



30 May 2025

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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, 11 June 2025 at 2.00 pm.**

Rob Weaver  
Chief Executive

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

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**

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 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 14 May 2025.

5. **Chair's Announcements**

To receive any announcements from the Chair of the Planning and Licensing Committee.

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 one minute. 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 in which they were received but 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. **24/02854/OUT - Land West of Kingshill Lane, Cirencester.** (Pages 25 - 114)

Proposal

Residential development for up to 280 dwellings.

Case Officer

Martin Perks

Ward Member

Councillor Mike Evemy

Recommendation

PERMIT subject to no objection from Gloucestershire County Council Highways and completion of S106 legal agreement covering provision of affordable housing, self-build/custom build plots, highway improvements works (if required), Public Open Space management and maintenance, Biodiversity Net Gain, financial contributions to libraries and North Meadow and Clattinger Farm Special Area of Conservation

9. **24/03111/FUL - The Saddlery, Kineton, Guiting Power.** (Pages 115 - 152)

Proposal

Removal of stables, erection of a dwelling.

Case Officer

Helen Cooper

Ward Member

Councillor Len Wilkins

Recommendation

PERMIT

10. **25/00045/FUL - Land North East of Braecroft, Upper Oddington.** (Pages 153 - 192)

Proposal

Erection of a new self-build dwelling.

Case Officer

Helen Cooper

Ward Member

Councillor David Cunningham

Recommendation

PERMISSION subject to the completion of a unilateral undertaking.

11. **21/01892/FUL - Outbuilding to the East of Poplars Barn, Evenlode, Moreton-In-Marsh.** (Pages 193 - 228)

Proposal

Demolition of existing outbuilding and erection of new dwelling.

Case Officer

Charlotte Van De Wydeven

Ward Member

Councillor David Cunningham

Recommendation

PERMIT

12. **Sites Inspection Briefing**  
Members for 2 July (if required)

Councillors Dilys Neill, Ian Watson, Daryl Corps, Mark Harris, Michael Vann.

13. **Licensing Sub-Committee**  
Members for 25 June 2025 (if required)

To be confirmed.

Planning and Licensing Committee  
14/May2025



**COTSWOLD**  
District Council

## **Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 14 May 2025**

### Members present:

Ray Brassington (Chair)	Patrick Coleman (Vice Chair)	Daryl Corps
Dilys Neill	Julia Judd	Andrew Maclean
Mark Harris	David Fowles	Ian Watson

### Officers present:

Helen Blundell, Interim Head of Legal Services	Kira Thompson, Election and Democratic Services Support Assistant
Harrison Bowley, Head of Planning Services	Helen Cooper, Senior Planning Case Officer
Julia Gibson, Democratic Services Officer	Graham Smith, Planning Case Officer

### Observers:

Councillor Juliet Layton

### **125 Apologies**

Apologies were received from Councillor Michael Vann.

### **126 Substitute Members**

There were no substitute Members.

### **127 Declarations of Interest**

Members acknowledged that Councillor Jeremy Theyer was known to members of the committee as a Cotswold District Councillor.

Councillor Coleman declared that he had known the source of the public comment for Agenda item 10 – 24/00981/FUL

## **128 Minutes**

The minutes of the meeting held on 9 April 2025 were discussed.

Councillor Daryl Corps proposed accepting the minutes and Councillor Patrick Coleman seconded the proposal which was put to the vote and agreed by the Committee.

RESOLVED: To APPROVE the minutes of the meeting held on 9 April 2025.

<b>Minutes (Resolution)</b>		
For	Ray Brassington, Patrick Coleman, Daryl Corps, David Fowles, Mark Harris, Julia Judd and Dilys Neill	7
Against	None	0
Conflict Of Interests	None	0
Abstain	Andrew Maclean and Ian Watson	2
<b>Carried</b>		

## **129 Chair's Announcements**

The Chair announced that he would be stepping down from the role, noting that this meeting would be his final one as Chair.

The Chair expressed gratitude to those who had supported the work of the committee. Thanks were extended to the staff from Democratic Services for their efforts in organising meetings and ensuring they ran smoothly. Appreciation was given to the Legal Services team, with particular thanks to Helen Blundell for her assistance and reassuring presence, as well as her legal guidance throughout.

The Chair extended his thanks to the planning officers, acknowledged their professionalism, dedication, and extensive knowledge, which had greatly supported the Chair in his role.

The Chair expressed appreciation for the support staff within the planning department, recognising the significant work they do behind the scenes to prepare for meetings, and noted that their contributions were essential to the functioning of the committee. Thanks were given to all Committee Members for their support and patience during the Chair's tenure.

A special note of thanks was given to Councillor Julia Judd, who had served as Vice-Chair during the Chair's first year.

The Chair offered appreciation to Councillor Patrick Coleman, the current Vice-Chair, for his support and assistance over the past three years and his consistent backing and contribution.

The Interim Head of Legal Services thanked the Committee for their professional conduct in her final Committee meeting and expressed her pleasure in supporting Planning and Licensing Committee meetings.

Thanks were echoed to the Chair and Interim Head of Legal Services and Vice Chair from Members of the Committee.

### **130 Public questions**

There were no public questions.

### **131 Member questions**

There were no member questions.

### **132 21/01892/FUL - Outbuilding to the East of Poplars Barn, Moreton-in-Marsh.**

#### Proposal

The proposal was for the demolition of an existing outbuilding and the erection of new dwelling in the village of Evenlode.

Case Officer: Charlotte Van De Wydeven

Ward Member: Councillor David Cunningham

Due to the Case Officer being unavailable, the Head of Planning Services proposed that the planning application be deferred to a later meeting.

#### Recommendation

The recommendation was changed to DEFER consideration of the case of planning application 21/01892/FUL due to the Case Officer being absent.

Proposed by Councillor Judd and seconded by Councillor Harris

The recommendation to defer was APPROVED.

<b>21/01892/FUL - outbuilding to the East of Poplars Barn, Moreton-In-Marsh. To Defer decision (Resolution)</b>		
For	Ray Brassington, Patrick Coleman, Daryl Corps, David Fowles, Mark Harris, Julia Judd, Andrew Maclean, Dilys Neill and Ian Watson	9
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
<b>Carried</b>		

**133 25/00505/FUL - Land off Kingshill Lane to Witpit Lane, Cirencester**

Proposal

The proposal was for the Change of use of the site to a mixture of agriculture and equestrian (Retrospective) at Land off Kingshill Lane to Witpit Lane, Preston, Cirencester.

Case Officer: Helen Cooper

Ward Member: Councillor Mike Every

Original recommendation: PERMIT.

The Chair invited the Case Officer to introduce the application.

- There were no additional pages or updates provided.
- Various location maps and site photographs were shared

Members questions:

Members asked questions of the Case Officer, who responded as follows:

- It was confirmed that the site would have a mixed use, with areas designated for both equestrian and agricultural purposes. Some parts of the field were expected to be used for hay production, while others would be used for grazing horses. It was intended for rotation of grazing within the site.
- A representation was noted from a resident, who had raised concerns about odour from manure during warmer weather, attributed to the existing field shelter. A question was raised as to whether a condition could be applied to ensure that any field shelter or manure storage was kept a minimum distance from residential properties.
- The Case Officer clarified that the existing field shelter was not part of the current application, as the applicant considered it to be a temporary, moveable structure and not classified as development requiring planning permission. If such a structure were to be located in a certain position for a significant period of time, the local planning authority might consider it to be operational development and planning permission would then be required.
- Regarding manure storage, officers confirmed that the applicant intended to manage waste by rotating grazing areas and harrowing manure into the ground, with no manure heaps or trailers proposed. An informative had been included in the recommendation to advise the applicant to take care in the siting of manure and any other waste arising from the equestrian use so as not to cause a justifiable complaint or statutory nuisance.
- A question was raised regarding Condition 4 - external lighting, asking whether there was an application or intention to install lighting on the site. The Officer responded that, to their knowledge, no external lighting was proposed at that

time. The condition was included to ensure control should any lighting be proposed in the future. It was also noted that the field shelter had no electrical services connected, so any lighting installation would require a separate application.

A proposal to permit the application in line with the officer recommendations was proposed by Councillor Maclean and seconded by Councillor Judd. This proposal was put to the vote and agreed by the Committee.

<b>25/00505/FUL - Land off Kingshill Lane to Witpit Lane, Cirencester. To Permit (Resolution)</b>		
For	Ray Brassington, Patrick Coleman, Daryl Corps, David Fowles, Mark Harris, Julia Judd, Andrew Maclean, Dilys Neill and Ian Watson	9
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
<b>Carried</b>		

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**134 24/00981/FUL - The Barn, Hills Farm, Chedworth**

Proposal:

The proposal was for the construction of an agricultural building at The Barn, Hills Farm, Chedworth.

Case Officer: Graham Smith

Ward Member: Councillor Paul Hodgkinson

Original Recommendation: PERMIT

The Chair invited the Case Officer, who introduced the applications.

- There were additional pages circulated as supplementary documents which included an updated Case Officer Report and a public objection comment.
- The Case Officer shared site location plans, various maps, plans and photographs of the application site.

Questions.

- A member asked if the application was approved, could that set a precedent for a future applications to seek a residential conversion. In response, the Head of Planning Services confirmed that each application would be considered on a case-by-case basis and assessed against the planning policies in force at that time.
- A member expressed concern about the substantial scale and construction of the building, particularly given its concrete base, and questioned whether its size was justified. The Officer stated that the proposal was considered proportionate and appropriate for the agricultural need
- A concern was raised about the removal of vegetation. The Case Officer confirmed that some of the vegetation was under the applicant's control.

## Planning and Licensing Committee

14/May2025

However, as the site was situated within a conservation area, any removal of trees would require permission from the local planning authority.

- A Member raised a question regarding any restrictions on what the building could be used for in the future. It was explained that different recommendations for agricultural buildings were outlined in the Case Officer's report.
- Questions were raised about light pollution concerns. The Case Officer explained that there were no windows in the proposed building and conditions had been added limiting external lighting.

A proposal to permit the application in line with the officer recommendations was proposed by Councillor Mark Harris and seconded by Councillor Julia Judd. This proposal was put to the vote and agreed by the Committee.

<b>24/00981/FUL - The Barn, Hills Farm, Chedworth. To Permit. (Resolution)</b>		
For	Ray Brassington, Patrick Coleman, Daryl Corps, David Fowles, Mark Harris, Julia Judd, Andrew Maclean, Dilys Neill and Ian Watson	9
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
<b>Carried</b>		

### **135 Sites Inspection Briefing**

The Chair advised members to keep the date of 4 June 2025 free in their diaries.

### **136 Licensing Sub-Committee**

There were no licensing sub-committees planned.

The Meeting commenced at 2.00 pm and closed at 2.41 pm

Chair

(END)



## PLANNING AND LICENSING COMMITTEE 11 June 2025

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### 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 11 June 2025**  
**INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION**

Parish	Application	Schedule Order No.
Preston	Land West of Kingshill Lane Cirencester Gloucestershire 24/02854/OUT Outline Application	1
Temple Guiting	The Saddlery Kineton Guiting Power Gloucestershire GL54 5UG 24/03111/FUL Full Application	2
Oddington	Land North East of Braecroft Upper Oddington Gloucestershire GL56 0XJ 25/00045/FUL Full Application	3
Evenlode	Outbuilding to the East of Poplars Barn Green Lane Evenlode Moreton-In-Marsh Gloucestershire GL56 0NN 21/01892/FUL Full Application	4

**PLANNING AND LICENSING COMMITTEE**  
**11 June 2025**  
**ADDITIONAL PAGES** (*Published 06.06.2025*)

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

<b>ADDITIONAL REPRESENTATIONS ON AGENDA ITEMS : Page 1 – 4</b>		
<b>Agenda No:</b>	<b>Ref No:</b>	<b>Content:</b>
<b>8</b>	<b>24/02854/OUT</b>  <i>(Land West of Kingshill Lane Cirencester)</i>	<b>Additional objection comment received:</b>  <i>'1. I objected recently again to the application. I have now seen the case officers recommending, I am amending my reasons for objection.</i>  <i>2. I withdraw the objection related to the lack of affordable residential, as I note that a 40% provision is being offered which is acceptable to the relevant Council Officer.</i>  <i>3. I could see no reference that a Section 111 Agreement, had been signed in relation to protecting the relevant area. However, as it is inconceivable that this matter would not be satisfactorily resolved, I withdraw my objection in relation to that issue.</i>  <i>3. I maintain my objection on the basis of conflict with Policy DS4. Furthermore, I do not accept that the development is sustainable. To be so there would have to be better bus linkage to Cirencester, including the Centre, and to Steadings, and the RAU. The Land Availability Assessment, is of no materiel relevance, as the potential of the site being a potential location for residential, only featured in the Issues and Options partial review of the Local Plan consultation. I do not recognize the document, 'Integrated Assessment (IIA) for the Cotswold Local Plan Update (February) 2024), that is noted as identifying the</i>

		<p>site, as part of a larger site, being least contained of six sites, from a sustainability viewpoint around Cirencester. The document remains a research document, of no relevance to existing Policy, which is contained in the Local Plan.</p> <p>4. The partially reviewed Local Plans is not sufficiently advanced for this to have any material relevance. However, of relevance is the plan for CDC to advance to the next stage of the partial review of the Local Plan, within the next 6 -9 months. That will include proposed residential allocations to cover the reaming Plan period up until 2031. Before, and after that there will undoubtedly speculative be speculative applications for residential on un - allocated residential, that could be supported, as the 'tilted' balance will be supported on the basis that DS4 is out of date, and there being no other issues, of significance, or they will be only be 'marginal' ones. The partially reviewed Local Plan is intended to be adopted in the first quarter 2027. The point being that almost 2 years of residential remains, and time remains for the 5 years supply to be built back up, without permitting residential on sites where there are significant issues, that I gave before, and will again highlight.</p> <p>5. I do not accept that the absence of the field being within the Natural Landscape, nor part of a Special Landscape Area, by definition makes the landscape not valued. Broad brush designations of Special Landscape Areas in the Local Plan, can never be expected to identify all areas of that have Landscape value. It can be likened to CDC identifying buildings of local Architectural or Historic significance which are of local significance, only at the point when planning applications are submitted that affect them, or their setting.</p> <p>6. Considering if para 187(a) is relevant, is a planning judgement on whether the natural and local environment, are valued landscapes, as that need to be conserved or enhanced. The case officer has taken a far too narrow a view, that (a) is not relevant. My view is that it is relevant, a wide definition by boundaries in a Local Plan is not the</p>
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		<p><i>arbiter, rather it is the evidence on the ground, related to an application, in cases where the land has no designated in the Local Plan. The proposal would cause harm to the natural and local environment, rather than conserving it, or enhancing it. The existing visual gap is of significance.</i></p> <p><i>7. Furthermore it has been acknowledged by the case officer that para (b), is also a determining factor, recognising the intrinsic character and beauty of the Countryside. This would be harmed, rather than being conserved or enhanced. There is also a conflict with Policy EN4 of the Local Plan. The issue is also recognised in the Preston Neighbourhood Plan. The visual gap, comprising a park, and the application rural field, provides an important visual gap, between Urban Cirencester, and the small rural village of Preston.</i></p> <p><i>8. I have previous acknowledged that that if the development is considered to be sustainable, the 'tilted' balance is relevant. As noted, I do not regard the residential as currently sustainable. If it were, I acknowledge that the issue becomes whether the positive elements of the application, of reducing the shortfall of residential now needed over the next 5 years, and the beneficial 40% affordable residential of appropriate tenure; outweigh the negative aspects, of losing a valued Landscape, and also the loss of rural character, and will reduce the visual gap between urban Cirencester, and the rural village of Preston.</i></p> <p><i>9. I remain of the view, that even taking account of the 'tilted' balance, the advantages of this proposal are overcome by the substantial disadvantages that I have highlighted. In addition stating that para 187(a), is not relevant, because the land is neither Natural Landscape, nor a Special Landscape Area, is incorrectly interpreting 187(a) in the context of the Local Plan. Furthermore, as agreed by the case officer para 187(b) is relevant.</i></p> <p><i>10. It is for Committee to weigh up the planning balance, which I do appreciate will be challenging, in view of what occurred between about 2012/13, and 2016/2017, when</i></p>
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		<p><i>residential development became 'residential by planning appeal', or 'residential by inevitable capitulation'. Obviously, with the 'tilted' balance, refusal should only take place where there are clear defensible reasons for doing so, in accordance with the NPPF.'</i></p>
<p><b>9</b></p>	<p><b>24/03111/FUL</b></p> <p><i>(The Saddlery Kineton Guiting Power)</i></p>	<p><b>Additional comment received from Temple Guiting Parish Council:</b></p> <p><i>'Councillors were already concerned at the potential dangers of having 2 driveways at the same point on the single-track road through Kineton. A further site visit has raised the issue of construction traffic and vehicle movements on this very small site and on the road through the hamlet. There is very little space for vehicles to turn, either on the road or on the site, given the size of typical construction vehicles. If they did not enter the site, they would have to park on a single track road. This is likely to be extremely dangerous for builders, residents and visitors. Temple Guiting Parish Council requests that GCC Highways reassesses its comments, taking into account this major issue.</i></p> <p><i>A site visit would demonstrate the issues clearly - unlike the drawings - which show inaccurate proportions relative to actual human and vehicle sizes.'</i></p>

**PLANNING AND LICENSING COMMITTEE**  
**11 June 2025**  
**ADDITIONAL PAGES UPDATE** (*Published 10.06.2025*)

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

<b>ADDITIONAL REPRESENTATIONS ON AGENDA ITEMS : Page 5 – 12</b>		
<b>Agenda No:</b>	<b>Ref No:</b>	<b>Content:</b>
<b>8</b>	<b>24/02854/OUT</b>  <i>(Land West of Kingshill Lane Cirencester)</i>	<p><b>Gloucestershire County Council Highways Response:</b> No objection - see attached letter dated 10 June 2025</p> <p><b>7 further objections and 1 withdrawal of objection received.</b></p> <p><b>Main grounds of objection are:</b></p> <p>i) <i>'The village of Preston includes an area of conservation protection which will be negatively impacted by this development. The village community has a neighbourhood development plan which was agreed up and endorsed which objects to development of this type and extent. The village already suffers from the noise of traffic on the dual carriageway nearby, and road traffic on other roads too dangerous to cross easily following previous developments in the area and subsequent road amendments which do not consider pedestrian or cyclist safety. This will continue to be a problem with further development, and increase noise pollution whilst decreasing safety for pedestrians and cyclists in the area.</i></p> <p>ii) <i>Increased flood risk. Loss of farmland increases the threat of unseasonal flooding due to pressure on drainage infrastructure and increasing the</i></p>

		<p><i>potential floodwaters building in the fields in Preston near to housing.</i></p> <p><i>iii) Cirencester is losing its distinct characteristics with major housing development and lack of affordable shopping and parking in and around the town, and reductions in public transport.</i></p> <p><i>iv) The Steadings housing development and other major housing additions has caused traffic infrastructure around Cirencester to prove unsuitable for greater housing development so close to the town.</i></p> <p><i>v) Additional pressure on the ring road and major roundabouts.</i></p> <p><i>vi) The hospital and other medical services in the town can no longer provide the amount of provision needed for the current population, with cutbacks occurring on an increasing basis, thereby reducing the ability to cope with more residential capacity as well as the existing capacity. Neighbouring major hospitals with A&amp;E services have also proven to be over-capacity and needing to close wards during key periods, therefore posing an increased risk to the residents of Cirencester when there is an even greater population for the underfunded services to cope with.</i></p> <p><i>vii) This planning application has been objected to and refused on multiple occasions previously. The developer is taking advantage of the present government's approach on housing developments by reapplying, but the reasons for the objections and validity of them still remain.</i></p> <p><i>viii) The recent steadings development in Cirencester has proven how the town cannot handle a large scale housing development.</i></p>
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		<p>ix) <i>This application was rejected as recently as 2023 and I am at a loss as to why this has come to committee again despite extremely strong objections from local residents and local and parish councils. This development is in complete disregard of the Preston neighbourhood development plan which took years to develop and approve. The traffic in the area has been complete chaos since the start of the sidings development and this would only add beyond sustainable pressure to the infrastructure. I do not believe the proposals prevented adequately mitigate the issues that were the cause of the rejections previously and am dismayed to see this process again.</i></p> <p>x) <i>Site is outside a Principal Settlement and Preston Neighbourhood Development Plan notes the desire of the Residents of Preston to retain the Green buffer between Cirencester and Preston.</i></p> <p>xi) <i>Preston does not have the infrastructure to support this development and its building will negatively impact on the quality of life for those who live in the village. Preston Village has sufficient resources to accommodate the existing population, 84 properties (c160 persons). There are no communal facilities provisions in the current application for the increased population (to approx. 660 persons).</i></p> <p>xii) <i>The proposal will result in significantly increased traffic on the already congested local roads and Preston village, and the lack of provision for pedestrian and cyclist access exacerbates this risk.</i></p> <p>xiii) <i>Preston will no longer be the idyllic quintessential small village it is now. Please keep it as such.</i></p> <p>xiv) <i>Cirencester has seen a substantial amount of housing development growth over the past few</i></p>
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		<p><i>years. Not least the current and ongoing Steadings development of 2350 houses.</i></p> <p><i>xv) Whilst I am supportive of providing prospective families the opportunity to live in Cirencester and enjoy its benefits, I struggle to see what enjoyment will remain in the coming years as the town becomes severely overpopulated. The roads and infrastructure cannot take the number of commuters leaving and entering the town nor can the town cater for the overwhelming large and growing population.</i></p> <p><i>xvi) If Cirencester continues to propose and build more houses, the town will become far to overpopulated. There will be one more house available for prospective families moving to Cirencester when we make the hard decision to move on from this lovely, but oversubscribed town.</i></p> <p><b>Withdrawal of objection:</b></p> <p><i>'As you are aware my interest in this application, is because it is a large application within the south of CDC; where the interpretation of the 'tilted' balance is the key issue, on a particular site.</i></p> <p><i>I have now located, and read the 2024 document referred to in the report, that is part of the justification of the recommendation, for approval, subject to the awaited comments from GCC, and the Legal Agreement.</i></p> <p><i>I note that the 2024 document does indeed identify the location, as the least contained, of various locations around Cirencester. I also now recognise the extent of the numerical residential need, to not only satisfy the existing 5 year supply of residential, but also the further need for identification of sites up until 2031.</i></p>
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		<p><i>I therefore withdraw my objection to the application, as I agree that other Policies are not sufficient to outweigh the presumption in favour of residential development. I still do have doubts on the sustainability of the residential.</i></p> <p><i>The withdrawal of the objection, is therefore on the basis of any views from GCC. I would hope that their view would include the need for money for improved, non car, accessibility to Cirencester, including to Steadings, and the RAU. If GCC do agree that contributions are needed, the details could be agreed subsequently, and included in a Legal Agreement, before the planning permission is granted'</i></p>
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Cotswold District Council  
Trinity Road  
Cirencester  
Gloucestershire  
GL7 1PX

Highways Development  
Management  
Economy Environment and  
Infrastructure  
Shire Hall  
Westgate Street  
Gloucester  
GL1 2TG

10 June 2025  
Your ref: 24/02854/OUT  
Ask for: Malcolm Jones

Dear Martin Perks

**TOWN AND COUNTRY PLANNING ACT 1990  
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015  
ARTICLE 18 CONSULTATION WITH HIGHWAY AUTHORITY**

**PROPOSAL:** Residential development for up to 280 dwellings, associated works including infrastructure, ancillary facilities, open space, landscaping and pumping station. Construction of a new vehicular access off Kingshill Lane (Outline application)  
**LOCATION:** Land West Of Kingshill Lane Cirencester Gloucestershire  
**APPLICANT:** Robert Hitchins Limited

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has **no objection subject to conditions and financial obligations**.

The justification for this decision is provided below.

The highway authority have been involved in discussions with the applicant on this proposed development for some time and have worked positively towards agreement.

The submitted transport assessment has been carried out in accordance with our requirements and has demonstrated to our satisfaction that the development is unlikely to have a severe impact on the capacity of the local highway network.

The access proposed for the site has been designed to an appropriate standard and therefore will not create an unacceptable reduction in highway safety.

The developer is proposing a footway/cycleway connection from the site to the local schools as well as pedestrian provision to Preston village both of which are

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considered to benefit highway safety. These works are yet to be agreed in detail but will be secured through a S106 Agreement

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

### **Conditions**

Before any dwelling on the site is occupied it shall be provided with a number of car and cycle parking spaces in accordance with relevant parking standards and those spaces shall be hard surfaced and positively drained to a suitable outfall to ensure no surface water runs onto the highway and shall be provided with a properly constructed access to the adopted highway to at least base course level.

Prior to the occupation of any part of the proposed non-residential uses on the site the proposed car parking, turning and servicing arrangements associated with that part of the development shall be laid out, constructed and positively drained to a suitable outfall to ensure no surface water runs onto the highway in accordance with the approved plans and once occupied shall be maintained as such thereafter. Construction traffic will be managed to ensure there is no parking on the public highway of either staff or delivery vehicles at any time.

The site will be provided with a suitable wheel washing facility that ensures no mud or any loose material is carried from the site onto the public highway at any time. Any such facility shall be positively drained to a suitable outfall to ensure no surface water runs away from the facility.

Before any part of the development hereby approved is brought into beneficial use and irrespective of any document currently submitted a Travel Plan will be submitted to and approved by the LPA which will include a monitoring methodology which will include a survey methodology for assessing the travel mode choices of residents, an initial series of targets for modal shifts for residents and a secondary series of targets should the initial targets not be achieved. These secondary targets could include contributions to improving infrastructure to support sustainable travel modes as well as or instead of other measures to drive change. The Travel Plan once approved will be monitored and managed including an agreed surveying system to identify travel choices of (residents/customers and staff), changes in those travel choices and submission of annual reports from the Travel Plan Co-ordinator to the Local Authority for at least five years from the occupation of the final part of the development or until the targets in the Travel Plan are met.

I would also be grateful if you could add the following notes to the decision notice:

This estate road and drainage layout will require approval under Section 38 of the Highways Act 1980 if it is to be adopted as 'highway maintainable at public expense'. There are detailed issues that need to be approved in order to achieve technical approval under that process and the developer should be advised to contact Gloucestershire County Council to ensure that approvals and agreements are secured before commencement of works. The obtaining of planning permission for any design/layout will not be considered as a reason to relax the required technical

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standards for the adoption of the road and drainage and any changes may necessitate the submission of further planning applications. If the road is to be private then the residents should be advised that they may be taking on the responsibilities and liabilities of the highway authority with regards to maintenance, snow clearance etc and advised to take advice on public liability insurance against claims associated with those responsibilities.

Yours Sincerely

**Malcolm Jones**  
**Principal Highway Development Officer**

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**Residential development for up to 280 dwellings, associated works including infrastructure, ancillary facilities, open space, landscaping and pumping station. Construction of a new vehicular access off Kingshill Lane (Outline application) at Land West of Kingshill Lane Cirencester Gloucestershire**

<b>Outline Application 24/02854/OUT</b>	
Applicant:	Robert Hitchins Limited
Agent:	
Case Officer:	Martin Perks
Ward Member(s):	Councillor Mike Evely
Committee Date:	11 June 2025
<b>RECOMMENDATION:</b>	<b>PERMIT subject to no objection from Gloucestershire County Council Highways and completion of S106 legal agreement covering provision of affordable housing, self-build/custom build plots, highway improvements works (if required), Public Open Space management and maintenance, Biodiversity Net Gain, financial contributions to libraries and North Meadow and Clattinger Farm Special Area of Conservation</b>

## 1. Main Issues:

- (a) Residential Development Outside a Development Boundary
- (b) Housing Mix, Affordable and Self-Build/Custom Build Housing
- (c) Impact on the Character and Appearance of the Area
- (d) Impact on the Setting of Heritage Assets
- (e) Accessibility and Highway Safety
- (f) Flooding and Drainage
- (g) Biodiversity

## 2. Reasons for Referral:

- 2.1 This application has been referred to Planning and Licensing Committee as it falls into the major development category.

## 3. Site Description:

- 3.1 This application relates to a group of agricultural fields located adjacent to the eastern edge of the settlement of Cirencester. The application site measures

approximately 13.49 hectares in size and primarily consists of arable fields bordered by hedgerows and trees. The site occupies a sloping area of land which rises approximately 14-15m from its south to its north. The western boundary of the application site lies adjacent to a 21st century housing development and an allotments. The northern boundary of the site adjoins sports field and recreation/sports/leisure development (Cirencester Town Football Club, Cirencester Arena). Hedgerows and trees separate the site from the respective development to the north. The eastern boundary of the application site adjoins a highway (Kingshill Lane). A mix of trees and hedgerows form a boundary between the aforementioned road the wider application site. The village of Preston is located to the east of the aforementioned lane and to the south-east of the application site. The southern boundary of the site adjoins agricultural fields and is defined by hedgerows and a watercourse.

- 3.2 The western boundary of the site is located adjacent to Cirencester Development Boundary.
- 3.3 Public Right of Way BPR4 extends in an east-west direction through the application site. It lies just to the north of the central part of the site.
- 3.4 The application site is located approximately 320m to the west of Preston Conservation Area. The nearest listed buildings to the site are the Grade II listed Forty Farmhouse and the barn to its north, which are located approximately 110m and 90m respectively to the south of the application site. The Grade II\* Church of All Saints in Preston is located approximately 390m to the east of the proposed development. The Grade II listed Church Farmhouse and Preston Place are located adjacent to the aforementioned church.
- 3.5 The site is not located within the Cotswolds National Landscape nor a Special Landscape Area.
- 3.6 The site is located within Flood Zone 1. However, land lying adjacent to the south/south-west of the application site is located within Flood Zones 2 and 3.
- 3.7 The application site is located within the zone of influence of North Meadow and Clattinger Farm Special Area of Conservation (SAC).
- 3.8 A line of electricity pylons and overhead cables extend in a north-south direction adjacent to the western edge of the application site.



#### **4. Relevant Planning History:**

- 4.1 16/05245/OUT Outline application (with all matters reserved for subsequent consideration) for residential development (up to 375 dwellings), infrastructure, ancillary facilities, open space and landscaping, creation of new vehicular access and emergency vehicular access from Kingshill Lane. Withdrawn 2018
- 4.2 16/05246/OUT Outline application (with all matters reserved for subsequent consideration) for residential development (up to 130 dwellings), infrastructure, ancillary facilities, open space and landscaping, and creation of new vehicle access from Kingshill Lane. Withdrawn 2018
- 4.3 22/02351/SCR Request for Environmental Impact Assessment Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for residential development of up to 280 dwellings. EIA not required 2022
- 4.4 23/01597/OUT Residential development for up to 280 dwellings, associated works including infrastructure, ancillary facilities, open space, landscaping and pumping station. Construction of a new vehicular access off Kingshill Lane (Outline application). Refused 2023. Appeal Withdrawn 2024

#### **5. Planning Policies:**

- DS1 Development Strategy
- DS4 Open Market Housing o/s Principal/non-Pr
- H1 Housing Mix & Tenure to meet local needs
- H2 Affordable Housing
- 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
- EN9 Bio & Geo: Designated Sites
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF1 Infrastructure Delivery
- INF2 Social & Community Infrastructure
- INF3 Sustainable Transport
- INF4 Highway Safety

- INF5 Parking Provision
- INF7 Green Infrastructure
- INF8 Water Management Infrastructure
- NPP Preston Neighbourhood Development Plan 2
- NPP1 Policy 1: Preston Countryside and Landsc
- NPP2 Policy 2: Design
- NPP5 Policy 5: Footpaths and Cycleways
- NPP6 Policy 6: Community Infrastructure
- NPP7 Policy 7: Transport and Village Amenity

## **6. Observations of Consultees:**

- 6.1 Gloucestershire County Council Highways: Awaiting response.
- 6.2 Gloucestershire County Council Public Rights of Way: Comments incorporated in Officer Assessment section of this report
- 6.3 Gloucestershire County Council Lead Local Flood Authority: No objection subject to conditions.
- 6.4 Gloucestershire County Council Community Infrastructure: Requests financial contribution of £54,880 to library services. No education contribution is sought.
- 6.5 Gloucestershire County Council Archaeology: No objection subject to condition
- 6.6 Housing Officer: Comments incorporated in Officer Assessment section of this report
- 6.7 Conservation Officer: Objection - comments incorporated in Officer Assessment section of this report
- 6.8 Biodiversity Officer: No objection subject to conditions.
- 6.9 Tree Officer: No objection.
- 6.10 Environmental and Regulatory Services Air Quality: No objection
- 6.11 Environmental and Regulatory Services Contamination: No objection subject to condition
- 6.12 Environmental and Regulatory Services Noise: No objection

- 6.13 Thames Water: Comments incorporated in Officer Assessment section of this report
- 6.14 Historic England: No response to date. The following comments were received in relation to the previous application: *'Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.'*
- 6.15 Active Travel England:
- 6.15.1 *'ATE retains its recommendation that the application is refused in the absence of a contribution towards improving accessibility to the west of the site, between the development and the town centre, in accordance with the recommendations of Gloucestershire County Council (GCC)'s Local Cycling and Walking Infrastructure Plan (LCWIP).*
- 6.15.2 *Consequently, this risks the potential for car-based living amongst the new population while the proposals remain unable to demonstrate that the site will be readily accessible to a range of local facilities (other than local schools) by attractive, safe and inclusive walking, wheeling and cycling routes, while public transport opportunities continue to be limited.*
- 6.15.3 *As a result of the paucity of direct, safe and attractive linkages to local facilities that meet modern standards, which is evidenced by the resultant low mode share forecast for walking, cycling and public transport and the lack of ambitious targets for modal shift or robust Travel Plan monitoring and failsafe measures, ATE is unable to support the application proposals in their current state.*
- 6.15.4 *The proposals consequently remain contrary to the vision-led approach to transport planning, as expected by the National Planning Policy Framework (NPPF) paragraphs 109, 115, 117 and 118 where movements by active and sustainable modes require to be prioritised.'*

## **7. View of Parish Council:**

- 7.1 16 page letter of objection received on the 27th November 2024.

Conclusion states:

7.1.1 *'it is our view that the application proposals will result in the erection of new- build open market housing on an unallocated, windfall site, outside a Principal or Non-Principal Settlement contrary to Policy DS4 of the Local Plan.*

7.1.2 *Furthermore, due to the scale of the proposals, it is considered that the development would take the form of a large urban extension into the open countryside, severing the existing green wedge between the settlements. Set against the skyline it would appear prominent and legible as a large urban extension. In addition, the application proposals are considered to have an adverse impact on heritage assets.*

7.1.3 *We respectfully request therefore that the application is refused on the basis of the overriding evidence that the proposals are contrary to the relevant planning policies and material considerations.'*

7.2 Full response is attached as an appendix to this report.

## **8. Other Representations:**

8.1 38 objections received.

8.2 Main grounds of objection are:

- i) I am far more convinced over the calculations on housing supply from CDC than the applicants. I note that whether previous oversupply of residential is taken into account is currently a planning judgement. Whilst residential supply is not expressed as a maximum, this development would be a significant increase on the requirement. CDC in the last 3 years has also delivered 120% of its defined need, not the 96% stated by the Government. There is clear evidence that CDC does not to add there 280 dwellings and the tilted balance, is not relevant.
- ii) The area's roads will not be suitable for the extra traffic following such a development as they already struggle and the nearby Steadings development has not yet completed. Local infrastructure including Medical facilities, schools and community hubs are insufficient. Water issues at the bottom of the hill/ main Swindon Road see frequent flooding which is a major issue. Local wildlife and environment will be heavily impacted.

- iii) Preston village and conservation area would be heavily impacted and the area would become part of the main town of Cirencester with no green belt.
- iv) Using up more green land and countryside.
- v) Not enough infrastructure for this development traffic wise.
- vi) Already so much being built in Cirencester eg the Steadings.
- vii) Loss of peaceful green leisure and wellbeing areas.
- viii) Too many houses on a small plot.
- ix) Impact on Tesco roundabout.
- x) The development would add extra traffic to an already congested area (especially Kingshill Lane and the 'Tesco' roundabout, would impact heavily on the village of Preston by creating a contiguous area from Cirencester to the village itself, and likely generate a lot of traffic through and within the existing Kingshill Estate.
- xi) No flood risk assessment can properly and fully anticipate what will happen to the lower levels of the propose development.
- xii) It is not clear how the proposed development would interface with the existing estate (especially the proposed 'cycleway'.
- xiii) Living in the village of Preston this will impact negatively on the village with increased traffic through the village and in Kingshill Lane. The noise of extra traffic will be audible in the village. Kingshill Lane doesn't have pedestrian access ie no pavements thus dangerous for pedestrians walking up and down.
- xiv) Areas of Preston are in a conservation area and building near to the area will have a negative impact on the village of Preston with increased traffic driving through the village, noise levels too. Kingshill has already been developed and I believe these additional houses will be over development in the area, joining Cirencester to the village of Preston means Preston loses its identity as a village.

- xv) Access to the development will be a problem, increasingly traffic on Kingshill Lane which in turn will increase traffic congestion at Preston Toll Bar and at London Road.
- xvi) Adverse impact on privacy.
- xvii) There is now a danger that Cirencester and its suburbs will be over developed and some of the precious character of a lovely market town will be lost for good.
- xviii) Continuous development around the town will just add to the overall traffic congestion and frustration we already experience. Almost continuous roadworks, creeping traffic at rush hour and insufficient and (costly) parking at present will only become worse.
- xix) The proposed 280 dwelling will increase traffic congestion along Kingshill Lane and its exit onto the A419 which is already bad in the rush at present and will be further exacerbated.
- xx) Why do we need more houses in Cirencester after the big new development in Chesterton?
- xxi) What provision will there be for people to cycle and walk to the site? There is currently no pavement along Kingshill Lane?
- xxii) What steps will be taken to ensure there is no damage to the Kingshill allotments during the building of the new development?
- xxiii) Noise and air pollution
- xxiv) Impact on wildlife.
- xxv) Visually, the current Kingshill Meadow development is dominant on the approach to Cirencester along the A419 from the South East, yet is somewhat softened by the arable.
- xxvi) The development could result in an increase of 1000 people moving into the area. Where is the extra school capacity, doctors and dentists surgeries and other amenities?
- xxvii) With regard to the water networks, in the last few years there has been a number of floods blocking pedestrian access to Cirencester along

Cricklade road, Adding further developments and associated storm waters could increase the frequency and severity of this issue. Noting that the water networks are unsuitable for the proposed development in any case, with no plan in principle to address this.

- xxviii) Preston is a village with a distinct and individual character, separate from Cirencester which has a distinctly urban character. The development would encroach on the rural setting of Preston and bridge the rural buffer between the village and the outskirts of Cirencester town. The views from the village, and the setting of the village are part of a historic landscape, that is important to both the village, and to the wider Costwolds area, which has significant importance to tourism in this part of the country.
- xxix) The development would be accessed from Kingshill lane, which is not a major road, and would be unable to support the increased traffic. The junction to the A419 in particular would be a significant issue, having access only in one direction. The lane itself has no pedestrian pavement, so pedestrian access would be limited, and I suspect disabled/accessible pedestrian access would be nearly impossible. The village has limited public transport provision, so it is unrealistic to assume residents of the new development would use public transport options.
- xxx) Preston currently population is currently approx 300 people. This development would triple the population. I don't see any amenities such as community hall etc in the plan. Are the current Preston amenities expected to absorb this level of population increase?
- xxxi) This development will result in the loss of Preston as stand alone village and would see it become a suburb of Cirencester. This is not what the community of Preston want which is evidenced by Preston Neighbourhood Plan. ( which was supported by 90% of the Village).
- xxxii) I don't see any reference our consideration given to the Preston Neighbourhood Plan in this application. This is not acceptable given this is a legal doc which was supported ( in vote) by people of Preston.
- xxxiii) View coming into Cirencester on the Swindon road will be impacted by this development.
- xxxiv) the existing water network infrastructure cannot cope with the needs of this development. Flooding in this area occurs frequently.

- xxxv) Allotment to the rear of the proposed development. Current access is through a housing estate but once there it feels and sounds like you are in your own tranquil countryside area while overlooking the surrounding fields. I feel that this development would ruin that feeling for many allotment holders and it would lose the individuality of being the place it is once it was surrounded by houses in all directions. This development could also cast potential shade upon the allotment causing issues with growing produce, destroying the sole purpose of what it is intended for.
- xxxvi) The drainage system in the area is already struggling to cope with the heavy rainfall. Main roads are already subject to frequent flooding. The building of housing on this area will affect rainwater drainage, increasing areas of standing water, and the threat to an already flood prone area.

### 8.3 Cirencester Town Council

*'CTC objected to this proposal when it was originally submitted in 2023 (23/01597/OUT). There has been no change, since that application was refused, in policy or 5YHLS terms, and so CTC continues to OBJECT strongly to this application for outline permission on grounds that it is contrary to Cotswold District Council's (CDCs) adopted Local Plan 2011-2031, in particular it does not accord with DS4 Open Market Housing Outside Principal and Non-Principal Settlements and DS2 and DS3 which preclude development outside the Cirencester development boundary - as also referenced in the Preston Parish Made Neighbourhood Development Plan 2020-2031 (Preston Countryside and Landscape), this means that only small scale development can be allowed in Preston. Cirencester Town Council also objects on grounds that CDC currently has a 5 Year Housing Land Supply (5YHLS), so there is no need nor any justification for granting planning permission to this application . This is a largely unspoilt agricultural section of the Preston Parish which serves an important purpose as a green gap / 'green wedge' between Cirencester and Preston, which prevents coalescence of the two settlements, making each settlement distinct. The Local Plan describes it as follows: 'The 'green wedges' and views of Cirencester Parish Church tower are particular characteristics of Cirencester when approaching the town from various directions.'* (para 7.2.3'

### 8.4 Siddington Parish Council:

*'Siddington Parish Council fully supports the other objectors' comments, and feels that the traffic assessment is unconvincing and the assessment of the flooding impact is implausible. The Council also feels that the existing social*



*services infrastructure (schools, doctors' surgeries, dentists, etc) is already overstretched.'*

## **8.5 Cirencester Civic Society**

*8.5.1 'Object. This is a major application. The main reasons for the refusal of the previous application (Ref: 23/01597/OUT) are still valid. Even if the development was considered to be acceptable in principle, many potentially contentious aspects would need careful consideration and further detailed collaborative work. Premature approval of some of the outline details, without full knowledge of the implications, would make it impossible to change them later. Increased flood risk to the Kingsmeadow area arising from more run-off flowing into the River Churn, must be a concern. There appears to be insufficient public open space within the current illustrative master plan to provide amenity and focus. Sites for landmark trees should be incorporated. The plan doesn't show divisions between private gardens and public spaces. This suggests it could be another featureless housing estate maximising density with nothing to distinguish between one area and another which would give residents a sense of belonging and identity.'*

*8.5.2 Our general view is that proposals for the development of this land are far too early. It will be sad to see Preston becoming a virtual suburb of the town and no longer a distinctive settlement. The present rate of the town's growth is a major concern. The rapid expansion of the population resulting from The Steadings development will be significant. It will be more than enough to satisfy national housing targets. Most of that development should be built before the development of other areas around the town are considered. That development alone will put considerable pressure on the local infrastructure and services generally, especially schools and healthcare provision. The latter is already overstretched. We have concern that this will be harmful to the town's special character and the convenience and needs of those now living within it. More assimilation time is required to allow for the necessary changes to be made to respond to this increase in population. This process can only be achieved if change is properly managed in an incremental and measured way, allowing progressive planning decisions to be made which are relatively small in scale and are adjustable. Decisions which prove to be impractical, or inappropriate should be reversible if negative implications become clear.'*

## **9. Applicant's Supporting Information:**

- Energy & Sustainability Strategy Briefing Note
- Preliminary Geotechnical Design Report
- Noise Impact Assessment
- Waste Management & Waste Minimisation Plan (Including Refuse Disposal Details)
- Utility Statement
- Air Quality Assessment
- Built Heritage Assessment
- Biodiversity Net Gain Assessment
- Ecological Assessment
- Flood Risk Assessment
- Transport Assessment
- Travel Plan
- Tree Survey and Site Feasibility Report
- Landscape and Visual Impact Assessment (LVIA)
- Statement of Community Involvement
- Design and Access Statement
- Planning Statement
- Archaeological Assessment
- Preliminary Permeable Paving Designs
- Phase One Geo-Environmental Desk Study Report
- Ecology Addendum: Updated Habitat & BNG Assessment and Response to Council Comments

## **10. Officer's Assessment:**

### **Background and Proposed Development**

- 10.1 Outline planning permission for the development of this site for 280 dwellings was initially refused in 2023 (23/01597/OUT). The aforementioned application was refused on 7 grounds, including a conflict with Local Plan Policy DS4, harm to the landscape and to heritage assets, insufficient highway information, lack of a S106 legal agreement covering affordable housing and financial contributions to library services, lack of an agreement to mitigate the impact of the scheme on the North Meadow and Clattinger Farm Special Area of Conservation and insufficient information regarding the impact of the scheme on nesting birds and important hedgerows. The applicant lodged an appeal against the decision which was subsequently withdrawn in 2024.
- 10.2 This application seeks permission for essentially the same scheme as that determined in 2023. The applicant seeks Outline planning permission for the

erection of up to 280 dwellings and associated works, including open space, landscaping, a pumping station and new vehicular and pedestrian accesses. The applicant is seeking to establish the principle of development on the site. Detailed matters relating to Access, Appearance, Scale, Layout, Landscaping have been reserved for later approval should Outline permission be granted.

- 10.3 An illustrative masterplan has been submitted with this planning application. It indicates that the proposed housing would occupy the central and northern parts of the site. A central green corridor/area of open space would be created around the hedgerow that extends east to west across the site. The southern part of the site (approximately 3 hectares) would be set aside as open space. It would incorporate landscaping, biodiversity enhancement and drainage features such as an attenuation basin. Landscape buffers would be created along the western and eastern edges of the application site.
- 10.4 The illustrative plan indicates that the proposed development would be served by a single vehicular access, which would open onto Kingshill Lane to the east. The proposed access point is currently shown as being located approximately 100m to the south of the northern boundary of the application site. A new pedestrian/cycle entrance is also proposed onto Kingshill Lane in the southern part of the application site. A new pedestrian footway would be created alongside Kingshill Lane from the aforementioned entrance to the village of Preston.
- 10.5 An existing Public Right of Way which extends in an east-west direction to the north of the centre of the site would be upgraded to provide a footpath/cycle route. It would connect into the existing footpath network extending through the existing residential development to the west, as well as a Public Right of Way that extends to the village of Preston to the east. The submitted plans also show the creation of footpath/cycle path extending up to the northern boundary of the site, where it adjoins the adjacent recreation/sports grounds.
- 10.6 Following discussions with Officers, the applicant is also proposing to introduce a new pedestrian/cycle link to the primary and secondary schools to the north of the site.

**(a) Residential Development Outside a Development Boundary**

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

*otherwise.*' The starting point for the determination of this application is therefore the current development plan for the District which, in this instance, consists of the Cotswold District Local Plan 2011-2031 and the Preston Neighbourhood Plan 2020-2031

- 10.8 The application is located outside Cirencester Development Boundary. It is also located outside of a Non-Principal Settlement. The erection of new build open market housing on the application site is subject to the following Local Plan policy:

Local Plan Policy DS4: Open Market Housing Outside Development Boundaries and Non-Principal Settlements

*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.*

- 10.9 In respect of Local Plan Policy DS4, the supporting text to the policy states:

*6.4.4: Policy DS4 is intended to preclude, in principle, the development of speculative new-build open market housing which, for strategic reasons, is not needed in the countryside....*

*6.4.5: For the purposes of Policy DS4, any land that falls outside Development Boundaries and Non-Principal Settlements is referred to as countryside, even if it is technically previously developed land.*

- 10.10 The current scheme would result in the erection of open market dwellings on the application site and is therefore contrary to the above policy.

- 10.11 Notwithstanding the above, it is noted that the Council also has to have regard to policies in the National Planning Policy Framework (NPPF) when reaching a decision. The NPPF represents a significant material consideration. In particular, it is noted that the December 2024 update of the NPPF introduced a new standard method for calculating local housing need. Prior to the December changes to the NPPF, the Council could demonstrate a 7.3 year supply of housing land. It was therefore comfortably meeting its requirement to provide a 5 year supply of such land. However, as a result of the aforementioned changes it is noted that the Council is now only able to demonstrate a 1.8-1.9 year supply. The new standard method means that the Council has to deliver 1036 homes per annum as opposed to the 504 homes per annum requirement that existed prior to the December 2024 update. Moreover, the aforementioned

update to the NPPF removed the wording in the document that enabled previous over-supply to be set against upcoming supply. The residual requirement for the remainder of the Local Plan period would have been 265 dwellings per annum (based on the Housing Land Supply Report August 2023) prior to the changes in December. The December changes to the NPPF therefore result in the Council having to deliver a far higher number of dwellings than that required prior to December 2024. As the supply figure is now under 5 years, it is necessary to have regard to paragraph 11 of the NPPF, which states:

*11. Plans and decisions should apply a presumption in favour of sustainable development.*

*For decision-taking this means:*

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

10.12 Footnote 8 of the NPPF advises that 'out-of-date' for the purposes of paragraph 11 includes 'for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirements over the previous three years.' In light of this guidance, it is considered that Local Plan Policy DS4 is out-of-date at the present time and that paragraph 11 is engaged.

10.13 In the case of criterion d) i) of paragraph 11, it is noted that footnote 7 of the NPPF advises that designated heritage assets, such as conservation areas and listed buildings, or habitats sites such as Special Areas of Conservation (SACs) are areas or assets of particular importance. Harm to such areas or assets could therefore provide a strong reason to refuse an application for housing even if a 5 year supply of housing land cannot be demonstrated. In the case of criterion d) ii), it is necessary to weigh the benefits arising from the scheme, such as the delivery of housing, including affordable housing, against the adverse impacts of the proposal, such as its landscape and visual impact, its impact on habitats site and/or heritage assets. These aspects of the proposal will be addressed later in this report. However, in the case of criterion d) ii), it is evident that the adverse impacts would have to significantly and demonstrably outweigh the benefits in order for an application to be refused.

10.14 The application site, along with a parcel of land to its south-west, have been assessed as part of the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) process. The document titled *"Strategic Housing and Economic Land Availability Assessment (2021)"* gives the application site reference C80 and the land to its south-west reference C185. The summary section of the aforementioned report states the following in relation to the two sites:

*10.14.1 'The development of either site would be a significant eastwards extension of Cirencester and would lose agricultural land. Both sites have 'High /medium' landscape sensitivity, primarily because of their open nature and their prominent position, which is highly visible to users of the A419(T) to the south. The development would also cause a level of harm to the historic environment. However, there are also opportunities for enhancements that the development could bring.'*

*10.14.2 Recommendation*

*C80 is a candidate for further consideration for allocation for residential development in the Local Plan.*

*C185 is unsuitable for residential development but may be considered as part of the development of the adjacent land in order to deliver some of the planning benefits associated with the wider scheme.'*

10.15 It is evident that the application site is a candidate for consideration for allocation as part of the Local Plan review or in a future version of the Local Plan. The SHELAA has not therefore ruled out the residential development of

the site on the grounds that it is unsuitable for development. Whilst it is noted that the suitability of a site of this size for residential development would normally be addressed through the Local Plan process, the December 2024 changes to the NPPF mean that this Council is now in a position where it has to consider development proposals on a case by case basis. Moreover, the in-principle policy objection to the residential development of this site as set out in Local Plan Policy DS4 is now considered to be '*out-of-date*'. As such, it is necessary to assess this proposal against the criteria set out in paragraph 11 of the NPPF. This assessment is set out in the following sections of this report.

