



COTSWOLD
DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE AGENDA

Wednesday 12th June 2019, 9.30 a.m.

Council Chamber, Trinity Road, Cirencester

NOTES

(i) Additional Representations/Questions

MEMBERS OF THE COMMITTEE ARE REQUESTED TO **ARRIVE AT LEAST 30 MINUTES BEFORE THE START OF THE MEETING** TO READ ANY ADDITIONAL REPRESENTATIONS AND TO ASK QUESTIONS OF OFFICERS. MEMBERS ARE ALSO REQUESTED TO **GIVE OFFICERS AT LEAST 48 HOURS' NOTICE OF DETAILED, TECHNICAL QUESTIONS** IN ORDER THAT INFORMATION CAN BE SOUGHT TO ENABLE ANSWERS TO BE GIVEN AT THE MEETING.

(ii) Sites Inspection Briefings

MEMBERS ARE REQUESTED TO **KEEP ALL OF THEIR PAPERS RELATING TO THIS MEETING** IN CASE THEY ARE REQUIRED TO ATTEND SITES INSPECTION BRIEFINGS.

(iii) Mobile Phones/Pagers

All mobile phones/pagers should be **SWITCHED OFF OR SET TO SILENT MODE BEFORE** the start of the Meeting.

(iv) Recording of Proceedings

The public proceedings of Council, Cabinet and Committee Meetings may be recorded, which includes filming, as well as audio recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings, please let the Committee Administrator know before the start of the Meeting.

Recording/filming should not be disruptive or distracting to the good order and conduct of the Meeting. To assist with this, an area of the Meeting venue will be designated from which proceedings can be recorded/filmed, and 'roaming' around the venue while recording is not permitted. The Chairman will exclude anyone whose behaviour is disruptive.

Recording/filming should only be of Members and Council Officers, and not any members of the public (unless they are formally addressing the Meeting or unless specific permission has been given by those individuals).

For further information, please read the Notices displayed inside and outside the Meeting venue and/or speak with the Committee Administrator.

(v) Questions Arising on the Agenda

If any Member has any questions regarding either (a) an update/progress report on a specific item contained in the Minutes of the previous Meeting or (b) a report contained within the Agenda, he/she is requested to give advance notice of such question to the Director/Officer originating the report or to an Officer of the Democratic Services Section so that a full response can be made available either prior to, or at, the Meeting. If no such advance notification is given, a full response to any question cannot be guaranteed at the Meeting.

With specific regard to the Minutes of previous Meetings, Members' attention is drawn to Council Procedure Rule 17.1 which provides that, once the Minutes have been signed, Members may ask questions to ascertain what progress has been made on a particular matter referred to in the Minutes, but may not make any other statement or generate discussion on the Minutes.

(vi) **MEMBERS LEAVING THE COUNCIL CHAMBER DURING THE CONSIDERATION OF ANY ITEM ON THE AGENDA ARE NOT ABLE TO PARTICIPATE IN THE DISCUSSIONS AND/OR VOTE IN RESPECT OF THAT ITEM ON THEIR RETURN. THIS PROVISION ALSO APPLIES TO MEMBERS ARRIVING FOR THE MEETING AFTER SUCH CONSIDERATION HAS COMMENCED.**

(vii) Public Speaking at Meetings of the Planning and Licensing Committee

Public speaking is allowed on applications on the Schedule of Applications to be considered by the Planning and Licensing Committee.

Details of the procedure, and a copy of the leaflet 'A Guide to Public Speaking at Meetings of the Planning and Licensing Committee', are available from the Case Officer or Front of House on 01285 623000, or by e-mail to planning@cotswold.gov.uk

Public speakers are requested to either e-mail a copy of their comments in advance of the Meeting to democratic@cotswold.gov.uk or to hand a copy to the Committee Administrator at the Meeting. Public speakers are reminded that their representations are in the public domain and will be treated in the same way as letters of support for, or objection to, any planning applications.

(viii) Committee Administrator

If any Member has any general questions about the Meeting or the associated agenda papers, or is unable to attend, he/she is asked to contact Ben Amor on 01285 623000 who will be the Committee Administrator responsible for the Meeting.

Distribution:

All Members of the Planning and Licensing Committee
(Councillors Tony Berry, Claire Bloomer, Ray Brassington, Patrick Coleman, Stephen Hirst, Roly Hughes, Nikki Ind, Sue Jepson, Julia Judd, Richard Keeling, Juliet Layton, Dilys Neill, Gary Selwyn, Steve Trotter and Clive Webster)

Ward Member (not otherwise on the Committee)

(Councillors Stephen Andrews, Mark Annett, Julian Beale, Gina Blomefield and Rachel Coxcoon)



For
Nigel Adams
Head of Democratic Services

4th June 2019

PLANNING AND LICENSING COMMITTEE

12TH JUNE 2019

AGENDA

- (1) **Apologies**
- (2) **Declarations of Interest**
 - (1) To receive any declarations of interest from Members under the Code of Conduct for Members;
 - (2) To receive any declarations of interest from Officers under the Code of Conduct for Officers.
- (3) **Substitute Members** - To note details of any substitution arrangements in place for the Meeting.

Note:

The procedures in respect of substitution arrangements are set out in Council Procedure Rule 29. Particular attention is drawn to the fact that the Head of Democratic Services must be notified of any intended substitution **by no later than 5.00 p.m. on the working day prior to the day of the Meeting.**
- (4) **Minutes** - To confirm:-
 - (i) the Minutes of the Planning and Licensing Committee held on 10th April 2019 (attached);
 - (ii) the Minutes of the Meeting of the Planning and Licensing Committee held on 14th May 2019 (attached).
- (5) **Chairman's Announcements** (if any)
- (6) **Public Questions** - Council Procedure Rule 10 - Not more than fifteen minutes allowed for written questions to be put by Local Government electors within the Cotswold District on any matter in relation to which the Council has any power or duties or which affects the District, and which falls within the Terms of Reference of the Committee.
- (7) **Member Questions** - Council Procedure Rule 11 - Not more than fifteen minutes allowed for written questions to be put by Members on any matter in relation to which the Council has any power or duties or which affects the District, and which falls within the Terms of Reference of the Committee.
- (8) **Petitions** (if any)

Items for Consideration and Decision

(9) **Schedule of Applications**

- (a) To consider and determine the applications contained in the enclosed Schedule.
- (b) To resolve that where on this Schedule of Applications, development proposals in Conservation Areas and/or affecting Listed Buildings have been advertised - (in accordance with Section 73 of the Planning (Listed Building and Conservation Areas) Act 1990 and the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1977) - but the period of the advertisement has not expired by the date of the Meeting then, if no further written representations raising new issues are received by the date of expiration of the advertisement, those applications shall be determined in accordance with the views of the Committee.
- (c) To resolve that where on this Schedule of Applications, the consultation period in respect of any proposals has not expired by the date of the Meeting then, if no further written representations raising new issues are received by the date of expiration of the consultation period, those applications shall be determined in accordance with the views of the Committee.

<u>Application No.</u>	<u>Description</u>	<u>Ward Councillor(s)</u>	<u>Case Officer/ Page No.</u>
19/00086/OUT	Erection of up to 67 dwellings, open space, and landscaping (Outline application) at Land to East of Evenlode Road, Moreton-in-Marsh.	Rachel Coxcoon	Martin Perks Page 3
19/01115/OUT	Land to Rear of Ashlar, Coppers & Wydlands, Broad Campden, Chipping Campden, GL55 6UR.	Mark Annett Gina Blomefield	Martin Perks Page 53
18/02520/FUL	Erection of two dwellings at Land South of Wick House, East End, Fairford, GL7 4AP.	Stephen Andrews Steve Trotter	Adrian Walker Page 72
19/01288/FUL	Change of use of existing building from ancillary use to independent dwelling at Brae Croft, Upper Oddington, Moreton-in-Marsh, GL56 0XJ.	Julian Beale	Andrew Moody Page 94
19/01288/FUL	Erection of garage/car port with storage over and garden store at Colmans Colman, Temple Guiting, GL54 5RT.	Richard Keeling	Amy Hill Page 105

Notes:

(i) Members who do not receive full copies of the Agenda and/or Schedule can view individual Agenda reports/applications on-line at www.cotswold.gov.uk by following the links to 'Meetings, minutes and agendas' via the 'About the Council' link on the Homepage.

(ii) Individual Agenda reports/applications can be downloaded. Alternatively, if individual documents are too large to download and print, Members can request a hard copy by contacting the Committee Administrator responsible for the Meeting.

Other Matters

(10) **Sites Inspection Briefings**

1. Members for 3rd July 2019 (if required)

Councillors Claire Bloomer
 Stephen Hirst
 Nikki Ind
 Juliet Layton
 Steve Trotter

(11) **Licensing Sub-Committees**

1. Members for 17th July 2019

Councillors Claire Bloomer
 Stephen Hirst
 Nikki Ind
 Richard Keeling
 Juliet Layton

(12) **Other Business** - Such other business which, in the opinion of the Chairman, is urgent.

(END)

Minutes

To avoid duplication, the Minutes of this Committee are not present with the agenda reports. They are filed by date under the relevant Committee.

To view the Minutes:-

- close the current document
- select 'back' on the toolbar
- this will provide you with a list of meeting dates. Select the date you are interested in.

or

- close the current document
- select the option 'Committees' from the menu bar at the top of the page
- select the Committee you are interested in
- this will provide you with a list of meeting dates. Select the date you are interested in.

PLANNING AND LICENSING COMMITTEE

12th June 2019

SCHEDULE OF APPLICATIONS FOR CONSIDERATION AND DECISION (HP)

- **Members are asked to determine the applications in this Schedule. My recommendations are given at the end of each report. Members should get in touch with the case officer if they wish to have any further information on any applications.**
- **Applications have been considered in the light of national planning policy guidance, the Development Plan and any relevant non-statutory supplementary planning guidance.**
- **The following legislation is of particular importance in the consideration and determination of the applications contained in this Schedule:**
 - **Planning Permission: Section 38(6) of the Planning and Compulsory Purchase Act 2004** requires that "where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise. **Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990** - special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest.
 - **Listed Building Consent: Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990** - special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest.
 - **Display of Advertisements: Town and Country Planning (Control of Advertisements) (England) Regulations 2007** - powers to be exercised only in the interests of amenity, including any feature of historic, architectural, cultural or similar interest and public safety.
- **The reference to **Key Policy Background** in the reports is intended only to highlight the policies most relevant to each case. Other policies, or other material circumstances, may also apply and could lead to a different decision being made to that recommended by the Officer.**
- **Any responses to consultations received after this report had been printed, will be reported at the meeting, either in the form of lists of **Additional Representations**, or orally. Late information might result in a change in my recommendation.**
- **The **Background Papers** referred to in compiling these reports are: the application form; the accompanying certificates and plans and any other information provided by the applicant/agent; responses from bodies or persons consulted on the application; other representations supporting or objecting to the application.**

1

PLANNING AND LICENSING COMMITTEE 12th June 2019
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION

Parish	Application	Schedule No.
Moreton In Marsh	Land To East Of Evenlode Road Moreton-In-Marsh Gloucestershire 19/00086/OUT Outline Application	01
Chipping Campden	Land To Rear Of Ashlar, Coppers And Wyldlands Broad Campden Chipping Campden Gloucestershire 19/01115/OUT Outline Application	02
Fairford	Land South Of Wick House East End Fairford 18/02520/FUL Full Application	03
Oddington	Brae Croft Upper Oddington Moreton-In-Marsh Gloucestershire 19/01288/FUL Full Application	04
Temple Guiting	Colmans Colman Temple Guiting CHELTENHAM 19/00996/FUL Full Application	05

Item No 01:-

19/00086/OUT

**Land To East Of Evenlode Road
Moreton-In-Marsh
Gloucestershire**

Item No 01:-

**Erection of up to 67 dwellings, open space, and landscaping (Outline application)
at Land To East Of Evenlode Road Moreton-In-Marsh Gloucestershire**

Outline Application 19/00086/OUT	
Applicant:	Gloucestershire County Council
Agent:	SF Planning Limited
Case Officer:	Martin Perks
Ward Member(s):	Councillor Rachel Coxcoon
Committee Date:	12th June 2019
RECOMMENDATION:	PERMIT subject to completion of S106 legal agreement covering affordable and self-build housing and Unilateral Undertaking covering financial contributions towards pre-school and primary education and library services

Main Issues:

- (a) Residential Development in a Development Boundary
- (b) Housing Mix and Affordable and Self/Custom Build Housing
- (c) Impact on the Character and Appearance of Moreton-in-Marsh Surrounds Special Landscape Area (SLA)
- (d) Access and Highway Safety
- (e) Impact on Residential Amenity
- (f) Flooding and Drainage

Reasons for Referral:

This application has been referred to Planning and Licensing Committee by Officers due to the level of local concern about the proposal, in particular in relation to highway matters. Prior to the Council elections on the 2nd May 2019, ex-Cllr Dutton also requested that the application be referred to Committee for the following reasons:

'The site, known as 'the Polo Field', on Evenlode Road was included as a late addition to the CDC 'Emerging Local Plan'. At the Public Inquiry objections were made to its inclusion mainly on the grounds that the Evenlode Road is already severely congested thus compromising access to it. This is because the road here is very narrow and few households along it have off-road parking; at times, there are more cars to be parked than there are spaces available.

Notwithstanding this, the Inspector decided that the site could still be included in the Local Plan.

Whilst the traffic along the Evenlode Road passing the Polo Field is light, vehicles also feed into it from Wellington Road, Evenlode Gardens, Croft Holm and Cotsmore Close. There is a GCC highways depot on the edge of the polo field and there is anecdotal evidence that, at times, gritter lorries and other highway maintenance vehicles have difficulty getting along Evenlode Road because of parked vehicles constricting their passage. The addition of more vehicles from an additional 67 dwellings on this site will only compound the problem. In my view the Evenlode Road is the most congested road in the whole of Moreton and the GCC parking team, who reviewed this quite recently, can confirm this. Accordingly, it is my view that, for this planning application to be acceptable, some mitigation of the access constraints is required to allow for the extra traffic this site will generate and also to facilitate the large vehicles from the GCC highways depot seeking to use this road.

Moreton Town Council is convening a public meeting in the Redesdale Hall on Monday 25th February to consider this application. This input is written before I have had the benefit of hearing the debate at that meeting and, therefore, I may wish, if appropriate, to make further comments.

I have separately written to our County Councillor (given GCC's dual role as vendor of the site and as the Highways Authority) to seek mitigation works on the Evenlode Road to improve the access and to facilitate the extra vehicles arising from the proposed 67 additional households.

Given the concerns of local residents, it is appropriate for this application to be determined by the Planning Committee in order to give it full transparency and to provide local residents with the opportunity to make their concerns known.'

1. Site Description:

This application relates to a parcel of agricultural land located on the southern edge of Moreton-in-Marsh. The application site measures approximately 3.5 hectares in size. It occupies the north western part of a larger field that extends to approximately 6.5 hectares in size.

The northern boundary of the site measures approximately 210m in length and adjoins the rear garden boundaries of a number of residential properties fronting onto Evenlode Gardens. The aforementioned boundary is defined by a mix of hedgerows, fencing and some individual trees. To the north east of the application site is located Cotswold Business Village which is occupied by a number of B1 (business), B2 (general industrial) and B8 (storage and distribution) employment uses.

The western boundary of the site is approximately 210m in length and adjoins Evenlode Road which is designated as a Class C Highway. A native species hedgerow forms a boundary between the site and Evenlode Road.

The southern boundary of the site measures approximately 180m in length. Approximately 100m of the southern boundary adjoins the northern boundary of a highway depot belonging to Gloucestershire County Council. The depot site includes a number of functional buildings, a domed building used for the storage of road salt and a mobile phone mast. The domed building measures approximately 11m in height. The mobile phone mast is 15m high. A security fence and some limited vegetation provide a boundary between the site and the County Council depot. The remaining part of the southern boundary of the site is open and forms part of the larger agricultural field within which the application site is located. It lies approximately 55m from the southern boundary of the larger field. The southern boundary of the field is defined by a mix of native species hedgerows and some trees.

The eastern boundary of the site measures approximately 160m in length and is open. It also opens onto the existing agricultural field. The site's eastern boundary is located approximately 120m from the eastern boundary of the main field, the boundary of which is defined by hedgerows and trees. To the east of the field is located a water/sewage treatment works.

The site is located within Moreton-in-Marsh Development Boundary as designated in the Cotswold District Local Plan 2011-2031.

The site is located within Moreton-in-Marsh Surrounds Special Landscape Area (SLA).

A Public Right of Way (HMM10) extends in a north west to south east direction through the middle of the site.

The site is located within a Flood Zone 1 as designated by the Environment Agency.

Three oak trees located on the western boundary of the County Council highway depot are protected by Tree Preservation Orders.

2. Relevant Planning History:

Application Site

CD.4204/B Outline application for 135 dwellings, estate roads, footpaths, vehicular access of Evenlode Road and Wellington Road. Refused 1971

CD.4204/C Outline application for 40 dwellings, estate roads and footpaths. Vehicular access off Evenlode Road. Refused 1972

Adjacent County Council Highway Depot to the South

CD.4204 Outline application for a bungalow and agricultural workshop. Granted 1966

CD.4204/Ap Bungalow. Granted 1967

CD.4204/Ap/1 Agricultural workshop. Granted 1967

CD.4204/D Erection of a building to provide a workshop and shop. Alteration to existing vehicular access. Granted 1989

CD.4204/E Change of use of existing workshop and storage premises to vehicle maintenance, office and general storage facility. Granted 1998

06/02605/TELEC Erection of 15m column mast accommodating three number antennae and two ground based cabinets, one meter cabinet and ancillary equipment.

09/0025/CWREG3 Erection of salt and plough storage buildings, refurbishment of existing depot building and associated works to facilitate relocation of highways depot. Granted May 2009 - GCC application

14/03650/TELEC Proposed base station installation Prior approval not required 2014

15/02756/TELEC Replacement of existing 15m monopole with 3 antennas with a 15m monopole with 6 antennas and 2 microwave dishes, the removal and replacement of 2 equipment cabinets and development ancillary thereto. Prior approval not required. July 2015

3. Planning Policies:

NPPF National Planning Policy Framework
 DS2 Dev within Development Boundaries
 EN1 Built, Natural & Historic Environment
 EN2 Design of Built & Natural Environment
 EN4 The Wider Natural & Historic Landscape
 EN6 Special Landscape Areas
 EN7 Trees, Hedgerows & Woodlands
 EN8 Bio & Geo: Features Habitats & Species
 EN10 HE: Designated Heritage Assets
 EN14 Managing Flood Risk
 EN15 Pollution & Contaminated Land
 H1 Housing Mix & Tenure to meet local needs
 H2 Affordable Housing
 INF2 Social & Community Infrastructure
 INF4 Highway Safety
 INF5 Parking Provision
 INF7 Green Infrastructure
 INF8 Water Management Infrastructure
 S18 S18 - Moreton-in-Marsh

4. Observations of Consultees:

Gloucestershire County Council Highways: No objection

Gloucestershire County Council Lead Local Flood Authority: No objection

Gloucestershire County Council Archaeology: No objection

Gloucestershire County Council Highways Community Infrastructure: Request financial contributions towards pre-school and primary education infrastructure and library services.

Housing Officer: No objection

Environmental Health: No objection

Thames Water:

Thames Water has identified an inability of the existing foul and water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position for foul water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Reason - The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.'

5. View of Town/Parish Council:

Response dated 27th February 2019:

1.The Applicant addresses the highway and parking issues

National Planning Policy NPPF paragraph 109 states that 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. In paragraph 3.38 of the Planning Statement the Applicant advises that 'Neither of these things are considered to be the case'.

The Council does not believe this to be so. 37 of the 38 objection letters received by 25th February 2019 give traffic and parking issues as the main reason for their objections.

Application No. 18/00165/FUL, a caravan park on the Evenlode road, was refused. One of the four reasons cited for this was 'Traffic Generation and Highway Safety'.

Evenlode Parish Council stated: -

'Only two roads approach this site, Evenlode Road from Moreton-in-Marsh and the village, and Wells Folly Road from the A44. Both are narrow, single lane, unmarked roads with soft verges and no passing places. On the final approach to Moreton, the Evenlode Road is reduced to a chicane for several hundred yards due to on street parking'.

GCC Highways stated: -

'CPRE notes that one of the main concerns of the majority of the objectors, of Morton-in-Marsh Town Council and Evenlode Parish Council is the amount of traffic that could be generated and the unsuitability of the local road network'

Despite this the Transport Assessment, accompanying this application, concluding: -

'there are no highways or transport related reasons to object to this planning application and it is therefore recommended that the proposal be supported'

the current Transport Assessment is not consistent with the decision made on Application No. 18/00165/FUL, the letters of objection and comments received during the extra ordinary council meeting. The reliability and interpretation of the facts in the Transport Assessment, undertaken on behalf of the Applicant, have been questioned. A reassessment is suggested.

In order to alleviate congestion and parking difficulties, the Council request that Highways investigate the parking capacity on Evenlode Road and consider a potential parking opportunity outside 1 -12 Cornish Houses. Consultation with the residents would be required.

Item 4.3 on page 31, of the Transport Assessment states: -

'The development will offer one vehicle access point off Evenlode Road, around 27m to the south of the north western site boundary, where limited carriageway widening on Evenlode Road is offered as part of the proposed development to facilitate the safe movement of vehicles; both existing and those generated by the proposed development.'

Greater detail of what the Applicant means by 'limited carriageway widening' is required. The Council requests that the Applicant should mitigate the effects on the community of all the additional traffic caused by the proposed development

2. Unless the Applicant engages with the Town Council, as recommended in the National Planning Policy Framework, page 13 paragraph 40.

As per the Pre-Application Advice on page 4 of the Planning Application it can be seen there has been no meaningful consultation with the Town Council. Because the development is part of the Cotswold District Local Plan 2011 - 2031 (CDCLP) the Applicant appears to have decided to ignore the above recommendation of the NPPF. As the development sits within the Applicants county boundaries this was considered unacceptable by the Council. The Council wish to be consulted on the following before any decision is made: -

- a. Types of affordable dwellings
- b. Car parking facilities on the Applicants development
- c. Off street car parking alongside the Evenlode Road
- d. S106 / CIL Payments
- e. Allotment contribution
- f. Odours from the Sewage Plant

3. Unless the Applicant can justify why the application exceeds the housing allocation (63 dwellings net) in Policy S16 of the CDCLP

The highway and parking objections, as stated in item 1 above must be addressed before any consideration can be given to increasing the allocated housing on M_12A. The Transport Assessment has failed to gain the credibility of the local community.

Further comments received on the 20th March 2019:

'At the Council meeting held last night (19.3.19) the following decisions were made:

RESOLVED

To object to the development using the same rationale as before but to add comments from CDC's SHELAA Review (Strategic Housing and Economic Land Availability Assessment Review) regarding the site being in a >75% Groundwater flood risk zone and the character of the road limiting development* and to also ask whether alternative access options have been fully investigated.

Voting: All in favour

"There are concerns regarding the intensified use and car parking capacity on Evenlode Road, which is a very narrow and quiet road and is likely to limit the scale of development. Any access onto this road would need to respect its rural character".

And also,

RESOLVED

To request an independent traffic survey

Voting: All in favour.'

Request for S106 financial contributions received on the 4th April 2019:

The Town Council requests contributions towards High Street highway safety/parking, allotments, works to the Redesdale Hall and Horsepool totalling £27,053.

6. Other Representations:

50 objections received and 1 general comments received.

Main grounds of objection are:

i) The Evenlode road is already too busy and chaotic. We don't need any more houses in Moreton. There is a public footpath which is used by dozens and dozens of dog walkers all day long. Will the footpath still be there going through a housing estate? I think the main issue is access on an already very busy narrow road.

ii) Will people who buy these houses want the 'smell' from the sewage beds which can be quite strong in the summer and the noise from the Highways depot in the winter all night long plus the lights that are on all night ?

iii) Whilst I don't mind the idea of construction on part of that field, what I do find absurd is the idea that we can stick 67 dwellings there without some consideration to the access along the Evenlode road. I've lived on Evenlode Road and then Wellington road for the past 18 years; it's too narrow for this purpose. It can, at this current moment already get incredibly chaotic, of particular note is seeing the road on a Monday, the combination of School traffic, Commuting traffic, and the Bin lorries can completely gridlock what is essentially 300 metres of single lane road between the junction of Cottesmore Close and the proposed entrance to the development, This is to say nothing of the horse boxes and large pieces of agricultural machinery that often completely fills the width of the road and construction traffic for this new development will also presumably be using the Evenlode Road? Public Transport, especially in East Moreton is largely an afterthought so it must be assumed, along with the amount of car parking spaces in the plan, that the primary means of transportation for these residents will be the car. In that case serious consideration needs to be given to improved access (be that a different way or a modification of the existing road) for this development so as not to cause considerable disruption to the residents, such as myself and my neighbours who already rely on the Evenlode Road.

iv) Town is growing too fast.

v) The access to this site is virtually a single track road which means that construction traffic and then new residents traffic is going to cause serious safety problems. Gloucestershire Highways need access to their site which is just to the south of the proposed housing site which

means there will be more traffic on Evenlode Road than is safe. Why not put a dedicated access road to the site off London Road ? This would be a simple way to solve the problem.

vi) My reason for objecting to this planning application is that the Evenlode Road - the road leading to the proposed development site cannot take any more additional traffic - it is stretched to capacity as it is at the moment. On Monday mornings, in particular, we have the school bus, rubbish collection services, recycling collection services, parents rush hour traffic for the local schools, service vehicles for the Gloucestershire depot using this small section of single track road from Wellington Road to London Road - not to mention heavy farm traffic (which increases in the summer months during harvest time) and horse boxes. In January or February 2018 the residents along Evenlode Road received a letter from the Highways Depot (further along Evenlode Road) stating that the gritter lorries were having trouble passing through tight gaps on the Evenlode Road and on one occasion the gritter lorry had to reverse back and go via the Bluebell wood to access the A44. 67 new houses will bring a minimal addition of 67 (or even possibly 134) more cars which will need to access this busy stretch of narrow road; this will compromise road safety and possibly obstruct or delay access for emergency services. Before this application can be considered the parking and access for Evenlode Road needs to be looked at.

vii) I object to this development based on the area being within an area of natural outstanding beauty, with several existing public country footpaths running through it. The existing B road, country lane on Evenlode Road, is insufficient in infrastructure to cope with the vastly increased volumes of traffic/population as a result of developing more housing. The residents of many of the existing houses on Evenlode Road, park on this minor B road for on street parking needs. I also object to the resulting increases in noise, privacy as a result of traffic volumes increasing/population and light pollution will all impact existing residents who live here primarily because of its existing quiet and rural location. This would be massively impacted as a result of this development, significantly reducing the quality of living for existing residents, many of whom are also elderly.

viii) The town is generally being overdeveloped, to all sides of the town, with no regard or plan to accommodate increased traffic, increased population needs for healthcare and schooling.

ix) The traffic on the Evenlode Road from the junction of London Road up to the Evenlode Gardens junction is already very difficult due to the amount of parked cars there, and this constantly causes traffic to queue at both ends and dangerously at the junction off the London Road. The road needs to be widened by creating a parking area for the parked cars to create a clearer thoroughfare through that section of road. Building 67 houses adjacent to Evenlode Road will only make this problem worse. I am also concerned about the flood risk potential, as, being a resident, I am aware of the generally poor drainage around that field and the back gardens of some adjacent houses in Evenlode Garden.

x) Access to the A44 from Evenlode Road is already a nightmare as resident parking make this a single track road. Add in gritters, bin lorries, and school pick up points. A further 67 houses will produce at least 67 more cars, more likely 134 as most households have 2 cars. How will the big lorries bringing building materials reach the site and then on an ongoing basis there will be delivery and parcel lorries. The current road situation will simply not cope.

xi) Development of this site will mean the loss of another green space which is well used by the public.

xii) You will be aware of the Sewage works which does smell from time to time and the Council Yard which can be noisy late at night when the gritters are going out.

xiii) My last point is that it is foolish to build on all the natural drainage areas. Where is the surface water from 67 houses associated roads and paved drives going to go ? remember Moreton in Marsh named for a reason.

xiv) I oppose the development but if the proposed development should proceed, the developers should be held strictly to the considerations taken into account by the Inspector at the Local Plan enquiry which ultimately led to the site being allocated for residential development. In particular: No more than 63 dwellings should be permitted on the site; Effective measures should be required to minimise impact upon the Special Landscape Area; Effective measures should be required to optimise the maintained amenity value of the footpath that runs diagonally across the site for local residents (not just those who will be living on the development). In addition, strict conditions should be imposed upon the building process to ensure that all construction-related traffic is routed to/from the site from the south, rather than using the congested stretch of Evenlode Road between the northwest corner of the site and the London Road.

- xv) Loss of amenity land including a footpath across an open field in a part of the town with little amenity land. If the proposal proceeds it should do more to ensure that the site itself contributes to the amenity of the local population (as well as the residents of the site) - the current plan seems largely to rely upon the footpath following the line of a road and pavement.
- xvi) The loss of a greenfield site in a Special Landscape Area; the current proposals include a series of substantial buildings in close proximity to the Evenlode Road hedge boundary, contrary to CDC advice; this will adversely affect the SLA, while more should be done generally in the plans to minimise the visual impact of the development from both south and west.
- xvii) The loss of Grade 2 agricultural land.
- xviii) The excessive distance from the shopping, educational and health facilities in central Moreton; the traffic/transport report makes over-optimistic assumptions about the likelihood of residents of the new development walking or cycling into the centre of town. It is too far from the centre to expect people to walk/cycle if they have young children, are elderly or unwell, or are likely to have to carry heavy shopping, etc.
- xix) The proximity of the Gloucestershire County Council Highways depot, which involves considerable light and noise pollution from the gritting operations on frosty nights: the noise report annexed to the planning application relies upon a brief survey conducted in September when clearly the Highways depot must have been largely inactive.
- xx) Above all, because of the unsuitable nature of the site due to problems with access via the Evenlode Road. Congestion & traffic flow issues due to on-road parking. - Safety issues flowing from the above (including cyclists, agricultural & gritter lorries) and dangerous congestion at junctions (including onto the London Road).
- xxi) Impact upon the amenity of residents living alongside the road.
- xxii) Adverse effect on the beauty and tranquillity of the area.
- xxiii) The sole access to this development is via Evenlode Road, this is effectively a single carriageway road, particularly between the site and Moreton Town Centre. There is already a lot of traffic, and the congestion, will be appalling during construction, and very much heavier than currently when completed. This is a narrow road completely unsuited to development of this scale. If this development is to go ahead, it is essential that the site has direct access to the A44 London Road. The CDC, if it is minded to grant this application, should thoroughly examine alternative access routes from the A44. It is complete madness to allow development of this size, without making sure that the access is adequate.
- xxiv) The Evenlode Road is a real bottleneck in terms of both parking and traffic, and 67 houses will add to these issues. They will also impact on the traffic in the town of Moreton, which already struggles, especially during the morning and afternoon rush hours and in the busy tourist season. Nothing has been done to improve vehicular access over the railway bridge to the north of the town on the main A429. The primary school is at full capacity and Dormer House has announced its closure. This is also an important recreational facility for walkers and dog walkers alike.
- xxv) This development should not be allowed to go ahead. Moreton has already seen considerable development, but without any related infrastructure improvements. This is another such development. The roads into and around Moreton are gridlocked at times with the subsequent increase in pollution. Evenlode Road is barely able to cope with the current traffic volume. With the addition of 67 dwellings it would become impassable at times.
- xxvi) This is a rare area of open green space within the town that local people can enjoy. This facility should not be removed from the community.
- xxvii) Where are the children, that this development inevitably bring, going to school? The district planning team seem intent on filling as many green spaces with houses to fulfil the almost arbitrary number of new houses in the town plan, but have complete disregard for the impact on numerous aspects of life for residents of Moreton. Infrastructure and provision of amenities and schooling being the most obvious!
- xxviii) There is a lot of congestion at the moment on Evenlode Road. If permission is given, it is essential that another road is created to take traffic from the new houses to the A44 otherwise there will be a semi-permanent traffic jam in Evenlode Road during the daytime. There are cars parked all down one side of the road because there is nowhere else to park. To try and have 67 more households driving up and down Evenlode Road as well is madness. That is double or treble the number of houses already in Evenlode Road and the road cannot handle the existing traffic without aggravation to all concerned. [Page 65 Cause 22](#) is single file traffic for 100-200 yards as it is.
- xxix) Evenlode Road is not a main road like the A44 where other developments have been located. 2 small cars can barely pass each other on Evenlode road. In the transport assessment

plan it states that the road accommodates 2 way traffic. This is very misleading as this may be the case for small cars but add larger cars or vans and horse boxes etc cannot pass without one vehicle having to stop. You can tell from all the potholes and damaged verges that it is not a road that comfortably take 2 way traffic. An earlier planning application for a caravan park on the edge of Evenlode was rejected in part due to highways issues so how is this different? Even in the 'design and access' statement it refers to the road as a 'rural' access road. There are issues already with parking on the road especially near to the junction with London road where residents who do not have off road parking park on the road from London Road sometimes through to Wellington Road. Often you would not even get a fire appliance down as the parked cars mean it becomes a single track road. Traffic has to queue to get onto/off Evenlode Road due to this.

xxx) All the traffic/road surveys are just a snapshot of time, the residents that live nearby are the ones that have a more realistic view rather than someone just doing a short survey. You have dog walkers/runners/cyclists/horses that use the road and traffic already breaks the 30mph speed limits so additional traffic would be dangerous.

xxxii) Looking at the development plan the amount of parking spaces that are allocated would not be enough i.e. the one bedroom apartments being allocated one space when chances are it would be a couple residing in them. The new houses would have to actually use their garages for a car to enable 2 cars per drive and in some property's you may have 3 cars. This therefore could add to the parking issues along Evenlode Road especially if residents have to use visitor spaces which are in effect just a layby.

xxxii) Who would maintain the communal areas or areas of open land as this could become unkempt/overgrown or used for overflow parking.

xxxiii) Disruption to residents whilst work is taking place is another concern as it was extremely disruptive when Gigaclear were carrying out broadband work and their vehicles made lots of mess where they parked them on the grass verges. There would be issues with getting all the associated vehicles/deliveries to the site. There would also be the issue of noise whilst the building work was carried out

Security issues with the site which may encourage criminal activity in the area.

xxxiv) Where would the public footpath be located during the works?

xxxv) Destruction of more open space used by residents.

xxxvi) Due to the distance of the development would cause additional parking/traffic issues in the town of Moreton adding more people using cars.

xxxvii) If this development was to go ahead it would set a trend for the rest of the land along the road to be developed and Moreton is already too over developed for the amenities it has i.e. schools/doctors.

xxxviii) There is already no dedicated police office Moreton so increasing the amount of housing would just encourage more criminals to come to the area as they would have more houses to target.

xxxix) This is council owned land so I find it confusing that it will be council planners that will make the decision as to if the application is successful.

xl) The Evenlode Rd is already busy and pulling on/off the London Road to access the site can be difficult due to parked cars from residents living along there, there is not enough room for cars to pass in both directions. This will cause more tail backs on the London Road as people won't be able to turn in. The Evenlode Road is used a lot by cyclists, runners and horses who have to endure the speeding motorists along there. Why does every bit of free land have to be built on, are we not allowed green open spaces!!

