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COTSWOLD
DISTRICT COUNCIL

Tuesday, 30 November 2021

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PLANNING AND LICENSING COMMITTEE

A meeting of the Planning and Licensing Committee will be held in the Council Chamber at Council Chamber - Trinity Road, Cirencester on **Wednesday, 8 December 2021 at 2.00 pm.**

Rob Weaver
Chief Executive

To: Members of the Planning and Licensing Committee
(Councillors Ray Brassington, Patrick Coleman, Stephen Hirst, Sue Jepson, Julia Judd, Juliet Layton, Andrew Maclean, Dilys Neill, Gary Selwyn, Steve Trotter and Clive Webster)

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to 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 prior to the date of the meeting.

AGENDA

1. **Apologies**
2. **Substitute Members**
To note details of any substitution arrangements in place for the Meeting.
3. **Declarations of Interest**
To receive any declarations of interest from Members and Officers, relating to items to be considered at the meeting.
4. **Minutes** (Pages 5 - 10)
To confirm the minutes of the meeting of the Committee held on 10 November 2021.
5. **Chair's Announcements (if any)**
6. **Schedule of Applications** (Pages 11 - 198)
To consider and determine the applications contained within the enclosed schedule:

| Application No | Description | Ward Councillor(s) | Case Office / Page No: |
|----------------|---|---------------------------|------------------------|
| 21/03283/FUL | Demolition of 24 no. existing defective non-traditional houses and maisonettes and construction of 28 no. new affordable 2 and 3 bedroom houses, together with associated external works and landscaping at 13-30 Stockwells Moreton-In-Marsh Gloucestershire GL56 0HQ | Councillor Rachel Coxcoon | Martin Per Page xx |
| 21/02735/FUL | Installation of a solar farm comprising an array of ground mounted solar PV panels with associated infrastructure including housing for inverters, transformers and electrical equipment, a substation compound, fencing, security cameras, access tracks, associated landscaping and cabling for grid route of approx. 7.9 kilometres in length at Land At Grid Reference 398111 195688 Kemble Wick Kemble Gloucestershire | Councillor Tony Berry | Martin Per Page xx |

| | | | |
|---------------------|--|----------------------------|---------------------------|
| 21/00650/FUL | Application for Technical Details Consent for 2 No. dwellings (based on a Permission in Principle application (ref. 20/02017/PLP) for the erection of up to 3no. dwellings) at Land North East Of Chedworth Village Hall Chedworth Gloucestershire | Councillor Jenny Forde | Martin Perks Page xx |
| 21/02766/REM | Erection of 67 dwellings, open space, and landscaping (Reserved Matters application) at Land To East Of Evenlode Road Moreton-In-Marsh Gloucestershire | Councillor Rachel Coxcoon | Martin Perks Page xx |
| 21/04248/SPA NOT | Prior approval notification for the installation of Solar Photo-Voltaic panels (total installation 114kwp) at Cotswold Leisure Centre Tetbury Road Cirencester Gloucestershire GL7 1US | Councillor Ray Brassington | Hannah Rose Page xx |
| 21/04250/SPA NOT | Prior approval notification for the installation of Solar Photo-Voltaic panels (total installation 64 kwp) at Bourton Leisure Centre Station Road Bourton-On-The-Water Gloucestershire GL54 2BD | Councillor Nick Maunder | Hannah Rose Page xx |
| 21/00522/FUL | Conversion of Dutch barn to restaurant/café and associated works at Dutch Barn Nr Hookshouse Lane Charlton Down Tetbury Gloucestershire GL8 8TZ | Councillor Richard Norris | David Ditchett Page xx |

7. **Sites Inspection Briefing** (Pages 199 - 200)
Members for Wednesday 5 January 2022 (if required):

Councillors Ray Brassington, Andrew Maclean, Juliet Layton, Dilys Neill and Gary Selwyn

8. **Licensing Sub-Committees** (Pages 201 - 202)

Members for Wednesday 15 December 2021 (if required):

Councillors Julia Judd, Patrick Coleman, Sue Jepson, Steve Trotter, Clive Webster

(END)

Planning and Licensing Committee
10/November2021



COTSWOLD
DISTRICT COUNCIL

Minutes of a meeting of the Planning and Licensing Committee held on Wednesday, 10 November 2021.

Councillors present:

| | | |
|-----------------|---------------|---------------|
| Patrick Coleman | Julia Judd | |
| Stephen Hirst | Juliet Layton | Steve Trotter |
| Sue Jepson | Dilys Neill | |
| | Gary Selwyn | |

Officers present:

Michelle Bignell, Service Leader (Licensing and Business Support)
Susan Gargett, Interim Head of Legal Services
Caleb Harris, Strategic Support Officer
Martin Perks, Principal Planning Officer
Deborah Smith, Team Leader (Development Management)

Observers:

Councillor Stephen Andrews

45 Apologies

Apologies for absence had been received from Councillors Ray Brassington, Clive Webster and Andrew Maclean.

46 Substitute Members

There were no substitute Members.

47 Declarations of Interest

Councillor Stephen Hirst declared an interest in respect of Schedule Items 1 and 2 as he was a member of Gloucestershire County Council, the applicant for those applications.

48 Minutes

Members expressed a view that, where specific representations/views had been made by the Committee, these should be recorded within the meeting Minutes going forwards.

The Committee noted that Councillor Mark Annett had declared an interest in application 21/00736/FUL, which was why he had not made any representations as one of the Local Members.

Subject to the above amendments being incorporated, the Minutes of the meeting held on the 13 October 2021 were agreed as a true, accurate record.

Record of Voting – for: 8, against: 0, abstention: 0, absent: 3.

49 Chair's Announcements (if any)

The Chair and the Committee wished to place on record their thanks to Michelle Bignell (Service Leader, Licensing and Business Support) who was leaving the Council after 17 years' service. Michelle had grown her career with the Council and had offered Members precise, clear and simple advice during her employment

Councillor Juliet Layton made a presentation on behalf of the Committee.

50 Gambling Act 2005 - Review of the Gambling Policy Statement

The Service Leader, Licensing and Business Support introduced the item to the Committee noting that the Council was proposing to adopt a 'no casino' approach within the District.

The Committee noted that test purchases were carried out in licenced premises across the District.

Councillor Sue Jepson proposed that:

a) the Committee considers the draft policy attached at Annex A and makes the appropriate recommendation to the Council in relation to the adoption of the Council's revised Statement of Principles; and

b) That the Council continues to adopt a "no- casino resolution" for inclusion in the published Gambling Act 2005 Licensing Policy Statement.

This was seconded by Councillor Juliet Layton.

Record of Voting - for: 8, against: 0, abstention: 0, absent: 3.

51 Schedule of Applications

20/04147/FUL

Coln House School, Horcott Road, Fairford, Gloucestershire, GL7 4DB

The Principal Planning Officer, Martin Perks, introduced the application:

Conversion of existing Grade II Listed Coln House into 7no residential units (C3), demolition of modern teaching blocks and outbuildings, erection of 17 no new residential units within

former school grounds, soft and hard landscaping and drainage works at Coln House School Horcott Road, Fairford , Gloucestershire, GL7 4DNB

The Committee noted the Update Report, which included a letter from Fairford Town Council along with associated e-mails, which had been circulated and read by the Committee in advance of the meeting.

The Update Report also covered the location of the site, which buildings were to be demolished and retained as part of the proposed development and views of the existing site. Members further noted the locations of the protected trees, which would be retained as part of the proposed development.

The Committee noted the proposed design of the development, acknowledging that the proposed design of the main building would ensure the exterior remained as close as possible to its existing appearance.

The Committee further noted that the Conservation Officers were content with the understated design of the proposed development.

The following people addressed the Committee:

Councillor Richard Harrison (Fairford Town Council)

Councillor Stephen Andrews (Ward Member)

Following a Member question, the Committee noted that Gloucestershire County Council (GCC) Archaeology had no objection to the planning application. GCC Archaeology had provided separate advice to Fairford Town Council regarding community development on the adjacent playing fields. The Committee were made aware that the creation of artificial pitches on the playing fields would require planning permission.

GCC and Fairford Town Council were in discussions about the transfer of the adjacent playing fields to the Town Council. If agreement was reached, the future maintenance of the playing fields would be taken on by the Town Council.

The Committee further noted that the developer was aware of the Council's climate change toolkit. The developer had set out what measures they would be incorporating into the scheme which covered energy efficiency of the properties and water conservation. The Committee noted that the measures outlined by the developer were deemed reasonable by Officers in terms of climate change mitigations.

In response to a Member query around the mixing of traditional and contemporary housing on a single, small development, Members were shown pictures outlining the differences in building design between the traditional and contemporary dwellings. The Committee noted that the inclusion of contemporary homes were deemed as appropriate given the location of these on the proposed development.

The Committee acknowledged the work undertaken by Gloucestershire County Council and Fairford Town Council, which had resulted in the progression of the proposed development.

The Committee noted the inclusion of a condition removing permitted development rights for extensions and outbuildings.

The Committee noted that the issue of the commuted sum concerning the transfer of the adjacent playing fields to Fairford Town Council would be a matter between the Town Council and GCC. This related to land outside of the proposed development and could not therefore be subject to a S106 agreement. This was part of the handing over process to Fairford Town Council and the monies associated with the future upkeep and maintenance of the community areas.

Following a Member question, the Committee noted that the inclusion of the sustainability statement related to both aspects of this application (items 1 and 2).

The Committee noted that energy efficiency measures submitted as part of the condition compliance process would be shared with the Head of Climate Action.

The Committee noted that no conditions had been recommended preventing the inclusion of solar panels on the roofs of properties on the proposed development.

Members noted that the Committee could condition energy performance measures on proposed developments if they deemed it appropriate to do so. The Committee noted that the cost to developers would vary in terms of the type of energy performance measures included on developments (size of the development and type of energy performance measures included for example).

The Committee noted that draft Town Council proposals for a community building on the adjacent playing fields would not encroach onto the existing sports fields.

Agreeing the energy performance measures possible on the site in consultation with the Council's Head of Climate Action and the applicant.

The Committee noted that applicants and developers could only submit their applications adhering to current legislation. Whilst changes to Building Regulations were likely to change in the future, the Council could only judge the merits of current applications based on existing Regulations and not what changes may be mandated in the future.

Councillor Steve Trotter proposed that the existing conditions be extended to cover dormer windows and openings, and that an additional condition was added agreeing the energy performance measures possible on the site in consultation with the Council's Head of Climate Action and the applicant. This was seconded by Councillor Juliet Layton.

Record of Voting in relation to the proposed amendment - for: 7, against: 0, abstention: 1, absent: 3.

Record of Voting in relation to the revised Officer recommendation incorporating the above amendment - for: 7, against: 0, abstention: 1, absent: 3.

20/04148/LBC

Coln House School, Horcott Road, Fairford, Gloucestershire, GL7 4DB

The Principal Planning Officer, Martin Perks, introduced the application:

Conversion of existing Grade II Listed Coln House into 7no residential units (C3) and associated works at Coln House School Horcott Road Fairford Gloucestershire GL7 4DB

The Committee noted that this application was related directly to the Listed Building.

The Committee noted the importance of ensuring the applicant gave due consideration to the energy performance measures.

The Committee further noted that, although current legislation sought to retain the physical features of Listed Buildings primarily, energy performance measures could still be taken to improve the building's energy performance (secondary glazing for example).

The Committee noted that if solar panels were to be placed on the roof of a Listed Building then both planning permission and Listed Building consent would be required.

The Committee agreed that a training exercise for Members around the retrofitting of Listed Buildings would be beneficial.

Councillor Steve Trotter proposed the addition of a condition to strengthen the energy performance measures in relation to the conversion of the Listed Building. This was seconded by Councillor Sue Jepson. Councillor Jepson requested that the amendment also included the Ward Members being consulted by Officers as discussions around the energy performance measures progressed.

Members noted that, if this proposal was agreed, then the applicant would come back to the Committee to outline the proposed steps they would take to improve the energy efficiency of the Listed Building.

Record of Voting in relation to the proposed amendment - for: 7, against: 0, abstention: 1, absent: 3.

Councillor Julia Judd proposed that the Officer recommendation be approved subject to the above amendment. This was seconded by Councillor Patrick Coleman.

Record of Voting in relation to the revised Officer recommendation incorporating the above amendment - for: 7, against: 0, abstention: 1, absent: 3.

52 Sites Inspection Briefing

There were no scheduled Sites Inspection Briefing visits.

53 **Licensing Sub-Committees**

The Committee noted the rota for attendance at the Licensing Sub-Committee on the 24 November 2021 (if the meeting was required).

Members noted the importance of ensuring that Licensing-Sub Committees remained quorate so that business could be transacted.

The Committee agreed that the Licensing Sub-Committee and Sites Inspection Briefings rotas be appended to this agenda item at future meetings.

The Meeting commenced at 10:00 and closed at 11:40

Chair

(END)

PLANNING AND LICENSING COMMITTEE 8th December 2021

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.

PLANNING AND LICENSING COMMITTEE 8th December 2021
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION

| Parish | Application | Schedule No. |
|----------------------|--|--------------|
| Moreton In Marsh | 13-30 Stockwells Moreton-In-Marsh Gloucestershire GL56 0HQ 21/03283/FUL Full Application | 01 |
| Kemble | Land At Grid Reference 398111 195688 Kemble Wick Kemble Gloucestershire 21/02735/FUL Full Application | 02 |
| Chedworth | Land North East Of Chedworth Village Hall Chedworth Gloucestershire 21/00650/FUL Full Application | 03 |
| Moreton In Marsh | Land To East Of Evenlode Road Moreton-In-Marsh Gloucestershire 21/02766/REM Approval of Reserved Matters | 04 |
| Cirencester | Cotswold Leisure Centre Tetbury Road Cirencester Gloucestershire 21/04248/SPANOT Prior Approval Notification - solar panels | 05 |
| Bourton On The Water | Bourton Leisure Centre Station Road Bourton-On-The-Water Cheltenham Gloucestershire 21/04250/SPANOT Prior Approval Notification - solar panels | 06 |
| Tetbury Upton | Dutch Barn Nr Hookshouse Lane Charlton Down Tetbury Gloucestershire 21/00522/FUL Full Application | 07 |

Item No 01:-

21/03283/FUL

**13-30 Stockwells
Moreton-In-Marsh
Gloucestershire
GL56 0HQ**

Item No 01:-

Demolition of 24 no. existing defective non-traditional houses and maisonettes and construction of 28 no. new affordable 2 and 3 bedroom houses, together with associated external works and landscaping at 13-30 Stockwells Moreton-In-Marsh Gloucestershire GL56 0HQ

| Full Application 21/03283/FUL | |
|--|--|
| Applicant: | Bromford Housing Association |
| Agent: | Oakley Architects Ltd |
| Case Officer: | Martin Perks |
| Ward Member(s): | Councillor Rachel Coxcoon |
| Committee Date: | 8th December 2021 |
| RECOMMENDATION: | PERMIT subject to completion of a Unilateral Undertaking covering the provision of affordable housing |

Main Issues:

- (a) Residential Development in a Development Boundary
- (b) Design and Impact on the Character and Appearance of the Area
- (c) Access and Parking
- (d) Impact on Residential Amenity
- (e) Flooding and Drainage

Reasons for Referral:

This application has been referred to Planning and Licensing Committee by Officers as Cotswold District Council has agreed to fund the introduction of energy efficiency measures into the development scheme.

I. Site Description:

I.1 This application relates to an existing residential estate development located in the eastern half of the town of Moreton-in-Marsh. The application site measures approximately 0.62 hectares in size and is occupied by a number of post war residential properties. The existing properties sit along the eastern, western and southern sides of a residential estate road (Stockwells). Post war residential development lies to the east and west of the application site. A wooded area lies adjacent to the southern boundary of the site. A field lies to the south of the wooded area.

I.2 The application site is located within Moreton-in-Marsh Development Boundary.

I.3 The site is located outside the Cotswolds Area of Outstanding Natural Beauty and Moreton-in-Marsh Conservation Area.

1.4 The site is predominantly located within a Flood Zone 1. However, an area of garden land lying adjacent to the southern boundary of the site falls within Flood Zone 2.

2. Relevant Planning History:

2.1 Application Site

None

2.2 Land adjacent to South and West of the Site (Brookfields, Primrose Court)

01/01512/FUL Erection of 4 detached dwellings, 1 semi-detached dwelling and 2 flats. Refused 2002

03/03149/OUT Demolition of 'Brookfields' bungalow and construction of 3 No. 3-bed houses. Permitted 2004

04/00592/OUT Erection of 5 Dwellings. Refused 2005

05/00211/FUL Demolition of existing bungalow. Erection of four semi-detached two storey houses. Permitted 2005

3. Planning Policies:

DS2 Dev within Development Boundaries

H1 Housing Mix & Tenure to meet local needs

EN1 Built, Natural & Historic Environment

EN2 Design of Built & Natural Environment

EN8 Bio & Geo: Features Habitats & Species

EN14 Managing Flood Risk

INF3 Sustainable Transport

INF4 Highway Safety

INF5 Parking Provision

4. Observations of Consultees:

4.1 Gloucestershire County Council Highways: No objection subject to conditions

4.2 Gloucestershire County Council Lead Local Flood Authority: No objection subject to conditions

4.3 Gloucestershire County Council Community Infrastructure: No contribution to education or library services requested.

Thames Water: No objection

5. View of Town/Parish Council:

5.1 *'The Town Council would like to submit the following comments re the above application:*

(1) Planning Officer is asked to scrutinise the Flood Management Plan and the runoff into Evenlode which is prone to flooding.

(2) *While properties on the proposed development may not flood, its engineering is considered likely to exacerbate the flood risk at existing properties*

(3) *Town Council has concerns that the non-return valve that feeds in from Mosedale and Croft Holm do not function as intended and would like to ask GCC Highways to investigate*

(4) *Planning Officer is asked to consult with the EA who share our concern at the flood potential at the Evenlode and is creating plans to mitigate this risk, and the Lead Local Flood Authority which is GCC.*

(5) *MiMTC offers to meet with CDC.*

(6) *MiMTC assumes the developer is aware of the floods of 23rd December 2020 and the further mitigation works proposed and would be interested to know of any plans the developer may have to positively contribute.*

(7) *MiMTC expects GCC to request S106 monies for primary and pre-primary education in the town as likely new occupants will be families whereas previous occupants were likely retirees. Therefore, MiMTC expects education planning to calculate needs based on total number of new properties and not on the net housing gain.*

(8) *Finally, we note that CDC is a partner in this housing development, which incorporates lower carbon features in its homes. To prevent any impression of conflict of interest, we would expect this case to be referred to the Planning Committee at CDC automatically, as it is a CDC backed project. '*

6. Other Representations:

6.1 1 objection received.

(1) *The Cornish Houses may be described as non-traditional but their proposed replacements are equally inappropriate. The elevations depict ubiquitous modern detailing which in no way reflects distinctive traditional Cotswold characteristics or even the facing materials found in the immediate locality.*

(2) *Cotswold Design Code D14 requires that close attention should be given to the site, its setting and should work at all levels, including 'elevations and detailed features of the buildings'.*

(3) *D15 suggest that a scheme should respect local character, have its own identity and character whilst still responding to the wider context.*

(4) *D23 states that new designs should not draw on existing buildings that have not respected local distinctiveness.*

(5) *D29 refers to the architectural distinctiveness of the area being maintained even with contemporary building designs.*

(6) *Just because the existing houses are non traditional and they are intended to provide low cost housing does not mean that their replacements should be substandard in design and ignore local design guidance. The elevations indicate bargeboards, fascias and deep soffits which are generally not*

permitted under the Design Code. Red brickwork, as found in buildings locally would be far more appropriate than smooth render. The fenestration and detailing should also be reconsidered.

(7) As submitted, we consider the proposals are not compliant with the Cotswold Design Code or specific guidance on Context, Local Character, Building Design Principles contained in the National Model Design Code.'

7. Applicant's Supporting Information:

Affordable Housing Statement
BS5837 Arboricultural Survey and Constraints Report
Design and Access Statement
Flood Risk Assessment
Phase II Site Appraisal Report
Phase I Desk Study
Planning Statement
Site Waste Management Plan
Transport Assessment
Outline Ecological Impact Assessment

8. Officer's Assessment:

Proposed Development

8.1 This application is seeking to demolish 24 dwellings (comprising 12 flats and 12 houses) and to erect 28 dwellings in their place. The existing dwellings are of a pre-fabricated construction and are known as 'Cornish' houses. The existing dwellings have the appearance of semi-detached properties. The existing dwellings are arranged in a linear form and face towards the central estate road.

8.2 The proposed replacement dwellings will comprise 25 2 bed 4 person and 3 3 bed 5 person dwellings. The 2 bed dwellings will be 2 storey in height whilst the 3 bed dwellings will be 2.5 storey high. The proposed dwellings will measure between approximately 8.5m and 9.3m in height. The external walls of the proposed dwellings will be constructed in a mix of buff brick and render. The roofs will be covered in concrete tile of a grey colour.

8.3 The proposed dwellings will be arranged in a linear manner to the east, west and south of the existing estate road. The dwellings will be divided into 11 blocks, with each block containing either 2 or 3 dwellings. The dwellings will be set back between 7-12m from the existing road and will face towards the highway. The layout and orientation of the proposed dwellings is similar to those already present on the site.

8.4 Car parking will be provided to the front or side of each dwelling. A total of 60 car parking spaces will be provided, of which 56 will serve individual properties and 4 will be set aside as visitor parking.

8.5 The applicant is a registered affordable housing provider and is proposing to let 100% of the proposed dwellings as affordable units in partnership with Cotswold District Council. At present, none of the dwellings are subject to a planning obligation restricting their occupation to affordable homes. In accordance with Local Plan Policy H2 Affordable Housing,

the applicant has submitted a Unilateral Undertaking confirming that 30% of the proposed dwellings (8 in total) will be formally designated as affordable homes. Plots 21-28 will be covered by the aforementioned agreement. Current policy cannot require a greater number of dwellings to be covered by the agreement. However, the applicant's status as a registered provider of affordable homes means that other units not covered by the agreement will also be let as affordable dwellings.

8.6 The proposed dwellings will be of a modular construction and are designed to be net zero in terms of carbon emissions. Cotswold District Council has agreed to fund a number of measures such as air source heat pumps, photo voltaic panels, higher levels of insulation and electricity storage batteries in order to achieve the goal of a net zero development.

(a) Residential Development in a Development Boundary

8.7 The application site is located within Moreton-in-Marsh Development Boundary. The following policy is applicable to residential development in such locations:

8.8 Policy DS2 Development Within Development Boundaries

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

8.9 The erection of new build housing on the site is therefore considered to be acceptable in principle.

8.10 Notwithstanding the above, the proposal also has to be assessed against other Local Plan policies and national guidance. The wider impacts of the proposal are addressed in the following sections.

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

8.11 The following Local Plan policy is considered applicable to this application:

8.12 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.'

8.13 The application site forms part of a post war housing development located in the eastern part of Moreton-in-Marsh. The site occupies the southern part of an estate road (Stockwells) which ends in a cul-de-sac at its southern end. The existing road is characterised by 2 distinct architectural styles. The application site is characterised by part hipped roof tile hung/rendered properties known as Cornish houses. The northern part of Stockwells, falling outside the application site, is characterised by more traditional gable ended terraced and semi-detached properties which are constructed in a buff brick.

8.14 Stockwells is also bordered to the east and west by post war housing. The site is therefore located in a part of the settlement which is characterised by 20th Century residential estate style development.

8.15 The dwellings proposed for demolition are of a non-traditional pre-fabricated construction. The nature of construction means that the existing dwellings are not energy efficient and are reaching the end of their natural life. The dwellings do not lend themselves to the level of refurbishment or upgrading necessary to meet modern living standards or to address the impact of climate change. It is considered that a more sustainable and energy efficient form of development can be achieved as a result of a new build scheme. In addition, the existing dwellings are considered not to be of any particular historic or architectural interest. The removal of the dwellings is therefore considered not to have an adverse impact on the character or appearance of the locality.

8.16 With regard to the new build dwellings, the applicant is seeking to use a modular construction technique. The benefits of such an approach are that the homes can be produced in less than half the time of traditional construction methods, which means that i) the affordable homes will be available more quickly and ii) the construction phase of the development will cause less disruption to local residents. It also means that energy efficiency measures can be introduced more readily into the new dwellings during the construction phase. Cotswold District Council (CDC) has also agreed to provide funding to secure a number of energy efficiency measures into the development in order to create a net zero development.

8.17 The applicant states:

'All the new homes are to be built using Modern Methods of Construction (MMC) and will utilise off site manufactured Modular Construction designed and manufactured by Ilke Homes. This type of construction brings significant advantages to the construction process and substantially enhances the sustainability of the new development. The off-site manufacturing process comprises fully factory assembled modules for each house, which are delivered to site as 2 or 3 fully completed modules per house and are craned onto pre-prepared foundations.

This construction method delivers major benefits over traditional construction and other forms of off-site manufacture by reducing waste, reducing site deliveries, reducing the impact upon local air quality, minimising noise and dust, increasing quality, reducing build programme and improving general site safety.

The fabric of the homes, through the use of highly insulated walls, floors, roof, the high performance windows and doors and draft free construction means that the fabric of the homes is 20% better than the current Building Regulations standard.

The efficiency of the homes is further enhanced through the use of LED lighting, efficient water fittings and efficient low energy ventilation all of which contribute to lowering the emissions from the homes.

With regards to the additional enhancements Cotswold District Council specifically asked Bromford to increase the specification from gas heating to include Air Source Heat Pump, Solar PV and Battery storage which achieve Carbon Zero, however if the grant is not forthcoming the scheme would obviously remain as MMC Modular Construction but would revert to being delivered using gas central heating and water heating.'

8.18 Whilst it anticipated that the proposed development will receive funding from CDC, Officers have had regard to the sustainability credentials of the scheme should such funding not occur. In this respect, it is noted that the proposed construction method will result in a

development that exceeds current Building Regulations standards. Without funding from CDC, the proposed scheme would still be of a form that would be more energy efficient than current building standards.

8.19 With regard to the design of the scheme, the layout and arrangement of the proposed dwellings is very similar to the existing street layout. The creation of lines of properties fronting onto the estate road is consistent with the existing character of the road and existing dwellings located in the northern part of Stockwells. The provision of parking spaces to the front of dwellings is also consistent with the character of the existing road. It is also noted that the applicant is proposing to increase the number of trees in the area in accordance with the aspirations of paragraph 131 of the National Planning Policy Framework (NPPF).

8.20 The proposed development will provide each property with a rear garden, each of which will be of a similar size to existing gardens. A degree of openness will also be retained to the front of dwellings thereby enabling the sense of space currently experienced along either side of Stockwells to be retained. The proposed scheme is considered not to represent an overdevelopment of the site.

8.21 With regard to the design of the individual dwellings, the proposed units will be of a similar size and scale to existing dwellings on the site and on adjacent developments. The proposal is considered to respect the character and appearance of the area in this respect. The concerns of the objector regarding the design of the dwellings is noted. It is acknowledged that the design deviates from a traditional Cotswold building form. However, it is also necessary to have regard to the context of the site and the character of existing development in the locality when considering this application. The existing dwellings on the site are non-traditional in appearance and have a very distinct character. Post war residential estate development is also located to the north, east and west of the application site. The dwellings in the aforementioned areas are of a varied design resulting in a mix of architectural styles in the locality.

8.22 The general proportions of the proposed dwellings are not uncharacteristic of the wider area. The use of a buff brick will tie in with the materials used in dwellings in the northern part of Stockwells. In addition, render is evident on a number of post war properties in the eastern part of Moreton-in-Marsh. Features such as eaves fascias and bargeboards are also evident in residential estates to the east and west of the application site. Whilst the fenestration proposed in the front elevations of the new dwellings is distinct from that seen in other properties in the area, the design approach is considered not to be harmful to the character or appearance of the area in light of the context of the site. Given the discreet location of the site at the end of a residential cul-de-sac, its lack of view from the wider public domain and the character and appearance of existing development, it is considered that the design of the scheme is not inappropriate for this location.

8.23 Overall, it is considered that the proposed development will not have an adverse impact on the character and appearance of the area. The proposed development seeks to address the impact of climate change and will provide affordable homes for local people.

(c) Access and Parking

8.24 The proposed development will be served by the existing estate road. It is not proposed to alter the alignment of the road or make alterations to the existing junction of

Stockwells with London Road to the north. The existing hammerhead turning area located at the southern end of Stockwells will also be retained.

8.25 The existing estate road is of a suitable width and layout to accommodate service and refuse vehicles. The proposed dwellings are also sufficiently close to the highway to enable kerbside refuse collection.

8.26 Each property will be provided with parking spaces to its side or front. All of the proposed dwellings will be provided with 2 parking spaces. A further 4 visitor parking spaces will be located within the southern part of the application site. The level of car parking is considered to be appropriate for the size and number of dwellings proposed in accordance with Local Plan Policy INF5.

8.27 Each dwelling will be provided with an electric vehicle charging point. In addition, secured covered cycle parking will also be provided for each dwelling. The site is also within walking distance of a range of services and facilities.

8.28 Gloucestershire County Council (GCC) Highways has assessed the application and raises no objection to the proposal. It is recommended that conditions regarding the agreement of a construction method statement and measures to minimise disturbance to the northern part of Stockwells during the construction phase of the development are attached to a decision notice should permission be granted.

8.29 Overall, it is considered that the proposed scheme can be undertaken without having an adverse impact on highway safety or parking. Provision is also made for electric vehicles and bicycles to encourage more sustainable modes of travel. The proposal is considered to accord with Local Plan Policies INF3, INF4 and INF5.

(d) Impact on Residential Amenity

8.30 The floorspace of the proposed dwellings meets the Government's Technical Housing Standards - nationally described space standard document as required by Local Plan Policy HI.

8.31 Each dwelling will be provided with a level of outdoor garden space which is considered to be commensurate with the size of the dwellings proposed in accordance with guidance in the Cotswold Design Code.

8.32 The proposed dwellings will be orientated and positioned so as to ensure that occupiers of the proposed and existing dwellings will receive adequate levels of light in accordance with guidance in BRE document IP23/12 Site Layout Planning for Daylight.

8.33 The windows of the proposed dwellings will be in excess of 22m of existing dwellings located to the north, east and west of the application site. The separation distances are in excess of the minimum distance set out in the Cotswold Design Code. It is considered that the proposed development can be undertaken without having an adverse impact on privacy.

8.34 Overall, it is considered that the proposed development accords with guidance in the Cotswold Design Code concerning residential amenity.

(e) Flooding and Drainage

8.35 The proposed dwellings will be located in a Flood Zone 1 which is the lowest designation of flood zone and wherein new residential development can be acceptable in principle.

8.36 The applicant has submitted a Flood Risk Assessment (FRA) with the application. The FRA identifies that the geology of the site limits infiltration drainage measures. The applicant is therefore proposing to install an underground storage tank which will store surface water run-off before releasing it to a watercourse to the south-east. The discharge rate will be limited to 14.4l/s. The proposed on site drainage solution will be suitable to attenuate flows up to and including the 1 in 100 year + 40% rainfall event. The area of the site in Flood Zones 2 and 3 will remain as garden as at present.

8.37 Gloucestershire County Council Lead Local Flood Authority has assessed the application in its role as a statutory consultee. The comments of the Town Council have also been forwarded to the Lead Local Flood Authority. It has therefore had regard to the concerns raised about drainage issues in the area. It also considers that the proposed drainage measures are acceptable and will not have an adverse impact on drainage in the locality. No objections are therefore raised.

8.38 With regard to foul drainage, Thames Water has assessed the application and raises no objection.

8.39 It is considered that the proposed development can be undertaken without have an adverse impact on foul or surface water drainage in accordance with Local Plan Policy EN14.

Other Matters

8.40 The existing site and dwellings have been subject to ecological surveys in order to identify whether protected species are present on the site. The interior of dwellings was assessed as part of this process. The surveys did not find evidence of any protected species on the site. It is considered that the current dwellings can be removed without having an adverse impact on protected species or their habitat. The proposed scheme will introduce more soft landscaping onto the site than at present. In addition, bird and bat boxes will be installed on a number of dwellings and measures to introduce hedgehog gaps in garden fencing are also proposed. It is considered that the proposal will enhance the ecological potential of the site in accordance with Local Plan Policy EN8.

8.41 The proposed development is liable for the Community Infrastructure Levy (CIL). Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. Notwithstanding this, a CIL exemption can be secured if the development is for affordable housing provided by a registered provider. No payment would be required if an exemption is sought prior to the commencement of development.

8.42 The proposed development will result in a net increase of 4 dwellings on the site. The proposal therefore falls below Gloucestershire County Council's 10 unit threshold for education contributions and 25 unit threshold for library contributions. No financial contributions have therefore been sought by GCC in the case of this application.

9. Conclusion

9.1 Overall, it is considered that the proposed scheme will enable the provision of a more energy efficient and sustainable form of development whilst also providing new affordable homes for local people. In addition, the proposal is considered not to have an adverse impact on the character or appearance of the area, highway safety, flooding or drainage, residential amenity or biodiversity. It is therefore recommended that the application is granted permission.

10. Proposed conditions:

1. 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.

2. The development hereby approved shall be carried out in accordance with the following drawing number(s):

201734 03A, 201734 18J, 201734 21C, 201734 22B, 201734 28B, 201734 29B, 201734 30A, 201734 31, 201734 32, 201734 33, 201734 34, 201734 35, 201734 36, 201734 37, 201734 39, 201734 40, 215-20-01A 6

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

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

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

4. Prior to the construction of any external wall of the development hereby approved, a sample panel of render of at least one metre square in size showing its proposed texture and colour shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel and shall be permanently retained as such thereafter. The panel shall be retained on site until the completion of the development.

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

5. Prior to the construction of any external wall of the development hereby approved, a sample panel of walling of at least one metre square in size showing the proposed brick colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar shall be erected on the site and subsequently approved in writing by the Local Planning

Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

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

6. Prior to the commencement of development, including any works of demolition, details of the proposed construction access arrangements to the application site, including measures to minimise disturbance to the occupants of the retained dwellings on Stockwells, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be undertaken fully in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Local Plan Policy INF4. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for the safe operation of the highway.

7. Prior to the commencement of development, including any works of demolition, a detailed Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter all demolition and construction work shall be carried out in full compliance with the approved Plan. The Plan shall include but not be restricted to:

- i) Parking of vehicles of site operatives and visitors (including any measures required to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- ii) Routes for construction traffic;
- iii) Any temporary access to the site;
- iv) Locations for on-site loading/unloading and storage of plant, waste and construction materials;
- v) Locations of offices, welfare facilities, and temporary storage of earthworks materials;
- vi) Arrangements for establishing and maintaining site security;
- vii) Method of preventing mud and dust being carried onto the highway;
- viii) Arrangements for turning vehicles;
- ix) Arrangements to receive abnormal loads or unusually large vehicles;
- x) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses; and
- xi) Construction and delivery hours.

Reason: In the interests of highway safety in accordance with Local Plan Policy INF4. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for the safe operation of the highway.

8. Prior to the first occupation of each dwelling hereby permitted, the car parking spaces for each respective dwelling shall be provided fully in accordance with the approved plans. Visitor parking shall be provided fully in accordance with the approved plans prior to the occupation of the last dwelling to the completed.

Reason: To ensure that there are adequate parking facilities to serve the development are provided in accordance with Local Plan Policy INF5.

9. Prior to the first occupation of each dwelling hereby permitted, secure covered cycle parking for each respective dwelling shall be provided fully in accordance with the approved plans and retained in accordance with the approved plans thereafter.

Reason: To ensure that there are adequate parking facilities to serve the development are provided in accordance with Local Plan Policy INF3.

10. Prior to the first occupation of each dwelling hereby permitted, each respective dwelling shall be fitted with an electric vehicle charging point. The charging point shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851. The electric vehicle charging point shall be retained for the lifetime of the development unless it needs to be replaced in which case the replacement charging point shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities in accordance with Local Plan Policy INF3.

11. No dwelling hereby permitted shall be occupied until a SuDS 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, has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS management and maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding in accordance with Local Plan Policy EN14.

12. No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been submitted to and approved in writing by the Local Planning Authority, this should be in accordance with the proposal set out in the approved submission (Flood Risk Assessment; HLEF81052; July 2021). The SuDS Strategy must include a detailed design and a timetable for implementation. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The approved scheme for the surface water drainage shall be implemented in accordance with the approved details before the development is first put in to use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality in accordance with Local Plan Policy EN14.

13. The entire landscaping scheme shall be completed by the end of the first full planting season (1st October to the 31st March the following year) immediately following the first occupation of the development hereby permitted.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy EN2.

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

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

15. The development shall be undertaken in accordance with the recommendations set out in Section 5 of the Outline Ecological Impact Assessment dated July 2021 with new bird and bat boxes installed in accordance with drawing 201734 18J and hedgehog gaps introduced in rear garden boundary fencing prior to the last occupation of the development.

Reason: In order to provide ecological mitigation and enhancements in accordance with Local Plan Policy EN8.

Informatives:

1. The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

21/03253/ful

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SITE LOCATION PLAN



| | | | |
|-----|--------------|-------------------|--------|
| A | 13.07.2021 | RED LINE REVISED. | LO |
| REV | DATE REVISED | REVISION | REV BY |

| | | | |
|-------------------------------------|----------------------------|---|------------------------------|
| CLIENT Bromford | | PROJECT Stockwells, Moreton-in-Marsh | |
| DRAWING TITLE Site Location Plan | | DRAWING SCALE 1:1250 (A4) | DATE DRAWN 29.11.2019 |
| DRAWN BY LISA OAKLEY | CHECKED BY SIMON OAKLEY | JOB NUMBER 201734 | DRAWING NUMBER 03A |



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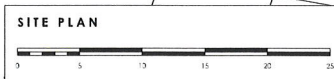
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| STOCKWELLS | | | |
|---------------------------|------------------------|-----------|---------|
| SCHEDULE OF ACCOMMODATION | | | |
| TYPE | AREA(m ²) | No. | PARKING |
| 28 HOLT HOUSE DS | MID 80.7 END 81.0 | 25 | 200% |
| 38 THEIFORD HOUSE DS | MID 103.4 END 103.8 | 3 | 200% |
| TOTAL | | 28 | |



- EXTERNAL WORKS LEGEND**
- Existing trees
 - Existing trees to be removed
 - Ornamental trees
 - Ornamental shrubs and herbaceous planting
 - Grass
 - 1.5m high ribbed linear fence gates with galvanneal steel section, posts, and struts for top lock, clear width 900mm. Concrete gate to have slabbed.
 - 1.5m high chain linked fence with concrete posts & concrete gravel boards.
 - 900mm high timber post and rail fence.
 - 1.2m hedge
 - Secure locked metal gates, door to be secured by padlock. Door to be on a 450x450mm concrete slab base. Spacing = 2400mm.
 - 1200mm high garden steel u.p.v. feed hose, capable of holding soft wheel and frame. Feed securely into a concrete base. Must hang to ground. Gate to have concrete. Spacing = 2400mm.
 - 240mm garden waste bin
 - 240mm garden waste bin

- Kerbside
- 450x450mm concrete paving slabs, 1200mm x 1800mm for parking, 1200mm x 1200mm for path or 1200mm x 1200mm for path with additional paving for lift access.
- Forming
- Block paving - Order 75mm with coping aprons appropriate with containing block.
- RCA
- Yellow Collection Area
- Green painted metal post
- Square Terrace
- Bit stones
- All Bricks and courses to be located at High level under walls or range.
- Suitable brick in fence for height up to 1.2m.
- Log sleep & Enfieldite Matting for 1000x200mm. enclosed with 1.2m high fence.
- Air source heat pump
- Landscaping adjacent to parking areas must have a minimum ground height in the immediate vicinity of 100mm above ground level.
- Soft landscaping to be in accordance with Landscape Designer's details.
- Refer to structural engineers drawing for scope of retaining concrete groundworks and retaining walls.



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| 28 | 10/10/10 | 10/10/10 | 10/10/10 | 10/10/10 | 10/10/10 |

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PROJECT
 Stockwells, Moreton-in-Marsh

DRAWING TITLE
 Site Plan 1:200

DRAWING SCALE
 1:200 (A1)

DATE DRAWN
 26.03.2020

DRAWN BY
 Lisa Oakley

CHECKED BY
 Simon Oakley

JOB NUMBER
 201734

DRAWING NUMBER
 18J

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| REV | DATE REVISED | REVISION | REV BY: |
|-----|--------------|----------------------|---------|
| C | 28.07.2021 | UPDATED FOR PLANNING | LO |
| B | 14.03.2021 | GENERAL UPDATES | LO |
| A | 14.03.2020 | GENERAL UPDATES | LO |



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CLIENT
 Bromford

PROJECT
 Stockwells, Moreton-in-Marsh

DRAWING TITLE
 Perspective 1

DRAWN BY
 LISA OAKLEY

CHECKED BY
 SIMON OAKLEY

DRAWING SCALE
 (A3)

DATE DRAWN
 30.04.2020

JOB NUMBER
 201734

DRAWING NUMBER
 21C

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| Rev | DATE REVISED | REVISION | REV BY: |
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| A | 20.02.2021 | UPDATED FOR PLANNING. | LO |
| B | 14.03.2022 | GENERAL UPDATES. | LO |



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CLIENT
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PROJECT
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DRAWING TITLE
 PERSPECTIVE 2

DRAWING SCALE
 [A3]

DATE DRAWN
 30.04.2020

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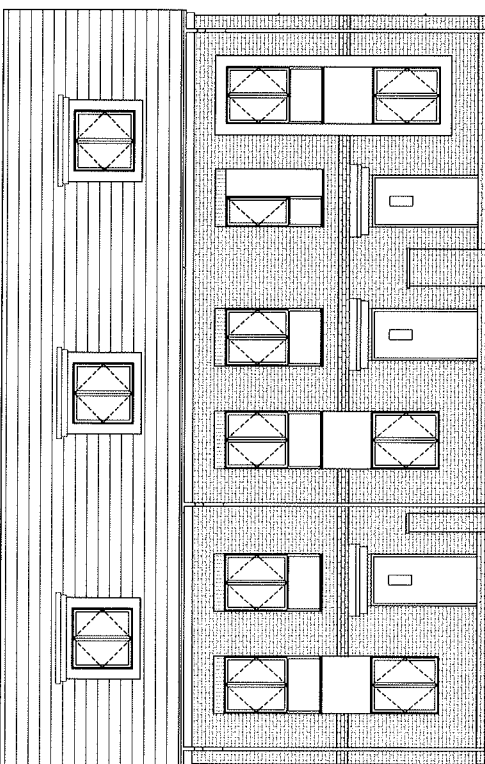
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CLIENT
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DRAWING TITLE
 Perspective 3
DRAWN BY
 LISA OAKLEY
CHECKED BY
 SIMON OAKLEY
PROJECT
 Stockwells, Moreton-in-Marsh
DRAWING SCALE
 [A3]
DATE DRAWN
 30.04.2020
JOB NUMBER
 201734
DRAWING NUMBER
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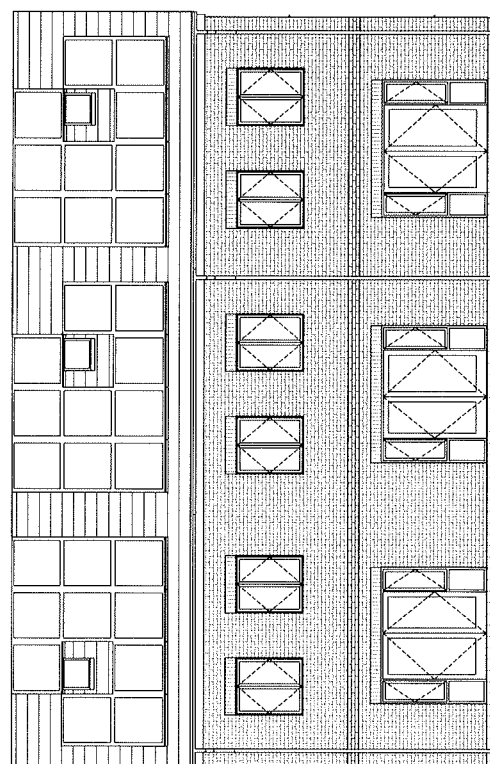


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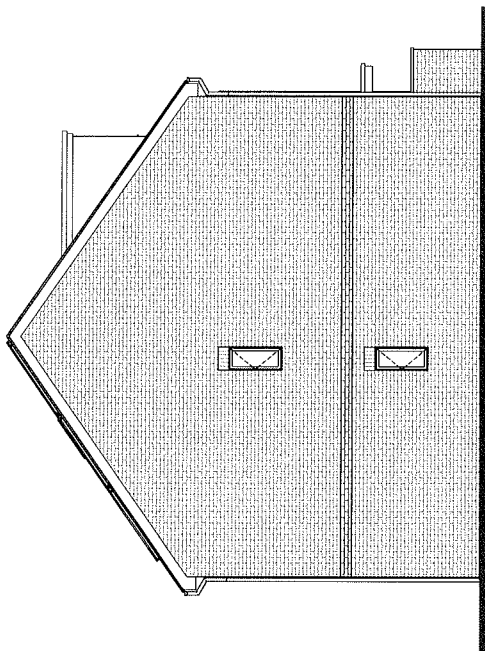
Example House Types



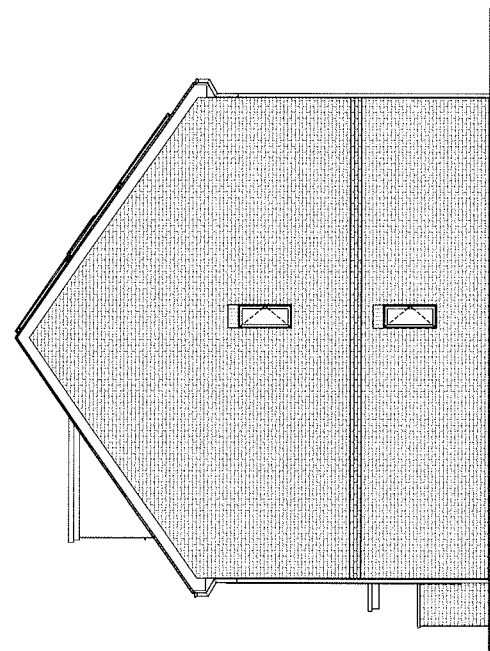
FRONT ELEVATION OF PLOTS 6-8



REAR ELEVATION OF PLOTS 6-8



SIDE ELEVATION OF PLOTS 6-8



SIDE ELEVATION OF PLOTS 6-8

| REV | DATE REVISED | REVISION | REV BY |
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OAKLEY ARCHITECTS
 CLIENT
 Bromford

PROJECT
 Stockwells, Moreton-in-Marsh

DRAWING TITLE
 Elevations Plots 6-8

DRAWING SCALE
 1:100 (A3)

DATE DRAWN
 02.07.2021

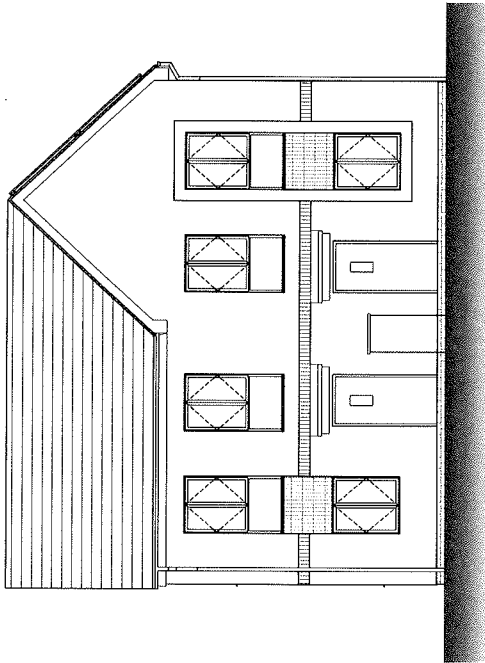
DRAWN BY
 LISA OAKLEY

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 SIMON OAKLEY

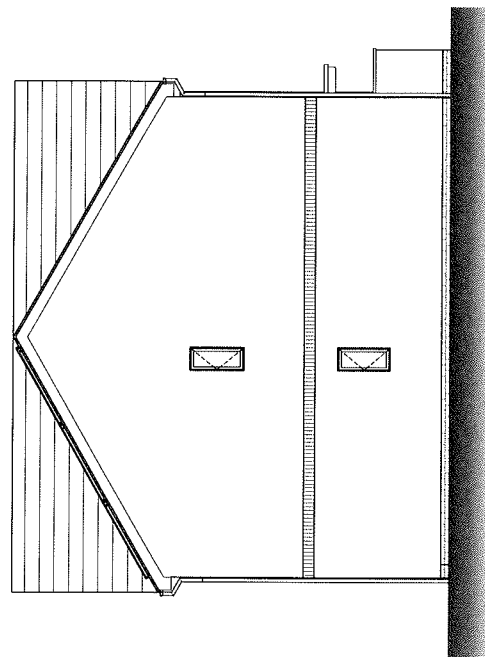
JOB NUMBER
 201734

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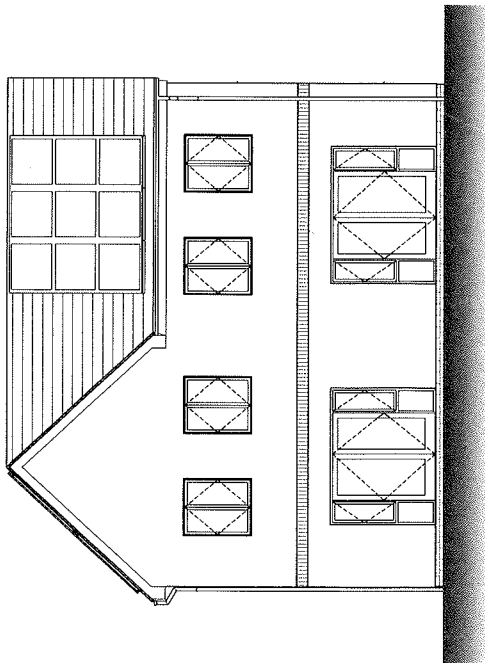
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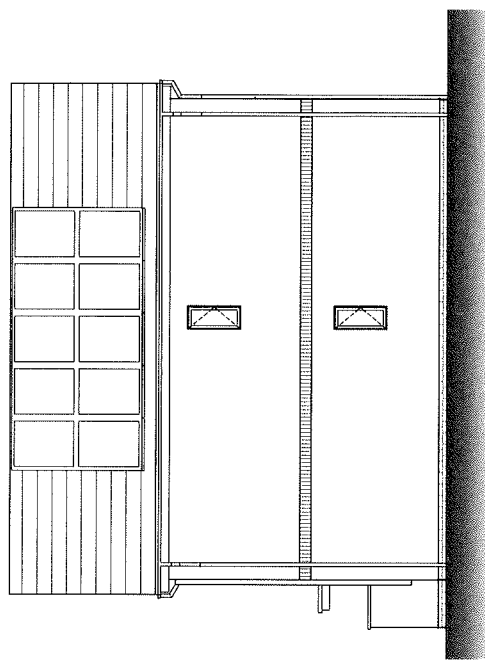
FRONT ELEVATION OF PLOTS 1-2 & 9-10



SIDE ELEVATION OF PLOTS 1-2 & 9-10



REAR ELEVATION OF PLOTS 1-2 & 9-10



SIDE ELEVATION OF PLOTS 1-2 & 9-10

| REV | DATE REVISED | REVISION | REV BY |
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 Bromford

PROJECT
 Stockwells, Moleton-in-Maish

DRAWING TITLE
 Elevations Plots 1-2,9-10

DRAWING SCALE
 1:100 (A3)

DATE DRAWN
 02.07.2021

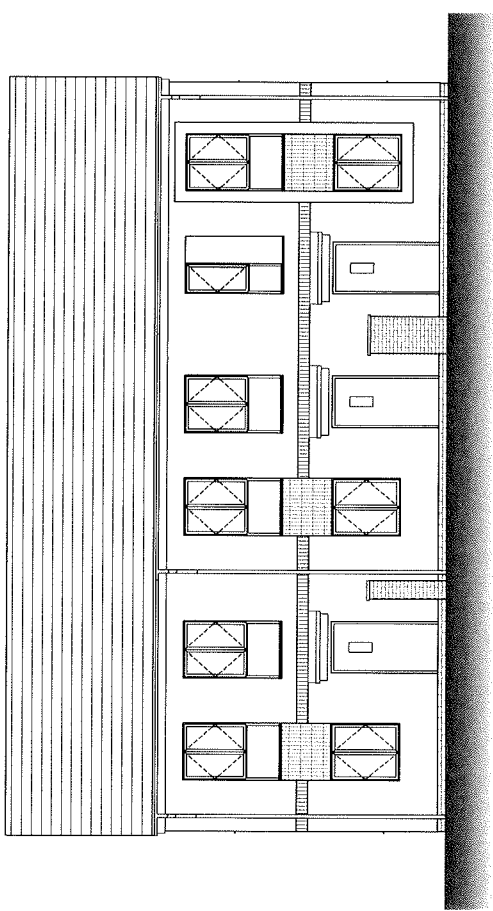
DRAWN BY
 LISA OAKLEY

CHECKED BY
 SIMON OAKLEY

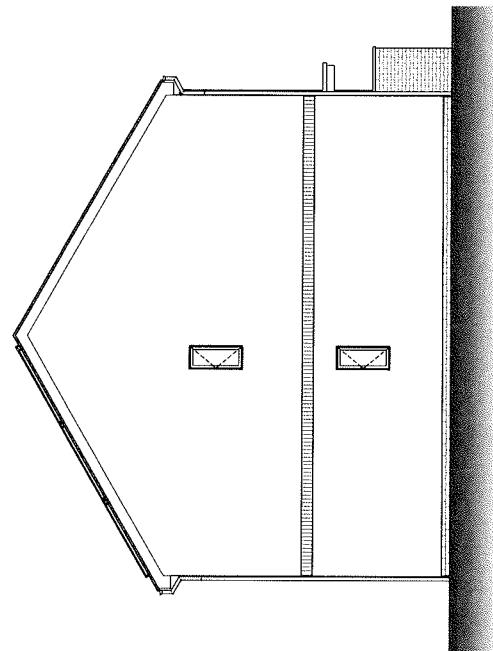
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 201734

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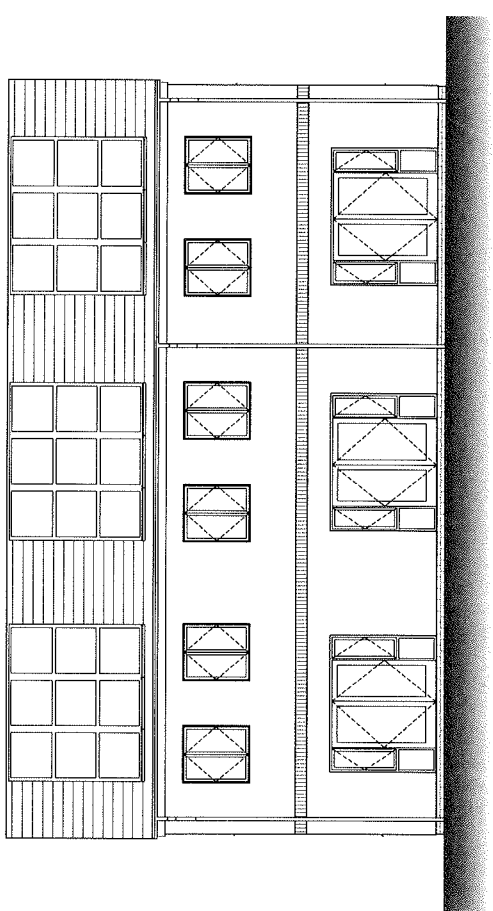
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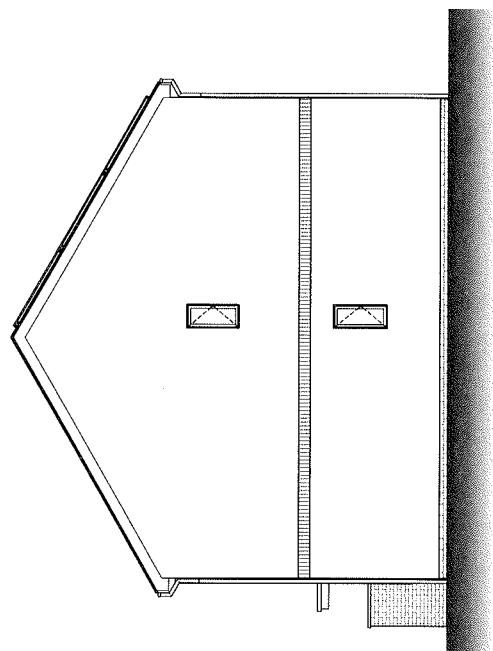
FRONT ELEVATION OF PLOTS 11-13 & 16-18



SIDE ELEVATION OF PLOTS 11-13 & 16-18



REAR ELEVATION OF PLOTS 11-13 & 16-18



SIDE ELEVATION OF PLOTS 11-13 & 16-18

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PROJECT
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DRAWING TITLE
 Elevations Plots 11-13, 16-18

DRAWING SCALE
 1:100 (A3)

DATE DRAWN
 02.07.2021

DRAWN BY
 LISA OAKLEY

CHECKED BY
 SIMON OAKLEY

JOB NUMBER
 201734

DRAWING NUMBER
34

Item No 02:-

21/02735/FUL

Land At Grid Reference 398111 195688

Kemble Wick

Kemble

Gloucestershire

Item No 02:-

Installation of a solar farm comprising an array of ground mounted solar PV panels with associated infrastructure including housing for inverters, transformers and electrical equipment, a substation compound, fencing, security cameras, access tracks, associated landscaping and cabling for grid route of approx. 7.9 kilometres in length at Land At Grid Reference 398111 195688 Kemble Wick Kemble Gloucestershire

| Full Application 21/02735/FUL | |
|--|---|
| Applicant: | Aura Power Developments Limited (with The Bathurst Estate As |
| Agent: | |
| Case Officer: | Martin Perks |
| Ward Member(s): | Councillor Tony Berry |
| Committee Date: | 8th December 2021 |
| RECOMMENDATION: | PERMIT subject to no objection from Gloucestershire County Council Archaeology |

Main Issues:

- (a) Provision of Renewable Energy
- (b) Impact on the Character and Appearance of the Area
- (c) Access and Highway Safety
- (d) Impact on Residential Amenity
- (e) Impact on Protected Species
- (f) Drainage and Flooding
- (g) Archaeology and Heritage Assets

Reasons for Referral:

This application is referred to Planning and Licensing Committee in the interests of transparency. Cotswold District Council officers (Chris Crookall-Fallon, Head of Climate Action, Cotswold DC; Frank Wilson, Finance Director, Publica Group; Jenny Poole, Deputy Chief Executive, Cotswold DC) have had discussions with the Applicant about the solar farm development proposal over the course of the last nine months. A statement setting out the Council's involvement with this application is attached to this report (Chris Crookall-Fallon 18th August 2021).

I. Site Description:

I.1 This application primarily relates to an area of agricultural land located approximately 700m to the south-west of the village of Kemble. The site is also located approximately 200m to the north-west/west of the centre of the hamlet of Kemble Wick. The application site falls partly within Cotswold District and partly within the administrative area of Wiltshire Council. The application site as a whole measures approximately 72.81 hectares, of which 53.03

hectares is located within Cotswold District and 19.78 hectares within Wiltshire Council's area. The south-western part of the application falls within the jurisdiction of Wiltshire Council.

1.2 The area of the site within Cotswold District extends across a gently undulating landscape comprising a mix of agricultural fields, hedgerows and a small area of woodland (Bob's Copse). The north-western edge of the site lies adjacent to a woodland (Kemble Wood). The aforementioned wood extends to approximately 24 hectares in size and is designated as an Ancient Woodland. Land to the north-east of the site consists of agricultural fields. A converted barn (Rendall's Barn) is located adjacent to the north-eastern edge of the solar farm site. The solar farm also extends to the north of the aforementioned dwelling.

1.3 The western boundary of the solar farm site lies adjacent to 2 aircraft hangars and agricultural fields. The south-eastern edge of the site lies adjacent to a single carriageway metalled lane. Agricultural fields are located to the south of the lane.

1.4 The A429 lies approximately 300m to the north of the application site. Cotswold Airport is located approximately 500m to the north/north-west of the proposed solar farm. The Kemble to London railway runs in a north-south direction approximately 550m to the east of the site.

1.5 The site of the solar farm is located outside both the Cotswolds Area of Outstanding Natural Beauty (AONB) and a Special Landscape Area (SLA). The boundary of the AONB is located approximately 1.4km to the north of the application site. The boundary of Kemble and Ewen Special Landscape Area is located approximately 300m to the north of the proposed solar farm.

1.6 A Public Right of Way (BKE8) extends in a roughly north-south direction approximately 170m to the east of the application site at its closest point.

1.7 In addition to the site of the solar farm, the application site also extends in a linear manner for approximately 7.9km in a north-easterly direction to an area of land located on the southern edge of Cirencester (at the south-western end of Wilkinson Road). The aforementioned route will contain underground cabling. The cable trench will measure approximately 0.47m in width. However, a 10m corridor has been set out for the laying of the cables. The cable route will extend to the south and east of Kemble and pass under the River Thames. It will primarily extend across agricultural fields. The cabling route extends through the Kemble and Ewen Special Landscape Area for part of its length.

1.8 The cabling route is located approximately 40m to the south of 'Settlement SE of Chesterton Farm Settlement SE of Chesterton Farm' Scheduled Ancient Monument. Norwood Castle SAM is located approximately 870m to the south of the site of the solar farm.