- 10.16 In addition to the findings of the above report, the application site has also been assessed as part of the document titled '*Integrated Impact Assessment (IIA) for the Cotswold Local Plan Update*' (February 2024). The aforementioned document evaluates the relative sustainability merits of various areas in the vicinity of each of the Principal Settlements in the District. The proposed site forms part of a larger area of land identified as CIR4. Of the 6 areas of land assessed around Cirencester, the aforementioned area ranks No.1 in terms of its relative sustainability merits advising that '*this makes CIR4 the relatively least constrained area overall.*'

**(b) Housing Mix, Affordable and Self-Build/Custom Build Housing**

- 10.17 With regard to housing mix, affordable and self-build/custom build housing, the proposed development is subject to the following Local Plan policies:

10.18 Policy H1 Housing Mix and Tenure to Meet Local Needs

1. *All housing developments will be expected to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable housing sectors, subject to viability. Developers will be required to comply with the Nationally Described Space Standard.*
2. *Any affordable accommodation with 2 or more bedrooms will be expected to be houses or bungalows unless there is a need for flats or specialist accommodation.*
3. *Proposals of more than 20 dwellings will be expected to provide 5% of dwelling plots for sale as serviced self or custom build plots, unless demand identified on the Local Planning Authority's Self-Build and Custom Register or other relevant evidence demonstrates there is a higher or lower level of demand for plots.*

4. *Starter Homes will be provided by developers in accordance with Regulations and national Policy and Guidance.*
5. *Exception sites for Starter Homes on land that has been in commercial or industrial use, and which has not currently been identified for residential development will be considered.*

#### 10.19 Policy H2 Affordable Housing

1. *All housing developments that provide 11 or more new dwellings (net) or have a combined gross floorspace of over 1,000 square metres, will be expected to contribute towards affordable housing provision to meet the identified need in the District and address the Council's strategic objectives on affordable housing.*
2. *In settlements in rural areas , as defined under s157 of the Housing Act 1985, all housing developments that provide 6 to 10 new dwellings (net) will make a financial contribution by way of a commuted sum towards the District's affordable housing need subject to viability. Where financial contributions are required payment will be made upon completion of development.*
3. *The affordable housing requirement on all sites requiring a contribution, subject to viability is:*
  - i. *Up to 30% of new dwellings gross on brownfield sites; and*
  - ii. *Up to 40% of new dwellings gross on all other sites.*
4. *In exceptional circumstances consideration may be given to accepting a financial contribution from the developer where it is justified that affordable housing cannot be delivered on-site, or that the District's need for affordable housing can be better satisfied through this route. A financial contribution will also be required for each partial number of affordable units calculated to be provided on site.*
5. *The type, size and mix, including the tenure split, of affordable housing will be expected to address the identified and prioritised housing needs of the District and designed to be tenure blind and distributed in clusters across the development to be agreed with the Council. It will be expected that affordable housing will be provided on site as completed dwellings*



*by the developer, unless an alternative contribution is agreed, such as serviced plots.*

6. *Where viability is questioned or a commuted sum is considered, an "open book" assessment will be required. The local planning authority will arrange for an external assessment which will be paid for by the developer.*

- 10.20 As this application is in Outline form, the final layout of dwellings on the site would be established at the Reserved Matters stage should Outline permission be granted. Notwithstanding this, the applicant has stated that the proposed scheme would make provision for 40% affordable housing in accordance with the requirements of Policy H2. The proposed affordable housing mix comprises 50 social rented units (45%), 28 affordable rented units (25%), 28 First Homes (25%) and 6 shared ownership units (5%). A total of 112 affordable units are proposed. In terms of size, 23 units would be 1 bedroom, 59 would be 2 bedroom, 25 would be 3 bedroom and 5 would be 4 bedroom. The proposed mix is considered to provide a good range of dwelling sizes and tenures. It would also provide a high number of units for social rent which will help to ensure that the scheme accords with Cotswold District Council's document 'Our Cotswolds Our Plan 2024-2028' which states *'We will deliver good quality housing that is genuinely affordable, to enable local people on low incomes to stay local.'*
- 10.21 The Council's Housing Strategy Officer has no objection to the proposed affordable housing mix. The final mix would be secured through a S106 legal agreement. It is considered that the proposed development would contribute in a significant way to the delivery of affordable housing in the District. The benefits arising from the affordable housing are considered to carry considerable weight and to represent a significant material consideration when weighing the benefits of this proposal against its potential impacts.
- 10.22 With regard to the mix of open market dwellings, it is considered necessary to ensure that a mechanism is put in place to secure an appropriate mix of market dwellings, as required by Local Plan Policy H1. It would not be possible to control the mix of the open market housing at the reserved matters stage. The provision of larger, more expensive dwellings for open market sale can increase average house prices across the District, which can then increase the Council's housing needs and its housing affordability issues, both in the affordable and open market sectors. A higher average house price can mean that more persons fall into housing need. In contrast, the provision of smaller 1, 2 and 3 bed open market dwellings can more reasonably address such an issue. Figures from the

Office for National Statistics indicate that the ratio between median house prices and median gross annual earnings in Cotswold District in 2024 (based on a 5 year average) was 14.64 times. In comparison, the difference was 5.63 times in 1997. The provision of a high percentage of 4 and 5 bed dwellings simply adds to the price differential and does little to address the Council's issues relating to house price affordability. It is noted that Table A2.19 of the Gloucestershire Strategic Housing Market Assessment Update Final March 2014 states that 80% of new market accommodation required in Cotswold District in the period up to 2031 would be 1, 2 and 3 bed units, with just 20% being 4 bed dwellings and above. It is therefore recommended that a condition is attached to a grant of Outline permission that would ensure that no more than 20% of the completed dwellings have 4 bedrooms or more, and that the remaining dwellings would be 1, 2 and 3 bed units.

- 10.23 With regard to self-build/custom build plots, a scheme of 280 dwellings would need to provide 14 such plots in order to meet the 5% requirement set out in Local Plan Policy H1. The Council has a statutory duty to ensure that it delivers an adequate number of serviced self-build/custom build plots. Local Plan Policy H1 is the principal means of securing such development. The Council continues to receive requests to join the self-build/custom build register and the delivery of plots to meet such needs is considered necessary and reasonable. It is expected that the delivery of such plots would be secured as part of a S106 legal agreement.
- 10.24 Subject to the condition and S106 agreement set out above, it is considered that the proposal accords with Local Plan Policies H1 and H2.

**(c) Impact on the Character and Appearance of the Area**

- 10.25 The application site occupies an area of agricultural land located between the town of Cirencester to the west and the village of Preston to the south-east. Whilst the site lies adjacent to Cirencester Development Boundary it is located within the parish of Preston. The site is not located within the Cotswolds National Landscape, nor a Special Landscape Area.
- 10.26 The following policies and guidance are considered applicable to this proposal:

**Cotswold District Local Plan 2011-2031**

- 10.27 Local Plan Policy EN1 Built, Natural and Historic Environment

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

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

#### 10.28 Local Plan Policy EN4 The Wider Natural and Historic Landscape

- 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.'*

#### 10.29 Local Plan Policy INF7: Green Infrastructure

- 1. 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.*
- 2. New Green Infrastructure provision will be expected to link to the wider Green Infrastructure network of the District and beyond.*
- 3. Green Infrastructure will be designed in accordance with principles set out in the Cotswold Design Code (Appendix D).*

## **Preston Neighbourhood Development Plan 2020-2031**

### **10.30 Policy 1: Preston Countryside and Landscape**

*'Other than within the AONB, new development should where appropriate promote the following:*

- i. Replanting non-native tree plantations with native broadleaved native species as part of the woodland succession planting;*
- ii. Avoiding unsympathetic new woodland planting including new dense linear shelterbelts, particularly in character areas 4a, 4b and 5, which would enclose the character of the landscape at points where it is currently open;*
- iii. Managing existing shelterbelts with selective thinning to retain native specimens and open up views below their canopies; maintaining dry-stone wall boundaries and restore any in disrepair;*
- iv. Restoring historic hedgerow lines;*
- v. Maintaining the existing network of open ditches and streams to ensure continuity of irrigation to fields and surface water management to grass and agricultural fields;*
- vi. Protecting open views between buildings of Preston's agricultural setting when viewed from the village main street (Witpit Lane);*
- vii. Establishing a pedestrian link using the route of the old railway line to create a public footpath which connects the whole of the parish on a north/south axis;*
- viii. Resolving footpath links across the dual carriageway to improve connectivity across the parish. '*

### **10.31 Policy 2: Design**

*10.31.1 'Proposals for new development, including extensions to existing buildings, and conversions of farm buildings, should be of the highest design standards in accordance with the relevant policies of the Cotswold District Local Plan, including the Cotswold Design Code.*

*10.31.2 Proposals should have specific regard to the following conclusions derived from the Design in Preston Design Statement (2017):*

- i) Publicly accessible green spaces (such as the formal spaces around community infrastructure and incidental spaces such as grass verges) within the village built-up area should be retained if possible.*
- ii) Proposals should use locally characteristic building materials, for example Cotswold stone and reconstituted Cotswold stone for walling, roofing and timber for windows and doors, where appropriate.*
- iii) Properties should have high quality boundary features, such as hedges and Cotswold Stone walls where appropriate, particularly where these are visible from public vantage points.'*

10.32 The application site is not located within the Cotswolds National Landscape nor a Special Landscape Area. In addition, it is not subject to any other landscape designations. As a consequence, it is considered not to represent a valued landscape for the purposes of paragraph 187 of the National Planning Policy Framework (NPPF). Notwithstanding this, paragraph 187 b of the NPPF states that planning decisions should contribute to and enhance the local environment by recognising the intrinsic character and beauty of the countryside. The current site consists of agricultural fields lying between the settlements of Cirencester and Preston and is considered to contribute positively to the rural setting of both settlements.

10.33 The application site has been assessed in the Council's Strategic Housing and Economic Land Availability Assessment 2021 (SHELAA). The current application site occupies an area covered by SHELAA site reference C80. A smaller parcel of land lying to the south of the current application site has also been assessed as part of the SHELAA under reference C185.

10.34 With regard to site C80, the SHELAA states:

*'C80: The parcel was assessed as part of the 'Study of land surrounding Key Settlements in Cotswold District Update, Additional Sites: Final Report' (Cotswold District Council and White Consultants, October 2014) report. The description provided for this parcel is reproduced below and remains an appropriate description:*

*'The site comprises of three arable fields with moderately regular boundaries on the sloping valley sides of the River Churn. The field boundaries are low cut hedges running along the slopes but a mixture of low hedge and fence along*

*Kingshill Lane to the east. The site is therefore open. The western boundary is open abutting a line of pylons and power lines which are a detractor. Beyond this to the west is the recently constructed Kingshill development which has been built reflecting vernacular forms and has a moderately varied structure and a positive edge, though unmitigated with vegetation at present. There is a public footpath running along the slope through the site. To the east there is a young mixed tree belt. To the south, the site abuts the relatively open floodplain and views are possible across this from the busy A419(T) which also reduces tranquillity through movement and noise. A sports building and low floodlights are visible on the skyline to the north of the site. Listed buildings lie at Preston Forty Farm to the south and Preston Conservation Area lies to the east beyond the tree belt'.*

10.35 With regard to landscape sensitivity, the SHELAA states:

*'Landscape sensitivity C80 evaluation: High/Medium*

*10.35.1 The landscape sensitivity given to the parcel as part of its inclusion within the 'Study of land surrounding Key Settlements in Cotswold District Update, Additional Sites: Final Report' (Cotswold District Council and White Consultants, October 2014) report was High/Medium. The justification provided for this rating is reproduced below and remains an appropriate justification for the parcel's landscape sensitivity:*

*10.35.2 'The site is susceptible to change because it is open and lies on a prominent slope highly visible to users of the A419 to the south. Development on this site would be a major extension of built form into open countryside. The presence of the sports facilities to the north are not sufficient justification for a major built extension as they are relatively low key in nature. The power lines provide a logical boundary to the built form and the new development will provide a positive edge once landscape planting is established'.*

10.36 The SHELAA goes on to state:

*'Recommendation*

*10.36.1 C80 is a candidate for further consideration for allocation for residential development in the Local Plan.*

*10.36.2 C185 is unsuitable for residential development but may be considered as part of the development of the adjacent land in order to deliver some of the planning benefits associated with the wider scheme.*

*10.36.3 Proposed site design brief if the site was allocated in the Local Plan.*

*10.36.4 This following is not an exhaustive list and further guidance on design requirements will be provided through the pre-application process. If this site were to be redeveloped:*

- The neighbouring country park should be extended into C185 to promote health and wellbeing through recreation and also allow a greater level of habitat management to improve biodiversity. The natural functions of the parcel should remain and still form an active part within local flood management and should retain a rural setting for the listed farm.*
- The design of houses should be set within parkland to break up the buildings so that their impact is minimised.*
- Landscaping should be included within the design to make appropriate provision for significant new tree planting within and around the boundaries of the site and maintain separation between Cirencester and Preston.*
- Consideration must be given to how the impact of the power lines across the site can be minimised.*
- Demonstrate how development will to contribute towards modal shift in transportation, permeability with the wider town/countryside and accessibility to services and facilities.'*

*10.36.5 Key actions required*

- An indicative masterplan that shows the mitigation of issues and a demonstration that development is achievable.'*

10.37 In addition to the SHELAA assessment, the application site has also been assessed as part of Preston Neighbourhood Plan, which states:

*'Sensitive receptors are the users of the Country park, the village residents, users of Kingshill Lane and of the public footpath which runs east to west along the north of this area, and users of the A419 Ermin Way. Views of the Kingshill Meadow estate are prominent on the approach to Cirencester, although the presence of the recently established parkland along the road will create screening to this development in the longer term. For any proposed development to be considered appropriate in this sub-area, it would need to*

*retain the open agricultural character of the landscape, ensure the identity of the village of Preston to be retained as a separate settlement and with its own countryside setting, maintain the visual amenity of PRoWs, and ensure that the green wedge approach to Cirencester is retained. It would be appropriate if the existing country park along the Ermin Way is extended to the east.'*

10.38 Paragraph 44 of the Neighbourhood Plan states:

*'44. Since its first settlement, Preston village has maintained a separate identity from other villages in the area, particularly Cirencester. Villagers have demonstrated their passion for retaining Preston's separate identity throughout the NDP consultation. The importance to them of retaining this - geographically in terms of built development, and socially in terms of preserving a village where people know and like one another - was stressed time and time again during public consultation. What residents fear the most is the coalescence of Preston with Cirencester and a merging of the two areas'.*

10.39 Paragraphs 59 and 60 go on state:

*'59. The character of Cirencester is strongly informed by areas of open landscape which, through varying degrees of parkland and agricultural character, reach close to the town centre from several directions, principally from the west (Bathurst estate), the north-east (Abbey Home Farm estate) and the south-east (Preston parish & Kingshill Country Park) 9. The largely unspoilt agricultural section of the parish serves this important 'green wedge' purpose, which is described by the Local Plan as follows: 'The 'green wedges' and views of [Cirencester] Parish Church tower, are particular characteristics of Cirencester when approaching the town from various directions.' (para 7.2.3)*

*60. In this context, Preston Parish lies at a critically important location. Its immediate proximity to Cirencester forms a major constituent of one of the 'green wedge' approaches (particularly Area 4b). It also emphasises by contrast to the open views of the urban town itself, the importance of the parish as an open landscape setting to the largest of the Cotswold towns'.*

10.40 It is evident from the above, that the application site constitutes an important area of green space that contributes positively to the rural setting of Cirencester and to the rural character and appearance of the parish of Preston. The site forms part of a green buffer between the aforementioned settlements. The introduction of development of the size now proposed onto the site could potentially erode this buffer and result in a coalescence of the 2 settlements. Due to the sloping nature of the site, the proposed development would be



readily visible from a number of public vantage points in the area. Views of the development would not therefore be limited to adjacent roads and Public Rights of Way. Road users entering Cirencester along the A419 to the south-east of the site would also have a clear view of the proposed development. At present, the site has an undeveloped agricultural character and appearance, albeit set against a backdrop of the eastern edge of Cirencester to its west and a number of electricity pylons.

- 10.41 In response to the previous application for the same proposal submitted in 2023, the Council's Landscape Officer stated:

*10.41.1 'A Landscape and Visual Impact Assessment (LVIA, March 2023, Issue 3) has been completed for the site. It is identified within the LVIA that views are available from Kingshill Lane, public footpath BPR4 within the site, public footpath BPR6 to the east of the site, residents of Kingshill Meadow development, users of the Kingshill Meadow Country Park, road users using the A419 road, Preston Conservation Area and from the sports fields to the north.*

*10.41.2 It is identified within the LVIA that the most notable views are from footpath BPR4 which lies within the site, the significance of effects at year 1 is identified to be moderate adverse and after the establishment of mitigation planting (10 year period) the significance would lessen to moderate / slight adverse. Moderate adverse effects are also identified from residents of properties in Kingshill Meadow and Kingshill Meadow Country Park, it is noted that this would lessen to slight adverse at year 10. Slight adverse effects are identified from users of Kingshill Lane, the A419 and users of the sports stadium, it is identified that this would lessen to not significant at year 10. The significance from all other visual receptors is identified to be not significant at year 1, this includes views from Preston Conservation Area and public footpaths to the east, the LVIA states that 'in views from the south, east and west the development would be seen in the context of the existing settlement edge which already creates the skyline to the immediate west of the study site'. Overall the LVIA identifies that the significance of visual effects would be moderate adverse at year 1 and moderate/slight adverse once planting of new green infrastructure has been established.*

*10.41.3 I generally agree with the visual assessment above, however I consider that views from the south and east have been downplayed. The site provides visual separation between the built edge of Cirencester and Preston and this is apparent from the footpaths to the east and the A419. Furthermore, this assessment is reliant on a robust landscape mitigation scheme and I have concerns regarding the housing density proposed and the strength of the green*

*infrastructure provided across the site. This is in relation to the width of green buffers proposed and I also question whether the street trees shown can be successfully accommodated within the street scene, this relates mainly to highways maintenance and proximity of dwellings.'*

10.42 In conclusion, the Landscape Officer went on to state:

*10.42.1 'The supporting LVIA concludes that 'the overall impacts arising from the development to the landscape and visual amenity will be a not significant effect'. It is noted that the site is influenced by urbanising features including pylons, the existing settlement edge and the road network. In addition it is noted that the features within the site are not locally scarce. Overall, it is concluded that the development can be successfully accommodated and would be appropriate to the setting and landscape character of the site and provides acceptable levels of landscape mitigation.*

*10.42.2 I have reviewed all the supporting material and I consider that the site contributes positively to the rural setting of the town and provides an important green buffer between Cirencester and Preston. The proposed development would form a large urban extension into the countryside and would be visible, prominent and seen against the skyline when viewed from a number of viewpoints. While landscaping would offer some mitigation, planting would take time to establish and I do not consider that the planting margins proposed would provide sufficient mitigation to overcome my principle concerns. While I accept that the layout is illustrative at this stage this should provide reassurance that a development of this scale can be suitably accommodated.'*

10.43 The concerns raised by the Landscape Officer during the course of the previous application about the potential landscape and visual impact of the scheme are still considered to be pertinent to this current application. In response to these comments, and following discussions with Officers, the applicant has submitted a broad illustrative masterplan which sets out areas of potential future housing development and areas that can be set aside for landscape buffer zones and open space. The submitted plan indicates that a reasonable level of green infrastructure can be introduced across the site. Such infrastructure would help to mitigate the landscape and visual impact of the development to a certain extent. In order to provide further re-assurance that a future reserved matters application would adhere to the principles set out in the illustrative masterplan, a condition is proposed that will require the submission of a detailed masterplan prior to the submission of a reserved matters application. The aforementioned masterplan can set out parameters for the arrangements of streets, building heights and densities, landscape buffer zones, public open

space etc, which would then form the basis for detailed plans to be submitted at the reserved matters stage should Outline permission be granted.

- 10.44 It is noted that the existing site is seen against a backdrop of residential development when viewed from Kingshill Lane to the east and the A419 to the south. The site is therefore seen in context with existing urban development rather than as a distinct parcel of land unrelated to existing residential development. A number of electricity pylons and overhead lines also extend along the western edge of the application site. The aforementioned features also have an impact on the landscape and visual quality of the existing site. As a consequence, it is considered that the introduction of residential development onto the site would not represent a form of development that would appear as an incongruous feature within the landscape. Notwithstanding this, it is still acknowledged that the development of the site will result in a discernible encroachment of built development into the open countryside and would therefore impact on its prevailing character and appearance, even if mitigation landscaping can be secured. However, in contrast to the previous application when there was no overriding need to release the land for development, there is now a strong need to release suitable land for new housing. The need to deliver additional housing is therefore a significant material consideration that weighs in favour of the proposed scheme and which is considered to outweigh the landscape and visual impact arising from the release of the land for housing.
- 10.45 With regard to the impact of the proposal on the village of Preston and the potential coalescence of the aforementioned settlement with Cirencester, it is noted that Kingshill Lane lies between the site and Preston. In addition, a belt of woodland extends alongside much of the eastern side of the aforementioned road. At present, there is strong definable boundary between the site and the eastern side of the road where the village is located. Views of the site from the northern, central and eastern parts of the village are largely screened by existing woodland, with the result that the village will continue to retain a separate identity when viewed from these locations. Views are available of the site from the western edge of the village, however, these place the site against a backdrop of existing residential development forming the eastern edge of Cirencester. The creation of the open space proposed at the southern end of the application site would ensure that a degree of separation would be retained between the proposed development and the village of Preston. Whilst it is considered that the proposal would result in a closure of the gap between Preston and Cirencester, it is considered that a reasonable degree of space will continue to exist between the 2 settlements thereby ensuring that the rural identity of Preston can be retained.

- 10.46 In principle, it is considered that the site is of sufficient size to accommodate appropriate levels of green infrastructure and open space, whilst also delivering up to 280 dwellings.
- 10.47 At the time of the determination of the previous application in 2023, the Council could demonstrate a robust 5 year supply of housing land. As a consequence, there was no overriding need to release greenfield sites outside development boundaries for residential development. The landscape and visual harm arising from the development was considered to outweigh the need to deliver additional housing. However, following the changes made to the NPPF in December 2024, the Council now has to more than double the number of dwellings it delivers per annum. As a result, far greater weight now has to be given to the delivery of new housing than existed prior to the aforementioned date. Whilst it is considered that the current proposal would still have an impact on the character and appearance of the area, it is also considered that this impact is outweighed by the need to deliver a significant increase in housing numbers, of which 40% are affordable units. Moreover, as the site is not located within the Cotswolds National Landscape nor a Special Landscape Area, it is not afforded the same level of protection as if it were a designated or valued landscape. In light of the fact that the proposal would make a significant contribution to the Council's housing supply and that the scheme can be delivered in a manner that would ensure that a degree of separation would be retained between the settlements of Cirencester and Preston, it is considered that the benefits of the proposal outweigh the landscape and visual impacts arising from the proposed development.

**(d) Impact on the Setting of Heritage Assets**

- 10.48 The application site is located approximately 320m to the west of Preston Conservation Area. The nearest listed buildings to the site are the Grade II listed Forty Farmhouse and the barn to its north, which are located approximately 110m and 90m respectively to the south of the application site. The Grade II\* Church of All Saints in Preston is located approximately 390m to the east of the proposed development. The Grade II listed Church Farmhouse and Preston Place are located adjacent to the aforementioned church.
- 10.49 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.

10.50 The following policies and guidance are considered applicable to this application:

10.51 Local Plan Policy EN10 Designated Heritage Assets

- 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.'*

10.52 Local Plan Policy EN11 Designated Heritage Assets - Conservation Areas

*'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.'*

10.53 Paragraph 210 of the NPPF states '*in determining planning applications, local planning authorities should take account of:*

*a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

*b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*c) The desirability of new development making a positive contribution to local character and distinctiveness.'*

10.54 Paragraph 212 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.'*

10.55 Paragraph 213 states '*any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.'*

10.56 Paragraph 215 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.'*

10.57 With regard to the historic environment, the SHELAA states:

*' Historic Environment (excluding archaeology) These comments are made on the basis of a desktop and site survey conducted by a Principal Planning Policy Officer. A full historic environment or heritage assessment would be required of any development proposal. The 350 dwelling planning application on C80*

*included a response from the Council's Conservation Officer. The issues identified are relevant to both sites and included:*

- Preservation of the character of Kingshill Lane, which is a predominantly rural road. The development will encroach on the boundary of the lane and will potentially suburbanise the character of this part of the lane, which would be an adverse impact.*
- Forty Farm is located to the south-east of the site. There are two Grade II Listed buildings associated with the farmstead, the Farmhouse and the threshing barn. Other structures within the site may be considered curtilage listed. The proposal was considered to cause harm to the significance of the listed building and its setting.*
- Setting of Preston Village, Conservation Area and associated listed buildings to the east - Preston village is located to the south-east of the site. The historic core of the village contains several buildings that are Grade I and II listed including All Saints Church. The core of the village is also located within a Conservation Area. The response identified that the proposal for 375 houses would not provide capacity to introduce appropriate buffers and tree screening from the southern and eastern boundaries in order to protect the setting of listed buildings including the setting of Forty Farm and also the Preston Conservation Area. Nor did the proposal appear to provide capacity for suitable public amenity space. This would need to be addressed if the site were allocated in the Local Plan.*
- The development of either site would be a significant eastwards extension of Cirencester and would lose agricultural land. Both sites have 'High / medium' landscape sensitivity, primarily because of their open nature and their prominent position, which is highly visible to users of the A419(T) to the south. The development would also cause a level of harm to the historic environment. However, there are also opportunities for enhancements that the development could bring.'*

10.58 The open agricultural character of the existing site contributes to the rural setting of the listed buildings to its south and the village of Preston to its east. The SHELAA identifies that the proposed eastwards extension of Cirencester could result in harm to the historic environment.

10.59 In response to the current application, the Council's Heritage and Design Officer has advised the following:

*'Forty Farm.*

*10.59.1 Forty Farm, which includes a grade II listed farmhouse, and a grade II listed barn, lies at the southern edge of this north-south buffer/green corridor, just to the south of the current application site. The farmhouse itself lies to the south, and is orientated primarily south, with a range of farm buildings to the north, including both the listed barn, and other modern agricultural buildings; the whole complex forming a visually distinct and coherent farmstead.*

*10.59.2 Although the farmhouse itself is well screened, this farmstead group as a coherent whole is readily visible and appreciable from Kingshill Lane, from where the rising ground of the application site forms an appropriate, open, agricultural backdrop. As such, the application site forms part of the setting of the farmstead, in so far as it forms part of the surroundings within which it is experienced.*

*10.59.3 Whilst much of the significance of the listed buildings relates to their intrinsic fabric and architectural form, their fundamental character, specifically as a farmhouse and a barn, does have wider associations and implications, as farmhouses and agricultural buildings, have a direct interrelationship with the wider, working agricultural landscape, which can complement and reinforce the buildings' historic character, thereby not just forming an aesthetically attractive backdrop, but actively making a positive contribution to their significance. This contribution would be enhanced by the historical functional relationship between the Forty Farm and the site, which is considered probable by the submitted heritage statement. Historic England's Setting of Heritage Assets identifies that features such as topography, green space, openness, functional relations, landscape character, tranquillity, sense of seclusion and land use can all contribute positively to significance.*

*10.59.4 Paragraph 9 specifically advises that: 'Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance'. The application site certainly appears little altered since the first edition O.S. map. No tithe map or enclosure map appears to be readily available, and whilst enclosure may have affected the method of agriculture, the fundamental agricultural character of the site is likely to be little altered.*

*10.59.5 The wider setting of Forty Farm has undergone change, with the development of Kingsway to the east and the dual-carriageway A417 to the south in the latter-20th century, the aforementioned development to the north-west in the early-21st century. However, the visual impact of the former two is*



*comparatively limited due to their position, and the modest scale and height of the development. The 21st century development is at some distance from Forty Farm, it does not form a backdrop to it, and where the two are visible, open land between them forms a clear buffer. It is acknowledged that these previous developments have already encroached on, and eroded the rural setting of Forty Farm; but the surviving agricultural land and backdrop to the north still retains this historic physical and visual relationship between the agricultural farmstead, and the working agricultural landscape, thereby sustaining and reinforcing the significance of the listed buildings within the farmstead.*

*10.59.6 A further development of relevance is the permitted, but not yet implemented redevelopment of the modern agricultural buildings to the north of Forty Farm. The proposal would see the modern buildings, set well back from Kingshill Lane, replaced with three contemporary, barnstyle dwellings, and the Dutch barn that runs parallel to the listed barn replaced with a linear, shelter-shed style parking barn. This scheme would not erode the visual interrelationship between the farmstead and the agricultural fields behind, as they replace existing buildings. The dwellings are set back so would not impede in the key views from Kingshill Lane, and the proposed parking barn is lower than the existing Dutch barn.*

*10.59.7 The current proposal, whilst retaining a modest, rather urban, park-like space immediately to the rear of the farmstead, would entail the suburban development of the agricultural, sloping backdrop, severing the last remaining link between the farmstead and the agricultural landscape that was its historical raison d'être; from Kingshill Lane the farmstead would be seen not against a sloping agricultural field, but against a cascade of modern roofs and housing, street-lighting, vehicular movements, and suburban bustle and sprawl generally. This fundamental transformation of the historically and functionally appropriate surviving rural backdrop would harm aspects of the setting that contribute positively to the listed buildings' significance, which would thereby not be sustained. The harm would be less-than-substantial, but would be considerable.*

*Preston conservation area and listed buildings.*

*All Saints' Church.*

*10.59.8 The historic settlement of Preston is centred on All Saints' Church (grade II\*), Church Farm (grade II) and Preston Place (grade II). The listed buildings are at some distance from the application site. The church itself is substantially screened from views to the west by the existing buildings of*

*Church Farm. Whilst some glimpses of any development upon the application site may be possible, there would be little impact upon any aspects of the setting that contribute positively to the church's significance.*

*Church Farm.*

*10.59.9 The farmstead of Church Farm lies to the west of the historic core, and would potentially have some views towards the application site. These views are currently somewhat limited by the coniferous screening belt that currently runs along the eastern side of Kingshill Lane. However, this screening belt is not within the application site, and its long-term existence cannot be assured; and indeed, the very character of a coniferous belt of trees is itself, contrary to the traditional character of the Cotswolds. The weight that can be placed on the screening provided by this potentially ephemeral and itself incongruous screening belt is limited.*

*10.59.10 As with Forty Farm, the rural agricultural context of Church Farm does make a positive contribution towards its significance, and the further encroachment of suburban sprawl towards the farmstead would erode this significance; however, due to the greater distance the impact would be proportionally smaller, being at the lower end of less-than-substantial.*

*Preston Conservation Area.*

*10.59.11 The significance of the Preston Conservation Area rests in part in the character and history of Preston as a small, rural, distinct settlement. As such, both its rural, agricultural setting, and its separation from nearby Cirencester, are aspects of the conservation area's character and setting that contribute positively to this significance.*

*10.59.12 The proposed development, both by the further encroachment of suburban development towards the rural settlement, and the halving in width of the green buffer/corridor that separates the two settlements, would harmfully erode aspects of Preston's distinct character and setting that contribute positively towards its significance. The level of harm would be less-than substantial, but would be moderate.'*

10.60 It is evident that the Heritage and Design Officer has concerns about the proposal with regard to its impact on designated heritage assets. With regard to statutory consultees, Historic England has not responded to this application. However, it advised the following in relation to the application previously submitted in 2023: ' *Historic England provides advice when our engagement*

*can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.'*

- 10.61 The current proposal would result in the encroachment of development into the agricultural landscape that currently contributes to the historic and rural setting of the listed buildings at Forty Farm to the south of the application site. The existing fields reinforce the rural identity of the farmstead and are therefore considered to contribute to its significance. The applicant's Heritage Note submitted with this application also acknowledges that the proposed development would have an impact on the setting of the aforementioned listed buildings. It states that the harm arising from the development would be *'very minor, less than substantial harm, at the lowermost end of this spectrum of harm.'* In light of the comments of both the Heritage and Design Officer and the applicant, it is considered that the proposed development would cause less than substantial harm to the setting of the listed buildings at Forty Farm.
- 10.62 With regard to the impact of the proposal on the setting of Preston Conservation Area, the Grade II\* All Saints' Church and the Grade II listed Church Farm) and Preston Place, it is noted that the aforementioned heritage assets are located 300m-400m to the east of the application site. Kingshill Lane, a woodland and a line of trees (planted in a plantation style) provide a buffer between the site and the conservation area and listed buildings. A range of fields are also located between the heritage assets and the land/roadside planting. The degree of intervisibility between the application site and the heritage assets is severely limited by existing vegetation. The rural space lying immediately around the conservation area and listed buildings would therefore largely remain unaltered should this development proceed. However, it is noted that the loss of the roadside trees in the future would open up views of the application site. In such circumstances, the residential development of the site would have a far greater impact on the setting of the heritage assets within the village than would be the case if the field remained in agricultural use. The applicant's Heritage Note considers that the proposal will not cause harm to the heritage assets in Preston. However, Officers consider that it is necessary to have regard to a situation where the roadside trees are felled/removed as part of woodland management practises or bad weather. If this were to be the case, it is considered that the proposal could cause less than substantial harm to the setting of the heritage assets in the village.
- 10.63 On the grounds that the proposal is considered to cause less than substantial harm to a number of heritage assets, it is necessary to have regard to paragraph 215 of the NPPF which requires harm to be weighed against the public benefits of the proposal. In the case of this application it is noted that the proposed

development would deliver 280 dwellings (including 112 affordable dwellings). The delivery of the housing is necessary to meet house building requirements set out by central government. The current proposal would therefore make a sizeable contribution to the Council's housing supply. As a consequence, it is considered that significant weight must be given to the need to deliver additional housing within the District. In addition, the delivery of an additional 280 dwellings would contribute to the local economy both during the construction phase of the development and by virtue of potential expenditure arising from future residents of the scheme. It is therefore considered that the proposed development would generate significant public benefits. In addition, sympathetic layout, design and landscaping could mitigate some of the less than substantial harm that has been identified. For instance, a degree of open space would be retained between the Forty Farm site and the built area of the proposed development. In addition, residential development is taking place on the Forty Farm site which has implications for the historic character of the existing farmyard. Whilst considerable importance and weight must be given to the protection of heritage assets, it is considered that the public benefits arising from the proposal, most notably the delivery of a significant amount of new housing (including affordable housing), would outweigh the less than substantial harm arising from the proposed development in this instance.

- 10.64 Whilst there may be instances where harm to heritage assets can provide strong grounds to refuse an application, even when there is a deficit in the housing land supply, it is considered that the public benefits in this case outweigh the less than substantial harm that has been identified.

**(c) Accessibility and Highway Safety**

- 10.65 The following Local Plan and Neighbourhood Plan policies are considered applicable to this proposal:

- 10.66 Local Plan Policy INF3: Sustainable Transport

*Development will be permitted that assists the delivery of the objectives of the Local Transport Plan and in particular:*

- a. Actively supports travel choice through provision, enhancement and promotion of safe and recognisable connections to existing walking, cycling and public transport networks (including, where appropriate, the rail network);*

- b. Gives priority to pedestrians and cyclists and provides access to public transport facilities taking account of the travel and transport needs of all people;*
- c. Does not have a detrimental effect on the environment by reason of unacceptable levels of noise, vibration or atmospheric pollution;*
- d. Ensures links with green infrastructure including Public Rights of Way and, where feasible, wider cycle networks;*
- e. Makes a positive contribution, where appropriate, to the restoration of former railway lines by retaining existing embankments, cuttings, bridges and related features;*
- f. Incorporates, where feasible, facilities for secure bicycle parking and for charging plug-in and other ultra-low emission vehicles*
- g. Accommodate, where appropriate, the efficient delivery of goods and supplies; and*
- h. Considers the needs of people with disabilities by all modes of travel.*

#### 10.67 Local Plan Policy INF4 Highway Safety

*Development will be permitted that:*

- a. Is well integrated with the existing transport network within and beyond the development itself, avoiding severance of communities as a result of measures to accommodate increased levels of traffic on the highway network;*
- b. creates safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoids street clutter and where appropriate establishes home zones;*
- c. Provides safe and suitable access and includes designs, where appropriate, that incorporate low speeds;*
- d. Avoids locations where the cumulative impact on congestion or other undesirable impact on the transport network is likely to remain severe following mitigation; and*

- e. *Has regard , where appropriate, to the Manual for Gloucestershire Streets or any guidance produced by the Local Highway Authority that may supersede it.*

10.68 Neighbourhood Plan Policy 7: Transport and Village Amenity

*Where appropriate, development proposals that are likely to lead to an increase in motorised traffic in the parish, particularly at the Toll Bar junction, on Kingshill Lane and on the village high street, will be encouraged to mitigate impacts to maintain or improve upon the 2018 baseline with regard to:*

- a. *Traffic speeds;*
- b. *Noise and vibration;*
- c. *Conflict with other road users and feelings of safety.*

10.69 In terms of national guidance, Paragraph 116 of the NPPF states '*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*'

10.70 Paragraph 117 states that '*Within this context, applications for development should:*

- a) *give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) *address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) *create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) *allow for the efficient delivery of goods, and access by service and emergency vehicles; and*

- e) *be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'*

- 10.71 The proposed development would be served by a new vehicular entrance onto Kingshill Lane to the east. This would in turn result in additional movements onto the A419 to the south and the A417 to the north. The proposal therefore has the potential to impact on the operation of the local highway network. Pedestrian and cycle access would also be available through the existing housing development to the west. The proposed scheme also seeks to create a new pedestrian footway linking the site to the village of Preston to the south-east. A pedestrian/cycle link is also proposed from the northern boundary of the application site to the primary and secondary schools to the north.
- 10.72 Public Right of Way BPR4 extends in an east-west direction through the application site. It lies just to the north of the central part of the site. The aforementioned route would be retained and upgraded to serve additional pedestrian flows. The existing route of the Public Right of Way would ultimately need to be crossed by the principal estate road serving the proposed development.
- 10.73 This application is accompanied by a Transport Assessment (TA) and Travel Plan (TP). The TA includes speed survey information relating to traffic movements on Kingshill Lane. The aforementioned road has a 60mph speed limit where it passes the proposed site entrance. The 85th percentile road speeds for northbound and southbound traffic are recorded as 51.5mph and 53.2mph respectively. Vehicle speeds therefore fall below the established speed limit for the road. The submitted information demonstrates that the requisite visibility of 160m in both directions can be achieved from the proposed site entrance.
- 10.74 With regards to trip rates, the TA states that the proposed development would generate 39 arrivals and 97 departures during the AM Peak (08:00-09:00) and 98 arrivals and 60 departures during the PM Peak (17:00-18:00).
- 10.75 With regard to traffic flows, the applicant has undertaken an assessment of the capacity of the following junctions:
- Kingshill Lane Access Junction;
  - Junction 1 - A419 Swindon Road/Kingshill Lane;
  - Junction 2 - A417 London Road/Kingshill Lane;
  - Junction 3 - A419 Swindon Road/Cirencester Road/Siddington Park Roundabout;

- Junction 4 - Kingshill Lane/Preston;
- Junction 5 - A417 London Road/A429 Burford Road;
- Junction 6 - A429 Swindon Road/London Road/Grove Lane roundabout;  
and
- Junction 7 - A419 Swindon Road/Bristol Road/Middlemead roundabout

10.76 The TA has assessed the impact of traffic flows on the junctions set out above. It has also taken into account potential traffic movements arising from the approved development for 2,350 dwellings, 9.1 hectares of employment, a primary school and a neighbourhood centre on the land at Chesterton Farm (The Steadings) which was granted permission in 2019 under reference 16/00054/OUT. With regard to junction capacity, the TA has adopted the following approach:

*The impact of development traffic and need for mitigation has been based upon the following:*

- *Does the impact of the development traffic result in the Degree of Saturation (DoS) exceeding the standard threshold of 0.85 ratio of flow to capacity (RFC) at priority and/or roundabout junctions and 90% at signal junctions, and if so to what extent; and*
- *If the RFC or DoS threshold is exceeded, does the development make the situation significantly worse and the impact can be considered to be severe.*

10.77 The TA indicates that the majority of the above junctions would continue to operate within capacity, or in instances where capacity is already exceeded (such as Junction 7 in the PM Peak period), the resulting increase in traffic would have a negligible impact on traffic flows ( eg an increase in queue length of 1.3 vehicles in the case of Junction 7). The only junction that is predicted to be subject to a material change is Junction 1 to the south of the application site where the RFC would increase from 0.89 in the AM Peak period to 1.04, or a queue increase from 5.9 to 18.4 vehicles. The TA indicates that existing vegetation limits visibility at the junction which can hamper traffic flows. The clearance of vegetation could change the RFC to 0.91 in the AM Peak period which would equate to a queue of 7 vehicles or an increase of 1.1 vehicles when compared to the current situation.

10.78 Gloucestershire County Council (GCC) Highways is currently in discussions with the applicant and a formal response to this application has yet to be received. However, it is expected to be available in time for the Committee meeting.



- 10.79 With regard to the accessibility of the site by modes other than the private motor car, it is noted that the application site joins onto existing residential development to the west which provides connectivity for pedestrians and cyclists to Cirencester town centre and an existing bus stop. With regard to bus stops in general, the nearest stops can be found at Mulberry Court within Kingshill Meadow to the west and at Preston Toll Bar to the south. The bus stops are located approximately 500m and 600m from the centre of the application site respectively. No bus stops are proposed within or adjacent to the application site. The introduction of a new pedestrian footway alongside Kingshill Lane to Preston to the south-east would, however, provide a dedicated pedestrian route from the site to the bus stop at Preston Toll Bar.
- 10.80 In more general terms, the application site is located adjacent to the Principal Settlement of Cirencester, which is the largest and most sustainable settlement in the District in terms of the availability of services and facilities on offer within the settlement. The town offers a range of retail, employment, educational, leisure and healthcare facilities. In addition, a range of bus services operate to and from the town. With regard to the location of the site in relation to existing services and facilities, the site is located approximately 30 minutes from the town centre in terms of walking time. Employment development, such as that at Love Lane, is a similar distance from the site. Healthcare facilities, leisure and college/university facilities are more distant. However, the nearest primary and secondary schools to the site are Watermoor Church of England Primary School and Cirencester Kingshill Secondary School. The aforementioned schools are located approximately 480m and 650m respectively from the northern boundary of the application site. However, in order to access the schools from the site it is necessary to walk/cycle through the housing development to the west, which equates to a distance of approximately 1.45km to 1.8km. In addition to the aforementioned facilities, Cirencester Arena and Cirencester Town Football Club are located to the north of the application site (between the schools and the application site). Kingshill Meadow Country Park is also located adjacent to the south-western edge of the application site.
- 10.81 With regard to walking distances, the TA refers to the Institute of Highways and Transportation (IHT) 'Guidelines for providing for Journeys on Foot' (2000) in relation to acceptable walking distances to services and facilities'. It sets out a preferred maximum walking distance of 800m to town centres, 2000m to schools and 1200m to other locations. Officers note that the site falls beyond the aforementioned distances in relation to the town centre and a number of other facilities such as the hospital, colleges or employment estates. Active Travel England (ATE) has raised concerns about the accessibility of the site to a range of services and facilities by pedestrians and cyclists. ATE is the

government's 'executive agency responsible for making walking, wheeling and cycling the preferred choice for everyone to get around in England'. It is a statutory consultee in relation to applications for developments in excess of 150 dwellings. ATE states:

10.81.1 *'ATE retains its recommendation that the application is refused in the absence of a contribution towards improving accessibility to the west of the site, between the development and the town centre, in accordance with the recommendations of Gloucestershire County Council (GCC)'s Local Cycling and Walking Infrastructure Plan (LCWIP).*

10.81.2 *Consequently, this risks the potential for car-based living amongst the new population while the proposals remain unable to demonstrate that the site will be readily accessible to a range of local facilities (other than local schools) by attractive, safe and inclusive walking, wheeling and cycling routes, while public transport opportunities continue to be limited.*

10.81.3 *As a result of the paucity of direct, safe and attractive linkages to local facilities that meet modern standards, which is evidenced by the resultant low mode share forecast for walking, cycling and public transport and the lack of ambitious targets for modal shift or robust Travel Plan monitoring and failsafe measures, ATE is unable to support the application proposals in their current state. '*

- 10.82 The comments of ATE are noted. It is also noted that the distance of the site from a number of services and facilities means that future occupants of the proposed development would need to walk in excess of the preferred maximum walking distance set out previously. Notwithstanding this, the town of Cirencester is constrained by a number of factors, such as heritage, landscape, flood and archaeological constraints. The availability of suitable sites around the town is therefore limited, especially in light of the fact that land to the south-west of the town already has permission for residential development. Moreover, the current site provides footpath connections with the existing footway network to the west thereby providing a safe route for pedestrians to the town centre and other facilities within the town. Bus stops are also within reasonable walking distance of the site. In addition, the current proposal seeks to provide footpath/cycle connections to the schools to the north of the application site and an improved footway connection with the village of Preston. It is therefore considered that the location of the site combined with the proposed infrastructure improvements would ensure that the proposed development would have a reasonable degree of pedestrian and cycle connectivity with the rest of the town. In light of the Government's desire to significantly increase the

amount of new housing that is delivered across the District, it is inevitable that compromises will need to be made when considering the accessibility of new sites for development. This is considered to be of particular relevance to rural settlements where the availability of public transport services and facilities in general tend to be more limited than larger urban conurbations. In this instance, it is considered that the site does offer reasonable connectivity to services and facilities for non-car users and that the proposal accords with Local Plan Policy INF3, Neighbourhood Plan Policy 7 and Section 9 of the NPPF in these respects.

**(f) Flooding and Drainage**

- 10.83 The application site is located within Flood Zone 1, which is the lowest designation of flood zone and one in which new residential development can be acceptable in principle. This application is accompanied by a Flood Risk Assessment and Drainage Strategy report which states that the proposed development would incorporate Sustainable Drainage Systems (SuDS). On-site infiltration is the preferred means of surface water drainage, with water directed to an infiltration basin in the southern part of the site. It is also possible to discharge water at a controlled rate into an ordinary watercourse that crosses the southern part of the site.
- 10.84 Gloucestershire County Council Lead Local Flood Authority (LLFA) in its role as a statutory consultee has assessed the submitted information and raises no objection in relation to surface water drainage matters. The applicant has provided additional drainage information during the course of the application to address initial comments from the LLFA relating to infiltration and potential flow routes. The Preliminary at Source Infiltration Assessment document outlines how infiltration features could be incorporated into the design of the development and demonstrates that there will be sufficient space on site to do so.
- 10.85 With regard to foul drainage and water supply, Thames Water states *'Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.'*
- 10.86 With regard to foul water, Thames Water states that it has identified *'an inability of the existing foul water network infrastructure to accommodate the needs of*

*this development proposal.'* It therefore recommends the attachment of a condition requiring ' 1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.' Thames Water has also requested a condition requiring ' all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.'

- 10.87 It is considered that the proposed development can be undertaken without having an adverse impact on foul or surface water drainage and in accordance with the requirements of Local Plan Policy EN14 and guidance in Section 14 of the NPPF.

**(g) Biodiversity**

- 10.88 This application is accompanied by an Ecological Assessment and a Biodiversity Net Gain report. The site primarily consists of large open arable fields bordered by hedgerows. The field is considered to be of low ecological value. However, the hedgerows are considered to be of a high ecological value with a number also qualifying as important hedgerows under the Hedgerow Regulations 1997. It is proposed to retain the existing hedgerows in and around the site, although there will be a need to cut through the hedgerow on the eastern site boundary and through the central hedgerow in order to facilitate access to and through the site in the future.

- 10.89 The submitted ecological report has included a number of species surveys, including reptiles, bats, otter, water vole, great crested newt and badger surveys. The report summary states:

*7.6 'No evidence of reptiles, Otter or Water Vole was recorded during the surveys undertaken. Specific eDNA surveys of ponds within 250m of the site recorded no evidence of Great Crested Newts being present.'*

*7.7. Only low levels of bat activity were recorded associated with the hedgerows within the site.*

*7.8. A potential outlier/subsidiary Badger sett was observed on site during the updated surveys in 2024. Monitoring requirements have been outlined, and a mitigation licence regarding this protected species may need to be obtained from Natural England prior to the commencement of works.*

*7.9. A suite of breeding bird surveys carried out in 2024 recorded a total of 34 bird species which categorised the site to be of Local importance. Within the assemblage recorded, low numbers of five bird species of conservation concern were recorded to probably be breeding on site. Precautionary measures have been outlined in regard to the nesting bird season during the site clearance / construction phase, and habitat enhancements have been recommended to provide enhanced opportunities for birds post-development.*

*7.10. The planting of new native trees and hedgerows and the creation of new areas of open space, including areas of wildflower grassland and a new SuDs feature, will diversify habitats present and provide enhanced and new foraging opportunities for Badgers, foraging and navigational opportunities for bats, and foraging and nesting opportunities for birds.'*

- 10.90 The Council's Biodiversity Officer considers the reports to be acceptable and that the proposal would not have an unacceptable impact on any of the aforementioned species. However, further information was requested during the course of the application in relation to ground nesting birds and badgers. In relation to former, the Council's Biodiversity Officer states:

*10.90.1 'Additional information submitted to address ground-nesting birds, important hedgerows and badger is considered sufficient. No additional survey work is required at this stage however, a construction ecological management plan condition, informed by an up-to-date ecological impact assessment should be imposed, ensuring protected and priority species are safeguarded during the construction phase of the development.*

#### *Lighting*

*10.90.2 Hedgerows are of greatest ecological value within the context of the site, with all hedgerows except for H4 considered to be species-rich and hedgerows H2, H7 and H9 potentially qualifying as 'important' under the Hedgerow Regulations 1997. In addition, most of the bat activity recorded was associated with these features, particularly H1, H7 and H9, whilst H3 was*

*identified as a key commuter route for badger. Consequently, a lighting condition should be imposed to ensure all external lighting is sensitively designed to minimise light spill towards these features.*

#### *Skylark mitigation strategy*

*10.90.3 Whilst the inclusion of skylark plots in the scheme is welcomed, the presence of a multi-use games area adjacent to the proposed plots will permit disturbance and prevent skylark from utilising this habitat. Therefore, I would advise that the MUGA is moved away from the proposed plots or alternatively, suitable off-site provision for skylark should be secured. A condition to secure an appropriate skylark mitigation strategy should be imposed to ensure the development delivers suitable compensatory nesting habitat for ground-nesting birds.'*

10.91 With regard to badgers, the applicant has undertaken additional survey work which indicates that the sett is no longer in use, although there is evidence of badgers utilising the site. The existing sett forms part of an existing hedgerow which is to be retained. The protection of the existing badgers will be covered by the proposed construction ecological management plan condition.

10.92 The latest illustrative plan submitted by the applicant also shows increased buffer zones around hedgerows, especially around the central hedgerow, which will mitigate the impact of the development on existing wildlife corridors.