xli) A development of this size is unsustainable because of lack of traffic access and parking. The access off the A44 on to Evenlode Road is extremely poor. Because of existing resident parking needs there is only single lane access all the way from the A44 to the proposed site. Currently any large or heavy vehicle, such as school buses, waste removal lorries or horse boxes already create routine blockages preventing residents getting in or out, and bringing traffic to standstill. Add an additional 100-200 plus cars for this proposed development and it is unimaginable how traffic access will work. If this development is to be approved, a different route, not utilising Evenlode Road, needs to be created. Such a new vehicular route would require a new & different turning off the A44 directly into the proposed development.

xlii) The other concern about this development is where will the surface water created by 67 new dwellings run to? This is low lying clay based land. Placing 67 houses on this field will require some exceptional flood proofing design to capture the additional surface water created, otherwise other areas of Moreton will face flooding.

xl) It would seem the amenity value of the land as part of a Conservation area is being ignored.

xli) We have already been forced to accept a ridiculous amount of new housing in Moreton & the only people who will benefit from this development will be the developers & builders - no one else. We already have enough for anyone who may need a new home. I personally am extremely lucky to be able to walk to work and I can honestly say that without a doubt the recent increase in traffic has been unbelievable - there have been many times I have been unable to cross the road (which I have to do at least 4 times on each journey - though if there were a footpath from the football ground to the business village at least one of these would become unnecessary for me & a lot of other people that need to access the business village or the cemetery) Therefore the extra traffic that would be generated if this nonsense hare brained scheme is allowed to go ahead would be totally unacceptable.

xlii) This road has problems with the amount of parking already with cars etc that never move it is already dangerous getting in and out of drives.

xliii) Highways access and parking - Evenlode road is not a 2 way carriageway, only 2 small cars can pass each other with care on the road. There is also an issue with residents parking on Evenlode road near to the junction with London road whereby the road becomes a single track road. You have cyclists/dog walker/horses using this road and there is no footpath near to where the development is proposed and vehicles already speed along this road so additional traffic would be dangerous. A previous application for a caravan park on the edge of Evenlode was rejected in part due to highways issue so this would cause the same issues. Would also increase traffic/parking within Moreton.

xliiii) There appears to be the minimum allocated parking from residents which does not take into account those with more than 1-2 vehicles per dwelling this may cause further issues for parking on Evenlode Road.

xlv) Loss of amenity - Destruction of more open space used by residents. Where would the footpath be re-directed to during the works.

xlv) Over development - Moreton already has been overdeveloped for the amenities it has in place. Would encourage more development applications for Evenlode Road.

i) Moreton does not have a dedicated police presence and the increasing size of the town will only encourage more criminals to see the area as a viable target.

ii) Privacy/light/noise - If the development was to go ahead how would residents be protected from the disruption and noise especially additional large vehicles on the road trying to gain access to the site. What security would be put in place for the site after hours as this could encourage criminal activity.

iii) Trees/landscaping - Who would be responsible for the up keep of the sites landscaping after the development has been completed as could become overgrown and un-kempt. The current hedgerows are nesting sites for birds so this would need to be maintained and not disturbed.

iiii) As this is council land it is concerning that council planning will make the decision on this development.

lv) The proposed development's access via Evenlode Road will put an unacceptable increase in vehicles using this already problematic narrow road. If an alternative route directly onto the A44 could be included I would have no further objection, at this stage, to the proposal.

lv) Whilst I do not wholly object to the development I have huge concerns regarding the increase in vehicular access via Evenlode Road which is already unable to function optimally. If an alternative route directly onto the A44 could be sought then I would look more favourably on the application.

lvi) The parked cars in front of the Cornish houses cause such an obstacle to other residents of Evenlode road. Adding more cars will make the problem worse. Develop some parking, stop cars parking on the side of the road and would not have a problem with this.

lvii) Current plan is to give access onto Evenlode Rd. This is totally unacceptable as this road is already reduced to one way due to excessive parking towards Moreton. If the scheme must go ahead then access must be to the A44. The planners must take into account that the Evenlode Rd, is a narrow country road used by horse riders and is a recommended bicycle track. It cannot take more traffic and if it does serious accidents will happen.

lviii) If there is access on to Evenlode road the traffic problems will be increased as there is already virtually one way system into Moreton due to parked cars. Going towards Evenlode it will become dangerous as there are many livery stables and thoroughbred horses who already have to contend with the pelotons of bicycles and fast cars and lorries and large tractors.

lix) Another housing estate in Moreton with houses that nobody I know can afford to buy. We live in part of the town with no public house and no shop. The only thing that is here is a field where lots of people take their dogs for walks. They will now have to take their dogs for walks in surrounding streets with the dog mess that will come.

lx) Noise from county depot and odour from noise from sewage works.

lxi) The field should be made into a big park for people to enjoy. Moreton has already doubled in size.

lxii) Concern regarding the loss of this tract of land, is that it acts as a natural buffer for surface water generated by the houses nearby and the additional houses that continue to be built in Moreton in Marsh. As the name suggests, this town is on a marshy floodplain, this new proposal for 67 additional houses just adds to the problem.

lxiii) As has been previously stated the Evenlode road cannot stand the increase of traffic that 67 new dealings would bring you could see as more than 134 more cars using the road if each household has two cars but conceivably there could be more at peak times this would cause delays and increase risk of accidents. There is already an issue with parking on the Evenlode road with the junctions being obscured nearly all day long making pulling in and out of cots more close onto Evenlode Road and Evenlode Road onto the a44 a dangerous proposition.

lxiv) Weekends and evenings when residents are at home the access to this site effectively becomes a single way highway which barely copes with current levels of traffic. Any further traffic would cause an intolerable problem. This road, especially during harvest time is very busy with agricultural traffic. The council depot situated on Evenlode road has large amounts of HGV vehicles coming and going. This problem is caused by many houses at the start of the road not having off road parking so they have no alternative but to park on Evenlode which can cause a bottleneck with no passing spaces. It is also a school bus route and an approved Cotswold cycle route. At weekends many hundreds of cyclists use this approved route. Increase I traffic would be a danger to them too.

lxv) The town is already overburdened by numerous housing developments and it should also be noted that the Sunlock development is currently taking place on Evenlode Road which when completed will effectively mean an additional 3 houses to add to the total of 67 currently proposed in the Polo Field application! On this basis and a modest estimate of 2 cars per property it suggests a likely projection of an additional 140 cars requiring the use of Evenlode Road which is essentially a minor road. My major concern is that the apparently extensive Matrix Road Traffic Survey, which has been commissioned by GCC for the proposed development, and the resulting analysis does not come to either reliable or acceptable conclusions for the local residents. In my opinion, the survey is inadequate in that it does not give a full picture of the actual traffic situation on Evenlode Road and at best it is extremely misleading. One conclusion arrived at from the survey was, I quote, 'relatively low flow of traffic' on the road both at the development end and the A44 junction end of the Evenlode Road - even at peak demand times! I refer to the estimation of a rate of one car every 20 seconds - either turning in or out of Evenlode Road at the A44 road junction - as a 'relatively low rate of flow'. That might be the case at Piccadilly Circus but I think it should be regarded as otherwise in Moreton - especially as the flow rate along the main road at that time is several times faster. In addition, the problem of cars turning in and out of the Evenlode Road is compounded but traffic often needing to queue at the junction and there is no provision or availability for traffic lanes there.

lxvi) A considerable length of the Evenlode Road is essentially single file due to an extensive line of parked cars with queuing already necessary at either end. Neither does the survey take into account of the bend in the road outside the Sunlock development which effectively causes a blind bend for road users and makes travel more hazardous. In addition, pedestrians and children in particular are using the route at busy times and cars have occasionally been seen to mount the pavement when oncoming flows of traffic converge. The road already becomes effectively like a chicane (an obstacle on a race track) and this would only be worsened. The number of traffic incidents would obviously seem to be more likely. I contend that Paragraph 109 of the National Planning Framework Policy should be invoked as there are serious grounds for the Highways Department to refuse the development.

lxvii) The adjacent business park has a significantly wider road and far safer access off the A44. Limited work would be required to allow the proposed site to be entered from here by modifying the access to the sewage treatment works. Alternatively a new access off the A44 could be formed running alongside the east of the business park. The public benefit created by the additional houses (as noted by the local plan inspector) would allow the Council to utilise

compulsory purchase instruments if land ownership and access rights prevented this far safer option being pursued.

lxviii) I do not agree that the principle of development can be established if that principle is predicated on diminished highway safety within the immediate locality of the site. If this application is 'simply intended to demonstrate that the site can reasonably accommodate the level of development proposed' then for the reasons outlined it should be refused as in its current form it cannot accommodate the level of development stated.

lxix) A 1 bedroom apartment is more often than not going to be inhabited by a couple who being in a 1 bedroom would not have children. Therefore, it should be assumed both individuals would be working. As there is limited employment within the Moreton it is also reasonable to suggest two cars would be required. As such the visitor spaces like in Moreton Park would be utilised as parking for permanent residents pushing visitors into dangerous positions elsewhere.

lxx) The development has a variety of larger dwellings ranging from 2 bedroom, 4 person flats to 5 bedroom, 9 people houses. Whilst 2 parking space for a 2 bedroom flat could be considered reasonable personal experience in Moreton Park shows that even 2 bedroom flats are being occupied by 2 couples with 4 cars. There is no way this can be prevented/policed and could undoubtedly cause future problems.

lxxi) A number of the car parking spaces are provided via tandem parking - something local policy tries to limit. It is completely inconvenient, dangerous and creates a significant number of vehicle movements due to car blocking which results in stationary cars idling and blocking the carriageway whilst cars are being switched. This usually occurs at rush hour times when other residents are also going to work and refuse vehicles are trying to collect from properties. Turn circles and lines of site are never taken into consideration and improved. This is made worse still where tandem parking also includes having to manoeuvre one of the vehicles out of a garage - this is the case for every garage, many of the 2 space provided and all of the 'or more' spaces allocated.

lxxii) Visitor parking ratios of 1:5 spaces per dwelling stem from a 1996 study undertaken by Jenks and Noble in Lower Earley in Reading. The changes in demography, explosion of car usage and cuts in the public bus routes seen over the past 25 years should afford this study little weight in determining the suitability of parking provision in modern developments. Notwithstanding this point the blanket utilisation of the 1:5 visitor ratio often used by transport consultants take no account of the different constraints and setting of each site nor the notion that every application should be judged on its individual merits. The transport patterns and superior public transport system of Reading bears little resemblance to the rural conditions found within the Cotswold and so such assertions should be disregarded.

lxxiii) The fact many young people are living with parents into their adult life means it would be highly likely a traditional family unit could have 4 cars if not more. This plot currently has 2 parking spaces in tandem and a garage ie. the '2 or more allocated spaces'. In essence this situation creates a 3 car tandem arrangement. It is completely unrealistic to expect future occupants to have to manoeuvre 3 cars every morning to go to work, travel to school or go to a doctors appointment for example. It is even more unacceptable to expect other road users to wait for this to occur. The practicality aside there is simply no space to do this within the layouts provided. The noise generated from this alone would also not be conducive to maintaining the peaceful amenity local residents are entitled to.

lxxiv) The transport study also significantly plays down the highway safety implications of additional traffic (let alone medium term heavy construction traffic) that will need to navigate Evenlode Road between the proposed site and the A44 London Road.

lxxv) Due to the on street parking this long section of road is predominantly single carriageway. The assertion that there are gaps for passing is simply incorrect as the street is mostly completely full. The situation is worsened by the Evenlode Road/Cotsmore Close junction which forces cars to park on the opposite side of the road preventing drivers having a clear line of site from the start to end of the narrow single file section of road. I for example have had to dangerously reverse back out onto the A44 London road a number of times due to this to let cars through. Many of these instances have been within the last few months. A single traffic study clearly is not sufficient to record the reality of this stretch of road and its junctions.

lxxvi) To the south of the site Evenlode Road and Chapel Lane provide routes out of Moreton in Marsh towards Evenlode, Broadwell and Stow on the Wold. These roads are in a poor state of repair which will be made worse by heavy construction traffic and more frequent car journeys associated with this development. Accordingly a contribution to the repair of these road would be required as part of the application (Policy INF3 INF5) I would suggest this is linked to a first

occupation condition. Given the roads are primary cycle routes within the Cotswold's and the application places great weight on sustainable modes of transport as a basis for development this seems a vital requirement.

lxxvii) Further to the point on sustainability and given the recent national government comments on electric car and banning certain combustion engines, the need for provisions for electric car charging is paramount. The newly adopted local plan already appears to be outdated on this matter (Policy INF3 INF5) and more stringent requirements should now be placed on developments. Taking into account the existing policy, it is obviously feasible as an entirely new development to incorporate charging points for low and ultra low emissions vehicles (this should also include visitor parking) as the design stage. This development, if approved will certainly out-live combustion engines so the infrastructure should be provided to take account of this at the outset.

lxxviii) There appears to be a lack of private amenity spaces particularly for the future occupants of the apartments. Equally, as noted below public amenity/green landscaping appears to be limited. As such it is evident that the development is too dense. I note the now adopted local plan allocated this site to house 63 units whereas 67 are being proposed. Evidently if the density of the site was reduced in line with the local plan many of the issues raised above could be addressed and the application would be improved considerably.

lxxix) Like Moreton Park these storm water drainage basins are not public amenities and appear as bog like civil engineer works for most of the year. Even during 2018's driest summer on record these basins were not desirable or utilised public spaces or pleasant green areas that could be observed from afar. The landscape plan drawings are disingenuous in trying to suggest some form of public or landscape amenity would be created. A strategy of buried attenuation tanks should be used to create a usable green landscape. The inclusion of trees in these areas could also provide effective attenuation properties and would soften the site's appearance, improve its biodiversity and help to establish a visual and acoustic buffer - particularly to the GCC depot to the south.

lxxx) Rendered buildings would make a poor focal point and should not be encouraged within the North of the Cotswolds. Its use is not typical of this edge of town development and unlike the south of the region where town centres are seen with rendered facades it is uncharacteristic in the north. Equally a visit to the Moreton Park development which is only a few years old shows the unsightly weathering and staining that has already occurred on the new rendered dwellings. This development will be one of the first things you see as you enter Moreton from Evenlode. Accordingly having bright new render will make the development stand out particularly from distance views - including those in the AONB. Equally, poorly stained building will blight near views and lack the quality expected. Local lime stone which weathers gracefully should be insisted upon. If the developer/the council are trying to avoid homogenised uniformity, splitting the development site between different architects and builders would be a far better way to achieve a more varied and organically produced development. I believe CDC should and could introduce a policy to limit on the number of dwellings that can be designed by any one architect/builder within a development site.

lxxxii) Development sites such as this have been included within CDC's local plan to provided the houses this area needs. These should be primarily for local resident and should help to stop the brain drain the district is seeing where young members of the community are forced to leave the area for more affordable towns outside the district. As such and to avoid what is happening within recent development in Moreton, Stow and Bourton conditions should be imposed that limit the likely hood of these family homes being used as holiday accommodation.

lxxxii) The current mix of houses seem to be too heavily weighted to larger executive homes. There are for example no.28 - 4 beds houses whereas there is only no.3 - 2 bed houses. Clearly this housing mix is predicated on generating a profit rather than providing houses the local area desperately requires.

lxxxiii) The proposed access is onto a rural road, that already experiences difficulties with cars parked on different sides of the road. Particularly problematic are the two junctions at Cotsmore Close/Evenlode Road and Evenlode Road/A44 which are located very close together. The sole access for both Croft Holm and Cotsmore Close is onto the Evenlode Road and the addition of approximately 140 more vehicles could make this area potentially hazardous.

lxxxiv) This site is not as stated in the transport assessment (TA) 'in close proximity to the High Street' but quite a distance from shops and medical facilities in Moreton, and suggesting that it would take only 15 minutes to walk into town is vastly optimistic, especially for homes not immediately located by the access onto the Evenlode Road. Route 1 shown in the TA has Dr P S

Rutter and partners surgery in the High Street. This is the White House surgery which relocated several years ago to the Four Shires Medical Centre by the hospital. The old surgery has now been converted to housing.

lxxxv) Moreton does not have a full range of facilities. Although it does have a full complement of tea and charity shops, there is for instance no shoe shop, no children's clothes shop, no cinema, no secondary school, no NHS dentist.... Driving is really a necessity for a good quality of life in this area.

lxxxvi) Moreton has no need for an additional 67 houses. The town has had significant housing development in the last few years, including affordable homes with minimal infrastructure improvements to roads, parking, sewerage etc. Nearby local towns such as Shipston on Stour and Chipping Norton are also having housing developments imposed upon them. All these new residents to the North Cotswolds will be sharing the same road network leading to more congestion and destroying the very heart of this iconic part of the country.

lxxxvii) At what point is a red line drawn over the continued urbanisation of Moreton. Every scrap of land is being developed, larger houses demolished and transformed into flats, fields concreted over and look alike houses crammed together with little outside space. Cars half parked on pavements because of inadequate off- road parking, pollution levels rising, wildlife disrupted.

lxxxviii) If this outline application must be approved because of the site's inclusion in the CDLP, I would suggest that no building takes place until nearer the end of the local plan (2011-2031) time period, to allow for re- evaluation at that stage of the needs of local people and to ensure that better infrastructure is in place. Also, that the applicant submit a revised transport assessment so that information provided to the planning committee is correct. There are no direct trains to Banbury for instance and Moreton is in the Chipping Campden School catchment area.

lxxxix) Matrix's Transport Assessment (TA), used as supporting evidence by the Developer, is misleading. Examples of this are:-

a. Delays caused by congestion/parking on Evenlode Road.

Section 2.13 identifies hourly peaks as being 08:00-09:00 and 15:00-16:00. Section 2.17, tables 2.3 and 2.4, uses 07:00-09:00 and 16:30-18:30 instead. The table shows average speeds of between 16.5 and 18.5 mph. Section 2.20 uses an unimpeded vehicle travelling at 20mph as a comparator, recording delays of between 4 to 10 seconds. A 30mph comparator, the road's speed restriction, should have been used. This manipulated statistic is then used as supporting evidence in the Transport Impact Summary (section 7.2) concluding "This is not material and will not be impacted by the proposed development".

b. Accessibility.

The TA uses WYG's 'How far do people walk' (July 2015) report's 85th percentile measurement for accessibility of 1,950m. The Department of Transport's 'Manual for Streets' (MfS), the closest to an agreed industry standard, states in section 4.4 'The Walkable Neighbourhood': -

'Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot.'

The TA dismisses MfS standard in section 2.34 as just being a "suggested guideline" preferring WYG's 1,950m walkable distance being 144% greater than MfS's. As a result, all non-employment locations, the shortest being 1,126m, in table 2.5 are now determined accessible. The TA states, section 2.35, "it can be reasonably be concluded that site is located in an accessible location with facilities that are within appropriate walking/cycling distances". This should be challenged. As the TA uses the MfS on page 26, as evidence of policy compliance, yet decides to discard its commonly accepted walkability standard, the report's credibility comes into question. If the MfS standard had been used by the TA, rather than WYG's, it would probably conclude that additional vehicle journeys would be required due to the lack of walkable accessibility.

xc) Moreton recognises the need to build houses but also subscribes to section 109 of the NPPF which states: - 'Development will be permitted where infrastructure requirements identified to make the proposal acceptable in planning terms can be met'. The Developer has said that costs for mitigation cannot be justified because of the TA's findings. If the TA had been independent, and not misconstrued to support the Developer's objective, it is probable that the evidence would support the need for mitigation. I am asking CDC to request that GCC respects the real evidence and addresses, both as Highways and as the Developer, the need to improve the current and arising issues on Evenlode Road, if the application is to be approved. Without this the development benefits GCC, our County Council, to the detriment of Moreton's Evenlode Road users.

xcix) My understanding is that the manager of the GCC site in Evenlode Road wrote to local residents the winter before last, as the site's gritting vehicles were not always able to use the road between the site and London road, due to parked vehicles. This slowed down gritting activities, so increasing the risk to motorists. Adding additional houses may well increase on-road parking, so increasing the potential frequency that gritters are delayed. From a safety perspective, for all road users driving on roads which are within the area covered by the Evenlode road site, it seems important that the housing development creates no additional on-road parking.

General Comments are:

i) Are you going to take into account the bottleneck at the northern end of Evenlode Road, between Wellington Road and Cottesmore Close, caused by a constant (often unbroken) line of parked vehicles taking up half of the carriageway, essentially turning that 100m or so stretch into a permanent single lane for two-way traffic? There is ample 'spare' land immediately to the west of the road that could easily be turned into off-road parking for more than enough vehicles.

ii) Evenlode Road, from the junction with the A44 (London Road) to Wellington Road, is effectively a one way road due to on street parking. This has an effect both on the flows of traffic along Evenlode road (delays as cars have to make way), but also safety issues for those pulling out onto to the road. I do not feel that this issue is sufficiently recognised in the transport impact assessment, which is somewhat disingenuous when it talks about road widths. This is a particular issue for me, as when I pull out of my car park onto Evenlode Road, I can rarely see oncoming traffic either way due to parked cars. The development will undoubtedly increase flows along the road, exacerbating the problem. While I do not object to the development, I do ask that appropriate mitigation measures are undertaken to address the issue of on-street parking along Evenlode Road, and that the developer is required to support investment in off road walking and cycling routes into the town. With regards to the first issue relating to on-street parking, there is space along Evenlode Road to create off street car parking (an opportunity that was raised at a recent consultation event on the developing Neighbourhood Plan) which could be utilised. Ideally, this should be done before development happens on site as the current issues with the road would not be suitable for the numerous heavy goods vehicles and construction traffic that will arise from the development. With respect to the second point (walking and cycling), there is an opportunity to secure investment to develop better off road routes to the south of the town by improvements to existing public footpaths. This could be linked to investment by the proposed Spitfire Development off the A429 to create an effective sustainable transport route that would reduce the need for vehicular travel movements and therefore reduce the concerns related to movements along the narrow Evenlode Road.

Evenlode Parish Council:

1. The Traffic Assessment is based upon the relevant policy documents and takes account of peak time traffic movements: This road has constant traffic movement and peak time statistics are immaterial to the impact this development will have on the road and the residents.

2. Because there are numerous dropped kerbs on the side of Evenlode Road for the houses closest to the road, residents must park on the other side of the road: There is an almost continuous line of parked cars most of the day opposite the densest housing thereby narrowing the highway. So far as cars are concerned, this always requires give and take on the part of drivers as well as delay in order to enable a flow of vehicular movement. If a school bus or lorry requires other vehicles to give way, then this road becomes excessively congested.

3. Every Monday, there are CDC Bin Collection Vehicles using Evenlode Road for a considerable length of time. This creates a build-up of waiting cars and heavy goods vehicles which cannot avail themselves of any gaps in the parked cars to continue their journey. They must wait for the bin vehicle to completely leave Evenlode Road before any traffic can move again.

4. A development of the nature outlined in the planning application will take very many months to complete and throughout the whole of that time large heavy goods vehicles/skips/builders' materials vehicles etc will require daily and regular access to the site. The level of congestion which this will engender, along with the points made at paragraphs 2 & 3 above, will create an unsustainable & unacceptable level of traffic, congestion and fumes. Additionally, once

completed, the addition of vehicles from the new development will make the ER section increasingly untenable. Single track roads with passing places simply don't work when the travel levels increase slightly.

5. The density of traffic of the nature outlined above will almost inevitably be diesel and the level of particulates in a small built-up area bordering the densest of housing will be injurious to the health of residents and users.

6. An earlier application to CDC for permission for a caravan site on the edge of Evenlode [18/00165/FUL] was rejected - in part - because of Highways issues and the impact of cars towing caravans and motorhomes using Evenlode Road for access to the site. Whilst it is accepted that every planning application is dealt with on its own merits, the rejection of that application partly on access grounds is a factor which CDC ought properly to take into consideration when assessing the instant application which involves similarly large vehicular movements.

Below is an extract from the Delegated Planning Officer's report in that application and Evenlode PC submits that the matters found by the planning officer in that application have equally significant relevance to the Highway issues in 19/00086/OUT. Even though the actual number of potential movements may be less, the vehicles themselves will be as big: "... Highways Only two roads approach this site, Evenlode Road from Moreton-in-Marsh and the village, and Wells Folly Road from the A44. Both are narrow, single lane, unmarked roads with soft verges and no passing places. On the final approach to Moreton, the Evenlode Road is reduced to a chicane for several hundred yards due to on street parking. . . Adding upwards of 30-60 potential movements of incoming and departing caravans on any given day/night will be unsustainable. Many of the drivers will have little experience of towing large and cumbersome caravans and they will be unfamiliar with the challenging nature of ...(Evenlode Road)"

Campaign to Protect Rural England North Cotswold District CPRE

'CPRE notes that the site is allocated for housing in the newly developed Local Plan and will make a significant contribution to meeting housing requirements in the northern part of the District.

The two issues which concern the North Cotswold Branch are both addressed by the Local Plan Inspector at paragraph 147 of his report; the public right of way crossing the site, and traffic and parking on Evenlode Road.

In respect of the first, CPRE would wish to see a safe and reasonably direct public right of way retained, so that access to the open countryside beyond can be maintained. We are not, however, persuaded that the reduction in capacity from 68 dwellings to 63 recommended by the Inspector would make any significant difference to the prospects of achieving this. In this context, the 'up to 67' dwellings proposed by the applicant would not be unacceptable.

IR147 says this about traffic and access: However, the Council and local highway authority are satisfied that safe and suitable access can be provided and there is no substantive evidence to demonstrate that this would not be so'. Notwithstanding this, it was clear on the day of the CPRE's recent site visit that Evenlode Road is of variable width, narrow in places and extensively used for parking - few if any of the houses have off-road parking. Difficulties would be exacerbated by the need for access to and parking for the nearby allotments. We therefore share the concerns expressed by the Town Council and individual representors and would urge the Council to consider all reasonable means by which the traffic impacts of the proposed development could be mitigated.'

7. Applicant's Supporting Information:

Archaeological Desk Based Assessment
 Archaeological Evaluation Report [Page 26 of 122](#)
 Ecological Appraisal
 Design and Access Statement
 Flood Risk Assessment

Noise Impact Assessment
 Non-Motorised User Audit
 Planning Statement
 Statement of Community Involvement
 Transport Assessment
 Tree Survey

8. Officer's Assessment:

Proposed Development

The applicant is seeking permission for the erection of up to 67 dwellings and associated development. The application is in Outline form and therefore seeks to establish the principle of development on the site. Matters relating to Access form part of this application. However, other matters relating to Landscaping, Layout, Scale and Appearance have been reserved for later detailed approval. The current layout is purely indicative and intended to demonstrate how the site could accommodate the proposed level of development.

The indicative layout shows a mix of two storey detached and semi-detached dwellings in the form of 1,2,3,4 and 5 bed properties. The southern part of the site, adjacent to the County Council Highway depot, is shown as being set aside for a storm water attenuation basin and landscaped open space.

The site will be served by a new vehicular access onto Evenlode Road. The proposed access will be located in the north western corner of the site. A section of roadside hedgerow measuring approximately 45m in length will be removed to facilitate the creation of the new access point.

The applicant is proposing to provide 40% affordable housing which would equate to 27 dwellings. Up to 3 building plots (5% of development) will be set aside as self/custom build plots subject to such demand being identified on the Council's self-build and custom housebuilding register.

(a) Residential Development in a Development Boundary

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

The site is located within Moreton-in-Marsh Development Boundary. The following Local Plan policy is considered to be relevant to the proposal:

Local Plan Policy DS2 Development Within Development Boundaries

'Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle.'

In addition to the above, the site is allocated specifically for residential development in the Local Plan. The site is designated as an allocated housing development site under Policy S18 M_12A Land at Evenlode Road (63 dwellings net).

The application site was also assessed by the Local Plan Inspector as part of the Local Plan Examination process. In paragraph 147 of the Report on the Examination of the Cotswold District Local Plan 2011-2031 the Inspector states:

'Land at Evenlode Road (M_12A) is assumed in the Plan to be able to accommodate 68 dwellings, although the Council now considers 63 to be more appropriate. Given the need to accommodate a public footpath that runs diagonally across the centre of the site in an appropriate layout, and for landscaping to provide a visual screen between the development and the nearby

highways depot and open countryside, this seems reasonable and Policy S18 should be modified accordingly in order to be justified. Evenlode Road is heavily used for on street parking which means that vehicles can only pass in one direction for much of its length, and local residents encounter safety problems using the junction with London Road. Clearly, the provision of over 60 additional homes would increase the amount of traffic using Evenlode Road and the at junction, particularly given that the town centre and other local facilities are some distance away. However, the Council and local highway authority are satisfied that safe and suitable access can be provided and there is no substantive evidence to demonstrate that this would not be so. Overall, I am satisfied that the site is in a suitable location, available and could be developed in a way that would cause only limited harm which would be outweighed by the benefits that would arise from the provision of over 60 new homes.'

It is evident from the above that the Planning Inspector considered that the application site was suitable as a housing allocation site. The release of the land for residential purposes is therefore considered to be acceptable in principle.

(b) Housing Mix and Affordable and Self/Custom Build Housing

The indicative layout plan submitted with the application shows a mix of 1,2,3,4 and 5 bed dwellings. Local Plan Policy H1 states that 'all housing developments will be expected to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable housing sectors, subject to viability'. The final mix and range of housing will be agreed at the Reserved Matters stage should this application be permitted. However, the indicative layout plan submitted by the applicant demonstrates that an appropriate mix and range of house types, sizes and tenures can be incorporated onto the site in accordance with the aspirations of Local Plan Policy H1.

With regard to affordable housing, Local Plan Policy H2 states that the affordable housing requirement on all sites requiring a contribution will be up to 40% of new dwellings. In the case of this proposal this would equate to 27 dwellings. The applicant is proposing to meet the 40% requirement. The final mix and tenure of affordable housing will be agreed as part of the S106 legal agreement.

With regard to self/custom build housing, Local Plan Policy H1 seeks to secure 5% of dwelling plots for sale as serviced self or custom build plots subject to such demand being identified on the Council's self-build and custom housebuilding register. The applicant is agreeable to such an arrangement. The provision of self/custom build plots will be covered in a S106 legal agreement.

(c) Impact on the Character and Appearance of Moreton-in-Marsh Surrounds Special Landscape Area (SLA)

The application site is located within Moreton-in-Marsh Surrounds Special Landscape Area (SLA).

The following Local Plan policies are considered relevant to the proposal:

Local Plan Policy EN2 Design of the Built and Natural Environment

'Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.'

Local Plan Policy EN4 The Wider Natural and Historic Landscape states:

1. '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.
2. 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, the setting of settlements, settlement patterns and heritage assets.'

Local Plan Policy EN6 Special Landscape Areas states:

'Development within Special Landscape Areas will be permitted provided it does not have a significant detrimental impact upon the special character and key landscape qualities of the area including its tranquillity'.

In terms of national guidance, paragraph 170 of the National Planning Policy Framework (NPPF) states that planning policies and decision should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes' and 'recognising the intrinsic character and beauty of the countryside'.

On the basis of the SLA designation Officers consider that the site falls within a valued landscape. Paragraph 170 of the NPPF is therefore applicable when considering this application.

The defining characteristics of the SLA are set out in the Special Landscape Areas Review Landscape Context and Physical Changes Final Report May 2017 which was prepared as part of the Local Plan process. The report divides the Moreton-in-Marsh Surrounds SLA into two Landscape Character Types (LCTs) - Undulating Lowland Vale LCT to the north of Moreton-in-Marsh and Pastoral Lowland Vale LCT to the south of the settlement. The application sites falls into the Pastoral Lowland Vale LCT which is described in the Special Landscape Areas Review document as:

'The Pastoral Lowland Vale LCT runs south from the watershed and is contiguous with the Pastoral Vale LCT within the AONB to the west. All the key characteristics apply to the southern part of the SLA either side of Moreton-in- Marsh. In summary, they include:

- Farmed pastoral vale with flat or gently undulating land defined by the rising slopes of the (virtually surrounding) Farmed Slopes (in the AONB).
- Pattern of rivers and streams, dominated by the River Evenlode and its tributaries.
- A generally secluded, intimate scale landscape, interspersed with areas of open character where vegetation cover is minimal and more expansive views are possible from locally elevated areas.
- Productive and verdant landscape predominance of improved and semi-improved pastures together with areas of arable land.
- Areas of wet meadow and species rich grassland bordering river channels.
- Varied field size, although the pastoral land is generally within small to medium scale fields and arable in larger scale enclosures.
- Network of hedgerows of varying height and condition with intermittent hedgerow trees.
- Limited woodland cover, although in places hedgerow and waterside trees combine with woodland copses to create a sense of well wooded character.
- Generally sparse settlement pattern dominated by scattered farmsteads and dwellings.'

A landscape assessment of the application site was undertaken as part of the preparation of the current Local Plan. A report titled Study of land surrounding Key Settlements in Cotswold District Update October 2014 by White Consultants provided the following assessment of the site:

DESCRIPTION:

The site comprises part of a single flat improved pasture field on the south eastern side of the settlement. Housing lies to the north, providing a straight and virtually unmitigated edge to the built form. Cotswold Business Park lies to the north east and though not screened has units clad in dark green, which is visually recessive colour and which assists in reducing the development's impact. To the east, there is an outgrown hedge with the sewage works beyond. To the south is a highways depot with a domed salt store set within trees and further pastoral fields beyond a low cut hedge. Evenlode Road lies to the west beyond which are rural houses, smallholdings in small hedged fields and allotments. A public footpath crosses the site diagonally and appears well used, linking the settlement with the countryside. Views are possible from the footpath to the treed skyline to the south/south east across the very gently rolling landscape and intervening hedges and trees. The site's tranquillity is limited by the presence of adjacent development.

LANDSCAPE SENSITIVITY:

Evaluation: Medium

Justification:

The site has susceptibility to housing development in respect of being located in open countryside on the quiet southern approaches to the town with the PROW crossing the field and a low hedge for part of the southern boundary. Its eastern, and part of its southern, boundaries are not defined by physical field boundaries. Its value is for local recreation. However, the housing to the north is a somewhat harsh edge and could be improved and the improved pasture is of limited intrinsic value and is generally well screened from the wider landscape. There is potential for development provided that further woodland screening is located to the south east to help integrate any development into the landscape.

The suitability of the site, in landscape terms, for residential development was assessed as part of the recent Local Plan process. The Local Plan Inspector considered that the site could accommodate a level of development similar to that now proposed without having an unacceptable impact on the character or appearance of the SLA. It is noted that the Local Plan allocation refers to '63 dwellings net'. Notwithstanding this, the aforementioned number is a guide to the level of development that the site could be reasonably expected to accommodate. It is not a fixed number. In the case of this particular application, it is considered that the indicative layout demonstrates that a development of 67 dwellings could be accommodated on the site without having an unacceptable adverse impact on the SLA. The indicative layout allows for the retention of a Right of Way through the site and for the introduction of a landscape buffer between new housing and the County Council depot to the south. The current layout therefore addresses the points raised by the Local Plan Inspector in his final report.

In addition, the indicative scheme seeks to retain the majority of the existing boundary hedgerow lying alongside Evenlode Road, thereby providing a green edge to the development. New hedgerow planting would also be introduced along the southern and eastern boundaries of the application site to soften further the edges of the development. The route of the Right of Way through the centre of the site is shown as being retained thereby allowing continued pedestrian access through the site to the fields to the south east. The retention of the Right of Way will also enable views through the development to the countryside to the south east and to St David's Church tower to the north west to be retained. The removal of a section of roadside hedgerow to facilitate the creation of the new vehicular access is considered not to have a significant adverse landscape impact given that the majority of the roadside hedge will be retained and that the new entrance will be located in close proximity to existing development rather than distinct from it. It is considered that the indicative layout demonstrates that the site can accommodate 67 dwellings and still provide sufficient space for additional landscaping and green space.

