained trees
- The timing of all tree protection measures
- Details of proposed finished ground levels and any retaining structures within the defined root protection areas of all retained trees
- Details of tree protection fencing and excluded activities
- Details of temporary ground protection measures where access and working space is needed outside the tree protection fencing but within the root protection area of any tree
- Details of any underground services within the root protection areas of any retained trees and how they will be installed.
- Details of how the tree protection measures will be monitored by the site manager.

The findings of the AMS and the TPP shall be implemented in full in accordance with the approved details.

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

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

Reason: To ensure that items of archaeological interest are properly recorded. Such items would potentially be lost if development was commenced prior to the implementation of a programme of archaeological work. It is therefore important that such a programme is agreed prior to the commencement of development.

No development shall take place until a landscaping scheme has been submitted and approved by the Local Planning Authority, including the enhancement of the existing western boundary hedgerow to enhance its species diversity and structure using native species of local provenance, and a 5-year hedgerow maintenance plan. The scheme shall incorporate the planting of native trees to become new standards of appropriate species and at appropriate locations. The entire landscaping scheme shall be completed by the end of the first planting season following the first occupation of the development hereby approved. If within a period of five years from the date of planting of any tree/hedge/shrub that tree/hedge /shrub, or any replacement, is removed, uprooted or destroyed, or dies, or becomes seriously damaged or defective, another tree/hedge /shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance the biodiversity value of the western boundary hedgerow in accordance with paragraph 118 of the National Planning Policy Framework, policy 9 of the Cotswold District Local Plan 2011 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for protected species and their habitat.

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

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

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

Reason: To prevent pollution of the environment in the interests of the amenity of future residents of the development hereby approved in accordance with Local Plan Policy 5. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for pollution and contamination.

Before any development takes place, a Construction Environmental Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The CEMP shall provide details of the measures that will be implemented during the construction phase to prevent any harm or injury to protected species, hedgerows and trees, including the recommendations from the Ecological Appraisal report by Aspect Ecology dated July 2016 (section 6.3 - general construction safeguards, 6.4 - protection of trees and control of Cotoneaster species and 6.5 - safeguards in relation to hedgehogs, reptiles and nesting birds, particularly during habitat clearance works). Development shall be carried out in full accordance with the approved CEMP.

Reason: To ensure adequate protection and mitigation for protected species and priority habitats in accordance with Section 11 of the NPPF, Policy 9 of the Cotswold District Local Plan 2011 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for protected species and their habitat.

Prior to occupation, a "lighting design strategy for biodiversity" (in particular for bat species) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- identify those areas/features on site that are particularly sensitive for bats and bat roosts
- show how and where external lighting will be installed (including the type of lighting) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or having access to any roosts.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To protect bats and other nocturnal wildlife in accordance with Section 11 of the NPPF, Policy 9 of the Cotswold District Local Plan 2011 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Before development takes place, details of the provision of integral bat boxes and nesting opportunities for birds within the new dwelling (House martin, House sparrow, Starling or Swift), bird and bat boxes in retained trees, hedgehog access underneath fencing and habitat piles, shall be submitted to the Local Planning Authority for approval, including a drawing showing the locations and types of features. The approved details shall be implemented before the dwelling hereby approved is first occupied.

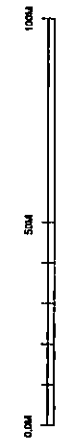
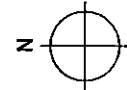
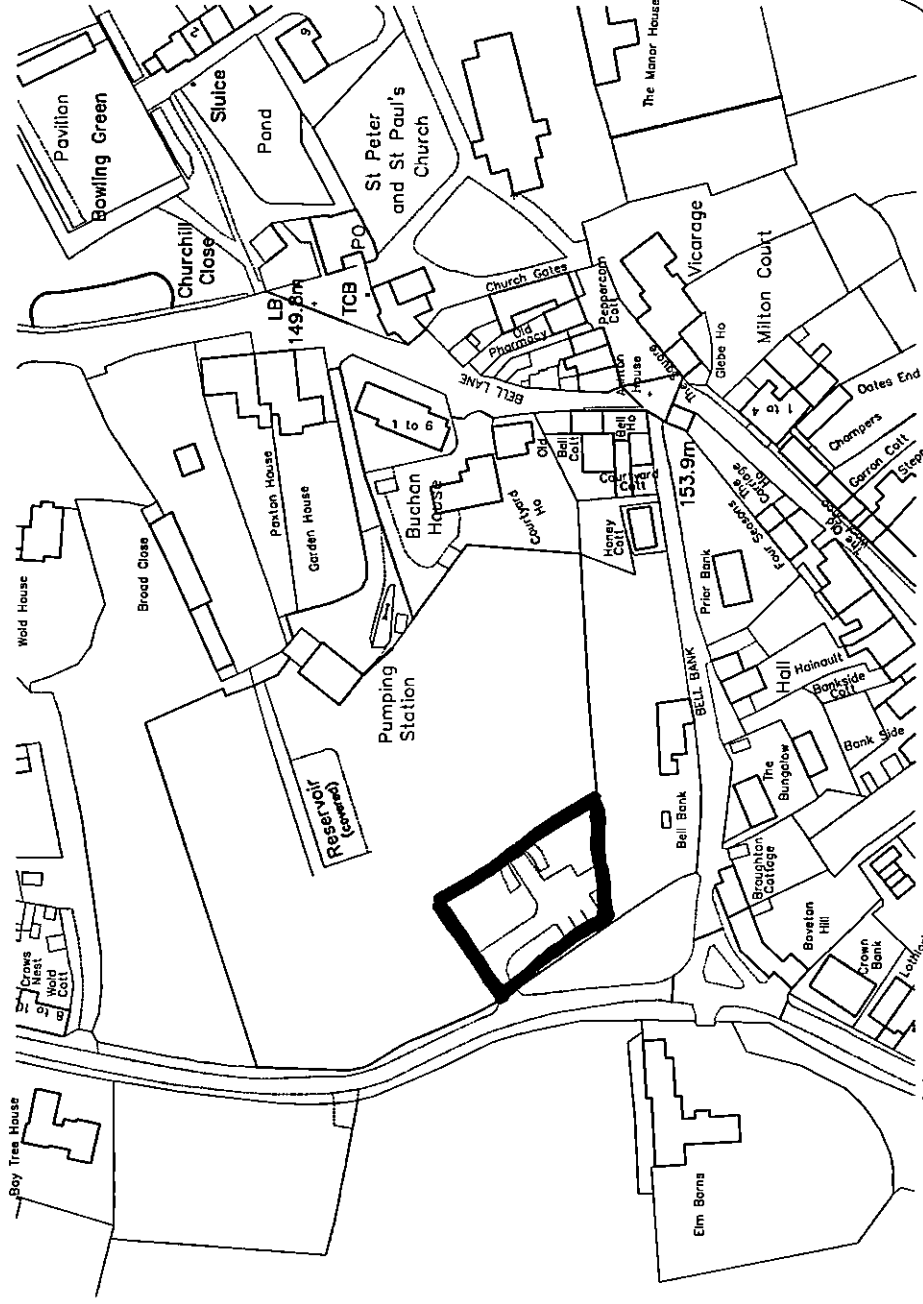
Reason: : To provide biodiversity enhancements in accordance with paragraph 118 of the National Planning Policy Framework, Policy 9 of the Cotswold District Local Plan 2011 and Section 40 of the Natural Environment and Rural Communities Act 2006. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for protected species and their habitat.


16/03435/An

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NOTES
 1. The information on this plan is for general information only.
 2. The information on this plan is not to be used for any other purpose.
 3. The information on this plan is not to be used for any other purpose.
 4. The information on this plan is not to be used for any other purpose.
 5. The information on this plan is not to be used for any other purpose.

