

Item No 05:-

16/03127/OUT (CD.3390/V)

**Land South Of Gloucester Road
Andoversford
Gloucestershire**

Item No 05:-

Outline planning application for residential development (up to 16 dwellings) all matters reserved except access at Land South Of Gloucester Road Andoversford

Outline Application 16/03127/OUT (CD.3390/V)	
Applicant:	Dr Charles Levinson
Agent:	Rural Solutions
Case Officer:	Katherine Brommage
Ward Member(s):	Councillor Robin Hughes
Committee Date:	14th December 2016
RECOMMENDATION:	Permit, subject to conditions and completion of an acceptable S106 agreement to include provision of 50% affordable housing on site and a financial contribution towards primary education (£56,464) and secondary education (£45,041).

Main Issues:

- (a) Residential Development Outside a Development Boundary
- (b) Sustainability of Location
- (c) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty and Setting of Andoversford
- (d) Major Development within the Cotswolds AONB
- (e) Affordable Housing
- (f) Access, Highway Safety and Traffic Generation
- (g) Loss of Agricultural Land
- (h) Impact on Biodiversity
- (i) Flooding and Drainage
- (j) Impact on Heritage Assets
- (k) Arboricultural Issues
- (l) Benefits of the Proposals

Reasons for Referral:

This application has been referred to Planning Committee by Officers, in consultation with the Ward Member, due to the size and nature of the proposals, their location and the detail of the access proposals to which local concerns have been raised. The item is referred to Planning Committee following completion of an All Member Site Inspection in August 2015 (in connection with the withdrawn application ref: 15/01412/OUT) and December 2016.

1. Site Description:

The site is located immediately to the south of the A436 Gloucester Road and to the south west of the centre of the village of Andoversford. The existing residential housing estate of Templefields and Crossfields is located opposite, to the north of Gloucester Road. Andoversford Village Hall, Andoversford Primary School and playing fields are also located to the north of the site.

The site comprises an area of 1.35ha of mainly improved grassland with boundary hedgerows to the north, east and west. The southern boundary of the application site is open to the rest of the existing agricultural field beyond.

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011 and is located within the Cotswolds Area of Outstanding Natural Beauty (AONB).

There are no Public Rights of Way (PROW) located immediately adjacent to or cross the application site. The nearest PROW is located approx. 130m to the east of the site which is in part a bridleway. This PROW runs along the tree-lined driveway to the Grade II Listed Owdeswell Manor and associated Barn, located approximately 400 metres to the south-east of the application site. The closest listed building is The Mount, a Grade II listed detached dwelling located opposite to the north side of Gloucester Road. The principal vehicular access to the application site is via a farm track to the far south of field which is accessed from the Owdeswell Estate.

2. Relevant Planning History:

15/01412/OUT Outline planning application for the erection of up to 30 residential units and associated infrastructure (all matters reserved except access). Withdrawn 18.08.2015

3. Planning Policies:

LPR05 Pollution and Safety
 LPR09 Biodiversity, Geology and Geomorphology
 LPR10 Trees, Woodlands and Hedgerows
 LPR19 Development outside Development Boundaries
 LPR21 Affordable Housing
 LPR34 Open Spaces & Play Areas in Residential Development
 LPR38 Accessibility to & within New Development
 LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Development
 LPR47 Community Safety & Crime Prevention
 LPR49 Planning Obligations & Conditions
 NPPF National Planning Policy Framework

4. Observations of Consultees:

Gloucestershire County Council Highways:

No objection, subject to conditions (comments included in 'Officers Assessment').

Gloucestershire County Council Community Infrastructure:

Financial contributions requested towards primary education and secondary education (comments included in 'Officers Assessment').

Gloucestershire County Council Archaeology:

No objection (comments included in 'Officers Assessment').

Conservation Officer:

No objection, subject to an appropriate scheme being submitted at reserved matters (comments included in 'Officers Assessment')

Landscape:

No objection (comments included in 'Officers Assessment').

Lead Local Flood Authority:

No objections, subject to conditions (comments included in 'Officers Assessment').

Thames Water:

No objection, subject to condition and informative(s) (comments included in 'Officers Assessment').

Biodiversity Officer:

No objection, subject to conditions (comments included in 'Officers Assessment').

Crime Prevention Design Advisor:

General comments relating to the detailed design stage.

Tree Officer:

No objection, subject to condition (comments included in 'Officers Assessment').

Forward Plans:

No comments.

Environmental Regulations Services - Contamination:

No objection, subject to a ground investigation and remediation condition in accordance with Local Plan Policy 5 and Section 11 of the National Planning Policy Framework.

Housing Enabling Officer:

No objection, subject to the provision of a satisfactory level of affordable housing on site (comments included in 'Officers Assessment').

Environmental Regulation Services - Noise:

No objection, subject to a condition to ensure that new dwellings adjacent Gloucester Road are built to an acoustic design which affords compliance with the good internal design criteria of the relevant British Standard.

Withington Parish Council (Neighbouring Parish):

No objection to outline planning permission being granted.

5. View of Town/Parish Council:

Andoversford Parish Council have neither supported nor objected to the application but have made the following general comments which are set out in full:

'The two accesses that are proposed, one for the 15 houses and one for the detached house are a major concern for us. When this application arose last time before it got withdrawn, we highlighted issues with traffic volumes and speeds on this road, even the traffic measurements taken by the applicant showed that most vehicles were exceeding the speed limits within the 30 mph limit. This application proposes to add extra roads leading onto a road where speed limits are rarely adhered to, yet the applicant appears to want to remove the only visible speed calming measure in place and replace with signs and road markings. The Parish Council does not accept this and would prefer to have more than speed markings, we would prefer a more substantial

deterrent, we had previously proposed that the developer install a solid roundabout to ensure vehicles were slowed down both coming into and leaving the village.

The amount of vehicles and speed of them on this road has been a major concern for the residents for a number of years, particularly as there is a school half-way down this road. To say in your report that there had been no major incidents might be technically correct but many residents will testify how many near misses there have been and will still get HGV's coming through the 7.5 ton limit of the village. We have also regularly asked that the 30mph limit be extended up to Clock Square as at present this is a 60mph road right up to the village entrances. Just ask the people who walk down from Clock Square on the path what it is like!!

We would also like to know who the applicant has spoken with in the Parish Council as no-one recalled any discussions with the applicant, we would like to have a cordial meeting with them and CDC Planning Team to discuss our concerns.'

These comments have been followed up with the following response, which is the latest response from the Parish Council:

'The Parish Council have a number of matters and concerns that they would like to ensure are raised with the planning application and any future discussions/meetings on the application.

- Although Highways have said that they have no concerns regarding the access, the Parish Council is very concerned as the entrance is only just below the 30mph limit and we know from local experience that most vehicles ignore the limit. We would prefer to see the limit extended or a solid roundabout installed to deter the speeding. Currently the only deterrent is the traffic calming measure by Crossfields/Templefields entrance.

- Although the design of the application has a footpath being installed on that side of the road, there appears to be no thought of a pedestrian crossing to take individuals across the road safely, we have huge concerns with this as crossing that road for children, elderly and adults will be extremely hazardous, even more so in the evenings and winter.

- The village has previously on other developments experienced the problem of inadequate parking being provided for houses, we are in a rural area where more often a house will have two or more cars. Please ensure that the application has adequate parking.

- With regards to the design of the houses, it has become quite apparent from the recent development in the village that there are more of the elderly in the area that would like an opportunity of a small bungalow, the low cost homes should look to incorporate a mixture of bungalows and two bed houses.

- As this is the entrance to the main part of the village we need to consider a gateway style entrance.

- The Parish Council does have major concerns on extra housing being placed on the site and the implications of more housing development in general.

- The Parish Council has concerns regarding pressures on the electricity, water and sewer services in the village and would like some form of commitment from those utilities that the systems are able to cope with extra housing.

With regards to 106 contributions the Parish Council has a current list of Village requirements that are all currently associated and centred around the Village Hall (please see attached).'

The Parish Council also welcomed the opportunity to discuss the above with the applicants. The applicant has provided a formal response to these comments which are attached to this report for information.

Matters relating to S106 contributions, access and parking are dealt with in the officers assessment below. With regard to detailed matters of design, layout and housing mix, such matters fall to be considered at the reserved matters stage. Nevertheless, it is considered helpful that the Parish Council have made clear their concerns so that these can be taken into account in the early stages of preparing a reserved matters application (in the event that the application is approved). Members have the opportunity to request that any subsequent reserved matters application is brought before Planning Committee in making a decision on this application.

With regard to the concern that additional houses could be applied for on the site, or set a precedent for more housing development in general, whilst these concerns are acknowledged, Local Planning Authorities do not have the ability to prevent or obstruct the submission of planning applications. If an application were to be submitted for a larger development then this would need to be assessed on its own merits. The village is however, located in the AONB so it would need to be considered if the proposed development constitutes 'major development' and, if so, meets the requirements of Paragraph 115 and 116 of the NPPF.

6. Other Representations:

Letters of Objection

Letters of objection from 4 persons have been received, including from The Cotswold School. The grounds of objection raised are summarised as follows:

- i. Concerns regarding the application's impact on the AONB. There can be no reason to develop in excess of requirements.
- ii. Concerns regarding school capacity.
- iii. Concerns regarding sewerage impact which is up to maximum capacity.
- iv. The industrial estate has no job vacancies
- v. Concerns regarding the proposals leading to a significant increase in traffic, resulting in dangers to the public (including pedestrians and children).
- vi. Concerns that the development will not cause the traffic speed to reduce. Speed in the village is a great problem.
- vii. Grave concerns regarding the quantity of development that has received planning permission within the catchment of The Cotswold School.
- viii. The Cotswold School is heavily oversubscribed. It is the only secondary education provider in the catchment area and is an 'outstanding' school (Ofsted 2015).
- ix. Concerns regarding the lack of S106 monies (or similar funding) which are vital to improve The Cotswold School and increase capacity.
- x. Concerns regarding lack of investment in road infrastructure in light of recent developments across the catchment which impact on The Cotswold School and the local Bourton on the Water community. Due to the semi rural nature of the catchment the vast majority of pupils must be bussed into the school.
- xi. Building at this level, without appropriate investment by developers in the local infrastructure, is insupportable.
- xii. Concerns regarding the visual impact of the development due to difficulty in increasing planting on the western border due to telegraph poles along the hedge line.
- xiii. There is no need for additional housing at this time. New housing allocation for the village has already been met by recent construction of houses along Station Road and proposals behind Templefields.
- xiv. The proposal appears to be solely for commercial gain in view of housing allocation requirements having already been met.
- xv. The footpath to the Kilkenny Public House terminates at Clockhouse Square making pedestrian access to the amenity perilous and this will only be exacerbated with increased traffic resulting from any new development.
- xvi. Concerns regarding the reduced bus services despite being very well used. It is difficult to see how a reduced service can adequately accommodate additional users.
- xvii. The proposed development will adversely impact on this idyllic view. uninterrupted views of the Cotswold Hills experienced by the residents of Clockhouse Square who currently enjoy.

Full comments on behalf of the Campaign to Protect Rural England are set out as follows:

'We object to this planning application.

a) The proposal is not sustainable

The need for housing at Andoversford over the period up to 2031 will be met by the housing recently built and the allocated site in the draft local plan for 25 dwellings at land to the rear of Templefields. This site has been identified through the SHLA process as being the most suitable for residential development and we believe it is a preferable location to the site being proposed south of Gloucester Road. There are landscape reasons for this preference (see below) but also the capacity of the "rear of Templefields" site is sufficient to cope with the total foreseeable needs of the settlement. Should the site south of Gloucester Road be developed as well then the additional housing would be serving an almost exclusively commuter need. This is unsustainable. The applicant has argued that because more people are working from home there will not be commuting from the site. Evidence does not support this argument; the latest ONS publications show that home working had increased but to just 13.9% of the workforce. Of these only 5% actually work at home; the remaining 8.9% used their home as a base but actually worked at other locations (for instance a self-employed decorator). This shows that the effects of home working on commuting pattern is marginal. The applicant also argues that the housing will meet a social need by allowing old people to move out of their homes and releasing housing for younger people. This is a desirable aim but it would need to be substantiated by detailed surveys of the existing Andoversford residents and it would have to be demonstrated that the Templefields development would not already meet this need for people with a connection to Andoversford.

In general it would in any event be necessary for local needs survey to be carried out to ensure that any affordable housing being proposed in either development met the needs in terms of type and outturn cost.

b) The proposed development would be damaging to the natural beauty of the AONB

The area to the south of the Gloucester Road is characterised by unspoiled grass fields with hedging and occasional groups of trees against the background of the tree belt lining the Gloucester Road. It forms part of the much larger landscape area stretching down the Coln Valley towards Withington. There are few buildings in this area. The fields being proposed for development form a part of this whole and are separated by low hedges from the adjacent fields. The applicant has greatly underestimated the impact the proposed development will have. The fields can be seen from some distance from the Gloucestershire Way around and above Foxcote and the paths to Thorndale off the Withington Road and the track which connects Thorndale to Foxcote. From these view points (which the applicant does not consider in their assessment of visual impact) Andoversford cannot be seen because the major part of the village is set in a hollow and the trees on Gloucester Road screen the remaining housing. The effect is an open totally rural view stretching up into the hills towards Brockhampton. The proposed housing will be a significant built block in this landscape clearly and prominently visible above any hedging. The applicant is proposing to plant a new hedge around the site. It is unlikely this will ever grow high enough to adequately shield the buildings from view and in any event will take at least 20 years to mature during which time any mitigating effect will be minimal. This would be an alien element in the landscape and contrary to the guidelines produced by the Cotswold Conservation Board for the High Wold Valleys.

These effects are greater for a walker using the bridleway from the Frogmill to Andoversford. This way passes Owdeswell Manor and at this point the view forward is of a charming path overhung by mature deciduous trees between which one sees clearly and uninterruptedly west across the fields proposed for this development. The backdrop is the trees lining Gloucester Road which total screen the built area behind. This is a totally rural view with just the house on the corner to signal entrance to the village. The proposed development would totally dominate this area and change the area to one of an urban extension. This would also be most damaging to the natural beauty of the AONB.

