

**Item No 04:-**

**18/04770/FUL**

**Grain Dryer and Storage Barns  
Back Lane  
Ampney Crucis  
Cirencester  
GL7 5TE**

**Item No 04:-****Demolition of agricultural buildings and the construction of two new dwellings at Grain Dryer and Storage Barns Back Lane Ampney Crucis Cirencester Gloucestershire GL7 5TE**

<b>Full Application 18/04770/FUL</b>	
<b>Applicant:</b>	Crucis Park Estate LLP
<b>Agent:</b>	DK Planning & Development Ltd
<b>Case Officer:</b>	Andrew Moody
<b>Ward Member(s):</b>	Councillor David Fowles
<b>Committee Date:</b>	10th April 2019
<b>RECOMMENDATION:</b>	<b>PERMIT SUBJECT TO THE EXPIRY OF THE RECONSULTATION PERIOD ON WEDNESDAY 10TH APRIL 2019, AND TO NO NEW MATERIAL PLANNING CONSIDERATIONS BEING RAISED</b>

**Main Issues:**

- (a) Principle of development
- (b) Sustainability of the location
- (c) Fallback position
- (d) Conservation and design
- (e) Landscape impact
- (f) Biodiversity
- (g) Highway safety
- (h) Contamination

**Reasons for Referral:**

The application is referred to Committee at the request of the Ward Member, Cllr David Fowles, for the following reason: -

'Given the history of this site and in particular both highways and environmental (asbestos) concerns, that if you are minded to recommend approval then I request that the application goes to Committee for determination.'

**1. Site Description:**

The site is located to the north western edge of the village of Ampney Crucis. Ampney Crucis is a small rural village with development primarily scattered in a linear arrangement along the main village road. The village is not located within any designated landscape area.

The site comprises a parcel of land to the north side of Back Lane, which is a narrow lane leading from the main road that runs through the village. The site itself is approximately 0.27 hectares in area, and is currently occupied by farm buildings, including a grain dryer and storage buildings, that make up part of Crucis Park Farm Estate. The site is not considered to be 'Previously Developed Land' as the NPPF excludes land that is or has been occupied by agricultural buildings from this definition.

## 2. Relevant Planning History:

17/03018/OPANOT: Notification under Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 3, Class Q for the conversion of two agricultural buildings to create three dwelling houses (Use Class 3) and for associated operational development. Prior approval not required 05.09.2017

17/05092/FUL: Demolition of two agricultural buildings and the construction of three new dwellings. Refused 18.05.2018

## 3. Planning Policies:

NPPF National Planning Policy Framework  
 DS3 Small-scale Res Dev non-Principal Settle  
 EN1 Built, Natural & Historic Environment  
 EN2 Design of Built & Natural Environment  
 EN4 The Wider Natural & Historic Landscape  
 EN8 Bio & Geo: Features Habitats & Species  
 EN10 HE: Designated Heritage Assets  
 EN11 HE: DHA - Conservation Areas  
 EN14 Managing Flood Risk  
 EN15 Pollution & Contaminated Land  
 INF4 Highway Safety  
 INF5 Parking Provision

## 4. Observations of Consultees:

Conservation and Design Officer: No objection subject to conditions, comments incorporated into the report

Landscape Officer: No objection subject to conditions, comments incorporated into the report

Biodiversity Officer: No objection subject to conditions

Highway Authority: No objection

## 5. View of Town/Parish Council:

Objection. Due to the length of the comments these are attached as an appendix to this report.

## 6. Other Representations:

20 representations objecting to the proposal have been received, making the following comments:-

- contrary to the development plan and creates a precedent
- lane past the site not suitable for extra traffic
- fundamental change from the conversion of the existing buildings and would create a precedent
- access at the end of the lane has poor visibility
- there is asbestos in the buildings
- impact upon pedestrians in the village from extra traffic
- concerns about drainage
- insufficient parking provided
- impact of parking during construction works

## 7. Applicant's Supporting Information:

Planning Statement  
Heritage Report  
Landscape and Visual Impact Assessment  
Bat Survey Report  
Proposed plans

## 8. Officer's Assessment:

### (a) Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of an application would therefore be the current development plan for the District which is the Cotswold District Local Plan 2011-2031.

Local Plan Policy DS3 (Small-Scale Residential Development in Non-Principal Settlements), allows for small-scale residential development in non-Principal Settlements where this:

- a. demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;
- b. is of a proportionate scale and maintains and enhances sustainable patterns of development;
- c. complements the form and character of the settlement; and
- d. does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.

Policy DS3 recognises that although many of the rural villages and hamlets within the district are not sustainable locations for residential development, some settlements have greater sustainability credentials. As such Non-Principal Settlements are those which have reasonable access to everyday services, facilities and/or employment opportunities, either within the settlement itself, at a Principal Settlement, or at a neighbouring rural settlement.

The NPPF has at its heart a 'presumption in favour of sustainable development'. It states that there are three overarching objectives to achieving sustainable development: economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.

In addition to the above, it must also be noted that, even if the Council can demonstrate the requisite minimum supply of housing land, it does not in itself mean that proposals for residential development outside existing Settlement Boundaries should automatically be refused. The 5 year (plus 5%) figure is a minimum not a maximum and as such the Council should continually be seeking to ensure that housing land supply stays above this minimum in the future. As a result there will continue to be a need to release suitable sites outside Settlement Boundaries identified in the Local Plan for residential development.

### (b) Sustainability of the Location

The supporting text to Policy DS3 guides the decision maker to make a judgement on the accessibility to everyday services, facilities and/or employment opportunities, where "reasonable access" helps to avoid unnecessary traffic movements and social isolation. Distance, quality of route, topography and pedestrian safety are important issues when considering the accessibility of services and facilities (Para 6.3.4). The Local Plan's development strategy seeks to promote sustainable patterns of development in the District and residential development in rural areas is

directed to those locations where it will enhance or maintain the vitality of rural communities. In the absence of special circumstances, the plan seeks to avoid permitting new isolated homes in the countryside. Policies DS3 and DS4 are central in this respect.

In terms of the sustainability of the location, Ampney Crucis is a settlement that is not well-served by day-to-day services and facilities. For this reason, it has not been included as one of the Principal Settlements in the Local Plan. Therefore, housing development in significant numbers and/or high density is unlikely to be supported in this location, however having regard to Policy DS3 and the NPPF it is proper that consideration is given to small-scale residential development on the merits of each individual case.

The 'Role and Function of Settlements Study' published by the Council in 2012 identifies the village as having five facilities listed, including a pre-school, primary school, pub, community hall and place of worship. The site is also within walking distance of bus stops, with an internet search indicating that there is an hourly bus route to and from Cirencester 7 times a day on weekdays, thereby the site is accessible by public transport to and from the main town and service centre within the District. NPPF paragraph 78 states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.'

There have been recent planning applications for single new residential dwellings within/adjoining Ampney Crucis or nearby settlements that have either been granted permission or refused on the grounds that did not include the principle of development. For example a single dwelling has been granted at The Old Mortar Mill in Ampney Crucis (16/04932/FUL) in March 2017, following a refusal (15/05598/FUL) based solely upon the impact upon the setting of heritage assets. More notably for this application is the approval for 2 dwellings granted under reference 16/05309/FUL on land within the applicant's control, and to the east of the current application site. There will however, be a limit as to the number of dwellings that Ampney Crucis could reasonably and sustainably accommodate in accordance with local and national planning policy.

Members should note that the previous application for the erection of three dwellings upon this site, 17/05092/FUL, which was refused under the Scheme of Delegation did not make reference to the principle of residential development upon the site within the reasons for refusal. The two reasons for refusal within that decision referred to the impact upon the setting of Ampney Crucis Conservation Area, and upon the character of the landscape.

### **(c) Fallback Position**

A Prior Notification application was submitted under reference 17/03018/OPANOT for the conversion of the two existing buildings upon the application site into 3 dwellings. The decision issued was that prior approval was not required, and that the buildings benefitted from permitted development rights under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for conversion into residential use.

This decision is, therefore, considered to be a significant material planning consideration, in that the principle of the conversion of the existing buildings into 3 dwellings has been accepted as being permitted development. In addition, this has to be taken into consideration as a realistic fallback position for the applicant/ developer should the current planning application be refused, and that there is a real prospect of this being implemented given the prior approval that has been granted.

Such an approach has been noted in appeal decisions elsewhere, and also in a recent High Court decision (Michael Mansell vs Tonbridge and Malling Borough Council and Croudance Portland and The East Malling Trust) from July 2017. In that instance, a challenge was made to a decision

to grant 4 dwellings, including 3 in replacement for agricultural buildings with Class Q permitted development rights.

Therefore, in the planning balance, whilst the application site is outside any settlement boundary in the Local Plan, given the prior approval that has been granted for the conversion into residential use, and the realistic prospect of this being implemented, it is not considered that the refusal of planning permission as a matter of principle could be substantiated at appeal.

Notwithstanding this, the relative merits of demolition and construction of new dwellings, as opposed to the conversion of the existing buildings, need to be considered in terms of all other material planning considerations, as set out below.

#### **(d) Conservation and Design**

The site is located on the edge of Ampney Crucis and lies a short distance from the Ampney Crucis Conservation Area wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. This duty is required in relation to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 16 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 193 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 notes that significance can be harmed through alteration or development within the setting. Paragraph 194 states that any harm to or loss of the significance of a heritage asset should require clear and convincing justification.

