

CT, 9103

From: Bridget
Subject: 15/01376/OUT Objection - missing condition
Date: 13 December 2016 at 21:00
To: Katherine Brommage



Dear Katherine

Apologies again for the lateness of this objection, which was prompted by reading your recommendation report (posted last Wed) following which I sought professional advice. I am afraid that as the website is down, I cannot submit it there, hence the email.

You mention on P26 of your report that affordable housing contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floor space of no more than 1000sqm.

You go on to state (twice, in the paragraph 3rd from the bottom of P26) that the total floorspace of less than 1000sqm must be conditioned.

However, in your list of 20 conditions (in section 10, page 29 onwards), it appears that conditioning the 1000 sqm floor space is not mentioned.

We would be grateful if you would ensure that the 1000sqm floor space is correctly conditioned before the application is determined.

Yours sincerely

--

On behalf of the Poulton Working Group

Oakwood
Bell Lane
Poulton
GL7 5JF

13th December 2016

Dear Ms Brommage

RE 15/01376/OUT

As a result of our email exchange today, I am writing again to object to the above application on the grounds of flooding and drainage.

As you are aware, Bell Lane residents were so concerned that the proposed development and drainage scheme would lead to flooding that they commissioned their own independent drainage report from an expert consultant (PFA) at their own expense. At a meeting on 26th October 2016, residents submitted the independent consultant's report to the Case Officer but, as the Minutes of that meeting make clear, no substantive discussion of its findings or recommendations took place. The Case Officer stated at this meeting that planning officers were aware of the bias in the applicant's submission and an independent view would be helpful.

However, it appears that the LLFA have only taken into account the applicant's opinion of this independent report, and have not undertaken their own review. The LLFA state that the applicant has addressed all of the residents' concerns, which is not the case.

How is it reasonable that, when presented with independent evidence that the proposed drainage scheme would not work as designed in times of flood, this has not been properly investigated by the LLFA? How is it reasonable that independent recommendations have been ignored?

When the LLFA has admitted at a public meeting on 3rd October 2016 it does not have the tools to carry out its own independent checks, and is presented with independent evidence that a proposal is problematic and would not work in times of flood, how can it discharge its duties and responsibilities under the NPPF without reviewing this evidence itself? Surely the LLFA must respond directly to the very legitimate concerns raised in an independent expert's report? And how can CDC fulfil its duties and responsibilities under the NPPF regarding flooding when this has not been done?

< yours sincerely

Oakwood
Bell Lane
Poulton
GL7 5JF

13th December 2016

Dear Ms Brommage

RE 15/01376/OUT

As a result of reading your Case Officer's report for the Committee meeting and reviewing the new illustrations posted online on 9th December, I am writing to object most strongly to the urban estate-style cul-de-sac road.

In his original comments of 17th June 2015, the statutory consultee for Landscape objected to the design of the urban estate style access road in the outline proposal in the strongest way possible. He said,

'All housing along Bell Lane is road frontage and typical of the built form/countryside interface. I do not consider that the change to an urban cul-de-sac road layout is acceptable and will have significant detrimental impacts on the character of the site and Bell Lane....'

Overall the outline development proposals submitted will have a significant detrimental impact on the character and visual amenity of Bell Lane.

To conclude, I consider that the site could be developed with single depth road frontage housing taking its cues from the character and appearance of the existing development form along Bell Lane.

However, I do not consider the outline proposals are acceptable and that they show an urbanising development form which is incompatible with the area'.

In his latest comments (12th Sept 2016), the statutory consultee for Landscape does not even mention the road, yet as you can see from the Applicant's drawings of the evolution of the design attached below, nothing has changed.

Three drawings are attached:

- Drawing 1 (original) March 2015 – urban cul-de-sac road with turning head and drawing 2 (revised) Sept 2015 – same urban cul-de-sac road without turning head
- Drawing 3 (final) August 2016 – same as per March 2015 urban cul-de-sac road with turning head

Looking at the attached drawings from the applicant, the urban cul-de-sac road is almost identical in all them.

It is an undeniable fact that all the houses on Bell Lane have their own unique access, and this proposal for a separate distributor road is not in character with its rural setting.

Therefore a cul-de-sac urban-style distributor road significantly elevated above Bell Lane is out of character with the rural surroundings and thus conflicts with both the NPPF and the CDC Local Plan Policy DS3.

On what grounds has the statutory consultee for Landscape removed his strong objection to an out of character feature, which clearly remains out of character?

Furthermore, I note from the most recent drawings (see no. 4 attached) posted to the public website on 9th December 2016 that the hedge has now been replaced by a wall. This is not in itself surprising, since you yourself have quoted the Biodiversity and Ecology consultants in your recommendation report (p19) that this hedge is "species-poor".

On the grounds that Highways have not objected to the access point for the cul-de-sac road itself (which is at the narrowest point of the lane and requires the removal of a significant portion of the hedge) and there is no record of them having been consulted on the option of individual access points, there are no planning reasons to keep an urban cul-de-sac road, which dictates an urban estate-style development, both of which are completely out of character in a rural environment, and contrary to Policy DS3.

I would be grateful if you would take these comments into account.

Yours sincerely

TURNING CIRCLE

REMOVED.

1 INTRODUCTION

1.1 Purpose

- 1.1.1 This response has been prepared to address issues raised following the submission of an illustrative layout as part of outline planning application 15/01376/OUT.
- 1.1.2 The comments are based on the Conservation and Landscape consultation responses received to date which have been further discussed at a meeting with TBC on the 25th of June 2015.
- 1.1.3 In terms of the layout the main areas for discussion related to:
- Impacts upon the setting of the Conservation Area;
 - Impacts upon the character and views from Bell Lane;
 - Character of the site and layout; and
 - Visibility splays onto Bell Lane.
- 1.1.4 Fig 01 and 02 show the comparison between the submitted masterplan (March 2015) and revised layout taking into consideration the various discussions.
- 1.1.5 The main changes relate to the layout and heights of the plots to the south which are discussed in further detail in the following sections.
- 1.1.6 Fig 03 and 04 show the comparison between the submitted and revised building heights.