10.93 With regard to Biodiversity Net Gain (BNG), the Biodiversity Officer states:

#### *'Biodiversity net gain*

*The pre-development biodiversity values are considered accurate, the biodiversity metric demonstrates a net gain in both habitat (17.97%) and hedgerow (13.29%) units is achievable on-site. Due to the size of the scheme a s106 agreement is required to secure monitoring fees.'*

10.94 It is considered that the proposed development can reasonably meet the minimum 10% biodiversity enhancement required by BNG legislation.

10.95 The application site is located within the Zone of Influence of the North Meadow and Clattinger Farm Special Area of Conservation (SAC). The SAC is an internationally important biodiversity site. Over recent years, recreational pressures from visitors to the site have increased and are now causing considerable damage to the wildlife value of the SAC. Visitor surveys have been

undertaken at the SAC and this has shown that the majority of visitors come from within 9.4km of the SAC. Under the Conservation of Habitats and Species Regulations 2017 (as amended) and other relevant legislation and guidance, Local Planning Authorities have to assess whether any development proposal could harm the biodiversity value of an SAC. This works on the precautionary principle. In order to permit any proposals there has to be certainty that the proposals will not cause any significant likely effects (i.e. negative impacts) on that SAC either on their own or in combination with other proposals. As the proposed development falls within Zone of Influence and will provide additional living accommodation, there is potential for the proposal to lead to more visitors to, and thus more recreation pressures on the SAC.

- 10.96 The applicant has confirmed they will enter into a s.106 agreement to make a financial contribution to deliver mitigation consistent with the North Meadow and Clattinger Farm SAC Interim Recreation Mitigation Strategy (2023). On this basis, and provided that the s.106 agreement is signed prior to determination of the application, Officers have reached the conclusion, based upon the best available scientific evidence, that there will not be an adverse effect on the SAC, arising from the application, either alone or particularly in combination with other projects and proposals. Therefore, Officers have no objections to this application on the grounds of the Conservation of Habitats and Species Regulations 2017 (as amended), insofar as this relates to adverse recreational effects on the North Meadow SAC.
- 10.97 It is considered that the application accords with Local Plan Policies EN1, EN8 and EN9 of the Local Plan and paragraphs 187, 192 and 193 of the NPPF.

### **Other Matters**

- 10.98 The application site is bordered by existing residential development, allotments, agricultural land, a road and recreational/sports grounds. It is considered to be a location that could be developed for residential purposes without resulting in future occupants being subject to unacceptable levels of noise, odour, pollution or general disturbance. It is also considered that the site is of a size that could reasonably accommodate adequate outdoor amenity space and gardens in accordance with the aspirations of the Cotswold Design Code.
- 10.99 With regard to archaeology Gloucestershire County Council Archaeology states that *'I can confirm that desk based research, geophysical survey and trial trench evaluation have been carried out within the proposed development site which have identified the presence of archaeological remains of interest, with settlement and field systems dating from the late prehistoric to Roman period*

*and one feature of possible Anglo-Saxon date. In line with the advice by my predecessor, I recommend that a condition is attached to planning permission to ensure that the archaeological remains within the site are investigated via a programme of strip, map and sample excavation prior to construction works.'* Subject to condition, it is considered that the proposed development can be undertaken without having an adverse impact on archaeology.

10.100 The Council's Environmental and Regulatory Services section raises no objection in relation to air quality, noise or contamination.

10.101 With regard to the impact of the proposal on Public Right of Way BPR4, which extends in an east-west direction through the site, the submitted illustrative plan indicates that the existing route would be retained, although it may be subject to re-surfacing. In addition, the route would also need to cross a new estate road. Whilst final details relating to layout and surfacing would be addressed at the Reserved Matters stage should Outline permission be granted, GCC Public Rights of Way has advised *'The developer's attention is drawn to DEFRA Rights of Way Circular (1/09) par 7.8, 'In considering potential revisions to an existing right of way that are necessary to accommodate the planned development, but which are acceptable to the public, any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic'.* GCC Public Rights of Way has also advised of the applicant's requirement to obtain the consent of GCC for works that affect a Public Right of Way such as diversion, temporary closure, changes to surfacing, encroachment onto the Public Right of Way or the storage of building materials on the route.

10.102 The applicant states that the agricultural land falls into the Class 3/Class 4 category. Whilst Class 3 is typically split into Class 3a and Class 3b for land classification purposes, it is noted that land in Class 3b or 4 would not fall into the best and most versatile agricultural land category. With regard to land in Class 3a, paragraph 187 of the NPPF states that planning decisions should recognise the *'intrinsic character and beauty of the countryside, and the wider economic benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land.'* In this instance, the economic benefits arising from the arable use of this particular site are considered to be limited given its size and relative disconnection from other agricultural land. It is considered that the benefits arising from the delivery of the new housing would outweigh the more limited impacts arising from the loss of the agricultural land.



- 10.103 With regard to energy efficiency, the applicant has submitted an Energy & Sustainability Strategy Briefing Note which sets out various measures such as air source heat pumps, solar panels, water conservation, solar gain and sustainable construction. It is recommended that a condition is attached to a decision notice requiring the details submitted at the reserved matters stage to accord with the recommendations in the aforementioned document.
- 10.104 With regard to financial contributions, GCC Community Infrastructure requests contributions of £54,880 to library services. No education contribution is sought as GCC considers that existing schools are deemed to have capacity to accommodate the proposed development. Having regard to the size of the development it is considered that the requested contributions are necessary to make the development acceptable in planning terms, directly related to the proposed development and fairly and reasonably related in scale and kind to the development. The contribution request is considered to accord with Regulation 122 of the Community and Infrastructure Levy Regulations 2010.
- 10.105 This application is liable for the Community Infrastructure (CIL) 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 It is considered that the proposed development would make a significant contribution towards the Council's supply of housing and help to address the need to deliver additional housing in the District. Moreover, the proposal would provide 112 affordable homes, which would also make a very notable contribution to the Council's affordable housing needs. Whilst the proposal is contrary to Local Plan Policy DS4, recent changes to the NPPF mean that the aforementioned policy is now considered to be out-of-date. As a result, it is necessary to assess the proposal against the criteria set out in paragraph 11 of the NPPF, which tilts the planning balance in favour of new residential development when a 5 year supply of deliverable housing land cannot be demonstrated. Whilst it is considered that the proposal will have a landscape and visual impact and cause less than substantial harm to the setting of designated heritage assets, it is considered that the benefits arising from the delivery of 280 dwellings (including 112 affordable dwellings) are significant. They are also considered to represent notable public benefits. In the context of paragraph 11, the benefits of the scheme are therefore considered to outweigh the harm arising from the proposal.

- 11.2 It is therefore recommended that the application is granted permission, subject to no objection from Gloucestershire County Council Highways and the completion of a S106 legal agreement covering affordable housing, self-build/custom build plots, highway improvements works (if required), Public Open Space management, Biodiversity Net Gain, and financial contributions to libraries and North Meadow and Clattinger Farm Special Area of Conservation

## **12. Proposed Conditions:**

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

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

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

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

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

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

4. This decision relates to the land outlined in red on drawing number: 310.P.1 B

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

5. No reserved matters application shall be submitted and no development shall start until a Detailed Master Plan for the whole application site has been submitted to and approved in writing by the Local Planning Authority. The submissions for the approval of reserved matters shall accord with the approved Detailed Master Plan. The Detailed Master Plan shall include:

- i) the arrangement of principal and secondary roads;

- ii) the density and mix of housing;
- iii) an indication of building heights and massing;
- iv) areas proposed as public open space and children's play areas;
- v) existing landscape features to be retained;
- vi) character areas;
- vii) areas proposed for biodiversity enhancement.

**Reason:** In order to establish parameters which will guide the submission of future reserved matters applications thereby avoiding delay at the reserved matters stage, and which ensure that the development will accord with Local Plan Policies EN1, EN2, EN4, EN7, EN8, EN10, INF3, INF4 and INF5.

6. Prior to the first occupation of the development hereby permitted (unless an alternative timeframe is first agreed in writing by the Local Planning Authority), a footway/cycleway shall be constructed between the application site and Cirencester Kingshill Secondary School and Watermoor Church of England Primary School fully in accordance with details that have first been approved in writing by the Local Planning Authority.

The submitted details shall include the means of construction of the footway/cycleway, its surfacing details, any external lighting, fencing and details relating to the future maintenance and management of the footway/cycleway. The development shall be undertaken fully in accordance with the approved details and permanently maintained/managed in accordance with the approved details thereafter.

**Reason:** In order to ensure that adequate provision is made for pedestrians and cyclists to safely access the stated schools in the interests of sustainable development and highway safety in accordance with Local Plan Policies INF3 and INF4.

7. Prior to the first occupation of the development hereby permitted (unless an alternative timeframe is first agreed in writing by the Local Planning Authority), a footway/cycleway shall be constructed between the application site and the village of Preston fully in accordance with details that have first been approved in writing by the Local Planning Authority.

The submitted details shall include the means of construction of the footway/cycleway, its surfacing details, any external lighting, fencing and details relating to the future

maintenance and management of the footway/cycleway. The development shall be undertaken fully in accordance with the approved details and permanently maintained/managed in accordance with the approved details thereafter.

The route of the footway/cycleway shall be in broad accordance with the details shown in the drawing titled 'Cycle Route Details - Route 2' 310.E.4.2 (Appendix E Transport Assessment SEPTEMBER 2024)

**Reason:** In order to ensure that adequate provision is made for pedestrians and cyclists to safely access the village and vice versa in the interests of sustainable development and highway safety in accordance with Local Plan Policies INF3 and INF4.

8. An application for reserved matters shall include a drawing/schedule which sets out the proposed size and mix of dwellings and which shall include the number of bedrooms in each respective dwelling. No more than 20% of the dwellings shall have 4 bedrooms or more, with the remainder of the development being 1, 2 and 3 bedroom dwellings. The development shall be undertaken fully in accordance with the approved drawing/schedule.

**Reason:** In order to ensure that the development contains an appropriate mix of dwellings in accordance with the requirements of Local Plan Policy H1.

9. No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

**Reason:** It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains which may be present. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 218 of the National Planning Policy Framework.

10. 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 (Outline Drainage Strategy (Infiltration Basin; 584-P-104-B) / Outline Drainage Strategy (Attenuation Basin; 584-P-108)). The SuDS Strategy must include a detailed design, infiltration tests carried out to the standard of BRE 365, a timetable for implementation, and a full risk assessment for flooding during the groundworks and building phases with mitigation measures specified for identified

flood risks. 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 lifetime 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 in accordance with Local Plan Policy EN14. 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.

11. Prior to the first occupation of the development hereby permitted, 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, shall be 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 details.

**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. Prior to the commencement of development a Construction Phase Surface Water Management Plan' (CPSWMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken fully in accordance with the approved CPSWMP.

**Reason:** 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. If the surface water design is not agreed before works commence, it could increase the risk of flooding in the area.

13. No dwelling shall be occupied until either:

i) all water network upgrades required to accommodate the additional demand to serve the development hereby permitted have been completed and the completion details have been agreed in writing by the Local Planning Authority; or

ii) a development and infrastructure phasing plan has been agreed in writing by the Local Planning Authority. Where a development and infrastructure phasing plan is

agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

**Reason:** The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

14. No dwelling shall be occupied until either:

i) all foul water network upgrades required to accommodate the additional flows from the development hereby permitted have been completed and the completion details have been agreed in writing by the Local Planning Authority; or

ii) a development and infrastructure phasing plan has been agreed in writing by the Local Planning Authority. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

**Reason:** Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents in accordance with Local Plan Policies EN14 and EN15.

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

**Reason:** To prevent pollution of the environment in the interests of the amenity in accordance with Local Plan Policy EN15 and Section 15 of the NPPF.

16. The development shall not commence until a 30-year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

i) Description and evaluation of the features to be managed;

- ii) Ecological trends and constraints on site that may influence management;
- iii) Aims, objectives and targets for management - links with local and national species and habitat action plans;
- iv) Description of the management operations necessary to achieving the aims and objectives;
- v) Prescriptions for management actions;
- vi) Preparation of a works schedule, including annual works schedule;
- vii) Details of the monitoring needed to measure the effectiveness of management;
- viii) Details of the timetable for each element of the monitoring programme;
- ix) Details of the persons responsible for the implementation and monitoring;
- x) Mechanisms of adaptive management to account for necessary changes within the work schedule to achieve the required targets; and
- xi) Reporting on year 1, 2, 5, 10, 15, 20, 25 and 30 with biodiversity reconciliation calculations at each stage.

17. The HMMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter. Notice in writing shall be given to the Council when the habitat creation and enhancement works as set out in the Biodiversity Gain Plan have commenced and once all habitat creation and enhancement works have been completed.

**Reason:** To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraph 187, 192 and 193 of the NPPF, and Local Plan policy EN8.

18. Applications for approval of reserved matters shall include a Construction Environmental Management Plan - Biodiversity (CEMP-B) informed by an up-to-date ecological impact assessment. The CEMP-B shall include, but not necessarily be limited to, the following:

- i. Risk assessment of potentially damaging construction activities;

- ii. Identification of "biodiversity protection zones";
- iii. Details of deep excavations to be infilled or ramped access provided to prevent pitfall danger to mammals;
- iv. Measures taken to safeguard hedgerows;
- v. Practical measures (both physical and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- vi. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- vii. The timing during construction when ecological or environmental specialists need to be present on site to oversee works;
- viii. Responsible persons and lines of communication;
- ix. The role and responsibility on site of an ecological clerk of works (ECoW) or similar person;
- x. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- xi. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

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

**Reason:** To protect biodiversity in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), the Protection of Badgers Act 1992, the Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework, Local Plan policy EN8, and Section 40 of the Natural Environment and Rural Communities Act 2006.

19. Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:



- i. Identify areas/features on site that are particularly sensitive for nocturnal wildlife, including foraging/commuting bats and badgers;
- ii. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their nocturnal corridors.

All external lighting shall be installed in accordance with the approved strategy and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To protect nocturnal wildlife 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 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), local plan policy EN8 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006

20. Applications for approval of reserved matters shall include a Skylark Compensation Strategy. The approved strategy shall be implemented in full according to the specified timescales and all compensation features thereafter shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure skylark are protected in accordance with the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning policy Framework, Local Plan policy EN8 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

21. The details submitted at the Reserved Matters stage shall demonstrate how the development hereby permitted will incorporate the measures recommended in the document titled 'Energy & Sustainability Strategy Briefing Note' Revision 02 Date: 21st March 2023 and the development shall be undertaken fully in accordance with the approved details.

**Reason:** In order to ensure that the development addresses the impact of climate change in accordance with Local Plan Policy EN1.

**Informatives:**

1. IMPORTANT: BIODIVERSITY NET GAIN CONDITION - DEVELOPMENT CANNOT COMMENCE UNTIL A BIODIVERSITY GAIN PLAN HAS BEEN SUBMITTED (AS A

CONDITION COMPLIANCE APPLICATION) TO AND APPROVED BY COTSWOLD DISTRICT COUNCIL.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan in writing.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Cotswold District Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. If the onsite habitats include irreplaceable habitats (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitats) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

Information on how to discharge the biodiversity gain condition can be found here: <https://www.cotswold.gov.uk/planning-and-building/wildlife-and-biodiversity/biodiversity-net-gain-bng/>

2. 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](http://www.cotswold.gov.uk/CIL)

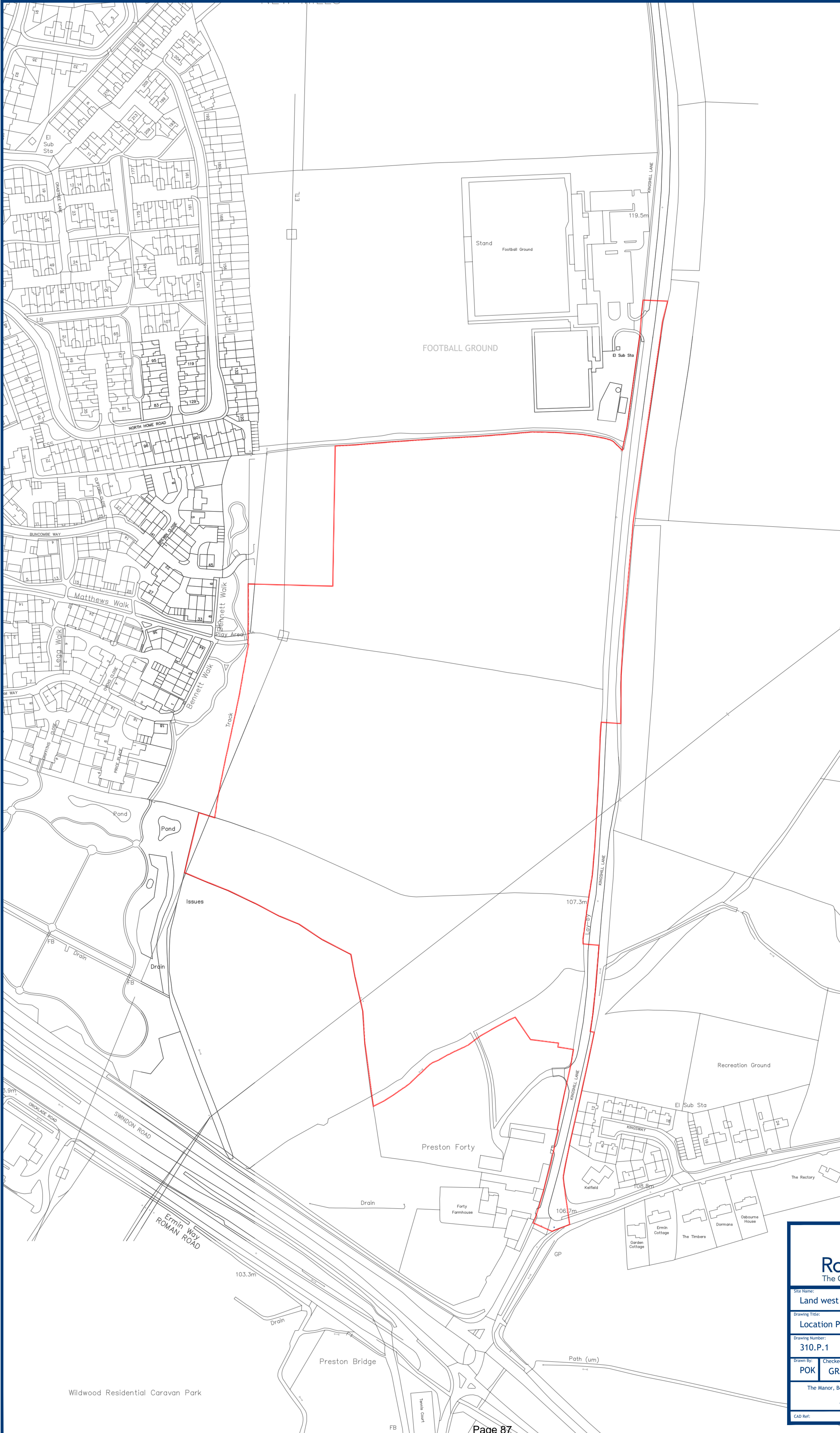
3. Drainage

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

ii) 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.

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

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**Robert Hitchins**  
The Complete Development Solution

Site Name:  
**Land west of Kingshill Lane**

Drawing Title:  
**Location Plan**

Drawing Number: <b>310.P.1</b>	Revision: <b>B</b>
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Drawn by: <b>POK</b>	Checked by: <b>GRJ</b>	Date: <b>09.02.2022</b>	Scale: <b>1:2000 @ A2</b>
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The Manor, Boddington, Cheltenham, Gloucestershire, GL51 0TJ  
Tel: 01242 680694  
[www.robert-hitchins.co.uk](http://www.robert-hitchins.co.uk)

CAD Ref:

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KEY

- PROPOSED VEHICULAR ACCESS INTO THE SITE
- HIGH DENSITY RESIDENTIAL DEVELOPMENT
- MEDIUM DENSITY RESIDENTIAL DEVELOPMENT
- LOW DENSITY RESIDENTIAL DEVELOPMENT
- RESIDENTIAL TO INCLUDE AMENITY GREEN SPACE, INCIDENTAL INFORMAL OPEN SPACE, SUSTAINABLE URBAN DRAINAGE SYSTEMS, ROADS AND LANDSCAPING. PREDOMINANTLY 2 STOREY BUT WITH ALLOWANCE FOR UP TO 3 STOREY.
- EXISTING VEGETATION
- EXISTING FOOTPATH RETAINED
- PROPOSED CYCLE/FOOT LINK
- PROPOSED FOOTPATH
- PUBLIC OPEN SPACE TO INCLUDE NEW TREES AND HEDGEROWS, SUSTAINABLE URBAN DRAINAGE, INFORMAL FOOTWAYS, FORMAL FOOTWAYS AND ANY NECESSARY MITIGATION FOR SKYLARKS
- CENTRAL GREEN INFRASTRUCTURE CORRIDOR TO INCLUDE FORMAL AND INFORMAL PLAY OPPORTUNITIES
- TRIM TRAIL AREA OF PLAY
- LINEAR LOCAL EQUIPPED AREA OF PLAY (LEAP)
- MULTI USE GAMES AREA (MUGA)
- ATTENUATION BASIN
- OVERHEAD ELECTRICITY LINES AND PYLON
- FOUL WATER PUMP STATION ACCESS FROM KINGSHILL LANE



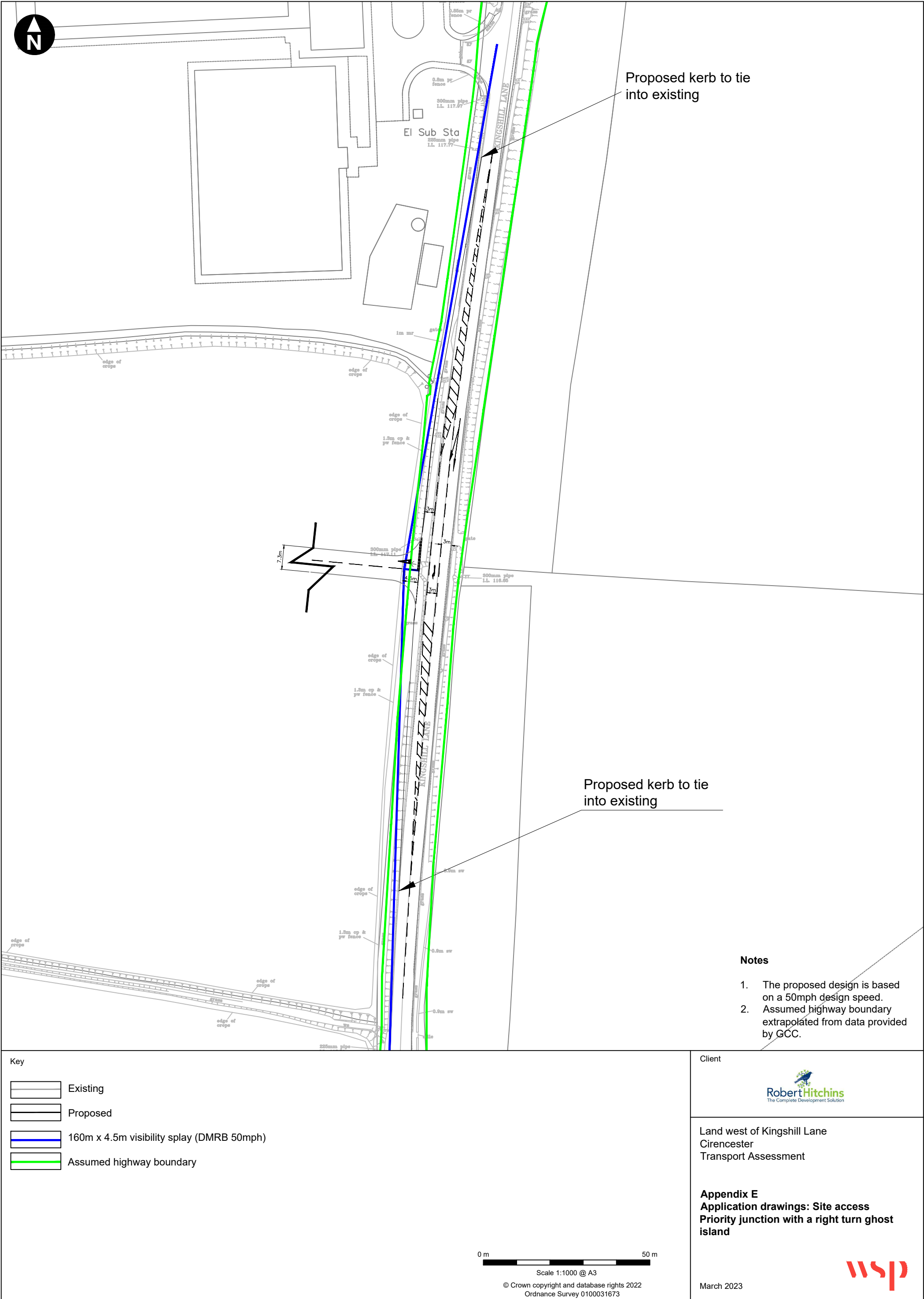
**Robert Hitchens**  
The Complete Development Solution

Site Name: <b>LAND WEST OF KINGSHILL LANE</b>			
Drawing Title: <b>ALTERNATIVE ILLUSTRATIVE MASTERPLAN</b>			
Drawing Number: <b>310.UD.01</b>		Revision: <b>F</b>	
Drawn By: <b>LSD</b>	Checked By: <b>GRJ</b>	Date: <b>06/05/2025</b>	Scale: <b>1:1250 @ A2</b>
The Manor, Boddington, Cheltenham, Gloucestershire, GL51 0TJ Tel: 01242 680694 <a href="http://www.robert-hitchins.co.uk">www.robert-hitchins.co.uk</a>			
CAD Ref: REFERENCE			

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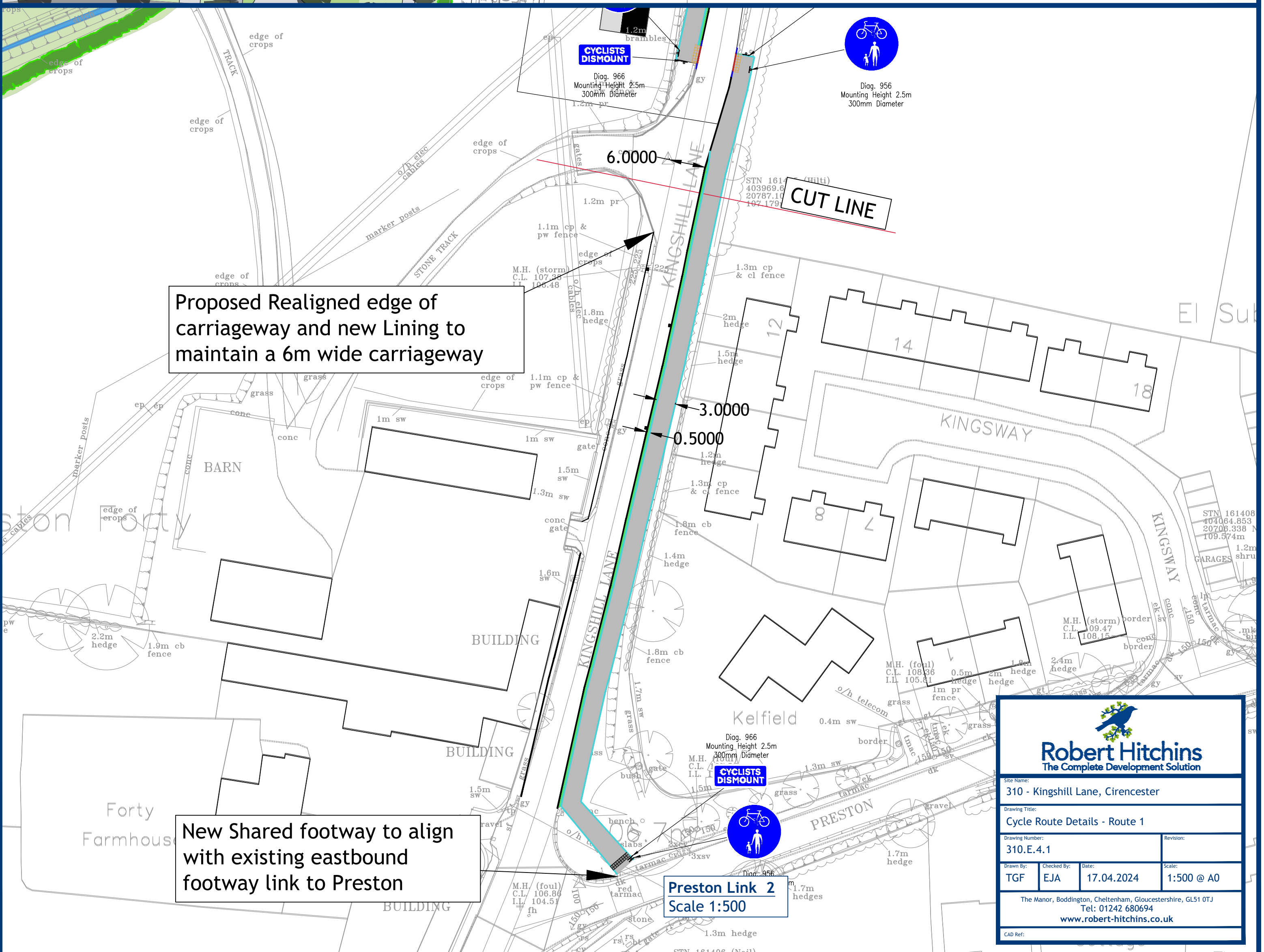
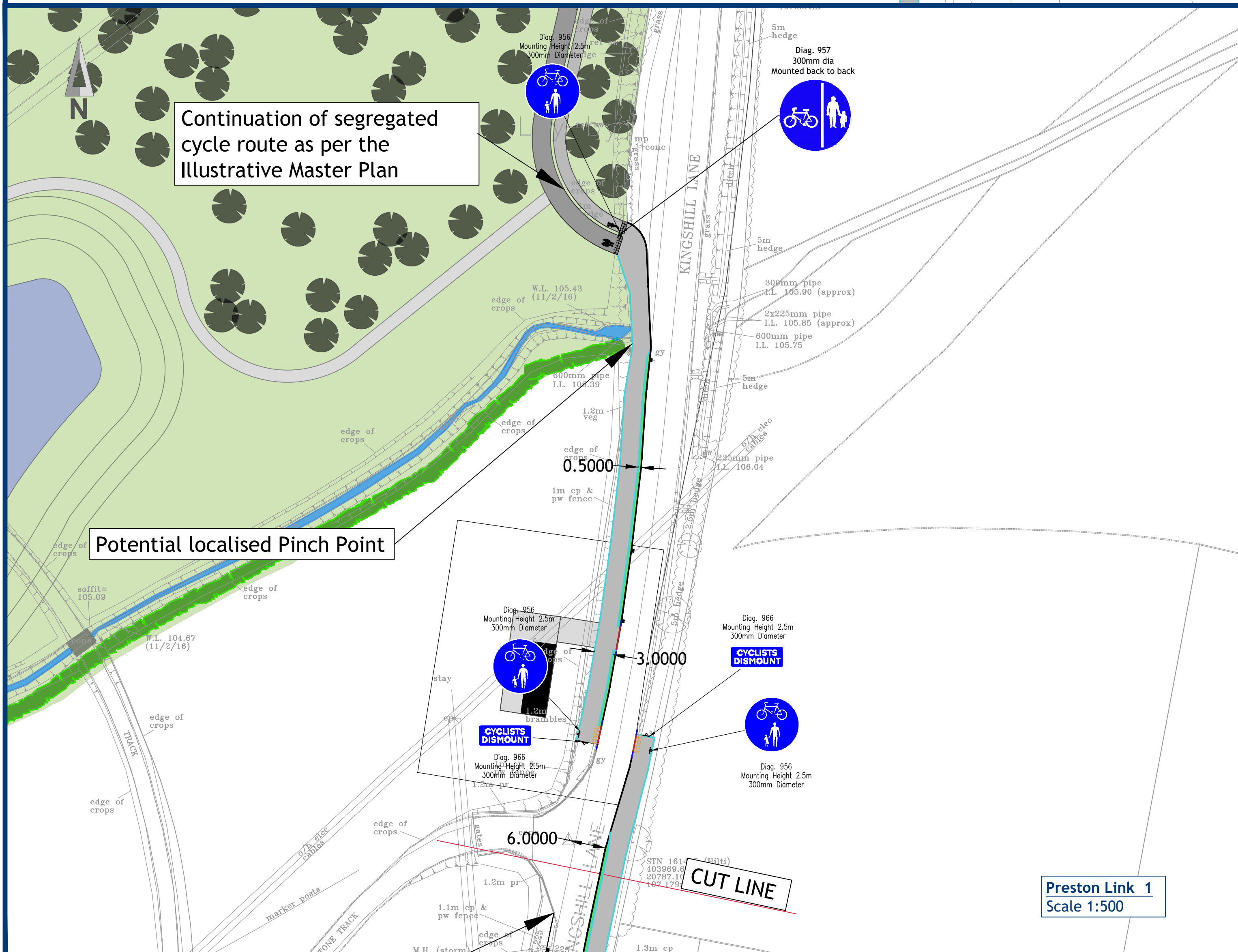
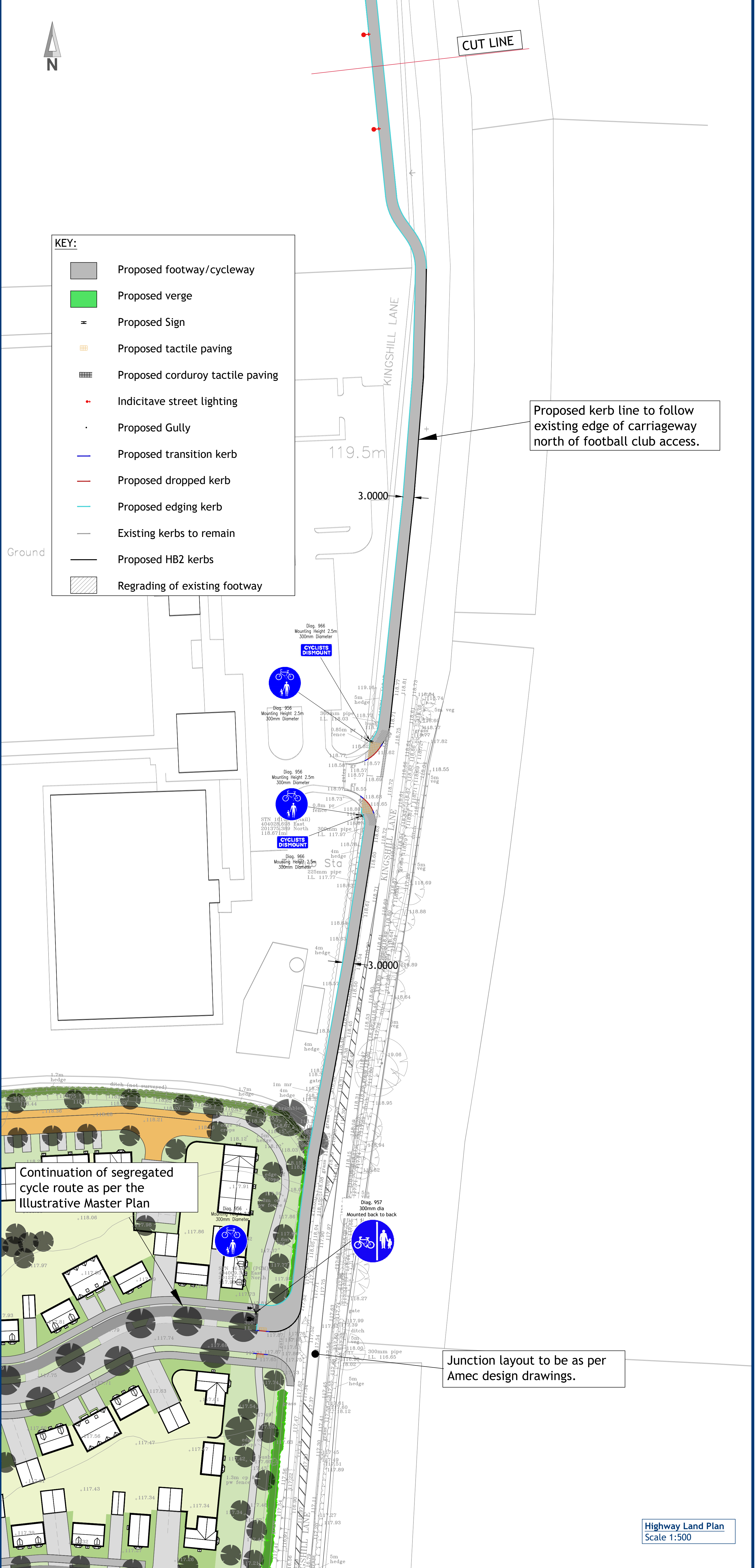
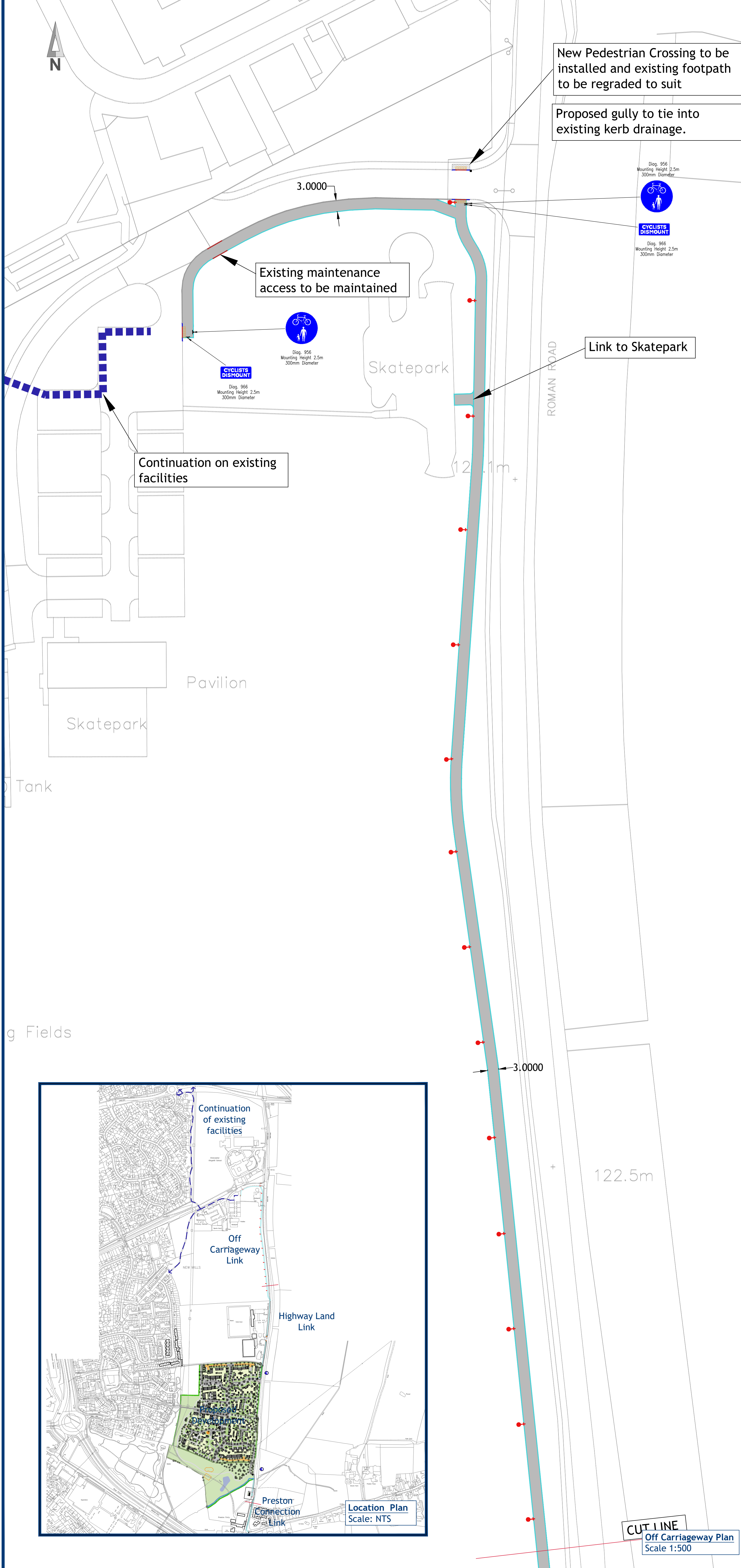


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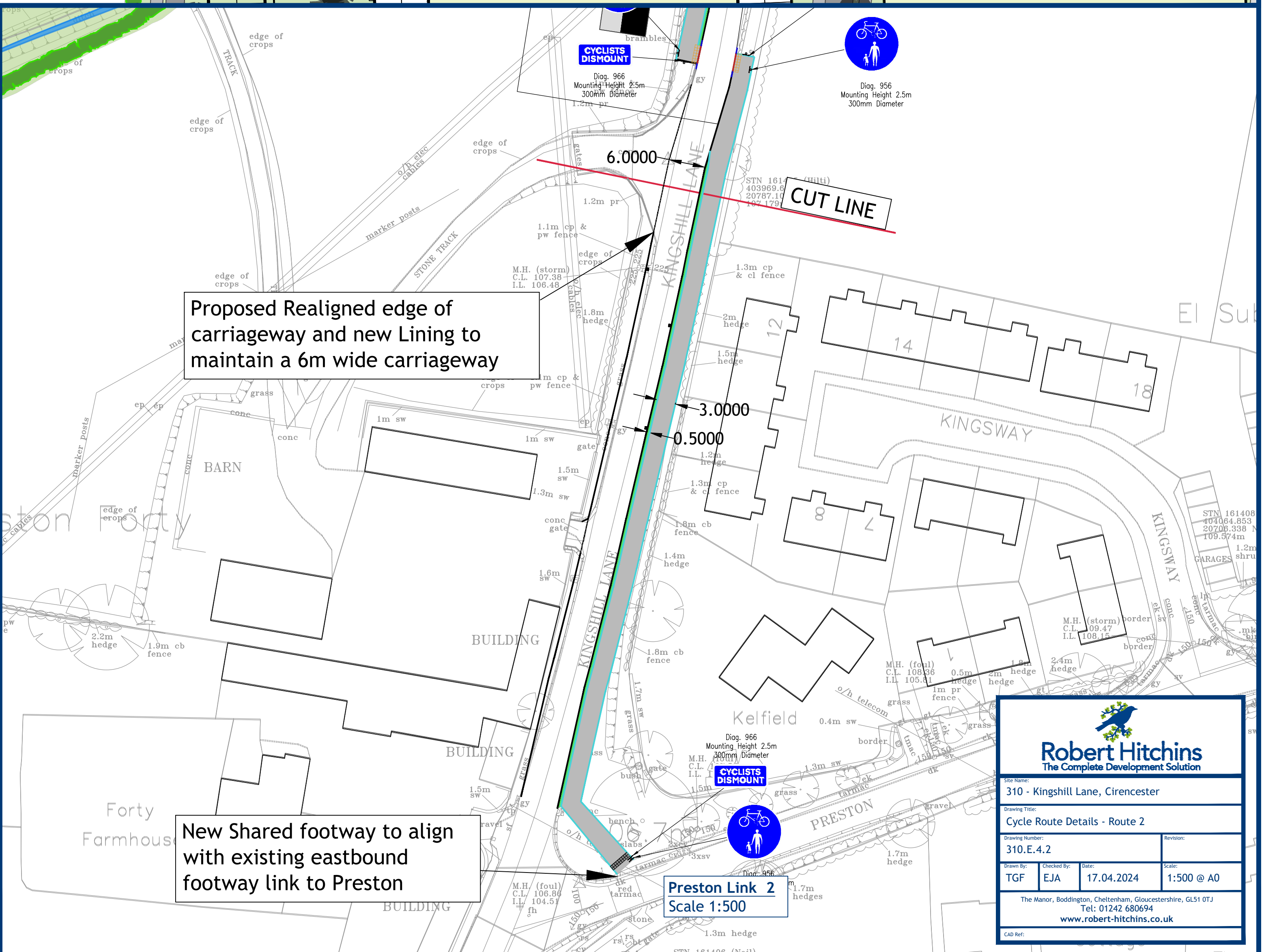
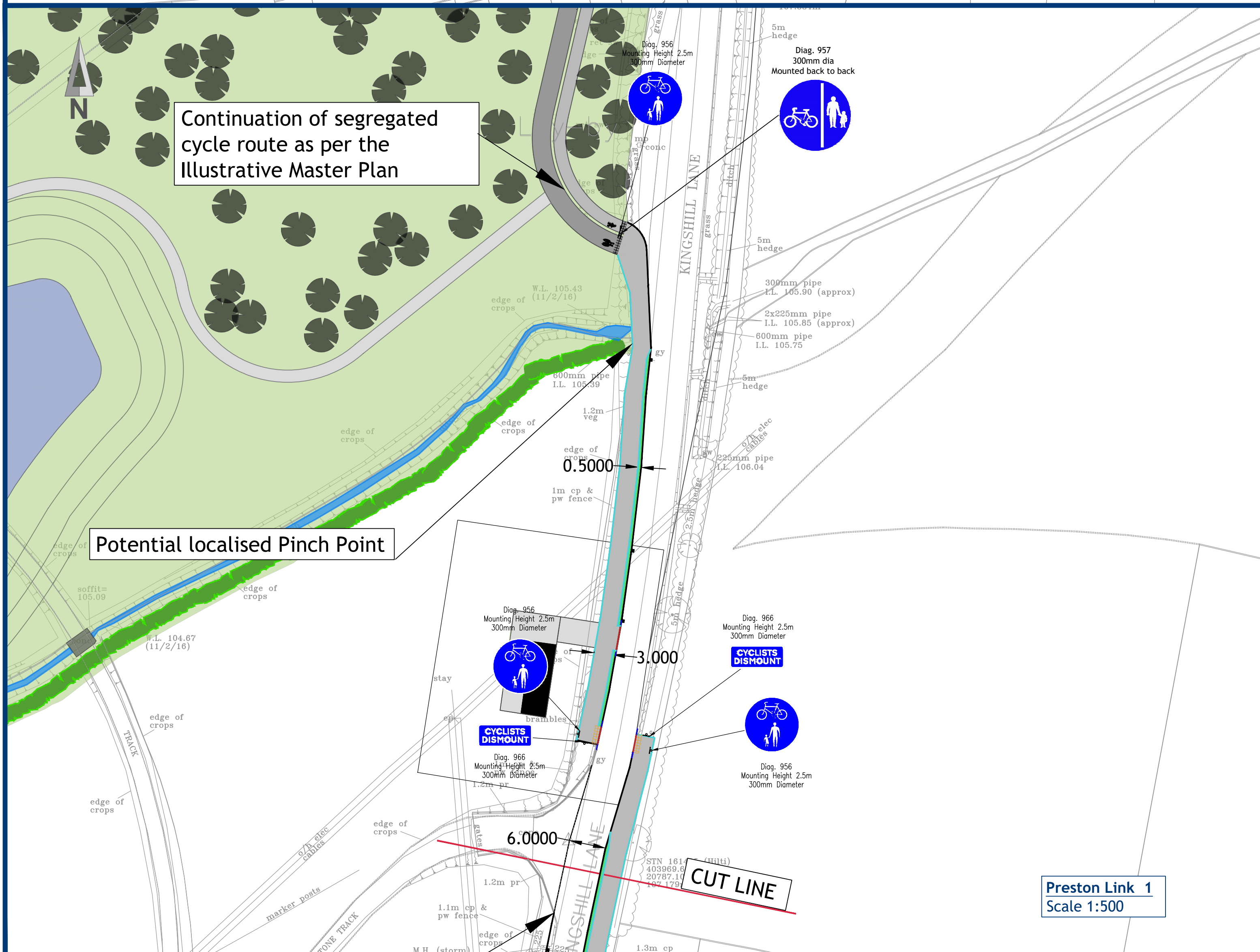
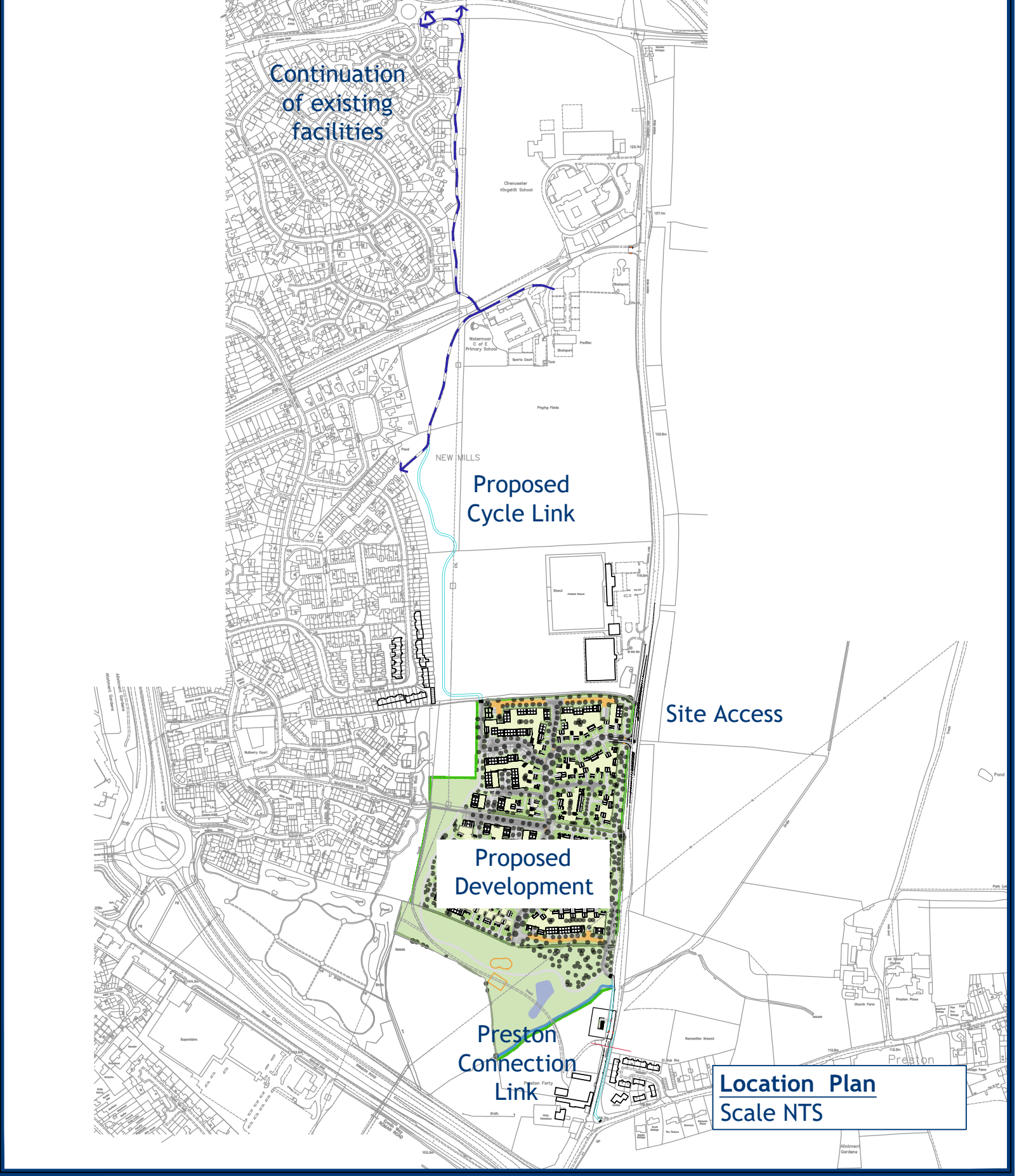






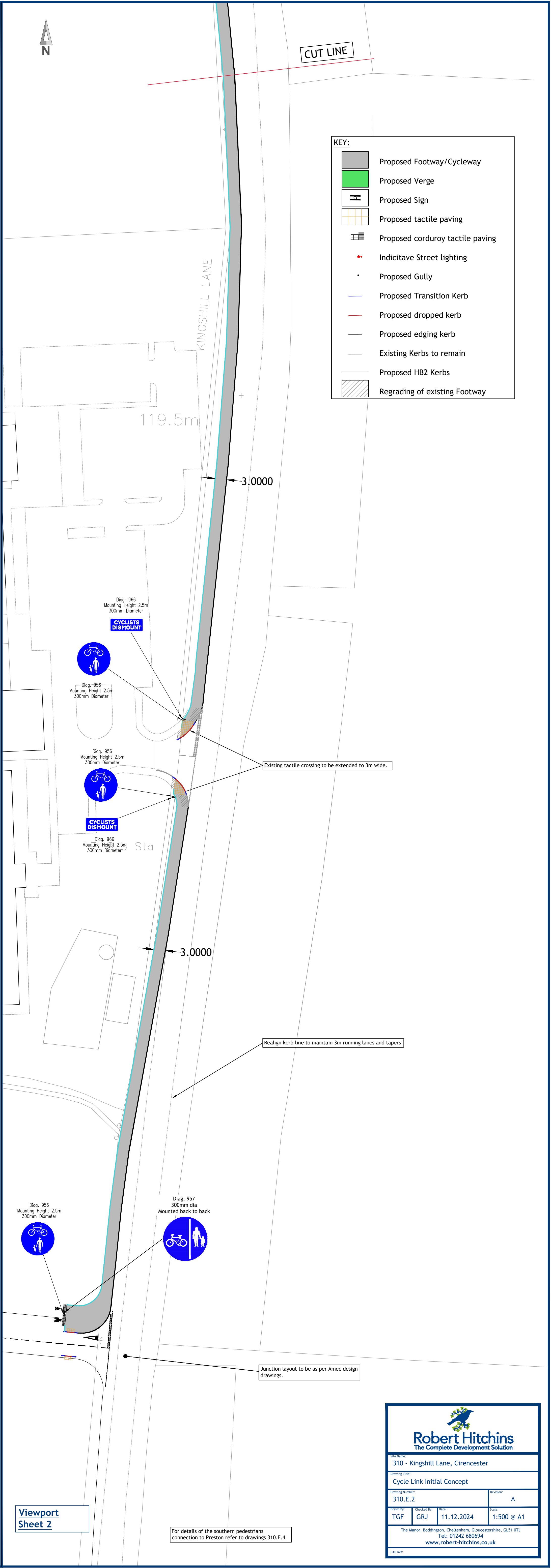
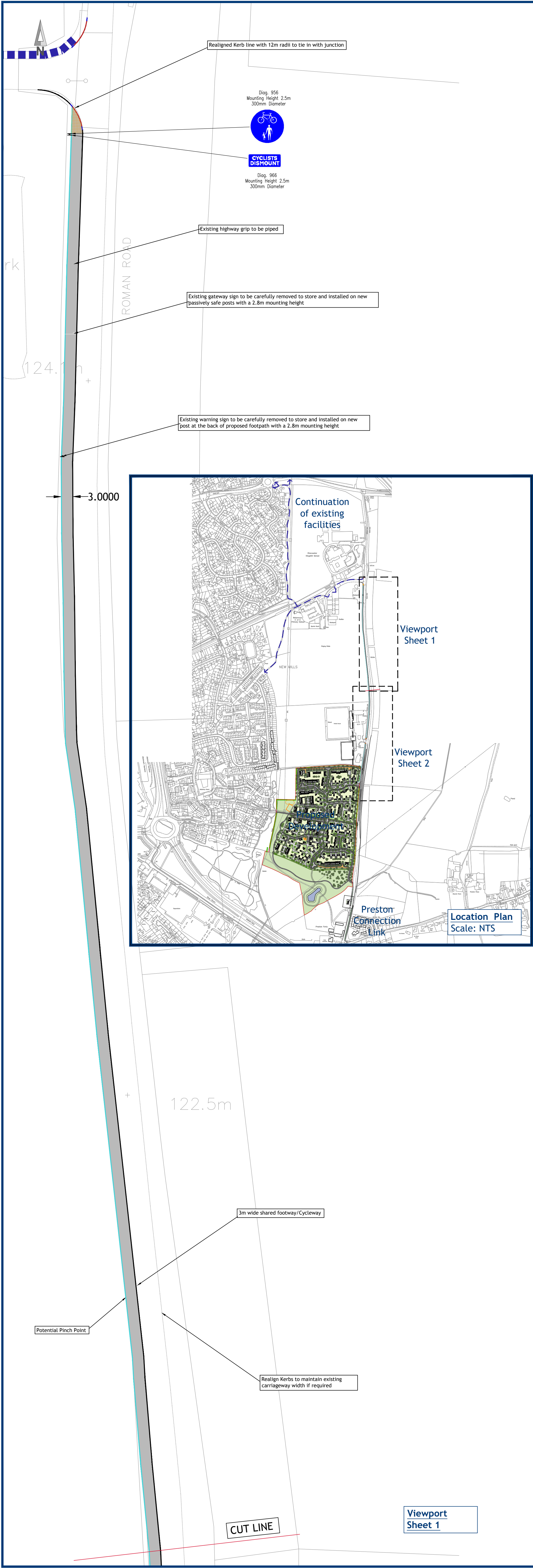
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Our ref: AP/P/L-040A  
Your ref: 24/02854/OUT

Martin Perks  
Cotswold District Council



01285 643644  
info@plan-a-planning.co.uk  
www.plan-a-planning.co.uk

For the attention of Martin Perks

25<sup>th</sup> November 2024

Dear Martin,

LAND WEST OF KINGSHILL LANE CIRENCESTER GLOUCESTERSHIRE GL7 1HS – APPLICATION NO.  
24/02854/OUT – OBJECTION TO OUTLINE PLANNING APPLICATION ON BEHALF OF PRESTON  
PARISH COUNCIL

Plan-A Planning & Development Ltd have been instructed by our client, Preston Parish Council, to make representations in respect of the application – reference 24/02854/OUT - submitted in conjunction with the above site for:

Residential development for up to 280 dwellings, associated works including infrastructure, ancillary facilities, open space, landscaping and pumping station. Construction of a new vehicular access off Kingshill Lane (Outline application)

The application was received on the 24<sup>th</sup> September 2024 and validated on the 21<sup>st</sup> October 2024 with a consultation expiry date of the 28<sup>th</sup> November 2024. The application site has a detailed planning history. This application is the resubmission of an outline planning application which was refused on 27<sup>th</sup> September 2023 (23/01597/OUT) by Cotswold District Council with seven reasons for refusal. An appeal to this application was lodged but withdrawn on 23<sup>rd</sup> May 2024, to which we submitted a separate objection on behalf of Preston Parish Council.

