



2 June 2026

Tel: 01285 623226

e-mail: democratic@cotswold.gov.uk

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, 10 June 2026 at 2.00 pm.**

A handwritten signature in cursive script that reads 'Jane Portman'.

Jane Portman
Chief Executive

To: Members of the Planning and Licensing Committee
(Councillors Dilys Neill, Ian Watson, Ray Brassington, Nick Bridges, Patrick Coleman, Daryl Corps, Paul Evans, David Fowles, Nikki Ind, Julia Judd 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 7 - 24)
To confirm the minutes of the meeting of the Committee held on 13 May 2026.
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. **25/02687/FUL - Land Parcel East of Willersey Business Park** (Pages 27 - 120)
Proposal

Residential development comprising 60 dwellings with associated roads, accesses, parking and servicing, open space, landscaping and drainage infrastructure.

Case Officer

Martin Perks

Ward Members

Councillors Gina Blomefield & Tom Stowe

Recommendation

PERMIT subject to no objection from Biodiversity Officer (and associated conditions), the completion of a S106 legal agreement covering matters such as affordable housing, self-build/custom build plots, Biodiversity Net Gain monitoring, and financial contributions to education and library services and Willersey Parish Council.

9. **25/03721/FUL - Cutlers Field And Horcott Hill** (Pages 121 - 140)
Proposal

Change of use of agricultural land to allow for the siting of caravans in association with Fairford Royal International Air Tattoo.

Case Officer

Jordan Hawes

Ward Members

Councillors Helene Mansilla and Tristan Wilkinson

Recommendation

PERMIT

10. **Footpath Diversion Order - Tetbury Upton Footpath** (Pages 141 - 156)

Purpose

To consider making a Public Path Diversion Order in respect of TETBURY UPTON Footpath No NTU 46 (Part) at Worwell Farm.

Accountable Members

Councillors Nikki Ind and Laura Hall-Wilson

Report Author

Andrew Moody

Recommendations

That Planning and Licensing Committee resolves to:

- a) Make a Public Path Diversion Order in respect of TETBURY UPTON Footpath No NTU 46 (Part) under Section 275 Town and Country Planning Act 1990 and carry out the statutory consultation (subject to response and any final minor amendment required by the County Council PROW Officers).
- b) To confirm the Public Path Diversion Order, if unopposed.

11. **Enforcement Plan** (Pages 157 - 182)

Purpose

This report presents the Council's draft Local Enforcement Plan 2026–2028 for endorsement. The Plan establishes a clear and proportionate framework for investigating and responding to alleged breaches of planning control, in line with national guidance and best practice.

The Planning Committee is asked to endorse the Plan as the Council's formal policy approach to planning enforcement for the period 2026–2028.

Accountable member

Councillor Juliet Layton - Cabinet Member for Housing and Planning

Report author

Harrison Bowley – Head of Planning Services

Recommendation

That the Planning and Licencing Committee resolves to:

1. Endorse the Local Enforcement Plan

12. **Appointments to Sub-Committee** (Pages 183 - 192)

Purpose

To invite the Licensing Committee to confirm the appointment of Sub-Committees for the 2026/27 municipal year.

Accountable member

Councillor Dilys Neill

Recommendations

That the Planning and Licensing Committee resolves to:

1. Appoint five members of the Committee to the Licensing Sub-Committee (Taxi, Private Hire and Street Trading) in accordance with political proportionality and the wishes of political groups (3 Liberal Democrat, 2 Conservative);

Note that Licensing Sub-Committee membership will comprise the Chair or Vice Chair of the Planning and Licensing Committee and two other members of the Planning and Licensing Committee drawn on an alphabetical rota basis from the remaining members of the Planning and Licensing Committee (subject to their availability and completion of licensing training prior to participation in a Licensing Sub Committee (Licensing Act 2003) meeting).

13. **Sites Inspection Briefing**

Members for 1 July 2026 (if required)

Councillors Dilys Neill (Chair), Ian Watson, Daryl Corps, Paul Evans, Nikki Ind.

14. **Licensing Sub-Committee**

Members for 25 June 2026

Councillors Ian Watson (Chair), Julia Judd (Vice-Chair), Michael Vann, David Fowles, Ray Brassington.

