

Public Document Pack



COTSWOLD
DISTRICT COUNCIL

30 January 2024

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PLANNING AND LICENSING COMMITTEE

A meeting of the Planning and Licensing Committee will be held in the Council Chamber - Council Offices, Trinity Road, Cirencester, GL7 1PX on **Wednesday, 7 February 2024 at 2.00 pm.**

Rob Weaver
Chief Executive

To: Members of the Planning and Licensing Committee
(Councillors Ray Brassington, Patrick Coleman, Dilys Neill, Michael Vann, Mark Harris, Ian Watson, Gary Selwyn, Julia Judd, David Fowles, Daryl Corps and Andrew Maclean)

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.

Cotswold District Council, Trinity Road, Cirencester, Gloucestershire, GL7 1PX
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AGENDA

1. **Apologies**
To receive any apologies for absence.

The quorum for the Planning and Licensing Committee is 3 members.
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 - 8)**
To confirm the minutes of the meeting of the Committee held on 10 January 2024
5. **Chair's Announcements (if any)**
6. **Public questions**
A maximum of 15 minutes is allocated for an “open forum” of public questions at committee meetings. No person may ask more than two questions (including supplementary questions) and no more than two such questions may be asked on behalf of one organisation. The maximum length of oral questions or supplementary questions by the public will be two minutes. Questions must relate to the responsibilities of the Committee but questions in this section cannot relate to applications for determination at the meeting.

The response may take the form of:
 - a) A direct oral response (maximum length: 2 minutes);
 - b) Where the desired information is in a publication of the Council or other published work, a reference to that publication; or
 - c) Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.
7. **Member questions**
A maximum period of fifteen minutes is allowed for Member questions. Questions must be directed to the Chair and must relate to the remit of the committee but may not relate to applications for determination at the meeting.

Questions will be asked in the order notice of them was received, except that the Chair may group together similar questions.

The deadline for submitting questions is 5.00pm on the working day before the day of the meeting unless the Chair agrees that the question relates to an urgent matter, in which case the deadline is 9.30am on the day of the meeting.

A member may submit no more than two questions. At the meeting the member may ask a supplementary question arising directly from the original question or the reply. The

maximum length of a supplementary question is one minute.

The response to a question or supplementary question may take the form of:

- a) A direct oral response (maximum length: 2 minutes);
- b) Where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Schedule of Applications

To consider and determine the applications contained within the enclosed schedule:

8. **23/02370/FUL - New Farm, Daylesford, Aldestrop (Pages 19 - 38)**

Summary

Temporary siting for a 2 year period of 7 cabins for staff accommodation with associated works including timber bin store, hardstanding and new landscaping (retrospective) at New Farm Daylesford Adlestrop Gloucestershire GL56 0YG.

Case Officer

Andrew Moody

Ward Member

Councillor David Cunningham

Recommendation

Refuse

9. **22/00393/FUL - Land At Oakleaze, South Cerney Road, Siddington (Pages 39 - 66)**

Summary

Erection of 5 Holiday lodges and associated works at Land at Oakleaze South Cerney Road Siddington Cirencester Gloucestershire GL7 6HT.

Case Officer

Andrew Moody

Ward Member

Councillor Mike Evely

Recommendation

Permit

10. **Sites Inspection Briefing**

Members for 6 March 2024 at 10am (if required)

Councillors Ray Brassington, Patrick Coleman, Daryl Corps, Julia Judd, Ian Watson.

11. **Licensing Sub-Committee**

Members for Licensing Sub-Committee for the meeting due to be held on 29 February 2024 at 2.00pm;

Councillors

Patrick Coleman, Ian Watson, Mark Harris.

Members for Licensing Sub-Committee for the meeting due to be held on
14 March 2024 at 2.00pm;

Councillors

Ray Brassington, Patrick Coleman, Gary Selwyn.

(END)

Planning and Licensing Committee
10/January2024



COTSWOLD
DISTRICT COUNCIL

Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 10 January 2024

Councillors present:

Ray Brassington – Chair
Dilys Neill
Michael Vann
Mark Harris

Patrick Coleman – Vice- Chair
Ian Watson
Gary Selwyn
Julia Judd

David Fowles
Daryl Corps
Andrew Maclean

Officers present:

David Morren, Interim Development Manager
Caleb Harris, Senior Democratic Services
Officer

Helen Blundell, Interim Head of Legal Services
Wayne Campbell, Planning Consultant

34 Apologies

Before commencing onto apologies, the Chair introduced the Committee.

There were no apologies.

35 Substitute Members

Before commencing onto apologies, the Chair introduced the Committee.

There were no apologies.

36 Declarations of Interest

There were no declarations of interest.

37 Minutes

Members requested that the resolution on item 32 be amended to “RESOLVED: To permit the application”

Members also requested that the Chair and Vice-Chair be identified.

Members commented on the use of pronouns being ‘they’ as default. The Vice-Chair stated that the use of gender-neutral pronouns was common in many public organisations. The Senior Democratic Services Officer confirmed that avoiding gendered pronouns was a matter of Council policy.

RESOLVED: To APPROVE the minutes

Voting Record – For 9, Against 0, Abstain 2

For	Against	Abstain
Councillor Andrew Maclean		Councillor Dilys Neill
Councillor Daryl Corps		Councillor Ray Brassington
Councillor David Fowles		
Councillor Patrick Coleman		
Councillor Gary Selwyn		
Councillor Ian Watson		
Councillor Julia Judd		
Councillor Mark Harris		
Councillor Michael Vann		

38 Chair's Announcements (if any)

There were no Chair’s announcements.

39 Public questions

There were no public questions.

40 Member questions

There were no member questions.

41 23/02137/FUL- Valley View, Chapel Street, Maugersbury

The application was for the erection of a side and rear extension at Valley View, Chapel Street, Maugersbury, Cheltenham, Gloucestershire GL54 1HR.

The recommendation was to permit the application.

The Case Officer introduced the application, and highlighted additional representations included in the agenda supplement, as well as the update to the NPPF. The Case Officer explained that for the purpose of the application, the changes to the NPPF only affected the paragraph numbers referenced, not the wording of the policies.

The Case Officer highlighted that the application had been on the agenda for the meeting of the Committee held on 11 October 2023, but had been withdrawn due to a lack of a heritage statement. This was subsequently submitted by the applicant on 3 November 2023, after which a full 21 day re-consultation was carried out by the Council. The comments received during the re-consultation had been included in the agenda pack and additional papers.

The Case Officer explained that the site was situated within the Stow on the Wold Conservation area, the Cotswold Area of Outstanding Natural Beauty (AONB) and was a Non-Designated Heritage Asset. The site was also in proximity to a grade II listed building.

Hugh Chapman, an objector, addressed the Committee.

Richard Boothe, the applicant's agent, then addressed the Committee.

Councillor Dilys Neill, the ward member, addressed the Committee highlighting the local representations made by both sides in the village and the issues the Committee to consider.

Before continuing onto member questions, members who attended the Sites Inspection Briefing (SIB) summarised their findings. Members stated that they felt the SIB added to their understanding of the potential impact on the Conservation Area and the listed building in proximity. Members stated that the current building was very small and not suitable for modern living standards, which the proposed extension would seek to remedy. Members made reference to the gap in the streetscape, which was important.

Member Questions

Members made reference to the large percentage increase that the extension would result in and asked for further clarification from officers as to the policies around this. The Interim Development Manager highlighted the design code, which under DI9 stated that extension should be subservient, often in mass and height. Although the extension was large, in the officers' opinion, it was sympathetically designed and therefore in accordance with the design code and Policy EN1 on non-designated heritage assets.

Members stated that some neighbouring properties had been extended and asked whether the officer had taken this into account in their recommendations. The Officer confirmed this to be the case, but that the design in the application was ultimately what had led to their recommendation. It was explained that a previous application had caused the Conservation Officer to object, but that the applicant then amended the design, and the Conservation Officer withdrew their objections as a result.

Members asked about the gap in the streetscape, which the Case Officer stated would be reduced but still remain, and the character of the Conservation Area would remain. The gap was confirmed to be an important aspect of the Conservation Area.

Members also asked about the energy efficiency of the building. The Case Officer stated that the efficiency would be improved through the application and that the applicant had provided an Energy Statement in support of the application. It was confirmed that this would form part of the approved documents in the event that permission was granted.

Member Comments

Some Members stated that the character would be changed through the relocation of windows. They added that the extension could lead to the loss of a small, affordable dwelling.

Councillor Andrew Maclean proposed that the application be permitted.

Councillor Mark Harris seconded the proposal.

Members stated that there would be benefit in extending the house due to the fact that the existing property was too small for modern living standards and in poor condition.

Members also added that the extension would still result in a modestly sized dwelling.

Members asked if the design of the dormer window could be re-evaluated. The Interim Development Manager stated that if Members thought that otherwise the application would be refused, this could be done, but added that it was in keeping with the design code. Members chose to then not pursue this point further.

RESOLVED: To PERMIT the application

Voting record- For 9, Against 1, Abstain 1

For	Against	Abstain
Councillor Andrew Maclean	Councillor Julia Judd	Councillor Dilys Neill
Councillor Daryl Corps		
Councillor David Fowles		
Councillor Patrick Coleman		
Councillor Gary Selwyn		
Councillor Ian Watson		
Councillor Ray Brassington		
Councillor Mark Harris		
Councillor Michael Vann		

42 Sites Inspection Briefing

A Sites Inspection Briefing was not required.

43 Licensing Sub-Committee

A Licensing Sub-Committee was not required.