1

2

0m 10m 50

Fig 01 - Illustrative Masterplan (DLA-1615-L-003-01) March 2015

Fig 02 - Illustrative Masterplan (DLA-1615-L-003-01-Rev A) Sept 2015

ACCESS ROAD, DRIVEWAY APART
FROM TURNING CIRCLE

3

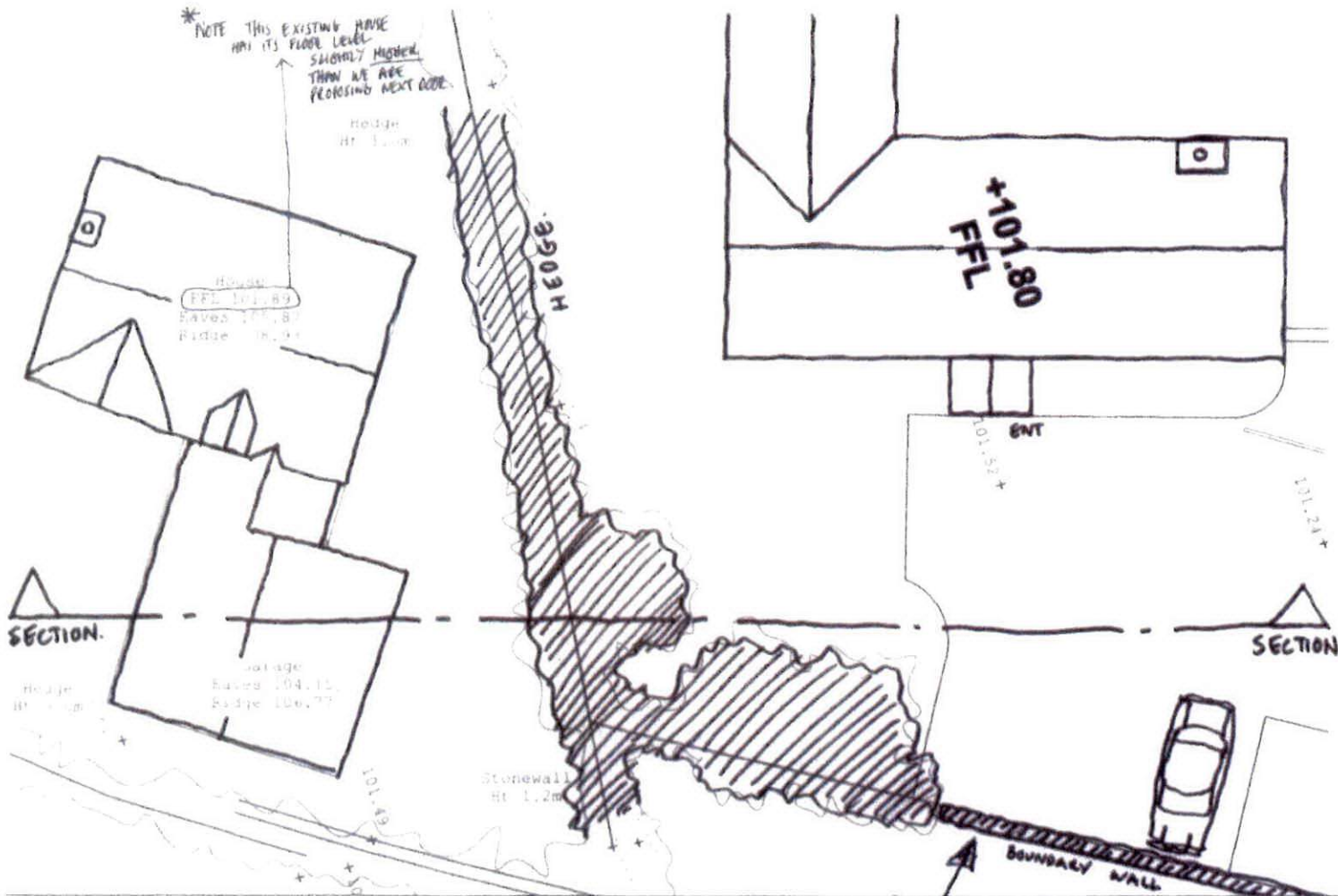
TURNING
CIRCLE
REINSTATED



AUGUST 2016

ORBAN CUL-DE-SAC ROAD IDENTICAL
TO MARCH 2015, WHICH LANDSCAPE
HAD STRONGLY OBJECTED TO
BECAUSE IT IS OUT OF CHARACTER.

④



LAND AT POULTON
CIRENCESTER, GLOUCESTERSHIRE
DECEMBER 2016

Part of Plan @ Northern End of Site at Plot 9
Scale 1:300 @ A3

WESTERN HEDGE HAS BEEN
REPLACED BY A WALL

Oakwood
Bell Lane
Poulton
GL7 5JF

13th December 2016

Dear Ms Brommage

RE 15/01376/OUT

I am writing to object to the Council's refusal to impose a Grampian Condition on the above application as requested by the Poulton Parish Council. **Thames Water have said that they cannot model the foul water from 9 houses in Bell Lane yet they appear to have done so for 10 houses in Kingham.**

In Kingham West Oxon (ref 15/000797/FUL), a Grampian was imposed by Thames Water on a 10 house development of affordable homes. There are only two other references to an historic sewer overflow problem in the application documentation. One is an objection from a resident on the grounds of effluent overflow into a field. The other is a letter of support from the Parish Council, which also refers to the effluent overflow.

Thames Water did not know the specific cause of the problem in the Kingham case, however they imposed a Grampian order, stating:

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed.

The facts of the Kingham application compared to Bell Lane are as follows:

Case	Kingham	Bell Lane
Size of development	10	9
Type of houses	100% affordable	100% open market
No of objections	1	490
No of objections mentioning sewage overflow	1	420 mention sewage overflow
Historic problem	Yes	Yes
Initial investigation	Yes - no details provided	Phase 1 of the strategy completed
Exact cause of problem known	No	No
Grampian condition imposed	Yes	No

How can it be right that a 10 house development of 100% affordable homes has a Grampian condition imposed, but the Bell Lane application of 9 open market houses does not when the scale of the problem in Poulton is greater? Surely the Grampian Condition must be imposed using consistent criteria?

Yours sincerely

From:BCTAdmin
Sent:21 May 2015 11:17:58 +0100
To:Planning
Subject:3rd Party Planning Application - 15/00797/FUL
Importance:Normal

West Oxfordshire District Council
Elmfield
New Yatt Road
Witney
Oxon
OX28 1PB

Our DTS Ref: 45382
Your Ref: 15/00797/FUL

21 May 2015

Dear Sir/Madam

Re: LAND AT , NEW ROAD, KINGHAM, CHIPPING NORTON, OXFORDSHIRE , OX7 6YP

Waste Comments

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed.

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Yours faithfully
Development Planning Department

Development Planning,
Thames Water,
Maple Lodge STW,
Denham Way,

21 New Road

Kingham

OX7 6YP

20/05/15

Dear Ms Fettes,

I am writing to you today regarding the planning application for New Road Kingham; 15/00797/FUL.

As a resident of New Road I have concerns regarding this application. My concerns are detailed as follows;

1. Allocation of proposed housing; Information provided by Ms Ffiona McEwan have stated that the houses will be allocated to those who fulfil the criteria of
 - Currently residing in the village and has been residing for at least 12 months
 - Has lived there in the past for at least 3 years
 - Is currently employed in the parish, and has done so for at least 12 months
 - Parents, grandparents, siblings or other children are currently resident in the village and have been for at least 3 years.