2. Relevant Planning History:

2.1 None

3. Planning Policies:

INF10 Renewable & Low Carbon Energy Develop't
EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN7 Trees, Hedgerows & Woodlands
EN8 Bio & Geo: Features Habitats & Species
EN10 HE: Designated Heritage Assets
EN11 HE: DHA - Conservation Areas
EN14 Managing Flood Risk
EN15 Pollution & Contaminated Land
INF4 Highway Safety
INF5 Parking Provision

4. Observations of Consultees:

- 4.1 Gloucestershire County Council Highways: No objection subject to conditions
- 4.2 Gloucestershire County Council Lead Local Flood Authority: No objection
- 4.3 Gloucestershire County Council Archaeology: *'We have recently approved a Written Scheme of Investigation for a programme of archaeological trial trenching (a more recent version of the one submitted with this application). Once we are in receipt of the results of the trial trench evaluation then we be able to advise on the significance of heritage assets with archaeological interest impacted by the proposals, in line with the National Planning Policy Framework'*.
- 4.4 Environment Agency: No objection subject to conditions
- 4.5 Historic England: No comments
- 4.6 Natural England: No objection
- 4.7 Biodiversity Officer: No objection subject to conditions
- 4.8 Tree Officer: No objection subject to conditions
- 4.9 Landscape Officer: No objection subject to conditions
- 4.10 Environmental and Regulatory Services Noise: No objection subject to condition
- 4.11 Wiltshire Council: No response to date

5. View of Town/Parish Council:

5.1 Kemble and Ewen Parish Council

Response dated the 15th August 2021:

'At the Parish Council meeting of 13 August 2021 the council resolved to support the application subject to the following which is relevant to the construction phase of the project:

The Kemble and Ewen Neighbourhood Plan (KENP) Policy KE10 requires that all proposals for development within and around Kemble should be accompanied by a thorough assessment of the potential effects on archaeological heritage assets in accordance with the specified guidelines. The policy was described as a model policy by GCC archaeological service and is supported by the evidence base independent Archaeological report in the KENP. The Solar Farm proposal does not seem to have used this. This needs to be addressed and monitored by the respected authorities.

Although the construction is only a temporary activity it will span a long period and its disruption both above ground and below ground in areas of significant sensitivity requires justification and much care. As such, the Parish Council request that in line with NDP Policy KE10 a thorough assessment of the potential effects on archaeological heritage assets is carried out and it would highlight the following:

The Site

1. Kemble Wood is classified as ancient woodland by Natural England and it also contains archaeological features such as Anglo Saxon/Medieval wood banks . In 682 AD land on both sides of a wood called Kemble was granted to Malmesbury Abbey by the King of the West Saxons. This would make the wood at least 1,400 years old, remembering that it was already in existence when it appears in the charter. Kemble village is possibly named after the wood. The Heyes article on Kemble Wood in Glevensis shows how significant this wood is ecologically, historically and archaeologically.
2. Kemble and Ewen Parish Council have applied to have a footpath reinstated which vanished from the Ordnance Survey maps after 1947. It ran from Kemble Wick to Kemble Wood and then to the A429 at the county boundary. This application is with Gloucestershire County Council 573/11/123(1)
3. Archaeology outside Kemble Wood:
 - a. Roman Pottery has been found in the south west and west of Randall's Barn
 - b. An area of crop marks, south west of the two 1939 aircraft hangars and just outside of the site, can be seen on an aerial photograph . Does it go beyond that area in anyway?
 - c. The hedge line between Kemble Wick and Randall's Barn is not straight like most of the field boundaries in this area. It's sinuous characteristic and the fact the land to the east of it is considerably lower suggest it is a pre enclosure boundary and probably medieval. It should be protected in the construction stage.

Though a geographical geophysical survey has been completed, a field walking survey is necessary to pick up anything missed by the geophysical survey as the area, especially around Kemble Wood.

The Grid Connection (which runs through a Special Landscape area)

1. The route crosses a field which still has ridge and furrow, a rarity in Kemble where little has survived since the Second World War.

2. *Kemble Park is a major element in the landscape and form of the ancient village of Kemble. It is a medieval deer park and is recognised as Woodpasture and Parkland, and a BAP Priority Habitat, by English Nature . There are some very ancient pollarded oak trees along the boundary with the Park Covert. There is concern that root systems will be damaged by the grid connection. In the Kemble and Kemble Station Conservation Area Appraisal September 2016 (see Kemble and Ewen Parish Council website, Neighbourhood Development Plan, 8.1-8.7) it was proposed that the park should be included in the Kemble Conservation Area.*

3. *The route now enters the Thames Corridor. The connection would cut through pasture land in the Thames flood plain which has earthworks which include an older channel of the Thames. The connection also crosses the Thames and the Thames Path. There have been no details on how that would look or work.*

4. *The connection passes under an old railway bridge through the embankment for the Kemble to Cirencester Branch Line next to Severall's Wood. Here there are cropmarks of a possible Roman rectilinear enclosure in an aerial photograph in the National Heritage Collection (HER 38046). Considerable amounts of Roman pottery have been found in the field just on the north side of this bridge.*

5. *The connection crosses the Thames and Severn Canal. It continues to be an aspiration of the Thames and Severn Canal Trust to restore the canal. The connection crosses at the site of a swing bridge over the canal (see OS 6inch to mile map in the maps section of the Parish Archive on the Kemble and Ewen Parish Council website).*

Additional, The Parish Council request that all reasonable steps should be carried out to minimise the impact of construction on Kemble Wick and Woodlands. Also, the flood mitigation works identified in the application are essential to minimise future impact on local residents and should not be omitted during the construction of the site.'

5.2 Further response received on the 18th August 2021 - see attached document.

5.3 Cirencester Town Council: No response to date

5.4 Siddington Parish Council: No response to date

6. Other Representations:

6.1 10 objections, 3 support and 2 general comments received.

6.2 Main grounds of objection are:

i) Traffic - Devils Copse and the junction between the A429 and the intersecting Oaksey / Culkerton Road are notorious accident blackspots. There have been numerous serious and fatal accidents on the roads near to the proposed site. The scale of the planned solar farm will be likely to distract drivers, the creation of it will generate a lot of heavy traffic on a rural road. It will be a source of glare and increase the number of accidents on an already dangerous stretch of road.

ii) Aircraft - the skies above the solar farm are on a very busy flightpath, regularly used by planes at Cotswold Airport . The glare from the panels would be a hazard to aircraft as they take off and land.

iii) Public Amenity - the solar farm would damage the enjoyment of the public rights of way and bridle path along a much used and valued route. It will dominate the footpaths between Chelworth and Kemble Wick and the glare of the panels, the look of the sight and the latent humb will blight the amenity.

iv) The proposed planting of hedgerows and trees, not to mention the removal of 8 metres of hedgerow, will not mitigate the impact of the solar panels on the countryside. It will take decades for trees to grow, they may only be tall enough to screen the panels, when the solar farm is at the end of its 40 year tenure.

v) Flooding - roads off the fields where the solar farm is proposed, especially the roads from Oaksey to Chelworth and Oaksey to Kemble are prone to flooding, as are the lanes at Kemble Wick. In winter time the lanes are often under water. The run off from the site will make the water problems in the area worse.

vi) Over development - a solar farm of 70 hectares is out of proportion, far too big for countryside in which it would sit, a landscape which borders the Cotswolds AONB. The scale of it is out of all proportion with the tiny hamlets and villages that surround it, it would overwhelm the area, swamping small communities with solar panels.

vii) Privacy light and noise - for some hamlets, like the cluster of houses at Woodlands and homes at Kemble Wick the solar farm will be right in their face, impacting their privacy and peace, especially during the construction period.

viii)The solar farm surrounds Bob's Copse on 3 sides - leaving very narrow corridors for the wildlife - which is extensive and thriving (deer and hare to name a couple of regular inhabitants of Bobs Copse) - to move around and exist uninterrupted. How will Aura Power ensure that this precious wildlife is not impacted particularly during the construction phase?

ix) Whilst I am in favour of renewable energy opportunities I feel very strongly that the Bathurst estate and Aura Power have not provided a satisfactory explanation as to the current site selection versus possible alternatives. Given the extensive land available then more suitable alternatives with less impact on local residents' amenities and proximity to domestic housing should be considered or at least a satisfactory explanation as to why this is not possible should be provided.

x) National guidance states that large scale solar farms can have a negative impact on the rural environment particularly in undulating landscapes. The development is in such an undulating landscape. The LVIA makes clear that the proposed impacts will be adverse and major. The development has neither been well planned nor is it well screened and to the extent that it is screened it obliterates views and landscape features which are valued and protected by development plan policy. In this context it is not planned sensitively.

xi) National guidance encourages the effective use of land by focusing large scale solar farms on previously developed and non-agricultural land provided it is not of high environmental value. The land is not previously developed and it is not non-agricultural. It is agricultural land

which has been regularly farmed productively for generations. The agricultural land report is explicit in saying that no detailed survey has been undertaken. The level of survey is no more detailed than the land classification maintained by Natural England. The provisional agricultural land classification maps the whole of the area covered by the development as Grade 3, a classification which is supported by the farming regime operated on this land and all of the land in the surrounding area.

xii) National guidance requires that where a proposal involves green field land evidence should be available to show that the proposed use of any agricultural land has been shown to be necessary and poor quality and has been used in preference to higher quality land. No evidence has been provided to show that the use of any agricultural land has been shown to be necessary.

xiii) Adverse impact of glint and glare on landscape.

xiv) Inadequate justification of site selection and consideration of alternative sites.

xv) Contrary to Kemble and Ewen Neighbourhood Development Plan Policies KE6, KE10 and K11 as it harmful to green infrastructure, archaeology and landscape.

xvi) Adverse landscape impact and impact on views experience from Public Right of Way.

xvii) Landscape mitigation will not be effect until a period of 10 years has elapsed. Mitigation will be an obstruction of views over pleasant and open countryside.

xviii) Grid connection works will last for many months and will be very intrusive in a series of locations identified as being importance in Neighbourhood Plan Policy KE11.

xix) Access to open countryside and the promotion of good health is supported in the NPPF. This proposal materially harms the countryside at locations which will actively discourage people from their present enjoyment of it.

xx) The protection and enhancement of the natural and historic environment are important considerations which are offended against by this application.

xxi) Proposal is contrary to development plan and material elements of national policy and guidance.

xxii) Kemble Wick is on the outskirts of the Cotswolds AONB and Kemble is part of a conservation area. It is astonishing that plans for a solar farm have been submitted in the full knowledge that residents will be impacted rather than choosing a location elsewhere in the 15000 acres of the Bathurst Estate.

xxiii) The topography of the fields means that the solar arrays will be prominent.

xxiv) The imposition of solar arrays and buildings to the extent proposed on the 172 acres, with nearly 4.5km of security fences on an otherwise pastoral landscape, would be bound to have an incongruous, industrialising and alien impact that would be harmful to the landscape character of the area.

xxv) Every time I draw my bedroom curtains in winter months, instead of looking out onto Cotswold farm land, I will view a solar farm.

xxvi) Adverse impact on flooding. Water re-directed from the fields to a quarry flooded my property.

xxvii) Adverse impact on wildlife.

xxviii) Potential noise impact.

xxix) Cumulative impact of large solar farms on the area.

xxx) Impact on Ancient Woodland.

xxxi) Object to site selection process. Of the 2000 acres available within Kemble Farm a site has been selected that is as close as possible to 10 or 11 households within or bordering the farm.

xxxii) Kemble Farm is very aware of the flooding at Kemble Wick and Woodlands. Many times, every year, the lanes in Kemble Wick and Woodlands and down to Oaksey flood, caused by the water runoff from the proposed site. Houses are also at risk, especially Telling Barn. Kemble Farms has done some work on this improving the drainage ditches, but the volume of water pouring off the fields overwhelms these defences. With rainwater running off the panels, this increases the volume of water in channels through the solar farm, which have less chance to soak into the soil but instead leads to excessive run-off.

xxxiii) The applicant is looking for 5-year window of implementation. We think this is unreasonable and we would like to have a much shorter implementation window. On the 2 sites where they have got approval, this period is limited to 3 years.

xxxiiii) The solar panels will be 3m high, which is large. On all the solar farms we have seen, we have never seen any that high. With the development going right up to the boundary with the lane to Woodlands, which is about 0.5m below the field boundary in parts, this would mean there would be panels towering 3.5m as you walk/ride/drive down it, which will be very oppressive and ugly, spoiling what is a beautifully county lane. Similarly, there will be 3m high panels from our boundary, which again will spoil not only our view, but all users of the bridleways and footpaths that cross the area. This will be compounded by steel 2.5m fence and security cameras that will be mounted on 5m poles.

xxxv) The applicant states standard working hours are 7am to 7pm weekdays and 7am to 1pm on Saturdays. As we are mainly at home most days, we feel they should seek more standard business hours, which are weekdays between 9am and 5pm, to avoid prolonged disturbance, with the site being so close to us.

xxxvi) The report says that the glint and glare is like still water. This is not reassuring, as we have all experienced the glint and glare when driving on wet roads into the sun, with the brightness being very distracting. As the proposed site wraps around our house from east round to the north, we will be in direct line of the rising sun, which we would call a significant impact. Due to the contours of the land, new hedges would have to 10's meters high to obscure the panels.

xxxvi) As the area is very quiet, a background hum from equipment on sunny days, when we are most likely to be in our garden, would be a big nuisance to the enjoyment of our property.

xxxvii) We have a 1 m wall along our garden to the north, meaning that we have sight of a large expanse of the proposed site (photo 3). Due to the height differences in our view, new hedgerows will not screen the site.

xxxviii) Inverters should be sited as far away as possible from bridleways, byway and equestrian businesses or land used for keeping horses

xxxix) The applicant states the site needs to be between 60-70 ha, but provide no reason why it needs to be this big. The vast majority of solar sites are less than this, including their Bishampton site that is 36 ha and Burnt tree site at 55 ha.

xl) The applicant states that 'the land should be suitable for the Proposed Development and not hindered by any physical constraints or would be likely to cause any unacceptable significant impacts on any surrounding designations and receptors.' Our home is clearly a significant receptor that the solar farm will cause an unacceptable impact on.

xli) We did initially engage with Aura Power, but it soon became apparent that they would change very little to the plans they presented us with, so we disengaged and decided to rely on the planning process to put over our thoughts and concerns.

xlii) We pushed Aura Power on the site selection and even took time to draw up proposed sites within Kemble Farms that are not close to houses, closer to the sub-station and much flatter, but the only response we got was that this site was the only suitable choice, with no reasons given for dismissing other areas or why this area was chosen.

xliii) Planting of trees and hedges will have no impact on this view and the far reaching views will go from undulating fields to an undulating industrial zone. Our assessment is that the impact will be high throughout the life of the proposed development, despite any planting.

xliv) The original report says the most noise will be produced by the inverter / transformer kiosks, which have a sound power level of 84 dB, which is similar to a diesel truck

6.3 Main grounds of support are:

i) In light of the authority declaring both Climate and Ecological emergencies, with aims of achieving net zero as soon as possible that a development such as this has to be supported. The IPCC 6th report recently released leaves us in absolutely no doubt how serious and how quickly we must act. This renewable energy project with its added biodiversity enhancements makes a very important contribution towards local and national targets.

ii) As a district which has very limited capacity for renewable energy projects given the AONB status of the Cotswolds, combined with the fact the authority has declared both Climate and Ecological emergencies (with aims of achieving net zero as soon as possible) a well thought through, biodiversity enhancing, non-permanent development such as this should not just be approved, but championed. An approval would be a real statement of intent from the council that it takes its responsibilities seriously for meeting local and national targets for green energy and sustainable living, and recognises the importance it can play in achieving

these goals. A denying of such an application would show the opposite to be true, with nice slogans and false promises the best it can contribute to the climate emergency.

iii) As a local resident, I would like to support this planning application. The most recent IPCC report underlines the importance of taking urgent action to tackle the climate crisis and we must do so now for the sake of future generations, even if it means changes to the countryside.

iv) The clear benefits of this project in terms of generating renewable energy to reduce carbon emissions, and its contributions to local biodiversity and ecology, outweigh any perceived visual impact the panels may have, whether this is from public footpaths or people's homes.

v) The Council has declared both a climate and ecological emergency and a solar farm of this size will clearly make a large and positive contribution to future net zero targets.

6.4 General comments are:

i) If the council is minded to support this application a condition should be attached to prevent the use of the access to the site from Kemble. This access runs alongside the eastern boundary of Top Farm from West Way and a Condition would be important in order to protect the residential amenity of Kemble residents from noise, dust and traffic to and from the development site and to protect the safety of users of the public footpath. The development traffic would conflict with these amenities and I ask that a Condition is applied to restrict all access to the site for both the development of the solar farm and ongoing maintenance.

ii) Gloucestershire Access and Bridleways Officer for the British Horse Society (BHS) states that Wiltshire bridleway CRUD4 runs immediately alongside part of the development just above Woodland (below Kemble Wood). It is very likely that walkers, cyclists and horse riders from Gloucestershire also use bridleway CRUD4, accessing it from local lanes. The applicant should be made aware of all the possible resulting effects of their development on the safety and enjoyment of the users of CRUD4 and that they must be required to follow BHS guidelines as part of any permission granted. Factors relevant to the development are fencing, width of affected rights of way, siting of inverter housing, effects on any rights of way of drainage arrangements.

iii) Glint and glare from the panels could also affect bridleways CRUD26 and OAKS11. Quoting from the leaflet Advice on Solar Farms (version 1/2017): "Arrays should be avoided where glare is likely to affect users of an equestrian route or an equestrian business."

iv) The construction phases of the site will lead to increased HGV traffic in the area. We would ask that consideration be given to the existence of equestrian establishments, which may need to access the bridleways and lanes available to the west of Spratsgate Lane, thus incurring additional risk to horses and riders from the increase in HGV and other vehicle traffic.

v) We would like to raise concern that there are numerous restricted byways, bridleways and footpaths in the area of the substation southeast of Cirencester, as well as in and around Ewen and Kemble, which could be affected by the construction of the cable route and which

do not seem to be mentioned in the Transport Statement. Any damage to the surface or reduction in convenience of these public rights of way as a result of the proposed cable route construction should, of course, be remedied and/ or improved.

vi) As a portion of bridleway CRUD4 is contiguous with the perimeter fence of the proposed site, the use of the bridleway should not be rendered any less convenient or commodious than before the development of the solar farm. Riding adjacent to the proposed wire mesh fence could be considered less commodious than the current open fields. The enjoyment of the countryside environment would be considerably reduced.

Cotswolds Conservation Board: Given this relatively close proximity and the type of development being proposed, we recommend that the local planning authority (LPA) should consider potential visual impacts on the National Landscape (including the visual impact in winter conditions). In reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape.² The Board recommends that, in fulfilling this 'duty of regard', the LPA should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications

7. Applicant's Supporting Information:

Ecological Impact and Biodiversity Net Gain Assessment
Arboricultural Impact Assessment
Landscape And Visual Appraisal
Landscape, Ecological And Hydrological Management Plan
Transport Statement
Heritage Impact Assessment
Geophysical Survey
Flood Risk Assessment
Drainage Impact Assessment
Solar Photovoltaic Glint and Glare Study
Noise Impact Assessment
Agricultural Land Classification Report
Planning Statement
Design and Access Statement
Statement of Community Involvement
Construction Environmental Management Plan

8. Officer's Assessment:

Proposed Development

8.1 This application seeks planning permission for the creation of a solar farm together with associated development including transformers, inverters, a substation compound, fencing, security, cabling and access tracks. The solar farm site extends to an area of approximately 72.81 ha with approximately 19.78 ha in Wiltshire and 53.03 ha in Cotswold District in Gloucestershire. In addition to the area occupied by the solar farm, it is also proposed to lay underground cables for a length of approximately 7.9km between the solar farm and the southern edge of Cirencester (at the south-western end of Wilkinson Road).

8.2 The proposed development is predicted to have a generation capacity of up to 49.9 Megawatts. Electricity will be generated by parallel rows of solar panels which will be south facing. Each panel will be mounted at a height of approximately 0.8m above ground level and will have an overall height of 3m. The panels will be tilted at an angle of between 10-25 degrees. There will be a distance of 2-6m between each of the rows of panels.

8.3 The proposed development is predicted to have a construction period of up to approximately 6 months and an operational period of 40 years.

8.4 In addition to the solar panels, it is also proposed to site a number of metal shipping container style buildings on the site that will act as transformer/ inverter substations and spare parts containers. The transformer/inverter buildings will each measure approximately 6.1m long by 2.5m wide by 2.6m high and will total approximately 16 in number. The spare parts containers will each measure approximately 6.1m long by 2.5m wide by 2.6m high. The submitted plans show approximately 11 such buildings. The aforementioned buildings will be spread throughout the site.

8.5 An on-site substation will be located in the north-east part of the site. It will measure approximately 11.3m long by 4.5m wide by 3.9m high.

8.6 The perimeter of the solar farm site will be surrounded by deer fencing measuring approximately 2.1m in height.

8.7 Vehicular access to the solar farm site will be via an existing field entrance located on the southern side of the A429 to the north of the site. An existing informal farm track will be upgraded and extended to serve the new development. The track will extend along the northern side of Kemble Wood. A network of new tracks, each measuring approximately 4m in width will be created within the site. The tracks will be surfaced in a compacted gravel. A temporary construction compound measuring approximately 30m by 40m will be constructed in the northern part of the site adjacent to the eastern side of Kemble Wood. It will be retained for the construction phase of the development and then replaced with solar panels and landscaping.

8.8 Electricity generated by the solar panels will be connected to the National Grid at a point located on the southern edge of Cirencester. The applicant is proposing to install a 7.9km long underground cable that will extend from the north-eastern boundary of the site to a new substation compound located on the southern side of Wilkinson Road. The proposed site occupies the north-eastern corner of an existing field. The eastern side of the site lies adjacent to an existing substation which connects into an existing network of overhead electricity pylons. The proposed substation compound will incorporate customer and Distribution Network Operator substation kiosks. The Distribution Network Operator substation will measure approximately 5.2m by 4m by 3.8m high. The customer substation kiosk will measure approximately 7m by 4.1m by 3.9m high. Access from the proposed compound to Wilkinson Road will be via an existing access point that serves the existing substation located to the north-east of the site.

8.9 The proposed underground cable route will primarily extend in a north-east direction from the site of the solar farm to Cirencester. The route will extend to the south and east of Kemble, to the north of Ewen and the west of Siddington. It will extend under the River Thames at a point between Kemble and Ewen. The proposed route will principally extend

through fields. However, the north-eastern section of the route between Kemble and Cirencester will either follow the line of, or run roughly parallel with, the dismantled Cirencester to Kemble railway line. The final section leading into Cirencester will lie adjacent to a road.

8.10 The proposed cables will be placed in a trench measuring approximately 1.3m deep and 0.5m wide. Drilling will be used when there is a need to place the cables under roads or water courses such as the River Thames.

8.11 The applicant is proposing to introduce new landscaping as part of the scheme including 524m of native species hedgerow, 2.93 hectares of native species woodland planting, the enhancement of 0.28 hectares of existing plantation woodland with native species infill planting, the provision of 56 hectares of native species grass and meadow grazing land, the planting of 2.99 hectares of native species grass and wildflower meadow mix, the creation of 0.37 hectares of tussock grassland and the planting of 176 trees.

(a) Provision of Renewable Energy

8.12 The proposed development is intended to provide a renewable source of electricity generation and to reduce dependence on fossil fuels thereby reducing greenhouse gas emissions.

8.13 In considering this application, it is necessary to have regard to the UK Government's recent commitment to cut greenhouse gas emissions by 100% relative to 1990 levels by 2050. In June 2019, parliament passed legislation (Climate Change Act 2008 (2050 Target Amendment) Order 2019) to ensure that the commitment to achieve 'net zero' is legally binding. The need to reduce dependence on fossil fuels has therefore been recognised at a national level.

8.14 In July 2019, Cotswold District Council declared a climate emergency. It is committed to making its activities net zero by 2045, achieving 100% clean energy uses across a full range of functions by 2030 and embedding climate change emergency considerations in all work areas, decision making processes, policies and strategies.

8.15 With regard to planning policy and guidance, the following is considered relevant to this application:

8.16 Cotswold District Local Plan Policy INF10: Renewable and Low Carbon Energy Development states:

1. Proposals for the generation of energy from renewable or low carbon sources will be permitted, provided it is demonstrated that:

- a. any adverse impacts individually and/or cumulatively, including; visual amenity; landscape character; heritage assets; biodiversity, water quality and flood risk; highways, residential amenity, including shadow flicker, air quality and noise, are or can be satisfactorily mitigated.*
- b. It is of an appropriate type, scale and design for the location and setting;*
- c. It is compatible with surrounding land uses, such as military activities; and*

d. *It avoids using the best and most versatile agricultural land unless justified by compelling evidence.*

2. *The infrastructure and all associated apparatus and structures relating to the installation must be removed, and the site reinstated where appropriate, should it become redundant for energy generation purposes.*

8.17 In terms of national guidance, paragraph 7 of the National Planning Policy Framework (NPPF) states that *'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.'*

8.18 With regard to meeting the challenge of climate change, paragraph 152 of the NPPF states that *'the planning system should support the transition to a low carbon future in a changing climate' and 'it should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings, and support renewable and low carbon energy and associated infrastructure.'*

8.19 Paragraph 158 of the NPPF states:

'When determining planning applications for renewable and low carbon development, local planning authorities should:

a) *Not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*

b) *Approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas'.*

8.20 The Government's Planning Practice Guidance (PPG) states:

'Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.

Paragraph: 001 Reference ID: 5-001-20140306'

8.21 It is evident that national and local planning policy and guidance are supportive, in principle, of renewable and low carbon energy development. With regard to this application, information submitted with the planning application states that *'the solar PV array would generate approximately 48,0834 megawatt hours per year ('MWh/yr') which would offset the annual electricity usage of approximately 12,887 homes in the Cotswold District Council and Wiltshire Council Areas and save the emission of 21,638 tonnes of CO2.'* The current proposal will

therefore make a significant contribution to the supply of renewable energy across both this District and the area covered by Wiltshire Council.

8.22 It is considered that the provision of renewable energy of the scale proposed represents a significant benefit that weighs in favour of the proposed scheme. Notwithstanding this, it is necessary to weigh this benefit against the potential impacts of the scheme. The impacts of the proposal will be covered in the following sections of this report.

(b) Impact on the Character and Appearance of the Area

8.23 The site of the proposed solar farm occupies a network of agricultural fields located broadly between the hamlet of Kemble Wick to the south-east and the A429 to the north-west. An ancient woodland (Kemble Wood) is located adjacent to the north-western boundary of the application site. A further woodland known as Bob's Copse is linear in form and lies towards the centre of the site. Land to the north-east of the site consists of agricultural fields and coppices of trees. Part of the north-western and south-western boundaries of the site adjoin land occupied by 2 aircraft hangars. The section of the site extending into Wiltshire Council's area is bordered by agricultural fields. A section of the south-eastern part of the site lies adjacent to a metalled lane which serves a single residential dwelling (Woodlands) located to the south-west of the application site. The south-eastern boundary of the site lying to the north-west of Kemble Wick will be set back approximately 200m from the centre of the aforementioned settlement. A field and an area of woodland lie between the south-eastern boundary of the site and Kemble Wick.

8.24 The site of the solar farm is located outside of both the Cotswolds Area of Outstanding Natural Beauty (AONB) and Kemble and Ewen Special Landscape Area (SLA). The boundary of the AONB is located approximately 1.4km to the north of the application site. The boundary of Kemble and Ewen Special Landscape Area is located approximately 300m to the north of the proposed solar farm.

8.25 The proposed cable route will extend through Kemble and Ewen Special Landscape Area (SLA) where it runs between Kemble and Ewen and to the north of Ewen.

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

8.27 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 and enhancement of multi-functioning 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.'*

8.28 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.'*

8.29 Development within the SLA is subject to the following policy:

8.30 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'

8.31 In addition to the above, policies in the Kemble and Ewen Neighbourhood Development Plan 2020-2031 are also relevant to the determination of this application.

8.32 Policy KE6 - Green Infrastructure states:

'The network of Green Infrastructure (GI) within the neighbourhood plan area will be protected for its recreation, open space and wildlife value. New GI, particularly where it creates links to the existing GI network and improves access to the countryside for informal recreation and net gains in biodiversity will be supported.

Development will only be permitted where it retains/protects/enhances the recreational, biodiversity, water management and other functions of the GI network.

New development should enhance linkages to the wider existing GI network and improve access to the countryside for informal recreation, where appropriate. '

8.33 Policy KE11 -Landscape states:

Proposals for development should:

- a) *Retain and where possible enhance those landscape assets which are of benefit to the quiet enjoyment of the rural landscape by residents and the community. In identifying such areas regard will be had to the Kemble Landscape Appraisal undertaken by Tyler Grange;*
- b) *Maintain the physical and visual separation between Kemble and Ewen to retain the sense of identity of the distinct settlements;*

- c) *Reinforce the Thames valley landscape in respect of its recreational value and visual amenity creating a quiet and tranquil valued rural landscape;*
- d) *Maintain and enhance field pattern and enclosure where possible;*
- e) *Enhance valued landscape features which are in decline or in poor condition;*
- f) *Avoid further aesthetic erosion of the landscape/farmed edge of the villages; and*
- g) *Protect views and vistas identified in the Kemble Landscape Appraisal and the Kemble and Kemble Station Conservation Areas Appraisal undertaken by Montagu Evans from significant detrimental impact.*

8.34 In terms of national guidance, Paragraph 174 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*'.

8.35 The solar farm site occupies a gently undulating group of fields which are bordered to the north-west by woodland and which are themselves separated by coppices of woodland and hedgerows. The part of the solar farm site within Cotswold District is visible from a Public Right of Way (BKE8), which extends in a roughly north-south direction to the east of the application site. The western side of the Right of Way is open which allows views to the south-west towards and across the application site. A further Public Right of Way (CRUD4) runs in a north-west to south-east direction through land in Wiltshire. It will run alongside the south-western part of the solar farm site falling within Wiltshire Council's area. Views of the existing aircraft hangars and the south-western part of the site can be obtained from the Right of Way. Views from the metalled lane running along the south-eastern edge of the site are largely screened by existing vegetation. Public views from the A429 to the north-west are screened to a significant degree by Kemble Wood.

8.36 The application site sits within an agricultural landscape. However, the character and appearance of the wider area is heavily influenced by Cotswold Airport, which is located approximately 500m to the north-west of the solar farm, Kemble Enterprise Park which is located approximately 1km to its west and the presence of 2 aircraft hangars adjacent to the south-western and north-western boundaries of the site.

8.37 This application is accompanied by a Landscape and Visual Impact Assessment (LVIA). The Council's Landscape Officer has assessed the LVIA and states '*The LVIA identifies that while the site itself would change character with the introduction of PV panels and associated infrastructure, the effects are contained due to the presence and retention of existing green infrastructure on site. The LVIA identifies that the Landscape effects on the site would be Major Moderate adverse. The effects on the wider landscape setting were identified to be Minor-Negligible and Negligible adverse. It is noted that these would be long term effects, but reversible.*

In terms of the visual impact, there is a restricted visual envelope by virtue of the low lying flat landform and containment provided by the existing boundary vegetation. The effects upon viewpoints within or nearby the site are identified to be Moderate-Major, however at an increasing distance from the site viewpoints were assessed to have an effect of no change or Negligible. It is also noted that the likely residual visual effects would reduce due to the establishment of mitigation planting.

The LVIA concluded that the proposed development can be delivered without undue harm and significant long term effects on landscape character and visual amenity, and any adverse effects, although long term are reversible. Mitigation measures are identified to have long term benefits to the scheme and contribute positively to the landscape character.'

8.38 The Landscape Officer goes on to state '*I can confirm that I agree with the findings of the LVIA assessment and provided that a robust mitigation planting strategy can be agreed, I would not raise an objection to the proposed scheme. I consider that once new planting has become established, this will help to protect the views of the site that can be obtained locally. Furthermore, I consider that there is an opportunity to enhance the green infrastructure across the site and bring about some beneficial changes to the landscape.'*

8.39 This application is accompanied by a Landscape, Ecological and Hydrological Management Plan which sets out details of new planting within and around the application site. The proposed scheme will introduce new hedgerows, trees and wildflower meadows and native species grassland into the area. Existing hedgerows will be enhanced and new hedgerow and tree planting introduced along the north-eastern and south-eastern boundaries of the site which are visible from the Public Right of Way to the east. Moreover, the solar panels will be set back from the aforementioned Right of Way thereby allowing the openness of the existing route to be retained. The Right of Way will continue to lie alongside agricultural fields. Whilst the solar panels will be visible, the views will be from a distance and their introduction will not therefore result in an enclosure of the Right of Way. It is considered that the proposed landscape planting will significantly mitigate the impact of the proposal especially in the longer term. The proposal is considered to provide a significant amount of green infrastructure across the site in accordance with the Cotswold Design Code and Policy KE6.

8.40 With regard to the impact of the proposal on Kemble Wick, the proposed scheme seeks to retain an area of agricultural land between the site and the settlement. An undeveloped area will therefore be retained to the north-west of the settlement. In combination with an existing woodland that lies adjacent to the settlement and new landscape buffer planting, it is considered that the introduction of the solar farm will not have an unacceptable adverse impact on views experienced from the settlement.

8.41 The solar panels will be approximately 3m in height and will not therefore be readily visible from the wider landscape such as the SLA and the AONB to the north. The proposals are considered not to have an adverse impact on views experienced from, or to, the aforementioned designated areas.

8.42 In addition to the solar panels, it is noted that a number of other elements will be introduced onto the site such as perimeter fencing and container buildings to house transformers and spare parts. The proposed fencing will be 2.1m in height and will take the form of deer fencing which is more open than standard security fencing. It will therefore have less of an urbanising impact on the site than a more typical security fence. The container buildings will be limited in number and spread across the site. Having regard to the size of the site as a whole, the aforementioned elements are considered not to have a greater impact on the character or appearance of the landscape than the solar panels.

8.43 With regard to glint from the solar panels, the applicant has submitted a Solar Photovoltaic Glint and Glare study which has assessed the potential impact of solar reflection from the panels on the landscape, local residents and highway safety as well as aircraft utilising Cotswold Airport. The aforementioned study states that *'the results show that the reflections produced are of intensity similar to or less than those produced from still water and significantly less than reflections from glass and steel'*. Due to the position of existing roads, properties and the airport in relation to the application site (and the south facing nature of the panels), together with landscaping and topography, it is considered that the findings of the report are reasonable. The development can therefore be undertaken without having an unacceptable impact in respect of glint and glare.

8.44 With regard to the proposed cable route and new substation in Cirencester, the cabling will be located underground and will not therefore be visible following its installation. Landscape restoration measures will be put in place to ensure that the affected land is restored following the laying of the cables. The cable route is considered not to have an adverse impact on the character or appearance of Kemble and Ewen SLA. The proposed substation will be located next to an existing electricity compound that serves a number of overhead electricity pylons. It will also lie at the edge of an industrial estate. The proposed site will be partly concealed from the adjacent road by a hedgerow and is not of a size or form that will be readily visible within the landscape. It is considered that the cabling and substation compound will not have an adverse impact on the character or appearance of the area.

8.45 Overall, it is considered that the proposed development will have an impact on the character or appearance of the area. However, this impact will be mitigated by new landscape planting. It is also of note that the development is reversible and that the land can be returned to agriculture in the future.

8.46 In response to concerns received from local residents about the availability of other sites, the applicant has undertaken a site selection process which has assessed the suitability of sites including areas of previously developed land within a 10km radius of the network connection at Cirencester. New sites need to be located in reasonable proximity of a connection to the National Grid in order to ensure that electricity generated by the solar panels can be transferred efficiently. There are no brownfields sites within the 10km radius of the connection that could accommodate the size of development proposed. In addition, other constraints such as the AONB, the SLA, Flood Zones 2 and 3, heritage designations, SSSIs and areas of higher quality agricultural land restrict the availability of other land within the search area. It is considered that the applicant has undertaken reasonable steps to investigate the availability of other sites. The choice of the current site is therefore considered reasonable in this respect.

8.47 With regard to cumulative impact of solar farm developments, it is noted that this Council has granted permission for a number of solar farms across the District in recent years. Completed sites include the following:

8.48 Land Parcel East Of Witpit Lane Preston 15/01923/FUL & 20/02034/FUL 23.38MW - 40.99 hectares

8.49 Land Parcel To The North Of The Byre Badsey Lane Willersey 13/00578/FUL 4MW 9.35 hectares

8.50 Land At Norton Hall Mickleton 12/05095/FUL 2.5MW 7.5 hectares

8.51 Land Adjacent To Northwick Substation Chipping Campden 11/01247/FUL 5 MW 20 hectares & 12/05072/FUL 2.25 MW 8.2 hectares

8.52 Permission has also been granted for 9.3 hectares 5MW site at Broadfield Farm between Aldsworth and Northleach (15/03186/FUL) and for a 19.94MW 32 hectare site on land at Ashton Road to the south of Siddington (20/04499/FUL). Neither of the aforementioned schemes has been completed.

8.53 In addition to the above, a solar farm is present outside the District between Long Newnton and Crudwell approximately 5km to the south-west of the current application site. Wiltshire Council is also dealing with an application for a 50MW 110 hectare solar farm development on land to the south-west on Minety approximately 6km to the south-east of the current application site.

8.54 None of the above sites are viewed in connection with the proposed development. Recent permissions at Siddington and Preston, as well as the above mentioned sites to the south-west and south-east of the application site, are considered to be sufficiently distant from the application site to avoid harm arising from cumulative impact.

8.55 It is noted that the Government's Planning Practice Guidance (PPG) states that the *'deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.'* The PPG advises of particular factors that should be taken into consideration when assessing large-scale solar farm proposals such as encouraging the use of previously developed and non-agricultural land, the use of poorer quality agricultural land in preference to higher quality land, glint and glare and the potential to mitigate landscape and visual impacts through, for example, screening with hedgerows.

8.56 In response to the PPG, it is considered that the applicant has reasonably demonstrated that there are no areas of previously developed land that could accommodate the development proposed. In addition, the proposal is considered not have an adverse in respect of glint and glare, and additional landscaping will mitigate the landscape and visual impact of the development. With regard to agricultural land, the applicant has commissioned an Agricultural Land Classification Report which concludes that the land falls within Grades 3b and 4. The land is therefore considered not to fall within the Best and Most Versatile Agricultural Land category as defined in the NPPF. Moreover, the land can continue to be used for grazing during the lifetime of the solar farm and it will be returned to agricultural use following the de-commissioning of the site.

8.57 Overall, it is considered that the introduction of the solar farm will have a landscape and visual impact on the character and appearance of the area. However, this impact will be mitigated by proposed new landscaping and green infrastructure. The impact of the proposed development is also considered to be relatively localised. It is considered that the landscape and visual impacts of the proposal are outweighed by the benefits arising from the provision of renewable energy and the need to address the issue of climate change.

(c) Access and Highway Safety

8.58 The proposed solar farm will be accessed by an existing field entrance located on the A429 to the north of the site. An existing unsurfaced farm track will be upgraded to enable access initially by construction traffic and subsequently by service vehicles during the lifetime of the development. A network of new tracks will be created within the site to facilitate future site maintenance and management.

8.59 In terms of highway impact, the main impact on the local road network will occur during the construction phase of the development. Following completion of the development, the site will be managed remotely with on-site trips limited to around 2 per month. It is considered that the long term operation of the site is therefore unlikely to have an adverse impact on highway safety or the operation of the road network. With regard to the construction phase of the development, Gloucestershire County Council (GCC) Highway Officers state *'the Transport Statement has deduced that a total of 6,640 total vehicle movements would be generated at the site access during the construction period of six months. It has been noted that this represents perhaps 40 - 60 vehicle movements per day and indicates that the access would be very active. Given also that many of the vehicles using the access would be large, heavy HGVs, it would be essential for comprehensive traffic management to be established to provide for the safe operation of the access and the safety of all other road users. An approved traffic management scheme would be required to be in place prior to any site mobilisation and be maintained throughout the construction period of the development.'* GCC Highway Officers have therefore recommended the attachment of a condition covering traffic management should permission be granted. It is considered that the existing highway network has capacity to accommodate the level of traffic generated during the construction phase of the development.

8.60 It is noted that the applicant is proposing to construct a temporary construction compound at the northern part of the site to accommodate construction traffic and contractors. In addition, all construction traffic will access the site via the A429 rather than via the network of lanes extending through Kemble and Kemble Wick. Access visibility along the A429 from the proposed site entrance can also meet the requisite visibility requirements for a 60mph road.

8.61 With regard to the proposed substation in Cirencester, GCC Highway Officers are satisfied that the shared access arrangements with the existing substation site are acceptable and that adequate visibility can be achieved.

8.62 GCC Highway Officers are also satisfied that the creation of the cabling route can be undertaken in a manner that will not have an adverse impact on highway safety. However, a condition is recommended requiring the agreement of a Construction Management Plan which will cover details relating to drilling under the highway and construction traffic.

8.63 Comments regarding the impact of the proposal on existing Public Rights of Way are noted. Separate agreement will be required from GCC Rights of Way should the development require the temporary closure or diversion of any Rights of Way within Gloucestershire. Wiltshire Council will address comments regarding Public Right of Way CRUD4 which falls within Wiltshire.

8.64 GCC Highway Officers raise no objection to the application and consider it to be acceptable in highway safety terms. It is considered that the proposal accords with Local Plan Policies INF4 and INF5 and guidance in Section 9 of the NPPF.

(d) Impact on Residential Amenity

8.65 The solar farm site is located in an area of open countryside. The nearest dwellings to the site are located within Kemble Wick to its south-east, a property called Woodlands to the south-west and a property called Rendall's Barn to the north-east. The proposed solar panels will not generate discernible levels of noise once in place. However, associated plant and machinery such as transformers and substations can generate noise.

8.66 The applicant has undertaken a Noise Impact Assessment which has assessed the potential level of noise generated by the proposal against existing background noise levels. The report states that *'an assessment of operational noise impact has been undertaken in accordance with BS4142:2014 and the level of impact has been found to be Low, with predicted Rating levels below background sound levels at all receptors, during both daytime and night-time periods. In addition, the target criteria specified by the Environmental Health Departments of Cotswold and Wiltshire Councils of BS 4142 Rating levels being 5 dB below background levels has also been achieved'*.

8.67 The Council's Environmental and Regulatory Services Noise Officer has assessed the proposal and states that *'I consider the applicant's noise assessment to be robust and safe. As such, I have no objection in principle to the solar farm at this location, subject to a standard noise related condition.'* It is considered that the proposed development will not have an unacceptable adverse impact on local residents in terms of noise pollution.

8.68 It is noted that the construction phase of the development will generate vehicle movements to and from the site. The construction of the panels and associated developments will also generate a degree of noise and disturbance. However, the proposed access to the solar farm site will be located approximately 1.5km from Kemble Wick and the proposed temporary construction compound will be approximately 1km from the aforementioned settlement. The construction period will last approximately 6 months and is therefore considered to be relatively limited in its timescale. The construction of the panels closest to Kemble Wick and other properties will also last for a lesser period than 6 months. It is therefore considered that the construction phase of the development can be undertaken without having an unacceptable adverse impact on residential amenity.

8.69 Concerns regarding views of the site from existing properties are noted. However, the siting of the solar panels has been designed to ensure the retention of a landscape buffer between Kemble Wick and the proposed panels. An existing woodland also provides a further degree of screening. Having regard to the proposed separation distance and existing and proposed landscaping, it is considered that the proposed scheme will not have an unacceptable impact on the amenity of existing residents.

(e) Impact on Protected Species

8.70 The site of the proposed solar farm occupies an area of land comprising agricultural fields, hedgerows and coppices of woodland. In addition, an ancient woodland (Kemble Wood) is located adjacent to the northern edge of the application site. It is identified as a

Local Wildlife Site. The Ecological Assessment submitted with this planning application states *'The site comprises arable, building, hardstanding of negligible ecological importance and poor semi-improved grassland, species-poor hedgerow, scrub and tall ruderal vegetation of site ecological importance and mature trees, species-rich hedgerows, woodland and waterbodies of local ecological importance'*. Surveys indicate the presence of great crested newts within 3 ponds on the site. In addition, ground nesting birds were identified in the arable fields and a badger sett was also identified. The existing hedgerows, woodland and ponds are identified as priority habitats.

8.71 The proposed solar farm will primarily be located on arable fields which are considered to be of low biodiversity value. The proposed scheme will also result in the loss of approximately 52m of hedgerow to facilitate site access. The proposed development seeks to protect existing woodland, trees, ponds and other remaining hedgerows during the course of the development. The applicant is also proposing to introduce new landscaping as part of the scheme including 524m of native species hedgerow, 2.93 hectares of native species woodland planting, the enhancement of 0.28 hectares of existing plantation woodland with native species infill planting, the provision of 56 hectares of native species grass and meadow grazing land, the planting of 2.99 hectares of native species grass and wildflower meadow mix, the creation of 0.37 hectares of tussock grassland and the planting of 176 trees. In addition, measures have been put forward to ensure that the timing of works and working practises minimise disturbance to existing fauna.

8.72 The proposed cable route has been aligned to minimise disturbance to features such as woodland, hedgerows and water features. The cable route, by virtue of its limited depth and width, is considered not have an unacceptable ecological impact subject to the suitable restoration of the route following its installation.

8.73 The principal impact of the proposal will be during the construction phase of development. Once in operation, the site will be subject to limited disturbance which minimise the impact of the proposal on protected species.

8.74 The applicant has commissioned a Biodiversity Net Gain Assessment of the proposed development. The assessment indicates that the proposed development will result in a gain in biodiversity value of 26.74% for habitats and 35.71% for hedgerows.

8.75 The Council's Biodiversity Officer and Natural England have assessed the proposal and raise 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. The proposed scheme also includes the introduction of green infrastructure and habitat creation which are considered to represent an ecological enhancement. It is considered that the proposed development accords with Local Plan Policy EN8 and guidance in Section 15 of the NPPF.

(f) Drainage and Flooding

8.76 The proposed solar farm is located within a Flood Zone 1 which is the lowest designation of flood zone and one wherein developments such as that proposed are acceptable in principle. A section of the cabling route passing under the River Thames falls within a Flood Zone 3 which is the highest designation of flood zone.

8.77 This application is accompanied by a Flood Risk Assessment and a Landscape, Ecological and Hydrological Management Plan which have set out detailed drainage proposals for the application site. The submitted reports have had regard to concerns raised by the local community about surface water from the fields causing flooding of local roads. During periods of heavy rainfall, surface water flows through the site and discharges into a culvert to the south of the site. The culvert can occasionally overflow causing surface water flooding. Whilst the proposed development will retain large areas of permeable surfacing, it is noted that the solar panels will have the potential to change the manner in which rainfall enters the land. In order to mitigate the impact of the development, the applicant is proposing to introduce a number of land management practices to manage surface water run-off.

8.78 It is intended to create areas of lowered ground within the site (lowered bunds) which will capture surface water run-off before dispersing it across the site. The lowered bunds will typically be 0.25-0.4m in depth and are intended to divert surface water flows from the existing flow route. In addition, filter drains will be installed on every 5th row of the solar panels and along the southern perimeter of the site. In addition, new landscaping will be introduced which will also help to mitigate surface water run-off. It is considered that the proposed drainage measures will address surface water run-off from the development.

8.79 Gloucestershire County Council Lead Local Flood Authority (LFA) has assessed the surface water drainage impact of the proposal and raises no objection to the scheme.

8.80 With regard to the cable route extending under the River Thames, the applicant has submitted details relating to the method of drilling that will take place. The Environment Agency has assessed the proposals and raises no objection to the application.

8.81 Overall, it is considered that the development can be undertaken without having an adverse impact on drainage or flooding in accordance with Local Plan Policy EN14.

(g) Archaeology and Heritage Assets

8.82 The application site is located in an area which is considered to be sensitive in archaeological terms. Archaeological remains dating from the Iron Age, Bronze Age, Roman and Medieval periods have been identified in the landscape around the site of the proposed solar farm. In addition, Norwood Castle Scheduled Ancient Monument (SAM) is located approximately 900m to the south-east of the application site.

8.83 Neighbourhood Plan Policy KE10 - Archaeology is considered relevant to this application. It states:

'Any future proposals for development within and around Kemble and Ewen villages should be accompanied by a thorough assessment of the potential effects on archaeological heritage assets in accordance with guidelines issued by the Chartered Institute for Archaeologists and in accordance with a brief approved by the Historic Environment Service of Gloucestershire County Council. This work must be carried out prior to the submission of any planning application.'

Where possible, and appropriate, development proposals should seek to incorporate archaeology in such a way that any conserved remains can be accessed by the public and that suitable signage and information is provided to and on the site to promote such access and aid interpretation of the asset.'

8.84 This application is accompanied by a Heritage Impact Assessment (HIA) and Geophysical Survey report which have undertaken an archaeological assessment of the site and its surroundings. The submitted information includes details of historic record searches and the results of walkover and geophysical surveys. The applicant states '*To summarise, the survey detected magnetic anomalies associated with archaeological and possible archaeological origins comprising enclosures, trackways, ring ditches, field systems, ditch lengths and pit-type responses. The majority of these are located within 1 km of the Site with some areas of archaeological interest identified along the Grid Route Study Area (as defined within the HIA). These include medieval ridge and furrow cultivation, former field boundaries, modern ploughing and field drains. Those within the Solar Study Area (as defined within the HIA), broadly correlate to what has been identified through the HER data with a concentration around Kemble Aerodrome (HER 21827) mainly to the west of the Solar Study Area and other anomalies located on the south-eastern corner of the Solar Study Area where a possible Deserted Medieval Village - Kemble Wick (HER 9677) is recorded.*

The geophysical survey recorded the overall archaeological potential of this site to be of moderate to high in the Solar Study Area, with a low to moderate potential assigned to the grid cable route

Should significant sub-surface archaeological features be encountered at this stage, in agreement with the Council Archaeologist, further mitigation in the form of exclusion areas or concrete footings instead of pile driven poles should be undertaken to mount the solar panels.'

8.85 Gloucestershire County Council Archaeology has assessed the application and made the initial comments:

'Geophysical survey has been carried out, which has identified a number of features of potential archaeological interest. We have recently approved a Written Scheme of Investigation for a programme of archaeological trial trenching (a more recent version of the one submitted with this application). Once we are in receipt of the results of the trial trench evaluation then we be able to advise on the significance of heritage assets with archaeological interest impacted by the proposals, in line with the National Planning Policy Framework.'

8.86 In response to these comments, the applicant is in the process of undertaking the requested trial trenching. Once completed the results will be forwarded to Gloucestershire County Council Archaeology for assessment. Subject to no objection being raised by the aforementioned consultee, it is considered that the development can be undertaken without having an adverse impact on features of archaeological interest.

8.87 With regard to the impact of the proposal on heritage assets such as SAMs, listed building and conservation areas, it is noted that the site of the solar farm is located over 1km from the nearest listed building or conservation area. Norwood Castle SAM is located approximately 900m to the south-east of the site. However, due to distance, the low lying nature of the two sites and the limited height of the proposed solar panels, the introduction of the solar panels and associated development are considered not to have an adverse impact on the setting of the SAM.

8.88 With regard to the cable route, the installation of the cables will result in a temporary short term change to the appearance of the cable route. However, once installed the cable route is considered not to have an adverse on listed buildings, conservation areas or non-designated heritage assets. Historic England has raised no comments in response to the proposal.

Other Matters

8.89 The applicant has requested a 5 year period in which to implement the development instead of the usual 3 years. The applicant states that *'due to current issues surrounding availability of contractors and supply chain issues in relation to the equipment that we will be looking to use on the site. It is uncertain how long these issues will persist and we would hope to be commencing development well in advance of five years, but the extension to five years would provide us with additional comfort'*. In light of the size of the proposed scheme and the complexities involved in the development of both the solar farm and the cabling route, it is considered reasonable to extend the time period for commencement from 3 to 5 years.

8.90 The Council's Tree Officer is satisfied that the proposed development can be undertaken without having an adverse arboricultural impact. Tree and hedgerow protection measures will be put in place prior to the commencement of development in order to protect existing features. A 15m buffer zone will be maintained between Kemble Wood and the solar panels. It is considered that the proposal accords with Local Plan Policy EN7.

8.91 This application is zero rated for the purposes of the Community Infrastructure Levy.

9. Conclusion

9.1 Overall, it is considered that the proposed development will make a significant contribution to the supply of renewable energy and will accord with national and local planning policy and guidance which seeks to reduce greenhouse gas emissions. It is noted that the proposed development will have an impact on the character and appearance of the landscape and change the relationship of the existing site with Kemble Wick. However, it is considered that the landscape and visual impact of the proposal will be mitigated by new landscaping. It is therefore considered that the benefits of the proposal in terms of the provision of renewable energy outweigh its impact on the character and appearance of the area. It is therefore recommended that the application is granted permission subject to no objection from Gloucestershire County Council Archaeology.

10. Proposed conditions:

1. The development shall be started by 5 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.

2. The development hereby approved shall be carried out in accordance with the following drawing number(s):

3679-REP-001, 2259.M2.018.3.A, 2259.M4.016.3.0, 3679-REP-033, 3679-REP-036, 3679-REP-037, 3679-REP-038, 3679-REP-039, 3679-DR-ALR-001, 9400.E4.017.3.0, 9400.M2.014.1.0, 9400.M2.021.3.0, 9400.M2.31.3.0, 9400.M2.037.3.0, 9400.M4.0.3.0, EPC-0261-P-C-TR.1, EPC-0261-P-E-LA-EX REV 1, EPC-0261-P-E-LA-EX-P REV 1, EPC-0261-P-E-LA-EX-SSE REV 1, EPC-0261-P-E-LA-SPL REV 1, EPC-0261-P-E-LA-SPL-P REV 1, EPC-0261-P-E-LA-SPL-SSE REV 1, EPC-0261-P-E-LA-SS.REV 2, 3679-DR-LAN-101 M, 3679-DR-ALR-001, 3679-DR-ALR001-Figure 7

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

3. Within 12 months of the cessation of their use for electricity generating purposes the solar panels together with any supporting apparatus, mountings, foundations, inverters, platforms, collecting stations, transfer station, fencing and other associated equipment shall be permanently removed from the land fully in accordance with a decommissioning statement that has first been approved in writing by the Local Planning Authority.

Reason: To ensure that the landscape is restored to a condition appropriate for its location in the open countryside in accordance with Local Plan Policy EN4.

4. Prior to the decommissioning of the site, an Ecological Assessment and Mitigation report detailing measures to protect protected species and their habitats during the decommissioning of the site shall be approved in writing by the Local Planning Authority. The site shall be decommissioned fully in accordance with the approved report.

Reason: To safeguard protected and priority species, priority habitats during the decommissioning of the solar farm in accordance with Local Plan Policy EN8, paragraphs 174, 179 and 180 of the National Planning Policy Framework and the Council's duty under Section 40 of the Natural Environment and Rural Communities Act 2006.

5. Prior to the commencement of the development hereby permitted, a comprehensive scheme of traffic management shall first be submitted to and approved in writing by the Local Planning Authority and the development shall be undertaken fully in accordance with the approved traffic management scheme.

Reason: In the interests of highway safety in accordance with Local Plan Policy INF4. It is important that these details are agreed prior to the commencement of development as traffic generated during the construction phase of the development has the potential to impact on the operation of the local highway network and highway safety.

6. Prior to commencement of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period.

The Construction Management Plan shall include, but not be restricted to, the details of:

- i) Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers during construction);
- ii) Routes for construction traffic;
- iii) Any temporary access to the site;
- iv) Appropriate safety and mitigation measures at all accesses required on the grid route;
- v) Locations for loading/unloading and secure storage of plant, waste and construction materials;
- vi) Location of offices and welfare facilities;
- vii) Locations for the temporary stockpiling of topsoil and subsoil;
- viii) Method of preventing mud and dust being carried onto the highway;
- ix) Arrangements for turning of vehicles;
- x) Arrangements to receive abnormal loads or unusually large vehicles; and

- xi) Methods of communicating the Construction Management Plan to staff and site visitors.

Reason: In the interests of safe operation of the adopted highway during the construction of the development in accordance with Local Plan Policy INF4. It is important that these details are agreed prior to the commencement of development as traffic generated during the construction phase of the development has the potential to impact on the operation of the local highway network and highway safety.

7. Prior to the commencement of the development of the site of the solar farm hereby permitted, including any mobilisation work, visibility splays measuring 2.4 metres by 215 metres shall be provided from the solar farm access in both directions along A429. Thereafter, the area of the visibility splays shall be kept clear of obstruction above a height of 0.9m.

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

8. Prior to the commencement of the development of the site of the solar farm hereby permitted, including any mobilisation works, the site access junction from A429 shall be constructed and completed in accordance with the details for the layout, construction and operation of the access which have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved access junction shall be retained in accordance with the approved details at all times throughout the period of construction of the development.

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

9. Prior to the commencement of the development of the substation on Wilkinson Road, visibility splays measuring 2.4 metres by 43 metres shall be provided from the sub-station access along Wilkinson Road in both directions. Thereafter, the area of the visibility splays shall be kept clear of obstruction above a height of 0.9m.

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

10. The development shall be undertaken fully in accordance with the landscaping details shown in the Landscape, Ecological and Hydrological Management Plan, Kemble Solar Farm and Grid Connection, October 2021 Version B.

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN1 and EN4.

11. The entire landscaping scheme shall be completed by the end of the first full planting season (1st October to 31st March the following year) following the installation of the first solar panel on the application site.

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN1 and EN4.

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

Reason: To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policies EN1 and EN4.

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

The THPP 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 and hedgerow protection measures shown on the THPP must be put in place prior to the commencement of any works on site (including demolition and site clearance) and shall not be removed until the completion of the development.

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 and hedgerows.

14. No development shall take place until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority.

The AMS shall be prepared by a suitably qualified arboriculturalist in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - recommendations'

The AMS shall include as a minimum:

- i) A schedule and specification of any tree and hedgerow works;
- ii) Specifications for barriers and ground protection;
- iii) Procedures for any specialist construction techniques and any supervised excavations within the Root Protection Areas;
- iv) Phasing of work;
- v) An auditable system of site monitoring;
- vi) A detailed Tree and Hedgerow Protection Plan

15. The development shall be undertaken in accordance with the approved AMS.

Reason: To safeguard the retained trees and hedgerows 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 and hedgerows.

16. No development shall take place until a full Tree Protection Strategy has been submitted to and approved in writing by the Local Planning Authority.

The Protection Strategy (to be prepared by a suitably qualified arboriculturalist and in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - recommendations') shall include where appropriate -

1. Arboricultural Implications Assessment
2. Arboricultural method statement
3. Tree Protection Plan
4. A timetable of arboricultural site inspections (to be carried out by a suitably qualified Arboriculturalist and all findings reported in writing to the Local Planning Authority).

The approved strategy shall be implemented in full according to the timescales laid out in the strategy, unless otherwise agreed in writing 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.

17. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA): Flood Risk Assessment, Kemble Solar Farm and Grid Connection, Arcus Consultancy Services, June 2021, and the supporting information provided in the letter dated 27th September 2021 from Arcus Consultancy Services Ltd to Environment Agency, Thames Sustainable Places Team, entitled Kemble Solar Farm Grid Connection Environment Agency Response - Reference 21/02735/FUL, and the following mitigation measures they detail:

- i) Any excavated material from the works shall be stored outside Flood Zones 2 and 3 as defined in figure 3 in Appendix B of the FRA.
- ii) On completion of the works in Flood Zones 2 and 3, as defined in figure 3 in Appendix B of the FRA, the ground shall be restored to its pre-excavation levels and condition.
- iii) Any directional drilling, excavation and filling works within Flood Zones 2 and 3 shall be completed during the summer months (June to August inclusive), unless otherwise agreed in writing by the Local Planning Authority.

These mitigation measures shall be fully implemented in accordance with the approved details and retained thereafter throughout the lifetime of the development.

Reason: To prevent flooding elsewhere by maintaining floodplain storage and conveyance in accordance with Local Plan Policy EN14..

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in accordance with Local Plan Policy EN15 and paragraph 174 of the National Planning Policy Framework.

19. When assessed in terms of British Standard 4142:2104+A1:2019, the Rating level of noise arising from the development hereby permitted, including all equipment, substation and associated plant (inverters, transformers), shall not at any time exceed the prevailing background noise level at any residential dwelling, either existing or consented at the time of this consent.

Reason: In order to ensure that the proposed development will not have an adverse impact on residential amenity in accordance with Local Plan Policy EN15.

20. Prior to the installation of any external lighting, a scheme shall be submitted to and agreed in writing by the Local Planning Authority which specifies the provisions to be made for the level of illumination of the site and the control of light pollution. The scheme shall be implemented and retained in accordance with the approved details. No other external lighting shall be installed on the site other than that agreed as part of the approved lighting scheme.

Reason: In order to preserve the rural character and appearance of the site and in the interests of residential amenity and biodiversity, in accordance with Cotswold District Local Plan Policies EN2, EN4, EN6, EN8 and EN15.

21. The development shall be undertaken and operated in accordance with the following documents and drawings as submitted with the planning application:

- i) Sections 3 and 4 of the 'Ecological Impact and Biodiversity Net Gain Assessment' report dated 29th June 2021 prepared by Tyler Grange for both the solar farm and grid connection route, and the biodiversity net gain outcomes.
- ii) Section 4 of the Planning Addendum Statement dated November 2021 prepared by Aura Power;
- iii) Landscape, Ecological and Hydrological Management Plan (LEHMP) for Kemble Solar Farm and Grid Connection dated October 2021 (Version B) for a minimum period of 30 years;
- iv) iii. Construction Environmental Management Plan dated October 2021 Version B prepared by Arcus Consultancy Services Ltd;

v) Drawing number: 3679-DR-LAN-101 M (Landscape Mitigation Plan)

All the biodiversity mitigation and enhancement measures and biodiversity net gain requirements shall be implemented in full according to the specified timescales and drawings, unless otherwise agreed in writing by the Local Planning Authority, and shall thereafter be permanently retained.

Reason: To ensure that biodiversity is protected and enhanced in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Policy EN8 of the Cotswold District Local Plan 2011-2031, Circular 06/2005, paragraphs 174, 179 and 180 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.