(END)

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Planning and Licensing Committee
13/May2026

Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 13 May 2026

Members present:

Dilys Neill (Chair)	Julia Judd (Vice Chair)	
Nick Bridges	David Fowles	Michael Vann
Patrick Coleman	Nikki Ind	
Paul Evans	Juliet Layton	

Officers present:

Marie Barnes, Lawyer	Nickie Mackenzie-Daste, Senior Democratic Services Officer
Harrison Bowley, Head of Planning Services	Amy Hill, Senior Planning Officer
Julia Gibson, Democratic Services Officer	Martin Perks, Principal Planning Officer
Tyler Jardine, Trainee Democratic Services Officer	
April Paintain, Environmental Health Officer	

273 Apologies

There were apologies from Councillors Joe Harris, Ian Watson, Ray Brassington and Daryl Corps.

274 Substitute Members

Councillor Juliet Layton substituted for Councillor Ray Brassington and Councillor Paul Evans substituted for Councillor Joe Harris. Councillor Julia Judd substituted as Vice Chair.

275 Declarations of Interest

Members were advised that one of the landowners was Mr Lynden Stowe, a former Councillor.

Councillor Nikki Ind had met with Newland Homes but had had no discussion regarding the application. As a former Council Chair, she had attended an initial planning information meeting with the RAU but did not amount to pre-determination.

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Councillor Patrick Coleman declared that a senior officer of Newland Homes was a constituent within their ward but did not consider this to create a conflict.

Councillor Juliet Layton confirmed previous professional acquaintance with Mr Lyndon Stowe through council service. She had previously visited Newland Homes properties in a professional capacity but confirmed this was unrelated to the current application.

Councillor David Fowles declared a personal interest in the Mickleton application due to a long-standing personal friendship with Mr Lynden Stowe, and confirmed they would withdraw from the meeting and take no part in the discussion or vote. Councillor Fowles also declared an additional interest in agenda items 10 and 11. He would speak as Ward Member but withdraw from decision-making due to prior involvement and an acknowledged lack of an open mind on those applications.

Councillor Julia Judd declared prior knowledge of Mr Lynden Stowe and also the Town and Parish Council representative for Bibury, but confirmed that these are historical or limited contacts.

The public speaker, Andy Farmer was known to various Members of the Committee.

The legal representative was satisfied that it did not bias the Members' decision making

276 Minutes

The Minutes of the meeting held on 8 April 2026. Councillor Fowles proposed accepting the minutes and Councillor Coleman seconded the proposal which was put to the vote and accepted by the Committee.

RESOLVED: To APPROVE the minutes of the meeting held on 8 April 2026.

Approve the minutes if the Committee held on 8 April 2026 (Resolution)		
For	Nick Bridges, Patrick Coleman, David Fowles, Nikki Ind, Dilys Neill and Michael Vann	6
Against	None	0
Conflict Of Interests	None	0
Abstain	Paul Evans, Julia Judd and Juliet Layton	3
Carried		

277 Chair's Announcements

An all-Member hybrid Planning Committee training was planned for 3 June 2pm.

278 Public questions

There were no public questions.

279 Member questions

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There were no Member questions.

280 25/03351/OUT - Land North of Tops Nursery, Mickleton

Councillor David Fowles left the Chamber.

The proposal was for Outline planning application for the demolition of existing buildings and for up to 95 dwellings with associated access and infrastructure.

Case Officer: Martin Perks

Ward Members: Councillors Gina Blomefield and Tom Stowe

Recommendation: PERMIT subject to no objection from Biodiversity Officer and the completion of a S106 legal agreement covering affordable housing, self-build/custom build housing, financial contributions to Biodiversity Net Gain monitoring, secondary education and library services.

The Chair invited the Case Officer to introduce the application.

The Case Officer shared the application details with the Committee including additional pages:

- Councillor Tom Stowe declared an interest on 20 November 2025 due to his father's partial ownership of the application site.
- A contribution request had been received from Gloucestershire County Council for school transport, which the applicant had not objected to. The Case Officer advised that, if permission was granted, it was recommended that this contribution be secured through the Section 106 agreement.
- An updated bat survey and Biodiversity net gain information were received shortly before the meeting and would be reviewed.
- Biodiversity net gain matters were capable of resolution, with further clarification needed on whether they would be secured via Section 106 agreement or condition (e.g. habitat management plan)

Case Officer shared the application details with the Committee.