Both the above are contrary to the provisions of the NPPF paragraph 115 and to the whole thrust of the Cotswold Conservation Boards Management Plan.

This is in stark contrast to the area to the north of Gloucester Road which is dominated by the built extension to Andoversford. The proposed development to the rear of Templefields and is within the AONB but is only experienced with a backdrop of the existing build area and will be seen as a natural extension to the village.

In addition Gloucester Road has so far acted as an informal boundary to the village. Except in the centre major development has been to the north with just a few scattered buildings to the south. We suggest it would be damaging and bring about a feel of ribbon development for this informal boundary to be breached. In addition additional traffic onto the road will be dangerous.

For these reasons we believe that the proposed development south of Gloucester road will be damaging to the landscape and the established settlement pattern of the village in contrast the proposed development to the rear of Templefields.

For these reasons we would urge the Cotswold District Council to refuse planning permission for this application.'

Letters of Support

No specific letters of support have been received to date.

General Comments

3 letters stating general comments have been received raising the following, in summary:

- i) More housing will bring doubtless more vehicle use on A436, A 429 and A40 particularly to and from Cheltenham through Charlton Kings.
- ii) It is unlikely that the occupants of the new houses will do their work, shopping and socialising in Andoversford alone.
- iii) The crossing between Gloucester Road and the A436 is very dangerous.
- iv) There needs to be a much better and more sustainable approach to transport, between Andoversford and Cheltenham if Andoversford is to expand.
- v) More buses, and a cycle routes are essential. The developers could, for example, be asked to contribute to a safe cycle and walking route using as much of the old rail line as possible. There also needs to be a safe walking and cycling route from these houses to the centre of the village.
- vi) It isn't clear how many of the houses fall into the affordable category but certainly that category should be favoured over 4 and 5 bedroom housing.
- vii) The site is located in an Area of Outstanding Natural Beauty, if there were any future plans of development it would be a major concern.
- viii) The road speed limits needs changing to a 30 zone extending up past Garricks Head Crossroads and maybe a 20 zone before the planned road into development.
- ix) Paths need to be made wider on the old Gloucester Road and as well as existing paths.
- x) Speed warnings need to be put in place.
- xi) The proposals are an improvement to an earlier but rejected application (14/05629/OUT) for a number of reasons, one being that the current proposals are more inclusive to the village whereas 14/05629/OUT would have been a development behind the Templefields estate and effectively not part of the village.
- xii) The proposed screening needs to be enhanced to satisfy the Gloucestershire Conservationists and to ensure that there is no development creep.
- xiii) The entrance to house number 16 should be modified as it is close to the speed reduction bollard that restricts the traffic to one lane for a few yards. A better design would be to have the entry to the development opposite the entrance to Templefields and include a roundabout, which would have the added benefit of reducing the speed of the traffic entering the village, which is currently excessive most of the time - this is anecdotal information.

- xiv) There should be a limit on the number of houses placed on this development - there have been instances where approval has been given to an 'outline' planning application and on a 'full' application the number has been increased.
- xv) The number of parking spaces should be adequate so that there is no reason to park on the road (as unfortunately occurs in other areas of the village)

7. Applicant's Supporting Information:

Illustrative Plans
 Planning Statement
 Sustainability Appraisal
 Design and Access Statement
 Landscape and Character and Visual Assessment
 Transport Statement Technical Note 5
 Transport Statement Technical Note 6 (Safety Audit)
 Heritage Assessment
 Ecological Appraisal
 Bat Survey Report
 Flood Risk and Drainage Strategy
 Arboricultural Statement
 Archaeological and Heritage Statement
 Magnetometer Survey Report
 Phase 1 Geoenvironmental Desk Study
 Draft Heads of Terms

8. Officers Assessment:

Proposed Development

This application is seeking to establish the principle of development and is submitted in Outline with means of access to be determined only. Other matters relating to Landscaping, Layout, Scale and Appearance have been reserved. The current layout, as shown on the Proposed Site Plan, is purely indicative and intended to demonstrate how the site could accommodate the proposed level of development.

The applicant is seeking permission of up to 16 dwellings. Vehicular access is proposed via new accesses from Gloucester Road.

(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 adopted 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 Local Plan Policy 19: Development Outside Development Boundaries. Criterion (a) of Local Plan Policy 19 has a general presumption against the erection of new build open market housing (other than those which would help to meet the social and economic needs of those living in rural areas) in locations outside designated Development Boundaries. The provision of the open market dwellings proposed in this instance would therefore contravene Local Plan Policy 19 criterion (a).

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 the guidance and policies contained 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'.

Where relevant policies are considered to be out-of date, the Council has to have regard to Paragraph 14 of the NPPF which states that where the development plan is absent, silent or relevant policies are out-of -date 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.'

Footnote 9 (page 4) of the NPPF clarifies that the final bullet point of Paragraph 14 is a specific reference to those policies relating to sites protected under Habitats Directives and/or designated as Sites of Scientific Interest etc. including Areas of Outstanding Natural Beauty and Conservation Areas. It is therefore accepted that the requirement to grant planning permission 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits' does not apply in such case with precedence instead given to an assessment against the relevant policies referred to in Footnote 9.

In May 2016 an updated five year housing land supply report was published as part of the Council's usual annual monitoring. The May 2016 report identifies that the Council is able to demonstrate a five year housing land supply of 7.54 years against an annual Objectively Assessed Need (OAN) of 420 dwellings per annum, plus a 5% buffer. The Council's positive land supply position is a material consideration in the determination of this application

It must 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 buffer) figure is a minimum and, as such, the Council should continually be seeking to ensure that the five year housing land supply stays above the 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 then the Council's housing land supply will fall back into deficit.

At a recent appeal for up to 15 dwellings in Honeybourne in Worcestershire (APP/H1840/A/13/2205247) the Planning Inspector stated 'the fact that the Council do currently have a 5-year supply is not in itself a reason to prevent other housing sites being approved, particularly in light of the Framework's attempt to boost significantly the supply of housing.'

In relation to an appeal relating to a proposal for 100 dwellings in Launceston in Cornwall dating from the 8th April 2014 (APP/D0840/A13/2209757) the Inspector stated (Para 51) 'Nevertheless, irrespective of whether the five-year housing land supply figure is met or not, the NPPF does not suggest that this has to be regarded as a ceiling or upper limit on permissions. On the basis that there would be no harm from a scheme, or that the benefits would demonstrably outweigh the harm, then the view that satisfying a 5 year housing land supply figure should represent some kind of limit or bar to further permissions is considerably diminished, if not rendered irrelevant. An excess of permissions in a situation where supply may already meet the estimated level of need does not represent harm, having regard to the objectives of the NPPF.'

It is also evident that the continuing supply of housing land will only be achieved, prior to the adoption of the new Local Plan, through the planning application process. Allocated sites in the current adopted Local Plan have essentially been exhausted and the emerging Local Plan, whilst indicative of the Council's direction of travel in plan making terms, cannot at this stage be accorded any significant weight. Therefore, in order to meet the requirement to provide an on-going supply of housing land there will remain a continuing need to release suitable sites outside Development Boundaries for residential development. If the Council does not continue to release such sites the land supply will fall into deficit.

It is considered that the need to release suitable sites for residential development represents a material consideration that must be taken fully into account during the decision making process.

As such, despite the 'in principle' objection to new open market housing outside existing Development Boundaries, set out in Local Plan Policy 19, there will be instances, in accordance with Paragraph 14 of the NPPF, where new open market housing outside existing Development Boundaries can constitute sustainable development as required by the NPPF.

The blanket ban on new-build open market housing outside development boundaries is considered not to carry full weight when assessed against Paragraph 215 which 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)'.

Local Plan Policy 19 was intended to be very restrictive and was devised to conform to a strategy where all new open market dwellings 'beyond development boundaries' were deemed to be unwarranted. Local Plan Policy 19 therefore effectively places a blanket ban on all development outside of development boundaries; the exact approach that the NPPF seeks to prevent. It is therefore apparent that the policy is time expired, conforms to a superseded strategy and fails to reflect the advice in the NPPF, in severely restricting rather than 'significantly boosting' the supply of housing. Local Plan Policy 19 is therefore 'out-of-date'. Such an assessment is in line with the Inspector's Decision for the appeal at Broad Marston Road, Mickleton (PINS Ref: APP/F1610/A/14/2228762). Therefore, whilst the site is located outside of an adopted Development Boundary and must therefore be acknowledged to be in conflict with the Local Plan, Local Plan Policy 19 is 'out of date' and carries only little weight in accordance with Paragraph 215 of the NPPF.

The wider implication of this pertains to Paragraph 14 of the NPPF. Prior to the receipt of the Mickleton Appeal Decision it was the Council's position that the second bullet point of the second limb of Paragraph 14 - 'to grant planning permission where the development plan is absent, silent or relevant policies are out of date unless' - only applied in the Cotswolds in the event that a five year housing land supply could not be demonstrated. This however, is no longer the case. Given the wording of Local Plan Policy 19, the implication of the Mickleton Decision is that all applications for new dwellings which engage Local Plan Policy 19 fall to be considered in accordance with Paragraph 14 of the NPPF.

In accordance with Paragraph 14, as the proposals do not accord with the development plan there is no obligation to approve the development 'without delay'. However, planning permission

could still be granted for the proposals where material considerations indicate otherwise, including those relevant policies contained in the NPPF.

In accordance with the NPPF, it is necessary to have full regard to the economic, social and environmental roles set out, in addition to whether there are policies contained in the NPPF that would indicate that development should be restricted. Such issues are considered in more detail below.

(b) Sustainability of Location

Andoversford is a modest size settlement, but has an above average level of services and facilities for a village of its size and ranks 11th in the District in terms of its social and economic sustainability.

Andoversford's level of self-containment however, is low at 38% which could be explained by its relatively close proximity to the major urban area that is Cheltenham. Andoversford benefits from good bus links to Cheltenham, Northleach, Burford and beyond for both employment and leisure.

In terms of the strategy for Andoversford, the Council's emerging Local Plan document states that 'Andoversford's role as a local service and employment centre should be enhanced to help enable it to service a number of villages within a few miles' radius, and reduce reliance on car travel to Cheltenham/Charlton Kings to the west' (Source: 'Local Plan Reg 19 Submission Draft').

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 (NPPG). Given Andoversford's above average level of services and facilities, as well as its connectivity, it is accepted by the Council that Andoversford is a sustainable location in principle for new development. It is one of 17 settlements that has sufficient facilities and services to accommodate new residential development in the period up until 2031 as identified in the emerging Local Plan (e.g. Policy DS1). Although, it is noted that in the context of the current adopted Local Plan Andoversford is not identified as a Principal Settlement.

The Government's Planning Practice Guidance 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.'

Policy S10 of the Submission Draft Reg 19 Local Plan document allocates a total of 25 dwellings to the settlement for the period between April 2011 and April 2031. This represents a reduction in comparison to the previously proposed Strategic Policy 5: Distribution of Housing and Employment Development of the Local Plan Regulation 18 Consultation Paper which allocated 108 dwellings to the settlement for the same period. At that time the Regulation 18 consultation Paper stated that the 108 dwellings 'represents a reasonable level of house building, despite Andoversford's modest size. The consequent growth in the community's population will - in association with its continuing employment role - help to sustain existing facilities. Importantly, it

will also help to enhance Andoversford's potential role as a local service centre in an otherwise poorly-served part of the District. Additional housing will also address the relatively modest need for affordable housing in the Andoversford area'.

The application site was not submitted for consideration as part of the Strategic Housing Land Availability Assessment (SHLAA) before 2014 but has since been submitted for consideration, along with a larger area of land to the immediate south of the application site. The two sites are referred to in the consolidated Strategic Housing and Economic Land Availability Assessment (January 2016) as Site Ref: A_9 (Owdeswell Manor Farm) and Site Ref: A_10 (Land south of Gloucester Road) (see SHLAA Extracts attached to this report).

Site Ref: A_10 is broadly consistent with the extent of the current application area albeit the site is smaller. Site Ref: A_10 along with Site Ref: A_9 have been discounted as being developable in the plan period for the following reasons:

'The Study of Land Surrounding Key Settlements (White Consultants, August 2015) found that development of this site would have a high/medium landscape sensitivity. The site's topography rises from east to west and any new housing would extend the development line up the valley side and would be visible from the Gloucestershire Way and the formal approach to Owdeswell Manor. Development of the site would also suburbanise the entry to the village by extending housing southwards and would comprise major development in the AONB.

In addition to the above, the SHLAA assessment process also identified the following potential development constraints: Grade 3 agricultural land (detailed survey required), north-eastern part of the site within a filled quarry/landfill buffer zone and water treatment facilities 800m buffer zone.'

It is not clear from the SHLAA 2016, or the White Consultants August 2015 report, whether a particular number of units or indicative scheme was assessed in drawing the above conclusion. Nevertheless, inclusion of a site within the SHLAA does not determine whether it will be allocated for development or not. The SHLAA has no policy status and identifies only the potential constraints and suggested actions that may be taken to overcome constraints. The list of identified constraints is not absolute and it may be that further issues are identified when further survey work is undertaken i.e. at the planning application stage. Conversely it may be found that the issues raised at the SHLAA stage are not as significant as first thought.

Accordingly, the inclusion of a site in the SHLAA does not mean that planning permission will be granted and discounting a site does not mean that planning permission would be refused. All planning applications fall to be assessed on their own merits in accordance with Section 38(6).

The Submission Draft Reg 19 Local Plan document identifies Site Ref: A_2 and Site Ref: A_3A as favoured sites for residential development (i.e. Land to the rear of Templefield/Crossfields). However, the emerging Local Plan is still at a stage where it carries limited weight. It is only once it has been submitted for Examination in Public that it begins to carry more significant weight. The policies contained in the latest emerging Local Plan document are not final versions and any allocation made within them are not therefore cast in stone and could be subject to change or deletion.