Overall, it is considered that the site can accommodate the size of development proposed without having an adverse impact on the character and appearance of the SLA and in accordance with Local Plan Policies EN2, EN4 and EN6 and guidance in Section 15 of the NPPF.

Access and Highway Safety

The application site lies adjacent to Evenlode road which is a Class C highway. The aforementioned road extends in a north south direction adjacent to the western boundary of the site. It joins the A44 London Road at a point approximately 370m to the north of the application site. Evenlode Road is subject to a 30mph speed limit from its junction with the A44 in the north to a point lying approximately 130m to the south of the north west corner of the application site. A 60mph zone operates to the south of the 30mph zone. The proposed site entrance will open onto a stretch of highway that is subject to a 30mph speed limit. Evenlode Road measures between 4.8m and 5.4m in width adjacent to the western boundary of the site. It measures approximately 4.8m in width to the north of the application site. Street parking is evident along stretches of Evenlode Road to the north of the application site.

The applicant has submitted a Transport Assessment (TA) with the application. The TA has assessed matters such as accessibility, trip generation, access visibility, junction capacity and transport impact. The TA has been assessed by Gloucestershire County Council Highway Officers. A copy of their response is attached to this report.

The application site is located approximately 1.2km from the town centre and railway station, 1.1km from the primary school and 900m from Cotswold Business Village. The route from the site to a range of services and facilities is relatively flat. Pedestrian footways extend from the north western corner of the site to the centre of the town. Guidance in paragraph 4.4.1 of Manual for Streets states that 'Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit and PPS13 states that walking offers the greatest potential to replace short car trips, particularly those under 2 km'. In light of the flat topography of the area, dedicated footways and street lighting it is considered that a range of services and facilities are within reasonable walking and cycling distance of the proposed development. Future occupants of the development will not therefore be totally reliant on the use of the private motor car to undertake day to day activities. Moreover, the accessibility of the site to services and facilities within the town was assessed as part of the Local Plan process. The Local Plan Inspector considered that the site was a suitable location for new residential development. The site is allocated for such purposes in the Local Plan. The allocation of the site for residential purposes in the aforementioned document weighs significantly in favour of the proposed development.

Trip Generation

The TA has assessed the impact of traffic arising from the proposed development on the local highway network. As part of the assessment, a 7 day Automated Traffic Count (ATC) was undertaken in June 2018. The ATC was undertaken at a point on Evenlode Road located just to the north of the application site. It recorded average vehicle speeds of approximately 26mph in the vicinity of the application site. Notwithstanding this, the 85th percentile speeds are higher at 32.3mph northbound and 33.6mph southbound. The TA states that 'one reason for the significant difference between the average and 85th percentile speeds could be the number of slower moving farm vehicles that have been observed to utilise Evenlode Road. Given the low vehicle flows on the road (discussed in the following paragraphs), the removal of the slowest speeds as required in the 85th percentile speed calculation would have a significant impact on the speed results.'

With regard to existing traffic flows passing the site entrance, the ATC recorded 39 two vehicle movements in the AM peak (08:00 - 09:00) and 35 two way vehicle movements in the PM peak (17:00-18:00). It is of note that the 49 two way vehicle movements were recorded during the period between 15:00 and 16:00. A total of 408 two way vehicle movements were recorded during a 12 hour period (07:00-19:00).

The proposed development is predicted to generate 31 two way vehicle movements in the AM peak period and 28 two way vehicle movements in the PM peak period. Additional vehicle movements along Evenlode Road during the AM and PM peak periods are predicted to equate to 1 additional vehicle movement approximately every 2 minutes. The trip rate data used by the applicant is consistent with traffic movements arising from two existing similar residential developments in the town (Wellington Road and Fossey Avenue). ATC surveys were undertaken at the entrances to both of the aforementioned developments which contain approximately 60 dwellings and 248 dwellings respectively and which are served by single access points. GCC Highway Officers are satisfied that the proposed trip rate data used by the applicant is acceptable. The proposed development is considered not to result in an unacceptable intensification in the number of vehicles using Evenlode Road.

In addition to the above, the capacity of the Evenlode Road/London Road A44 junction to the north of the application site has been assessed as part of the application process. A Manual Classified Traffic Survey was undertaken in October 2018. The survey recorded 198 and 196 two way vehicle movements passing through the junction during the peak AM and PM periods respectively. The movements equate to approximately 3 two vehicle movements per minute

during peak periods. The proposed development is predicted to result in a net increase of 31 and 27 two way movements through the Evenlode Road/London Road A44 junction during AM and PM peak periods respectively. This would equate to an increase of one additional vehicle movement every two minutes. Capacity testing of the junction has also been undertaken to assess its operational performance in 2023 and 2031. In both instances the junction is predicted to continue to operate within capacity during peak AM and PM periods.

The TA has also considered the impact of the proposed development on the two mini-roundabouts in the centre of the town (A44 London Road/A429 High Street & A429 High Street/A44 Bourton Road). The proposal is predicted to increase vehicle movements at the aforementioned roundabouts by 2%, which is considered not to be significant in isolation. Notwithstanding this, GCC Highway Officers have also assessed potential increases in vehicle movements at the two roundabouts based on committed and preferred development scenarios (ie sites with permission and Local Plan allocated sites). GCC Highway Officers advise:

'Moreton-in-Marsh has been identified to accommodate an Employment site area of 9.16ha and an additional 208 dwellings, on which the proposed development falls under association. A429 (Roman Road)/ A44 (Oxford Street) and A429 (Roman Road)/A44 (Bourton Road) junctions are currently operating within capacity in accordance with Existing 2014 Traffic identified in the Cotswold Local Plan Highway Capacity Assessment (CLPHCA). The level of delay and queuing in both peaks periods is projected to increase as a result of the Local Plan development traffic. This results in the junctions operating near to capacity with Forecast 2031 and over capacity with Forecast 2031 and Preferred Development Traffic and with Forecast 2031, Preferred Development and Reserved Development Traffic scenarios.'

GCC Highway Officers have requested a financial contribution of £29,596 from this particular application to fund highway improvements at the two mini-roundabouts in the centre of the town in order to address future capacity issues arising from the Local Plan allocations. The suggested contribution is based on the size of the development proportionate to the other Local Plan allocations. The allocations set out in Local Plan Policy S18 are M_12A Land at Evenlode Road 63 dwellings, M_19A, M_19B Land South East of Fosseway Avenue 119 dwellings, M_60 Former Hospital Site 21 dwellings and MOR_E6 Fire Service College 7 hectares for B1 use. The request for a S106 contribution from GCC Highway Officers is noted. However, the request was made prior to the formal introduction of a Community Infrastructure Levy (CIL) on the 1st June 2019. Highway improvement works are identified in the CIL Reg 123 list as infrastructure that would be funded by CIL. The chargeable rate for residential development is £80 per square for each qualifying dwelling. Money received from CIL would therefore be directed towards meeting the infrastructure improvements requested by GCC Highways. The highway infrastructure works can therefore be funded through CIL rather than S106 contributions.

The application site is one of the site allocations in the Local Plan. The potential increase in traffic arising from the development of this site was therefore considered as part of the Local Plan adoption process. The level of housing proposed on the application site is consistent with the guideline number of 63 dwellings set out in the Local Plan allocation. The proposed development will not therefore result in an increase in housing numbers materially above that considered acceptable in the Local Plan. The Local Plan establishes that the infrastructure of the town can reasonably accommodate the level of development allocated in Policy S18 subject to infrastructure works which will be funded from CIL developer contributions. It is considered that the development of this allocated site for 67 dwellings will not have an unacceptable adverse impact on the local highway network in terms of traffic generation or junction capacity.

(d) Access and Visibility

Vehicular access to the application site is currently available via a field entrance located in the south western corner of the site. The existing entrance opens onto a stretch of road which is subject to a 60mph speed limit. The applicant is proposing to close this entrance and to create a new vehicular access in the northern part of the western boundary of the site (within a 30mph zone). A pedestrian entrance serving a Public Right of Way can presently be found in the north western corner of the site. The proposed vehicular entrance will be located approximately 25m to the south of the existing footpath entrance. A stretch of roadside hedgerow measuring

approximately 45m in length will be removed to facilitate the creation of the new vehicular access and the requisite visibility splays of 2.4m by 54m to the north and 2.4m by 50m to the south (based on 85th percentile recorded speeds of 32.3mph northbound and 33.6mph southbound). The proposed access has also been tracked to demonstrate that it can safely accommodate the Council's standard refuse vehicle and passing vehicles. The proposed entrance arrangements are considered to accord with Local Plan Policy INF4.

Parking

The indicative layout submitted with the application shows that a total of 161 allocated parking spaces and 15 visitor designated spaces could be incorporated into the development proposal. This would equate to more than 2 spaces per dwelling. Whilst final parking arrangements will be agreed as part of a subsequent Reserved Matters application, it is considered that it has been demonstrated that the site can accommodate an appropriate level of car parking in accordance with the requirements of Local Plan Policy INF5. The proposed development can be undertaken without causing displacement parking along Evenlode Road.

Local Concerns

The concerns of local residents regarding traffic congestion and the capacity of Evenlode Road to accommodate the proposed development are noted. In response, it is evident that existing on-street parking along sections of Evenlode Road to the north of the application site reduces the width of the road to a single carriageway in places. At present, motorists often have to stop to allow oncoming vehicles to pass. Notwithstanding this, due to the position of dropped kerbs along the road and gaps between parked vehicles there are spaces available along the length of the road which enables motorists to pull over. As part of the TA, a 'drive-time' survey of the time taken for vehicles to drive along a 499m section of Evenlode Road was undertaken. The survey indicates that existing on street parking results in delay of between 4 and 10 seconds in comparison to unimpeded vehicles travelling along the road at 20mph. The existing on-street parking is considered not to cause significant delays for road users. In addition, accident data from the last 5 years indicates that there has been no recorded personal injury accidents within the vicinity of the application site. There is no evidence to indicate that there is an existing highway safety issue along Evenlode Road.

The ATC data submitted by the applicant, combined with the predicted trip generation data accepted by GCC Highway Officers, indicates that the proposed development will generate 31 and 28 two way vehicles movements along Evenlode Road during the AM and PM peak periods. The additional movements are considered not to result in a significant increase in vehicle movements along the aforementioned road or to have an unacceptable adverse impact on congestion or highway safety. Gloucestershire County Council Highway Officers raise no objection to the application.

A number of objectors have made reference to the creation of access through the employment site/water treatment works to the north/east. The aforementioned land is not in the control of the applicant and there are existing buildings and structures which prevent the creation of a link to the A44 other than that now proposed via Evenlode Road.

Overall, it is considered that the proposed development can be undertaken without having an adverse impact on highway safety or the operation of the local highway network. The proposal is considered to accord with Local Plan Policies INF3, INF4 and INF5 and guidance in Section 9 of the NPPF. In particular, the proposal is considered not to conflict with paragraph 109 which states that 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

(e) Impact on Residential Amenity

Page 33 of 122

The application site is bordered to the south by a Gloucestershire County Council Highway depot. An employment estate (Cotswold Business Village) is located to the north east of the application site and a Thames Water treatment works to its east.

The applicant has submitted a Noise Impact Assessment (NIA) with the application. An Odour Constraints Assessment (OCA) was also commissioned by this Council as part of the preparation of the Local Plan.

With regard to noise, the NIA states:

'The main sources of noise are Evenlode Road to the West, the industrial units to the North East and the Highways depot to the South West. Due to the different noise types and relevant assessments separate noise maps have been generated to determine the affected area and the required outline noise mitigation measures for each noise source based on an open site.

Noise criteria have been proposed for dwellings that fall within any of the areas identified (with development) to be impacted by environmental noise.

With suitable acoustic design of the site and building fabric the noise environment will be suitable for residential accommodation and not have an adverse impact on future residents or existing operations.'

In addition to the above, the indicative layout shows the creation of landscape/storm water attenuation basin adjacent to the County Council depot. The application site therefore has sufficient space to provide a buffer between new housing and the depot. The Council's Environmental Regulatory Services Team considers the findings of the assessment to be acceptable and raises no objection to the application subject to a condition requiring internal and external ambient noise levels to be meet British Standard 8233:2014.

With regard to odour, the OCA assessed odour dispersal from the treatment works. The OCA states that the predicted effect is 'not significant' for the allocation site, in accordance with the Institute of Air Quality Management (IAQM) guidance. The treatment works is also located to the east of the application site. Prevailing wind will direct odour away from the proposed development. Environmental Health Officers are satisfied with the findings of the OCA and raise no objection on odour grounds.

The application is considered to accord with Local Plan Policy EN15 and guidance in Section 15 of the NPPF.

With regard to residential amenity, it is considered that the indicative layout demonstrates that the proposed level of housing can be accommodated on the site without resulting in an unacceptable level of privacy, light or outdoor amenity space for future residents of the proposed development or residents of existing dwellings.

(f) Flooding and Drainage

The application site is located in a Flood Zone 1 which is the lowest designation of Flood Zone. The erection of residential development on such land is considered to be acceptable in principle. The application site is located approximately 200m to the east of the River Evenlode which is classed as a Main River by the Environment Agency.

The applicant has submitted a Flood Risk Assessment (FRA) with the application. The FRA states 'Preliminary site infiltration tests have been carried out and these indicate that a combination of shallow infiltration and attenuation storage will be a viable means of stormwater management for the site'. A stormwater attenuation basin is proposed in the southern part of the application site adjacent to the County Council depot. Swales are proposed to route the surface water from new properties and the highway to the aforementioned attenuation area. The outlet control from the attenuation basin will incorporate a headwall with grate leading to a flow control chamber and hydrobrake. Outflows from the basin will discharge to an existing watercourse southwest of the site on the western side of Evenlode Road. Outflows will be no greater than existing greenfield rates plus an allowance for climate change. The applicant states that the proposed development will accord with Sustainable Drainage principles.

With regard to disposal of foul water, the FRA states that 'Foul drainage will be collected in a new gravity network then discharged to the public sewer system via a pumping station.'

This application has been assessed by Gloucestershire County Council in their role as Lead Local Flood Authority (LLFA). The LLFA considers that the proposed drainage measures are acceptable in principle and raises no objection to the application. The proposal is considered to accord with Local Plan Policy EN14 and guidance in Section 14 of the NPPF.

9. Other Matters

With regard to archaeology, the applicant commissioned a field evaluation prior to the submission of this application. Gloucestershire County Council Archaeology has assessed the evaluation and states:

'The archaeological evaluation comprised the excavation of 24 trial-trenches placed to investigate ground anomalies predicted by the geophysical survey, and also placed to test areas where no such anomalies could be found. The result of the investigation was positive in that investigation revealed an extensive arrangement of enclosures delineated by boundary ditches located in the northern part of the site. Associated features included a number of pits and three hearths or ovens. Finds of pottery and a shale bracelet indicates that the enclosures date to the Middle - Late Iron Age, and the enclosures are thought to represent several phases of later prehistoric settlement.

It is clear from the results of the evaluation that the archaeological remains are not of the first order of preservation, since they have undergone erosion from ploughing and later small-scale mineral extraction, with the result that all surfaces associated with the remains have been destroyed. For that reason it is my view that the archaeological remains are not of the highest significance, so meriting preservation in situ.'

Gloucestershire County Council Archaeology raises no objection to the application subject to a condition requiring the completion of a programme of archaeological work in accordance with a written scheme of investigation.

With regard to listed buildings, the spire of the Grade II listed St David's Church is visible from the application site. The church is located approximately 640m to the west of the application site. It can be seen from the existing Right of Way extending across the site. The allotments to the west of Evenlode Road lie in the foreground of the church. The retention of the route of the Right of Way, as shown on the indicative layout plan, will allow for views of the church to be retained from within the proposed development. In light of the distance between the site and the heritage asset, and the existing foreground of allotments and post war housing, it is considered that the proposal will not have an adverse impact on the setting of the listed church having regard to S66(1) of Planning (Listed Building and Conservation Areas) Act 1990, Local Plan Policy 10 and Section 16 of the NPPF.

With regard to protected species, the applicant has submitted an Ecological Appraisal (EA) with the application. The EA states that 'The site is a single large arable field. Aerial photographs indicate that it has until recently been intensively managed but at the time of the survey the field had been left uncultivated and had been mostly colonised by a mix of annual and perennial plant species along with former crops, leaving a few areas of bare ground.' The northern, western and part of the southern boundary of the site are defined by species poor hedgerows. The eastern boundary of the site and part of its southern boundary are open. Whilst the hedgerows qualify as a priority habitat they are considered unlikely to qualify as important under the Hedgerow Regulations 1997 in terms of their ecological value. With regard to bats, the EA states that the 'The site generally provides poor foraging and commuting habitats for bats. The majority of the hedges are low and do not create the sheltered conditions for invertebrate to gather and provide prey for bats'. Ground nesting birds were found to be absent from the site and the site has negligible potential for reptiles or amphibians. The EA states 'Overall the vegetative habitats on site are common habitats, which are of low to moderate ecological value in terms of their vegetation.' A condition can be attached to a permission requiring tree and hedgerow protection measures to be put in place prior to the commencement of development. This will ensure that the

roadside hedgerow, in particular, is protected during the course of development. The site is also of sufficient size to enable a sufficient buffer zone to be created between the existing boundary hedgerows and new development. Additional native species hedgerow planting can also be introduced along the southern and eastern boundaries of the site to provide ecological enhancements. The creation of storm water attenuation ponds will also increase the biodiversity of the site. Overall, it is considered that the proposed development could be undertaken without having an adverse impact on protected species or their habitat in accordance with Local Plan Policy EN8.

With regard to the loss of agricultural land, the area alongside Evenlode Road is identified on the historic 1:250,000 scale Agricultural Land Classification Map South West Region as falling into the Grade 2 category. However, it is of note that a disclaimer is attached to the maps which states 'These maps are not sufficiently accurate for use in assessment of individual fields or sites and any enlargement could be misleading'. The aforementioned map can therefore only be used to provide a general guide as to the quality of agricultural land in the local area rather than as a site specific guide to land quality. Notwithstanding this, it is evident that the application area has been identified as being of a high agricultural land quality. The site is therefore considered to be located in an area which falls into the best and most versatile agricultural land category. In respect of such land, Paragraph 170 (b) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by 'recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland'. In the case of this particular parcel of land, it is noted that the site is relatively modest in size and that its productive capacity is also restricted by a Public Right of Way which extends across the site. The site is also allocated for residential development in the Local Plan. In light of these factors, it is considered that the agricultural use of the existing site has limited economic or other benefits and that the proposal will not result in the loss of a significant area of agricultural land. It is considered that the proposal does not conflict with guidance in paragraph 170(b) of the NPPF.

With regard to financial contributions, the Council formally introduced a Community Infrastructure Levy (CIL) on the 1st June 2019. The chargeable rate for qualifying dwellings will be £80 per square metre. Contributions from CIL will be used to fund highway infrastructure improvements in Moreton-in-Marsh and the provision of education infrastructure at Chipping Campden School. Gloucestershire County Council is also requesting S106 contributions towards pre-school and primary school education and library services which fall outside the scope of CIL. The requested contributions are £70,730, £260,245 and £13,132 respectively. The requested contributions are considered to be directly related to the proposed development, necessary to make the development acceptable in planning terms and fairly and reasonably related in scale and kind to the proposed development. The contributions are considered to accord with paragraph 122 of the Community Infrastructure Levy Regulations 2010.

In response to the request from Moreton-in-Marsh Town Council for a S106 contribution towards various works in the town, it must be noted that the Town Council will be able to claim 15% of CIL monies received from the proposed development to spend on infrastructure/services within the town. The financial contributions requested by the Town Council can therefore be addressed through CIL rather than the S106 process.

9. Conclusion:

Overall, it is considered that the submitted details demonstrate that the application site can be developed for a residential development of the size proposed without having an adverse impact on the character or appearance of the SLA, drainage, residential amenity, biodiversity or archaeology. It is also considered that it has been reasonably demonstrated that the development can be undertaken without having an adverse impact on highway safety or the operation of the local highway network. Whilst the concerns of local residents regarding traffic generation are noted, the technical data submitted with the application demonstrates that the proposed development will not have an unacceptable highway impact. Gloucestershire County Council Highway Officers raise no objection to the application. It is therefore recommended that the application is granted permission subject to the completion of a S106 legal agreement/Unilateral

Undertakings covering the provision of affordable and self-build housing and contributions towards pre-school and primary education infrastructure and library services.

10. Proposed conditions:

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

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

The development shall be started by 2 years from the date that the last of the reserved matters is approved.

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

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

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

This decision relates to the land outlined in red on drawing and the access details shown on drawing 16.20.040/PL001 and the access details shown on drawing 16.20.040/PL004.

Reason: For purposes of clarity and for the avoidance of doubt.

No works shall commence on site until the proposed access off Evenlode Road including the new footway connection to the north has been provided in accordance with drawing no. 16.20.040/PL004, with the first 20m of the access road surfaced in a bound material and the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m Northbound and 50m Southbound (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and retained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with Local Plan Policy INF4 and Section 9 of the National Planning Policy Framework.

Prior to the first occupation of the development hereby permitted, a Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority, setting out:

- i. objectives and targets for promoting sustainable travel;
- ii. appointment and funding of a travel plan coordinator;
- iii. details of an annual monitoring and review process;
- iv. means of funding of the travel plan, and;
- v. an implementation timetable including the responsible body for each action.

The approved Travel Plan shall be implemented fully in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The development will generate additional traffic movements and to ensure that the appropriate opportunities to promote sustainable transport modes are taken up in accordance with Local Plan Policy INF3 and Section 9 of the National Planning Policy Framework.

The development hereby permitted shall not be occupied until a tactile pedestrian crossing at the junction of Wellington Road and Evenlode Road has been completed fully in accordance with details first agreed in writing by the Local Planning Authority.

Reason: To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with Local Plan Policies INF3 and INF4 and guidance in Section 9 of the National Planning Policy Framework.

No building on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people in accordance with Local Plan Policy INF4 and Section 9 of the National Planning Policy Framework.

Prior to first occupation of any dwelling hereby approved, details shall be submitted to, and agreed in writing by the Local Planning Authority, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided in accordance with the approved details.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to access and tackle any property fire in accordance with Section 9 of the National Planning Policy Framework.

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

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with Local Plan Policies INF3 and INF4 and Section 9 of the National Planning Policy Framework.

Prior to the commencement of development, a Construction Method Statement (CMS) shall be submitted to and agreed in writing by the Local Planning Authority. The CMS shall include the following details:

- i. parking of vehicles for site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. provision and use of wheel washing facilities;
- v. provision of a construction vehicle routing strategy;

vi) hours of construction.

The development shall be undertaken fully in accordance with the agreed CMS.

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with Local Plan Policy INF4 and guidance in Section 9 of the National Planning Policy Framework.

Prior to the first occupation of the development hereby permitted, details of facilities to enable the charging of plug-in and other ultra-low emission vehicles, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided fully in accordance with the approved details and timetable.

Reason: To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles in accordance with Local Plan Policy INF3 and guidance in Section 9 of the National Planning Policy Framework.

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

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

Prior to the commencement of any works on site (including demolition and site clearance), a Hedgerow and Tree Protection Plan (HTPP) shall be submitted to and approved in writing by the Local Planning Authority.

The HTPP shall be a scaled drawing prepared by an arboriculturalist showing the finalised layout proposals, tree retention, tree/landscape protection measures and Construction Exclusion Zones (CEZs) - all in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - recommendations'.

Tree protection measures shown on the HTPP must be put in place prior to the commencement of any works on site (including demolition and site clearance) and shall not be removed without the written approval of the Local Planning Authority.

Fires on sites should be avoided if possible. Where they are unavoidable, they should not be lit in a position where heat could affect foliage or branches. The potential size of the fire and the wind direction should be taken into account when determining its location, and it should be attended at all times until safe enough to leave. Existing ground levels must remain the same within CEZs and no building materials or surplus soil shall be stored therein. All service runs shall fall outside CEZs unless otherwise approved by the Local Planning Authority.

Reason: To safeguard the retained/protected tree(s) in accordance with Cotswold District Local Plan Policy EN7. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could have an adverse impact on the well-being of existing trees.

Prior to the commencement of development a surface water drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority. The information submitted shall be in accordance with the principles set out in the Flood Risk & Drainage Statement Project Number 1389 October 25th 2018 unless otherwise agreed in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The SuDS Manual, CIRIA C753 (or any subsequent version), and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be undertaken fully in accordance with the agreed details prior to the first occupation of the development hereby approved unless an alternative timeframe is first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution for the lifetime of the development in accordance with Local Plan Policy EN14. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for flooding and drainage in the locality.

No dwelling hereby approved shall be occupied until confirmation has been provided that either:- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents

Prior to the erection of any external walls at the development hereby permitted, a scheme to protect the proposed development from noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the indoor ambient noise levels in living rooms and bedrooms meet the standards in BS 8233:2014 for the appropriate time period and that the external noise criteria of B8233:2014 is achieved as far as practically feasible.

No dwelling hereby approved shall be occupied until the measures agreed for that respective dwelling have been completed fully in accordance with the details approved by this condition.

Reason: In order to ensure that future residents are not subject to an unacceptable level of noise disturbance having regard to the proximity of the application site to a highway depot and an industrial estate and in accordance with Local Plan Policy EN15.

Informatives:

[Page 40 of 122](#)

The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality; however pollution control is the responsibility of the Environment Agency

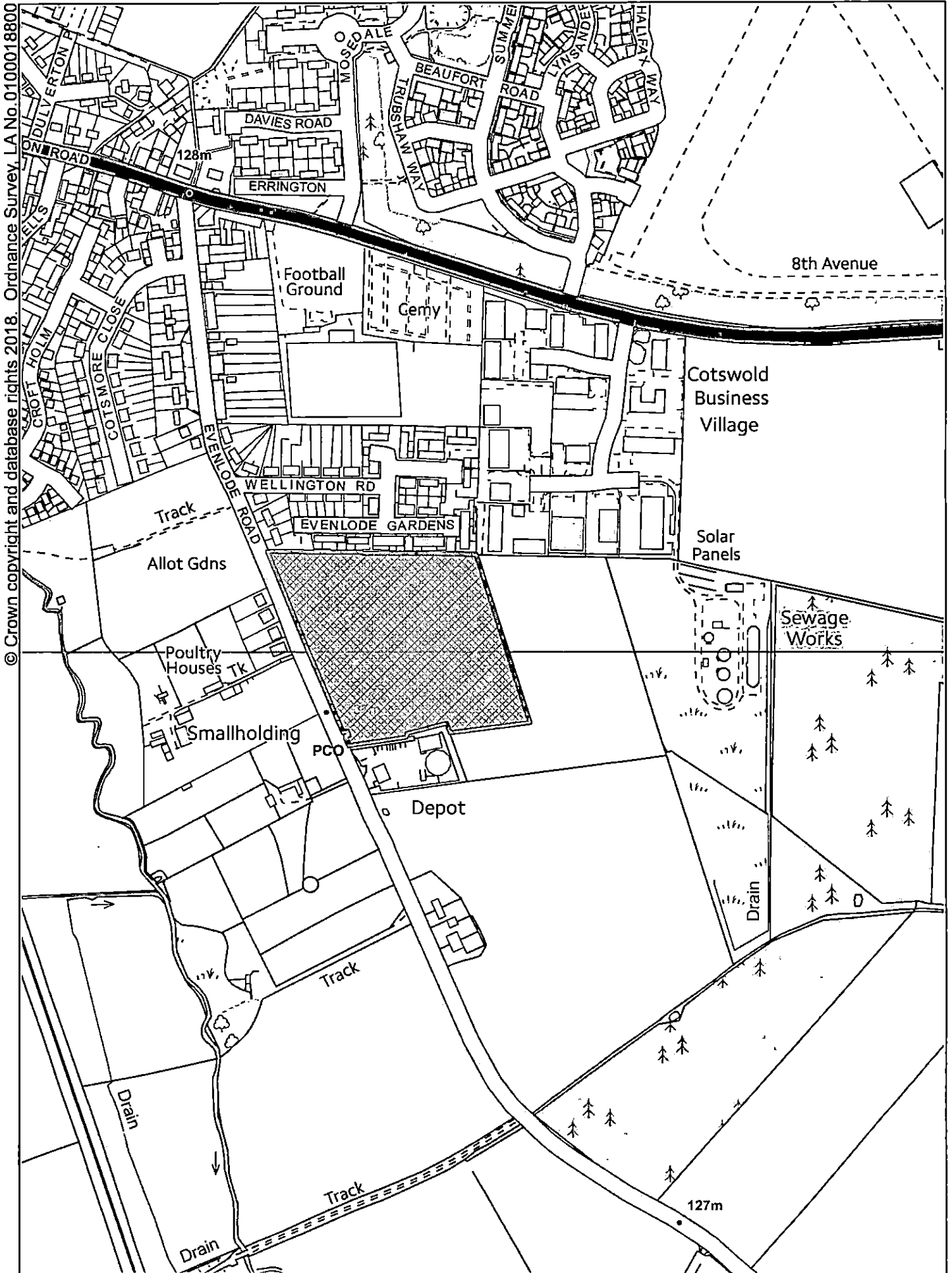
Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field

The applicant is advised that to discharge Condition 10 that the Local Planning Authority requires a copy of a completed dedication agreement between the applicant and the Local Highway Authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

The site is traversed by a Public Right of Way (HMM10) and this permission does not authorise additional use by motor vehicles, or obstruction, or diversion.



© Crown copyright and database rights 2018. Ordnance Survey, LA No. 0100018800

LAND TO EAST OF EVENLODE ROAD MORETON IN MARSH Scale: 1:5000

Organisation: Cotswold District Council

Department:

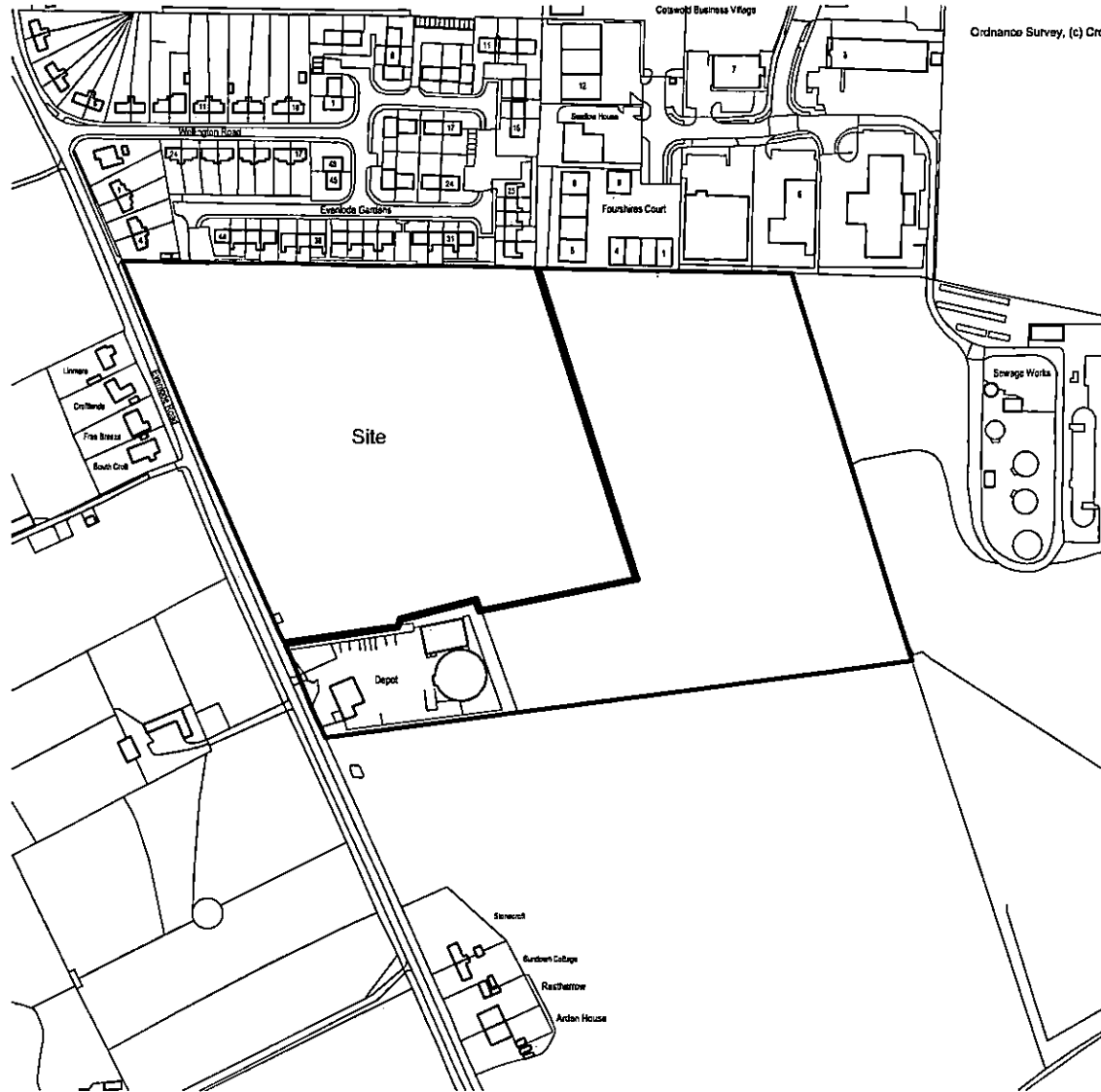
Date: 31/05/2019



COTSWOLD
DISTRICT COUNCIL

Page 42 of 122





Ordnance Survey, (c) Crown Copyright. All rights reserved. Licence number 100022432

35

19/08/2018



coombes : everitt architects limited
 105-107 Bath Road
 Cheltenham
 Gloucestershire
 GL53 7LE

t: 01242 807727 f: 0845 5575833
 e: info@ce-architects.co.uk
 www.ce-architects.co.uk

- Preliminary
- Feasibility
- Planning
- Building Regulations
- Tender
- Construction issue
- As Built



1. This drawing and content is copyright © of coombes : everitt architects limited and should not be copied without their prior written consent.
2. Do not scale drawing. all dimensions to be checked on site prior to construction and any discrepancies reported to contract administrator.
3. Do not use this drawing for setting out unless drawing specifically indicates setting out points.
4. Engineering information is indicative only and should be taken from structural engineers design.