— SITE BOUNDARY
 — LAND ALSO IN OWNERSHIP

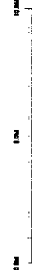


 PLANNING	
ARCHITECTURE & BUILDING CONSULTANCY Savills (UK) Limited Wyham Court, 11 West Way, Solihull, Oxford B37 0UL Telephone: +44 (0)1865 268000 Fax: +44 (0)1865 268001 www.savills.co.uk	
Client:	Thames Water
Project:	Blockley WTW
Drawing No:	Site Location Plan
Date:	15/03/2015
Drawn By:	CH
Checked By:	CH
Drawing Number:	15-48-001
Revision:	RGPL347128

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N



B Western Hedge shown RE 12.12.16
A Dormers shown RE 08.03.16

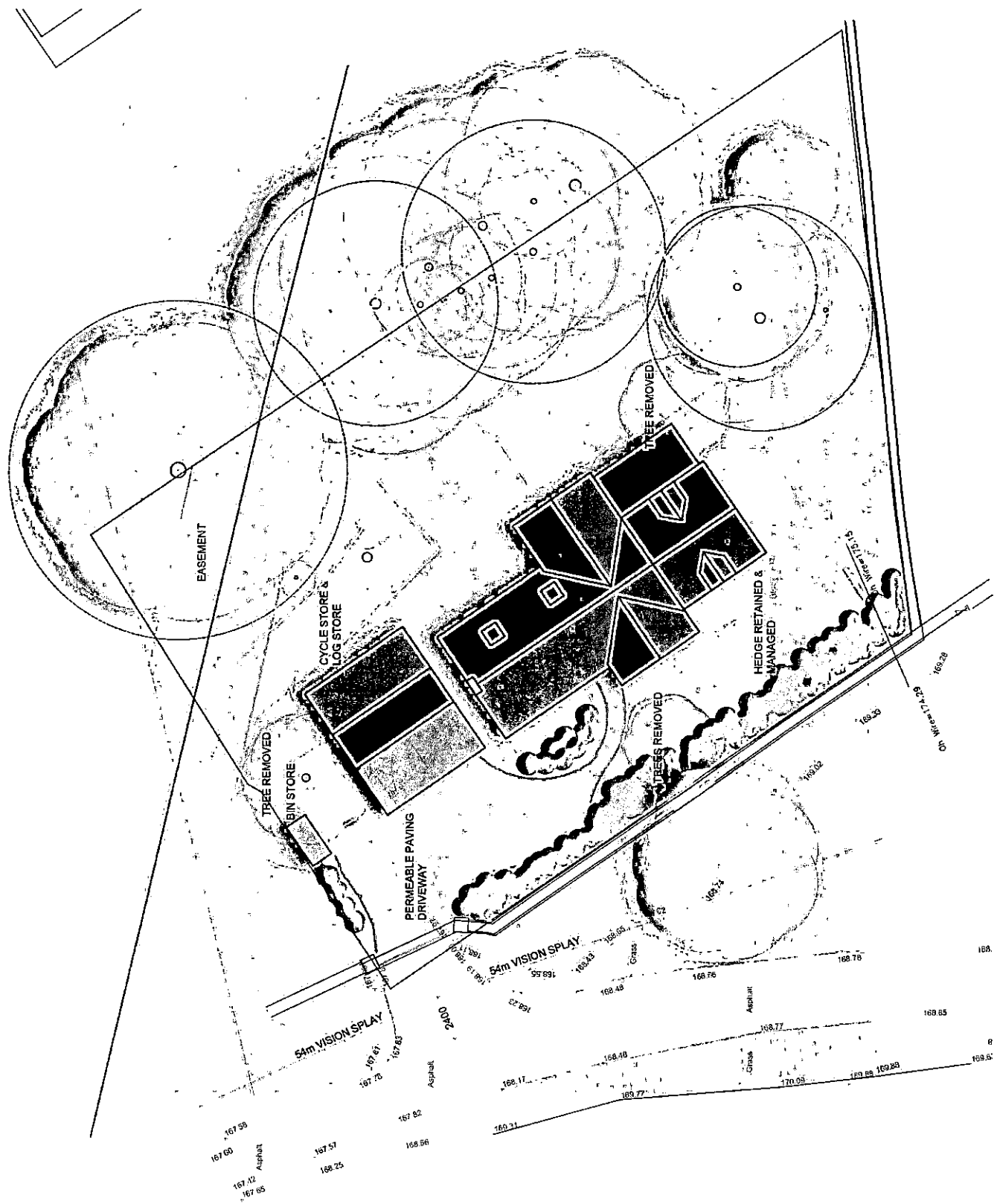
Date	Description	By	Drawn
	PLANNING		



ARCHITECTURE & BUILDING CONSULTANCY
Savills (UK) Limited
 Wyham Court, 11 West Way,
 Bussy, Colindale GC2 0DL
 Telephone: +44 (0)1885 289000
 Fax: +44 (0)1885 289001
 www.savills.co.uk

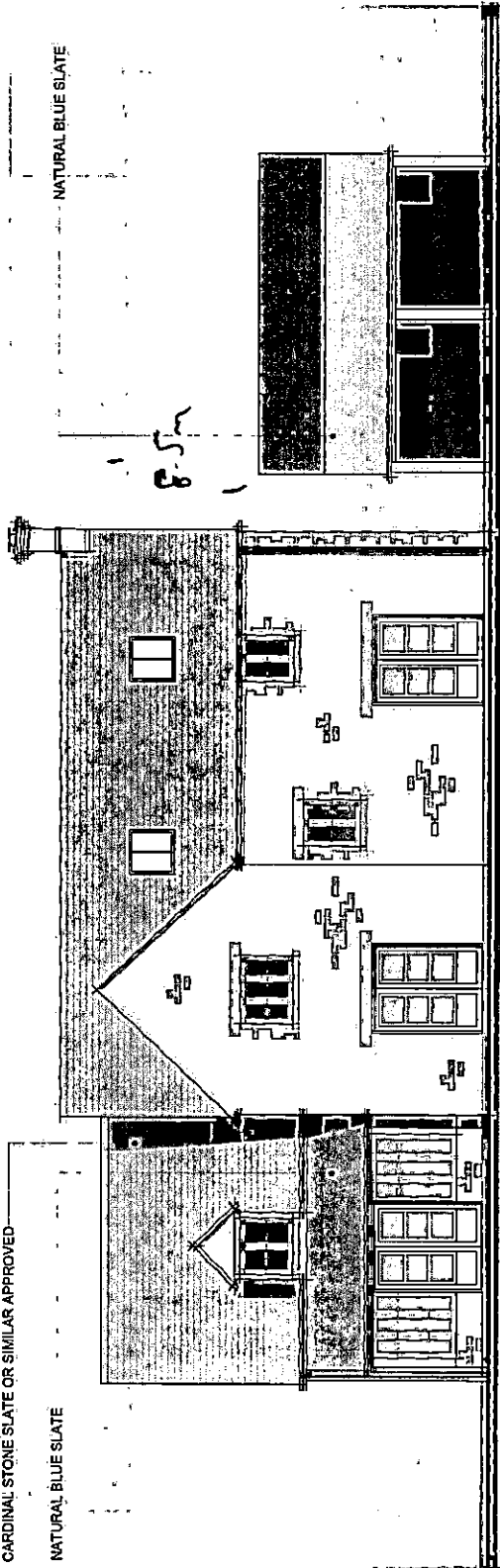
Client: Thames Water
Project: Blockley WTW
Document Title: Proposed Site Plan

Date Issued	Date Recd	Drawn	Checked
15.08.03	08.03.16		
Drawn Number	Sheet	Project Number	Client Ref
15-48-003	B	RCPL 347128	



NOTES
 1. All elevations are to be erected from existing ground level.
 2. The proposed elevations are subject to approval by the relevant authorities.
 3. The proposed elevations are subject to approval by the relevant authorities.
 4. The proposed elevations are subject to approval by the relevant authorities.
 5. The proposed elevations are subject to approval by the relevant authorities.
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 8. The proposed elevations are subject to approval by the relevant authorities.
 9. The proposed elevations are subject to approval by the relevant authorities.
 10. The proposed elevations are subject to approval by the relevant authorities.