22. Before the implementation of the landscaping scheme (in accordance with the Landscape Mitigation Plan), a biodiversity monitoring strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The purpose of the strategy shall be to ensure that the biodiversity net gain outcomes concluded in Section 4 of the 'Ecological Impact and Biodiversity Net Gain Assessment' report dated 29th June 2021 prepared by Tyler Grange are achieved. The content of the Strategy shall include, but not necessarily be limited to, the following:

- i. Aims and objectives of monitoring to match the stated purpose;
- ii. Identification of adequate baseline conditions prior to the start of development;
- iii. Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged;
- iv. Methods for data gathering and analysis;
- v. Location of monitoring;
- vi. Timing and duration of monitoring;
- vii. Responsible persons and lines of communication;
- viii. Potential remedial measures that may be implemented where appropriate; and
- ix. Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy (at least every 5 years). The report shall also set out (where the results from monitoring show that Conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The monitoring strategy will be implemented in accordance with the approved details.

Reason: To secure the effective implementation of the biodiversity net gain outcomes in accordance with Local Plan Policy EN8 and paragraphs 174, 179 and 180 of the NPPF

Informatives:

1. Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is development of building(s) into which people do not normally go or only go intermittently for the purpose of maintaining or inspecting machinery.

2. The Lead Local Flood Authority (LLFA) has considered 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.

3. The development hereby permitted includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact must be made with the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works

Planning permission is not permission to work within the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

4. No materials, plant, temporary structures or excavations of any kind shall be deposited/ undertaken on or adjacent to any Public Right of Way that may obstruct or dissuade the public from using the Public Right of Way whilst development takes place.




5. No changes to any Public Right of Way direction, width, surface, signing or structures shall be made without the prior written approval of the Gloucestershire County Council or the necessary legal process.

6. No construction / demolition vehicle access shall be taken along or across any Public Right of Way without prior permission and appropriate safety/mitigation measures approved by the Gloucestershire County Council. Any damage to the surface of the Public Right of

Way caused by such use will be the responsibility of the developer or their contractors to put right / make good to a standard required by the Gloucestershire County Council

21/02735/A



-  Planning Boundary
-  Bathurst Estate Land
-  Local Planning Authority Boundary

1:25,000 Scale @ A3

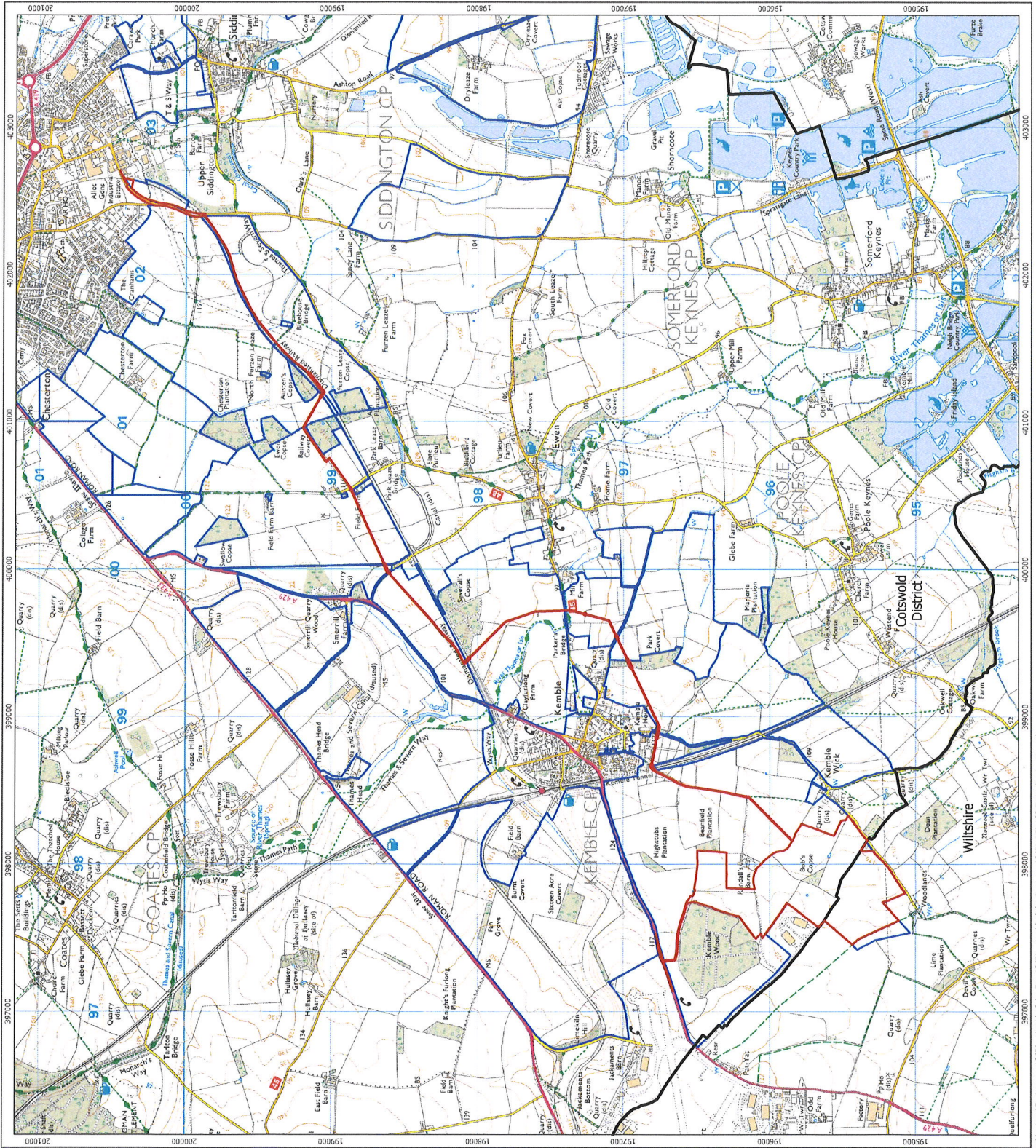


Produced By: EB Ref: 3679-REP-033

Checked By: WS Date: 30/06/2021

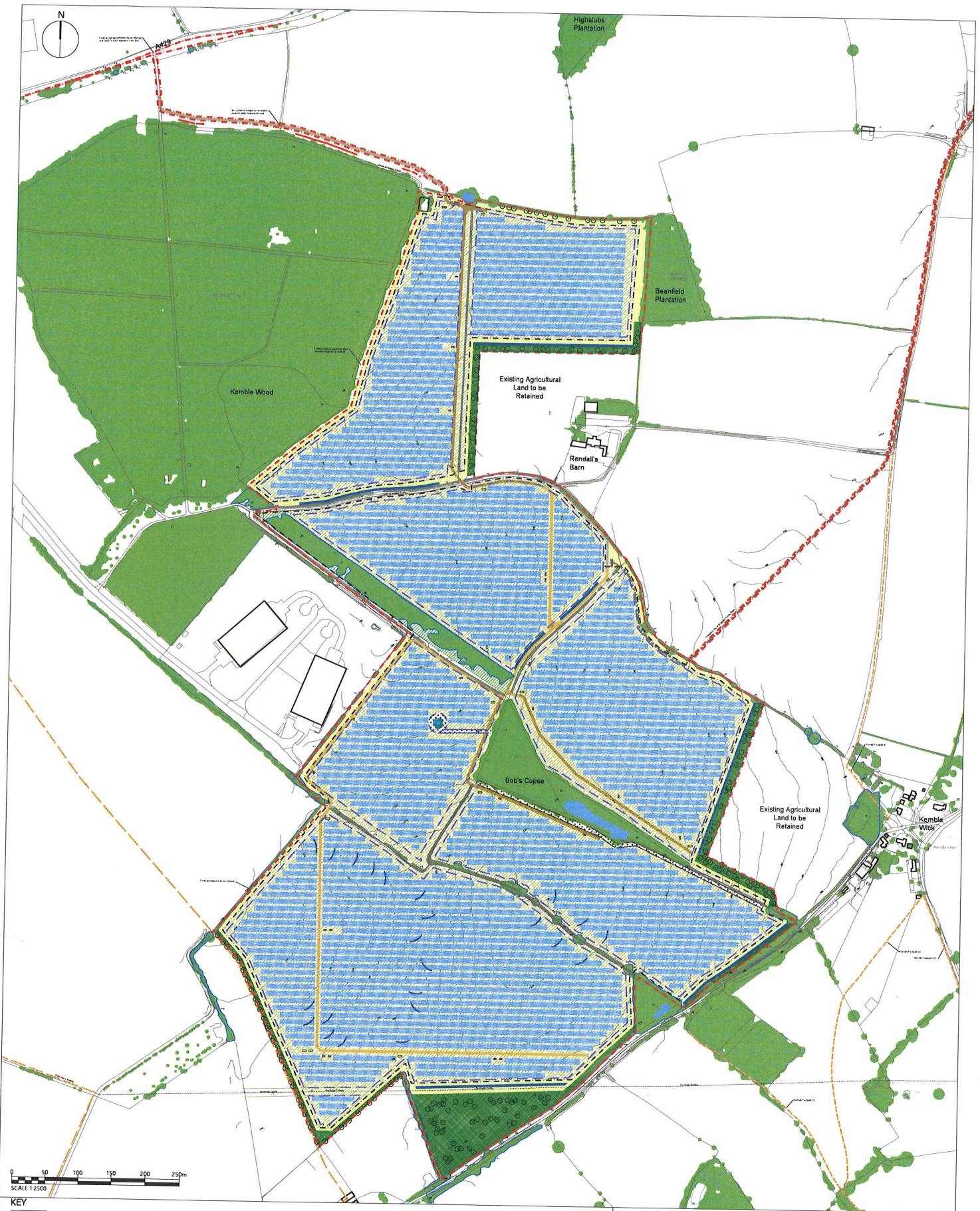
Site Location Plan Planning Drawing 1

Kemble Solar Farm and Grid Connection Planning Application



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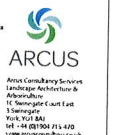
| KEY | |
|-----|--|
| | CORE STUDY AREA BOUNDARY |
| | CATEGORY C TREES AND VEGETATION AS DEFINED BY BS5837:2012 |
| | EXISTING BUILDINGS |
| | EXISTING OVERHEAD POWER LINE |
| | EXISTING TREE, WOODLAND, HEDGEROWS AND VEGETATION TO BE RETAINED |
| | CATEGORY B TREES AND VEGETATION AS DEFINED BY BS5837:2012 |
| | CATEGORY A TREES AND VEGETATION AS DEFINED BY BS5837:2012 |
| | SOLAR PANEL DEVELOPMENT AREAS |
| | NATIVE SPECIES TREE PLANTING - SELECTED STANDARDS. SPECIES TO INCLUDE BEECH, BIRCH, HORNbeam, DREWY AND OAK TO MATCH LOCAL SPECIES COMPOSITION |
| | NATIVE SPECIES HEDGEROW PLANTING (SPECIES TO INCLUDE BLACKTHORN, FLOREY, FIELD MARSH, HAZEL AND Hawthorn) |
| | NATIVE SPECIES WOODLAND HEDGEROW SPECIES PLANTING ALONG SOUTHERN BOUNDARY. SPECIES TO INCLUDE BIRCH, BLACKBERRY, CHERRY, OAK, ASH, DOG ROSE, FIELD MARSH, Hawthorn, HAZEL, Hornbeam |
| | NATIVE SPECIES GRASS AND HEADOW MIX FOR SHEEP GRASSLAND LOCATED AROUND AND UNDER SOLAR PANELS |
| | NATIVE SPECIES GRASS AND MIDDLEFLOWER HEADOW MIX |
| | SOLAR PANELS |
| | INVERTER / TRANSFORMER |
| | CONTOURS - 1M INTERVALS |
| | SPARE PARTS CONTAINERS |
| | HYDROLOGICAL MITIGATION FEATURE - SWALES |
| | HYDROLOGICAL MITIGATION FEATURE - LOWERED GRADED BANKS - FOLLOW 1:10 YEAR FLOODING AND OVERFLOW AND FLOW NATURAL CONSTRUCTION TO FOLLOW EXISTING CONTOURS TO CATCH AND HOLD RUN OFF |
| | HYDROLOGICAL MITIGATION FEATURE - FOLLOWS 1:10 YEAR FLOODING AND OVERFLOW AND FLOW NATURAL CONSTRUCTION TO FOLLOW EXISTING CONTOURS TO CATCH AND HOLD RUN OFF |
| | NATIVE SPECIES AQUATIC PLANTING MIX - HORNbeam, 1M WIDE INSIDE EXISTING POND. SPECIES TO INCLUDE REED, Water CRESS, Yellow Iris, WATER FOXTAIL, HO - ALSO GRASSY BRASS AND REEDS ARE REEDS |
| | NATIVE SPECIES POND EDGE PLANTING MIX FOR POND. SPECIES TO INCLUDE UPRIGHT POND-SIDE GRASS, POND SEDGE, DOP RUSH, PLAIN LONGETEASE AND BRANCHED BIRCH |
| | NOTE: ALL EXISTING HEDGEROWS WITHIN THE SITE TO BE CAPPED UP AND UNBLENDED WITHIN THE SOLAR PANELS. PLANTS AND STANDARD TREES (TREES TO BE LOW GROWING SUCH AS BLACKBERRY, BIRCH, FIELD MARSH, HAZEL AND Hawthorn) |

| REVISIONS SCHEDULE | | |
|--------------------|------------|---|
| Rev | Date | Description |
| A | 15.09.2023 | Issued for approval |
| B | 15.09.2023 | Revised to comply with comments from Project Manager (PM) |
| C | 08.10.2023 | Revised to reflect Project Manager comments (PM) |
| D | 21.10.2023 | Revised to incorporate comments for design, including planting added to south eastern boundary (PM) |
| E | 08.11.2023 | Revised to incorporate comments for design, including planting added to the southern boundary (PM) |
| F | 18.12.2023 | Revised to remove Field 7 and include additional swales in south of field (AT) |
| G | 23.02.2024 | Revised to update the layout (PM) |
| H | 22.02.2024 | Revised following internal comments (PM) |
| I | 22.02.2024 | Revised to update the layout (PM) |
| J | 29.06.2024 | Revised panel layout (AT) |
| K | 15.08.2024 | Revised to more swales in northern part of the site (AT) |
| L | 15.08.2024 | Revised to update core study area boundary (PM) |
| M | 12.11.2024 | Revised to comply with client comments (PM) |

General Notes:
 Drawing to be read in conjunction with Tree Survey drawings and reports prepared by Tyler Group.
 All construction on site to be undertaken in line with BS5837:2012.
 The developer shall ensure compliance with the scope of works and any other relevant legislation, including the Environment Act 2021, and any other relevant legislation in force at the time of construction and operation.

FOR PLANNING
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PROJECT: Kemble Solar Farm
 TITLE: Landscape Mitigation Plan
 CLIENT: Aura Power
 DATE: 09.09.2024 SCALE: 1:2000(A1)
 DRAWN: MNI
 CHECKED: HT
 REVISION: M

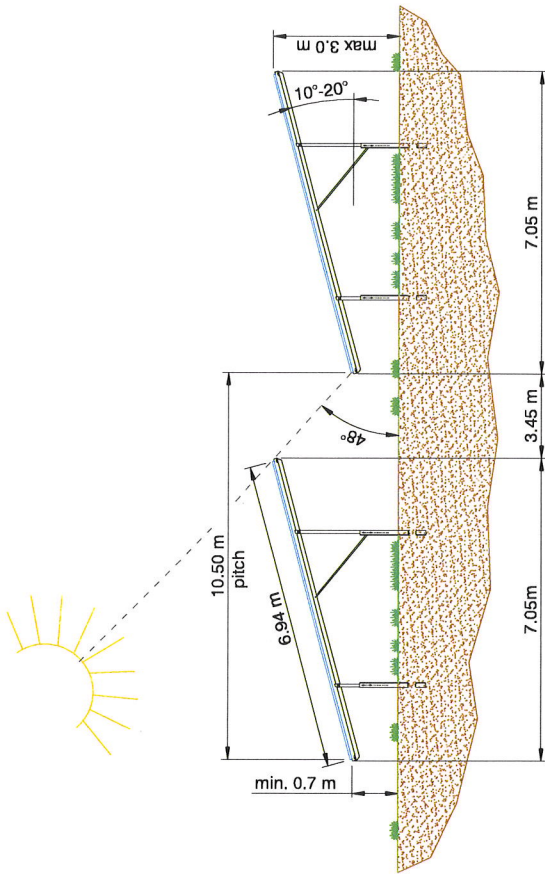




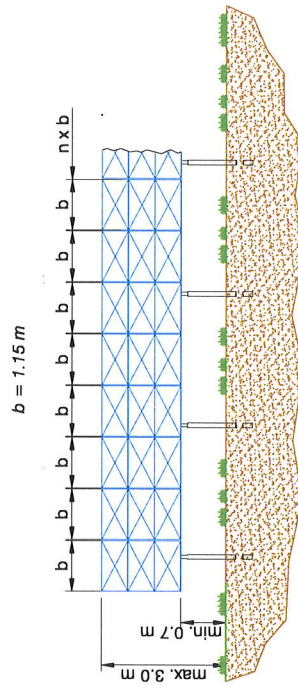
View south-west from Public Right of Way (BKE8)



1 Cross Section Substructure
#1:100



2 Front View substructure
#1:100



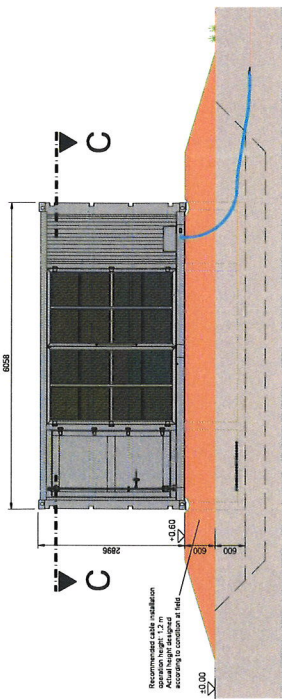
Note:
Exemplary substructure.
Up-to-date no detailed track design has been provided by supplier.

| | | | | | |
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| Title: Indicative Solar panel Elevation | | Status: 07 Jan 2021 Revision: A | | Document-No.: 2259.M2.018.3.A | |
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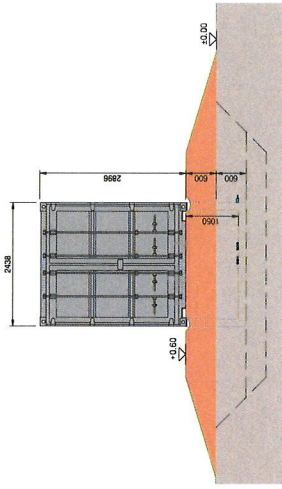
UK_Kemble Solar Farm

scale 1:100
5m
10m

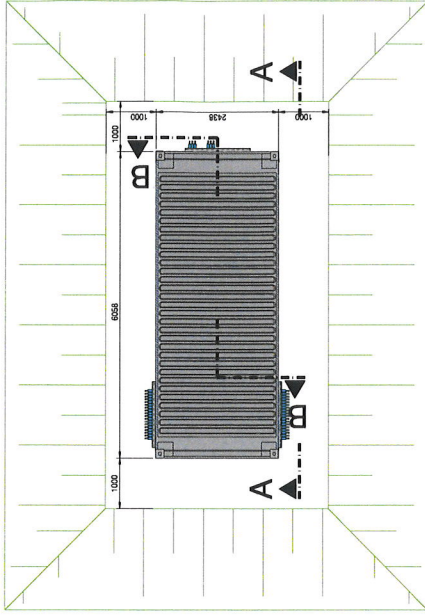
1 Elevation - front view
M 1:50



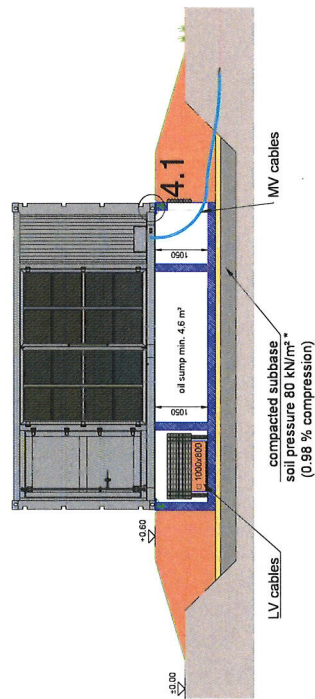
2 Elevation - side view
M 1:50



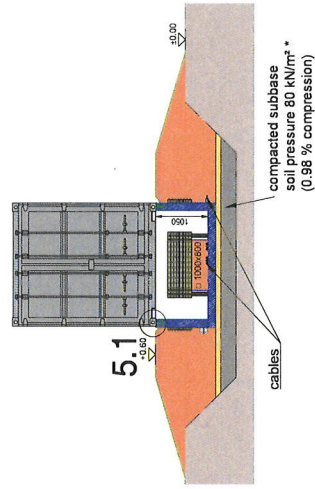
3 Top view of transformer
M 1:50



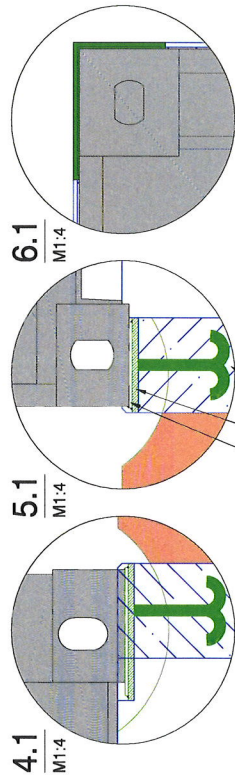
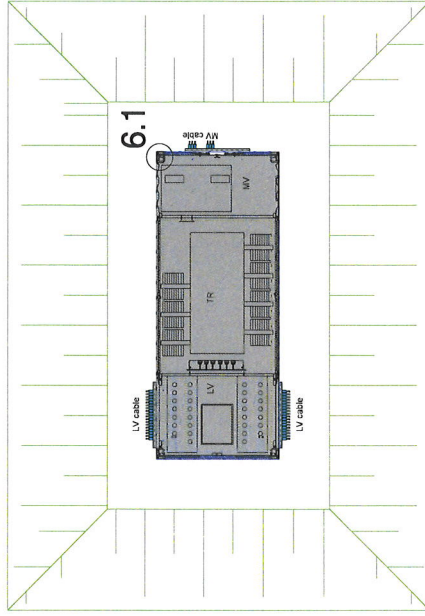
4 Section A-A
M 1:50



5 Section B-B
M 1:50



6 Section C-C
M 1:50



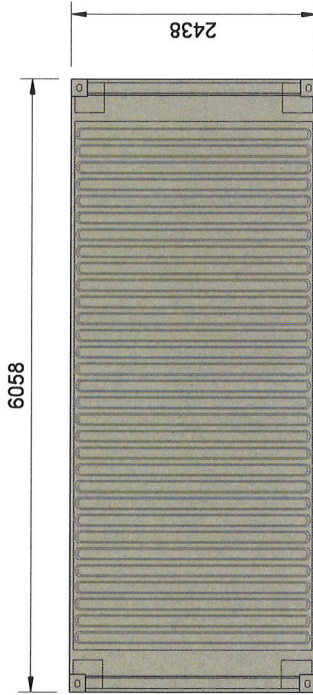
*) to be determined according to the design of the cellar (weight) and the soil assessment
Exterior facade / outer casing may vary depending on the supplier

| Rev. | Date | Descr. | Drawn | Checked | Appr. | Revision Description |
|------|--------------|--------|-------|---------|-------|----------------------|
| 0 | 05. Oct 2020 | | | | | Original drawing |

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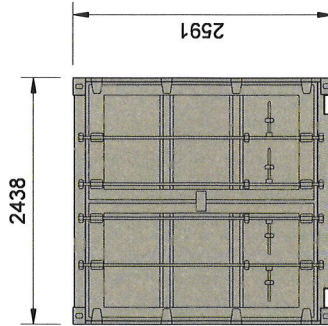
1 Top view of spare part container

M 1:50



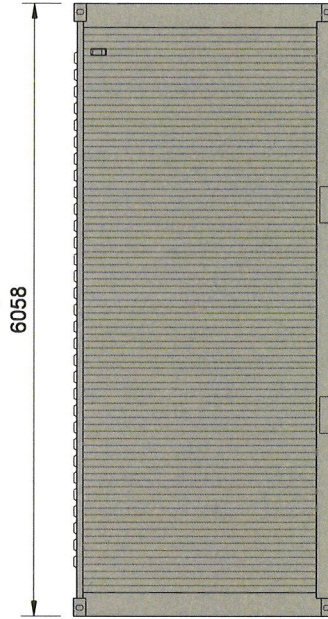
2 Elevation - front view

M 1:50



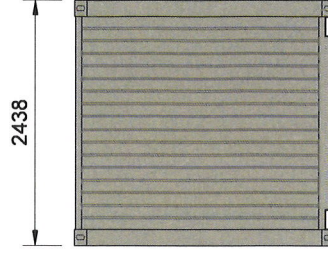
3 Elevation - side view

M 1:50




4 Elevation - back view

M 1:50

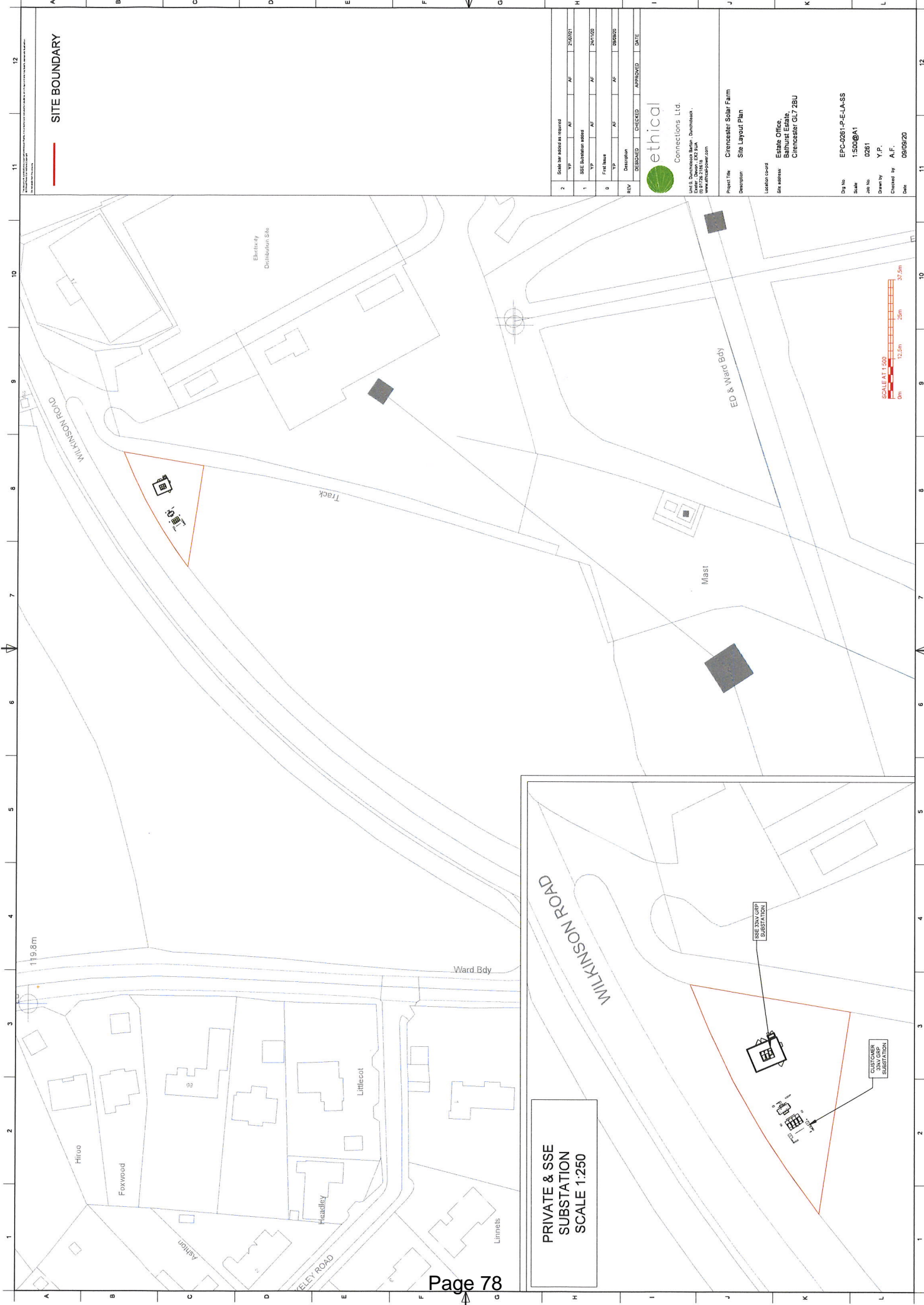


scale 1:50 0m 2.5m 5m

| Revi. | Date | Desi. | Chec. | Appr. | Revision Description |
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| 0 | 06 Oct 2020 | | | | Original drawing |

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Kemble Solar Farm



SITE BOUNDARY

| REV | DESCRIPTION | DESIGNED | CHECKED | APPROVED | DATE |
|-----|-----------------------------|----------|---------|----------|----------|
| 2 | Scale bar added as required | Y.P. | A.F. | A.F. | 21/09/21 |
| 1 | SSE Substation moved | Y.P. | A.F. | A.F. | 20/11/20 |
| 0 | First Issue | Y.P. | A.F. | A.F. | 09/09/20 |

ethical
Connections Ltd.
Units 5, Churchfields Estate, Southwick, Crawley, West Sussex, BN8 3JA
www.ethical-power.com

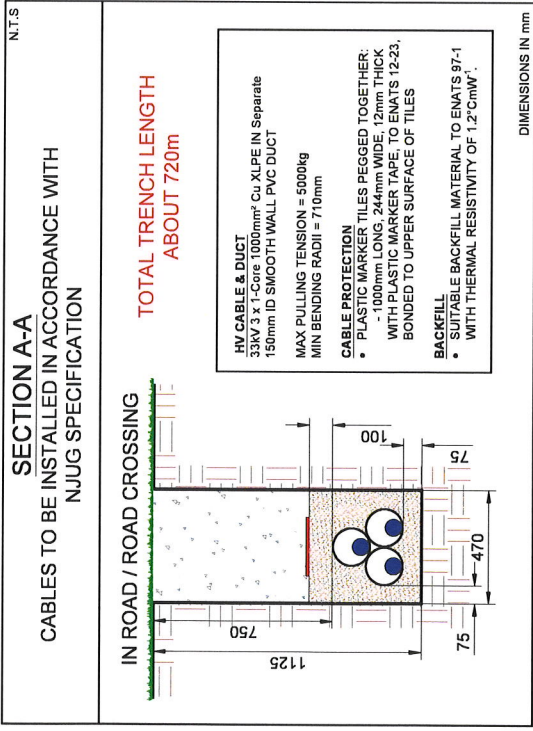
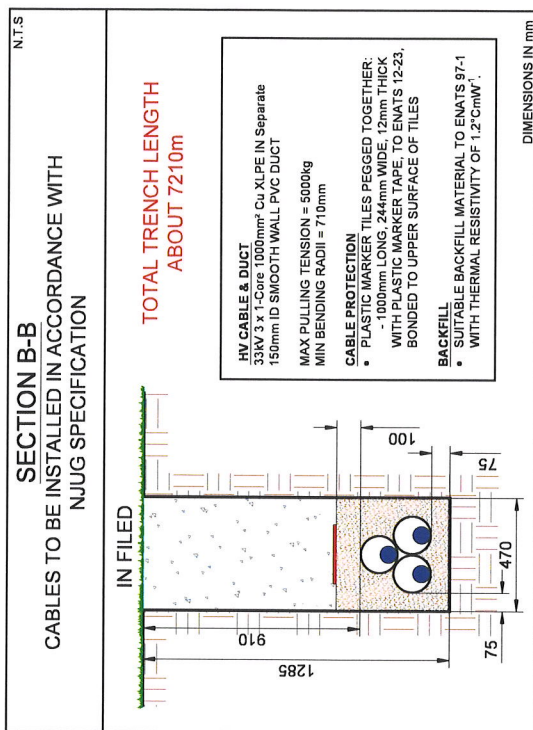
Project Title: Crencaster Solar Farm
Description: Site Layout Plan

Location: Crencaster Estate, Baulhurst Estate, Crencaster GL7 2BU

Drawn by: Y.P.
Checked by: A.F.
Date: 09/09/20

Job No: 0281
Scale: 1:500@A1
Proj No: EPC-0281-P-E-LA-SS

PRIVATE & SSE SUBSTATION SCALE 1:250



Project Title: Cirencester Solar Farm
Description: Trench Cross Section Layout (High Level)

Location: Cirencester Solar Farm
Site address: Cirencester GL5 2BU

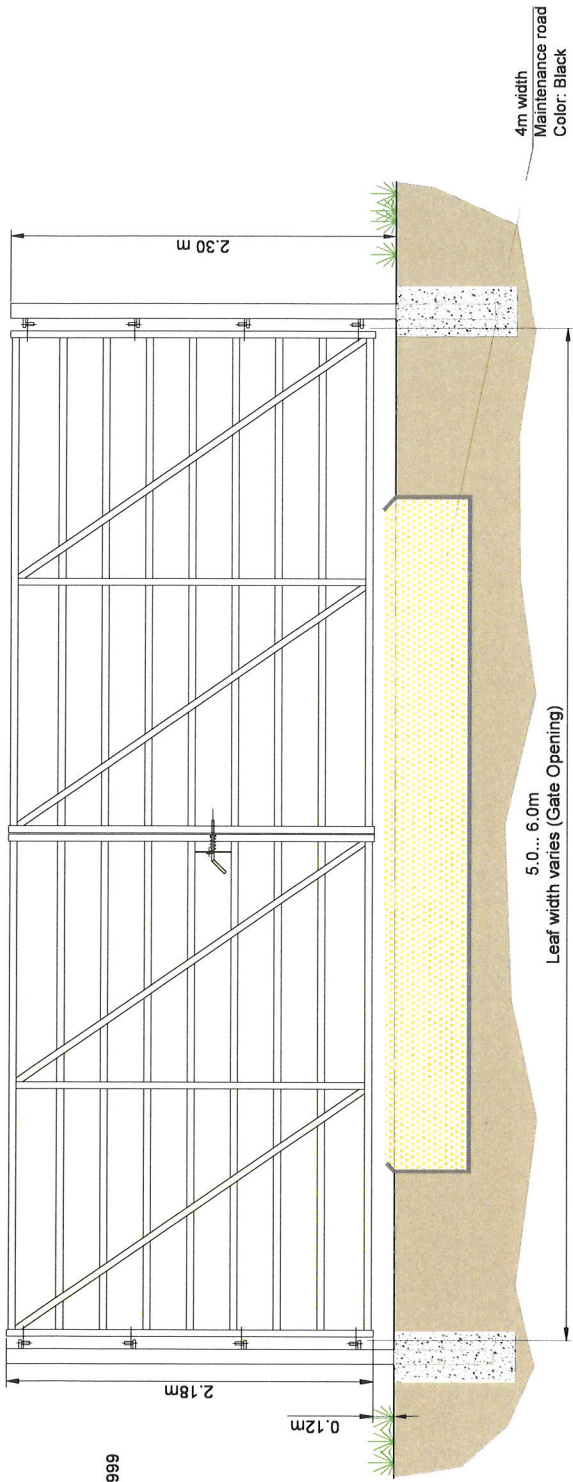
Day No: EPC-0261-P-C-TR
Scale: NTS
Job No: 0261
Drawn by: Y.P.
Checked by: A.F.
Date: 24/09/20

1 Gate

M 1:30

Gate

Coating: Galvanized to BS EN ISO 1461 : 1999
 Powdered coated if required
 Hang post: 88.9 dia CHS
 Hang Post: 114 dia, CHS
 Slam Post: 88.9 dia, CHS
 Rails: 40dia, 32 dia, CHS
 Stiles: 50 x 25 RHS
 Brace: 40 x 6 M.S Flat Bar
 Height: 2.30 m

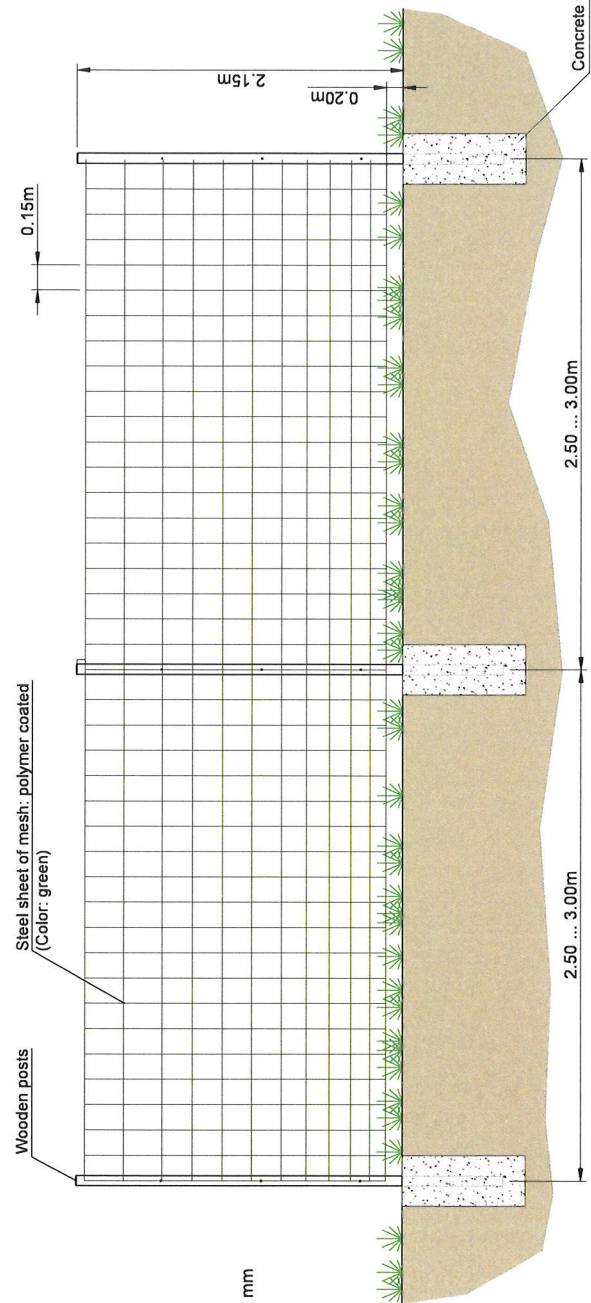


2 Deer fence

M 1:30

Deer fence

Coating: heavy galvanized
 Top and bottom wire dia: 2.00 mm
 Intermediate line wire dia: 2.00 mm
 Distance between gauze wires: 150 mm
 Height: 1.80 - 2.00 m



*Exact height depending on the surface

| | | | |
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| Page: | Size: | Kemble Solar Farm | |
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| 1 | 1:30 | | |
| Title: | | Status: | Document-No.: |
| Planning Design Gate and Deer Fence | | 14 Sep 21 | 2259.M4.016.3.0 |
| | | Revision: | Project-No. Descr. Serial-No. Size Rev. |
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| Rev. | Date | Desi. | Appr. |
| 0 | 14 Sep 2021 | PFE | SJA |
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| Revision Description | | | |

Datum: 14/09/2021 7:59:29 PMAACAD Date: c:\users\patrick\desktop\2_2259_kemble\updated drawing_14.09.2021_detail drawing\title_block_small_project-related_data.dwg-(Layout)

18th August 2021

Chis Crookall-Fallon Head of Climate Action

Planning Application 21/02735/FUL, received 8 July 2021

Applicant: Aura Power Developments Limited

Record of prior Cotswold District Council engagement with the Applicant.

Cotswold District Council officers (Chris Crookall-Fallon, Head of Climate Action, Cotswold DC; Frank Wilson, Finance Director, Publica Group; Jenny Poole, Deputy Chief Executive, Cotswold DC) have discussed with the Applicant the solar farm development proposal infrequently, over the course of the last nine months.

First contact with the Applicant was 17/11/2020, around the time the Applicant held a public consultation meeting on the proposed scheme. A non-disclosure agreement was signed by both parties on 5/1/2021, allowing the disclosure of confidential information between the parties.

Discussions with the Applicant to date have all been virtual. The principal topic of discussion has been the potential opportunity, hypothetical only at this stage, for CDC to invest directly in the solar farm, if and when planning permission is granted and the project proceeds.

The Council's interest in the applicant's solar farm derives from the Council's investment recovery strategy, and as such, officers' engagement with the applicant has been overseen by the Council's investment board chaired by Cllr Dale.

Under the NDA the Applicant has disclosed preliminary, high-level information relating to, eg, the solar farm's expected approximate capital cost, in order to inform the Council's thinking in respect of potential future investment discussions.

The Applicant has been reminded verbally from the earliest contact that discussions with officers on the topic of potential investment are entirely detached from the Applicant's planning application, and that no influence on the planning application is possible. The Applicant is an experienced solar developer and has confirmed their understanding of this distinction. At no time have officers had any engagement with the Applicant's planning application, and at no time has the Applicant sought any input from officers regarding the application.

All discussions with the Applicant to date have been in good faith and to date there is no agreement in force, either express or implied, regarding the Council's intention to enter into further negotiations with the Applicant. It is, nonetheless, the Council's intention at this time to continue discussions with the Applicant.

Kemble Wick Solar Farm Proposal – concerns of the KEPC over the impact of the construction.

The Site

1. Kemble Wood is classified as ancient woodland by Natural Englandⁱ and it also contains archaeological features such as Anglo Saxon/Medieval wood banksⁱⁱ. In 682 AD land on both sides of a wood called Kemble was granted to Malmesbury Abbey by the King of the West Saxons. This would make the wood at least 1,400 years old, remembering that it was already in existence when it appears in the charter. Kemble village is possibly named after the wood. The Heyes article on Kemble Wood in Glevensis shows how significant this wood is ecologically, historically and archaeologically.

- a) The Kemble and Ewen Parish Council have applied to have a footpath reinstated which vanished from the Ordnance Survey maps after 1947. It ran from Kemble Wick to Kemble Wood and then to the A429 at the county boundary, see the map above. This application is with Gloucestershire County Council [573/11/123\(1\)](#)

- b) Archaeology outside Kemble Wood.

Roman pottery found in the south west and west of Randall's Barn.

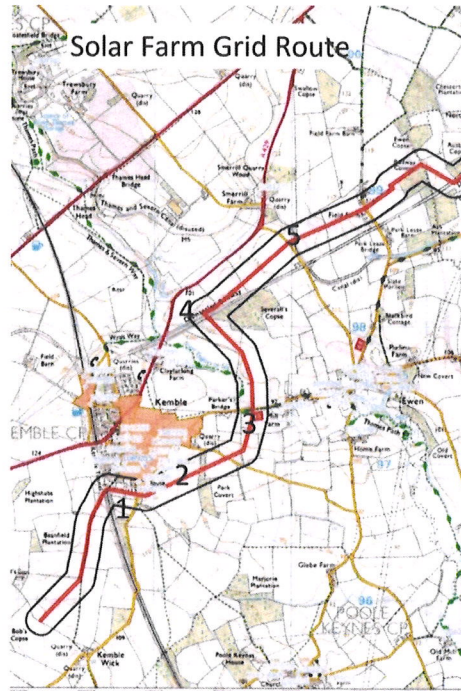
An area of crop marks, south west of the two 1939 aircraft hangars and just outside of the site, can be seen on an aerial photographⁱⁱⁱ. Does it go beyond that area in anyway?

The hedge line between Kemble Wick and Randall's Barn is not straight like most of the field boundaries in this area. It's sinuous characteristic and the fact the land to the east of it is considerably lower suggest it is a pre enclosure boundary and probably medieval. It should be protected in the construction stage.

Though a geophysical survey has been completed, a field walking survey is necessary to pick up anything missed by the geophysical survey as the area, especially around Kemble Wood, was disturbed during the Second World War, see Heyes.

The Grid Connection – which after the Kemble Wick Road runs through the Special Landscape Area.

1. The route crosses a field which still has ridge and furrow, a rarity in Kemble where little has survived since the Second World War.
1. Kemble Park is a major element in the landscape and form of the ancient village of Kemble. It is a medieval deer park and is recognised as Woodpasture and Parkland, and a BAP Priority Habitat, by English Nature^{iv}. There are some very ancient pollarded oak trees along the boundary with the Park Covert. There is concern that root systems will be damaged by the grid connection. In the Kemble and Kemble Station Conservation Area Appraisal September 2016 (see Kemble and Ewen Parish Council website, Neighbourhood Development Plan, 8.1-8.7) it was proposed that the park should be included in the Kemble Conservation area.
 2. The route now enters the Thames Corridor. The connection would cut through pasture land in the Thames flood plain which has earthworks which include an older channel of the Thames. The connection also crosses the Thames and the Thames Path. There have been no details on how that would look or work.



3. The connection passes under an old railway bridge through the embankment for the Kemble to Cirencester Branch Line next to Severall's Wood. Here there are cropmarks of a possible Roman rectilinear enclosure in an aerial photograph in the National Heritage Collection (HER 38046)⁹. Considerable amounts of Roman pottery have been found in the field just on the north side of this bridge.

2. The connection crosses the Thames and Severn Canal. It continues to be an aspiration of the Thames and Severn Canal Trust to restore the canal. The connection crosses at the site of a swing bridge over the canal (see OS 6inch to mile map in the maps section of the Parish Archive on the Kemble and Ewen Parish Council website).

The Kemble and Ewen Neighbourhood Plan (KENP) Policy KE10 requires that all proposals for development within and around Kemble should be accompanied by a thorough assessment of the potential effects on archaeological heritage assets in accordance with the specified guidelines. The policy was described as a model policy by GCC archaeological service and is supported by the evidence base independent Archaeological report in the KENP. The Solar Farm proposal does not seem to have used this. This needs to be addressed and monitored by the respected authorities

Although the construction is only a temporary activity it will span a long period and its disruption both above ground and below ground in areas of significant sensitivity requires justification and much care.

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Item No 03:-

21/00650/FUL

**Land North East Of Chedworth Village Hall
Chedworth
Gloucestershire**

Item No 03:-

Application for Technical Details Consent for 2 No. dwellings (based on a Permission in Principle application (ref. 20/02017/PLP) for the erection of up to 3no. dwellings) at Land North East Of Chedworth Village Hall Chedworth Gloucestershire

| Full Application 21/00650/FUL | |
|--|------------------------------------|
| Applicant: | Centaur Homes (South West) Limited |
| Agent: | SF Planning Limited |
| Case Officer: | Martin Perks |
| Ward Member(s): | Councillor Jenny Forde |
| Committee Date: | 8th December 2021 |
| RECOMMENDATION: | PERMIT |

Main Issues:

- (a) Design and Impact on the Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty and the Setting of Heritage Assets
- (b) Access and Parking
- (c) Impact on Residential Amenity and Use of Village Hall and Tennis Courts
- (d) Impact on Protected Species

Reasons for Referral:

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

'I would like this application to be referred to the Committee Panel to decide if it might go to Planning Committee for the following reasons:

Chedworth is not a principle settlement and this is a loss of green space and the open character of the site which clearly marked the change from the community infrastructure (village hall, tennis courts, car park etc) with this site marking the boundary from community to residential homes.

EN4 - Development pressure over recent decades has resulted in some inappropriately designed and located modern developments that have had a detrimental impact on the edges of settlements. Opportunities should be taken for new development to reverse this negative impact by being of design quality that fully respects the local landscape and historic character.

Any development would need to clearly and convincingly demonstrate that the setting of the Conservation Area and the setting of Smuggs Barn Cottage are either left unharmed, or if harm was to be caused that the public benefits of the scheme were clearly and convincingly demonstrated to outweigh that harm, whilst giving great weight to the conservation of the designated heritage assets in each case in line with National and Local Planning Policy.

Has this been clearly and convincingly demonstrated in this application?

This is an important main gateway into the village and the shoehorning of these 'uncharacteristic' properties has an arguably negative impact on the dispersed and low density historic settlement pattern of the village. '

1. Site Description:

1.1 This application relates to a parcel of land measuring approximately 0.18-0.19 hectares in size located adjacent to the north-eastern boundary of Chedworth Village Hall. The site is undeveloped and is currently occupied by a mix of vegetation including long grass, undergrowth, shrubs and hedging.

1.2 The south-western boundary of the site adjoins Chedworth Village Hall. Its north-western boundary adjoins tennis courts, its northern boundary adjoins a managed grassed area which is also occupied by a number of trees. The eastern boundary of the application site adjoins a metalled lane that links Fields Road to the south with the historic core of the village to the north. To the east of the lane is a line of post war dwellings known as Valley View.

1.3 The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB).

1.4 The northern boundary of the application site is located approximately 20m to the south of Chedworth Conservation Area (CA). The Grade II listed Smuggs Barn Cottage is located approximately 38m to the north of the application site.

1.5 A Public Right of Way (KCH68) extends in an east-west direction approximately 25m to the north of the application site.

1.6 The site is located within a Flood Zone 1.

2. Relevant Planning History:

2.1 Application site

CD.1386/A Outline application for residential development on 1.75 acres at approximately 4 houses to the acre. Refused 1964

CD.1386/B Outline application for one dwelling with garage, pedestrian access and alteration of agricultural to form vehicular access. Refused 1964

CD.1386/F Outline application for the erection of four semi-detached dwellings, new pedestrian and vehicle access. Refused 1980

CD.1386/J Outline application for the erection of a two storey building to provide a shop on ground floor with flat over. Refused 1984 Dismissed at appeal 1985

CD.1386/K Outline application for the erection of 2 dwellings, construction of new vehicular and pedestrian access. Refused 1984 Dismissed at appeal 1985

CD.6300/D Erection of a bungalow and associated access. Refused 1999. Dismissed at appeal 1999 (APP/F1610/A/00/1037393).

20/02017/PLP Erection of three dwellings. Permitted 2020

2.2 Village Hall

CD.1386/C Outline application for village hall and car park. Permitted 1965
CD.1386/D Renewal of outline application for a village hall and car park. Permitted 1968
CD.1386/D/Ap Village hall and car park. Permitted 1970
CD.1386/D/Ap/I Erection of a new village hall and car park. Permitted 1975
CD.1386/E Construction of a vehicular and pedestrian acces. Extension to existing car parking area. Refused 1979 Dismissed at appeal 1980
CD.1386/G Extension to village hall to provide a doctor's room. Refused 1981
CD.1386/H Extension to village hall to provide a doctor's room. Refused 1981
CD.1386/L Extension to committee room, new changing room showers and toilets, formation of toilet for the disabled. Permitted 1993
CD.1386/M Provision of play equipment. Permitted 1994
CD.1386/N Extension to form store. Permitted 2000

2.3 Tennis Courts/Playing Field

CD.6300 Change of use of land from agricultural to football field/playing field. Permitted 1981
CD.6300/A Construction of two all weather tennis courts. Permitted 1986
CD.6300/B Erection of a timber clad pavilion. Permitted 1993
CD.6300/C Erection of a new tennis pavilion building. Permitted 1999
02/01216/FUL Installation of floodlights. Permitted 2002

3. Planning Policies:

DS3 Small-scale Res Dev non-Principal Settle
H1 Housing Mix & Tenure to meet local needs
EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN5 Cotswolds AONB
EN7 Trees, Hedgerows & Woodlands
EN8 Bio & Geo: Features Habitats & Species
EN10 HE: Designated Heritage Assets
EN11 HE: DHA - Conservation Areas
EN15 Pollution & Contaminated Land
INF3 Sustainable Transport
INF4 Highway Safety
INF5 Parking Provision

4. Observations of Consultees:

- 4.1 Gloucestershire County Council Highways: No objection
- 4.2 Environmental and Regulatory Services Noise: No objection
- 4.3 Biodiversity Officer: No objection
- 4.4 Conservation Officer: No objection

4.5 Tree Officer: No objection

5. View of Town/Parish Council:

5.1 Response dated the 10th March 2021:

(1) *Impact on community facilities - The parish council is extremely concerned about the impact of the proposed houses on the tennis courts and the village hall.*

Tennis Courts - Councillors do not believe that there are sufficient schemes of mitigation in place to prevent the glare of the floodlights from the tennis courts from adversely impacting on the houses. The tennis courts are a valuable amenity for the village and surrounding area and it is essential that complaints from residents of the new houses should not be allowed to impact on the ability of the Tennis Club to use its courts.

The NPPF states that 'Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.'

In the initial report on the PiP it was stated by the planning officer that 'sophisticated schemes of mitigation in the build design, form and layout' should be included. The parish council would question what these 'sophisticated' measures are and believes that any measures which are included should be clear and included as a condition to the planning application.

Village Hall - House 1 is very close to the village hall which is an invaluable resource for the village. Covid-19 has forced the temporary closure of the hall but in normal times there are numerous events, including weddings, parties, socials etc which continue late into the evening. In order to attract business from weddings etc it is essential that no restrictions are placed on the hours under which the hall operates.

The parish council would urge officers to ensure that the measures are 'sophisticated' and will prevent noise from the hall disturbing the residents of the new houses so that pressure is not put on the hall to reduce it's opening hours.

(2) *Following on from the point regarding the light pollution from the tennis club the current application includes roof lights in the single storey extensions to the rear of the houses which are directly in the path of the light from the tennis courts which does not seem to fit in with measures to mitigate issues.*

(3) *Highway safety - the parish council was extremely concerned by the design of the PiP application which did not allow for vehicles to turn on site. Safety on this stretch of road is important as it forms part of the Park and Stride route used by children attending St Andrew's Primary School, Chedworth. It is therefore important that children are not put in any danger by the presence of the new houses.*

The reduction to two houses has allowed the developer to include turning areas on each plot which is an improvement. However, the current design includes a short length of pavement along the frontage of the houses. This is totally out of keeping with the village of Chedworth which has NO footpaths at all. The site plan shows a footpath which extends beyond the land in the ownership of the applicant

but parish council is unclear how this extended path would be created and the parish council is unconvinced that an extremely short length of path, totally out of keeping with the village, would increase road safety.

(4) *Materials - the council objects to the use of reconstituted stone in this location which is the main entrance to the village. The houses, if allowed, should be built from natural Cotswold stone. The description of roof materials as slate is ambiguous and needs clarification - the roofs should be covered with good quality reproduction stone slates laid in diminishing courses. Blue or black slate, for example, is not a material which is used in Chedworth.*

(5) *Traffic - Due to the coronavirus, the traffic survey is not a true representation of the use of the road by pedestrians or vehicles and should be redone when the current lockdown is over and at a time when the school is open.*

(6) *Sustainability - The application states that Chedworth has a shop and post office. This is incorrect. The Post Office closed many, many years ago and the farm shop, located at the other end of the village, closed in February.*

Buses are restricted to two a week at times which are not suitable for use by workers. Therefore, any shopping or working away from the home requires a car journey and the idea that the bus service can be used to improve employment opportunities is inaccurate.

(7) *Energy Saving - Electric car charge points should be included at both houses and serious consideration should be given to including solar panels within the design '*

6. Other Representations:

6.1 22 Objections received to plans submitted originally. 17 objections received to amended plans.

6.2 Main grounds of objection to plans originally submitted:

- i) Light disturbance from tennis court lighting.
- ii) Future occupants would be subjected to noise and light disturbance from the tennis club. The tennis club predates the housing and this should be a factor in any deliberations.
- iii) Noise and disturbance to future residents from the pre-school at village hall.
- iv) Impact of activities at village hall on future occupiers of the proposed dwelling.
- v) Adverse impact on highway safety.
- vi) The road access is already very busy due to the school being in close proximity, this will become very congested and with no pavements or lighting could be dangerous.
- vii) The village hall and tennis courts were built outside the development boundary to minimise the noise and light emitted by activities in both the hall and the tennis courts. They are very much part of the village but do not extend the built limits of the settlement. As such, the application site covers an area that is outside CDC's Principal and Non-Principal Settlements and outside Chedworth Development Boundary. It is therefore officially classed for planning as countryside and the erection of new build market housing is covered by Local Plan Policy DS4 which has an objection to such development. Proposed development is in conflict with Policy DS4 and is therefore contrary to one of the principal strategic policies in the Local Plan.

- viii) Even if Policy DS3 was deemed appropriate, this application's effect on the tennis club would be very negative to the local community and not in accordance with Policy DS3.
- ix) Chedworth has a school, no shop as the Farm Shop has just closed and a bus outside peak times to Cirencester returning within two hours of arriving in Cirencester. Para 6.3.4 requirements are not met by this application.
- x) The Chedworth Parish Housing Needs survey in 2017 showed there was no requirement for any new detached houses in the village. 5 people would look to move within open-market housing but at least 20 houses had been sold over the past 2 years.
- xi) There have been numerous refusals and appeal refusals on this site since 1985. Ignoring this policy created specifically to protect such areas would cause a serious planning precedent.
- xii) There are many residents' cars and vans parked on the highway opposite the planned access every evening and weekend making it difficult for use by cars entering and leaving the main village centre.
- xiii) As in the recent refusal for nearby 20/01189/PLP, where only part of the proposal was outside the Development Boundary, there are no material considerations that outweigh the policy conflict. This is not house-building land. It is the area for village recreation where neighbours are distanced from the disturbance of noise from parties, fetes, play-areas, football or tennis.
- xiv) This type of housing is not needed in Chedworth. Young villagers are not able to stay in the village and this type of housing doesn't help. We don't need huge family housing in a village that has lots and nothing for first time buyers.
- xv) This club is a heart of the village and village life. The proximity of this development will encroach on the club and its ability to provide exercise activity and fun for its member and the residents of Chedworth. As such, the greater good is not saved by this development. Village life for many will be impacted by a development that will serve very few. It should not proceed.
- xvi) I am dismayed that given the Cotswolds District Council's declaration that there is a climate emergency that this type of development is going ahead. There is no indication that the houses will be carbon neutral. I think that given the CDC's ambitions the houses should be developed with this in mind.
- xvii) It is inevitable that: a) the noise from the village hall which is used, ordinarily, late into the night, and b) the floodlights from the tennis club which will shine directly into the back of the homes: will impact the residents of the development and in time may mean that vital community facilities are restricted in their use. This is manifestly unfair and will cause detrimental harm to the wider village and the financial viability of these community assets.
- xviii) The plans suggest that the design of the houses is not in keeping with the CDC's design code. The houses should be built in Cotswold Stone and Cotswold slate - in keeping with the village as a whole.
- xix) The plans suggest that a pavement will be built in front of the houses. This is not in keeping with Chedworth as a whole.
- xx) The traffic survey was conducted in lockdown. It is totally unrepresentative. It needs to be done again.
- xxi) Dense scrub (of which much of the site is) is the one of the most important and rare habitats for wildlife there is, particularly for birds. Of which only one line is mentioned in his report. The Chedworth area is renowned for its rare birdlife, including turtle doves (a rare and declining species - these birds need mature scrub) and nightingales (which require dense scrub). The surveyor would not necessarily see any in the one

- day he was assessing the site. The damage done can only be off-set if diverse dense scrub can be created elsewhere.
- xxii) None of us want the village to remain static in a time warp and not to evolve, but by squeezing a few houses into any vacant plot has little public benefit, and in time will homogenize the village's identity and character. Wanton infilling of previously undeveloped parcels of land that are in prominent positions will be detrimental to the feel and nature of the immediate location. Just because a parcel of land is undeveloped, it doesn't mean it should be.
 - xxiii) The houses appear to be three storey, to be built on perhaps one of the highest points in the village, on the ridge of the valley. They will not only tower over everything they surround but they will also be visible for miles around day and night (adding to light pollution), and from many of the roads as one enters the village, and the footpaths that criss-cross the surrounding area. To claim these houses blend in with the surroundings is to totally misunderstand what Chedworth is all about - Chedworth is largely a valley village my opinion that cannot be seen until one descends in to it. This development detracts from the essence of the village.
 - xxiv) The land concerned provides a perfect 'buffer' between houses and the village recreational areas and is very much in keeping with natural rural context which attracts people to the village. If the current plans go ahead I believe it will be a classic example of 'over development' and will lead to inevitable conflict between several establishments (one being the tennis club) and the new residents. The normal activities of the tennis club involve noise, comings and goings, floodlighting to mention a few. The lights despite being chosen to have the minimal amount of downlighting spread will undoubtedly cause issues. I believe any restrictions on their current use would have a detrimental affect on the activities on offer which would be an enormous 'backward step' to all the success the club has achieved over the years. We have always had strong links with the Primary school, and they have regularly walked up to take part in their sessions. With any development it would result in more traffic not just to tennis club users but more importantly to parents and children who use the 'park and stride' route from the village hall car park to the school.
 - xxv) The Pre-school attached to the Village Hall would also be affected. It is a thriving much in demand establishment and is looking to add to it's facilities. Any new residents so close to this development would experience privacy, light and noise issues.
 - xxvi) The tennis club provides a valuable community service, for leisure purposes, social purposes and for financially supporting village projects. This development would seriously affect the club, but also set a precedent for future developments. It is an 'infill' project in the wrong place.
 - xxvii) The road like most of the roads in Chedworth is narrow with no pavement. Children walk to and from the village school and older children walk up to the village hall area to meet buses. This area can and often is quite a busy junction as it's one of the main routes into the village.
 - xxviii) The size and look of the houses are strongly urban and would best be suited to a modern town housing estate within a town setting and not suitable or complimentary to a rural historical setting like Chedworth.
 - xxix) Previous officers have rightly taken the view that the above, applications on this site, a Cotswolds AONB, neither conserve, nor enhance the natural beauty the landscape (S85(1) of the Countryside and Rights of Way Act 2000). This application fails these same tests.
 - xxx) This land should not be used for housing, it should be left as a 'wild' space

6.3 Main grounds of objection to amended plans:

- i) Unacceptable design.
- ii) Adverse highway impact. This is a very busy road especially during school term and do not believe that there is sufficient view of the road to the north because of the slope.
- iii) Future conflict between future occupiers of the houses and the village hall, pre-school group and tennis club.
- iv) This is probably the primary ingress/egress to the village and I fear that houses of both sides of the road in this area will have a negative impact on the visual experience that is Chedworth.
- v) The properties are too high in comparison to other dwellings in the close area.
- vi) The dwellings do not adhere to low carbon measures.
- vii) The dwellings are not designed specifically to take into account the fact they are to be built in a conservation area. They are copies of houses they have built before on larger estates.
- viii) No details have been provided for materials being used.
- ix) The uniform design still appears urban in style and is detrimental to the surroundings and the listed buildings nearby.
- x) These houses will be in an elevated position therefore having too much prominence.
- xi) The rural and peaceful situation of the Tennis Club courts are enjoyed by our members and visiting players as they are positioned in a quiet private location away from houses. Any noise from the new residents will be distracting and annoying for our players particularly during the Glos County League matches and coaching sessions. The Tennis Club is looking to reach out to local communities and schools to provide more activities in the future, any restriction of this would have a detrimental effect on what we could provide and the future viability of the club.
- xii) Due to the close proximity of these house to the tennis courts it is inevitable the Tennis Club will have to deal with future complaints and conflicts about the club's activities and facilities from the new residents.
- xiii) This is a narrow and potentially dangerous stretch of road, the situation will not be improved with cars from the proposed new houses needing access to it.
- xiv) Current road and amenities do not support further residential development. Furthermore, the tennis facilities in Chedworth are one of the few communal facilities in the village ; to crowd them in this way is poor rural planning by all involved - as such, the project deserves to be criticised.
- xv) Concerns about floodlights' impact on the potential homeowners, the level of noise both ways, the likelihood of complaints about the club's activities, which is a well-established amenity established with certain criteria.
- xvi) Stray tennis balls will occasionally end up in their gardens, and players will be keen to retrieve these - thereby disrupting residents' privacy. The high hedge wind protection screening for our courts will significantly reduce natural light to their gardens.
- xvii) On 15th July 2020, Cotswold District Council declared an 'Ecological Emergency' and approved an Ecological Emergency Action Plan. Destroying an existing 'wild' space, home to a variety of precious wildlife vital for bio-diversity totally contravenes this action plan. The CDC's Climate Emergency Strategy for 2020-2030 would also be contravened by allowing unnecessary housing development on a precious green field site. Our village school has just become one of the first in the country to become Net Zero Carbon. It is appalling that this tremendous achievement should be undermined by allowing development that will create new carbon emissions in close proximity to the school.