Public Speakers

Speaker 1 – Councillor Chris Cottam - Mickleton Parish Council

Concerns were raised that further development would bring limited local benefits and could increase pressure on existing infrastructure. Support was expressed for delivering affordable housing, but concerns were raised about the scale and type of market housing. It was noted that cumulative growth could expand Mickleton and risk harming the character of the village and its setting near the Cotswolds National Landscape. The Parish Council concluded that no further significant development should proceed until infrastructure needs are properly addressed.

Speaker 2 – Andy Crump – Objector

The proposal would not deliver any infrastructure improvements and that existing deficiencies in employment, health, social, and transport infrastructure would remain unresolved. The development would increase reliance on car use, with limited public transport provision.

Speaker 3 – Catherine Shepherd – Agent

The site was largely brownfield with being well located to local services and public transport, with separation distances to neighbouring properties and over one third of the site as open space. Biodiversity and environmental enhancements had been proposed, including ecological corridors, hedgehog highways, bat and bird boxes, tree and shrub planting, and a mix of on-site and off-site biodiversity net gain.

Sustainability credentials were highlighted, including zero-carbon homes using air source heat pumps, solar PV, high insulation standards, and EV charging infrastructure.

Speaker 4 – Ward Member – Councillor Gina Blomefield

Concern was raised regarding cumulative housing growth in Mickleton. The village had grown in recent years without infrastructure improvements, including education, healthcare, retail, and leisure provision. Education capacity was already constrained, with local schools reportedly full or oversubscribed.

Highways and transport impacts were highlighted, including reliance on private cars, increasing traffic, road safety concerns, and potential additional pressure from nearby large-scale developments.

Capacity issues were raised in relation to water supply and wider utilities, alongside concerns about limited local employment leading to increased commuting. If approved, conditions should be applied relating to landscape impact, lighting, highway adoption, and mitigation of infrastructure impacts including education, health, employment, and retail provision.

Members questions

Members of the Committee asked a series of questions and noted that:

- Thames Water had identified potential water supply pressure issues and requested a condition requiring a phased infrastructure plan to be agreed with the applicant to ensure any necessary upgrades are delivered.
- Thames Water has a statutory duty to provide potable water supply and had raised no objection beyond the requested condition relating to infrastructure upgrades and water pressure management
- The site was not classified as previously developed land due to its horticultural use, which is why the proposal provided 40% affordable housing.
- Concern regarding the cumulative impact of potential future housing growth in Mickleton were acknowledged with the need for supporting infrastructure, including highways, drainage, schools, employment, and retail provision.
- There was a need for smaller homes, and a condition was proposed requiring 80% of the development to be three-bedroom properties or smaller.

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- The Parish Council would receive 15% of CIL receipts, alongside increased council tax income, and would also be able to bid for Section 106 contributions.
- Any nearby large-scale development in adjacent areas cannot be given weight in the determination of the current application.

Member comments

- Support was noted for the developer’s approach to low-carbon housing, including solar panels and air source heat pumps, with a request that greater battery storage provision be considered.
- Request was made for enhanced accessibility standards, including a higher proportion of M4(3) wheelchair-accessible homes. Clarification was sought on whether such requirements and housing mix (including the 80% smaller homes provision) could be secured at reserved matters stage.
- Positive comments were made regarding the treatment of the woodland, including the protection of the footpath and provision of a cycle route.
- A condition was requested to require the reserved matters application to include an energy and sustainability statement and to exceed standard building regulations where appropriate.
- The Section 106 agreement should include school transport contributions and any requirements recommended by the biodiversity officer.

Councillor Juliet Layton proposed PERMITTING the application subject to no objection from Biodiversity Officer, an Energy and Renewable Energy Statement at reserved matters stage and the completion of a S106 legal agreement covering affordable housing, self-build/ custom build housing, financial contributions to Biodiversity Net Gain monitoring, secondary education and school transport and library services and Councillor Julia Judd seconded the proposal. The proposal was put to the vote and agreed by the Committee.

RESOLVED: to PERMIT the application.