My concern with this is that these conditions will not be withheld. Several of the young people who live along New Road have been told directly from West Oxfordshire County Council that they will not qualify on a points basis. I am very familiar with the points system having been allocated my own home many years ago. I understand a young single person who has lived in New Road for 20 years will have very few 'points' and be low down on the need scale compared to that of a couple living in an overcrowded accommodation with children, or are homeless but the advertised criteria must be readdressed before ANY planning permission is put through as people are under false understanding that the new homes WILL only be for those who fit the above listed criteria. Further more it is forcing families to move away, in fact one young couple are moving to the other side of the country because they will NOT qualify for the planned housing and can therefore not afford to live and plan a family together here. If housing is 'sold' as housing for local people, it must be for local people, not based on the 'points system'.

2. The position of the new homes in relation to the community as a whole.

My understanding of the decision to build homes in New Road rather than purchasing land to build on is purely financial. As West Oxfordshire County Council own the parcel of land it

is financially beneficial to build on this land. Keeping the costs down and making the most financial sense of government initiated developments. Surely the development of housing is as important a social issue as it is financial? The plan is further dividing Kingham Village. Our village is already divided into 2 halves, both through a physical land gap and through social expectations. The decision to build more new homes in one half and refusing to join the village together invites further separation. Through actual physical communication I understand that several residents from the 'old' half of the village don't even know that the New Road end IS part of Kingham. This is ridiculous. There was use of the field running in between the Kingham Legion and New Road as a football pitch for the children, but this is not being used now and in fact the current football sessions for the children are held on the playing fields next to the pavilion. I know land is owned by the Church and the Colleges, it is also very expensive, but to keep infilling one half of the village and ignoring the essence of village community is surely questionable especially from a council's view as local councils are in place to provide and support local communities.

3. Facilities for new homes

I am very concerned with the sewerage facilities in Kingham. The sewerage pump house by The Mill House Hotel is unable to service the community in its' present size. The addition of 10 more homes with their maximum occupants will further stress this situation. In a 21st Century society, not having adequate sewerage is unbelievable. We regularly have overflows of sewerage into the fields running alongside the stream, polluting both the fields and the water system. We have had a minimum of 3 blockages in the past 5 years due to the inadequate size of the drainage pipes. The health risks associated with sewerage are numerous and fully known about in the public domain, so surely, why would West Oxfordshire County Council want to support more stress on an already overworked system?

The addition of extra traffic is another concern. The entrance to New Road is already sited at the top of a hill and on a blind bend, with extra traffic moving in and out, young children crossing from the new homes to the playing fields and the speed of traffic driving from both directions sets a site for future accidents.

4. Personal concerns

Loss of privacy for those of us directly affected. The plans show that there will be a 2 story development situated directly behind number 19, giving full view from the upper floor into the bedrooms of number 19. At present we have no loss of privacy at all, but once there is a row of houses situated behind our home plus their roadway, that will change. There will be total view of our home and garden from any upper floor room of most of the new development. There will also be public access to the new development which will offer any persons who wish to, to enter this area for whatever their means. If public access is denied, then that will risk the loss of access to emergency vehicles. We are also set to lose our own access to the bottom lane, this may cause social issues in the future due to our ownership of

large dogs while we negate walk ways. Noise concerns are also an issue which I wish to suggest may cause future difficulties.

You will see from my attached research that I am not the only resident with concerns. The majority of households directly affected (in New Road and adjacent roads plus Field Road) have shown that regardless of their support for new housing, the allocation AND location of any new homes within Kingham are the priorities. Residents feel they have had little direct information, nothing has been directly posted into homes, only those who regularly get the village newsletter or are linked to the Parish Council knew about the meeting back in September 2014. There has only been 2 planning application notices posted, both those have been up towards the entrance to New Road, none have been posted as far as my house even though I am directly affected. It is not difficult to contact residents who are affected, I spent one day and managed to speak to over 80% of households. The lack of proper communication and information has caused a lot of confusion and misinterpretation of what is actually being planned. Even down to information regarding the plans on the West Oxfordshire County Council website which is sadly lacking consistent detailed accessible information.

This process, I believe, is being pushed through as much as possible and lacks a coherent and fully accessible conversation with the residents. It has been stated that the housing planned is for those with local connections as detailed at the beginning of my letter, but I have been told by 4 separate families that their children have been informed by West Oxfordshire County Council that although they fit the above criteria they are almost certain to be unsuccessful as they do not have either any or enough 'points'. The research I have attached with this letter supports their concerns, you can see by the amount who have ticked the 'disagree with allocation of housing' box. As during every conversation I had with each resident we discussed both the allocation through the 'points system' and having the houses sited in New Road rather than joining both halves of the village together. You will see that I had to write in +location as so many residents said that new homes should bring both halves of the village together, not keep the community separated.

In conclusion, in my opinion, you must rethink this whole plan from a social view. Planning permission is, after all, a system to ask permission for development. It is not merely a box ticking system which you can use to legally begin developments and I therefore ask you to stop the application and readdress our fears before progressing any further.

Yours Sincerely,



NICOLA ASHTON

West Oxfordshire District Council

c/o- Abby Fettes,
Elmfield,
New Yatt Road,
Witney,
Oxfordshire
OX28 1PB

26.05.2015

Kingham Parish Council

c/o- 2 Orchard Way,
Kingham,
Oxfordshire,
OX7 6YT

Dear Ms Fettes,

Re- Planning Application 15/00797/FUL, Erection of 10 affordable dwellings with associated access. Parking and amenities.

Kingham Parish Council does support the construction, however, within the geographic region of the proposed development there is a situation of effluent overflow in a field.

Thames Water has been investigating this for some time and we are hoping that they will resolve the issue.

This may not have any bearing on the construction but certain residents have expressed concern that this new development will increase the effluent and overflow issue's currently being experienced.

Yours Sincerely,

Kingham Parish Council
Chairman – Keith Hartley
Clerk – Nicole Marina

CT. 9103 - Parish Council Representation

This application should be refused on the grounds of appearance, sustainability, it being outside of the development boundary, road safety, flooding and sewage.

In respect of flooding Enzygo continue to get details wrong including ditch ownership, soakaway test interpretation and a failure to recognise the significance of land drains.

We requested an explanation of the LLFA's blanket statement that "the latest Enzygo rebuttal answered all queries raised by the Poulton Working Group."

This is not the case.

PFA Consulting and qualified objectors raise questions about catchment area; groundwater levels etc. and they do not address issues we raised including that of drainage maintenance.

The impact of development on flooding at the London Road/Bell Lane junction and on properties north of the site, which are at a lower level and extremely vulnerable, **has not been evaluated.**

This development will exacerbate flooding elsewhere. This is contrary to the NPPF.

The situation with regard to sewage is **totally unacceptable.**

The Bell Lane sewers connect to the London Road/Bell Lane junction where sewage overflow occurs. In fact this happens across the village.

Surface and ground water enter the system and it cannot cope.

Adding further houses to a network which is old, broken, and overloaded can only make matters worse.

In October the case officer wrote to Thames Water:

"I do need to be in a position to explain clearly and succinctly in my committee report exactly what the problems during wet weather are in Poulton and therefore the impact of the application in this context."