- xviii) Nothing should be allowed that would harm and spoil the much-needed benefits the tennis club and village hall afford the local community.
- xix) Adverse highway impact.
- xx) The proposed site is also in an area of the village that has a long, on-going problem with disruptions to its water supply. When there is no water the school is forced to close, as happened on the 16th December last year. It is not acceptable that our children's education should be jeopardised in any way by exacerbating this problem with increased demands on the water supply.
- xxi) The changes made make absolutely no difference to the reasoning behind why this development should be allowed.
- xxii) A number of applications to develop this land have been rejected by the CDC in the past, partly no doubt, to respect and retain the natural screening of the trees, bushes, hedges and scrub that cover the site. This green space acts as delineation between the village boundary and the recreation areas beyond.
- xxiii) If historically there had been some form of dwelling or permanent building on the site, then it would be more understandable to consider some form of development to take place. With the idea to conserve or enhance what was originally there. However, in a location such as this, to allow new constructions where previously there was none is ill-conceived.
- xxiv) None of us want the village to remain static and resist modernity, but squeezing a few houses into any unadulterated parcel of land has little public benefit. In time it will homogenize the village's identity and character, particularly if they are in prominent positions such as this. It should be irrelevant how many houses are being proposed to occupy this piece of land, what size, style or materials they are made of etc.... to allow any dwellings to be built would be misguided.
- xxv) Too much massing - they resubmit a semi detached development creating a town terrace effect on the entrance road to the village using reconstituted materials not in keeping and especially when bordering a conservation area.
- xxvi) Design - these semi detached properties look again like any town development and not in keeping or sympathetic with this rural area in an ANOB.
- xxvii) The architect's street scene is misleading - the picture gives an impression the development is on the edge of parkland not a road.
- xxviii) Adverse ecological impact.
- xxix) The Village hall, play area, football pitch, fitness equipment, tennis club were all situated away from the main settlement of the village with this plot of land a buffer separating the two areas thus preventing conflict. I cannot imagine the village would choose to build a tennis club with the court baseline 12 meters from private houses and gardens let alone can I imagine that CDC would have granted planning permission for a club so close to residential properties. How can it be acceptable to grant permission the other way around when an active members tennis club of 170 plus with play every day including noisy junior and adult coaching and training sessions, visiting team league matches all making use of floodlights a sure recipe for future conflict, that's not to mention social events, recreational sessions not to mention copious amounts of stray balls into gardens. To allow such a development so close to the tennis club would be hugely detrimental and damaging to the clubs ambiance and membership.
- xxx) Conflict with pre-school.
- xxxi) Increased traffic, potentially 3 cars per house with inadequate off road parking on a road already filled with residents parked cars, creating more hazards along with congestion at school drop off and pick up times!

- xxxii) The Chedworth Parish Housing Needs Survey 2017 concluded no large family houses were required.
- xxxiii) It is readily recognisable that there are already traffic constraints in the proposed area of development due to the narrowness of the access road and residents and visitors parking on the East side of it. This parking effectively means that the road has already been reduced to a single track at the point where vehicles would be egressing from the drives of the proposed properties with all the implications

6.4 Chairman Hill & Valley Tennis Club

- i) We are a small intimate club enjoying a natural rural setting and not affected by residential activity in any way, which is an aspect much appreciated by members and visiting players alike. Our objections are based on the harm caused to the club as a community asset by the degradation of this unique setting; and the negative impact on our playing experience caused by such close proximity of gardens and homes, as well as the likelihood of future conflict over use of our floodlights and over noise from group tennis activities.
- ii) The tennis club is a long-standing village facility, supported by over 160 members from Chedworth and surrounding villages, providing locally embedded opportunities for sporting activity all the year round. We provide coaching and regular children's tennis activities for our village school as part of their sports curriculum; and offer coaching support to children of non-member families as part of our policy of promoting tennis for all. We are a self-sustaining village asset, run by volunteers, providing benefits to the well-being and fitness of all age groups in our community. We attract people to Chedworth who might not otherwise use such facilities as the village pub, and our events bring people to the Village Hall.
- iii) The boundary of the proposed development is 5 metres from our court fencing and less than 11 metres from the nearest court baseline; which is establishing a situation where our activities are likely to impact the residents of the houses, and their activities are likely to impact the quality of our playing experience. We are all too aware that other tennis clubs in close proximity to housing are experiencing ongoing complaints about lighting and noise and wish to avoid such a situation arising here.
- iv) At establishment, the rationale for the location of the courts was to put distance between sporting activity and existing residential housing in order to preserve the tranquillity of residents home life; clearly tranquillity will not be preserved for the proposed properties.
- v) Given the proximity of the gardens to our courts we are likely to suffer noise interference from mowing and hedge cutting activity, leaf blowers, possibly smoke from BBQ's and/or bonfires and music or other noise close to the courts. Such interference will do much to harm the quality of coaching, match play and social competitions.
- vi) The granting of PIP is in conflict with Local Plan Policy DS4 Open Market Housing Outside Development Boundaries and Non-Principal Settlements. The development boundary of the village appears to have been extended to facilitate the development on land previously rejected as suitable for housing.
- vii) We also challenge the validity of the PIP decision on the basis that consultation with the community was significantly diminished during periods of lockdown when residents were considerably distracted by concerns over the pandemic.

- viii) The comments on the PIP submitted to CDC by Chedworth residents were overwhelmingly negative towards the development; this appears to have been disregarded by the case officer.
- ix) Should the current application be passed we don't believe the mitigations proposed to minimise impact and conflict in either direction are sufficient to eliminate any future conflict especially over use of floodlights.
- x) We insist on the insertion of covenants into the sale deeds which protect the club from future challenges over the use of floodlights and noise nuisance, and access to the properties as below. The club should be consulted over the wording of such covenants.
- xi) We request that access arrangements be in place for our players to recover stray tennis balls from the properties. Preferably, access gates in the boundary fencing should be provided and be available for use at all times the courts are in use.
- xii) These covenants should insist on the preservation of the existing hedge screening located on Parish Council land between the courts and the property boundary, to a height that is effective both as visual background from a players point of view, and as a barrier for light overspill.
- xiii) Covenants on the development should prohibit tree cutting, planting and felling that negatively affects the tennis club.

6.5 The Chedworth Society

Objections received on the 17th March 2021, 16th August 2021, 25th August 2021 and the 20th October 2021

Main concerns raised are:

- i) The Village Hall, playing field, children's playground, adult exercise area and tennis courts were deliberately placed close to the settlement but without causing nuisance. Development here will only cause harm, inevitably bring complaints and objections to future improvement/light replacements, damaging the sustainability of community amenities. Hall doors are opened for events in hot weather. PA systems are used outside. Folk Camps have visited for up to 2 weeks of camping, eating and drinking outside and making music day and night. New neighbours would have to be very tolerant.
- ii) Village sustainability is only true in environment and social terms. We have no shop or post office, a village hall striving to make ends meet, a pub hoping to reopen and no real bus service. Adults cannot use the school bus, leaving one service on Monday or Wednesday of 40 minutes each way to Cirencester, returning 1 hour 40min later - little used as unsustainable for employment or a weekly food shop. We have no mains gas, septic tanks, frequent water outages for many years, all mitigated by the special environment and community clubs.
- iii) The refusal/appeal for 20/01189/PLP, Fair Haven, decided not to move the development boundary, stating the council has a robust, 7 year, 228% supply score with no need to release land.
- iv) The general pattern of Chedworth, which should be retained for future generations to enjoy, is building on only one side of the road with large gaps and should be retained at this village entrance. With no lighting and no paved footpaths the shared spaces still work safely as they are consistent. There should be no formal footpath and drives across the space as this removes priority temporarily for pedestrians. The short

tarmac path would suddenly start, cross over 15m of driveways creating the visibility splays and stop just as children have to re-enter the road to cross at a T junction with blind bend to the left. Cars should give way to pedestrians and if any houses were sadly built, they should be set back from the road with splays within their own land, not take 2m from the public space to enable splays across a tarmac pavement. Cars will have to drive up a slope to reach these high plots which then look down into houses opposite. The turning area does not look quite adequate for the 3 cars proposed. Gates should be 5 bar type not urban close boarded. Forward sited cottages here are traditionally built side on to roads. The only tarmac paving is outside the remaining social housing, here used for parking only, never for walking.

- v) We do not normally have 2m solid fencing in Chedworth gardens. Trees and hedging on land in parish ownership should not be removed or damaged. They were planned for existing residents.
- vi) Although the site is in the AONB only 20m outside the Chedworth Conservation Area, it is a prominent access to the historic village. The listed Smugg's Barn Cottage, within the Conservation Area, is in full view from the road level with the site. Google street view shows the pair of cottages to be almost invisible as they blend into the landscape with mellow stone walls and roofing.
- vii) The proposed buildings in comparison would completely dominate the street scene in height and mass.
- viii) Cotswold Design Code D15-D18 emphasises looking in keeping; not being prominent but sitting in the landscape; proportionality; no excessive or uncharacteristic bulk; responding to local context; forming gentle transitions from open countryside to settlement. All of these requirements fit Smugg's Barn Cottage but are the opposite of what is offered by these new proposals. They do not enhance the setting in any way.
- ix) The village hall had to be built to resemble a barn. The houses opposite were originally built as social housing and of local design, now mostly enlarged and blocking important views, but they fulfil a need keeping families local. D23 says new designs should not draw on existing buildings that have been unsuccessful or have not respected local distinctiveness. A cottage is the only type which could almost enhance this plot.
- x) The local community will not benefit from 2 large houses. Mostly they are bought from people outside the area while locals wait for something more suitable and more Chedworth. The larger the house the more likely any children are moved from the village school to private schools after a settlement period.
- xi) It is not a sustainable site for two large estate houses with multiple cars.
- xii) These modern estate houses cause maximum detriment to the area. A single small energy efficient cottage with ground source heat pump would cause the minimum, with a pair of cottages the maximum considered. They would still have no public benefit here.
- xiii) The changes still make tiny changes but nothing to mitigate the obvious problems caused by allowing building in a space which should be a buffer from the noisier village amenities.
- xiv) The designs are enlarged copies of the latest estate houses from Centaur Homes in Gotherington. The bulk is not reduced. A pair of 3 bed cottages would be more appropriate in this village where large £1m+ houses are already allowed replacing the limited stock of smaller more affordable homes on nearby Fields Road. Plot 1 side extension is too bulky.
- xv) There is still no 'agent of change' mitigation to ensure that future inhabitants of 2 inappropriately built houses will not make vexatious complaints about nuisance from

the amenities which enhance the lives and wellness of hundreds of other residents, children and visitors to the village. Noise from air source heat pumps must not affect tennis court serving lines.

- xvi) There are no details for the accesses. The higher old verge should be protected as such as it prevents parking on the verge without added road clutter. Parking for school drop-off/collect causes problems on all other adjacent lanes despite requests to use the Village Hall Park & Stride.

7. Applicant's Supporting Information:

Biodiversity report
Light Intrusion Assessment
Environmental Noise Assessment
Planning Statement
Statement of Community Engagement
Sustainability Statement
Transport Technical Note
Arboricultural Survey, Impact Assessment and Protection Plan
Ecological Report

8. Officer's Assessment:

Background and Proposed Development

8.1 Permission in Principle (PIP) was granted in 2020 (20/02017/PLP) for the erection of up to 3 dwellings on this site. The aforementioned permission established that the residential development of the site is acceptable in principle. Following approval of a PIP application, the applicant is required to submit a Technical Details Consent (TDC) application which addresses the detailed aspects of the development. The current application is such an application. The consideration of this application is therefore limited to matters of detail rather than the matter of whether the proposal is acceptable in principle.

8.2 In considering the initial PIP application, the Council had to have regard to the following national guidance set out in the Government's Planning Practice Guidance (PPG):

'What matters are within the scope of a decision on whether to grant permission in principle?

The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.

Paragraph: 012 Reference ID: 58-012-20180615'

8.3 With regard to the decision making process, the PPG states:

'How must a decision on whether to grant permission in principle to a site be made?'

A decision on whether to grant permission in principle to a site following a valid application or by entering it on Part 2 of a brownfield land register must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework and national guidance, which indicate otherwise.

Paragraph: 011 Reference ID: 58-011-20180615'

8.4 In considering the PIP application, the Council determined that the application site falls within the settlement of Chedworth. The village of Chedworth is considered to constitute a Non-Principal Settlement for the purposes of the Cotswold District Local Plan 2011-2031. The erection of small scale residential development in Non-Principal Settlements is covered by Policy DS3 Small Scale Residential Development in Non-Principal Settlements. The aforementioned policy is supportive in principle of such development in settlements such as Chedworth. 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 is therefore the current development plan for the District which is the Cotswold District Local Plan 2011-2031.

8.5 This application seeks TDC for two 4 bed dwellings and two detached garages. The proposed dwellings will take the form of a pair of semi-detached properties. The proposed dwellings will front onto the road to the east and will be set back approximately 3m from the edge of the carriageway. The proposed garages will sit side onto the road and will be set back a similar amount to the proposed dwellings.

8.6 The proposed dwellings will be 1.5 storey in form and will have a ridge height of approximately 8.2m. Each dwelling will also contain 2 storey and single storey rear extensions measuring approximately 5m and 2.5m in length respectively. The 2 storey extensions will measure approximately 7.5m in height. The southernmost dwelling will also host a single storey side extension which will measure approximately 5.5m wide by 5.2m high.

8.7 The proposed garages will be located to the north and south of the proposed dwellings. Each garage will measure approximately 6.8m long by 3.8m wide by 4.7m high. Parking and turning will be provided to the side and rear of each garage.

8.8 The external walls of the dwellings and garages will be constructed in natural stone. The roofs will be covered in artificial stone tiles.

8.9 Vehicular access to the proposed dwellings will be via 2 new vehicular entrance points located to the south and north of the proposed dwellings.

8.10 The design of the scheme has been amended during the course of the application. The scheme initially proposed sought permission for the erection of 2 detached 5 bed dwellings and 2 detached garages. The dwellings and garages were also larger than those now proposed. For example, the proposed dwellings were approximately 10m in height and incorporated gable depths of approximately 9.7m. Following discussions with Officers, the height of the dwellings has been reduced to approximately 8.2m and the gable depths reduced to approximately 6.8m. The proposed garage buildings have also been reduced from double

garages to single garages. The roof height of the garage buildings has also been reduced from 5.2m to 4.7m.

(a) Design and Impact on the Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty and the Setting of Heritage Assets

8.11 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).

8.12 The site is located outside Chedworth Conservation Area (CA). The boundary of the CA is located approximately 20m to the north of the application site.

8.13 The Grade II listed Smuggs Barn Cottage is located approximately 38m to the north of the application site. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Considerable weight and importance must be given to the aforementioned legislation.

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

8.15 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 and enhancement of multi-functioning 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.'*

8.16 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.'

8.17 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.'*

8.18 Local Plan 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.'*

8.19 Policy EN10 Designated Heritage Assets states:

1. *In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.*

2. *Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that 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 a 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 of harm; and*
- *The nature and level of the public benefit of the proposal.*

8.20 Local Plan Policy EN11 Designated Heritage Assets - Conservation Areas states:

'Development proposals, including demolition, that would affect Conservation Areas 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 and/or appearance, and/or allow important views into or out of the Conservation Area.*
- d. *Have regard to the relevant Conservation Area appraisal (where available); and*
- e. *do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.'*

8.21 The following national guidance is also considered applicable to this application:

8.22 Paragraph 174 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*'.

8.23 Paragraph 176 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.*'

8.24 Paragraph 199 states '*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*'

8.25 Paragraph 202 states that '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*'

8.26 The application site occupies an area of rough grassland which is almost triangular in shape and which lies adjacent to existing post war village development. The setting of the site is heavily influenced by the village hall to the south-west, the tennis courts to the north-west and a road and housing to the east. An area of recreational open space lies to the north of the application site. The site is bordered by hedge and tree species to its south-west, north-west and north. The principal public view of the application site is from the road to its east. Views through the site from the road to the landscape beyond are largely restricted by existing vegetation.

8.27 It is noted that the application site lies adjacent to one of the main roads leading to and from the historic core of the settlement. However, the area around the site is characterised by post war development. The closest historic buildings to the site are Smuggs Barn and Smuggs Barn Cottage to its north. Chedworth Conservation Area Statement (CAS) provides an assessment of the character of the area in Section 7: Smuggs Barn, Homestead and Winterwell House. It states '*The approach into the village past the Village Hall is a disappointing one. The new houses on the east side of the road obscure what would once have been fine views of the village in its valley setting and beyond across the Coln Valley . Smuggs Barn occupies a most important position at the junction of three lanes; a focal feature at the approach to the village and one which marks the south-western extent before the era of modern housing.*'

8.28 It is evident that the CAS does not identify that the area around the application site is of any particular merit, nor that it makes a positive contribution to the approach into the historic part of the settlement. The character of the approach is also heavily influenced by post war development. It is noted that the application site is undeveloped and set to grass and scrubby vegetation. However, in terms of its contribution to the rural setting of the CA and the listed Smuggs Barn Cottage, the Conservation Officer states *'the contribution the proposal site currently makes to these settings is very low. It is relatively small, does not retain its historic boundaries or form, is enclosed by other development, and does not afford views across it to the wider rural landscape context of the settlement or from the wider landscape setting into the Conservation Area. Neither of the designated heritage assets appear to have any historic functional relationship with the land of the proposal site and views to, from and across the site to and from the designated heritage assets is very limited by virtue of the landform, distance and boundary trees and hedges. The proposal site does currently provide a contrast in density of character in relation to the housing to opposite side of the road with the greater openness and lower density reflecting the settlement edge location.*

However, due to the positioning, scale and design of the proposed houses within the site the density of development would continue to remain lower to this side of the road, in comparison to the other side, with a green open character retained around them with their side and rear garden plots. This green rural character would also be reinforced by the retention of the grass bank to the front of the site along with the trees and hedge to its rear boundaries.

As a result, the former agricultural landscape context of the settlement would still be alluded to, with the proposal also reflecting the 'dispersed' and low density historic settlement pattern of the village, in this settlement edge location.

Therefore taking all the above into account (including the contents of the Chedworth Conservation Area Statement), it is considered that although there would be a change in the appearance of site, on balance the setting of the Chedworth Conservation Area and the setting of 'Smuggs Barn as a listed building, would remain unharmed, by the latest submission, subject to conditions.'

8.29 The proposed development will consist of a pair of 1.5 storey dwellings which are considered to reflect traditional vernacular building forms in terms of their size, scale, proportions and detailing. The proposed dwellings will face directly onto the road and will occupy a roadside position. The arrangement of the development is therefore considered to be consistent with existing development within the settlement. In addition, the proposed dwellings will retain open areas to their side and rear thereby allowing the site to retain a degree of openness. The existing roadside verge/bank will also be retained. It is considered that the level of proposed development does not represent an overdevelopment of the site.

8.30 The design of the proposed scheme has been amended during the course of the application. Officers considered that the design of the dwellings and garages initially submitted was inappropriate for the site given the size of the units and their design which was akin to more urban executive style housing. In response, the applicant has reduced the height and gable depth of the dwellings and also reduced the size of the garages. As a result, the proposed dwellings now have the appearance of a pair of 1.5 storey semi-detached cottages. The design is reflective of the Grade II listed Smuggs Barn to the north. The design of the proposed development is now considered to respect local character and distinctiveness in accordance with Local Plan Policy EN2. It is also considered that the proposal will not have an adverse impact on the setting of Chedworth Conservation Area or the Grade II listed Smuggs Barn

Cottage having regard to Local Plan Policies EN10 and EN11 and advice in Section 16 of the NPPF.

8.31 With regard to the impact of the proposal on the Cotswolds AONB, the site is bordered by existing development and is not readily visible from public vantage points other than the adjacent road. The village hall and existing vegetation screen the site from the south and existing housing to the east restricts longer range views from the aforementioned direction. A combination of distance and vegetation limit views of the site from the road to the south-west. The existing 2 storey housing to the east is also in excess of 9m in height and is therefore approximately 1m higher than the dwellings now proposed. The proposed development will not therefore appear materially taller in the landscape than existing. The proposed development will be located in an area that already has a developed character. It will not result in an encroachment of development into the open countryside nor will it have an adverse impact on the setting of the site or settlement within the AONB landscape. It is considered that the proposed development accords with Local Plan Policies EN4 and EN5 and guidance in paragraphs 174 and 176 of the NPPF.

8.32 The applicant has submitted an Energy Statement with the application which states that the proposed dwellings will be fitted with air source heat pumps and water conservation measures. Electric vehicle charging points are also proposed.

8.33 Overall, it is considered that the design of the scheme is acceptable and that the proposal will not have an adverse impact on the setting, character or appearance of the AONB or heritage assets.

(b) Access and Parking

8.34 The proposed development will involve the creation of 2 new vehicular entrances onto the road to the east. An automated traffic count undertaken in November 2020 recorded average weekly speeds of 22.1mph in a northbound direction and 22.8mph in a southbound direction with 85th percentile speeds of 28.5mph and 28.4mph northbound and southbound respectively. The requisite visibility of 43m can be achieved from both entrance points. A number of other residential accesses already exist along the road. Adequate manoeuvrability from the accesses onto the road is achievable.

8.35 The concerns of objectors regarding highway safety are noted. The road acts as one of the main entrance roads into and out of the historic core of the settlement. It also provides access to the village hall, tennis courts and is used to access the primary school, approximately 150m to the north-east of the application site. A pedestrian footway does not extend along the side of the road where it passes the application site. However, there is no record of Personal Injury Collisions in the last 5 years within the vicinity of the application site. In addition, it is predicted that the proposed development will generate 13 vehicle movements per day. Of these, the majority will be outside the school run periods. The traffic generated by the proposed development is considered not to be of a level that will have severe impact on the operation of the local road network or have an adverse impact on highway safety. It is considered that the proposed development will not conflict with paragraph 111 of the NPPF 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*'.

8.36 Each dwelling will be provided with a minimum of 3 parking spaces and associated turning space. It is considered that the proposed level of parking and turning is appropriate for the size of dwellings being proposed and in accordance with Local Plan Policy INF5.

8.37 Gloucestershire County Council Highway Officers raise no objection to the application.

8.38 It is considered that the proposed development can be undertaken without having an adverse impact on highway safety in accordance with Local Plan Policies INF4 and INF5 and guidance contained in Section 9 of the NPPF.

(c) Impact on Residential Amenity and Use of Village Hall and Tennis Courts

8.39 The proposed dwellings are of a size which meets the minimum floorspace standards for the size of dwellings being proposed in accordance with Local Plan Policy HI.

8.40 The proposed dwellings will each be provided with adequate garden space and will be positioned so as not to cause unacceptable levels of light or privacy to future occupiers having regard to guidance in the Cotswold Design Code.

8.41 It is noted that the application site lies adjacent to a tennis club with outdoor tennis courts/floodlights and a village hall. The village hall can host late night events. In addition, pre-school facilities are also provided on the village hall site. A number of concerns have been raised by local residents about the impact of existing uses on future occupiers of the proposed dwellings. In addition, concern has been raised about the potential impact that the future residential use of the site will have on the activities undertaken at the tennis club and village hall.

8.42 Local Plan Policy EN15: Pollution and Contaminated Land states that development will be permitted that will not result in unexpected risk to public health or safety through the 'generation of noise or light levels'.

8.43 Paragraph 187 of the NPPF states that planning decisions '*should ensure that new development can be integrated effectively with existing businesses and community facilities... Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed*'.

8.44 In light of the relationship of the site to the adjacent facilities, the applicant has submitted a Light Intrusion Assessment (LIA) and an Environmental Noise Assessment (ENA) with this application.

8.45 The LIA has assessed the potential impact of the floodlights on the proposed development. As part of the LIA, a light survey was undertaken when the tennis club floodlights were operational. At present, there are 9 floodlight columns on the site, of which 6 columns contain a single light box and 3 contain 2 light boxes. The columns are approximately 6.7m in height.

8.46 The LIA states 'All measured levels of 'light intrusion' are compliant with the ILP pre-curfew 'light intrusion' criterion of 2 lux for an EI Environmental Zone. The Proposed Development is therefore considered to be compliant with national guidelines for the control of 'light intrusion'. An EI Environmental Zone is stated as being 'Relatively uninhabited rural areas, National Parks, Areas of Outstanding Natural Beauty, IDA buffer zones etc'. It is also of note that the use of the floodlights is restricted by planning condition. Permission CD.6300/E limits the use of the floodlights to a period between 9am and 10pm each day. The floodlights cannot therefore be left on overnight. The maximum recorded light intrusion was 0.58Ev(lux) at a height of 2m which is below the 2Ev (lux) above which there may be a harmful impact. The Council's Environmental and Regulatory Service (ERS) Officers have assessed the proposal and consider that the findings of the LIA are acceptable. It is considered that the proposed development can be undertaken and occupied without being subject to an unacceptable light impact from the existing floodlights. It is also considered that the proposed development will not restrict the operation of the existing floodlights by the tennis club.

8.47 With regard to noise and disturbance, the ENA has assessed the potential impact arising from activities at both the village hall and tennis club. In summary, the ENA states:

'Advice is provided on the building fabric and ventilation of the development based on the survey results and noise modelling. With suitable noise mitigation measures, acceptable internal noise levels (i.e. below NR20) can be achieved during events with amplified music.

Tennis noise levels are considered acceptable and below the WHO threshold for onset of moderate annoyance of 50 dB within gardens and at the façade of the proposed dwellings. We have considered solid 2-metre-high boundary fences (minimum surface mass 10 kg/m²) to the proposed gardens in our modelling.

On this basis, we would consider noise from both the tennis courts and Chedworth Village Hall falls below the Lowest Observed Adverse Effect Level of the NPPG and NPSE. Noise may be audible, but we do not consider it would cause any change in behaviour or attitude; as such, this achieves the aims of the National Planning Policy Framework (NPPF).'

8.48 ERS Officers have assessed the proposal and aforementioned report and raise no objection to the application subject to conditions requiring the introduction of additional insulation in the proposed dwellings and the erection of a 2m high acoustic fence along the boundary with the tennis court.

8.49 Overall, it is considered that the proposed development can be undertaken without causing adverse harm to the future occupants of the proposed dwellings or resulting in a reduction in the activities that can be undertaken in the existing community facilities.

8.50 The proposal is considered to accord with Local Plan Policy EN15 and guidance in paragraph 187 of the NPPF.

(d) Impact on Protected Species

8.51 The application site is predominantly covered with coarse grasses and scrubby vegetation. A gappy hedgerow lies along the southern and eastern edges of the site. A range of trees lie to its north and south. Due to the predominance of existing grassland within the site, the site is considered to have limited ecological value. The applicant has submitted an

Ecological Report with the application which has set out a number of measures to enhance the biodiversity potential of the site. The measures include the reinforcement and enhancement of existing hedgerows, new planting within the site, bird and bat boxes and log piles.

8.52 The Council's Biodiversity Officer has assessed the proposal and considers that the scheme can be undertaken without having an adverse impact on protected species or their habitat, and that it represents a suitable enhancement. It is considered that the proposal accords with Local Plan Policy EN8.

Community Infrastructure Levy (CIL)

8.53 This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

9. Conclusion:

9.1 Overall, it is considered that the proposed scheme represents a sensitive re-development of the existing site and that the proposal can be undertaken without having an adverse impact on the character or appearance of the area, the setting of heritage assets, residential amenity, highway safety or the use of the tennis courts or village hall. It is therefore recommended that the application is granted permission.

10. Proposed conditions:

1. 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.

2. The development hereby approved shall be carried out in accordance with the following drawing number(s):

P20-2479_01 REV: M, P20-2479_02 SHEET NO: 01 REV K, P20-2479_02 SHEET NO: 02 REV K, P20-2479_02 SHEET NO: 03 REV K, P20-2479_02 SHEET NO: 04 REV K, P20-2479_02 SHEET NO: 05 REV J, P20-2479_02 SHEET NO: 06 REV E.

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

3. The materials to be used for the external walls and roof of the development hereby permitted shall match those used in the existing building and shall be permanently retained as such thereafter.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.

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

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

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

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

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

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

7. No external doors, windows, eaves, verges, head and cill treatments, chimneys or dry stone walls shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

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

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

8. Prior to the first occupation of each dwelling hereby permitted, all windows and external doors in each respective dwelling shall be finished in their entirety in a colour that has first been submitted to and approved in writing by the Local Planning Authority.

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

9. Prior to the first occupation of the development hereby approved, a comprehensive landscape scheme shall be approved in writing by the Local Planning Authority. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2, EN4 and EN5.

10. The entire landscaping scheme shall be completed by the end of the first planting season (1st October to the 31st March the following year) following the first occupation of the dwelling hereby permitted.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policies EN2, EN4, EN5.

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

Reason: To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policies EN2, EN4 and EN5.

12. Notwithstanding the provisions of Schedule 2 Part 1 Class A and Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no extensions or outbuildings shall be erected or constructed within the application site other than those permitted by this Decision Notice.

Reason: In order to protect to preserve the rural character and appearance of the site which is located within the Cotswolds Area of Outstanding Natural Beauty and to ensure that the development is not adversely affected by, or has an adverse impact upon, adjacent community facilities in accordance with Cotswold District Local Plan Policies EN2 and EN15.

13. Notwithstanding the provisions of Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no walls, fences, gates, gate piers or other means of enclosure shall be erected or constructed within the application site other than those permitted by this Decision Notice.

Reason: In order to protect to preserve the rural character and appearance of the site which is located within the Cotswolds Area of Outstanding Natural Beauty in accordance with Cotswold District Local Plan Policies EN2, EN4 and EN5.

14. Prior to the first occupation of each dwelling hereby permitted, each respective dwelling shall be constructed fully in accordance with a sound insulation scheme that has first been approved in writing by the Local Planning Authority and which ensures that all habitable rooms are afforded an internal noise rating criteria level below Noise Rating Curve 20 (NR20).

Reason: In order to ensure that the future occupiers of the dwellings will not be subject to an unacceptable level of noise and that occupation of the dwellings will not have an adverse

impact on the operation of the tennis courts or village hall having regard to Local Plan Policy EN15.

15. Prior to the first occupation of any dwelling hereby permitted, a 2m high acoustic boundary fence or wall shall be erected along the north-western boundary of the application site in accordance with details to be first agreed in writing by the Local Planning Authority and the fence shall be permanently retained in accordance with the approved details thereafter.

Reason: In order to ensure that the future occupiers of the dwellings will not be subject to an unacceptable level of noise and that occupation of the dwellings will not have an adverse impact on the operation of the tennis courts or village hall having regard to Local Plan Policy EN15.

16. The development shall be carried out in accordance with the following biodiversity mitigation measures and enhancement features. All the measures and features listed below shall be implemented in full, unless otherwise agreed in writing by the Local Planning Authority, and all the features shall thereafter be permanently retained.

i) Site clearance and construction shall be carried out in accordance with sections 4.8 (badger and fox), 4.13 and Appendix D (great crested newt reasonable avoidance measures) of the Ecological Report dated 28th October 2021 prepared by AA Environmental;

ii) At least 1 no. integrated/built-in bat box (e.g. tube, brick or access panel) to be installed into apex of the southern (side) elevation wall of the dwelling at Plot 1 (i.e. below the chimney of the 2-storey main house) prior to the first occupation of the dwelling;

iii) At least 3 no. swift bricks to be integrated /built-in to the northern elevation (side) wall of the dwelling at Plot 2 at 1 metre intervals prior to the first occupation of the dwelling; and

iv) Provision of appropriate hedgehog gaps beneath fences or holes through walls prior to the first occupation of any dwelling hereby permitted.

Reason: To protect and enhance biodiversity in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Policy EN8 of the Cotswold District Local Plan 2011-2031, paragraphs 174, 179 and 180 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

17. Prior to the first occupation of each dwelling hereby permitted, each respective dwelling shall be fitted with an electric vehicle charging point. Each charging point shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced, in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities in accordance with Local Plan Policy INF3.

18. Prior to the erection of any external walls of the new build dwellings hereby permitted, details of the energy efficiency measures to be introduced into each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The energy efficiency measures shall, at a minimum, accord with the recommendations set out in the document titled 'Energy' 24th August 2021 | EJT | P20-2479 . The approved measures shall be installed in each dwelling fully in accordance with the approved details prior to the occupation of each respective dwelling.

Reason: In order to ensure the creation of an energy efficient development that addresses the impact of climate change.

Informatives:

1. Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, under separate cover. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate. There are further details on this process on the Council's website at www.cotswold.gov.uk/CIL.

2. Please note that planning permission 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 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 (including hedgehogs) and the Protection of Badgers Act 1992.

There is a low risk that great crested newts (GCN) may be present at the application site. However, the application site lies within a red/amber impact zone as per the modelled district licence map, which indicates that there is highly/moderately suitable habitat for GCN within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If a GCN is discovered during site preparation, enabling or construction phases, then all works must stop until the advice of a professional/suitably qualified/experienced ecologist and Natural England is obtained, including the need for a licence.

Works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest and replacement provision made so that there is no net loss of biodiversity.

Appropriate hedgehog gaps/holes in fences and walls are as specified at: <https://www.hedgehogstreet.org/help-hedgehogs/link-your-garden/>

2100650/RC

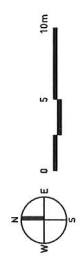
KEY
SITE LOCATION



LAND NORTH EAST OF CHEDWORTH VILLAGE HALL - SITE LOCATION PLAN Pegasus Design

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | WWW.PEGASUSGROUP.CO.UK | TEAM/DRAWN BY EJT/CLB | APPROVED BY P.M. EJT | DATE: 04/02/21 | SCALE: 1:1250 (BA3) | DRWG: P20-2479_03 REV. _1 | CLIENT: CENTAUR HOMES |

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MAIN ROAD, CHEDWORTH - STREET SCENE

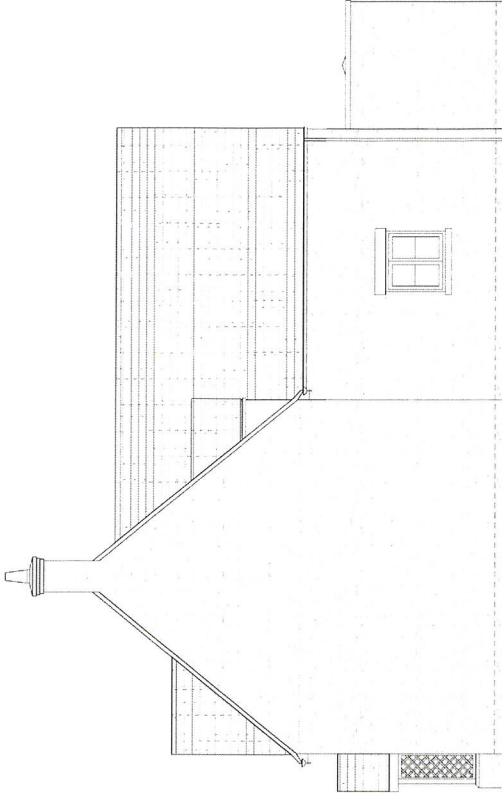


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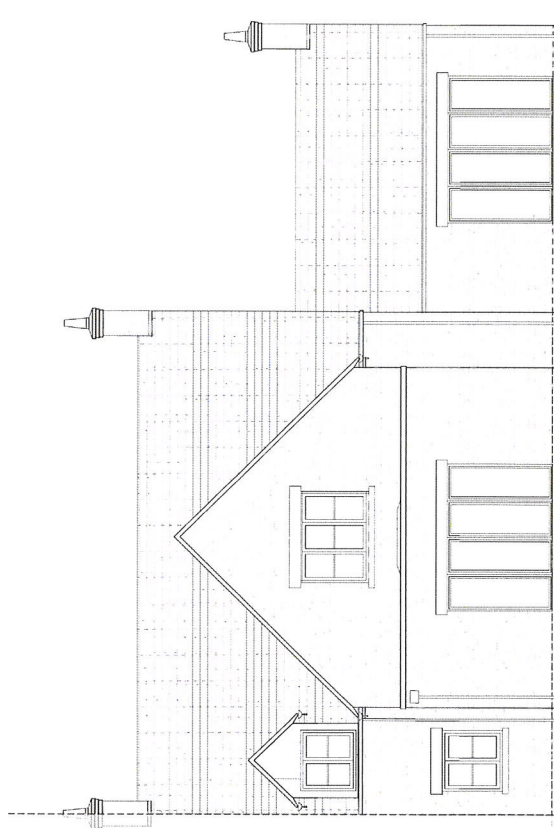
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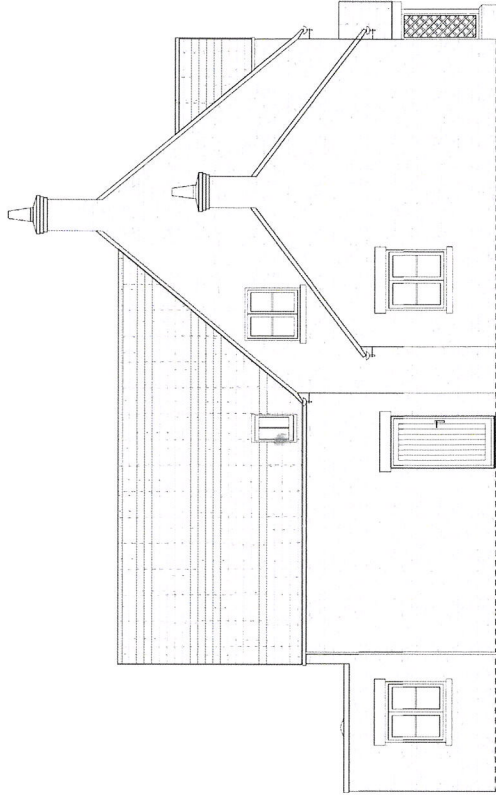
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

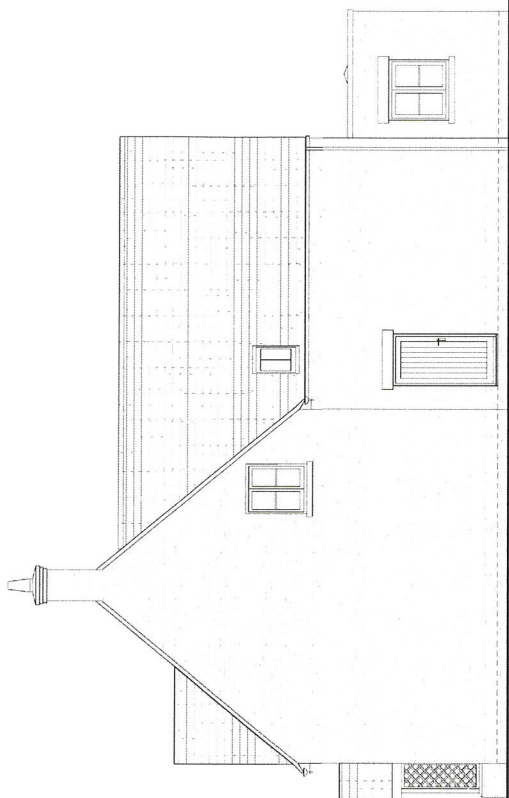


SIDE ELEVATION

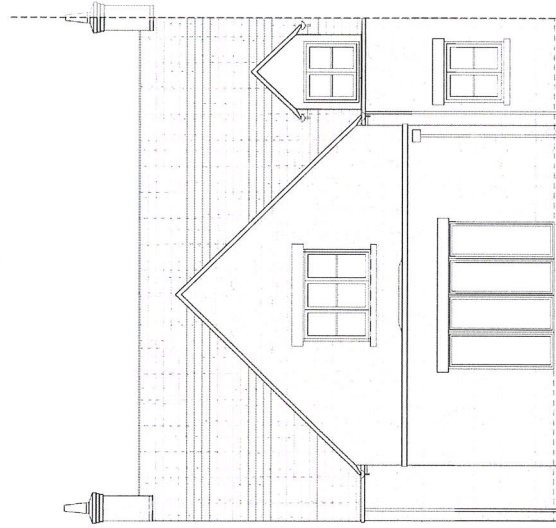
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laid in diminishing courses



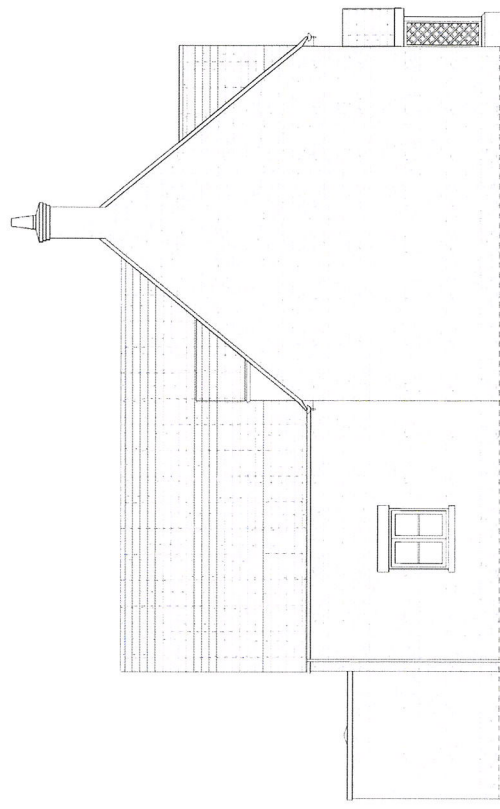
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

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ENERGY

Site: Land adjacent to the Village Hall, Chedworth

On behalf of Centaur Homes (South West) Ltd

1.1 The proposed houses will be low energy homes. They will be provided with the following:

- The dwellings shall exceed building regulations compliance and designed with excellent air tightness and ventilation systems to further reduce energy demand delivering comfortable and efficient homes;
- The dwellings will be provided with air source heat pumps to efficiently deliver space heating and domestic hot water. This will achieve a further reduction in CO2 emissions over building regulations. The heat pump will be linked to low surface temperature under floor heating and a domestic hot water cylinder;
- Both plots will have smart electric vehicle fast-charging points and if a connection is available in Chedworth then ultra-fast broadband to allow effective home working; and
- The houses will reduce and off-set water consumption by incorporating water conservation measures including low water use appliances, dual flush wc's, flow restrictors and metering to monitor consumption.

Item No 04:-

21/02766/REM

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

Item No 04:-

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

| Approval of Reserved Matters 21/02766/REM | |
|--|---------------------------|
| Applicant: | Backhouse Housing Limited |
| Agent: | Ridge & Partners LLP |
| Case Officer: | Martin Perks |
| Ward Member(s): | Councillor Rachel Coxcoon |
| Committee Date: | 8th December 2021 |
| RECOMMENDATION: | PERMIT |

Main Issues:

- (a) Design and Impact on the Character and Appearance of Moreton-in-Marsh Surrounds Special Landscape Area
- (b) Highway Safety and Parking
- (c) Impact on Residential Amenity

Reasons for Referral:

As part of the determination of Outline application 19/00086/OUT, Members of Planning and Licensing Committee requested that a future Reserved Matters application should be referred to Committee.

I. Site Description:

1.1 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 area.

1.2 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 employment/business units.

1.3 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.

1.4 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.

1.5 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.

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

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

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

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

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

2. Relevant Planning History:

2.1 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

19/00086/OUT Erection of up to 67 dwellings, open space, and landscaping (Outline application). Permitted 2020

21/02867/HEDGE Removal of 55m of hedgerow - To facilitate access to the site as approved under application reference 19/00086/OUT. Permitted 2021

2.2 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/I 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:

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
INF3 Sustainable Transport
INF4 Highway Safety
INF5 Parking Provision

4. Observations of Consultees:

- 4.1 Gloucestershire County Council Highways: No objection
- 4.2 Gloucestershire County Council Lead Local Flood Authority: No objection
- 4.3 Environmental and Regulatory Services Noise: No objection
- 4.4 Thames Water: No objection

5. View of Town/Parish Council:

- 5.1 Response dated the 12th August 2021:

'Moreton-in-Marsh Town Council recognises that the site is a strategic allocation for 63 dwellings, and that Outline permission for up to 67 dwellings was granted via 19/00086/OUT. Therefore the principle of development has already been decided and our comments must be limited to the details of this application.

However, we object to this Reserved Matters application for the following reasons:

(1) New evidence has emerged locally since the Outline permission was granted that affects the viability of this proposal. Namely education provision, highways capacity (particularly the two mini-roundabouts on the High Street) and sewerage capacity, as evidenced by the Dunstall Farm application (19/02248/FUL). We ask CDC to reconsult with GCC Education, GCC Highways and Thames Water to ensure the current situation is fully understood and that the proposed mitigations of this application are adequately mitigated.

(2) We object to the sewerage connection being to the north-west of the site, connecting to the pumping station. As evidenced above, the pumping station is 50 dwellings from being over-capacity, so we strongly suggest it would make more sense for this development to connect directly to the treatment centre a few hundred meters to the east of the site (which the pumping station feeds into). We ask CDC and the developer to robustly make this case to Thames Water.

(3) We note that the proposal is in-line with GCC's parking provision recommendation, but seek clarity on the non-visitor parking spaces. At one point 18 spaces are proposed, at another only 12. We believe the higher number might not even be adequate to prevent off-site parking on what is already a highly congested highway (Evenlode Road).

(4) We also believe the Resident Travel Plan's target of essentially a 1% reduction in car use per year is unacceptably weak given the over-capacity roundabouts locally, the site's location far from the High St and local services such as the supermarkets and healthcare centre, and the climate emergency. We ask CDC and GCC scrutinise this report and negotiate a more ambitious target with more robust delivery support.

(5) We would further like to report our disappointment that no allotment provision was included in this proposal. We would like to confirm that the road will be adopted at 20mph when the time comes, and that an adequate parking management strategy be deployed from the outset (including yellow lines, etc).'

6. Other Representations:

6.1 17 Objections and 1 general comments received.

6.2 Main grounds of objection are:

- i) Evenlode road already struggles with passing traffic as cars are parked on the road, adding another 130+ cars (assumption each house has 2 cars or visitors) will create a dangerous or impassable situation on this road.
- ii) Moreton has now had its fair share of housing so more housing is not required as provides not benefit to our town.
- iii) Our back garden will now back on to an entire new estate.
- iv) Overdevelopment
- v) Chicken hutch designs.

- vi) Moreton-in-Marsh is at full capacity already. The traffic is already horrendous and the village often gridlocked. The local amenities we do have are under an ever increasing strain to keep up such as schools, GPS, dentist, vets etc.
- vii) How will Evenlode Road take extra traffic from 67 houses.
- viii) Adverse impact of construction on local residents.
- ix) Site is a place of natural beauty and peacefulness where one could enjoy the walk through the field and get away from the already busy Moreton in Marsh. It has been an oasis to many during Covid to walk and enjoy the flora and fauna. It is breaking the hearts of many to lose this bit of green. Its a wonderful place to bring dogs and let them run free. Children have enjoyed this natural area to run and play...Tourists have enjoyed it and often commented on the beauty of it....and yet all of this is about to be completed destroyed forever.
- x) Impact on future residents of sewage works.
- xi) Impact on future residents of lighting and noise from local highway depot.
- xii) This development is accessed by a road that due to parking is only a one way lane that is inadequate at the moment let alone with the addition of more houses and cars. The problem arises at evenings and weekends when everyone is at home parked and not at work. We have horses, cyclists, runners and walkers who use this road with no pavements along it so it wouldn't be too long before there is an accident.
- xiii) The design of the houses are ugly and not in keeping with the area at all. The three affordable houses that have been put at the front of the estate will lower the tone of the area as they are being squeezed into the estate at the front with no front gardens.
- xiv) The entrance into the estate should be moved past the bungalows on that road because the lights of cars coming in and out in the evenings would impact on those bungalows.
- xv) Loss of privacy.
- xvi) Request submission of Construction Method Statement.
- xvii) Right of Way should be kept open during construction.
- xviii) Use of one single building material is a risk. Overall success of the development will depend upon whether the chosen bricks can deliver on the big role that they are being asked to play.
- xix) Too many houses in the area, in the wrong place.
- xx) The loss of field will be another green area lost and never replaced, with consequent loss of bird, insect and animal life.
- xxi) Moreton has been over developed, with no improvement in services in the area, schools doctors dentists sewage systems roads etc and therefore this development should be declined.
- xxii) Impact of car headlights on property from cars coming out of the site entrance.

6.3 General comments are:

- i) Will the hedge be still kept as the last time it was staying there? Will the people who buy be told about the sewer beds that can give of a bit of a smell sometimes.

7. Applicant's Supporting Information:

Planning Statement
 Design and Access Statement
 Soft & Hard Landscape Management Plan
 Highway Technical Note

8. Officer's Assessment:

Background and Proposed Development

8.1 Outline planning permission was granted in February 2020 (19/00086/OUT) for the erection of up to 67 dwellings, open space, and landscaping on this site. Details relating to site access were also agreed as part of the Outline permission. This current application seeks Reserved Matters approval for details relating to Appearance, Scale, Layout and Landscaping.

8.2 The proposed dwellings will consist of 40 open market dwellings and 27 affordable dwellings. The open market dwellings will comprise 9 x 3 bed, 26 x 4 bed and 5 x 5 bed units. The affordable dwellings will comprise 8 x 1 bed apartments, 1 x 1 bed bungalow, 1 x 2 bed bungalow, 11 x 2 bed dwellings and 6 x 3 bed dwellings. The affordable housing will comprise 22 rented units and 5 shared ownership units. The mix, size and tenure of the affordable units accords with the requirements of the S106 legal agreement attached to the Outline permission.

8.3 A total of 3 of the open market plots will be set aside as serviced self/custom build plots in accordance with the requirements of the S106 agreement.

8.4 Of the 67 dwellings proposed, 65 dwellings will be 2 storey in height. The remaining 2 dwellings will be bungalows. The 2 storey dwellings will measure between approximately 8.7m and 9.7m in height. The bungalows will measure approximately 7m in height. In addition to the proposed dwellings it is proposed to erect 40 garages. The garages will serve the open market dwellings. All but 2 of the garages will have flat roofs. Two of the garages will have pitch roofs. The garages will measure approximately 3m and 6m in height respectively.

8.5 The external walls of the proposed dwellings and garages will be constructed in a buff coloured brick. The roofs of the dwellings will be covered with artificial stone tiles. Windows will have aluminium frames.

8.6 The development will provide a total of 174 car parking spaces, including 30 courtyard spaces, 47 garages and 97 spaces on plots.

8.7 Vehicular access to the site will be a new entrance onto Evenlode Road located in the northern part of the site's western boundary. The position of the access was approved at the Outline stage.

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

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

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

8.11 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.'

8.12 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.'

8.13 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.'

8.14 In terms of national guidance, paragraph 130 of the National Planning Policy Framework (NPPF) states:

'Planning policies and decisions should ensure that developments:

- a) 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;*
- b) Are visually attractive as a result of good architecture, layout and appearance and appropriate and effective landscaping;*
- c) Are sympathetic to local character and history, including the 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.'*

8.15 Paragraph 174 of the 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*'.

8.16 On the basis of the SLA designation Officers consider that the site falls within a valued landscape. Paragraph 174 of the NPPF is therefore applicable when considering this application.

8.17 The application site comprises part of a larger agricultural field. It is bordered to the north by post war housing development. An employment estate is located to the north-east of the site and a water treatment/sewage works to its east. A County Council Highway depot is located adjacent to the southern boundary of the application site. The character of the site is heavily influenced by the development located adjacent to it. The site is located within Moreton-in-Marsh Development Boundary and is also allocated for residential use. The introduction of 67 dwellings onto the site has also been determined acceptable, in-principle, by virtue of the approval of the Outline application in 2020.

8.18 The existing site is relatively flat and open. A principal feature of the site is a Public Right of Way (HMM10) which extends diagonally in a north-west to south-east direction through the centre of the application site. The proposed scheme seeks to retain the route of the Right of Way thereby creating a central avenue through the development. Dwellings will be arranged in a linear manner either side of the avenue. The aforementioned dwellings will front onto the avenue. A network of side roads will lead off from the central avenue and will provide access to other dwellings within the development. The creation of a principal road with secondary roads extending from it is considered to be respectful of traditional Cotswold street patterns.

8.19 The housing layout is linear in form. It is therefore reflective of a pattern of development that is evident along Evenlode Road, Wellington Road and Evenlode Gardens to the north. Rows of dwellings of similar sizes and designs are a characteristic feature of the existing area. The layout of the proposed scheme incorporates lines of dwellings of a relatively uniform size, scale and design and is considered to respond in a sympathetic manner to the character of the area.

8.20 The provision of the central avenue enables the creation of a green corridor through the site. In addition, a central green will be created midway along the avenue. A play area will also be created to the north of the avenue and a green will be created adjacent to the site entrance. New tree planting will also be introduced along the central avenue. Paragraph 131 of the NPPF identifies that '*trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined*'. The current proposal is considered to accord with the guidance set out in the aforementioned paragraph. New tree planting will also be undertaken throughout the site and along the site boundaries. New native species hedgerows will be planted along the eastern and southern boundaries of the application site. The majority of the existing roadside hedgerow will be retained. The exception will be a stretch of hedgerow measuring approximately 45m in length that will be removed to facilitate the creation of the site access. The removal of this section of hedgerow was agreed at the Outline stage.

8.21 The majority of the proposed housing will be positioned towards the central and northern parts of the site. As a consequence, the amount of built development lying adjacent to Evenlode Road in the west, or the agricultural field to the east and south, will be relatively modest having regard to the level of development as a whole. Only 2 dwellings will lie alongside Evenlode Road, thereby limiting the visual presence of development along the roadside. The creation of the balancing pond in the south-western corner of the site will help to provide a green buffer between housing and Evenlode Road thereby reducing the visual presence of the southern part of the development. The eastern and southern boundaries will largely be defined by gardens thereby providing a relatively soft edge to the development where it abuts the open countryside. In combination with the proposed boundary planting, it is considered that the proposed scheme will not have an adverse impact on the character or appearance of this part of the SLA.

8.22 The proposed development will primarily consist of 2 storey dwellings. The dwellings are therefore of a scale that is consistent with existing development in the locality.

8.23 The creation of a central avenue will enable the route of the existing Public Right of Way to be retained thereby allowing pedestrian access through the site to continue.

8.24 In terms of appearance, the applicant has sought to pursue a contemporary design approach, especially in terms of window and door details, eaves details and chimneys. The Cotswold Design Code offers support for a more modern interpretation of traditional building forms. Paragraph D.29 of the Cotswold Design Code states that '*original and innovative proposals that reinforce a sense of place and help raise the standard of design generally are welcomed. A contemporary design should make strong local references and respect elements of the Cotswold vernacular, in order to maintain the architectural distinctiveness of the area*'.

8.25 The proposed dwellings are gable ended and have proportions which are reflective of traditional Cotswold building forms. In addition, the proposed dwellings have a relatively plain and unfussy appearance. The fenestration and eaves detailing, whilst modern in appearance, are considered to respect traditional Cotswold building forms. The use of artificial stone tiles also references traditional Cotswold building materials. The use of a buff coloured brick will provide a visual connection with Cotswold stone in terms of the colour of the material. The colour of the brick is therefore considered appropriate. Moreover, it is also noted that properties adjacent to the site are constructed in brick. The use of white render is also evident on Wellington Road to the north. The surrounding area is therefore characterised by a variety of building materials. Notwithstanding this, it is also of note that existing development is characterised by groups of buildings which are constructed in the same material. For example, Wellington Road is characterised by white rendered dwellings and Evenlode Gardens by brick properties. The use of a single building material within the site is therefore considered to reflect the character of the area.

8.26 With regard to energy efficiency, the applicant has submitted an Energy and Sustainability Statement which sets out a number of measures which are intended to address climate change. The submitted statement states:

'The proposed dwellings will be constructed following a fabric first approach to reduce energy demand, incorporating high standards of thermal insulation, airtightness and thermal bridging, together with efficient heating and lighting systems, including the incorporation of Air Source Heat Pumps for space and water heating.

In accordance with the Net Zero Carbon Toolkit, Air Source Heat Pumps will be installed in all dwellings in order to significantly reduce their energy use intensity (EUI). The statement will demonstrate that a 56.49% reduction in CO2 emissions from the interim Part L1A 2021 Building Regulations baseline will be achieved.

Backhouse Housing, in conjunction with a specialist consultant and contractor, will install a 7kW EV charger to all dwellings at this development.'

8.27 It is considered that the proposed development will incorporate measures which reasonably address the issues of climate having regard to current policy and guidance.

8.28 This application is accompanied by a Soft & Hard Landscape Management Plan and an Ecological Management Plan. The aforementioned documents set out post-construction maintenance and management regimes for landscape and ecological features. This will ensure that such features are maintained and managed in an appropriate manner over the longer term.

8.29 Overall, it is considered that the scale, appearance, layout and landscaping of the proposed scheme are acceptable and in accordance with Local Plan Policies EN2, EN4 and EN6 and guidance in Section 12 of the NPPF.

(b) Highway Safety and Parking

8.30 The proposed development will be served by a new vehicular access which will open onto Evenlode Road to the west. The details of the aforementioned access were agreed at the Outline application stage. The issue of traffic generation and the capacity of Evenlode Road to accommodate additional vehicles from the development of this site were also considered at the Outline stage. The existing road network and the new access point have therefore already been determined to be capable of catering for the level of development proposed. The current application is therefore seeking approval for matters such as the internal road layout of the site, parking, cycle storage, refuse collection and vehicle manoeuvrability.

8.31 With regard to the internal road layout, the proposed layout provides adequate manoeuvrability and visibility for vehicles within the site. The layout makes provision for refuse and service vehicles as well as motor cars. The proposed layout also allows for the safe movement of pedestrians and cyclists through the site.

8.32 With regard to car parking, the applicant is proposing to create 174 parking spaces consisting of 97 spaces on house plots, 30 in courtyards and 47 in garages. The level of car parking is considered to be commensurate with the size and type of development being proposed in accordance with Local Plan Policy INF5.

8.33 Each dwelling will be provided within an electric vehicle charging point and provision for secure cycle storage.

8.34 Gloucestershire County Council (GCC) Highway Officers consider the proposed development to be acceptable in respect of highway safety, car parking and cycle provision.

8.35 It is considered that the development accords with Local Plan Policies INF3, INF4 and INF5 and guidance contained in Section 9 of the NPPF.

(c) Impact on Residential Amenity

8.36 The floorspace of each dwelling will meet the minimum space standards as required by Local Plan Policy H1.

8.37 Each dwelling (including apartments) will be provided with an area of outdoor amenity space. The amount of outdoor space is considered to be commensurate with each of the respective dwellings and in accordance with guidance in the Cotswold Design Code.

8.38 The proposed dwellings will be sited in a manner that will provide adequate levels of light and privacy to future residents. In addition, the proposed dwellings are located sufficiently distant from existing properties to avoid an unacceptable loss of privacy or light to existing residents adjoining the application site. The proposal is considered not conflict with guidance in BRE document IP23/12 Site Layout Planning for Daylight.

8.39 The Outline permission established that the site could accommodate residential development in principle without being subject to unacceptable levels of odour or noise from the Thames Water treatment works to the east, the employment site to the north-east of the GCC depot to the south. A condition was attached to the Outline permission requiring details of noise insulation to be agreed. These details will be agreed separately to this application. Notwithstanding this, the Council's Environmental and Regulatory Services Section has examined the application and raised no objection in principle to the proposed location of the dwellings.

8.40 Overall, it is considered that the proposed development will provide future occupants with an acceptable level of residential amenity. In addition, the proposal is considered not to have an unacceptable adverse impact on the amenity of existing residents.

Other Matters

8.41 The comments of Moreton-in-Marsh Town Council are noted. With regard to financial contributions, the level of contribution was established at the Outline stage. As this application is a Reserved Matters application, it is not possible to re-assess the level of contribution as part of the determination of this application.

8.42 With regard to drainage, Conditions 15 and 16 of the Outline permission require surface and foul water drainage details to be approved prior to the commencement and occupation of the development respectively. A detailed drainage scheme will therefore be assessed as part of the details reserved by condition process. Notwithstanding this, Gloucestershire County Council Lead Local Flood Authority and Thames Water have been notified of this application and raise no objection.