25/03351/OUT - Land North of Tops Nursery, Mickleton (PERMIT) (Resolution)		
For	Nick Bridges, Patrick Coleman, Paul Evans, Nikki Ind, Julia Judd, Juliet Layton, Dilys Neill and Michael Vann	8
Against	None	0
Conflict Of Interests	David Fowles	1
Abstain	None	0
Carried		

281 25/01623/FUL - Land at Grid Reference 401975 198339 - Spratsgate Lane , Siddington

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The proposal was the installation of solar farm, associated infrastructure and grid connection cable.

Case Officer: Martin Perks

Ward Member: Councillor Mike Every

Recommendation: PERMIT subject to no objection from the Biodiversity Officer and the Environment Agency and the completion of a S106 legal agreement covering a Biodiversity Net Gain monitoring fee.

Councillor David Fowles returned to the Committee meeting.

The Chair invited the Case Officer to introduce the application.

The Case Officer shared the application details with the Committee along with additional pages:

- One additional objection was received regarding orientation and drainage.
- The applicant will use the district licensing scheme for Great Crested Newts.
- The battery storage had been temporarily removed from the application to allow further assessment of bat impact, and transformers have been repositioned away from hedgerows to reduce potential disturbance.
- Biodiversity net gain matters remain under review with the biodiversity officer. The issues were expected to be resolved through discussions and appropriate conditions.

Public Speakers

Public Speaker 1 – Andy Farmer – supporter

They expressed conditional support for the solar farm, subject to appropriate controls during construction regarding noise, dust, and protection of neighbouring residents. Support was given on environmental grounds, citing potential biodiversity benefits, soil recovery from long-term intensive farming, and the suitability of lower-grade agricultural land for solar use. Potential community benefits, including business rates contributions to the local authority and opportunities to address existing drainage issues were highlighted.

Speaker 2 – Agent – Harry Singh-Judd

The scheme aligned with local and national climate and energy policy, contributing to renewable energy generation, energy security, and reduced reliance on fossil fuels, with the site also prioritised for grid connection before 2030. 79% of the site would be taken out of intensive farming during the operational period to allow soil recovery. Additional landscaping, infrastructure reconfiguration, and drainage improvements, evolved through community engagement

A surface water drainage strategy was secured by condition, alongside an annual community benefit fund of £10,000. The development was temporary and reversible, with decommissioning and material reuse/recycling at the end of its operational life.

Member Questions

Members of the Committee asked a series of questions and noted that:

- Solar panel orientation (east–west tracking) did not undermine the visual impact assessment.
- Additional landscaping and buffering had been agreed along parts of the southern boundary to increase separation and reduce visual impact. Whilst maintenance access and hedgerow management would be needed, a 3.5m buffer was considered acceptable.
- A Surface Water Drainage Strategy and Flood Risk Assessment had been submitted, designed to ensure post-development runoff would not exceed existing greenfield rates.
- The Environment Agency was reviewing additional information relating to climate change allowances.
- The Lead Local Flood Authority had confirmed it was satisfied that the proposal would not increase surface water flow rates.
- Existing hedgerows around the site was generally substantial and provide year-round screening. Additional landscaping was proposed along the southern boundary to strengthen visual mitigation.
- Proposed equipment and storage/transformer units were distributed across the site rather than concentrated on the boundary, with some repositioned to reduce impacts on hedgerows, bats, and noise.
- Approximately 18% of the site was Grade 2 quality and 18% was Grade 3A, with the remainder largely lower-grade land.
- A decommissioning condition would ensure the solar panels and associated infrastructure were removed within six months of the cessation of use and the land restored.
- The site would be enclosed by low-key deer-proof mesh fencing.

April Paintain, Environmental Health Officer for Noise and Amenities confirmed that a noise assessment and a noise management plan had been reviewed for the site. No significant noise concerns were identified following the relocation of inverter units. A planning condition was recommended requiring a revised noise management plan to be submitted within six months of completion of development

Member comments

- The proposal was considered to make effective use of exhausted agricultural land.
- The importance of both energy security and food security was highlighted.
- The development was reversible and the site could be restored in the future.

Councillor Patrick Coleman proposed PERMITTING the application subject to no objection from the Biodiversity Officer and the Environment Agency and the completion of a S106 legal agreement covering a Biodiversity Net Gain monitoring fee

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and Councillor Nick Bridges seconded the proposal. The proposal was put to the vote and agreed by the Committee.

RESOLVED: to PERMIT the application.