In their response Thames Water make **no reference to the problems** apart from saying how distressing it is.

The quoted Ampney St Peter Drainage Strategy, which includes Poulton, is solely a consultative document without any assurances of future action. **Reference to it is therefore meaningless.**

A Grampian Condition should be applied to the development as the six tests are met.

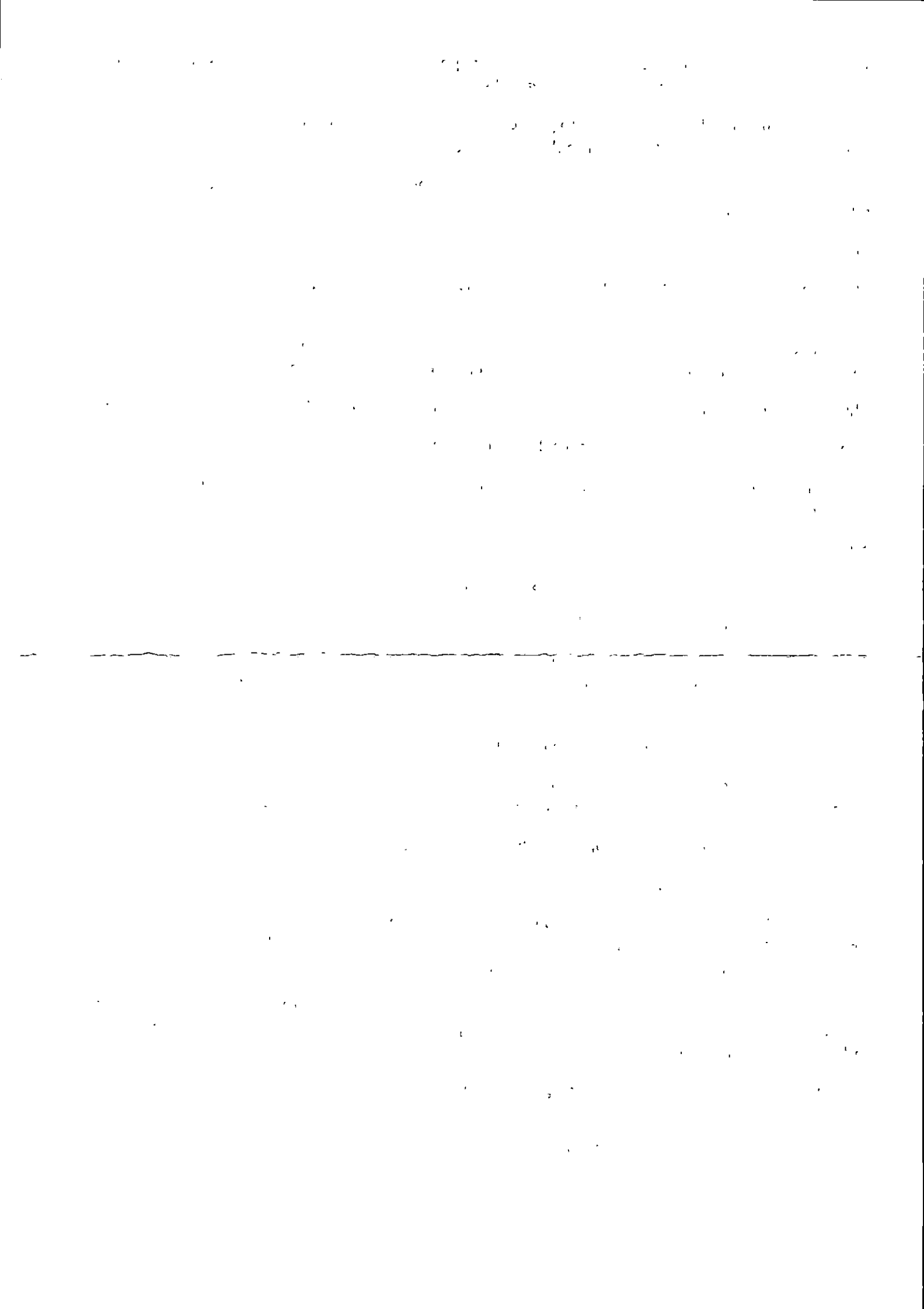
Investigation, repairs and improvements are essential in the face of intolerable sewage overflow.

Considering the over-reliance on statutory consultees and inconsistencies between Enzygo, Thames Water, the LLFA, PFA Consulting and residents a true assessment can only be achieved by commissioning an independent evaluation and by deferring a decision.

On the matter of appearance should this proposal be allowed to **"trash" forever** a country lane in our village? A road running parallel to an existing highway is an **urban not a rural feature**. The conservation officer described it as "quite unusual." It is incongruous and this alone is cause for refusal.

The disadvantages of this scheme outweigh the advantages especially with regard to appearance, flooding and sewage.

Our community cannot accept the increased threat.



CT. 9103 - Objector's Representations

The Council have a 7 year supply of housing. Therefore you do not need to support a development that compromises the character of an area.

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The golden thread running through the NPPF is the promotion of sustainable development. This, however, is not a sustainable development.

Poulton itself is not a sustainable location.

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Significantly, Poulton offers relatively few job opportunities. This leads to more out commuting, which is made worse by the lack of a village school.

Adding more houses in the village would only increase out commuting, most of which would, in reality, be by car – something that is clearly contrary to the principles of sustainable development.

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9 houses are proposed – a drop in the ocean in terms of the supply position of the Council but with significant adverse impacts for Poulton and the ⁵184 residents who have objected to this application.

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We have 2 main concerns – issues that we don't believe have been adequately addressed – those of **drainage** and **character**.

Our concerns regarding **drainage** are well documented.

The conclusion of our independent assessment is that the application fails to demonstrate that the development will not increase flood risk elsewhere.

If Councillors are minded to approve this application, we would strongly urge them to first consider commissioning their own independent assessment, to ensure that the Council is not left open to potential litigation.

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On the issue of **character**, the most recent layout pushes all of the houses back in line with one another, but the result is that they are squashed together with insufficient separation.

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This peripheral part of the village is low density, characterised by individual houses on individual plots with good separation between them.

The proposed development looks like an urban development with a terraced appearance, which fails to respect the character, density and form of the area.

This view is supported by the Landscape Officer who, in raising concerns with the latest layout, notes that it “will give the appearance, from some angles, of an unbroken stretch of development”.

Despite a number of attempts, the application has therefore failed to demonstrate that 9 dwellings could be accommodated on the site, without detriment to the character and appearance of the area.

It is not enough to state that this will be achieved at the reserved matters stage – they should be able to demonstrate that now.

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To conclude, we are not opposed to development of this site per se. However, we strongly feel that the proposal before you fails to respect the character and appearance of this part of the village and that serious concerns remain regarding the proposed drainage scheme.

We therefore urge Councillors to refuse the application, in accordance with paragraph 14 of the NPPF, on the grounds that the adverse impacts on the character and appearance of the area, would not significantly and demonstrably outweigh the very limited benefit it would bring, in terms of sustaining the housing supply position, of the Council, as a whole.