The application site itself relates to a group of agricultural fields in open countryside adjacent to the eastern edge of the settlement of Cirencester. The site measures approximately 13.49 hectares in size and primarily consists of arable fields bordered by hedgerows and trees. The site occupies a sloping area of land which rises approximately 14-15m from its south to its north.

The site is an unallocated site and for housing purposes would be a 'windfall' site. The site should be seen in context within the agricultural landscape lying between Cirencester and the village of Preston and as contributing positively to the rural setting of both settlements.

## Public Consultation

We are surprised that the applicant has not sought to undertake further public consultation given:

- a) The level of public interest in the previous application and subsequent appeal; and,
- b) The new rationale that the applicant is relying upon in relation to the Council's adopted housing numbers.

We respectfully request that the current application is withdrawn to allow for a full public consultation and for the applicant to outline the details of the application.

## Principle of Development

The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places.

The starting point for an assessment of the application site is the current development plan for the District which, in this instance, consists of the Cotswold District Local Plan 2011-2031 and the Preston Neighbourhood Plan 2020-2031 (adopted May 2021).

The application site is an unallocated site located outside of the Cirencester Development Boundary and outside of a Non-Principal Settlement. The site sits within the Parish of Preston. The adopted Preston Neighbourhood Plan identifies that the parish lies at a critically important location. Its immediate proximity to Cirencester forms a major constituent of one of the 'green wedge' approaches. The adopted local plan recognises that the 'green wedges' are particular characteristics of Cirencester when approaching the town from various directions.

Like the previous application and subsequent withdrawn appeal, the current application is also considered to be premature and prejudicial to the Local Plan Review process. The Local Plan Review process it as an early stage and as such consideration of the application scheme is not considered to be consistent with the Local Plan Review process.

Furthermore, as will become clear, the Council are able to demonstrate more than a 5-year housing land supply and as such the Council's housing needs can be met from sites within Development Boundaries or Non-Principal Settlement's.

## Residential Development in this location

The erection of new build open market housing on the application site is subject to several Development Plan policies.

Local Plan Policy DS4 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. In respect of Local Plan Policy DS4, the supporting text to the policy states at 6.4.4 that the policy is intended to preclude, in principle, the development of speculative newbuild open market housing which, for strategic reasons, is not needed in the countryside. At paragraph 6.4.5, any land that falls outside Development Boundaries and Non-Principal Settlements is referred to as countryside, even if it is technically previously developed land.

The application scheme will result in the erection of speculative, open market dwellings, in the countryside contrary to Policy DS4 of the Local Plan. In contrast, the Local Plan development strategy for the District seeks to direct new build residential development to sites within Development Boundaries (Policy DS2), or in the case of small scale residential development, within Non-Principal Settlements such as villages and hamlets (Policy DS3).

The Council's housing needs for the Local Plan period – to 2031 - can be addressed through the provision of housing within such locations. The Council can demonstrate a robust supply of deliverable housing land at the present time (7.2 years) and as such there is no overriding need to release further land for new build open market housing outside such areas. It is not therefore sustainable to release further land for such development when the Council's housing needs can be met within Development Boundaries or Non-Principal Settlements. The application scheme is not considered to meet the requirements of either Local Plan Policy DS2: Development within Development Boundaries nor Policy DS3: Small Scale Residential Development in Non-Principal Settlements. There is therefore a strong policy presumption against the erection of new build open market dwellings on the site.

The current proposal is in conflict with the Council's development strategy with regard to the location of new open market housing. The District is on course to deliver approximately 9,671 dwellings over the plan period through the existing development strategy without a need to grant planning permissions for further dwellings in locations that are contrary to the strategy. The figure of 9,671 dwellings is in excess of the objectively assessed need for 8,400 dwellings agreed by the Local Plan Inspector. The strategy is therefore delivering a level of housing in excess of the needs set out in the Local Plan. It is noted that the Government wishes to boost significantly the supply of homes. However, it is also of note that paragraph 60 of the NPPF states that 'it is important that a sufficient amount and variety of land can come forward where it is needed'. The Council's Development Strategy seeks to both boost significantly the supply of homes in the Local Plan period and to direct new homes to locations where they are needed in accordance with the aspirations of Paragraph 60.

The weight that can be given to the erection of new housing in this location, when the Council's land supply position is significantly in credit, is considered to be very limited. The current development boundary was drawn in order to ensure that future development would be proportionate to the level of services on offer in the settlement during the Local Plan period. The development boundary ensures that development in the Local Plan period will be at a level appropriate for the services and facilities on offer. The release of land for residential development in an ad hoc manner around Cirencester

would potentially threaten the balance of the settlement and the long term strategy for the town which has been deemed to be acceptable through the Local Plan examination process; which is at an early stage.

Furthermore, provision has been made for the delivery of 2,350 dwellings on land to the south of Cirencester (16/00054/OUT). The Local Plan has therefore made provision for a significant level of new housing adjacent to the settlement in order to meet the needs of both the town and the District as a whole. Furthermore, the application site along with a parcel of land to its south-west have been assessed as part of the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) process. The document titled 'Strategic Housing and Economic Land Availability Assessment (2021)' gives the application site reference C80 and the land to its south-west reference C185. The summary section of the aforementioned report states the following in relation to the two sites: 'The development of either site would be a significant eastwards extension of Cirencester and would lose agricultural land.'

Both sites have 'High / medium' landscape sensitivity, primarily because of their open nature and their prominent position, which is highly visible to users of the A419 to the south. The development would also cause a level of harm to the historic environment. However, there are also opportunities for enhancements that the development could bring. Recommendation C80 is a candidate for further consideration for allocation for residential development in the Local Plan. C185 is unsuitable for residential development but may be considered as part of the development of the adjacent land in order to deliver some of the planning benefits associated with the wider scheme.'

It is evident that the application site is one that could be considered for allocation as part of the Local Plan review or in future versions of the Local Plan. However, such consideration will have regard to the strategic implications arising from the level of development proposed, future housing needs and the availability of alternative sites. It is appropriate that developments of this size are assessed in a strategic manner as part of the Local Plan process rather than as ad hoc standalone development proposals. The SHELAA assessment does not therefore indicate that the site is one that should be released without further consideration and examination as part of the Local Plan process; it is understood that this is still at a very early stage. It is considered therefore that the application scheme conflicts with the Council's development strategy insofar as the location of new build open market housing is concerned.

It is noted that the applicant is relying upon engaging the tilted balance as set out in paragraph 11d of the NPPF to justify the development proposal in the absence of a five-year housing land supply. The applicant is seeking to argue that because of the proposed changes to the NPPF and in particular the Standard Method, the Council's annual housing land supply position should be 3.81 years.

It is considered that the Council's current housing land supply figure is of 7.2 years is reliable, and that it demonstrates that there is no overriding need to release further land for new build open market housing. If the applicant's figure of 3.81 years were applied and the tilted balance engaged, it is considered that planning permission should not be granted as the public benefits of the scheme do not outweigh the adverse impacts.

## Green Buffer/Coalescence/Landscape Sensitivity

Appendix 1 below incorporates relevant planning policies from the Development Plan as well as excerpts from the SHELAA Review (Strategic Housing and Economic Land Availability Assessment Update, October 2021). The Preston Parish Design Statement (PPDS) (adopted 26<sup>th</sup> April 2017) is also considered to this objection, partially because approximately 50% of the village of Preston responded to the questionnaire distributed in October 2015 that sought to direct the direction of the design statement.

Page 4 of the PPDS considers that despite its proximity to Cirencester, the fact that most of the land is arable farmland and subject to rotational cropping helps to maintain the distinctly rural feel of the parish. Within the village of Preston, the farmland “gap” in the middle also helps add to that rurality.

Furthermore, Page 9 of the PPDS relates that the village is surrounded by farm land and there are still some large green spaces along the village’s single street which contribute to giving the village its rural and tranquil feel.

Page 13 of the PPDS provides an important summary. It states that in response to the questionnaire, that had a response rate of approximately 50%, the respondents valued the existing rural atmosphere in the Village and Parish and particularly valued the “greenbelt” between the Western extremity of the village of Preston and the Eastern extremity of Cirencester which, therefore, needs to be preserved in order to ensure retention of the rural “atmosphere” and individual identities. A photo referencing the rural buffer between Preston Village and Cirencester is provided at the bottom of Page 13.

It is recognised that this document is informal planning guidance and not formally part of the Development Plan. However, what it shows is the high value that is placed by residents on the existing rural buffer between Preston Village and Cirencester. A response rate of approximately 50% is high for a questionnaire of this type, and this goes to show the relevance of strategic planning policies such as Local Plan Policy DS4.

In the SHELAA Review of the application site, C80, is considered to have a High/Medium landscape sensitivity. The original outline application was accompanied by a Landscape and Visual Impact Assessment (March 2023). The LVIA overall identifies that the significance of visual effects would be moderate adverse at year 1 and moderate/slight adverse once planting of new green infrastructure has been established. In contrast, in relation to the previously refused application (these comments

are considered extremely relevant to the determination of the current application), the Council's Landscape Officer stated that the site provides visual separation between the built edge of Cirencester and Preston and this is apparent from the footpaths to the east and the A419. Furthermore, the officer stated that the LVIA is reliant on a robust landscape mitigation scheme and that he has concerns regarding the housing density proposed and the strength of the green infrastructure provided across the site.

It is interesting and relevant to note that in relation to the current planning application, the Council's conservation officer has recommended refusal of the application. In relation to Kingshill Lane, it is considered that the proposed development, by bringing the suburban sprawl all the way east to Kingshill Lane, would radically erode and suburbanise the still predominantly rural character of the lane. In relation specifically to the Preston Conservation Area, it is noted that the significance of the Preston Conservation Area rests in part in the character and history of Preston as a small, rural, distinct settlement. As such, both its rural, agricultural setting, and its separation from nearby Cirencester, are aspects of the conservation area's character and setting that contribute positively to this significance. The officer concludes by stating that the proposed development, both by the further encroachment of suburban development towards the rural settlement, and the halving in width of the green buffer/corridor that separates the two settlements, would harmfully erode aspects of Preston's distinct character and setting that contribute positively towards its significance. The level of harm would be less-than substantial but would be moderate.

Based upon an assessment of the relevant Development Plan policies, the comments made by the Council's Conservation Officer on the current application, and the position adopted by the Council's Landscape Officer on the previous application, we consider that the application site constitutes an important area of green space that contributes positively to the rural setting of Cirencester and to the rural character and appearance of the parish of Preston. The site acts as a green wedge between the two settlements and plays an important strategic role.

The introduction of development of the size now proposed onto the site would eat away at this wedge and result in a coalescence of the two settlements. It would result in a significant extension of the eastern edge of Cirencester. The parish of Preston is composed mainly of countryside with scattered dwellings and small businesses. The A417 effectively severs the north and south of the parish from each other. Due to the sloping nature of the site, the proposed development would be readily visible from a number of public vantage points in the area. Views of the development will not therefore be



limited to local views. Due to the scale of the proposals, the application scheme would take the form of a large urban extension into the open countryside, severing the green wedge between the settlements. Set against the skyline it would appear prominent and legible as a large urban extension.

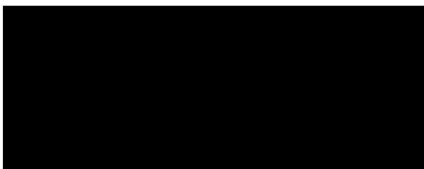
## **Conclusion**

As has been identified, it is our view that the application proposals will result in the erection of new-build open market housing on an unallocated, windfall site, outside a Principal or Non-Principal Settlement contrary to Policy DS4 of the Local Plan.

Furthermore, due to the scale of the proposals, it is considered that the development would take the form of a large urban extension into the open countryside, severing the existing green wedge between the settlements. Set against the skyline it would appear prominent and legible as a large urban extension. In addition, the application proposals are considered to have an adverse impact on heritage assets.

We respectfully request therefore that the application is refused on the basis of the overriding evidence that the proposals are contrary to the relevant planning policies and material considerations.

Yours sincerely,



**John Vale BSc (Hons) MSc**  
**Associate Director**  
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## Appendix 1

### Relevant Planning Policy

#### PLANNING POLICY FRAMEWORK

Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that where determination is to be made under the Planning Acts, the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan comprises the Cotswold District Local Plan 2011-2031 and the Preston Neighbourhood Development Plan, although the NPPF also represents a material consideration.

#### Cotswold District Local Plan to 2031

##### Policy DS4 – Open Market Housing Outside Principal and Non-Principal Settlements

- 1.2 This policy states that new-build open market housing will not be permitted outside Principal and Non-Principal Settlements unless in accordance with other policies which allow for such development.

##### Policy H1 – Housing Mix and Tenure to Meet Local Needs

- 1.3 Under the terms of this policy, all housing developments will be expected to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable housing sectors (subject to viability). Furthermore, proposals of more than 20 dwellings will also normally be expected to provide 5% of dwelling plots as serviced self or custom build plots.

##### Policy H2 – Affordable Housing

- 1.4 This policy identifies that all housing developments that provide 11 or more dwellings (or which have a combined floorspace of over 1,000sqm), will be expected to contribute towards affordable housing provision. Subject to viability, brownfield sites should make a contribution of up to 30% of new dwellings. However, a financial contribution in lieu of on-site provision may be considered acceptable where the need for affordable housing can be better satisfied through this route. The type, size, mix and tenure split are to be agreed with the Council and should be distributed across the development. Where viability is questioned, or a commuted sum considered, an open book assessment will be required and will be subject to an external assessment paid for by the developer.



#### Policy EN1 – Built, Natural and Historic Environment

- 1.5 This policy seeks to ensure that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment. The policy's criteria include a requirement to ensure that design standards compliment the character of the area and the sustainable use of the development.

#### Policy EN2 – The Built Environment

- 1.6 This policy is supportive of development which accord with the updated Cotswold Design Code. The policy requires that proposals should be of a design quality that respects the character and distinctive appearance of the locality.
- 1.7 The revised Cotswold Design Code emphasises the importance of designing development that either follows an authentic vernacular and traditional approach in line with local architectural character, or that it is designed in a high quality contemporary and innovative manner which reflects and respects local character. The plan recognises that the decision as to whether to adopt a traditional or contemporary approach will depend on the type of development proposed, the site and its setting.

#### Policy EN4 – The Wider Natural and Historic Landscape

- 1.8 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.

#### Policy EN7 – Trees, Hedgerows and Woodlands

- 1.9 This policy stipulates that, where trees, woodland or hedgerows are to be removed as part of development, compensatory planting will be required and should have regard for the potential for new or extended woodland to assist in carbon storage.

#### Policy EN8 – Biodiversity and Geodiversity: Features Habits and Species

- 1.10 This policy confirms that development will be permitted which conserves and enhances biodiversity and, where possible, provides net gains. Proposals that promote the creation,

restoration and beneficial management of ecological networks, habitats and features will also be permitted, particularly in areas subject to landscape-scale biodiversity initiatives.

#### Local Plan Policy EN10 Designated Heritage Assets

1.11 States that:

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

#### Local Plan Policy EN11 Designated Heritage Assets - Conservation Areas

1.12 States that:

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.'

#### Policy INF2 – Social and Community Infrastructure

- 1.13 This policy sets out the necessary provisions which should accompany community facilities (including open space) required as a consequence of development proposals. In particular, provision of community facilities should be synchronised with the delivery of the development; accessible to the local community on foot, bicycle or by public transport; and provision made for the ongoing management/maintenance of the facility.

#### Policy INF4 – Highway Safety

- 1.14 This policy outlines that development will be permitted so long as it provides safe and suitable access that is well integrated with the existing transport network.

#### Policy INF5 – Parking Provision

- 1.15 This policy seeks to ensure that developments for new residential properties comply with the corresponding parking standards and associated guidance.

#### Policy INF7 – Green Infrastructure

- 1.16 This policy confirms that, where appropriate, development proposals should contribute to the delivery of new Green Infrastructure and link to the wider Green Infrastructure network.

### **Preston Neighbourhood Development Plan 2020-2031**

Policy 1: Preston Countryside and Landscape 'Other than within the AONB, new development should where appropriate promote the following:

- i. Replanting non-native tree plantations with native broadleaved native species as part of the woodland succession planting;
- ii. Avoiding unsympathetic new woodland planting including new dense linear shelterbelts, particularly in character areas 4a, 4b and 5, which would enclose the character of the landscape at points where it is currently open;

- iii. Managing existing shelterbelts with selective thinning to retain native specimens and open up views below their canopies; maintaining dry-stone wall boundaries and restore any in disrepair;
- iv. Restoring historic hedgerow lines;
- iv. Maintaining the existing network of open ditches and streams to ensure continuity of irrigation to fields and surface water management to grass and agricultural fields;
- v. Protecting open views between buildings of Preston's agricultural setting when viewed from the village main street (Witpit Lane);
- vi. Establishing a pedestrian link using the route of the old railway line to create a public footpath which connects the whole of the parish on a north/south axis;
- viii. Resolving footpath links across the dual carriageway to improve connectivity across the parish. '

Policy 2: Design 'Proposals for new development, including extensions to existing buildings, and conversions of farm buildings, should be of the highest design standards in accordance with the relevant policies of the Cotswold District Local Plan, including the Cotswold Design Code.

Proposals should have specific regard to the following conclusions derived from the Design in Preston Design Statement (2017):

- i) Publicly accessible green spaces (such as the formal spaces around community infrastructure and incidental spaces such as grass verges) within the village built-up area should be retained if possible.
- ii) Proposals should use locally characteristic building materials, for example Cotswold stone and reconstituted Cotswold stone for walling, roofing and timber for windows and doors, where appropriate.
- iii) Properties should have high quality boundary features, such as hedges and Cotswold Stone walls where appropriate, particularly where these are visible from public vantage points

In addition to the SHELAA assessment, the application site has also been assessed as part of Preston Neighbourhood Plan, which states:

'Sensitive receptors are the users of the Country park, the village residents, users of Kingshill Lane and of the public footpath which runs east to west along the north of this area, and users of the A419 Ermin Way. Views of the Kingshill Meadow estate are prominent on the approach to Cirencester, although the presence of the recently established parkland along the road will create screening to this development in the longer term. For any proposed development to be considered appropriate in this sub-area, it would need to retain the open agricultural character of the landscape, ensure the identity of the village of Preston to be retained as a separate settlement and with its own countryside setting, maintain the visual amenity of PROWs, and ensure that the green wedge approach to Cirencester is retained. It would be appropriate if the existing country park along the Ermin Way is extended to the east.'

Paragraph 44 of the Neighbourhood Plan states: '44. Since its first settlement, Preston village has maintained a separate identity from other villages in the area, particularly Cirencester. Villagers have demonstrated their passion for retaining Preston's separate identity throughout the NDP consultation. The importance to them of retaining this - geographically in terms of built development, and socially in terms of preserving a village where people know and like one another - was stressed time and time again during public consultation. What residents fear the most is the coalescence of Preston with Cirencester and a merging of the two areas'.

Paragraphs 59 and 60 go on state: '59. The character of Cirencester is strongly informed by areas of open landscape which, through varying degrees of parkland and agricultural character, reach close to the town centre from several directions, principally from the west (Bathurst estate), the north-east (Abbey Home Farm estate) and the south-east (Preston parish & Kingshill Country Park) 9 . The largely unspoilt agricultural section of the parish serves this important 'green wedge' purpose, which is described by the Local Plan as follows: 'The 'green wedges' and views of [Cirencester] Parish Church tower, are particular characteristics of Cirencester when approaching the town from various directions.' (para 7.2.3)

60. In this context, Preston Parish lies at a critically important location. Its immediate proximity to Cirencester forms a major constituent of one of the 'green wedge' approaches (particularly Area 4b). It also emphasises by contrast to the open views of the urban town itself, the importance of the parish as an open landscape setting to the largest of the Cotswold towns'.

## 2021 SHELAA Review

Since the adoption of the Cotswold Local Plan, the appeal site has been assessed as part of the recent SHELAA Review (Strategic Housing and Economic Land Availability Assessment Update, October 2021) and was given the reference C80.

The assessment notes that:

- i) The parcel was assessed as part of the 'Study of land surrounding Key Settlements in Cotswold District Update, Additional Sites: Final Report' (Cotswold District Council and White Consultants, October 2014) report. The description provided for this parcel is reproduced below and remains an appropriate description;
- ii) The site comprises of three arable fields with moderately regular boundaries on the sloping valley sides of the River Churn. The field boundaries are low cut hedges running along the slopes but a mixture of low hedge and fence along Kingshill Lane to the east. The site is therefore open. The western boundary is open abutting a line of pylons and power lines which are a detractor. Beyond this to the west is the recently constructed Kingshill development which has been built reflecting vernacular forms and has a moderately varied

structure and a positive edge, though unmitigated with vegetation at present. There is a public footpath running along the slope through the site. To the east there is a young mixed tree belt. To the south, the site abuts the relatively open floodplain and views are possible across this from the busy A419(T) which also reduces tranquillity through movement and noise. A sports building and low floodlights are visible on the skyline to the north of the site. Listed buildings lie at Preston Forty Farm to the south and Preston Conservation Area lies to the east beyond the tree belt'

- iii) C80 evaluation: High/Medium The landscape sensitivity given to the parcel as part of its inclusion within the 'Study of land surrounding Key Settlements in Cotswold District Update, Additional Sites: Final Report' (Cotswold District Council and White Consultants, October 2014) report was High/Medium. The justification provided for this rating is reproduced below and remains an appropriate justification for the parcel's landscape sensitivity:
- iv) The site is susceptible to change because it is open and lies on a prominent slope highly visible to users of the A419 to the south. Development on this site would be a major extension of built form into open countryside. The presence of the sports facilities to the north are not sufficient justification for a major built extension as they are relatively low key in nature. The power lines provide a logical boundary to the built form and the new development will provide a positive edge once landscape planting is established'; and in summary states that
- v) The development of either site would be a significant eastwards extension of Cirencester and would lose agricultural land. Both sites have 'High / medium' landscape sensitivity, primarily because of their open nature and their prominent position, which is highly visible to users of the A419(T) to the south. The development would also cause a level of harm to the historic environment. However, there are also opportunities for enhancements that the development could bring

With regard to the historic environment, the SHELAA states:

Historic Environment (excluding archaeology) These comments are made on the basis of a desktop and site survey conducted by a Principal Planning Policy Officer. A full historic environment or heritage assessment would be required of any development proposal. The 350 dwelling planning application on C80 included a response from the Council's Conservation Officer. The issues identified are relevant to both sites and included:

o Preservation of the character of Kingshill Lane, which is a predominantly rural road. The development will encroach on the boundary of the lane and will potentially suburbanise the character of this part of the lane, which would be an adverse impact.

o Forty Farm is located to the south-east of the site. There are two Grade II Listed buildings associated with the farmstead, the Farmhouse and the threshing barn. Other structures within the site may be considered curtilage listed. The proposal was considered to cause harm to the significance of the listed building and its setting.

o Setting of Preston Village, Conservation Area and associated listed buildings to the east - Preston village is located to the south-east of the site. The historic core of the village contains several buildings that are Grade I and II listed including All Saints Church. The core of the village is also located within a Conservation Area. The response identified that the proposal for 375 houses would not provide capacity to introduce appropriate buffers and tree screening from the southern and eastern boundaries in order to protect the setting of listed buildings including the setting of Forty Farm and also the Preston Conservation Area. Nor did the proposal appear to provide capacity for suitable public amenity space. This would need to be addressed if the site were allocated in the Local Plan.

The development of either site would be a significant eastwards extension of Cirencester and would lose agricultural land. Both sites have 'High / medium' landscape sensitivity, primarily because of their open nature and their prominent position, which is highly visible to users of the A419(T) to the south. The development would also cause a level of harm to the historic environment. However, there are also opportunities for enhancements that the development could bring.' The open agricultural character of the existing site contributes to the rural setting of the listed buildings to its south and the village of Preston to its east. The SHELAA identifies that the proposed eastwards extension of Cirencester would result in harm to the historic environment.





**Removal of stables, erection of a dwelling with associated works including parking, landscaping, and new access at The Saddlery Kinton Guiting Power Gloucestershire GL54 5UG**

Full Application 24/03111/FUL	
Applicant:	The President and Scholars of Corpus Christi College
Agent:	Fowler Architecture & Planning Ltd
Case Officer:	Helen Cooper
Ward Member(s):	Councillor Len Wilkins
Committee Date:	11 June 2025
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**1. Main Issues:**

- (a) Principle of development
- (b) Design and Impact upon Heritage Assets
- (c) Landscape Impact
- (d) Impact upon Residential Amenity
- (e) Biodiversity
- (f) Highways

**2. Reasons for Referral:**

2.1 Cllr Len Wilkins has requested that the application be considered by the Planning and Licensing Committee for the following reasons:

2.1.1 In breach of DS3- In the pre-applications it was noted that it would fall down against criteria (b) and (c)

2.1.2 In breach of DS4 - outside development boundaries and Non-Principle settlements

2.1.3 In breach of EN1 - damage to the environment and AONB

2.1.4 In breach of EN2 - not in Cotswold vernacular in breach of EN4 - Will cause significant detrimental impact on landscape, and wildlife

2.1.5 In breach of EN5 - Conservation of ANOB

- 2.1.6 In breach of EN8 - Biodiversity - will affect wildlife. This needs an independent view. Much wildlife within 100 meters and used in the evening by wildlife to move around the village.
- 2.1.7 In breach of Section 16 - NPFF loss of significance of heritage assets will detract from the character of existing development. Opposite two listed buildings. Amenity.
- 2.1.8 The Saddlery is an important amenity to the villagers and to Cotswold residents. It is the only Saddlery for miles around and is used for liveries, riding lessons and for children, including those with learning difficulties to learn about rural life.

### **3. Site Description:**

- 3.1 The application site consists of a parcel of agricultural/equestrian land located within the southern part of the village of Kington. The site is located west of the road leading through the village and the site is slightly elevated in relation to the dwellings located on the other side of the road. A traditional Cotswold stone wall forms the eastern boundary treatment at the site and this is set on top of a grass bank adjacent to the road. A single storey stable block is currently located at the site and this is set adjacent to the south boundary. Two large agricultural buildings lie to the south of the site on the adjacent piece of land. Greenback Cottage, lies to the immediate north of the application site and open fields lie to the west of the site. A pond is currently sited to the front of the stable block.
- 3.2 The village constitutes a Non-Principal Settlement as designated in the Cotswold District Local Plan 2011-2031. There are several listed buildings in proximity to the site, which lie on the other side of the road.
- 3.3 The site lies within the Cotswolds National Landscape. The footpath 'Temple Guiting Footpath 21' also lies to the south.

### **4. Relevant Planning History:**

N/A

### **5. Planning Policies:**

- NPFF National Planning Policy Framework
- 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
- EN15 Pollution & Contaminated Land
- DS3 Small-scale Res Dev non-Principal Settle
- INF4 Highway Safety
- INF5 Parking Provision

## **6. Observations of Consultees:**

- 6.1 Public Rights of Way Officer: Development does not appear to affect the nearby PRoW.
- 6.2 Biodiversity Officer: Following the submission of additional information no objection raised subject to conditions.
- 6.3 Arboricultural Officer: No objection subject to condition.
- 6.4 GCC Highways: No objection subject to condition
- 6.5 Conservation Officer: Following amendments, no objection subject to condition

## **7. View of Town/Parish Council:**

- 7.1 *Temple Guiting Parish Council held a site visit on December 11th 2024 to review the planning application for a new 3 bedroom house on land currently the site of stables adjoining Greenbank Cottage, Kineton GL54 5UG.*
- 7.2 *Background: The application had been submitted to CDC for pre-application advice. The applicant was advised that permission would be refused in its form at the time. Plans were then apparently modified although information about these changes was not available to councillors or residents. Having reviewed the plans and discussed the details with Mark Pettit, Temple Guiting Parish Councillors decided unanimously to object to this application for the following reasons:*
1. *Access*
- 1.1 *Access to the proposed building would involve a second driveway very close to the current driveway for Greenbank. There is potential for dangerous situations when vehicles attempt to enter or exit the site in*

*close proximity. The driveway to the proposed house would be very steep. There is frequent traffic through Kineton village particularly during holiday periods and at school drop off and collection times. The popularity of the village pub creates a great deal of strain on the verges as visitors park all along the road leading to much reduced visibility, as well as restricting an already narrow road. Villagers are already aware of one accident at the entrance to Greenbank Cottage.*

## *2. Prominence and design*

- 2.1 Councillors noted the contents of the Conservation Officer's report and are highly supportive. The building is contrary to a number of Cotswold District Local Plan policies including Policy DS3, which states that small-scale development in non-principal settlements will be permitted providing that it meets certain criteria, including that it: 'complements the form and character of the settlement'.*
- 2.2 Both from the public footpath and from the road, the house would be extremely prominent, dwarfing the adjacent listed buildings. It would be situated on top of a high bank and would dominate the edge of the village, where currently buildings taper off. The barn next door is set deep into the side of the field and so is less dominant. It is also screened by large trees and, as a barn, is entirely consistent with a small Cotswolds hamlet. The application states that the proposal will deliver 'Enhancements to the appearance of the site and surrounding area, through the removal of an existing stable building; and, one high-quality home, which will make a positive contribution to the character of the local area.' Councillors noted that the current stables are small and rural, typical of those found in villages across the Cotswolds. It makes a strong contribution to the rural nature of Kineton. The proposed building, on the other hand, does not contribute to the nature of a north Cotswold habitation, rather it resembles an 'executive' home in a generic style which would dominate rather than complement the hamlet.*
- 2.3 Nor does the building help with the shortage of affordable housing in the North Cotswolds. The Cotswold National Landscape Board policy CE12.1 states that housing delivery .. 'should be focused on meeting affordable housing requirements, particularly housing that is affordable in perpetuity such as social rented housing'.*
- 2.4 Neither does it support Cotswold Local Plan policy EN4, which states that development should take into account historic landscape character and*

*local distinctiveness . This building does not appear to comply with these requirements as it ignores the landscape character and the local design and village format.*

- 2.5 *Policy EN5 states that within the A.O.N.B. and its setting, great weight will be given to the conservation and enhancement of the natural beauty of the landscape, its character and special qualities. The building does not support this policy. Policy EN10 reiterates the N.P.P.F.'s concern that great weight should be given to the conservation of designated heritage assets. It states that proposals that sustain the character, appearance and significance of designated assets will be permitted, but that proposals that would harm the significance of an asset or its setting would not unless there was a public benefit. The setting of this proposal clearly affects the setting of the heritage assets in Kineton with no mitigating public benefit.*
- 2.6 *In section D of the Cotswold Design Code, paragraph 10 states that settlements are distinctive in how they sit within the landscape with their layouts and patterns of streets. Any new development should reflect this in its location and design. By siting this development at one of the highest points in the village, the building does not fit with the existing layout of the hamlet and it dominates the profile of the southern end of the village.*
- 2.7 *Paragraph 13 states that the particular character of existing streets should be respected, 'including gaps between buildings, which can often be important'. Paragraph D.14 states that in designing new developments, attention should be paid to the site and its setting in terms of density, grain, scale and form, as well as the architectural design of the buildings, and to the landscaping around them. Both these paragraphs can be applied here, as the gap between the last house in the village and the (mostly hidden) barn is important in signifying the edge of the hamlet and providing open views across fields.*
- 2.8 *The proposed style and materials of the timber boot room are not consistent with the surrounding buildings, which either Cotswold stone or reconstituted stone made to resemble Cotswold stone.*
3. *Size relative to the plot*
- 3.1 *Policy DS3 states that the development must be 'of proportionate scale ...: 'yet this building and hardstanding would occupy approximately two*

*thirds of the plot, plus a further amount for the driveway. This lack of context around the building would be contrary to the pattern of housing in the hamlet one of the criteria included in Section D of the Cotswold Design Code. It is also a major contributor to the large loss of biodiversity which would be caused by the development*

4. *Glazing*

- 4.1 *The large amount of glazing facing directly onto the field containing a public footpath is excessive and totally out of keeping with the local architecture. It would be uncomfortable for anyone living in the house to be exposed to walkers on the footpath.*

5. *Light pollution and biodiversity loss*

- 5.1 *Councillors noted the report from the Biodiversity officer which stated that loss of biodiversity would be 57.65% (through loss of a tree and of a pond, two vital environmental features) and that there was no provision for the mandatory 10% increase in biodiversity in the plans. The replacement of 5 minute PIR timers with 1 minute timers and the requirement for a lighting strategy to protect dark skies. A proposal to mitigate for biodiversity loss outside the current site is concerning as the local area would lose a valuable resource.*

6. *Inappropriate dormer windows*

- 6.1 *These do not comply with the Cotswold Design Standards and should be omitted or revised.*

7. *Unspecified roofing materials*

- 7.1 *The roofing materials have not been specified but Cotswold stone tiles should be a condition of the development.*

8. *Sustainability*

- 8.1 *Policy DS3 also states that the development must 'demonstrably support(s) or enhance(s) the vitality of the local community and the continued availability of services and facilities locally'. As there are no local services and facilities other than a pub, (no shops no public transport, no health facilities) the development does not meet these*

*criteria. The stables and pond which the proposal plans to remove have however been used for therapeutic purposes for children.*

### **Revised Drawings:**

7.3 *"Second consultee response from Temple Guiting Parish Council for planning application, following revisions to the application 24/03111/FUL Removal of stables, erection of a dwelling with associated works including parking, landscaping, and new access*

7.4 *Temple Guiting Parish Council held a site visit on December 11th 2024 to review the planning application for a new 3 bedroom house on land currently the site of stables adjoining Greenbank Cottage, Kineton GL54 5UG. When the plans were first made public, the Council decided to object strongly to the proposal. The latest revisions have made the proposed development even less acceptable and none of the PC's concerns have been addressed. The new plans add to the existing list of concerns:*

1. *Location within the site and size*

1.1 *The new plans show the house sited closer to the neighbouring property and still located above the neighbour. The house is large in comparison to the neighbour, a property which was built several hundred years ago and has been the home of the current owner for the past 45 years. The revised plans make no attempt to reduce the size of the house, or the height of the building, both issues identified by Temple Guiting Parish Councillors.*

1.2 *The block plans do not show the location of Greenbank, the immediate neighbour, so an informed judgement of the suitability of the proposed building is difficult. The combined result is the proposed house has an overbearing presence, out of proportion to the site and the other houses in the hamlet. This further aggravates the PCs concerns regarding Policy DS3, which states that the development must be 'of proportionate scale ...' and that 'small-scale development in non-principal settlements will be permitted providing that it meets certain criteria, including that it: 'complements the form and character of the settlement'. In no way does this 'complement' the form of the hamlet of Kineton.*

1.3 *Policy DS3 also states that the development must 'demonstrably support(s) or enhance(s) the vitality of the local community and the*

*continued availability of services and facilities locally'. The proposal does none of these.*

## *2. Biodiversity loss*

*2.1 The reason that the house has been relocated seems to be to allow a small pond to be located behind the house to compensate in some way for the biodiversity loss noted by the Biodiversity Officer. However, the location would not allow wildlife to survive as it would be in the shade and very close to the house. In addition the house has a large footprint on a small site. This does not allow scope for biodiversity but prioritises parking. Temple Guiting Parish Council agrees with the Biodiversity Officer in that this attempt does not compensate for the loss of biodiversity which would be caused if this development were permitted.*

## *3. Windows and light pollution*

*3.1 The new plans show much larger windows - some the full height of the building. The PC's concerns regarding light pollution and the elimination of dark skies and the impact of this on wildlife have not only not been addressed, but have been increased by the revised plans.*

## *4. Affordability*

*4.1 The proposal is still not for affordable housing. Temple Guiting Parish Council listed eight (8) major concerns in its previous comments. There were also 17 comments of objection from residents. The above 4 points deal with additional concerns due to the changed site plan and design.*

7.5 The PC have also included a copy of their original comments as outlined above.

## **8. Other Representations:**

8.1 Approximately 27 representations of objection were received in relation to the original proposal. In summary the concerns raised are as follows:

### **8.2 Principle**

- Site has been used by the family of the local saddler who have lived and worked in the village for 45+ years. The saddlery has operated from the workshop in the adjoining property for many years
- Concern raised over loss of active stables in the village



- Stables have provided a hub for people in the community with local people keeping their horses at the site.
- Children from Cheltenham and Gloucester with special education needs and intellectual disabilities have come to the stables to visit the ponies, ducks and chickens. Many children have learnt to ride here
- It is disappointing that the proposal does not relate to affordable housing
- Loss of important asset in the community
- Stables have provided a fundamentally important role in maintaining community and its values in Kineton
- Proposal would destroy a key element of the village's history and add nothing of use to the community in return
- Removal of the stables and pond would result in a loss of amenity as they are used for therapy sessions with children.
- There is no real 'range of homes' in the village that would suit future generations.
- How can the application accord with all the requirements of Policy DS3 when in both pre-applications it was noted that it falls down against criteria b) and c).
- Considers site to fall outside of Kineton and the proposal fails to accord with Policy DS4

### 8.3 **Design**

- Development would be at odds with the rural and transitional character of this part of the settlement
- Proposed dwelling is much higher and wider than the existing stables
- Virtually no garden proposed
- Loss of gap in the village
- The proposal will create an urban feel
- It will dominate the plot with an excessively large building, a very small garden and large drive way.
- Access will carve into a grass verge and remove traditional Cotswold stone wall, loss of character
- Building is out of character with immediate neighbouring buildings
- Dwelling will be detrimental to the surrounding landscape, including views from the neighbouring road and nearby PROW
- House will be elevated, should be single storey
- Design and materials are out of keeping with surrounding buildings
- The proposal looks to develop on the peripheries of the village which is where so much of the original rural character and original buildings lie
- Encroachment of urban built form into the open countryside and fails to conserve the special qualities and character of the part of the National

Landscape contrary to Local Plan Policies EN1, EN2, EN4 and EN5 and sections 12 and 15 of the NPPF

#### 8.4 **Residential Amenity**

- Proposed development will have a detrimental impact on privacy and sunlight to neighbouring properties.
- The new development will overlook Greenbank Cottage, looking into both the garden and kitchen window
- Dwelling will overlook the two neighbouring properties to the north and east, loss of amenity
- Private garden belonging to Kineton Place would be overlooked

#### 8.5 **Biodiversity**

- Queries the accuracy of the Biodiversity report as there are several features in proximity to the site
- Loss of habitat for wildlife
- The duck pond attracts all types of birds, frogs, toads, butterflies
- Concern raised over the loss of a tree

#### 8.6 **Highways**

- Consider access to be insufficient, safety issues
- When the pub is busy cars park along the road and the loss of the verge will lose valuable space for cars to park
- Speed limit is regularly exceeded at what is a pinch point in the road

#### 8.7 **Revised Drawings**

8 Representations of objection have been received in relation to the amended drawings. To summarise the following concerns have been raised:

#### 8.8 **Principle**

- Loss of a much loved stable yard/local asset which the community have benefitted from for over 40 years
- Should be an affordable house so a local family/resident stands a chance of being able to buy it

## 8.9 **Design**

- Revisions do not alleviate previous concerns. Detrimental visual impact on the village
- Impose on privacy and enjoyment of the neighbouring properties.
- Overdevelopment of this important space
- Height of the building will be overbearing in the surrounding area
- Slight improvement in design, although extensive glazing will lead to loss of privacy, light pollution.
- West elevation is not in keeping with the area and will be visible from the footpath
- New position of the house is in the middle of the paddock and still two stories in height, twice the width and height of the stables

## 8.10 **Residential Amenity**

- Proposed design is trying to address objections about windows overlooking neighbouring houses, results in windows facing the metal barn and doors opening almost into the 'replacement pond'
- Little outside amenity space to the rear of the property
- Creation of the access will cause havoc due to the amount of excavation required
- Previous comments still valid, too close and overbearing towards the neighbours
- Development will overlook Greenbank Cottage impacting privacy
- Invade privacy of Greenbank Cottage by looking directly into kitchen window and garden

## 8.11 **Biodiversity**

- Reducing the size of the pond and moving it to the east will not make up for environmental loss

## 8.12 **Highways**

- Additional driveway will be dangerous
- Not sufficient room for a brand new driveway

## 9. **Applicant's Supporting Information:**

Drawings; BNG information; Design and Access Statement; Preliminary Ecological Appraisal; Arboricultural Survey, Impact Assessment

## **10. Officer's Assessment:**

- 10.1 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.'
- 10.2 The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.
- 10.3 The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

### **Background and Proposed Development**

- 10.4 The application seeks full planning permission for the 'Removal of stables, erection of a dwelling with associated works including parking, landscaping, and new access'. The application has come forward following pre-application advice, references 23/03489/PAYPRE and 23/02286/PAYPRE. The Conservation and Design Officer has commented on the proposal during the planning application process and this has led to further design amendments.
- 10.5 The proposed dwelling would be two storeys in height and agricultural in character, with the proposed design reflective of a barn conversion, with large timber doors and glazing along the front elevation. It would be set partially on the existing footprint of the stable block and orientated so that the wider frontage of the building faces north. The property would accommodate 3 no. bedrooms.
- 10.6 The proposed access point will be in the northeast corner of the site and this would involve some excavation work to the existing grass verge at the site.

#### **(a) Principle of Development**

- 10.7 The application site lies within the village of Kineton. When considering the sustainability of the location, the Cotswold District Local Plan sets out that:

*"6.3.3 Due to the generally low levels of service provision, job opportunities and public transport availability beyond the Principal Settlements, many of the 160+ villages and hamlets (rural settlements) are not sustainable locations for residential development. Therefore, Development Boundaries have not been*

*defined around rural settlements and no land has been specifically allocated for residential development to help meet the District's objectively assessed needs to 2031. Any development that accrues from this source will therefore be 'windfalls'.*

*"6.3.4 Some rural settlements, however, have greater sustainability credentials than others and may, for example, have 'everyday' facilities, such as a shop/post office, a (non fee paying) school, and/or good public transport access to neighbouring service / employment centres. Availability of everyday facilities is important in reducing unnecessary traffic movements and engendering a sense of community, which helps to prevent 'social isolation'."*

*"In addition, Paragraph 93 of the Report on the Examinations of the Cotswold District Local Plan 2011- 2031 in which the Local Plan Inspector states "the policy applies to any sites that could reasonably be considered to be any village or hamlet in the district... what is important is that proposals comply with the stated criteria which should ensure that the vitality of the local community is supported, and that development is proportionate in scale to and complements the form and character of the settlement having regard to cumulative impacts with other developments".*

- 10.8 Kinetin is a modest village, comprising around 30 - 40 dwellings. The village contains a public house, but does not contain any other services such as shops, post office, or village/community hall. It is considered that Kineton can reasonably be classed as a village, having regard to the findings of the Local Plan Inspector. In addition, the presence of a public house contributes to the vitality of the settlement and means that the village is more than just a collection of dwellings.
- 10.9 Kineton is therefore considered to constitute a Non-Principal settlement. The existing site is adjoined to the north by a residential properties and to the south by agricultural buildings. The built form of the village lies to the east, and open countryside to the west. The site currently contains an equestrian building and yard and is not therefore within residential use. It is, however, noted that there is a distinct western boundary separating the built form of the village from the open countryside. As a result, the site is considered to be within the envelope of the village. Local Plan Policy DS3 is therefore of relevance:
- 10.10 Local Plan Policy DS3 states:
1. *In Non-Principal Settlements, small-scale residential development will be permitted provided it:*

*(a) demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally.*

*(b) is of a proportionate scale and maintains and enhances sustainable patterns of development;*

*(c) complements the form and character of the settlement;*

*(d) does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.*

10.11 The proposed development seeks the erection of one new, open-market dwelling which could support the vitality of the local community and the continued availability of services and facilities through additional residents. Following a review of the Council's records, only 1 other dwelling (24/02612/FUL) has been permitted within Kinton during the local plan period following the removal of a holiday let use condition and as such it is considered that there would therefore be no cumulative impacts on the settlement. It is considered that criteria a and d are adequately satisfied by the proposal.

10.12 Criterion b and c requires development to maintain and enhance sustainable patterns of development, and compliment the character of a settlement. Kinton is a small rural settlement, with a scattered development pattern. Built form is often separated by undeveloped open farmland which give the village its rural identity. The western side of the village road where the site is located is reflective of this, with limited residential properties interspersed by agricultural fields and buildings. The design of the dwelling is considered in more detail within the following section of the report, however, the amended design is agricultural in appearance and respects the rural character of the village. On balance the amended scheme is considered to complement the form and character of the settlement and no conflict is identified respect of Policy DS3 criteria b) and c).