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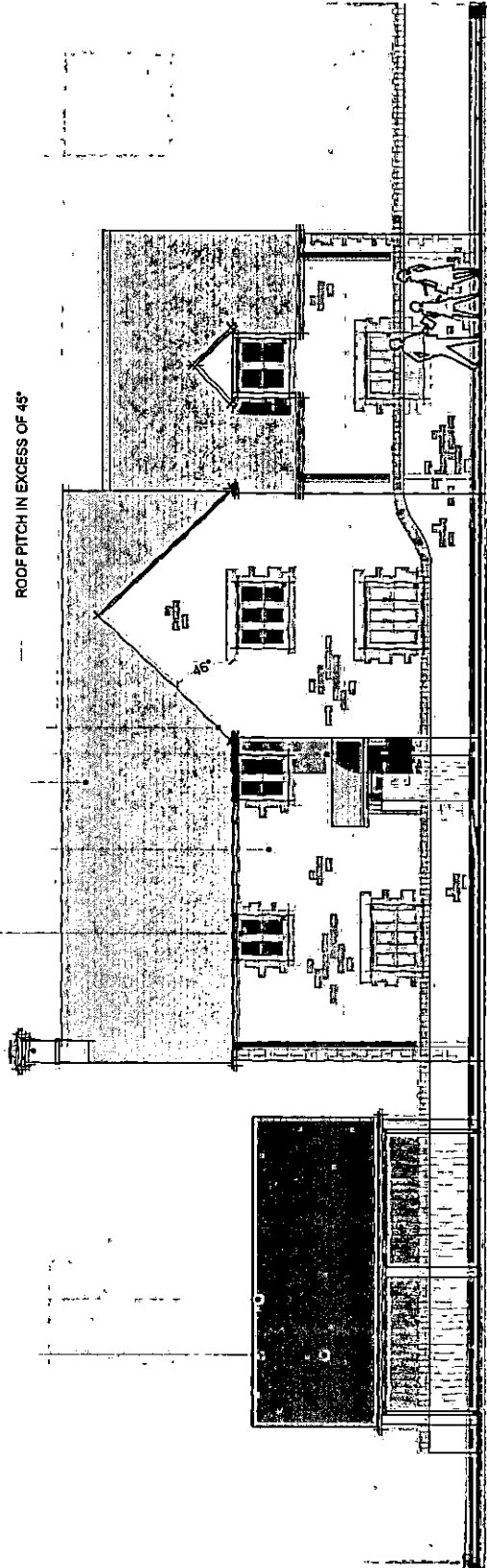


CARDINAL STONE SLATE OR SIMILAR APPROVED
 NATURAL BLUE SLATE

NORTH EAST ELEVATION

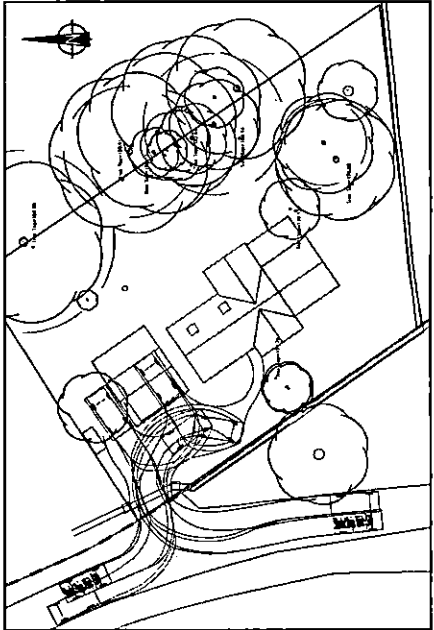
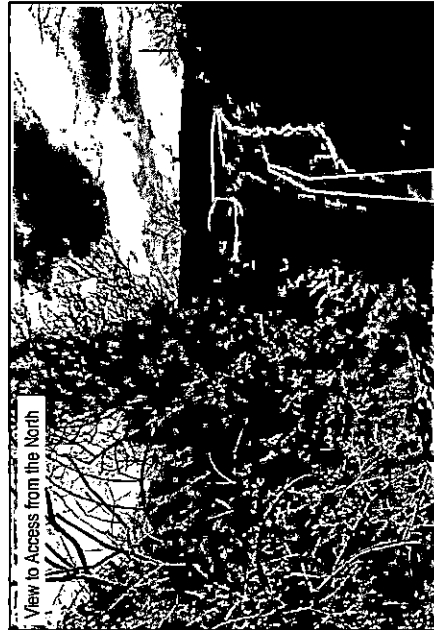
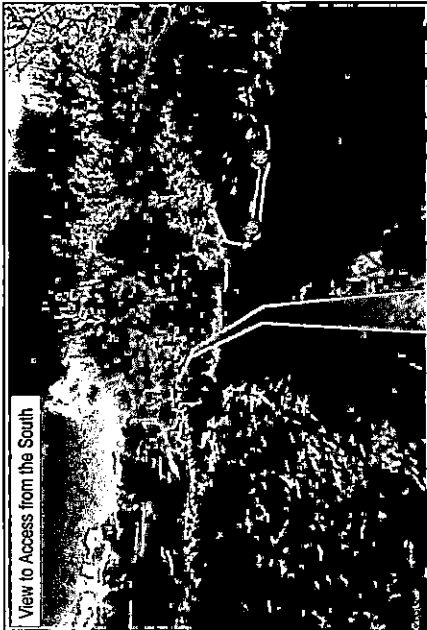
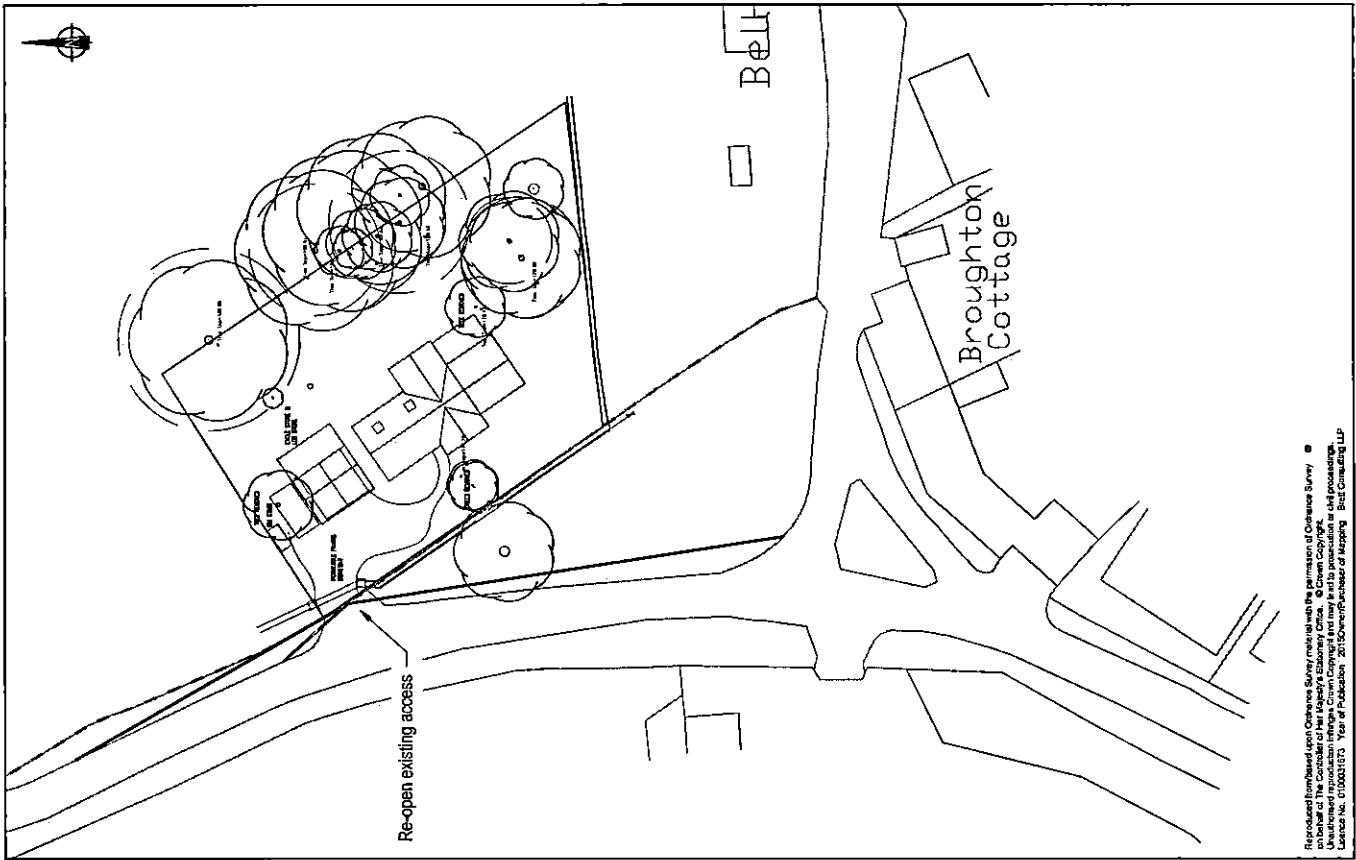
- 'BARN STYLE' GARAGE
- NATURAL BLUE SLATE
- CHIMNEY WITHOUT EXTERNAL BREAST
- PAINTED TIMBER FRAMED WINDOWS
- SIMPLE PLAIN ELEVATIONAL TREATMENT
- CARDINAL STONE SLATE OR SIMILAR APPROVED
- NATURAL STONE WALLING
- ROOF PITCH IN EXCESS OF 45°