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The Council have a 7 year supply of housing. Therefore you do not need to support a development that compromises the character of an area.

Residents' objections Flooding

- Planning Prospects' response has not addressed our concerns.
- We object to and are seriously worried about the increased risk of repeated and real, not anecdotal, flooding.
- The groundwater flooding must not be under estimated or ignored – you will have seen from the photographs submitted in November that this is a real issue (for example the Scout Hut flooding).
- The Thames Water Drainage Strategy associated with this planning application shows these concerns in detail (figure B3 – shows the whole site as being high risk for ground water flooding).
- If you stand by the garages at the proposed access point to this site, you will realise this area is much lower than the field.
- The location of the proposed flood alleviation pond is in a corner of the field that floods the most – including on the day of November's meeting (as this image shows).
- The inclusion in Utility Law Solutions' letter of a direct copied and pasted quote from a planning application for Stanton Harcourt leads us to conclude that this was not an appropriately researched response to the concerns raised in November's meeting.

Photograph shows location of proposed flood alleviation – which flooded on the day of the CDC Planning meeting, Nov 16.



Our original concerns remain:

1. The regular flooding from Shorncote Treatment Works of the Shire Ditch – clean and sewage water
2. The existing increased flood risk caused by the Farming and Wildlife Advisory Group project, that will feed flood water from the Churn into the Shire Ditch.
3. Increased run off of water due to the field changing to a hard surface – risking a repeat of the flooding and condemning of flats previously opposite the site.
4. Houses on Berkeley Close and Winchcombe Gardens are lower than the adjacent section of field – the field is not flat – water would run off to these and underground.

Residents' objections

Safe access and density

- We object to the increased risk to road safety that vehicles and residents from 92 more homes would cause.
- At 4.5 meters and with significant on street parking, the access road is not adequate.
- There is a right-angled bend between The Leaze and Berkeley Close
- Children and parents walk to Ann Edwards primary school at the top of Berkeley Close
- The bus stop on Broadway Lane where secondary school pupils access and egress buses – which have to stop in the centre of the road due to on street parking (as these images show).
- There is inadequate access for emergency vehicles or large construction traffic and plant
- The lack of objection by Gloucestershire Highways takes no account of parking, restrictions or free movement of traffic.



Photographs show junction of Broadway Lane and the Leaze with local secondary school bus

- Planning Prospects' response has not alleviated our objections on the grounds of safety.
- **Our original concerns remain:**
 - Unsafe pedestrian access and crossing
 - Poor visibility at the junctions of The Leaze and Broadway Lane and The Leaze and Berkeley Close
 - Unsafe access to several properties on Berkeley Close and Winchcombe Gardens, including the Scout Hut

Residents' objections

Volume and speed of traffic

- A Gloucestershire Constabulary traffic survey of the village section Broadway Lane from November 2012 showed that there were nearly 14,000 traffic movements in one week.
- This was before 150 houses were built on Cerney on the Water or expansion of the industrial estate.
- This is a relatively quiet period due to the low volume of holiday traffic.
- The key facts from this are:
 - Nearly 14,000 traffic movements in one week
 - Up to 3,300 trucks
 - The fastest recorded speed in this 30 mile an hour zone was nearly 70 miles per hour

Residents' objections

Outside Emerging Local Plan

- We do not understand why the Planning Officer has recommended this application is approved when it is outside of the current and Emerging Local Plans.
- It was widely discussed in the last meeting that South Cerney has “done its bit” with 150 new homes in Cerney on the Water.
- Up to 50% affordable housing could mean 10% - there is no guarantee attached to the outline planning application.
- **We hope the planning officer isn't influenced by the new homes bonus from Central Government.**

BOURTON-ON-THE-WATER PARISH COUNCIL

The George Moore Community Centre

Moore Road
Bourton on the Water
Glos GL54 2AZ

CD. 4049/1/M - Parish
Council Representation

Submission to CDC Planning (Reg) Committee Meeting by Cllr Robert Hadley

Wednesday 14th December 2016

Ref: 16/03958/FUL Windrush Restaurant, St Kevins, High St: Partial change of use of ground floor from A1 Retail to Hot Food Takeaway

Important local amenities are virtually all in private ownership – this is true regardless of the type of business. They are always therefore going to be subject to the owner's financial demands – these demands cannot be influenced by community pressure alone.

As such, the only means to ensure that communities develop and grow to meet the needs of residents is the meticulous application of the Use Classes Order and planning policies when the opportunity presents itself.

The application to change use is linked with the ongoing development of the adjacent A3 business in the same ownership which will provide a 120 plus cover restaurant. It will not plug a gap in the market as there are already over 30 other A3 & A5 catering outlets in Bourton. As the applicant themselves acknowledge, this opportunity will simply "complement" the existing Restaurant and Café facilities at this location. The Council considers this is all about a property owner's return on investment and not the community benefit, as there is already approximately one catering outlet for every 100 local residents!

When a Development Plan is out of date the NPPF is only in favour of granting permissions unless "any adverse impacts of doing so would significantly ... outweigh the benefits." Policy 25 sets out 4 tests against which the application should be measured in terms of maintaining or enhancing community vitality - the application fails on 2 of those, namely that it should:

"Help to maintain an appropriate mix of uses" and that it

"Contributes to the quality, attractiveness and character of the settlement and street frontage..."

This application simply expands on the many existing A3 / A5 uses already located in Bourton. Another A5 business will also further clutter the street scene as the existing seating area is expanded to accommodate more take-away customers; more A5 trading is also likely generate a substantial increase in the amount of litter from take-away packaging that has to be dealt with

The Council therefore suggests that this application cannot be considered to have passed the 2 tests set out above.

There is still no justification to change the use, regardless of the much regretted loss of the newsagent, as the applicant has made no attempt to secure an alternative A1 tenant.

Landlords have the ability to force a change of tenancy by levying higher rents, this is their right. However, the newsagent was a viable, popular and useful residential amenity, despite the applicant's claims regarding changing purchasing patterns. If the available legislation is not rigorously applied in situations such as this, where the only driving forces are private commercial interests, a vital means of delivering genuinely sustainable communities will be lost completely, and Cotswold villages will continue to decline.

In summary, the Newsagents has been ~~at~~ the heart of the village community for over sixty years. It is part of the village's "lifeblood" and offers a real amenity value to the local residents. Its loss will damage the sustainability of the village, and offer nothing in return.

CD. 4049/1M - Agent's Representations

Committee reps

Windrush

Chair/Members

My name is David Jones, I am a planning consultant and I speak today in support of this application.

This proposal seeks consent to change the use of part of the property known as 'St Kevins' High Street Bourton On The Water from A1 retail use to A5 a hot food takeaway use. The remaining parts of the same property are already in use as a restaurant and takeaway.

The application has generated objection from the parish council and around ~~134~~ individual letters and petitions.