10.13 The site has historically been used to stable horses, and it is understood from the representations received that some commercial activities have taken place at the site in respect of do-it-yourself livery. In addition, it is apparent that children/schools have visited the site to ride the horses and see other animals at the duck pond. However, for the purposes of this application it should be highlighted that the site does not have planning permission for an educational

or commercial use. Policy INF2 'Social and community infrastructure' seeks to protect community facilities and educational and sports facilities are listed within the subtext of this policy as being a relevant facility. However, as this use has never been formally authorised at the site through the planning process, weight cannot be attributed to its loss in the overall planning balance and the proposal is not required to satisfy Policy INF2 paragraph 2 in this instance.

- 10.14 Following the receipt of an amended design, it is considered that the proposed development satisfies the requirements of policy DS3. Notwithstanding this, the Local Planning Authority has to have regard to policies in the National Planning Policy Framework (NPPF) when reaching a decision. The NPPF represents a significant material consideration. In particular, it is noted that the December 2024 update of the NPPF introduced a new standard method for calculating local housing need. Prior to the December changes to the NPPF, the Council could demonstrate a 7.3 year supply of housing land. However, as a result of the aforementioned changes, it is now anticipated that the Council will only be able to demonstrate a 1.8-1.9 year supply. As the supply figure now falls below 5 years, it is necessary to have regard to paragraph 11 of the NPPF, which states:

*"11. Plans and decisions should apply a presumption in favour of sustainable development.*

*For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."*

- 10.15 Footnote 8 of the NPPF advises that 'out-of-date' for the purposes of paragraph 11 includes 'for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78): or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirements over the previous three years.' In light of this guidance, it is considered that Local Plan Policy DS3 is out-of-date at the present time (subject to confirmation in May) and that paragraph 11 would be engaged in such circumstances.
- 10.16 The impact on protected areas having regard to criterion i is addressed in subsequent sections of this report. With regard to criterion ii, the proposed development would deliver a single dwelling within a settlement deemed to benefit from reasonable access to everyday services, facilities either within the settlement or at a neighbouring settlements. The delivery of a single dwelling would offer a modest benefit, and the scheme would not result in conflict with the NPPF paragraphs set out in Footnote 9. As such, the development would not result in harm that would outweigh the benefits of the development, having regard to criterion ii. Accordingly, the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

**(b) Design and Impact on Heritage Assets**

- 10.17 The application site is located within 30m of 'Kineton Farmhouse' a grade II listed building and approximately 20 metres away from a grade II listed barn which is set on the opposite side of the road to the south east of the site.
- 10.18 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.
- 10.19 Considerable weight and importance must be given to the aforementioned legislation.
- 10.20 Local Plan Policy EN1 seeks where appropriate, to promote the protection, conservation and enhancement of the historic and natural environment.



10.21 Local Plan Policy EN2 states that *'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.'*

10.22 Local Plan Policy EN10 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.'*

10.23 Section 16 of the NPPF seeks to conserve and enhance the historic environment. Paragraph 199 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 states that any harm to or loss of significance, through alteration or development within the asset's setting should require clear and convincing justification. Paragraph 215 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, where appropriate, securing its optimum viable use."*

10.24 The stable block itself is a modern, late 20th century building and the demolition of this structure is not objectionable from a heritage perspective.

10.25 The Conservation and Design Officer has made the following comments on the application:

*"The revised plans, which have evolved following negotiations, have responded to the more rural character of the site by adopting the more vernacular approach of echoing the appearance of a fairly traditional barn conversion."*

*This barn-style is now comparatively convincing, taking a simple linear form, but with a small area of catslide lean-to on the north elevation. The fenestration is limited, & generally avoids an overly domestic appearance; the only exception is the western gable, which would be more open, but would be visually discrete, and a reasonable compromise for what is a modern interpretation of a barn, not an actual barn.*

- 10.26 The amended design is considered to respect the rural character of the area and it is considered that this results in a neutral impact to the setting of the nearby listed buildings identified, in accordance with Policy EN10. Whilst the proposal reflects a traditional barn conversion, on balance this design approach is considered acceptable and subject to a condition ensuring suitable materials at the site, it is considered that the dwelling would adequately harmonise with the rural character of the village. Representations have raised concern that the proposal will infill a gap in the street scene, however, approximately a third of the footprint is situated where the existing stable block is positioned and the wider frontage of the proposed dwelling is at right angles to the road, which helps to retain a degree of openness in the street scene. A rural character is adequately retained at the site and the proposal is therefore considered to accord with Policies EN1, EN2, EN10 and DS3 of the Local Plan.

**(c) Landscape Impact**

- 10.27 The site is located within the Cotswolds National Landscape (formerly known as the Cotswolds Area of Outstanding Natural Beauty (AONB)) wherein the Council, in performing or exercising any functions in relation to, or so as to affect, the area *'must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.'* (S85(A1) of the Countryside and Rights of Way Act 2000).
- 10.28 Local Plan Policy EN1 states that *'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.*

- 10.29 Local Plan Policy EN2 states that *'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.'*
- 10.30 Local Plan Policy EN4 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, and 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, the setting of settlements, settlement patterns and heritage assets.'*
- 10.31 Local Plan Policy EN5 Cotswolds Area of Outstanding Natural Beauty (AONB) 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.'*
- 10.32 Section 12 of the NPPF 'Achieving well-designed and beautiful places' is of relevance.
- 10.33 Section 15 of the NPPF seeks to conserve and enhance the natural environment.
- 10.34 Paragraph 187 of the 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'*.
- 10.35 Paragraph 189 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.'*

10.36 The application site is set within the Landscape Character Type (LCT) 'High Wold Valley; and Landscape Character Area (LCA) Upper Windrush Valley, as defined in the Cotswold AONB Landscape Strategy and Guidelines (June 2016). Local forces for change within High Wold Valley include 'Development, expansion and infilling of valley settlements including residential, industrial and leisure'. Potential landscape implications of such development are stated as being;

- *Erosion of the rural character of the valleys and the landscape setting of historic villages;*
- *Intrusion of expanded settlements onto the highly visible valley sides;*
- *Increase in light pollution;*
- *Loss of village patterns and development of 'rural sprawl' due to settlement growth and coalescence;*
- *Degradation of views across and along the valley;*
- *Upgrading of minor roads and lanes associated with new development and the introduction of suburbanising features such as mini roundabouts, street lighting, highway fencing and kerbs and traffic calming at village entrances;*
- *Erosion of distinctive settlement patterns and loss of small fields and network of narrow lanes associated with houses fringing the valley villages;*
- *Loss/dilution of organic growth patterns of settlements including the relationship between the historic core and adjacent historic fields, paddocks and closes;*
- *Loss of archaeological and historical features, field patterns and landscapes;*
- *Interruption, weakening or loss of the historic character of settlements and the historic context in how have expanded, especially the importance of the relationship between the historic core of the settlement and surviving historic features such as churchyards, manor houses, burgage plots, historic farms, pre-enclosure paddocks and closes.*

10.37 The Landscape Officer has previously advised that *Kineton is a small rural settlement, with a scattered development pattern. Development is often separated by undeveloped open farmland which assists in reinforcing the villages' rural identity, this is particularly evident to the western side of the*

*village road where the site is located.* It is recognised that the existing site has a rural character and this positively contributes to the rural setting.

- 10.38 However, there is already a structure on the site and the proposed dwelling has been positioned so that approximately a third of its footprint will be set in this location. In addition, two large agricultural buildings lie to the south of the site. It is considered that the amended design and scale of the proposal is acceptable and would not have an adverse impact upon the character of the National Landscape.
- 10.39 Representations have raised concern in respect of the level of glazing proposed and potential light spill from the amended design. In response, it is recognised that dark skies are intrinsic to the National Landscape. However, the current stable block is not subject to any lighting restrictions. A degree of light spill from windows is likely to be unavoidable from a new residential property. However, a lighting condition ensuring any external lighting is agreed prior to installation with the local planning authority is recommended, and on balance subject to condition, it is considered that any impact would be low level and not out of character with other properties located within the Non-Principal Settlement so as to warrant refusal in respect of Policy EN5.
- 10.40 A landscaping condition is recommended to include boundary treatments to ensure any landscaping is sensitively designed. Whilst the Landscape Consultant has not provided formal comments on the planning application it should be noted that comments were provided under the more recent pre-application relating to the erection of 1 no. dwelling advising that "the proposal is unlikely to result in undue landscape or visual harm". Subject to condition it is considered that the proposal will not result in an adverse landscape impact and is in accordance with Policies EN1, EN2, EN4 and EN5 of the Local Plan.

**(c) Impact upon Residential Amenity**

- 10.41 Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect.
- 10.42 Local Plan Policy EN15 states that development will be permitted that will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through:

*a. pollution of the air, land, surface water, or ground water sources; and/or*

*b. generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.*

10.43 Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.

10.44 Criteria p, q and r of the Cotswold Design Code referenced by Policy EN2 are of relevance and they state:

*p. To ensure adequate privacy, the minimum distance between facing windows of one and two storey dwellings should be no less than 22m and, for buildings higher than two storeys, no less than 28m. Where the distance between facing windows is less than 28m in one and two storey dwellings, or less than 32m for buildings higher than two storeys, permitted development rights may be removed. For these purposes, facing windows are those which can readily be seen into from within principal rooms in another property, including windows at an angle to one another, but excluding windows on front elevations. Much will depend on the angle and the topography. A principal room is a bedroom, living room, dining room, kitchen, study or other living space, but not a hallway, stairs, bathroom, utility or store.*

*q. To avoid undue loss of daylight, when considering planning applications, the Council will take into account the advice contained in the Building Research Establishment publication IP 23/12 - Site Layout Planning for Daylight.*

*r. To ensure adequate garden space, the size of a private garden should relate to the size and nature of the property. A large detached family house should have a substantial garden, capable of providing enough space for different family activities to take place at the same time, (e.g. sitting-out area for adults, children's play space, clothes drying area). An elderly person's bungalow requires a smaller, easily managed private area for quiet sitting-out.*

10.45 The side elevation of Wayside is located approximately 30 metres away from the front elevation of the proposed dwelling. The front elevation of the proposed dwelling would be set approximately 24 metres away from the garden to the side elevation of Wayside at its closest point. Residents of this neighbouring property have raised concern that the dwelling will overlook Wayside's garden and kitchen window. The windows along the front elevation of the proposed dwelling at first floor height serve a landing and due to the separation distance to Wayside, on balance, it is considered that the perceived impact of overlooking would be low level and would not result in a degree of harm which would warrant refusal in respect of Policy EN2.

- 10.46 Kineton Place is set on the opposite side of the road to the proposal and at a lower land level (the boundary to this property is approximately 13 metres away from the proposed side elevation). Concern has been received from this property that their private garden would be overlooked. Kineton Place has a single storey pitched roof garage adjacent to the road and also a single storey rear extension adjacent to this structure. The amended design includes a window at first floor height which serves a bedroom along the side elevation facing Kineton Place. Due to the relationship between properties, it is considered that any overlooking to the rear garden of Kineton Place would be limited and adequate private amenity space would be retained at the neighbouring dwelling. The proposal would therefore not result in a degree of harm in respect of overlooking which would warrant refusal in respect of Policy EN2.
- 10.47 Concern has been raised in respect of light pollution, however, subject to the external lighting condition discussed above, it is considered that this is sufficient to mitigate any impact of development in accordance with Policy EN15.
- 10.48 Concern has also been received in relation to construction works at the site, particularly in relation to the formation of the new access. It is recognised that work may result in a temporary disturbance to local residents, however, this would not warrant refusal in respect of Policy EN15.
- 10.49 By virtue of the separation distance and relationship of the proposal to other neighbouring dwellings it is considered that the proposal would not result in an adverse impact in respect of loss of light, privacy or have an overbearing effect in accordance with Policy EN2.
- 10.50 In terms of the residential amenity of future occupants of the dwelling, representations have raised concern that the garden appears small. It is considered that the proposal provides adequate amenity space for a single dwelling to the front and rear of the property in accordance with Policy EN2. Whilst the rear elevation of the property is in fairly close proximity to the agricultural barns to the rear of the site (approximately 9.9 metres away), on balance, it is considered that this would not result in an overbearing impact to future occupants to such an extent as to warrant refusal.
- 10.51 Overall, it is considered that the proposal complies with Policies EN2 and EN15 of the Local Plan and section 12 of the NPPF.

**(e) Biodiversity**

- 10.52 Local Plan Policy EN8 seeks to protect features, habitats and species and as such supports proposals which would conserve and enhance biodiversity. This policy seeks to avoid fragmentation or loss of habitats, in accordance with Section 15 of the NPPF.
- 10.53 A preliminary Ecological Appraisal accompanies the planning application. This document advises that the structure on site was assessed to be of negligible suitability for bats and some precautionary measures and enhancements have been recommended. A replacement pond is proposed to the rear of the dwelling to compensate for the loss of the pond to the front of the stable block. The Biodiversity Officer has reviewed this document and subject to condition is satisfied that the proposal complies with Policy EN8 of the Local Plan.

**Biodiversity Net Gain (BNG)**

- 10.54 Mandatory biodiversity net gain date was introduced for small sites on the 2nd April 2024 and it is applicable to this application. The applicant has stated that they will purchase off-site units in order to achieve the required net gains for BNG. The Biodiversity Officer has reviewed the submission and is satisfied with this approach subject to a Landscape and Ecological Management Plan (LEMP) condition to ensure appropriate establishment and aftercare details.

***Trees***

- 10.55 Local Plan Policy EN7 requires development to conserve and enhance natural assets to be affected, including trees, hedgerows, and woodland of high landscape amenity, ecological or historical value as well as veteran trees.
- 10.56 An Arboricultural Survey, Impact Assessment and Protection Plan accompany the application and this document has been reviewed by the Arboricultural Officer who has advised *"The proposal results in the removal of one tree of low quality which the attached report states has little long term viability regardless of the proposal. The loss of the tree can be mitigated by the conditioning of tree planting via a landscape plan. There is a small amount of incursion into the root protection area of T4, a B grade tree which is unlikely to have a detrimental effect on the trees vitality. A landscaping condition and tree protection condition are recommended. Subject to condition the proposal is considered to accord with Policy EN7.*



## **(f) Highways**

- 10.57 Policy INF4 states that development will be permitted that provides safe and suitable access and has regard, where appropriate, to the Manual for Gloucestershire Streets.
- 10.58 Policy INF5 states that development will provide residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network.
- 10.59 Section 9 of the NPPF promotes sustainable transport.
- 10.60 The proposal provides sufficient parking on site to the front of the dwelling. A new site access is proposed and the access arrangements have been reviewed by highways who have raised no objection to the proposal. As such it is considered that the proposal is compliant with Policies INF4 and INF5 of the Local Plan.

## **Other Matters**

- 10.61 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 For the reasons outlined above the proposal is considered to comply with Local Plan Policies. Having regard to Paragraph 11d of the NPPF, the proposed development would not result in harm to any protected areas and would result in modest benefits, that would not be significantly and demonstrably outweighed by adverse impacts. As such, the application is recommended for approval.

## **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: 230220-01 Rev A, 230220-05 Rev A and 230220-11.

**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 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. The oak shall be left to weather and silver naturally and shall be permanently retained as such thereafter.

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

7. The new rooflights shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflights are located and shall be permanently retained as such thereafter.

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

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

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

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

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

10. No external doors and windows shall be installed in the development hereby approved, until their design and details, including their materials and finish has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

The entire landscaping scheme shall be completed by the end of the first planting season following the completion of the first building on the site.

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

12. Prior to the commencement of any works on site (including demolition and site clearance), the tree protection measures as outlined in MHP Arboricultural Survey, Impact Assessment and Protection Plan reference 24138A The Saddlery Kinton\_TZ AIA TPP\_V2, shall be installed in accordance with the specifications set out within this document. The protection measures shall remain in place until the completion of the construction process. No part of the protection shall be removed or altered without prior written approval of the Local Planning Authority.

Fires on site 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. Materials that would contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Construction Exclusion Zone and no building materials or surplus soil shall be stored therein. All service runs shall fall outside the Construction Exclusion Zone unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To safeguard the retained trees 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.

13. A 5-year Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to any above ground works of the development hereby approved being undertaken. The plan shall be prepared in accordance with the principles set out in the Biodiversity Gain Plan and must include, but not necessarily limited to, the following information:

- i. Description and evaluation of features to be managed, including locations shown on a site map;
- ii. Establishment details, including preparation of the land;

- iii. Landscape and ecological trends and constraints on site that might influence management;
- iv. iv. Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat units;
- v. Appropriate management options for achieving the aims and objectives; vi. Prescriptions for all management actions;
- vi. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5 or 10 year periods;
- vii. Details of the body or organisation responsible for the implementation of the plan;
- viii. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures that might need to be put in place; and
- ix. Timeframe for reviewing the plan. The LEMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter. Notice in writing shall be given to the Council when the habitat creation and enhancement works as set out in the Biodiversity Gain Plan have commenced and once all habitat creation and enhancements have been completed.

**Reason:** To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraph 187, 192 and 193 of the NPPF, and Local Plan policy EN8.

14. The development shall be undertaken in accordance with the recommendations contained within the Preliminary Ecological Appraisal (All Ecology, November 2024 - uploaded 17th December 2024). All of the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently retained.

**Reason:** To ensure wildlife 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 187, 192 and 193 of the National Planning Policy Framework, 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.

15. Within 3 months of commencement, a finalised biodiversity enhancement plan based on the provision of a swift box and a bat box shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved specification and programme of implementation and be retained thereafter.

**Reason:** To protect and enhance the site for biodiversity in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policy EN8 of the Cotswold District Council Local Plan, and for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

16. Prior to the installation of external lighting for the development hereby approved, an external lighting plan shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting and timers), so that it can be clearly demonstrated that areas to be lit will not affect bat roosting features or disturb or prevent nocturnal species using wildlife corridors. All external lighting shall be installed only in accordance with the specifications and locations set out in these details.

**Reason:** To protect nocturnal wildlife 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 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), 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.

17. The existing stable block shall be demolished within its entirety within three months of the first occupation of the dwelling hereby permitted.

**Reason:** To ensure that the existing dwelling is removed from the site in accordance with Local Plan Policies DS4, EN2, EN4, EN5 and EN9, and National Planning Policy Framework Paragraph 84.

18. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C and 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 associated with the new dwelling shall be erected within the application site nor any new windows, doors or rooflights installed/inserted in the new dwelling

or garage/workshop hereby permitted other than those permitted by this Decision Notice.

**Reason:** In the interests of visual and residential amenity in accordance with Policies EN2 and EN10 of the 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](http://www.cotswold.gov.uk/CIL)

2. IMPORTANT: BIODIVERSITY NET GAIN CONDITION - DEVELOPMENT CANNOT COMMENCE UNTIL A BIODIVERSITY GAIN PLAN HAS BEEN SUBMITTED (AS A CONDITION COMPLIANCE APPLICATION) TO AND APPROVED BY COTSWOLD DISTRICT COUNCIL.

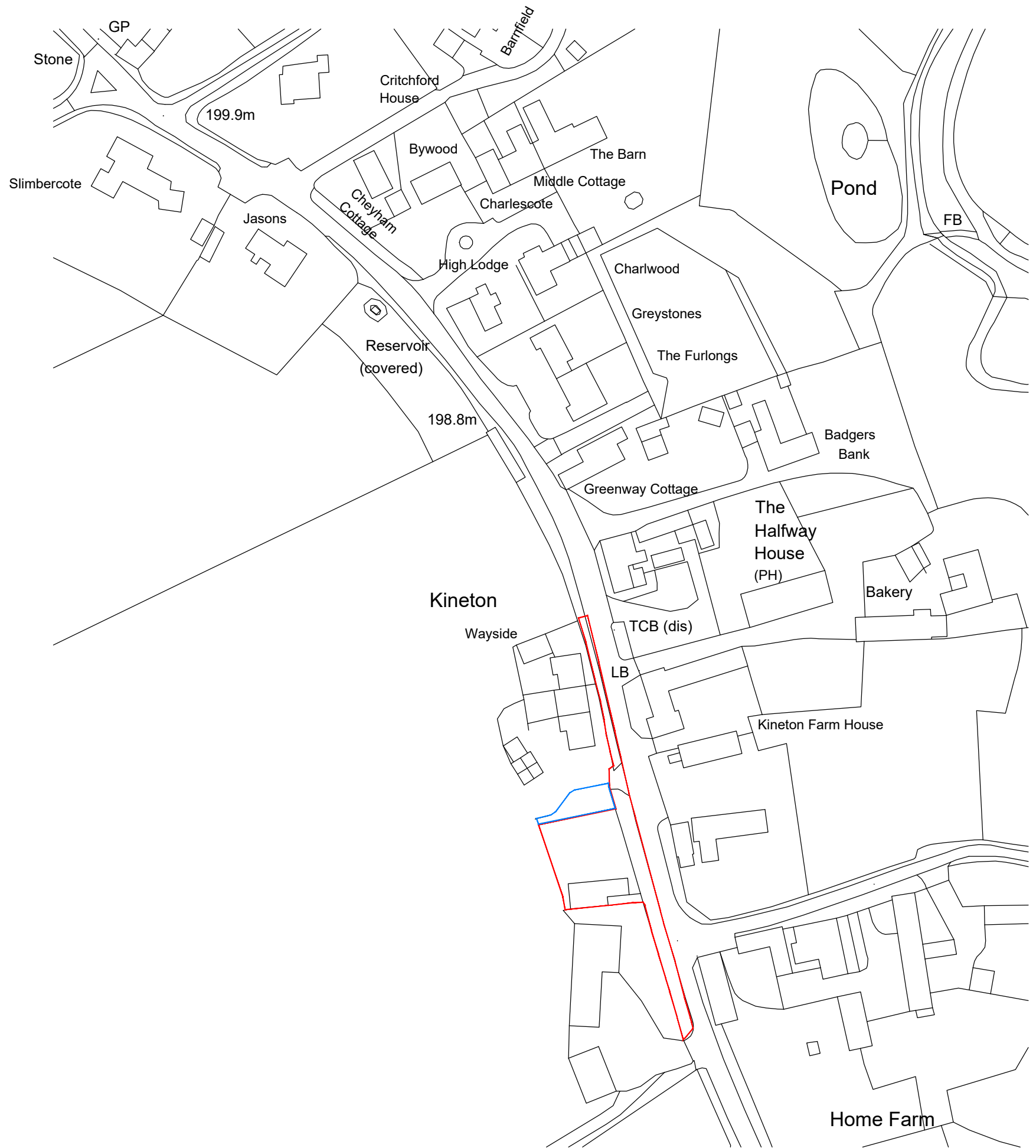
The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan in writing.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Cotswold District Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. If the onsite habitats include irreplaceable habitats (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitats) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

The applicant will need apply to approve the details reserved by the 5-year Landscape and Ecological Management Plan (LEMP) and the Biodiversity Gain Plan at the same time. A step-by-step guide on how to apply for approval of conditions can be found here: <https://www.cotswold.gov.uk/planning-and-building/planning-permission/step-bystep-guide-to-planning-permission/>

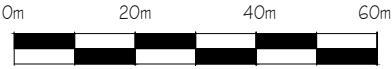




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LOCATION PLAN

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A	-	EG	23.10.24
revisions		initial	date

Contractors, Sub Contractors and Suppliers are to check all relevant dimensions and levels of site and buildings before commencing any shop drawings or building work.

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project  
THE SADDLERY  
Kineton

drawing  
Location plan

scale	drawn by	date
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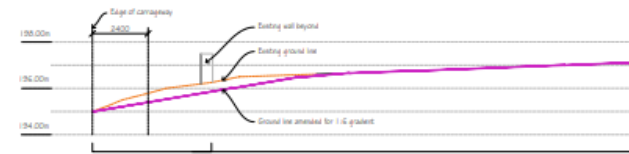
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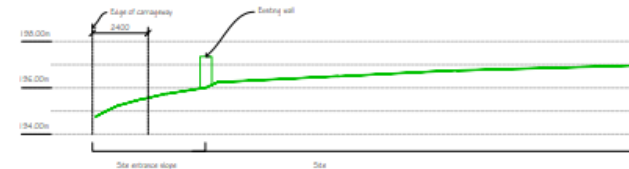


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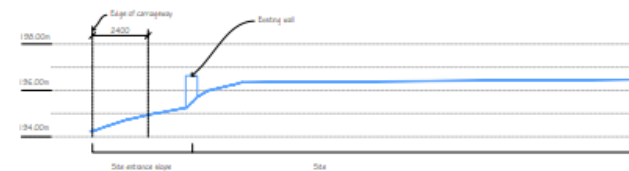
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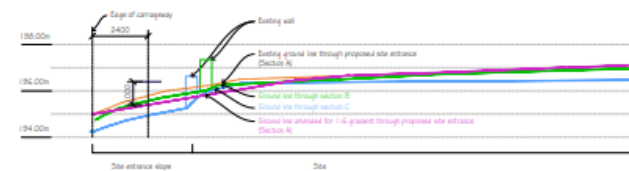
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SECTION B  
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SECTION C - Within root protection area  
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COMBINED SECTIONS  
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## Site Plan & Site Sections

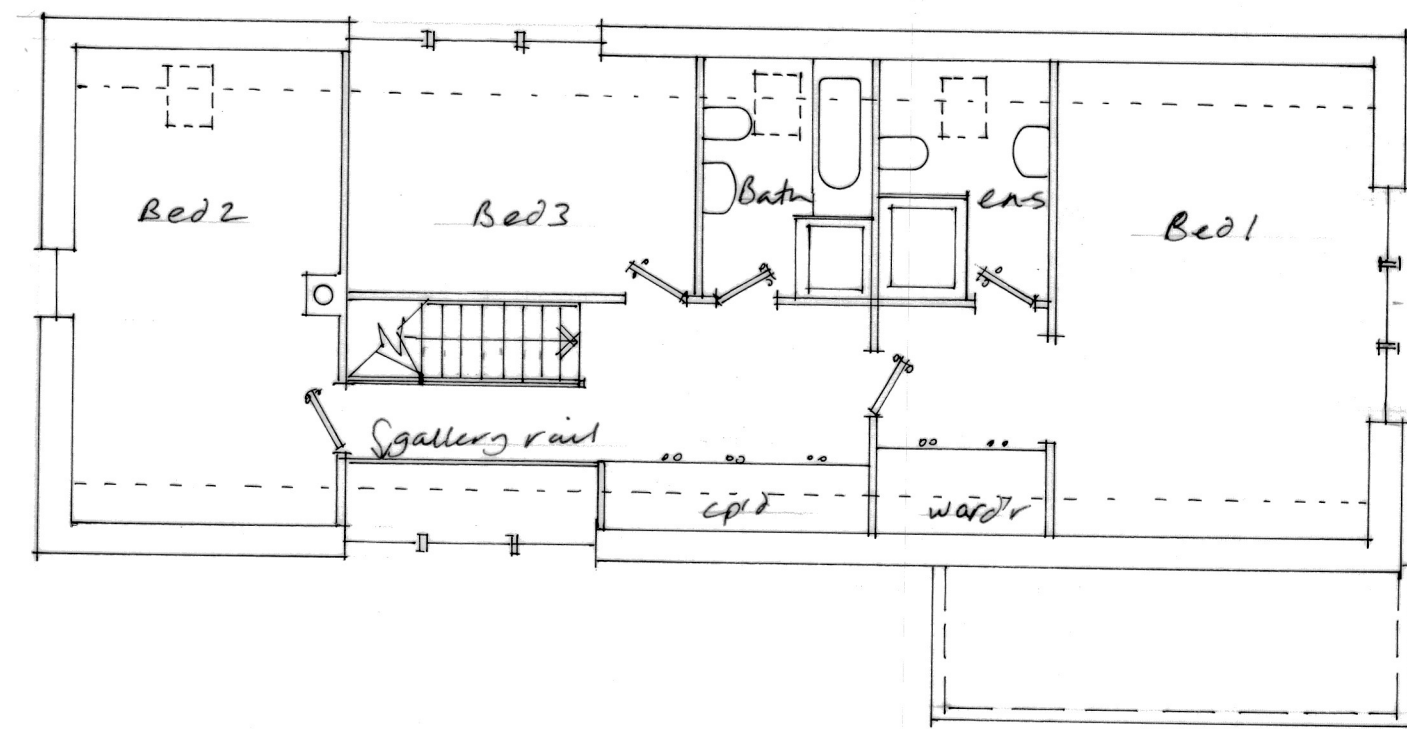
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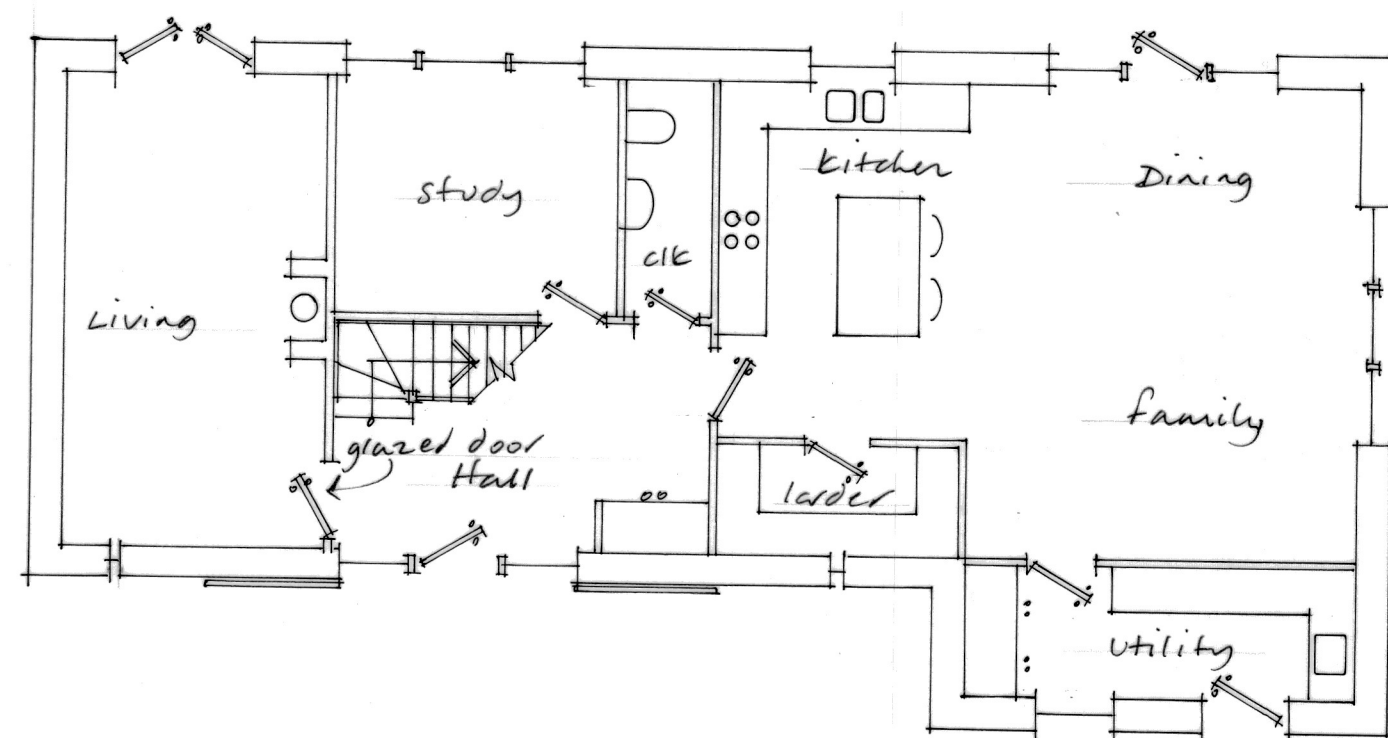


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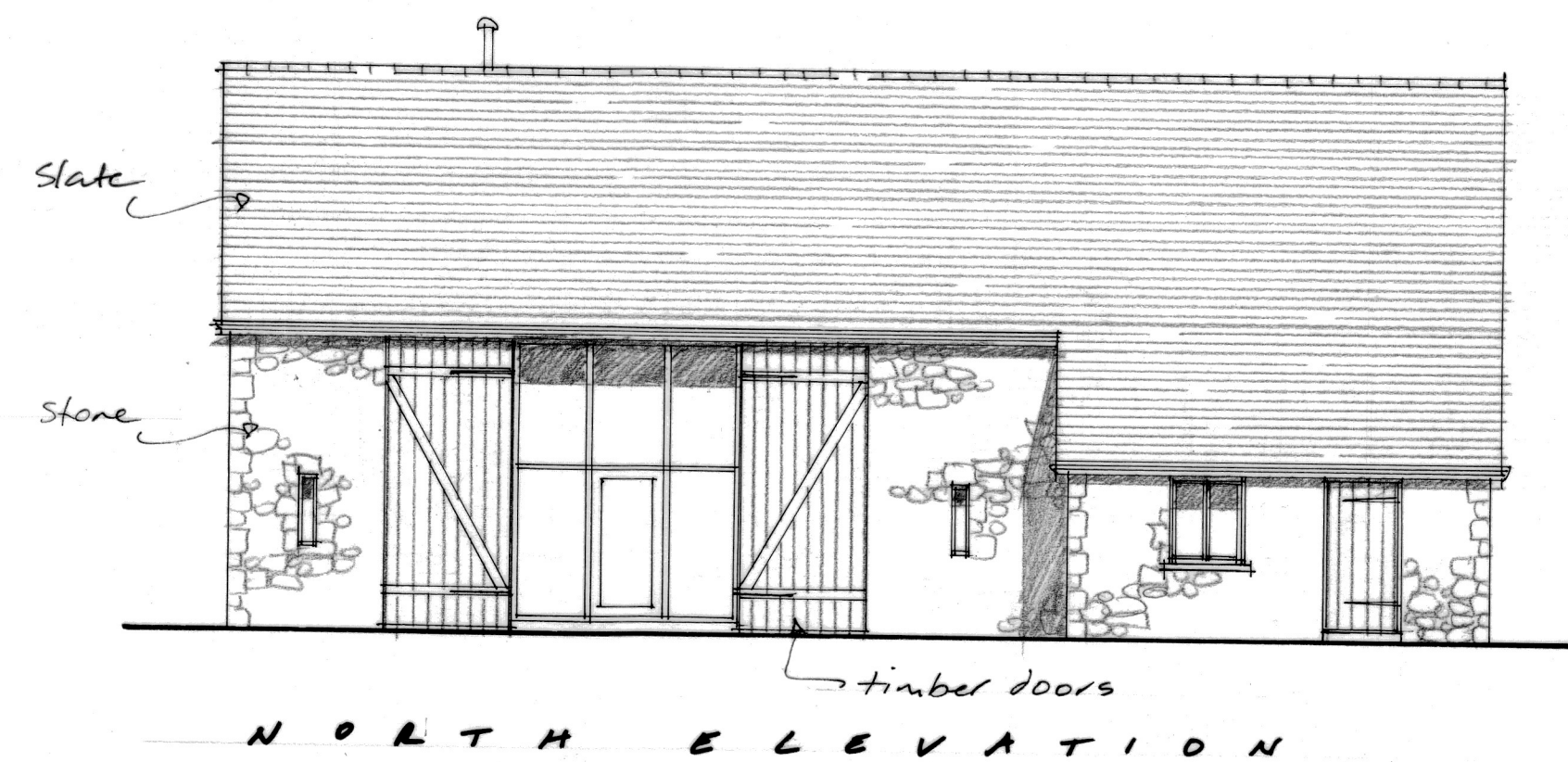
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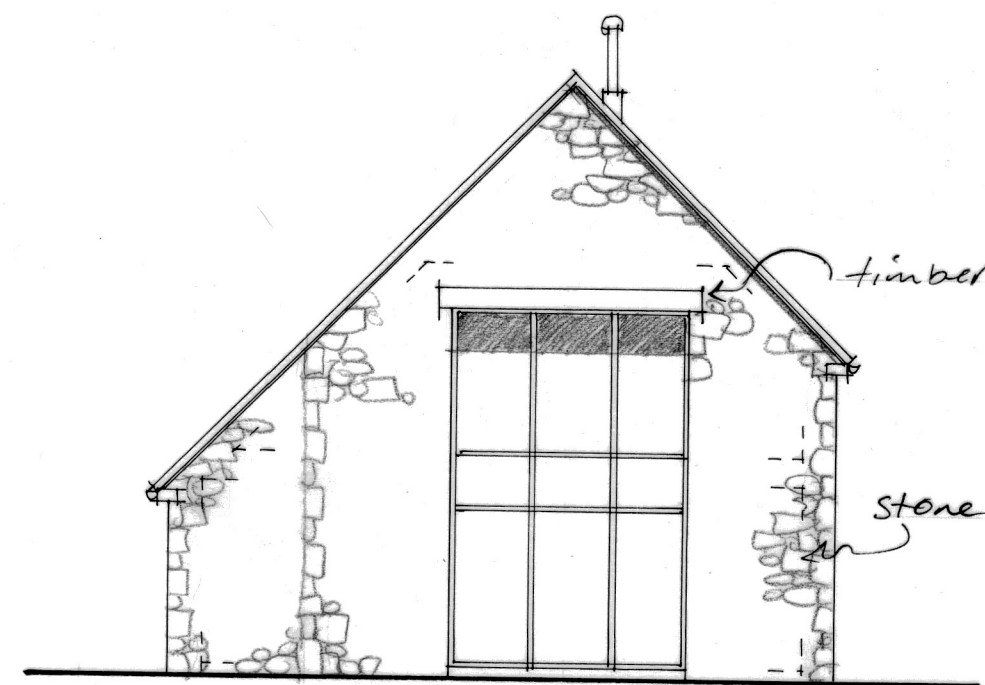
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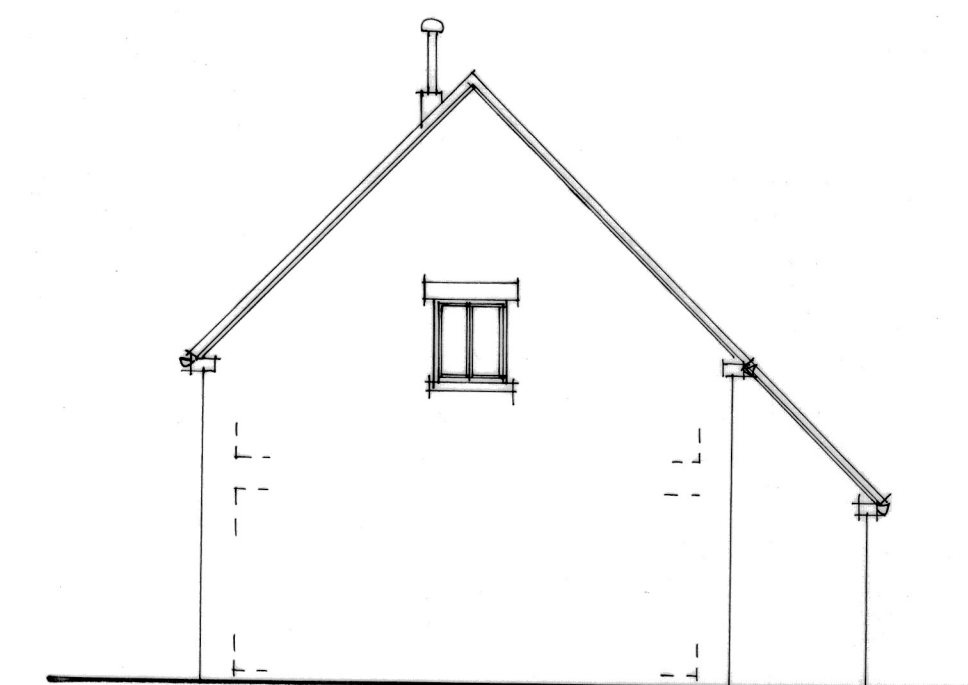
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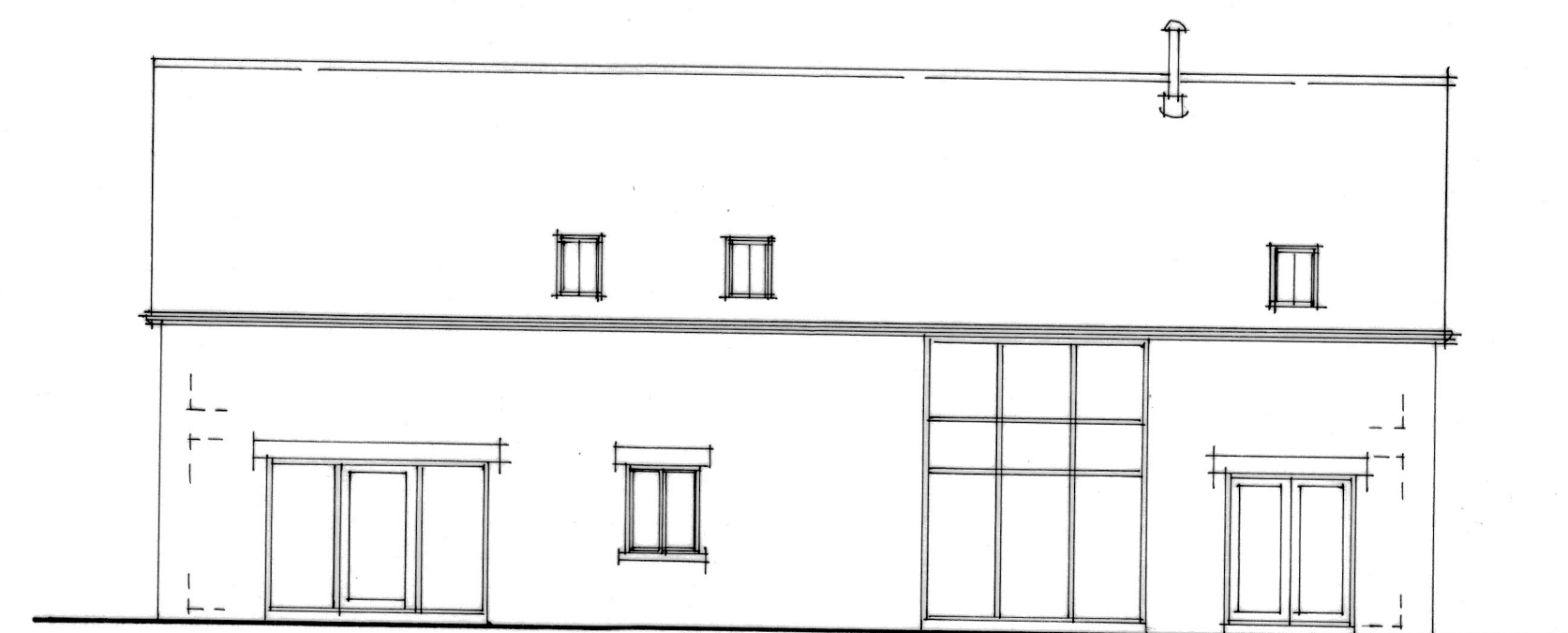
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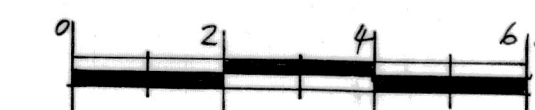
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



revisions  
Contractors, Sub Contractors and Suppliers are to check all relevant dimensions and levels of site and buildings before commencing any shop drawings or building work.

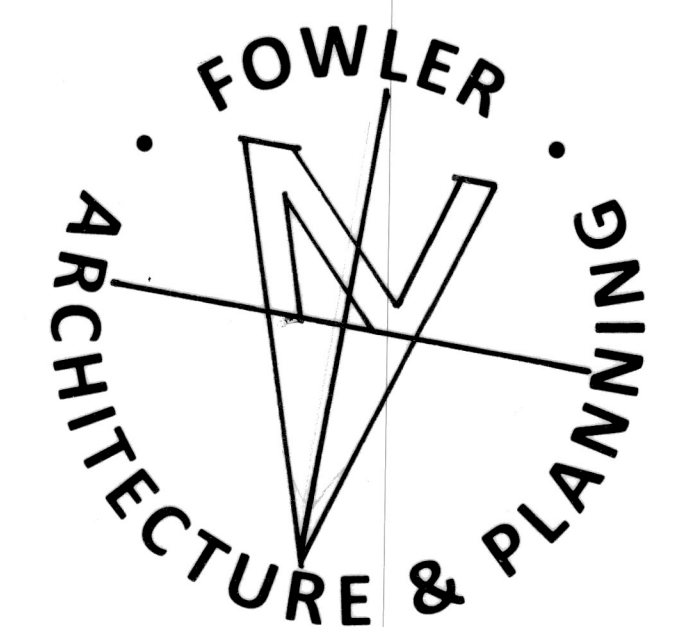
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project  
THE SADDLERY  
KINETON

drawing  
DESIGN SCHEME

scale  
1:100 @ A1  
date  
MAR '25

drawing no 230220 ~ 11 rev



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## Erection of a new self-build dwelling at Land North East of Braecroft Upper Oddington Gloucestershire GL56 0XJ

<b>Full Application 25/00045/FUL</b>	
Applicant:	Mr Peter Wilsdon
Agent:	DS Planning Services
Case Officer:	Helen Cooper
Ward Member(s):	Councillor David Cunningham
Committee Date:	11 June 2025
<b>RECOMMENDATION:</b>	<b>PERMISSION SUBJECT TO THE COMPLETION OF A UNILATERAL UNDERTAKING</b>

### 1. Main Issues:

- (a) Principle of Development
- (b) Design, Appearance and Impact on the Cotswolds National Landscape
- (c) Impact on Residential Amenity
- (d) Biodiversity and Geodiversity
- (e) Highways
- (f) Other matters

### 2. Reasons for Referral:

- 2.1 Cllr Cunningham has requested that the application is considered by the Planning Committee on the following grounds:

*2.1.1 "I would, should you be minded to recommend approval of this application, ask that such a recommendation be further reviewed by the Planning Committee.*

*2.1.2 The new intended use of this site as a standalone dwelling appears to undermine the rationale for the previous approval for a structure on the site due to the additional requirements that a full-time residence will bring. Nb. Decision Notice 23/02885/FUL Condition 8. The overdevelopment of this site and the suburbanisation of the CNL via the expected addition of non-rural paraphernalia, i.e. sheds, garden furniture etc., represents an*

*unacceptable encroachment of the built form into the countryside. NPPF S15 P189.*

*2.1.3 This site is in a prominent position on the ridgeline, with wide-ranging views from several public footpaths and particularly Oddington Footpath 14. Whilst a swimming pool complex, ancillary to the main dwelling, would have benefited from limited use, e.g. lower light pollution, a new dwelling will, by nature of its more intensive use, shift the level of harm to the appearance and tranquillity of the Cotswolds National Landscape much closer to levels which should be considered 'substantial'. This goes against CDC LP EN4 and EN5.*

*2.1.4 The use of ancillary buildings by existing residents and within the curtilage of existing sites place no further requirements on local services as envisaged by CDC LP Policy DS3 (6.3.3). However, the addition of a standalone dwelling in a non-principal settlement such as Oddington, whilst providing no material public benefit, fails to address the other stated requirements of DS3 (a) and (d). The new building will be c25m (D&AS 5.33) from the existing dwelling, and as such the amenity safeguards set out in CDC LP EN2 appear to be severely limited. Claims that the new dwelling will initially be in the ownership of the existing resident does not constitute mitigation of this policy."*

2.2 The Review Panel agreed the request for the application to be heard by the Planning and Licensing Committee on the grounds that consideration should be given to the intensification of the use of the site and the impacts on the landscape and local facilities.

### **3. Site Description:**

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

3.2 The application site comprises an area of residential garden belonging to the property known as Braecroft. This section of garden contains a tennis court, grassland and some vegetation. Braecroft is a large detached modern dwelling which lies to the southwest of the application site and it was erected post 2009 following the grant of planning permission for a replacement dwelling at the site. New Braecroft, another detached dwelling which is contemporary in appearance,



is set forward of the application site or to the northwest. New Braecroft was originally granted for ancillary purposes to Braecroft, although it was allowed for independent occupation following an appeal, planning application reference 19/01288/FUL.

- 3.3 New Braecroft lies on an elevated plateau that is characterised by landform that gently slopes down in a south-easterly and north-easterly direction towards the low-lying River Evenlode some distance to the east. New Braecroft holds a prominent position in the street scene and landscape, and it has been sensitively designed to minimise impact upon the surrounding area by being set down into the landscape with a flat roof.
- 3.4 There are no Public Rights of Way (PRoW) within the site, although a number are present within the local landscape. Of particular importance are Oddington Footpath 6 and 7 to the north and northwest of the site and north and Oddington Footpath 14 which lies to the east of the site.
- 3.5 The site is outside of a Principal development boundary as defined in the Local Plan; however, it is considered to be located within the Non-principal settlement of Upper Oddington.
- 3.6 The site is set within the Cotswolds National Landscape (AONB).

#### **4. Relevant Planning History:**

- 4.1 The below history relates to both Braecroft and New Braecroft.
- 4.2 06/00973/FUL: Erection of two storey and single storey extensions. Granted 15.6.2006
- 4.3 06/02985/FUL: Demolition of building and erection of replacement dwelling. Refused 17.1.2007
- 4.4 07/00555/FUL: Demolition of dwelling, erection of replacement dwelling. Granted 29.5.2007
- 4.5 09/01349/FUL: Erection of replacement dwelling (amendment to permission 07/00555/FUL to include changes to the scale and design of the boot room). Granted 15.7.2009

- 4.6 15/00434/CLEUD: Certificate of Lawful Existing Use or Development under Section 191 of the Town & Country Planning Act 1990 - for the construction and retention of an unauthorised dwelling currently known as BraeCroft, Upper Oddington. Granted 31.03.2015
- 4.7 16/00357/FUL Erection of ancillary building - withdrawn
- 4.8 16/03627/FUL Erection of ancillary building - Permitted 21.10.2016
- 4.9 16/04410/FUL Erection of carport structure - Permitted 24.11.2016
- 4.10 16/04765/FUL Variation of Condition 4 of planning permission 16/03627/FUL: use of outbuilding for purposes ancillary to the residential use of the dwelling - Permitted 23.12.2016
- 4.11 16/05255/COMPLY Compliance with conditions 3 (samples) and 5 (landscaping) of application 16/04765/FUL - Erection of ancillary building - Permitted 31.01.2017
- 4.12 17/00904/NONMAT Non-material amendment to application 16/04410/FUL to increase in eaves and ridge height - Refused
- 4.13 17/01301/FUL Erection of ancillary building - amendment to 16/04765/FUL - Permitted 05.05.2017
- 4.14 17/03820/NONMAT Non-material amendment to application 17/01301/FUL for various minor external and internal details - Refused 03.10.2017
- 4.15 18/04570/FUL Erection of ancillary building (revisions to that approved under 17/01301/FUL) (Retrospective) - Permitted 15.01.2019
- 4.16 19/00542/FUL Change of use of existing building from ancillary use to independent dwelling - Withdrawn
- 4.17 19/01288/FUL Change of use of existing building from ancillary use to independent dwelling- Refused 14.06.2019 Appeal allowed 08.11.2019
- 4.18 19/02884/FUL Change of use of ancillary building to independent dwelling (resubmission of 19/01288/FUL with revised vehicular access) Withdrawn

- 4.19 19/04226/FUL Amendment to application 19/01288/FUL for change of use of existing building from ancillary use to independent dwelling to incorporate revised vehicular access - Permitted 19.12.2019
- 4.20 20/01295/PLP Construction of 2 residential dwellings – Withdrawn
- 4.21 20/01583/PLP Erection of a single dwelling house - Permitted 15.06.2020
- 4.22 20/02753/FUL Rear extension to existing ancillary outbuilding Permitted 30.09.2020
- 4.23 20/03877/FUL Variation of Condition 2 (approved plans) of planning permission 20/02753/FUL (Rear extension to existing ancillary outbuilding) to omit first floor accommodation in pitched roof form and replace with a pavilion style flat roof (part retrospective) - Permitted 7.12.2020
- 4.24 20/04024/FUL Erection of a single storey rear extension (following demolition of existing single storey rear addition) Permitted 08.01.2021
- 4.25 22/01507/FUL Erection of a single-storey rear extension (amendment to approved application - 20/04024/FUL) - Permitted 16.06.2022
- 4.26 22/03249/FUL Single story rear extension (in lieu of approval 22/01507/FUL) Permitted 02.11.2022
- 4.27 23/01504/PLP Permission in Principle application for erection of 1 no. dwelling - Permitted 05.07.2023
- 4.28 23/01767/FUL Replace the existing flat roof of the dwelling with a double-hipped roof - Permitted 10.08.2023
- 4.29 23/02369/TDC Technical Details Consent for erection of 1 no. dwelling following grant of Permission in Principle ref 23/01504/PLP - Permitted 11.10.2023
- 4.30 23/02885/FUL Erection of a new residential annex building - Permitted 8.11.2024
- 4.31 24/00534/FUL Replace the existing flat roof of the dwelling with an asymmetrical pitched roof and erection of extension to provide an entrance lobby - Permitted 10.05.2024

## **5. Planning Policies:**

- NPPF National Planning Policy Framework
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN15 Pollution & Contaminated Land
- DS1 Development Strategy
- DS3 Small-scale Res Dev non-Principal Settle

## **6. Observations of Consultees:**

- 6.1 Landscape Officer: Comments contained within the main body of the report.
- 6.2 Biodiversity Officer: Comments contained within the main body of the report.
- 6.3 CDC Drainage Engineer: No objection subject to condition
- 6.4 GCC Highways: Objection raised; comments contained in the main body of the report.