Drawing title: Site Location Plan

Client: Gloucestershire County Council

Drawn by: AH Checked: JE

Project No: 16.20.040

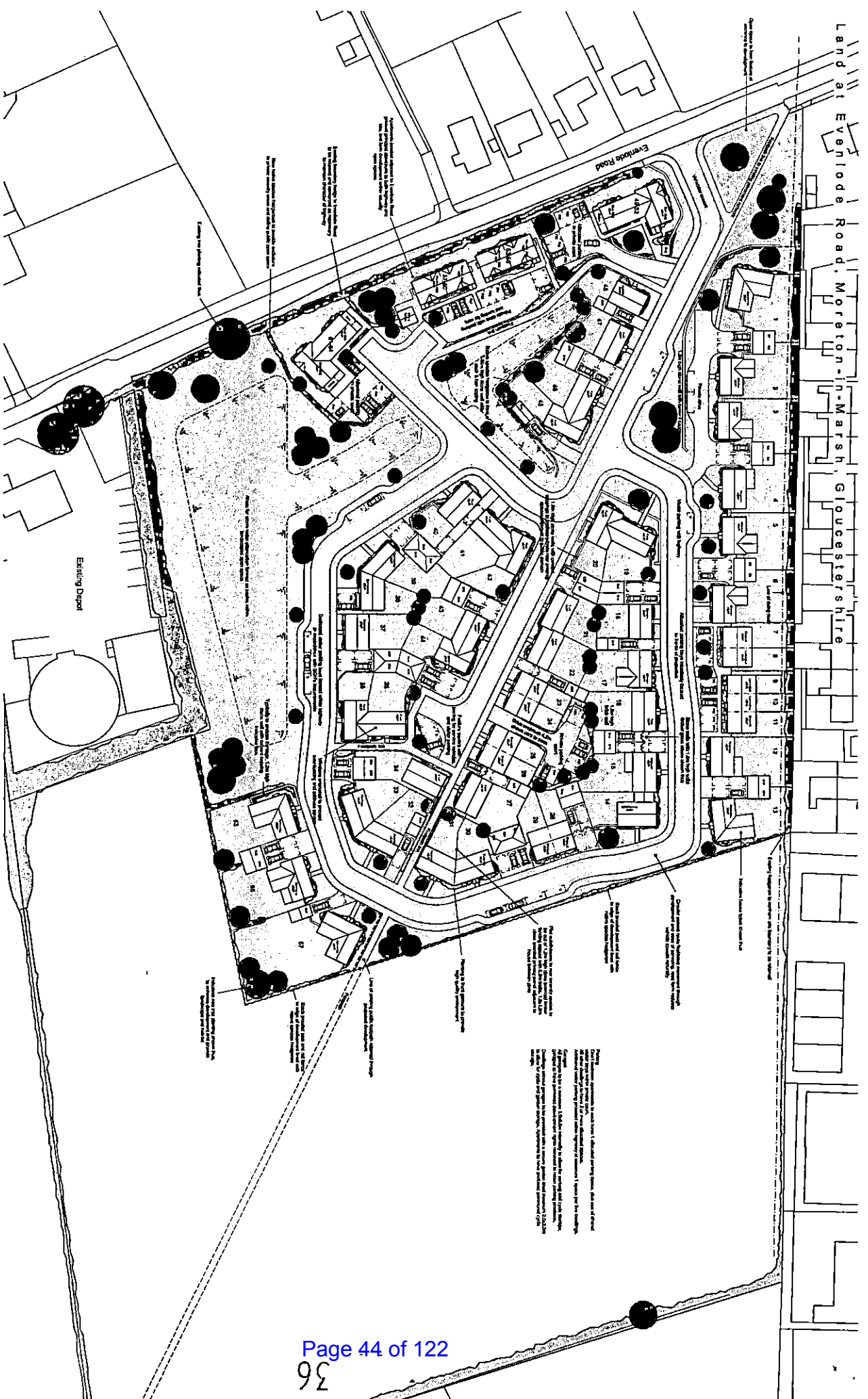
Project: Land at Evenlode Road, Moreton-in-Marsh, Gloucestershire

Scale: 1:2500 @ A3

Date: August 2018

Project / Drawing No: 16.20.040 / PL001

coombes : everitt architects



coombes : event architects limited
 105-107 Bath Road
 Cheltenham
 Gloucestershire
 GL53 7LE
 t: 01242 807727 e: 01242 557533
 e: info@coombes.co.uk
 www.coombes.co.uk

- Preliminary
- Feasibility
- Planning
- Building Regulations
- Tender
- Construction Issue
- As Built

RIBA
 1. The Architect certifies that this is a true and correct copy of the original drawing as issued to the client.
 2. The Architect certifies that this is a true and correct copy of the original drawing as issued to the client.
 3. The Architect certifies that this is a true and correct copy of the original drawing as issued to the client.
 4. The Architect certifies that this is a true and correct copy of the original drawing as issued to the client.
 5. The Architect certifies that this is a true and correct copy of the original drawing as issued to the client.

Drawing Title: Indicative Proposed Site
 Client: Gloucestershire County Council
 Drawn by: AJ1 Checked: JE
 Project: Land at Evenlode Road, Gloucestershire
 Scale: 1:200 @ A1
 Date: August 2018
 Project / Drawing No: 1620/040 / P1.004

19/0208/040/2



Highways Development Management

Shire Hall
 Gloucester
 GL1 2TH

Martin Perks
 Cotswold District Council
 Trinity Road
 Cirencester
 Gloucestershire
 GL7 1PX

email: jose.nunesdossantos@gloucestershire.gov.uk

Please ask for: Jose Nunes dos Santos

Our Ref: C/2019/042220

Your Ref: 19/00086/OUT

Date: 24 April 2019

Dear Martin Perks,

TOWN AND COUNTRY PLANNING ACT 1990 HIGHWAY RECOMMENDATION

LOCATION: Land To East Of Evenlode Road Moreton-In-Marsh Gloucestershire

PROPOSED: Erection of up to 67 dwellings, open space, and landscaping (Outline application)

I refer to the above application received in my department on the 25th January 2019 submitted with application form, transport assessment (parts 1, 2, 3, 4, 5 and 6), site location plan ref 16.20.040/PL001, indicative proposed site layout ref 16.20.040/PL004, indicative proposed block plan ref 16.20.040/PL003, planning statement and design & access assessment.

Proposed Development

The proposed encompasses the erection of up to 67 dwellings, open space, and landscaping (Outline application) at Land to east of Evenlode Road Moreton-In-Marsh.

Objections

I note that there have been a number of highway objections regarding the potential highway impact of the proposed development, in addition to the intensification of existing activities affecting the highway movements and road safety on Evenlode Road, which comprise the additional provision of parking along Evenlode Road, and restricting the parking on both sides of the same road.

Planning Policy

For the avoidance of doubt this assessment has been undertaken in compliance with national and local planning policies which include the Cotswold District Local Plan 2011-2031. It is noted this site comprises the principle of allocation for a housing development of 63no. dwellings (M_12A) under Policy S18 of the CDLP 2011-2031.

Existing Site Conditions Accessibility

1.1 Public Transport provision

1.1.1 Bus services

The closest bus stops to the site with services in both directions (westbound and eastbound) are located approximately 400m north of the site access close to the Evenlode road T-junction with London Road (an approximate 5 minute walk from the proposed site access).

The services that can be accessed from the bus stop are summarised below:

Bus service at Wellington Inn					
Service no.	Route	Frequency			
		Mon-Fri	Sat	Sun	
V22	Oddington – Chipping Norton	1 per day (on Tuesdays only)	No Service	No Service	
V26	Oddington – Sainsbury's	1 per day (on Mondays)	No Service	No Service	
801	Moreton-in-Marsh - Cheltenham	11 per day	11 per day	No Service	

1.1.2 Rail services

The closest railway station to the site is Moreton-in-Marsh Railway Station, accessible by a 14 minute walk, four minute cycle ride or a nine minute bus journey via the 801 bus service. The station comprises 16no. bicycle parking stands and 137no. fee-payable car parking spaces.

Key destinations services are outlined below:

Rail services from Moreton-in-Marsh station to key destinations		
Destination	Approx. no. trains per hour*	Journey time (mins)
Oxford	2	40

Worcester	1	45
London	2	105
Banbury	2	80

*During 0700 – 0900 weekdays

1.2 Access to sustainable transport modes

1.2.1 Access by foot

There is an existing public footpath that runs diagonally across the centre of the site (ref HMM10) which can be accessed via the site access, located on the north-west boundary of the site. Approximately 20 metres from the site entrance gate is a formal pedestrian footway along the eastern side of Evenlode Road which continues towards the T-junction with London Road. The footway is approximately 1.8m wide with existing street lighting.

There will be new footways at the site access leading into the development and various segregated footpath links within the site. The existing Public Rights of Way (PROW) through the site is to be retained with crossing points that meet the roads within the proposed development, providing a safe environment for pedestrians.

A new 2.0m wide section of footway will be provided to the north of the proposed site access to link the site with the existing provision on the eastern side of Evenlode Road from the point at which it currently ends (connecting the PROW). Footpath links are proposed to connect the existing footway network running through the site from north-west to south-east, providing an enhanced connection of pedestrian routes throughout the development.

Dropped kerbs on both side of the Evenlode Road T-junction side road crossing with Wellington Road

Ensuring that there are dropped kerbs with tactile paving on both sides of the Evenlode Road T-junction with Wellington Road will provide an enhanced crossing facility for pedestrians travelling on the eastern side on Evenlode Road, particularly those with prams/wheelchairs. It is considered appropriate to provide dropped kerbs with tactile paving at this junction as the footway directly connects to the site access point.

1.2.2 Access by cycle

There are limited formal cycle facilities available in the vicinity of the site however traffic volumes and collision data records indicates that there are no pre-existing safety concerns. Evenlode Road is designated as an on-road route on the National Cycle Network (NCN), which heads towards Moreton-in-Marsh railway station, located approximately 1.1km north-west of the proposed site access which is accessible via a 4 minute cycle journey. The route also runs close to the town centre High Street.

Overall, and in accordance with the 'Walking, cycling and Horse Riding Assessment Review' (WCHRA) set in the submitted TA, local facilities are generally easily accessible by pedestrians

and cyclists. With particular reference to vulnerable pedestrians, the majority of the footways on key routes are typically between 1.5m and 2.0m wide which provides appropriate width to allow a pedestrian to walk side by side with a pushchair or a wheelchair user. Thus, the site can be deemed sustainable in terms of appropriate connections to key local services.

1.3 Access and visibility splays details

Access to the development will be made through Evenlode Road, a class 3 highway subject to a sign posted limit of 30mph. There is a pre-existing gate located at a north-western point of the site from Evenlode Road which connects to the existing PROW footpath and a gate located on a southern section of the above mentioned which could promote the principle of usage for vehicular access, however it is noted such matter is not stated in the submitted Transport Assessment. Further to the ATC count report, the acquired 85th %ile speeds were subject to 32.3mph Northbound and 33.6mph Southbound. These speeds correspond to 50m and 54m respectively. In accordance with the submitted drawing GL5026M-002 (Appendix G) attached to the TA, these splays distances can be accommodated at the site access point and I consider that this can be secured by an appropriately worded planning condition.

Trip generation

Further to section 5.4 of the TA submitted with this application, the proposed trip rates for the site have been revised and updated as to reflect the location of the site and the type and tenure of dwellings that will be provided. The use of TRICS data to calculate the potential trip generation of a site is in line with industry best practice. In addition the sites used in the assessment (Wellington Road and Fosseway Avenue residential developments) have been picked to reflect the nature and locality of the proposed development. (As both of these residential developments only have one single point of access and are not through routes it can be concluded that all vehicle movements recorded are associated with those living at or visiting the developments. Based on a desktop review it has been calculated that Wellington Road provides access to 60 units with Fosseway Avenue providing access to approximately 248 units).

Residential Development Donor Site Comparison Vehicle Trip Rate						
	AM Peak (08:00 – 09:00)			PM Peak (17:00 – 18:00)		
	Arrival	Departure	Two way	Arrival	Departure	Two way
Wellington Road Approx. 60 units	0.167	0.317	0.483	0.333	0.250	0.583
Fosseway Eve Approx. 248 units	0.093	0.282	0.375	0.286	0.145	0.431

Proposed Residential Development Person and Vehicle Trip Rate									
	AM peak (08:00 – 09:00)			PM peak (17:00 – 18:00)			Daily		
	Arrival	Departure	Two way	Arrival	Departure	Two way	Arrival	Departure	Two way
Person Trip Rate (per dwelling)	0.224	0.739	0.963	0.532	0.233	0.765	0.756	0.972	1.728
Person Trips (67 units)*	15	50	65	36	16	51	51	65	116
Vehicle Trip Rate (per dwelling)	0.125	0.342	0.467	0.288	0.124	0.412	0.413	0.466	0.879
Vehicle Trips (67 dwellings)*	8	23	31	19	8	28	28	31	59

*Due to rounding, two way total may not equal arrivals plus departures

The proposed trip rates for the development which have been calculated using the TRICS trip rate database are broadly consistent with those calculated by the two local donor sites. As such, it is considered that they are appropriate to inform the impact assessment undertaken within the submitted TA.

Assignment and distribution

The likely route that the development traffic will take from the site has been calculated using 2011 Census Journey to Work data with route choice calculated using the Google Maps route planning facility. This is considered to be industry best practice and is in line with recommendations from the Highways Authority.

The proposal is perceived to lead to a net increase of 31 and 28 two-way movements through the A44 London Road junction during the morning and evening peak hours respectively. Traffic is perceived to disperse at the junction point of London Road with Evenlode Road at a rate of 86% and 14% towards London Road West (which is then divided into 49% heading towards the A429 High Street South and 37% heading towards A429 High Street North) and London Road East respectively.

Capacity assessment

I note that TEMpro has been used in order to calculate the background traffic growth; however this should have been adjusted given the level of committed development in Moreton, which could result in higher flows comparison. No capacity assessment has been included in the supporting information; however the Highways Authority is aware of the impact of this development through the transport evidence base supporting the Local Plan.

A Junction Capacity Assessment has been commissioned by Cotswold District Council (CDC) to form part of the Local Plan 2011 – 2031 evidence base and to inform the Infrastructure Development Plan. The report considers the development impact on the principal network within the Cotswold District and identifies mitigation measures required to accommodate the level of development incorporated in the Local Plan.

Moreton-in-Marsh has been identified to accommodate an Employment site area of 9.16ha and an additional 208 dwellings, on which the proposed development falls under association. A429 (Roman Road)/ A44 (Oxford Street) and A429 (Roman Road)/A44 (Bourton Road) junctions are currently operating within capacity in accordance with Existing 2014 Traffic identified in the Cotswold Local Plan Highway Capacity Assessment (CLPHCA). The level of delay and queuing in both peaks periods is projected to increase as a result of the Local Plan development traffic. This results in the junctions operating near to capacity with Forecast 2031 and over capacity with Forecast 2031 and Preferred Development Traffic and with Forecast 2031, Preferred Development and Reserved Development Traffic scenarios as followed:

Junction Name	AM Peaks (08:00 – 09:00)			
	Impact of Committed Development (%)	Impact of Preferred Development (%)	Impact of Committed Development + Preferred Development (%)	Impact of Preferred Development + Reserved Development (%)
A429 (Roman Road)/A44 (Oxford Street)	24.2%	51.2%	62.3%	46.4%
A429 (Roman Road)/A44 (Bourton Road)	26.4%	51.4%	65.5%	48.5%

Junction Name	PM Peaks (17:00 – 18:00)			
	Impact of Committed Development (%)	Impact of Preferred Development (%)	Impact of Committed Development + Preferred Development (%)	Impact of Preferred Development + Reserved Development (%)
A429 (Roman Road)/A44 (Oxford Street)	25.3%	44.0%	57.8%	41.6%
A429 (Roman Road)/A44 (Bourton Road)	26.7%	42.9%	59.2%	42.4%

Cotswold Local Plan Highway Capacity Assessment Revised Report – October 2017

I note that as a result of the Revised Preferred Development (from April 2016 subject to 7.13ha employment area and 21 dwellings to 9.16ha and 208 respectively in October 2017) the development impact has increased at these junctions and the Committed Development + Preferred Development 2031 scenario will further exceed the capacity identified in 2016 (as per bellow table). Given that this junction already required mitigation, this scenario has not been reassessed in 2017.

Junction Name	AM Peak (08:00 – 09:00)			
	Existing Capacity	Com Dev Capacity 2031	Com Dev + Pref Dev 2031	Com Dev + Pref Dev + Res Dev 2031
	RFC unless stated/DoS = Degree of Saturation			
A429 (Roman Road)/A44 (Oxford Street)	0.74	0.96	1.15	1.24
A429 (Roman Road)/A44 (Bourton Road)	0.66	0.82	1.45	1.53

Junction Name	PM Peak (17:00 – 18:00)			
	Existing Capacity	Com Dev Capacity 2031	Com Dev + Pref Dev 2031	Com Dev + Pref Dev + Res Dev 2031
	RFC unless stated/DoS = Degree of Saturation			
A429 (Roman Road)/A44 (Oxford Street)	0.73	0.95	1.42	1.52
A429 (Roman Road)/A44 (Bourton Road)	0.69	0.87	1.02	1.20

Junction Capacity Assessment – April 2016

A junction is typically considered to be approaching capacity when it has a Ratio of Flow to Capacity (RFC) of 0.85 or more.

Budget Estimates have been calculated by Atkins on the premises of request by Cotswold District Council for the required mitigation schemes. The budget estimates include the following costs:

- Site clearance;
- Construction work;
- Traffic management;
- New road signage;
- Main contractor preliminaries (25%);
- Site investigation (1.5%);
- Detailed design (8%); and
- Contingency (20%)

Junction	Estimated Total Cost
A429 (Roman Road)/A44 (Oxford Street)	£870,000
A429 (Roman Road)/A44 (Bourton Road)	

Only a 20% contingency was allowed for and given the lack of detailed design identified from the detailed scheme from April 2016, it would be more appropriate to apply a 43% optimism bias which would bring the figure to £995,280 (April 2016). Assuming an average annual inflation rate of 3.03% this brings the estimated costs to £1,056,561.

The final allocations in the Local Plan were:-

MORETON-IN-MARSH

Allocated housing development sites:

- M_12A Land at Evenlode Road (63 dwellings net)
- M_19A and M_19B Land south east of Fossey Avenue (91 dwellings (net) and 28 dwellings (net))
- M_60 Former Hospital site (21 dwellings net)

Established employment sites:

- Cotswolds Business Park/Village (EES32)
- Fossey Industrial Estate (EES33)

Allocated employment development site:

- MOR_E6 Fire Service College B (7ha) for B1 uses

Although not tested, the trip rates for the proposed 100 private dwellings of Fossey (ref 16/05258/FUL) were 67 vehicle movements in the peak morning period and 65 movements in the peak afternoon period, the allocation is for 119 dwellings, so vehicle movements could be closer to 80 and 77 respectively. The number of vehicle movements predicted to be generated by the proposed 50 sheltered housing units was 10 in the morning and 7 in the afternoon peak periods. The TA assumed a 50/50 split at the site access, so half of the traffic would go to and come from the south of the site and not use either of the junctions. Around 48% of the development traffic would use the A429/Bourton Road junction and 43% use the A429/Oxford Street (London Road) junction. Around 44 vehicles from the site would use A429/Oxford Street (London Road) junction in the morning peak period and 38 during the afternoon peak period.

According to the TA supporting Evenlode Road, the development would put an additional 27 movements on the A429/Oxford Street (London Road) junction in the morning and 23 in the afternoon.

I note the allocated site at the former hospital site (M_60) was granted planning permission (ref 18/02595/FUL) on the 31st August 2018 and no contributions were sought for highway improvements.

It is assumed (from the Local Plan evidence base) that 7ha of B1 employment would have a developable area of around 50% (to allow for access roads, car parking, landscaping, etc.). The assumption is that the offices will have an average of 2 floors:-

7 ha = 70,000 sqm.

Assuming 35,000 sqm developable (50% density), x 2 floors = 70,000 sqm =

210 Departures, 1560 Arrivals AM

1253 Departures, 210 Arrivals PM

The assumption that there would be a 50/50 split at the site access onto London Road, the employment allocation will put an additional 885 vehicles on the junction in the morning and 730 in the afternoon.

Proportional impact would be (based on the average of the 2 peak periods):-

Evenlode Road (GCC)	2.8%	25 movements
Fosseway allocation	4.7%	41 movements
London Road allocation	92.4%	808 movements
Total	100%	874 movements

On this basis that the costs of the improvements will be £1,057,000, the contributions under section 106 would be:-

Evenlode Road (GCC)	£29,596
Fosseway allocation	£49,679
London Road allocation	£976,668

Accident analysis

A review of the accident data from the latest five year period identifies there has been no recorded personal injury accidents within the vicinity of the site on Evenlode Road to evidence that there is an existing highway safety issue that could be exacerbated by the additional development traffic.

Parking

I have given consideration to the various objection comments associated with this application, which underline the existent parking concerns of local residents (high levels of on-street parking, lack of parking provision and traffic flows associated with this proposal).

Gloucestershire County Council has offered the Town Council the support in order to carry out a consultation exercise to determine whether a Traffic Regulation Order (TRO) would be a suitable tool in respect of the traffic flows along Evenlode Road. This offer is not co-related to this application, but a gesture of good will given the local concern that has been raised over parking along Evenlode Road. However it should be noted that if parking restrictions were implemented then the existing parking would be displaced onto another part of the local road network and this would also need to be considered. Although I appreciate the raised concerns in relation to on-street parking on Evenlode Road, there is no recorded data of any accidents which could substantiate a safety concern of the existing arrangements, this matter relates to

inconvenience for future and local residents as informal give-away sections are envisioned to take place. The delay to vehicles that is likely to occur as result of the aforementioned on street parking and development traffic flows is not so significant to justify dependency on a traffic regulation order to prevent the on street parking that currently occurs.

In accordance with section 2 of the TA, it is stated that vehicles are currently 'delayed' by between four and ten seconds over the 499m stretch of Evenlode Road when compared to an unimpeded vehicle travelling at 20mph, which is not significantly material.

With respect to the parking provision and demand associated with the application, the Highways Authority is satisfied that the parking provision is able to accommodate the additional vehicles on site with no necessity of displacement to Evenlode Road. Furthermore, any visitor parking that would be likely to occur as a result of the development proposal can be accommodated within the new estate roads that will form part of future reserved matters applications should the development be granted planning permission.

Illustrative Layout

I note the submitted illustrative layout denotes the level of consideration given to the proposal in relation to the levels of parking and access. Even though such arrangements will be dealt with at a reserved matters stage, the proposed layout is perceived to comprehensively accommodate future parking needs of residents, visitors and secure existing rights of way, and I will secure relatable matters through means of condition.

Travel Plan

The TA enhances the Travel Plan will be provided at the development through measures of management and maintenance from GCC, and further indicative baseline targets will be agreed as part of the outline Travel Plan secured by way of planning obligation or similar agreement. In accordance with Policy 111 of the National Planning Policy Framework, the development which generates significant amount of movements should be required to provide a travel plan, however in accordance with Policy 56 of the same document, the implementation of the same obligation is not perceived necessary to make the development acceptable, therefore the submission and further implementation of the Travel Plan will be secured through condition.

Recommendation:

The highways authority recommends no highway objection to be raised subject to the following conditions and obligations attached to any permission granted:-

Obligations

Obligation Type	Policy Context & other relevant references	Basis of Need	Policy/CIL Compliance
£29,596 A429 (Roman Road)/A44	Paragraph 108 of the Framework.	To improve the operational capacity at the	(a) Necessary to make the development acceptable in

<p>(Oxford Street and A429 (Roman Road)/A44 (Bourton Road) junction improvements</p>	<p>Policy INF4 Cotswold District Local Plan 2011-2031</p>	<p>junction in accordance with the level of committed and preferred development in the Local Plan.</p>	<p>planning terms;</p> <p>Paragraph 108 of the Framework requires for any significant impact from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.</p> <p>(b) Directly related to the development;</p> <p>The Obligation will be used towards operational capacity improvements which relate directly to the proportional impact of the development.</p> <p>(c) Fairly and reasonable related in scale and kind to the development;</p> <p>The Obligation has been supported by an estimate of the cost of works including contingency and the estimated cost of the improvements is not a significant cost taking into consideration the size of the development and the number of potential vehicular trips.</p>
--	---	--	--

Conditions

1. No works shall commence on site until the proposed access off Evenlode Road including the new footway connection to the north has been provided in accordance with plan ref 16.20.040/SK014, with the first 20m of the access road surfaced in a bound material and the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m Northbound and 50m Southbound (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason:- To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

2. Prior to occupation of the development hereby permitted, a Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority, setting out;

- i. objectives and targets for promoting sustainable travel,**
- ii. appointment and funding of a travel plan coordinator,**
- iii. details of an annual monitoring and review process,**
- iv. means of funding of the travel plan, and;**
- v. an implementation timetable including the responsible body for each action.**

The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- The development will generate a significant amount of movement and to ensure that the appropriate opportunities to promote sustainable transport modes are taken up in accordance with paragraphs 108 and 111 of the National Planning Policy Framework.

3. The development hereby permitted shall not be occupied until a tactile pedestrian crossing at Wellington Road and Evenlode Road junction has been completed in accordance with details to be agreed advance by the Local Planning Authority.

Reason: - To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

4. No building on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

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

5. No above ground works shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework.

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

Reason:- To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the NPPF.

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

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraph 108 and 110 the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 127 of the Framework.

8. Throughout the construction period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;**
- ii. loading and unloading of plant and materials;**

iii. storage of plant and materials used in constructing the development;

iv. provide for wheel washing facilities;

v. provide for construction vehicle routing strategy;

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

9. Prior to the occupation of the development hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: - To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

10. The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities have been made available in accordance with details to be submitted to and approved in writing by the LPA.

Reason:- To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

NOTE: The applicant is advised that to discharge condition 7 that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

NOTE: The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

NOTE: For avoidance of doubt the submitted layout plan ref 16.20.040/SK014 has been treated as being for illustrative purposes only.

NOTE: The site is traversed by a public right of way and this permission does not authorise additional use by motor vehicles, or obstruction, or diversion.

NOTE: Should the Local Planning Authority be mindful to grant planning consent after the implementation of the Community Infrastructure Levy, the obligations incorporated within this recommendation may be subject to review, and I would therefore request further consultation on this basis.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

Yours sincerely,

Jose Nunes dos Santos

Technician

Item No 02:-

19/01115/OUT

**Land To Rear Of Ashlar, Coppers & Wyldlands
Broad Campden
Chipping Campden
Gloucestershire
GL55 6UR**

Item No 02:-

Erection of 2 no. dwellings and associated works (Outline application with all matters reserved except access) at Land To Rear Of Ashlar, Coppers And Wyldlands Broad Campden Chipping Campden Gloucestershire GL55 6UR

Outline Application 19/01115/OUT	
Applicant:	Mr & Mrs Yardley
Agent:	Brodie Planning Associates Ltd
Case Officer:	Martin Perks
Ward Member(s):	Councillor Mark Annett Councillor Gina Blomefield
Committee Date:	12th June 2019
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Residential Development in a Non-Principal Settlement
- (b) Affordable Housing
- (c) Impact on Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty
- (d) Access and Highway Safety
- (e) Impact on Residential Amenity
- (f) Impact on Protected Species
- (g) Arboricultural Impact

Reasons for Referral:

This application has been referred to Planning and Licensing Committee at the request of Cllr Annet for the following reason:

' I know the neighbour(s) are not happy with this application and Broad Campden has had a quota of new houses, has no amenities and it looks to me that this development is near open countryside which could set a precedent.'

1. Site Description:

This application relates to an area of garden land lying to the rear of 3 post war dwellings (Ashlar, Wyldlands and Coppers) located on the north western edge of the village of Broad Campden. The application site measures approximately 0.4 hectares in size and is set back approximately 25-35m to the rear of the aforementioned dwellings. The existing gardens to the rear of Wyldlands and Coppers measure approximately 100m long by 16m wide. The garden to the rear of Ashlar measures approximately 80m long by 30m wide. The existing gardens are largely set to grass and are separated from one another by a mix of post and rail/wire fencing, vegetation and walls. The application site is set back approximately 60m from the main road leading through the centre of Broad Campden which lies to the front (north east) of Ashlar, Coppers and Wyldlands.

The south east (side) boundary of the application site adjoins the rear garden of a detached property (Sharcomb Furlong). The boundary is defined by a mix of hedging and trees. The south western boundary of the site adjoins a group of trees and hedging plants with agricultural fields beyond. The north western boundary of the site adjoins a recently completed residential development of 6 dwellings (Pool Farm Close granted under permission 16/03163/FUL). The site boundary adjoins the south eastern boundary of a dwelling (1 Pool Farm Close). The aforementioned dwelling is located approximately 4m from the site boundary which is defined by a post and rail fence. An area of grassland to the front (north west) of 1 Pool Farm Close is set

aside as a wildflower meadow as part of the development granted permission under 16/03163/FUL. The site's boundary with the wildflower meadow measures approximately 35m in length.

The village of Broad Campden is considered to represent a Non-Principal Settlement for the purposes of the Cotswold District Local Plan 2011-2031.

The site is located within the Cotswolds Area of Outstanding Natural Beauty. It is located outside Broad Campden Conservation Area (CA). The boundary of the CA lies approximately 140m to the south east of the site.

The site entrance opens onto a Class C Highway which is subject to a 30mph speed limit.

The site is located within a Flood Zone 1.

A Public Bridleway (HCC35) extends in a north east to south west direction approximately 200-250m to the south east of the site. Public Rights of Way HCC23 and HCC26 are located approximately 260m to the east of the application site.

2. Relevant Planning History:

Application Site

None

Ashlar

CD.2132 Proposed erection of a dwelling house (Outline application). Granted 1957

CD.2132/a Erection of a bungalow. Granted 1958

03/01060/FUL Garage extension on west elevation; erection of porch on north elevation and extension on east elevation. Granted 2003

Wyldlands & Coppers

CD.2692 Outline application for the erection of a dwelling house. Granted 1960

CD.2692/ap Erection of a bungalow and garage. Granted 1961

CD.2962/a Outline application for four houses or bungalows. Refused 1964

CD.2692/b Outline application for one pair of semi-detached houses. Granted 1964

CD.2692/b/ap Pair of semi-bungalows. Granted 1965

Coppers

06/03166/FUL Erection of a garage. Granted 2007

Wyldlands

12/02275/FUL Erection of a two-storey rear extension, a replacement single-storey side extension and a front porch. Granted 2012

Former swimming pool land to north west

CD.5179 Use of 2 acres for residential and touring caravan site Refused May 1972

CD.5179/A Use of 2 acres of land as a touring caravan site Refused May 1972

CD.5179/B Outline application for erection of a toilet block for use in connection with caravan site. Septic tank. Refused May 1972

CD.5179/C Outline application for a toilet block for use in connection with swimming pool. Septic tank. Granted November 1972

CD.5179/D Use of land as a tourist caravan site for 25 caravans. Refused July 1973

CD.5179/E Outline application for a dwelling house Refused February 1975 Dismissed at appeal
December 1975
16/03163/FUL Construction of 6 dwellings. Granted 2017

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
EN5 Cotswold AONB
EN7 Trees, Hedgerows & Woodlands
EN8 Bio & Geo: Features Habitats & Species
INF3 Sustainable Transport
INF4 Highway Safety
INF5 Parking Provision
H1 Housing Mix & Tenure to meet local needs

4. Observations of Consultees:

Tree Officer: No objection - views incorporated in report

Biodiversity Officer: No objection -- views incorporated in report

5. View of Town/Parish Council:

None received

6. Other Representations:

9 objections received.

Main grounds of objection are:

- i) This development will create a precedent to infilling rear gardens in this area of AONB and further applications resulting in ribbon development. There are already sufficient plans approved for new housing with in the area.
- ii) The recent development on the old swimming pool site was allowed through as a 'one-off' and should definitely not be used as an excuse for further development as appears to be the case there.
- iii) The recent development of 10 or 11 houses is sufficient for such a small village.
- iv) If this development is allowed then all that will lie between the (new) building line and the fields behind will be a small copse - making the fields much more vulnerable to possible (major) development.
- v) The development will be seen from the main road through Broad Campden and will give the impression of a much denser residential area, rather than a 'single ribbon' effect.
- vi) The development will encourage a secondary building line to continue across other (current) gardens towards the village's Conservation Area. (As does the disastrous PP granted on the opposite side of the road).
- vii) The development is the start of an 'infill' mentality for Broad Campden - which has blighted many other villages.
- viii) The development in this AONB is neither outstanding, natural nor beautiful.
- ix) Whilst this proposal may be acceptable to the person charged with achieving targets for new homes and those who see an opportunity to benefit from a windfall we would do well to consider the effect of decimating the charms of our treasured Cotswold heritage which are famed throughout the world.

x) Broad Campden and Chipping Campden are separate conurbations and I foresee a point of no return with regard toward 'in-fill' between Catbrook and Broad Campden. The recent development on the old swimming pool has given the green light to other developments. If this development is passed, what is to stop everyone living on the Campden to Broad Campden road developing their gardens? 10 houses, will double to 20! If you pass this application, you have no right to decline others. I very much doubt the new dwellings would be small houses for the young locals which are desperately required and is forcing them to leave the area.

xi) I am in my seventies and sold my home to move permanently to a peaceful spot, free of light pollution and free from being overlooked. This is my only home and I only became aware of the planning application 10 days after moving house. I wish to preserve my amenity and privacy in the same way as the applicant and owners of Wyldlands, and Coppers. The proposed new dwelling behind Wyldlands will be 10m from my home yet 60m from Wyldlands. The front garden of 1 Pool Farm Close (my home) is shown incorrectly on the site plan accompanying the planning application; a wild flower meadow forms major part of the land depicted. Therefore, it should be appreciated that there will be a significant loss to my amenity and impact on my privacy which is not accurately reflected on the plan. With this in mind and in view of my other comments the application should be refused.

xii) It is worryingly close to the conservation area in an attractive village in the AONB. Development along the main road has already had an impact on the quintessential nature of the village and this should not be degraded further.

xiii) The proposed development would be contiguous with the Pool Farm development and may therefore be a precedent for continuing infill ribbon development, further moving the centre of gravity of the village away from its natural position around the pub and church. Whilst acknowledging the national drive for extra housing I feel that this is a poor location in a sensitive site and therefore oppose the application.

xiv) If approved, this development is likely to set a precedent for the practice of 'filling-in' rear garden space with buildings becoming acceptable and would lead to further developments of this kind. These would probably include much larger developments than this one.

xv) The development would increase the traffic on the Chipping Campden to Broad Campden road, thus increasing the noise level that would impact on many homes adjacent to the road. Furthermore, an increase in the traffic will further increase the risk to pedestrians as the pavement between southern part of Catbrook and Broad Campden is in extremely poor condition. In order to avoid the dangers of tripping on sections of the pavement, some pedestrians appear to find it easier and safer to walk on the road rather than the pavement.

xvi) I do not believe Pool Farm Close has set a precedence for future applications as it was developed on a plot that had been previously built on and left derelict for many years. This has ultimately improved and enhanced the area. This application, however, is proposing to build on green space/gardens, therefore, impacting on the AONB, which will inevitably have an impact on the wildlife.

xvii) This development would take away green space in an AONB and would open up the precedent for infilling in other spaces at the rear of properties in Broad Campden and make the main road through the village very busy. Although we are in the new development at Pool Farm this development was built on derelict and previously developed land and therefore has not given precedent for green space to be used.

xviii) I understood that there were very strict planning regulations to protect the open spaces and limit any impact on the character and appearance of the area. Unsurprisingly therefore, I was shocked to learn of this planning application on 5 April just 10 days after completing contracts for the purchase of our home and see that the application was received by the Council on 22 March only 2 days after exchanging contracts on 20 March.

xix) In regard to approval of the Pool Farm Close development the Planning Officer stated that those properties 'have been designed to ensure that the neighbouring amenity would not be impacted upon.' This new proposal will remove the open space and impact upon our amenity and privacy. Planning should therefore be refused

xx) The applicant suggests that the 'recent development at the former swimming pool site..has changed the form of this part of the settlement (as the) development now extends perpendicular to the road...' However, the Pool Farm Close development was built on previously developed land and that site was improved to build homes as stated in the Planning Officer's assessment to 'reflect an agriculture character with blocks arranged in a farm complex.' The result is an

enhancement to the landscape with properties built in the vernacular style fitting well into the landscape of Cotswold AONB. The new proposal will result in a change to the landscape, be unsympathetic to the edge of the village settlement, unnecessarily reduce the amenity of greenland garden space and not be in keeping with the linear pattern established by Ashlar, Coppers and Wyldlands and other properties along the road leading to the centre of Broad Campden from Chipping Campden. The development of homes on the old swimming pool site was effectively a 'one off' on previously developed land. The new proposal therefore does not 'round(s) off this part of the settlement' as suggested on p.20 section 4.22 of the PD&A and the planning application should be refused.

xxi) It should be noted that in regard to the proposed 2 new dwellings that as stated in the Planning, Design & Access Statement p.7 section 2.4 'the properties are set back from Ashlar, Coopers and Wylands, allowing ample amenity space for the existing and proposed dwellings and to prevent overlooking.' However, the distance between the side elevation of my property and the new dwelling is just 10m compared with a distance of 60m between the rear elevation of Wyldlands and the front of the proposed house on plot 2. We will be overlooked and lose our privacy and enjoyment of our amenity.

xxii) The PD&AS p.7 section 2.4 also states that 'the dwellings form a continuation of the building line established by the adjacent development...' The site plan appended to the planning application illustrates the property at plot 2 sited forward of our front elevation/building line. The plan submitted is misleading because it does not show the boundary to our front garden: the greater part of the land in front of 1 Pool Farm Close is a wild flower meadow maintained from contributions from the residents of the Pool Farm development. Our property and the open space across the meadow will be severely affected by the proposal.

xxiii) The landscaping suggested at p.11 sections 2.20 to 2.25 of the PD&AS solely relates to screening the existing properties of Ashlar, Coppers and Wyldlands. However, the open aspect of the grassland and the impact upon the landscape and upon the adjacent 'farmstead' scene with the 'barns' and 'farmhouse' means that the application should be refused to retain the character of the Cotswold AONB.

xxiv) The proposed development does not take account of the landscape setting of the village within the Cotswold ANOB as suggested at p.7 section 2.2 of the PD&AS. The proposal will in fact have the opposite impact and should be refused.

xxv) Pages 8 and 9 section 2.9 of the PD&AS states: 'the site is not readily visible from the Public Right of Way to the south. The principal views of the new development therefore would be from the dwellings immediately adjacent to the site' in particular our property at 1 Pool Farm Close. Indeed, the principal view towards into and onto our house and garden would be from the proposed development and the application should be refused.

xxvi) This proposal will not conserve and enhance the landscape and scenic beauty in an AONB as a requirement in paragraph 172 of the National Planning Policy Framework; in fact if approved the development will have a strong negative impact on the area. That the site already forms residential gardens in my view does not mean that it is not a sensitive site in landscape terms as suggested on p.21 section 4.32 of the PD&AS: there will no longer be an open aspect and the open view towards the thicket on the southern boundary lost forever.

xxvii) The site is within the Cotswold AONB and only 140m from the Broad Campden Conservation Area and the proposal will therefore have an impact on its special character and appearance.