Paragraph 195 states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits, whilst Paragraph 196 states that where a development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

Paragraph 130 within Section 12 of the National Planning Policy Framework states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

The Cotswold District Local Plan, Policy EN2, states that development will be permitted which accords with the Cotswold Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

Policy EN11 of the Cotswold District Local Plan which refers to conservation areas states that development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they 'preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features'.

Planning permission was granted under reference 16/05309/FUL for one pair of new houses to the east of the current application site. This approval included the part demolition of the existing large structures and was also granted on the basis that the new houses appeared as a traditional pair of estate cottages, which are sometimes found on the rural fringe of settlements, as outlying dwellings. It was considered that the rural characteristics of Backs Lane, as part of the landscape setting of the village and conservation area, would be preserved.

Following this a prior approval was approved (ref: 17/03018/OPANOT), allowing for the conversion of the remaining Grain Store and Grain Dryer structures to three dwellings under

Permitted Development (Class Q). Planning policies were not therefore engaged in the determination of this notification.

The demolition of the remainder of the grain dryer structures is now proposed, followed by the construction of three houses in their place. The original submission included a scale and design that was in the form of a pair of estate cottages and a barn form of development for the single detached dwelling.

The site is located on the edge of Ampney Crucis and lies a short distance from the Ampney Crucis Conservation Area located down a narrow lane. Back Lane leads out from the village passing residential houses and associated rear gardens and a paddock for horses. Opposite the paddocks are an existing grain dryer and store buildings with open agricultural land to the east, these aspects form the rural backdrop to the Ampney Crucis. The existing grain store buildings consist of sizeable corrugated metal clad structures which are considered to have limited architectural merit, being of an industrial style, functional in nature and are in keeping with the surrounding working agricultural landscape.

Following discussions with the Conservation and Design Officer that the proposal was still considered to be of a scale and design that was of too suburban character and domestic appearance, and was considered to be contrary to Policy EN2 of the Local Plan and the Cotswold Design Code (Appendix D), amended plans have been submitted that have revised both the scale and design of the proposal, with two dwellings now proposed including one that would now be a timber clad building with a metal clad roof that is designed to have a more rural appearance in terms of its design and materials. This dwelling is shown to be reduced in height by 1.4 metres in comparison to the original submission for a pair of semi-detached dwellings.

These amendments to the design and scale of the dwellings are considered to have addressed the concerns previously raised in respect of the development of the site with regard to the impact upon the setting of the Ampney Crucis Conservation Area, when also taking into consideration the fallback position to convert the existing agricultural buildings upon the site.

Subject to conditions, therefore, the proposal is now considered to be in accordance with both Policy EN2 and Appendix D (Cotswold Design Code), in addition to the NPPF.

#### **(e) Landscape impact**

Paragraph 170 of the NPPF requires the planning system to recognise the intrinsic character and beauty of the countryside. Policy EN2 of the Local Plan states that development will be permitted which accords with the Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

Policy EN4 of the Local Plan states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. This policy requires that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, settlement patterns and heritage assets.

The site is located to the north western edge of Ampney Crucis which has development mainly scattered in a linear arrangement along the main village road. The village is not located within any designated landscape area.

The site itself is a rectangular shape and is occupied by existing agricultural buildings and an area of hard standing. The site is detached from the settlement edge and is surrounded by agricultural land. Access is obtained from Back Lane, a narrow country lane which borders the southern boundary of the site.

In terms of Public Rights of Way (PRoW), there are a number that cross the wider countryside, footpath BAC2 follows a route east to west in the adjacent field north of the site. There is also a public access track which borders the site to the west.

A Landscape and Visual Impact Assessment (LVIA), dated December 2016 has been submitted in support of the proposal. An assessment of views from the surrounding area was undertaken and it was considered that views were mainly restricted to a small envelope. It was concluded that the residual visual impacts would at worst (from Back Lane) be 'Slight Adverse', but in all other cases would be Negligible to Moderate beneficial.

It is considered that views would be restricted to a small envelope from the local context by virtue of the intervening vegetation, however as stated in the LVIA the development would be particularly prominent along Back Lane. There would also be open views of the development from the Public Right of Way (BAC2) to the north of the site where a section of this footpath cuts across the open field. The development would be highly prominent in local views and while the proposal would include mitigation planting to the boundary this would take time to establish.

The LVIA concluded that the impact on the character would be 'Slight Beneficial', and states that the proposals would represent a slight expansion of the existing village along Back Lane, but there would be an overall improvement in the quality of the character and appearance of the settlement edge in this location.

At county level the site is located within 'Dipslope Lowland' and is further defined as 'TV 3B The Ampneys' (LDA Gloucestershire Landscape Character Assessment, January 2006). Key characteristics of this landscape as defined in the January 2006 Character Assessment include:-

- Broad area of gently sloping, undulating lowland with a predominantly south easterly fall;
- Lowland landform;
- Well-managed productive landscape with general predominance of medium to large scale arable fields and smaller scale improved pastures;
- Boundaries comprise of varying quality, together with stone walls and post and wire fencing;
- Occasional woodland copses and shelterbelts;
- Settlements pattern of intermittent linear and nucleated villages, hamlets and isolated farmsteads.

It is emphasised within the assessment that "The majority of villages have a broadly linear form, for example Ampney Crucis" and "Beyond the main settled areas is a pattern of scattered farms and dwellings, often accessed via network of minor tracks".

It is considered that the site and the wider landscape are typical of the 'Dipslope Lowland' character type, and that the close connection to the countryside is integral to the rural character of the settlement and these characteristics must be preserved. The existing development pattern of the village is linear in form and to extend development along Backs Lane would go against the grain of development within the village.

Officers expressed concern that the original submission would not be of a scale that would be acceptable in terms of its landscape impact, with specific regard to the massing of the proposed development in comparison to the existing buildings. The fallback position established with the Prior Notification application (17/03018/OPANOT), was for a detached conversion, and two units within the other building upon the site. The reduction in scale, and the amendment to the proposed external materials, is considered to have addressed these concerns with a form of development that would be more in keeping with both the rural setting, and the form of development established through the Prior Notification approval.

#### **(f) Biodiversity**

The proposed development site is in a rural location on the edge of the village, surrounded by fields, lanes/paths and a garden. The site itself comprises primarily modern agricultural barn,



hardstandings and associated vegetation. The proposed development site is located within a Site of Special Scientific Interest (SSSI) Impact Risk Zone although the type of development is not included as being of high risk.

A bat survey has been submitted that includes the buildings upon the site, and whilst this is more than three years old and would normally require updating, given the habitats present on the actual development site that is not considered necessary in this instance. The level of potential for use by barn owls is also considered to be low.

The construction of three new dwellings does offer an opportunity for biodiversity enhancement in the form of integrated bat and bird boxes within the fabric of the walls of the dwellings, and the elevations drawing of Plot 2 shows arrow slits on the front elevation (south), which would allow bat tubes to be located behind. Integrated bird boxes, for example, house sparrow terrace, starling box and/or swift brick could be installed on north/east/west elevations.

The site layout plan shows a "native mix field hedge" along the northern boundary of the site, which should be species-rich and incorporate native, locally characteristic species. In the event of planning permission being granted, a landscaping scheme with a 5-year maintenance plan would be recommended by condition.

There are no objections to the proposed development on biodiversity grounds, having regard to Policy EN8 of the Local Plan and paragraphs 170 and 175 of the NPPF.

#### **(g) Highway safety**

Concerns have been raised by the local community regarding the impact upon traffic using Back Lane, the lack of passing spaces, in addition to its junction with the road network in the village to the east of the site.

The Highway Authority has previously commented that the road is a Class 4 highway, and that bearing in mind the fallback position established by the conversion of the existing buildings into three dwellings, the impact from traffic would not be materially different from this approved scheme, indeed it would be argued to be less given the reduction to two proposed dwellings, to which the Highway Authority did not raise any objection.

The site plan does show an area of orchard to be planted in between the proposed dwellings and the site for two dwellings granted under reference 16/05309/FUL, with a pull in area provided in front of this to allow for vehicles to pass.

No objection is therefore being raised, and as such the proposal is considered to accord with Policies INF4 and INF5 of the Local Plan, and Section 9 of the NPPF. Having regard to paragraph 109 of the NPPF, there is not considered to be an unacceptable impact on highway safety considering the traffic that would be generated if the established use of the existing buildings upon the site was to be recommenced, and that the residual cumulative impacts on the road network would not be 'severe'.

#### **(h) Contamination**

Policy EN15 of the Local Plan states that 'Development will be permitted that will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through:

- a. pollution of the air, land, surface water, or ground water sources; and/or
- b. generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.'

Considering the agricultural use of the land, and that the buildings were used for grain drying and storage, a condition is recommended that in the event of contamination being found at any time

when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination. Subject to this condition, the proposal would be considered to accord with the above policy.

A number of representations have raised the issue of there being asbestos used in the construction of the buildings to be demolished. The developer would ultimately be responsible for ensuring the safe disposal of any asbestos from the site, with the Health and Safety Executive having responsibility for this matter, and not the District Council. This is regulated by the Control of Asbestos Regulations 2012.

## **9. Conclusion:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

Ampney Crucis is not a settlement that benefits from an adopted settlement boundary therefore the site is considered to be in the open countryside. Notwithstanding this, Policy DS3 of the Local Plan does allow for small-scale residential development in Non-Principal Settlements, and there is also the fallback position taking into account the Prior Notification application for the conversion of the existing buildings into three dwellings which could realistically be expected to be implemented if this development is not granted planning permission. It should also be noted that the previous refusal of planning permission for the erection of three dwellings upon this site did not refer to the principle of residential development within the reasons for refusal.