The Meeting commenced at 2.00 pm and closed at 3.03 pm

Chair

(END)

Member Questions for Planning and Licensing Committee – 7 February 2024

Question	Response
<p>Councillor Dilys Neill</p> <p>At the December 2023 planning committee, I raised some questions about the number of empty properties in developments which are exclusively for older people which are within Cotswold District. I am still awaiting a written response. I can provide the full text of the questions of needed. I have two further questions.</p> <p>1. What is the council’s position on empty properties in general? There is a property in the centre of Stow, the Old Funeral Directors, & the adjacent Shepherds Cottage which have been empty for many years, probably ten. They have fallen into a state of disrepair & have been vandalised. The owner was required to make them safe, which was done, but they have been broken into again & there are beer cans etc inside. I have reported this on numerous occasions to the empty properties team but nothing further has been done.</p> <p>2. Two applications in my ward were submitted to me with a request to permit. They are both within 50 metres of a listed building & objectors questioned why a heritage statement had not been provided. In both cases, the application was declared invalid & a heritage statement requested. It seems that officers are not aware of their requirement & I would like some clarification about when a heritage statement is required.</p>	<p>Question 1: Empty homes are monitored by the Revenues Team. There are premiums applied to those properties which has been empty and unfurnished for 2 years or more. Legislation has recently been changed to reduce this period down to 1 year. A report is due in Cabinet on 7 March outlining this change with proposals for the Council to implement the new legislation. Officers liaise with owners of empty properties and give advice where possible to encourage the properties be brought back. The Council used to have a shared dedicated resource specifically to manage and monitor long term empty properties, but this was a grant funded post, and the funding is no longer available. Officers are aware of the individual property referred to by Cllr Neil and considering what action, if any can be taken.</p> <p>Question 2: In considering the need for a heritage statement, Officers have regard to Paragraph 200 of the National Planning Policy Framework which states:</p> <p><i>‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.’</i></p> <p>The need to undertake a heritage statement is considered on a case by case basis. The size, scale, nature of the proposed development and its relationship</p>

with heritage assets will differ for each proposal and site. It is not therefore simply a case of a heritage statement being requested if a proposed development is located within 50m of a listed building. For example, the erection of a building within the historic parkland setting of a listed building may have an impact on the setting of the heritage asset despite the proposed building being 200-300m from the listed building. Equally, an extension to a property located within 50m of a listed building may not affect the setting of the heritage asset because other larger modern development lies between the application site and the listed building.

It is therefore necessary to assess each proposal on its individual merits and it will not always be possible to pick up whether a heritage statement is required at the validation stage. Depending on the site context and the nature of the proposal, it may then be necessary to request a heritage statement during the course of the application process.

For clarification, a heritage statement is different to a Design and Access Statement. The latter is required in the following circumstances:

- (a) Development which is major development, or
- (b) Where any part of the development is in a designated area, development consisting of –
 - (i) the provision of one or more dwellinghouses; or
 - (ii) the provision of a building or buildings where the floor space created by the development is 100 square metres or more.

In some instances, applicants will include a heritage assessment within a Design and Access Statement.

Annex 2: Glossary of the NPPF states: *Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

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PLANNING AND LICENSING COMMITTEE 7 February 2024

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 7 February 2024
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION

Parish	Application	Schedule Order No.
Adlestrop	New Farm Daylesford Adlestrop Moreton-In-Marsh Gloucestershie GL56 0YG 23/02370/FUL Full Application	1
Siddington	Land At Oakleaze South Cerney Road Siddington Cirencester Gloucestershire GL7 6HT 22/00393/FUL Full Application	2

PLANNING AND LICENSING COMMITTEE
7 February 2024
ADDITIONAL PAGES (*Published 05.02.2024*)

**AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE LOCAL
GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

ADDITIONAL REPRESENTATIONS ON AGENDA ITEMS : Page 1 - 6		
Agenda No:	Ref No:	Content:
9	22/00393/FUL <i>(Land At Oakleaze South Cerney Road Siddington)</i>	The Applicant has provided historical information regarding the use of the land – please see attached.

Oakleaze - A Potted History

Oakleaze was the home of Mr David Bennett and Mrs June Bennett and where they lived for all of their married lives until support care was required towards the end of their lives. It was the marital home they built on land they purchased in 1952, raised a family and the location of many enterprises they undertook during their time there.

Initially breeding pigs and then it became the base for David's haulage business where his lorries were kept and maintained. This involved serving the local gravel pits delivering aggregates to many works and projects including highways and significantly supplying materials during the construction of the M4 during the 1960's.

The picture below was taken during the mid 70's whilst the haulage works continued to thrive.



They supported the local community in promoting the natural environment and when David retired went about improving the land around their home creating a Caravan Club Certificated Location (CL) providing opportunities for visitors to enjoy the many attractions nearby.

The CL proved successful with high occupation throughout all seasons including over the Christmas periods.





Typically, people would stay for three or more nights and returned regularly to visit the waterpark, Cirencester, the Cotswolds and local villages etc. the pubs in South Cerney often providing an evening meal and sometimes entertainment. The proximity to safe cycling routes also proved an attraction.

Due to its location, well-kept site and local attractions, David and June were awarded in 1999 third place in the CL of the year awards and subsequently winner of the Cotswold and South East of England award in 2000.

In 2001 and 2003 the site received the top accolade of winning the National CL of the year award. These awards were presented at the Houses of Parliament by prominent politicians for their part in promoting local tourism.





**Presentation of the Area Award Certificate for Cotswolds and South East England
Year 2000**

PLANNING AND LICENSING COMMITTEE
7 February 2024
ADDITIONAL PAGES UPDATE (*Published 06.02.2024*)

**AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE LOCAL
GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

ADDITIONAL REPRESENTATIONS ON AGENDA ITEMS : Page 7		
Agenda No:	Ref No:	Content:
9	22/00393/FUL <i>(Land At Oakleaze South Cerney Road Siddington)</i>	An additional objection has been received raising the following concerns: <ul style="list-style-type: none">• Impact upon highway safety as well as cyclists/pedestrians• Roadside verges and hedges are not maintained, road has many potholes• Not a site that a holiday home business should be operated from

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Temporary siting for a 2 year period of 7 cabins for staff accommodation with associated works including timber bin store, hardstanding and new landscaping (retrospective) at New Farm Daylesford Adlestrop Gloucestershire GL56 0YG

Full Application 23/02370/FUL	
Applicant:	Daylesford Organic Ltd
Agent:	Edgars
Case Officer:	Andrew Moody
Ward Member(s):	Councillor David Cunningham
Committee Date:	7th February 2024
RECOMMENDATION:	REFUSE

1. Main Issues:

- (a) Background and the principle of development
- (b) Landscape impact within the Cotswolds National Landscape (CNL)
- (c) CIL

2. Reasons for Referral:

- 2.1 The application is referred for Members to consider whether there is justification for the accommodation to be retained for a temporary 2-year period, owing to the previous refusal of planning permission (19/04004/FUL) and the extant Enforcement Notice requiring the removal of the cabins and the re-instatement of the site.

3. Site Description:

- 3.1 The application site is located to the west of the existing complex of buildings at Daylesford Organic Farm, with the proposal relating to the siting of 7 cabins, in addition to a timber bin store, in a wooded area adjacent to the railway line. The cabins are occupied by staff employed at the site.
- 3.2 The site is located within the Cotswolds AONB, and the site is outside any development boundary in the Local Plan.

4. Relevant Planning History:

- 4.1 There is a lengthy planning history for the site as set out below, which includes the following: -
- 4.2 01/02243/FUL: Conversion of redundant farm buildings to (1) farm shop; (2) cheese/dairy creamery (B1 Use), closure of vehicular access and re-siting. Provision of car parking. Granted 27.11.2001
- 4.3 03/03115/FUL: Conversion of estate farm buildings to A1 shop use. Granted 23.1.2004

- 4.4 04/00637/FUL: Conversion of redundant farm building to part B1 Craft Workshop and Part D1 Education Training Centre. Granted 15.4.2004
- 4.5 04/01814/FUL: Change of Use/Conversion of redundant straw store to mixed use B1 and B8 Uses. Granted 2.9.2004
- 4.6 05/02035/FUL: Modification of conditions 9 & 10 of CD.5090/Q, to allow 1.The Garden Room to be used for the sale of flowers, vases, containers, gardening books & tools (tool handles produced from wood that is grown on the Estate). Some of the products that are sold are produced, or in some cases part-produced, on the Estate. 2. Bamford Barn to be used for the sale of clothes designed by the Estate owner, manufactured worldwide. Withdrawn 11.10.2005
- 4.7 06/00013/FUL: Change of use of part of workshop for mixed B1 and B8 uses on temporary basis (part retrospective). Granted 24.2.2006
- 4.8 06/02772/FUL: Amendments to planning permission CD.5090/U including extension to mezzanine floor and alterations to external appearance. Granted 28.12.2006
- 4.9 07/01981/FUL: Installation of mezzanine floor; change of use of building from agricultural to mixed B1 and B2 uses involving bakery/patisserie, creamery and cheese making facility. Granted 24.10.2007
- 4.10 07/02530/FUL: Change of use from temporary B8 (Warehouse/Distribution) and B1 (Office) to permanent B8/B1 uses ancillary to Daylesford Estate Farm Shop. Granted 13.11.2007
- 4.11 07/03532/FUL: Continued use of former B1 offices to A1 retail ancillary to Organic Farm Shop. Granted 29.2.2008
- 4.12 08/00292/FUL: Change of use of part of the building from agriculture to a bakery and extension to existing building. Granted 28.3.2008
- 4.13 09/00812/FUL: Stopping up of two existing access points to the highway, construction of two new highway access points and roadway, removal of hedgerow on the road frontage, extension and alterations to parking areas and retrospective consent for the erection of a detached building (use class D1). Refused 10.2.2010
- 4.14 09/00828/FUL: Change of use of part of building to include educational cookery school in addition to the existing retail and office use, together with the installation of an additional rooflight. Granted 15.5.2009
- 4.15 14/02628/FUL: Erection of single storey extension to the Hay Barn (Retrospective). Granted 27.8.2014
- 4.16 14/03749/FUL: Proposed extension to Hay Barn to provide treatment rooms, consultation room and gym, relocation of existing timber chalets. Granted 9.10.2014
- 4.17 14/04441/FUL: Retrospective application for erection of glazed link and pergola/store. Granted 19.11.2014