25/01623/FUL - Spratsgate Lane, Siddington (PERMIT) (Resolution)		
For	Nick Bridges, Patrick Coleman, Paul Evans, David Fowles, Nikki Ind, Julia Judd, Juliet Layton, Dilys Neill and Michael Vann	9
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

282 25/02960/FUL - Shoecroft Barn, Ablington, Bibury, Cirencester Gloucestershire

The proposal was the conversion of ground floor of existing barns from general storage to cafe with retail area, including amendments to the lean-to and decking/patio area, and associated alterations.

Case Officer: Amy Hill

Ward Member: Councillor David Fowles

Recommendation: PERMIT subject to securing a legal agreement

The Chair invited the Case Officer to introduce the application.

The Case Officer shared the application details with the Committee including

Additional pages:

- There had been a minor error in the application red line plan, which had omitted a small corner of one barn. It was considered that the error did not prejudice determination of the application, as the extent of development was clear from the wider submitted plans.
- If permission was granted a limited re-consultation exercise would be required, with any new issues raised.

Public Speakers

Speaker 1 – Bibury Town and Parish Council – Councillor Craig Chapman

An objection was raised on highways safety grounds, with reference to concerns from a local group, Bibury One, addressing wider tourism-related parking and traffic issues.

Ablington Lane was described as a narrow rural lane already under significant pressure from visitors, with limited pedestrian provision and reports of congestion, verge damage, and conflict between road users.

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The Highway Authority was referenced as raising concerns that the proposal could not be adequately assessed due to insufficient information. The proposed café and retail use would become a destination, increasing traffic, parking demand, and pedestrian activity and potentially leading to overspill parking onto surrounding roads and verges.

Speaker 2-Michelle Follett-Holt- Objector

Concern was raised that insufficient weight had been given to local harms, including highways safety, landscape character, environmental impacts, and increased tourism pressure. There was no demonstrated local need for an additional café. Concerns were made regarding tourism pressure in Bibury and the sensitive location within the Cotswolds National Landscape and Conservation Area.

Assumptions regarding visitor behaviour, infrastructure capacity, and pedestrian access were not supported by evidence. Pedestrian access arrangements were unsafe.

Environmental concerns were raised regarding drainage and recent reports of untreated sewage entering the River Coln.

Speaker 3- Councillor David Fowles - Ward Member

It was noted that there was no pedestrian access into the centre of the village.

Concerns were raised regarding access and highway safety. The café would provide additional catering facilities in addition to existing on-site and other nearby café provision within the village with existing venues already serving similar demand. The access route was described as a narrow rural lane subject to existing use pressures. Highways officers had raised concerns that it would not be practical to control traffic movements and the provision of 15 parking spaces was considered insufficient. It was noted that 102 objections were received with no letters of support. Reference was made to the Bibury One group, involving GCC, the district council, police, and local tourism and business representatives, established to address wider traffic and tourism impacts.

Councillor Fowles left the chamber.

SIB Feedback

- There were concerns about pedestrian safety. A direct footpath into the village became narrow, uneven and difficult to navigate, with a hazardous bend and limited visibility for both pedestrians and vehicles. Members had narrowly avoided a collision with a double-decker coach, highlighting dangers for pedestrians along the route.
- Vehicle movements in the area were frequent and at times difficult to manage, with limited clarity over appropriate parking arrangements and instances of informal or overspill parking.
- In relation to the barn, members noted that it had been significantly and unsympathetically altered through modern interventions, including window replacements, roof alterations, and large glazed additions, which were considered to have affected its historic character and significance.

Member Questions

Members of the Committee asked a series of questions and noted that:

- The main car parks associated with the trout farm included a historically established main car park, a regularised northern car park, and an unregulated overflow car park.
- The proposed café would be accessible both to visitors to the trout farm and to those visiting Bibury more generally.
- The Case Officer proposed that the café would not materially increase traffic generation. The proposal was considered more likely to serve existing visitors already on site rather than create a significant number of additional trips. The Case Officer acknowledged that this interpretation differed from that of objectors.
- The Highway Authority had raised concerns in relation to the potential for the café to become a destination in its own right. Members queried whether any quantification or modelling had been provided regarding potential café-generated traffic. It was confirmed that no formal traffic impact assessment had been submitted as part of the application.