0.0M 5.0M



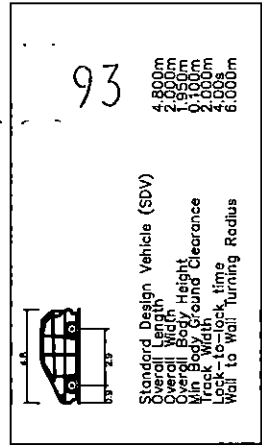
SOUTH WEST ELEVATION

PLANNING		savills		ARCHITECTURE & BUILDING CONSULTANCY		Savills (UK) Limited		Wynem Court, 11 West Way, Bury, Greater Manchester, M9 1UD		Telephone: +44 (0)161 265000		Fax: +44 (0)161 265001		www.savills.co.uk	
Client		Thames Water		Project		Blockley WTW		Drawing No.		15-48-005		Project Number		RGPL/347128	
Scale		1:100 @ A3		Date		Nov 2015		Checked by		[Signature]		Drawn by		[Signature]	
Drawing Title		Proposed Elevations		Drawing No.		15-48-005		Project Number		RGPL/347128		Scale		1:100 @ A3	



Key:

- Assumed Highway Boundary
- Visibility to the Left
- 2.4m by 43m (30mph Visibility MFS)
- Visibility to the Right
- 2.4m by 8m (Achievable Visibility with Vegetation)
- 2.4m by 31m Possible Visibility in Assumed Highway Boundary (MS 20mph visibility = 25m)



Date	Revision	JHC	DH	DH
29.07.16				

FOR INFORMATION

Land at Blockley Water Treatment Works
Development Access Proposals

Client
Thames Water Utilities Ltd

Drawing Number
34317/5501/001

Revision
A

Scale
1:500

Date of Issue
15.12.2015

Checked
PR

Approved
DH

Drawn
PR

Checked
DH

Approved
DH

Revision
A

Logo: peterbrett peterbrett.com

Address: Peter Brett Associates LLP, 100 The Quadrant, London, E1 1RN, UK and Europe

Phone: 0118 950 0193



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Martin Perks
Cotswold District Council



Sent by email:



5 October 2016

Blockley Water Works – Raw Water Source Protection.

Dear Mr Perks,

Please find attached below a statement regarding the protection of the raw water source at Blockley Water Works.

Blockley Water Works is an important raw water source for Thames Water as it collects the raw water from the springs before being transferred from Blockley to Sheafhouse WTW for final treatment/disinfection before it goes into the supply network to Thames Water customers.

Thames Waters primary concern is and will remain the protection of this important raw water source and as such as part of the development of the site, Thames Water will impose the following conditions/ and restriction on the sale of the land:

Construction - All construction details including foundation design will need to be submitted and approved by Thames Waters' Water resources engineer.

Restrictive Covenants - In order avoid potential pollution incidences both during construction and once any dwelling is occupied, a restrictive covenant will be imposed on the title documents for the land. The covenants will include, but not limited to:

- control of pesticide, herbicide & fertiliser;
- no bulk storage of chemicals, fuels, etc; and
- no vehicle maintenance at the site.

Surface drainage and sewerage flows – Only direct connections to the adopted network, using a sealed system shall be permitted. Where permeable surface/paving is used, flows must be discharged into the adopted system using a petrol interceptor.

I trust that this addresses the concerns which have been raised should your require anything further please do not hesitate to contact me.

Yours sincerely _____

Richard Hill
Head of Property

**Arreton House, Station Road, Blockley
Moreton-in-Marsh, Gloucestershire GL56 9DT**

20th September 2016

Mr Martin Perks
Senior Planning Officer
Cotswold District Council
Trinity Road
Cirencester GL7 1PX
martin.perks@cotswold.gov.uk

Dear Mr Perks,

**RE: Application 16/03435/FUL Construction of a single dwelling and detached garage |
Blockley Water Works Bell Bank Blockley Gloucestershire**

I am writing in a personal capacity to object to the above planning application and to give the reasons why.

1. The application does not meet any housing need through the three relevant contexts that might merit departure from the development plan in force.
 - i. **National Housing Need.** I refer you to the recent Civitas Report¹ that supplied the following government statistics. Planning permission has been awarded in England for 2,035,835 housing units between 2006 and 2015. That annual average of 204,000 new homes a year is sufficient to meet the government's house-building target for this parliament of one million homes by 2020. Starts recorded by the government during the same 10-year period numbered only 1,261,350, an average of just 126,000 a year. This means that there have been 774,485 more permissions than starts, equivalent to 77,000 a year for the period and it further demonstrates, by its consistency, that the issue is not due to lag between starts and completions. Over the last two years an average of 250,478 homes has been permitted for development, but just 138,710 starts were recorded. This is an average deficit of 111,768, the biggest by far over the 10-year period analysed and almost twice the level it was in 2010, confirming an ever widening gap between permissions and starts. These figures show that councils are issuing more planning permissions than at any time for at least a decade but that approved sites are not being built out quickly enough. Until government changes development incentives and obligations, further consents will get banked until the price, rather than the need, to develop them is right. In the circumstances where 25% more than government target permissions are being granted it cannot be reasonably propounded there is a need to increase the level of permissions or that it will have the desired effect.
 - ii. **District Housing Need.** Two recent Public Inquiries have considered Cotswold District Council's (CDC) land supply position at Mickleton and Willersey (14/002365/OUT and 14/04854/OUT). In both cases the Inspectors considered CDC was able to demonstrate in excess of 5 years' housing land supply. It might be

¹ Published Planning Portal 10/9/16

argued that considerable weight should be given to the latest expression of the Emerging Local Plan where the Objectively Assessed Need (OAN) has increased from 380 to 420 dwellings per annum. If so, CDC can still demonstrate more than 7 years housing land supply and so Local Plan policy should be considered up-to-date in the context of NPPF paragraph 49. While the Council has a responsibility to continue to identify potential sites the Emerging Local Plan identifies² a Housing Land Supply of 9,842 dwellings against the 8,400 OAN requirement, a buffer of over 17% and well above the 5% government requirement suggesting a considerable excess quantum for contingency planning and so obviating any need to depart from the Local Plan.

- i. It may however be considered that the Local Plan in force³ is outdated in another key relevant area, notably Policy 19 (a) which restricts development outside development boundaries that *"result in new-build open market housing other than that which would help to meet the social and economic needs of those living in rural areas"*. I am aware the Inspectors in the Mickleton and Willersey inquiries noted that Policy 19 was time-expired in the context of those two applications. It is, however, incorrect to say Policy 19 in totality is time-expired as other elements of it are still in force and so it is necessary to consider the context of the Inspectors' comments. Willersey and Mickleton, like Blockley, have since been identified as "sustainable settlements" where in the Saved Local Plan they were classified as Rural Settlements and most development was thereby precluded. That is the relevant context for why Policy 19 (a) might be argued as out-of-date or time-expired in these three settlements. NPPF paragraph 215 lends support to that argument. Should NPPF policy 14 be advanced as supporting the application in this context, I note that the paragraph states:

"For decision-taking this means:

approving development proposals that accord with the development plan without delay; and

where the development plan is absent, silent or relevant policies are out-of-date, granting permission 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 this Framework indicate development should be restricted."