8.43 With regard to the Travel Plan, Condition 6 of the Outline permission requires details of such a document to be approved prior to occupation of the development. As with drainage, the Travel Plan matter will be addressed through the details reserved by condition process.

9. Conclusion:

9.1 Overall, it is considered that the layout, scale, appearance and landscaping details are acceptable. It is therefore recommended that the application is approved.

10. Proposed conditions:

1. The development hereby approved shall be carried out in accordance with the following drawing number(s):

210303 GT 01 01, 210303 GT 01 02, 210303 GT 01 03, 210303 GT 01 04,

210303 HT A 01 01 C, 210303 HT A 01 02, 210303 HT A 02 01, 210303 HT A 02 02, 210303 HT B 01 01 C, 210303 HT B 01 02, 210303 HT B 02 01 B, 210303 HT B 02 01, 210303 HT C 01 01 D, 210303 HT C 02 01 B, 210303 HT D 01 01 C, 210303 HT D 02 01 B, 210303 HT D 02 01 B, 210303 HT E (T1) 01 01 B, 210303 HT E (T1) 02 01 A, 210303 HT E (T2) 01 02 A, 210303 HT E (T2) 01 03, 210303 HT E (T2) 02 02 A, 210303 HT E (T2) 02 03, 210303 HT F 01 01 A, 210303 HT F 01 01, 210303 HT F 02 01 A, 210303 HT F 02 02, 210303 HT G (T1) 01 01 A, 210303 HT G (T1) 01 01, 210303 HT G (T1) 02 01, 210303 HT G (T1) 02 02, 210303 HT G (T2) 01 03 B, 210303 HT G (T2) 01 04, 210303 HT G (T2) 02 03 B, 210303 HT G (T2) 02 04, 210303 HT H 01 01 C, 210303 HT H 01 01, 210303 HT H 02 01 A, 210303 HT H 02 02,

210303 L 01 01, 210303 L 02 01 AB, 210303 L 02 02 C, 210303 L 02 03 D, 210303 L 02 04 C, 210303 L 02 05 C, 210303 L 02 06 C, 210303 L 02 08 C,

210303 SE 02 01, 210303 SE 02 02, 210303 V 01 01, 210303 V 01 02,

7982/01/01, 7982/01/02, 7982/01/03, 7982/01/04, 7982/501,

NPA 11146 500 P03, NPA 11146 501 P03, NPA 11146 502 P03, NPA 11146 503 P03, NPA 11146 505 P02,

NPA 11146 600 P03, NPA 11146 601 P03, NPA 11146 602 P03, NPA 11146 603 P03, NPA 11146 605 P03, NPA 11146 606 P03, NPA 11146 607 P03, NPA 11146 608 P03.

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

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

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

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

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

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

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

5. The entire landscaping scheme shall be completed by the end of the first planting season (1st October to the 31st March the following year) following the first occupation of the dwelling hereby permitted.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policies EN2, EN4 and EN6.

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

Reason: To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policies EN2, EN4 and EN6.

7. The roadside hedgerow lying alongside Evenlode Road shall be maintained/managed fully in accordance with a Hedgerow Maintenance/Management Plan which shall be submitted to and approved in writing by the Local Planning Authority prior to the erection of any external walls of the development hereby permitted. The roadside hedgerow shall be maintained/managed fully in accordance with the approved Hedgerow Maintenance/Management Plan thereafter.

Reason: To safeguard the existing roadside hedgerow which makes an important contribution to the character and appearance of the area in accordance with Cotswold District Local Plan Policies EN2, EN4 and EN6.

8. Prior to the first occupation of any dwelling hereby permitted, the Local Area for Play (LAP) shall be equipped with play equipment fully in accordance with details that have been first agreed in writing by the Local Planning Authority and the LAP shall be retained in accordance with the approved details thereafter unless similar replacement equipment is first approved in writing and subsequently installed within one month of the removal of the equipment to be replaced.

Reason: In order to ensure that play equipment is provided within a reasonable timeframe in the interests of the amenity of future residents in accordance with Local Plan Policy INF2.

9. The development hereby permitted shall be undertaken fully in accordance with the Soft & Hard Landscape Management Plan NPA 11146 800 P02 01/11/2021 and it shall be maintained and managed fully in accordance with the details in the aforementioned plan thereafter.

Reason: In order to ensure that landscaping within the development is maintained and managed to an acceptable standard in order to that the scheme respects the character and appearance of Moreton-in-Marsh Surrounds Special Landscape Area in accordance with Local Plan Policies EN4 and EN6.

10. The development hereby permitted shall be undertaken fully in accordance with the recommendations in the Ecological Management Plan September 2021 Rev 2 and it shall be maintained and managed fully in accordance with the details in the aforementioned plan thereafter.

Reason: In order to ensure that the scheme protects and enhances biodiversity in accordance with Local Plan Policy EN8.

11. Prior to the first occupation of each dwelling hereby permitted, each respective dwelling shall be fitted with an electric vehicle charging point in accordance with the details shown on drawing 210303 L 02 06 C. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced, in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities in accordance with Local Plan Policy INF3.

12. Prior to the first occupation of any dwelling hereby permitted, details of secure covered cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Each dwelling hereby permitted shall be provided with secure covered cycle storage in accordance with the approved details and the details shown on drawing 210303 L 02 05 C prior to its first occupation.

Reason: To promote sustainable travel and healthy communities in accordance with Local Plan Policy INF3.

13. Prior to the erection of any external walls of the new build dwellings hereby permitted, details of the energy efficiency measures to be introduced into each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The energy efficiency measures shall, at a minimum, accord with the recommendations set out in the document titled Energy and Sustainability Statement by AES Sustainability Consultants Ltd September 2021. The approved measures shall be installed in each dwelling fully in accordance with the approved details prior to the occupation of each respective dwelling.

Reason: In order to ensure the creation of an energy efficient development that addresses the impact of climate change.

14. Prior to the first occupation of each dwelling hereby permitted, access to the public highway, parking and turning facilities for each respective dwelling shall be provided fully in accordance with the approved plans.

Reason: In order to ensure that adequate and safe access, parking and turning facilities are provided for each dwelling in the interests of highway safety and in accordance with Local Plan Policies INF4 and INF5.

15. Prior to the erection of any external walls of the development hereby permitted, details of all proposed street tree planting, root protection systems, a future management plan, and the proposed times of planting, shall be approved in writing by the Local Planning Authority, and the trees shall be planted and managed in accordance with the approved details thereafter.

Reason: To ensure the provision and long term wellbeing of the trees in the interests of highway safety, amenity and the environmental quality of the locality in accordance with Local Plan Policies INF4, EN2 and EN6.

Informatives:

1. Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, under separate cover. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate. There are further details on this process on the Council's website at www.cotswold.gov.uk/CIL.

2. Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
- Set up costs
- Approving the highway details
- Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

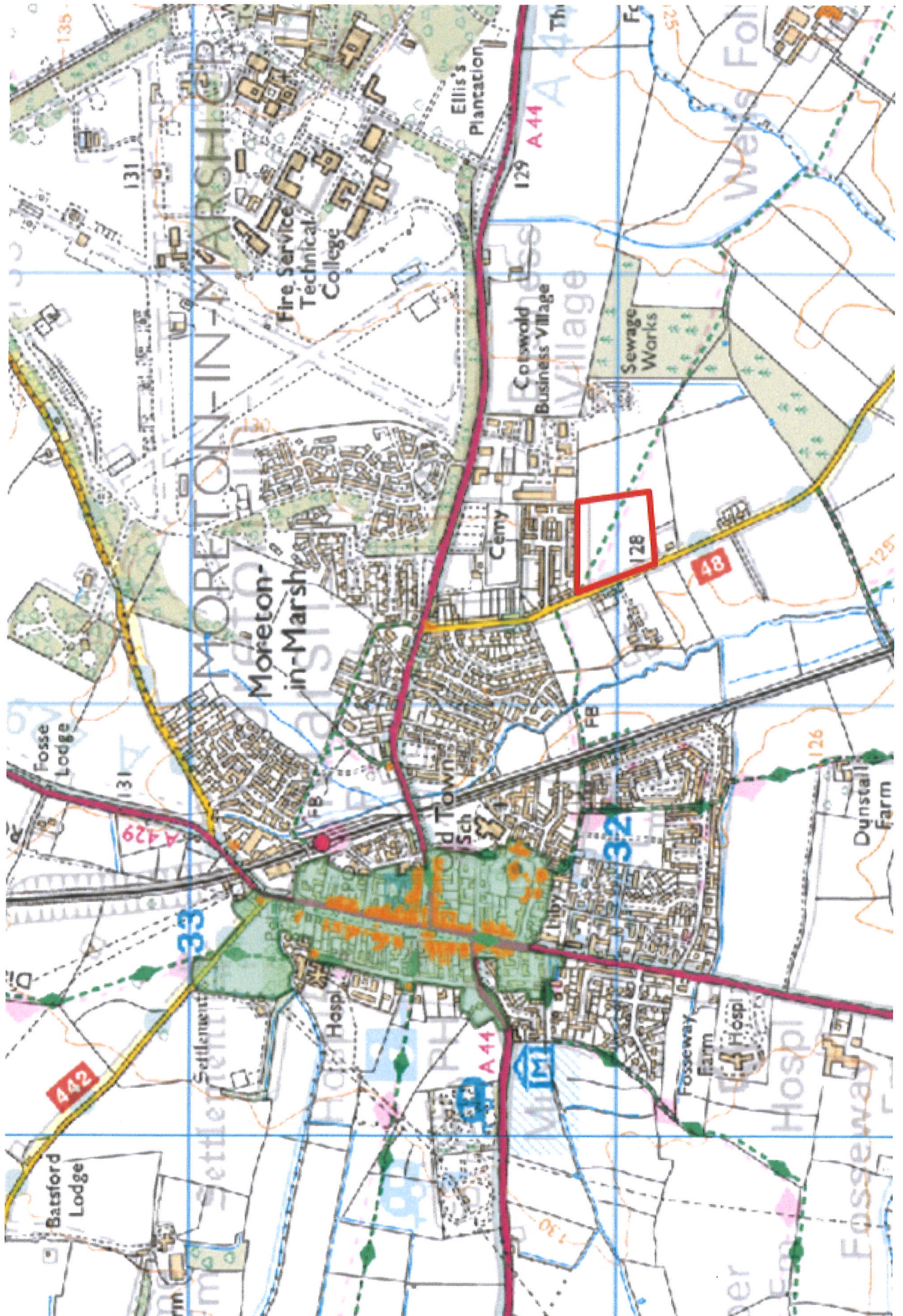
The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

3. Street Trees

All new streets must be tree lines as required in the National Planning Policy Framework. All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details should be provided of what management systems are to be included, this includes root protections, watering and ongoing management. Street trees are likely to be subject to a commuted sum.

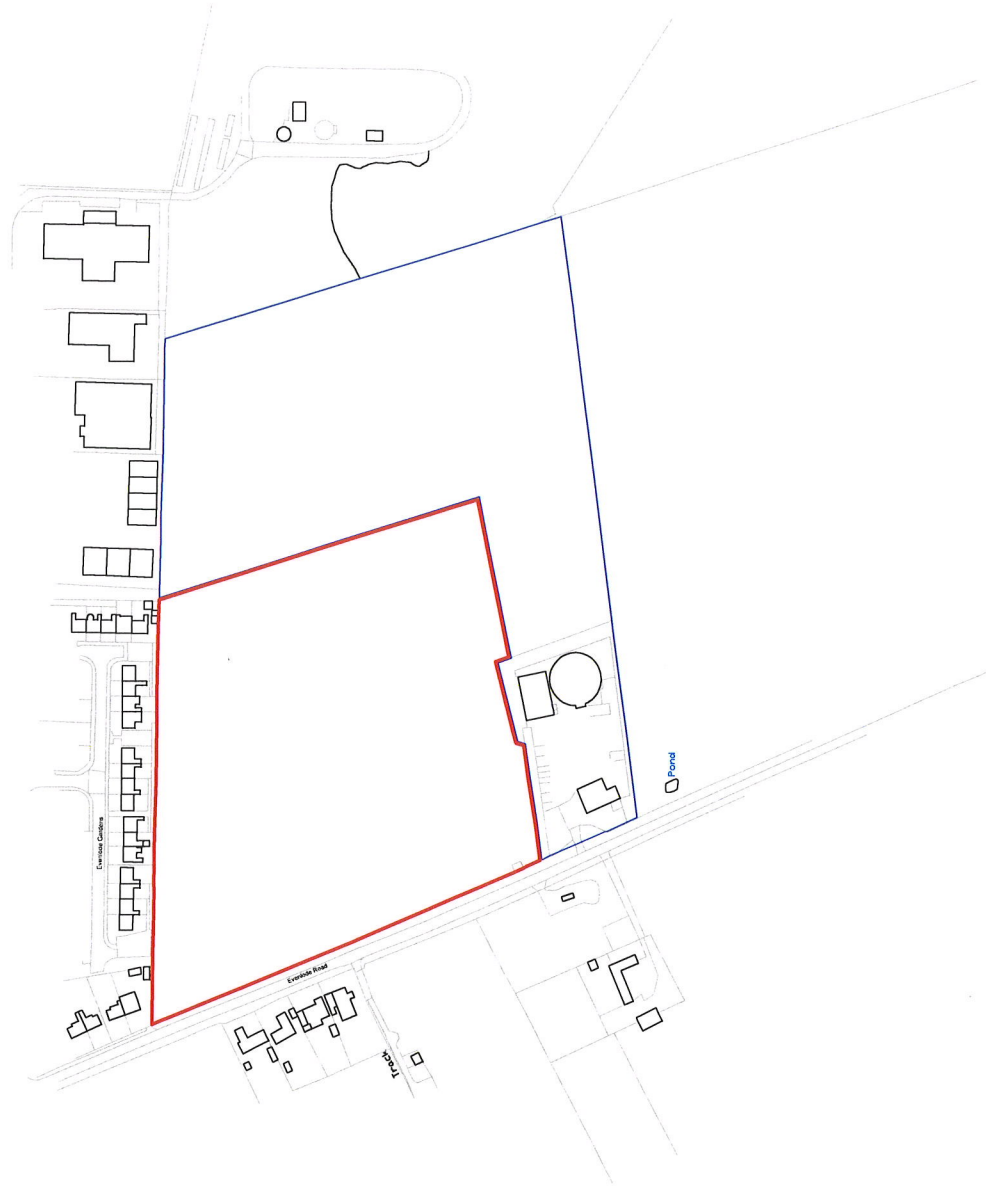
4. Public Right of Way Impact

There is a public right of way running through the site, the applicant will be required to contact the PROW team to arrange for an official diversion, if the applicant cannot guarantee the safety of the path users during the construction phase then they must apply to the PROW department on 08000 514514 or highways@gloucestershire.gov.uk to arrange a temporary closure of the right of way for the duration of any works.



NOTES

- Application boundary
- Land also under client ownership
- © Crown copyright and database rights [2021]
Ordnance Survey 0100031673.



| REV | NOTES | DATE |
|----------------|-----------------------------------|---------|
| | Moreton-in-Marsh Location Plan | JH / DC |
| 210303 L 01 01 | 1:2500 @ A3 | June 21 |

CliftonEmerydesign

Heron House, 84 Longhouse Street, Devon, EX4 6AP
T: 01392 38888 W: www.cliftonemerydesign.co.uk E: mail@cliftonemerydesign.co.uk

DRAWING STATUS: PLANNING

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Above: Indicative site layout.



- A** Evenlode Road
- B** Evenlode Gardens
- C** Council depot
- D** Cotswold Business Park
- Important buildings
- * Corner turning buildings
- Retained PRoW
- Active frontages
- 1 Entrance space
- 2 Village green
- 3 Central green
- 4 Main open space



| REV | NOTES | DATE |
|-------------|--|-----------------|
| | MORETON-IN-MARSH Village Green Visual | - |
| 2-0303 Y 01 | N/A@A3 | KC/DC JUL 21 |

CliftonEmerydesign

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 T: 02047 881665 W: www.cliftonemerydesign.co.uk M: 07525010000@cliftonemerydesign.co.uk

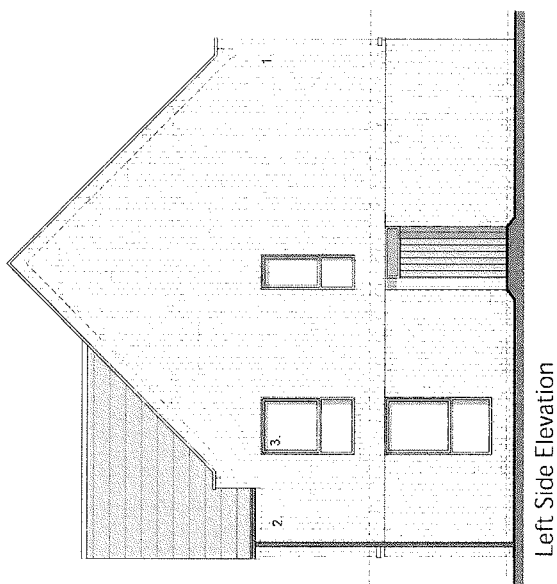
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HT Apartments - OPP
(Affordable)

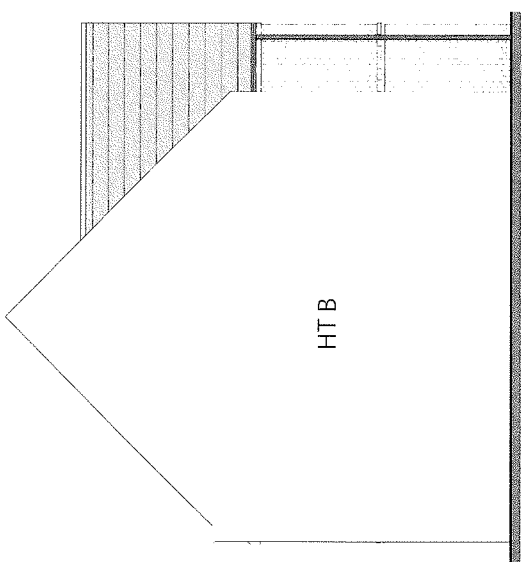
Area:
GF x 50 sqm [538 sqft]
FF x 58.8 sqm [633 sqft]

Materials key:

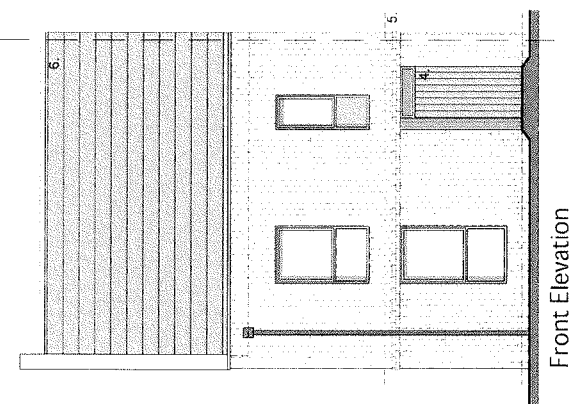
1. Brick (colour/mix tbc)
2. Galvanised rainwater goods
3. Aluminium flush casement windows (RAL 7035)
4. Painted composite boarded door
5. Central projecting double course brick banding
6. Artificial Stone Tile



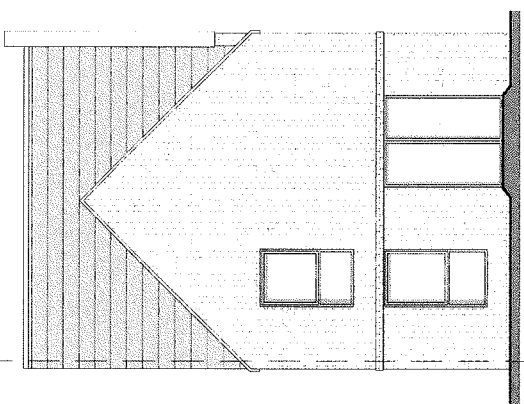
Left Side Elevation



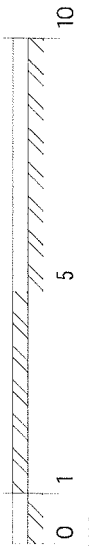
Right Side Elevation



Front Elevation



Rear Elevation



| REV | NOTES | DATE |
|-----|---|----------|
| | MORETON-IN-MARSH HT A - ELEVATIONS (OPP) | |
| | 210303 HT A.02.02 | 1:100@A3 |
| | | JULY 21 |

CliftonEmerydesign

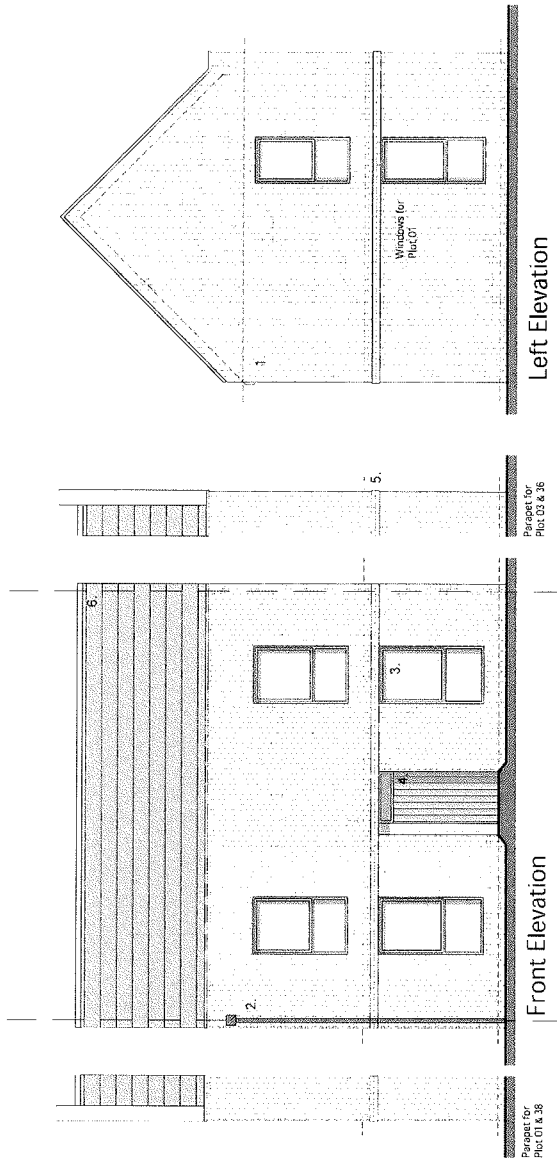
Moreton-in-Marsh, Oxfordshire, UK
 T 01993 444665 W www.cliftonemerydesign.co.uk M 07493 600000
 DRAWING STATUS: Planning REFERENCE: AD1 538 / 632

HTC (Affordable)

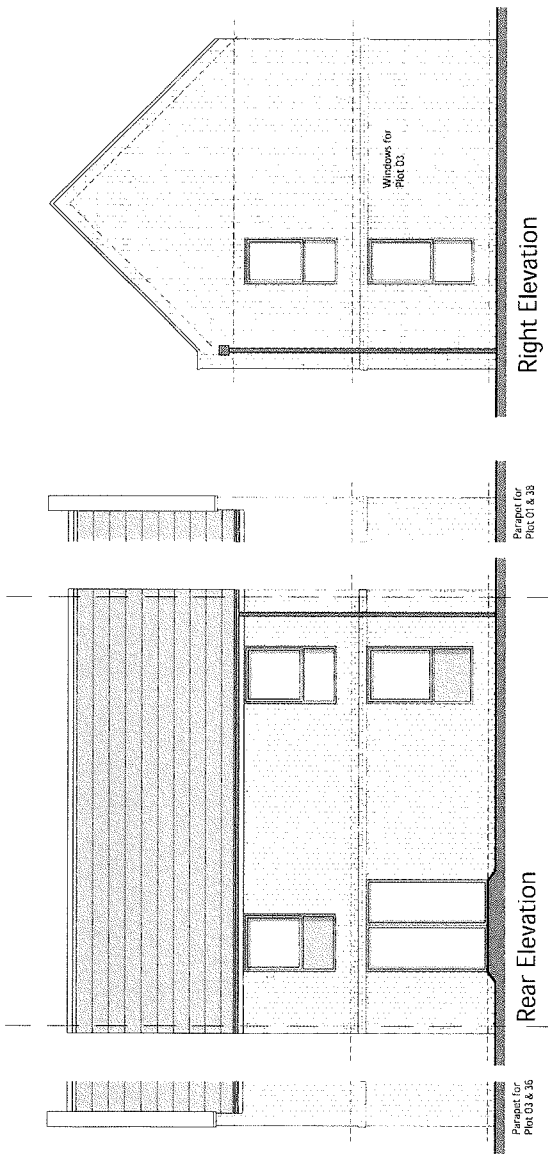
Area: 93.8 sqm
1009 sqft

Materials key:

1. Brick (colour/mix tbc)
2. Galvanised rainwater goods
3. Aluminium flush casement windows. (RAL 7035)
4. Painted composite boarded door
5. Central projecting double course brick banding
6. Artificial Stone Tile



Left Elevation



Right Elevation

B Planning Submission AL/MC 01/07/2021

| REV | NOTES | DATE |
|-------------------|---------------------------------------|--------------------|
| | MORETON-IN-MARSH HT C - ELEVATIONS | B AL/MC |
| 210303 HT C 02 01 | | 1:100@A3 MAY 21 |

CliftonEmerydesign

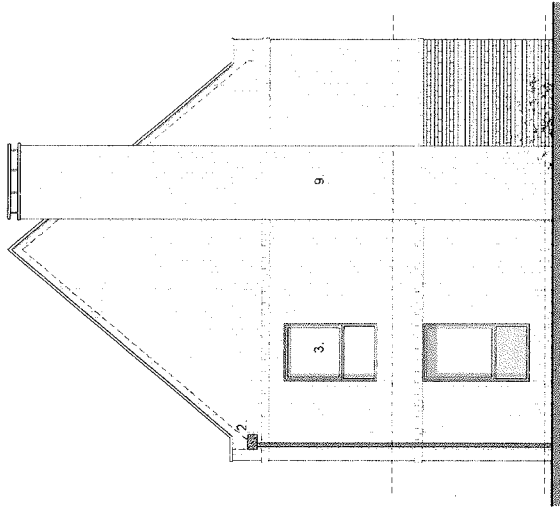
Home Office, 88 Liverpool Street, Essex, Southend-on-Sea, SSO 1 2AB
1: 01322 90886, W: www.cliftonemerydesign.co.uk
DRAWING STATUS: Planning REFERENCE: AD11009

HT H (AS)

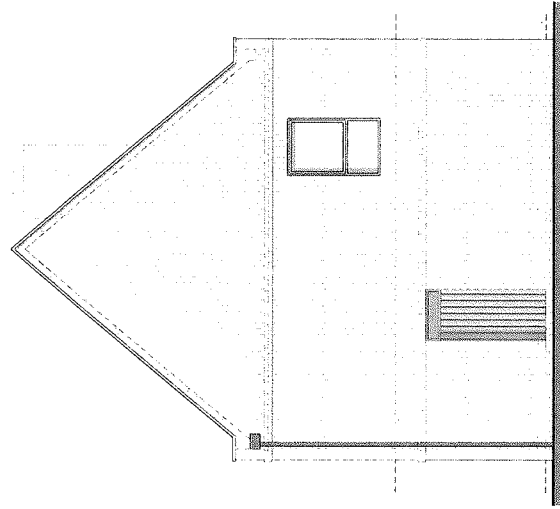
Area: 190 sqm
2044 sqft

Materials key:

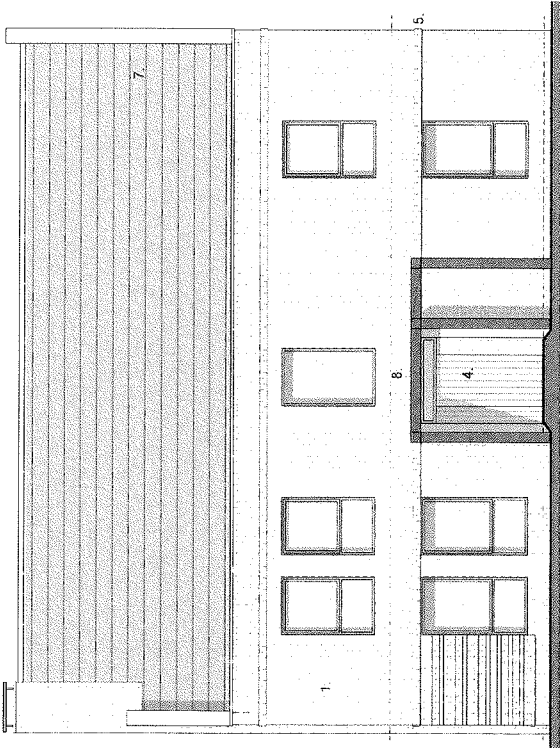
1. Brick (colour/mix tbc)
2. Galvanised rainwater goods
3. Aluminium flush casement windows. (RAL 7035)
4. Painted composite door with glass insert
5. Painted composite door with glass insert and brick banding
6. Stepped projecting brick detail
7. Artificial stone tile
8. External Flat roof Portico
9. Chimney



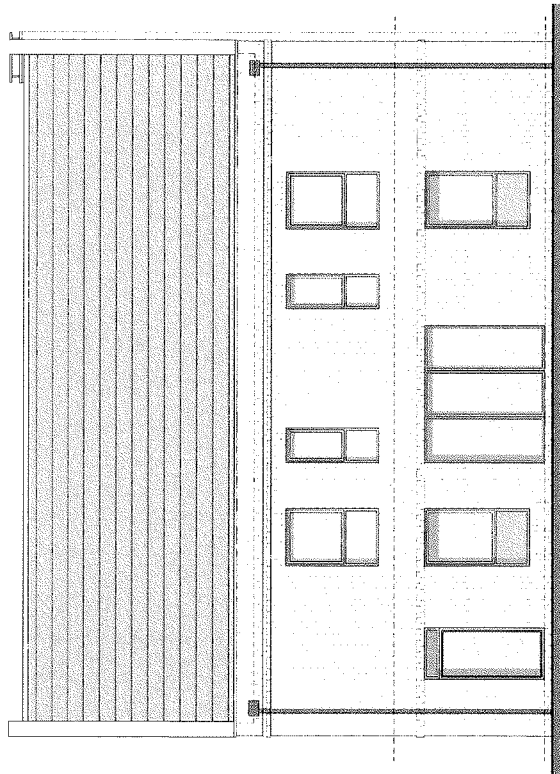
Left Side Elevation



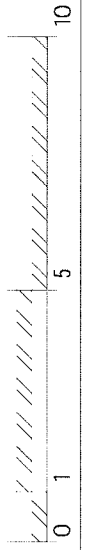
Right Side Elevation



Front Elevation



Rear Elevation



| | | | |
|-----|------------------------|----------|------------|
| A | Planning Submission | AJMC | 01/07/2021 |
| REV | NOTES | | DATE |
| | MORETON-IN-MARSH | | A |
| | HT H - ELEVATIONS (AS) | | JHMC |
| | 21/03/03 HT H 02 01 | 1:100@A3 | JUNE 21 |

CliftonEmerydesign

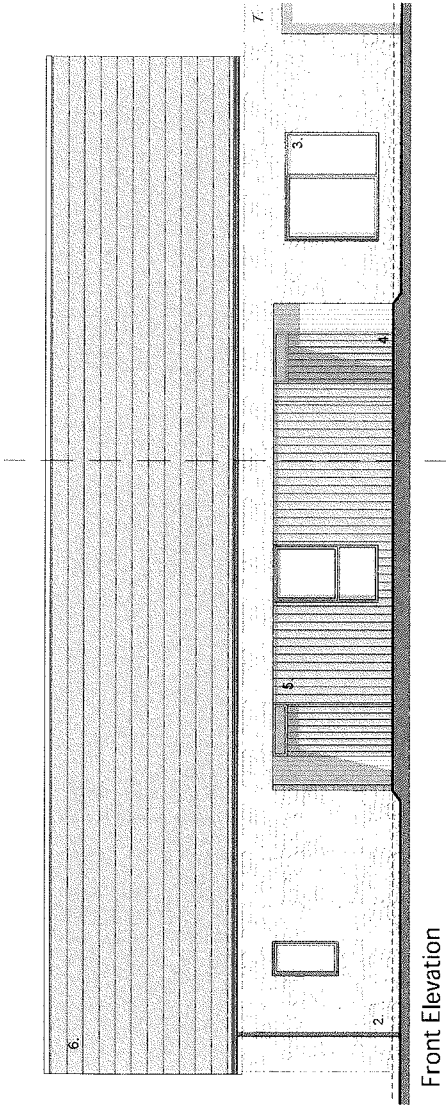
Home Office, 84 Liverpool Street, Fenchurch, Essex, UK
T: 01802 38888 W: www.cliftonemerydesign.co.uk M: 07800 000000
DRAWING STATUS: PLANNING REFERENCE: TDS 2044

HT D (T1)
Affordable

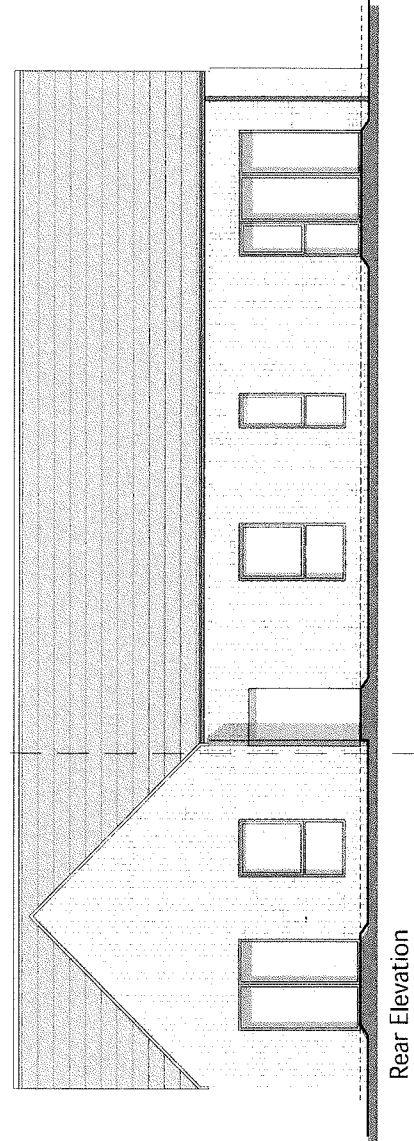
Area: 63.6 sqm
685 sqft

HT D (T2)
Affordable

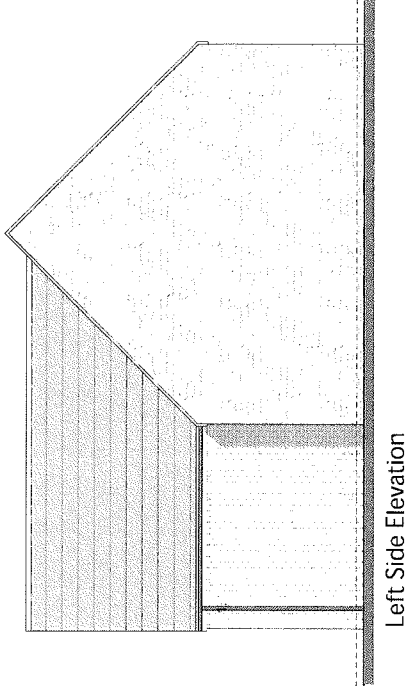
Area: 74.7 sqm
804 sqft



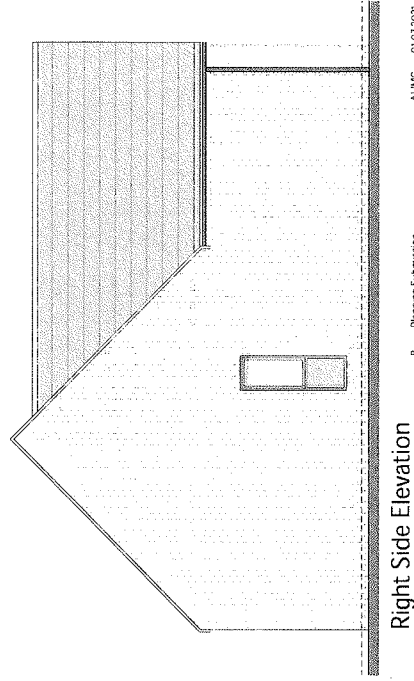
Front Elevation



Rear Elevation



Left Side Elevation



Right Side Elevation

Materials key:

1. Brick (Colour/mix tbc)
2. Galvanised rainwater goods
3. Aluminium flush casement windows. (RAL 7035)
4. Painted composite boarded door
5. Timber Cladding
6. Artificial Stone Tile
7. Natural Stone Walling

B Planning Submission A/IMC 01/07/2021

| | | |
|-----|------|---|
| REV | DATE | DESCRIPTION |
| B | | MORETON-IN-MARSH HT D - ELEVATIONS HT D (PLOTS 45 & 46) |
| | | A/IMC |
| | | 210303 HT D 02 01 |
| | | 1:100@A3 |
| | | MAY 21 |

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T: 01992 388664 W: www.cliftonemerydesign.co.uk

DRAWING STATUS: Planning REFERENCE: AD102/688604

NOTES

Affordable units

House Types:

- HT A
- HT B
- HT C
- HT D
- HT E (T1)
- HT E (T2)
- HT F
- HT G (T1)
- HT G (T2)
- HT H

House Types

0. Review for main site layout Rev A8
 1. 10/21/21
 2. 11/1/21
 3. 1/20/22
 4. 6/21/21

Moncton-Miracost
 Proposed House Types
 20003 LOT 03
 1:5000/01
 June 21

CliftonEmerydesign

1000-10000
 1. 10/21/21
 2. 11/1/21
 3. 1/20/22
 4. 6/21/21

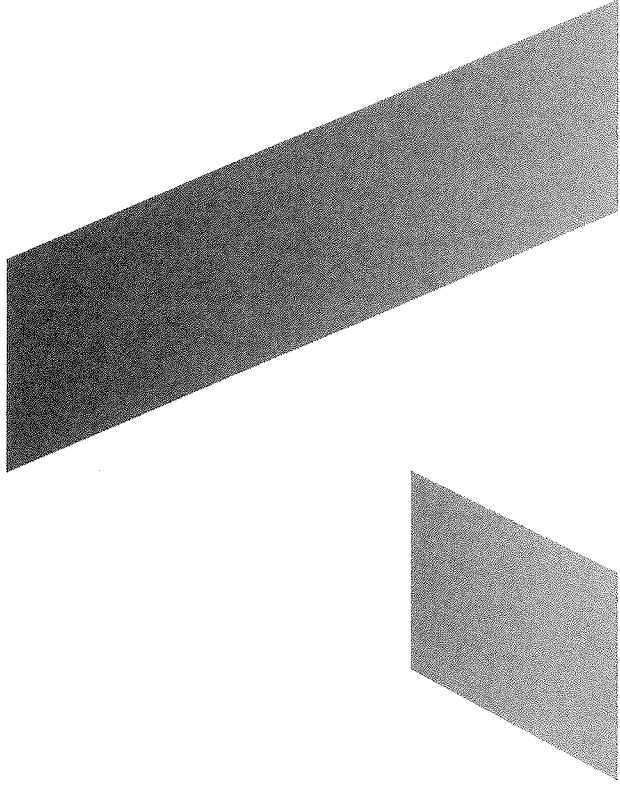


Moreton-in-Marsh Backhouse Housing

Energy and Sustainability Statement

AES Sustainability Consultants Ltd

September 2021



| | Author | Date | E-mail address |
|--------------|---------------|----------|---------------------------|
| Produced By: | Kieran Davies | 23.09.21 | Kieran.Davies@aessc.co.uk |
| Reviewed By: | Alice Gent | 23.09.21 | Alice.Gent@aessc.co.uk |

| Revision | Author | Date | Comment |
|---------------|---------------|----------|-------------------------|
| Initial Issue | Kieran Davies | 23.09.21 | Initial Issue |
| Rev 1 | Kieran Davies | 28.09.21 | Amended energy strategy |
| Rev 2 | Kieran Davies | 18.10.21 | Amended energy strategy |

This statement has been commissioned by Backhouse (Moreton in Marsh) Limited to detail the proposed approach to sustainable construction to be employed at Moreton-in-Marsh. It should be noted that the details presented, including the proposed specifications, are subject to change as the detailed design of the dwellings progresses, whilst ensuring that the overall commitments will be achieved.

Energy and Sustainability Statement
Moreton-in-Marsh
September 2021

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1. Introduction

Preface

- 1.1. Written by AES Sustainability Consultants Ltd on behalf of Backhouse (Moreton in Marsh) Limited, this statement has been prepared in support of the application for development of the site at Evenlode Road, Moreton-in-Marsh.

Development Description

- 1.2. The development site is located on the south-eastern side of Moreton-in-Marsh, a town situated in the Cotswold District Council area.
- 1.3. Outline planning permission was granted subject to conditions in February 2020 (ref: 19/00086/OUT) for:
"Erection of 67 dwellings, open space, and landscaping (Outline application) at land to the East of Evenlode Road, Moreton-In-Marsh, Gloucestershire."
- 1.4. The proposals would deliver 67 dwellings, across a mix of one to five bed detached, semi-detached, terraced houses and maisonettes. The proposed site layout is shown in Figure 1.

Purpose and Scope of the Statement

- 1.5. The statement has been prepared to address relevant national and local policies relating to sustainable development, including the Cotswold District Council Local Plan Design Code. Moreover, in response to Cotswold District Council's climate emergency declaration in July 2019, Backhouse have expressed a desire to deliver sustainable, energy efficient dwellings that will achieve significant CO₂ emissions savings beyond Part L 2021 of the Building Regulations.
- 1.6. The statement demonstrates that, following a fabric first approach in conjunction with low carbon energy systems, the development will achieve a 56% reduction in CO₂ emissions compared to the requirements of the interim Part L 2021 of the Building Regulations.



Figure 1. Proposed Site Layout

2. Planning Policy

Current and Future National Policy Standards

- 2.1 Government policy in relation to the energy performance of buildings has been evolving over the past decade, following government commitments to reduce the emission of greenhouse gases – particularly CO₂. This obligation was enshrined in the Climate Change Act 2008, which commits the UK to achieving a mandatory 80% reduction in the UK's CO₂ emissions by 2050, compared with 1990 levels.
- 2.2 In 2016, the UK government ratified the Paris Agreement, which provides a framework for governments to pursue the target of limiting global warming below 2°C.
- 2.3 In June 2019, the Government announced it had set a new net zero greenhouse gas emission target for the UK by 2050, compared with the previous target of at least 80% reduction from 1990 levels.
- 2.4 The built environment has a key role to play in delivering on these international commitments, as it accounts for approximately a third of overall CO₂ emissions. These commitments have been translated into national policies within the built environment driven by, amongst other mechanisms, the EU Energy Performance of Buildings Directive and the 2012 Energy Efficiency Directive.
- 2.5 Following the introduction of the 2013 edition of Building Regulations Part L, the successive updates now require regulated CO₂ emissions levels from new build domestic buildings to be approximately 30% lower than 2006 levels.
- 2.6 The Government proposes that the Building Regulations are the appropriate mechanism to drive future standards with respect to energy consumption, with local authorities able to apply the optional requirements of the national technical standards with respect to water consumption and space.
- 2.7 In January 2021 the Government released its response to the consultation for the Future Homes Standard, confirming the standards and compliance metrics to be adopted as part of the changes to Approved Document L1A. This was released in response to the new UK law which targets to bring all greenhouse gas emissions to net zero by 2050.
- 2.8 These changes will be regulated in December 2021 to come into effect in June 2022 and will require new homes to reduce their carbon emissions by 31% over current levels. This is considered an appropriate interim step prior to the introduction of the Future Homes Standard in 2025.

National Planning Policy Framework

- 2.9. On the 20th July 2021, the Government published the revised National Planning Policy Framework (NPPF), which sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development
- 2.10. Chapter 14 of the NPPF outlines its energy and climate change policies. New development should be planned in ways that:
 - avoid increased vulnerability to the range of impacts arising from climate change...
 - can help to reduce greenhouse emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.
- 2.11. In determining planning applications, local planning authorities should expect new developments to:
 - comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable
 - take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 2.12. This chapter also outlines the requirement of Local Plans to take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. The key focus of the NPPF is to support local and regional planning authorities.

Local Planning Policy & Conditions

- 2.13. The development will additionally be required to address relevant planning policy contained within the Cotswold District Council Local Plan, adopted in August 2018. This statement is principally concerned with sustainable construction, energy use and CO₂ emissions, therefore the relevant policy is the Sustainable Design section (D.59 – D.62) of the Cotswold Design Code, which should be read in conjunction with 'Policy EN2: Design of the Built and Natural Environment', as extracted below:

Cotswold Design Code: Sustainable Construction

D.59 There is now a greater awareness of the need to ensure that developments are sustainable in their design and construction. The potential impacts of climate change can be addressed through a variety of means, from the incorporation of better insulation and renewable energy technologies, to adaptations for severe weather events, and the use of local and recycled building materials. Re-use of existing buildings is also often more environmentally sustainable than demolition and new build.

D.60 Elements of sustainable construction can be applied through retrofit, by altering existing buildings, and as part of new build developments. Many aspects of sustainable design need to be considered at the onset of site planning to ensure that they can be achieved, for example the use of building orientation to maximise passive solar gain or sustainable drainage systems (SuDS).

D.61 Other issues are controlled via the Building Control system, but property owners and developers are encouraged to exceed the requirements of those regulations. Detailed guidance on sustainable design is not provided within this Code as there is sufficient guidance provided elsewhere, for example, in the PPG and from Historic England.

D.62 Sustainable design needs to be responsive to the character of the area and the sensitivities of the site. For example a careful and sympathetic approach is required when dealing with listed buildings, and buildings in conservation areas or other sensitive historic or landscape settings, including the Area of Outstanding Natural Beauty. Some measures may be more appropriate in certain contexts than others.

- 2.14. Following Cotswold District Councils declaration of a climate emergency in July 2019, housing developers have been encouraged to consider the design guidance outlined in the 'Net Zero Carbon Toolkit': a design guide commissioned by the Forest of Dean, Cotswold and West Oxfordshire District Councils. While adherence to the targets outlined in the Net Zero Carbon Toolkit isn't part of the council's adopted policy, Backhouse are committed to delivering energy efficient, low-carbon dwellings, and are proposing an energy strategy that incorporates some key features of the design guidance.

- 2.15. In accordance with Policy INF3 of the Cotswold District Council Local Plan, and Section 9 of the National Planning Policy Framework, Condition 12 of the decision notice (ref: 19/00086/OUT) states:

"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."

Proposed Policy Response

- 2.16. This statement is intended to establish the proposed approach to sustainable construction and energy demand reduction to be delivered at the development.
- 2.17. It is proposed that the development is designed to incorporate all guidance contained within Policy EN2 and the Cotswold Design Code in relation to sustainable design and construction of dwellings.
- 2.18. The proposed dwellings will be constructed following a fabric first approach to reduce energy demand, incorporating high standards of thermal insulation, airtightness and thermal bridging, together with efficient heating and lighting systems, including the incorporation of Air Source Heat Pumps for space and water heating.
- 2.19. In accordance with the Net Zero Carbon Toolkit, Air Source Heat Pumps will be installed in all dwellings in order to significantly reduce their energy use intensity (EUI). The statement will demonstrate that a 56.49% reduction in CO₂ emissions from the interim Part L1A 2021 Building Regulations baseline will be achieved.
- 2.20. Backhouse Housing, in conjunction with a specialist consultant and contractor, will install a 7kW EV charger to all dwellings at this development.
- 2.21. The following sections of this statement set out the sustainable design considerations which will be applied to the dwellings in order to deliver low energy, comfortable and affordable housing.

3. Baseline CO₂ Emissions

- 3.1. In light of the climate emergency declaration made by Cotswold District Council in July 2019, this report proposes a sustainable construction approach that meets, and significantly exceeds, the carbon emissions target set out in the interim Part L 2021 regulations.
- 3.2. Part L compliance is assessed through the Standard Assessment Procedure (SAP), which uses the 'Target Emission Rate' (TER) - expressed in kilograms CO₂ per metre squared of total useful floor area, per annum - as the benchmark. The calculated performance of the dwelling as designed - the Dwelling Emission Rate (DER) - is required to be lower than this benchmark level.
- 3.3. Calculations have been undertaken to a representative sample of dwelling types proposed to assess the carbon emissions of the development and build a representative site model to establish the CO₂ reduction beyond the interim Part L 2021. The Part L compliant carbon emissions for a range of dwelling types are reported in Table 1.

Table 1. Part L compliant regulated CO₂ emissions

| House Type | Target CO ₂ emissions (kgCO ₂ /yr) - Part L 2021 |
|-------------------------------|--|
| HT B End (2 bed end terrace) | 953 |
| HT B Mid (2 bed mid terrace) | 849 |
| HT C End (3 bed end terrace) | 1,063 |
| HT C Mid (3 bed mid terrace) | 988 |
| HT E(TT) Det (3 bed detached) | 1,261 |
| HT F Det (4 bed detached) | 1,496 |
| HT G(TT) Det (4 bed detached) | 1,607 |
| HT H Det (5 bed detached) | 1,906 |

- 3.4. The site-wide Part L compliant CO₂ emissions based on these calculations are shown in Table 2.

Table 2. Site-wide Part L compliant CO₂ Emissions

| Site-wide CO ₂ emissions (kgCO ₂ /Year) | |
|---|--------|
| Part L 2021 Compliant | 86,557 |

4. Energy Reduction Strategy – Fabric First

- 4.1. The proposed construction specification and sustainable design principles to be applied to the development will ensure that each dwelling meets the CO₂ reductions mandated by Part L1A of the Building Regulations through fabric measures alone.
- 4.2. It is proposed that the energy reduction strategy for the development incorporates further improvements beyond a Part L compliant specification and initially concentrates finance and efforts on reducing energy demand as the first stage of the Energy Hierarchy (Figure 2).

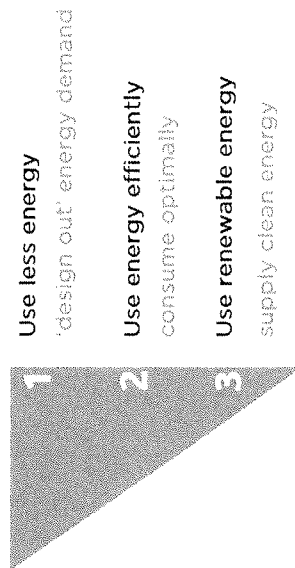


Figure 2. The Energy Hierarchy

Use less energy

- 4.3. The design of a development - from the masterplan to individual building design - will assist in reducing energy demand in a variety of ways, with a focus on minimising heating, cooling and lighting loads. Key considerations include:
- Building orientation - maximise passive solar gain and daylight
 - Building placement - control overshadowing and wind sheltering
 - Landscaping - control daylight, glare and mitigate heat island effects
 - Building design - minimise energy demand through fabric specification

¹ Zero Carbon Hub, Zero Carbon Strategies for tomorrow's new homes, Feb 2013.

Use energy efficiently

- 4.4. The design and specification of building services to utilise energy efficiently is the next stage of the hierarchy, taking into account:
- High efficiency heating and cooling systems
 - Ventilation systems (with heat recovery where applicable)
 - Low energy lighting
 - High efficiency appliances and ancillary equipment

Use low carbon / renewable energy

- 4.5. Low carbon and renewable energy systems form the final stage of the energy hierarchy, and can be used to directly supply energy to buildings, or offset energy carbon emissions arising from unavoidable demand. This may be in the form of:
- Low carbon fuel sources - eg, biomass
 - Heat pump technologies
 - Building scale renewable energy systems
 - Small-scale heat networks
 - Development-scale heat networks
- 4.6. As this hierarchy demonstrates, designing out energy use should be weighted more highly than the generation of low-carbon or renewable energy to offset unnecessary demand. Applied to the development of new housing, this approach is referred to as 'fabric first' and concentrates finance and efforts on improving U-values, reducing thermal bridging, improving airtightness, and installing energy efficient ventilation and heating services.
- 4.7. This approach has been widely supported by industry and government, with the Zero Carbon Hub and Energy Saving Trust² having both stressed the importance of prioritising energy demand as a key factor in delivering resilient, low energy homes.

² Energy Saving Trust, Fabric first: Focus on fabric and services improvements to increase energy performance in new homes, 2010

4.8. The benefits to prospective homeowners of following the Fabric First approach are summarised in Table 3.

Table 3. Benefits of the Fabric First approach

| | Fabric energy efficiency measures | Build-on renewable energy technologies |
|---|-----------------------------------|--|
| Energy/CO ₂ fuel bill savings applied to all dwellings | ✓ | x |
| Savings built-in for life of dwelling | ✓ | x |
| Highly cost-effective | ✓ | x |
| Increases thermal comfort | ✓ | x |
| Potential to promote energy conservation | ✓ | ✓ |
| Minimal ongoing maintenance / replacement costs | ✓ | x |
| Significant disruption to retrofit post-occupation | ✓ | x |

Building Regulations standards – Fabric Energy Efficiency

- 4.9. In addition to the CO₂ reduction targets, the importance of energy demand reduction was further supported by the introduction of a minimum fabric standard into Part L1A 2013 based on energy use for heating and cooling a dwelling. This is referred to as the Target Fabric Energy Efficiency (TFEE), and expressed in kWh/m²/year.
- 4.10. This standard enables the decoupling of energy use from CO₂ emissions and serves as an acknowledgement of the importance of reducing demand, rather than simply offsetting CO₂ emissions through low carbon or renewable energy technologies.
- 4.11. The TFEE is calculated based on the specific dwelling being assessed with reference values for the fabric elements contained within Approved Document L1A. These reference values are described as 'statutory guidance' as opposed to mandatory requirements, allowing full flexibility in design approach and balances between different aspects of dwelling energy performance to be struck so that the ultimate goal of achieving the TFEE is met.

4.12. The government response to the 2019 Future Homes Standard consultation confirmed that the FEES metric will be retained and will form part of the interim Part L 2021 standards. It has not yet been decided whether the FEES metric in the interim Part L 2021 will be more stringent than in Part L 2013, or whether it will remain the same. In response to the 2019 Future Homes Standard consultation, the government stated that there is 'scope to introduce a more stringent target'⁴ in light of this. Backhouse are proposing a fabric specification that meets the more stringent of the two TFEE targets in the Elmhurst SAP 10 Beta software v.1.03r03. The proposed approach and indicative construction specifications are set out in the following sections of this Strategy.

Improved fabric specification

4.13. In order to ensure that the energy demand of the development is reduced, the dwellings should be designed to minimise heat loss through the fabric wherever possible. Table 4 details a potential design fabric specification of the major building elements, with the first column in this table setting out the Part L 2021 limiting fabric parameters in order to demonstrate the improvements made.

Table 4. Construction specification – main elements

| | Part L1a Limiting Fabric Parameters | Potential Design Specification |
|-------------------------|--|--|
| External wall – u-value | 0.26 W/m ² K | 0.23 W/m ² K |
| Party wall – u-value | 0.20 W/m ² K | 0.00 W/m ² K |
| Plane roof – u-value | 0.16 W/m ² K | 0.11 W/m ² K |
| Ground floor – u-value | 0.18 W/m ² K | 0.10-0.12 W/m ² K |
| Windows – u-value | 1.60 W/m ² K | 1.30 W/m ² K |
| Doors – u-value | 1.60 W/m ² K | 1.30 W/m ² K |
| Air Permeability | 8.00 m ³ /h.m ² at 50 Pa | 5.00 m ³ /h.m ² at 50 Pa |
| Thermal Bridging | Y = 0.150 (default) | Y = 0.050 (calculated) |

⁴ MHCLG, The Future Homes Standard: 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings, Jan 2021.

Thermal bridging

- 4.14. The significance of thermal bridging as a potentially major source of fabric heat losses is increasingly understood. Improving the U-values for the main building fabric without accurately addressing the thermal bridging will not achieve the desired energy reduction targets.
- 4.15. The specification should seek to minimise unnecessary bridging of the insulation layers, with avoidable heat loss therefore being reduced wherever possible. Accurate calculation of these heat losses forms an integral part of the SAP calculations undertaken to establish energy demand of the dwellings, and as such high-performance industry-calculated construction details will be used to assess key thermal bridges. Alternatively, thermal modelling could be undertaken to assess the performance of all main building junctions following detailed design.

Air leakage

- 4.16. After conductive heat losses through building elements are reduced, convective losses through draughts are the next major source of energy wastage. The proposal adopts an airtightness standard of 5.0 m³/m²@50Pa, with pressure testing of all dwellings to be undertaken on completion to confirm that the design figure has been met.

Passive design measures and overheating risk mitigation

- 4.17. Glazing should be specified with a solar transmittance value (g-value) to strike the balance between useful solar gain in the winter and unwanted solar gain in the summer. Under Backhouse's proposed specification, no house types show a high risk of overheating when assessed under criterion 3 of Approved Document L1a 2013.
- 4.18. Due to these measures to reduce internal heat gain, natural ventilation provided through window openings and the opportunity for cross ventilation will allow sufficient air exchange rates to purge any heat build-up. Active cooling systems are therefore not proposed.
- 4.19. The development is therefore designed to build in resilience to a potentially changing climate over the lifetime of the buildings and minimise overheating risk, which can be exacerbated by the drive to build better insulated, more airtight homes if not considered within the design and construction process.

Low Carbon Heating Systems

- 4.20. All dwellings will incorporate low carbon heating systems in the form of air source heat pumps, which provide heat using the reverse vapour compression refrigeration cycle. Air source heat pumps are a highly efficient way of providing heat using electricity, with manufacturers reporting efficiencies from 250%.

5. As-designed performance

- 5.1. Through following the strategy described, the dwellings will significantly reduce energy demand and consequent CO₂ emissions beyond a Part L 2021 compliant level of performance.
- 5.2. SAP calculations have been undertaken on a sample of the proposed dwelling types to provide an overview of the typical as-designed energy performance, in comparison with Part L 2021 standards. The results of these calculations are shown in Tables 5 & 6.

Table 5. Regulated CO₂ emissions As-designed Performance (Part L 2021)

| House Type | As-Designed CO ₂ emissions (kgCO ₂ /yr) | Target CO ₂ emissions (kgCO ₂ /yr) |
|--------------------------------|---|--|
| HT B End (2 bed end-terrace) | 435 | 953 |
| HT B Mid (2 bed mid-terrace) | 414 | 849 |
| HT C End (3 bed end-terrace) | 479 | 1,063 |
| HT C Mid (3 bed mid-terrace) | 460 | 988 |
| HT E (TT) Det (3 bed detached) | 547 | 1,261 |
| HT F Det (4 bed detached) | 640 | 1,496 |
| HT G (TT) Det (4 bed detached) | 684 | 1,607 |
| HT H Det (5 bed detached) | 768 | 1,906 |

- 5.3. Table 6 demonstrates the site-wide savings over and above the Part L 2021 compliant baseline that will be delivered.

Table 6. Site-wide CO₂ Emissions As-designed Performance

| | CO ₂ emissions (kgCO ₂ /yr) |
|--|---|
| Part L 2021 compliant | 86,557 |
| After fabric measures and ASHPs (2021) | 37,664 |
| Total site-wide savings (2021) | 48,893 |
| | % |
| | 56.49 |

- 5.4. Table 6 demonstrates that the predicted CO₂ emissions for the development are estimated to be 56.49% below the target emissions required for compliance with the interim Part L 2021. The significant reduction is achieved via a two-step process: fabric energy efficiency measures reduce energy demand; then Air Source Heat Pumps deliver the energy efficiently, using grid electricity with a low carbon factor.
- 5.5. The installation of Air Source Heat Pumps is an effective way to future proof the development to ensure that it is zero carbon ready. Over time, as the national grid decarbonises, the carbon intensity of the Air Source Heat Pumps will decrease alongside this.
- 5.6. Through a combination of fabric energy efficiency measures and Air Source Heat Pumps, the development achieves an average Energy Use Intensity of 58.54 kWh/m²/yr. According to the Net Zero Carbon Toolkit, a typical terraced dwelling built to the current Building Regulations has an Energy Use Intensity of 100 kWh/m²/yr⁴. This is equivalent to an energy saving of 41.46%
- 5.7. With the current fabric specification that Backhouse are proposing, the average space heating demand of the development is 40.79 kWh/m²/yr. According to the Net Zero Carbon Toolkit, a typical terraced dwelling built to the current Building Regulations has a Space Heating Demand of 70 kWh/m²/yr⁴. This is equivalent to an energy saving of 41.73%.

⁴ Levitt Bernstein, Elementa, Passivhaus Trust and Etude, Net Zero Carbon Toolkit, July 2021

5.8. Backhouse Housing, in conjunction with a specialist consultant and contractor, will be offering in-roof PV panels as a customer option. Adoption of supplementary PV panels would accelerate the transition of the development from being zero carbon ready to being net zero carbon.

5.9. Table 7 indicates the PV capacity that will be offered as a sales option for each house type at Moreton in Marsh.

Table 7. PV capacities for each house type at the development.

| House Type | Number of Plots | PV Capacity per Plot (kWp) |
|------------|-----------------|----------------------------|
| HT A | 8 | 0.74 |
| HT B | 11 | 2.92 |
| HT C | 6 | 2.19 |
| HT D | 2 | 8.03 |
| HT E | 11 | 3.65 |
| HT F | 11 | 5.11 |
| HT G (T1) | 9 | 5.11 |
| HT G (T2) | 4 | 4.38 |
| HT H | 5 | 4.38 |

5.10. If all customers were to opt for the in-roof PV panels as outlined in Table 7, the development would achieve an estimated CO₂ reduction of 88.44% compared to the interim Part L 2021 standard.