Member Comments

- Concern was expressed that there was insufficient evidence available to assess the transport impacts of the proposal, noting the Highway Authority's view that a formal traffic impact assessment had not been provided.
- It was stated that while policy EC1E supports sustainable tourism, the Member's view was that the application does not meet the requirements of that policy.
- It was confirmed that the recommendation was to permit the application subject to a legal agreement. The legal agreement would link to a previously approved 2023 permission for a café and gift shop near the main car park. The agreement would prevent both schemes operating simultaneously, limiting development to either the previously approved café or the current proposal, but not both.

Councillor Michael Vann proposed PERMITTING the application and Councillor Patrick Coleman seconded the proposal. The proposal was put to the vote but did not pass.

This development had the potential to increase the number of trip generations down that road. Members felt that there was not sufficient information to make an assessment as to whether or not it would have an impact on the highway safety.

Councillor Patrick Coleman proposed DEFERRING the application and Councillor Julia Judd seconded the proposal. The proposal was put to the vote and agreed by the Committee.

RESOLVED: to DEFER the application to request that a traffic impact assessment.

25/02960/FUL - Shiecraft Barn, Ablington (PERMIT) (Resolution)		
For	Juliet Layton, Dilys Neill and Michael Vann	3
Against	Nick Bridges, Patrick Coleman, Paul Evans and Nikki Ind	4
Conflict Of Interests	David Fowles	1
Abstain	Julia Judd	1
Rejected		

25/02960/FUL - Shoecraft Barn, Ablington (DEFER) (Resolution)		
For	Nick Bridges, Patrick Coleman, Paul Evans, Nikki Ind, Julia Judd, Juliet Layton and Michael Vann	7
Against	None	0
Conflict Of Interests	David Fowles	1
Abstain	Dilys Neill	1
Carried		

283 25/02961/LBC - Shoecraft Barn, Ablington, Bibury, Cirencester

Proposal

Conversion of ground floor of existing barns from general storage to cafe with retail area, including amendments to the lean-to and decking/patio area, and associated alterations.

Case Officer

Amy Hill

Ward Member

Councillor David Fowles

Recommendation

CONSENT

The Chair invited the Case Officer to introduce the application.

The Case Officer shared the application details with the Committee.

Public Speakers

Speaker 1 – Michelle Follett-Holt – Objector

The applicant's past treatment of listed buildings had raised concerns. The building was described as a sensitive heritage asset within Bibury Conservation Area, forming part of the village's historic identity. The proposal represented a significant change of use from a rural/residential building to a large-scale commercial café, with associated operational impacts such as servicing, lighting, waste, and visitor pressure. Heritage

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harm arose not only from physical alterations but also from changes in use and character.

Speaker 2 – Councillor David Fowles – Ward Member

Shoecroft Barn was identified as a Grade II listed building, requiring special regard to its preservation and enhancement. National policy was referenced, including the importance of viable uses for heritage assets, their contribution to sustainable communities, and the need for development to respect local character and distinctiveness. Weight should be given to the conservation of designated heritage assets, and that any harm must be clearly justified and weighed against public benefits.

Member Questions

Members of the Committee asked a series of questions and noted that:

- The Conservation Officer raised no objection to the proposal following amendments. The amendments primarily related to revisions to the lean-to structure, including changes affecting the flooring and associated detailing.
- The kitchen was located within the lean-to structure and included a serving hatch. Concern was implied that the absence of identified extraction infrastructure made it unclear how cooking operations would be accommodated in practice within the listed building.

Member comments

- Concern was expressed that insufficient detail had been provided on how the development would manage sewage and drainage impacts, particularly in light of existing reported issues at the site
- The barn appeared in need of repair and improvement. It appeared as a mixture of inconsistent architectural alterations with a generally tired appearance.

It was proposed to defer the application to obtain clarification of kitchen-related infrastructure such as flues, extraction systems, and ventilation arrangements. Further information was also requested regarding foul drainage and sewage capacity, particularly in relation to how increased usage from a café would be managed within the listed building.

Councillor Juliet Layton proposed DEFERRING the application and Councillor Patrick Coleman seconded the proposal. The proposal was put to the vote and agreed by the Committee.

RESOLVED: to DEFER the application to obtain clarification of kitchen-related infrastructure such as flues, extraction systems, and ventilation arrangements.