## **7. View of Town/Parish Council:**

- 7.1 Comments received on the 24.01.25:

*7.1.1 'The Council objects to this application. Councillors had concerns about the approved application for an ancillary swimming pool complex because of the impact that this would have on the Cotswolds Landscape and the views into the site from the footpath to the south. The same concerns remain but are exacerbated by the fact that this application is for a stand-alone dwelling. Indeed Condition 8 of the decision notice to approve the ancillary building (23/02885/FUL) states 'The development hereby permitted shall not be used other than for purposes ancillary to the residential use of the dwelling currently known as New Braecroft and for no other purpose. Reason: The independent use of the building would raise potential issues relating to the sustainability of the location, access, parking, residential amenity and the impact of such a use on the character and appearance of*

*the Cotswolds National Landscape having regard to Local Plan Policies DS3, EN1, EN2, EN4, EN5, INF4 and INF5.'*

*7.1.2 'The new dwelling will add to the light pollution caused by the various properties already on the site. The Council believes that an additional stand-alone property represents over development of the site and the suburbanisation of a satellite grouping of dwellings. We note that this is the second time that the applicant has used the 'swimming pool route' to secure permission for a new dwelling and feel that this is inappropriate use of the planning process.'*

## **8. Other Representations:**

8.1 None received at the time of writing.

## **9. Applicant's Supporting Information:**

- Planning, Design and Access Statement
- Landscape and Visual Impact Appraisal (LVIA)
- LVIA figures
- BNG Statement

## **10. Officer's Assessment:**

- 10.1 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.'*
- 10.2 The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.
- 10.3 The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

## ***Background***

- 10.4 The wider parcel of land within the applicant's ownership includes Braecroft, a large

modern detached dwelling to the southwest of the application site and New Braecroft, a contemporary detached dwelling set forward of the site. The characteristics of the wider site have significantly changed over the course of approximately twenty years as evident from aerial photographs of the site.

- 10.5 Historically, a smaller single detached dwelling was set in a similar position to Braecroft on the site, and the area of land where New Braecroft is located was covered in trees. A hedgerow formed the boundary treatment at the site. In 2007 planning permission reference 07/00555/FUL was granted for a replacement dwelling on the wider site and the dwelling known as Braecroft replaced the original property. This was amended under application 09/01349/FUL and subsequently a certificate of lawfulness was granted for the construction and retention of an unauthorised dwelling.
- 10.6 In 2017 an application was granted for an ancillary building (New Braecroft). Subsequently in 2019 planning permission was sought for a change of use of this building into an independent dwelling. This was refused planning permission, although this was later allowed on appeal.
- 10.7 New Braecroft is a modern contemporary dwelling with a flat roof which has been designed to have minimal impact upon the landscape. It has been set down into the hillside and the use of local materials has ensured that the building is in keeping with the wider area. However, it should be noted that New Braecroft has recently been granted planning permission for a pitched roof (reference 23/01767/FUL and 24/00534/FUL). Once implemented it is considered that the dwelling will appear more prominent, although at the time of writing work has not started in respect of either of these permissions.
- 10.8 More recently planning permission has been granted for the erection of a dwelling on the site which would be located between New Braecroft and Braecroft reference 23/02369/TDC and 23/01504/PLP. It should be noted that prior to this, an application was withdrawn for two dwellings reference 20/01295/PLP. Plot 2, of this application was located to the rear of New Braecroft and concern was raised in respect of its prominent position in the landscape.
- 10.9 Planning application reference 23/02885/FUL - Erection of a new residential annex building associated with New Braecroft - was permitted on the 8.11.2024. The design of the annex comprised two single storey elements, each with a pitched roof, which would be linked by a modest glazed flat roof lobby. The permitted

annex would accommodate a swimming pool, gym, shower room and 2 no. guest bedrooms. The permission was subject to the following condition:

*'The development hereby permitted shall not be used other than for purposes ancillary to the residential use of the dwelling currently known as New Braecroft and for no other purpose.'*

*Reason: The independent use of the building would raise potential issues relating to the sustainability of the location, access, parking, residential amenity and the impact of such a use on the character and appearance of the Cotswolds National Landscape having regard to Local Plan Policies DS3, EN1, EN2, EN4, EN5, INF4 and INF5.'*

### **Proposed Development**

- 10.10 This application seeks planning permission for the erection of a new self-build dwelling on Land Northeast of Braecroft. The dwelling would be located in the same position as the permitted annex, and it would be of the same design.
- 10.11 The dwelling would comprise two single storey elements, each with a pitched roof, which would be linked by a modest glazed flat roof lobby. The larger single storey sections would be set adjacent to the northeast boundary, and it would measure approximately 12.9 m by 6.3 m. The slightly smaller element would be set approximately 5.4 metres back and it would measure approximately 11.9m by 6.4 metres in width. The eaves of the building would measure approximately 2.4 metres in height and the main ridgeline would measure approximately 5.9 metres in height.
- 10.12 The dwelling would accommodate 2 no. bedrooms, 2 no. bathrooms, a gym and sauna and a kitchen and living area. The drawing indicates that the building would be constructed from Cotswold stone walls and grey standing seam sheet metal roofing. Solar panels on both pitched roofs are also proposed.

#### **(a) Principle of Development**

- 10.13 The development strategy as outlined by Policy DS1, within the Cotswold District Local Plan, seeks to direct residential and employment development to a number of Principal Settlements in the first instance, as development at these locations is considered to 'positively promote sustainable growth'. The Principal settlements

where residential development is directed to have Development Boundaries (Policy DS2) as outlined on the Local Plan's Policy Map. Following this small-scale residential development is directed to Non-Principal Settlements such as villages and hamlets (Policy DS3).

10.14 Following the appeal decision in respect of planning application reference 19/01288/FUL, which allowed the use of New Braecroft as an independent dwelling, and further to the Permission in Principle for erection of 1 no. dwelling reference 23/01504/PLP on the wider site within the applicant's ownership, Policy DS3 'Small-Scale residential development in Non-Principal Settlements' is considered to be applicable to the proposal. This states:

1. *'In non-Principal Settlements, small-scale residential development will be permitted provided it:*
  - a) *demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;*
  - b) *is of a proportionate scale and maintains and enhances sustainable patterns of development;*
  - c) *complements the form and character of the settlement; and d. does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.*
2. *Applicants proposing two or more residential units on sites in non-Principal Settlements should complete a rural housing pro-forma and submit this with the planning application.'*

10.15 In terms of criteria a) it is considered that a single dwelling would support existing services through additional residents and in respect of criteria d) due to the limited number of dwelling commitments in Oddington, the erection of a two bedroom dwelling which is located within the Non-Principal settlement would not result in an adverse cumulative impact. Criteria b) and c) relate to the design and scale of the building and character of the settlement. In this instance the design of the dwelling is reflective of the extant permission for the annex and as such no conflict is identified in respect of Policy DS3 criteria b) and c).



10.16 It is recognised that the site originally accommodated 1 no. dwelling and two are now in situ at the site, with permission in place for a further dwelling. However, due to the incremental development of the site a rural pro-forma has not been required to support the application in respect of Policy DS3 paragraph 2.

10.17 Subject to details of design, impact upon residential amenity, highway safety and biodiversity, the erection of a dwelling on this area of residential garden is considered acceptable in principle.

**(b) Design, Appearance and Impact on the Cotswolds National Landscape (Area of Outstanding Natural Beauty (AONB))**

10.18 The site is located within the Cotswolds National Landscape (CNL) (formerly known as the Cotswolds Area of Outstanding Natural Beauty (AONB)) wherein the Council, in performing or exercising any functions in relation to, or so as to affect, the area 'must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.' (S85(A1) of the Countryside and Rights of Way Act 2000).

10.19 Local Plan Policy EN1 states that *'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.'*

- 10.20 Local Plan Policy EN2 states that *'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.'*
- 10.21 Local Plan Policy EN4 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, and 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, the setting of settlements, settlement patterns and heritage assets.'
- 10.22 Local Plan Policy EN5 Cotswolds Area of Outstanding Natural Beauty (AONB) 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.'*
- 10.23 Paragraph 187 of the 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'.
- 10.24 Paragraph 189 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in ... National Landscapes which have the highest status of protection in relation to these issues.'*
- 10.25 As outlined above, the application site holds a prominent position within the National Landscape, due to the local topography and the site's elevated position. However, a material consideration relates to the fall-back position at the site, and it must be recognised that an annex, of the same external design and appearance, benefits from an extant planning permission, reference 23/02885/FUL.
- 10.26 It was considered under the previous application that the approved annex was, on balance, acceptable in respect of its design and appearance following design amendments which came forward during the application process. The building has been designed to incorporate two separate single storey wings which are joined by a simple glazed link extension. The proposed annex was considered not to dominate or detract from the appearance of the main property, New Braecroft and

whilst the current proposal is for an independent residential unit, the relationship between the existing properties and the proposed dwelling remains acceptable. In addition, the other extant permission for a dwelling at the site would not be compromised by the proposal in respect of access or siting.

- 10.27 There are minor alterations to the external appearance under this application which relate to the introduction of a driveway and car parking to the front of the proposed dwelling. However, on balance, these additions are considered to be relatively minor, and the design and scale of the dwelling is considered acceptable, and its simple form and use of local stone with a metal roof will complement the existing buildings in this area of Upper Oddington. In addition, the steep roof pitch on the two single storey elements is considered to reflect the character of the Cotswolds in accordance with Policy EN2.
- 10.28 The fall-back position at the site is that a building of the same design, albeit for use as an annex, benefits from planning permission. The key consideration therefore relates to whether the erection of a self-build dwelling of the same design would lead to an intensification of use at the site which in turn would have an adverse impact upon the Cotswolds National Landscape.
- 10.29 The site is located within the Pastoral Lowland Vale and Vale of Moreton of the Cotswolds AONB Landscape Strategy and Guidelines (June 2016). This document advises that 'development, expansion and infilling of settlements including residential, industrial and leisure' is a local force for change in the Pastoral Lowland Vale. The below landscape implications are listed by this document:
- *Intrusion of expanded settlement fringes into the landscape including within the setting of the AONB*
  - *Degradation of views to, from and across the Pastoral Lowland Vale*
  - *Impact or loss of views of key features such as church towers across the landscape.*
  - *Erosion of distinctive settlement patterns due to settlement growth and coalescence.*

- *Loss/dilution of organic growth patterns of settlements including the relationship between the historic core and adjacent historic fields, paddocks and closes*
- *Proliferation of suburban building styles, housing estate layout and materials and the introduction of ornamental garden plants and boundary features.*
- *Upgrading of minor roads and lanes associated with new development and the introduction of suburbanising features such as mini roundabouts, street lighting, Highway fencing, kerbs and traffic calming measures*
- *Increased traffic leading to increased damage to road verges and roadside hedges and walls and the creation of informal passing places*
- *Introduction and accumulation of lit areas and erosion of characteristically dark skies.*
- *Urban fringe impacts such as fly tipping and dumping of cars*
- *Loss of wet meadows and riverine habitat.*
- *Potential loss of archaeological remains and historic features.*
- *Loss of archaeological and historical features, field patterns and landscapes.*
- *Interruption, weakening or loss of the historic character of settlements and the historic context in how they have expanded, especially the importance of the relationship between the historic core of the settlement and surviving historic features such as churchyards, manor houses, burgage plots, historic farms, pre-enclosure paddocks and closes*

10.30 The following outline strategies and guidelines have been produced in respect of the potential implications. Those of relevance are listed below:

- *Maintain the open, sparsely settled character of the Pastoral Lowland Vale by limiting new development to existing settlements;*

- *Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements in areas of open landscape;*
- *Ensure that new development does not adversely affect the wider rural landscape and views to and from the AONB;*
- *Avoid developments incorporating standardised development layout, suburban style lighting, construction details and materials that cumulatively can lead to the erosion of peaceful landscape character;*
- *Layout of development should respect local built character and avoid cramming up to boundaries resulting in a hard suburban style edge to the settlement;*
- *Control the proliferation of suburban building styles and materials;*
- *Conserve the existing dark skies; - Adopt measures to minimise and where possible reduce light pollution; - Retain existing trees and hedges etc. as part of the scheme; and*
- *Ensure new development is visually integrated into its surroundings and does not interrupt the setting of existing settlements, break up harsh edges of new development with appropriate and adequate tree planting ideally in advance of the development taking place.*

10.31 It is considered that the boundary to the southeast and northeast are the most important in terms of potential visual impact on the wider area and it is recognised that the site is very visible from Oddington Footpath 14 to the east and southeast of the proposed dwelling. The Landscape Consultant previously recommended planting in respect of the annex which was larger in ultimate form so that this would become more noticeable in the rural scene.

10.32 The Landscape Consultant has reviewed this application and following amendments to the planting schedule has no additional comments other than that the hedge plant density has not been increased as requested, however, they have increased the quantity of plants and added a note to say that the hedge plants will be at 5 per m (in line with the initial request). The applicant has advised that the hedging is at 5/m<sup>2</sup> and if you measure the hedging and divide it by 5 the figures are correct. This is reflected by the note on the revised landscape drawing. On

balance this is considered acceptable, and it is considered that the proposed landscaping will continue to mitigate any impact as was established under the previous annex application reference 23/02885/FUL.

- 10.33 The proposed planting will therefore help ensure that the proposal will assimilate with the character of the landscape. Considering the fall-back position at the site, whereby the built form itself benefits from planning permission as an annex, on balance it is considered that any impact through an intensification of use as an independent dwelling would be very low level and would not warrant refusal.
- 10.34 Subject to a condition requiring the implementation of the landscaping plan, on balance the design and impact upon the Cotswolds National Landscape is considered acceptable and the proposal is considered to accord with policies EN1, EN2, EN4 and EN5 of the Local Plan and the provisions of the NPPF.

**(c) Impact upon Residential Amenity**

- 10.35 Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regard to garden space, privacy, daylight and overbearing effect. Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.
- 10.36 Local Plan Policy EN15 stated that development will be permitted where there will be no unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses. This includes impacts from pollution, noise and light as well as other disturbances such as spillage and smell.
- 10.37 The closest property to the proposed dwelling is 'New Braecroft', which is in the ownership of the applicant. The separation distance between New Braecroft and the proposed dwelling is approximately 14 metres. However, due to the topography at the site it is considered that there will be a limited impact upon this dwelling in terms of overbearing impact as New Braecroft is set into the hillside. A hedgerow is proposed in front of the glazed gable end of the dwelling which is in proximity to the outdoor private amenity area belonging to New Braecroft. Whilst the proposal might result in a degree of overlooking, as both dwellings are within the applicant's ownership, on balance the planting mitigation is considered acceptable and any resultant perceived overlooking would not warrant refusal in this instance.

- 10.38 The closest neighbouring dwelling outside of the applicant's ownership is number 2 Sunnyside, which lies approximately 95 metres away from the proposal. The Design Code specifies that *to ensure adequate privacy, the minimum distance between facing windows of one and two storey dwellings should be no less than 22 m and, for buildings higher than two storeys, no less than 28m*. The Design code goes on to say *much will depend on the angle and the topography*. The proposed building would hold an elevated position in relation to neighbouring dwellings and it is recognised that this can lead to concerns around perceived overlooking. However, by virtue of the large separation distance to neighbouring properties outside of the applicant's ownership and the oblique angle of windows in relation to these properties, it is not considered that the proposal would result in loss of privacy or overlooking to such an extent as to warrant refusal. Due to the large separation distances, it is considered that the proposal would not have an overbearing impact or cause overshadowing. For these reasons the proposal is considered to accord with Policy EN2 of the Local Plan.
- 10.39 Solar panels are proposed on the roof slope and due to their position on the roof slope and elevated position in the surrounding area it is considered that any impact upon residential amenity in terms of glint and glare would be minimal in this instance.
- 10.40 The proposal is for a dwelling, and it is considered that this land use retains the existing character of the site and will not lead to issues of noise or disturbance in respect of Policy EN15. Concern has been raised in respect of an intensification of use at the site, however, it is considered that this is unlikely to lead to a level of light spill over and above that which could be generated by the permitted annex at the site in accordance with Policy EN15.

**(d) Biodiversity and Geodiversity**

- 10.41 Local Plan Policy EN8 outlines that development will be permitted that conserves and enhances biodiversity and geodiversity, providing net gains where possible. Furthermore, it outlines that proposals that would result in the loss or deterioration of irreplaceable habitats and resources, or which are likely to have an adverse effect on internationally protected species, will not be permitted.
- 10.42 Section 15 of the NPPF also outlines that development should conserve and where possible enhance biodiversity and geodiversity and should not result in the loss or deterioration of irreplaceable habitats and resources.

10.43 The Biodiversity Officer has reviewed the application and has advised that the site photographs submitted demonstrate reasonably low significance amenity habitats and a precautionary working methods condition is recommended. The Biodiversity Officer has also advised that three species on the planting plan P04 should be replaced with native species. On balance, it is considered that the proposed planting plan is acceptable following comments from the Landscape Consultant and as such it has not been considered necessary to seek changes in this instance.

### ***Biodiversity Net Gain (BNG)***

10.44 The new, statutory requirements for Biodiversity Net Gain for small development apply to this application, as it was submitted after to 2nd April 2024. However, self-build dwellings are exempt from this requirement subject to the applicant entering into a unilateral undertaking (UU) to secure the property as a self-build dwelling. The applicant has submitted a draft UU, and it is anticipated that the agreement will be binding and completed shortly.

### **(e) Highways**

10.45 Local Plan Policy INF 'Highway Safety' states:

*'Development will be permitted that:*

*a. is well integrated with the existing transport network within and beyond the development itself, avoiding severance of communities as a result of measures to accommodate increased levels of traffic on the highway network;*

*b. creates safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoids street clutter and where appropriate establishes home zones;*

*c. provides safe and suitable access and includes designs, where appropriate, that incorporate low speeds;*

*d. avoids locations where the cumulative impact of congestion or other undesirable impact on the transport network is likely to remain severe following mitigation; and*

*e. has regard, where appropriate, to the Manual for Gloucestershire Streets or any guidance produced by the Local Highway Authority that may supersede it.'*



10.46 Policy INF5 states that development will provide residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network.

10.47 Section 9 of the NPPF 'Promoting sustainable transport' is relevant to the application. Paragraph 115 states:

*'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code<sup>48</sup>; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.'*

10.48 4.3 Paragraph 116 states: *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'*

10.49 The proposed development would utilise an existing residential access which is shared with Braecroft. The existing access was also previously considered to be suitable for extant permission 23/02369/TDC. The vehicular access would therefore potentially serve 3 no. residential dwellings and an annex at Braecroft if this application is permitted and the extant permission implemented. Adequate parking would also be possible on the site for the proposed dwelling, which would satisfy Policy INF4 and INF5 of the Local Plan.

10.50 Despite the site having a suitable vehicular access, Highways have recommended that the application is refused on the following grounds:

*10.50.1 "The location of this proposed dwelling is considered to be in an unsustainable location where essential journeys for daily household needs such as access to bus services, schools, shopping, employment and other essential services would by necessity have to be made by private vehicles.*

*10.50.2 The site is accessed via country lanes devoid of street lighting and footways. Whilst the access into the site is from a 30mph single lane highway, access to the nearest bus stop at The Horse and Groom, a distance of just over 200m, this is on a road with no footways or street lighting; Further there are very limited services on a Thursday only so this is not a an option for regular travel.*

*10.50.3 The nearest centre providing services is located in Stow on the Wold, a distance of 3.14km to the west where the nearest primary school is located. However, pedestrian or cycle access would be along the A436 or B4450, neither of which have footways or street lighting; it follows that, occupiers of the dwelling would be reliant on private cars to access essential services.*

*10.50.4 Manual for Streets (MfS) states that walkable neighbourhoods are characterised by having a range of facilities within 10 minutes' walk, which is approximately 800 metres. However, this is not an upper limit and industry practice considers that 2km is a maximum walking distance door to door, but this should be on safe routes with footways and street lighting, with Stow on the Wold being located over 3km distant, the application fails to provide a development in a sustainable location."*

10.51 Whilst it is acknowledged that there is limited access to services in this location, it has previously been established following the appeal decision relating to application reference: 19/01288/FUL, that Braecroft lies within a Non-Principal Settlement. The Local Plan advises that residential development in Non-Principal Settlements will be permitted provided a number of criteria are met as detailed in section (a) of this report.

10.52 Development within Non-Principal Settlements is therefore considered to constitute a sustainable location in respect of the Local Plan and whilst the highway constraints as outlined above are acknowledged, the site is acceptable in accessibility terms with regard to Policy DS3. In addition, whilst the proposal will

increase the number of vehicular trips to and from the site, the use of the entrance should not harm highway safety and Highways have raised no concerns in respect of this aspect. As such no conflict is identified in relation to Local Plan Policies INF4 and INF5.

**(f) Flood Risk**

10.53 Local Plan Policy EN14 requires that proposals should not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment as a result of flooding, through the appropriate application of the sequential and exception tests, and the provision of site specific flood risk assessments where applicable. It requires the incorporation of flood risk management and mitigation measures in the design and layout of development proposals that provide adequate provision for the lifetime of the development, and that include a Sustainable Drainage System unless this is demonstrably inappropriate. This is in accordance with Section 14 of the NPPF.

10.54 The site is located within Flood Zone 1 which has a low probability of flood risk. The application has been reviewed by CDCs Drainage Engineer who has recommended a drainage condition. Subject to condition it is considered that the proposal will not increase flood risk at the site or within the surrounding area in accordance with Policy EN14.

***CIL***

10.55 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 is considered to comply with Local Plan Policies and as such is recommended for permission.

**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 number(s): 7591-01 Rev B, 8022-02, 8022-03, 8022-04, 8022-01A and 22303-IYL-8050-XX-DR-L-2000 Rev P06.

**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. No windows, doors, PV Panels, retaining walls or surfacing shall be installed or constructed in the development hereby approved, until their design and details (including the finish/colour of the windows and doors) have been submitted to and approved in writing by the Local Planning Authority.

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

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan policies EN2 and EN12.

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. Prior to the installation of any external lighting for the development hereby approved, a lighting design strategy shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will minimise light spill and clearly demonstrate that areas to be lit will not disturb or prevent nocturnal species using their territory. All external lighting shall be installed only in accordance with the specifications and locations set out in these details.

**Reason:** To protect the visual amenity of the Cotswolds National Landscape and to protect nocturnal wildlife 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 187, 192 and 193 of the revised National Planning Policy Framework, 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. The development hereby permitted shall be carried out in accordance with the approved Detailed Planting Plan, drawing number 22303-IYL-8050-XX-DR-L-2000 Rev P06.

The entire landscaping scheme shall be completed by the end of the first full planting season following the substantial completion or first use of the annex hereby approved.

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 protect the visual amenity of the site in accordance with Policy EN5 and to enhance the site for biodiversity in accordance with paragraphs 187, 189 of the revised National Planning Policy Framework, Policy EN8 of the Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

8. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C and 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

associated with the new dwelling shall be erected within the application site nor any new windows, doors or rooflights installed/inserted in the new dwelling hereby permitted other than those permitted by this Decision Notice.

**Reason:** In the interests of visual and residential amenity in accordance with Policies EN2 and EN5 of the Local Plan.

9. 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. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

**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.

10. The development shall be completed in accordance with the recommendations in Cotswold District Council's Precautionary Method of Working document. All the recommendations shall be implemented in full, unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure biodiversity is protected in accordance with the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 the National Planning Policy Framework, 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.

#### **Informatives:**

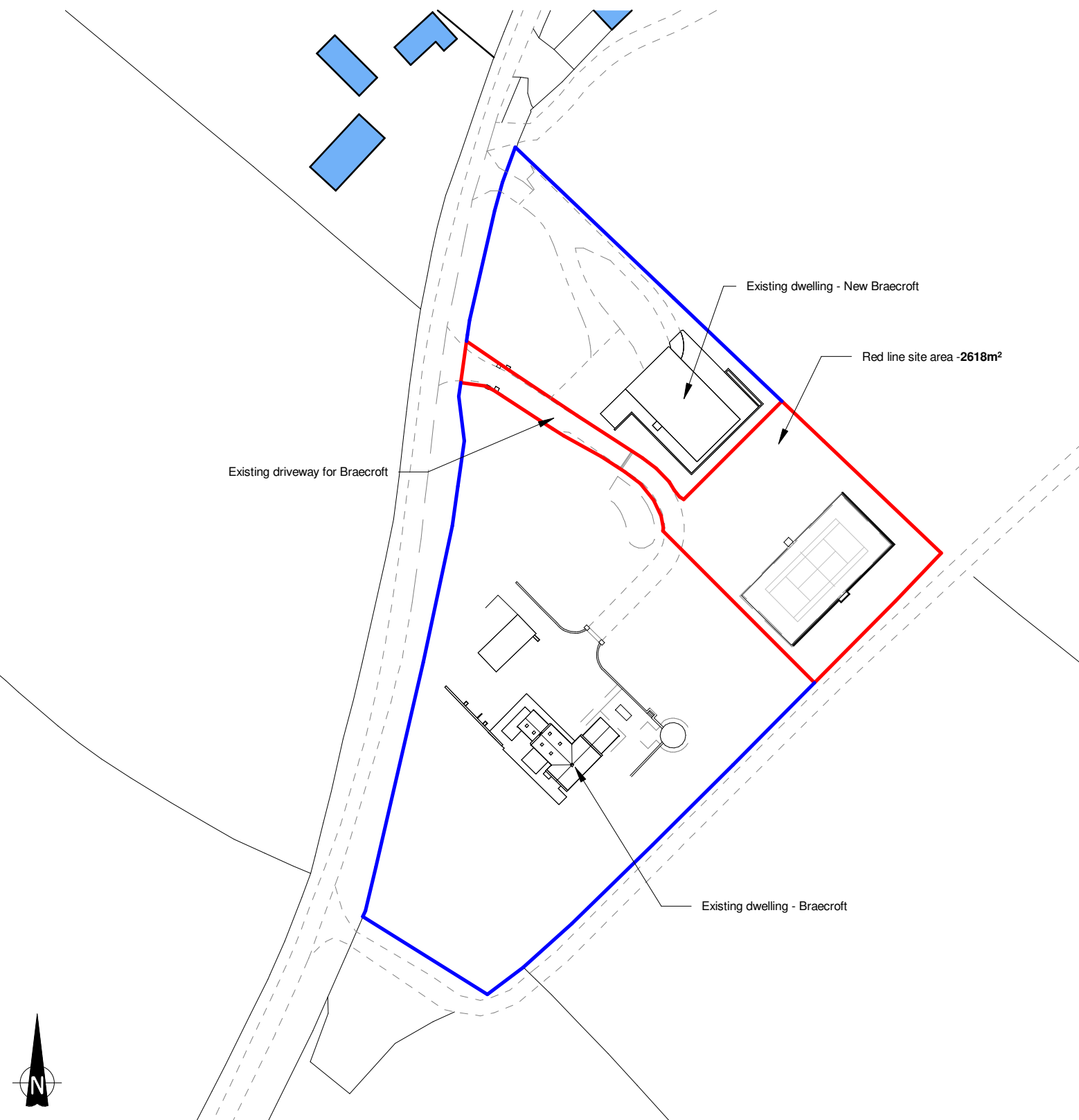
Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in

the land, separately. 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](http://www.cotswold.gov.uk/CIL)

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- General Notes:**
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  2. Do not scale drawings. Dimensions govern.
  3. All dimensions are in millimetres unless noted otherwise.
  4. All dimensions shall be verified on site before proceeding with the work.
  5. Stable Architecture shall be notified in writing of any discrepancies.
  6. Contractor/builder to carry out their own survey work prior to quantification and construction.



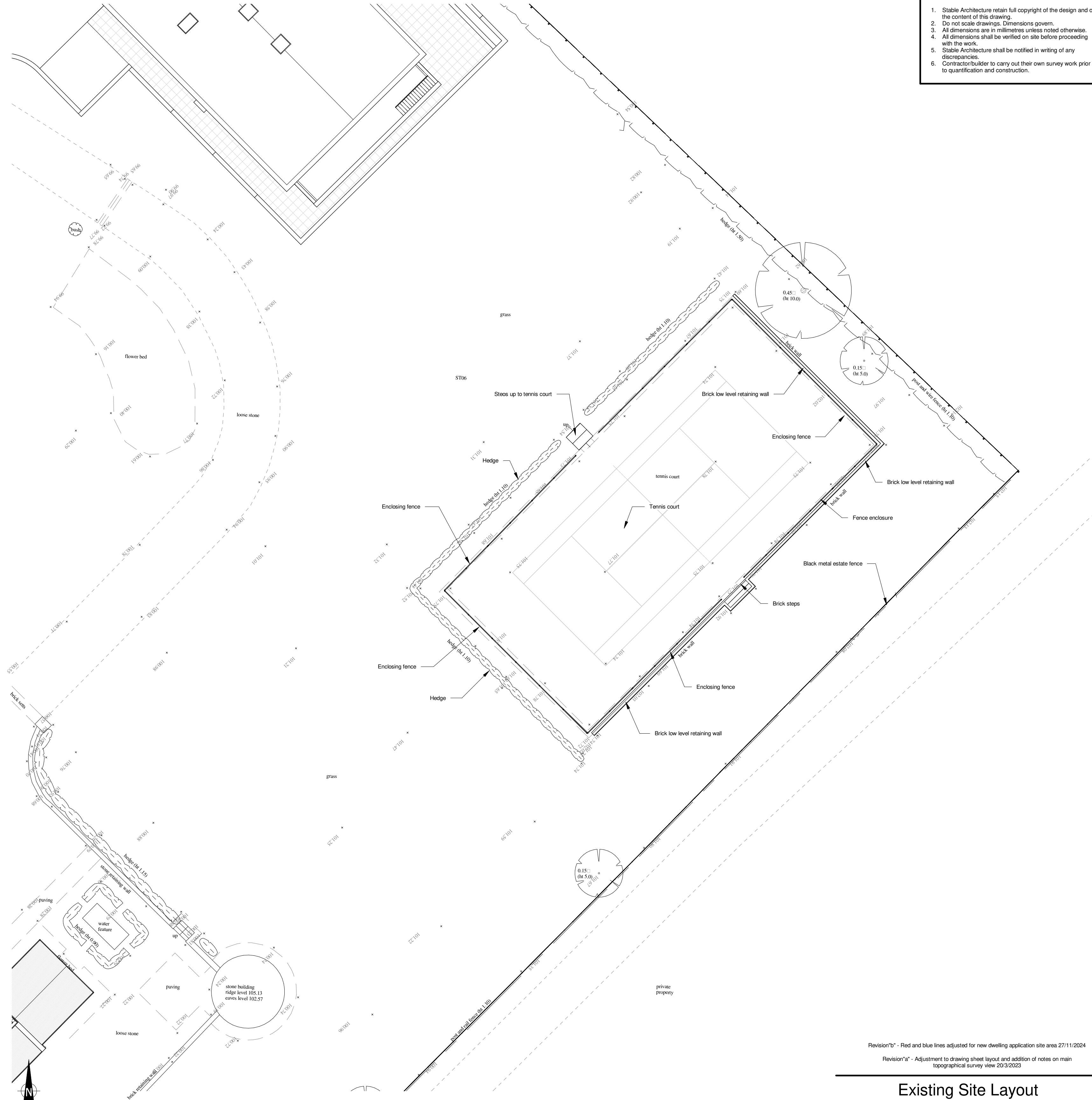
**Location Plan**  
1 : 1250

0m 25m 50m 75m 100m 125m  
Scale 1:1250 @ A1



**Block Plan**  
1 : 500

0m 10m 20m 30m 40m 50m  
Scale 1:500 @ A1



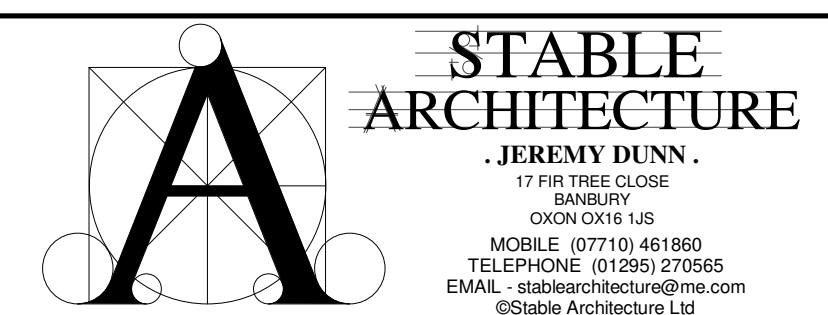
**Topographical Survey**  
1 : 200

0m 4m 8m 12m 16m 20m  
Scale 1:200 @ A1

**NOTE:**  
A detailed and accurate topographical survey has been prepared by Midland Surveys, providing accurate information within the site ownership boundaries, this has been integrated with a digital Ordnance Survey download (under licence) to show information outside of the applicant's ownership/control, all information outside of the site boundary is taken from the above noted digital Ordnance Survey map and was not undertaken as part of the detailed topographical survey.

Revision"b" - Red and blue lines adjusted for new dwelling application site area 27/11/2024  
Revision"a" - Adjustment to drawing sheet layout and addition of notes on main topographical survey view 26/3/2023

**Existing Site Layout**



**Job:**  
Braecroft  
Upper Oddington

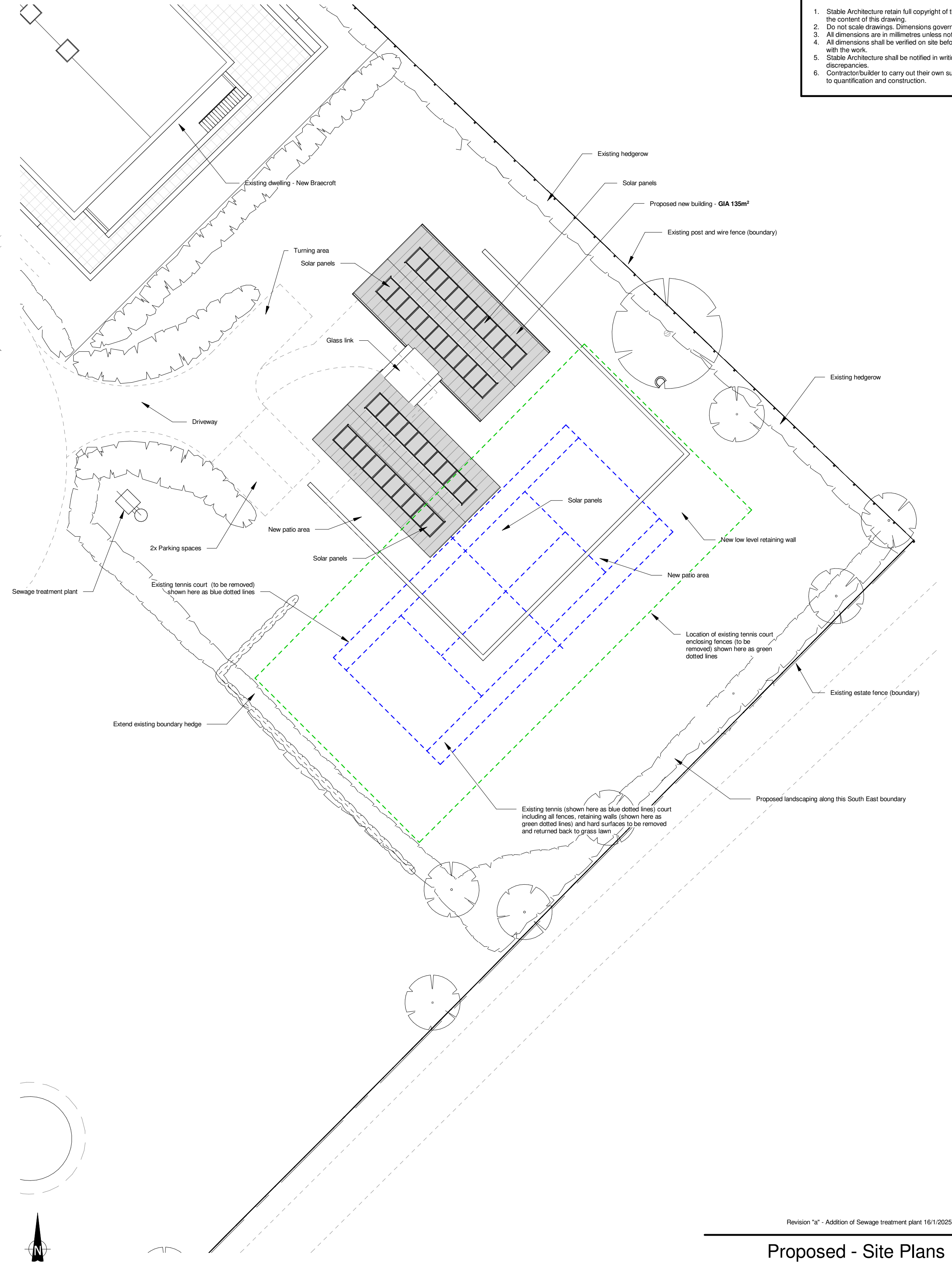
**Client:**  
Mr P. Wilsdon  
Braecroft  
Oddings

<b>Drawing No:</b> 7591-01b	<b>Date:</b> 25/2/19	<b>Scale:</b> As indicated@A1
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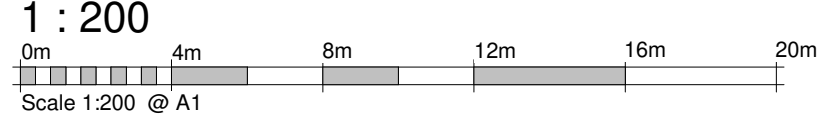
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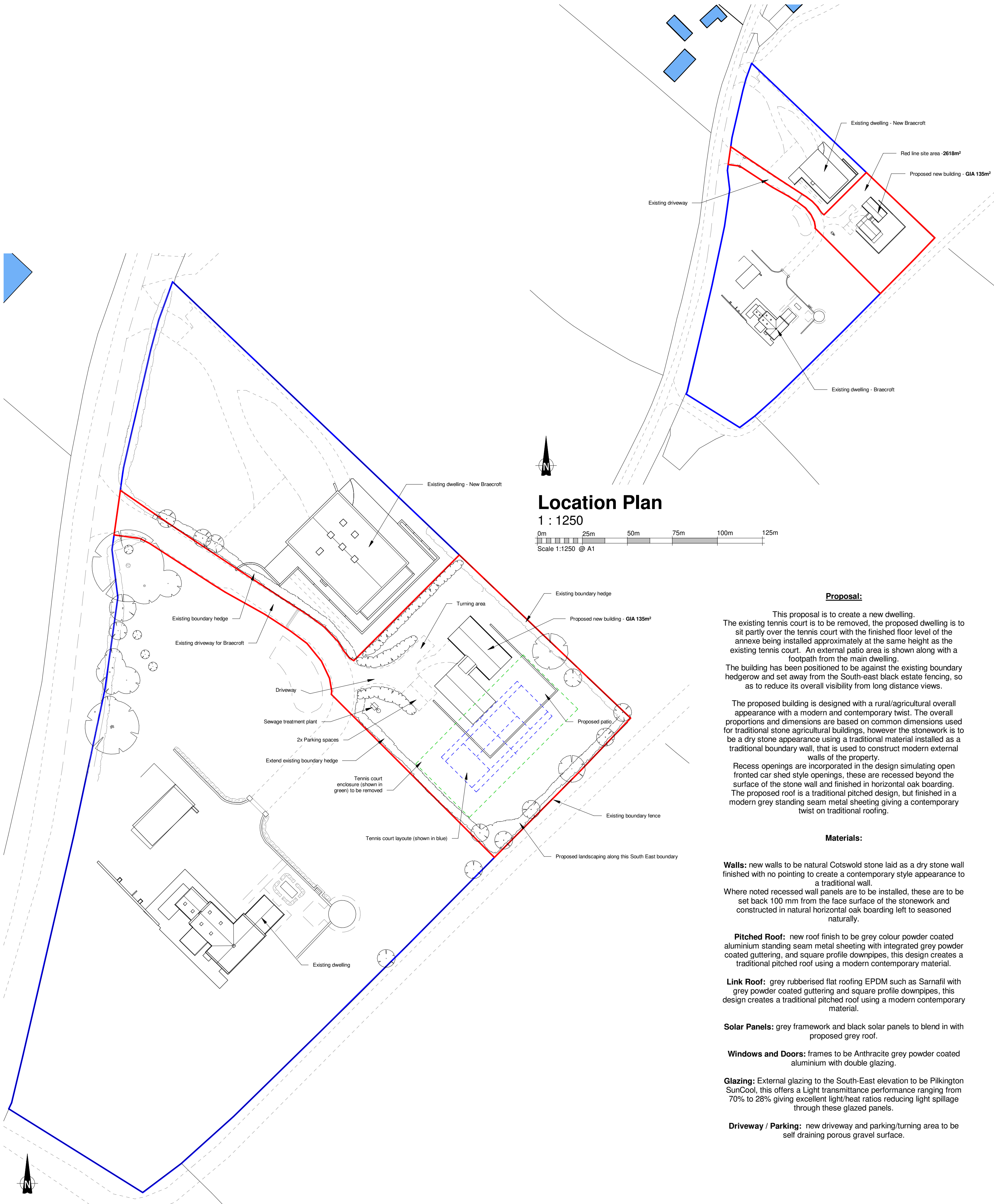
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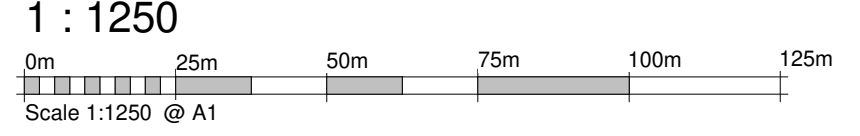
## Overall layout Plan



**NOTE:**  
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## Location Plan



### Proposal:

This proposal is to create a new dwelling. The existing tennis court is to be removed, the proposed dwelling is to sit partly over the tennis court with the finished floor level of the annexe being installed approximately at the same height as the existing tennis court. An external patio area is shown along with a footpath from the main dwelling. The building has been positioned to be against the existing boundary hedgerow and set away from the South-east black estate fencing, so as to reduce its overall visibility from long distance views.

The proposed building is designed with a rural/agricultural overall appearance with a modern and contemporary twist. The overall proportions and dimensions are based on common dimensions used for traditional stone agricultural buildings, however the stonework is to be a dry stone appearance using a traditional material installed as a traditional boundary wall, that is used to construct modern external walls of the property.

Recess openings are incorporated in the design simulating open fronted car shed style openings, these are recessed beyond the surface of the stone wall and finished in horizontal oak boarding. The proposed roof is a traditional pitched design, but finished in a modern grey standing seam metal sheeting giving a contemporary twist on traditional roofing.

### Materials:

**Walls:** new walls to be natural Cotswold stone laid as a dry stone wall finished with no pointing to create a contemporary style appearance to a traditional wall. Where noted recessed wall panels are to be installed, these are to be set back 100 mm from the face surface of the stonework and constructed in natural horizontal oak boarding left to seasoned naturally.

**Pitched Roof:** new roof finish to be grey colour powder coated aluminium standing seam metal sheeting with integrated grey powder coated guttering, and square profile downpipes, this design creates a traditional pitched roof using a modern contemporary material.

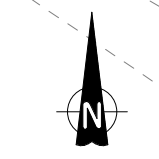
**Link Roof:** grey rubberised flat roofing EPDM such as Sarnafil with grey powder coated guttering and square profile downpipes, this design creates a traditional pitched roof using a modern contemporary material.

**Solar Panels:** grey framework and black solar panels to blend in with proposed grey roof.

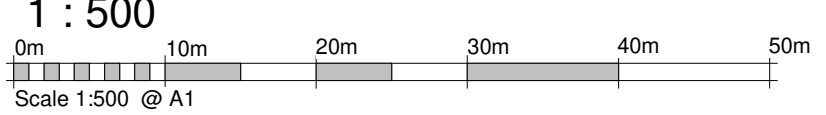
**Windows and Doors:** frames to be Anthracite grey powder coated aluminium with double glazing.

**Glazing:** External glazing to the South-East elevation to be Pilkington SunCool, this offers a Light transmittance performance ranging from 70% to 28% giving excellent light/heat ratios reducing light spillage through these glazed panels.

**Driveway / Parking:** new driveway and parking/turning area to be self draining porous gravel surface.

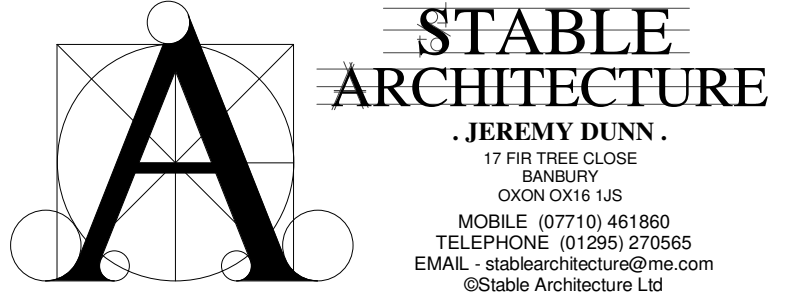


## Block Plan



Revision "a" - Addition of Sewage treatment plant 16/11/2025

## Proposed - Site Plans



Job:  
**Braecroft**  
**Braecroft**  
**Upper Oddington**

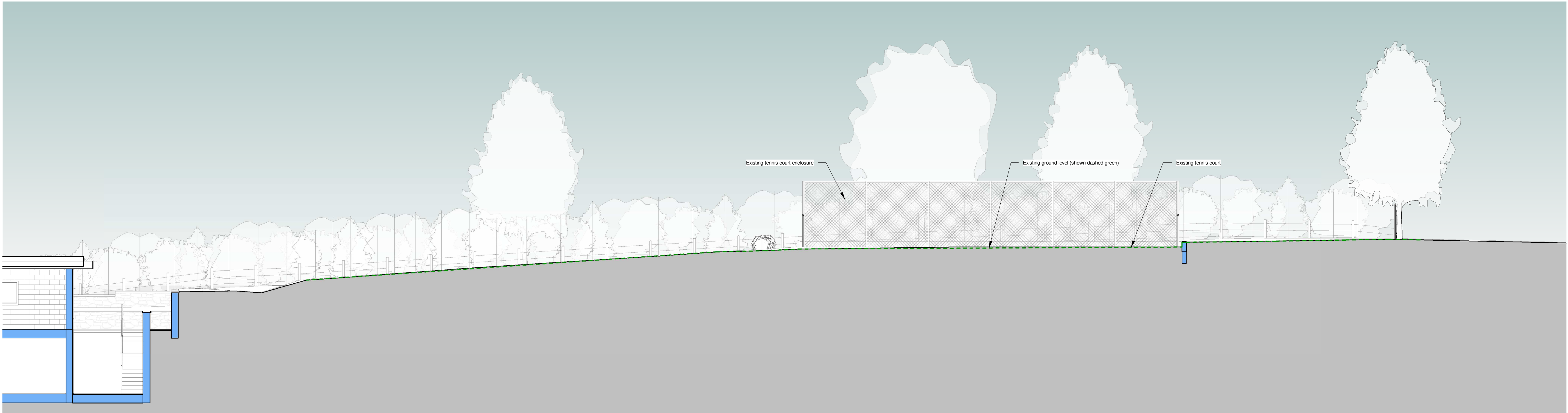
Client:  
**Mr P. Wilsdon**  
**Braecroft**  
**Oddings**

Drawing No:	Date	Scale
8022-01a	26/11/2024	As indicated@A1

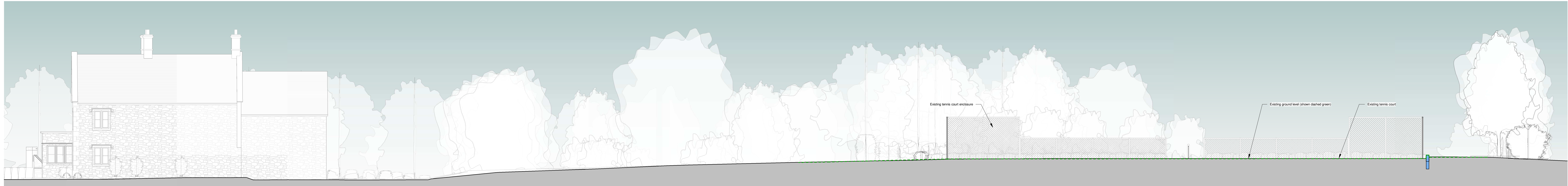
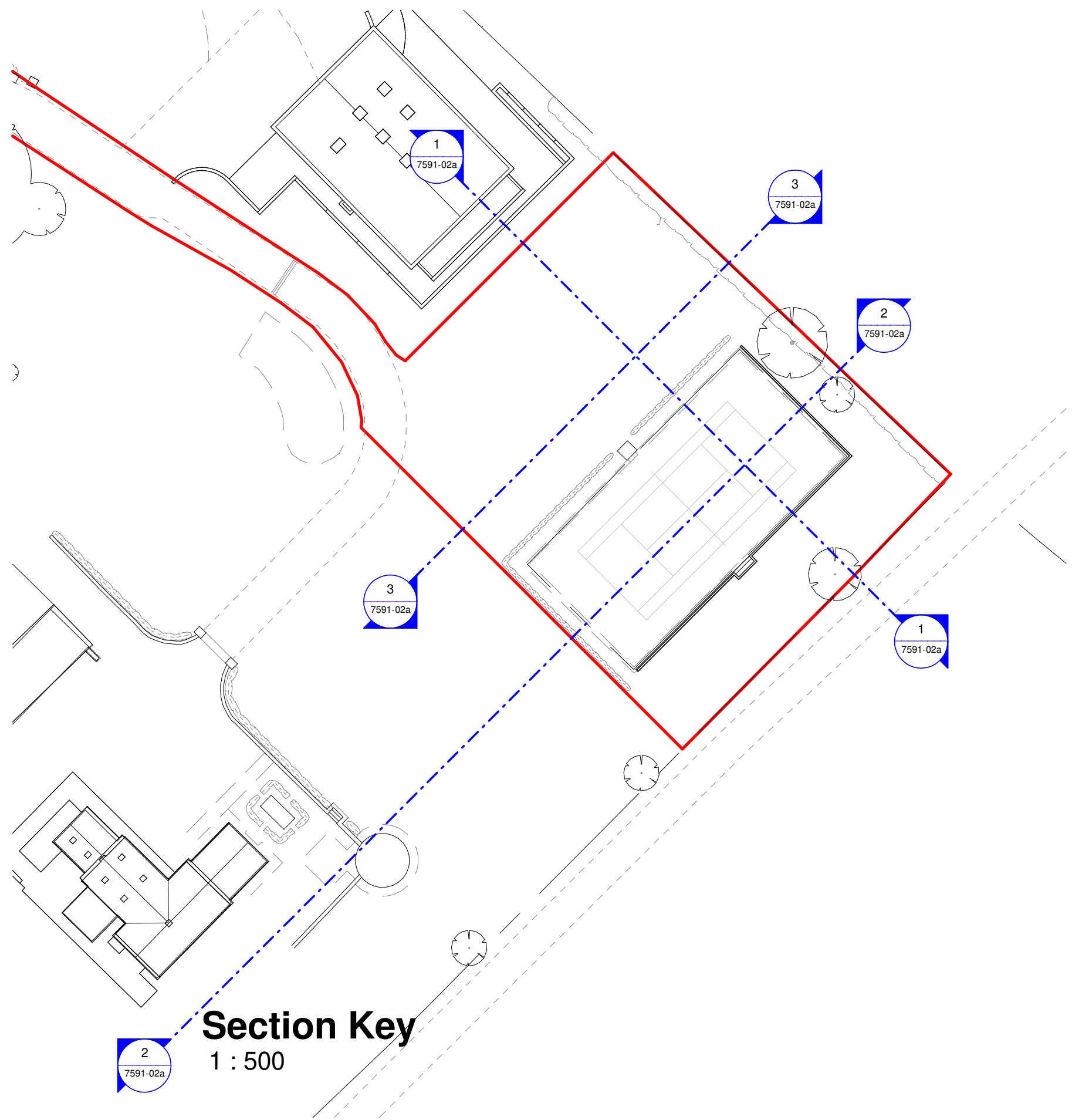
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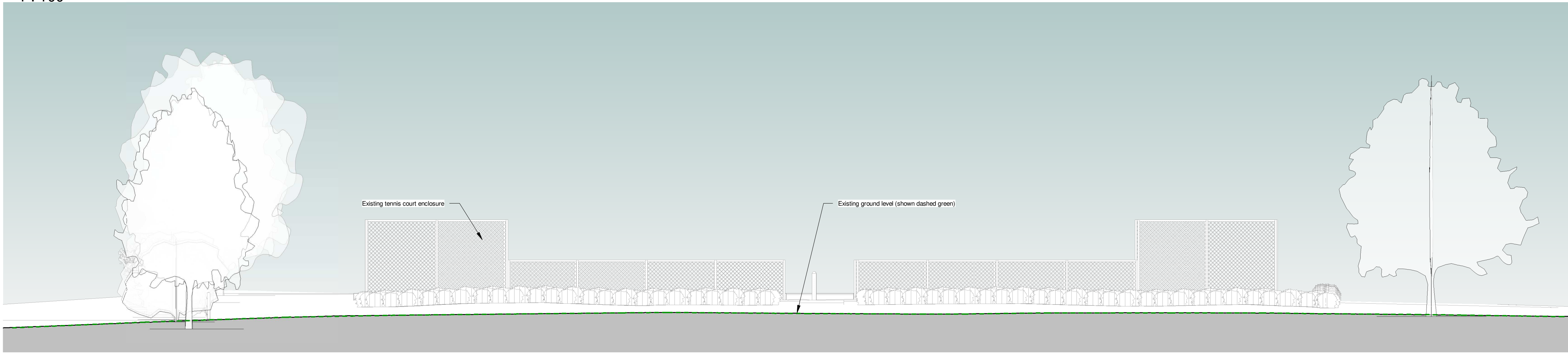
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6. Contractor/Builder to carry out their own survey work prior to quantification and construction.