7. Applicant's Supporting Information:

Planning Statement
 Transport Statement
 Arboricultural Survey, Impact Assessment and Tree Protection Plan
 Ecological Appraisal

8. Officer's Assessment:

Proposed Development

This application seeks permission for the erection of 2 detached dwellings and associated works. The applicant is seeking to establish the principle of development on the site and is in Outline form. Matters relating to Access form part of this application. However, other matters relating to Landscaping, Layout, Scale and Appearance have been reserved for later detailed approval. The current layout is purely indicative and intended to demonstrate how the site could accommodate the proposed level of development.

Vehicular access to the proposed dwellings will be via a new entrance onto the main road lying to the north east of the application site. The access will be located between existing residential accesses serving Ashlar to the south east and Coppers to the north west. The proposed access drive will measure approximately 5.2m in width and will extend between the side elevations of Ashlar and Coppers. The proposed drive will be located within the existing domestic curtilage of Ashlar. An attached garage lying to the side of Ashlar will be removed to allow for the creation of the drive. The existing garage extension measures approximately 5.5m in width and was granted permission in 2003. The drive measures approximately 60m in length.

(a) Residential Development in a Non-Principal Settlement

The application site occupies an area of garden land lying to the rear of three residential properties. By virtue of its location on existing garden land and its proximity to existing residential development, the site is considered to be located within the village. The village of Broad Campden is considered to represent a Non-Principal Settlements for the purposes of the Local Plan. New residential development in such locations is primarily covered by the following policy:

Policy DS3 Small Scale Residential Development in Non-Principal Settlements

1. In Non-Principal Settlements, small-scale residential development will be permitted provided it:
 - (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;
 - (d) does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period; and
2. Applicants proposing two or more residential units on sites in Non-Principal Settlements should complete a rural housing pro-forma and submit this with the planning application

In addition to the above policy, paragraph 78 of the National Planning Policy Framework (NPPF) states that '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'.

With regard to services and facilities, the village of Broad Campden hosts a public house, village hall and church. There are 3 bus services a day which provide links to Chipping Campden, Moreton-in-Marsh and Stratford-upon-Avon. The village is therefore able to offer a limited range of services and facilities. In addition, the village is also located in close proximity to Chipping Campden, which is designated as a Principal Settlement in the current Local Plan. The entrance to the site is located approximately 400m by road from Chipping Campden Development Boundary. In terms of walking and cycling, the town's primary school and commercial centre are located approximately 1km and 1.2km respectively from the application site. A dedicated pedestrian footway extends for all but 120m of the route from the site into Chipping Campden commercial centre. A reasonably safe route therefore exists for pedestrians wishing to walk from the village into Chipping Campden. It is also of note that planning permission was granted in

2017 (16/03163/FUL) for the erection of 6 dwellings on land to the north west of the application site (Pool Farm Close). Permission was also granted in 2017 (17/04625/FUL) for the erection of a single dwelling on land to the rear of a detached property called Roydon which is located on the north eastern side of the main road roughly opposite the entrance into the current application site. The village has therefore been deemed to be an appropriate location for small scale residential development in recent times. The erection of 2 dwellings in the village will also help to support existing facilities in both the village and Chipping Campden in accordance with the aspirations of paragraph 78 of the NPPF.

The erection of 2 dwellings is considered to be of a scale proportionate to the settlement which contains in excess of 70 dwellings. The location of the site also means that a range of services and facilities can be accessed by means other than the private motor car. The site does not represent an isolated location in the countryside and it is considered that the proposal will not conflict with criterion b) of Policy DS3 which seeks to maintain and enhance sustainable patterns of development.

The proposed development is located on garden land and adjacent to the recently completed residential development at Pool Farm Close. The development site is not readily visible from public view. Existing development at Pool Farm Close also extends development to the south west of the main road, beyond the existing line of development fronting the aforementioned highway. The Pool Farm Close development has therefore had an effect on the linear form of development that previously characterised the north western part of the settlement. The pattern of development and the form and character of this part of the village has therefore changed as a result. The current proposal will tie in visually with both the Pool Farm Close development and existing dwellings fronting the main road. It is also considered that the 50-55m separation distance between existing roadside dwellings and the proposed dwellings will enable a degree of openness and space to be retained between the existing and proposed developments thereby helping to preserve the low density character of this part of the settlement. It is noted that paragraph 122 of the NPPF states that planning decisions should support development that makes efficient use of land, taking into account 'the desirability of maintaining an area's prevailing character and setting (including residential gardens)'. In this case it is considered that the creation of Pool Farm Close has materially affected the prevailing character and setting of the north western part of the settlement with the result that the existing gardens could be developed without conflicting with criterion c) of Policy DS3 or paragraph 122 of the NPPF.

The introduction of 2 further dwellings, in addition to the 6 dwellings completed recently at Pool Farm Close and the extant permission at Roydon, is considered not to represent a disproportionate increase in the size of the village or to have an adverse cumulative impact on the settlement as a whole or existing infrastructure having regard to criterion d) of Policy DS3.

It is considered that the proposal does not conflict with Local Plan Policy DS3.

(b) Affordable Housing

The proposed development comprises 2 dwellings with a floor area of less than 1000 sq metres. The proposal does not exceed the thresholds set out in Local Plan Policy H2: Affordable Housing which dictate when on-site affordable housing or an off-site financial contribution is required. The proposed development does not therefore conflict with Local Plan Policy H2.

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

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape (S85(1) of the Countryside and Rights of Way Act 2000).

Local Plan Policy EN1 Built, Natural and Historic Environment states:

'New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:

- a. Ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;
- b. Contributing to the provision of multi-functional green infrastructure;
- c. Addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;
- d. Seeking to improve air, soil and water quality where feasible; and
- e. Ensuring design standards that complement the character of the area and the sustainable use of the development.'

Policy EN2 Design of the Built and Natural Environment

Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.

Policy EN4 The Wider Natural and Historic Landscape states:

1. 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.
2. 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, the setting of settlements, settlement patterns and heritage assets.

Policy EN5 Cotswolds Area of Outstanding Natural Beauty (AONB) states:

1. In determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.
2. Major development will not be permitted within the AONB unless it satisfies the exceptions set out in National Policy and Guidance.

In terms of national policy, Paragraph 170 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes' and 'recognising the intrinsic character and beauty of the countryside'.

Paragraph 172 of the NPPF states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.'

The application site occupies an area of garden land lying to the rear of three post war dwellings (Ashlar, Coppers and Wyidlands) which front onto the main road leading through the village. The aforementioned dwellings are a mix of 1.5 storey and dormer style properties measuring approximately 7m in height. The site is set back approximately 60m from the road. The site is not readily visible from the road by virtue of the position of the existing roadside dwellings. The site itself is primarily set to grass. The south eastern and south western boundaries of the site are defined by trees and hedgerows with the south western boundary creating a strong landscape buffer between the site and the agricultural fields to the south west. A pond/lake also lies to the south west of the application site and is bordered on all sides by trees and vegetation. The aforementioned landscaping provides further screening of the site from the south west. The existing boundary vegetation creates a strong dividing line between the residential development/gardens forming part of the settlement of Broad Campden and the open countryside to its west and south west. It is considered that the proposed development will lie within the confines of the

existing settlement and will not result in an encroachment of residential development into the adjacent agricultural landscape.

The application site has a residential character and appearance by virtue of its existing garden use. The proposed use is of a residential nature and is therefore considered to respect the character of this particular part of the AONB landscape. The proposal is for two dwellings on a 0.4 hectare site. The development is low density in nature and will result in the creation of two dwellings set within spacious plots. The density of development is considered to respond sympathetically to the character of the area.

The submitted indicative layout plan shows the two proposed dwellings set back towards the south western part of the site. The proposed dwellings are orientated and positioned to reflect the layout of the Pool Farm Close development to the north west. There will therefore be a degree of visual interconnectivity between the proposed development and the recently constructed dwellings at Pool Farm Close. The set back position of the proposed dwellings will allow for the retention of garden space to the front of the proposed dwellings. The proposal will not therefore result in the creation of residential buildings along the majority of the boundary with the adjacent paddock/wildflower meadow on the Pool Farm Close development. It is considered that the openness of the wildflower meadow when viewed from Pool Farm Close will not be adversely affected by the proposed development to an unacceptable degree. The set back position of the dwellings is also considered not to have an impact on the 'farmstead' form and layout of the Pool Farm Close development.

With regard to the Pool Farm Close development, the aforementioned site was mainly set to grass prior to the erection of the new housing. Part of the site was used as a public swimming pool and campsite up until the mid 1970s. However, in the subsequent period it reverted to an area of grassland with the original buildings becoming overgrown with vegetation. The site took on the character of a paddock/agricultural pasture. The site did not exhibit a developed character prior to the recent erection of the new housing. The development of the Pool Farm Close site therefore resulted in a discernible change in the character and appearance of the land lying to the north west of the application site. Notwithstanding this change, the Pool Farm Close development is considered not to have an adverse impact on the character or appearance of the AONB. Moreover, the current application seeks to re-develop existing residential garden land and as such is considered to represent less of a change to the AONB landscape than the creation of the Pool Farm Close development.

In terms of medium and longer range views, the site is not readily visible from the Public Bridleway (HCC35) which extends in a north east to south west direction approximately 20-250m to the south east of the site. Existing topography screens the site from view from the aforementioned Right of Way. Public views of the northern part of Broad Campden can be obtained from two Public Rights of Way (HCC23 and HCC26) which extend in a roughly north west to south east direction approximately 260m to the east of the application site. Existing housing lying along the main road screens the site from view. It is also of note that the existing Pool Farm Close is only partly visible from the aforementioned Rights of Way. In addition, the applicant is agreeable to a condition limiting the height of the proposed dwellings to 7m which will match the height of the existing roadside dwellings. The proposed dwellings will not therefore appear higher than the existing roadside dwellings. It is considered that the site can accommodate development of the type proposed without having an unacceptable impact on the character and appearance of the locality.

Overall, it is considered that the proposal will not have an adverse impact on the character or appearance of the AONB. In addition, the proposal will not result in an encroachment of development into the open countryside or have an adverse impact on the setting of the village within the AONB landscape. It is considered that the proposal accords with Local Plan Policies EN1, EN2, EN4 and EN5 and guidance in paragraphs 170 and 172 of the NPPF.

(d) Access and Highway Safety

Access to the proposed development will be via a new entrance onto the main road lying to the north east of the application site. The existing road is a Class C Highway which is subject to a 30mph speed limit where it passes through the village. The access will open onto a relatively straight section of road. The requisite visibility of 2.4m by 54m can be achieved in both directions. The access width is also sufficient to accommodate two passing vehicles. The proposed driveway is 5.2m in width and is therefore of sufficient width to accommodate two passing vehicles. The final design of the driveway would be addressed at the Reserved Matters stage should permission be granted. A demarcated footway with a surface which is level with the driveway carriageway could be introduced along the drive similar to that undertaken at the Pool Farm Close development.

The level of traffic generated by 2 dwellings is predicted to be 13 two way movements per day with 3 two way movements in the peak AM and PM periods. The proposal is considered not to result in a significant increase in vehicle movements, or to have an adverse impact on the operation of the local highway network.

The proposed development can provide at least 4 car parking spaces per dwelling which is considered appropriate for the level of development being proposed.

The drive is of sufficient width to accommodate a refuse vehicle should refuse bins not be collected from the site entrance.

Overall, it is considered that the proposed development will not have an adverse impact on highway safety and accords with Local Plan Policies INF4 and INF5.

(e) Impact on Residential Amenity

The illustrative plans submitted with the application indicate that the proposed dwellings can be provided with a level of outdoor amenity space commensurate with their size. The dwellings can also be positioned so as not to be subject to an unacceptable level of light or privacy. The illustrative layout plan also demonstrates that the dwellings can be positioned sufficiently distant from Wyldlands, Coppers and Ashlar so as not to result in an unacceptable loss of privacy to existing occupiers of the aforementioned dwellings. In addition, the existing dwellings will also retain a sufficient level of garden space proportionate to their size.

The proposed position of Plot 2 is also considered not to have an adverse impact on the light or privacy enjoyed by the occupants of 1 Pool Farm Close.

The proposed driveway will be positioned between the side elevations of Coppers and Ashlar. Vehicle movements arising from the proposed development will therefore increase noise and disturbance to the aforementioned properties. However, in light of the small size of the development and the limited number of vehicle movements generated by the proposal, it is considered that the impact of the development on the occupiers of the dwellings in question will not be unacceptable.

It is considered that the site is of sufficient size to accommodate the proposed level of development without having an adverse impact on residential amenity. The proposal is considered to accord with Local Plan Policy EN2 and guidance in the Cotswold Design Code.

(f) Impact on Protected Species

The application is accompanied by an Ecological Appraisal which identifies that the majority of the site is covered by amenity grassland, with an area of semi-improved grassland lying to the rear of Wyldlands. The Council's Biodiversity Officer has advised the following:

The Ecological Appraisal report dated May 2019 prepared by All Ecology Ltd is considered to be sufficient. The main findings of the report are as follows:

- Existing hedgerows comprise priority habitat
- Woodland edge to the southwestern boundary provides good foraging and commuting habitat for bats, dormice and nesting birds
- Buildings on site are unsuitable for roosting bats and no birds' nests were found.
- One tree near the southwest boundary with potential for roosting bats
- Potential for badgers to use the site on occasion (e.g. foraging), but no setts were found
- Potential for hedgehogs and other small mammals
- Low risk that reptiles and amphibians may be found (including potential for slow worms)
- Limited suitable terrestrial/aquatic habitat within the site for great crested newts and reference made to adjacent development site (old swimming pool)
- Two old birds' nests were found within the hedgerows and trees on site, and others could have been missed within dense vegetation.

The recommendations for biodiversity mitigation and enhancement include:

- Retention and enhancement of hedgerows and woodland edge habitat (particularly with regard to dormice)
- Planting of new hedgerows should be species-rich (at least 6 native tree/shrub species)
- Use of appropriate seed mixes, trees, shrubs and plants to create other habitats, i.e. native or 'wildlife-friendly' (nectar-rich, berry/fruit-producing, pollinator-friendly, night-scented flowers)
- More detailed aerial inspection of tree with bat roost potential if identified for removal
- Procedures for tree works with regard to bats
- Retention of woodland edge habitat as a dark area for foraging bats (no lighting) and for dormice
- Replacement hedgerow planting to retain resource for foraging bats, e.g. along northwestern boundary and between the new residential plots
- Limited use of external lighting
- Incorporating bat boxes and bird boxes into the new dwellings or other buildings
- Precautionary measures for woodland works to take account of potential for dormice
- Precautionary measures for small mammals, birds and badgers
- Great crested newt survey or precautionary measures (subject to the council's Biodiversity Officer)

I recommend that the above measures should be implemented as a condition of planning consent. A separate condition for a landscaping scheme should also be included and the details of integrated bird and bat boxes will also need to be submitted for approval.

Great crested newts

With regard to the planning application for the adjacent development site (former swimming pool, ref. 16/03163/FUL), I visited the site and met the ecological consultant to ensure that the potential for great crested newts had been given thorough and adequate consideration. I was satisfied in this case that there was limited potential for this species in the adjacent lake and sub-optimal habitats present within the site. Precautionary site clearance techniques were recommended to take account of the likely presence of reptiles, which would also constitute reasonable avoidance measures for great crested newts and common toads. I recommended that these precautionary site clearance techniques (i.e. habitat manipulation) were incorporated into a Construction Environmental Management Plan (CEMP), which should be submitted for approval as a condition of planning consent. This condition required a verification report to be submitted by a professional/suitably qualified ecologist to confirm that all the relevant mitigation measures had been implemented to their satisfaction (and this has been submitted). I also recommended that an informative should be attached to planning consent to ensure that the applicant is aware of the legislation protecting newts and what to do in the event that one is found. It would therefore be appropriate for a similar approach to be undertaken in the current development proposal. '

The Council's Biodiversity Officer raises no objection to the application.

It is considered that the proposed development can be undertaken without having an adverse impact on protected species or their habitat in accordance with Local Plan Policy EN8.

(g) Arboricultural Impact

The application site is bordered by a number of mature and semi-mature trees which will be retained as part of the proposed development. Trees within the site are limited in number and generally of a type found in residential gardens such as cherry, cypress, apple and holly. A crack willow and walnut within the site are shown as being retained.

The Council's Tree Officer has assessed the proposal and states

'Several trees are shown to be removed but these are garden ornamental trees of little amenity value to the public. They cannot easily be seen from any public places. One walnut shown to be retained has a new driveway close by and reference in the tree report indicates that the surface will be constructed in a manner that minimizes harm to the tree. No objection subject to a condition requiring a full arboricultural method statement and tree protection plan to be submitted with any detailed application.'

It is considered that the proposed development accords with Local Plan Policy EN7.

9. Conclusion:

Overall, it is considered that the proposed scheme accords with Local Plan Policy DS3 which is supportive of the creation of small scale residential development in villages such as Broad Campden. The proposed development, by virtue of its location on garden land, its proximity to existing dwellings and boundary vegetation is considered not to have an adverse impact on the character or appearance of the settlement or the Cotswolds AONB. It is also considered that the site can accommodate the proposed level of development without having an unacceptable adverse impact on residential amenity, protected species or trees. The development can also be provided with a satisfactory means of access. It is therefore recommended that the application is granted permission.

10. Proposed conditions:

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

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

The development shall be started by 2 years from the date that the last of the reserved matters is approved.

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

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

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

This decision relates to the land outlined in red on drawing 18.042-100 and the access details shown on drawing CTP-18-463 SK01 B

Reason: For purposes of clarity and for the avoidance of doubt.

Prior to the commencement of development, an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to, and agreed in writing by, the Local Planning Authority. The AMS and TPP shall fully accord with the guidance in BS 5837:2012 'Trees in relation to design, demolition and construction. Recommendations' and shall include details of:

- i) Defined root protection areas of all retained trees
- ii) The timing of all tree protection measures
- iii) Details of proposed finished ground levels and any retaining structures within the defined root protection areas of all retained trees
- iv) Details of tree protection fencing and excluded activities
- v) Details of temporary ground protection measures where access and working space is needed outside the tree protection fencing but within the root protection area of any tree
- vi) Details of any underground services within the root protection areas of any retained trees and how they will be installed.
- vii) Details of method of construction of any surface which is to be of a 'no dig' construction method, in accordance with the current industry best practice.
- viii) Details of how the tree protection measures will be monitored by the site manager

Reason: To safeguard the retained/protected tree(s) in accordance with Cotswold District Local Plan Policy EN7. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for the well-being of trees on the application site.

No works shall commence on site (other than those required by this condition) until the proposed vehicular access has been provided fully in accordance with drawing no. CTP-18-463 SK01 B with the first 10m of the access road surfaced in a bound material unless an alternative surfacing treatment is first agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Local Plan Policy INF4 and Section 9 of the National Planning Policy Framework.

The ridgelines of the dwellings hereby permitted shall not exceed 7m above existing ground level.

Reason: In order to ensure that the dwellings hereby approved are of a height that is consistent with existing dwellings fronting onto the main road thereby ensuring the development responds in a sympathetic manner to the character and appearance of the area in accordance with Local Plan Policies EN2, EN4 and EN5.

The development shall be completed in accordance with the recommendations in Section 4 of the Ecological Appraisal report dated May 2019 (8th May 2019) prepared by All Ecology Ltd. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that bats, dormouse, amphibians, reptiles, badgers, hedgehogs and nesting birds are protected in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Policy EN8 of the Cotswold District Local Plan 2011-2031, Circular 06/2005, paragraphs 170 and 175 of the National Planning Policy Framework and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Before any vegetation clearance works are carried out, a Construction Environmental Management Plan - Biodiversity (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include, but not necessarily be limited to, the following:

- i. Risk assessment of potentially damaging construction activities;
- ii. Identification of 'biodiversity protection zones';
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including precautionary site clearance for great crested newts and common toads (e.g. habitat manipulation techniques);
- iv. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- v. The times during construction when specialists ecologists need to be present on site to oversee works;
- vi. Responsible persons and lines of communication;
- vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
- viii. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
- ix. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

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

Reason: To ensure that hedgerows, trees, woodland edge, great crested newts, common toads, badgers, hedgehogs and nesting birds are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Policy EN8 of the Cotswold District Local Plan 2011-2031, Circular 06/2005, paragraphs 170 and 175 of the National Planning Policy and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Prior to the first occupation of the development hereby approved, 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. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To protect foraging/commuting bats, dormice and great crested newts in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Policy EN8 of the Cotswold District Local Plan 2011-2031, paragraphs 170 and 175 of the National Planning Policy Framework, Circular 06/2005 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006

Informatives:

Works to the public highway will require the separate agreement of Gloucestershire County Council (devcoord@gloucestershire.gov.uk).

Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017, or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.

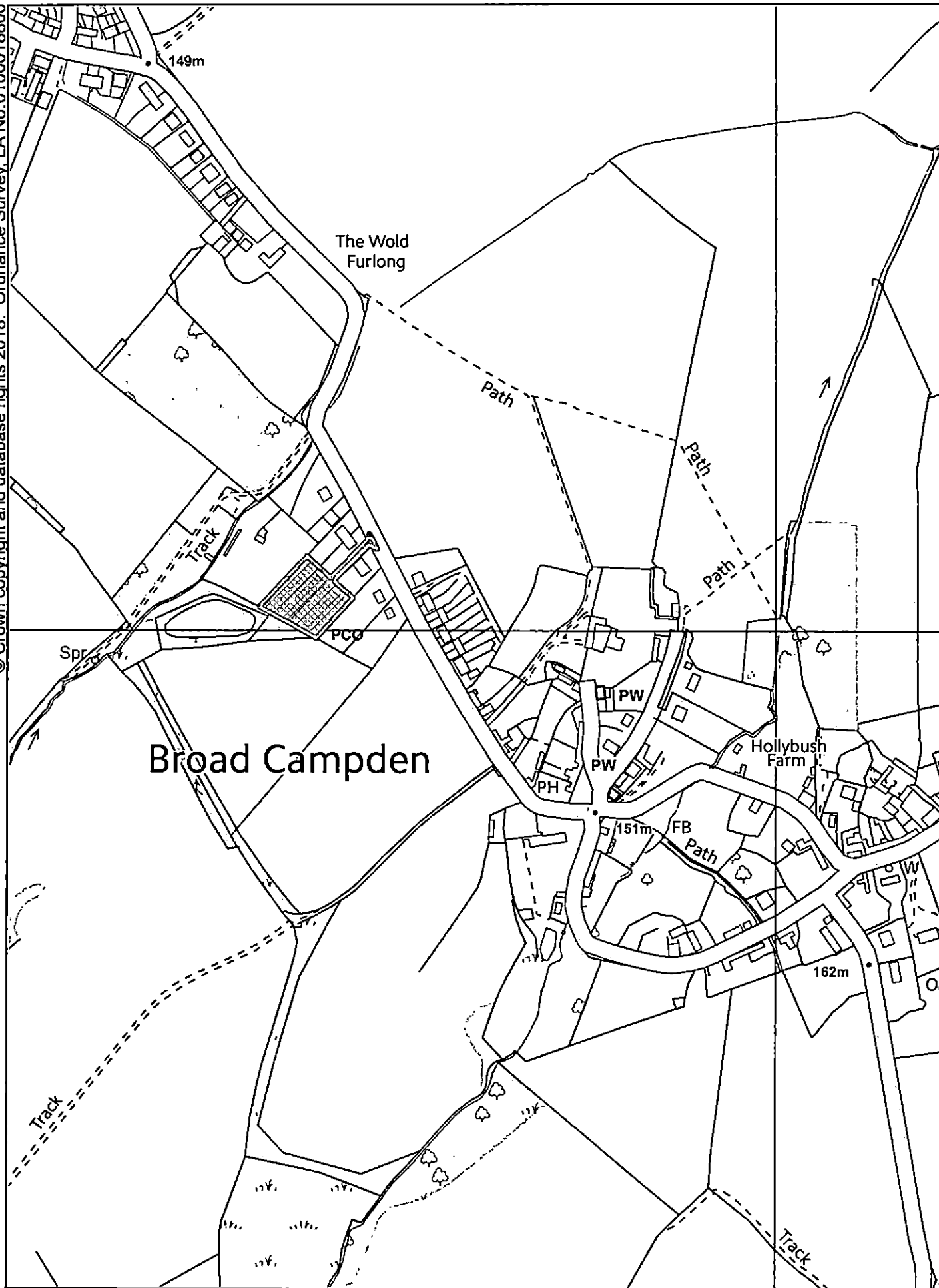
The Great crested newt is protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if great crested newts are discovered, all works should stop immediately and a professional ecologist should be contacted for advice on any special precautions before continuing, as a derogation licence may be required from Natural England.

There is a low risk that reptiles could occur on the application site. All reptiles are legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and planning permission does not provide a defence against prosecution. If these species are found during the works, the applicant is advised to stop work and follow the advice of a professional ecologist to inform necessary mitigation and/or compensation measures.

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage and destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, hedgerows, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and 31st August. Hedgerows, trees and scrub are present on the application site and should be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

For more information on hedgehog gaps/holes in fences and walls, please visit <https://www.hedgehogstreet.org/help-hedgehogs/link-your-garden/>

© Crown copyright and database rights 2018. Ordnance Survey, LA No. 0100018800



Broad Campden

The Wold Furlong

Hollybush Farm

Spr

PCD

PW

PH

PW

151m

FB

162m

LAND TO REAR OF ASHLAR, COPPERS & WYLDLANDS BROAD CAMPDEN

Organisation: Cotswold District Council

Department:

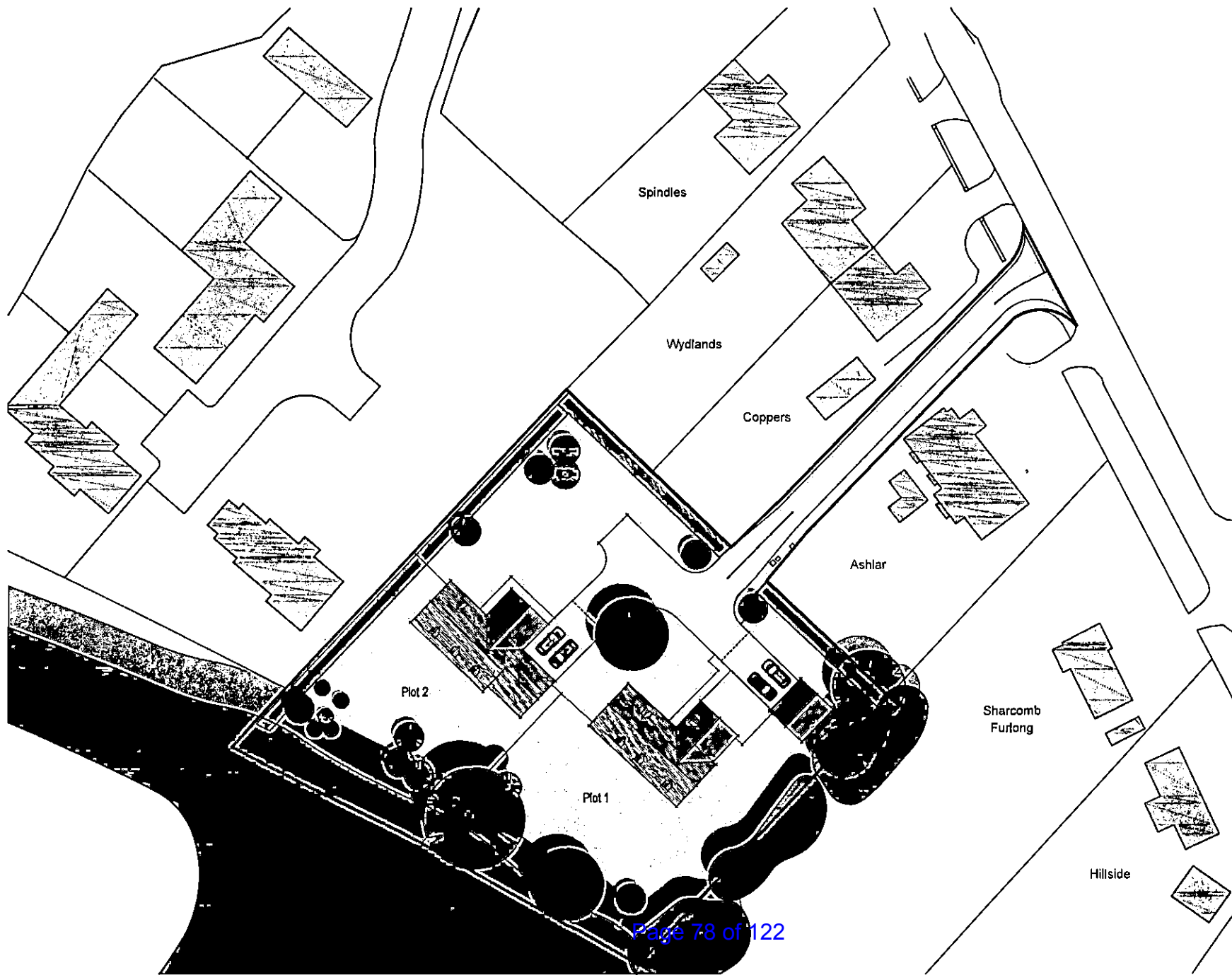
Date: 31/05/2019



COTSWOLD
DISTRICT COUNCIL



rev	date	description
.	.	.



BP A. brodie
planning
associates

contact: tel: 01242 898305, email: info@brodieplanning.co.uk, web: www.brodieplanning.co.uk
 Studio One, Manor Farm Courtyard, Southam Lane, Southam, Cheltenham, GL52 3PD

client: Mr & Mrs Yardley
 ref: 18.042

project description: Residential Development

location: Ashlar, Coppers and Wydlands, Broad Campden, Chipping Campden, GL55 6UR

title: Site Layout

drawing number	scale	date
18.042-200	1:500 @ A3	March '19

status	revision
PLANNING	Ø

This drawing is the copyright of Brodie Planning Associates Ltd and should not be reproduced in whole or in any other manner without the written permission of the copyright holder. Do not scale from this drawing. Please use figures on drawings only and report any discrepancies immediately. Planning & design should not be used for construction.

70
19/01/15/10/27

Item No 03:-

18/02520/FUL

**Land South Of
Wick House
East End
Fairford
Gloucestershire
GL7 4AP**

Item No 03:-**Erection of two dwellings at Land South Of Wick House East End Fairford Gloucestershire GL7 4AP**

Full Application 18/02520/FUL	
Applicant:	Mr George
Agent:	SF Planning
Case Officer:	Adrian Walker
Ward Member(s):	Councillor Steve Trotter Councillor Stephen Andrews
Committee Date:	12th June 2019
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of development
- (b) Design
- (c) Amenity
- (d) Highway Safety and Parking Provision
- (e) Flood Risk
- (f) Biodiversity

Reasons for Referral:

Cllr Andrews has referred the application to Committee due to Flood Risk issues and the question of land ownership in relation to the accessibility of the site.

1. Site Description:

The site comprises a tennis court which formerly formed part of the curtilage of Wick House. Wick House is not considered of historic merit, however, the stone wall and attached outbuildings do have some historic merit and could be considered a Non-designated Heritage Asset.

The site falls within the development boundary of Fairford and the majority of the site lies within the Fairford Conservation Area. The site is also within Flood Zones 1, 2 and 3.

2. Relevant Planning History:

NA

3. Planning Policies:

NPPF National Planning Policy Framework
 DS1 Development Strategy
 DS2 Dev within Development Boundaries
 S5 S5 - Fairford
 EN1 Built, Natural & Historic Environment
 EN2 Design of Built & Natural Environment
 EN4 The Wider Natural & Historic Landscape
 EN14 Managing Flood Risk
 INF3 Sustainable Transport
 INF4 Highway Safety
 INF5 Parking Provision

4. Observations of Consultees:

Highways Officer: No objection subject to conditions.
 Conservation Officer: No objection subject to conditions.
 Drainage Officer: No objection subject to conditions.
 Environment Agency: No objection subject to conditions.
 Thames Water: No objection

5. View of Town/Parish Council:

Fairford Town Council objects to the application on the following grounds;

- i) Flood Risk
- ii) Design
- iii) Impact on the Conservation Area
- iv) Impact on Listed Building
- v) Loss of general amenity

6. Other Representations:

Two general comments have been received from neighbouring residents in regards to the access, design and landscaping.

18 objections to the application have been received on the following grounds;

- i) Highway access and parking
- ii) Land ownership
- iii) Over development
- iv) Flood Risk
- v) Design
- vi) Impact on the Conservation Area
- vii) Impact on Listed Building
- viii) Loss of general amenity
- ix) Privacy light and noise
- x) Landscaping

7. Applicant's Supporting Information:

Design and Access Statement
 Planning Statement
 Heritage Statement
 Access Appraisal
 Flood Risk Assessment

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 this application therefore is the current development plan for the District which is the Cotswold District Local Plan 2011-2031 (Local Plan).