Having regard to the amendments made to the design and scale of the proposed development, it is considered that the proposal accords with the policies in the Development Plan, in addition to the NPPF, which are not outweighed by other material planning considerations.

The recommendation is for planning permission to be granted.

## **10. Proposed conditions:**

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

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

The development hereby approved shall be implemented in accordance with the following drawing numbers: 2226-080-A; 081-A; 082-A; 083-A; 084-A; 085-A and 115-C.

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

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

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

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

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

Prior to their installation/insertion/construction in the development hereby approved, design and details for windows, glazed screens and shutters, doors, glazing details and finish/RAL colour, boundary treatments, flues and vents shall be submitted to and approved in writing by the Local Planning Authority.

The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

All door and window frames shall be recessed a minimum of 75mm into the external walls of the building and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

The new rooflight(s) shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflight(s) is/are located and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

No bargeboards or eaves fascias shall be used in the proposed development.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan EN2.

New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the Local Planning Authority and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

The timber boarding shall not be treated in any way and shall be left to weather and silver naturally and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan EN2.

Before the occupation of the development hereby approved, a comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority, including full details of all biodiversity enhancements, including the new native species-rich hedgerow (at least 6 woody species), wildflower meadow and orchard, and a 5-year aftercare maintenance plan. The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

**Reason:** To enhance the site for biodiversity in accordance with paragraphs 170 and 175 of the National Planning Policy Framework, policies EN1, EN2, EN7, EN8 and EN9 of the Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

**Reason:** To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy EN4.

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

**Reason:** To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy EN2.

Prior to installation, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or having access to any roosts / that light spillage into wildlife corridors will be minimised as much as possible.

All external lighting shall be installed in accordance with the specifications and locations set out in the details, and these shall be retained thereafter. The scheme should be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To protect foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), policies EN1, EN2, EN7, EN8, EN9 and EN15 of the Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

No more than 7 days prior to the commencement of demolition works a suitably qualified/professional ecologist shall undertake a detailed check of the buildings proposed for demolition for barn owls and other active bird nests. Written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the demolition works.

**Reason:** To ensure that barn owls and other birds are protected from harm before demolition in accordance with the Wildlife and Countryside Act 1981 (as amended), Policy EN8 of the Cotswold District Local Plan 2011-2031 and the National Planning Policy Framework (in particular Chapter 15). It is important that these details are agreed before the commencement of the development in order to ensure that there will be no adverse impact on protected species (low risk for barn owls to be present).

Before the erection of any external walls and conversion works, details of the provision of integrated bat boxes on the southwestern elevations, bird nest boxes on the north-eastern elevations, swallow nest cups (and platforms, if needed) within the open-fronted garage and a barn owl box in a suitable location shall be submitted to the Local Planning Authority for approval. The details shall include technical drawings showing all the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The development shall be completed fully in accordance with the approved details and the approved features shall be retained in accordance with the approved details thereafter.

**Reason:** To provide biodiversity enhancements for bats, barn owls and nesting birds in accordance with the EC Wild Birds Directive, paragraphs 170 and 175 of the National Planning Policy Framework, policies EN1, EN2, EN7, EN8 and EN9 of the Cotswold District Local Plan 2011-2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary, a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

**Reason:** To prevent pollution of the environment in the interests of the amenity in accordance with the National Planning Policy Framework and Policy EN15 of the Cotswold District Local Plan.

The development shall not be occupied or brought into use until the passing place has been provided in accordance with the approved plans and that area shall be retained thereafter.

**Reason:** In the interests of highway safety, in accordance with Cotswold District Local Plan Policy INF4.

The development shall not be occupied or brought into use until vehicle parking has been provided in accordance with the approved plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.

**Reason:** To ensure that adequate off-road parking is provided, in accordance with Cotswold District Local Plan Policy INF4.

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;
- viii. specify the route to be taken to and from the site by vehicles during demolition and construction works.

**Reason:** To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with Policy INF4 of the Cotswold District Local Plan.

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**GRAIN DRYER & STORAGE BARN BACK LANE AMPNEY CRUCIS GLOS**

Organisation: Cotswold District Council

Department:

Date: 28/03/2019



**COTSWOLD**  
DISTRICT COUNCIL



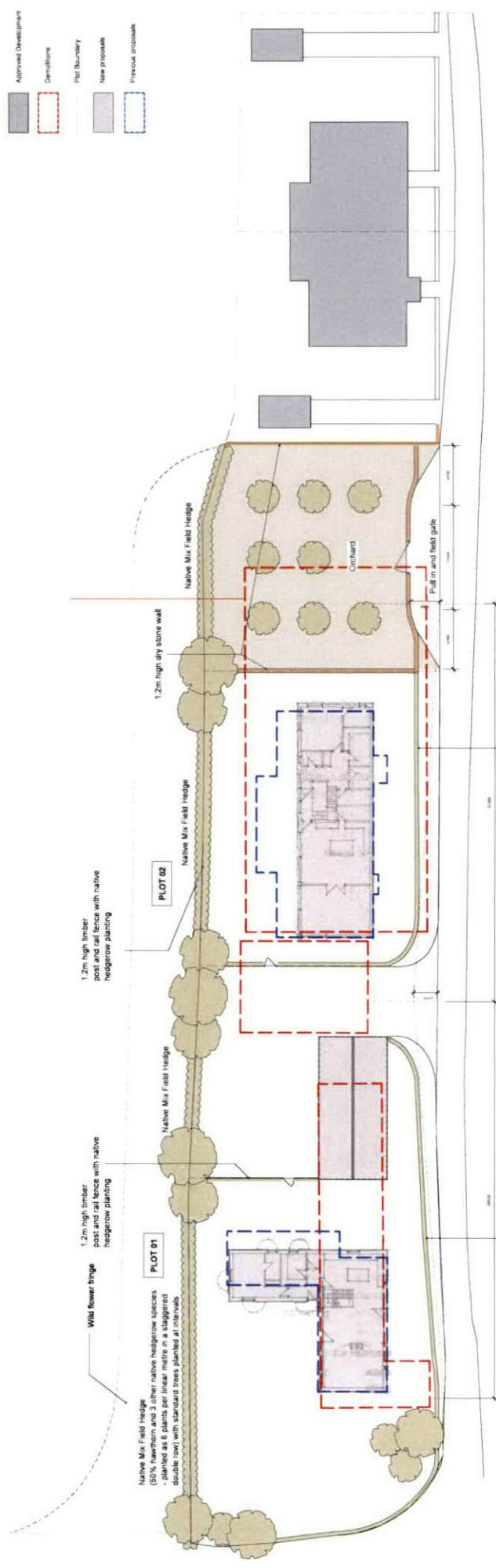
**General Notes:**

1. This drawing is to be used in conjunction with other drawings.
2. Check site conditions prior to commencement of work.
3. Discrepancies must be reported directly to the architect.
4. Do not scale off drawing, use figured dimensions only.
5. This drawing may be issued in colour and may be a non-standard paper size.



KEY:

- Approved Development
- Demolition
- Plot Boundary
- New proposal
- Previous proposal



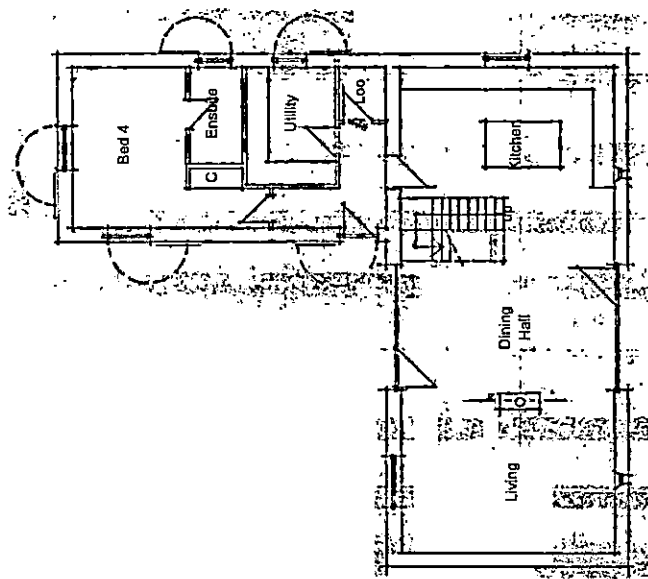
102

18/04/2020 / FUL

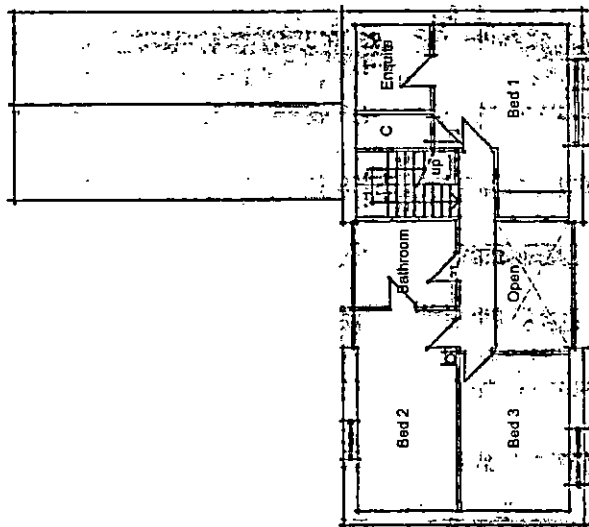
A	18/04/20	Planning Draw	MS
Rev.	Date	Notes	Drawn
Scale	1:200 @ A1	0 5 10 20 30m	20/04/20
DN Serial Number	11111		
<b>YANGOU</b>			
YANGOU ARCHITECTS			
Project Address	1234 Main Street, Anytown, Country, State, Postcode		
Project Description	Residential Development		
Drawing Title	Proposed Main Plot & Field Plan		
Drawing No.	22256_040	Rev.	A



General Notes:  
 1. To be read in conjunction with other documents.  
 2. All work to be done in accordance with the conditions of contract.  
 3. Any discrepancies to be reported directly to the Architect.  
 4. Do not make off drawings (except for planning purposes only), use figured dimensions only.  
 5. WARNING: This drawing is issued in colour.