It is common ground the application does not accord with the development plan in force. Emerging Plan policies are up-to-date with respect to Housing Land Supply and also for allocations in Blockley while NPPF paragraph 14 footnote 9 confirms the site should be afforded protection for its Conservation Area status as a heritage asset and because of its location within an Area of Outstanding Natural Beauty.

² CDC Local Plan Submission Draft – Local Plan Strategy Note 6.1.7

³ CDC Local Plan 2001-2011 (Adopted April 2006)

- ii. If considerable weight is to be given to the Emerging Local Plan, above Saved Plan Policy 19, (so as to be consistent with acceptance of its updated OAN data) then I would refer you to Policy DS2 and note 6.2.2 which describe development boundaries and or/sites allocated for development thus: *"the development boundaries essentially define the existing built-up areas of these towns and villages..."* As the site lies outside the development boundary it cannot be justified as infilling. Note 6.2.3 further states with reference to development boundaries. *"They also include housing...development to meet the District's objectively assessed needs to 2031"*. Residential development outside the principal settlements is permissible in Policy DS3 (a) only in or adjacent to rural settlements or by policy H3 which deals with exceptions for Affordable Housing. This application's Planning Statement encourages⁴ decision-makers to favour the Emerging Plan. However, the Application's Planning Statement ignores⁵ the fact that Blockley cannot simultaneously be both a Principal Settlement and a Rural Settlement. On page 10 at 7.9 it critically misquotes and so makes the application inconsistent with Policy DS3 in saying *"Notwithstanding the above and in accordance with annex 1, paragraph 216 of the NPPF, emerging Policy DS3 of the Cotswold New Local Plan supports small-scale residential development outside the Development Boundary of Principle Settlements which are: "adjacent to the Settlement."* The correct wording is: *"within or adjacent to a rural settlement"*. (My bold and underlines). This application is inconsistent with the relevant settlement policies in both the Saved Local Plan and also in the Emerging Plan. The application conforms to no relevant Local Plan settlement development boundary policy at all and should be refused on this basis alone.
- iii. That a settlement is sustainable does not mean that it is perpetually expandable and the sustainability criteria used to determine settlement eligibility recognised the need to take into account any constraints alongside identified settlement attributes but failed to do so before determining which would be the principal settlements in the Local Plan. Following the July 2016 CDC Draft Submission Consultation, Blockley Environment Group (BEAG) has, alongside other interested parties, written⁶ to CDC Forward Planning and the Examiner to point out that the data used to support Blockley's sustainability are incorrect and/or exaggerated and internally inconsistent with other policies so as to make it unsound. BEAG also wrote separately⁷ to specifically challenge this site's exclusion from Green Space Designation. Consent to this application would prejudice the outcome of matters previously notified for examination for soundness in the Local Plan and thereby be unsound in itself.
- iii. **Local Housing Need.** Blockley Parish Council and BEAG have evidenced there is no desperate local need even for Affordable Housing in Blockley⁸. Further, the Emerging Local Plan has already identified other sites it considers more suitable and within CDC's proposed development boundary to meet the District's most

⁴ 6.13, 6.14 6.15

⁵ Page 10 item 6.26

⁶ BEAG LPR19C Final 31/7/2016

⁷ BEAG LPR18C 2nd Submission 8/8/2016

⁸ BEAG Submission on Colonel's Piece Final 21/6/16: Pp. 2-5.

recent and increased OAN needs⁹. In the Blockley Parish Council Housing Survey undertaken throughout the whole of Blockley in Dec14/Jan15 only 19 respondents expressed any kind of housing need and 58% of those wished to downsize. I cannot see where there is any evidence of local need for such a dwelling, let alone one in such a sensitive site. I would further note that as at 31st January 2016 permission for 46 dwellings had been granted over the 20 year period of the plan while the remaining identified sites in the Local Plan Draft Consultation have a notional capacity of 29 dwellings. Permissions granted therefore represent 61% of the increased 75 dwellings allocation for the settlement in the first 25% of the 20 year plan period and permissions are therefore 140% ahead of the Plan's projected annual average requirement.

Accordingly, there is no evidence of material need here at all for this 6-bedroomed dwelling with double garage complex and the reason for this application coming forward is so that the landowners can profit from the development of the site. I have no objection to that principle but it does not represent a valid planning reason for departing from the Saved or Emerging Local Plan.

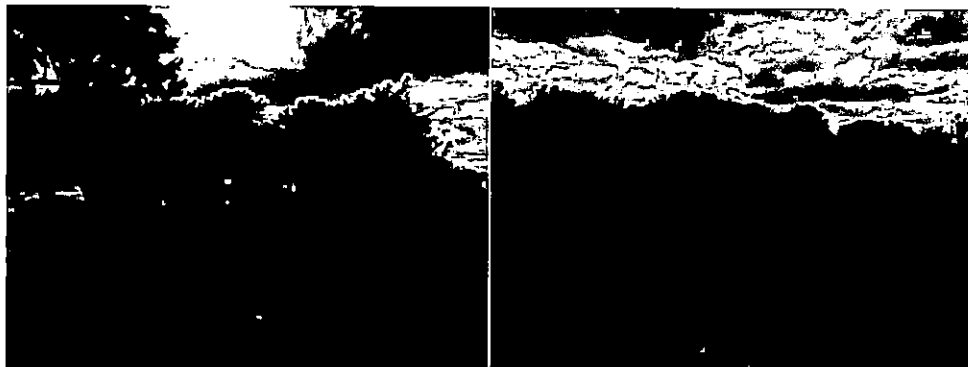
2. The site has major amenity value to the community as is confirmed by the Evidence Paper: Local Green Spaces November 2014 which informs the Emerging Local Plan. It notes that the Water Board site (including this section within it¹⁰) is local in character and proximate to the community. It further notes the particular attributes of local significance to be its beauty, historic significance, tranquillity, wildlife and other reasons. It is recognised as demonstrably special to the local community. The recommendation also notes the site is culturally and visually important to the community. While the Paper does not recognise it as supported by other organisations it is a fact that it supported by the Cotswold Conservation Board, BEAG and, I understand from local resident Mr Walters, the CPRE has expressed concern. Its amenity value has many aspects:
 - i. **Local Green Space.** The proposed site is within the area mapped as a LGS in the Evidence Paper and was intended by the local community to be incorporated within the LGS but the area was separated out to allow a potential planning application. The application site is contiguous on two sides with the now reduced Blockley Water Board LGS site and it is self-evident that human activity such as could include pets, disturbance from light and noise and inevitable pollution from human activity and their vehicles must have a profound impact for fauna and some flora on that part of the LGS which is not presently abutted by housing. Additionally, it will irrevocably and deleteriously alter the serenity and peacefulness of this undisturbed haven for wildlife. I would refer you to Policy EN2 and notes 11.2.4, 11.2.5 and especially 11.2.6 which last reads: *"Some aspects of landscape quality, such as the tranquillity of an area, are difficult to define but important to protect as a key element of the character of the District. PPG says that tranquil areas are those that are "relatively undisturbed by noise from human caused sources that undermine the intrinsic character of the area. Such areas are likely to be already valued for their tranquillity, including the ability to perceive and enjoy natural soundscape, and are quite likely to be seen as special for other reasons including their landscape". Lighting can also have major impacts on landscape quality, particularly in areas of "Dark Skies" where there currently is little artificial light pollution. Applicants are advised to have regard as a starting point to available information including high-level CPRE Tranquillity Mapping, nationally-available Dark Skies mapping and the Cotswold Conservation Board's Position*

⁹ Confirm CDC Local Plan Submission Draft - DS2 Note 6.2.3, Policy SA3 and Map Inset 14.