The NPPF is also a material consideration in the determination of planning applications. The NPPF requires Local Planning Authorities to deliver a sufficient supply of homes (NPPF, chapter

5) and requires planning decisions for housing to be considered in the context of the 'presumption in favour of sustainable development' (NPPF, paragraph 10 and 11).

The NPPF explains that the planning system has three overarching objectives in order to achieve sustainable development: economic, social and environmental. These objectives 'which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)'. (NPPF, paragraph 8)

The application site is located within the Fairford Development Boundary. The erection of new build residential development on the site is therefore primarily covered by Local Plan Policy DS2 Development within Development Boundaries which states:

'Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle.'

The Local Plan is therefore supportive in principle of the creation of new residential dwellings on the application site however there are other material considerations that need to be taken into account, which will be looked at in the following sections of this report.

(b) Design

The site is located within the Fairford Conservation Area (Designated Heritage Asset) 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 area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The site forms part of the curtilage and associated holding for Wick House. Wick House is not a listed building but appears to be a much altered historic building within generous gardens enclosed by a tall stone wall with some modest historic outbuildings. However the stone wall and attached outbuildings do have some historic merit and could be considered a Non-designated Heritage Asset.

The neighbouring property to the East is East is End House a Grade II Listed house with 17th Century origins with remodelling and extensions in 1750 and 1901. As such the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the setting of the building. This duty is required in relation to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 12 of the NPPF seeks to achieve well-designed places. Paragraph 124 of the NPPF states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Paragraph 127 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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 197 of the NPPF states that the effect of an application on the significance of a non-heritage designated asset should be taken into account and that a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

Local Plan Policy EN1 Built, Natural and Historic Environment states:

New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:

- a. Ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;
- b. Contributing to the provision of multi-functional green infrastructure;
- c. Addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;
- d. Seeking to improve air, soil and water quality where feasible; and
- e. Ensuring design standards that complement the character of the area and the sustainable use of the development.

Local Plan Policy EN2 Design of the Built and Natural Environment states:

Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.

The Cotswold Design Code (Appendix D within the Local Plan) requires development to be environmentally sustainable and designed in a manner than respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

Policy EN10 in the Local Plan (Designated Heritage Assets) states that:

- 1) In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation in proportion with the importance of the asset.
- 2) Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings) and put them to viable uses, consistent with their conservation, will be permitted
- 3) Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless clear and convincing justification of public benefit can

be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations

- The importance of the asset;
- The scale or harm; and
- The nature and level of the public benefit of the proposal.

Policy EN11 of the Local Plan (Conservation Areas) states:

Development proposals, including demolition, that would affect Conservation Area and their settings, will be permitted provided they:

- a) 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;
- b) include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;
- c) will not result in the loss of open spaces, including garden areas and village greens which make a valuable contribution to the character or appearance, and /or allow important views into or out of the Conservation Area

The application proposes the erection of two dwellings in the residential curtilage of Wick House. The application has been subject to alterations to the design in accordance with pre-application advice as well as advice from the Conservation Officer during the application process. As part of these discussions there was no objection to the principle of constructing two dwellings in the rear garden of Wick House. Concerns were raised however regarding the demolition of the tall stone garden wall and a historic stone outbuilding to Wick House which makes a positive contribution to the character of the conservation area. Revised designs were also sought to create a more imaginative scheme which included detached garages and requested suitable materials to reflect the conservation area designation.

The Conservation Officers comments on the current proposals are as follows;

The layout of the new dwellings remain as the initial submission but this did take account of pre-application recommendations to be re-orientated to utilise the existing stone boundary wall and for detached garages to be introduced which was an improvement.

My previous comments of the 6/8/18 noted that there were a number of design opportunities to create a contemporary scheme; this could be in the form of green roofs to flat roofed structures or a contemporary cladding to the garage structures. With regards to the roof it is recommended that this should be either constructed in a high quality metal either zinc or copper or that of a sustainable green roof. No information has been provided on this roofing material and therefore a sample will be required for this element to be agreed by condition.

The use of timber cladding to the main dwellings was a concern as this is not typical of the character of the area. It was noted that Fairford is predominantly stone built with a small number of dwellings being rendered. The applicant has removed the timber cladding element and introduced an element of render to the elevations. The colour and finish of the render will require a condition for agreement prior to commencement.

There are no objections to the main building materials which included a natural Cotswold stone for walls with a natural blue slate which are appropriate in this context. Samples of materials will be required as part of a pre-commencement condition to be approved in the form of a sample panel.

The initial design of the new buildings included external chimneys to the gable walls and these have been amended to be integral and this is welcomed.

The initial proposals included a mix of window designs and glazing bar details with large windows on the ground floor and small panes on the first floor. It was advised that there should be a consistent form of opening and that windows are in a simple single pane form and this consistent approach has been adopted and is now acceptable.

With regards to the material of the windows and doors it was unclear whether these were to be aluminium or timber finishes. It was recommended due to the contemporary nature of the scheme that thin profile metal windows and doors are used throughout. This has been addressed as part of the revised submission with aluminium windows and doors now being proposed. Product details, scaled drawings and RAL Colour will be required for windows and doors as part of a pre-implementation condition.

With regards to any visual impact upon the setting of East End House, the neighbouring property and a Grade II designated asset, the submitted scheme has ensured that through the reorientation of the plots and revisions to reduce the height and massing through setting the scheme into the stone boundary wall and boundary planting there will be no visual impact to the setting of the asset.

The application had been revised from the pre-application submission to retain both the historic stone outbuilding to Wick House and the stone boundary wall which are welcomed. These features are non-designated heritage assets and also contribute to the character of the conservation area and will be repaired as part of the scheme proposals.

It is acknowledged that the stone boundary wall will require an opening for the creation of vehicular access to facilitate the development of the land. While this opening is acceptable this would be subject to a detailed condition which sets out the structural works, repair and methodology for undertaking this work and will require agreement prior to the works commencing.

It is therefore considered that the proposal will not have a harmful impact upon the significance of East End House and its setting. The new dwellings are located sensitively within the plot and have a reduced impact due to their location being set behind the stone boundary wall and boundary planting being introduced to soften the scheme. Therefore the significance of the Grade II designated heritage asset will be sustained, in accordance with Section 16 of the NPPF. The design and mass of the new dwellings are of a low scale and subservient and of a contemporary character utilising high quality materials therefore will not have an adverse impact on the character of Fairford Conservation Area. As such the proposal complies with Sections 16(2) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF and Local Plan Policies EN2, EN10 and EN11

(c) Residential Amenity

Section 12 of the NPPF seeks to achieve well-designed places. In part, paragraph 127 of the NPPF ensures that development creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Local Plan Policy EN2 Design of the Built and Natural Environment supports development that accords with The Cotswold Design Code (Appendix D within the Local Plan).

The Cotswold Design Code requires the interface between a new development and any existing adjacent properties to be designed to respect the amenity of existing residents and to ensure that the existing and new developments are well integrated. The Design Code also requires that extensions respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect. To ensure adequate garden space, the size of a private garden should relate to the size and nature of the property. Although specifically referring to assessing extensions, the Design Code states that these residential amenity considerations also apply to other types of development.

The proposed dwellings have been designed so that the main windows of the development face east and west, away from the nearest neighbouring dwellings. The separation between facing windows in habitable rooms of the proposed dwellings and existing dwellings are in excess of 22m.

The garden areas for the proposed dwellings are considered sufficient for different family activities to take place at the same time. Wick House would also retain a large garden area.

Objections have been raised in regards to the access road which will run along the rear of a number of residential gardens and the loss of residential amenity. It is not considered that the noise and disturbance created by two dwellings would give rise to any significant loss of residential amenity. A condition requiring the submission of a lighting strategy will ensure there is no disturbance created due to light pollution.

As such the proposal is not considered to result in harm to residential amenity accordance with Section 12 of the NPPF and the amenity considerations within Policy EN2 of the Local Plan.

(d) Highway Safety and Parking Provision

Section 9 of the NPPF advocates sustainable transport, including safe and suitable accesses to all sites for all people. However, it also makes it clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network are severe.

Local Plan Policy INF3 Sustainable Transport supports development that actively supports travel choices with priority to walking and cycling and access provided to public transport. Links with green infrastructure, PROWs and wider cycle networks should be provided. Development that would have a detrimental effect on the amenity of existing infrastructure will not be permitted.

Local Plan Policy INF4 Highway Safety supports development that is well integrated with the existing transport network and beyond the application site, avoiding severance resulting from mitigation and severe impact upon the highway network. Developments that create safe and secure layouts and access will be permitted.

Local Plan Policy INF5 Parking Provision seeks to ensure sufficient parking provision to manage the local road network.

The application proposes provides sufficient space within the proposed garaging for off street parking for the occupants of the dwellings.

The site access visibility splays have been based on just one ATC speed survey west of the site access onto the A417 London Road. In accordance with DMRB TA 22 81 guidance speed surveys should be undertaken at the extents of the available visibility which should be either side of the site access to record approaching vehicle speeds in both directions. Due to the changing geometry of the A417 and visibility it is considered surveyed speeds for westbound vehicles may be different then recorded by the ATC counter east of the site access. However it is considered that visibility in accordance with previous county wide speed surveys of average 85th percentile speeds of 54m can be attained to the north east of the site access. The emerging visibility splays for eastbound vehicles and forward visibility are suitable.

There have been a number of local objections on highway grounds that the site fails to provide safe and suitable access due to is narrow width, restricted visibility and creating risk of conflicts with vehicles and pedestrians.

It is acknowledged that the access is narrow in places and some larger vehicles would not be able to access the site.

The Town Council has also noted that the applicant does not have ownership of the start of the access to the site that joins the A417 and as such has provided a Certificate D as part of the

application. There are clearly a number of properties that have a right of access along the part of the site that is being utilised at the access for new dwellings. It should be noted that land ownership and rights of access are not material planning considerations; however, highways safety for pedestrians and vehicles is a consideration.

The applicant has worked with the GCC Highways Officer and a Road Safety Opinion was provided. The Road Safety Opinion resolved that two additional dwelling would not have a material safety impact on the operation of the lane and with the removal and trimming of hedgerow, will provide mitigation given the scale and impact of development.

The Highways Officer has subsequently removed any objection to the application subject to conditions.

As such, the proposal is considered to be in accordance with Policies ENF3, ENF4 and ENF5 of the Local Plan and Section 9 of the NPPF and is acceptable in regards to any highways and parking impacts.

(e) Flood risk

Section 14 of the NPPF acknowledges that planning has a key role in minimising the vulnerability and providing resilience to the impacts of climate change, including factors such as flood risk.

Local Plan Policy EN14 Managing Flood Risk does not support development that would result in an unacceptable increase in flood risk and should not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment as a result of flooding.

The majority of the site is within Flood zone 1, apart from the southern end which is in Flood zones 2 and 3. The submitted plans indicate that house 2 is located on the edge of Flood zones 2 and 3.

The site is susceptible to 1 in 1000 year pluvial flooding, to a depth of less than 300mm, along the access road. The dwellings are proposed in an area indicated to be outside the susceptible area. London Road is susceptible to both 1 in 1000 year and 1 in 100 year pluvial flooding across the site access, to a depth of less than 300mm.

Objections to the development state that the site and other nearby properties were seriously flooded in 2007 and also since, although CDC have no record of this. Flooding in 2007 is recorded as being concentrated in the Milton Street / Bridge Street / London Street area. A couple of properties are also recorded as being affected in the winter of 2013/14, in East End. Identified causes of flooding included surcharging of the highway sewers and inadequate capacity of watercourses such as the River Coln. A drainage survey was carried out in November 2016 by mwh global, which identified courses of action for Thames Water, Gloucestershire Highways and riparian owners to address, in order that flood risk could be mitigated. This included clearance of pipework (tree roots etc.), gullies and watercourses (including the Court Brook). Work was subsequently carried out and there have been no further flood reports in the area since.

The FRA states that the EA have confirmed the site lies within Floodzone 1 and that they therefore have no detailed modelling for it. Ambiental, who prepared the FRA, used in-house "Flowroute" software to produce their own model and demonstrate the development would lie outside the 100 year, 100 year + 35%, 100 year +70% and 1000 year events. The EA have accepted this modelling and requested their own condition be placed on any permission, in relation to FFLs etc.

Microdrainage calculations have been produced using an assumed soakage rate that indicates infiltration would be feasible, but soakage testing will be undertaken on site for detailed design.

The Environment Agency and the Drainage Engineer have reviewed the submitted Flood Risk FRA and have no objection to the proposed development subject to conditions.

Specific objections regarding flood risk have been raised by the Town Council. These have been addressed by the Drainage Engineer as follows;

- It is questioned whether the dwellings will be safe for their lifetime without increasing flood risk elsewhere, as they do not consider all sources of potential flooding have been taken into consideration. I can see that all sources have been referenced in the FRA and, while the Town Council may not believe the FRA is sufficiently in depth, should planning permission be given, the applicant will have to provide evidence that flooding will be prevented when they submit their detailed design scheme before the surface water planning condition can be discharged.
- It is stated that the area around Wick House flooded in 2007, but works carried out by the EA under the Fairford Flood Alleviation Scheme in 2014 has significantly reduced the risk - presumably this particular concern has been alleviated.
- The TC also reports the area was subject to surface water flooding, both in the 2007 incident and subsequently (including in June 2016) and refers to the work carried out in 2017 to remove tree roots and a pipe blockage from (near) Moor Farm to the Court Brook. The concern is that there may be a re-occurrence of the flooding if/when the drains become blocked again or with extreme rainfall events. A (more) detailed FRA has been subsequently suggested. The drainage survey I referred to in my consultation comments established who was responsible for maintaining which assets. Although ownership of the pipe to Court Brook has not been identified, GCC have agreed to maintain a "watching brief" on it, as it conveys highway drainage. I do not consider a more in-depth FRA is required in this instance as asset owners are aware of their maintenance responsibilities.
- It is stated that more sewer flooding occurred than had been recorded in the FRA, but that Thames Water had subsequently increased the capacity and reliability - presumably this particular concern has been alleviated.
- There is concern that the groundwater risk has not be addressed. High groundwater levels were found at Riverdale, a neighbouring property, during a survey carried out by Water Resources Associates and commissioned by the TC . The report states that a maximum 10 year groundwater level of 83.40m was recorded in a well 100m away, with the 200 year level at 84.05m, 600mm above the high point of the Wick House site. The report states that "There is no scope for SuDS drainage using infiltration in low-lying areas due to frequent high groundwater levels. In such conditions, attenuation storage ponds provided as a SuDS solution can only take the form of shallow depressions which would require significant land." The TC have suggested that there is little room on site for an attenuation tank or pond and have expressed concern that Lygon Court would be susceptible to runoff from the site and have commented that FFLS should be above the maximum level of any attenuation pond. The EA have asked for a condition to be placed on the planning permission, if given, that the FFLS of the property are raised 180mm above the 1% + 35% climate change level of 82.933m (as suggested by the FRA), giving a level of 83.113m. Clearly this level is lower than the 10 and 200 year groundwater levels, so maybe the EA had not seen the WRA report either. CDC have no records of any properties in the vicinity being flooded specifically by groundwater. The applicant needs to provide evidence that it is feasible to provide SUDS for this development without risk of property flooding to itself or neighbouring properties and that risk of groundwater flooding is taken into consideration.

As such the proposals are considered to be in accordance with Local Plan Policy EN14 Managing Flood Risk and Section 14 of the NPPF.

(f) Biodiversity

Chapter 15 of the NPPF seeks to ensure development minimises the impact on and provided net gains for biodiversity.

Local Plan Policy EN8 Biodiversity and Geodiversity: Features Habitats and Species supports development that conserves and enhances biodiversity and geodiversity, providing net gains where possible.

The application site has limited biodiversity value in its current condition as tennis court. The grassed area that will become the access track has some biodiversity value.

Overall it is considered by the introduction of gardens on the former tennis court will mitigate against any loss of Biodiversity from the access track. The proposal is therefore considered to be in accordance with Chapter 15 of the NPPF and Policy EN8 of the Local Plan.

9. Conclusion:

The proposal is in accordance with Local and National Policies and planning permission should be granted subject to conditions.

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 number(s): .

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

All existing stone, where re-usable from , shall be used in the construction of ****, with its weathered surface facing outwards.

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

New stonework shall be of the same stone type, colour and sizes as the existing stonework and it shall be laid using a mortar which is slightly weaker than the stone and which contains well graded sharp sand, stone dust and lime and shall be permanently retained as such thereafter. In addition, the pointing shall have a marginally recessed finish and shall be brushed or bagged and shall match the existing.

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.

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.

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.

No wires, plumbing or pipework other than those shown on the approved plans shall be fixed on the external elevations of the building.

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

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 that the window and door frames are suitably recessed in a manner appropriate to the design of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. Traditionally door and window frames in the locality are recessed, so creating building elevations with a character and texture which respect the building.

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 and shall be permanently retained as such thereafter.

Reason: To ensure that the development will be constructed of materials that are appropriate to the building which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.

No Windows and doors including RAL colour, vents and flues, aerals and any external lighting shall be installed/inserted in the development hereby approved until its/their design have been submitted to and approved in writing by the Local Planning Authority.

The design and details shall be accompanied by drawings to a minimum scale of 1:5 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 that the design of the aforementioned details are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. These are important details which need to be undertaken in a manner which ensures that they serve to preserve the special merit of the building.

Prior to the occupation of the development hereby permitted the existing hedge as shown on submitted plans SK05 and SK06 shall be cut back to provide the required visibility splays and pedestrian passing places and shall be maintained thereafter.

Reason: To ensure that safe and suitable access to the site can be achieved for all users in accordance with paragraph 108 of the National Planning Policy Framework.

The buildings hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plan drawing no. 2596P(1)111 rev B, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 40m left (West) and 39m right (East) (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Prior to the occupation of the buildings hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

Throughout the construction [and demolition] period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

Reason: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance).

If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

The development shall be carried out in accordance with the submitted Flood Risk Assessment, prepared by Ambiental, reference 4373, version 1.0, dated 26 February 2019, and the following mitigation measures it details: [Page 91 of 122](#)

1. The finished floor level of the dwellings will be set no lower than 180mm above the 1% + 35% climate change level of 82.93m AOD.
2. There shall be no raising of existing ground levels on the site.
3. Any walls or fencing constructed within or around the site shall be designed to be permeable to flood water.
4. There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.

Reason: This condition is sought in accordance with paragraph 163 of the National Planning Policy Framework to reduce the risk of flooding on-site and elsewhere. In particular to:
To reduce the risk of flooding to the proposed development and future occupants.
To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

Informatives:

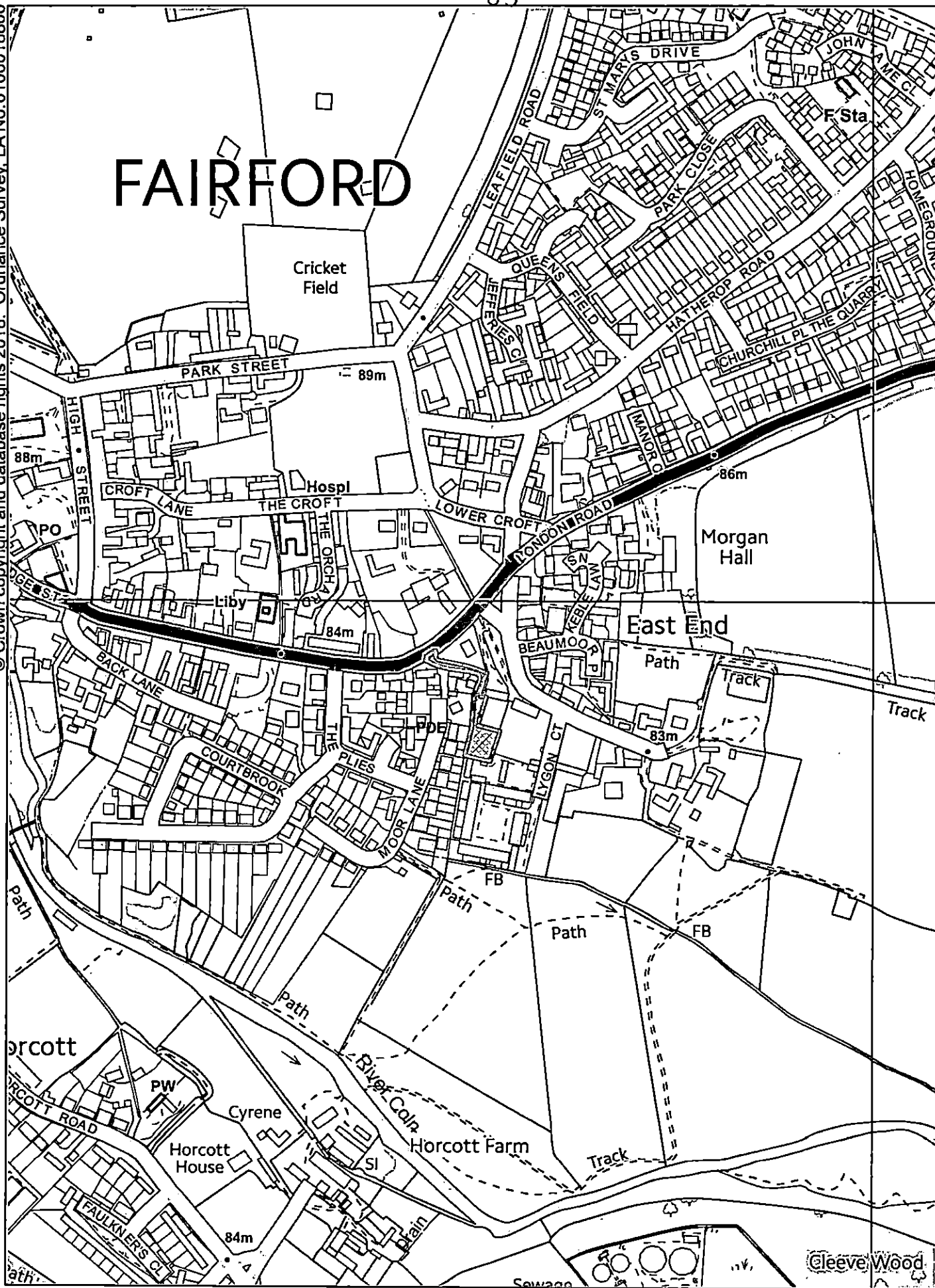
NOTE TO APPLICANT:

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015

© Crown copyright and database rights 2018. Ordnance Survey, LA No. 0100018800

FAIRFORD



LAND SOUTH OF WICK HOUSE EAST END FAIRFORD

Scale: 1:5000

Organisation: Cotswold District Council

Department:

Date: 31/05/2019

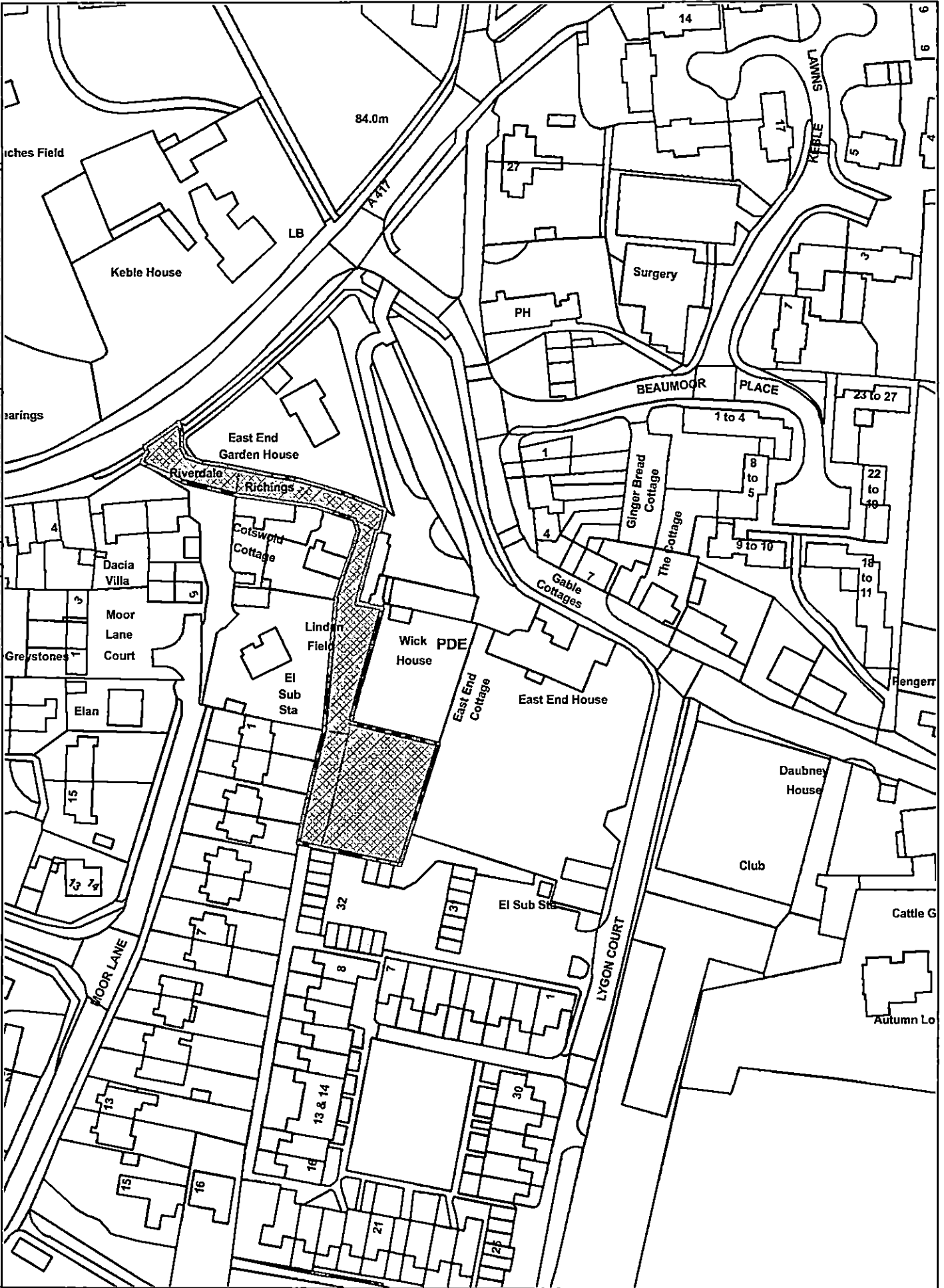


COTSWOLD
DISTRICT COUNCIL

Gleeve Wood



© Crown copyright and database rights 2018. Ordnance Survey. LA No. 0100018800



LAND SOUTH WICK HOUSE EAST END FAIRFORD

Scale: 1:1250

Organisation: Cotswold District Council

[Page 94 of 123](#)

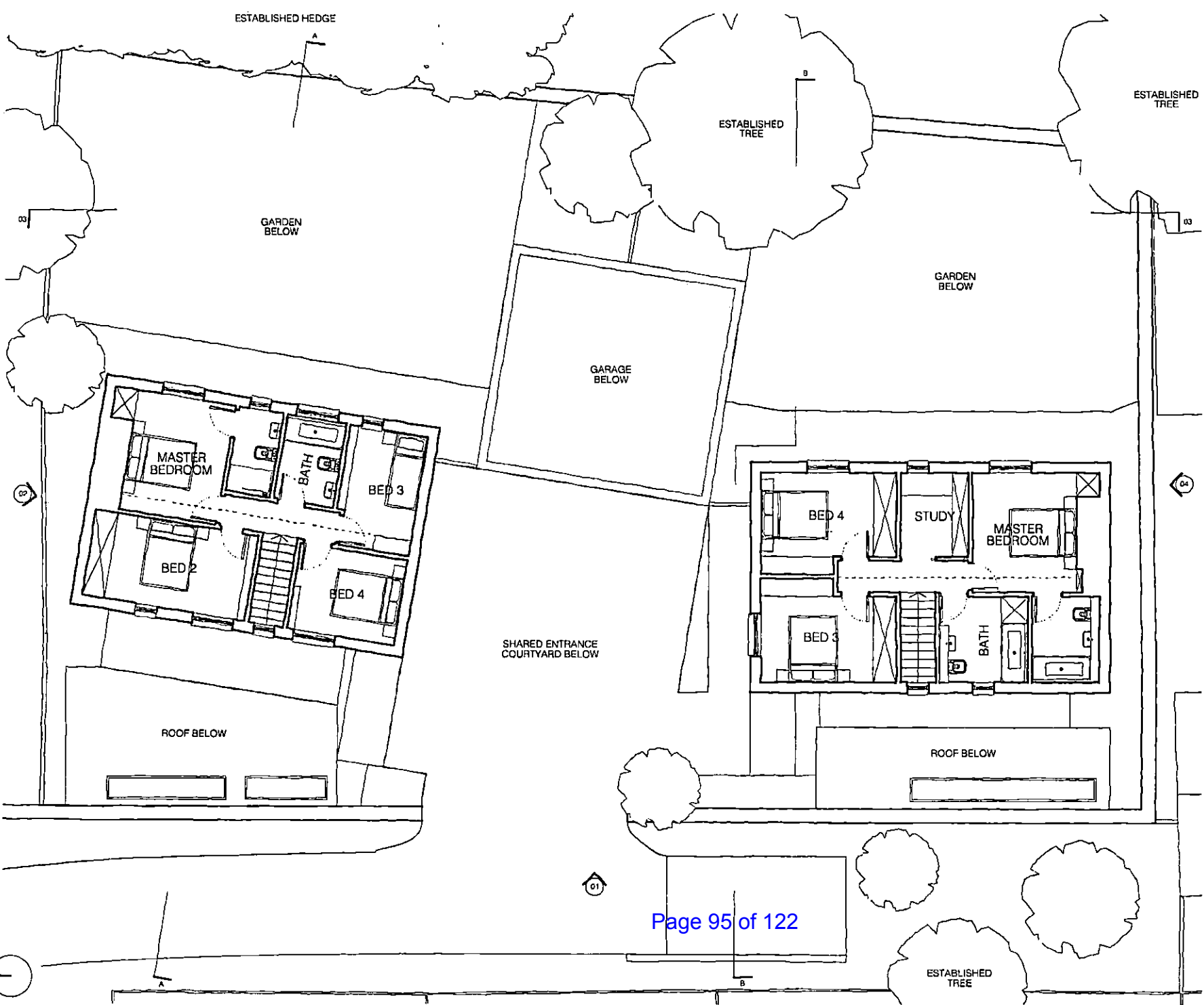
Department:

Date: 31/05/2019



COTSWOLD
DISTRICT COUNCIL





- 1 Do not scale off this drawing.
- 2 Any discrepancies to be referred to the Architect.
- 3 This drawing is to be read in conjunction with all relevant specifications and other drawings issued by the Architect, and other specialists.
- 4 This drawing is copyright and is not to be reproduced without RRA permission.
- 5 IF IN DOUBT, ASK.

Revision Description	Date	Check	Rev
General drawing alterations.	21/05/18	JM	D
General drawing alterations.	06/05/18	JM	C
General drawing alterations.	25/05/18	JM	B
General scheme alterations.	23/05/18	JM	A



RRA Architects Hereford
 The Watershed,
 Wyke Street, Hereford,
 HR2 7RE
 T 01432 278707
 E info@rrarchitects.com
 www.rrarchitects.com

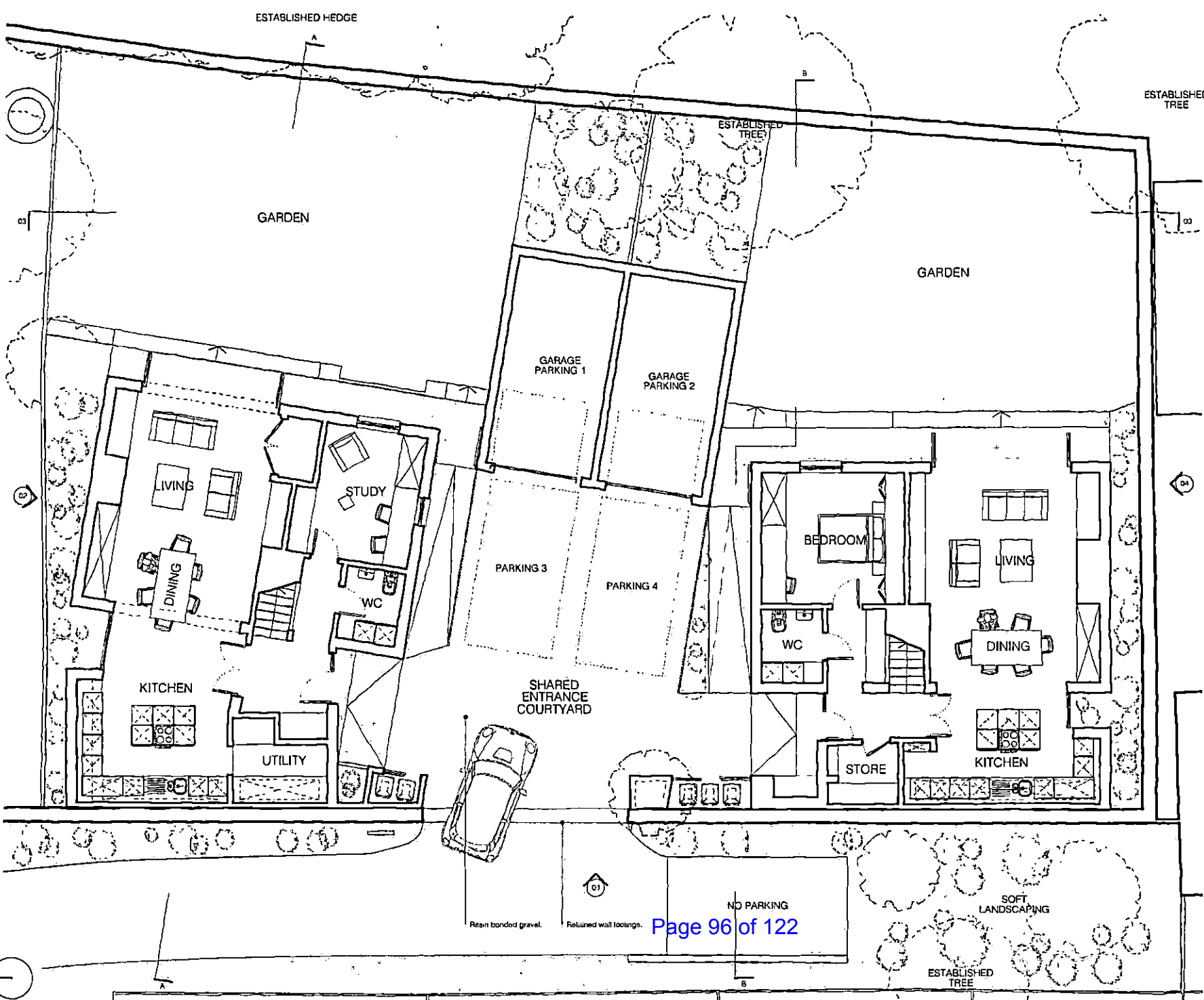
London T 020 7317 5454 1st Floor Cheltenham 01242 268774

Client
MR D GEORGE

Project :
**WICK HOUSE, FAIRFORD,
 GLOUCESTERSHIRE, GL7 4AP.**

Drawing Title
PR | FIRST FLOOR PLAN

Status	Date	Drawn By
PLANNING	02/05/2018	JM
Drawing No.	Version	Scale
2596 P(1) 102	D	1:100 @ A3



- 1 Do not scale off this drawing.
- 2 Any discrepancies to be referred to the Architect.
- 3 This drawing is to be read in conjunction with all relevant specifications and other drawings issued by the Architect, and other specialists.
- 4 This drawing is copyright and is not to be reproduced without RRA permission. IF IN DOUBT, ASK.