Ground Floor

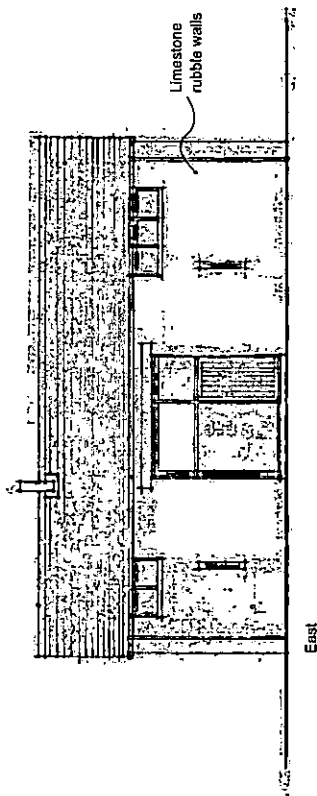
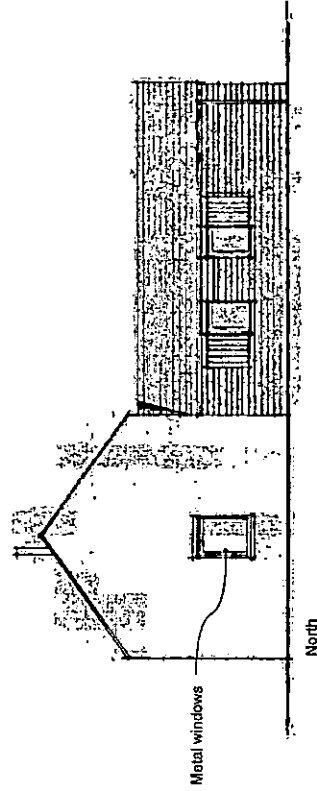
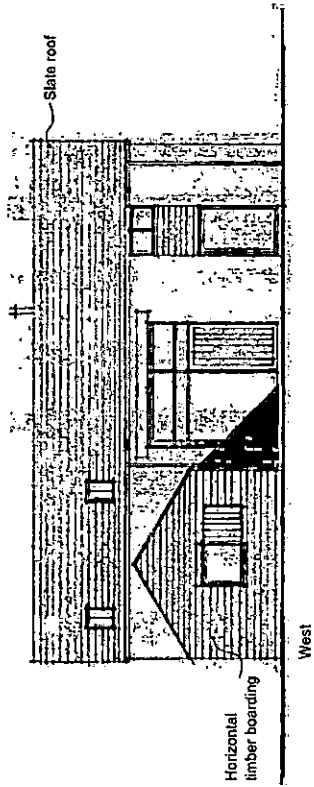
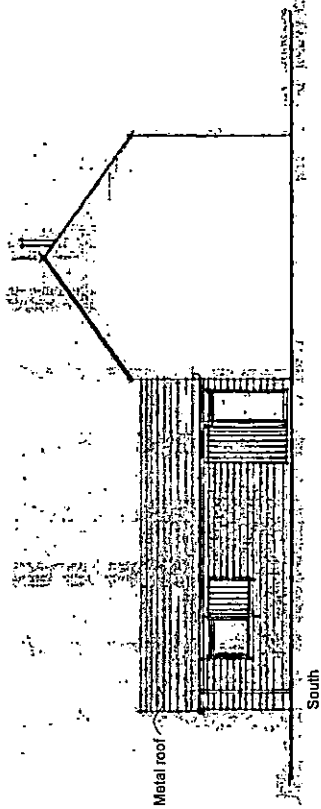


First Floor

No.	01/25/10	Revised/Issue	002
Date	20/10/10	Drawn	AS
Scale	1:100 @ A2	Site	1/1
DA Reference	4740/4		
<b>YANCOU</b> YINGOU ARCHITECTS			
Project Address	Dunelm, Colindale, London NW9 1UH		
Project Description	Private Residential (2011)		
Drawing Title	Proposed First Floor		
Drawing No.	2220-001	Rev.	A

General Notes:

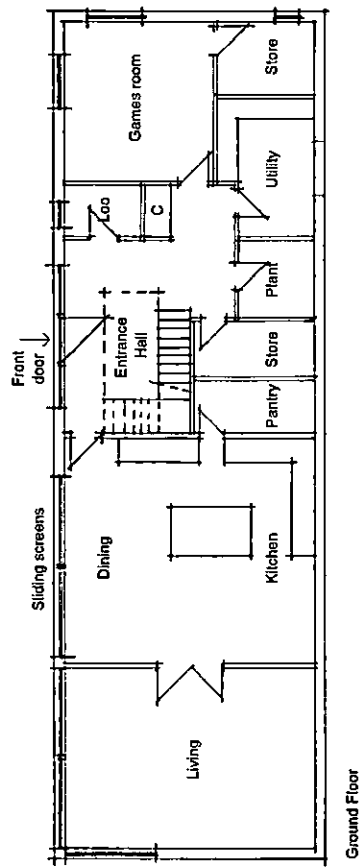
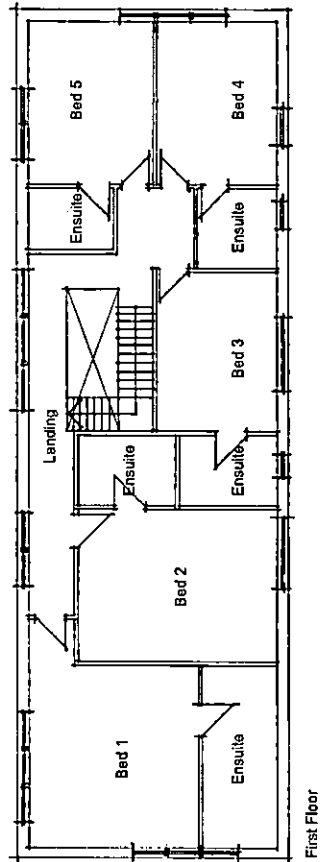
1. To be read in conjunction with other conditions.
2. Any specific conditions apply to circumstances of work.
3. Any discrepancies to be reported strictly to the Architect.
4. Do not work off drawings (Except for Planning purposes only). Use figured dimensions only.
5. WARNING: This drawing is bound in colour.



NO.	2023.16	Revised	Drawn
Rev.	0	Issue	Drawn
Scale	1:100 @ A2		
Client Name	47405		
Project Location	Great West Junction, Chichester		
Project Description	Residential Extension (198 sq ft)		
Drawn By	Richard Latham		
Drawn On	22/08/2023		
Architect	YANGOU ARCHITECTS		
Address	100, The Street, Chichester, West Sussex PO19 1AA		
Phone	01243 822222		
Email	info@yangou-architects.co.uk		

**General Notes:**

1. To be read in conjunction with other documents.
2. Check sets conditions prior to commencement of work.
3. Any discrepancies to be reported directly to the Architect.
4. Do not work off drawings (Except for Printing purposes only). Use figured dimensions only.
5. Worked: This drawing is issued in colour.



No.	25.03.19	Revised Issue	NO
Rev	1	Issue	Drawn
Rev	0	Issue	Drawn
Scale	1:100 @ A2		1:50
Client Reference	47476		
<b>YANGOU ARCHITECTS</b>			
Yangou Architects 100-102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000			
Project Name	East West Avenue, Doha, Qatar		
Project Location	Hamad Bin Khalifa International Airport - PH122		
Drawing Title	Residential Floor Plans		
Drawing No.	2222-053		
Scale	A		