Section 1  
1 : 100



Section 2  
1 : 100



Section 3  
1 : 100

0m 2m 4m 6m 8m 10m  
Scale 1:100 @ A1

Revision/12" - Red line adjusted for new dwelling application site area 07/11/2024

Rev.	Date	Revision Notes
		Existing Site Sections

**STABLE ARCHITECTURE**  
JEREMY DUNN  
17 FIVE COUSE  
BATHURST  
OXON OX16 1LS  
MOBILE: 07710 461860  
TELEPHONE: (01295) 270065  
EMAIL: Jeremy.Dunn@virgin.net

Job:

Client: Mr P. Wilsdon  
Braecroft  
Oddings

Drawing No:	Date	Scale
7591-02a	11/10/22	As indicated@A0

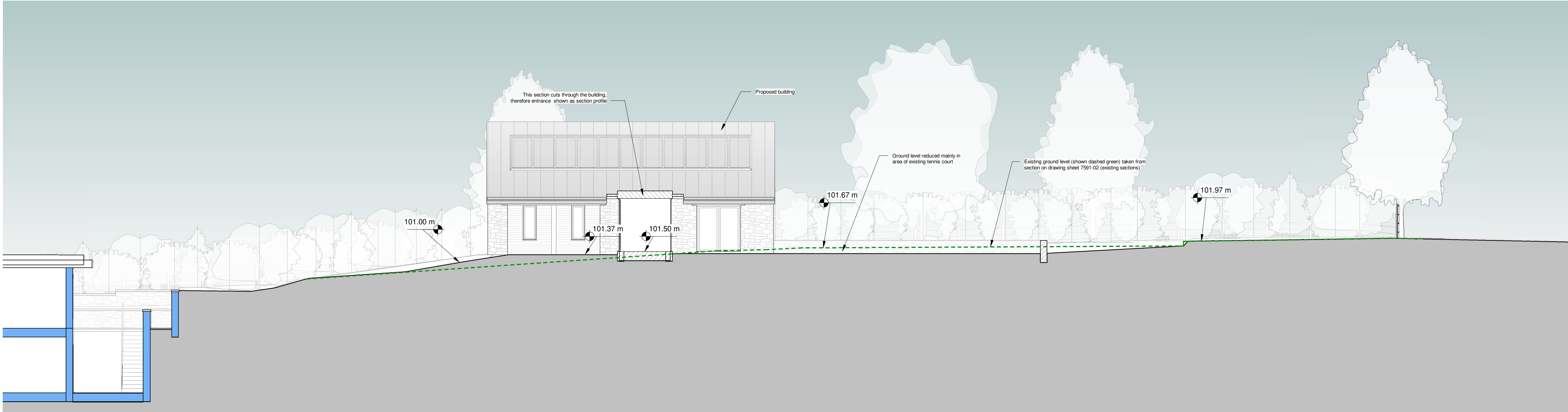


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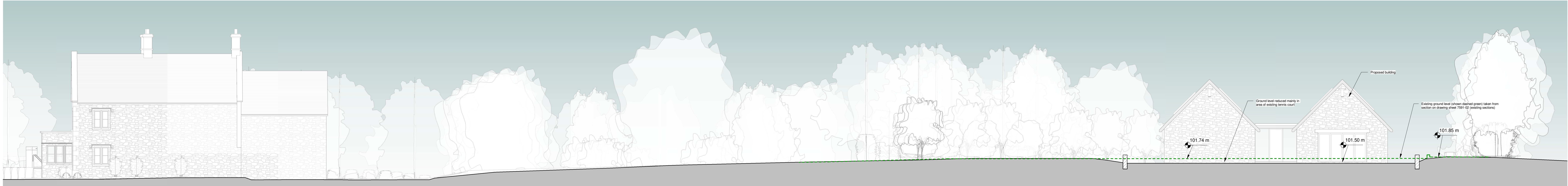
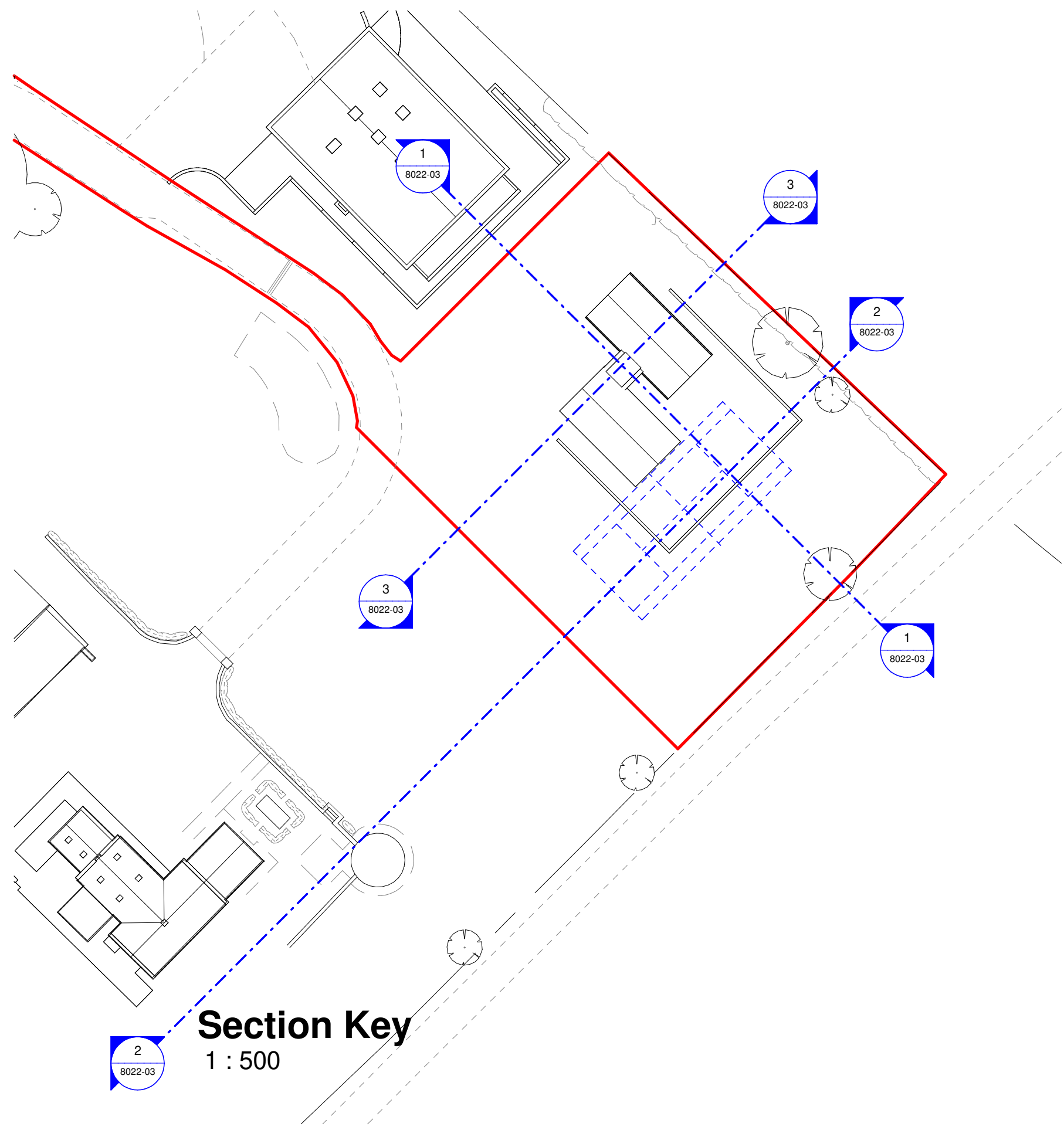


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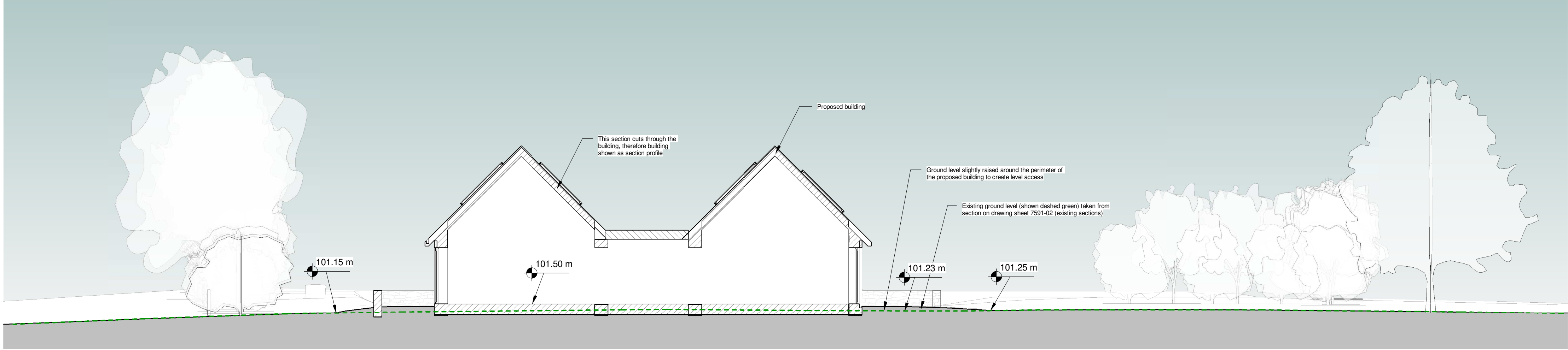
This drawing sheet has been populated with spot levels around the building and within the building, these related directly to the topographical survey levels shown on existing drawing sheet 7501-01a



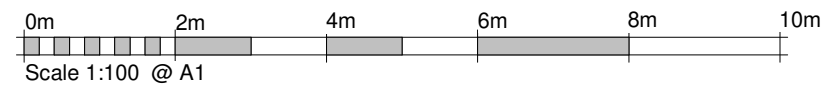
Section 1  
1 : 100

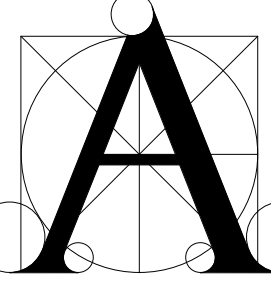


Section 2  
1 : 100



Section 3  
1 : 100

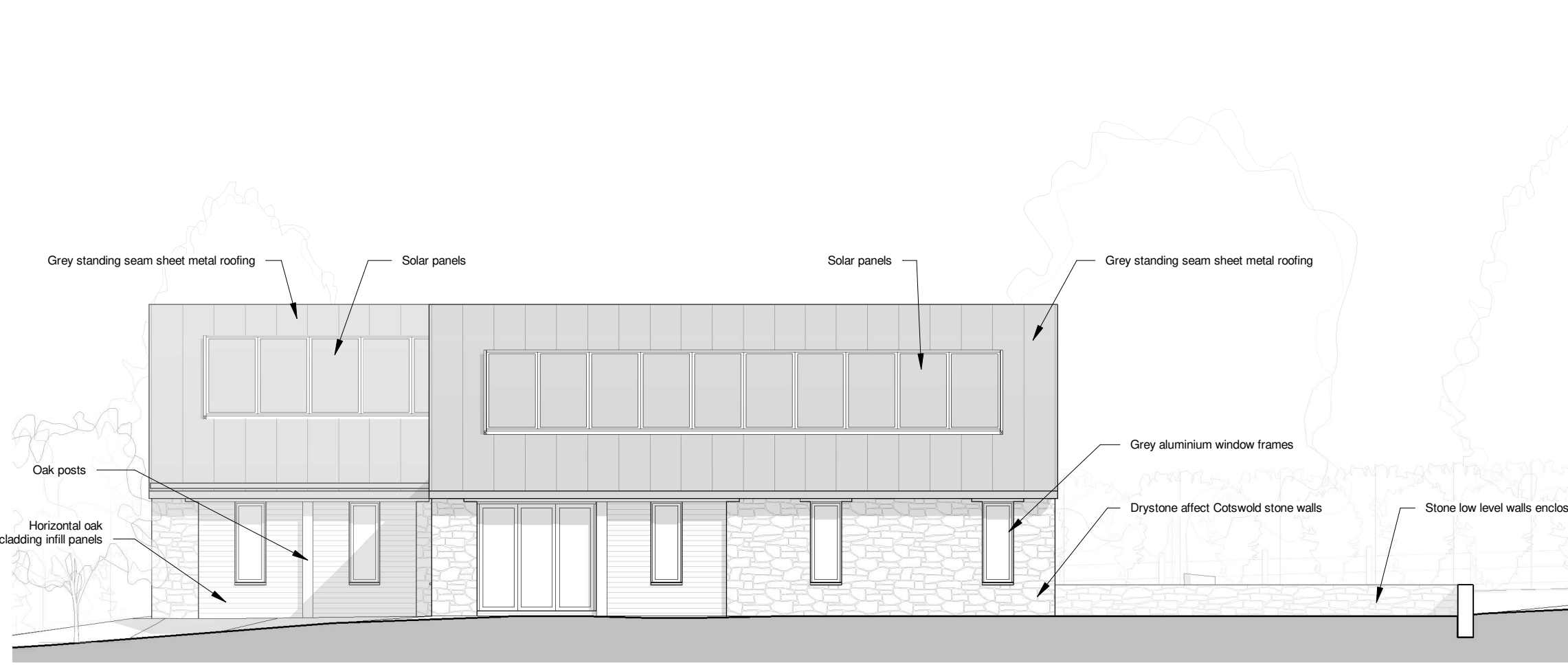


Rev.	Date	Revision Notes
Proposed - Site Sections		
 <b>STABLE</b> ARCHITECTURE JEREMY DUNN TYPEFACE CO-OP BIRMINGHAM OXON OX4 1LS MOBILE: 077110 441860 TELEPHONE: 01295 270065 EMAIL: Jeremy.Dunn@virgin.net		
Job: Braecroft Upper Oddington		
Client: Mr P. Wilsdon Braecroft Oddings		
Drawing No:	Date	Scale
8022-03	26/11/2024	As indicated@A0



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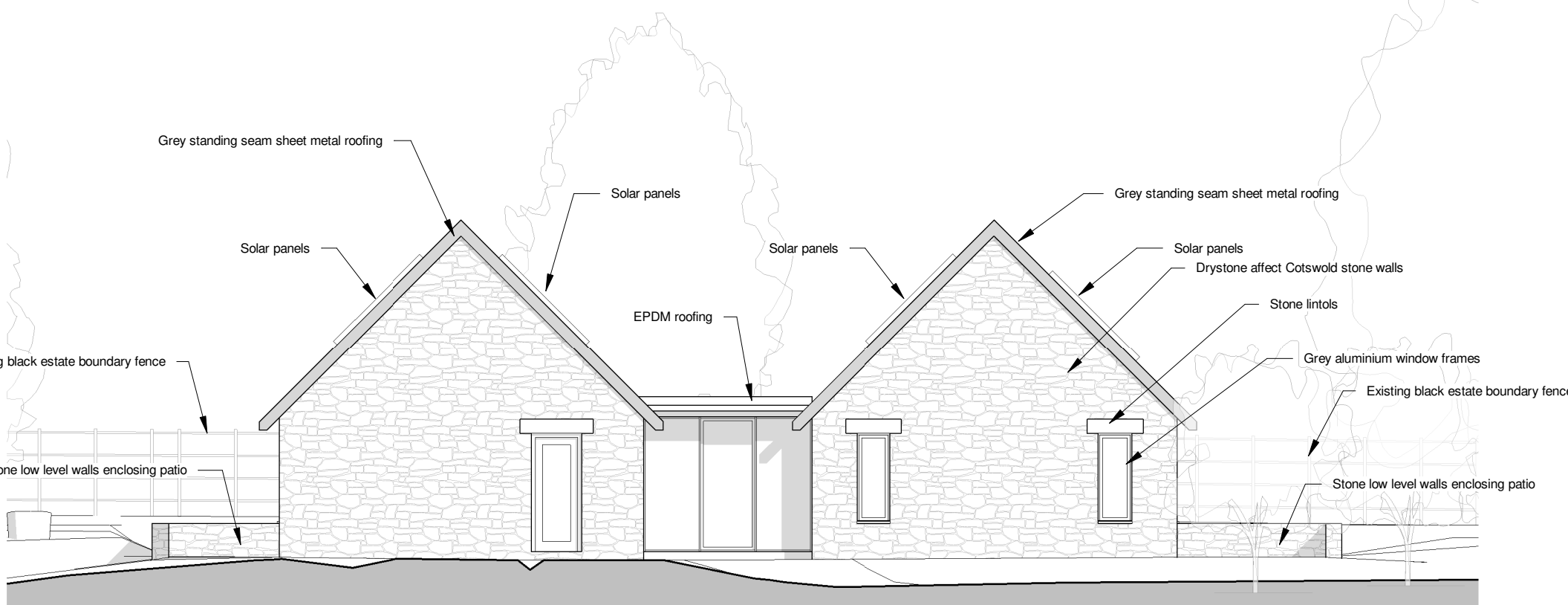




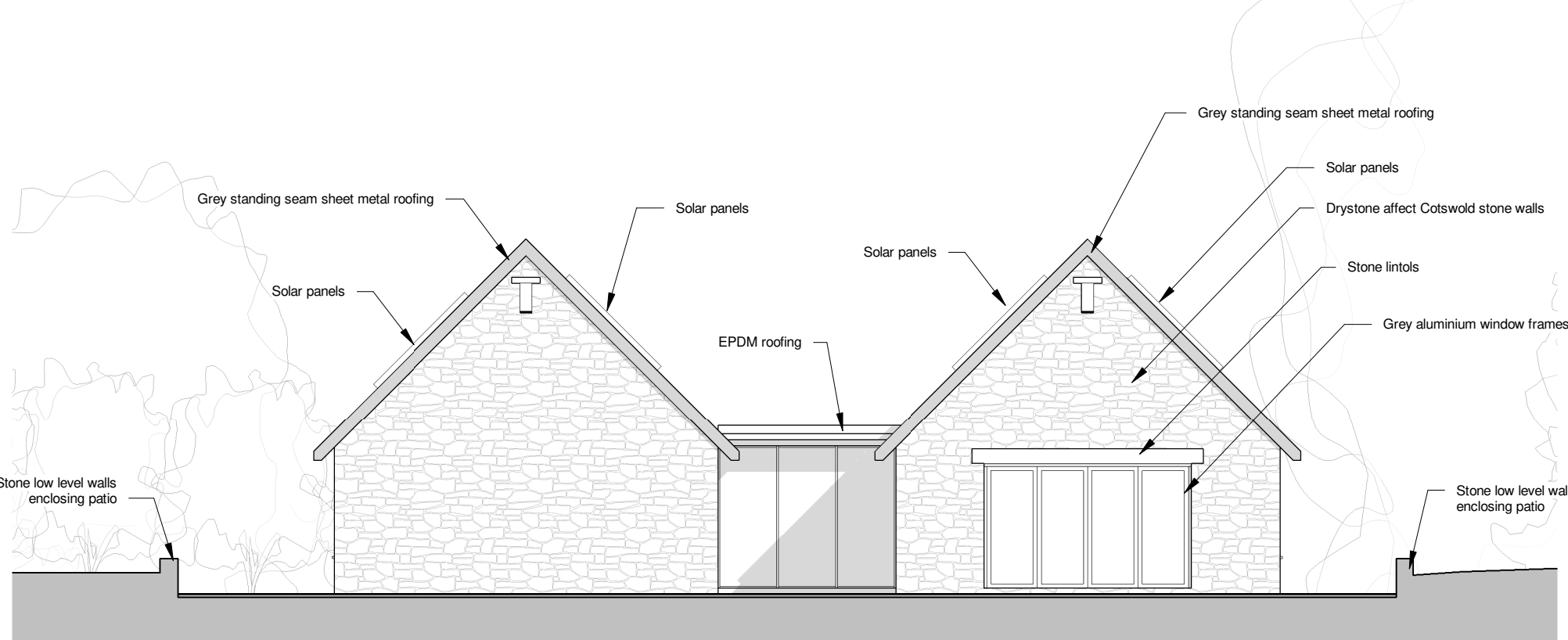
South-West Elevation  
1 : 100



North-East Elevation  
1 : 100

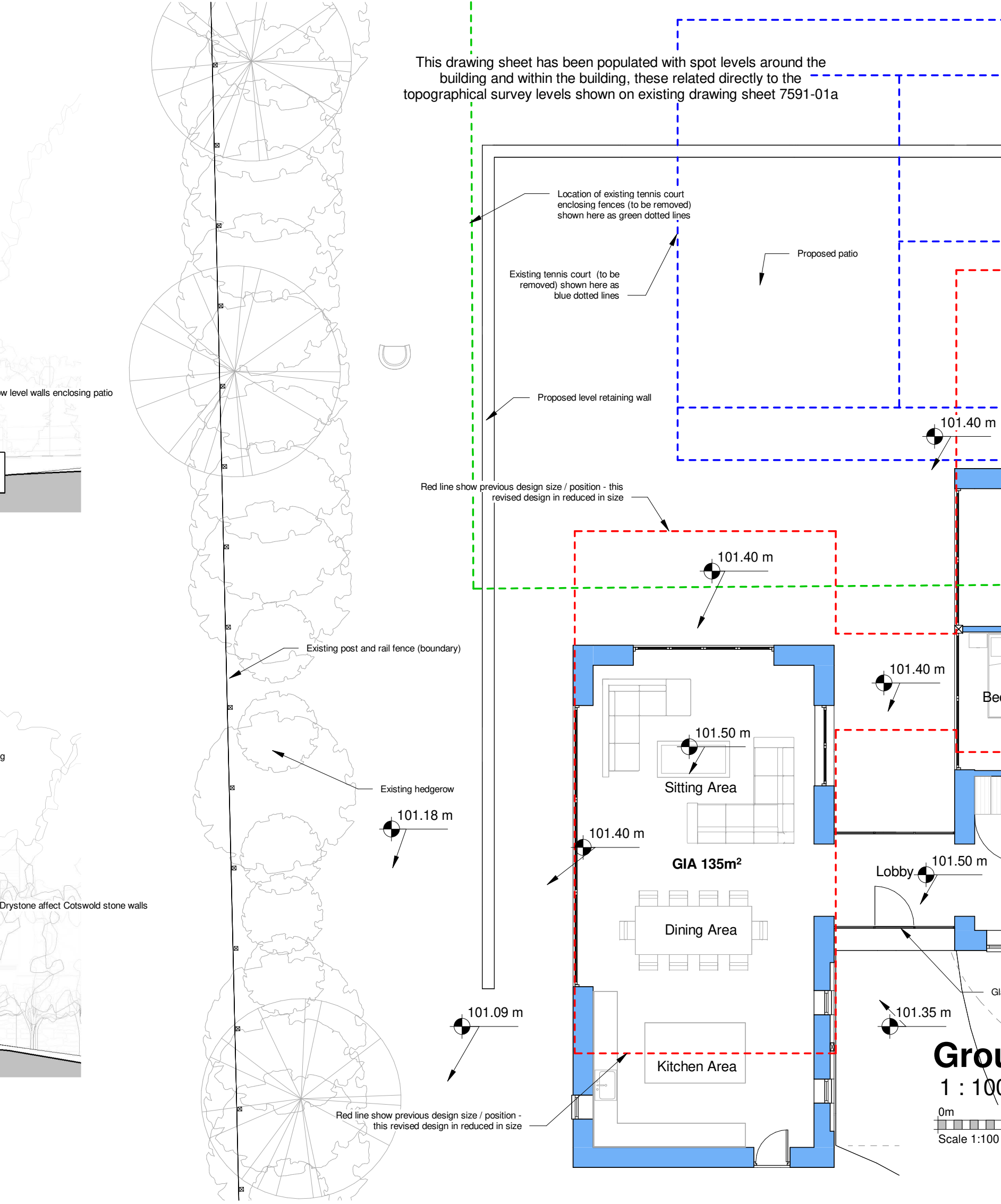


North-West Elevation  
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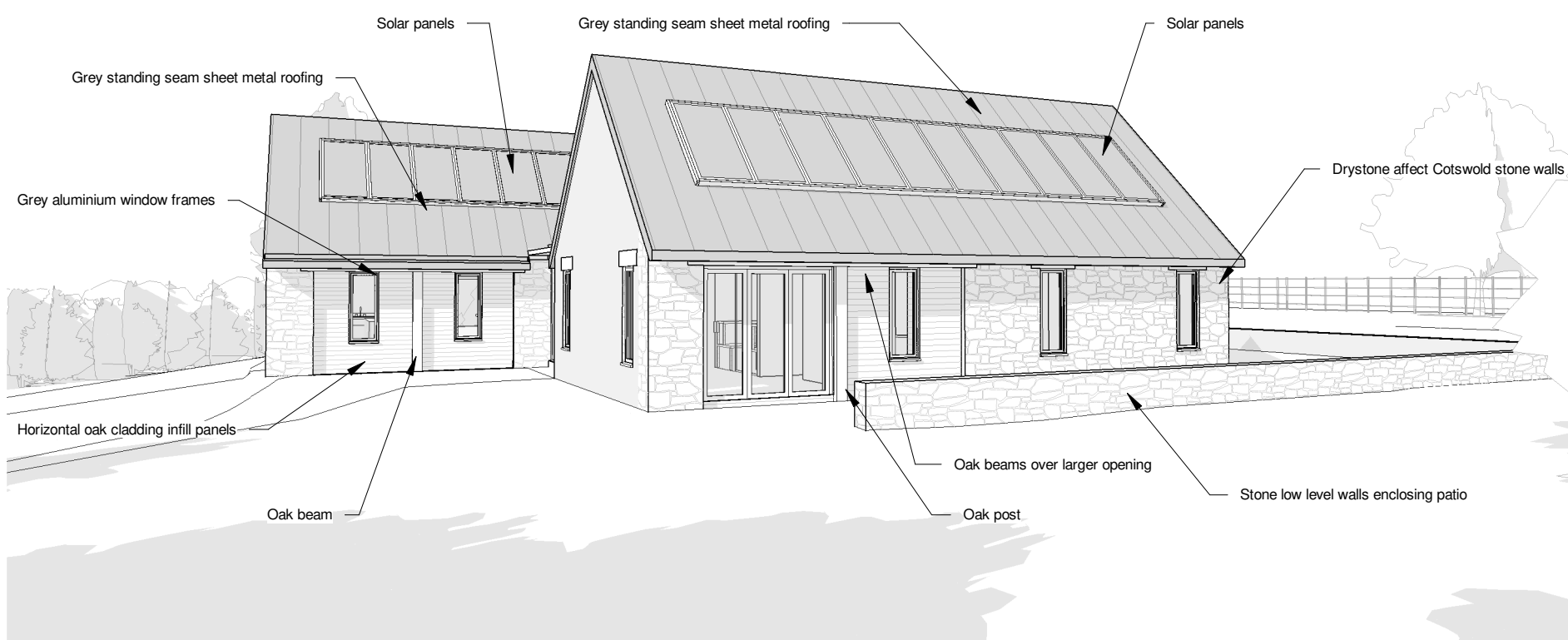
South-East Elevation - Inside Courtyard  
1 : 100

This view is taken 1.0m away from the face of the elevation

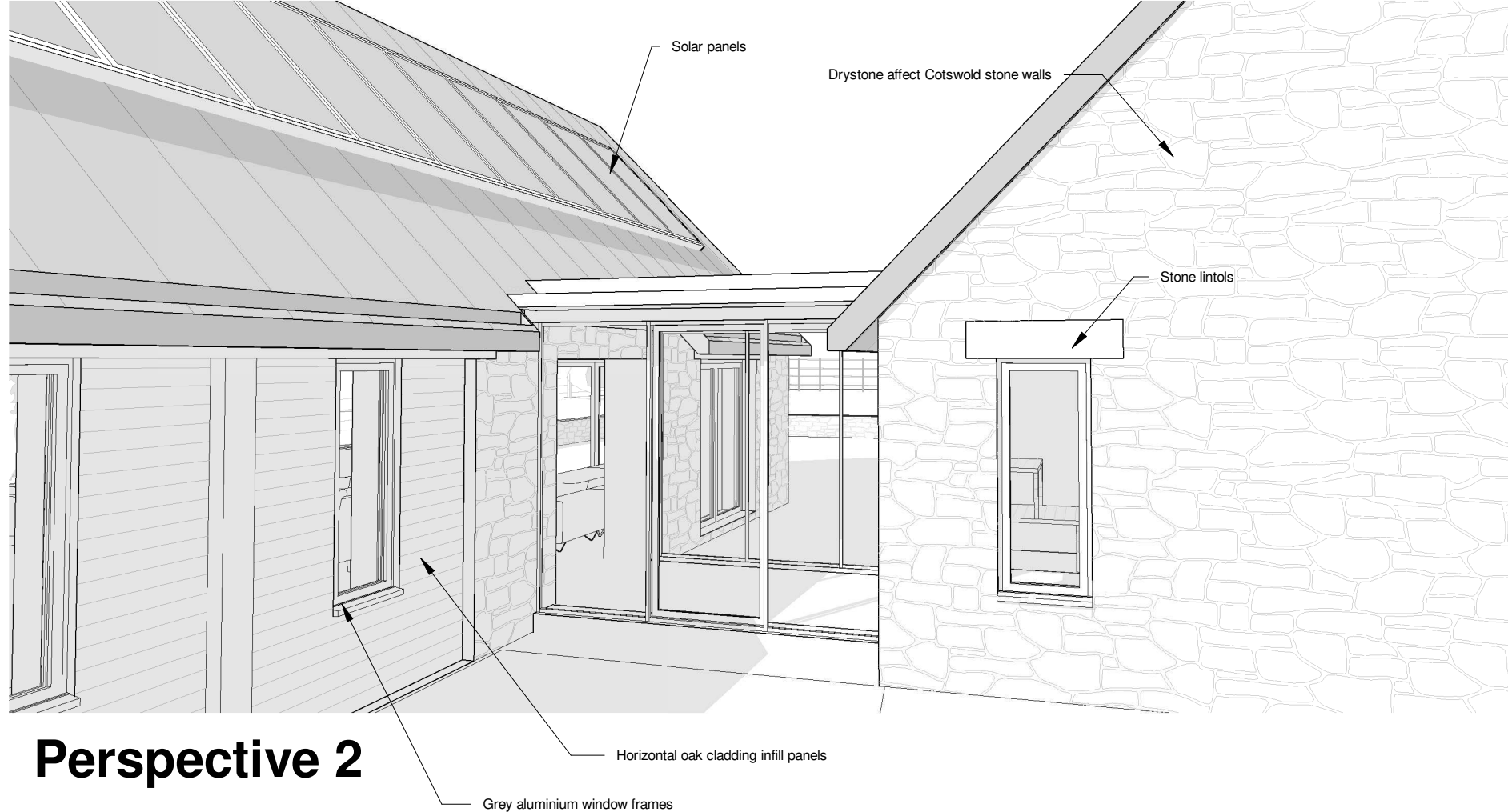


Ground Floor Layout  
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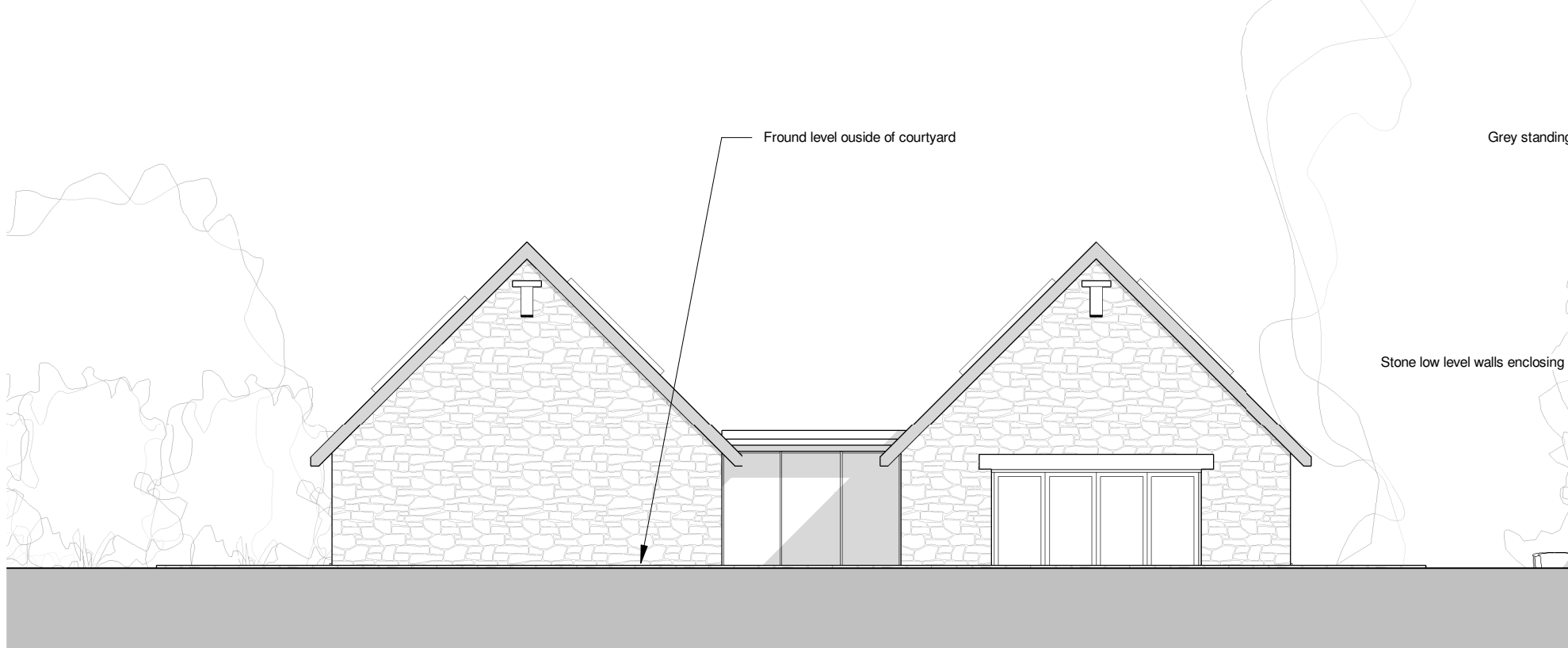
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Perspective 1

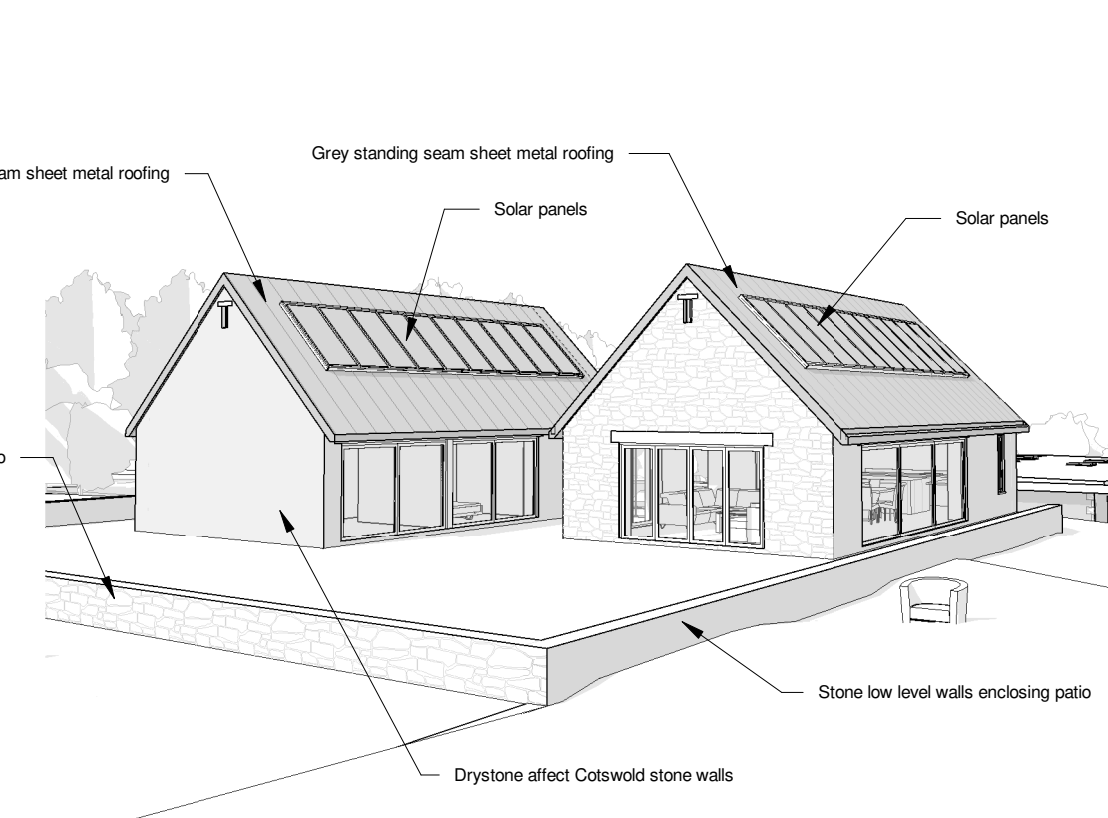


Perspective 2



South-East Elevation - Outside Courtyard  
1 : 100

This view is taken 10.0m away from the face of the elevation



Perspective 3

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  5. Stable Architecture shall be notified in writing of any discrepancies.
  6. Contractor/builder to carry out their own survey work prior to quantification and construction.

**Proposal:**

This proposal is to create a new dwelling. The existing tennis court is to be removed, the proposed dwelling is to sit partly over the tennis court with the finished floor level of the annexe being installed approximately at the same height as the existing tennis court. An external patio area is shown along with a footpath from the main dwelling. The building has been positioned to be against the existing boundary hedgerow and set away from the South-east black estate fencing, so as to reduce its overall visibility from long distance views.

The proposed building is designed with a rural/agricultural overall appearance with a modern and contemporary twist. The overall proportions and dimensions are based on common dimensions used for traditional stone agricultural buildings, however the stonework is to be a dry stone appearance using a traditional material installed as a traditional boundary wall, that is used to construct modern external walls of the property. Recess openings are incorporated in the design simulating open fronted car shed style openings, these are recessed beyond the surface of the stone wall and finished in horizontal oak boarding. The proposed roof is a traditional pitched design, but finished in a modern grey standing seam metal sheeting giving a contemporary twist on traditional roofing.

**Materials:**

**Walls:** new walls to be natural Cotswold stone laid as a dry stone wall finished with no pointing to create a contemporary style appearance to a traditional wall. Where noted recessed wall panels are to be installed, these are to be set back 100 mm from the face surface of the stonework and constructed in natural horizontal oak boarding left to seasoned naturally.

**Pitched Roof:** new roof finish to be grey colour powder coated aluminium standing seam metal sheeting with integrated grey powder coated guttering, and square profile downpipes, this design creates a traditional pitched roof using a modern contemporary material.

**Link Roof:** grey rubberised flat roofing EPDM such as Samafil with grey powder coated guttering and square profile downpipes, this design creates a traditional pitched roof using a modern contemporary material.

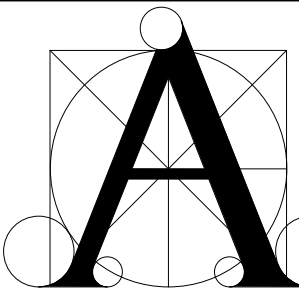
**Solar Panels:** grey framework and black solar panels to blend in with proposed grey roof.

**Windows and Doors:** frames to be Anthracite grey powder coated aluminium with double glazing.

**Glazing:** External glazing to the South-East elevation to be Pilkington SunCool, this offers a Light transmittance performance ranging from 70% to 28% giving excellent light/heat ratios reducing light spillage through these glazed panels.

**Driveway / Parking:** new driveway and parking/turning area to be self draining porous gravel surface.

**Proposed - Main Sheet**



**STABLE ARCHITECTURE**  
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Job:  
Braecroft  
Upper Oddington

Client:  
Mr P. Wilsdon  
Braecroft  
Oddings

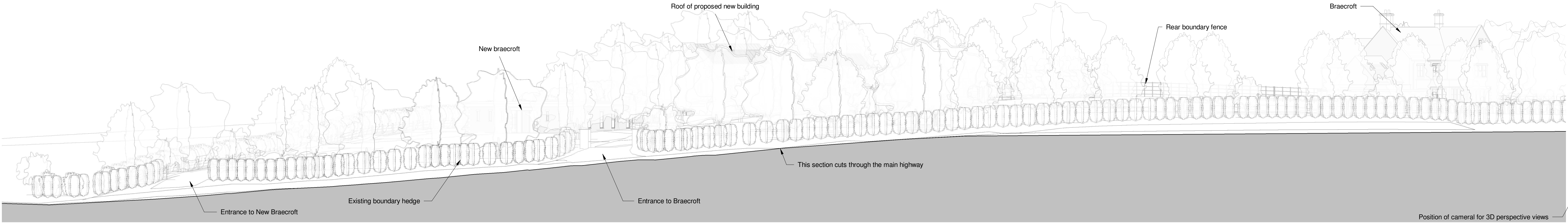
Drawing No: 8022-02 Date: 26/11/2024 Scale: 1 : 100@A1



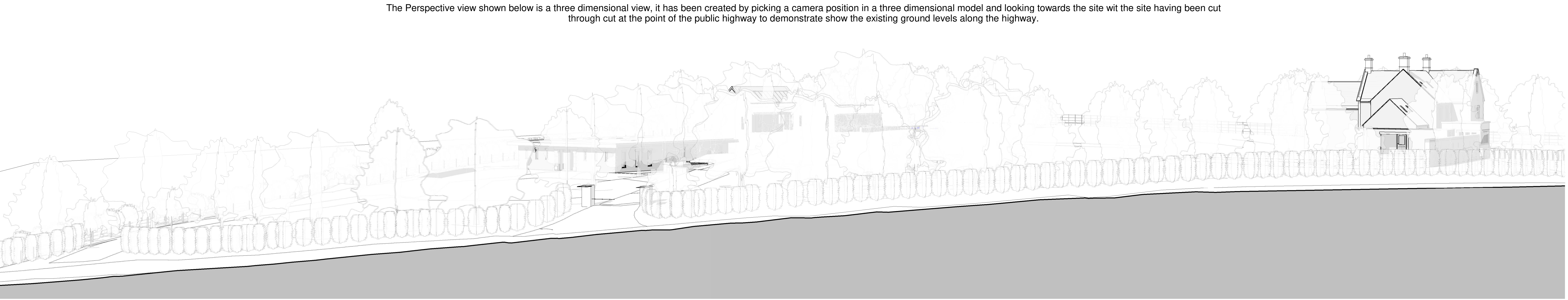
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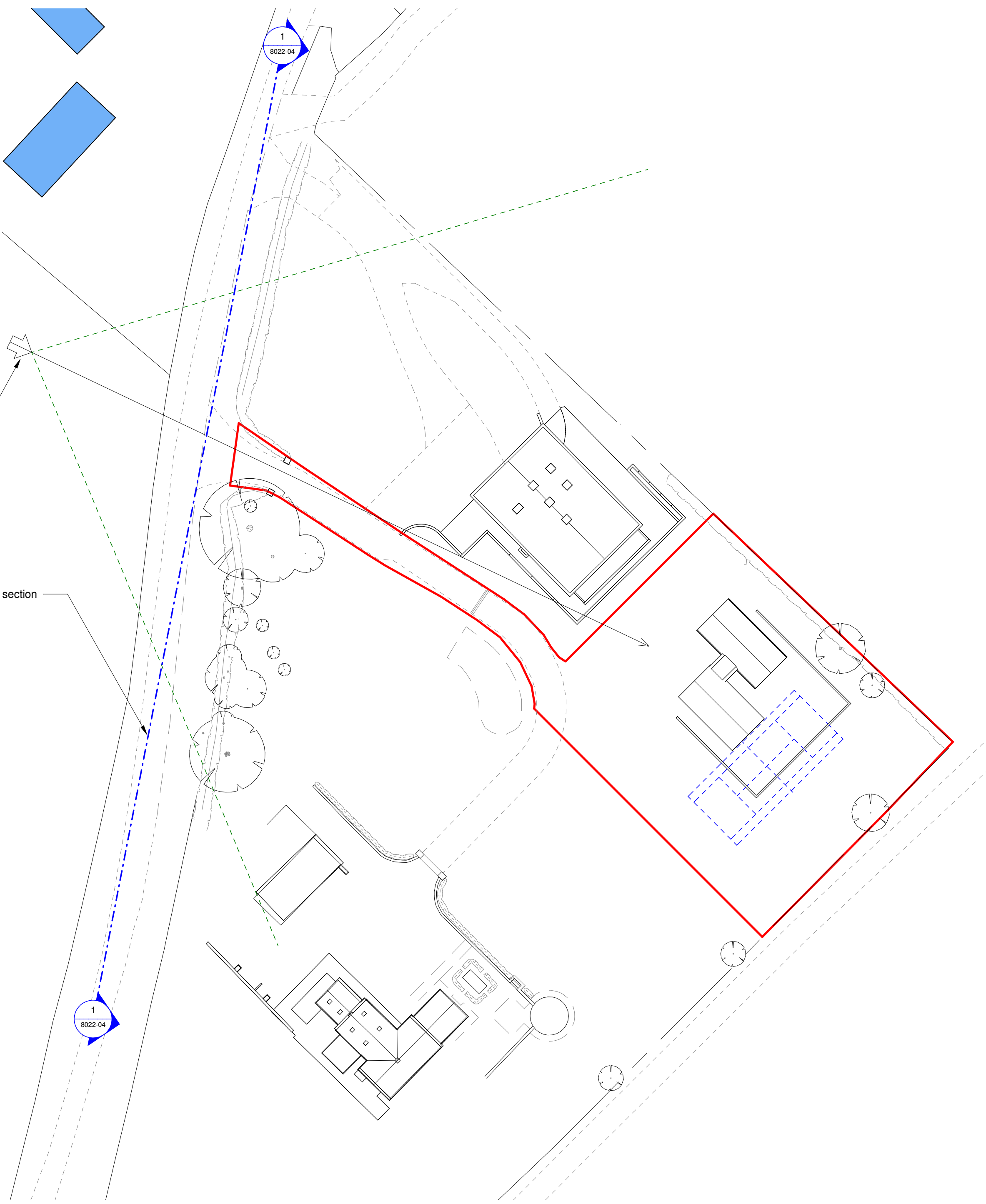
**Critical note:** Within the views shown below all planting (trees, bushes and hedgerows) Have been set to a partial transparency of 20% allowing some element of seeing through the trees to give a more realistic assessment of the site



**Highway Section** This view is a two dimensional scaled view of the entire site taken by cutting through the public highway all that will shown to scale and taken from top of graphical survey  
1 : 200



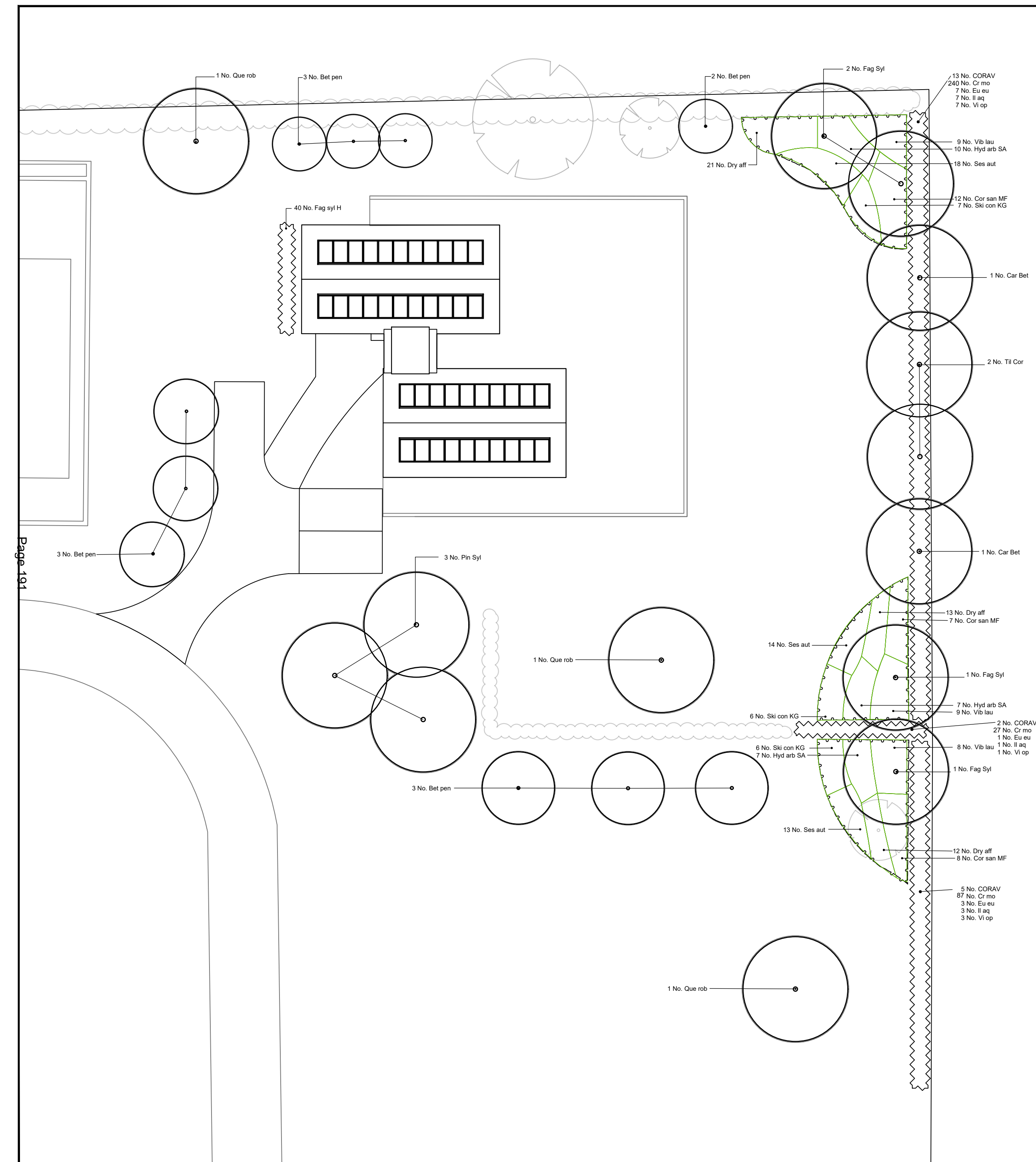
**Street Perspective** View point / Camera level set at 2.0m above highway



**Section Key**  
1 : 500



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Drawing no.