- 4.18 14/04449/FUL: Retrospective Change of Use from craft workshop to spa/wellbeing centre. Granted 19.11.2014
- 4.19 14/04490/FUL: Retrospective change of use to the farmhouse from Staff Accommodation (Class C3) to Holiday Let/Staff Accommodation (Classes C1/C3). Granted 19.11.2014
- 4.20 14/04491/FUL: Retrospective change of use to the farmhouse from Staff Accommodation (Class C3) to Holiday Let/Staff Accommodation (Classes C1/C3). Granted 19.11.2014
- 4.21 15/03959/FUL: Proposed new building for office / child care facility ancillary to New Farm B1(a)/D1(b). Granted 10.02.2016
- 4.22 16/01434/FUL: Demolition of existing building, erection of two storey building with single storey lean-to and small conservatory Use Class B1/A1. Granted 12.05.2016
- 4.23 16/02755/AGFO: Erection of agricultural storage building. Prior approval not required 25.07.2016
- 4.24 16/04050/FUL: Retrospective application to construct an extension to the farm shop complex to form Pizza Bar (Use Class A3/B1). Granted 31.10.2016
- 4.25 17/00926/FUL: Retrospective application for new entrance porches to home and garden barns/farmshop, amendments to previous approved conservatory. Granted 21.04.2017
- 4.26 17/02668/FUL: Change of use to form creche with use class D1(b) and B1 office. Granted 26.07.2017
- 4.27 17/02789/FUL: New staff car park. Granted 31.08.2017
- 4.28 18/01513/FUL: Installation of reed bed and infiltration system. Granted 18.06.2018
- 4.29 18/01547/FUL: Erection of new office/warehouse and laundry buildings (use class B1a and B8) with additional car parking and site works. Granted 12.10.2018
- 4.30 18/04960/FUL: Extensions to the Trough Restaurant (part retrospective). Granted 11.02.2019
- 4.31 18/04961/FUL: Change of use from office (Class B1(a)) and storage (Class B8) with ancillary staff and laundry facilities to spa/wellbeing centre (Class D2); erection of a single storey extension and external alterations. Granted 15.02.2019
- 4.32 18/04972/FUL: Erection of new office/warehouse and laundry buildings (use class B1a and B8) with additional car parking and site works (part retrospective) - amendment to permission: 18/01547/FUL. Granted 22.02.2019

- 4.33 19/01258/FUL: Change of use from existing creche to holiday cottage (Class C3) with associated internal and external alterations and provision of additional parking (part retrospective). Granted 15.05.2019
- 4.34 19/01259/FUL: Change of use of agricultural building to provide biomass plant and associated facilities and the installation of staff welfare facilities with associated external alterations (part retrospective). Granted 15.05.2019
- 4.35 19/01260/FUL: Change of use from workshop warehouse and distribution (Class B1/B8) to a gym and clubhouse with ancillary facilities (Class D2) including associated external works. Granted 21.06.2019
- 4.36 19/01281/FUL: Alterations to existing car parking with associated access and landscaping. Granted 22.05.2019
- 4.37 19/01337/FUL: Erection of Market Garden event centre and restaurant with associated access, parking and landscaping works. Granted 05.11.2019
- 4.38 19/03593/FUL: Variation of conditions 2 (drawing numbers), 6 (fire hydrant) and 8 (parking and turning) of planning permission 19/01260/FUL (Change of use from workshop warehouse and distribution (Class B1/B8) to a gym and clubhouse with ancillary facilities (Class D2) including associated external works) for alterations to the design of the building. Granted 11.11.2019
- 4.39 19/04004/FUL: Siting of 7 cabins for temporary staff accommodation for a period of 3 years with associated works (retrospective). Refused 19.12.2019
- 4.40 20/04054/FUL: Extension to existing car parking with associated access and landscaping. Refused 19.01.2021
- 4.41 20/04423/FUL: Erection of an enclosure to house electrical equipment, provision of covered loading area, alteration to existing car park with associated landscaping and other works (part-retrospective). Granted 01.02.2021
- 4.42 21/01011/FUL: Partial conversion and extension of workshop, warehouse and distribution building to form retail area for garden and associated products and associated external works (part retrospective). Granted 27.04.2021
- 4.43 21/01379/FUL: Erection of a 22 metre high monopole supporting 6 no. antennas and a transmission dish at the top of the pole, an equipment cabinet at ground level and development ancillary thereto. Granted 09.07.2021
- 4.44 22/04482/FUL: Erection of Market Garden event centre, workshop/ceremony space and ancillary rooms with access, parking, landscaping and associated works (part retrospective). Granted 10.02.2023

5. Planning Policies:

- TNPPF The National Planning Policy Framework
- DS4 Open Market Housing o/s Principal/non-Pr

- H5 Dwellings-Rural Workers o/s Settlements
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN15 Pollution & Contaminated Land
- INF4 Highway Safety
- INF5 Parking Provision

6. Observations of Consultees:

- 6.1 Independent Consultant: No essential need to retain the cabins
- 6.2 Landscape Officer: No objection subject to conditions on the basis of the proposal being for a temporary period

7. View of Town/Parish Council:

- 7.1 No response received.

8. Other Representations:

- 8.1 2 representations objecting to the application has been received, raising the following points:
- this matter has been ongoing for 6 years
 - accommodation is required for the retail operation and visitor facilities and not the farm
 - bridleway has been turned into a road
 - assertion that cars are not parked at the site are false
 - site outside any development boundary
 - urbanises an area of open countryside
 - the applicants have created their own accommodation shortage
 - legal agreement can be varied

9. Applicant's Supporting Information:

- Planning, Design and Access Statement
- Proposed Plans

10. Officer's Assessment:

(a) Background and the Principle of Development

- 10.1 The application is retrospective for the retention of 7 cabins, each containing 2 single bedrooms, which have been sited within a clearing in a hollow area to the west of the complex of buildings at New Farm, Daylesford. The cabins are single storey, with flat roofs, and are coloured dark green, and the permission is requested for a temporary

2-year period. A Legal Agreement has also been proposed to secure the removal of the cabins at the end of this period.

- 10.2 The cabins were brought to the Council's attention by way of an enforcement complaint received in August 2019. A subsequent planning application (19/04004/FUL) was refused with the following two reasons for refusal:

1. The application site is located outside any Principal or Non-Principal Settlement designated in the Cotswold District Local Plan. The site is also located in an isolated location in the open countryside which is remote from services, facilities, amenities and public transport links. The site does not represent a sustainable location for new residential development unless it can be shown that there are special circumstances such as the essential need for worker(s) to live permanently at or near their place of work. In this instance it has not been demonstrated that there is an essential need for the 7 cabins containing 14 bedrooms of residential accommodation to be provided on the site. It is therefore considered that the proposed development would be contrary to Cotswold District Local Plan Policies DS4 and H5 and guidance contained in the National Planning Policy Framework, in particular Paragraph 79.

2. The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB), wherein the Local Planning Authority is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposed development, by virtue of its location within the rural Cotswolds AONB landscape and the cumulative impact caused by this scheme and the existing farm complex on landscape character and dark skies will have a significant urbanising and cumulative impact on the AONB landscape. It is considered that the proposal would fail to conserve or enhance the natural beauty and tranquillity of the AONB and would be contrary to Section 85 of the Countryside and Rights of Way (CROW) Act 2000, Cotswold District Local Plan Policies EN2, EN4 and EN5 and NPPF paragraphs 170 and 172.

- 10.3 No appeal was lodged against this decision, and an Enforcement Notice was issued effective from 3rd April 2020 requiring the cabins to be removed and the site reinstated. The compliance date for the Notice was set at 3rd April 2021 as, following discussions with the applicant's representatives, alternative options were being explored that would allow the cabins to be removed.

- 10.4 However, owing to the Covid pandemic, such alternative measures did not come to fruition. In addition, the Courts did not hear planning enforcement related cases during the periods of lockdown and, given the backlog in the legal system that arose during this time, this matter did not get referred to the Courts for prosecution for non-compliance.

- 10.5 The current application seeks to provide an alternative justification for the retention of the cabins as staff accommodation, rather than as rural workers accommodation that would be assessed against paragraph 84 of the NPPF. This includes drawing attention to other sites, two of which are within the Cotswold DC area, that the applicants consider to have created a precedent (Batsford Arboretum and the Hare and Hounds, Westonbirt).

10.6 The application site is located outside any Development Boundary as designated in the Cotswold District Local Plan 2011-2031. Development in such locations is primarily covered by Policy DS4: Open Market Housing Outside Principal and Non-Principal Settlements, which states that 'New-build open market housing will not be permitted outside Principal and Non-Principal Settlements unless it is in accordance with other policies that expressly deal with residential development in such locations.'