¹⁰ Cf map on page 19

Statement on "Tranquillity and Dark Night Skies". These show Cotswold District, and in particular the AONB, to be a largely tranquil part of England. A Landscape and Visual Impact Assessment (LVIA) should include reference to tranquillity, lighting and Dark Skies where appropriate". The Applicant's Landscape and Visual Impact Assessment does not appear to have considered these parts of the CDC Emerging Plan's Environmental policy. I also note the Cotswold Conservation Board's letter of objection to this application that reinforces the importance of such values. I consider the application to be inconsistent with NPPF paragraph 123 which states; *"Planning policies and decisions should aim to: identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason."*

- ii. The site should be afforded protection through its Conservation Area and AONB status for its landscape value. As NPPF paragraph 115 states *"Great weight should be given to conserving landscape and scenic beauty in ... Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty."* The first of the following photographs show the site clearly visible from the adjacent highway and the second is taken from the three¹¹ National Trails which descend the hill towards an unbroken treeline of some 150 metres.¹² (Bizarrely the Application Form claims the site is not visible from footpaths or even the highway which it abuts). The proposed development would bisect that treeline seriously degrading the western approach to the Conservation Area and confront walkers descending the National Trails. I note that PPG requires decision-makers to not only consider the amenity value of a tree but to *"pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area."*



- iii. The Ecological Appraisal is based primarily on desk research and a survey undertaken in July 2015. The report acknowledges few notable faunal or floral species. A species survey that is limited to one season (day?) of the year cannot be expected to allow meaningful visual observation of wildlife species. However, local residents attest to deer, owls, woodpeckers, occasional buzzards and red kites and many red-listed birds being seen there and the wildlife habitat value is supported by the Evidence Paper informing the Emerging Local Plan on Green Spaces in this respect. The same Ecological Appraisal survey notes there are two trees with bat roosting potential¹³ and I observe both of these no longer feature on the latest Site Plan drawing number 15-48-003. The Applicant's Ecological Appraisal also gives scant consideration to the value of the wildlife corridor that is afforded by this site

¹¹ Diamond Way, Heart of England Way and Monarch's Way

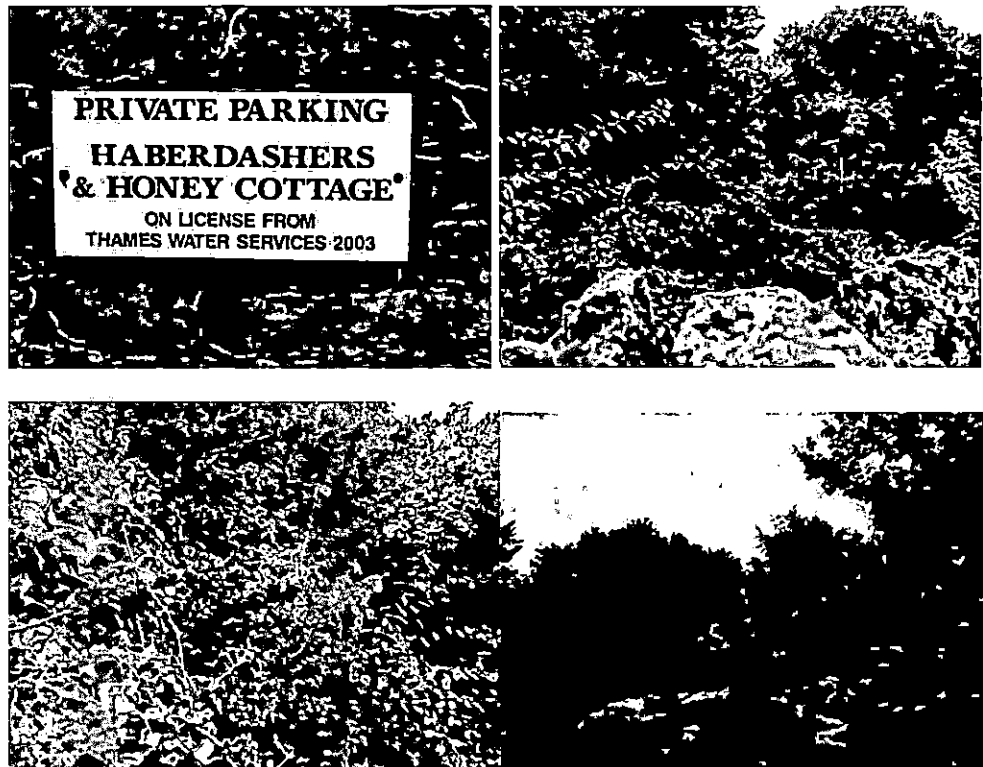
¹² Cf. Comments from Mrs Anna Chern

¹³ Cf Plan 4268/ECO3 in Ecological Appraisal appendix

nor that development here will lead to the virtual encirclement of the adjacent Blockley Water Board LGS site by housing which will lead to material habitat loss and the restriction of free species movement contrary to Emerging Policy EN6 (2) that states; *“Proposals that would result in significant habitat fragmentation and loss of ecological connectivity will not be permitted”* and NPPF paragraph 118 that states *“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss...”* I would also refer you to Emerging Plan policy DS2 note 6.2.6 which values contribution to the village and AONB character and where, as the CCB observes, the countryside comes into the village. Policy states; *“Open spaces, gardens, gaps, ‘green wedges’ and ‘green corridors’ all make important contributions to the built environment. They can provide settings for buildings, variety in the street scene, vistas, and buffers between developed areas. Cotswold settlements derive much of their character from open spaces within the built-up area and it is important that they are protected from inappropriate development.”* Additionally, I would refer you to NPPF paragraph 119 which states; *“the presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.”*

3. The Planning Statement refers to the site as brown-field *Previously Developed Land (PDL)* and describes it as a one-time depot. Notwithstanding that a considerable part of that land was not a depot, I consider the site no longer represents PDL for planning purposes. The site has been left as a wilderness for very many years and, additionally, the entrance would appear to have been blocked off for at least 13 years by a dry stone wall.
 - i. The application includes a report from Peter Brett Associates on Ordnance Survey maps over time that states *“No significant change is noted until the 1975 – 1976 OS map (1:2,500 scale). The site is now developed and shown to be occupied by a yard, with possible aggregate storage bays in the southeast of the site. The yard covers approximately 50% of the site with the areas of woodland shown to have been cleared. The woodland clearance extends across the southern and eastern site boundaries and woodland remaining to the north. Within the footprint of the mill pond/slucice previously positioned 50m to the north east of the site a pumping station and covered reservoir has been constructed..... No further on-site land use changes or significant off-site changes are noted on the maps provided. The most recent map, dated 2015, shows that the unidentified site structure/hardstanding still occupies the same footprint, with a layout similar to that of 1976.”*
 - ii. Other commentators who have lived nearby for many decades attest that the site has been unused for many years and is completely overgrown. PPG defines PDL as: *“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.”* As the last 3 of the 4 following photographs (taken pointing in 3 different directions) at the blocked off access point demonstrate and OS mapping confirms, this site would appear not to have changed for at least 40 or so years. The site has again effectively returned to being a wilderness. Further

photographic evidence of the rewilding of this site may also be found in the appendix to the Ecological Appraisal¹⁴



4. The *Development Access Proposals* as indicated in the drawing number 34317/5501/001 bear little resemblance to the real situation and would appear to have been drawn up without the benefit of a site visit as the photographs are from Google Earth. The *Planning Statement* states oxymoronically; “*due to the nature of its previous use, the Site already benefits from an existing access and egress. This access/egress is presently blocked off.*” It further states that vehicular access and egress to the site will be taken from the original access off Chapel Lane and concludes that, as a consequence, the proposed development is acceptable and concludes that development should not be precluded on highways terms. I suggest the drawing mentioned earlier is inadequate and does not conform to the safety standards set out in the *Manual for Streets (MfS)*. Most dangerous is the assertion that visibility to the right does accord with MfS visibility standards. The drawing assumes that vegetation including trees will just disappear to allow visibility splays and it ignores the high banking/walls on the right-hand side of the proposed access. I set out below 4 photographs showing left and right-hand side visibility at approximately 2.4 metres X point and then below at 2.0 metres X point which clearly demonstrate very limited visibility on a narrow single vehicle track with limited avoidance manoeuvrability and overhung by trees both from the LGS site and also from the verge. Access visibility will not be widened or improved through illumination without causing habitat harm. Access as planned is unsafe.