Furthermore, it is notable in respect of the Land to the rear of Templefields and Crossfields site that the allocation of this land remains locally contentious and is heavily objected to.

Paragraph 216 of the NPPF states that from the day of publication, decision-taker may give weight to relevant policies in emerging plans according to the stage of preparation, the degree of consistency with the Framework and, particularly relevant to this case, the extent to which there are unresolved objections to relevant policies.

It is evident that the ability of Andoversford to accommodate new residential development has been assessed as part of the emerging Local Plan process. The Regulation 19 document (and those previous to it) recognises that the village is able to offer a range of services and amenities which can meet many of the day to day needs of the community. Andoversford is therefore recognised as a potentially sustainable location for new residential development in terms of accessibility to services, facilities and amenities. The proposals are not therefore considered to be unacceptable in principle.

(c) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty and Setting of Andoversford

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to conserve or enhance the natural beauty of the area in accordance with the Countryside and Rights of Way (CROW) 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, which have the highest status of protection in relation to landscape and scenic beauty.'

Paragraph 115 also states that 'The conservation of wildlife and cultural heritage are important considerations in all these areas'.

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

The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment as falling within Landscape Character Area 7 'High Wold'. The High Wold landscape area comprises the plateau landscape to the east of the escarpment. The principal area of the High Wold extends from the north of Stroud and then sweeps north-eastwards to Chipping Campden and to the west of Bourton-on-the-Hill. However, there are a number of smaller and physically separate sections of the High Wold where the plateau has been dissected by valleys.

Andoversford falls within Landscape Character Type 'Cotswolds High Wold Plateau'.

The Landscape Character Assessment states that arable farming predominates although improved pastures grazed by cattle and sheep are also in evidence. The Landscape Character Assessment states, inter alia, that the 'High Wold plateau is generally an expansive, large scale, windswept landscape. Its elevated position allows long distance views over wide areas, and in areas of limited woodland cover a sense of exposure persists. Locally, however, tree cover provides some seclusion and limits views across the plateau and beyond to neighbouring landscape types. Despite being fragmented by the deeply incised valleys that have been cut into it, long views over them give the impression of a cohesive plateau.'

The Landscape Strategy and Guidelines for the Cotswolds AONB identifies that, despite its predominantly agricultural character, the wide, elevated, gently undulating plateau landscape retains a strong sense of remoteness contributing to its high sensitivity. Wide panoramic views, a high degree of inter-visibility and limited woodland cover also add to the sensitivity of the High Wold landscape, particularly to tall vertical elements.

The Landscape Strategy and Guidelines for the Cotswolds AONB identifies the 'expansion of settlements' amongst its list of 'Local Forces for Change'. 'Potential Landscape Implications' of such development are identified as the;

- Erosion of distinctive radial and linear settlement patterns.
- Intrusion of expanded settlement fringes into the landscape.
- Potential loss of archaeological remains and historic features.
- Proliferation of suburban building styles/ materials and the introduction of ornamental garden plants and boundary features.

In such areas the 'Outline Landscape Strategies and Guidelines' advises it should be ensured that, inter alia:

- new development does not adversely affect settlement character and form
- new built development to be visually integrated with the rural landscape setting so it does not interrupt the setting of existing villages or views

Despite the conclusions of the White Consultants Report (August 2015), the applicant's Landscape Character and Visual Assessment (LCVA) considers that the zone of 'Primary Visibility' is confined to an approx. 2km radius of the site. Plan EDP4 of the LCVA sets out the findings of the applicant's visual appraisal in diagrammatic form and shows the immediate visual envelope of the site (as it currently exists) to the immediate south and north of the site.

The LCVA states that for those travelling along the Wittington - Syreford- Shipton road that because the route features hedgerows that screen views towards Andoversford that the site itself is rarely identified. Although, from a short section of this minor road, where there is an absence of roadside hedgerows, generally transient oblique views may be obtained.

The sequential viewpoints (EDP 1-8) demonstrate that starting from the A436 (c.800m to the south of the site and progressing northwards along the PROW no. KAN10) users of the PROW, due to topography and intervening hedgerows, the settlement edge and the site are screened in views until the user is able to experience open views of the site when within the Zone of Primary Visibility at a distance of c. 430m. From which the existing settlement edge is also readily identified.

The LCVA explains that the main short term adverse effect will be to the setting of the village as experienced from the south, by introducing a number of residential dwellings into a currently undeveloped field. As compensation for the predicted harmful effect on this setting, the longer term maturation of the trees planted to establish a new southern boundary, will create a substantial, seasonal buffer which will deliver a long term beneficial effect in landscape and biodiversity terms.

Of the viewpoints assessed, one is predicted to have a material harmful effect (being the PROW KAN10 which transfers from a bridleway to a driveway to the Grade II Listed Owdeswell Manor) primarily as a result of the sensitivity of the route and its location. It is however, considered that the proposed tree buffer along the southern boundary of the site will address the visual impact and lowering it in the long term.

The greatest potential for change is (predictably) when closest to the proposals. The LCVA explains that whilst the visual baseline will be redefined, where the site fronts onto Gloucester Road, that the proposals will present the opportunity to reinforce the village approach into Andoversford. In conclusion the LCVA considers that the smaller scheme of 16 units and considerable new landscape proposals will reduce the harmful landscape and visual effects compared to the larger scheme and limit these to receptors within a very localised area in and around Andoversford.

For consistency, advice has been sought from the same external consultant who provided comments in respect of the withdrawn larger application. In this case the Council's Landscape Consultant has advised that:

1. The site is located on an elevated field to the south-west of the village of Andoversford. The land slopes to the east forming part of the western valley slope of the south to north valley in which the historic core of Andoversford, and some new build residential properties and industrial premises, are located. To the north the modern estate of Crossfields, together with the Community Hall and playing fields, forms an incongruous and disruptive feature in the landscape, detracting from the character of the setting of Andoversford and the wider countryside. To the west and south the agricultural valley side landscape dominates. To the east there is a small gap in the development form along the Gloucester Road frontage before the residential edge of the village is reached.

2. The application site comprises a road frontage section of a field which is currently pasture. To the north a strong tree belt and Gloucester Road separate the site from Crossfields. To the west there is a strong hedge and tree belt which forms a rural backdrop to the proposed development area. To the south the site boundary is open. To the east a well-managed low hedgerow forms the field boundary. The site and the surrounding area fall within the Cotswolds AONB, which provides the highest level of protection.

3. The original proposal for 30 dwellings in a cul-de-sac has been reduced to 16 road frontage properties, restricting the land-take to the south of Gloucester Road and relating the development to the road frontage and the existing development on the northern side of Gloucester Road. The current proposal has been developed following from our meeting with the applicant's agent and landscape architect in February and comments on the subsequent pre-application plans. Access is taken directly from Gloucester Road, at a point approximately half way along the site frontage, a new footway is provided along the road frontage. A separate dwelling is proposed to the east of the main development, in the gap between it and the existing residential edge of the village.

4. The access location and footway will require the removal of the existing hedge with trees along the roadside. Despite being categorised as 'B' grade in the applicant's arboricultural assessment, the roadside trees have been unmanaged and suffered considerable storm damage during the winter. It is proposed to replace the hedgerow behind the footway and visibility splay with a new native hedging and trees. Subject to detail, I find that this is acceptable, and will help to create an enhanced approach to the village.

5. Following from my comments on the pre-application submission, the revised layout has been amended and the extent of the site to the south has been reduced considerably. The amended layout, albeit in outline, has the potential, in conjunction with the extensive landscape planting proposed, to enhance the entrance to the village. At present this is dominated by the unimaginative and somewhat incongruous development at Crossfields on the opposite side of the road.

6. The strategic landscape principles contained within the application are acceptable for the site and will help to create an attractive setting for the development and Gloucester Road entrance to Andoversford and integrate it into the wider landscape. Hard and soft landscape detail and management will need to be a reserved matter in any planning consent granted on this site. This will need to include a detailed scheme for all the site boundaries, and will also encompass the eastern boundary of the main site and the boundaries plot 16. Internal soft and hard landscape detail will also be required. Hard landscape features such as external lighting, surfacing and boundary treatments will have to be addressed.'

In conclusion it is considered that with suitable design and landscape proposals, based on those submitted, the development will not be detrimental to the landscape and the character and qualities of the AONB. Therefore, development of the site, as proposed and shown in the Design and Access Statement and landscape documents, will enhance the Gloucester Road entrance to the Andoversford.

The application has given consideration to the results of the pre-application discussions and my comments have been included in the proposals. It is clear that the proposals have been firmly based on reducing potential adverse impacts on the landscape and the character and appearance of the AONB, and in creating enhancements where possible. Therefore, subject to the submission of full landscape design and management details as a reserved matter, there is no landscape objection to the application.'

On the basis of the above comments, it is considered by officers that the proposals will not result in a significant adverse impact on the Cotswolds AONB that cannot be mitigated, subject to the submission of a full landscape design and managements details at reserved matters. Furthermore, it is considered by officers that the proposals have the potential to enhance the entrance to the village, thereby enhancing its setting and scenic beauty of the AONB, subject to a high quality scheme being submitted at reserved matters. It is also important to consider the other benefits of the proposals, including the fact that they will deliver both market and affordable housing. In conclusion it is considered by officers that, on balance, the proposals will conserve the natural beauty of the AONB.

Comments in respect of whether the proposals constitute major development in the AONB or comply with Paragraph 116 of the NPPF are considered in detail below.

(d) Major development within the Cotswolds AONB

Paragraph 116 of the NPPF states that 'planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of;

- i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that can be moderated'.

No definition of major development is provided within the NPPF or in either of its forerunners - namely PPS7: Sustainable Development in Rural Areas and PPG7: The Countryside which also made similar references to major development within designated landscapes such as AONBs. However, in the recent High Court judgement in 'Aston and another v Secretary of State for Communities and Local Government and others' the judge determined that the phrase 'major development' did not have a uniform meaning and to define it as such would not be appropriate in the context of national planning policy. The Government's Planning Practice Guide states 'whether a proposed development in these designated areas should be treated as a major development, to which the policy in Paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context. '

With regard to the potential detrimental effect of the proposals on the environment, the landscape and recreational opportunities (i.e. bullet point 3 of Paragraph 116) it is considered by the Council's Landscape Consultant that such matters have been adequately addressed. It is considered that despite being located on the edge of an agricultural field, which is a detrimental effect, that this is off-set by the potential enhancement to the Gloucester Road entrance to Andoversford and will therefore provide an enhancement to the village setting. On balance, the development, based on the submitted layout and landscape proposals, do not result in a detrimental effect on the landscape that cannot be mitigated.

It is the view of officers that whether or not the proposals constitute major development is not dependent solely on unit numbers or landscape impact but the scale of the development proposed in relation to its context.

In the particular circumstances of this case it is notable that the proposals would result in the loss of approximately 1.35 hectares of agricultural/greenfield land within the Cotswolds AONB which will have an impact on the character and appearance of the existing land and accordingly the AONB (although as noted above, it is considered by officers that the proposals do not result in a detrimental effect on the landscape that cannot be mitigated). Whilst the previous scheme for 30 dwellings was considered to constitute major development in the context of the village, that number has been dramatically reduced to almost half. Officers have been clear that for any scheme to be acceptable in this location then it must be landscape led and this appears to have been the case having regard to the illustrative plans submitted.

The applicant has drawn officers' attention to a recent appeal decision at Land West Of Field House, Willersey (LPA Ref: 14/01739/OUT. Appeal Ref: APP/F1610/A/14/2227938). The Statement of Common Ground in respect of this appeal confirmed that the proposal did not constitute "major development" for the purpose of applying the advice in paragraph 116 of the Framework; which was agreed by the Inspector. The Case Officer's Report to Planning Committee stated that:

'In this particular case the village of Willersey contains 420 dwellings. The village already appears as a well established feature within the AONB landscape. The proposal would increase the village's existing housing stock by less than 5%. This increase is considered not to be significant when placed in context with the existing settlement as a whole. The proposed development will adjoin the existing settlement and will occupy land that has already been partly developed. The eastern edge of the site also abuts development and the respective site boundary has an urban character. The site in general does not exhibit any particular aesthetic or landscape quality that is reflective of its character type as set out in the Landscape Character Assessment mentioned previously. The revisions to the scheme also result in a lower density of development which has increased the areas of open space within and around the edges of the site. In particular, the western and northern boundaries are now shown as being more open and as providing a more gradual transition from the built environment to the open countryside beyond. Whilst the proposal will extend the settlement into the countryside it is considered that the size, form and illustrative design of the scheme are not of a nature that will significantly undermine the local characteristics of this part of the AONB. The proposal is therefore considered not to constitute major development in the context of Paragraph 116 of the NPPF.'

Whilst appeal decisions are material considerations caution is always recommended in drawing direct comparisons between applications/appeal since no proposal or site is the same. However, in this case, there does appear to be striking similarities.

In this case, the level of development as a proportion of Andoversford as a whole is also approximately 5%. The settlement has a strong linear layout with strong association with both the A40 and Gloucester Road. The key anomaly to this settlement pattern being the Templefields/Crossfields development. The current proposals replicate the linear form of the village along Gloucester Road but do not extend beyond existing built form (i.e. the extent of the Templefields/Crossfields) to the west. By nature of its linear layout the proposals limit their degree of encroachment into the Cotswolds AONB. Furthermore, it is considered that the amended layout, albeit in outline, has the potential, in conjunction with the extensive landscape planting proposed, to enhance the entrance to the village.

Having regard to the Landscape Strategy and Guidelines for the Cotswolds AONB it is considered by officers that the proposed development, subject to an appropriate scheme coming forward at reserved matters, would not adversely affect the settlement character and/or form of the settlement (being of a continued single depth linear form) and has the capacity to become visually integrated within the rural landscape setting through carefully considered layout, scale and landscaping.