10.7 The Council has, therefore, sought independent advice regarding this matter, which is summarised below.

Amongst the exceptions listed is housing for rural workers, Policy H5, which requires the following: -

'Outside settlements, new dwellings for rural workers will be permitted where:

- (a) it is demonstrated that there is an essential need for a worker to live permanently at or near their place of occupation in the countryside;
- (b) a financial test is submitted to demonstrate the viability of the business proposed or as proposed to be expanded;
- (c) a new dwelling cannot be provided by adapting an existing building on the holding;
- (d) a suitable alternative dwelling to meet the essential need is not available on a defined development site within the 17 Principal Settlements or within a village or hamlet;
- (e) the proposed dwelling is located within or adjacent to the existing enterprise or other buildings on the holding;
- (f) the size of the proposed dwelling is proportionate to its essential need; and
- (g) occupancy is limited by way of a planning condition or obligation.'

10.8 Paragraph 84 of the National Planning Policy Framework (NPPF) advises that 'Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- (a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.'

10.9 It should be noted that the applicant's agents contend that the above Policy and NPPF paragraph are not applicable to the consideration of the application. Their contention is that attention should be paid to paragraph 85 of the NPPF, which states 'Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs'. The case made centres around the specific needs of the applicant's business in order to mitigate recruitment issues, stemming from a lack of local and affordable short-term accommodation. The type of accommodation provided may be required during the first weeks of employment, or perhaps in a probation period.

10.10 Daylesford Organic Ltd is sited at New Farm, Daylesford, which is understood to extend to c10,000 acres with 6000 acres in the district and 4000 acres in Staffordshire. From the information provided, there would appear to be approaching 400 people employed at Daylesford Farm and on New Farm itself, roughly divided as follows:

- Office - 50
- Retail (Shops) - 100
- Food & Beverage (Kitchen, Café, Restaurant) - 100
- Production (Bakery, Patisserie, Creamery) - 75
- Other service eg Spa - 25
- Farm Staff - 40

- 10.11 With this number, there would be expected to be a regular turnover of staff in various roles.
- 10.12 There are 7 cabins, each with 2 bedrooms, i.e. providing accommodation for up to 14 individuals at a time. The cabins provide a landing platform for entry level roles and are aimed in particular at staff who may have recently been recruited and need time to source accommodation locally or are on probation.
- 10.13 The employees generally enter into a 6-month accommodation contract, however there are understood to be one or two individuals who are living there for an extended period. Overall, this is seen by the applicants as a facility that enables a smoother recruitment process.
- 10.14 It is understood that the business owns a number of properties in settlements such as Chipping Norton, Oddington and Kingham, understood to be the equivalent of 78 bedrooms of accommodation. There are no details provided as to what the properties are, their location or indeed their tenure situation, i.e. their potential availability to the business.
- 10.15 The application is for the retention of the cabins for 2 years to enable Daylesford to find 'longer terms solutions'. Other solutions were referred to in 2019 but, as stated above, these did not come to fruition. It is considered that is very little detail or analysis accompanying the application to actually justify the retention of the cabins.
- 10.16 The cabins amount to isolated homes in the countryside, and although the occupiers will not in the main be 'rural workers' in the true sense, it would seem reasonable to adopt the test of 'essential need' as referred to in paragraph 84 in the NPPF considering their location.
- 10.17 From the information provided, it is considered that the ability to offer short term accommodation is important to the business since if this was not available recruitment at times might be challenging. Assuming that short term accommodation is important or even necessary, the other question to be addressed is how many rooms would be the minimum requirement over a given year?
- 10.18 When looking at available accommodation that is for sale in the locality, a 5-mile radius takes in Chipping Norton, Stow-on-the-Wold, Moreton-in-Marsh and Bourton-on-the-Water. There are considered to be properties that could, in theory, be purchased and made available for temporary accommodation, from one-bedroom flats to 3/4-bedroom houses that would lend themselves to multiple occupation. No information has been provided as part of the application submission as to whether this has been explored.

- 10.19 The comparable examples provided have been viewed. In brief, the Batsford Arboretum decision was a multi-faceted application and the three chalets provided replaced existing caravan accommodation. The other examples, including the Hare and Hounds at Westonbirt, are not considered compatible as these are associated with a 24/7 service and the resulting staffing dynamic and expectation would be different.
- 10.20 In conclusion, it is not considered that an essential need to retain the cabins has been established. Without any such justification for an essential need being demonstrated, the proposal is considered to be tantamount to the erection of 7 dwellings within the open countryside, contrary to national and local planning policies, i.e. Policies DS4 and H5 of the Local Plan, and paragraph 84 of the NPPF.

(b) Landscape impact within the Cotswold National Landscape

- 10.21 The site is located within the Cotswolds National Landscape (CNL) (formerly the Area of Outstanding Natural Beauty (AONB)). Section 245 of the Levelling-up and Regeneration Act 2023 states that 'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.'
- 10.22 Policy EN2 of the Local Plan states that development will be permitted which accords with the Design Code (Appendix D). Proposals should be of a design quality that respects the character and distinctive appearance of the locality.
- 10.23 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 the 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.
- 10.24 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.
- 10.25 Policy INF7 of the Local Plan states that development proposals must contribute, depending on their scale, use and location, to the protection and enhancement of existing Green infrastructure and/or the delivery of new Green Infrastructure. Green Infrastructure will be designed in accordance with principles set out in the Cotswold Design Code (Appendix D).
- 10.26 Paragraph 180 of the National Planning Policy Framework requires the planning system to recognise the intrinsic character and beauty of the countryside.
- 10.27 Paragraph 182 of the National Planning Policy Framework states that great weight should be given to conserving landscape and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

- 10.28 The site is located to the west of the Daylesford Farm complex and is within the CNL. The application is for the retrospective siting of 7 cabins for temporary staff accommodation for a period of 2 years with associated works. The cabins occupy a hollow surrounded by existing hedgerow and tree vegetation, trees are also present within the site. An area of hardstanding has been installed to provide access and level ground. An access road has been created that joins from the farm track to the north east of the site.
- 10.29 The application site and its surroundings are located within Landscape Character Type 17B Pastoral Lowland Vale: Vale of Moreton, as defined in the Cotswolds AONB Landscape Character Assessment. The Cotswolds AONB Strategy and Guidelines state that this character type has a strong rural character and may have the capacity to accommodate some development where this does not interfere with or detract from their landscape setting. The Strategy and Guidelines identify isolated development as a local force for change in this character type. The Potential Landscape implications of such development are stated as:
- Visual intrusions introduced to the landscape;
 - Erosion of the sparse settlement pattern of the Pastoral Lowland Vale;
 - Loss of characteristic open landscape;
 - Introduction of 'lit' elements to characteristically dark landscapes;
 - Upgrading of minor roads and lanes in areas of new development and introduction of suburbanising features such as gateways, kerbs, and lighting;
 - Loss of tranquillity;
 - Suburbanisation and domestication of agricultural landscape by the introduction of gardens e.g. ornamental garden plants and boundary features, parking areas, lighting, and conversion of tracks to manicured drives and ornamental gateways;
 - Appearance of 'mini parklands' out of context with the surrounding landscape; and
 - Damage to road verges and roadside hedges and walls and the creation of informal passing places.
- 10.30 The Strategy and Guidelines provide the following recommendations in relation to development such as that proposed:
- Avoid isolated development, that will intrude negatively into the landscape and cannot be successfully mitigated;
 - Conserve areas of dark skies;
 - Conserve the distinctive rural and dispersed settlement pattern;
 - Maintain the sense of openness and consider the impact of development, including cumulative development on views to and from the adjacent landscape types such as the Farmed Slopes and High Wold and on the setting of the AONB;
 - Control the proliferation of suburban building styles and materials; and
 - Introduce vehicle weight restrictions to prevent damage to verges and roadside boundaries.
- 10.31 To service the cabins, a new access road has been created, this has pushed development out into the rural landscape. The cabins themselves appear as isolated development that is separated from the main farm complex. Isolated development such as this influences the rural character and weakens a dispersed settlement pattern.

The cabins themselves have an industrial aesthetic and this, combined with a gravel and concrete yard, has an urbanising effect on the area. This urbanising effect is enhanced by domestic clutter such as outside furniture, bins and bikes.

- 10.32 One of the key characteristics and special qualities of the CNL is that of intrinsically dark skies. The Campaign to Protect Rural England (CPRE) has published 'tranquillity maps' which indicate that the neighbouring farm complex already generates a significant level of light which impacts upon an area which is primarily dark.
- 10.33 The Cotswold Conservation Board Position Statement (CCB 2010) notes at paragraph 19 that: -
- "The Board will oppose any development proposals which will lead to a significant increase in noise pollution, light pollution or other loss of tranquillity, either individually or cumulatively, particularly within areas identified as being most tranquil or dark...".
- 10.34 The proposed scheme introduces light spill from the cabin windows and light from exterior light fittings. These elements are visually intrusive and extend the lighting impact from the farm complex further out into the rural countryside. It is considered that the increased lighting would have a cumulative impact with the light already generated from the existing farm complex.
- 10.35 The site is sensitive to change by virtue of its location within the CNL and its connection with the wider rural landscape. The site in this instance is detached from the main farm complex and constitutes additional built form in this rural landscape. There are also concerns about the cumulative erosion of the dark skies in this location due to light spill and external lighting.
- 10.36 Whilst the Landscape Officer has commented that the additional landscaping proposed, and the fact that the application is for a temporary 2-year period, may mitigate the impact, it should also be noted that the previous refusal of planning permission related to the retention of the cabins for a temporary 3-year period. These comments are noted, however considering the expansion of the site outside the main complex of buildings, your Officers consider that the development that has been carried out is not acceptable either on a permanent or a temporary basis.
- 10.37 It should also be noted that in view of the previous refusal of planning permission on landscape grounds (refusal reason 2 above), if this matter could have been addressed through the imposition of a condition requiring additional landscape planting, then that would have been the course of action by the Local Planning Authority at that time, and no reason for refusal on landscape grounds would have been recommended. However, the objection is such that additional planting alone is not sufficient to overcome the harm identified.
- 10.38 In summary, the scheme is considered to have a detrimental cumulative impact on the rural landscape character of the CNL, contrary to the NPPF and Policies EN2 and EN5 of the Local Plan.