Revision Description	Date	Check	Rev
General amendments.	21/11/18	JM	E
General layout adjustment.	21/06/18	JM	D
General drawing alterations.	06/06/18	JM	C
General drawing alterations.	25/05/18	JM	B
General scheme alterations.	23/05/18	JM	A



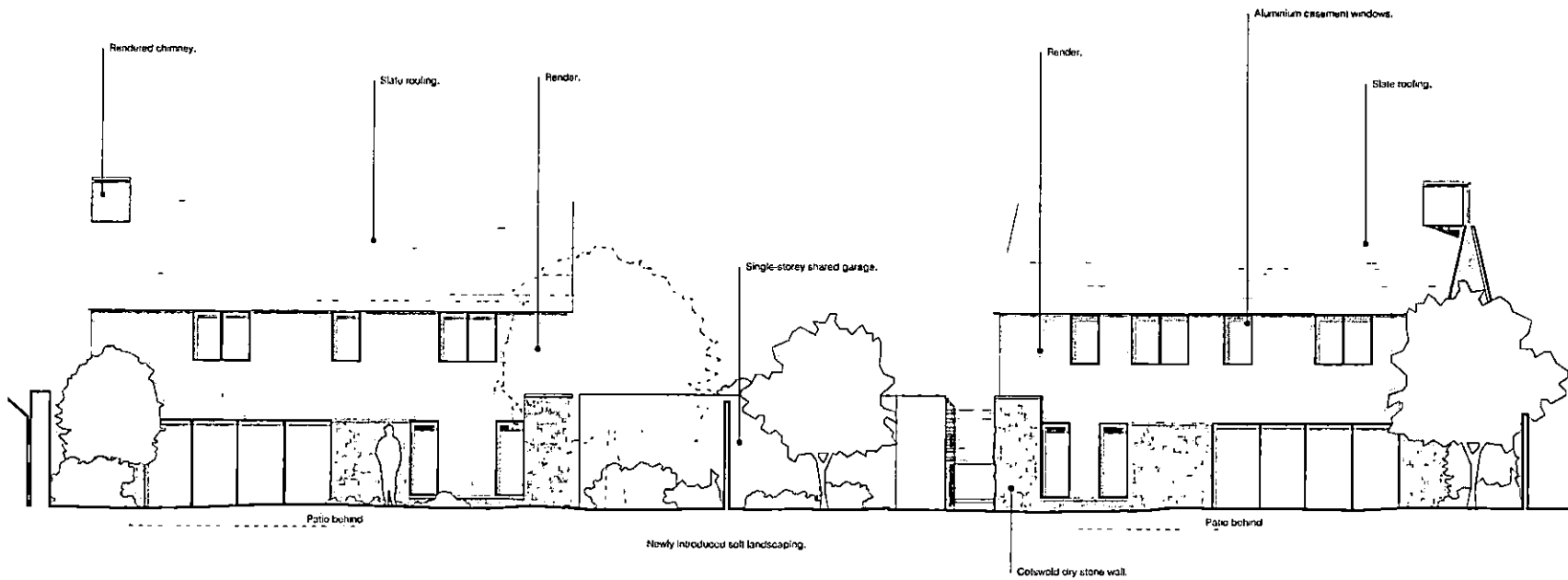
RRA Architects Hereford
 The Watershed,
 Wye Street, Hereford,
 HR2 7TB
 T 01432 278707
 E info@rarchitects.com
 www.rarchitects.com

Client
MR D GEORGE
 Project :
**WICK HOUSE, FAIRFORD,
 GLOUCESTERSHIRE, GL7 4AP.**
 Drawing Title
PR | GROUND FLOOR PLAN

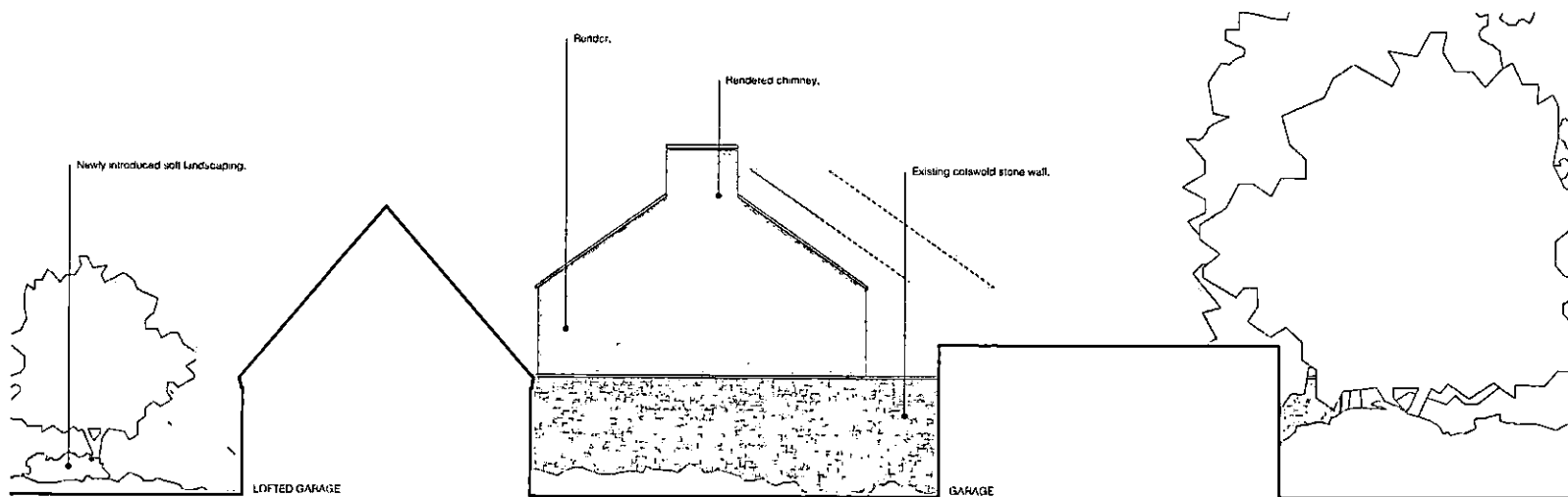
Scale	Date	Drawn By
PLANNING	02/05/2018	JM

Drawing No.	Revision	Scale
2596 P(1) 101	E	1:100 @ A3

88



03 REAR [EAST] ELEVATION
Scale: 1:100



04 SIDE [SOUTH] ELEVATION
Scale: 1:100

- 1 Do not scale off this drawing.
- 2 Any discrepancies to be referred to the Architect.
- 3 This drawing is to be read in conjunction with all relevant specifications and other drawings issued by the Architect and other specialists.
- 4 This drawing is copyright and is not to be reproduced without RRA permission.
- 5 IF IN DOUBT, ASK.

Revision	Description	Date	Check	Rev
21/11/18	General amendments.	JM	C	
21/03/18	General footprint adjustment.	JM	B	
08/03/18	General amendments.	JM	A	



RRA Architects Hereford
 The Watershed,
 Wyke Street, Hereford,
 HR2 7RB
 T 01432 278707
 E info@raarchitects.com
 www.raarchitects.com

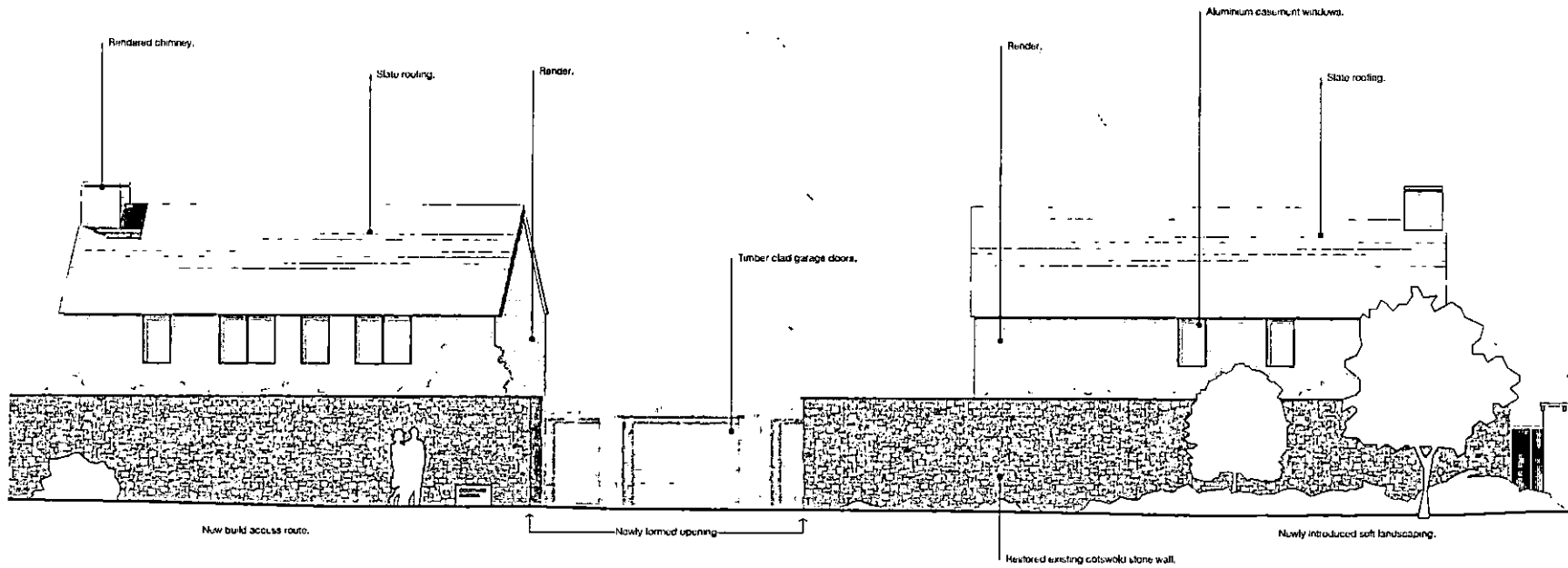
London T 020 7377 5454	Herford T 01432 278707	Cheltenham T 01242 263174
---------------------------	---------------------------	------------------------------

Client
MR D GEORGE
 Project
**WICK HOUSE, FAIRFORD,
 GLOUCESTERSHIRE, GL7 4AP.**
 Drawing Title

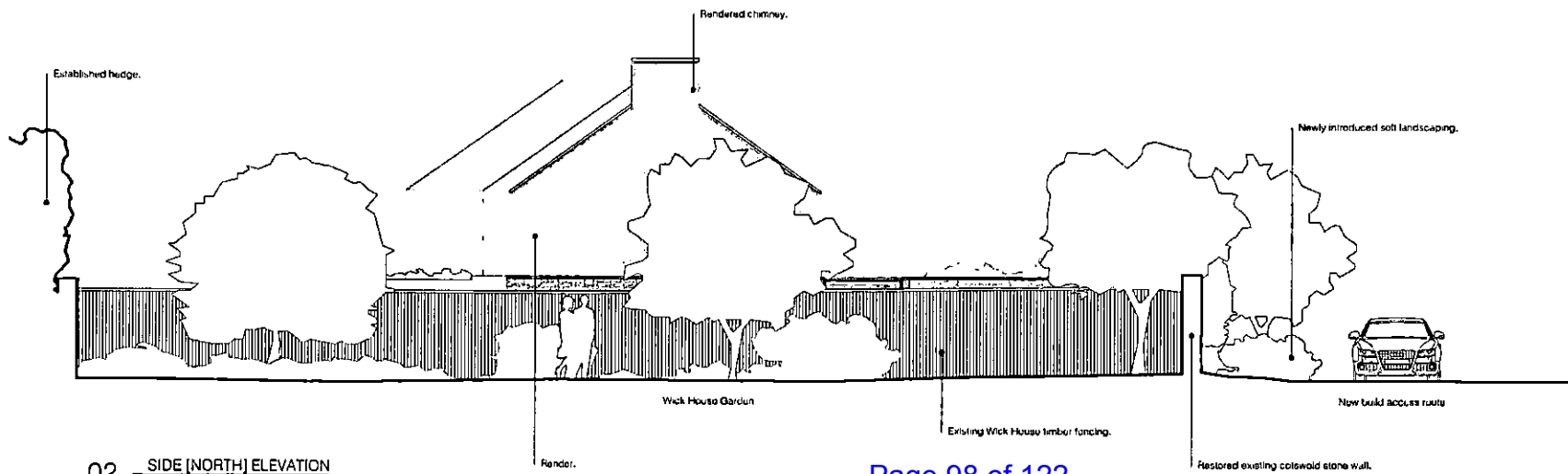
PR | [SOUTH/EAST] ELEVATIONS

Status	Date	Drawn By
PLANNING	02/03/2018	JM
Drawing No.	Revision	Scale
2596 P(1) 202	C	1:100 @ A3

89



01 FRONT [WEST] ELEVATION
Scale: 1:100



02 SIDE [NORTH] ELEVATION
Scale: 1:100

- 1 Do not scale off this drawing.
- 2 Any discrepancies to be referred to the Architect.
- 3 This drawing is to be read in conjunction with all relevant specifications and other drawings issued by the Architect, and other specialists.
- 4 This drawing is copyright and is not to be reproduced without RRA permission.
- 5 IF IN DOUBT, ASK.

Revision Description	Date	Check	Rev
General amendments.	21/11/18	JM	D
General location adjustment.	21/08/18	JM	C
General amendments.	08/06/18	JM	B
General materiality alterations.	25/05/18	JM	A



RRA Architects Hereford

The Watershed,
Wye Street, Hereford,
HR2 7RB

T 01432 278707
E info@rraarchitects.com

www.rraarchitects.com

London Y020 7377 5458 Hereford Y0143 278707 Cheltenham Y01242 264074

Client:

MR D GEORGE

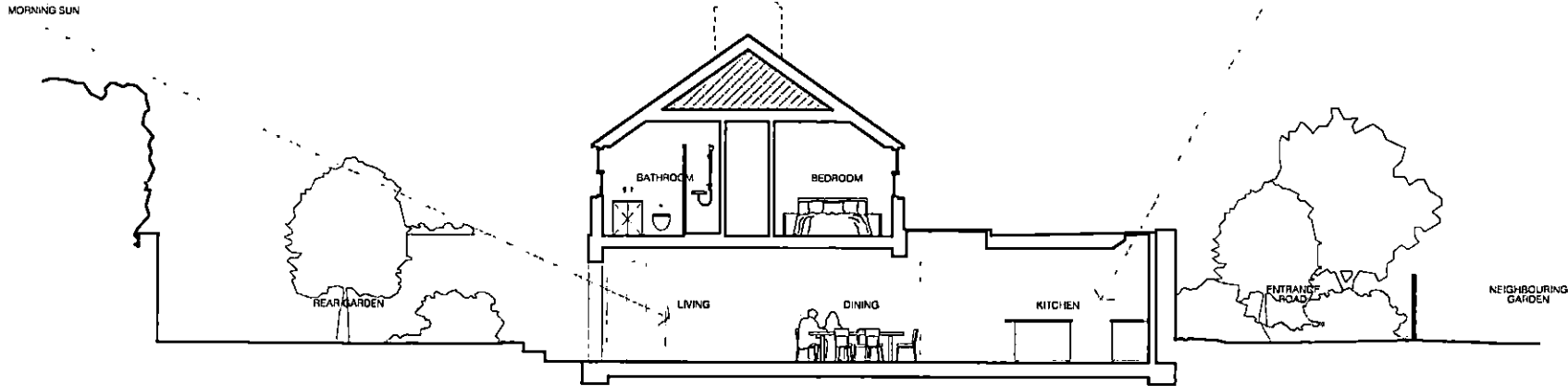
Project:

WICK HOUSE, FAIRFORD,
GLOUCESTERSHIRE, GL7 4AP.

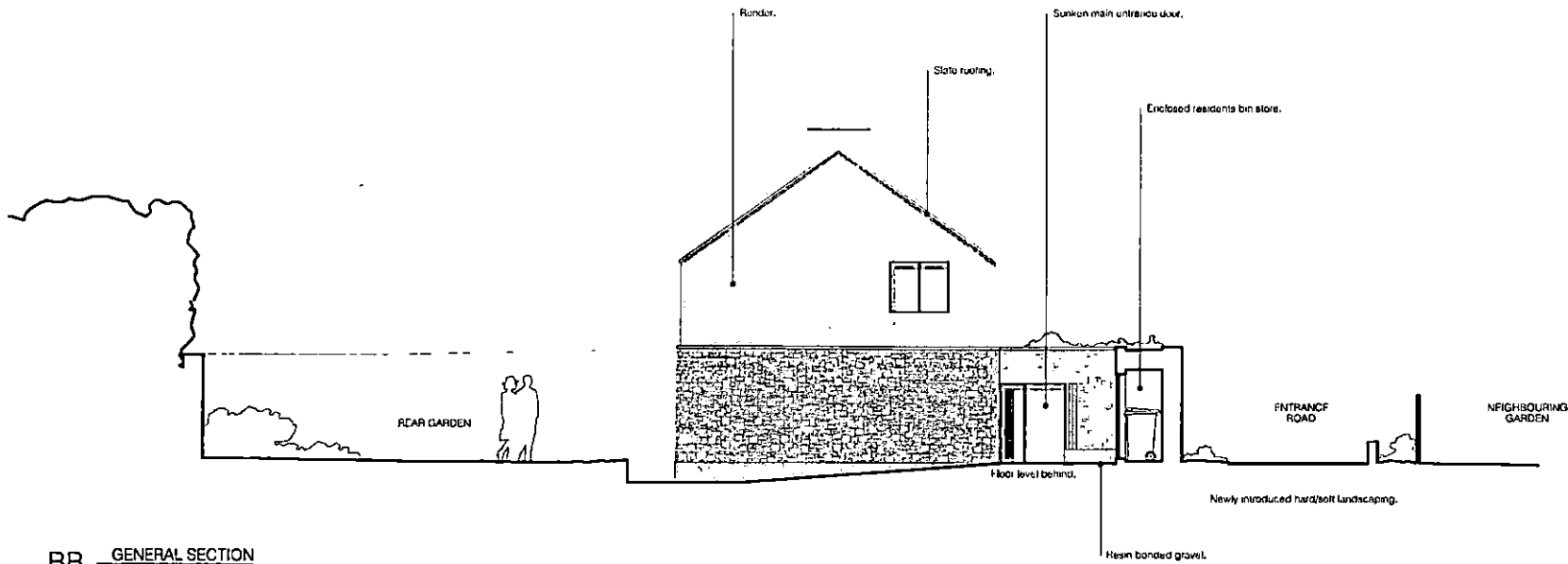
Drawing Title

PR | [NORTH/WEST] ELEVATIONS

Status	Date	Drawn By
PLANNING	02/06/2018	JM
Drawing No.	Revision	Scale
2596 P(1) 201	D	1:100 @ A3



AA GENERAL SECTION
Scale: 1:100



BB GENERAL SECTION
Scale: 1:100

- 1 Do not scale off this drawing.
- 2 Any discrepancies to be referred to the Architect.
- 3 This drawing is to be read in conjunction with all relevant specifications and other drawings issued by the Architect and other specialists.
- 4 This drawing is copyright and is not to be reproduced without RRA permission.
- 5 IF IN DOUBT, ASK.

Revision Description	Date	Check	Rev
General amendments.	21/11/18	JM	C
General footprint adjustment.	21/06/18	JM	B
General amendments.	08/06/18	JM	A



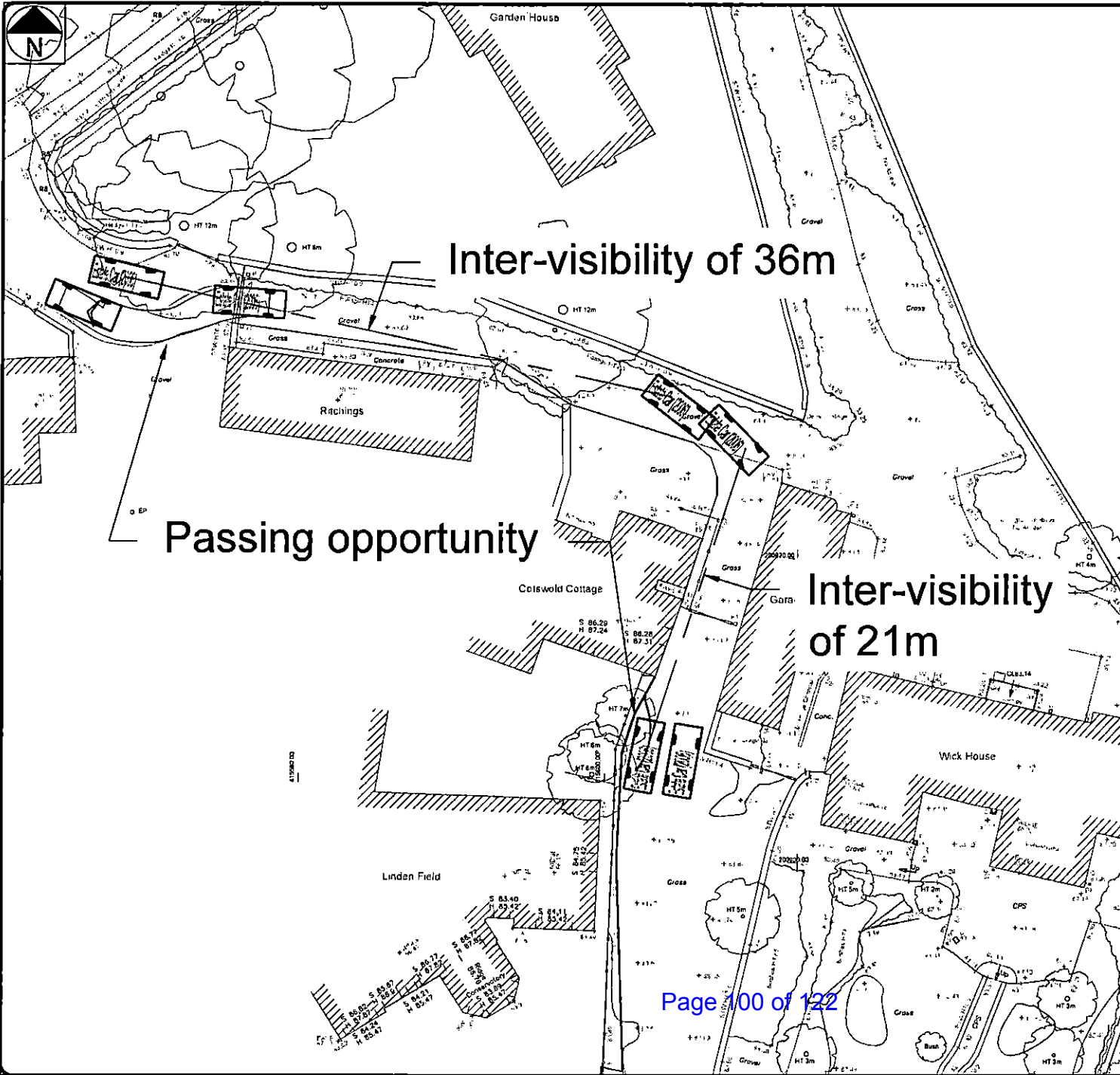
RRA Architects Herford
 The Watershed,
 Wye Street, Herford,
 HR2 7BE
 T 01432 278707
 E info@raarchitects.com
 www.raarchitects.com

Client
MR D GEORGE
 Project :
**WICK HOUSE, FAIRFORD,
 GLOUCESTERSHIRE, GL7 4AP.**
 Drawing title

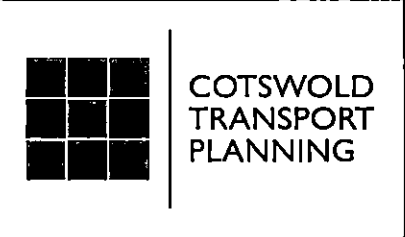
PR | GENERAL SECTIONS

Status	Date	Drawn By
PLANNING	02/06/2018	JM

Drawn No.	Revision	Scale
2596 P(1) 301	C	1:100 @ A3



Notes:



Cotswold Transport Planning Ltd
 121 Promenade
 Cheltenham Gloucestershire GL50 1NW
 Tel: 01242 370283
 cheltenham@cotswoldtp.co.uk
 www.cotswoldtp.co.uk

Drawing Title:
Inter-visibility Assessment

Client:
Mr David George

Project:
Wick House, Fairford

Drawing No:
SK04

Revision:

Date Drawn:
02.10.18

Issue Date:
02.10.18

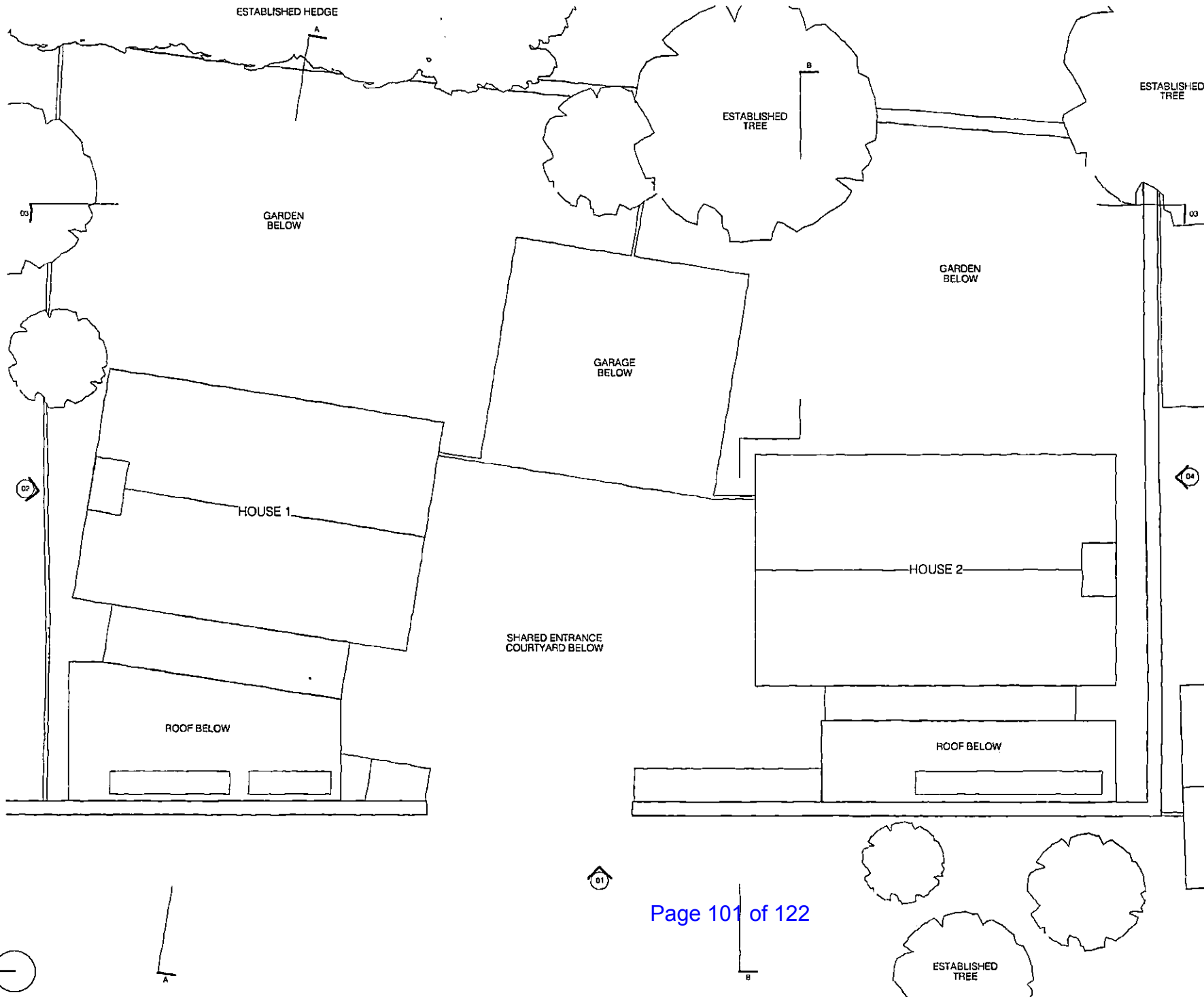
Drawn by:
MW

Checked by:
BQ

Project Code:
CTP-18-163

Scale at A3:
1:250

Drawing Status:
INFORMATION



- 1 Do not scale off this drawing.
- 2 Any discrepancies to be referred to the Architect.
- 3 This drawing is to be read in conjunction with all relevant specifications and other drawings issued by the Architect and other specialists.
- 4 This drawing is copyright and is not to be reproduced without RRA permission.
- IF IN DOUBT, ASK.

Revision	Description	Date	Check	Rev
	General footprint adjustment.	21/06/18	JM	D
	General drawing alterations.	06/06/18	JM	C
	General drawing alterations.	25/05/18	JM	B
	General scheme alterations.	23/05/18	JM	A



RRA Architects Hereford
 The Watershed,
 Wye Street, Hereford,
 HR7 7EB
 T 01432 278307
 E info@raarchitects.com
 www.raarchitects.com

London Y 021 7377 6456 Hereford T 01432 278307 Chairman Y 01432 264374

Client:
MR D GEORGE

Project:
**WICK HOUSE, FAIRFORD,
 GLOUCESTERSHIRE, GL7 4AP.**

Drawing Title:
PR | ROOF PLAN

Status	Date	Drawn By
PLANNING	02/05/2018	JM

Drawing No.	Revision	Scale
2596 P(1) 103	D	1:100 @ A3

93

Item No 04:-

19/01288/FUL

**Brae Croft
Upper Oddington
Moreton-In-Marsh
Gloucestershire
GL56 0XJ**

Item No 04:-**Change of use of existing building from ancillary use to independent dwelling at Brae Croft Upper Oddington Moreton-In-Marsh Gloucestershire GL56 0XJ**

Full Application 19/01288/FUL	
Applicant:	Mr & Mrs Peter Wilsdon
Agent:	Stable Architecture Ltd
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Julian Beale
Committee Date:	12th June 2019
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of Residential Use
- (b) Sustainability of the Location
- (c) Residential Amenity
- (d) Landscape Impact
- (e) Highways and Parking

Reasons for Referral:

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

'I am not content to agree because Permission would grant the Applicant to sell off this 'ancillary' residence without its own Curtilage such that its garden area, notwithstanding the space available, would be simply as granted by and under the control of the owners of Brae Croft.

I would therefore like to ask for this Application to go before the Planning Committee.'

1. Site Description:

The application site is located to the southern side of Upper Oddington, and is on the eastern side of the lane into the village leading to the B4450 to the south.

The applicant's property is a replacement dwelling following the granting of planning permission in 2009, whilst the building subject to this application was granted as an ancillary building that is sited adjacent to the north-eastern boundary of the residential curtilage.

The site is outside any development boundary defined in the Local Plan, and is within the Cotswolds AONB. The land to the south-east and north-east of the application site falls away such that the dwelling is located on the skyline when viewed from the B4450 and a Public Right of Way (PRoW) to the east.

2. Relevant Planning History:

06/00973/FUL: Erection of two storey and single storey extensions. Granted 15.6.2006

06/02985/FUL: Demolition of building and erection of replacement dwelling. Refused 17.1.2007

07/00555/FUL: Demolition of dwelling, erection of replacement dwelling. Granted 29.5.2007

09/01349/FUL: Erection of replacement dwelling (amendment to permission 07/00555/FUL to include changes to the scale and design of the boot room). Granted 15.7.2009

15/00434/CLEUD: Certificate of Lawful Existing Use or Development under Section 191 of the Town & Country Planning Act 1990 - for the construction and retention of an unauthorised dwelling currently known as Brae Croft, Upper Oddington. Granted 31.03.2015

16/00357/FUL: Erection of ancillary building. Withdrawn 25.07.2016

16/03627/FUL: Erection of ancillary building. Granted 21.10.2016

16/04410/FUL: Erection of carport structure. Granted 24.11.2016

16/04765/FUL: Variation of Condition 4 of planning permission 16/03627/FUL: use of outbuilding for purposes ancillary to the residential use of the dwelling. Granted 23.12.2016

16/05255/COMPLY: Compliance with conditions 3 (samples) and 5 (landscaping) of application 16/04765/FUL - Erection of ancillary building. Granted 31.01.2017

17/01301/FUL: Erection of ancillary building - amendment to 16/04765/FUL. Granted 05.05.2017

18/04570/FUL: Erection of ancillary building (revisions to that approved under 17/01301/FUL) (Retrospective). Granted 15.01.2019

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
 EN5 Cotswold AONB
 INF4 Highway Safety
 INF5 Parking Provision

4. Observations of Consultees:

None

5. View of Town/Parish Council:

Oddington Parish Council: Object as follows: -

"The Council notes that this application appears to be the same as the one withdrawn last month. Our comments remain as last time. Namely that the Council OBJECTS to this application on the grounds that the site is currently occupied by a building which is ancillary to the main building (Fox Furlong) (*sic*) and should not be used to create a new, separate dwelling. It is the Council's view that a new dwelling would not meet the criteria set out in DS3 of the Local Plan 2011 -2031."

6. Other Representations:

5 objections have been received raising the following points: -

- i) building granted for ancillary use and should remain as such
- ii) overdevelopment
- iii) this is an example of 'planning

7. Applicant's Supporting Information:

Planning Statement
Proposed Plans

8. Officer's Assessment:

(a) Principle of Residential Use

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, the village of Upper Oddington, together with the adjoining village of Lower Oddington, are considered to represent Non-Principal Settlements for the purposes of 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.

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.'

In the context of Policy DS3, the proposal is for the change of use of an existing building forming ancillary accommodation into independent residential use, and is therefore considered to represent small scale residential development. The proposal will provide additional living accommodation which has the potential to assist services and facilities in the village and in nearby settlements such as Stow-on-the-Wold as supported by paragraph 78 of the NPPF.

The proposed dwelling is located in proximity to existing residential development and there are facilities in the villages including a church, village hall, bus stops and public houses. In the context of the village, the independent use of this building is considered to maintain sustainable patterns of development. The proposal will not have an adverse cumulative impact on the settlement in light of the number of dwellings approved in Oddington in the Local Plan period. The Council's Residential Land Monitoring Statistics April 2018 state that there have been 2 completions in the parish since 2011 and that there were 3 outstanding commitments as of April 2018 (one of which is a replacement dwelling). Permission therefore exists, or has been granted, for a limited number of residential units in the Local Plan period. The proposal is therefore considered to accord with Local Plan Policy DS3 in respect of criteria 1 a, b and d. Criterion 1 c will be assessed later in this report.

(c) Residential Amenity

The building subject to this application is within the residential curtilage of Brae Croft, and shares its access of the lane to the north-west. Whilst traffic visiting Brae Croft would have to drive past the property to gain access, the driveway would be subdivided from the proposed dwelling by retaining walls and planting, such that it is considered there would not be any adverse impact upon the amenities of occupants of the building. In addition, considering the size of the garden to Brae Croft, the proposed dwelling would also be afforded a large garden area.

There are no other immediately adjacent residential properties, with Fox Furlong and Nos. 1 and 2 Sunnyside located to the north and north-west being separated from the site by either the road or agricultural land.

Therefore, the proposal is considered to accord with Policy EN2 and Appendix D of the Local Plan, and paragraph 127(f) of the NPPF.

(d) Landscape Impact

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Paragraph 170 of the National Planning Policy Framework requires the planning system to recognise the intrinsic character and beauty of the countryside.