On balance therefore, it is considered by officers, that the proposals do not constitute major development in AONBs and, accordingly Paragraph 116 and its restrictions (to refuse planning permission unless in exceptional circumstances) do not apply. 16 units is however, considered to be nearing the upper limit of this threshold so should any subsequent application be submitted for an increased number of units then this will need to be considered carefully in this context.

Such matters are however, matters of judgement. The judgement in this case is somewhat finely balanced and Members may take a different view. For the avoidance of doubt, if it is considered that the proposals do in fact constitute major development in the AONB then, to determine the application, Members will need to make an assessment in accordance with the three bullet points contained at Paragraph 116 of the NPPF. In particular, if minded to permit the application, then Members would need to consider if there are any alternatives and, in light of the Council's Five Year Housing Land Supply position, whether the provision of the proposed market and affordable housing would constitute an exceptional circumstance to justify release of the application site.

(e) Affordable Housing

The applicant is proposing to provide 50% affordable housing on site. This would equate to 8 units. The 50% provision accords with Local Plan Policy 21: Affordable Housing.

The Council's Housing Enabling Officer advises that different sources of information are considered when assessing need. A recent search of Gloucestershire Homeseeker, the housing register, has shown that 100 households with a connection to Cotswold district are registered for rented affordable housing in Andoversford. At least 15 of these households also have an identified relevant local connection with the parish of Andoversford or the immediately surrounding parishes.

However, it is important to remember that the Housing Register provides a snapshot view of the current need for rented accommodation only. These figures will slightly underestimate the number of people with connections because some households will have family and work connections which will not have been identified by this search.

The district wide Housing Needs Assessment (HNA November 2009) found an annual requirement for 535 additional affordable housing units in Cotswold District however the updated Strategic Housing Market Assessment (March 2014) states the annual requirement has now risen to 574 additional affordable housing units. The Bourton on the Water sub area of the HNA, of which Andoversford is a part, was assessed as having a gross annual need for 63 affordable homes.

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

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

In accordance with the Council's current Supplementary Planning Document (SPD) two-thirds of the affordable homes should be for rent, with the larger houses of 4 bedrooms or more being social rent properties. The remaining third should be subsidised low cost home ownership. In accordance with the findings of the HNA we prefer the 2 bedroom units to be houses rather than flats. Officers also prefer the shared ownership properties to be 2 or 3 bedroom units.

The Council's Affordable Housing Supplementary Planning Document contains a template for S106 agreements and this document includes the following requirement in relation to the size of homes to be provided:

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

Having regard to existing stock and current needs information we would suggest the following mix for this development based on 50% of 16 units:

Rent:

3 x 1 bed 2 person houses/bungalows of not less than 55m2
 2 x 2 bed 4 person houses
 1 x 4 bed 7 person houses (let at social rent level) at not less than 105m2

Shared ownership:

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

The local connection cascade as set out in the S106 template within the SDP would apply.

The affordable housing should be designed and constructed to comply with the Housing Corporation Design and Quality standards and will need to be tenure blind and should comply with all of the other requirements of the affordable Housing Supplementary Planning Document (SPD) and provisions of Local Plan Policy 21. However, the detail will be dealt with at reserved matters. The local connection cascade as set out in the S106 template within the SPD would apply.

Overall, it is considered that there is an identified need for affordable housing in Andoversford. The current proposal would help to address this need and would accord with guidance in Local Plan Policy 21 and the Council's Housing SPD.

(f) Access, Highway Safety and Traffic Generation

The application site is greenfield therefore, all trips generated by the proposal will be considered as being new to the highway network. In terms of the site's accessibility, it is noted by officers that there are bus stops located adjacent to and immediately opposite the application site, serving routes to Moreton in Marsh, Bourton on the Water, Oxford and Cheltenham. These services would be suitable for a journey to work, assuming normal working hours. Therefore, the opportunities for sustainable transport have been taken up in accordance with paragraph 32 of the NPPF. While additional services run to other locations they would not be suitable for a daily commute. Rail services are available at Moreton in Marsh and Cheltenham to link with London Paddington.

Gloucestershire County Council (GCC) Highway's has been consulted on the application. The following response has been provided:

Location

The proposed development site lies at the southern edge of Gloucester Road and is accessed from Gloucester Road. Gloucester Road is a class 3 highway, subject to a 30mph speed limit at this location.

History

This application is a re-submission following the withdrawal of planning application ref. 15/01412/OUT for the outline planning application for the erection of up to 30 residential units and associated infrastructure (all matters reserved except access) at this site.

The application was withdrawn following the publication of the planning Committee Report on 19th August 2015 which made a recommendation of refusal.

Personal Injury Collisions

There have been no recorded personal injury collisions within the highway network in proximity of the proposed development within the last 5 years.

Access and Visibility

The development will be accessed via Gloucester Road. Gloucester Road is a class 3 road, subject to a 30mph speed limit at the point where the proposed accesses are located.

Currently the existing site frontage presents no pedestrian footways apart from a small pedestrian hard standing for pedestrians using the bus stop.

The carriageway width varies between approximately 5.5m - 6.0m in places which is sufficient to support the passing of a HGV and private motorcar on the straight alignments. Swept path analysis plans display that there is sufficient inter-visibility for a north westerly bound vehicle approaching the traffic calming to stop and give way to oncoming traffic and then manoeuvre into the site to access the single dwelling numbered 16 on the drawing ref. 2016-F-024-002 [now superseded].

The indicative proposed site plan has demonstrated a priority T-junction as the means of access to the site, with a single access serving dwelling '16'. A speed survey undertaken in accordance with DMRB TA22/81 has determined that the 85th percentile speed of vehicles along Gloucester Road is 48.0mph southbound and 39.0mph northbound. The required Sight Stopping Distances commensurate with the 85th percentile speed would require visibility splays of 130.58m to the right and 79.18m to the left with a 2.4m setback along the centre line of the site accesses. The required visibility can be achieved within land under applicants control, however; the visibility splays would need to be maintained clear of obstruction and by doing so a loss of mature hedgerow would result. This can be dealt with by way of planning condition.

The access geometry would be subject to a vehicle tracking assessment. Widths and radii's should be annotated on the detailed access plan at reserved matters stage.

Safe and secure pedestrian access can be provided by the proposed extension of the existing footway across the site frontage with tactile dropped kerbs.

Traffic Impact

A TRICS analysis has been submitted within the Transport Statement to demonstrate the impact of the development upon the highway. Gloucestershire is not covered well by TRICS due to its rural character and TRICS being more suited to urban areas, as a result the TRICS filtering process is important in order to achieve representable trip rates.

The submitted TRICS analysis suggests a development of 16 dwellings would generate approximately 83 daily two-way trips with 9 AM peak hour trips and 9 PM peak hour trips.

As a means of validation of the submitted TRICS survey I have undertaken a total person TRICS analysis and determined the vehicle trip rate by applying the modal split derived from the method of travel to work 2011 census data.

The total person trips for a development of 16 dwellings would be 141 daily trips with 17.76 trips occurring at the AM peak hour and 16.68 occurring at the PM peak hour.

The method of travel to work census data covered the local area which contained 1382 working age residents. Of the 1382, 689 drive to work which equates to approximately 81.82% of the

working population in the area. Applying that modal split to the total person trips would equate to approximately 98 two-way vehicle trips a day (6.12 daily trips per dwelling). The peak hour trip rates would be approximately 9 trips in both the AM and PM peaks.

For robustness I will consider the impact of the highest trip generation which would be the trip rates proposed by the applicant and submitted in the Transport Statement.

The additional 9 peak hour trips would not be a significant increase upon the local highway network.

The wider impact would lessen with the traffic distributing along different routes such as north east to the A40 south and south west to the A436 towards Kilkenny, therefore the residual cumulative impacts of the proposed development would not be regarded as severe in contrary to the NPPF.

Road Safety Audit

A stage F/1 Road Safety Audit (RSA) was undertaken in accordance with HD19/15 for the previous application. All issues raised within the audit have been agreed to within the designer's response.'

On the basis of the above it is recommended by GCC Highways that there are no highway objections to the proposals subject to conditions (See those listed at the end of this report. Please note that some wording has been adapted to ensure compliance with government guidance in respect of timing).

In drawing this conclusion it is recognised that the NPPF makes clear that developments should only be refused on transport grounds where the residual cumulative impacts are severe and, as a result of the low number of additional traffic movements resulting from this development, this is not considered to be the case here. Furthermore, safe and suitable access can be provided to the site as well as a layout that is safe, secure and minimises conflict in accordance with section 4 of the NPPF.

Aside from the above, it is noted by the Case Officer that the Parish Council and third parties continue to raise concerns regarding the speed of Gloucester Road and the eventual level of car parking provided within the site.

In summary, it is considered by the Parish Council that provision of a roundabout at the junction with the existing Crossfields development might be a better access solution which would, in turn, slow traffic down. The Parish Council also remain concerned about the potential off-site impacts of providing inadequate levels of parking within the scheme. It is understood that issues of on-street parking have been caused elsewhere in the village as a result of insufficient parking being provided in new developments.

With regard to the provision of a potential roundabout the agent has advised that whilst the Parish Council's concerns are fully appreciated, a roundabout would cost in the region of 0.5 million pounds and that it would be completely unjustified in planning terms as GCC Highways have not requested a roundabout or made any such comment given the that the proposal meets the highway safety requirements. Furthermore, it is advised that the viability of the scheme is already in question given the applicant's commitment to provide 50% affordable housing on site, a substantial landscaping scheme and a £101,505 education contribution for primary and secondary school places.

To this end, officers are in agreement that it would be unreasonable to request the provision of such a feature when it is not required for the proposals to comply with the relevant local and national planning policies. Moreover, it is considered that given the location of the development at the entrance of the village and the provision of 'a gateway feature' (to be conditioned) then this

will assist to an extent in reducing traffic speeds since the village entrance will become much more obvious to motorists.

With regard to parking, this is a matter to be considered in detail at the reserved matters stage. The Council has no specific parking standards (or at least standards that are deemed to be up to date). It will therefore fall upon the applicant at the reserved matters stage to demonstrate compliance with Paragraph 39 of the NPPF, against which the proposals will be assessed.

It is noted by officers that GCC Highways has not recommended a condition requiring the submission of a car Parking Justification Report at reserved matters as is usually the case for major residential development. Officers consider, given the Parish Council's concerns in this case, that it is reasonable and necessary to require the provision of such information at the reserved matters stage to enable full assessment of the parking proposals upon their submission in detail. Accordingly, Condition #2 of the Highways Response has been adapted to include such provision, wording which is consistent with GCC's Highway Response provided in respect of the recently refused Land to the rear of Templefields and Crossfields scheme (ref: 14/05629/OUT).

On this basis, officers are satisfied that the proposals are compliant with Local Plan Policy 38 and the relevant provisions of the NPPF and, subject to detail/justification to be submitted at reserved matters, would be capable of complying with Local Plan Policy 39 and the relevant provisions of the NPPF in respect of parking and turning within the site.

Members should note that the visibility splays recommended by GCC Highways (to be conditioned) are notably longer than those shown on the original access drawings. In response, the proposed access drawings have been amended for completeness and have been re-consulted upon. Both the Biodiversity Officer and Landscape Officer have confirmed that the elongation of the visibility splays do not alter the original comments made. In respect of third parties, no specific additional comments have been received in this respect.

(g) Loss of Agricultural Land

The application site comprises approximately 1.35 hectares of agricultural land. Paragraph 112 of the NPPF states that 'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in preference to that of a higher quality.' The best and most versatile (BMV) land is classed as that falling within Grade 1, 2 and 3a.

Natural England Agricultural Land Classification (ALC) maps based on 1960s/1970s data identify the site as predominantly Grade 3. However, the maps do not distinguish whether the Grade 3 land is Grade 3a or Grade 3b. The land around Andoversford as a whole is identified on the maps as being Grade 3. However, Natural England advises that 'These maps are not sufficiently accurate for use in assessment of individual fields or sites and any enlargement could be misleading.' The applicant has not submitted an Agricultural Land Classification report with the application. It is not therefore possible, at this time, to conclude if any of the application site is in fact Grade 3b and therefore not BMV. Accordingly, as a precaution, it is considered appropriate to have regard to Paragraph 112 of the NPPF.

Paragraph 112 of the NPPF does not provide a definition of what is meant by 'significant development' and as such this element of the aforementioned Paragraph is open to a degree of interpretation. However, it is of note that the threshold for consulting Natural England in relation to proposals for the loss of BMV land is 20 hectares. The application site is under this figure. The land around Andoversford is recognised as being of equal quality. It is not therefore the case that what is to be lost as a result of the development is an isolated area of higher quality agricultural land in an area that is of generally lower quality. It is understood that the application site is not currently under any agricultural tenancy.

On balance, it is considered that the proposal would not constitute the significant development of agricultural land and as such the proposal could be undertaken without conflicting with guidance in Paragraph 112 of the NPPF.

(h) Impact on Biodiversity

Paragraph 109, Chapter 11, of the NPPF states that 'The planning system should contribute to and enhance the natural and local environment by: '... Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the government's commitment to halt the overall decline in biodiversity, including by establishing, coherent ecological networks that are more resilient to current and future pressures''

Paragraph 118 states that: "When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles... opportunities to incorporate biodiversity in and around developments should be encouraged".

And that

'..if significant harm resulting from development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, the planning permission should be refused.'

The development plan position in respect of biodiversity matters is set out in saved Local Plan Policy 9. Local Plan Policy 9 states that the Council will not permit development that harms, either directly or indirectly, a site supporting any legally protected species or its habitat unless safeguarding measures can be provided. Where development is permitted, the Council will require the retention and management of any significant species, their habitats and features and opportunities, where possible, should be taken to enhance, or create, habitats and populations of species identified as priorities. Local Plan Policy 9 is therefore considered to be consistent with the aforementioned aims of the NPPF.

The Council's Biodiversity Officer has confirmed that there are no statutory or non-statutory site designations at, adjacent or in close proximity to the application site.