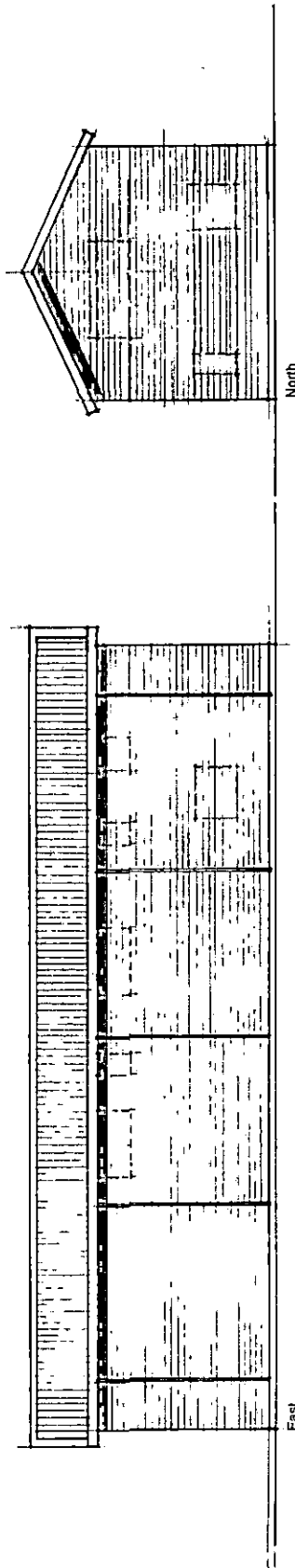
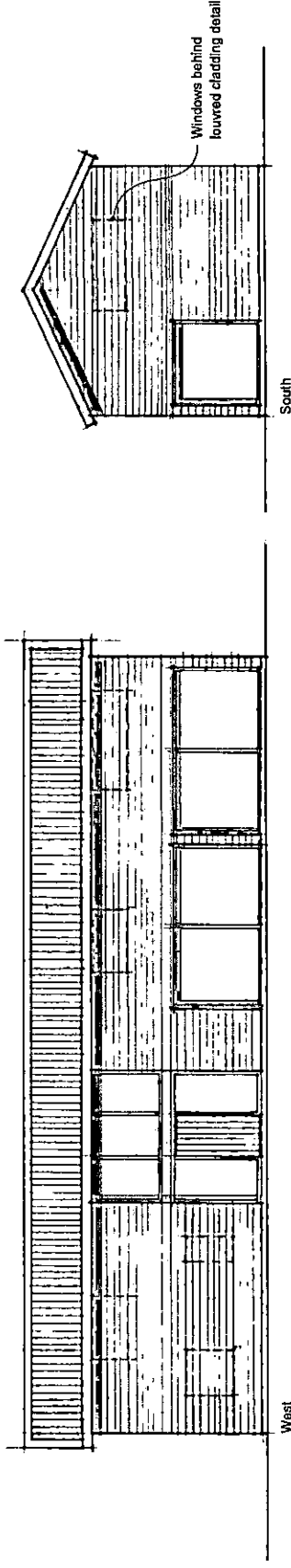
General Notes:

1. To be read in conjunction with other consultants drawings.
2. Check all conditions prior to commencement of work.
3. Any discrepancies to be reported directly to the Architect.
4. All materials to be specified.
5. All work to be done in accordance with the drawings (except for finishing purposes only). Use figured dimensions only.
6. WARNING: This drawing is issued in colour.

**Roof:**  
Powder coated aluminium  
corrugated sheeting

**Walls:**  
Horizontal timber cladding

**Windows:**  
Powder coated aluminium



NO	25/02/15	Revised/Issue	1
Rev	0/0	Issue	1
Scale	1:100 @ A2		
Client	47407		
City	47407		
Project Name	Green Bank Amphitheatre		
Project Location	Preston Park / Agricultural Bank - Plot 13		
Drawing Title	Elevation Drawings		
Drawing No.	2225-05A		
Scale	A		

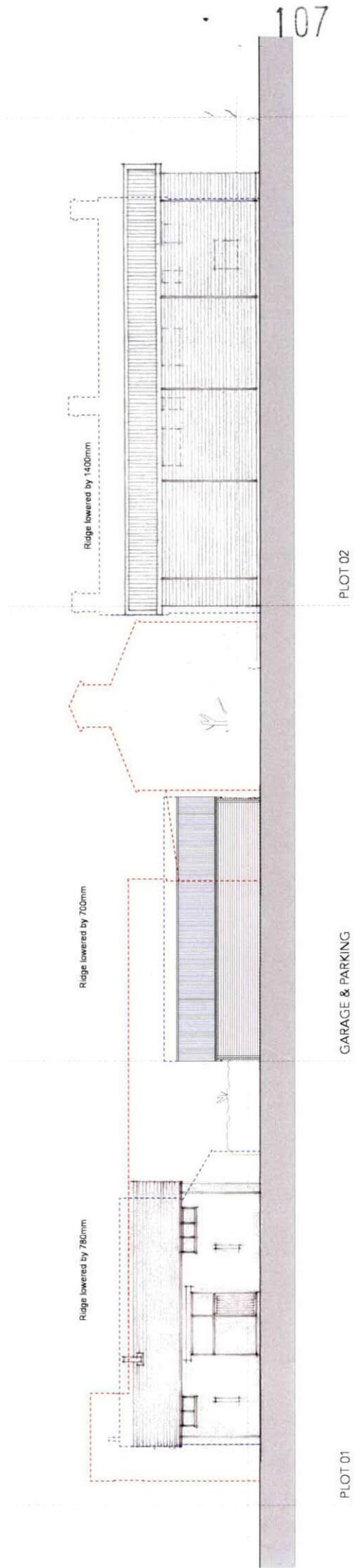
**YANGOU**  
YANGOU ARCHITECTS  
100/102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

**General Notes:**

- The drawing is to be read in conjunction with other drawings.
- Check all conditions prior to commencement of work.
- Discrepancies must be reported directly to the Architect.
- Dimensions shown on drawings shall be taken as shown only.
- The drawing may be issued in colour, and may be a non-standard paper size.

**KEY:**

- Demolition
- Plot Boundary
- Previous proposals



Project No.	22256.085	Client	YANGOU ARCHITECTS
Issue	1: 100 @ A1	Scale	1:100
Author	YANGOU ARCHITECTS	Project Address	Shan Shan Avenue, Guangzhou, Guangdong, China
Designer	YANGOU ARCHITECTS	Project Description	Proposed Main Building
Checker	YANGOU ARCHITECTS	Drawing Title	Proposed Main Building
Scale	1:100	Drawing No.	22256.085
Sheet	1	Area	A

**YANGOU**  
YANGOU ARCHITECTS

Shan Shan Avenue, Guangzhou, Guangdong, China

Project Address: Shan Shan Avenue, Guangzhou, Guangdong, China

Project Description: Proposed Main Building

Drawing Title: Proposed Main Building

Drawing No: 22256.085

Area: A

**General Notes:**

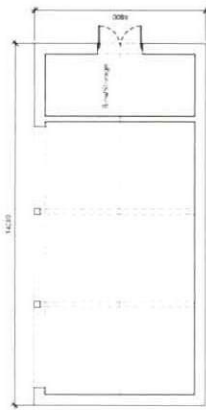
1. This drawing is to be read in conjunction with other drawings on this set.
2. Check site conditions prior to commencement of work.
3. Discrepancies must be reported directly to the Architect.
4. Do not make off drawing, with signed dimensions only.
5. All work to be completed in colour and using the 2:1 non-reproducible master file.



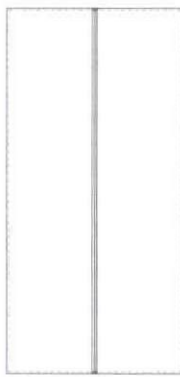
West Elevation



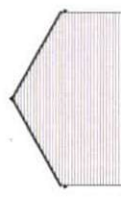
East Elevation



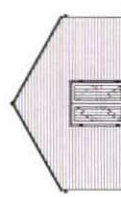
Ground Floor Plan



Roof Plan



South Elevation



North Elevation

External materials:  
Roof: profiled metal roofing  
Walls: horizontal linear cladding  
Windows: horizontal linear cladding  
Roofline gables: powder coated aluminium

1	25.05.19	Issue Requested (insert title here)	Author
2	26.05.19	Issue Requested (insert title here)	Author
3	26.05.19	Issue Requested (insert title here)	Author
4	26.05.19	Issue Requested (insert title here)	Author
5	26.05.19	Issue Requested (insert title here)	Author
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7	26.05.19	Issue Requested (insert title here)	Author
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98	26.05.19	Issue Requested (insert title here)	Author
99	26.05.19	Issue Requested (insert title here)	Author
100	26.05.19	Issue Requested (insert title here)	Author

Scale: 1:100 (A1)

YANGOU  
 ARCHITECTS  
 1100 GAT  
 2228-115

Project Address: 1100 GAT  
 Project Description: Proposed Design Layout  
 Drawing Title: Proposed Design Layout  
 Company: 2228-115  
 Rev: 0











## AMPNEY CRUCIS PARISH COUNCIL

Clerk: Mrs J E Webster, Grove House, Daglingworth, Cirencester, GL7 7AW. Tel: 01285 654727

e-mail: [ac.parish.clerk@btinternet.com](mailto:ac.parish.clerk@btinternet.com)

Mr Kevin Field  
 Planning & Development Manager  
 Cotswold District Council  
 Trinity Road  
 Cirencester  
 GL7 1PX

29th January 2019

Dear Mr Field

**Re: Application Ref 18/04770/FUL – Demolition of agricultural buildings and the construction of three new dwellings on Back(s) Lane, Ampney Crucis**

Thank you for your letter received by the Parish Council on 4<sup>th</sup> January 2019 regarding the above planning application, which has been submitted as a replacement for Application Ref 17/05092/FUL. That application was refused on 18<sup>th</sup> May 2018 on the Officer's recommendation.

The last full meeting of the Parish Council was held on the 10th January and we had insufficient notice of the application to advertise its existence for consideration at that meeting. Therefore and in accordance with established practice, I have canvassed the views of all other members of the Parish Council before preparing this response.

Ampney Crucis Parish Council has given careful consideration to this application and unanimously wishes to **OBJECT** for the following summarised reasons.

Further detail supporting the Parish Council's response is contained in an Appendix to this letter (see following pages 9 to 14), which also includes detail of our concerns that our views and those of residents have been repeatedly ignored. That Appendix should be read in conjunction with this main letter.

***The application is contrary to current local and national planning policy:***

1. **Policy DS3** in the adopted Local Plan does not support the provision of new, open market housing in an isolated position in open countryside.

The proposed development is therefore contrary to CDC's Development Plan, a point acknowledged by the applicant in the submitted Planning Statement and also by CDC in their published Requisite Notice.