6. Electric Vehicle Charging

- 6.1. It is recognised that there is a need to ensure that the development is adaptable to accommodate a future shift in personal transportation to electric vehicles, to promote sustainable transport and to minimise air pollution. As Electric Vehicle (EV) ownership increases, developers have an increasing responsibility to provide EV charging points for occupants.
- 6.2. Condition 12 of the decision notice from Cotswold District Council (ref: 19/00086/OUT) states:

"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."
- 6.3. Backhouse Housing, in conjunction with a specialist consultant and contractor, will install a 7kW EV charger to all dwellings at this development. In dwellings where the occupier chooses to install PV panels, these can be connected directly to the chargers, allowing the occupier to maximise self-consumption of the solar energy.

7. Resource Efficiency and Sustainable Design Principles

- 7.1. This section sets out details of additional resource efficiency and sustainable design principles to be applied at the development.

Materials

- 7.2. The impacts of construction materials range from the depletion of natural resources to the greenhouse gas emissions and water use associated with their manufacture and installation.
- 7.3. Within the development choices will be made in order to reduce the consumption of primary resources and using materials with fewer negative impacts on the environment, including but not limited to the following:
- Use fewer resources and less energy through designing buildings more efficiently.
 - Specify and select materials and products that strike a responsible balance between social, economic and environmental factors.
 - Incorporate recycled content, use resource-efficient products and give due consideration to end-of-life uses.
 - Influence, specify and source increasing amounts of materials which can be reused and consider future deconstruction and recovery.

Waste

- 7.4. Sending waste to landfill has various environmental impacts, such as the release of local pollution, ecological degradation and methane emissions, in addition to exacerbating resource depletion. Waste in housing comes from two main streams: construction waste and domestic waste during occupation.

Household Waste

- 7.5. In this respect regard has been given to the policy advice contained in the NPPF together with the Council's current strategy in terms of waste and recycling to ensure that the new dwellings are provided with adequate storage facilities for both waste and recyclable materials.
- 7.6. Cotswold District Council currently operate a household collection service through which households are able to recycle materials including paper and cardboard, plastic bottles, tins, glasses and metal foils, along with a separate collection for garden waste. Future

occupiers of the dwellings will be provided with an information pack detailing the Council's current collection arrangements for waste and recycling and advising of the nearest recycling centres to the Application site.

Construction Waste

- 7.7. The development will additionally be designed to effectively and appropriately monitor and manage construction site waste. Target benchmarks for resource efficiency will be set in accordance with best practice - e.g. m³ of waste per 100m² / tonnes waste per m².
- 7.8. Appropriate waste storage facilities will be provided for the operational phase of the development and a Site Waste Management Plan will be developed and implemented during construction.
- 7.9. Wherever possible materials will be diverted from landfill through re-use on site, reclamation for re-use, returned to the supplier where a 'take-back' scheme is in place or recovered and recycled using an approved waste management contractor. A target to divert 85% by weight/volume of non-hazardous construction waste will be applied.

Water

- 7.10. In line with current Building Regulations, water use will be managed effectively throughout the development through the incorporation of appropriate efficiency measures.
- 7.11. Water efficiency measures including the use of efficient dual flush WCs, low flow showers and taps and appropriately sized baths will be encouraged with the aim to limit the use of water during the operation of the development to limit water use.

8. Conclusions

- 8.1. This Energy and Sustainability Statement has been prepared by AES Sustainability Consultants on behalf of Backhouse (Moreton in Marsh) Limited to detail the proposed approach to sustainable construction to be employed at Everlode Rode, Moreton-in-Marsh. The development site is located on the South-Eastern edge of Moreton-in-Marsh, a town situated within the Cotswold District Council area.
- 8.2. The statement has been prepared to address relevant national and local policies relating to sustainable development, including policies within the Cotswold District Council Local Plan, adopted in August 2018.
- 8.3. In light of Cotswold District Council's climate emergency declaration in July 2019, Backhouse are proposing an energy strategy that will deliver energy efficient dwellings that incorporate low-carbon heating technologies. The statement demonstrates that, following a fabric first approach to demand reduction, the proposed development will deliver a level of energy performance beyond the interim Part L 2021 standards.
- 8.4. Improvements in insulation specification, efficient building services, a reduction in thermal bridging and unwanted air leakage paths and further passive design measures will enable the relevant standards to be met.
- 8.5. The development will avoid the combustion of fossil fuels on site and incorporate air source heat pumps to all dwellings. Through this approach, a site-wide CO₂ emissions reduction of 56.49% beyond the interim Part L 2021 is anticipated.
- 8.6. Backhouse Housing, in conjunction with a specialist consultant and contractor, will offer in-roof PV panels as a customer option. The installation of PV panels would supplement the ASHPs, allowing the development to accelerate its transition towards net zero carbon as the national grid decarbonises.
- 8.7. A range of further sustainability measures have also been addressed, including waste, water use and electric vehicle charging. Occupiers who opt for PV panels will also have the option to connect their array directly to their EV charger, maximising the self-consumption of solar energy.

Moreton-in-Marsh Sustainability/ fabric spec.



- ① External Wall: Plasterboard on dabs; 100mm Topcrete Solid 73N block; 125mm Eco bead insulation; Brick
- ② Plane Ceiling (End and Detached units): Plasterboard, 100mm loft roll between joists; 400mm loft roll cross-laid above
- ③ Ground Floor: Jetfloor with 150mm platinum EPS overlay sheet and 150mm platinum EPS in-fill blocks between beams
- ④ Windows & French Doors: double glazed – Whole window U-value = 1.30; Whole window G-value = 0.45
- ⑤ Solid Doors: U-value = 1.20
- ⑥ Lintels: (Detached units only): Hi-therm lintels
- ⑦ Design Air Permeability (End and Mid units): 5,000
- Plane Ceiling (Mid only): Plasterboard, 100mm loft roll between joists; 300mm loft roll cross-laid above
- Lintels: (End and Mid units): Standard cavity lintels
- Design Air Permeability (Detached units only): 430
- Ventilation: System 3 – dMEV
- Lighting: Low-energy bulbs throughout

Item No 05:-

21/04248/SPANOT

**Cotswold Leisure Centre
Tetbury Road
Cirencester
Gloucestershire
GL7 1US**

Item No 05:-

Prior approval notification for the installation of Solar Photo-Voltaic panels (total installation 114kwp) at Cotswold Leisure Centre Tetbury Road Cirencester Gloucestershire GL7 1US

| Prior Approval Notification - solar panels 21/04248/SPANOT | |
|---|---|
| Applicant: | Ameresco |
| Agent: | Ameresco |
| Case Officer: | Hannah Rose |
| Ward Member(s): | Ray Brassington |
| Committee Date: | 8th December 2021 |
| RECOMMENDATION: | Delegated authority to determine that prior approval is not required, subject to no new issues being raised during the consultation period |

Main Issues:

- (a) Whether the works are permitted development
- (b) Design or external appearance of the development

Reasons for Referral:

The application site is a Council-owned building.

1. Site Description:

1.1 The site comprises Cotswold Leisure Centre located on Tetbury Road on the edge of the town centre of Cirencester. The site lies outside of a conservation area and outside of the Cotswolds Area of Outstanding Natural Beauty.

2. Relevant Planning History:

2.1 No relevant planning history.

3. Planning Policies:

NPPF National Planning Policy Framework

4. Observations of Consultees:

4.1 None received.

5. View of Town/Parish Council:

5.1 None received.

6. Other Representations:

6.1 None received.

7. Applicant's Supporting Information:

Site Location Plan
Solar PV Layout
Designer Report
Project Report

8. Officer's Assessment:

(a) Whether the works are permitted development

8.1 The addition of solar panels to the building may be permitted development, having regard to Part 14, Class J of the Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

8.2 Part 14 Class J states that the installation, alteration or replacement of -

- (a) microgeneration solar thermal equipment on a building;
- (b) microgeneration solar PV equipment on a building; or
- (c) other solar PV equipment on the roof of a building, other than a dwellinghouse or a block of flats

is permitted development, subject to a number of criteria being addressed and subject to the Local Planning Authority being notified by way of a prior notification application. Development is NOT permitted by Class J if:

- (a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;*
- (b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);*
- (c) the solar PV equipment or solar thermal equipment would be installed on a roof and within 1 metre of the external edge of that roof;*
- (d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;*
- (e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or*
- (f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.*

Development is not permitted by Class J(c) if the capacity of the solar PV equipment installed (together with any solar PV equipment installed under Class J(b)) to generate electricity exceeds 1 megawatt.

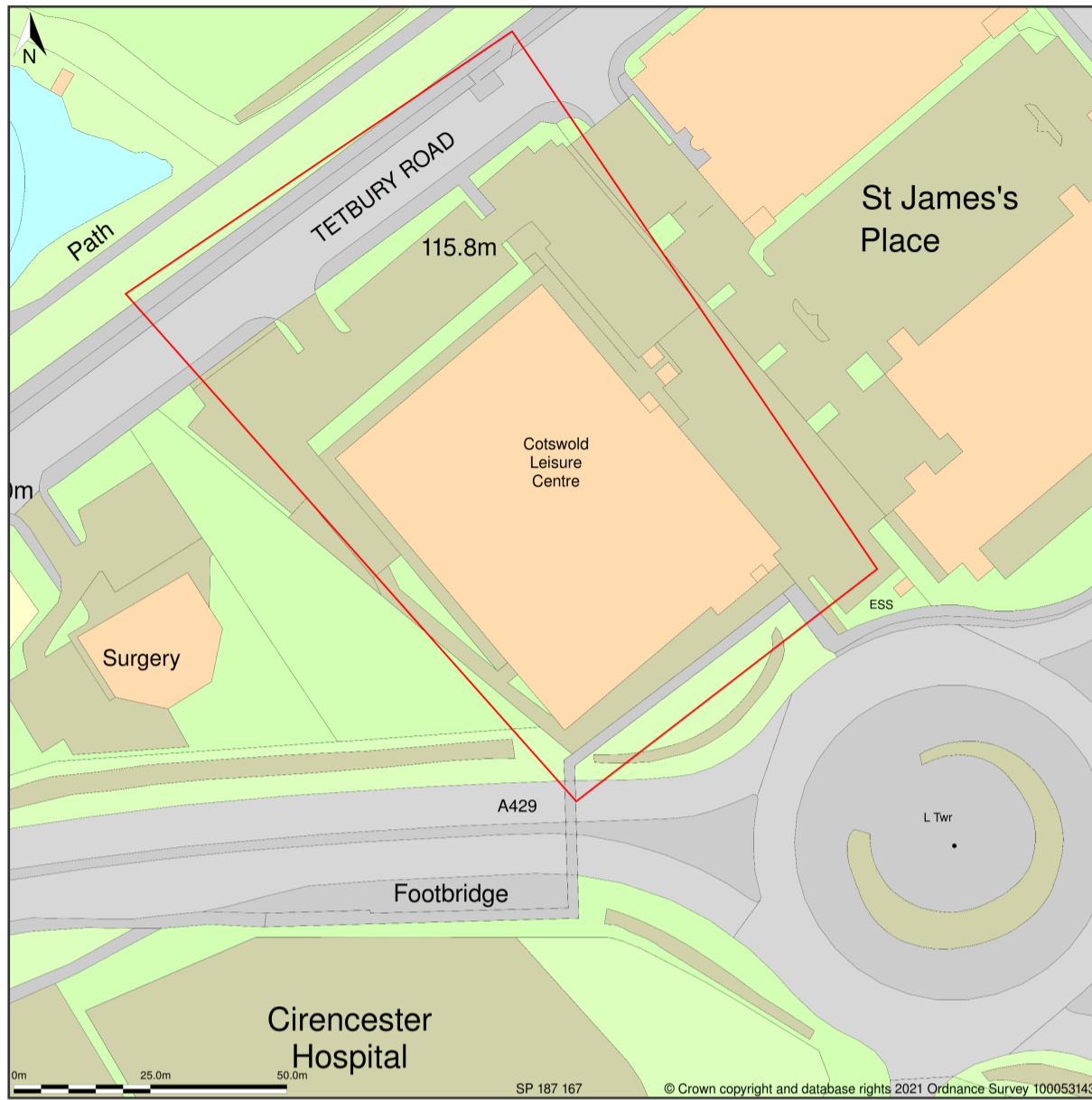
8.3 The building has a low pitched roof and the solar panels would not protrude more than 0.2 metres above the slope and would not be installed within 1 metre from the edge of

the roof. The site is not on Article 2(3) land, a Scheduled Ancient Monument or a listed building. The total electrical generation capacity of all the solar photovoltaics installed on the building under Permitted Development rights (previously and in this proposal) equates to 114kWp and would not exceed 1 megawatt. As such, the proposal would satisfy the relevant criteria and is therefore permitted development.

9. Conclusion:

9.1 Having regard to Part 14, Class J of the Schedule to the GPDO, the proposed works are considered to be permitted development, not requiring full planning permission.

Cirencester Cotswold Leisure



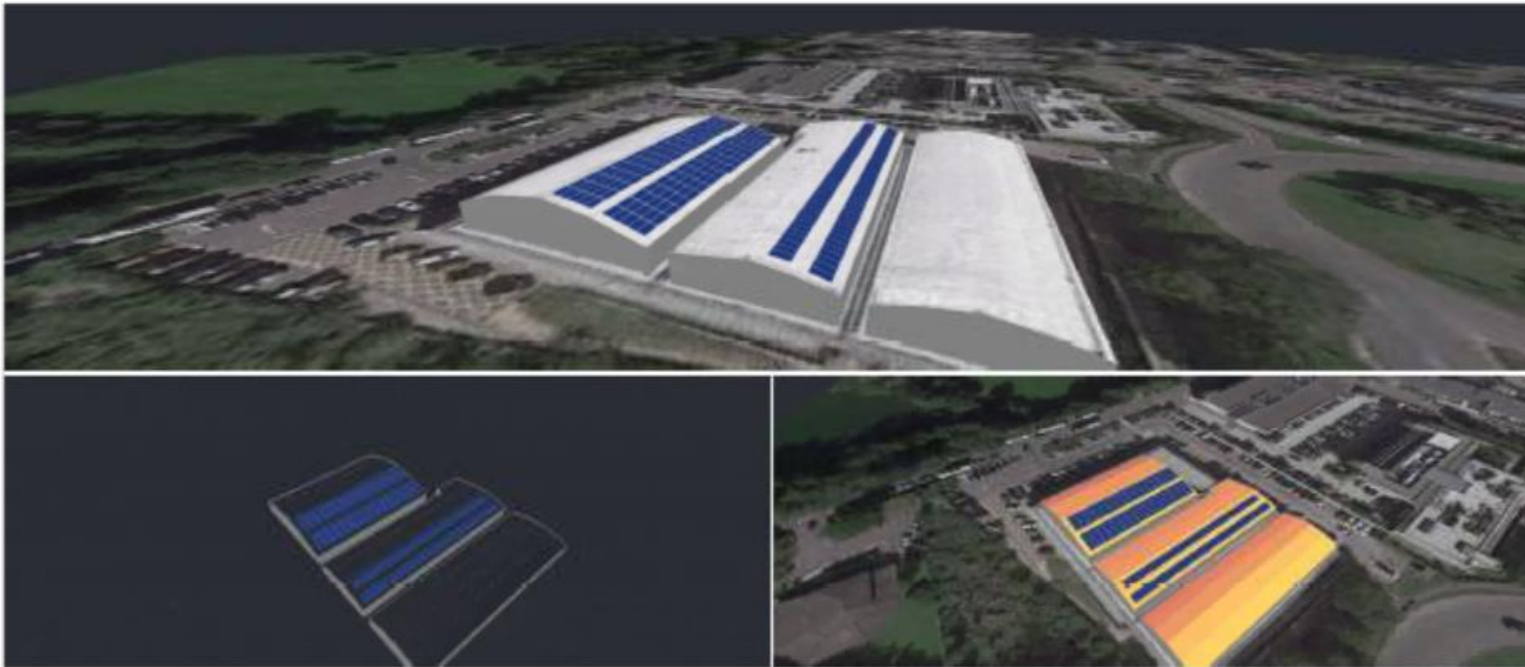
Site Plan A shows area bounded by: 401776.56, 201578.52 401976.56, 201778.52 (at a scale of 1:1250), OSGridRef: SP 187 167. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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COTSWOLD DC - CIRENCESTER LEISURE CENTRE V5

Tetbury Road 1, Cirencester, GL7 1FP, United Kingdom | 17 Sept 2021



SYSTEM OVERVIEW

 251 PV modules

 5 Inverters

 126 Optimizers

SIMULATION RESULTS


Installed DC Power
114.21 kWp


Max Achieved AC Power
101.91 kW


Annual Energy Production
107.44 MWh


CO2 Emission Saved
30.19 t


Equivalent Trees Planted
1,387

Item No 06:-

21/04250/SPANOT

**Bourton Leisure Centre
Station Road
Bourton-On-The-Water
Cheltenham
Gloucestershire
GL54 2BD**

Item No 06:-

Prior approval notification for the installation of Solar Photo-Voltaic panels (total installation 64 kwp) at Bourton Leisure Centre Station Road Bourton-On-The-Water Gloucestershire GL54 2BD

| Prior Approval Notification - solar panels 21/04250/SPANOT | |
|---|---|
| Applicant: | Ameresco |
| Agent: | Ameresco |
| Case Officer: | Hannah Rose |
| Ward Member(s): | Councillor Nick Maunder |
| Committee Date: | 8th December 2021 |
| RECOMMENDATION: | Delegated authority to determine that prior approval is not required, subject to no new issues being raised during the consultation period |

Main Issues:

- (a) Whether the works are permitted development
- (b) Design or external appearance of the development

Reasons for Referral:

The application site is a Council-owned building.

1. Site Description:

1.1 The application site comprises Bourton Leisure Centre, located within Bourton-on-the-Water, adjacent to the secondary school, The Cotswold School. The site is not located in a conservation area and is located within the Cotswolds Area of Outstanding Natural Beauty.

1.2 The leisure centre building is well set back, some 150 metres from Station Road and is bound by residential development to the north and school grounds to the east, south and west.

2. Relevant Planning History:

2.1 No relevant planning history.

3. Planning Policies:

NPPF National Planning Policy Framework

4. Observations of Consultees:

4.1 None received.

5. View of Town/Parish Council:

5.1 None received.

6. Other Representations:

6.1 None received.

7. Applicant's Supporting Information:

Site Location Plan
Solar PV Layout
Designer Report

8. Officer's Assessment:

(a) Whether the works are permitted development

8.1 The addition of solar panels to the building may be permitted development, having regard to Part 14, Class J of the Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

8.2 Part 14 Class J states that the installation, alteration or replacement of -

- (a) microgeneration solar thermal equipment on a building;
- (b) microgeneration solar PV equipment on a building; or
- (c) other solar PV equipment on the roof of a building, other than a dwellinghouse or a block of flats

is permitted development, subject to a number of criteria being addressed and subject to the Local Planning Authority being notified by way of a prior notification application. Development is NOT permitted by Class J if:

- (a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;*
- (b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);*
- (c) the solar PV equipment or solar thermal equipment would be installed on a roof and within 1 metre of the external edge of that roof;*
- (d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;*
- (e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or*

(f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.

Development is not permitted by Class J(c) if the capacity of the solar PV equipment installed (together with any solar PV equipment installed under Class J(b)) to generate electricity exceeds 1 megawatt.

8.3 The building has a pitched roof and the solar panels would not protrude more than 0.2 metres above the slope and would not be installed within 1 metre from the edge of the roof. The site is located on Article 2(3) land. It is of note that there is a road to the front of the roofslope on which the solar panels are proposed. However, this road is within the school grounds and is not publicly accessible. As such, it is considered to fall under the definition of a 'highway' in this context. The proposal would therefore satisfy criterion (d) in this regard.

8.4 Furthermore, the site is not located on a Scheduled Ancient Monument or a listed building. The total electrical generation capacity of all the solar photovoltaics installed on the building under permitted development rights (previously and in this proposal) equates to 64kWp and would not exceed 1 megawatt. As such, the proposal would satisfy the relevant criteria and is therefore Permitted Development.

8.5 The conditions of Class J stipulate that development under Class J(c) (above) is permitted subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers.

8.6 In this regard, the panels would be installed on a commercial building used for recreational purposes, on a roofslope facing towards school buildings. The building is well set back from the highway and the panels would not be visible from the residential development immediately north of the site. Taking this into account, the solar panels are considered to be appropriate to the character and appearance of the surrounding area and are considered not to cause an unacceptable level of glare to the occupiers or neighbouring buildings or nearby road users.

9. Conclusion:

9.1 Having regard to Part 14, Class J of the Schedule to the GPDO, the proposed works are considered to be Permitted Development, not requiring full planning permission.

Bourton Leisure Centre, Station Road, Bourton-on-the-water, Gloucestershire, GL54 2BD



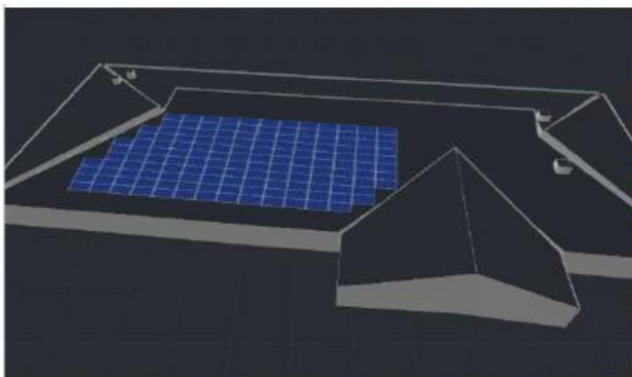
Site Plan A shows area bounded by: 416573.44, 221082.81 416773.44, 221282.81 (at a scale of 1:1250), OSGridRef: SP16672118. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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COTSWOLD DC - BOURTON-ON-THE-WATER LEISURE V2

Park Farm 23, Bourton-on-the-Water, GL54 2HF, United Kingdom | 19 Sept 2021



SIMULATION RESULTS

| | | | | |
|---|---|---|--|--|
|  Installed DC Power 67.34 kWp |  Max Achieved AC Power 50.00 kW |  Annual Energy Production 60.92 MWh |  CO2 Emission Saved 17.12 t |  Equivalent Trees Planted 786 |
|  Max Achieved DC Power 63.65 kW |  DC/AC Oversizing 127% |  Max Active AC Power 50.00 kW |  Performance Ratio 88% |  Performance Index 905 kWh/kWp |

Item No 07:-

21/00522/FUL

**Dutch Barn
Nr Hookshouse Lane
Charlton Down
Tetbury
Gloucestershire
GL8 8TZ**

Item No 07:-

Conversion of Dutch barn to restaurant/café and associated works at Dutch Barn Nr Hookshouse Lane Charlton Down Tetbury Gloucestershire GL8 8TZ

| Full Application 21/00522/FUL | |
|--|---------------------------|
| Applicant: | Mr David Morris |
| Agent: | SE Architecture |
| Case Officer: | David Ditchett |
| Ward Member(s): | Councillor Richard Norris |
| Committee Date: | 8th December 2021 |
| RECOMMENDATION: | PERMIT |

Main Issues:

- (a) Principle of Development
- (b) Design and Impact on the Non-Designated Heritage Asset (NDHA)
- (c) Design and Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)
- (d) Impact on Residential Amenity
- (e) Highway Safety and Parking Provision
- (f) Impact to Biodiversity and Trees
- (g) Other Matters

Reasons for Referral:

The Ward Member (Councillor Norris) requested determination by the Planning and Licensing Committee. He provided seven reasons for referral. Whilst reasons provided by Cllr Norris relating to the principle of the conversion established by Permitted Development Rights were not substantive, he also provided the following planning reasons in relation to visual impact, design and setting:-

- The application does not.....maintain the original features of the building (barn and lean to) as one;
- The proposals (enclosed café with walls, doors, windows, etc) would be alien to the rural location, harming the character of the original agriculture building(s);
- Whilst attention and alterations have been made to the road side elevations, the site as a whole and the Dutch barns south elevation relationship with the non-designated heritage asset will be against maintaining the character and setting; and
- The café with south openings.....will severely impact the non-designated heritage asset.

I. Site Description:

I.1 The site is located on the south side of an unnamed lane, which feeds onto Hookshouse Lane. The site is approx. 2.2km from the junction of Hookshouse Lane with the A4135. The A4135 would appear to be the most direct vehicular route to Tetbury, the

nearest Principal Settlement to the application site. The site and Dutch barn is served by an area of hard standing to the east, which is, in turn, accessed via the unnamed lane.

1.2 The Dutch barn is of steel frame construction and is arranged over a broadly southeast- northwest alignment. A lean-to extension, permitted in 2010, is attached to the barn on its south elevation. The barn was formerly in agricultural use, providing for the storage of hay and straw produced by the applicant on his holding which is centred on Nesley Farm some 0.8 km west of the application site. The central element of the building measures approximately 6.7m in height. The conditions report submitted with the application describes the barn as being a 4 bay largely open sided Dutch steel frame barn with a classic hooped roof structure.

1.3 Immediately to the south of the Dutch barn is a stone barn, which is not within the ownership of the applicant. Officers consider the stone barn to be a non-designated heritage asset owing to its age and construction. The access from the north and parking area are within the applicant's ownership. The site is bordered by existing vegetation. Although the screening that this vegetation provides, particularly during the winter months, is sparse with the Dutch barn clearly visible from public vantage points along both lanes. To the northeast are two residential properties, Nesley Down (40m away) and Hooks House (115m away).

1.4 The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB).

2. Relevant Planning History:

19/02477/OPANOT: Notification under Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 3, Class R for change of use of agricultural building to Class A1 (shop) and Class 3 (restaurant and cafe). Prior approval not required 15.08.2019

18/03198/FUL: Conversion of barn to single storey dwelling (revised scheme). Refused 14.11.2018

17/04719/FUL: Conversion of barn to dwelling. Refused 14.06.2018

16/03751/FUL: Conversion of barn to form dwelling. Refused 17.11.2016

10/01692/FUL: Erection of a replacement fodder/grain/machinery store. Permitted 18.06.2010

3. Planning Policies:

NPTTP2 Pol 2 : Tetbury's Townscape & Character

NPTTP4 Pol 4 : RoW Network & Leisure routes

NPTTP9 Pol 9 : Mature & landmark trees

TNPPF The National Planning Policy Framework

EC1 Employment Development

EC3 All types of Employment-generating Uses

EC5 Rural Diversification

EC6 Conversion of Rural Buildings

EC10 Tourist Facilities & Visitor Attractions

EN1 Built, Natural & Historic Environment

EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN5 Cotswolds AONB
EN7 Trees, Hedgerows & Woodlands
EN8 Bio & Geo: Features Habitats & Species
EN12 HE: Non-designated Heritage Assets
EN13 HE:Conv'n of non-domestic historic bldgs
EN14 Managing Flood Risk
EN15 Pollution & Contaminated Land
INF3 Sustainable Transport
INF4 Highway Safety
INF5 Parking Provision
INF7 Green Infrastructure

4. Observations of Consultees:

4.1 Tree Officer: Comments incorporated within Officer's Assessment.

4.2 Drainage Engineer: No objection. Condition recommended

4.3 Initial comment:

Highways Officer: Initially objected to the scheme in relation to conflict with other road users, substandard access, reliance upon vehicular private car travel, and that the site is in an unsustainable location.

4.4 Revised comment:

Highways Officer: No objection. Conditions recommended

4.5 Conservation Officer: Comments incorporated within Officer's Assessment.

4.6 Landscape Officer: Comments incorporated within Officer's Assessment.

5. View of Town/Parish Council:

5.1 Tetbury Upton Parish Council: No objection

6. Other Representations:

6.1 25 third party Objections were received relating to:

- Highway safety;
- Concern regarding lorry deliveries;
- Proposal will attract significant visitors;
- Noise impacts;
- Condition of the unnamed road;
- Poor access;
- Insufficient parking;

- Should be restricted to 9-5 and not allowed to open at night;
- Increased risk of accidents to all road users;
- Design;
- Light pollution;
- Impact to AONB;
- Littering;
- Lack of need for the proposal;
- Isolated location;
- Not a conversion;
- Impact to the barn;
- Contrary to Local Plan Policies EC2/EC5/EC6/EC10/EN1/EN4/EN5 and EN8;
- Impact to biodiversity;
- Is not sustainable development;
- Previous refusals at the site;
- Overdevelopment;
- Loss of privacy;
- Errors in the application documents; and
- Change in stance from the Highways Officer

7. Applicant's Supporting Information:

Protected Species Assessment
 Design and Access Statement
 Planning Statement
 Structural Survey

8. Officer's Assessment:

Proposed Development and Background

8.1 The applicant seeks full planning permission for the conversion of a Dutch barn to restaurant/café and associated works.

8.2 Planning Permission to convert the barn to a dwelling was refused under Delegated Powers in November 2016 (Ref. 16/03751/FUL). The refusal reasons were as follows:

"1. The existing building comprises a 4 bay Dutch steel frame barn with a classic hooped roof structure. The functional agricultural use and form of the Dutch barn is in-keeping with its agricultural context and represents a form of development typical of an agricultural landscape. On the basis of the information submitted, the Dutch barn is considered neither suitable nor capable of conversion having regard to the substantial alterations required to facilitate the proposed development. As such, the proposals are considered to constitute the erection of a new dwelling which would fail to accord with Cotswold District Local Plan Policy 28. Furthermore, the design of the proposed development is considered inappropriate. The proposed scheme will result in the creation of an overtly domestic development which, by virtue of the physical alterations to the building, the associated domestic activities and light pollution arising from new fenestration, would have a significant adverse impact on the character of the building, its setting and the appearance of the landscape. Moreover, the proposed development would fail to conserve or enhance the natural beauty of the Cotswolds Area of

Outstanding Natural Beauty (AONB) which is to be given great weight in accordance with Paragraph 115 of the NPPF. On balance the proposals are contrary to Cotswold District Local Plan Policies 28 and 42 and the guidance contained in the NPPF including, but not limited to, Paragraphs 17, 64, 109 and 115.

2. The application site is located in an isolated location remote from services, facilities, amenities and public transport links. The application site therefore represents an unsustainable location for new open market residential development and would result in future occupiers of the proposed dwelling having to rely on the use of the private motor car to undertake most day to day activities. The proposal will therefore increase reliance on the use of the private motor car materially increasing car borne commuting and compromising the principles of sustainable development. It would result in the creation of an isolated dwelling in the countryside for which there are no special circumstances and would be contrary to Cotswold District Local Plan Policy 19 and guidance contained in the National Planning Policy Framework, including but not limited to Paragraphs 17, 35 and 55."

8.3 A further application to convert the barn to a dwelling was refused by the Planning Committee in June 2018 (Ref. 17/04719/FUL). The refusal reasons were as follows:

"1. The existing building comprises a 4 bay Dutch steel frame barn with a classic hooped roof structure. The functional agricultural use and form of the Dutch barn is in-keeping with its agricultural context and represents a form of development typical of an agricultural landscape. On the basis of the information submitted, the Dutch barn is considered neither suitable nor capable of conversion having regard to the substantial alterations required to facilitate the proposed development. As such, the proposals are considered to constitute the erection of a new dwelling which would fail to accord with adopted Cotswold District Local Plan Policy 28 and emerging Cotswold District Local Plan Policy EC6. Furthermore, the proposed scheme would result in the creation of an overtly domestic development which, by virtue of the physical alterations to the building, the associated domestic activities and light pollution arising from new fenestration, would have a significant adverse impact on the character of the building, its setting and the appearance of the landscape. Moreover, the proposed development would fail to conserve or enhance the natural beauty of the Cotswolds Area of Outstanding Natural Beauty (AONB) which is to be given great weight in accordance with Paragraph 115 of the NPPF. On balance the proposals are contrary to adopted Cotswold District Local Plan Policies 28 and 42, emerging Cotswold District Local Plan Policies EN1, EN2, EN4, EN5, EC6, and the guidance contained in the NPPF including, but not limited to, Paragraphs 17, 64, 109 and 115.

2. The application site is located in an isolated location remote from services, facilities, amenities and public transport links. The application site therefore represents an unsustainable location for new open market residential development and would result in future occupiers of the proposed dwelling having to rely on the use of the private motor car to undertake most day to day activities. The proposal will therefore increase reliance on the use of the private motor car materially increasing car borne commuting and compromising the principles of sustainable development. It would result in the creation of an isolated dwelling in the countryside for which there are no special circumstances and would be contrary to adopted Cotswold District Local Plan Policy 19, emerging Cotswold District Local Plan Policy DS4 and guidance contained in the National Planning Policy Framework, including but not limited to Paragraphs 17, 35 and 55."

8.4 A further application to convert the barn to a dwelling was refused by the Planning Committee in June 2018 (Ref. 18/03198/FUL). The refusal reasons were as follows:

"1. The existing building comprises a 4 bay Dutch steel frame barn with a classic hooped roof structure. The functional agricultural use and form of the Dutch barn is in-keeping with its agricultural context and represents a form of development typical of an agricultural landscape. On the basis of the information submitted, the Dutch barn is considered neither suitable nor capable of conversion having regard to the substantial alterations required to facilitate the proposed development. As such, the proposals are considered to constitute the erection of a new dwelling which would fail to accord with adopted Cotswold District Local Plan Policy EC6. Furthermore, the proposed scheme would result in the creation of an overtly domestic development which, by virtue of the physical alterations to the building, the associated domestic activities and light pollution arising from new fenestration, would have a significant adverse impact on the character of the building, its setting, the setting of the adjacent non-designated heritage asset, and the appearance of the landscape. Moreover, the proposed development would fail to conserve or enhance the natural beauty of the Cotswolds Area of Outstanding Natural Beauty (AONB) which is to be given great weight in accordance with Paragraph 172 of the NPPF. On balance the proposals are contrary to adopted Cotswold District Local Plan Policies EN1, EN2, EN4, EN5, EC6, and EN12 and the guidance contained in the NPPF including, but not limited to Paragraphs 78, 79, 127, 172 and 197.

2. The application site is located in an isolated location remote from services, facilities, amenities and public transport links. The application site therefore represents an unsustainable location for new open market residential development and would result in future occupiers of the proposed dwelling having to rely on the use of the private motor car to undertake most day to day activities. The proposal will therefore increase reliance on the use of the private motor car materially increasing car borne commuting and compromising the principles of sustainable development. It would result in the creation of an isolated dwelling in the countryside for which there are no special circumstances and would be contrary to adopted Cotswold District Local Plan Policy Plan Policy DS4 and INF3 and guidance contained in the National Planning Policy Framework, including but not limited to Paragraphs 78 and 79."

8.5 In 2019, the applicant submitted a Prior Approval application (Ref. 19/02477/OPANOT) to the Council to ascertain whether the proposal meets the conditions set out in Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 to enable the change of use of the building to 'a flexible use falling within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class B1 (business), Class B8 (storage or distribution), Class C1 (hotels) or Class D2 (assembly and leisure) of the Schedule to the Use Classes Order'.

8.6 Following the Prior Approval application in 2019, Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 was updated following the change to the use classes in September 2021 and now reads 'to a flexible use falling within one of the following provisions of the Use Classes Order—

- (a) Class B8 (storage or distribution) of Schedule 1;
- (b) Class C1 (hotels) of Schedule 1; or
- (c) Class E (commercial, business or service) of Schedule 2.'

8.7 Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 sets out what can be taken into consideration when an applicant proposes to utilise Class R to change the use of a building. Paragraph R.3 (1) (a) of Class R is quite clear what should be taken into consideration when assessing a proposal against Class R criteria. For a building that exceeds 150sqm, this is limited to the transport and highways impacts of the development; noise impacts of the development; contamination risks on the

site; and flooding risks on the site. For buildings under 150sqm, (the building that is the subject of this application is approximately 130sqm) these impacts are not able to be assessed. The only information required is the date the site will begin to be used for any of the flexible uses; the nature of the use or uses; and a plan indicating the site and which buildings have changed use.

8.8 Prior Approval application (Ref. 19/02477/OPANOT) was assessed by the Council and found that, as the building in question does not exceed the cumulative floor space of 150 square metres stated in paragraph R.3 (1) (a), the prior approval of the Council is not required. The building therefore benefits from a permitted change of use to a flexible use within B8 (storage or distribution), C1 (hotels), or Class E (commercial, business or service) as set by national Permitted Development rights.

8.9 It is important to note that Class R in isolation does not make provisions for the conversion or alterations to the building. Any material alterations to the building must be the subject of a separate planning application. As alterations to the building are required to facilitate the change of use, the current application is necessary.

8.10 The submitted information shows that an air source heat pump would be fitted to the building (a ground source heat pump may be fitted instead, but this is dependent on feasibility). Rain water is proposed to be harvested to supply 'grey water'.

8.11 The initial iteration of the scheme proposed a number of openings throughout the building as well as large expanses of Cotswold stone walling. The openings were reduced in number and the use of Cotswold stone walling reduced following feedback from officers.

(a) Principle of development

8.12 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.'

8.13 In this instance, a significant material consideration is Prior Approval application (Ref. 19/02477/OPANOT). As noted, the Council assessed the building against the Town and Country Planning (General Permitted Development) (England) Order 2015 and found that the change of use does not require prior approval and therefore it already benefits from the planning permission granted by the national Permitted Development rights. To that end, the principle of the change of use to restaurant/café has already been established.

8.14 For clarity, due to the flexibility allowed by the use of the Permitted Development rights, whether the extent of physical alteration (operational development) required to facilitate the change of use falls beyond what could be classed as a conversion, which would normally be a material consideration, carries little weight for the assessment of this current application following the outcome of the Prior Approval process. Local Plan Policies relating to the conversion of buildings, such as those applied to the previously refused applications to convert the building to a dwelling at the site (previous Policy 28), and the currently adopted Policies EC6 (which requires the building to be structurally sound and capable of conversion without significant alteration or extension) and EN13 should not be applied to this case, as to do so would be deemed to unreasonably inhibit the use of Class R of the GPDO. Indeed, as

set out in the appeal decision (PINs Ref. 3188502) resulting from the refusal of Cotswold District Council application (Ref. 17/02087/FUL), an application which related to the same part of the GPDO to the scheme before the Council today. The Inspector stated (paragraph 20) that 'the aspects of [Local Plan] Policy that would fundamentally inhibit the use of the building for its intended purpose under Class R cannot be given any significant weight as the change of use has already been granted'.

8.15 The assessment above also applies to whether the building is in a sustainable location. Local Plan Policies, such as EC3 (Proposals for all types of Employment-Generating Uses), EC5 (Rural Diversification) and EC10 (Development of Tourist Facilities and Visitor Attractions), which seek to control the location of employment, tourism or rural diversification schemes, are therefore again unable to inform the current application in this instance. Indeed, by meeting the provisions of Class R, there is a presumption that operational development will soon follow to allow the use to be implemented.

8.16 To summarise, therefore, the principle of development is established by virtue of the existing change of use permission granted under Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015. While the principle is established, a further assessment with regard to the design and impact on the AONB, the non-designated heritage asset, residential amenity, trees, biodiversity and highway safety and parking provision is nevertheless required and this is completed in this report as follows.

(b) Design and Impact on the Non-Designated Heritage Asset

8.17 Policy EN1 of the Local Plan states that new development should conserve the historic environment by ensuring the protection and enhancement of heritage assets and their settings, and that the design of proposals should complement the character of the area.

8.18 Policy EN2 states that development should accord with the Cotswold Design Code and that proposals should respect the character and distinctive appearance of the locality. The following paragraphs of the Design Code are particularly relevant to this proposal:

- New buildings should be carefully proportioned and relate to the human scale, and to their landscape or townscape context (paragraph D.16);
- Excessive or uncharacteristic bulk should be avoided. New buildings should generally not dominate their surroundings, but should complement the existing structures or landscape, and sit comfortably within their setting (paragraph D.17);
- The height of new buildings should respond to the local context, for example forming a gentle transition from open countryside to settlement edge (paragraph D.18);
- The massing and elevation of buildings of contemporary design should be broken, to avoid a brutal or monolithic appearance (paragraph D.31); and
- Key Consideration 4 addresses large commercial, industrial and agricultural buildings.

It advises that the highest quality of detailing and materials, making strong local references, would be expected in sensitive settings. It also advises that buildings should not dominate their surroundings, and that low profiles and broken massing should be considered.

8.19 The stone barn to the south east of the site is present on 1843-1893 historic OS Maps. It is of solid stone construction and is considered to be a non-designated heritage asset (NDHA).

8.20 Policy EN12 states that a proposal that affects a non-designated heritage asset would be permitted where it is designed sympathetically, having regard to the significance of the asset. The accompanying information lays down a series of criteria for selection as a non-designated heritage asset (based upon Historic England criteria), which includes architectural interest, historic interest, representativeness, group value, and sense of completeness.

8.21 With regard to national policy, section 12 of the NPPF reiterates that achieving a high quality of design for places and building is fundamental to the planning process. Section 16 of the NPPF requires local planning authorities to take account of the desirability of sustaining or enhancing the significance of heritage assets'. Paragraph 203 states that, 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

8.22 Tetbury and Tetbury Upton Neighbourhood Plan 2015-2030 Policy 2 (Enhancement of Tetbury's Townscape and Character) states 'Development Proposals will be required to pay regard to the Tetbury Townscape and Character Assessment Report 2016 and the Cotswold Design Guide 2000 and any future adopted update to the Cotswold Design Guide'.

8.23 The site is occupied by an existing Dutch barn and lean-to pole barn. The site is enclosed on the eastern boundary by mature trees and an existing stone barn encloses part of the southern boundary. The site adjoins a residential boundary to the east, a rural carriageway to the north-west and open agricultural land to the west and south.

8.24 Whilst the proposal is for the conversion of the existing Dutch barn to restaurant/café, the pole barn is not part of the conversion, but would be reduced in size. The existing access would be utilised and the yard would be surfaced with gravel hardstanding to accommodate parking for 6 cars.

8.25 The north, east and west elevations of the Dutch barn remain blank (except for the recessed entrance doors on the east elevation) and are clad in corrugated steel and timber boarding to match the existing barn (corrugated cementitious sheet roofing, also to match the existing barn, is proposed for the roof). The proposed materials and simplicity of design therefore retain its agricultural character and appearance as well as preserving the setting of the adjacent stone barn as a non-designated heritage asset in this regard.

8.26 However, on the south elevation, the lower section of walling remains as natural Cotswold stone, which is not characteristic of this type of building. However, it is of course characteristic of the District. Therefore, while a more appropriate material could be further explored, it is the opinion of officers that the use of stonework, on balance, does not warrant a recommendation of refusal. In addition, the retention of the section of pole barn will essentially mask this elevation including the large door openings, thereby preventing light spill.

8.27 The area proposed for parking and the existing access are proposed to have gravel surfacing and that material will be secured by condition to be of a Cotswold stone colour.

Officers are satisfied that the parking area would relate to the context of the site and the setting of the stone barn.

8.28 The Conservation Officer raised concerns with regard to the proposed development and its impact upon the future potential use of the stone barn which is in separate ownership, and requested further information in relation to that impact. However, both the Conservation Officer and Case Officer are satisfied that the operational development to the Dutch barn and the parking area/access is acceptable and would not harm the setting of the NDHA. As noted in the 'principle of development' section above, this application relates solely to the operational development (as the principle is acceptable) and the operational development is not harmful to the NDHA.

8.29 Overall, the design of the building and the landscaping of the wider site would be agricultural in nature, would be constructed from suitable materials and would integrate successfully into the site and its surroundings. The operational development would not harm the setting of the nearby stone barn as a NDHA, the character of the Dutch barn, nearby built form, or the wider area and therefore accords with Local Plan Policies EN1, EN2, EN12 and Sections 12 and 16 of the NPPF and is acceptable in regards to design, appearance and heritage impacts.

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

8.30 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.

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

8.32 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.

8.33 Paragraphs 174 and 176 of the NPPF reflect Local Plan Policies EN4 and EN5 respectively.

8.34 The site is located within Landscape Character Type (LCT) '9D High Wold Dip Slope: Cotswold High Wold Dip-Slope' as defined in the Cotswolds Conservation Board's 'Landscape Character Assessment' and 'Landscape and Strategy Guidelines'.

8.35 The ethos behind the conversion is to re-use the building in a manner that preserves its functional character, and respects its form and features. The retention of a blank elevations to the north and west elevations, and the limited openings in the east elevation, and the cladding in steel sheeting and timber is considered to preserve its functional character and thus agricultural appearance within the AONB.

8.36 While large panels of glazing are proposed to the south elevation, these would be concealed by the pole barn, which will help to reduce the glint and glare in the day and light spill in winter evenings.

8.37 The landscaping of the wider site with gravel and limited paving is acceptable.

8.38 Officers are mindful of previous refusals at the site relating to design and the impact to the AONB. However, the previous schemes were overtly domestic in appearance, with domestic openings, and a redevelopment of the wider site to residential curtilage (and garden). The current scheme is found to retain the existing agricultural appearance, and notwithstanding the use (as the use is acceptable and cannot be compared to previous applications) is a more sensitive overall development.

8.39 Overall, it is considered that the proposed development will not have an adverse impact on the character or appearance of the Cotswolds AONB. The proposal is considered to accord with Local Plan Policies EN1, EN4 and EN5 and paragraphs 174 and 176 of the NPPF.

(d) Impact on Residential Amenity

8.40 Policy EN2 of the Local Plan supports development that accords with The Cotswold Design Code (Appendix D within the Local Plan). The Cotswold Design Code requires extensions to respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing impact.

8.41 Local Plan Policy EN15 seeks to ensure development does not result in pollution or the generation of noise or light levels.

8.42 In part, paragraph 130 of the NPPF ensures that development 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.

8.43 The closest residential property (Nesley Down) is located 40m to the east of the Dutch Barn and the barn is not proposed to increase in size (beyond the modest increase resulting from the cladding and new roof). In addition, new openings are only on the ground floor. As such, loss of privacy, overlooking, loss of light, overbearing or overshadowing impacts to the occupiers of Nesley Down are unlikely. In addition, the separation distance of 95m between the site and the next nearest dwelling (Hooks House) equally means that the aforementioned impacts are unlikely to the occupiers of Hooks House.

8.44 Of note is that the proposed car parking area would be located 25m from Nesley Down itself, but only 15m from the rear garden serving Nesley Down. The café/restaurant will result in an increase of vehicular, pedestrian and cycle movements to and from the site in close proximity to nearby dwellings. The vehicular, pedestrian and cycle movements to and from the site may result in some views into the rear garden of Nesley Down via the parking area. They may also result in some noise and disturbance to the occupiers of nearby dwellings, especially when considering the 'quiet lane' designation of the unnamed road to the north as set out in Policy 4 'Protection and enhancement of the Rights of Way Network and Leisure Routes' of The Tetbury and Tetbury Upton Neighbourhood Plan 2015-2030. However, as

visitors will attend the site to make use of the service offering, these impacts relate directly to the use of the building, rather than to the operational works to convert the building.

8.45 Officers are satisfied therefore that the proposal is not considered to result in harm to the residential amenity of the occupiers of nearby dwellings.

(e) Highway Safety and Parking Provision

8.46 Local Plan Policy INF3 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.

8.47 Local Plan Policy INF4 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.

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

8.49 With regard to national policy, 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.

8.50 Tetbury and Tetbury Upton Neighbourhood Plan 2015-2030 Policy 4 (Protection and enhancement of the Rights of Way Network and Leisure Routes) states 'The protection, extension and enhancement of the existing public rights of way network, indicated in Figures 11 and 12, will be supported'.

8.51 The Gloucestershire County Council Highways team initially objected to the scheme and advised that the application should be refused in relation to conflict with other road users, substandard access, reliance upon vehicular private car travel, and that the site is in an unsustainable location. Following this initial consultation response, the Case Officer provided the Highways Team with the appeal decision (PINs Ref. 3188502) resulting from the refusal of Cotswold District Council application (Ref. 17/02087/FUL). This appeal decision reaffirms that where a Class R change of use is in place, concerns relating to the sustainability of the location carries little weight, as the change of use is already agreed by virtue of the GPDO. Moreover, if an application is subsequently submitted for operational development relating to the approved change of use, it is only the operational development that can be taken into consideration. It is important to note that the access is as exists and is not proposed to fundamentally change, but it is proposed to be surfaced.

8.52 As noted, the Dutch barn is approximately 130sqm. This is below the 150sqm limit set by the GPDO which would trigger additional material considerations, as previously explained, and as such, noise, contamination, flood risk and importantly, transport and highways impacts are already acceptable by virtue of the extant change of use for a building of this size under Class R of the GPDO. The Case Officer communicated this point to the

Highways Officer who subsequently revised the formal comment from 'objection' to 'no objection' and recommended conditions relating to improving the access and to securing the car/vehicle parking area (and turning space) shown on the submitted site plan.

8.53 Officers are aware that the unnamed lane is somewhat narrow, and lacks many formal passing places. Officers have also read all of the objections relating to highway safety, parking provision and the conflict between cyclists, pedestrians, and private and delivery vehicles. Officers understand the points raised and have taken them all into consideration. However, national policy is clear in that, by virtue of the Permitted Development criteria under Class R, a development of this size is acceptable in relation to transport and highways impacts. Thus the proposed development is acceptable in transport terms.

(f) Impact to Biodiversity and Trees

8.54 Local Plan Policy EN7 (Trees, Hedgerows and Woodlands) states:

1. Where such natural assets are likely to be affected, development will not be permitted that fails to conserve and enhance:

- a. trees of high landscape, amenity, ecological or historical value;
- b. veteran trees;
- c. hedgerows of high landscape, amenity, ecological or historical value; and/or
- d. woodland of high landscape, amenity, ecological or historical value.

2. Where trees, woodland or hedgerows are proposed to be removed as part of development, compensatory planting will be required.

8.55 Tetbury and Tetbury Upton Neighbourhood Plan 2015-2030 Policy 9 (Protection of Mature and Landmark Trees) states 'Development that damages or results in the loss of ancient trees or hedgerow, or trees of good arboricultural and amenity value, will not be permitted'.

8.56 Policy EN8 of the Local Plan states that 'development will be permitted that conserves and enhances biodiversity and geodiversity, providing net gains where possible.'

8.57 A protected species assessment was submitted to support the application, which did not find any nesting bats, birds or other protected species in the barn; but did highlight that little owl(s) and pigeons use the barn. The report also found that the proposed development could affect foraging and commuting bats near to the site due to an increase in light. The report sets out recommendations to mitigate the impact of the proposed development on bats and birds and as this relates to the operational development, these recommendations will be secured by condition.

8.58 For clarity, one of the aforementioned recommendations (specifically 5.2.4) advises to 'design external lighting to only be that which is necessary for people's safety and that illuminates the ground and not the overall environment especially the roadside trees. Use low level and low intensity luminaries, cowls and directional lighting on sensors and timers'. As the submitted protected species assessment finds that the operational development could 'affect foraging and commuting bats due to an increase in light' and that 'bats are sensitive to

light.' This is considered reasonable and necessary and therefore will ensure external lighting at the site has some control.

8.59 There are mature trees to the east of the site of the proposed buildings (including outside the site) that could be affected by operational development. A condition is recommended to secure a tree report to show how these trees will be suitably protected during site works.

(g) Other Matters

8.60 It is not necessary to restrict the use class of the building, nor is it necessary to restrict permitted development rights. These issues are controlled by the GPDO, due to the fact that a flexible use permitted under Class R is a 'sui generis' use (effectively a use class of its own) and permission is therefore required to change from any sui generis use to any other use. Additionally, permission would be required to extend a building that is in a sui generis use.

9. Conclusion:

9.1 The recommendation to Permit has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

10. Proposed conditions:

1. 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.

2. The development hereby permitted shall be implemented in strict accordance with the following approved plans: Location and Site Plans (Unnumbered and Received by the Council on 03/02/2021); Proposed Elevations (Unnumbered and Received by the Council on 14/09/2021); and Proposed Floor Plan (Unnumbered and Received by the Council on 14/09/2021).

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

3. Prior to the commencement of the development hereby approved, the detailed design and/or specification of the following items shall be submitted to and approved in writing by the local planning authority.

- a) Window design details (including heads and cills, materials, finishes, and manner of opening);
- b) Door design details (including heads and cills, materials, finishes, and manner of opening);
- c) Rainwater goods, (including materials, sections and finish); and
- d) Boundary (including gates) and surface materials treatments

4. 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 be carried out in accordance with the approved details, and shall be retained as such thereafter.

Reason: In light of the above details not being submitted at determination stage for consideration and approval, this condition, which has been agreed with the applicant, is necessary to ensure that the works are completed in a manner sympathetic to the site and its surroundings, in accordance with Policies EN1, EN2, EN4, EN5, and EN12 of the Local Plan and Sections 12, 15 and 16 of the National Planning Policy Framework.

5. Prior to the installation of the cladding of the development hereby approved, samples of the following materials shall be submitted to, and approved in writing by the Local Planning Authority. Only the approved materials shall be used and shall be retained as such thereafter.

- a) Timber cladding;
- b) Corrugated steel cladding; and
- c) Corrugated cementitious sheet roofing

Reason: In light of the above details not being submitted at determination stage for consideration and approval, this condition is necessary to ensure that the works are completed in a manner sympathetic to the site and its surroundings, in accordance with Policies EN1, EN2, EN4, EN5, and EN12 of the Local Plan and Sections 12, 15 and 16 of the National Planning Policy Framework.

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

Reason: In light of the above details not being submitted at determination stage for consideration and approval, this condition is necessary to ensure that the works are completed in a manner sympathetic to the site and its surroundings, in accordance with Policies EN1, EN2, EN4, EN5, and EN12 of the Local Plan and Sections 12, 15 and 16 of the National Planning Policy Framework.

7. 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 development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be retained as such thereafter.

Reason: In light of the above details not being submitted at determination stage for consideration and approval, this condition, which has been agreed with the applicant, is necessary to ensure the proper provision for surface water drainage and/or to ensure flooding is not exacerbated in the locality in accordance with Local Plan Policy EN14, The Cotswold Strategic Flood Risk Assessment, The National Planning Policy Framework and Planning Practice Guidance.

8. Prior to the first use of the development hereby approved, proposals for the improvement of the site access layout and construction shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first use of the development hereby approved and shall be retained as such thereafter.

Reason: In the interest of highway safety in accordance with Local Plan Policies INF3, INF4 and INF5; and Section 9 of the National Planning Policy Framework.

9. Prior to the first use of the development hereby approved, the car/vehicle parking area (and turning space) shown on the approved site plan shall have been completed and, thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason: In the interest of highway safety in accordance with Local Plan Policies INF3, INF4 and INF5; and Section 9 of the National Planning Policy Framework.

10. The development hereby approved shall be completed in accordance with the recommendations in Section 5 of the Protected Species Assessment 2016 (V2. Updated January 2021) Dated 1st February 2021 prepared by CTM Wildlife Ltd. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and all mitigation and enhancement features shall be retained as such thereafter.

Reason: To ensure that bats, birds, and reptiles are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Policy EN8 of the Cotswold District Local Plan 2011-2031, Circular 06/2005, paragraphs 174 and 179 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.

11. Prior to the commencement of the development hereby approved, a simple BS 5837 compliant Tree Protection Strategy shall be submitted to and approved in writing by the Local Planning Authority setting out how the trees within and bordering the development site shall be retained and protected during construction.

Reason: In light of the above details not being submitted at determination stage for consideration and approval, this condition, which has been agreed with the applicant, is necessary to safeguard the retained trees in accordance with Cotswold District Local Plan Policy EN7.

12. Prior to the first use of the development hereby approved, a landscape scheme shall be approved in writing by the Local Planning Authority. The scheme must show details of all new planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences, gates and hard surface materials to be used throughout the proposed development.

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

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

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings and to enable the planting to begin to become established at the earliest stage practical in accordance with Cotswold District Local Plan Policies EN2, EN4, EN5, EN7, EN8 and INF7; and the National Planning Policy Framework.

13. 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 works are completed in a manner sympathetic to the site and its surroundings, in accordance with Policies EN1, EN2, EN4, EN5, and EN12 of the Local Plan and Sections 12, 15 and 16 of the National Planning Policy Framework.

14. The external timber cladding shall be left to silver and weather naturally unless an alternative finish is first submitted to, and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The timber cladding shall be retained as such thereafter.

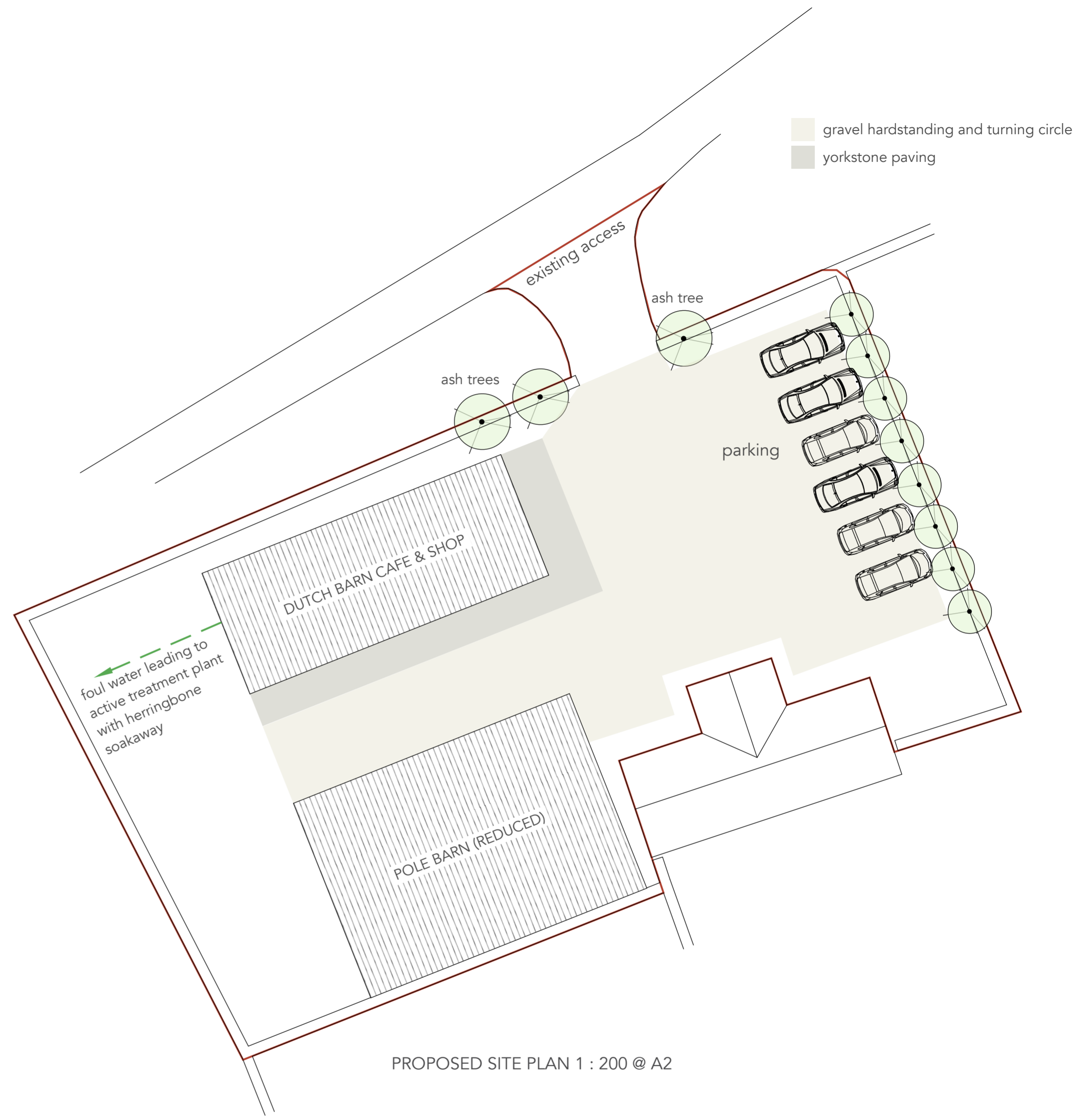
Reason: To ensure that, in accordance with Cotswold District Local Plan Policies EN2, EN4, EN5 and EN12, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.