An Ecological Appraisal (dated July 2016) and Addendum Bat Survey (dated August 2016) both prepared by EDP has been submitted with the application. The Council's Biodiversity Officer has confirmed that she is satisfied with the methodologies, findings and recommendations of the ecological reports that have been submitted. It is however, recommended that precautionary measures should also take account of the likely presence of dormice, which is not considered in the ecological reports.

There are no dormouse records on the GCER records provided within the Ecological Appraisal report for the surrounding 2km area and the hedgerows have low species diversity, but there is good habitat connectivity. It is therefore considered that dormice are unlikely to be significantly adversely affected by the proposed development due to the retention and enhancement of the majority of the existing hedgerows, and the provision of compensatory hedgerow and tree planting along the southern boundary, but a precautionary approach should be taken. As such, the removal of the northern boundary hedgerow would need to be timed appropriately to take account of the possible presence of dormice. Such works can in this case be conditioned as part of a Construction Environmental Management Plan (CEMP), along with the implementation of the recommendations made in the Ecological Appraisal and Addendum Bat Survey Report.

It is noted from the submitted ecological reports that a badger outlier sett was identified as being on site (within one of the boundary hedgerows) and the precautionary approach recommended is considered to be reasonable, as the sett is not currently in use and pre-commencement checks would be carried out before any works begin on site.

The Bat Survey is considered to be sufficient in this case and has shown that the boundary hedgerows are used by a range of bat species. Generally, there was a low level of bat activity at the site during the single dusk transect survey in July 2016. The loss of the majority of the northern boundary hedgerow (which is considered to be the main impact of the development in biodiversity terms) will result in the loss of bat foraging habitat and the severance of a bat commuting route. However, the provision of the southern boundary tree/hedgerow corridor will compensate for this in the long-term although it is recognised that this (as with any proposed planting) will take time to establish.

The existing hedgerows are considered to be BAP priority habitat. The loss of the northern boundary hedgerow would be compensated through the re-planting of new hedgerow sections along the northern edge of the proposed development (domestic curtilage) and a new tree and hedgerow corridor along the southern boundary, which will equate to a similar length of hedgerow. The southern boundary hedgerow would be adjacent to public open space to the north and agricultural field to the south, so it would not form the curtilage of domestic dwellings and would therefore still come within the remit of the Hedgerow Regulations 1997. Overall, this is considered to be adequate compensation for the loss of the northern boundary hedgerow.

Moreover, there are plans to enhance the other hedgerows on the eastern and western boundaries of the application site through infill planting, as well as the hedgerow that extend beyond the application site boundary to the south (Proposed Boundary Reinforcement Planting drawing GA/01 by Rural Solutions dated 11th July 2016). This is welcomed as an off-site contribution towards biodiversity enhancement.

A sensitive lighting strategy is also recommended in the appraisal, which should be submitted for approval as a condition of planning consent. The aim of this lighting strategy should be to avoid lighting areas where possible to maintain dark corridors for foraging/commuting bats and to reduce lighting around the periphery of the site to minimise light spillage into the retained boundary hedgerows and the southern area of public open space (buffer to the new southern tree/hedge corridor). Lighting controls will also be required during construction and should be written into the CEMP required as a condition of planning consent.

In addition, a Landscape and Ecological Management Plan (LEMP) is required as a condition of planning consent to provide full specifications for the creation of the new native, species-rich hedgerow and wildflower meadows, enhancement of existing hedgerows and long-term management of all habitats.

The Biodiversity Officer makes a number of comments in her consultation response which relate to matters of detail (such as suggested planting species etc.) which do not fall to be considered as part of this outline application, although the comments will be helpful to officers and developers at the reserved matters stage should the application be permitted.

No assessment of the 3 derogation tests required by the EC Habitats Directive is required for this application.

Additional biodiversity enhancements in the form of integrated bird and bat boxes should be included within the design of the proposed dwellings. The details for this can be submitted for approval as part of the LEMP condition and it is recommended that these are incorporated within at least 25% of the dwellings (i.e. four) at appropriate locations (e.g. plots 1, 2, 15 and 16).

On the basis of the above, the Biodiversity Officer has confirmed if all the mitigation, compensation and enhancements are implemented, the development would not cause any harm to protected species and therefore the policy and guidance requirements of Policy 9 of the Cotswold District Local Plan, the NPPF and NPPG are met.

(i) Flooding and Drainage

The application site is located in Flood Zone 1 as demonstrated by the Environment Agency's (EA) interactive web based mapping service. Flood Zone 1 is the lowest designation of Flood Zone with an annual risk of flooding of less than 1 in 1000 (<0.1%). As the application site is in excess of 1 hectare in size the applicant has submitted a Flood Risk Assessment (FRA) and Drainage Strategy (dated July 2016) with the application.

The Lead Local Flood Authority (LLFA) has been consulted on the application as the statutory consultee for major applications. The LLFA has confirmed that the site lies within Flood Zone 1 of the Environment Agency's mapping.

There is known to be a small amount of surface water flooding shown on Gloucester Road to the north of the site area in the 1 in 1000 year updated flood map for surface water however, there are no known reports of surface water flooding in respect of the proposed site area itself. Accordingly, the LLFA have no objection to the proposed development subject to conditions requiring submission and approval of a detailed drainage strategy, results of soakaway tests and maintenance plan for all SuDS/attenuation features and associated pipework.

In terms of the disposal of waste water Thames Water has, on the basis of the information provided, been unable to determine the waste water infrastructure needs of the application. It is understood that the only further information required to enable Thames Water's assessment is the pump rate of the proposed on-site foul pumping station. The applicant has confirmed that the pump rate will be of 0.736l/s. Further comments are therefore awaited from Thames Water and Members will be updated in this regard in due course. Nonetheless, if further information is required then the outstanding information can be dealt with by way of a condition requiring the details of any on and/or off site drainage works. That being the case, then officers would suggest that Condition 7 (below) is adapted to take account of Thames Water's requirements in this regard.

Thames Water is responsible for water supply in the area. It has been confirmed that, on the basis of information provided, Thames Water has no objections with regard to water infrastructure capacity.

(j) Impact on Heritage Assets

The application site lies to the north-west of Owdeswell Manor, and its associated barn, and to the south-west of The Mount, on the opposite side of Gloucester Road. All of which are grade II listed. The Local Planning Authority is statutorily required to have regard to the desirability of preserving features of special architectural or historic interest in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 7 of the NPPF requires good design. Paragraph 58 states that decisions should ensure that developments: function well in the long term and add to the overall quality of an area; establish a strong sense of place, creating attractive and comfortable places; and respond to local character and history, reflecting the identity of the surroundings and materials, whilst not stifling innovation. Paragraph 60 states that local distinctiveness should be promoted or reinforced and Paragraph 61 that connections between people and places, with the integration of new development into the built and historic environment.

Section 12 of the National Planning Policy Framework asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 132 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within the setting. Paragraph 134 states that where proposals will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm should be weighed against the public benefits of those works.

Paragraph 128 of the National Planning Policy Framework advises that, in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 13 of the Historic Environment section of the P.P.G. states that: "Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by ... our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each."

Historic England's Historic Environment Good Practice Advice in Planning: Note 3 advises on the setting of heritage assets, and identifies aspects of setting that can contribute to significance, including: "topography, definition and 'grain; of surrounding ... landscape and spaces; land use; openness, enclosure and boundaries; landscape character; tranquillity". It also identifies possible effects that can harm significance, including: "position in relation to land-form; introduction of movement or activity; seasonal change; changes to skyline; noise; lighting effects and light spill; change to general character (e.g. suburbanising...)". It also advises that screening should be used as a substitute for appropriate development, and the seasonal effects, and the possibility of longer-term changes (unless protected) also need to be taken into consideration.

There is no designated Conservation Area in Andoversford, and the application site is some considerable distance from any designated heritage assets, however it does sit in close proximity to an historic approach to the grade II-listed Owdeswell Manor in addition to The Mount, immediately opposite the application site, the impact upon which the Local Planning Authority is obliged to consider.

The Mount comprises a Grade II Listed eighteenth-century house. The property fronts onto Gloucester Road and is located adjacent to Andoversford Primary School, which is located immediately east. Given that the property is a typical village house (located within the village) and not an historic farmstead, and fronts onto Gloucester Road, it is considered that the proposed residential development will not impact on its setting.

Owdeswell Manor comprises a large farmhouse/modest manor house of 17th century origin; adjacent to it is a 17th century barn (with later additions) which is also listed grade II. Fundamental to the character of a farmstead such as this was and is its rural setting.

Map regression shows that, since the late-19th century at least, the complex was approached by a pair of aligned drives, one running north towards Andoversford, and one running south. The drives and approaches to historic buildings contributes significantly to the 'surroundings in which the asset is experienced', and therefore are an integral and important part of their setting.

The northern drive, which is the one that the Council's Heritage and Design Officer considered would be impacted upon by the current proposal, has already been compromised on its eastern side by the modern industrial development south of Andoversford, however to the west, with the exception of two houses facing Gloucester Road, the aspect is still predominantly rural and pastoral, and contributes to and reinforces the significance of Owdeswell Manor as an historic farmstead.

The site that forms the subject of the current application lies beyond the two existing houses, on the crest of a rise of land. It is considered by the Heritage and Design Officer that the proposals would project into the open, pastoral setting of the heritage asset, and would diminish to an extent

the rural character of the approach, giving a sense that it was being further harmfully being enveloped in suburban sprawl, albeit to a lesser extent to the previously proposed scheme.

It is considered that whilst the screening would provide some mitigation, it would take some time to reach sufficient size to screen the development entirely and it would not screen the buildings and/or lighting in the winter months (unless it contained a high quantity of evergreen plants, which would in itself be uncharacteristic and inappropriate). Nonetheless, the Heritage and Design Officer has advised that the level of harm to the Owdeswell Manor would be less than substantial.

Paragraph 134 of the NPPF 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". Furthermore paragraph 132 states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation."

Whilst sustaining the significance of heritage assets is a form of public benefit, and a core planning principle of the NPPF, it is acknowledged that the provision of housing does constitute another form of public benefit. The Heritage and Design Officer has advised that if it is considered that other public benefits outweigh the harm to the significance of the heritage asset then design becomes relevant (although a reserved matter).

With regard to the proposed indicative design the Heritage and Design Officer observes that the current proposals take some account of earlier comments made by officers, pulling the screening belt to the north, so that it would be more contiguous with the existing boundary to the east. This is welcome, and would create a less artificial edge to the open space.

However, concerns have been raised by the Heritage and Design Officer with regard to the appearance of a 'dead-end' cul de sac, which is considered to be more characteristic of a more suburban housing estate. Whilst a more appropriate layout may be to have a lane with access to the main road at either end, this may not be practical. In any event such matters are not for approval at this time.

It is recognised by the Heritage and Design Officer that the proposals are more linear than earlier versions which is again welcome. Although it is noted that it would be far more characteristic of traditional development in the district for the new buildings to be parallel to the road, with concerns raised regarding the contrived and artificial informality of having the houses scattered at random angles. It is suggested that a more successful approach to the development of the site than the one illustrated would be to look at the coherent and ordered, but picturesquely varied approach of model estate villages and garden suburbs; such as the estate cottages at Hatherop or Kemble.

Officers have consistently maintained that for a scheme to be acceptable in this location, given its context and location at the entrance to Andoversford, that it will need to be of a high quality. In this location, the development should not exceed two storeys. It is also considered that if a vernacular language is chosen then it should respect vernacular design, with gable widths restricted to traditional parameters (a maximum of 7m) with minimum roof pitches of 45°, but ideally steeper. Elevations should be composed, and features designed and proportioned, in a convincing vernacular style. Officers also expect a high quality of material. Such matters however, fall to be addressed at the reserved matters stage.

(k) Arboricultural Issues

An Arboricultural Baseline Assessment has been submitted with the planning application. There are a number of ash, sycamore, thorn, hazel and field maple trees growing in a hedge/thicket along the roadside boundary and in the hedges to the east and west of the application site. However, most are multi-stemmed and relatively small, forming part of a hedge rather than individual trees. None are therefore identified as being of particular individual merit and it is

apparent from the illustrative masterplan that it is intended to retain the majority of the hedgerow trees. However, some will need to be removed to provide sight lines.

The Tree Officer has confirmed that from an arboricultural perspective there is no objection. However, a condition that requires the submission of a detailed arboricultural method statement and tree and hedge protection plan prior to any site clearance or buildings works is recommended. This is considered to be both reasonable and necessary in accordance with Local Plan Policy 45.

(I) Benefits of the Proposals

The applicant identifies a number of benefits within the Planning Statement that accompanies the application.

Environmental benefits include the opportunity to provide an attractive residential development at the gateway to the village, enhancing the current appearance of the entrance to the village that will take the focus away from the existing Templefields/Crossfields development. The redevelopment of the site also presents the opportunity to provide significant enhancement to the appearance of the site and quality of the sites biodiversity, in addition to public open space (subject to reserved matters and conditions).

A key social and economic benefit of the proposals is the provision of a range of market and affordable housing. The provision of affordable housing in particular is a corporate priority; the delivery of which the Council cannot be complacent about and as such should be accorded significant weight in the planning balance. Market housing is also of benefit but, given the Council's positive five year housing land supply position, carries less weight.

In addition to the delivery of housing are a number of other social and economic benefits including, investment in construction and support to local businesses, as a result of increased expenditure/increased number of households, which the Planning Statement suggests would not be insignificant. Whilst perhaps not insignificant, the listed benefits (apart from the delivery of housing) are somewhat 'run of the mill' and, in part, required in order to comply with planning policy. Such benefits are not therefore accorded significant weight but they do remain material and must be considered cumulatively in the planning balance.

Other Matters

Archaeology

The application is supported by an Archaeological and Heritage Assessment Report (EDP, March 2015), a Magnetometer Survey (Archaeological Surveys Ltd, April 2015), and an Archaeological Evaluation (Headland Archaeology, June 2015).