11. Conclusion:

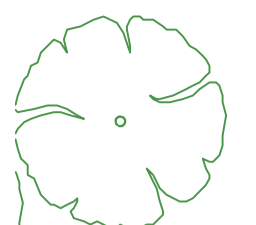


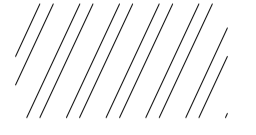

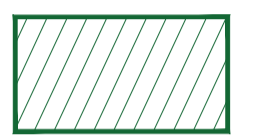
- 11.1 The proposal is considered to conflict with the Development Plan and national policy included within the NPPF, which are not outweighed by other material planning considerations.
- 11.2 The recommendation is for planning permission to be refused.

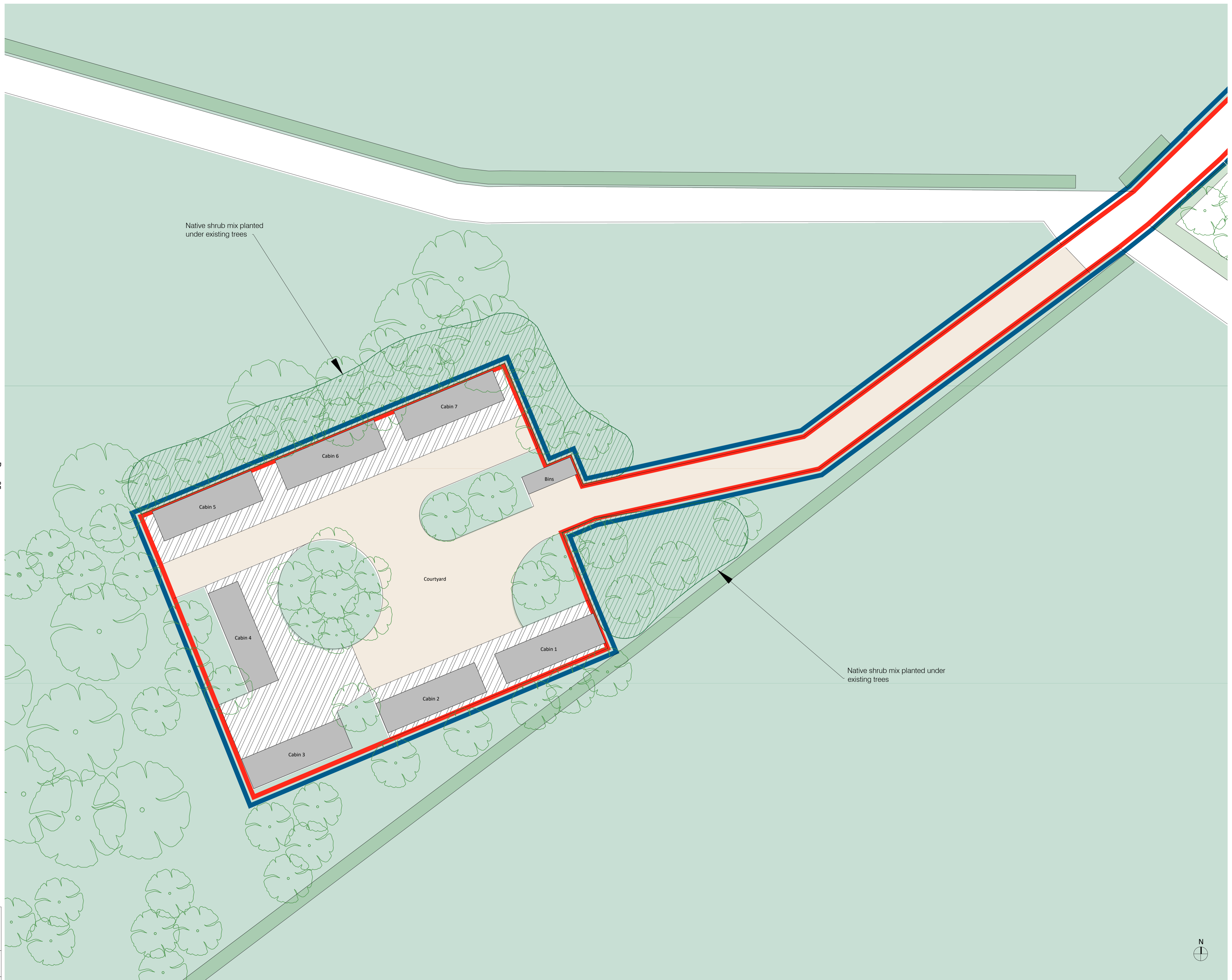
12. Reasons for Refusal:

1. The application site is located outside any Principal or Non-Principal Settlement designated in the Cotswold District Local Plan. The site is also located in an isolated location in the open countryside which is remote from services, facilities, amenities and public transport links. The site does not represent a sustainable location for new residential development unless it can be shown that there are special circumstances such as the essential need for worker(s) to live permanently at or near their place of work. In this instance it has not been demonstrated that there is an essential need for the 7 cabins containing 14 bedrooms of residential accommodation to be provided on the site. It is therefore considered that the proposed development would be contrary to Cotswold District Local Plan Policies DS4 and H5 and guidance contained in the National Planning Policy Framework, in particular paragraph 84.

2. The application site is located within the Cotswolds National Landscape (CNL), wherein the Local Planning Authority is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposed development, by virtue of its location within the rural landscape and the cumulative impact caused by this scheme and the existing farm complex on landscape character and dark skies will have a significant urbanising and cumulative impact on the CNL. It is considered that the proposal would fail to conserve or enhance the natural beauty and tranquillity of the CNL and would be contrary to Section 245 of the Levelling-up and Regeneration Act 2023, Cotswold District Local Plan Policies EN2, EN4 and EN5 and NPPF paragraphs 180 and 182.

Materials legend

-  Existing trees
-  Grass areas
-  Gravel
-  Concrete
-  Existing Hedge
-  Native shrub mix planted under existing trees