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The main objections from local residents are firstly that; approval of this application will result in the closure of the newsagent business and secondly; there are already too many cafes, restaurants pubs and takeaways within the village.

Whilst it is appreciated that local residents value the service provided by the newsagent, it is not the role of the planning system to protect individual businesses.

Within the remit of the existing use class the premises could be used for a range of uses including; hairdressers, internet café, travel agent, funeral director etc without further reference to this authority.

Therefore notwithstanding your decision today the newsagent is to close.

The NPPF supports a range of uses within town or village centre, including retail, leisure and food uses. Indeed the thrust of central government policy is to allow much greater use flexibility within town and village centres.

In many circumstances allowing premises to change from retail to non-retail uses without the need for planning permission.

Your officer's report acknowledges that there is *"no clear dominance of food based uses as a proportion of the commercial premises in the town"*.

Your officer's report goes on to confirm that:-

There is still a high proportion of retail units within the commercial centre which sell the same type of goods for top up shopping that are currently available at the newsagent.

The adopted local plan does not seek to restrict the number of cafes and take-aways within the commercial centre, the policy solely seeks to restrict the number of professional services offices within retail frontages, for example estate agents and banks.

The proposal will not harm the vitality and viability of the town. There are no adopted local plan, emerging local plan or national policies which would support the refusal of planning permission. I urge this committee to support your offices recommendation and approve this application.

CD.3390/N - Agent's Representation



Rural Solutions

The Nationwide Planning and Development Specialists

Committee Speech in relation to Item No 05.

16/03127/OUT

Land South of Gloucester Road, Andoversford, Gloucestershire

Dear Chairman and Members of the Committee.

Thank you for allowing me to address you today on behalf of the applicant.

I do not intend to speak for long; the Officer's Committee Report clearly sets out the issues for consideration today. But to summarise:

- Rural Solutions on behalf of the applicant has engaged in a lengthy pre-application process with the Council, following the withdrawal of the previously submitted application.
- We have actively worked with the Council's Landscape Consultant and other key consultees to address the areas of concern in the previous scheme put forward. Principally we have significantly reduced the number of dwellings from 30 to 16.
- Your Planning Officer after consideration of all material planning issues is recommending approval of the application.
- As reported, there are no objections from any technical consultees to the application.
- The development of this site to provide new housing represents a sustainable form of development which will contribute towards the sustainability and future vitality of the village community.

- There are no adverse impacts arising from the proposed development in terms of heritage, landscape or environmental impacts which would significantly and demonstrably outweigh the clear benefits of the scheme which are include:
 - Delivery of market and affordable housing (50%);
 - A high quality gateway development which provides visual and landscape enhancements to the AONB;
 - Landscape enhancements within the red line boundary to include an extensive planting scheme which includes interspersed native planting, re-enforced species-rich native hedgerow, a substantial thick natural boundary of trees (8 metres) to the south of the site;
 - Landscape enhancements outside of the red line boundary to include a species-rich native hedgerow;
 - A generous area of open space within the site.

- The application is of course in outline only with the exception of 'access'. The application has been prepared with guidance from highway professionals who have engaged directly with the County Highways Officer in respect of their comments and further information was submitted as part of the application process. It is noted they have raised no objection to the proposal, subject to conditions.

- Matters of design including appearance and landscaping will be determined in a reserved matters application but we have already worked with Council Officers to agree the extensive landscaping scheme and high quality design, given the site is located in AONB and at the gateway of the village.

To conclude the site is considered an appropriate housing site in principle and one which would make a contribution to meeting local housing needs without adverse impact including to the AONB.

Thank you for allowing me to address you today. I hope you will feel confident to determine this application in line with your Officer's considered recommendation.

CT. 4316/F - Objector's Representations

I speak for those residents who are deeply worried about this application.

The worries largely concern two matters. And these potentially concern everyone. West Street is a lovely place to live, but it is not without its practical every-day problems.

West Street is a narrow and dangerous road. Not a week goes by without a car sustaining damage. Wing mirrors are common sights in the road. A week ago a neighbour's car was seriously damaged by the rubbish disposal lorry. Traffic is forced to mount the pavement. An infill building site, with scaffolding, skips, lorries and all the rest, will make access to properties nigh on impossible. Heaven help deliveries and as for access for emergency vehicles.....

As you drive in to Tetbury from Cirencester you will see that Tetbury is a building site. This new property is not vital, except as a money making venture, benefits no-one (not being 'affordable') and will cause unreasonable discomfort to local residents and the wider community that uses West Street.

But the main issue concerns compliance with the Town Plan and the status as Conservation Area. West Street is over-developed. Value needs to be placed on its special position in an historic area. Its atmosphere and character should be preserved. To lose this important 'gap' would be a tragic loss. Make no mistake, this is a two storey house which will effectively make it and the adjacent properties appear terraced. Light, an appreciation of environment, privacy, comfort, safety, space, visual sensitivity...all matter.

The loss is for everyone, resident, pedestrian, visitor, people now, and people in the future.

CDC PLANNING COMMITTEE MEETING 14/12/16

54 WEST STREET TETBURY REF. 16/02944/FUL

VERBAL COMMENTS PRESENTED BY MR R BRADBEER AGENT FOR THE APPLICANT

The evolution of this application has followed acknowledged best practice. A formal written request for Pre-Application advice was made in October 2015. The advice received, which incorporated comments from the Conservation Officer, expressed the professional opinion that an additional dwelling in this location, and I quote,

'would be acceptable in terms of its impact on the character and appearance of the Conservation Area'.

The advice expressed some criticism of the initial sketch design and suggested in particular a steeper roof pitch of 45° minimum and also suggested reconsideration of the design of the rear elevation to better reflect the Cotswold vernacular.

Informed by these comments a revised design solution was prepared on the basis of a specially commissioned topographical survey. Officers were consulted once again on the revised proposal prior to submission of the application in August.

During the course of appraising the application both the Conservation Officer and the Planning Officer have suggested further minor amendments, which have been agreed and are reflected in the proposal now before you.

Further to deferral of the application at the November Meeting Members will have had opportunity themselves to, and I quote from the unconfirmed Minutes,

'Assess the impact of the proposed dwelling on the character and appearance of the Conservation Area'.

In doing so Members will have had opportunity to test and appreciate the detailed analysis of this matter presented by Officers on pages 247 and 248 of the Agenda which incorporates the expert opinion of the Conservation Officer.

In that regard Members will I am sure be mindful of the importance of confining themselves to material planning considerations. The Courts have established that planning is concerned with land use in the public interest. It is well established that the planning system does not exist to protect the private interests of one person, such as property values or private views, against the activities of another. Therefore, no weight should be attached to such non material considerations in the planning balance.

Accordingly I commend the Officer Report and recommendation and request that you determine this application in accordance with the Officer recommendation and in recognition of the planning benefits of granting permission in accordance with the development plan. Those benefits will comprise delivery of a sustainably located additional dwelling within the town centre that will increase local housing choice without causing unacceptable planning harm and consistent with preserving the character and appearance of the Conservation Area.