The Gloucestershire County Archaeologist has advised that the results of these investigations were negative, in that no significant archaeological remains were observed during the work. On this basis, it is the view of the County Archaeologist that the site has low potential to contain any significant archaeological remains. It is therefore recommended that no further archaeological investigation or recording should be undertaken in connection with this planning application.

S106 Contributions - Education

With regard to S106 financial contributions Gloucestershire County Council has examined pre-school, primary and secondary education provision and projections. They have advised that the existing education provision within the application's catchment area is forecast to be at capacity in coming years, with the exception of pre-school provision.

The County have therefore recommended contributions of £56,464 towards primary education at Andoversford Primary School and £45,041 towards secondary education at The Cotswold

Academy. The contributions would be used towards capital works to extend, remodel, upgrade and improve the capacity and suitability of the respective schools to accommodate the new pupils and children arising from the proposed development.

The above contributions are considered to be directly, fairly and reasonably related in scale and kind to the development proposed and necessary to make the development acceptable in planning terms. They are therefore considered to accord with the requirements of Paragraph 204 of the NPPF and Paragraph 122 of the Community Infrastructure Levy Regulations 2010.

The applicant has agreed to pay the S106 contributions requested (see Draft Heads of Terms). However, the exact timing of the payments have not as yet been agreed although the S106 Contributions Officer has confirmed that the timing of the payments can be considered although there will be a need to receive the payments and allow sufficient time to spend them to allow for mitigation. The application is therefore recommended subject to an acceptable S106 agreement being entered into in this regard.

S106 Contributions - Community Provision

The Parish Council has identified a list of village requirements that are all currently associated and centred around the Village Hall. This list is set out as follows:

- Village Hall Kitchen upgrade - quoted £3280 as a basic upgrade but to make the upgrade viable and to increase the capacity of the kitchen to reflect the amount of residents approximately £10000 is required.
- Purpose built storage facility replacing sheds/garage and metal containers for all groups - Initial designs and prices produced at £66,000 for the building, plus the costs of concrete base. Such works can be undertaken in stages to free up storage areas within the village hall, therefore increasing the use/capacity of the facility.
- Upgrade path to school - quoted £5696 + vat = £6834 (at 20%). Part of the path to the school through the playing fields has been tarmacked at the Parish Councils expense but not fully complete. Finishing this path would make a safer option for the school pupils and teachers.
- Upgrade sports changing rooms - The sports changing rooms built in the 1990's need to be upgraded and increased in size to reflect the growing requirements of sport facilities.
- Due to some of the requirements above the village cricket nets need to be relocated to another suitable area in the village playing field area.
- Upgrade or replace village hall roof - To re-roof the village hall main roof (approximately 260 square metres) with 40 mm composite sheeting then £11,835.20 is required. To use 100mm thick panels £15,407.60 is required which includes all cover strips, flashings and disposal of old tin sheets.
- Upgrade or replace village club roof - To re-roof club roof would be approximately the same price as above.
- Upgrade village hall car park - two quotes a) £5283 + vat = £6339 - for repairing various areas. b) Complete resurfacing is £14653 + vat = £17583. The village hall car park to be resurfaced and kerbing to be installed to ensure the facility usage is maximised.
- MUGA (Multi-user games arena) - The school have been investigating the MUGA costs. A good MUGA will cost £65,000. The Parish Council is currently investigating other funding lines to assist with the costs.

Andoversford Parish Council has explained that the Parish Council have a number of requirements and upgrades that are required for the village. In short, the Parish Council considers

that, in particular, the Village Hall requires development and upgrading to allow it to be used in a more functional manner and is currently limited to what it can host. The main problem for the hall is the lack of storage areas and the poor condition of the kitchen that need to be refurbished in order to make it more of a usable facility for the increased number of residents expected as a result of the proposals.

The Parish Council have sought to discuss these requirements with the applicant. The agent has however confirmed that whilst the applicant is very keen to support local community services, the viability of the scheme is already in question. Furthermore, it is understood that there would be no planning basis upon which to justify the local village requirements and so a payment would have to be made outside of the planning process.

To clarify, any S106 contribution taken from a development must accord with the requirements of Paragraph 204 of the NPPF and Paragraph 122 of the Community Infrastructure Levy Regulations 2010. In this case, it would appear that the majority of the items listed are required to rectify past deficiencies or for general maintenance, as opposed to directly increasing capacity or dealing with impacts of the development, although the reconfiguration of storage areas and kitchen upgrade may help to facilitate increased capacity.

Despite this, it is not considered by officers that the impacts arising from a scheme of 16 new dwellings would be so significant, over and above the current usage of the village hall, that lack of provision would warrant a refusal of the application. It is therefore difficult for officers to relate the contributions being sought to the scale and impact of the development. This position would however, need to be re-considered in respect of a larger development or an additional development cumulatively with the current application. Nevertheless, it is not considered by officers to be reasonable, on balance, to require the applicant to make such provision at this time.

9. Conclusion:

The application must be determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and must therefore be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The proposed scheme will result in the development of a greenfield site located within the Cotswolds Area of Outstanding Natural Beauty. The site is also located outside a development boundary as designated in the Cotswold District Local Plan 2001-2011 where such development would normally be restricted. The Council can demonstrate a 7.74 year supply of deliverable housing land and is therefore able to meet its immediate housing land supply requirements, although there remains a requirement for the Council to continue to deliver housing.

Following careful consideration of the site and its context, it is considered by officers that the provision of an additional 16 dwellings in Andoversford is acceptable in principle. The village itself contains 'everyday facilities' and has good public transport links to other service centres within the District.

Local Plan Policy 19 is out-of-date, as such only limited weight can be accorded to it. As set out in the NPPF, there is a presumption in favour of sustainable development unless (in the particular circumstances of this case) specific policies in the Framework indicate that development should be restricted. In this case, it is considered that the proposals do not constitute major development in the AONB and as such Paragraph 116 of the NPPF does not apply. In accordance with Paragraph 115 it is considered that the proposals will not result in a significant adverse impact on the Cotswolds AONB that cannot be mitigated, subject to the submission of a full landscape design and managements details at reserved matters. Furthermore, it is considered by officers that the proposals have the potential to enhance the entrance to the village, thereby enhancing its setting and scenic beauty of the AONB. On balance, therefore the proposals will conserve the natural beauty of the AONB. With regard to heritage assets it is considered that the cumulative benefits of the proposals will outweigh the less than substantial harm to the setting of Owdeswell Manor identified, again subject to details at reserved matters.

It is acknowledged in the above report that the proposals will provide social (provision of market and affordable homes), economic (increased expenditure and construction investment) and environmental (landscape and biodiversity enhancement) benefits which must be considered cumulatively in the planning balance. Whilst the Council is able to demonstrate a five year housing land supply it remains a requirement for the Council to continue to prioritise the delivery of housing to ensure a continued and rolling housing supply. Significant weight is accorded to the provision of affordable housing in this context.

Despite the objections received from third parties, and comments received from the Parish Council, it is considered by officers that the proposals will not give rise to any significant adverse impacts, subject to reserved matters and conditions. Accordingly, whilst finely balanced, it is recommended that the proposals are permitted in accordance with Local Plan Policies 5, 9, 21, 34, 38, 39, 42, 45 and 46 in addition to the relevant provisions of National Planning Policy Framework.

10. Proposed conditions:

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

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

Application for the approval of the reserved matters shall be made to the Local Planning Authority by three years from the date of this decision notice.

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

The development shall not be started before approval of the details relating to Appearance, Layout, Landscaping and Scale have been given in writing by the Local Planning Authority.

Reason: These are "reserved matters" and were listed in the application for later approval. This is only an outline planning permission and these matters require further consideration by the Local Planning Authority. This condition is imposed to comply with the requirements of the Town and Country Planning Act 1990 as amended.

The development hereby approved shall be implemented in accordance with the following drawing number(s): Site Location Plan GA/00, 2016-F-024-001 Rev B and 2016-F-024-004 Rev A.

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Practice Guidance.

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.

Reason: To ensure any contamination of the site is identified and appropriately remediated in accordance with Cotswold District Local Plan Policy 5 and The National Planning Policy Framework. It is important that details are agreed prior to the commencement of development as any groundworks could cause contamination or a risk to human health or the environment.

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

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

Reason: To ensure any contamination of the site is identified and appropriately remediated in accordance with Cotswold District Local Plan Policy 5 and The National Planning Policy Framework.

No development approved by the permission shall be commenced until a detailed drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy must be compliant with the requirements of the NPPF, PPG, Non-Statutory Technical Standards for Sustainable Drainage, Building Regulation H and local policy. The detailed drainage strategy must consider, but not be limited to; the SUDS discharge hierarchy, a scheme of surface water treatment, management of exceedance flows, a construction method statement and be supported by sufficient evidence to demonstrate it is technically feasible. The drainage scheme shall be carried out in accordance with the approved details.

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

No development shall take place until soakaway tests have been carried out in accordance with BRE Digest 365, or such other guidance as may be agreed in writing by the Local Planning Authority (LPA). The results of the tests shall be submitted to and agreed in writing by the LPA. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied. If soakaway drainage is not possible on this site, an alternative method of surface water disposal shall be submitted to and approved by the LPA prior to the commencement of the development.

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

No development shall be put in to use/occupied until a SUDS maintenance plan for all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding in accordance with the National Planning Policy Framework.

Prior to occupation, acoustic design details shall be submitted to the Local Planning Authority for approval, demonstrating that noise from road traffic affecting dwellings will not exceed the indoor ambient noise levels for dwellings as specified in BS 8233:2014. Approved acoustic design details shall be implemented prior to occupation of the development and thereafter permanently retained.

Reason: To protect those living in the dwellings from traffic or other external noise sources in accordance with Cotswold District Local Plan Policy 5 and the National Planning Policy Framework.

No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not necessarily be limited to, the following:

- i. Details for the advance planting of the southern boundary tree/hedgerow corridor and wildflower meadow creation before the removal of the majority of the northern boundary hedgerow (not including construction site access);
- ii. Risk assessment of potentially damaging construction activities;
- iii. Implementation of the recommendations in the Ecological Appraisal by EDP dated July 2016 (sections 4.11, 4.12, 4.20, 4.21, 4.25, 4.28, and 4.30) and the Addendum Bat Survey Report by EDP dated August 2016 (sections 4.4, 4.5, 4.6 and 4.7);
- iv. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including lighting controls;
- v. The location and timing of sensitive works to avoid harm to biodiversity features, including the timing of the removal of the northern boundary hedgerow to take account of the possible presence of dormice and pre-commencement checks for badgers;
- vi. The times during construction when specialists ecologists need to be present on site to oversee works;
- vii. Responsible persons and lines of communication;
- viii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
- ix. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
- x. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a professional ecologist certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

Reason: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats in accordance with the National Planning Policy Framework (in particular section 11), policy 9 of the Cotswold District Local Plan and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006. It is important that these details are agreed prior to the commencement of development in order to ensure proper management of the landscape and biodiversity at the site both during and following the construction of the approved scheme.

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before occupation of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- i. Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species; and including the removal of Portuguese laurel from the northern boundary hedgerow and its replacement with an appropriate species such as Beech or Hornbeam;
- ii. Full details for the incorporation of integral bat and bird boxes within at least 25% of the dwellings at appropriate locations;
- iii. Description and evaluation of features to be managed; including location(s) shown on a site map;
- iv. Landscape and ecological trends and constraints on site that might influence management;
- v. Aims and objectives of management;
- vi. Appropriate management options for achieving aims and objectives;
- vii. Prescriptions for management actions;
- viii. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);
- ix. Details of the body or organisation responsible for implementation of the plan;
- x. Ongoing monitoring and remedial measures;
- xi. Timeframe for reviewing the plan
- xii. Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. The LEMP shall be implemented in full in accordance with the approved details.

Reason: To ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features in perpetuity the National Planning Policy Framework (in particular section 11), policy 9 of the Cotswold District Local Plan and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Before development takes place, a lighting design strategy for biodiversity shall be submitted and approved in writing by the local planning authority. The strategy shall:

- i. Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used to access key areas of their territory, for example, foraging; and
- ii. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications, including a Lux plot) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory, including modelling to demonstrate the required width of buffers alongside retained hedgerows; and
- iii. Specify luminaires, heights and positions of fittings, direction and other features, e.g. cowls, louvres or baffles as required.

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 minimise light spillage into retained boundary hedgerows, public open space and new tree/hedgerow corridor, and to maintain dark foraging and commuting corridors for bats in accordance with the National Planning Policy Framework (in particular section 11), policy 9 of the Cotswold District Local Plan and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006. It is important that these details are agreed prior to the commencement of development in order to ensure proper management of lighting at the site at an early stage of the construction process.

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 20m of the proposed access road, including the junction with the existing public road, has been completed to at least binder course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the Paragraph 32 of the National Planning Policy Framework. It is important that these works are undertaken at an early stage to ensure safe, suitable and secure access from the construction phase of the development.

The details to be submitted for the approval of reserved matters shall include vehicular parking and turning and facilities within the site, together with a parking schedule and details of visitor parking provision including justification for the level of parking proposed. The buildings hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic, cyclists and pedestrians is provided in accordance with the National Planning Policy Framework. Justification for the level of parking proposed will need to be based on the provisions of Paragraph 39 of the National Planning Policy Framework to ensure compliance.

Details of the layout and access, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageways (including surface water drainage/disposal, vehicular turning heads and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footways to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework.

Prior to first occupation, details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with Section 4 of the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

Prior to first occupation, details of improvements to the existing pedestrian dropped kerb crossing point across Crossfields Road to include tactile paving shall be submitted to and agreed in writing by the Local Planning Authority, the works shall then be constructed in accordance with the approved plan and made available for public use prior to the first occupation of the dwellings hereby permitted.

Reason: To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with Paragraph 35 of the National Planning Policy Framework.