In addition, the Parish Council is specifically concerned that there would be an adverse cumulative impact on the village resulting from the proposed development and other developments already permitted on Back(s) Lane. (Please see Sections 6 and 7 of this letter).

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Chairman: Councillor Neil Holt, Oakdale House, Ampney Crucis, Cirencester, GL7 5RZ.

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The application also seeks to extend the boundaries of the proposed site beyond the boundary occupied by the redundant buildings and hardstanding. That extension pushes the development into open agricultural land.

2. **Policy DS4** in the adopted Local Plan prohibits new build open market housing unless it is in accordance with other policies that expressly deal with residential development in such locations. This application does not qualify under any of the suggested exceptions listed in the Local Plan and is therefore contrary to CDC's Development Plan, a point also acknowledged by the applicant in the submitted Planning Statement.
3. **The National Planning Policy Framework 2018 (NPPF)**, specifically Paragraphs 11, 12, 77, 78 and 79 refer. The proposed development does not satisfy any of the relevant NPPF tests or circumstances listed in Paragraph 79 of the NPPF and is therefore contrary to the NPPF.

In addition, Paragraph 12 of the NPPF is specific in referring to the statutory status of the development plan and that the planning authority may only take decisions that depart from an up to date plan if *"...material considerations in a particular case indicate that the plan should not be followed."*

4. **Divergence from the Development Plan** and relevant planning policies is claimed within the Application's Planning Statement as being justified, using the following arguments:
  - a. Permission already exists to convert two redundant agricultural buildings into three new dwelling houses at the same site (Planning Statement paras 7.4 – 7.6). That was approved on 5<sup>th</sup> September 2017 following an application under Schedule 2, Part 3, Class Q of the Town & Country Planning (General Permitted Development) (England) Order 2015;
  - b. It claims that the above Class Q approval (17/03018/OPANOT) *"...is a material consideration of sufficient magnitude to override the planning policy presumption against the provision of new build open market dwellings in this location such that the proposed new dwellings are acceptable in principle."* (Para 7.6)  
It goes on to say that pre-application discussions with CDC had been *"...conducted on the basis that the principle of demolishing the existing agricultural buildings and the erection of three new houses is appropriate given the fallback position created by the Class Q Prior Approval."* (Para 7.9);
  - c. It cites "numerous" appeal decisions but listing specific details of only one potential precedent (Para 7.7); and finally
  - d. It cites (Para 7.8) the Officer's written delegated report that recommended Refusal of the previous application (17/05092/FUL) by saying that CDC did not raise an 'in principle' objection and quotes from his report, saying *"... it is not considered that the refusal of planning permission as a matter of principle could be substantiated at appeal."*

This last comment strongly supports the Parish Councils belief that notwithstanding CDC's assurances to the contrary, the Officer (and presumably the authority) have already accepted the applicant's claim that reliance on the "fallback" position is justification to override the existing Development Plan as well as national policy.

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For further comment on this matter, please read Section 5 below, Sections 11 to 14 and Section A3 of the attached Appendix.

5. **The Parish Council believes that the claimed “fallback” position created by the Class Q Prior Approval is not a material consideration in this application and does not justify a breach of the Development Plan.**

In reality, this is still a new build, open market development in open countryside, utilising the Class Q regulations as a “back door” to facilitate development that would not otherwise be permissible.

The applicant still has approval to undertake the conversion as originally requested under 17/03018/OPANOT and would not therefore be disadvantaged as a consequence of the current application being refused, unless for financial, practical or other reasons, there was never any intention to convert the agricultural buildings.

However, the Planning Statement says that pre-application discussions with CDC had been “...conducted on the basis that the principle of demolishing the existing agricultural buildings and the erection of three new houses is appropriate given the fallback position created by the Class Q Prior Approval.” (Para 7.9).

If this is indeed the view expressed by CDC in those discussions, it indicates that subject to the earlier heritage, design and landscape concerns being addressed, the outcome of this application has been pre-determined.

For further Parish Council comment on the use the “fall back” position as justification for breaching local and national policy, please also read Sections 11 to 14 below and Section A3 in the attached Appendix.

***The application does not address legitimate and acknowledged highways, highway safety and environmental concerns:***

6. **Transport & highways safety concerns**

**Regarding Back(s) Lane:**

Due to the intervention of our County Councillor, the Parish Council did secure specific comment from County Highways in an e-mail dated 25<sup>th</sup> January 2018 that had they been consulted on the original Class Q application, they would have recommended remedial actions be put in place in order for the application to be compliant with current guidelines to reflect the single track status of the lane.

In addition, the Highways Officer expressed very specific concerns regarding significant increases in traffic movements that would be created as a consequence of this development and the fact that the single track Backs Lane has no passing bays.

Nevertheless, the Planning Statement submitted with this application (Para 7.41) states that “*There will be no undue impact on the amenity of nearby residential occupiers or the safety of road users as a consequence of the scheme proposals.*”

Given that there has apparently been no independent assessment undertaken by a suitably qualified and experienced person to support that statement, there is no basis to accept its validity or relevance.

That paragraph goes on to say “... *the current proposals include highway improvements over the previous scheme such as the provision of a verge and a passing place.*”

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The proposed inclusion of a single passing bay at the entrance to a small orchard fails to recognise that as the level of effective and useable off-road parking provision at the proposed and the already permitted developments is insufficient and impractical. It will therefore be inevitable that the passing bay will be used as parking.

Also, the proposed provision of a verge would still be insufficient to allow two vehicles to pass each other, bearing in mind that the verge on the opposite (southern) side of the lane has a drainage ditch running along most of its length.

The Parish Council and village residents have increasing concerns about the following:

- a. Access to and exit from Back(s) Lane is solely via a blind junction onto the Pound at its junction with Butcher's Arms Lane, both of which are single track.

That road junction and the adjacent single track lanes have been independently acknowledged as being very dangerous, not least by two current members of CDC's Planning Committee.

- b. For traffic from Back(s) Lane or Butcher's Arms Lane entering the Village Street from the Pound, there are already very poor lines of sight. These are made worse between 8.00am and 6.00pm by cars parked by workers at a nearby range of commercial units. This effectively reduces the Village Street to single track on an already blind bend making access from Back(s) Lane even more dangerous.

- c. Back(s) Lane already has three occupied dwellings, plus a sizeable cottage rebuild and extension nearing completion. There is also permission for two, three bedroomed semi-detached houses and a two bedroomed stable conversion. It is also the only access for three existing commercial units and is the prime access route for the Crucis Park Estate, with its own widely varying traffic flows.

The traffic flows along Back(s) Lane are already considerable. They do not yet include traffic resulting from unfinished or permitted but as yet unbuilt houses.

The Case Officer has repeatedly claimed that because permission exists to convert the grain dryer into three dwellings of comparable size to those proposed by this application, there will be no incremental or adverse highways impact as a consequence of permitting the applied for development.

That argument is fundamentally flawed due to the failure of CDC's planning and consultation process that resulted in the underlying permission to convert being granted without a full traffic and highways safety assessment by the proper and appropriately qualified Officer at County Highways.

For further comment on the Parish Council's position on this matter, please read Section A4 in the attached Appendix.

**Regarding impact on the wider village community,** the Parish Council and residents across the village also have increasing concerns about the following:

Any increase in residential and consequential commercial and social traffic would compound existing problems at pinch points around the village and on its approach roads. The majority of those roads are single track with few passing places:

- d. The Village Street is single track for a large part of its length with few passing places, very limited roadside footpaths and poor lines of sight along its length.

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- e. The main access to and from the village is via a crossroads with the A417 at the Crown of Crucis. From the village the approach is via a blind and single track bend near the War Memorial and then over a single track bridge spanning the Ampney Brook. The Village Street between the bridge and the A417 is barely wide enough for two cars to pass.
- f. The junction itself is very dangerous with poor lines of sight for traffic both entering and leaving the village, made worse by a bus stop immediately before the junction and traffic crossing the A417 from the single track lane opposite. If a bus or large commercial vehicle is turning into or out of the village, this regularly results in traffic being backed up along the A417, both ways.

There have been several fatal and serious accidents at or close to that junction.

- g. The Village Street from the A417 to the Pound and onwards onto Butcher's Arms Lane is already widely used by cars, commercial vehicles and large lorries using Ampney Crucis as a 'rat run' from the Cirencester South junction of the A419 to the B4425 (Burford Road). That traffic passes the blind entrance to Back(s) Lane at increasing speed as it goes on towards Butcher's Arms Lane.

This 'through traffic' has increased significantly over recent years due no doubt in part to driver reliance on Sat Nav, and has resulted in a marked increase in the erosion of grass verges and damage to highways and their edges.

That traffic is a significant road safety hazard for horse riders, cyclists, dog-walkers and other pedestrians, especially those with young children and buggies, who cannot get onto what remains of the verges.

### **7. Contamination risks on the site – hazardous materials**

The Parish Council has repeatedly advised CDC of our environmental and health & safety concerns and those of many village residents regarding health and safety and the demolition of any or all of the referenced agricultural buildings.

In particular, those concerns include the existence of asbestos in those buildings and we have repeatedly requested strong, monitored and enforced controls on its handling and removal from site.

As part of the conditions attached to permitting application 16/05309/FUL, CDC placed limited requirements for environmental assessments and plans. There were however, no provisions for monitoring the effectiveness of, or actual performance to those plans.

CDC's advice has been that anyone witnessing anything of concern may report it to the appropriate CDC department. By that time, it would be too late to stop any harm or contamination especially if it takes place or is witnessed outside normal office hours.