¹⁴ Drawing reference 4268/ECO3



5. There is risk of groundwater contamination. The most concerning risks are those of contamination passing into the adjacent LGS site where Thames Water extract potable water.
 - i. **Contamination into SPZs.** It is common ground the site falls within an Groundwater Source Protection Zone (SPZ) 2 area as defined by the relevant Environment Agency (EA) Map and also either within or within 50 metres of a Groundwater Source Protection Zone 1 site. Thames Water is licensed to extract potable water from the adjacent site and the PBA report notes it does so at a rate of 12 litres per second. The default position by the EA is refusal to development at such SPZ proximity. I note the EA have not been consulted but I believe they should have been. The applicant's PBA report notes the site's soils have high leaching potential and I observe that it is proposed to remove surface water through soakaways. I further observe that a contamination issue from higher land has previously been detected by Thames Water and I understand the family who farmed the field above were denied the use of pesticides for fear of pollution.
6. **Design Conformity.** I will not repeat but I would refer you to the comments of Mr Lucas, a qualified and experienced local architect, with respect to the application's poor design.
7. **Application Form.** I suggest the information provided in this document is incorrect in sections 6, 12, 13, 15, 17 and 24 and that it is consequently misleading and unreliable.

I should be grateful if you would consider my several comments and refuse consent to the application.

With thanks,

Yours sincerely,

Michael Reid

From: Christopher Walters [REDACTED]
Sent: 20 September 2016 18:00
To: Cotswold DC; Martin Perks
Cc: Sue Jepson
Subject: Planning Application 16/03435/16 Blockley Waterworks

For the attention of the Planning Department/ Martin Perks

Planning application 16/03435/FUL Construction of a single dwelling and detached garage. Blockley Water Works.

I wish to object to this planning application on the basic grounds that:

- the site has high environmental value in its own right, which is enhanced by it being an integral part of the larger Thames Water Coneygree Mill site;
- the adverse impact of this particular development will significantly outweigh any benefits;
- the proposed development does not meet any objectively-assessed development need in Blockley by significantly boosting the supply of housing; and
- this is not a suitable site outside the Development Boundary.

The need to comply with the above conditions is recognised in the application documents and is clearly stated in paras 6.4 to 6.10 of Savills' Planning Statement, referring to paras 7, 10, 14 and 17 of the NPPF, where the need to avoid adverse impacts on the environment is considered to be of very high importance when reaching a decision.

These conditions, relating to Planning Statement para 6.7 amongst others, apply whether or not the site has been correctly classified by Savills as "Previously Developed Land - PDL", as claimed in 3.2 of the Planning Statement, where it should be noted that the whole of the Thames Water site

would logically come under the same classification, being an operational site containing machinery, walkways and pipelines. However, the rest of it has already correctly been protected by Green Space designation, implying a high environmental value, which naturally extends to the development site in question, being physically part of the same overall site with a lengthy interface and no obvious boundary between the two areas.

The impression being given in the application documents, particularly paras 2.1 and 2.2 of the Planning Statement, is that CDC has already informally approved this application in pre-application discussions. If correct, this is most undesirable and makes a mockery of this consultation process. In addition, it would set a worrying precedent, in that it would appear to conflict with CDC's own recent planning policy.

Also, given the site's environmental sensitivity, I am very surprised that it was considered un-necessary to provide an Environmental Impact Assessment (para 2.4 of the Planning Statement).

The remainder of this objection gives weight to the above statements.

The recently-adopted Blockley Development Boundary notably deviates in direction to exclude not only the 90% of the Thames Water Coneygree Mill site which is designated as a Green Space but also the proposed development site on the south-west corner and the privately-owned strip of land to the north of the Green Space. This strongly implies that there was an unwritten presumption by CDC that the whole of this particular land should be protected from development in its entirety, not just the Green Space area.

Despite their considerable and voluminous attempts to denigrate the environmental value of the whole Coneygree Mill site and, in particular, this SW corner of the site, no

positive case is made for construction of a domestic dwelling, whether it be a six-bedroom detached house as now suggested or two three-bedroom semi-detached houses as suggested by Savills/Thames Water during the previous Local Plan Consultation. Instead, the ecological and other inputs concentrate more on remedial measures to compensate for anticipated environmental damage (mitigation) or to “improve” the site’s existing resources (ecological enhancement). This in itself is an admission that fundamental environmental damage will be caused. Also, the conclusions of the species studies bear little resemblance to local sightings and merely demonstrate that the sources of data used by Aspect in their ecological studies are incomplete and also that their site visits were inadequate to obtain a representative picture of the local wildlife present within or close to the site. Statements such as “Data obtained from GCER contains no records of reptiles from the 3km x 3km search area surrounding the site (Ecological Appraisal 5.7.2)”, whilst perhaps strictly correct, are wholly misleading as this quotes only one, limited source of information. Species recorded locally as existing on or adjacent to the site are listed below.

The land in question comprises the only flat, open area of the whole Thames Water site and, as such, it offers a necessary contrast to the sloping and mainly wooded remainder of the site, much of which supports substantial undergrowth.

As described in the recent, successful Green Space application (to which reference should be made in view of its detailed description of the whole site and its nine site photos), the Thames Water site, in its entirety, is the most important wildlife sanctuary in Blockley. It is host to a wide variety of birds, including at least seven red-listed and eight orange-listed birds. Of particular importance were the call of a

cuckoo in 2014 and that of a male short-eared owl in both the spring and the current autumn of 2016. Buzzards and Red Kite perch on the taller trees on occasion and a Little Owl has been seen perching on the telegraph pole within the proposed building site. Apart from muntjak deer, roe deer, foxes and bats, hedgehogs, lizards, slow worms, frogs, toads and two dormice have been seen over the past few years in gardens or drives adjacent to the site, and badgers and adder somewhat further afield, suggesting that most or all of these species are indeed present on or are likely visitors to the site, some almost certainly favouring the flat, sunny SW corner proposed for development. I plan to send by separate email several very recent photos of the site which, in my view, better reflect its conservational importance than those published in the planning application.

Some of the well-established and prominent trees within and to the east and north of the proposed site will inevitably be under threat of heavy pruning or removal, approved or otherwise, despite their Conservation Area protection, as they will totally obscure the views from the proposed property to the north and east (the elevation with the proposed large, picture windows and doors!) and also cast shade over much of the site. Also, any property built here will break the 150+m long uninterrupted line of background trees along most of the eastern edge of Back Ends lane, which also forms the Blockley Conservation Area boundary. This line of trees, which runs from the entrance to Aylton House to the green above Bell Bank lane, varies in species, includes a relatively uncommon stand of mature poplars and forms an unspoilt western boundary of the Conservation Area as viewed from the west and from Back Ends which, apart from being a popular walking route for residents, forms part of the Heart of England, Diamond and possibly Monarch Ways.(The

planning application refers to the absence of any TPOs on the site but, as confirmed to me by CDC's tree officers, all the trees are nominally protected, as the site is within the Blockley Conservation Area.)

The development cannot be classified as infill, as it would stand alone and, as such, will stand out and severely degrade the environment in this visually and atmospherically sensitive area – a reason in itself for refusal of the application. In this context I would particularly draw your attention to the arguments put by the Cotswolds Conservation Board in their objection dated 9th September, with which I fully concur.

In addition, the proposed development site forms part of a groundwater Source Protection Zone 1, as classified by the Environment Agency, to minimise the risk of pollution to public groundwater sources such as that currently operated by Thames Water at the site. It is wholly unrealistic to impose conditions on the residents of any property regarding non-use of potential pollutants on the site, as suggested in the proposal, and to expect them to be fully adhered to. Indeed, it is amazing to me, as a professional water and environmental engineer, that Thames Water would even consider incurring the risk of polluting this important public water supply spring source (it can reportedly abstract up to about three million litres of water a day) by building a property with on-site parking (and apparently porous hard surfaces) within the high risk protection area. This is particularly concerning, as the site is at the highest point in Thames Water's land and the report by Peter Brett Associates states quite clearly that the porous ground will readily absorb surface water and transmit it into the groundwater and that the general flow is from west (the proposed development site) to east (Ref Phase 1 Ground Condition Assessment Contamination and Land Stability, para 3.10).

Also, I question whether the water treatment works at Sheaf House Farm is equipped to remove the type of pollution that could occur on the site (Planning Statement para 7.50), as my understanding is that this is a de-nitrification plant (despite what the aforementioned PBA report states in para 2.3.2) with additional cryptosporidium removal filters and, as such, is not capable of eliminating or treating pollution caused by phenols or other undesirable contaminants arising from pollution within the site and entering into the supply via the ground. This pollution risk is exacerbated by the fact that water sampling on the site is carried out weekly, meaning that any pollution could potentially be carried into supply for up to a week before being detected. Any such site pollution could also impact negatively on the mill pond behind the village shop into which all of the run-off from the whole Thames Water site flows, including any groundwater surplus to supply needs.