Prior to first occupation, details of improvements to the existing bus stop (known as 'opposite Templefields & Crossfields') pedestrian dropped kerb crossing point across Crossfields Road linking the existing public footpaths to include tactile paving shall be submitted to and agreed in writing by the Local Planning Authority, the works shall then be constructed in accordance with the approved plan and made available for public use prior to the first occupation of the dwellings hereby permitted.

Reason: To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with Paragraph 35 of the National Planning Policy Framework.

Prior to first occupation, details of Gateway Feature signage and painted SLOW markings on Gloucester Road shall be submitted to and agreed in writing by the Local Planning Authority, the signage shall then be constructed in accordance with the approved plan and made available for public use prior to the first occupation of the dwellings hereby permitted.

Reason: To ensure that safe and suitable access to the site can be achieved for all people in accordance with Paragraph 32 of the National Planning Policy Framework.

Prior to first occupation, details of pedestrian footpaths as shown on the indicative master plan 'proposed site plan' shall be submitted to and agreed in writing by the local planning authority, and approved pedestrian links shall be provided including tactile dropped paving with side of the access road, and linking the proposed footpaths on Gloucester Road linking to the existing footpath opposite, and made available for public use prior to first occupation of the dwellings hereby permitted.

Reason: To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with Paragraph 35 of the National Planning Policy Framework.

The vehicular accesses hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 79.18 distant to the left and 130.58m distance to the right (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

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

Means of vehicular access to the development site hereby permitted shall be from those displayed on drawing ref. GA/05 A only and the development shall be carried out in accordance with the approved plans and be completed to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework.

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework. The Construction Method Statement will need to be submitted to the Council and approved prior to commencement of the development in order to be effective and minimise impacts from the outset of construction works.

Prior to any site clearance or building works taking place on the site, a detailed arboricultural method statement and tree and hedge protection plan 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:

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

Reason: To safeguard the retained/protected trees and hedges in accordance with Cotswold District Local Plan Policy 45. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could have an adverse impact on the well-being of existing trees.

Notwithstanding any other approved plans shown on any outline planning permission, any reserved matters application shall show the existing and proposed ground levels on the site and on neighbouring land, the slab level(s) of the proposed building(s) and the slab level of adjacent buildings. Such details shall be agreed in writing and any works shall only be carried out in accordance with the agreed details.

Reason: It is important to clarify the height of the development in relation to existing levels and structures both on and off the site. The information is necessary to allow the impact of the development to be accurately assessed.

Prior to the development being brought into use, surface water attenuation/storage works for the dwellings hereby permitted shall be provided by the installation of a functioning water butt (minimum capacity 200 litres) in accordance with positions to be shown on plans that have been submitted to and agreed in writing by the Local Planning Authority. The water butt(s) shall thereafter be permanently maintained in working order in the agreed positions unless an alternative siting is submitted to and approved in writing by the Local Planning Authority.

Reason: To enhance water conservation and as a precautionary measure to reduce the possible increased risks of flooding associated with water runoff.

Informatives:

Thames Water notes to applicant/developer:

Surface Water Drainage

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

Water Comments

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.

Note to applicant/developer regarding acoustic design details:

Indoor ambient noise levels for dwellings to accord with BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings':

-bedrooms 30 dBA Leq

-living room 40 dBA Leq (07:00-23:00hrs)

If relying on closed windows to meet the guide values, there needs to be an appropriate alternative ventilation that does not compromise the façade insulations or the resulting noise level.

Note to applicant/developer regarding biodiversity:

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Further information can be found at the following websites:

Cotswold District Council website:

<http://www.cotswold.gov.uk/residents/planning-building/wildlife-biodiversity/biodiversity-development-management/>

<http://www.cotswold.gov.uk/residents/planning-building/wildlife-biodiversity/ecological-consultants/>

Biodiversity Planning toolkit:

http://www.biodiversityplanningtoolkit.com/stylesheet.asp?file=621_what_are_nationally_protected_species

Bat Conservation Trust:

<http://www.bats.org.uk/>

Natural England:

<https://www.gov.uk/guidance/bats-protection-surveys-and-licences>

Notes to applicant/developer regarding highway conditions:

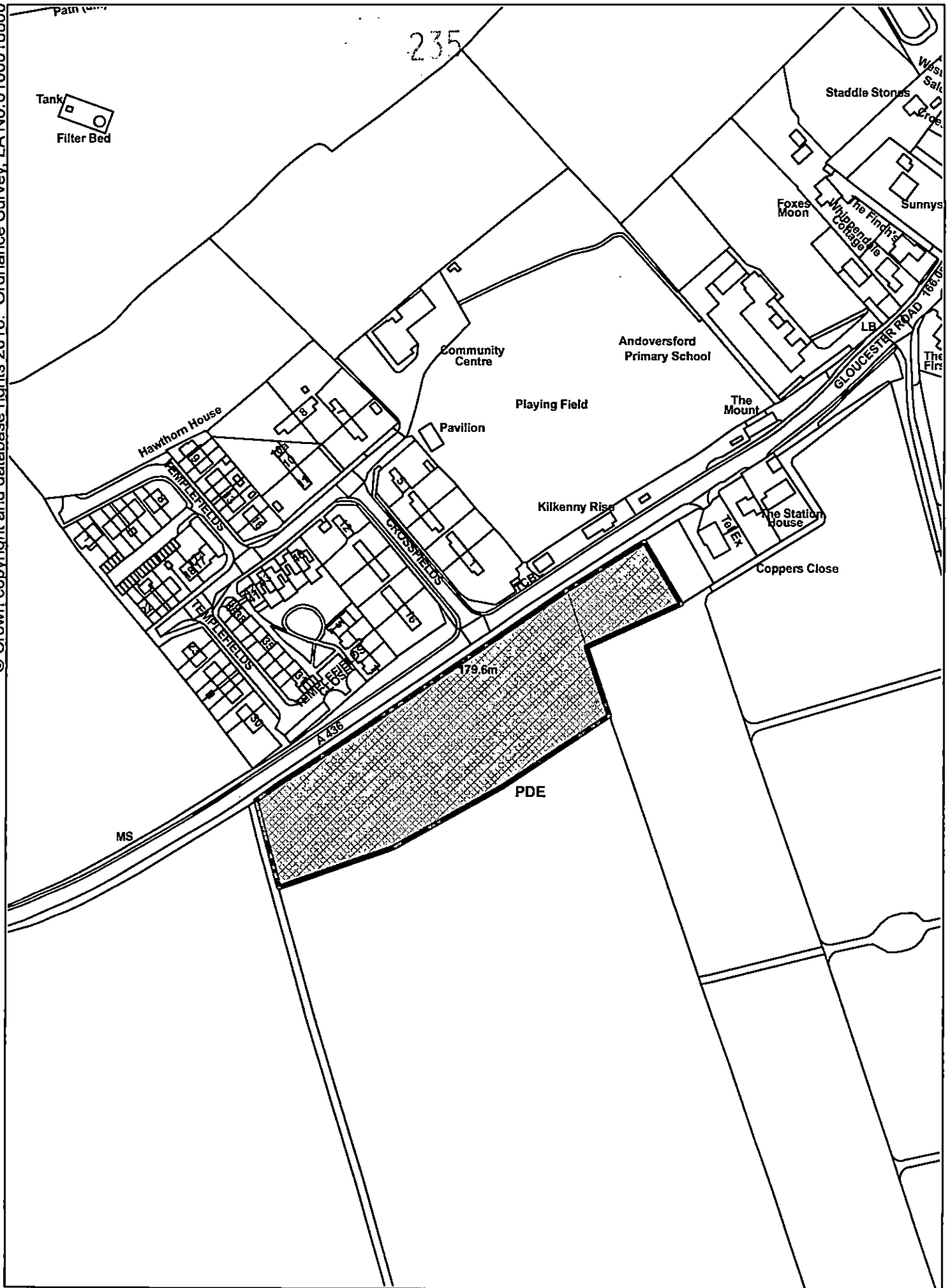
Note I: The applicant is advised that to discharge condition #4 that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a private management and maintenance company confirming funding, management and maintenance regimes.

Note II: The developer will be expected to meet the full costs of supplying and installing the associated infrastructure.

Note III: The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding highway works agreement (including appropriate bond) with the County Council before commencing those works.

Note IV: You are advised to contact Amey Gloucestershire 08000 514 514 to discuss whether your development will require traffic management measures on the public highway.

Note V: The proposed development will involve hedgerow/verge clearance in order to supply the required emerging visibility splays. Therefore under S142 of the Highways Act 1980, the applicant is advised to contact Amey Gloucestershire (08000 514 514) regarding a license to cultivate.



Land south of Gloucester Road Andoversford

Scale: 1:2500

Organisation: Cotswold District Council

Department:

Date: 01/12/2016



COTSWOLD
DISTRICT COUNCIL



16/03127/OUT

236

GENERAL NOTES

THESE PLANS HAVE BEEN PREPARED FOR SUBMISSION TO LOCAL AUTHORITIES FOR TOWN & COUNTRY PLANNING PURPOSES. THEY ARE NOT TO BE USED FOR CONSTRUCTION WORKS UNLESS SPECIFICALLY NOTED ON THESE PLANS. ONLY AN AGF DOES NOT CONSTITUTE FINAL WORKING DRAWINGS.

INFORMATION NOTED ON THE PLANS OR OTHERWISE SPECIFICALLY NOTED ON THESE PLANS IS FOR INFORMATION ONLY. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMISSIONS AND CONSENTS FROM LOCAL AUTHORITIES AND OTHER RELEVANT BODIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMISSIONS AND CONSENTS FROM LOCAL AUTHORITIES AND OTHER RELEVANT BODIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMISSIONS AND CONSENTS FROM LOCAL AUTHORITIES AND OTHER RELEVANT BODIES.

LANDSCAPING KEY:



Tree buffer shadow



Proposed hedge/grow reinforcement planting



New boundary tree planting



Existing tree



Rural Solutions
The Sustainable Planning and Development Specialists

Carable House, 1st Floor, 17/18
Brewery Lane,
North Yorkshire,
YO21 1DH

Client: Dr. C. Levinson

Project: Land to South of Gloucester Road,
Andoverford

Title: Proposed boundary reinforcement
planting

Scale: 1:1500 @ A3

Date: 11 - 07 - 16

Drawn: AGF

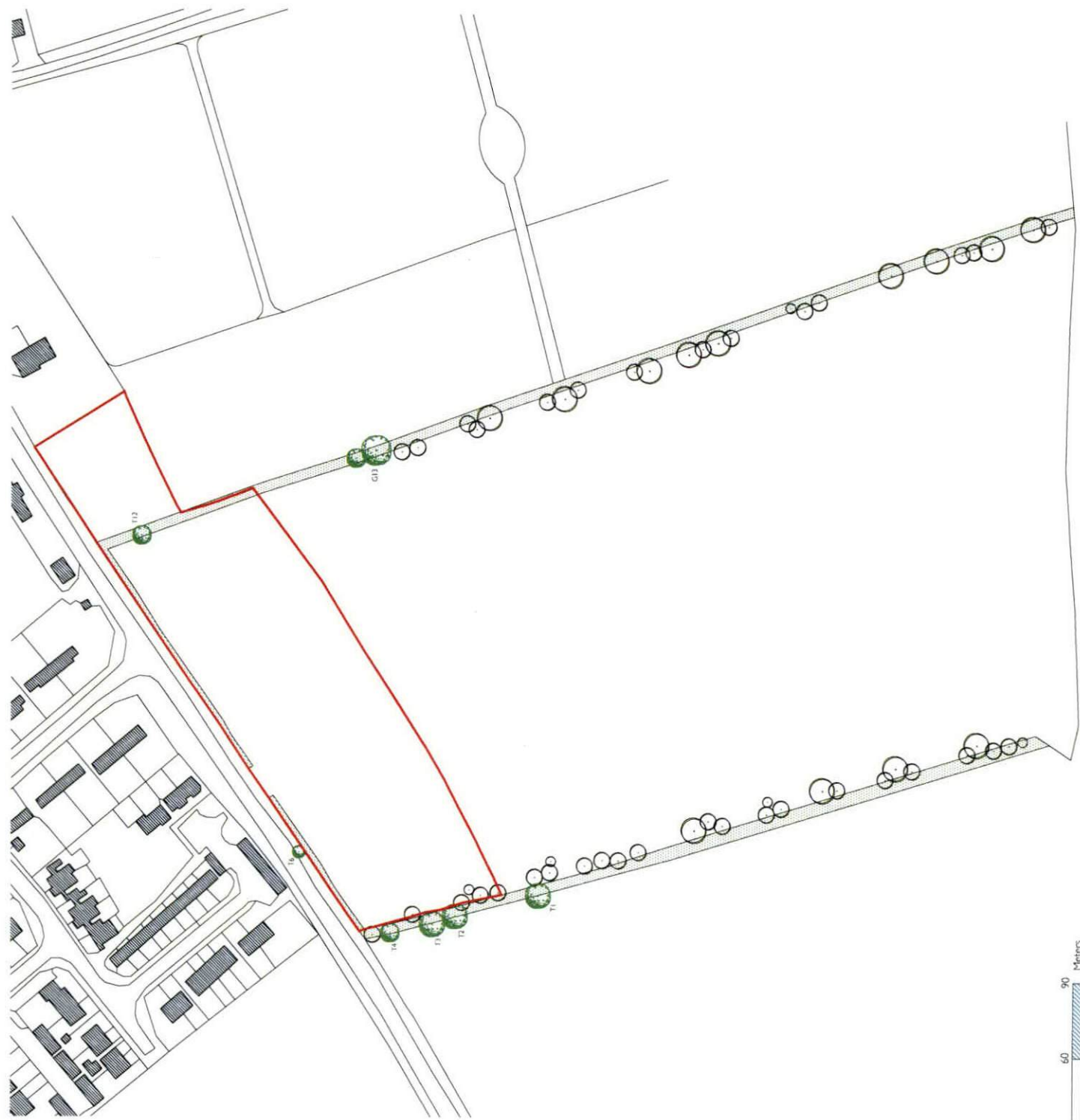
Checked: AGF

Drawn Number: AGF

Revision: GA/01

DO NOT SCALE FROM THIS DRAWING

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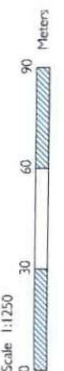