Full Application for Use of land for outdoor pursuits associated with existing leisure uses on site at Farncombe Estate, Willersey Hill, Willersey, Broadway, Gloucestershire (Application No. [16/04208/FUL](#)).

Mr Chairman,

Thank you for the opportunity to address you on this application. I am speaking on behalf of Broadway Golf Club and its 858 members. For the sake of brevity, I will not repeat all matters raised previously in the Golf Club's letter of objection.

We wish to confirm our objection to this proposal as:-

- The proposal is not considered to be sustainable development, due to its significant deleterious impact on the social and environmental well-being of the area.
- The officers' report justifies the application on the basis it will make an existing commercial activity more viable. No account is taken of the negative impacts of the proposal on other business operations, for example the potential harmful impact on the Golf Club's business due to the noise from the proposed activities, something that is incongruous with the playing of golf;
- The proposed development site is situated in England's largest designated AONB. Both clay pigeon shooting and quad biking will fail to meet the need for quiet enjoyment of the countryside, particularly given the proposal to operate for 185 days a year.
- Quad biking also poses a risk to the conservation and enhancement of the natural

beauty of the landscape.

- The Noise Consultant report's proposal to use a Tandridge DC planning decision made prior to the NPPF coming into being is, in our view, flawed. Nb the applicant's noise assessment fails to assess the impact of the proposed safari route;
- In the Golf Club's view the proposal is not in accord with the National Planning Policy Framework- c.f. Paragraphs 109, 115, 118 and 123;
- We believe the proposal is a major development (due to the area of the site) and does not satisfy the exception requirements set out in National Guidance in respect of development in an ANOB. No evidence is provided of the proposal being in the public interest nor does it appear to conform to the strategic objectives in the CDC emerging Local Plan for the Natural and Historic Environment;
- We consider the proposal does not have a functional relationship and special affinity with the historic and natural heritage of the area. The clay pigeon shooting proposal also fails to meet the test concerning an identified opportunity not met by existing facilities- there is a site in Childswickham. Quad biking is provided in Moreton in the Marsh. The Farncombe Estate could form a partnership with these local businesses to make them all more viable;
- The proposed activities will have a detrimental impact on the use of bridleway 15, posing a potential safety hazard to horse riders who use the bridleway;
- Great stall is made about the lack of complaints received during the existing operation. The Golf Club in the interest of good neighbourliness, has tried to live with the

operation under permitted development, even though clay pigeon shooting has interrupted the use of the golf course. This application with its proposals for significantly increased use of land adjacent to the Golf Course will adversely impact on the Golf Club its membership and visitors.

Taking these issues and the other matters raised in our initial letter of objection into account it is Broadway Golf Club's strong opinion that the application should be refused due to the proposal being unsustainable and it not being in accordance with several national and local policies.

Paul Lankester
on behalf of
Broadway Golf Club
14 December 2016

CD. 4931/2/J - Agent's Representations

Committee reps

Farncombe Estate

Chair/Members

My name is David Jones, I am a planning consultant and I speak today in support of this application.

~~Planning~~ Planning permission is sought for a range of supervised activities, including quad bike safari, archery, Segway safari, air pistol shooting, and clay target shooting. All of the activities

All of the activities applied for are currently been carried out on site, they are all contained within the grounds of the Farncombe Estate.

The estate was formerly the UK headquarters of Group 4 Security (G4S), providing administrative offices, training facilities, accommodation and social activities in conjunction with Group 4's business operations. Outside activities similar to that applied for today were undertaken during Group 4's occupation of the site.

Following vacation of the site by Group 4, the estate together with the Dormy House Hotel have been used for hotel and leisure activities, this has increased on site employment from 78 people in 2012 to approaching 280 people today.

There are 115 guest rooms on site spread between the Dormy House Hotel, Foxhill Manor and The Fish. The site attracts around 61,000 hotel guests and 60,000 non-resident diners per annum. In addition the site offers conferencing facilities and office accommodation. This proposal compliments existing uses on site providing guests with a range of activity options.

The noise generating activities have been subject to acoustic testing, the acoustic report confirms that the activities will not cause disturbance to residential occupiers. The existing activities have not resulted in any complaint despite such activities having been carried out on site for many years.

The applicant has agreed to restrict the activities via planning conditions, these include limiting the clay target shooting to no more than 185 days per annum and no clay target shooting on Sundays, Bank or Public Holidays.

Having considered the representations submitted in opposition to this scheme, it is noted that many objectors refer to Noise and disturbance emanating from a summer music event held on site. Please note that this is not what is applied for here and issues relating to that music event should not influence this committee in the determination of the application before you today.

Following a detailed assessment of this proposal, your officers recommend approval, I urge this committee to support your offices recommendation and approve this application.

Thankyou

CT. 8879/B - Objector's Representation

Speech on Wednesday 14 December re Shepherd's Barn 16/03870/FUL

Richard Beal

I represent the 29 people in Caudle Green and Syde who personally objected to this application or who asked to add their names in agreement with the objections raised in the Hunter Page report which we commissioned. This is the vast majority of the population of these two hamlets. I would like to explain why we all object so strongly to this application.

Unusually for objections, this is not nimbyism; house prices would not be affected. Nor is it personal; very few of the people I represent have ever met the applicant. Our concern is with the impact on the AONB. We love the beautiful, natural landscape in which this barn is situated and the quiet, unspoiled valley directly below. Our objections are as much for visitors to the area (of which there are many on foot, horseback and cycles) as for residents – both present and future.

Contrary to the claim of the applicant, the site is easily visible from multiple public viewpoints. The old barn would be converted into a house with garden, parking area, and other domestic paraphernalia. The access road would create an unsightly scar across the pastoral landscape below the skyline.

The substantial timber extension which is supposedly justified by a recently added lean-to would be a visually inappropriate addition to this heritage stone barn.

All this is in conflict with paragraph 55 of the NPPF (National Planning Policy Framework). The previous application for the site was rightly rejected in April this year for multiple sensible reasons, including its isolated and unsustainable location, its negative impact on the AONB, and because it would require significant alteration including a first floor and an extension. These reasons still apply. This application should be rejected for the same reasons.

Light from the building will pollute the night sky and vehicles on the access road will shine directly down on Caudle Green. The dark and silent valley will no longer be dark and silent. The latest edition of the Council's magazine Cotswold News rightly promotes the dark skies of the AONB and CDC Cabinet Member Councillor Chris Hancock writes "We want future generations to enjoy these wonderful benefits and the emerging Cotswold District Local Plan will help us counter any development that is likely to result in unacceptable levels of pollution, such as light and noise..."

What is the point of an AONB if it is not protected? True protection comes from ensuring that the spirit of the law is followed and not simply conforming to a few of its detailed provisions. You are the guardians of the Cotswolds, and we urge you to reject this application.