The table in 3.11 of the PBA report omits an earlier pollution incident which occurred when creosote was accidentally spilled onto land outside the immediate protection zone on a neighbour's garden to the north-east. This pollution was picked up in water samples taken at the site and indicates how easily such instances can occur, even outside the Zone 1 protection area.

In conclusion, it would be downright folly and completely unforgiveable to sacrifice this vitally-important corner of the Coneygree Mill site and, as a result, degrade the remainder of this unique one hectare site and its character, its tranquillity, its splendid unbroken external facade of tall trees and its present and future as a wonderful and varied wild-life haven, just in order to construct a largely unwanted and un-necessary house or houses.

It is indeed a great pity that our community is being faced with such a blatant example of a huge, international utility, assisted by a large and powerful agent, neither of which has any affinity or loyalty to Blockley, attempting to sacrifice part of a unique, green area within the village Conservation Area for short-term commercial gain rather than taking the longer-term collective environmental interests of the local wildlife, Cotswolds AONB and the Blockley community into account. This proposed development does not in practice do anything to solve any perceived local housing need but would merely constitute box-ticking in order to meet an already-filled housing quota: it must not be allowed to succeed for such a flimsy reason and should therefore be rejected by CDC, owing primarily to its detrimental impact on the environment, be it visual, wildlife, threat to tranquillity or pollution-related.

With regards,

Christopher Walters, FICE, FCIWEM

Bell Bank

Blockley

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For the attention of the Planning Department/ Martin Perks

Planning application 16/03435/FUL Construction of a single dwelling and detached garage at Blockley Water Works.

Further to my objection posted on 21st September, I wish to add the following comments which are additional reasons for objecting to this proposal. They come under the categories of (i) environmental degradation, resulting from light pollution, site access and proposed arboricultural impact and (ii) the impracticality of compliance with site access requirements.

Light pollution:

At present, during the hours of darkness, the whole Coneygree Mill site and the adjacent stretch of Back Ends/Chapel Lane is pitch black and, apart from the sound of owls and occasional foxes and deer, silent, affording a wonderful and unique night-time habitat for both residents and wildlife in and around the site. Given the heavily enclosed proposed site and the inevitable feel of isolation of any domestic dwelling(s) within the site, the use of external lighting within the grounds, strong security lights at the house and by the garages and at the difficult entry into and from Back Ends/Chapel Lane is almost inevitable. It would probably be impossible to impose restrictions on such lighting and be unenforceable even if restrictions were possible. This external lighting will shatter the peace and environmental characteristics of not only Back Ends/Chapel Lane and the proposed development site, but also the recently-designated Local Green Space which borders the site to the north and the east. It will have a huge detrimental impact on the wildlife at night, distracting and confusing mammals and birds alike, which will undo much of the potential future benefit gained by obtaining the Green Space designation of the adjacent land (ref NPPF para 125).

Site Access:

In In Savills' Design & Access Statement (Section 7), visibility splays at the site entrance of 54m in each direction from a point 2.4m back from the edge of the Back Ends/Chapel Lane carriageway are proposed. This is not only sensible but desirable, given the narrow and curvy nature of the lane. However, the PBA Drawing 34317/5501/001 (Development Access Proposals), states that the current visibility northwards from the appropriate measurement point is only eight metres and I would challenge even this figure after visiting the site. A neighbour and I have measured the entrance area and the implications of extending the visibility splay to meet statutory requirements. To the right (ie towards Greenway Road)

achieving the proposed visibility splay of 54m would necessitate not only the removal of all of the roadside hedgerow along this section, but also the demolition and reconstruction of part of the boundary wall for much of this length. This section is, however, shown as an "important hedge, wall and bank" in the Blockley Conservation Area Statement and its removal in total or in part would not only be non-compliant but would completely change the nature of Chapel Lane/Back Ends (which also forms part of three popular walking routes) from country to suburban, adding yet more to the environmental degradation of this sensitive area. There is some confusion as to what the current speed limit in this lane is, which was designated a "Quiet Lane" some years ago, with both Gloucestershire County Council (Highways) and CDC support and funding. As far as I am aware, it still retains that status. Gloucestershire Highways Department yesterday stated quite categorically that, as the road does not have 20mph signs on it, it must be assumed to be subject to a minimum 30mph speed limit with the corresponding visibility spray requirements.

A 20mph speed limit would, according to notes on the PBA drawing, cut the visibility splay to 25m. However, even if the required visibility splay was reduced to 25m in the future, the impact of which is also very approximately illustrated in the same PBA drawing, a lengthy section of the "important" roadside hedgerow and any trees growing within it would still need to be cut completely back to the boundary wall, again changing the character of this part of the lane and probably resulting in the need to re-build the exposed wall behind.

To the south of the proposed entrance, several small trees on the edge of the common land Green would need to be removed, together with crown-lifting the memorial tree T10 on the Green, which was donated by a local resident. This again will have a negative, "suburbanising" impact on the immediate area and presumably would require Parish Council or other approval, as the trees are not on the roadside verge.

In my view, therefore, without major intrusive work to the protected roadside boundary hedge, verge and wall to the north of the proposed entrance, the application's Access Proposals are unsafe and non-compliant with the standards set by the Manual for Streets (MfS), noting also that potential visibility is only meaningful if it can be achieved and maintained. It is difficult to envisage how vegetation control could be ensured along this lane and so potential visibility and safety compliance probably can't be practically achieved and maintained without completely removing the verge. Removing all vegetation from this verge will impact the wildlife corridor into the Local Green Space contrary to CDC and NPPF policy (ref. Emerging Plan EN6 (2) and NPPF paras 118 and 119). The areas should anyway be afforded protection by their

AONB and Conservation area status. It should also be recognised that access problems were reportedly one of the main reasons for previously rejecting this site for development.

Finally, as noted earlier, the road is unlit and dusk/night access will probably be unsafe without illumination. However, the road is a "dark corridor" and valued for both its tranquillity and darkness. Various fauna are active at night and in the dark: illuminating the site access will deter such fauna from entry to the Local Green Space, which is a core plank of its *raison d'être*. This proposal has not seemingly considered, and so ignores, environmental policy EN2 and notes 11.2.4, 11.2.5, and 11.2.6 together with NPPF para 125.

Arboricultural impact:

Within the grounds, the present proposal to crown lift the important tree group G2 to a height of 2.4m is a matter of concern, as this tree group straddles the proposed site boundary but, as yet, no definite boundary has been established. This is particularly worrisome as para 6.5.1 of the Arboricultural Impact Assessment states that "the extent of removals will be determined on site", leaving it open to extending the crown cutting beyond any hypothetical boundary to the potential detriment of the trees outside the development site and thus potentially opening up a long view towards the east over the village, which is what any owner of the property will inevitably try to achieve somehow or other in the future, much to the detriment of this important tree group and the wildlife dependent upon it.

Also, the proposal to remove the south-westerly section of tree group G3 is unacceptable, as this is part of a group identified as having collective merit and also containing some of the few surviving old orchard trees (unidentified apples) which can clearly be seen fruiting at the moment. This is demonstrably damaging the site environmentally in order merely to accommodate the proposed house access, garages and parking.

Conclusion:

In conclusion, and also taking the points raised in my objection of 21st September into account, construction on this site will contravene many environmental requirements, albeit it noise, light, visual degradation or potential groundwater pollution within a protected water source zone. It will also have major access and road safety issues with inevitable consequences on the character of Chapel Lane/Back Ends.

Whether it is a six-bedroom house as now proposed or two four-bedroom semi-detached houses, as previously suggested by Thames Water, this is not an appropriate site on which to build any residence for many valid reasons, including the fact that, having only recently classified the remainder of the Coneygree Mill site as a Local Green

Space, thus recognising its important environmental contribution to Blockley, it makes no sense for CDC then to approve an intrusive development adjacent to the LGS that will materially damage the very LGS that has just been created. Indeed, it is hard to think of any site in or around Blockley which is less deserving of development than this one: the application must therefore be rejected.

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