SITE PLAN 1 : 500 @ A2



LOCATION PLAN 1 : 1250 @ A2



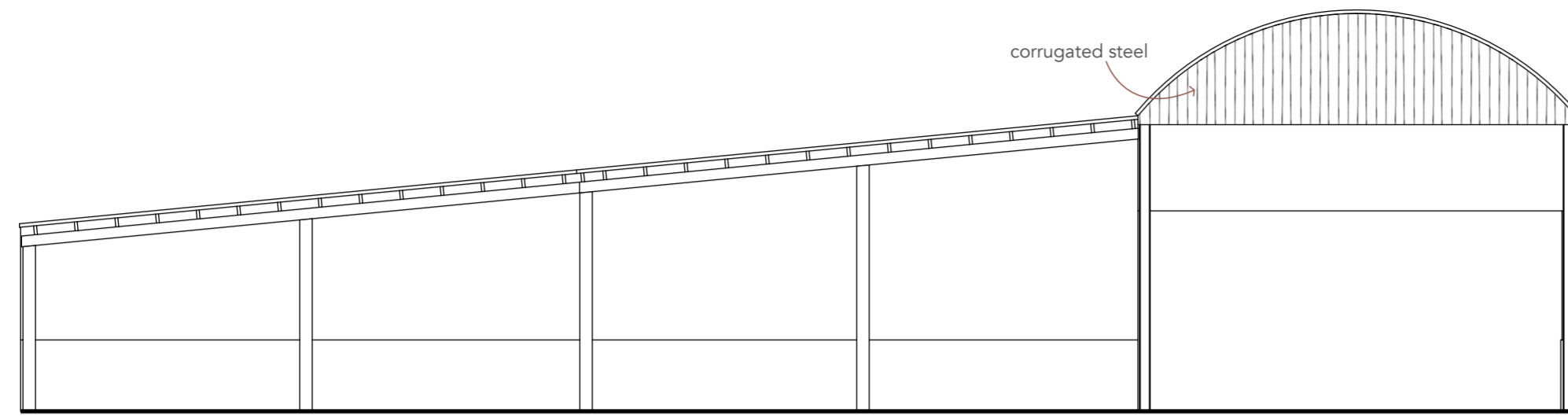
all dimensions to be confirmed on site
all works to be carried out in accordance with current Building Regulations
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project:
**Dutch Barn. Nesley Farm,
Tetbury. GL8 8UA**

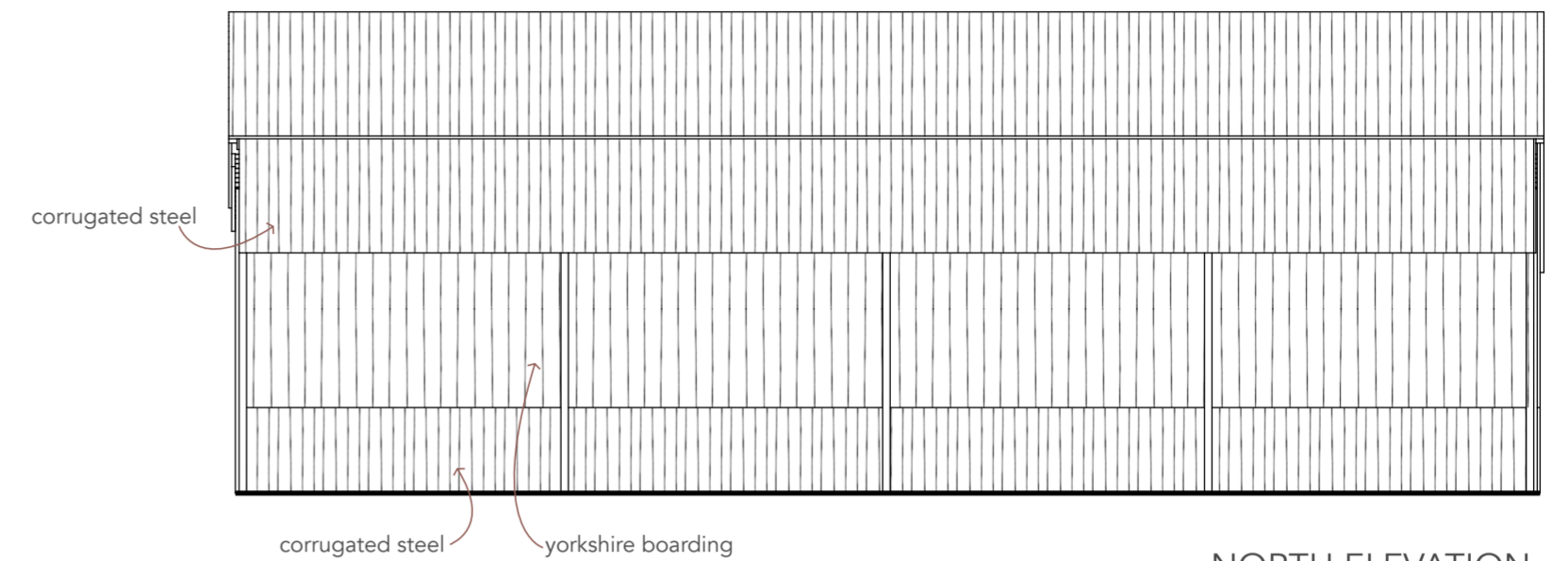
drawing:
1 : Location and Site Plans

February 2021

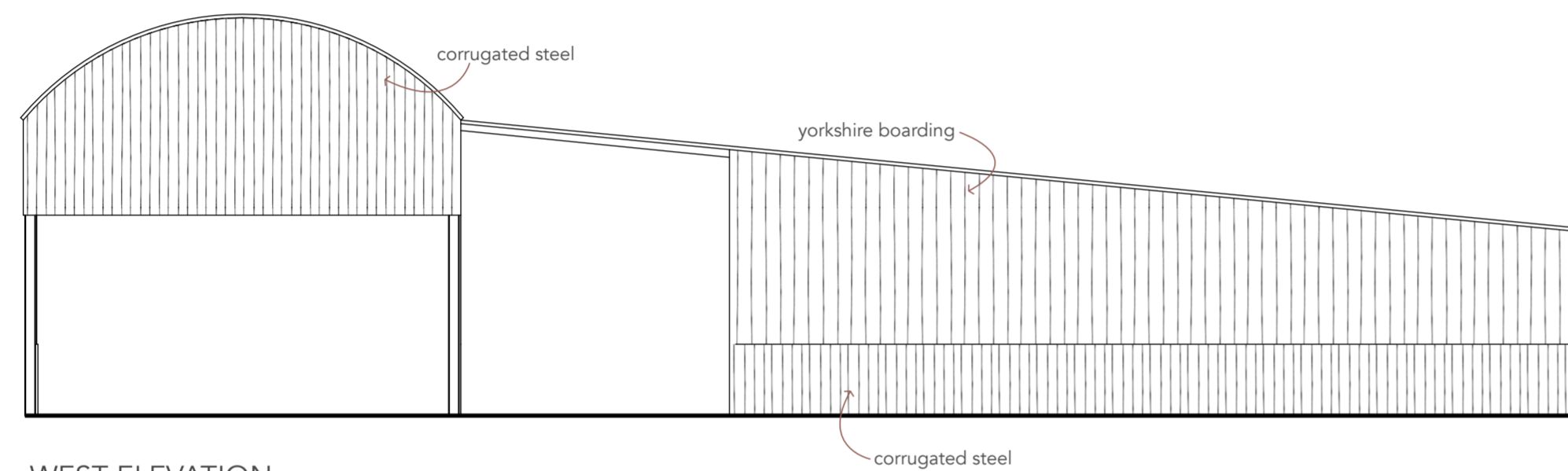
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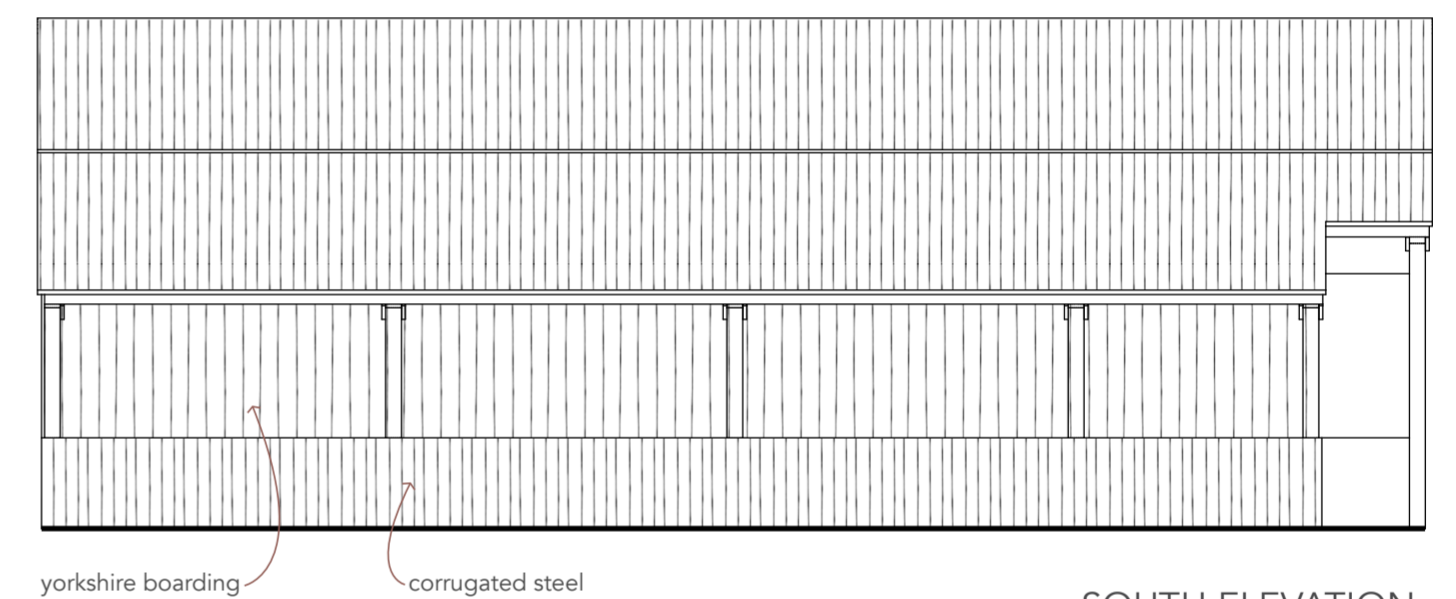
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

Page 194



0 scale 1 : 100 10m

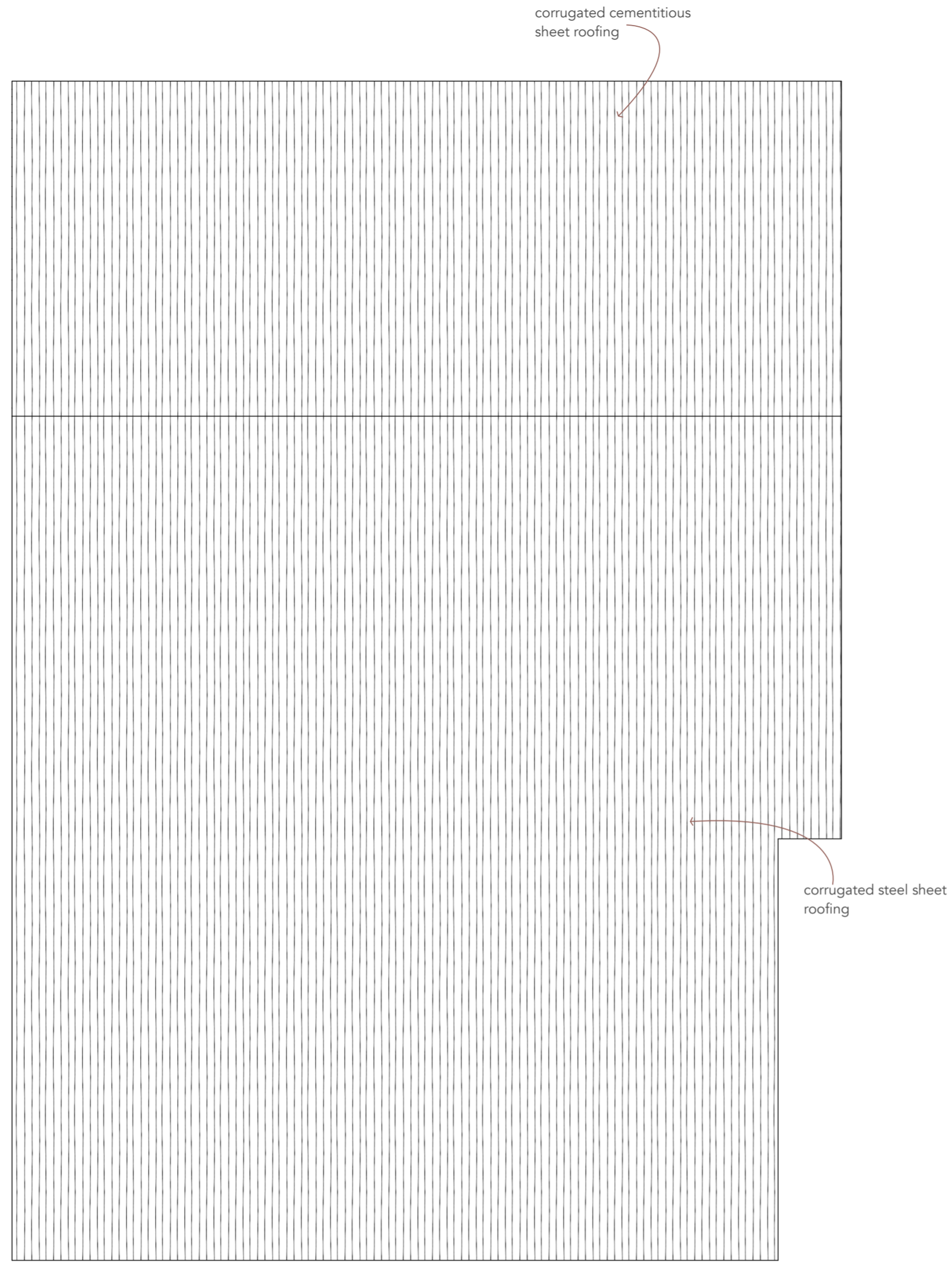
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project:
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Tetbury. GL8 8UA**

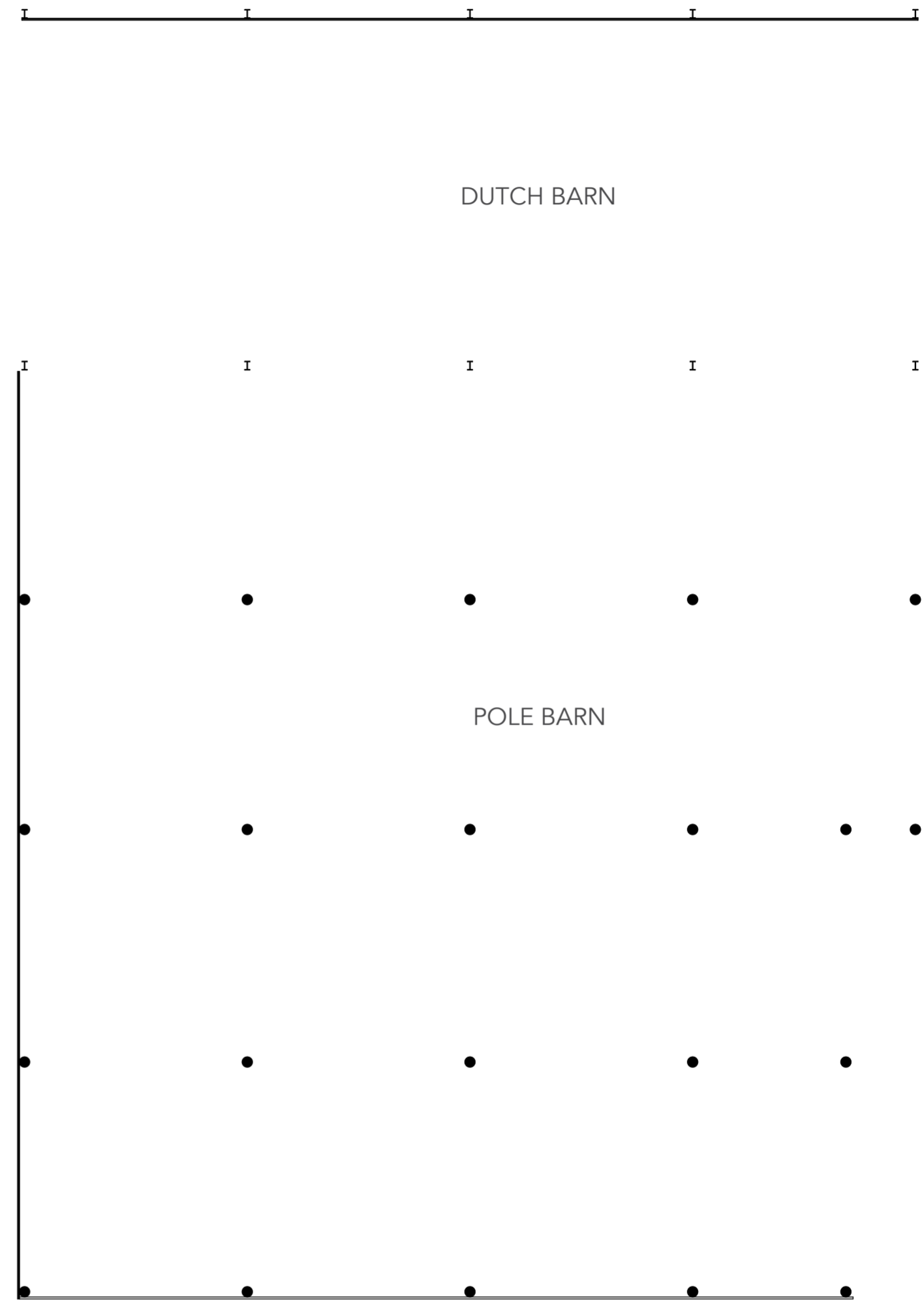
drawing:
**3 : Existing Elevations
1 : 100 on A2**

February 2021

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ROOF PLAN



GROUND FLOOR PLAN



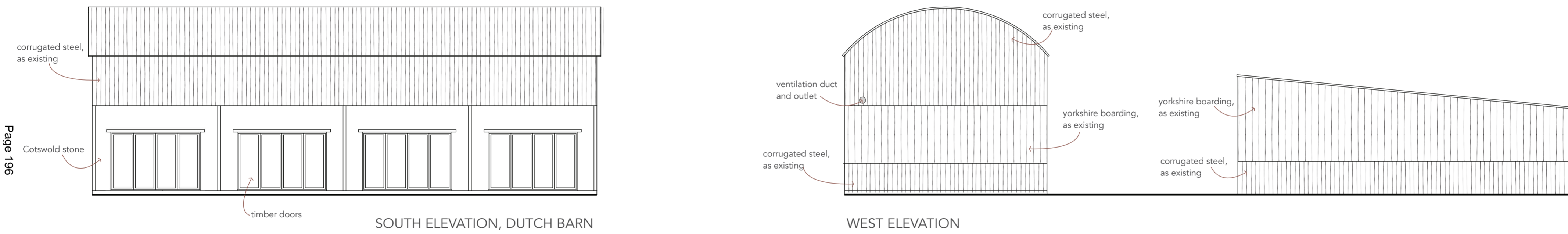
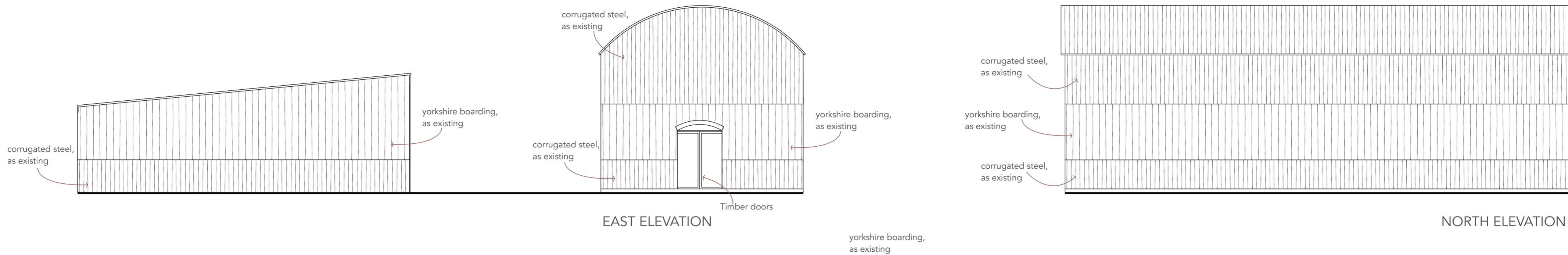
all dimensions to be confirmed on site
 all works to be carried out in accordance with current Building Regulations
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project:
**Dutch Barn. Nesley Farm,
 Tetbury. GL8 8UA**

drawing:
**2 : Existing Plans
 1 : 100 on A2**

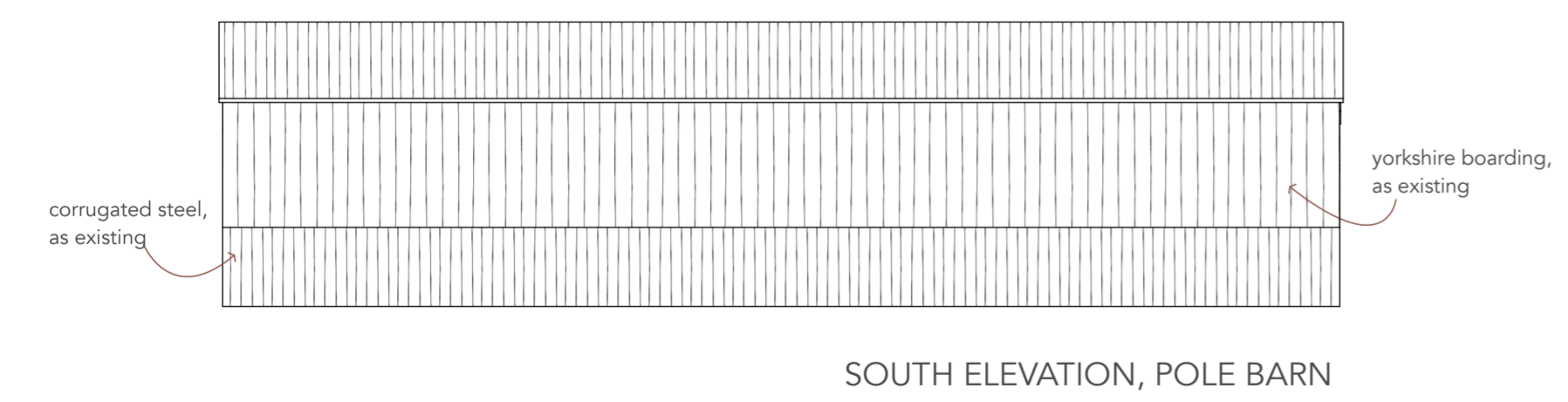
February 2021

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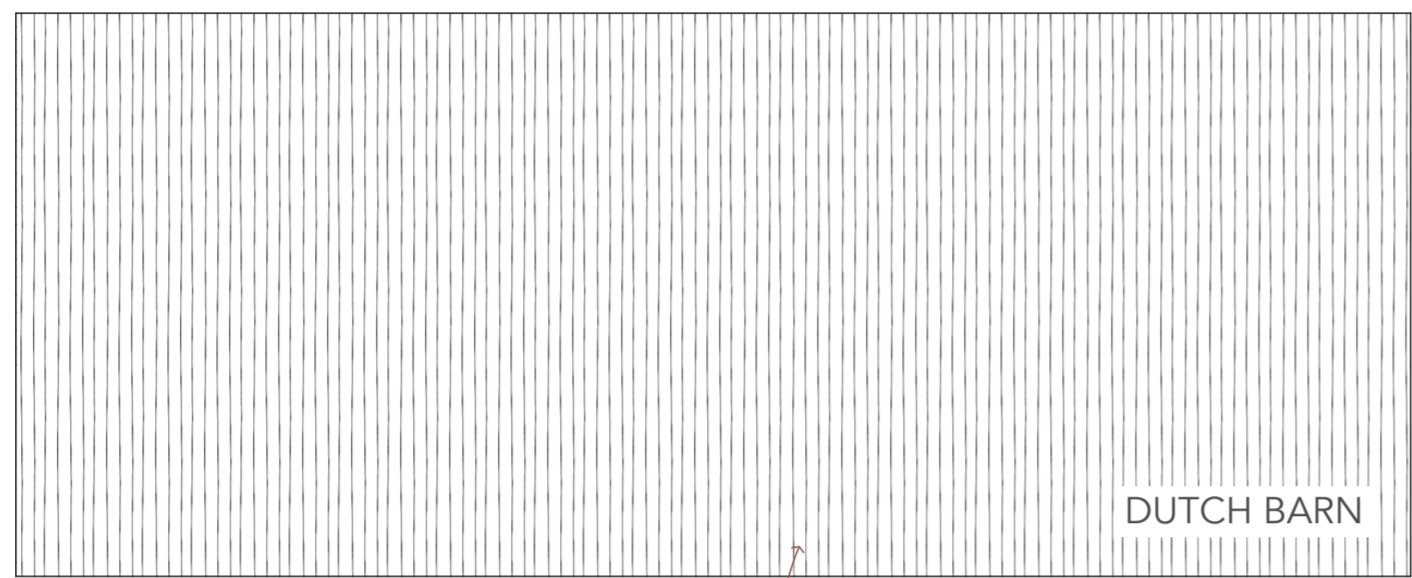


Page 196

- Ventilation and Extraction:**
 Subject to specialist contractor specifications, system to achieve:
- Internal ambient air temperature of max 28°C
 - 70% maximum humidity level
 - NR40-50 internal noise level
 - Stainless steel canopy with medium loading velocity (0.35 m/s)
 - Grease filtration system
 - Carbon and pre-filters
 - Electrostatic precipitation system
 - Inline oxidation system



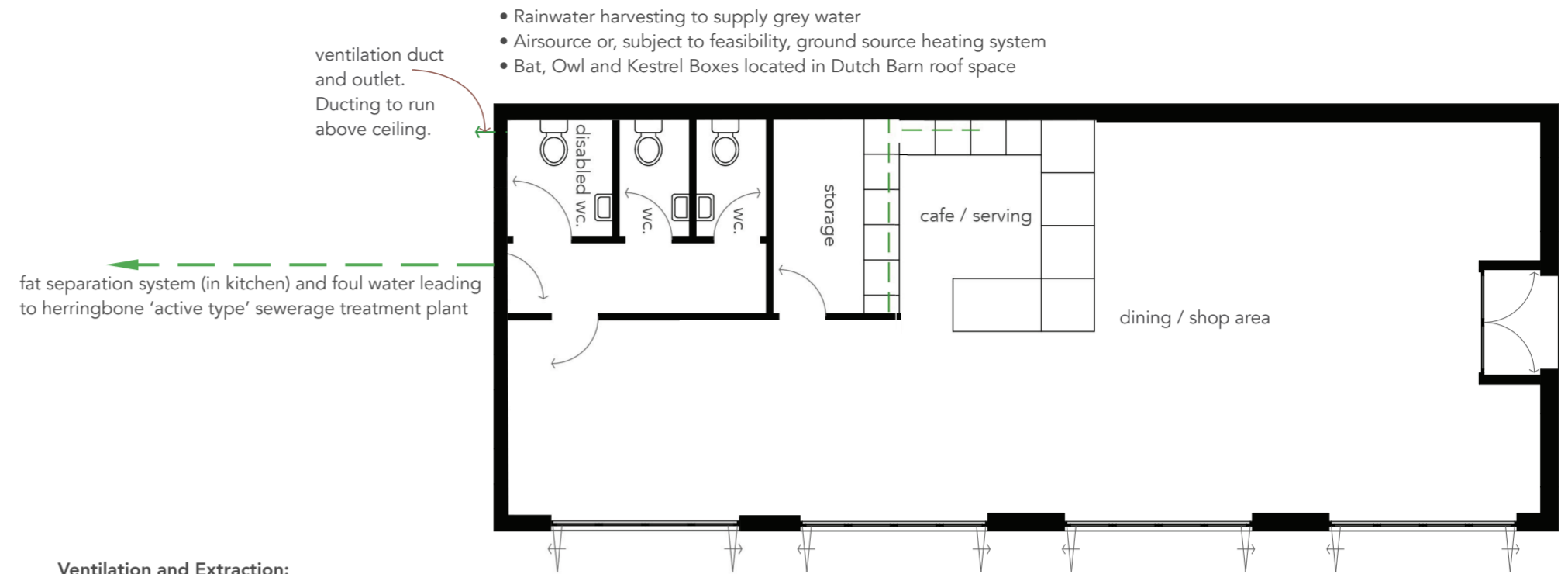
| | |
|--|--|
| <small>all dimensions to be confirmed on site all works to be carried out in accordance with current Building Regulations drawings and design copyright of SE Architecture and may not be copied, altered or reproduced without authority</small> | |
| project: | Dutch Barn. Nesley Farm, Tetbury. GL8 8UA |
| drawing: | 5 : Proposed Elevations 1 : 100 on A2 |
| | February 2021 |



DUTCH BARN

ROOF PLAN

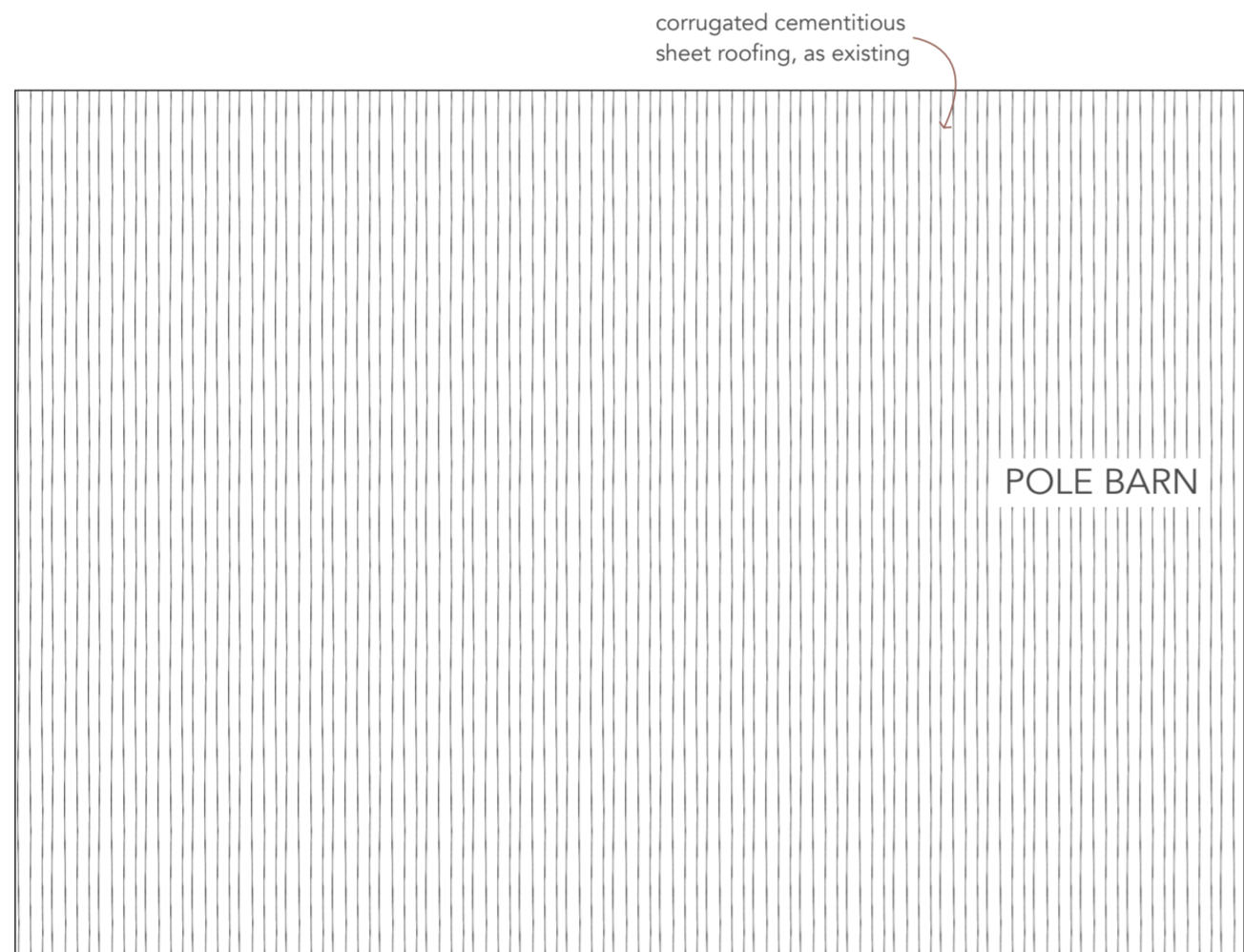
corrugated cementitious sheet roofing, as existing



GROUND FLOOR PLAN

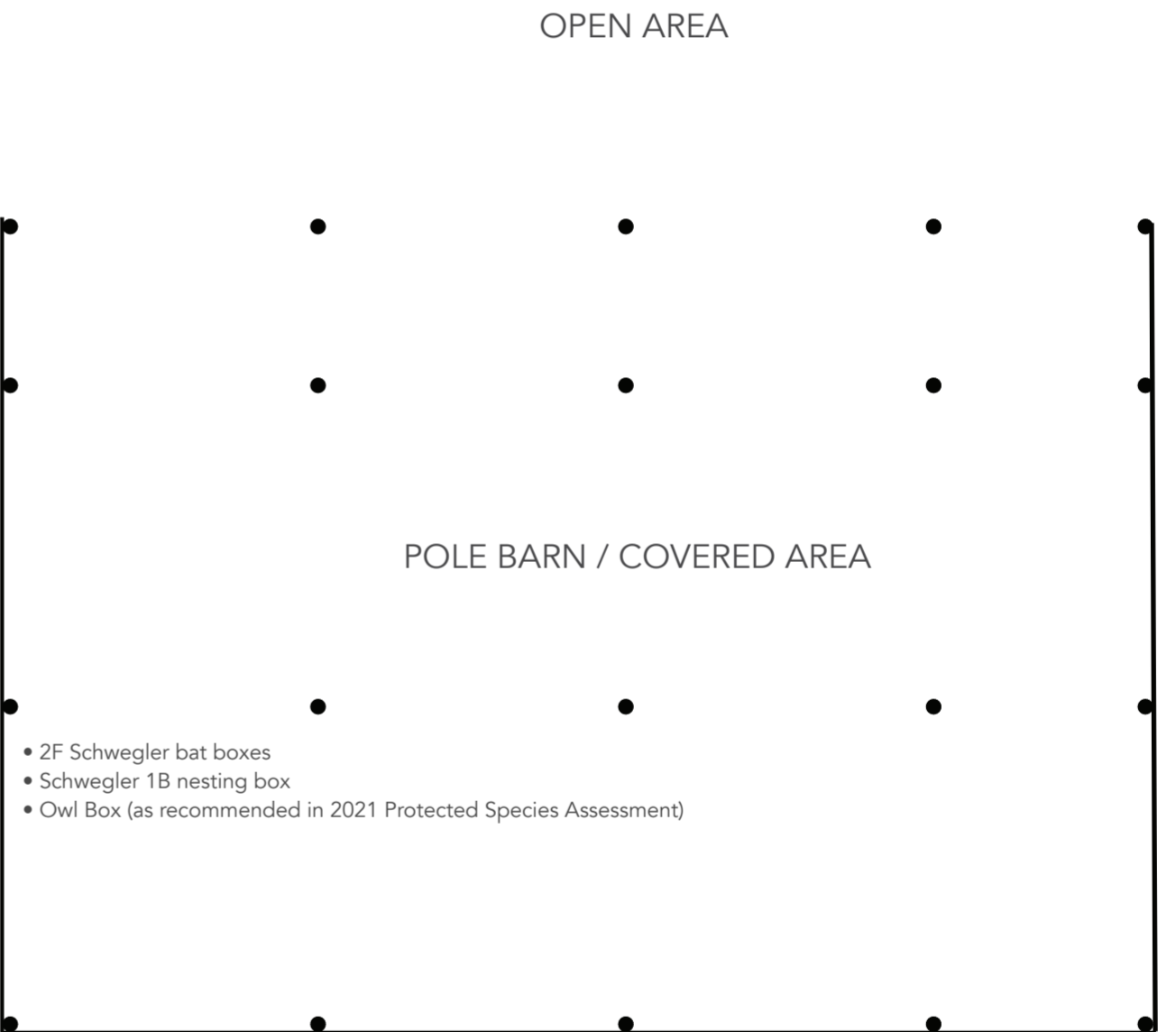
- Rainwater harvesting to supply grey water
- Airsource or, subject to feasibility, ground source heating system
- Bat, Owl and Kestrel Boxes located in Dutch Barn roof space

- Ventilation and Extraction:**
 Subject to specialist contractor specifications, system to achieve:
- Internal ambient air temperature of max 28°C
 - 70% maximum humidity level
 - NR40-50 internal noise level
 - Stainless steel canopy with medium loading velocity (0.35 m/s)
 - Grease filtration system
 - Carbon and pre-filters
 - Electrostatic precipitation system
 - Inline oxidation system



POLE BARN

corrugated cementitious sheet roofing, as existing



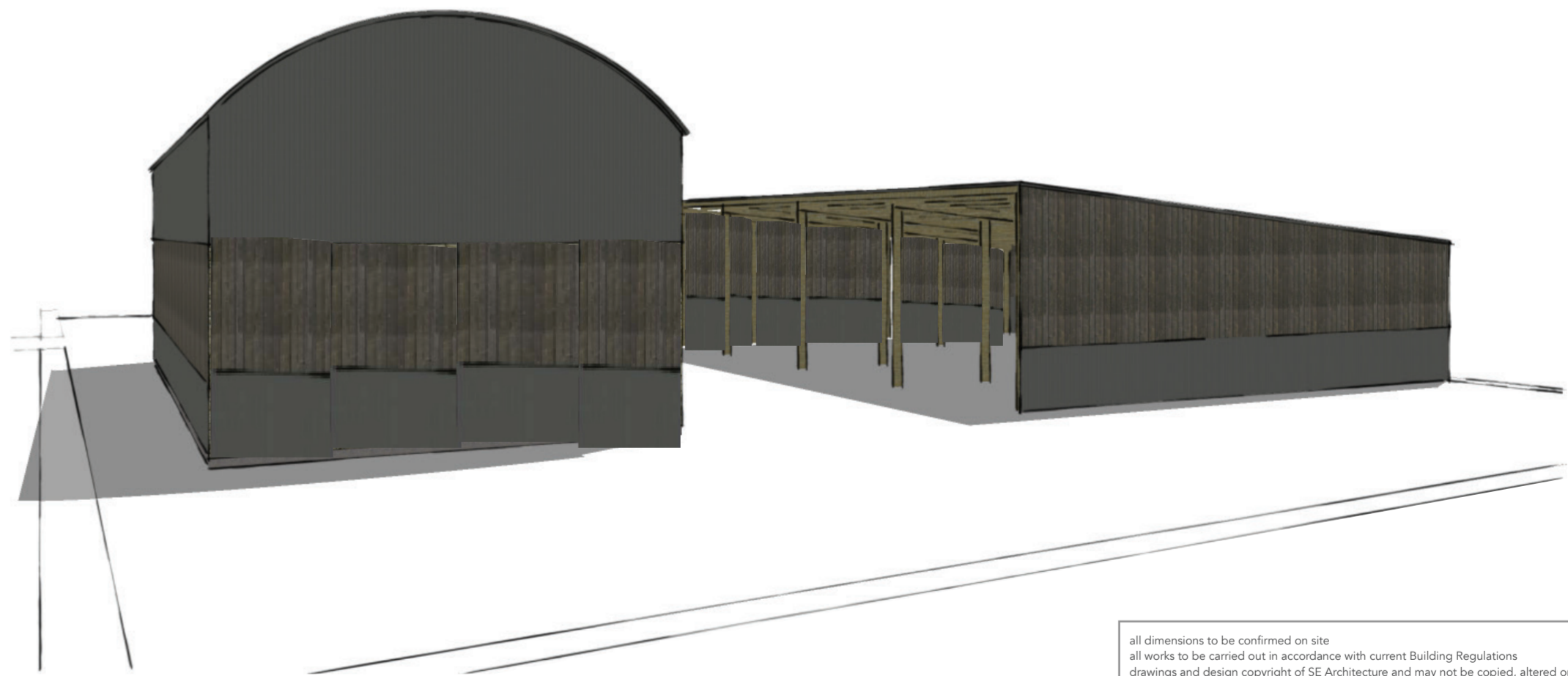
POLE BARN / COVERED AREA

- 2F Schwegler bat boxes
- Schwegler 1B nesting box
- Owl Box (as recommended in 2021 Protected Species Assessment)



all dimensions to be confirmed on site
 all works to be carried out in accordance with current Building Regulations
 drawings and design copyright of SE Architecture and may not be copied, altered or reproduced without authority

| | |
|----------|--|
| project: | Dutch Barn. Nesley Farm, Tetbury. GL8 8UA |
| drawing: | 4 : Proposed Plans 1 : 100 on A2 |
| | February 2021 |



| | |
|---|--|
| <small>all dimensions to be confirmed on site all works to be carried out in accordance with current Building Regulations drawings and design copyright of SE Architecture and may not be copied, altered or reproduced without authority</small> | |
| project: | Dutch Barn. Nesley Farm, Tetbury. GL8 8UA |
| drawing: | 6 : Proposed Sketches |
| February 2021 | |
| | |

PLANNING AND LICENSING COMMITTEE
8th December 2021
ADDITIONAL PAGES – Issue 1

**AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE LOCAL
GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

| ADDITIONAL REPRESENTATIONS ON SCHEDULE ITEMS : Page 1 - 56 | | |
|---|---|--|
| Item: | Ref No: | Content: |
| 01 | 21/03283/FUL (13-30 Stockwells Moreton In Marsh) | Correspondence attached between Moreton-in-Marsh Town Council and Case Officer in relation to surface water drainage. |
| 02 | 21/02735/FUL (Land at Grid Ref 398111 195688 Kemble Wick Kemble) | Letter of objection dated the 29 th November from Mr M Kingston and accompanying appeal decision. |
| 03 | 21/00650/FUL (Land North East of Chedworth Village Hall Chedworth) | New Energy and Sustainability Statement received from applicant together with an indicative plan showing possible location of solar PV panels on rear ranges of proposed dwellings. The applicant has indicated that he would be willing to install solar panels subject to Planning and Licensing Committee agreeing that their installation would be acceptable in terms of the design of the scheme. |

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24th November 2021

Dear Martin,

At last night's Planning & Infrastructure Committee meeting (22nd November 2021), CDC Councillor Clive Webster advised of a discussion with yourself concerning the issue of water management on the redevelopment of the Stockwells estate. At that Council Planning Committee meeting, it was resolved that I write to formally confirm the Town Council's concerns and ask for your assurance that the appropriate questions are being asked of the statutory consultees and the relevant answers are sufficient to enable CDC to fully understand the situation and to handle the application appropriately.

The Council approached the Lead Local Flood Authority (GCC) for clarification on issues to understand what the developers were doing regarding surface water, where it goes, and why they are suggesting adding to a drainage ditch they do not have access to and not identifying how they would maintain it. This was due to having local knowledge of the point of convergence of water systems to the river Evenlode and the fact that properties have been flooded at this area in the past and as recently as last Christmas 2020 under the current water management regime.

A response was received:

I asked for confirmation of the land ownership and the applicant provided a plan showing they own the land right up to the edge of the ditch. There might be inconsistencies between different plans but with the plan that they've shown me, there's no real objection I can make for them using it to discharge into the Evenlode.

I also asked for clarification over the existing surface water sewer they've identified but don't have an outfall for and where the site's surface water is currently discharging to. They said that surface water is currently draining to the foul sewer so changing this to the watercourse would be preferable in terms of the drainage hierarchy. The existing surface water sewer is serving the highway and will remain doing so. Although it might be helpful to know where it drains to, as they aren't altering the rate and volume of flows through it, just the route it takes through the site, not knowing the outfall is not an objectionable point.

I've reiterated to Martin my initial recommendation of no objection subject to the conditions for a detailed design and a maintenance plan. This is because by providing a limit on the discharge rate and attenuating surface water on site the development has met the planning requirements for surface water drainage.'

The attached plans were sent showing part of the applicant's Flood Risk Document and snapshot of the topographical map showing clearly that the applicant has no ownership or connection to the drainage ditch. They had therefore not 'shown a plan that they own the

land right up to the edge of the ditch' and they are unable to determine outfall routes. It also shows a 'sewer easement' area outside of their legal boundary.

There is clear admission that surface water is entering the foul water system and any change, however considered ideal in terms of 'drainage hierarchy', will significantly increase the water entering the drainage and river system at this point. If houses flood now with much surface water being diverted to foul water systems, any steps to divert this to the river system can only exacerbate the flood risk unless other mitigation is introduced.

It should be pointed out that the flood risk at this point is exacerbated by the close proximity of three road surface water outlets, one of which at the beginning of the identified ditch has been referred to as the outlet for drainage water from as far away as the proposed Mosedale development coming under the A44 and housing to reach the river. The Environment Agency are also very much aware of the issues at this point but Town Council is unaware of any steps to reduce flood risk here at this point in time.

Please let Town Council know if there is any further information we can provide to assist you in making comment on the issue.

Yours sincerely

Amanda Davis
Clerk to Council

Martin Perks

From: Martin Perks
Sent: 29 November 2021 15:21
To: 'Clerk'
Subject: RE: Stockwells development in Moreton-in-Marsh
Attachments: AAC5575_RPS_XX_XX_DR_C_600_Drainage Concept_P03 (002).pdf; Title Plan View - GR191269 Eastern Stockwells (002).pdf

Dear Amanda,

Thank you for your email and correspondence.

The applicant advises the following:

Our legal title confirms our land ownership abuts the adjacent ditch therefore we able to rely upon riparian rights – this has been confirmed by our solicitors. Our site boundary has been adjusted to place a new fence line within our boundary (not directly on it) which enables the headwall to be installed still within our boundary. As this remains within our title, we are able to maintain this area appropriately; I refer to the previously mentioned proposed gate for access and maintenance purposes.

I have attached a further copy of the title plan which shows that Bromford own the land up to the edge of the ditch and I have also attached a copy of the submitted drainage strategy plan, which show the new headwall is constructed within the land that Bromford own, before discharging into the ditch under the riparian rights.

With regards to the management and maintenance of the SuDs, this is included in one of the proposed conditions, so this information will have to be submitted and approved in due course by CDC and the GCC as the LLFA.

The proposed development will accord with sustainable drainage (SUDs) principles. Under the SUDs hierarchy surface water should ideally be dealt with by i) on site infiltration, ii) by discharge to a water course/body iii) to a surface water sewer and lastly to a combined sewer. It is therefore preferable for surface water to discharge to a ditch/water course than to a sewer subject to the rate of flow being controlled as is the case in this instance.

I trust this information is of assistance.

regards

From: Clerk <Clerk@moretoninmarshtowncouncil.gov.uk>
Sent: 29 November 2021 08:56
To: Martin Perks <martin.perks@cotswold.gov.uk>; Martin Perks <martin.perks@cotswold.gov.uk>
Subject: Stockwells development in Moreton-in-Marsh

Dear Martin

Please see attached letter from Moreton-in-Marsh Town Council re the proposed Stockwells development and especially with regards water and flood risk issues.

Kind regards
Amanda Davis
Clerk to Council



This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 22 August 2019 at 16:44:22. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Gloucester Office.

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- 2. It is the responsibility of the client to ensure that the design is suitable for the intended use and that all necessary permissions are obtained.
- 3. It is the responsibility of the client to ensure that the design is suitable for the intended use and that all necessary permissions are obtained.
- 4. It is the responsibility of the client to ensure that the design is suitable for the intended use and that all necessary permissions are obtained.

| NO. | DATE | DESCRIPTION | BY | CHKD |
|-----|----------|---------------|-----|------|
| 001 | 15/11/19 | Issue for RFI | ... | ... |
| 002 | 15/11/19 | Issue for RFI | ... | ... |
| 003 | 15/11/19 | Issue for RFI | ... | ... |
| 004 | 15/11/19 | Issue for RFI | ... | ... |
| 005 | 15/11/19 | Issue for RFI | ... | ... |

PRELIMINARY
SUBJECT TO DETAILED DESIGN

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KEY

- Existing highway drain to be replaced
- Existing storm water main to be retained
- Existing foul water main to be retained
- Existing highway drain to be replaced
- Proposed highway drain
- Proposed storm water drainage
- Proposed foul water drainage
- Sewer Easement
- Proposed Gas Collector 'New'
- Proposed Stormwater Manhole
- Proposed Foul Manhole



RPS
RICKMAN
SUSSEX
LONDON

Brombird Developments Ltd

Stockwells
Morton in the Marsh

Drainage Concept

15/11/19
1.2.20
04.12.19
AG
OH
AG

AA0575-RPS-XXXX-R-C-600-01

54 P33

Martin Perks

From: Clerk <Clerk@moretoninmarshtowncouncil.gov.uk>
Sent: 29 November 2021 17:53
To: Martin Perks
Subject: Stockwells development Moreton in Marsh

Dear Martin

Thank you for your response.

My understanding is that riparian responsibilities for waterways exist when land is owned to that waterway and not before. In which case on behalf of Moreton-in-Marsh Town Council I must query Bromford's understanding of the situation.

The Land Registry document cannot be relied on to confirm exactly where the boundary exists. The plan you have been shown (as attached) clearly shows the boundary of land owned by Bromford stopping short of the ditch (in black) and the proposed new section of ditch clearly comes out of their land across other owned land to reach the ditch. They are also proposing taking their fence back from their boundary and enable a gate to enter land which is not theirs to maintain a new length of ditch which will not be entirely on their land.

Should CDC find this acceptable, who will be responsible for checking the excessive levels of water in this ditch which will predictably flood properties on Croft Holm and who will clear the ditch for its length to the river proper as it silts up due to this additional surface water? The level of water in this ditch rose to a level that a property was partially flooded in December 2020. No other action to mitigate the flooding of this area has taken place since that date therefore the additional surface water proposed for this ditch will inevitably exacerbate the risk that this area, and the house I refer to, will flood again.

I would be pleased that Moreton-in-Marsh Town Council's view are made known and I would welcome any further response you may have. We all have the interests of our residents and future residents in mind. Thanks for your time.

Kind regards
Amanda Davis
Clerk to Town Council

Martin Perks

From: Martin Perks
Sent: 01 December 2021 12:30
To: 'Clerk'
Subject: RE: Stockwells development Moreton in Marsh

Dear Amanda,

I have received the following response from the Lead Local Flood Authority:

If Bromford owns the land up to the ditch, as they say and as the title plan seems to show, then I don't see an issue with them discharging into it. They should provide a suitable management and maintenance plan to ensure the outfall remains clear but this can be done through a condition.

The management of the rest of the ditch won't be altered by this. It will remain with whoever currently has riparian responsibility and there are processes in place to ensure this is carried out (e.g. through the Land Drainage Act, 1991).

I understand the worries of the neighbouring properties given the ongoing flooding issues they're experiencing. However, from the information provided the proposal will not make the situation worse and could provide some betterment. By removing surface water from the foul sewer, there will be less pressure on the nearby pumping station and based on what we've heard about CSOs recently this is a positive thing. They are also introducing a flow control and storage on site so the overall rate of surface water leaving the site will be reduced and will be retained on site for longer before entering the watercourse.

I can't see any grounds to object to the proposal from a drainage aspect.

regards

From: Clerk <Clerk@moretoninmarshtowncouncil.gov.uk>
Sent: 29 November 2021 17:53
To: Martin Perks <martin.perks@cotswold.gov.uk>
Subject: Stockwells development Moreton in Marsh

Dear Martin

Thank you for your response.

My understanding is that riparian responsibilities for waterways exist when land is owned to that waterway and not before. In which case on behalf of Moreton-in-Marsh Town Council I must query Bromford's understanding of the situation.

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Amanda Davis
Clerk to Town Council

Martin Perks

From: Clerk <Clerk@moretoninmarshtowncouncil.gov.uk>
Sent: 01 December 2021 15:30
To: Martin Perks
Subject: FW: Stockwells development Moreton in Marsh
Attachments: Bromford Land Registry.png; Neighbouring Land Registry.png; Drain at SE corner of Stockwells.png

Dear Martin

Moreton in Marsh Town Council still believes there to be an issue in the accuracy of the argument put forward by the Lead Local Flood Authority:

The first map indicates Bromford Title, the second for information is a neighbouring Title and the third is Bromford's own proposed ditch continuation. The line coming south from Bromford land is a fence attached to the neighbouring property and not the ditch.

The ditch is marked in black on their own drawings and outside of their boundary. The slip of land that holds the banks and the ditch is not registered land but is definitely not owned by Bromford and nor does the title of their land reach the ditch.

It seems clear that Bromford has not proven that they have riparian responsibilities for the ditch - indeed if they have, it would be interesting to know what they have been doing to date to maintain such a responsibility as local residents have cleared this land themselves for a number of years and therefore are more likely to succeed in an adverse registration of this slip of land than Bromford.

Kind regards

Amanda Davis
Clerk to Council

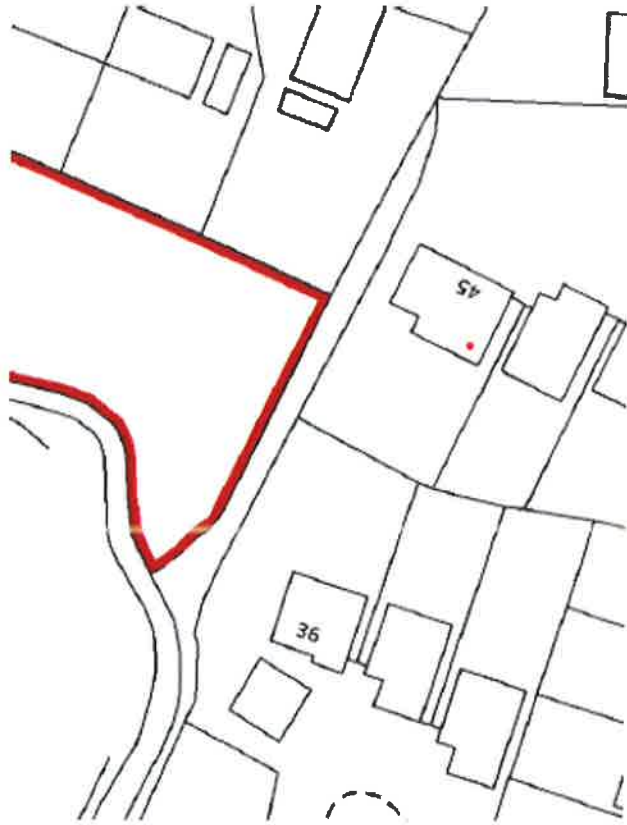
From: Martin Perks <martin.perks@cotswold.gov.uk>
Sent: Wednesday, 1 December 2021, 12:30
To: Clerk
Subject: RE: Stockwells development Moreton in Marsh

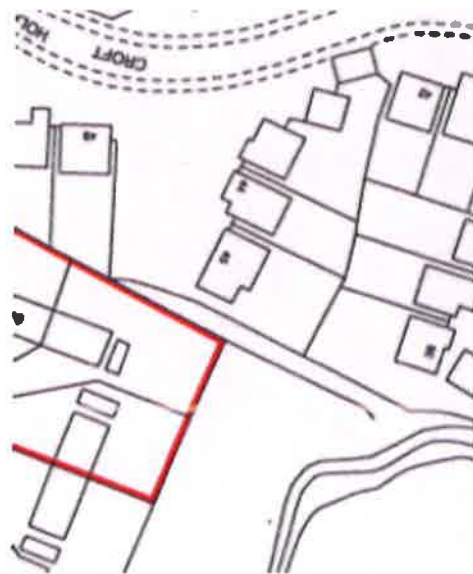
Dear Amanda,

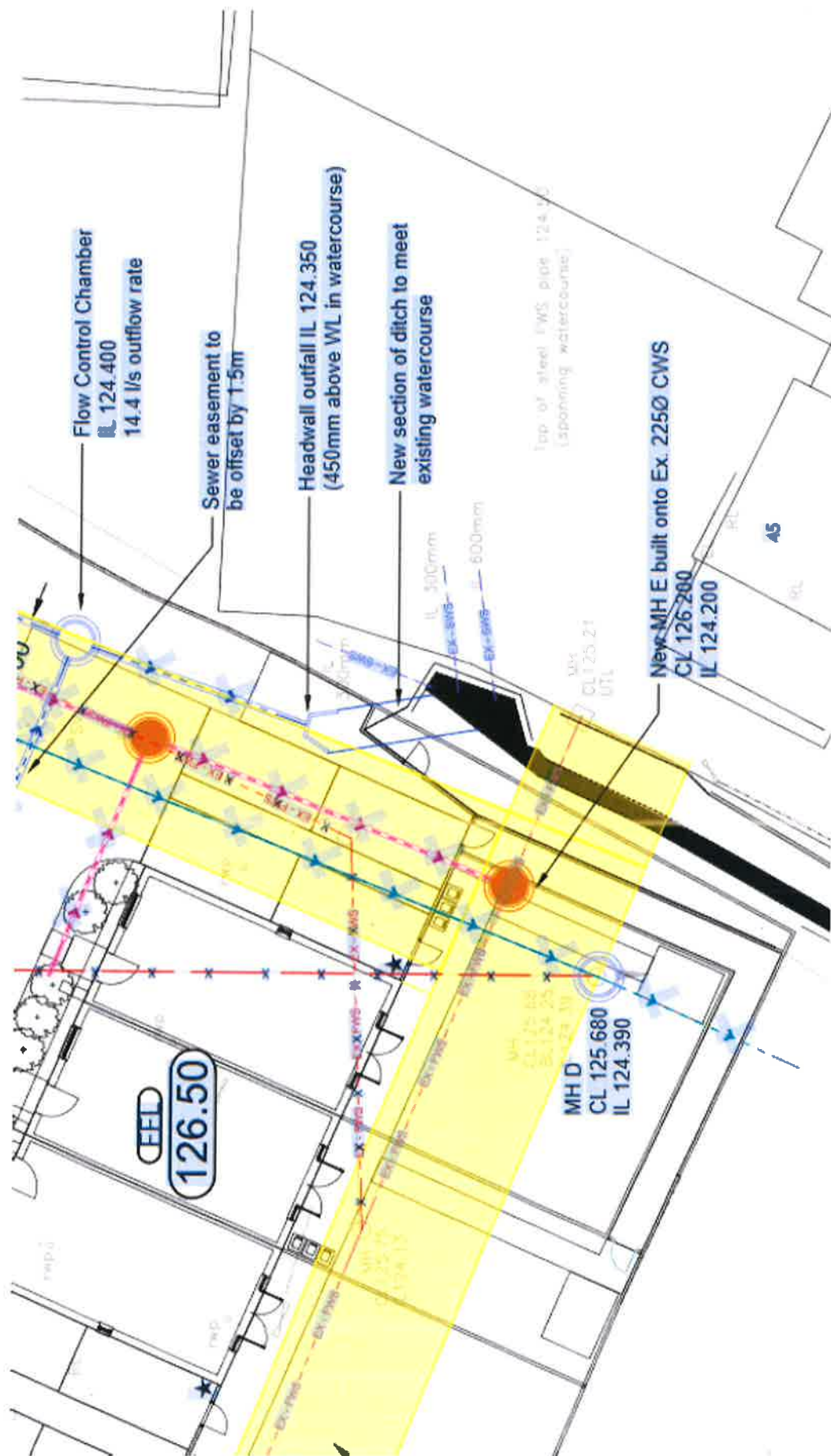
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RE: KEMBLE WICK SOLAR FARM

**RESPONSE TO APPLICANTS'
ADDITIONAL SUBMISSIONS**

INTRODUCTION

1. On the 2nd November 2021 the Applicants submitted a suite of 6 additional documents in an attempt to deal with issues raised in objections to the proposals. The further submissions are addressed, to the extent necessary, below but it should be noted that what characterises them is continued broad assertions either in the face of evidence to the contrary or without proper supporting information.

THE SUPPLEMENTARY PLANNING STATEMENT

2. The Applicants assert at paragraph 2.3 that there is no requirement to consider alternative sites. That is not correct. In this instance the proposal is admitted to be likely to cause harm to planning considerations such as the landscape and access to the countryside. The admission that harm will be caused and

that it is incapable of being fully mitigated necessarily raises the question as to whether there is any alternative site where such harm might be avoided. That is, in part, the purpose of the PPG Guidance at paragraph 13 and quoted at paragraphs 2.7/2.8 of the Supplementary Planning Statement (“SPS”). The objective of the PPG Guidance, which imposes a sequential test, is to seek to mitigate the harm arising from largescale proposals of this kind by ensuring that the site selection process is rigorously carried out.

3. In this instance the site selection process is manifestly defective and the consideration of alternatives likewise. The Applicants made clear, in the course of answering a specific question during the online consultation meeting, that the size of the site was driven by the economics and the economics were largely driven by the distance the site was from the grid connection. It was stated in clear terms that the site size needed to be what it was because otherwise the site would not be viable.
4. In their consideration of alternative sites the Applicants are explicit (see paragraph 2.11 of the SPS) that they looked for sites of some 60/70 hectares “to accommodate the development”. That is the wrong approach. There is no necessity for a solar farm generally to be anything like the scale of 60/70 hectares. There are many examples of smaller sites. The scale here is driven by the fact that the site is so far from the grid connection and it will be expensive to connect it. A site closer to the grid connection could, necessarily, be smaller in size and still be economic. Notwithstanding that obvious consideration the Applicants have quite deliberately avoided the consideration of smaller sites closer to the grid connection where the problems which arise with the current

site could have been avoided. It is obvious looking at figure 2.2 in the SPS that there are areas of unconstrained land around Cirencester, much closer to the grid connection where a viable solar farm development could be undertaken. Such areas were not considered notwithstanding the absence of constraints because what the Applicants were looking for was a site to accommodate 60/70 hectares of development.

5. Among the Applicants requirements set out in paragraph 2.11 of the SPS is that the site should be actively marketed. It is not clear why this is a relevant consideration. The application site was not being actively marketed at the time when it was selected for this development. It is clear from elsewhere in the SPS that the Applicants approached the estate in order to generate interest for the proposal. Such approaches could, of course, be made elsewhere so that a requirement that the site should be actively marketed looks like an entirely false and inappropriate criteria to have set up for site selection.
6. In terms of the criteria used in the assessment of sites it is obvious that this site does not satisfy the criteria set out in paragraph 2.13 of the SPS. For example, it has a significant and adverse impact on a number of residential dwellings, it is not flat and in landscape terms it is subject to policies which set out to deliberately and carefully to preserve the amenity of the countryside to which access is gained in the area around Kemble.
7. In respect of heritage designations referred to at paragraph 2.14 of the SPS it is to be noted that these have been carefully drawn so as to exclude for example the designated ancient woodland area at Kemble Wood which is significantly and adversely affected by these proposals. Likewise with regard to sensitive

receptors. There is no doubt that users of the footpaths and bridleways out in the countryside as part of a recreational activity are sensitive receptors. This site materially and adversely affects the receptors of the single most well-used footpath (No.8) running out to the south of Kemble and also the bridleway on the south west boundary of the site.

8. In addition, it is to be noted with regard to Figure 2.2 in the SPS that the connection route is not considered in terms of the features it adversely impacts although the impact of it, for a significant period during construction, will be substantial for example where it runs parallel to the Thames Footpath a nationally important footpath.
9. It is clear from Figure 2.2 in the SPS that it is only by constraining the alternative site search to areas of 60/70 hectares and ignoring the impacts of the site on a number of interests of acknowledged importance that the Applicants are able then to assert that there is no alternative site. Figure 2.2 makes it clear that there are other less constrained areas available which are closer to the grid connection and where a perfectly viable solar farm development might be proposed. Thus paragraph 2.20 of the SPS can only make the assertion it makes on the basis of the self-serving approach that the Applicants have used.
10. Accordingly, paragraph 2.20 of the SPS and its assertion that the process has been rational and thorough is incorrect. The process has been a circular one, it is self-serving and it is at best an ex ex post facto justification of a site the Applicants had chosen before undertaking the sort of rigorous site selection process that is implicit in the PPG Guidance with regard to largescale solar farms. The importance of the sequential approach to site selection and the site

selection process has been evidenced from early on in appeal decisions: see for example the Tattingstone Solar Farm appeal decision.