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**Demolition of existing outbuilding and erection of new dwelling at Outbuilding to the East of Poplars Barn Green Lane Evenlode Moreton-In-Marsh Gloucestershire GL56 0NN**

<b>Full Application 21/01892/FUL</b>	
Applicant:	Clarissa Astor
Agent:	LPC (Trull) Ltd
Case Officer:	Charlotte Van De Wydeven
Ward Member(s):	Councillor David Cunningham
Committee Date:	11 June 2025
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**UPDATE: This application was an Agenda Item (No.8) on the Planning and Licensing Committee of 14 May 2025. Due to the Case Officer being absent, the Committee resolved to defer consideration of this application to the Planning and Licensing Committee of 11 June 2025.**

**1. Main Issues:**

- (a) Principle of Development
- (b) Impact on the Character and Appearance of Moreton-in-Marsh Surrounds  
Special Landscape Area
- (c) Impact on Setting of Evenlode Conservation Area
- (d) Residential Amenity
- (e) Access and Parking
- (f) Biodiversity
- (g) Other considerations
- (h) CIL

**2. Reasons for Referral:**

- 2.1 Not relevant

**3. Site Description:**

- 3.1 This application relates to an existing timber building located on a parcel of land measuring approximately 650sqm hectares in size located on the north-eastern side of the village of Evenlode. The site lies to the north-east of Poplars Barn and is accessed via a track between this and Pump Green House. The access track is also a PROW; serves a parking area to Pump Green House; and

provides access to the rear of Martlett House to the northwest and agricultural land beyond the site to the north. The building on the site is of timber construction and the supporting information with the application states that it is used for covered parking, storage and studio use having previously been stabling.

- 3.2 The north-eastern boundary of the site adjoins agricultural fields, to which the access track leads with a 5-bar gate providing access into the fields. The eastern boundary abuts land in the ownership of Pump Green House which was (June 2020) granted planning permission for use as residential curtilage under 20/01632/FUL. The northeastern boundary of this site is formed by a tall, established hedgerow with it being concluded that the land had residential characteristics and its use as domestic garden would not adversely impact upon either the Moreton-in-Marsh Surrounds Special Landscape Area or the Evenlode Conservation Area. To the northwest of the site is the substantial garden to Martlett House.
- 3.3 The site is located within Moreton-in-Marsh Surrounds Special Landscape Area.
- 3.4 The site is located outside Evenlode Conservation Area (CA). The boundary of the CA extends along the south-western boundary of the application site.
- 3.5 A Public Right of Way (HEV6) extends in a north-east to south-west direction along the north-western side of the application site.

#### **4. Relevant Planning History:**

- 4.1 97.01793 - Erection of timber loose box and associated storage, erection of timber field shelter - Permitted

#### **5. Planning Policies:**

- TNPPF The National Planning Policy Framework
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN6 Special Landscape Areas
- EN8 Bio & Geo: Features Habitats & Species
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- INF4 Highway Safety
- DS3 Small-scale Res Dev non-Principal Settle
- INF5 Parking Provision



## **6. Observations of Consultees:**

- 6.1 GCC Highways: Objection as it was considered that the proposed dwelling would increase peak hour vehicle trips on the existing outbuilding in an unsustainable location without regular commutable bus services nearby to significant settlements and associated education, shops, employment and amenities.
- 6.2 CDC Drainage: No objection subject to condition
- 6.3 Biodiversity Officer: No objection subject to condition
- 6.4 Environmental Health: No objection

## **7. View of Town/Parish Council:**

- 7.1 Evenlode PC object to the application on the following grounds:
  - (i) Over-development of the Poplars Barn property. Already a guest annexe adjacent to the main property.
  - (ii) Widening of the building on the site brings it closer to the farm access track and PROW.
  - (iii) For such a small village an additional AirBnB type property is excessive.

## **8. Other Representations:**

- 8.1 Five letters of objection have been received from 4 households within the village raising the following concerns:
  - (i) Design
  - (ii) Highways access and parking
  - (iii) Over development
  - (iv) Privacy, Light and Noise
  - (v) Other issues not considered material planning considerations (restrictive covenants, financials)

## **9. Applicant's Supporting Information:**

- Design and Access Statement
- Bat Survey and Report
- Preliminary Ecological Appraisal

## **10. Officer's Assessment:**

### **Proposed Development**

- 10.1 This application is for the demolition of the existing timber outbuilding, and the erection of a single storey detached dwelling, comprising two bedrooms, an open plan living, kitchen, dining area, shower room and utility area following the demolition of the existing timber outbuilding on the site. An area of private amenity space is proposed to the southeast side, adjacent to the recently extended garden at Pump Green House. Off-street parking provision for 2 no. vehicles, along with a turning area, would be provided to the northeast end of the site, where there is currently an area of concrete hard standing.

### **(a) Principle of Development**

- 10.2 The application site is located within the village of Evenlode. The village contains 40-50 dwellings, a church and a village hall. It is also served by a very limited bus service. However, it has no other services or facilities that would typically be used by residents on a day-to-day basis. Future occupiers of the new dwellings would therefore be reliant on the use of the motor car to undertake most day-to-day activities. Notwithstanding this, the site is located midway between two Principal Settlements (Moreton-in-Marsh and Stow-on-the-Wold). A range of services and facilities can be found in the aforementioned settlements including a railway station, hospital, primary schools, foodstores and employment estates. Paragraph 83 of the National Planning Policy Framework (NPPF) also states that 'housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.
- 10.3 In light of the size of the settlement and its proximity to two Principal Settlements, it is considered that the village could reasonably be classed as a Non-Principal Settlement for the purposes of the Cotswold District Local Plan 2011-2031.
- 10.4 When viewing the site in the context of the surrounding uses, including the previously approved residential garden land to the rear of Pump Green House, it is considered that the site lies within the village of Evenlode, which is a non-principal settlement.
- 10.5 Policy DS3 of the Local Plan supports small-scale residential development in non-principal settlements subject to a number of criteria:

(a) demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally.

(b) is of a proportionate scale and maintains and enhances sustainable patterns of development;

(c) complements the form and character of the settlement;

(d) does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.

10.6 The village of Evenlode has a church and village hall but there is no shop or public house and so there are limited facilities. However, the erection of the proposed dwelling will seek to support and enhance these services and may also help support services in nearby villages, as suggested within paragraph 83 of the NPPF. The proposal will also provide a small home, which the NPPF says can make an important contribution meeting the housing requirement of an area, as they are often built-out relatively quickly. The type of dwelling that is proposed for this site is capable of being constructed quickly and therefore point (a) is met.

10.7 The provision of one additional unit would be of a proportionate scale to the village and the services and facilities within the village would be accessible from the proposed dwelling. The proposal would therefore accord with point (b) of DS3.

10.8 The proposed dwelling would be single storey in height and a simple linear layout as per the existing outbuilding on site. The existing outbuilding is 15m x 5.4m and the proposed dwelling would be 17.6m x 5.9m. As such, while the proposed dwelling would be marginally wider and longer than the existing outbuilding it is considered that its scale, simple linear layout and use of materials conducive to the original outbuilding would complement the form and character of this part of the settlement in accordance with point (c) of DS3 given the existing building on site.

10.9 With regard to point (d) of Local Plan Policy DS3, no other new-build dwellings have been permitted in the Local Plan period in the village of Evenlode although it is noted that there is a currently application for a replacement dwelling and one additional dwelling currently in the planning system at Little Orchard. The proposal is not considered to have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.

10.10 Taking the above into account, the proposal is considered to comply with the Local Plan Policy DS3 and paragraph 83 of the NPPF.

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

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

10.12 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.'

10.13 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'.

10.14 In addition, paragraph 187 of the 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'. On the basis of the SLA designation, it is considered that the site would fall within a valued landscape. Paragraph 187 of the NPPF would therefore be applicable when considering this proposal.

10.15 The site is located within the village and between existing residential dwellings and associated gardens. The site is seen in context with existing village development and the proposal will not result in an encroachment of development into the open countryside. Subject to the existing vegetation located along the boundaries of the site being retained or replaced with a

suitable alternative, the proposal is also unlikely to have a material impact on the setting of the village within the SLA landscape. It is therefore considered that the proposals would not have an adverse impact on the character or appearance of the SLA.

- 10.16 Overall, it is considered that the proposed development will not have an adverse impact on the character or appearance of the SLA. The proposal is considered to accord with Local Plan Policies EN4 and EN6.

**(c) Impact on Setting of Evenlode Conservation Area**

- 10.17 The south-western boundary of the site adjoins Evenlode Conservation Area.

- 10.18 The following Local Plan policies are considered relevant to this proposal:

- 10.19 Local Plan 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.'

- 10.20 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.'

10.21 In terms of national guidance, paragraph 212 of the National Planning Policy Framework (NPPF) states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.'

10.22 Paragraph 215 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, where appropriate, securing its optimum viable use.'

10.23 The site lies adjacent to existing residential gardens and has a number of residential characteristics. At present, it appears as a transitional area between the existing houses and the open fields to the north-east. The site provides a relatively soft edge to both the settlement and the CA. Notwithstanding this, it is not truly agricultural in character or appearance and as such the boundary of the CA does not appear as if it lies immediately adjacent to agricultural land. The current character of the site means that the CA boundary appears to be located adjacent to existing village development rather than the open countryside.

10.24 In light of the current managed character of the existing site, it is considered that the proposed garden use will not be materially different in character or appearance to the existing land use. In addition, the proposal is considered not

to have an adverse impact on the setting of the CA when viewed from the Right of Way to the north. The existing boundary hedgerow is residential in character and already has an influence on the setting of the CA. The proposed use does not involve the erection of any buildings and as such the existing verdant nature of the site will remain.

- 10.25 It is considered that the proposed change of use is considered not to have an adverse impact on the setting of the CA or its relationship with the designated heritage asset. The proposal is considered to accord with Local Plan Policies EN10 and EN11 and guidance in Section 16 of the NPPF.

**(d) Impact on Residential Amenity**

- 10.26 (i) Nationally Described Space Standards and Amenity of Future Occupiers

The proposals are for a single storey 2 double bedroomed property. The NDSS requires a minimum internal space of 70sqm plus 2sqm of built in storage. The proposals would provide a total internal floorspace of 89sqm. In addition, the 2 double bedrooms exceed the minimum width of 2.75m for the 1st room and 2.55m for the 2nd. Therefore, the proposals would provide adequate internal living space to serve the future occupants and as such comply with the NDSS and Policy H1 of the Cotswold District Local Plan.

- 10.27 (ii) Amenity of Neighbouring Properties

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

- 10.28 The proposed development would not impinge on the residential amenities of the neighbouring properties having regard to loss of light, overlooking or have an overbearing impact. The proposed works would be set away from other neighbouring properties and would not cause unacceptable harm to the residential amenities of the neighbouring properties. The building is single storey which limits any potential overlooking and there is also limited fenestration on the elevations with the use of rooflights proposed for additional light. The proposed development is considered to accord with the objectives of Cotswold District Local Plan Policy EN2 and Section 12 of the NPPF referred to previously in the report.

**(e) Access and Parking**

- 10.29 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.
- 10.30 Local Plan Policy INF5 (Parking Provision) seeks to ensure sufficient parking provision to manage the local road network.
- 10.31 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.
- 10.32 The application site enjoys existing vehicular access from Green Lane to the existing building and the farmland to its northeast. The field access to the applicant's land to the northeast will be retained, as will the area where vehicles park to the northeast of the existing building.
- 10.33 The proposed dwelling will be accessed on foot in the same manner that the existing building is accessed but the entrance will be on the southeast side where it will be accessible to pedestrians or visitors in a car.
- 10.34 There is provision within the curtilage of the dwelling for the parking and turning of two cars so that each vehicle will be able and leave the site in a forward gear. There is adequate room within the curtilage for the parking of cycles.
- 10.35 The Highways Officer raised concerns stating that the proposed dwelling would increase peak hour vehicle trips on the existing outbuilding as there are limited regular commutable bus services nearby to significant settlements and associated education, shops, employment and amenities. Whilst this may be the case, based on the analysis of the information submitted, it is considered that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion as a result of an increase in peak hour vehicle trips. There are no justifiable grounds on which an objection could be maintained. Overall, it is considered that the proposal accords with Local Plan Policies INF4 and INF5 and the NPPF.



**(f) Biodiversity**

- 10.36 The submitted bat report has confirmed likely absence of roosting bats; therefore, this constraint does not need to be considered further. However, the bat report did identify the presence of two swallow nests and a disused blackbirds' nest in the open fronted section of the existing outbuilding.
- 10.37 To secure appropriate mitigation for nesting birds, Cotswold District Council's Precautionary Method of Working document will need to be adhered to. To secure compensatory bird nesting features, the above enhancement condition is recommended; swift bricks are also recommended as these features are known to support a number of bird species that feature of the Red List, and will deliver a biodiversity enhancement in accordance with Chapter 15 of the NPPF and local plan policy EN8.
- 10.38 Two ponds were identified within 250m of the proposed development. The submitted great crested newt survey returned a negative eDNA result from Pond 1, indicating great crested newts are likely to be absent from this pond. Pond 2, identified within 50m of the proposed development is no longer present, and therefore an assessment was not undertaken. The results of the phase 1 and 2 surveys indicate great crested newts are highly unlikely to be a constraint to the proposed development, nevertheless, there are other ponds present in the wider landscape and as such, precautionary mitigation outlined in Section 5 of the submitted ecology report will need to be adhered to.
- 10.39 As such the proposal is considered to accord with Section 15 of the NPPF, Policy EN8 of the Cotswold District Local Plan and Section 40 of the Natural Environment and Rural Communities Act 2006.

**(g) Other Considerations**

- 10.40 As mentioned previously, there is a public footpath along the northwestern boundary of the application site and this proposal will ensure that this is retained. It will be fenced off with an appropriate fencing.

**(h) CIL**

- 10.41 This development is liable for CIL because it is a new build that results in the creation of a dwelling.

## **11. Conclusion:**

- 11.1 Overall, it is considered that the proposed change of use will not have an adverse impact on the character or appearance of Moreton-in-Marsh Surrounds Special Landscape Area or the setting of Evenlode Conservation Area. It is therefore recommended that the application is granted permission.

## **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 number(s): LPC,5077,21,03 A; 807\_PL\_404\_SE-2; 807\_PL\_403\_SE-1; 807\_PL\_402\_RE; 807\_PL\_401\_FE

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any other statutory instrument amending or replacing it, no extensions, structures, hardstandings, openings, buildings, fences, walls or other means of enclosure shall be erected, constructed or inserted in the building the subject of this permission, other than those permitted by this Decision Notice.

**Reason:** The site has a distinct and attractive character and appearance which should be maintained. In order to protect these qualities, it is essential for the Local Planning Authority to maintain control over the types of development listed above, in accordance with Cotswold District Local Plan Policy EN2 and the NPPF.

4. Prior to the commencement of development, details of a sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be carried out fully in accordance with approved details prior to the first occupation of the development and shall be maintained in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent the increased risk of flooding, to improve water quality and to maximise the value for wildlife of drainage features in accordance with Cotswold District Local Plan and the National Planning Policy Framework. It is important that these details are established prior to the commencement of development so that the measures can be fully incorporated into the development scheme as it progresses thereby reducing the risk of flooding in the locality.

5. The development shall be undertaken in accordance with the recommendations contained in Section 5 of the consultancy report (Great Crested Newt eDNA Analysis, prepared by All Ecology, dated May 2022) and Cotswold District Council's Precautionary Method of Working document. All of the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently retained.

**Reason:** To ensure great crested newts and nesting birds are 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, Section 15 of the National Planning Policy Framework, 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.

6. Prior to the erection of any external wall, details of the provision of 2no. swallow nest cups and 2no. universal swift bricks on north or east-facing elevations of the new dwelling shall be submitted to the local planning authority for approval. The details shall include a technical drawing showing the types of features, their locations within the site, including elevations and heights and a timetable for their provision. The approved details shall be implemented within 3 months of completion of the development hereby approved, and thereafter permanently retained.

**Reason:** To provide additional opportunities for nesting birds as biodiversity enhancements in accordance with Section 15 of the National Planning Policy Framework, Policy EN8 of the Cotswold District Local Plan 2011-2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

**Informatives:**

1. This development is liable for CIL because it is a new build that results in the creation of a dwelling.

2. If a protected species (such as any bat, great crested newt, dormouse, badger, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the

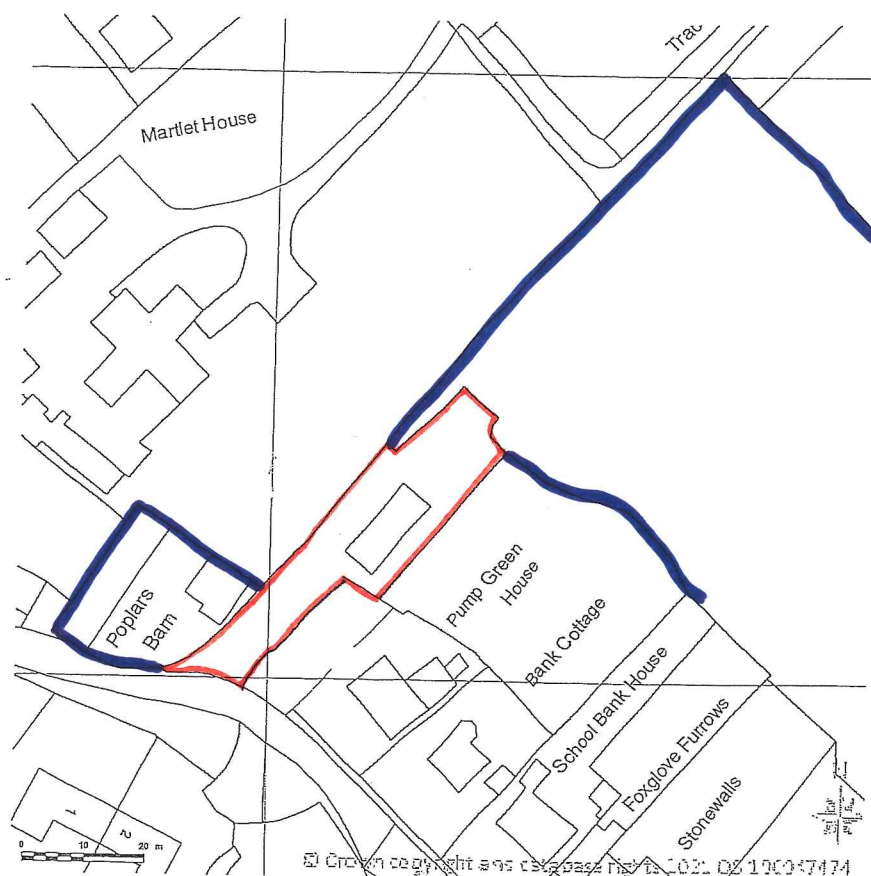
species at the locality should cease. If the discovery can be dealt with satisfactorily by the implementation of biodiversity mitigation measures that have already been drawn up by your ecological advisor and approved by the Local Planning Authority, then these should be implemented. Otherwise, a suitably experienced ecologist should be contacted and the situation assessed before works can proceed. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works. Cotswold District Council's Precautionary Method of Working document can be found here:

<https://www.cotswold.gov.uk/planning-and-building/wildlife-and-biodiversity/biodiversityspecifications/>

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

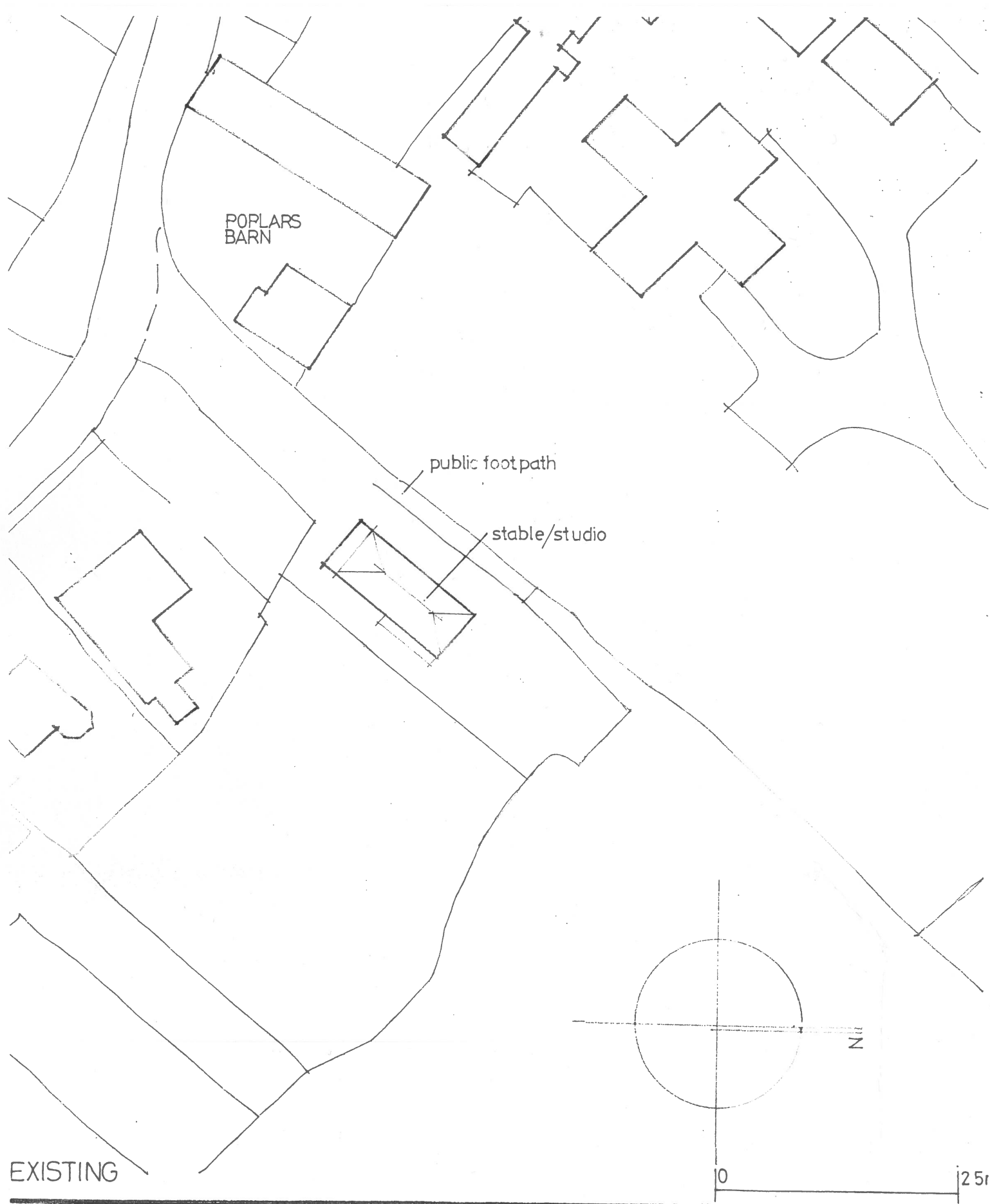
- Techniques in order to ensure compliance with;
- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water
- Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015
- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment
- Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.
- Updated Planning Practice Guidance on Flood Risk and Coastal Change, published on 25th August 2022 by the Environment Agency - <https://www.gov.uk/guidance/flood-risk-and-coastal-change> .
- Non-statutory technical standards for sustainable drainage systems (March 2015)

SITE LOCATION PLAN  
 AREA 2 HA  
 SCALE 1:1250 on A4  
 CENTRE COORDINATES: 422329, 229238



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POPLARS BARN, EVENLODE  
SITE PLAN - EXISTING

SCALE 1,500/A4  
DRG No LPC,5077,21,02 A  
DATE 12 APRIL 2021

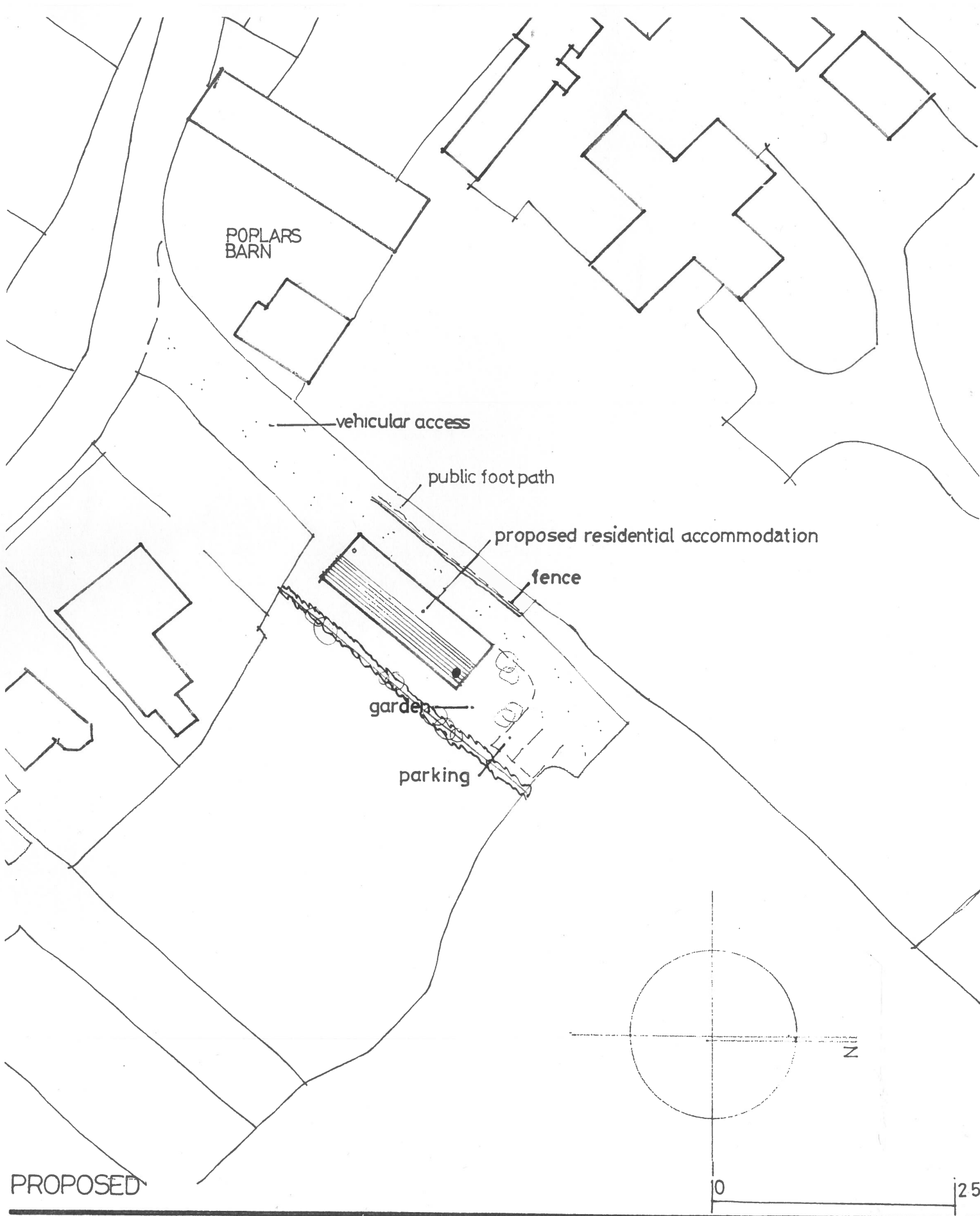


TOWN AND  
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POPLARS BARN, EVENLODE  
SITE PLAN - PROPOSED

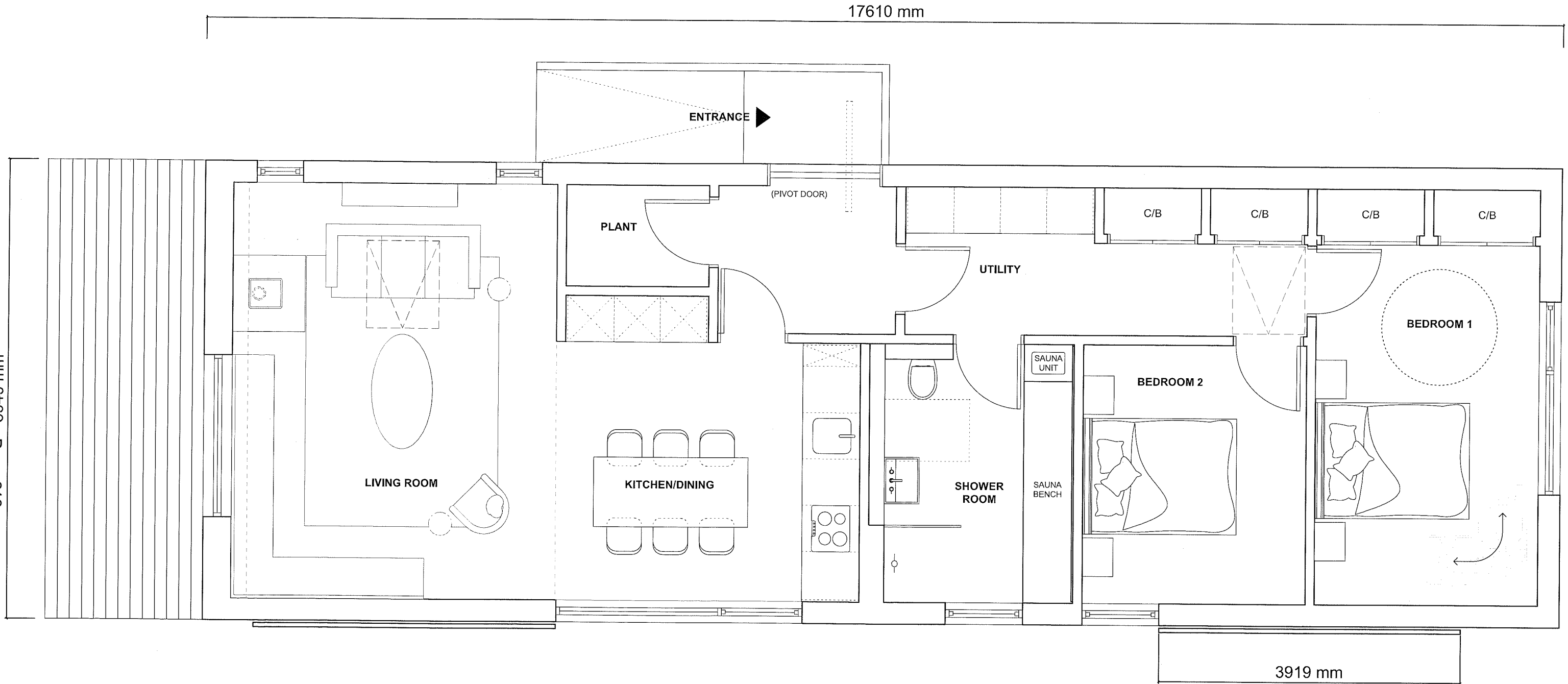
SCALE 1,500/A4  
DRG No LPC,5077,21,03 A  
DATE 12 APRIL 2021



TOWN AND  
COUNTRY  
PLANNING  
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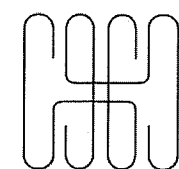
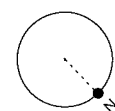


**PROPOSED HOUSE FOR:**  
CLARISSA BERNING  
**SITE ADDRESS:**  
POPLARS BARN  
EVENLODE  
MORETON-IN-MARSH  
GL56 0NN

0 0.5 2.5m

Proposed External Finishes

**Walls:** Vertical untreated siberian larch  
**Roof:** Profiled aluminium in dark grey  
**Gutters:** Galvanised metal  
**Windows:** Timber framed windows in dark grey



**Hebridean Homes**

tel +44 (0)141 550 7360  
email [info@hebrideanhomes.com](mailto:info@hebrideanhomes.com)  
web [www.hebrideanhomes.com](http://www.hebrideanhomes.com)

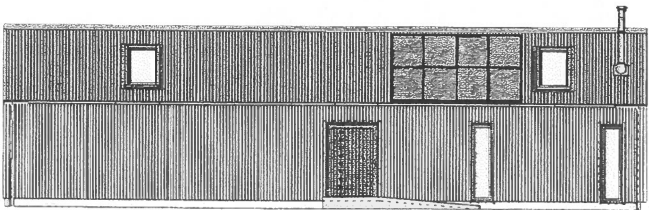
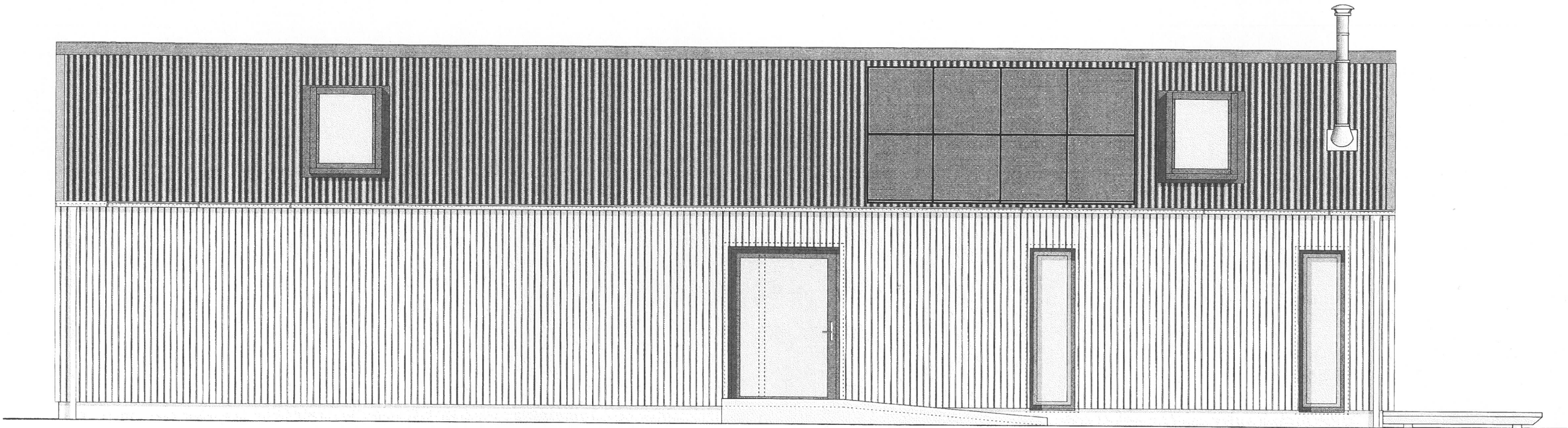
To be read in conjunction with the specification and all relevant drawings. Contractor to check all dimensions on site. Do not scale from this drawing for production or construction. Architect to be advised of any variation between the drawings and site conditions.

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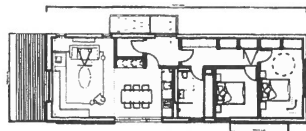
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DRAWING TITLE <b>GROUND FLOOR</b>		
DRAWING NUMBER <b>807_PL_201_GF</b>	DRAWN BY <b>JW</b>	DATE <b>20/04/2021</b>
CAD FILE NAME <b>H_807_PL_BERNING_REV</b>		SCALE <b>1:50 @ A3</b>

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NON GLAZED PIVOT DOOR

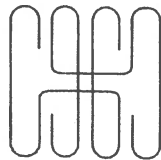
PROPOSED HOUSE FOR:  
CLARISSA BERNING  
SITE ADDRESS:  
POPLARS BARN  
EVENLODE  
MORETON-IN-MARSH  
GL56 0NN



0 0.5 2.5m

Proposed External Finishes

**Walls:** Vertical untreated siberian larch  
**Roof:** Profiled aluminium in dark grey  
**Gutters:** Galvanised metal  
**Windows:** Timber framed windows in dark grey



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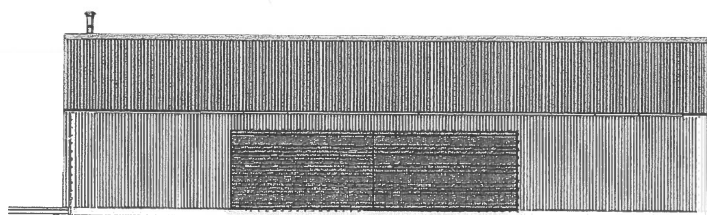
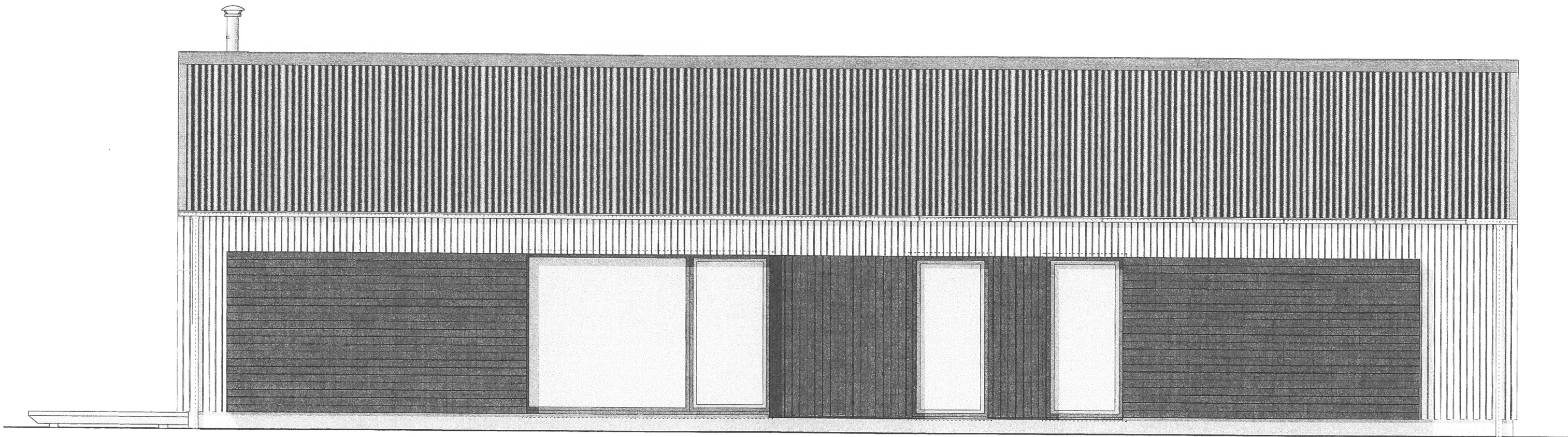
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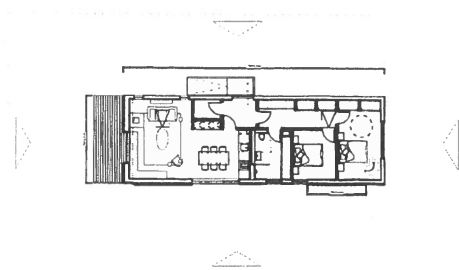
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DRAWING TITLE FRONT ELEVATION - SOUTH EAST.			
DRAWING NUMBER 807_PL_401_FE		DRAWN BY JW	DATE 20/04/2021
CAD FILE NAME H_807_PL_BERNING_REV			SCALE 1:50 @ A3

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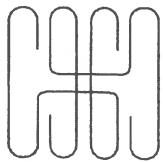
REAR ELEVATION WITH SHUTTERS CLOSED

PROPOSED HOUSE FOR:  
CLARISSA BERNING  
SITE ADDRESS:  
POPLARS BARN  
EVENLODE  
MORETON-IN-MARSH  
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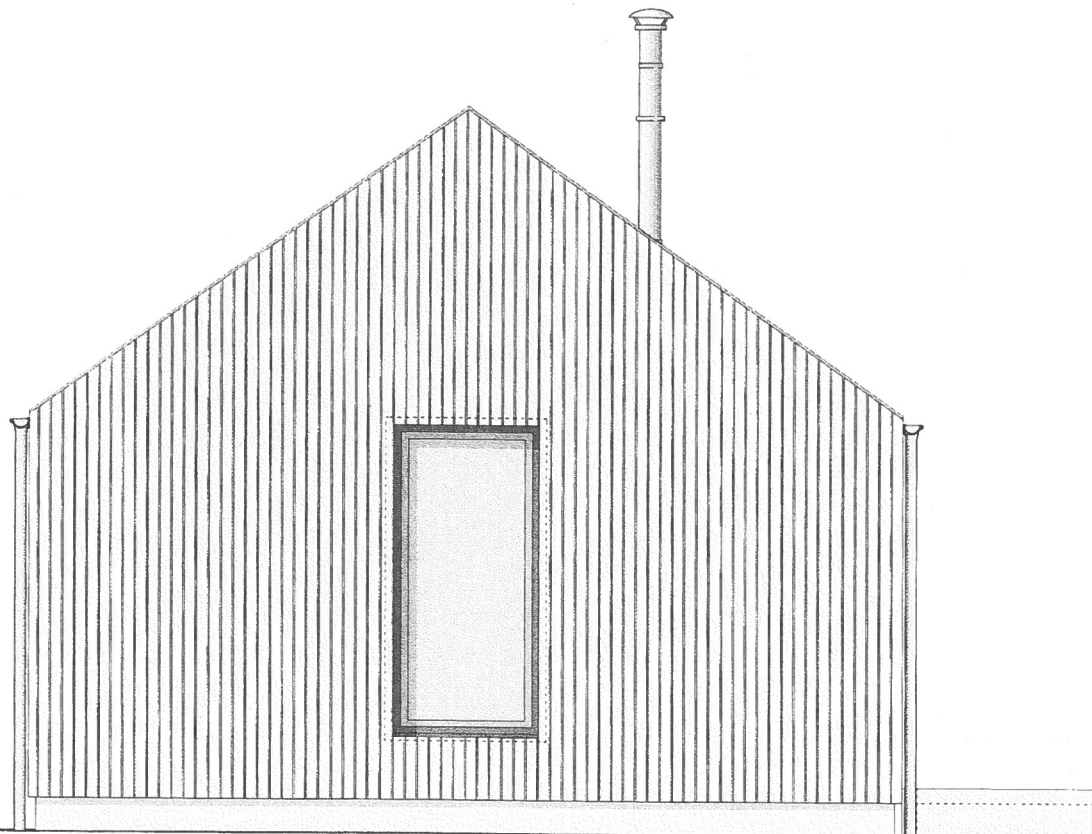
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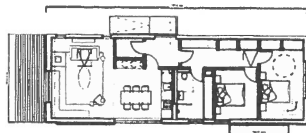
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DRAWING TITLE REAR ELEVATION - NORTH WEST.		
DRAWING NUMBER 807_PL_402_RE	DRAWN BY JW	DATE 20/04/2021
CAD FILE NAME H_807_PL_BERNING_REV		SCALE 1:50 @ A3

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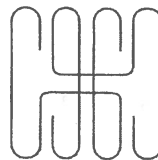
PROPOSED HOUSE FOR:  
CLARISSA BERNING  
SITE ADDRESS:  
POPLARS BARN  
EVENLODE  
MORETON-IN-MARSH  
GL56 0NN



0 0.5 2.5m

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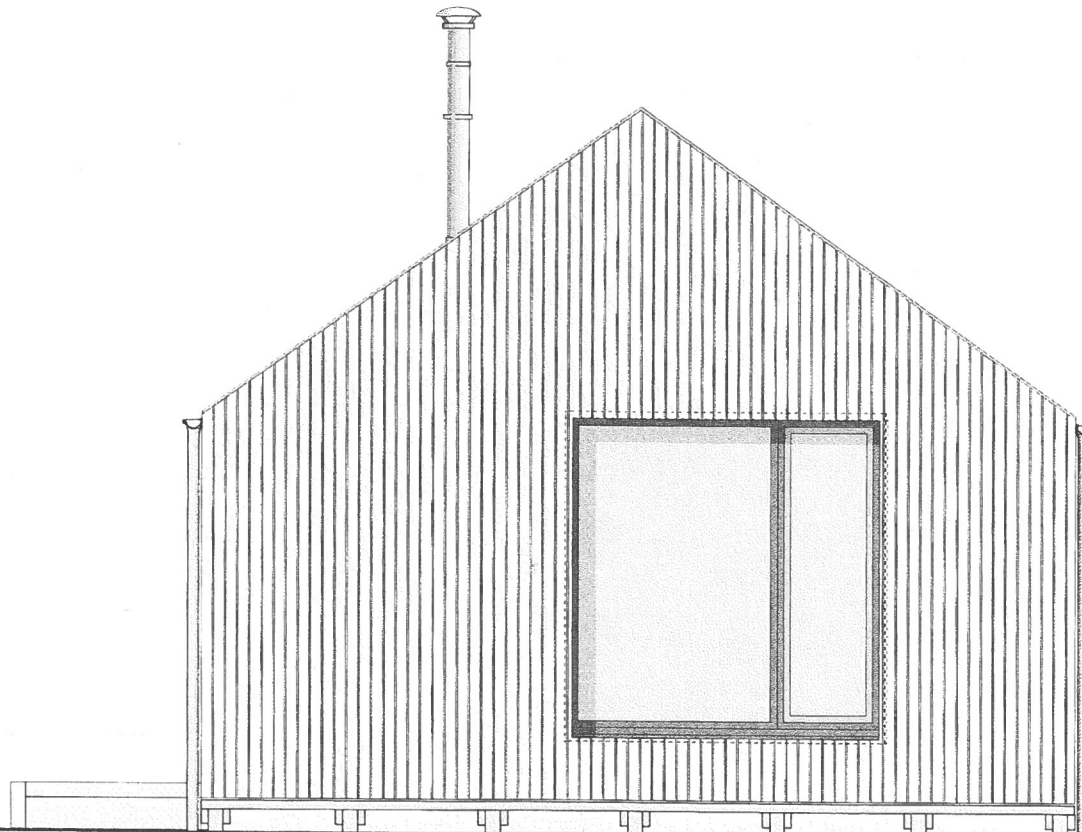
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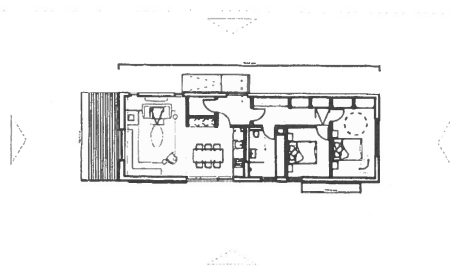
Note: Construction must comply with all NHBC and industry standards.

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DRAWING TITLE SIDE ELEVATION 1 - SOUTH WEST .		
DRAWING NUMBER 807_PL_403_SE-1	DRAWN BY JW	DATE 20/04/2021
CAD FILE NAME H_807_PL_BERNING_REV		SCALE 1:50 @ A3

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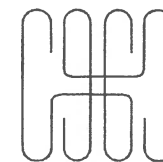


PROPOSED HOUSE FOR:  
CLARISSA BERNING  
SITE ADDRESS:  
POPLARS BARN  
EVENLODE  
MORETON-IN-MARSH  
GL56 0NN



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DRAWING SET PLANNING APPLICATION		CLIENT H_807_BERNING
DRAWING TITLE SIDE ELEVATION 2 - NORTH EAST .		
DRAWING NUMBER 807_PL_404_SE-2	DRAWN BY JW	DATE 20/04/2021
CAD FILE NAME H_807_PL_BERNING_REV		SCALE 1:50 @ A3

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**View from entrance/highway looking towards proposed site**



**Exit from site onto highway**





**Existing building**





**Towards rear of existing building**



**Rear of existing building**





**Rear of existing building**



**Rear of existing site, looking towards neighbouring boundary**





**Rear of building, showing neighbouring boundary**



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