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Site area
1.3584 hectares



Caroline Wood
Tel: 01753 271701
Email: caroline@ruralsolutions.co.uk
Web: www.ruralsolutions.co.uk
Rural Solutions
2021 11/24

Client: Dr C. Levinson

Project: Land to South of Gloucester Road, Andoverford

Title: Location Plan

Scale: 1:1500 @ A3
Date: 08 - 07 - 16
Drawn: WB
Checked: [blank]

Drawing Number: GA/00
Revision: [blank]
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PROPOSED SITE PLAN - 1:750 AT A3



Existing bus stop

Existing houses

Proposed houses

Proposed planting

Visitor parking bays

Proposed new access

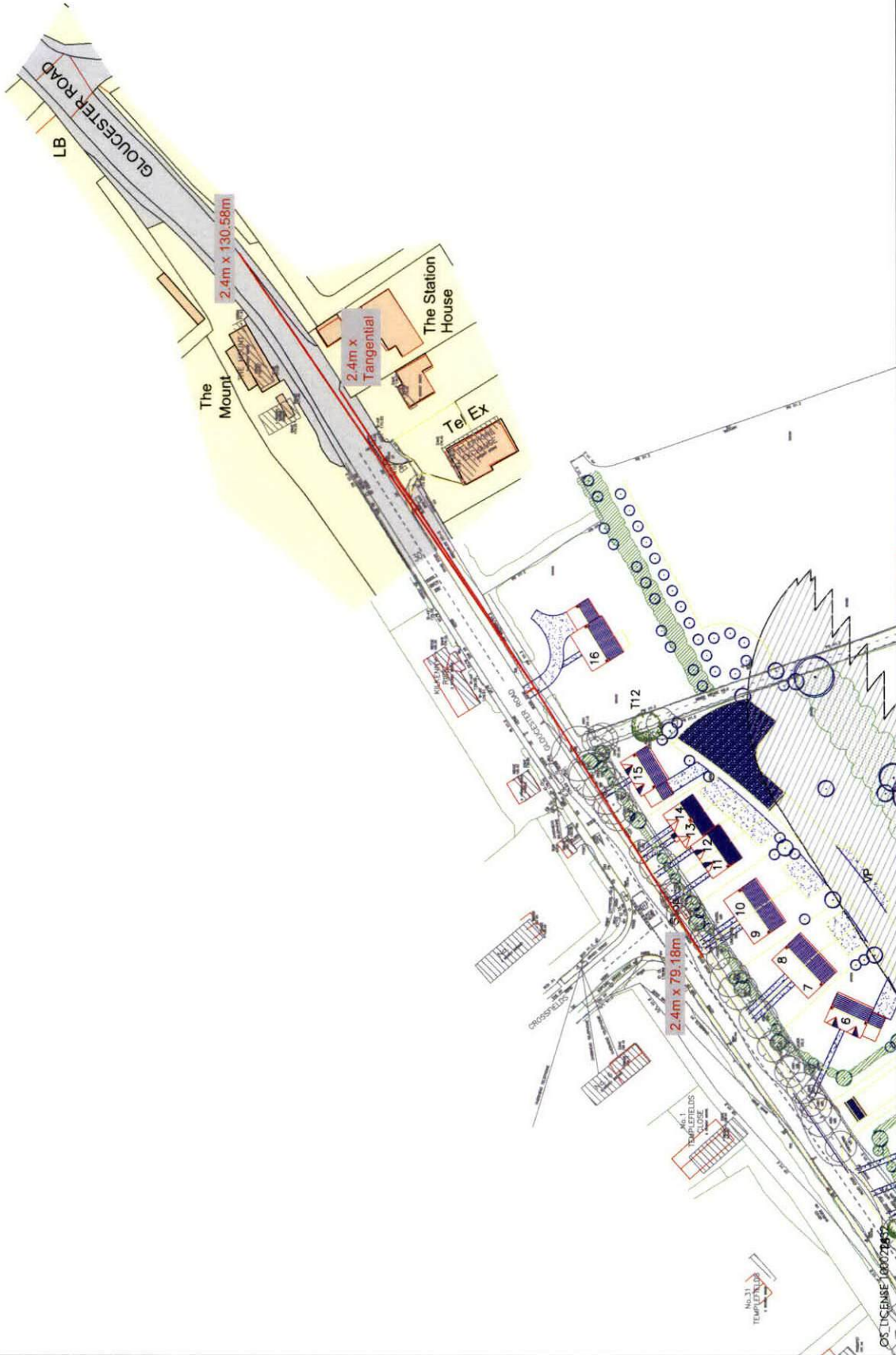
Visitor parking bays

Proposed species rich native hedgerow with trees

Existing higher quality trees retained



239



CTC
 carl TONKS consulting
 523 Horizon, Broad Wier, Bristol BS1 3DJ
 T - 0117 382 0507 M - 07966 549939
 www.tonks-consulting.co.uk

Required GCC
 Visibility at
 Plot 16.

SCALE: 1:1000 @A3 REV A
 2016-F-024-004

DR. CHARLES
 LEVINSON.

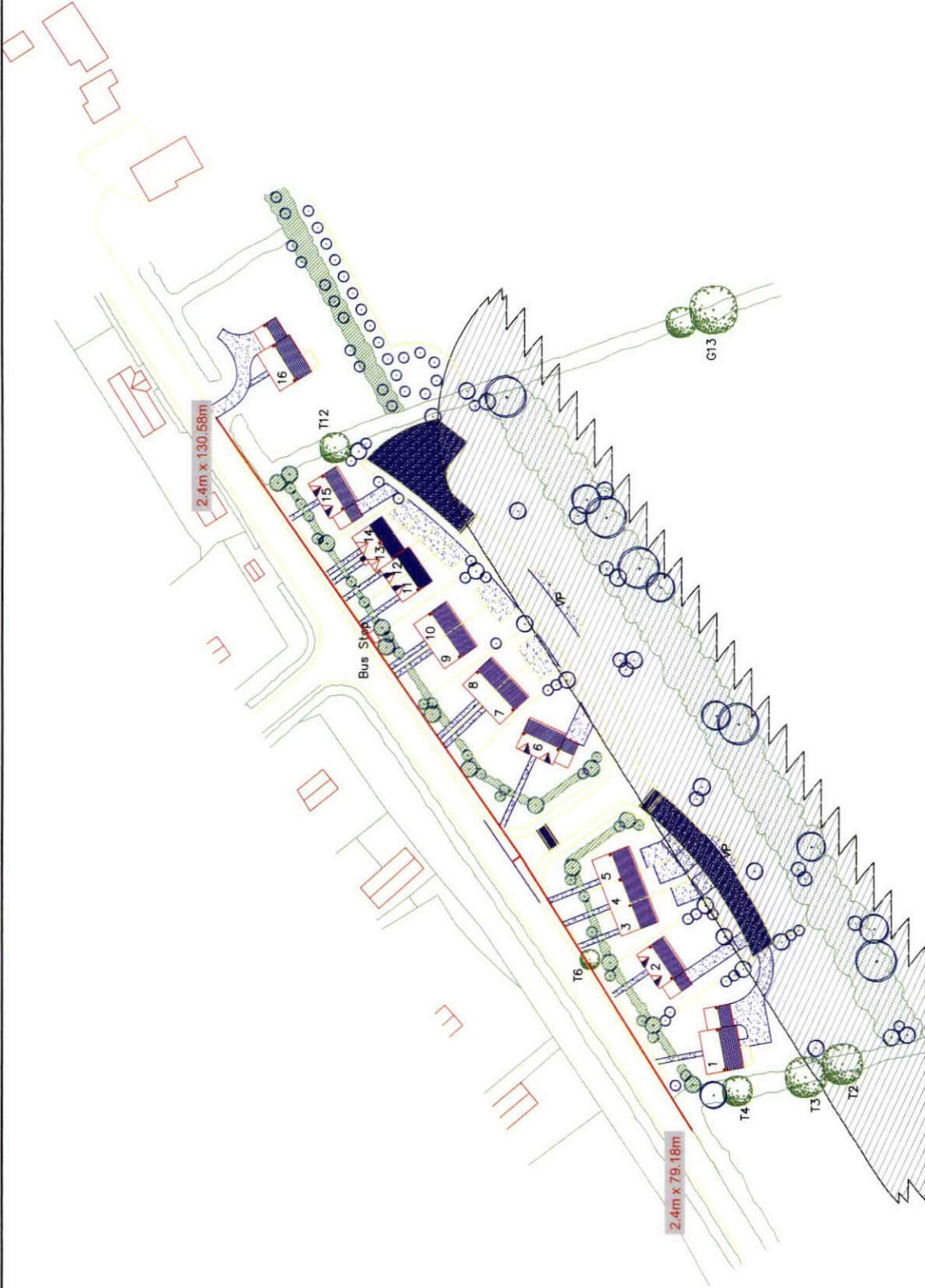
GLoucester ROAD,
 ANDOVERSFORD.

Rev	Date	Description	Dim	CHK	APP
A	03.11.16	Visibility recorded according to GCC requirements.	EP	CT	CT
-	18.10.16	ORIGINAL ISSUE	EP	CT	CT

OS LICENSE 100028652



240



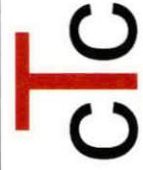
OS_LICENSE 100022432

Rev	Date	Description	Drn	Chk	Appr
B	03.11.16	Visually amended according to GCC requirement.	EP	CT	CT
A	18.10.16	Items amended	EP	CT	CT
-	28.06.16	ORIGINAL ISSUE	EP	CT	CT

DR. CHARLES LEVINSON,
GLOUCESTER ROAD,
ANDOVERSFORD.

REQUIRED GCC VISIBILITY.

SCALE: 1:500 @A3
REV B
2016-F-024-001



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Katherine Brommage

Subject: FW: Andoversford Planning Application 16/03127/OUT

From: Lisa Allison [mailto:Lisa.Allison@ruralsolutions.co.uk]
Sent: 18 November 2016 16:51
To: chris235028
Cc: Katherine Brommage
Subject: Andoversford Planning Application 16/03127/OUT

Dear Chris,

As promised I have set out my written response below. For ease and I hope you don't mind but I have answered each of the points you raised in turn.

- *Although Highways have said that they have no concerns regarding the access, the Parish Council is very concerned as the entrance is only just below the 30mph limit and we know from local experience that most vehicles ignore the limit. We would prefer to see the limit extended or a solid roundabout installed to deter the speeding. Currently the only deterrent is the traffic calming measure by Crossfields/Templefields entrance.*
- *Although the design of the application has a footpath being installed on that side of the road, there appears to be no thought of a pedestrian crossing to take individuals across the road safely, we have huge concerns with this as crossing that road for children, elderly and adults will be extremely hazardous, even more so in the evenings and winter.*

In regards to the request for a roundabout, I fully appreciate that the Parish Council are concerned about highway safety and this is definitely something that should be taken very seriously. However I must point out that a roundabout would cost in the region of 0.5 million pounds and it would be completely unjustified in planning terms as Gloucestershire Highways have not requested one or made any such comment given the proposal does meet the highway safety requirements.

The viability of the scheme is already in question given the applicant has committed to providing 50% affordable housing on site, a substantial landscaping scheme with an 8 metre tree buffer to the south of the site and a £101,505 education contribution for primary and secondary school places.

- *The village has previously on other developments experienced the problem of inadequate parking being provided for houses, we are in a rural area where more often a house will have two or more cars. Please ensure that the application has adequate parking.*
- *With regards to the design of the houses, it has become quite apparent from the recent development in the village that there are more of the elderly in the area that would like an opportunity of a small bungalow, the low cost homes should look to incorporate a mixture of bungalows and two bed houses.*

Both of these matters will be dealt with as part of the reserved matters application and will be subject to the Manual for Streets parking guidelines and the strict design criteria of the Cotswold Design Code and Local Plan Policy.

- *As this is the entrance to the main part of the village we need to consider a gateway style entrance.*

We agree with this point entirely and we have designed the scheme very carefully and in collaboration with the Council's key consultees, namely the Landscape Consultant Will Harley. We have produced a scheme which will significantly enhance this gateway site through the use of locally vernacular materials, landscaping and a locally distinct design.

- *The Parish Council does have major concerns on extra housing being placed on the site and the implications of more housing development in general.*

The proposed development will result in sustainable form of development as demonstrated in our accompanying Sustainability Assessment and Planning Statement.

- *The Parish Council has concerns regarding pressures on the electricity, water and sewer services in the village and would like some form of commitment from those utilities that the systems are able to cope with extra housing.*

The accompanying third party reports demonstrate that the site can accommodate residential development without causing a significant impacts. Furthermore, additional information will be required as part of the reserved matters process.

With regards to 106 contributions the Parish Council has a current list of Village requirements that are all currently associated and centred around the Village Hall (please see attached). We would also welcome a friendly, informal but constructive discussion/dialogue with the agents if possible at a time of their convenience to discuss all of the above.

I have spoken at length with our client and whilst he is very keen to support local community services, the viability of the scheme is already in question as discussed above. Furthermore, as I understand it there would be no planning basis upon which to justify the local village requirements and so a payment would have to be made outside of the planning process. It is therefore not possible for our client to contribute towards local services on this occasion.

I do hope the above is helpful and that I have answered each of your questions comprehensively. However, if you would like to chat things through any further, please do not hesitate to contact me.

Many thanks

Lisa Allison

Lisa Allison BSc, MSc, MRTPI
Senior Planner



t: 01756 796199 | w: ruralsolutions.co.uk
Canalside House, Brewery Lane, Skipton, North Yorkshire, BD23 1DR



Rural Solutions Planning Division – Finalist
'Planning Consultancy of the Year' 2015/16

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