In the event that permission is given to demolish the grain dryer, the Parish Council would expect that to be conditional upon appropriate, monitored and enforceable safeguards to protect the health and safety of village residents. This should include removal of hazardous substances using an exit route that does not involve use of the Village Street or Butcher's Arms Lane.

### **Other contamination risks on the site – sewage & drainage**

The application includes provision for sewage and wastewater to be handled through a Package Treatment Plant instead of connection to existing mains drainage.

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Such treatment will require discharge of resulting effluent to land or to a suitable watercourse.

There is a poorly maintained drainage ditch that runs eastward from the north side of the grain dryer hardstanding, but it is not a watercourse and is dry throughout late spring, summer and early autumn other than during periods of very heavy rain.

That ditch runs alongside one existing house (Quarme Cottage) and discharges to a culvert under that property and ultimately into a storm drain that also collects surface water runoff from Back(s) Lane and Butcher's Arms Lane through highway gratings.

That ditch is unsuitable for any discharge of effluent due to the fact that it is not a running watercourse and the storm drains into which it discharges have grills in close proximity to existing private houses.

Flooding issues and problems with overflow of sewage in Ampney St Peter are already well known and have been attributed to sewage flowing downstream from Ampney Crucis and Ampney St Mary. Any development that increases such risk must be discouraged unless there is prior and funded provision to increase the capacity of the local waste management system.

If the proposed use of a package treatment plant is an attempt to address that risk, it must in itself be sustainable without causing any adverse impact on local residents.

### 8. Flooding risks

The application claims that *"the site is not at risk of flooding from river and neither is it at risk from surface water flooding."* As there is no river close by, the Parish Council does not question the first part of this statement.

However, when the grain dryer and its associated building were in use, they reportedly relied upon submersible pumps to keep water out of the buildings, indicating potentially serious drainage issues on the site. The application makes no reference to any drainage assessment of the consequences of either converting or demolishing those buildings or any mitigating measures that would be required.

In addition, the southern end of the field adjacent to the proposed site is extremely prone to winter flooding. The extent of this is clearly visible from Back(s) Lane and is such that winter sown crops regularly do not survive and require spring re-sowing.

This application also fails to take account of the incremental risks of flooding resulting from construction of the two, already permitted houses on the same site.

### 9. Impact on protected species (Bats and Owls) on site:

Notwithstanding reassurances contained within the referenced Bat Survey Report dated December 2014, pipistrelles and owls have been regularly sighted over recent years at or within 50 metres of the redundant agricultural buildings.

In particular, bat activity has been being prominent up to and including early autumn 2018 and December 2018 for owls. Given that the report on which this application relies is more than four years old, would it not be reasonable for CDC to require an updated report?



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### 10. Comment on the design of the proposed development:

The Design & Access Statement submitted as part of this application acknowledges that *"the village of Ampney Crucis predominantly displays a 'ribbon' or 'linear form' of development along the curved main road of the settlement."* That curved main road is the Village Street.

It goes on to claim that *"The arrangement of the proposed development seeks to replicate this traditional strategy in order to harmonise with the rest of the village context."*

The Parish Council maintains that if permitted, the proposed development along Back(s) Lane would in fact be tangential to the existing linear form of Ampney Crucis and would encourage similar applications along other lanes that feed off the Village Street.

Over many years, Ampney Crucis has developed along a predominantly linear form, following the Village Street. New housing has mainly followed that linear pattern, with a limited number of houses being built on small "spurs" adjacent to existing houses.

Extending those spurs beyond the effective village boundary or into open countryside will encourage similar applications elsewhere in the village, permanently altering the established and historic pattern of Ampney Crucis.

Also, the design of the development is imaginatively described as two modest estate workers houses and one "barn conversion". For the avoidance of any doubt, these are clearly listed on the application form as three, open-market, new build dwellings.

As a consequence of comments made about the earlier application, there have been clear and welcome efforts to make positive changes to the design and development scheme and to make the overall scheme more attractive and less "suburban".

Nevertheless, this still remains a new build development that is well outside the existing building pattern of the village. The addition of shared parking based on a cart shed and yard, is insufficient and impractical for 6 vehicles due to the limited turning circle within the yard. The lane is not wide enough to accommodate parked cars. Where will they go?

Condition 13 to the approval of application 16/05309/FUL required demolition of the separate grain storage building located between the grain dryer site and the two new houses.

The significant open space that would result was not part of the last application, but has now been offered up for the creation of a new "orchard", partly intended to address landscape concerns that formed part of the reasons for refusal of the last application.

If this application is permitted, we would expect the new "orchard" to be given specific protection to avoid it being used for overflow parking or any other use, and clarification as to who would be responsible for its ongoing maintenance.

### ***Parish Council concerns over CDC's apparently inconsistent application of 'precedent' in application of local and national planning policies on this and related applications:***

11. This application is contrary to CDC's Development Plan and to relevant national planning policy. However, in his written delegated report that recommended refusal of the earlier

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application (17/05092/FUL), the Officer said that “... *it is not considered that the refusal of planning permission as a matter of principle could be substantiated at appeal.*”

The application acknowledges that the Officer’s recommendation to ‘Refuse’ the earlier application resulted only from the negative comments and recommendations of the Landscape Officer and the Conservation & Design Officer.

That clearly indicates that previously cited “fallback” precedents would have been influential in any recommendation by the Officer to override local and national planning policy and ‘Permit’ the earlier application, presumably because of fear of the potential consequences of any appeal.

12. This Parish Council has been told very specifically on several occasions by senior CDC Officers, including Mr Kevin Field, CDC’s Planning & Development Manager that each planning application is viewed solely on its own merits and that precedent plays no part in their decision making.

In the event that this application is permitted on the basis of the “fallback” precedent cited, that would clearly indicate those reassurances to be incorrect.

A decision to recommend ‘Permit’ for the current application would be a clear indicator that precedent does influence CDC’s planning recommendations.

13. At the local level, permitting this application would provide an unwelcome precedent in Ampney Crucis that would encourage further applications for development along a narrow lane that is incapable of supporting any significant increase in traffic.

14. At the Cotswold District level, permitting this application would also encourage similar development elsewhere in the District, using Class Q applications as “back doors” to secure planning permission in locations that would otherwise be contrary to the Development Plan, as is the case here.

### **Conclusion:**

Ampney Crucis Parish Council recognises that each application should be considered on its own merits. Nevertheless, if permitted this development would create an unwelcome precedent that would encourage further development along this narrow lane that is incapable of supporting a significant increase in traffic and elsewhere.

That precedent could also be cited in development applications elsewhere in the District which, if successful would rapidly erode the controls introduced in the current Local Plan.

The application is also contrary to the existing and recently adopted Development Plan.

Accordingly we invite CDC to **REFUSE** the application.

Yours sincerely,

Signed original delivered by hand to CDC, 30<sup>th</sup> January 2019

This copy sent electronically to CDC, 30<sup>th</sup> January 2019

Councillor Neil Holt

Chairman, Ampney Crucis Parish Council

cc: Clerk, Ampney Crucis Parish Council; Cllr David Fowles

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### APPENDIX TO PARISH COUNCIL RESPONSE ON APPLICATION 18/04770/FUL Demolition of agricultural buildings and the construction of three new dwellings on Back(s) Lane, Ampney Crucis

#### **A1. Related planning and environmental history on this site:**

Sequential applications on this site: The current application is the fourth to be submitted on this site within less than 24 months:

Planning Reference:	Purpose:	Date Submitted:	Date Decided:
16/05309/FUL	Two, 3 bedroomed houses (new build)	20/12/2016	14/6/2017 (Permit)
17/03018/OPANOT	Class Q Application for conversion to three dwellings (3 and 4 bedroomed)	21/7/2017	5/9/2017 (Permit)
17/05902/FUL	Demolition of agricultural buildings and new build 3 houses (3 and 4 bedroomed)	13/12/2017	18/5/2018 (Refuse)
18/04770/FUL	Demolition of agricultural buildings and new build 3 houses (3 and 4 bedroomed)	7/12/18	???

The fact that there was barely three months between approval being given for the Class Q application and submission of the original application to demolish the redundant agricultural buildings and build three new open-market dwellings supports the Parish Council's original opinion that the applicant's real intention to convert the grain dryer and associated buildings as originally proposed is highly questionable.

In addition, Condition 13 to the approval of application 16/05309/FUL required demolition of the separate grain storage building located between the grain dryer site and the two new houses. Demolition of that grain store was not offered up as part of the original application, and it is not clear if it was subsequently offered by the applicant, or if CDC imposed it as a non-negotiable requirement of the consent being given.

Regardless, the village's concerns over demolition and disposal of hazardous materials as detailed in Section 7 above, appear to have been largely ignored.

In addition, this and previous but related applications demonstrate worrying inconsistencies:

1. The applicant had repeatedly argued that the grain dryer and its associated buildings are disused. That may be the case now, but the grain store was last used as recently as harvest 2018.
2. In December 2016, application 16/05309/FUL clearly stated that "...the grain storage/drying buildings ... are to be retained". That application was dated December 2016.
3. Less than a year later, the applicant proposed their demolition and replacement with open market, new build housing.

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### **A2. Relevant pre-application advice on this and prior applications at this site:**

Regarding previous applications, the Parish Council wishes to draw attention to the fact that in 2015, the applicant sought pre-application advice regarding residential development of a much wider site covering 1.6ha on land to the north and south of Backs Lane (including the current application site).

Following a meeting in May 2015, CDC provided a written response.