Section 15 of the National Planning Policy Framework requires local planning authorities to have regard to the conservation and enhancement of the natural environment. Paragraph 170 states that the planning system should protect and enhance valued landscapes. Paragraph 172 states that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty.

Policy EN2 of the Local Plan 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 EN5 of the Local Plan states that in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight. In addition, major development will not be permitted within the AONB unless it satisfies the exceptions set out in national Policy and Guidance.

The works proposed to separate the existing building from Brae Croft are minor in nature, and would not materially impact upon the landscape character of the area. As such, the proposal accords with the above policies, and also with Policy DS3 1 c. in terms of the development complementing the form and character of the settlement.

(e) Highways and Parking

The proposed dwelling would share the existing access into Brae Croft, which is unaltered from its use as ancillary accommodation. It is considered that there is sufficient parking and turning space for occupants of the dwelling provided within its curtilage, such that the proposal accords with Policies INF4 and INF5 of the Local Plan, in addition to Section 9 of the NPPF.

9. Conclusion:

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.

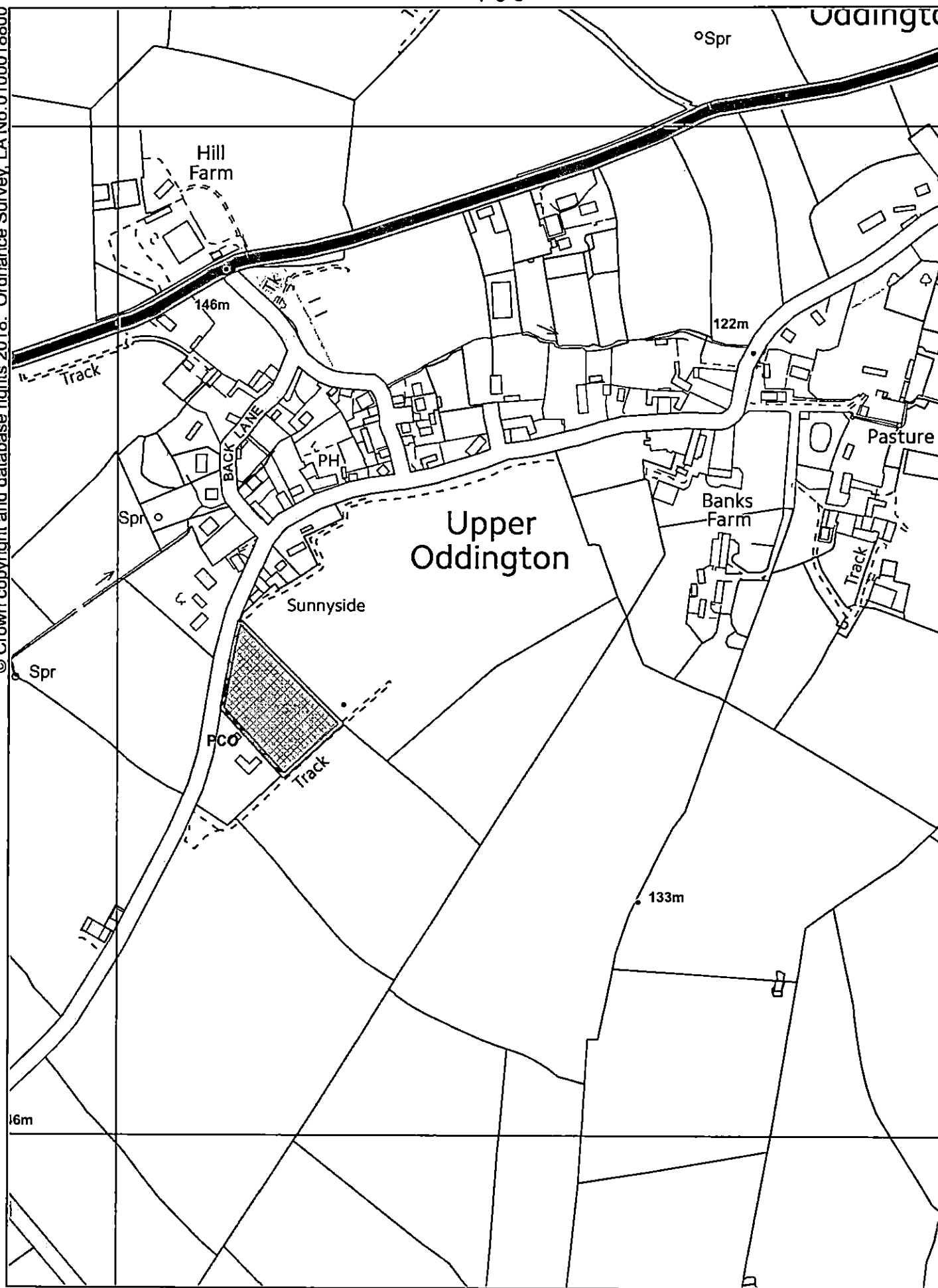
The development hereby approved shall be implemented in accordance with the following drawing numbers: 6155-03b and 6199-05b.

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

Notwithstanding the details shown on the approved plan, before the development is occupied or brought into use the boundary treatment of the site to subdivide the property from the dwelling currently known as Braecroft, including a timetable for its implementation, shall be agreed in writing with the Local Planning Authority. The boundary treatment shall then be completed and permanently maintained thereafter in accordance with the approved details.

Reason: The boundary features will be important in screening the site and helping the development to blend in with its surroundings. This condition is imposed in accordance with Cotswold District Local Plan Policy EN2.

© Crown copyright and database rights 2018. Ordnance Survey, LA No. 0100018800



COTSWOLD
DISTRICT COUNCIL

BRAE CROFT UPPER ODDINGTON

Organisation: Cotswold District Council

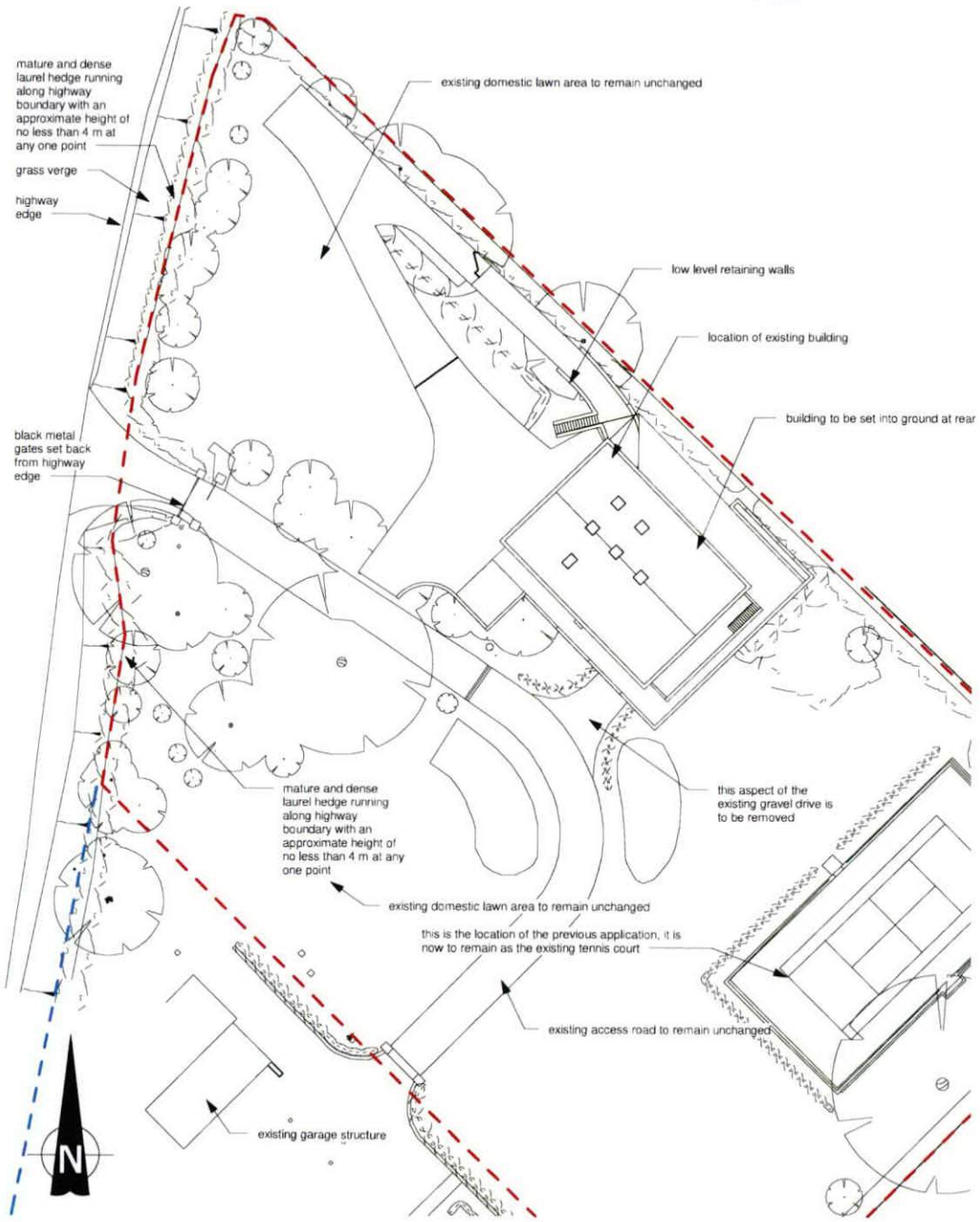
Department:

Date: 31/05/2019

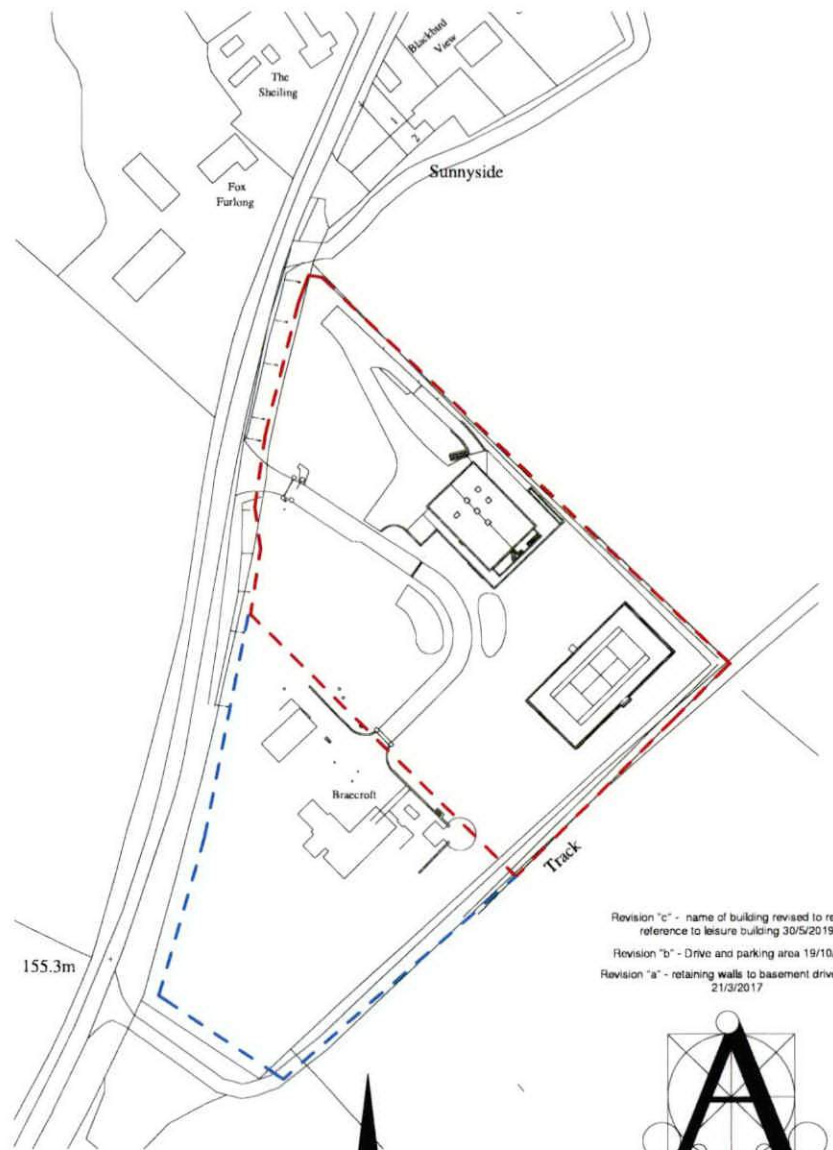
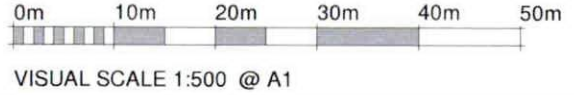
[Page 108 of 132](#)

Scale: 1:5000





Block Plan
1 : 500



Location Plan
1 : 1250



Revision "c" - name of building revised to remove reference to leisure building 30/5/2019
 Revision "b" - Drive and parking area 19/10/2018
 Revision "a" - retaining walls to basement drive shown 21/3/2017



Mr P. Wilsdon
Braecroft
Oddington

Drawing No: 6155-03c Date: 25/8/16 Scale: As indicated@A3

101



102

20/02/2019



103

20/02/2019



20/02/2019

Item No 05:-

19/00996/FUL

**Colmans
Colman
Temple Guiting
Gloucestershire
GL54 5RT**

Item No 05:-**Erection of garage/car port with storage over and garden store at Colmans Colman Temple Guiting Gloucestershire GL54 5RT**

Full Application 19/00996/FUL	
Applicant:	Mr Nigel Butler
Agent:	Mr Chris Jones
Case Officer:	Amy Hill
Ward Member(s):	Councillor Richard Keeling
Committee Date:	12th June 2019
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Design and Impact on the Character and Appearance of the Area
- (b) Impact on the Cotswold Area of Outstanding Natural Beauty (AONB) and Trees
- (c) Impact on Residential Amenity

Reasons for Referral:

Councillor Keeling called the application to Committee stating 'In view of the overbearing nature of the buildings that the applicant has proposed I would request that this matter be referred to the full planning committee, please.'

1. Site Description:

The site consists of a residential plot located in a cluster of 5 dwellings outside Temple Guiting. Last year permission was granted for a replacement two storey dwellinghouse in the place of a former bungalow. This has been substantially completed. There are dwellings to either side of the dwellinghouse with fields to the rear.

2. Relevant Planning History:

18/02790/FUL - Demolition of timber bungalow and erection of replacement dwelling - Permitted September 2018

3. Planning Policies:

NPPF National Planning Policy Framework
 EN1 Built, Natural & Historic Environment
 EN2 Design of Built & Natural Environment
 EN4 The Wider Natural & Historic Landscape
 EN5 Cotswold AONB
 EN7 Trees, Hedgerows & Woodlands

4. Observations of Consultees:

N/A

5. View of Town/Parish Council:

Temple Guiting Parish Council (TGPC) commented that 'councillors agreed that there were insufficient grounds to recommend a refusal of permission. However, TGPC recommends that further consideration is given to the options to reduce the impact the proposed buildings could have on the neighbouring property where possible. Recommendations relate to the position and height of structures, selection of roofing materials and the selection of lighting. TGPC recommends that the roofing materials for the garage and carport match those of the house.' The submission comments included a number of ways they considered the proposal could be amended to reduce the impact of garage on the neighbour and other design improvements.

The potential inclusion of solar panels was noted by the Parish; however, these have not been included in the current application.

6. Other Representations:

1 Objection Comment

One neighbouring property objected on the following grounds:

- i) Plans do not show how close the proposed structure is to Colman House (NE corner of Colman House would be 9.5m from the SW corner of the proposed structure)
- ii) Proposed finished ground level of site about 1.3m above area to the rear of Colman House
- iii) No height of garden store given
- iv) Possible other locations on the site, given the current site would be close to and would impact considerably on Colman House because of its proposed height
- v) Other options that would be preferred
- vi) Loss of evening light

1 General Comment

Another neighbour commented, not objecting to the scheme (other than it has already commenced), but raising concerns relating to disturbances caused by the current development and requesting that the works on site are limited to more socially accepted hours and particularly not on a Sunday or bank holiday.

Those aspects which are material planning considerations are covered within the report below.

7. Applicant's Supporting Information:

Proposed Plans

8. Officer's Assessment:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.

The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

(a) Design and Impact on the Character and Appearance of the Area

Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

NPPF Section 12 requires good design, providing sustainable development and creating better place to live and work in. Paragraph 127 states decisions should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which are sympathetic to local character and history maintaining a strong sense of place.

The proposal includes a garage with storage above and a garden store. The garage would be located to the rear of the dwellinghouse, to the eastern side. It would measure 6.3m by 6.3m (excluding the external staircase), with an eaves and ridge height of 2.4m and 5.7m respectively. The garden shed would be at the end of the garden, alongside the eastern boundary of trees. It would measure 3m by 6m, with an eaves and ridge height of 2.3m and 3.5m respectively. They would both be made of larch timber cladding, left to weather naturally, and a plain tile roof.

Whilst the outbuildings would not wholly comply with the Cotswold Design Code, with domesticating features such as the external staircase and materials choice, they are considered of suitable design and scale for the site, such that they would be in keeping with the character and appearance of the host dwellinghouse, and not out of keeping with the character and appearance of the area. The larch cladding would be conditioned to be left to weather naturally providing a suitable finish, which should soften the appearance of the buildings allowing them to fit better within the semi-rural area.

The Parish Council requested a number of amendments relating to design, these included: using tiles to match the main dwellinghouse (rather than a plain tile); external lighting to be selected and positioned to minimise any impact on neighbours and dark skies; and that options to reduce the height of the garden shed should be considered.

In regards to the tile choice, whilst continuity on the site has advantages, as outbuildings it is typical for their building materials to be subservient in quality to the main dwellinghouse (which the plain tile would be). The use of a stone tile for the roof would not show this subservient relationship, and would appear awkward with the wooden cladding.

The limitation on lighting would help preserve dark skies and may limit the impact on the neighbour; however, given the lighting on the rest of the site is not controlled and it has historically been a residential property, the addition of a condition would not be considered reasonable. As such it would fail to meet the six tests of the NPPF and should not be included.

The rationale for the request for a reduction in height of the garden shed has not been provided, and with an eaves height of 2.3m and ridge height of 3.5m, it is considered to be a relatively standard height.

As such, whilst these comments are noted, and have been forwarded to the agent, it is considered that no amendments to the scheme were required given the current proposals are considered acceptable in regards to their design and impact on the area.

The proposals are therefore considered to comply with the design considerations of Local Plan Policy EN2 and NPPF Section 12.

(b) Impact on the Cotswold Area of Outstanding Natural Beauty (AONB) and Trees

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Local Plan Policy EN5 relates specifically to the Cotswold AONB, and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

Local Plan Policy EN7 requires development to conserve and enhance natural assets to be affected, including trees, hedgerows, and woodland of high landscape amenity, ecological or historical value as well as veteran trees.

Section 15 of the NPPF seeks to conserve and enhance the natural environment. More specifically Paragraph 172 states Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (amongst other sensitive areas), which have the highest status of protection in relation to these issues.

The proposals are within the established domestic curtilage of the dwellinghouse, and whilst the site backs onto fields, the proposed developments would be viewed against a row of trees which would mitigate the impact of the buildings. They would not encroach into open countryside nor harm the character or appearance of the Cotswold AONB.

The bordering trees are not within a conservation area and as such could be removed without prior consent. Their merit to the amenity of the surrounding area is considered to be sufficiently limited that they are considered not to warrant serving a Tree Preservation Order. Whilst trees in the neighbour's garden are protected by a tree preservation order, the works would be over 15m from the trunk of said trees. As such, the root system of the protected trees would be considered not to be harmed. As such the proposal is considered to accord with Local Plan Policies EN5 and EN7, and Section 15 of the NPPF.

(c) Impact on Residential Amenity

Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect. Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.

The garden shed is located at the end of the garden away from the neighbouring properties and is of a scale that it is considered to not impinge on the residential amenities of the neighbouring properties having regard to loss of light, loss of privacy or overbearing.

The garage is located just to the rear of the host dwellinghouse, and thus also nearly in line with the neighbouring dwellinghouse, Colmans House. The garage would have no openings on the east elevation facing this property. The roof lights to the front and rear, whilst having the potential to overlook the neighbour and garden, would predominantly look over the applicant's garden. The views towards the neighbour would be limited, with a tree lined and beech hedge boundary dividing the two sites. Even without this boundary, the views would be limited to the extended garden of the neighbour and the side elevation which has limited fenestration. As such the impact on the neighbouring property in regards to loss of privacy would be considered acceptable.

It is noted that there is a difference in ground levels between the site and the neighbouring property; however, even given this the garage would be located such that it would not breach the horizontal or vertical 45 degree line as advocated by the Building Research Establishment publication IP 23/12 - Site Layout Planning for Daylight, referenced in the Cotswold Design Code, for the windows and doors to the rear of the neighbour.

The side windows of Colmans face over the site, with the proposed garage offset from these. These windows face a beech hedge and fence which forms the boundary between the neighbours. The separation of the neighbours is sufficient that whilst the garage would be positioned such that it would breach [Page 167 of 122](#) on the horizontal plane, it would not do so on the vertical plane (even with the difference in land levels included).

As such, despite concerns raised by the neighbour, the impact in regards to loss of light and overbearing is also considered acceptable.

The proposal is close to Colmans House, and as such is considered to cause a level of overbearing; however, Colmans House benefits from open gardens to the north, east and south. Given this and the height of the proposed garage and its distance from the neighbour, the level of overbearing is considered to be sufficiently limited to be acceptable.

Comments were received relating to noise and disturbance relating to the replacement of the dwellinghouse; however, due to the scale of the proposed development, noise and disturbances from the build are likely to be short-term and would not warrant a condition restricting the hours of working on the site.

The proposed development is therefore considered to accord with the residential amenity considerations of Cotswold District Local Plan Policy EN2 and Section 12 of the NPPF.

9. Conclusion:

The proposal complies with Local Plan Policies EN2 and EN5, and NPPF Sections 12 and 15, and as such is recommended for permission.

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 number(s): 551/1 and 551/2A.

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

The timber cladding 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 Policies EN2 and EN5.

© Crown copyright and database rights 2018. Ordnance Survey. LA No. 0100018800



COLMANS COLMAN TEMPLE GUITING

Scale: 1:5000

Organisation: Cotswold District Council

Page 119 of 132

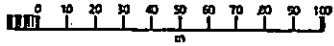
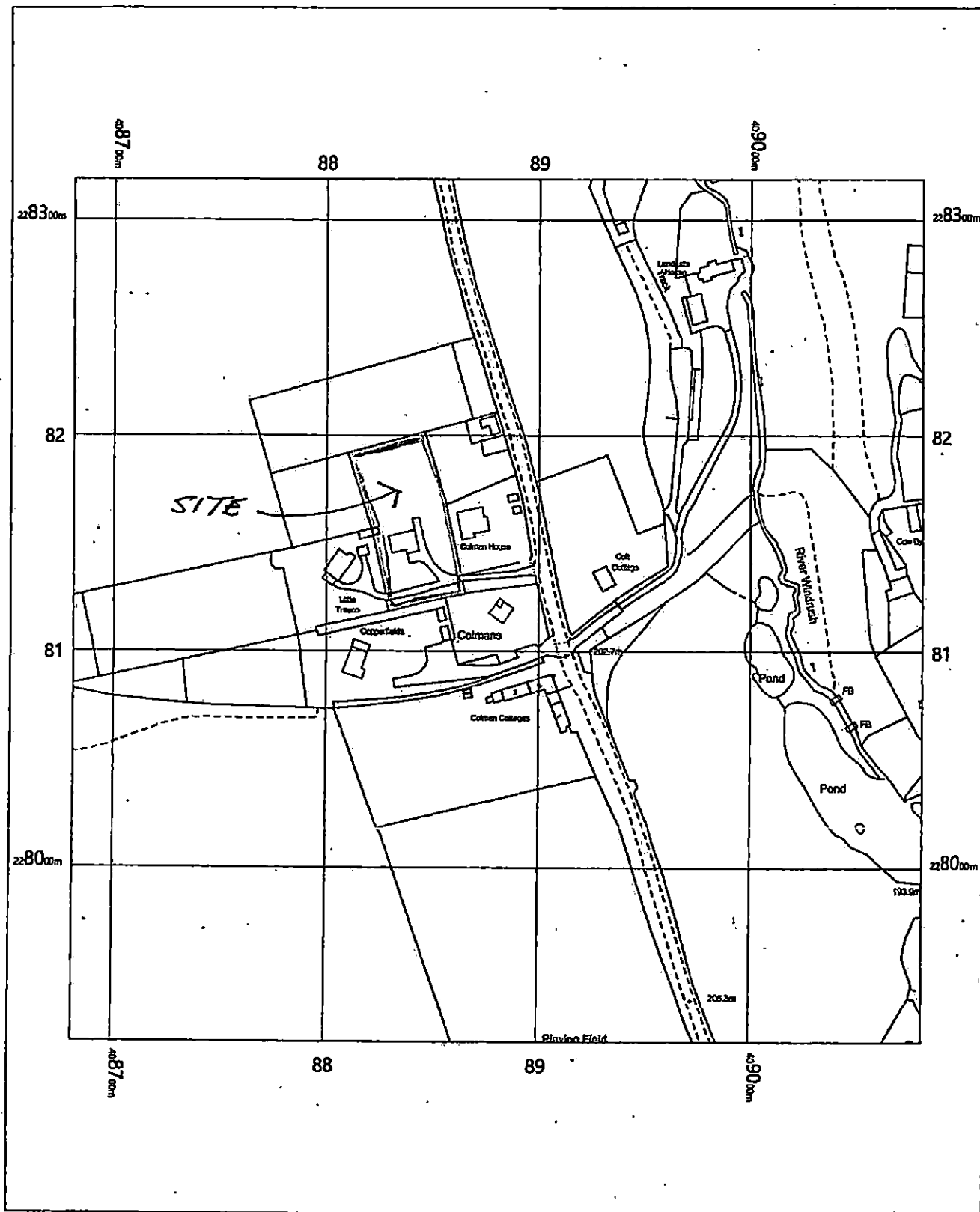
Department:

Date: 31/05/2019



COTSWOLD
DISTRICT COUNCIL





Colmans
Temple Guiting
Gloucestershire
GL54 5RT

OS MasterMap 1250/2500/10000 scale
Thursday, July 12, 2018, ID: UPT-00726739
www.themapshop.co.uk

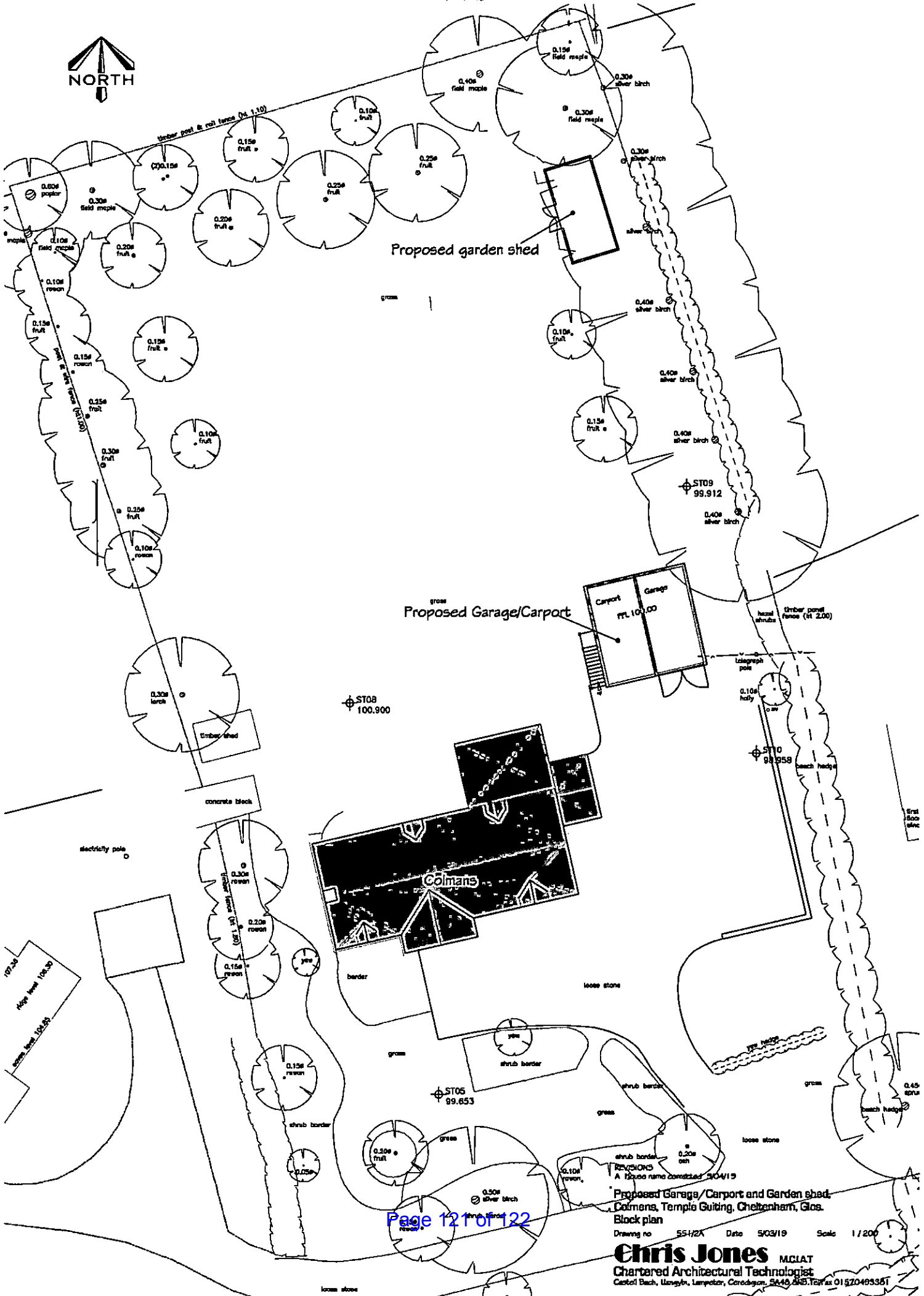
1:2500 scale print at A4, Centre: 408881 E, 228119 N



The Map Shop
Upton upon Severn
www.themapshop.co.uk

TEL: 01684 593148
FAX: 01684 594559



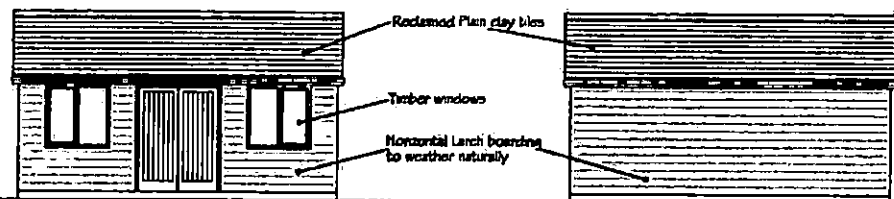


Proposed Garage/Carport and Garden shed
 Colmans, Temple Guiting, Cheltenham, Glos.
 Block plan

Drawing no 55-12A Date 5/03/19 Scale 1/200

Chris Jones MCIAT
 Chartered Architectural Technologist
 Castell Bach, Umagyn, Llanpeter, Ceredigion, SA43 2AB, Tel: 01570493361

NOTES:
ALL DIMENSIONS TO BE CHECKED ON SITE.

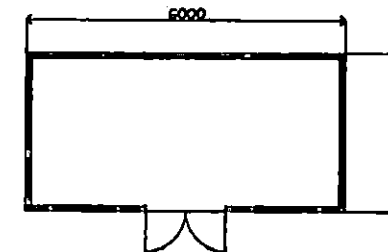


West elevation
Garden shed

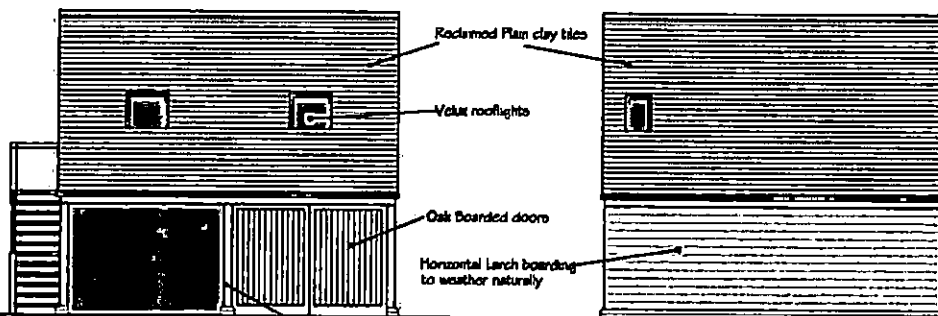
East elevation



South elevation

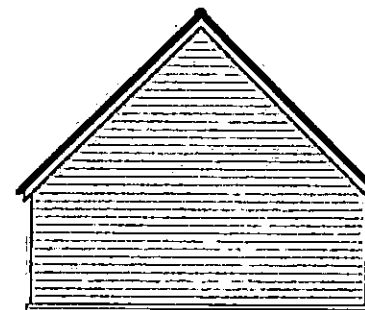


Ground floor plan

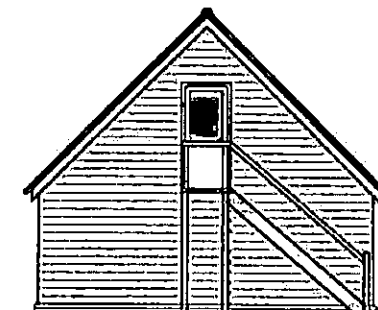


South elevation

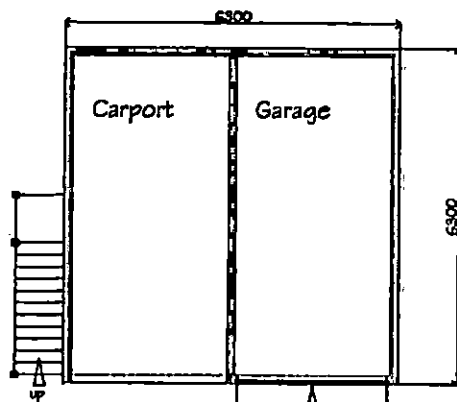
North elevation



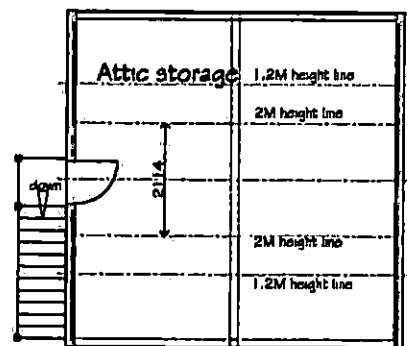
East elevation



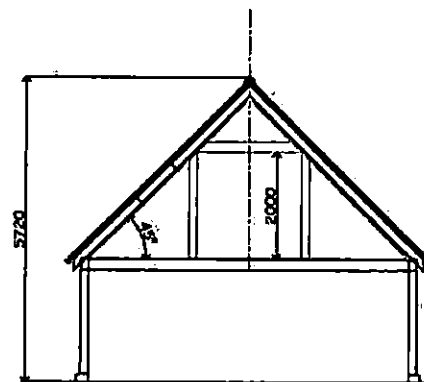
West elevation



Ground floor plan



First floor plan



Section

REVISIONS
A Notes amended re materials 30/5/19

Proposed Garage/Carport and Garden shed,
Colmans, Temple Guiting, Cheltenham, Glos.

Drawing no 551/1A Date 30/5/19 Scale 1/100

Chris Jones MCLAT

114