THE KEMBLE AND EWEN NEIGHBOURHOOD DEVELOPMENT PLAN

11. The KENDP is the most up-to-date element of the statutory development plan. It is entitled to significant weight. Having previously ignored it, despite the fact that it was at an advanced stage of preparation when the Applicants submitted their proposals, the Applicants now assert that the proposal is compliant with the policies in the plan. That is not so. Paragraph 3.3 of the SPS is simply wrong. Policy KE6 and Objective 4 of the KENDP are not just concerned with physical issues they are concerned with the protection of the green infrastructure network for its recreation, open space and wildlife value. Its recreation and open space value are in part determined by the quality and amenity of the areas to which access is given. This is amply illustrated in paragraph 5.14 of the KENDP where it is noted that *"the neighbourhood areas GI includes existing links from the villages to the wider countryside; features such as Kemble Wood and the nationally important Thames Trail that links to the source of the Thames/Isis"*. Taking that as an example, this proposal materially harms the appreciation of Kemble Wood because between Footpath 8 and Kemble Wood there will be a substantial block of solar panels and the associated fencing paraphernalia. Policy KE6 is explicit that development will only be permitted where it retains/protects/enhances the recreational, biodiversity, water management and other **functions** of the GI network. This development manifestly does not do so it interferes with the GI network in relation to a popular and well used footpath and a bridleway both of which give great enjoyment to users of them. This is particularly so for the footpath

because it provides views over the open countryside to features such as Kemble Wood. A site inspection would make all that clear.

12. As will be noted later, in relation to Policy KE10, one of the features of the area that is appreciated from Footpath 8 running to the south of the village is the very pleasant open countryside view which is obtained from it. As it leaves the village running to the south the footpath is, in the southern section, elevated above the countryside to the south allowing it to be appreciated and enjoyed in precisely the way that Policy KE6 seeks to protect. This development by reason of its location and size clearly and materially conflicts with Policy KE6 of the KENDP.
13. In relation to Policy KE10, dealing with archaeology, the policy is explicit that the necessary archaeological investigation work "*must be carried out prior to the submission of any planning application*". The reason for this is to avoid exactly what has arisen here, that is that an application has been processed towards determination in circumstances where the work has not been undertaken and where a comprehensive consideration of all of the adverse impacts of the proposal cannot be undertaken satisfactorily. The purpose of the Policy KE10's requirement was to ensure that in the **site selection process** a full suite of archaeological and promotion should be available with, if necessary and by way of example trial trenching having been undertaken, before an application was submitted. That has plainly not happened here with the result that the application has proceeded contrary to Policy KE10.
14. The Applicants assert that the proposal complies with Policy KE11 of the KENDP. It does not. The reason is obvious. The LVA undertaken admits that there are adverse and material impacts on the landscape and visual amenity

as a consequence of the proposal. Paragraph 3.14 of the SPS is explicit in that regard. The loss of openness and the loss of views coupled with the fact that such views as there would be would be views to solar panels/substantial fencing (which even when it is called deer fencing) would be unattractive and harmful in landscape and visual terms.

15. Policy KE11 is clear at sub-paragraph (a) that proposals for development should retain and where possible enhance those landscape assets which are of benefit to the quiet enjoyment of the rural landscape by residents and the community. The landscape assets here include those identified in the Kemble landscape proposal that is the openness and views across the countryside which at present are tranquil and substantially add to the amenity of the area. There is an attempt in paragraph 3.19 of the SPS to suggest that because the development will be "*quiet*" it does not offend against the policy. That is with all due respect an absurd suggestion. "*Quiet enjoyment*" in this context means not simply something which is free from noise but something which is free from interruption in the broadest sense. So quiet enjoyment here is not to be had by a development which will be obvious and intrusive from the footpath and which will rudely interrupt the ability to appreciate and enjoy the countryside in precisely the way that KE11 seeks to protect.
16. Policy KE11(f) seeks to avoid further aesthetic erosion of the landscape and farmed edge of the villages. The reason for that is because it is in the areas around the villages that there is the most frequent opportunity to enjoy the landscape and appreciate the features identified in the Kemble landscape appraisal. The same objective of enjoyment is apparent under Policy KE11(g)

in seeking to protect views and vistas identified in the landscape proposal among which are the views over this site. In this context the area in which the site lies is a "valued landscape" in policy terms. Policy KE11(c) seeks to reinforce the Thames Valley landscape in respect of its recreational value and visual amenity creating a quiet and tranquil value for all landscape. Although the grid connection will not be a permanent feature it is the fact that for over a substantial period of time there will be an interruption in that area which will offend against the policy. Ordinarily one might regard such a temporary disruption as being acceptable but that would be in the context of having demonstrated that the site was a suitable one and that alternatives which did not have such a disadvantage were not available. For the reasons identified above those steps have not been taken in this case so that the conflict with Policy KE11(c) is to be taken into account in the assessment process.

17. At paragraph 3.20 of the SPS the Applicants pray in aid the Council's landscape officer's comments on the application. With due respect to the landscape officer the comments might be given more weight if they had shown any awareness of the existence of the KENDP policies and in particular Policy KE11 and the substantial and detailed Kemble Landscape Proposal work which undergirds it. As it is the assessment is absent any consideration of those issues and accordingly should not be accorded any significant weight.
18. It is noted that in response to questions raised by the Council's planning officer with regard to fencing the Applicants have confirmed that the fencing is necessary and if permission is granted will be erected. The change in detail and description so that it is now described as "*deer fencing*" does nothing to

address the fact that it will be a substantial and interrupting element in the landscape which is at present valued for its openness and the views that are obtained over the countryside. In short the change in the detail does nothing to ameliorate the adverse impact identified. The importance of landscape considerations in cases of this kind is apparent in the appeal decisions which relate to them: see for example the attached appeal decision on a site in Dorset.

THE LANDSCAPE MITIGATION WORKS

19. The landscape mitigation works are, with respect, all generic in that they are the sort of works that one would expect to be undertaken with any proposal of this kind. They are all easily transferrable to a development of this kind undertaken elsewhere so that there is nothing to distinguish them in terms of either scale or quality from anything that might be expected in an attempt to address the impacts of the proposal.
20. Importantly it is to be noted that it is not asserted that the mitigation works will overcome the identified impacts in terms of the landscape, visual amenity, impact on residential dwellings and impact on heritage features such as Kemble Wood.
21. In these circumstances it is clear that the proposal is contrary to the development plan in material respects such that other material considerations are required to outweigh that impact and make the grant of planning permission appropriate. Bearing in mind that this is essentially a “footloose” development which could be located in a wide variety of locations there is no basis to assert that the development plan conflict should be overridden because of some other feature of the development.

CONCLUSIONS

22. The Applicants have undertaken a self-serving and deficient alternative site assessment. The assessment was designed to try and support the site that had been chosen without having undertaken a thorough pre-application investigation. Even in respect of previously developed land the assessment is manifestly deficient in its omission of the significant areas of PDL which are contained, for example, within the Cotswold Airport site. Those areas may not appear on the register the applicants used but they are undoubtedly previously developed land. In other respects the erroneous assessment process is amply demonstrated by the conflicts that are shown to have arisen with the most recently approved part of the development plan that is the KENDP.

MARTIN KINGSTON
Kemble House
Kemble
GL7 6AD

29 November 2021



Appeal Decision

Site visit¹ made on 15 July 2020

by **Neil Pope BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 July 2020

Appeal Ref: APP/D1265/W/19/3241953

Land at Higher Farm, Fifehead Magdalen, Dorset, SP8 5RT.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Next Power Higher Farm Limited against the decision of Dorset Council (the LPA).
 - The application Ref. 2/2019/0470/FUL, dated 28 March 2019, was refused by notice dated 14 October 2019.
 - The development proposed is the construction of a solar farm and associated development, including perimeter fencing, CCTV cameras and landscaping (amended description).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The LPA's decision is based upon various revisions to the application as originally submitted. These include a reduction in height of the proposed solar panels to 2.6 metres above ground level, additional hedge planting, a revised Traffic Management Plan, further ecology work, a revised site design and a revised landscape masterplan. I have taken these revisions into account.
3. This 21.4 ha appeal site² forms part of the settings of a number of listed buildings³. It also forms part of the settings of the Fifehead Magdalen Conservation Area (FMCA), the West Stour Conservation Area (WSCA) and the Stour Provost Conservation Area (SPCA). On behalf of the appellant, it is accepted that the proposal would harm the settings of some⁴ heritage assets.

Main Issue

4. The main issue is whether the benefits of the proposal, including the production of energy from a renewable resource, outweighs any harmful impacts, having particular regard to the effects upon the character and appearance of the area and the significance of various designated and non-designated heritage assets.

Reasons

Planning Policy and Other Relevant Published Documents

¹ As part of my visit, I noted the relationship between the appeal site and properties within the surrounding area. I was able to assess the likely impact of the proposal upon these buildings and the occupants without needing to take up the invitations to enter several of the properties during the COVID-19 pandemic.

² The 'footprint' or area inside the proposed perimeter fencing would comprise approximately 16 ha.

³ The provisions of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 are engaged.

⁴ These include the SPCA, Stour Provost Mill, Mill House and The Old Rectory.

5. My attention has been drawn to numerous planning policies, Acts, Statutory Instruments, strategies/statements and other published documents. I briefly refer below to those which are of most relevance to this appeal.
6. The development plan includes the North Dorset Local Plan Part 1 (LP) that was adopted in 2016. The most relevant policies to the determination of this appeal are 3 (climate change), 4 (the natural environment), 5 (the historic environment) and 22 (renewable and low carbon energy).
7. The National Planning Policy Framework (the Framework) is an important material consideration that carries considerable weight. Amongst other things, it states that the purpose of the planning system is to contribute towards the achievement of sustainable development. In meeting the challenge of climate change the planning system should support the transition to a low carbon future and support renewable and low carbon energy. When determining applications for such development local planning authorities should approve applications if its impacts are (or can be made) acceptable.
8. The Climate Change Act 2008 establishes statutory climate change projections and carbon budgets. The target for carbon emissions was initially set at 80% of the 1990 baseline figure by 2050. This was amended to 100% 'net zero' by section 2 of the Climate Change Act 2008 (2050 Target Amendment) Order SI 1056 in July 2019. This constitutes a legally binding commitment to end the UK's contribution to climate change.
9. The UK Solar PV Strategy sets out guiding principles for the deployment of solar energy development in the UK. Amongst other things, this recognises that solar PV assists in delivering carbon reductions, energy security and affordability for customers. It acknowledges that large scale developments can have a negative impact on the rural environment and on local communities. This national Strategy is several years old and has moderate weight.
10. My attention has also been drawn to the Bournemouth, Dorset and Poole Renewable Energy Statement (RES) that was published in 2013 and which, amongst other things, aims to facilitate renewable energy development. This local non-statutory document carries limited weight.
11. Whilst not forming part of the development plan, the North Dorset Landscape Character Area Assessment⁵ (LCAS) 2008, the Dorset Landscape Character Assessment 2009⁶ and the Landscape Sensitivity to Wind and Solar Development in North Dorset District (LSA) 2014⁷ are material considerations. The LCAS and the LSA form part of the evidence base to the LP and can be given considerable weight.
12. The key characteristics of the North Dorset Limestone Ridges LCA include, elevated open plateau areas of undulating farmland landscape with distinctive sloping edges in places, thick dense hedgerows and open views from higher areas. The key characteristics of the Upper Stour Valley LCA include a varied but generally flat, pastoral river valley landscape.

⁵ The appeal site lies within the North Dorset Limestone Ridges landscape character area (LCA) and the eastern boundary abuts the Upper Stour Valley LCA.

⁶ I understand that the main body of the appeal site lies within the Limestone Hills landscape character type (LCT) and part of the eastern boundary is within the Valley Pasture LCT. This Assessment has moderate weight.

⁷ The North Dorset Limestone Ridges LCA is identified as having 'moderate-high' sensitivity to solar farms of 10 to 30 ha in size and the Upper Stour Valley LCA as 'high' sensitivity to such developments.

13. The key characteristics of the Limestone Hills LCT include varied landform, diverse scenery with mixed farmland and dense hedgerows, expansive generally open landscape, some key parkland landscapes and associated features. Management objectives include conserving the intimate character of incised valleys, replanting new hedgerow trees and conserving parkland landscapes. Key characteristics of the Valley Pasture LCT include flat and open valley floor landscape with meandering river channels which often floods. Management objectives include conserving the strong visual unity of the valley.

Benefits

14. On behalf of the appellant, I have been informed that the anticipated⁸ MWp from the proposed development would be 14.3MWp (circa 13.6GWh), which would be sufficient to power 4,387 homes annually⁹. The proposal would provide a clean, renewable and sustainable form of energy and would accord with the thrust of the UK Solar PV Strategy and RES. It would assist in meeting the Government's commitment to achieving 'net zero' carbon emissions by 2050 and make a valuable contribution towards cutting greenhouse gas emissions. In combination with other renewable and low carbon energy schemes it would assist in tackling climate change. These wider environmental benefits can be given substantial weight in the planning balance.
15. The proposed development would provide some new tree and species rich hedgerow planting, including 'gapping up'/reinforcement of existing hedges. Wide green rough grassland/wildflower corridors would also be provided around the margins of the fenced area. These measures would enhance the landscape qualities of the area and together with proposed bird and bat boxes, would provide new and improved wildlife habitats. The proposal would accord with the duty¹⁰ to conserve biodiversity. These local environmental benefits can be given moderate weight in the planning balance.
16. The proposal would provide some support for the construction industry and could assist in helping to create and sustain employment during the current economic downturn. Some construction workers could also use some local services and the development would generate additional income for the landowners, enhancing farm incomes and possibly diversifying some farm businesses. This would accord with the Government's objective of promoting a strong rural economy. In addition, the proposal would assist in increasing the security and diversity of electricity supply. These economic benefits are important considerations that can also be given moderate weight.
17. These public benefits must be weighed in the balance.

Character and Appearance

18. The appeal site comprises three adjoining pasture fields¹¹ with boundary hedgerows and trees. It forms part of an elevated open plateau of undulating farmland and one of the fields (F3) slopes gently downwards in an easterly direction towards the River Stour. Several public rights of way bisect the site

⁸ Dependent upon the final row spacing of the photovoltaic panels.

⁹ On behalf of the appellant, it has been calculated that using Ofgem's latest Typical Domestic Consumption Value the proposal could power 4,689 homes annually.

¹⁰ Section 40 of the Natural Environment and Rural Communities Act 2006.

¹¹ F1, F2 and F3. F3 is the eastern most field and F1 is the western most field.

and the long-distance Stour Valley Way links the settlements of West Stour (to the north), Stour Provost (to the east) and Fifehead Magdalen (to the north).

19. The appeal site does not form part of a designated landscape and other than the corridor along the River Stour this part of the countryside is not especially tranquil. Nevertheless, from everything that I have seen and read, including the appellant's Landscape and Visual Impact Assessment and the review of this document by those acting on behalf of some interested parties, the appeal site lies within an intimate valley landscape and an attractive rural area.
20. The LPA and some interested parties have argued that the site forms part of a 'valued landscape' to which paragraph 170(a) of the Framework¹² applies. In support, my attention has been drawn to paragraph 2.9 of the LP which states that the valley of the River Stour is an important landscape feature in North Dorset. However, this does not mean that the appeal site forms part of a 'valued landscape'. All landscapes have some value and are likely to be important to local communities. Whilst the valley of the River Stour is an attractive and popular landscape feature, the site would need to form part of a landscape that exhibits some demonstrable physical attributes.
21. In this regard, and whilst not planning policy, the LPA in determining the application assessed the site's attributes having regard to widely used guidance¹³. I agree with the assessment within the planning officer's report that the landscape within which the appeal site sits is of medium quality/condition, has medium scenic quality, does not possess rare elements or features, is highly representative of the above noted LCTs, has high conservation interest, high recreational value, medium perceptual qualities and low to medium cultural/artistic associations. Overall, this leads me to find that the site forms part of a landscape that exhibits demonstrable physical attributes so as to amount to a 'valued landscape'. Whilst the Framework requires such landscapes to be protected and enhanced, neither this nor the development plan places an embargo on proposals for renewable energy.
22. The proposed development would introduce very many rows/arrays of solar panels within the site. In addition, numerous metal clad inverter cabins (approx. 12m x 3m x 3.2m high), a substation, communication buildings, storage/battery containers, a switchgear building, 4m wide access track, 2m high perimeter deer fencing and CCTV cameras would be provided. There would be limited hedgerow removal and the existing field pattern would be maintained. Whilst the new tree and hedgerow planting, 'gapping up' of hedgerows and management regime¹⁴ would reduce the impact, the proposal would markedly change the character and appearance of the site.
23. The attractive, unspoilt green open qualities and pleasing natural attributes of F1, F2 and F3 would be replaced by regimented rows of uniform solar panels mounted on metal frames, with a scatter of various ancillary buildings and set inside a fenced compound. This overtly utilitarian form of development would considerably erode the rural and pastoral character of these fields and diminish their contribution to the key landscape characteristics of the North Dorset Limestone Ridges LCA and the Limestone Hills LCT. This change in character of

¹² The Framework does not define what is meant by a 'valued landscape'.

¹³ Box 5.1 of the Guidelines for Landscape and Visual Impact Assessment by the Landscape Institute and Institute of Environmental Management & Assessment. This can be helpful in identifying a 'valued landscape'.

¹⁴ This would include maintaining the hedges at 3m high.

F3 would also contrast sharply with the key characteristics of the Upper Stour Valley LCA. Whilst the impact of this landscape change would be localised it would be adverse and weighs against granting planning permission.

24. The proposed development would be seen from many sections of the public rights of way that bisect the site and the surrounding landscape. Whilst I understand that the appellant and the Council's Senior Ranger have discussed diverting some sections of the footpaths that cross the site, the development would be prominent from the existing and any diverted sections. Instead of continuing to experience and enjoy walking across pleasant open fields with views across the rural landscape, in future, 'high sensitivity'¹⁵ receptors would, at close quarter, experience row upon row of solar panels and a significant loss of amenity when using the public rights of way across the site.
25. Given the limited height of the proposed solar panels, intervening vegetation (existing and proposed) and landform/topography, beyond a distance of about 1km from the site it is unlikely that the proposed development would give rise to any significant adverse visual impacts. However, when seen by 'high sensitivity' receptors using the Stour Valley Way to the north and east, the rows of solar panels and some of the ancillary buildings would appear as conspicuous and incongruous additions to this open elevated plateau and considerably detract from the appearance of this part of the countryside. This would be especially so for the development proposed in F3, where the rows of solar panels would cascade down this east facing slope and seriously intrude into the very attractive unspoilt rural scene along the River Stour. This element of the proposals would disrupt the visual unity of this part of the valley. These adverse visual impacts also weigh against granting permission.
26. I am mindful that the proposed development would be largely reversible and the impacts would be limited to a period of 40 years. However, this is a very long period of time, during which the adverse impacts would be experienced by very many people, including those using the popular Stour Valley Way. Limiting the development to a 25 year period would foreshorten these harmful landscape and visual impacts and could have had a bearing in the overall planning balance. However, the appellant's agent has informed me that this would render this 'subsidy free' development unviable¹⁶.
27. There is nothing of substance to diverge from the appellant's assessment that the proposals would result in any harmful cumulative landscape or visual impacts. However, the harm that I have identified above to the character and appearance of the area leads me to find that the proposed development would conflict with the provisions of LP policy 4, Government objectives for 'valued landscapes' and the management objectives for the Valley Pasture LCT. This harm carries considerable weight in the overall planning balance.

Heritage Assets

28. The appeal site forms part of the countryside setting to a number of designated heritage assets. One field (F2) also comprises part of the former parkland to Fifehead House (now demolished), a non-designated heritage asset. Whilst elements of the proposal would be seen from and in association with many of

¹⁵ I disagree with the appellant's assessment that users of these footpaths and the Stour Valley Way are 'medium sensitivity' and 'medium to high sensitivity' receptors. Most, if not all, would be using these rights of way for the purposes of enjoying the amenity of the countryside and/or relaxation.

¹⁶ It reasonably follows that a condition precluding development in F3 would also render the scheme unviable.

these heritage assets, seeing the development would not in itself amount to an adverse impact upon their heritage interest or significance. In many instances, the combination of distance and topography or intervening buildings/structures or vegetation would avoid any adverse impacts arising from the proposals. Having considered all of the evidence/representations and following my site visit, I set out below my findings in respect of the likely significant impacts.

The Church of St. Michael at Stour Provost

29. The significance of this Grade I listed coursed rubble and ashlar church, which dates from the 13th century, is derived primarily from its architectural qualities, which include its nave (part 14th century), south tower (part 15th century), north aisle (16th century), chancel, porch, fenestration, tie-beam roof and font, as well as its historic interest, including its fabric and as a long-standing place for religious activity and worship within this part of Dorset.
30. As noted within the consultation response of Historic England, this church overlooks the Stour Valley and the appeal site forms part of the gentle, rolling rural landscape setting of this designated heritage asset. The unspoilt, green open qualities of the appeal site assist in affording an appreciation and understanding of the special architectural and historic interest of this listed building. However, there are only glimpsed views of parts of the appeal site from a small section of the churchyard. The site makes a very small contribution to the significance of this designated heritage asset.
31. Some rows of the proposed solar panels (those in F2 and F3) and some inverter buildings would be visible in glimpsed views from part of the churchyard. The utilitarian form and appearance of these would detract from the green open qualities of the appeal site and, to a limited extent, would erode the contribution the site makes to the historic landscape setting and significance of this church. In the context of the Framework, this would amount to less than substantial harm. If there is a sliding scale of harm within this category the proposal would be towards the lower end. Nevertheless, harm to the significance of this high grade designated heritage asset carries considerable weight in the planning balance.

The Old Rectory

32. The significance of this two storey, two range 19th century Grade II listed house is derived primarily from its architectural qualities, which include its coursed, square rubble walls, hipped slate roof and sash windows, as well as its historic interest, including much of its fabric and association with the church. As I saw during my visit, the west elevation is prominent within the local landscape including views from F2 and F3, as well as some other parts of the surrounding countryside. The unspoilt, green open qualities of parts of the appeal site assist in affording an appreciation and understanding of the special architectural interest of this listed building and its historic landscape setting.
33. Many of the rows of proposed solar panels and some inverter buildings, especially those proposed in F3, would be prominent in some views to and from this designated heritage asset. The utilitarian form and appearance of these elements of the proposal would detract from the green open qualities of the appeal site and, to a limited extent, would erode the contribution the site makes to the historic landscape setting and to an appreciation of the significance of this listed house. In the context of the Framework, this would

amount to less than substantial harm. If there is a sliding scale of harm within this category the proposal would be towards the middle. This harm carries considerable weight.

Mill House and Stour Provost Mill

34. The significance of these Grade II listed early 19th century buildings are derived primarily from their architectural qualities, which include the stone walls, slate and tiled roofs, windows, as well as their historic interest, including associations with milling in this part of Dorset and the remains of the mill machinery in Stour Provost Mill. The adjacent river and surrounding fields, including F3, form part of the historic countryside and riparian setting of these designated heritage assets and assist in affording an appreciation and understanding of the role of these listed buildings within the local landscape.
35. Many of the rows of proposed solar panels and some inverter buildings, especially those proposed in F3, would be prominent in views to and from these designated heritage assets. The utilitarian form and appearance of these elements of the proposal would detract from the green open qualities of the appeal site. For the development proposed in F3, this would considerably erode the contribution the appeal site makes to the historic landscape/riparian setting of these listed buildings and to an appreciation of their heritage interest/significance. This would amount to less than substantial harm. If there is a sliding scale of harm within this category the proposal would be between the middle and upper end. This harm carries considerable weight.

Conservation Areas - The SPCA, FMCA and the WSCA

36. At its nearest, the appeal site is approximately 100m to the north east of the FMCA, approximately 400m to the west of the SPCA and about 500m to the south of the WSCA. The significance of these CAs is derived primarily from their architectural interest, which includes the contribution made by the various listed buildings, as well as their historic interest, which includes the arrangement and layout of buildings and spaces within the streets and the association with their rural surrounds. The appeal site forms part of the extensive countryside and characterful settings to these CAs and assists in affording an appreciation and understanding of their historic rural landscape settings. However, there is nothing of substance before me to substantiate the argument that intervisibility between these CAs adds to their heritage interest.
37. Some elements of the proposed development would be visible from parts of the CAs. However, due to distance, topography, intervening buildings/structures and vegetation there would be no adverse impacts upon the significance of the FMCA or the WSCA and no harm to their extensive rural settings.
38. In contrast, from the western edge of the SPCA, including around The Old Rectory, Mill House and Stour Provost Mill, the development proposed in F3 would markedly intrude into and detract from the characterful and unspoilt rural setting of this CA. The harm that I have identified above to the significance of these three listed buildings would diminish the contribution that they make to the special qualities of the SPCA and, in turn, erode the heritage interest of this CA. This would amount to less than substantial harm. Much of the heritage interest of the SPCA would be unaffected and if there is a sliding scale of harm within this category the proposal would result in a moderate level of harm to CA as a whole. This also carries considerable weight.

Former Parkland to Fifehead House

39. The proposed rows of solar panels and the inverter/transformer building that are proposed for F2 would amount to a modern, utilitarian form of development that would be ill-fitting within a parkland landscape. However, this parkland appears to be in various ownerships and only fragments of this 'designed' landscape are now discernible, including a few parkland trees and hedgerows.
40. The proposed development would entail the retention of these features and include a management regime for the boundary vegetation. Sheep grazing would also continue. These aspects of the proposal would assist in maintaining important elements of the parkland and the new deer fencing would not be out of place. Overall, the proposal would result in a small adverse impact upon the ability to appreciate the significance of this non-designated heritage asset. This carries some limited weight in the planning balance

The Heritage Balance

41. When the above harm to designated and non-designated heritage assets is weighed with the public benefits of the proposal I find this matter is finely balanced. Mindful that the development would be reversible and temporary in nature, the heritage balance just tips in favour of granting planning permission. The proposal would accord with the provisions of LP policy 5.

Other Matters

42. The appellant's supporting evidence¹⁷ demonstrates that: there are no reasonably available alternative sites within the area for accommodating the proposed development; the proposals would avoid using the best and most versatile agricultural land with the land continuing to be used for sheep grazing and; there would be no significant increase in the risk of flooding.
43. There have been a large number of objections from many of those living within the surrounding area, including extensive representations made on behalf of a local residents group (No Solar on the Stour). Concerns have also been raised by Fifehead Magdalen Parish Council, The Stours Parish Council and the local Member of Parliament. Whilst I note the strength of local feeling public opposition is not in itself justification for withholding planning permission.
44. In this regard, some of the representations amount to a 'blunderbuss approach' and if I was to address each and every matter raised by interested parties this decision would comprise a weighty tome. Whilst I shall touch on some of these fears and concerns, as required, I have focused on the main issues in dispute between the LPA and the appellant.
45. The proposed development would alter the outlook from some properties in the surrounding area. However, seeing a development does not in itself amount to a harmful impact. No part of the proposals would be so close or too high as to have any serious adverse impact upon those living nearby. The new landscape planting would also reduce the impact of the development. Whilst there would be noise and other disturbance for some residents during the construction phase this would be for a limited period and would not be so great as justify withholding permission.

¹⁷ This includes details of a site search and selection process, an Agricultural Land Classification Assessment and a Flood Risk Assessment.

46. During the construction phase there is likely to be a considerable increase in traffic along sections of the local highway network, including the junction with the A30 and the 'c' class road (C21) to the north west of the site. As part of my visit I saw the layout of this junction and noted the width and alignment of the C21. However, the Highway Authority has advised that subject to the use of appropriate planning conditions as part of an approval there would be no highway justification for withholding permission. This matter was considered by the LPA when it determined the application and I agree with its assessment that permission should not be withheld on highway grounds.
47. The adverse impacts on the character and appearance of the countryside that I have identified above could deter some visitors. However, the impact would be very localised and there is nothing to substantiate the fears of some interested parties that this would have a significant effect on tourism. There is also nothing to substantiate the fears of the local residents' group that the solar panels would cause glint and glare and pose a hazard to a local aerodrome.
48. There is also no evidence to substantiate the concern of some interested parties that the development would be unable to connect to the electricity grid. The appellant has refuted this allegation and I note from the Planning Design and Access Statement that was submitted with the application that grid availability formed part of the appellant's site search. I also note that the project viability included grid connection costs and the proposals only proceeded to application stage after this had been established.
49. Some interested parties have argued that there is adequate existing provision for renewable energy development within Dorset, including a recently approved solar park near Spetisbury. However, the Framework states that applicants are not required to demonstrate the overall need for renewable energy schemes. Moreover, targets for renewable energy generation are not ceilings that cannot be exceeded and unless climate change is adequately addressed the effects will be experienced everywhere. Certain parts of the country, such as the South West, also have a higher incidence of solar radiation than other areas and a greater theoretical energy potential. As a consequence, areas like Dorset are likely to experience greater pressure for accommodating solar farms/parks.
50. I note the findings in other appeal decisions¹⁸ that have been drawn to my attention and the decision of the Secretary of State for Business, Energy and Industrial Strategy to grant a Development Consent Order (ref. EN010085) for a solar generating station with a gross electrical output of over 50MW and an energy storage facility on the north Kent coast (Cleve Hill Solar Park). Each case must be determined on its own merits and no two sites or schemes are exactly the same. The landscapes to which these other decisions relate are very different to the North Dorset Limestone Ridges and the Upper Stour Valley and the impact upon heritage assets was different. These other decisions do not set a precedent that I must follow.

Overall Planning Balance/Conclusion

51. When all of the above are weighed together, I find that the benefits of the proposal, including the production of energy from a renewable resource and the wider environmental benefits, are insufficient to outweigh the totality of the harmful impacts to the character and appearance of the area and to the

¹⁸ APP/K1128/A/13/2206258 and APP/E2530/A/14/2218270.

significance of various designated and non-designated heritage assets. This in turn leads me to find that the development would be an inappropriately sited renewable energy scheme (mainly because of what is proposed in F3) that conflicts with the provisions of LP policies 3 and 22. The adverse impacts of the development could not be made acceptable and the proposal also conflicts with the Government's objectives for renewable and low carbon development.

52. Having regard to all other matters raised, I conclude that the appeal should not succeed.

Neil Pope

Inspector



Main Road, Chedworth

Energy and Sustainability Statement

November 2021

Prepared for;

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1.0 Version History

| Version | Revision | Date |
|-------------|----------|----------|
| First Issue | - | 24/11/21 |
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Disclaimer

This report is provided for the sole purpose of providing information for Snape group. It is confidential to Darren Evans and Snape group. Darren Evans accept responsibility that the report has been prepared with skill, care and diligence. No responsibility is accepted whatsoever for any other parties. Any such parties rely upon the report at their own risk. Neither the whole nor any part of the report nor reference to it may be included in any published document, circulation or statement without Darren Evans and Snape group written approval of the form and content in which it may appear. This report has been created to demonstrate compliance in relation to energy and sustainability policy and regulations only. The impacts of these recommendations on other elements of the project/ building regulations will need to be checked and confirmed by suitably qualified professionals.



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3.0 Executive Summary

This Statement has been prepared in support of the new residential development proposed by The Snape Group in Chedworth, Cheltenham, Gloucestershire, for the construction of a pair of semi-detached houses. The statement includes an energy and sustainability assessment showing how selected energy efficiency and low carbon measures have been utilised to ensure that the site complies with the relevant building regulation and local council energy and sustainability policies.

SAP Calculations have been prepared for the development based upon the construction specification set out within the report. This provides an accurate assessment of the carbon dioxide emissions and energy demand arising from the dwellings proposed on the site in relation to Part L and the policies and principles outlined within the Cotswold District Local Plan 2011-2031 (Adopted 3 August 2018) as well as the Cotswold District Council Net Zero Carbon Toolkit.

The project incorporates a broad range of passive measures within its design to reduce both the energy demand and carbon emissions from the dwellings which include the orientation, larger opening windows to westerly orientations and low thermal mass. These measures combine to decrease the energy demand needed by and the carbon emissions emitted from these proposed dwellings.

The proposed design also incorporates low temperature heating through Air Source Heat Pumps (ASHP), mechanical ventilation heat recovery units (MVHR) enabling the fabric of the dwellings to be built to a low air permeability level. PV panels are modelled and the results included within the report, however, it is acknowledged that this option may not be suitable within this conservation location.

The combination of passive and active solutions proposed on site (not including PV) would reduce the carbon emissions of the site by 4,676.49 KgCO₂/year which is a reduction of 46.2% over the notional TER carbon emissions and a reduction in energy demand of 20,114.28 KWh/year which is a reduction of 68.83% over the notional TER energy demand of the site.

The combination of passive and active solutions (including PV) would reduce the carbon emissions of the site by 7,777.77 KgCO₂/year which is a reduction of 77.31% over the notional TER carbon emissions and a reduction in energy demand of 25,438.18 KWh/year which is a reduction of 87.05% over the notional TER energy demand of the site.

The above results demonstrate that the project fully complies with the requirements outlined within the Cotswold District Local Plan 2011-2031 (INF10) to exceed Part L requirements and the pillar principles outlined within the Net Zero Carbon Toolkit whether PV is or is not utilised on the site.

4.0 Introduction

This Statement has been prepared in support of the new residential development proposed by The Snape Group in Chedworth, Cheltenham, Gloucestershire, for the construction of 2 semi-detached houses.

The following statement seeks to outline how this development will comply with the requirements and objectives of the Cotswold District Local Plan 2011-2031 (Adopted 3 August 2018) as well as the Cotswold District Council Net Zero Carbon Toolkit by addressing

- **INF10** – Renewable and Low Carbon Energy Development
- **Net Zero Carbon Toolkit** – Energy efficiency and carbon reduction measures

Darren Evans Limited have been commissioned to:

- Investigate the technical viability and feasibility of incorporating low or zero carbon technologies into the development
- Identify additional solutions outside the scope of renewable energy technologies which will assist in improving the energy efficiency of the proposed development
- Reduce carbon emissions associated with the development
- Address how the development will meet wider sustainable development issues

5.0 Local Planning Policy

The local planning policy outlined within the Cotswold District Local Plan 2011-2031 relevant to reducing carbon emissions and energy demand is found within policy INF10.

INF10 – Renewable and Low Carbon Energy Development

11.10.2 Reducing energy use and carbon emissions helps to limit the level of greenhouse gas emissions, and new developments should therefore be energy efficient. Renewable energy technologies, such as solar panels, can be designed into new developments. Alongside sustainable energy construction requirements new development will be expected to contribute toward the cutting of carbon emissions.

11.10.3 The policy seeks positively to encourage renewable and low carbon energy development while ensuring any adverse impact is satisfactorily addressed.

11.10.4 On 25th March 2015 the Government confirmed its policy to limit local energy requirements for residential development and continue to support low carbon energy development. New national technical standards for all new dwellings are being introduced, centred on Building Regulations, and development should be constructed in accordance with these standards and emerging government guidance. Building Regulations Part L will become the sole tool to control energy efficiency in new homes.

11.10.6 Planning plays an important role in supporting the delivery of renewable and low carbon energy and associated infrastructure. To support a move to a low carbon future, national planning policy and guidance supports local planning authorities to provide proactive strategies to mitigate and adapt to climate change. Gloucestershire County Council commissioned a Renewable Energy Study (2010 and 2011).

11.10.7 The Council will support low or zero-carbon energy generating proposals that contribute positively to the aim of reducing CO₂ emissions although this support does not automatically override environmental protections. Proposals will need to fully consider the impact of the development and any associated infrastructure on amenity and landscape (including local topography), any cumulative impact, and demonstrate engagement with local communities.

Net Zero Carbon Toolkit

The council have also published a Net Zero Carbon Tool Kit (<https://www.cotswold.gov.uk/media/05couqdd/net-zero-carbon-toolkit.pdf>) to further guide new development projects in the principles and decisions that need to be at the core of project design decisions to ensure that developments seek fully to reduce carbon emissions and energy demand.

The 3 pillars of a Net Zero Carbon building in operation that are outlined within the document are outlined below.

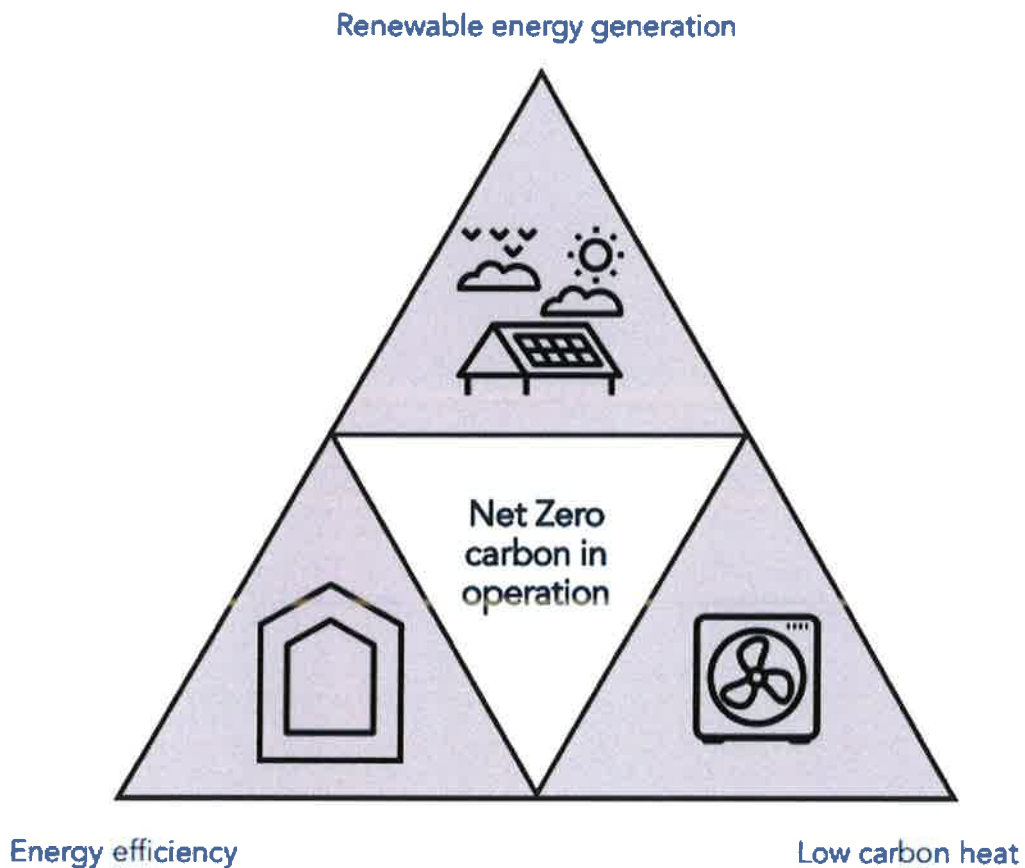
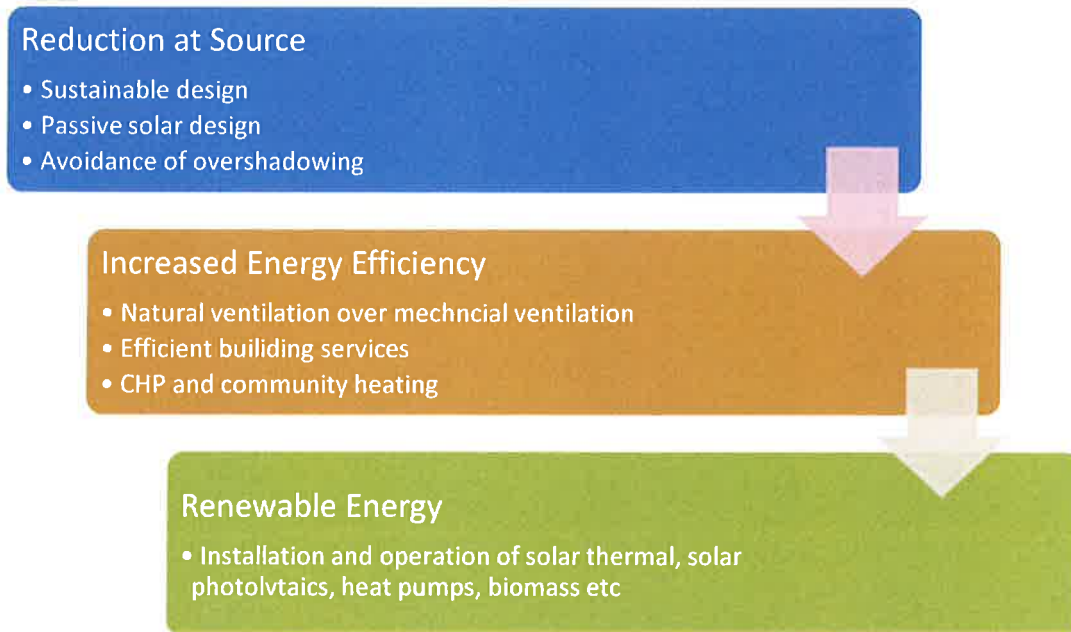


Fig 7. The 3 Pillars of a Net Zero Carbon Building (P8. Net Zero Carbon Toolkit)

6.0 The Energy Hierarchy

The Energy Hierarchy is a widely adopted and recognised set of principles to guide design, planning and development decisions to optimise energy provision. The Hierarchy prioritises minimising the need for energy consumption through firstly design and energy efficiency and then through generating the reduced energy demand via renewables. The Hierarchy can also help to balance the economic and environmental dimensions of sustainability, supporting choices which are both environmentally and economically sustainable.



It is considered that the above principles carbon reduction forms the most appropriate approach from both the practical and financial perspective. The industry is broadly in agreement that the energy efficiency and low carbon technologies have the greatest impact offsetting CO₂ emissions. Therefore, it is logical to encourage enhanced mitigation through energy efficiency and low carbon technologies in the first instance, as opposed to applying renewables as the first option at a significantly greater cost.

7.0 The Proposed Development

This Statement has been prepared in support of the new residential development proposed by The Snape Group in Chedworth, Cheltenham, Gloucestershire, for the construction of 2 semi-detached houses.



Fig 1. Street Scene Courtesy of Pegasus Design



Fig 2. Site Plan Courtesy of Pegasus Design



Fig 3. Plot 1 Floor Plan Courtesy of Pegasus Design



Fig 4. Plot 1 Elevation Courtesy of Pegasus Design



Fig 5. Plot 2 Floor Plan Courtesy of Pegasus Design



Fig 6. Plot 2 Elevation Courtesy of Pegasus Design

8.0 Sustainable Energy Strategy

The energy performance of a building is affected by its design, construction and use and whilst occupant behaviour is beyond the remit of this statement, better design and construction methods can significantly reduce the life cycle emissions of a building and assist the occupant to reduce consumption.

Sustainable design is not just about incorporating renewable technologies; buildings should be designed at the outset to provide suitable environmental conditions for the occupants whilst also consuming as little energy as practical. It is possible to exceed Building Regulations requirements (Part L 2013) through demand reduction measures alone, which typically include a combination of passive design measures (e.g. building design and efficient building fabric) and active design measures (e.g. Building services).

Passive Design

Passive design is a key principle of sustainable design and can be used to reduce the building's energy demand. Passive design responds to local climate and site conditions to maximise the building users' comfort and health while minimising energy use.

At the earliest stage the buildings have been designed using a fabric first approach as to initially minimise energy and resulting CO₂ emissions. Particular attention will be paid to thermal envelope and a high level of insulation will be specified to all thermal elements to minimise heat losses.

Passive solar gain reduces the amount of energy required for space heating during the winter months. The dwellings are designed to maximise passive solar gain by the specification of larger fenestrations to the south and west where possible. The specification of windows with higher window g-values on this development also assists the buildings to take advantage of potential solar gains. These larger openings also lead to higher levels of natural daylight within the dwellings reducing the need of the occupants to draw on artificial light within the internal spaces. Blinds will be installed for minimizing glare and regulating solar gains during hottest summer months.

A portion of the dwellings heat loss will occur due to air infiltration. Good construction detailing and the use of best practice construction techniques will minimise the amount of uncontrolled air infiltration. Extra attention to detail will be paid, with adequate sealing to all junctions in the thermal envelope, service penetrations and window casements.

This will ensure an air test target of 3m³/m² at 50Pa or better is achieved to enable the dwellings to benefit from the incorporation of an Mechanical ventilation Heat Recovery (MVHR) system to increase the dwellings energy efficiency through the recapture and recirculation of latent heat within the dwellings rather than using the main heating system.

The SAP calculations contain an overheating analysis to ensure that the risk is appropriately mitigated in the dwellings. The analysis demonstrates that all dwellings achieve a compliant level of overheating risk. However, it is recognized that there are now better overheating standards that exist to ensure overheating is not a risk factor within the dwellings. The risks of overheating have been mitigated through design constraints leaving the larger, rear facing fenestrations orientated North West, enabling the buildings to benefit from natural daylight and solar gains without them being southerly focused and presenting more of an overheating risk within the dwellings.

The following tables provide a summary of the energy efficient and carbon reducing design characteristics incorporated across the development.

| Design SAP Data Input Table | | | |
|------------------------------|--------------------------|-------------------------|--|
| Element | Details | | Comments |
| Floor U-Values | Ground Floors | 0.14 W/m ² K | Screed, 120mm Insulation, B&B Floor |
| Wall U-Values | External Walls | 0.20 W/m ² K | Low density blockwork cavity walls |
| | Dormer Cheeks | 0.30 W/m ² K | Timber Frame |
| | Party Walls | 0.00 W/m ² K | Fully filled and Sealed Cavity Wall |
| Roof U-Values | Warm Pitched Roof | 0.16 W/m ² K | PIR through and under rafters |
| | Flat Roof | 0.18 W/m ² K | PIR above joists |
| | Cold Pitched Roof | 0.10 W/m ² K | Insulation laid between and across joists |
| | Dormer | 0.30 W/m ² K | Specialist Manufacturer |
| Opening U-Values | Windows | 1.20 W/m ² K | Double Glazed, Low-E Coated G Value: 0.63 |
| | Solid Doors | 1.20 W/m ² K | |
| | Roof Lights | 1.3 W/m ² K | Double Glazed Velux Roof lights |
| Thermal Bridging | y - value | Various | Bespoke Construction Details Used |
| Ventilation | Air Tightness | 3.00 | - |
| | ventilation | | MVHR |
| Heating and Hot Water | Primary heating system | ASHP | Make and model TBC |
| | | | Boiler Information |
| | Controls | Zone controls | Delayed Start Thermostat |
| | | | Underfloor Heating |
| | Water heating | From ASHP | 150L Hot Water Storage Maximum Standing Heat Losses: 1.16 kWh / day Cylinder to have thermostat, all primary pipework to be insulated, and water heating on separate timer to main heating |
| Low Energy Lighting | 100% Low-Energy Fittings | | Minimum Efficiency 45 Lumens per Circuit Watt |

Table 1: Energy Efficient Measures of SAP Calculations

9.0 Dwelling Emissions & Energy Demand

SAP calculations have been produced for both dwellings proposed on the site as a means of determining the Dwelling Emission Rate (DER) & annual energy demand. Approved Part L 2013 modelling software Elmhurst Design SAP 2012 has been used. The energy saving measures from the previous section have been incorporated into the SAP calculations completed. These measures reduce the sites overall energy demand and subsequent CO₂ emissions beyond the requirements of Part L Building Regulations for every dwelling on site. The following table provides a summary of the emissions and energy demand for each dwelling on the site.

Dwelling Emissions Summary – Without Renewables

| Plot | DER kgCO ₂ /m ² /yr | TER kgCO ₂ /m ² /yr | Part L % | Total Emissions kgCO ₂ /year |
|--------------|--|--|----------|--|
| 1 | 11,58 | 21,64 | 46.49 | 2691,54 |
| 2 | 11,64 | 21,52 | 45.91 | 2691.54 |
| Total | | | | 5,383.08 |

Table 2: Summary of dwelling emissions

Energy Demand Summary – Without Renewables

| Plot | Main Heating kWh/year | Hot Water kWh/year | Pumps & Fans kWh/year | Lighting kWh/year | Total Energy kWh/year |
|--------------|--------------------------|-----------------------|--------------------------|----------------------|--------------------------|
| 1 | 2,127.52 | 970.65 | 1,111.63 | 673.34 | 4,883.14 |
| 2 | 1,683.38 | 963.98 | 926.42 | 652.06 | 4,225.84 |
| Total | | | | | 9,108.98 |

Table 3: Summary of energy demand

The emissions for the site are estimated to be **5,383.08 kgCO₂/Year** whilst the Energy Demand for the site is estimated to be **9,108.98 kWh** per annum.

Emissions Summary – Without Renewables

- Total Target Emission Rate: **10,059.57 KgCO₂/Year**
- Total Design Emission Rate: **5,383.08 kgCO₂ /Year**
- Total CO₂ Savings over Part L: **4,676.49 KgCO₂/Year**
- Average improvement over Part L: **46.2 %**

Energy Demand Summary – Without Renewables

- Total TER Energy Demand: **29,223.26 kWh** per annum
- Total Design Energy Demand: **9,108.98 kWh** per annum
- Total Energy Savings over TER Energy Demand: **20,114.28 kWh** per annum
- Improvement **68.83 %**

10.0 Renewables Feasibility

Renewables are one of the 3 pillars of the Net Zero Carbon Toolkit. The following renewable technologies have been evaluated for use:

- Solar Photovoltaic Cells (PV)
- Solar Hot Water
- Wind Turbines
- Biomass
- Ground Source Heat Pump
- Air Source Heat Pump

Photovoltaics

Solar photovoltaics (PVs) convert energy from daylight into electricity using a semiconductor material such as silicon. When light hits the semiconductor, the energy in the light is absorbed, 'exciting' the electrons in the semiconductor so that they break free from their atoms. The resultant flow of electrons through the semiconductor material produces electricity.

| Feasibility | Further Consideration |
|---|-----------------------|
| <p>The proposed dwellings have south facing roof sections onto which solar PV panels could be installed onto. These panels can be largely concealed from view at street level. There are no potential over shading risks which will limit efficiency of the installed array. As PV systems have no moving parts, generate no noise or pollution, this is an attractive option. If designed and properly installed require minimal maintenance and have long service lifetimes, with in excess of 20 years of access to the feed in tariffs.</p> | <p>Yes</p> |

Solar Thermal (Hot Water)

Solar water heating systems convert solar radiation to heat carried by water for use in space heating or the provision of domestic hot water. Solar water heating systems normally operate with a back-up source of heat, such as gas condensing boilers. The solar water heating preheats the incoming water, which is topped up by the back-up heat source when there is insufficient solar energy to reach the target water temperature.

| Feasibility | Further Consideration |
|--|-----------------------|
| <p>Although the buildings have an adequate area of southerly facing south roof, the hot water demand for the residential properties is minimal. Hot water requirement is at its highest during the winter, where generation is at its lowest. The roof space is limited and would only be able to accommodate a single renewable solution hence further consideration of solar hot water will not be made and PV will be given priority to utilise the available roof space.</p> | <p>No</p> |

Wind Turbines

Wind turbines are modern, high-technology windmills where the kinetic energy of the wind is used to turn a turbine to generate electricity. There are two types of wind turbine, the horizontal-axis type which faces up or downstream of the wind and where the rotational movement of the blade is connected to a generator to create electricity. The other is the vertical-axis design, which is by far the most flexible type of wind turbine being best suited to more urban sites as it is more cost effective and operates with wind coming from any direction.

| Feasibility | Further Consideration |
|---|-----------------------|
| <p>Owing to site-constraints, micro-wind turbines have not been considered as part of this feasibility study. Wind turbines are likely to have a significant visual impact on local environment, as well as health and safety implications for occupiers or users on-site and on adjacent areas as a result of noise and light flicker associated with the wind turbines.</p> | <p>No</p> |

Biomass

Biomass boilers are an alternative to conventional fossil fuel heating. They burn woodchip, wood pellets, cereal waste or a combination of organic fuels, and are a carbon neutral option. Using biomass as an energy source creates a 'closed carbon cycle' – i.e. as a biomass energy source grows it absorbs CO₂ from the atmosphere, when it is burnt the CO₂ stored by the biomass is released, making it carbon neutral.

| Feasibility | Further Consideration |
|-------------|-----------------------|
|-------------|-----------------------|

| | |
|---|-----------|
| <p>Consideration needs to be given to the frequent deliveries that would be required for this system as well as the size of storage. There are also potential noise, dust and odour problems associated with the deliveries as well as Air Quality issues from the burning of the fuel. The higher NOx emissions are also of concern and as a result of this and the aforementioned items; Biomass is not considered a viable option.</p> | <p>No</p> |
|---|-----------|

Ground Source Heat Pumps

Ground source heating takes advantage of the stable ground temperature of 12°C to heat either air or water to provide energy efficient heating (and optional comfort cooling) to a building. The energy flow is driven by the temperature difference between the ground and the circulating fluid which can then be used to deliver heating (and optional cooling) to the building.

| Feasibility | Further Consideration |
|---|-----------------------|
| <p>There is insufficient space to incorporate adequate ground loops or borehole piling to meet the full load of the heating. This is a very timely and costly exercise. Ground source heat pumps also work best when there is a constant demand for heating, where the system is not intermittently being switched off and on again. Where there is such a low heating demand on this site, ground source heat pumps are considered unfeasible.</p> | <p>No</p> |

Renewables Summary

The most feasible option for this development is installing solar photovoltaic panels on the southerly facing roof slopes of both dwellings.

There is adequate roof area to install 3.5Wp per dwelling. This gives a total number of 14 panels being installed on the southerly slopes of each dwelling. Based on a standard 250W PV Panel being 1m x 1.6m, this gives a total approximate panel area of 22.4m² per dwelling.

Please note the PV figures are indicative only and will need to be confirmed by a suitably qualified installer as the design progresses. Therefore, the total installed capacity is subject to change.

11.0 Incorporation of Renewables

Calculations have then been completed incorporating the renewables below into the SAP assessments. It is acknowledged that the site is in a conservation area therefore PV may not be a solution suitable for this project, however, calculations have been undertaken below to illustrate the performance / energy demand reduction / carbon emission reduction should PV be included on the southerly elevations which seem to be sheltered from view from the road.

| Design SAP Renewable Input Table | | |
|----------------------------------|---------|--|
| Element | Details | Comments |
| Renewables | PV | 3.5 kWp per dwelling orientated South (Approximate area 22.4m ²) |

Table 4: Renewables Specification

Dwelling Emissions Summary

| Plot | DER kgCO ₂ /m ² /yr | TER kgCO ₂ /m ² /yr | Part L % | Total Emissions kgCO ₂ /year |
|-------|--|--|----------|--|
| 1 | 4.91 | 21.64 | 77.31 | 1,141.23 |
| 2 | 3.94 | 21.52 | 81.69 | 1,141.23 |
| Total | | | | 2,282.46 |

Table 5: Summary of dwelling emissions

Energy Demand Summary

| Plot | Main Heating kWh/year | Hot Water kWh/year | Pumps & Fans kWh/year | Lighting kWh/year | PV kWh/year | Total Energy kWh/year |
|-------|--------------------------|-----------------------|--------------------------|----------------------|----------------|--------------------------|
| 1 | 2,127.52 | 970.65 | 1,111.63 | 673.34 | -2,990.6 | 1,892.54 |
| 2 | 1,683.38 | 963.98 | 926.42 | 652.06 | -2,990.6 | 1,892.54 |
| Total | | | | | | 3,785.08 |

Table 6: Summary of energy demand

The emissions for the site are designed to be **2,282.46 kgCO₂/Year** whilst the Energy Demand for the site is estimated to be **3,785.08 kWh** per annum.

Emissions Summary – With PV

- Total Target Emission Rate: **10,059.57 KgCO₂/Year**
- Total Design Emission Rate: **2,282.46 kgCO₂ /Year**
- Total CO₂ Savings over Part L: **7,777.11 KgCO₂/Year**
- Average improvement over Part L: **77.31 %**

Energy Demand Summary – With PV

- Total TER Energy Demand: **29,223.26 kWh** per annum
- Total Design Energy Demand: **3,785.08 kWh** per annum

- Total Energy Savings over TER Energy Demand: **25,438.18 kWh per annum**
- Improvement **87.05 %**

12.0 Conclusions and Summary

This statement has reviewed the sustainability performance of the proposed development on Main Road, Chedworth, Cheltenham, Gloucestershire, for the construction of 2 semi-detached houses against the current Part L standards, the Cotswold District Councils policy INF10 and the Net Zero Carbon Toolkit.

The project incorporates a broad range of passive measures within its design to reduce both the energy demand and carbon emissions from the dwellings which include the dwelling orientations, larger opening windows to westerly orientations and low thermal mass. These measures combine to decrease the energy demand needed by and the carbon emissions emitted from these proposed dwellings.

The proposed design also incorporates low temperature heating through Air Source Heat Pumps (ASHP), mechanical ventilation heat recovery units (MVHR) enabling the fabric of the dwellings to be built to a low air permeability level. PV panels are modelled and the results included within the report, however, it is acknowledged that this option may not be suitable within this conservation location.

The combination of passive and active solutions proposed on site (not including PV) would reduce the carbon emissions of the site by 4,676.49 KgCO₂/year which is a reduction of 46.2% over the notional TER carbon emissions and a reduction in energy demand of 20,114.28 KWh/year which is a reduction of 68.83% over the notional TER energy demand of the site.

The combination of passive and active solutions (including PV) would reduce the carbon emissions of the site by 7,777.77 KgCO₂/year which is a reduction of 77.31% over the notional TER carbon emissions and a reduction in energy demand of 25,438.18 KWh/year which is a reduction of 87.05% over the notional TER energy demand of the site.

The above results demonstrate that the project fully complies with the requirements outlined within the Cotswold District Local Plan 2011-2031 (INF10) to exceed Part L requirements and the pillar principles outlined within the Net Zero Carbon Toolkit whether PV is or is not utilised on the site.

PV Cell Location Plan – Indicative



COTSWOLD DISTRICT COUNCIL

SITES INSPECTION ROTA: JUNE 2021- MAY 2022

| ALL S.I.B.s START AT 10.00 A.M. | 2 Jun 21 | 30 Jun 21 | 3 Aug 21 | 1 Sep 21 | 6 Oct 21 | 3 Nov 21 | 1 Dec 21 | 5 Jan 22 | 2 Feb 22 | 2 Mar 22 | 6 Apr 22 | 4 May 22 |
|------------------------------------|----------------|-----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| RAY BRASSINGTON | X | X | X | X | X | X | X | X | X | X | X | X |
| JULIA JUDD | X | | | X | | X | | | X | | X | |
| PATRICK COLEMAN | | | X | | X | | X | | X | | | |
| STEPHEN HIRST | | X | | X | | X | | | | | X | |
| ANDREW MACLEAN | | X | | | X | | X | X | | X | | |
| SUE JEPSON | X | | X | | | X | | | X | | | X |
| JULIET LAYTON | | X | | | X | | | X | | X | X | |
| STEVE TROTTER | X | | | X | | | X | | | X | | X |
| DILYS NEILL | | | X | | X | | | X | | X | | X |
| GARY SELWYN | X | | | X | | | X | X | | | X | |
| CLIVE WEBSTER | | X | X | | | X | | | X | | | X |

NOTES

1. The Chair of the Planning and Licensing Committee is automatically a Member of the Sites Inspection Briefing (SIB). In the Chair's absence, the Vice-Chair of the Committee is authorised to attend. In the absence of both the Chair and Vice-Chair, an additional Member of the Committee will be appointed to attend and a Member will be appointed to take charge of the SIB from amongst those present on site.
2. Assume that an SIB will be held every month. Attendance at SIBs will be confirmed by the Planning and Licensing Committee at its preceding Meeting, when notice will also be given of any advance SIBs.
3. Any Members unable to attend an SIB are requested **to notify the Chair and/or an Officer in Democratic Services as soon as possible before the date** of the SIB so that arrangements can be made for other Members of the Committee, or named Substitutes who will also attend the subsequent Meeting of the Committee, to attend the SIB.

(END)

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COTSWOLD DISTRICT COUNCIL

LICENSING SUB-COMMITTEE ROTA: JUNE 2021 - MAY 2022

| LICENSING SUB-COMMITTEES START AT 4.00 P.M. | 23 Jun 21 | 21 July 21 | 25 Aug 21 | 15 Sep 21 | 27 Oct 21 | 24 Nov 21 | 15 Dec 21 | 26 Jan 22 | 23 Feb 22 | 23 Mar 22 | 27 Apr 22 | 18 May 22 |
|---|-----------|------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| RAY BRASSINGTON | | X | | X | | X | | X | | X | | X |
| JULIA JUDD | X | | X | | X | | X | | X | | X | |
| PATRICK COLEMAN | | | X | X | | | X | | X | | X | |
| STEPHEN HIRST | X | X | | | X | | | X | | X | | X |
| ANDREW MACLEAN | | X | | X | X | | | | X | | X | |
| SUE JEPSON | | | X | | | X | X | | X | | X | |
| JULIET LAYTON | X | | X | | | X | | | X | | | X |
| STEVE TROTTER | | X | | | X | | X | X | | | X | |
| DILYS NEILL | X | | | X | | X | | X | | X | | X |
| GARY SELWYN | | X | | X | | X | | X | | X | | |
| CLIVE WEBSTER | X | | X | | X | | X | | | X | | X |

NOTES

1. Assume that an LS-C will be held every month. Attendance at LS-Cs will be confirmed by the Planning and Licensing Committee at its preceding Meeting, when notice will also be given of any advance LS-Cs.
2. Any Members unable to attend an LS-C are requested **to notify the Chair and/or an Officer in Democratic Services as soon as possible before the date** of the LS-C so that arrangements can be made for other Members of the Committee, or named Substitutes, who will attend the LS-C.
3. Licensing Sub-Committee Private Hire, Hackney Carriage and Street Trading Consent Matters meetings require five Members to serve, Licensing Act 2003 Matters require three Members to serve, who will volunteer from the five Members allocated that month.

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