Page 35

REV A	19.09.2023
REVISION	DATE

TEMPORARY ACCOMODATION

PROPOSED BLOCK PLAN
1914_200_02_A

STATUS: Issued for Planning
DATE: August 2021
SCALE: 1:200 @ A1

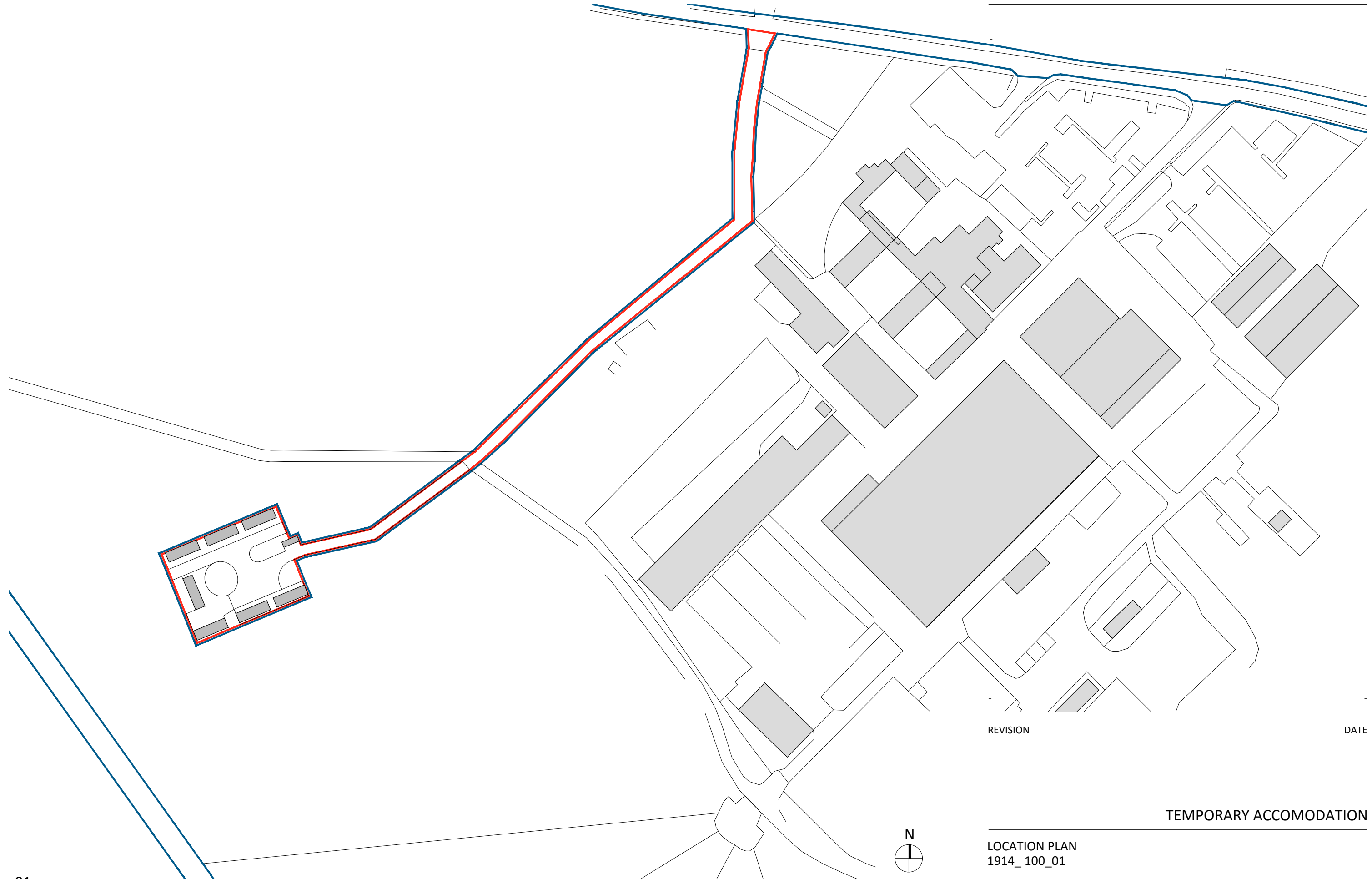
DRAWN: FQ
CHECKED: FQ



DAYLESFORD near Kingham, Gloucestershire GL56 0YG

All measurements in millimetres unless otherwise stated / Do not scale from drawing / Verify all dimensions on site / This drawing is to be read in conjunction with all other relevant drawings and specifications / Refer to Architect in case of any ambiguity or discrepancy / This drawing and its design are copyright / All rights remain the property of Daylesford Organic ©

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REVISION

DATE

TEMPORARY ACCOMODATION

LOCATION PLAN
1914_100_01

STATUS: Issued for Planning
DATE: September 2019
SCALE: 1:1250 @ A3

DRAWN: FQ
CHECKED: FQ



DAYLESFORD near Kingham, Gloucestershire GL56 0YG

01
Location Plan

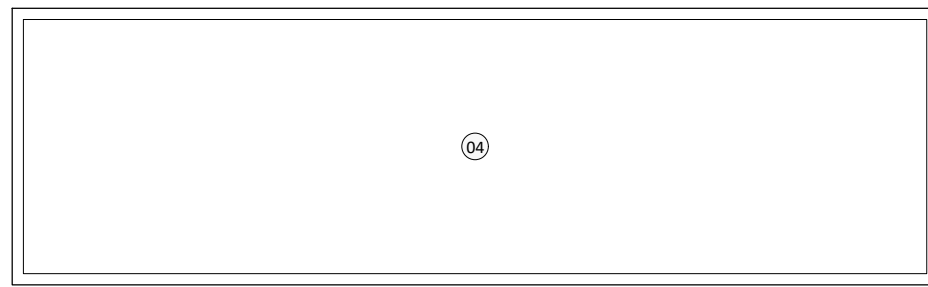
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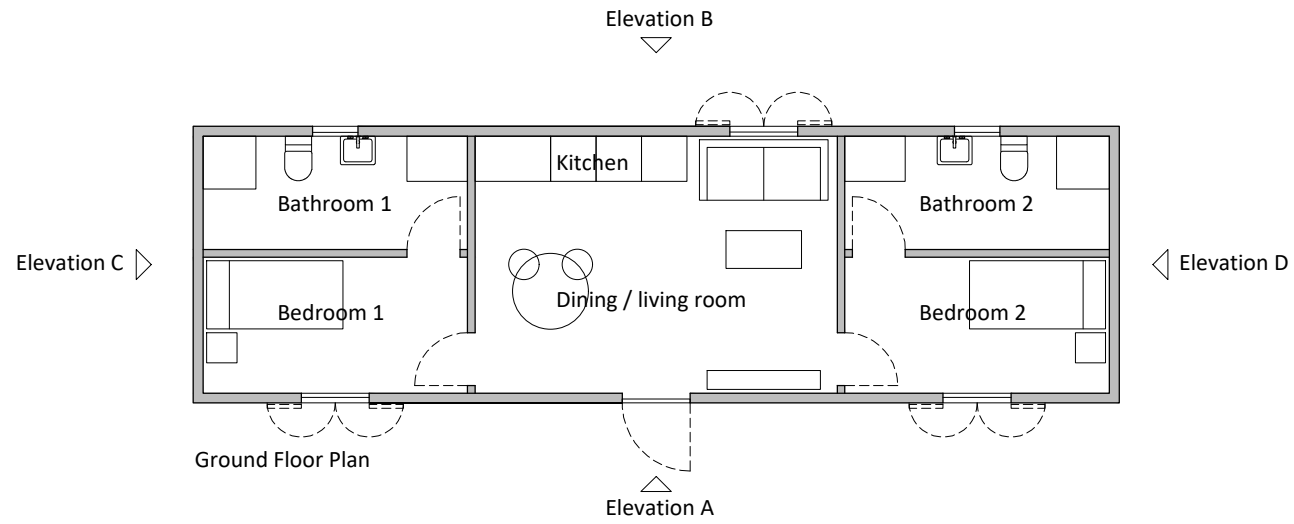
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Materials legend

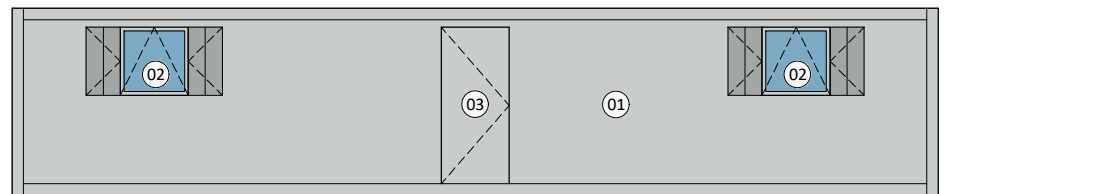
- ① Timber facade
- ② Window and external shutter doors
- ③ Entrance door facing the courtyard
- ④ Flat roof



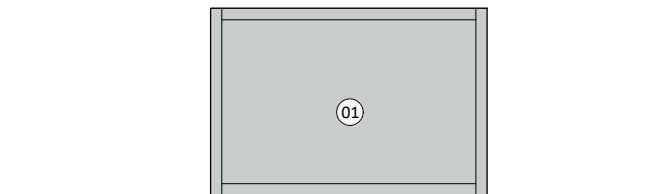
Roof Plan



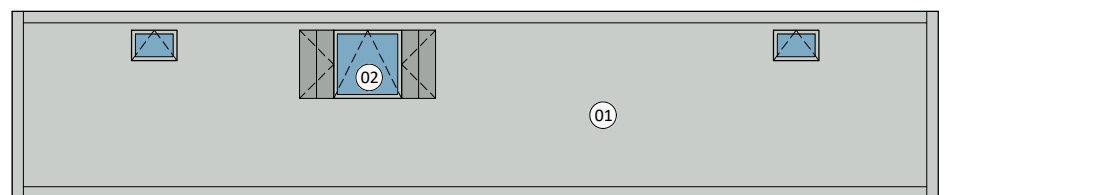
Ground Floor Plan



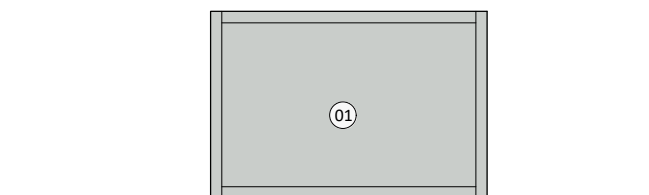
A - Front Elevation



C - Side Elevation 1



B - Rear Elevation



D - Side Elevation 2



REVISION

DATE

TEMPORARY ACCOMODATION

EXISTING CABIN - TYPICAL PLAN and ELEVATIONS
1914_210_01

STATUS: Issued for Planning
DATE: September 2019
SCALE: 1:100 @ A3

DRAWN: FQ
CHECKED: FQ



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**Erection of 5 Holiday lodges and associated works at Land at Oakleaze South
Cerney Road Siddington Cirencester Gloucestershire GL7 6HT**

Full Application 22/00393/FUL	
Applicant:	Mr Mark Pope & Miss Rebecca Arnold
Agent:	Ian Sullivan Architecture
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Mike Evely
Committee Date:	7th February 2024
RECOMMENDATION:	PERMIT

1. Main Issues:

- (a) Principle of Development
- (b) Landscape Impact
- (c) Impact on Highway Safety
- (d) North Meadow SAC
- (e) CIL

2. Reasons for Referral:

2. Councillor Evely has provided the following comments:

'I would like the Review Panel to consider placing this application on the Committee's agenda.

The reason for this request is that the officers' recommendation conflicts with Policies 3 and 4 in EC11 'Tourist Accommodation' in the Local Plan.

I note that there was historic use of the site for touring caravans, but that this was at least ten years ago and prior to the adoption of the current local plan in 2018.

Officers accept that this is a 'balanced' decision and I would suggest that the Committee should determine whether on balance the application should be permitted or refused.'

3. Site Description:

- 3.1 Oakleaze is a detached property located on the western side of the South Cerney Road in Siddington Parish. The property benefits from off road parking and external amenity space wrapping around the property. The site also benefits from a detached workshop to the south of the plot, which is the subject of this application. The application site is located to the south of the property and was previously used as a touring caravan site, with 5 areas of hardstanding off an access drive.

3.2 The site is located outside any development boundary included within the Local Plan and is not subject to any landscape designation.