It is worth noting that the development discussed in 2015 was "for in excess of 7 dwellings" and that the applicant's transport consultants had held scoping discussions with the County Council.

In June 2016, the applicant sought further pre-application advice regarding residential development of a 0.34ha site, which included all of the grain storage/drying buildings and hardstanding (including the current site and the site of the two, three bedroomed houses).

CDC's pre-application response confirmed that officers were unlikely to have an objection in principle to the erection of three new dwellings in Ampney Crucis, but not all on the 0.34ha site. The response suggested that a pair of modest scale workers cottages at the eastern end of the hardstanding (closest to the village) might be acceptable.

The subsequent submission of application 16/05309/FUL makes a specific comment that as this would now be "... only for two new dwellings, we note the County Council's standing advice will apply", thus avoiding the need for a Transport Statement or Assessment or further, potentially obstructive engagement with County Highways.

All of the above information is on public record and forms part of the applicant's Planning Statement that accompanied application 16/05309/FUL for the construction of two, three bedroomed semi-detached houses. That application was submitted on 20<sup>th</sup> December 2016 and decided at the Planning Committee on 14<sup>th</sup> June 2017.

Given that construction of a third new house (16/04932/FUL) for an unrelated applicant elsewhere in the village was approved on 1<sup>st</sup> March 2017, the Parish Council believes that the previously referenced three new dwellings (per 2016 advice) are all now provided for.

Finally, in his Delegated Report that recommended refusal of the last application at the Back(s) Lane site, the Case Officer commented that:

*"There have been recent planning applications for single new residential dwellings within / adjoining Ampney Crucis or nearby settlements that have either been granted permission or refused on the grounds that did not include the principle of development." He went on to say "More notably for this application is the approval for 2 dwellings granted under reference 16/05309/FUL on land within the applicant's control, and within 40 metres of the current application site. There will however, be a limit as to the number of dwellings that Ampney Crucis could reasonably and sustainably accommodate in accordance with local and national planning policy."*

We take this positive comment from the Case Officer to indicate that there is a presumption against the development of any further new housing in Ampney Crucis in the foreseeable future.

Nevertheless, the Parish Council remains very concerned that the remainder of the 1.6ha referred to above, located to the south of Backs Lane will be open for a series of small and

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possibly sequential applications that would ultimately be intended to deliver or most probably exceed the development objective that was originally discussed with CDC in 2015.

**Regarding the current application**, the Parish Council understands that having pre-application discussions with the Case Officer to address matters of design and landscaping is entirely understandable in the context of seeking commonly acceptable solutions.

However, the Parish Council believes that the same proactive approach has been denied to the village in seeking to address the concerns of the Parish Council and its residents.

Finally, of particular concern is the statement in the Planning Statement that pre-application discussions with CDC had been *"...conducted on the basis that the principle of demolishing the existing agricultural buildings and the erection of three new houses is appropriate given the fallback position created by the Class Q Prior Approval."* (Para 7.9)

If this is indeed the view expressed by CDC in those discussions, **it indicates that** subject to the earlier heritage, design and landscape concerns being addressed, a decision to accept the "fallback" position has already been taken and **the application outcome has been pre-determined.**

### ***A3. Reliance on the "fallback" argument to justify overriding local and national planning policy:***

The original application for the conversion (17/03018/OPANOT) confirmed that a structural engineer had worked closely with the scheme architects on the design of the scheme. It also included reports from the same engineer that concluded that *"... both buildings can be satisfactorily converted into residential accommodation ..."*.

In the previous application to use the Class Q permission to convert those agricultural buildings, the application stated that *"The composition of the proposed dwellings is significantly more appealing than the rather boxy, industrial looking dwelling that would result as a consequence of the conversions."*

This latest application seeks to perpetuate that view.

The existing buildings are what they are, agricultural buildings that stand alone and remote in a rural and agricultural landscape.

The Class Q permission to convert them to dwellings that retain that outward appearance and visual impact goes to the heart of the purpose of that particular piece of recent Town & Country Planning legislation.

The Parish Council believes that this legislation was not intended to be a way by which agricultural buildings could simply be demolished to make way for new, open market housing in areas where speculative development would not otherwise be allowed.

Notwithstanding the structural engineer's reports that support the practicality of effective conversion, if it is now felt that it is not physically possible or economically feasible to convert those agricultural buildings to the three dwellings as originally proposed, then perhaps the original Class Q application (and its related permission) should be withdrawn?

If that is not the case, then the applicant is able to undertake the conversion within buildings that will continue to stand alone and remote in a rural and agricultural landscape and be representative of that landscape.

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### **A4. Parish concerns over inadequate community consultation on this and prior applications at the site:**

It is a condition attached to any Class Q application that a determination be obtained from the relevant planning authority regarding:

- a) transport and highways impacts of the development,
- b) noise impacts of the development,
- c) contamination risks on the site, and
- d) flooding risks on the site

Concerns regarding all of the above had been expressly and repeatedly raised by the Parish Council and village residents in connection with an earlier application (16/05309/FUL).

Those same concerns were already known to the Case Officer at the time that 17/03018/OPANOT was submitted and the two sites are located on Back(s) Lane within 40 metres of each other, it would have been reasonable to expect that the village's concerns about transport and highways impacts would have been referred to County Highways before any determination.

#### **That was not the case.**

The Parish Council has repeatedly reminded CDC Officers and Members that the Class Q Permission was granted without:

- allowing the Parish Council any opportunity to comment; and
- advising County Highways of known parish concerns; and
- asking County Highways to provide any specific advice regarding the site and the proposed development.

County Highways have now advised that they are bound by their earlier, uninformed response based on CDC's failure to request their involvement and that this applies to any other applications of comparable size on the same site.

CDC Officers are also using their determination that resulted from the flawed consideration of 17/03018/OPANOT to be their justification for refusing to address any transport and highways safety concerns raised by the community on any related applications.

**How can a determination on an application on which there was NO community consultation be legitimately and credibly used to disregard community concerns about other applications on which community consultation is a statutory requirement?**

In the view of the Parish Council and many village residents, the above situation represents a significant failure of CDC's planning and consultation process with its residents.

The argument in defence of their previous failure that is being so vigorously pursued by CDC Officers, is fundamentally flawed and fails to address a fundamental concept of localism expressed in The Localism Act 2011, that of allowing the community to have its say on matters that are importance to that community.

**The Parish Council therefore believes that** the concerns previously expressed by the Parish Council and a significant number of village residents about development along Back(s) Lane were apparently marginalised or even deliberately ignored when considering the Class Q application and subsequent applications.

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### **A5. Further comment regarding the compatibility of the proposed development with applicable planning policies:**

#### **Local Plan Policies DS3 & DS4**

1. Ampney Crucis has already been acknowledged by CDC as not being a 'sustainable community' and it has a low sustainability score against the adopted Local Plan criteria. There is no village shop or post office and the bus service into and out of the village only runs at times that would not facilitate trips for normal employment purposes in Cirencester.
2. This development would not demonstrably add to the social and economic vitality or sustainability and vitality of the village. The village hall is very well supported and supports a wide range of activities for residents and non-residents of all ages.
3. The sustainability of the village school is not in question. It has regularly been cited as being oversubscribed, notwithstanding a new and recently opened classroom. The school would not therefore benefit as a result of further development in the village.
4. If permitted, this development would not complement the form and character of the village. On the contrary, replacement of agricultural buildings with open market housing and their related intrusion into agricultural land would detract from Ampney Crucis as a village with a strong farming heritage.

The proposed development would permanently change this essentially rural area beyond the existing village boundary into land historically used solely for agricultural purposes.

The village of Ampney Crucis has developed along a predominantly linear form, following the village street. New housing has mainly followed that linear pattern, with a limited number of houses being built on small "spurs" where they are adjacent to existing houses.

Extension of those spurs into open countryside will encourage applications for "infill" development, thus permanently altering the established and historic pattern of Ampney Crucis.

5. Permitting this application would also have an adverse and cumulative environmental impact on the village:
  - a. The cumulative traffic impact on Back(s) Lane of recently permitted planning applications where three houses are either under construction or are yet to be constructed has yet to be felt. Two of those houses are on the same site as this application.
  - b. Any increase in residential and consequential commercial traffic would compound existing problems at pinch points around the village and on its approach roads. The majority of these are single track with few passing places. The village street is also single track for a large part of its length with few passing places.
  - c. Any increase in residential and consequential commercial traffic would adversely impact pedestrians, in particular those with young children as there are very few footpaths and the verges are increasingly being eroded. It would also adversely impact cyclists, horse riders and other road users.

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- d. Erosion of verges has worsened significantly in recent years, due in the main to the increase in traffic and in particular increased numbers of larger private and commercial vehicles. The village, working with County Highways has been trying very hard to maintain those verges but in the face of increasing traffic, we fear that work is in vain.

### ***National Policy Planning Framework 2018 (NPPF) Paras 11 & 79***

6. NPPF (Paragraph 11) presumes in favour of sustainable development. The proposed development does not satisfy any of the three NPPF tests for sustainable development.
7. NPPF (Paragraph 79) states that "*Local planning authorities should avoid the development of isolated homes in the countryside unless one or more of the [listed] circumstances apply.*".  
The proposed development does not satisfy any of the four circumstances listed in Para 79.
8. NPPF (Paragraph 12) is also specific in referring to the statutory status of the development plan and that the planning authority may only take decisions that depart from an up to date plan if "*...material considerations in a particular case indicate that the plan should not be followed.*"

That is clearly **NOT** the case with this application.