CD.0230/11C & CD.0230/11B - Applicant's
Representations

Applicant Statement to Planning Committee 14/12/16

16/03116/LBC and 16/03115/FUL

Good Afternoon / Morning

The change being proposed in this application is very important to our family and key to us being able to enjoy the amenity of our home.

As you will see there already exists a right of way across our property for our neighbours in Mangersbury Manor to drive round to the back of their house. The current route down our drive and across our garden is historic, but now that this part of the Manor is a separate home it compromises the privacy of our garden and has the potential to spoil our time spent at home. It has also in the past been hazardous when we have had young children playing in the garden.

Whilst we would love this right of way to cease, there is no basis for the new owners of the Manor to give it up as they reasonably wish to maintain a secondary entrance to the back of their property.

Instead we have been able to agree a solution, satisfactory to us both, to move this right of way as per the application. Our lawyers have drawn up the necessary 'Deed of Release and Grant of Easement' to move the route, which is ready to be signed on receipt of Planning Permission. I must stress that there will be no change to the legal terms or usage, simply a re-routing. It will remain solely as the back way in to the Manor, for which an unrestricted right already exists.

We have spent 24 years improving our small plot of land (including managing and planting trees) and we certainly would not wish to spoil this in any way now. We consulted neighbours and local residents and received universal support and so feel confident that this proposal is the right one.

Mr Worledge, an experienced heritage specialist will now explain how we have carefully thought through this proposal, mindful of the site's heritage and landscape interest, to arrive at a solution that we believe is sensitive and respectful.

Simon Meyrick

I am the owner of 14 Hatheop, I was born and bred in the Coln Valley and I have lived in Hatheop for 20 years. The planners report clearly takes rather a strong anti development stance but, in my view, is clutching at straws to support that ~~view~~ position. I would therefore like to persuade you that this proposal follows a well established pattern, that it will ~~enh~~ enhance life at No 14 and that it will add to Hatheops architectural heritage.

No 14 is not listed. It is actually two cottages and until quite recently was known as 13 & 14 Hatheop. Built around 1870 as unremarkable workers cottages they are tiny, having a combined floor area of less than 850 sq ft. The South elevation is both the front and the principal elevation of this pair of cottages and it makes a significant contribution to the village street scene. Unlike the east elevation which is at right angles to the street, barely visible from the street and much altered from the original.

My nearest neighbour to the north is No 15, recently granted planning to build an extension at the end of its eastern elevation. Difficult to argue that the proposal before you will either cause harm or upset the symmetry

CT. 9171 - Applicant's Representations

My nearest neighbour to the east is No 21, a listed cottage which recently built a side extension almost identical to this proposal. Its a mirror image. This has set a very strong precedent. Difficult to argue that this proposal will damage the setting of this listed building.

The vast majority of cottages within the Hathrop Conservation Area have built extensions in recent years, whether listed or not. This includes ALL my immediate neighbours. I am unaware of any suggestion that these extensions have harmed Hathrop. On the contrary, Hathrop is widely viewed as a very desirable place to live.

Perhaps the most important point is the unanimous support that I have from all my neighbours, fellow villagers, Ward Councillor + Parish Council for this proposal. There are no objections... none.

Also, this proposal is sensitively designed and is in keeping with and subservient to the host building. It does not involve any demolition, there are no noise or traffic issues and CDC have made no criticism of the design whatsoever.

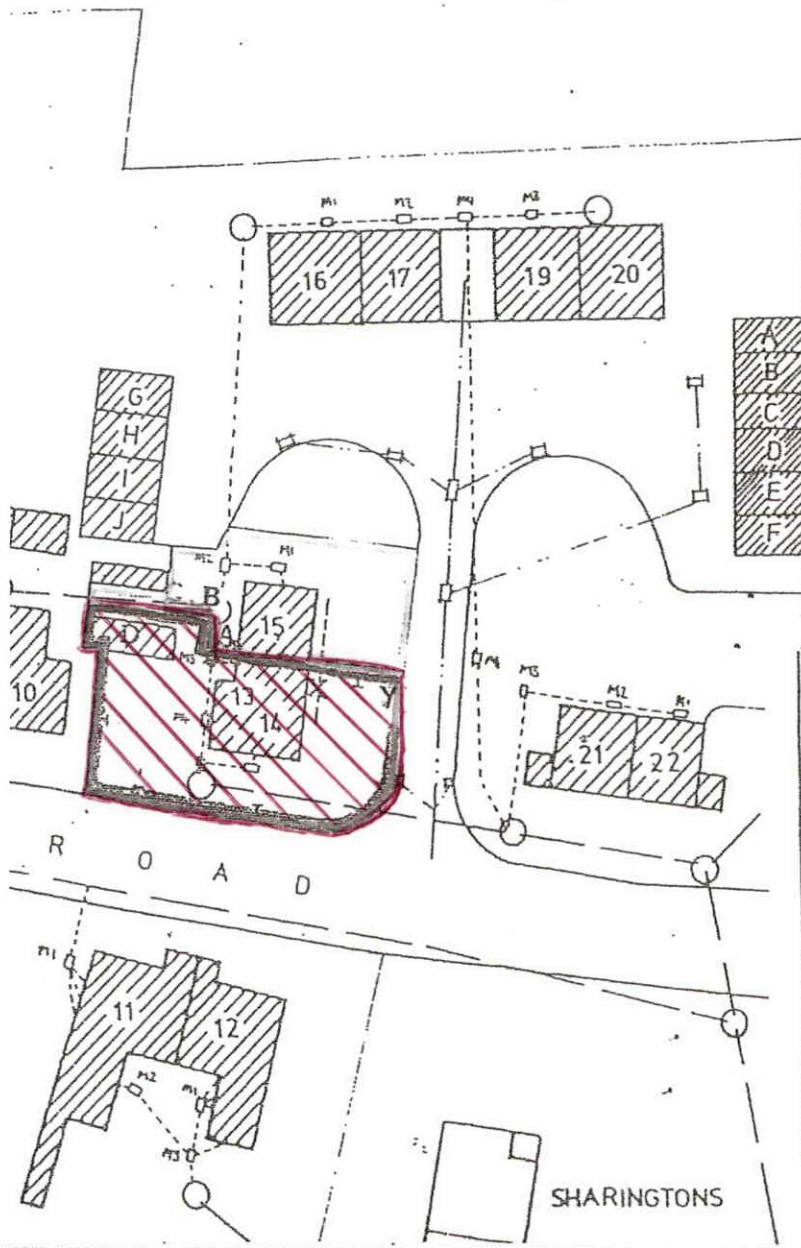
In the absence of a good public reason to the contrary there is a presumption in favour of planning permission. This proposal follows a very well established pattern, with numerous precedents, and I would therefore urge you to be consistent and approve this application.

J. Limpold
a Supt



HATHEROP

Wm. T. Hobbs

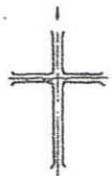


No. 14 Hatherop

Scale 1:625

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SMITH-WOOLLEY