4. Relevant Planning History:

4.1 CT.1217/C: Extension over garage including the installation of two dormer windows, and the installation of a new dormer window on rear elevation of the existing dwelling. Granted 18.12.2000

4.2 21/01373/FUL: Erection of two-storey extension to front, dormers to rear and enclosed walkway. Granted 25.05.2021

4.3 21/03060/FUL: Alterations to existing outbuilding to form garage with leisure room in roof space. Granted 16.09.2021

5. Planning Policies:

- TNPPF The National Planning Policy Framework
- EC11 Tourist Accommodation
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision

6. Observations of Consultees:

6.1 Landscape Officer: Comments provided, incorporated into the report

6.2 Biodiversity Officer: No objection subject to condition

6.3 Highway Authority: No objection subject to condition

6.4 Natural England: No objection

7. View of Town/Parish Council:

7.1 Siddington Parish Council objects to this application on the following grounds:

- Overdevelopment.
- Lodge design does not follow the Cotswold Design Code and is inappropriate for this location.
- Safety and sustainability - the site is on a busy road, there are no safe footpaths from the site and no attractions nearby so all journeys will have to be by motor vehicles, thereby increasing traffic.

8. Other Representations:

8.1 8 representations objecting to the application have been received, raising the following issues:

- highway safety
- impact upon other road users
- no footpath links
- no street lighting
- contrary to Policy EC11
- design contrary to Policy EC2

8.2 3 representations in support of the application have been received, raising the following issues:

- useful addition to the area
- lack of such facilities in the South Cerney area
- land was an award-winning caravan site
- holiday lodges more pleasing than caravans
- pleased to see site being re-instated for holiday use

9. Applicant's Supporting Information:

- Planning Justification Statement
- HRA Screening Report
- Preliminary Ecological Appraisal
- Highways Technical Note

10. Officer's Assessment:

(a) Principle of Development

10.1 The application site is located to the western side of the South Cerney Road in Siddington and relates to an area of land to the south of Oakleaze. The site was used for the siting of touring caravans for a number of years, with historic aerial photos showing the site in use from at least 2000, with 5 areas of hardstanding provided. The timber shed that provided a site office remains in situ at the time of the site visit in February 2022. The use appears to have ceased by 2014.

10.2 Section 6 of the NPPF refers to supporting a prosperous rural economy, with paragraph 88 stating that: -

Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

10.3 Local Plan Policy EC11 relates to 'Tourist Accommodation'

10.3.1 Part 3 of the Policy states that: -

Proposals for self-catering accommodation, will only be permitted where it:

- a. is provided through the conservation and conversion of existing buildings, including agricultural buildings; or
- b. is appropriately located within Development Boundaries.

10.3.2 Part 4 of the Policy states that: -

Exceptionally, proposals for new-build, short stay, self-catering units that are directly associated on-site with a tourist attraction and required to sustain the viability of the tourist attraction, will be acceptable.

10.4 The applicants have submitted supporting information regarding the use of the land as a touring caravan site, and that the provision of 5 accommodation cabins would replace this historical use of the caravans and would incorporate the existing services that were provided for the caravans, The supporting statement also emphasises the economic benefits from tourism.

10.5 Whilst the content of Policy EC11 is noted, when taking into account the historic use of the land for the siting of caravans, it is considered that, on balance, the proposal would be in accordance with the Development Plan and NPPF with regard to the provision of tourist accommodation and the resultant economic benefits.

(b) Landscape Character

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

10.7 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 the 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.

10.8 Paragraph 180 of the National Planning Policy Framework requires the planning system to recognise the intrinsic character and beauty of the countryside.

- 10.9 The site and the surroundings are sensitive to change by virtue of the rural location. The encroachment of built structures, parking, surfacing, fencing and other associated paraphernalia would, therefore, impact upon the rural character of the site. The dimensions of the cabins are 7.4m length (excluding an area of decking) by 5.1m width, with a ridge height of 5.0m.
- 10.10 In terms of visual amenity, views of the site are restricted by virtue of the existing screening provided by the hedgerow planting, and it is acknowledged that the site is degraded in part with evidence of hard surfacing associated with the caravan use. Therefore, whilst the permanent use of the land and the intensification of development at the site would result in a level of landscape harm would not be significant, this harm would need to be set against the planning benefits of the scheme.
- 10.11 On balance, therefore, it is considered that the scheme would not be out of keeping with the immediate context and would not impact upon the character and appearance of the landscape, in accordance with Local Plan Policies EN2 and EN4 and the NPPF, in particular paragraph 180.

(c) Highways

- 10.12 Local Plan Policy INF4 (Highway Safety) supports development that is well integrated with the existing transport network and beyond the application site, avoiding severance resulting from mitigation and severe impact upon the highway network. Developments that create safe and secure layouts and access will be permitted.
- 10.13 Local Plan Policy INF5 (Parking Provision) seeks to ensure sufficient parking provision to manage the local road network.
- 10.14 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.
- 10.15 The existing vehicular access is considered to have insufficient visibility, when allowing for the road outside the site having a 40mph speed limit, and therefore a new access is proposed to the south which will achieve the required splays of 2.4m x 148m to the south and 2.4m x 157.6m to the north.
- 10.16 Therefore, subject to the conditions recommended, it is considered that the proposal would accord with Policies INF4 and INF5 of the Local Plan, in addition to Section 9 of the NPPF.

(d) Biodiversity and North Meadow SAC

- 10.17 The Preliminary Ecological Appraisal prepared by Arbtech that accompanies the planning application provides a sufficient level of information to determine the ecological effects of the proposal. The PEA identifies amenity grassland, bare ground, oak and ash trees at corners of the site, Leyland cypress border, tall ruderal and species poor hedge.

- 10.18 None are recorded on priority habitat inventories although the oak are of site value offering moderate potential bat roosting. No protected or priority species are recorded for the site although the potential for hedgehog is noted, whilst edge habitats may be suitable for nesting birds and sheltering reptiles.
- 10.19 The site-specific risks to wildlife arising from development in this instance are considered to be small and adequate mitigation for any potential harmful effects of site development is presented along with proposals for biodiversity enhancement. Subject to the ecological measures as outlined being implemented there is no objection to the planning application.
- 10.20 With regards to the wider ecological constraints, the site is within the Outer Zone of Influence for the North Meadow and Clattinger Farm Special Area of Conservation (SAC), and as such the applicants have completed the Habitat Regulations process and paid the necessary financial contribution to mitigate the potential impact upon this internationally designated wildlife site.
- 10.21 The proposal therefore accords with Policies EN8 and EN9 of the Local Plan, and Section 15 of the NPPF.

(e) CIL

- 10.22 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.

11. Conclusion:

- 11.1 The proposal accords with the policies within the Development Plan and the NPPF, which are not outweighed by other material planning considerations.
- 11.2 The recommendation is for planning permission to be granted.

12. 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 numbers: 001-C; 120-H; 121-H; 125-A; 126-A and 130-C.

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. Notwithstanding Classes C2 and C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any other change of use permitted by any subsequent Order, the holiday lodges hereby permitted shall be occupied as holiday accommodation only and for the avoidance of doubt it shall not be occupied as permanent, unrestricted accommodation, second home or a principal or primary place of residence.

Reason: This is development which is only permitted at this location because it provides holiday accommodation. This needs to be carefully controlled, in accordance with the provisions of the NPPF and Cotswold District Local Plan Policies DS4 and EC11.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no buildings, extensions, means of enclosure or hardstandings shall be erected, constructed or sited in the application site, other than those permitted by this Decision Notice.

Reason: To ensure an appropriate level of control of any additional buildings or structures within the application site, in accordance with Cotswold District Local Plan Policies EN2, EN4 and SP5, and the provisions of the NPPF.

6. The development shall be carried out in full accordance with the mitigation and enhancement measures set out at Section 4 'Conclusions, Impacts and Recommendations' of the Preliminary Ecological Assessment (Arbtech, issue 2, 4/7/22). These shall be set out in a Construction Environmental Management Plan for Biodiversity (CEMP-B) submitted to the Local Planning Authority for its approval prior to works commencing.

Reason: To ensure biodiversity is protected in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), the Protection of Badgers Act 1992, Policy EN8 of the Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

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.

Reason: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (National Planning Policy Framework and Planning Practice Guidance). If the scope of surface water drainage is not agreed before works commence, it could affect either the approved layout or completed works.

8. The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 148 metres south and 157.6 metres north along the nearside vehicle track edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway.

These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of highway safety according to PD 0.1 and 0.4 of the Local Transport Plan, Policy INF4 of the Local Plan and Section 9 of the National Planning Policy Framework.

9. The vehicular access hereby permitted shall not be brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of highway safety according to PD 0.1 and 0.4 of the Local Transport Plan, Policy INF4 of the Local Plan and Section 9 of the National Planning Policy Framework.

10. Prior to commencement of the development hereby permitted a construction management plan shall be created and available for local planning and highway authorities. The approved plan shall be adhered to throughout the construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development in accordance with Policy INF4 of the Local Plan, PD 0.4 and 01 of the Local Transport Plan and Section 9 of the NPPF.

11. Prior to the first occupation of the development hereby approved use the access shall be provided with bound hardstanding for the first 5 metres from the carriageway and with drainage to prevent highway run-off.

Reason: To minimise hazard for highway users according to Policy INF4 of the Local Plan, PD 0.1 and 0.4 of the Local Transport Plan and Section 9 of the NPPF.

12. Cycle storage shall be provided in accordance with the site plan and shall be retained thereafter.

Reason: To promote sustainable travel and healthy communities in accordance with Policy INF4 of the Local Plan, PD 0.4 and 01 of the Local Transport Plan and Section 9 of the NPPF.

13. The development hereby permitted shall not be first occupied until the proposed lodges have been fitted with an electric vehicle charging points. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. 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 Policy INF3 of the Cotswold District Local Plan.

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

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

3. The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require a verge crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk

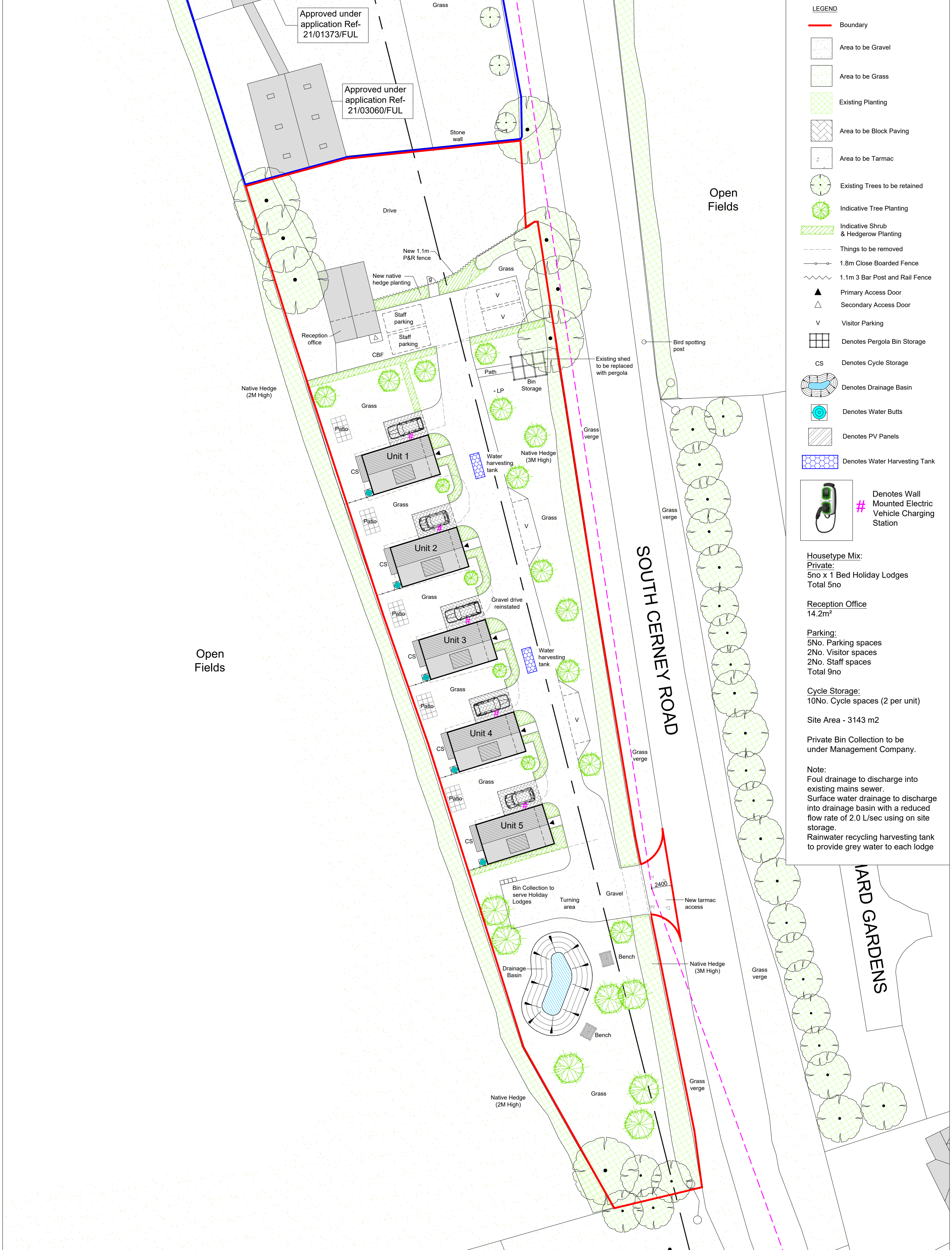
4. The applicant's attention is drawn to the need to ensure that the provision of the visibility splays required by this consent is safeguarded in any sale of the application site or part or part(s) thereof.

5. It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public:

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression, and promoting the Code.

The CMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues. Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.



LEGEND

- Boundary
- Area to be Gravel
- Area to be Grass
- Existing Planting
- Area to be Block Paving
- Area to be Tarmac
- Existing Trees to be retained
- Indicative Tree Planting
- Indicative Shrub & Hedgerow Planting
- Things to be removed
- 1.8m Close Boarded Fence
- 1.1m 3 Bar Post and Rail Fence
- Primary Access Door
- Secondary Access Door
- Visitor Parking
- Denotes Pergola Bin Storage
- Denotes Cycle Storage
- Denotes Drainage Basin
- Denotes Water Butts
- Denotes PV Panels
- Denotes Water Harvesting Tank
- Denotes Wall Mounted Electric Vehicle Charging Station

Housetype Mix:
 Private:
 5no x 1 Bed Holiday Lodges
 Total 5no

Reception Office
 14.2m²

Parking:
 5No. Parking spaces
 2No. Visitor spaces
 2No. Staff spaces
 Total 9no

Cycle Storage:
 10No. Cycle spaces (2 per unit)

Site Area - 3143 m²

Private Bin Collection to be under Management Company.

Note:
 Foul drainage to discharge into existing mains sewer.
 Surface water drainage to discharge into drainage basin with a reduced flow rate of 2.0 L/sec using on site storage.
 Rainwater recycling harvesting tank to provide grey water to each lodge

Rev	Date	Description
H	12.10.2023	Amended for comment.
G	07.06.2023	Amended for comment.
F	03.05.2023	Amended for comment.
E	02.03.2023	Amended for comment.
D	08.07.2022	Additional drainage information added.
C	12.05.2022	Visibility splay amended to 120m.
B	03.05.2022	Visibility splay amended to 90m.
A	02.03.2022	Amended to suit latest highways comments.

Project Title
Oakleaze, South Cerney, Siddington, GL7 6HT

Client
 -

Scale
 1 : 200 @ A1

Project Title
PROPOSED SITE PLAN

Job No
 2872

Drawing No
 120

Scale
 1 : 200 @ A1

Drawn
 MT

Chkd
 ISA

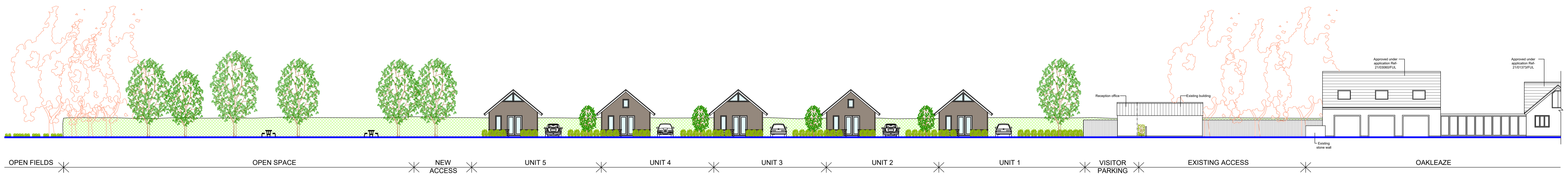
Date
 Jan' 2022

Rev
 H

Ian Sullivan Architecture Ltd

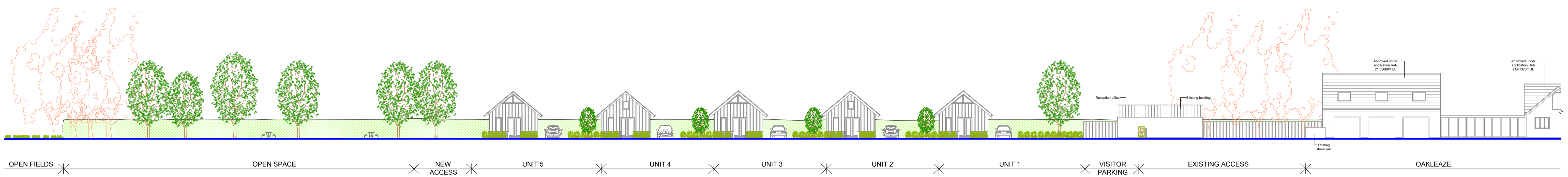
101 Victoria Road, Swindon, Wiltshire SN1 3BD.
 Tel/Fax 01793 612663 - E-mail: info@iansullivanarchitecture.co.uk

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STREET SCENE A-A

EXISTING GROUND LEVEL



SITE SECTION A-A

EXISTING GROUND LEVEL

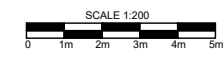
Rev	Date	Description
C	07.08.2023	Amended for comment.
B	02.03.2023	Amended for comment.
A	17.03.2022	Amended for comment.

- All drawings are copyright
- Report all discrepancies to project administrator
- Do not scale drawing for construction purposes
- All dimensions to be checked on site

Project Title
**Oakleaze,
 South Cerney,
 Siddington, GL7 6HT**

Ian Sullivan Architecture Ltd
 101 Victoria Road, Swindon, Wiltshire SN1 3BD.
 Tel/Fax 01793 612663 - E-mail - info@iansullivanarchitecture.co.uk

Drawing Title PROPOSED STREET SCENE & SITE SECTION		Rev C
Job No 2872	Drawing No 130	
Client -	Scale 1 : 200 @ A1	Drawn MT
		Chkd ISA
		Date Jan' 2022



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