Councillor Juliet Layton – left the meeting.

25/02961/LBC - Shoecroft Barn, Ablington (DEFER) (Resolution)		
For	Nick Bridges, Patrick Coleman, Nikki Ind, Julia Judd, Juliet Layton,	7

	Dilys Neill and Michael Vann	
Against	None	0
Conflict Of Interests	David Fowles	1
Abstain	None	0
Carried		

284 25/03713/FUL - Hill Farm, Main Road, Oddington

Proposal

Replacement park conversion and remodelling of existing general heavy industrial buildings site with a rural business hub, including associated landscaping and consolidated parking.

Case Officer

Amy Hill

Ward Member

Councillor David Cunningham

Recommendation

PERMIT

Councillor David Fowles returned to the chamber.

The Chair invited the Case Officer to introduce the application.

The Case Officer shared the application details with the Committee.

Public Speaker

Mark Godson – Agent

The proposal was a redevelopment of an existing B2 employment site into a more modern, lower-impact rural business use. The scheme would reduce the intensity of existing industrial activity and manage impacts through planning controls and sustainability measures.

National and local policy supported rural employment growth, including the acceptability of sites outside settlements where appropriate. The proposal was described as locally led, supporting jobs and the rural economy, with a largely local workforce. Additional benefits cited included Biodiversity Net Gain, landscape improvements, and design quality.

Member Questions

Members of the Committee asked a series of questions and noted that:

- The proposed barn height was approximately 8.8m, compared to an existing height of around 8.4m. This was a marginal increase in height.

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- Past permissions and established lawful uses form part of the “fallback position” that must be considered when assessing current traffic impacts. It was clarified by the Head of Planning, that this context may affect the weight given to a highways objection, depending on whether additional traffic generated by the proposal was materially different from what was already permitted.

Member comments

- Few significant highways concerns had been raised.
- The employment units were welcomed as a positive addition.
- The proposal was considered a good use of the site/land.

Councillor Patrick Coleman proposed to PERMIT the application and Councillor David Fowles seconded the proposal. The proposal was put to the vote and agreed by the Committee.

RESOLVED: to PERMIT the application.

Councillor David Fowles left the meeting.

25/03713/FUL - Hill Farm, Oddington (PERMIT) (Resolution)		
For	Nick Bridges, Patrick Coleman, David Fowles, Nikki Ind, Julia Judd, Dilys Neill and Michael Vann	7
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

285 24/01143/OUT - The Royal Agricultural University, Stroud Road, Cirencester

The proposal was for Outline planning application with all matters reserved except for access, for a mixed-use development associated with the Royal Agricultural University comprising up to 24,012 sqm of floorspace for office (Use Class E(g)(i)), research and development (E(g)(ii)), education (F1(a)), conferencing (F1(e)), and café (E(b)) uses, Including the conversion of Trent Lodge to café use, associated parking, access and highway works, landscaping, public realm, utilities, and all ancillary works and structures. The development is known as The RAU Innovation Village and forms part of its wider masterplan, supporting research and innovation in food production, climate change, and land management.

Case Officer

Ceri Porter

Ward Member

Councillor Mark Harris

Planning and Licensing Committee

13/May2026

Recommendation

That the application be PERMITTED subject to:

- i. legal agreement(s) between the Applicant and the District Council and Gloucestershire County Council prior to the decision notice being issued;
- ii. agreement of the draft conditions set out in the report together with any draft conditions as may be agreed by Members at Planning & Licensing Committee;
- iii. delegated authority being given to the Head of Planning Services, in consultation with the Chairman and Vice-Chairman of the Planning & Licensing Committee, to amend and/or add to the suggested draft conditions where such amendments would not deviate significantly from the purpose of the draft conditions.

The Chair invited the Case Officer to introduce the application.

Harrison Bowley presented the application in Ceri Porter's absence.

Updates:

- Active Travel England had recommended deferral, but following discussions with Gloucestershire County Council Highways, the proposed active travel measures were considered acceptable as part of wider committed infrastructure, subject to existing Grampian-style conditions.
- An air quality consultation was ongoing due to revised transport assessment data

Public Speaker

Speaker 1 - Alex O'Dell – Objector

The close proximity to existing homes was highlighted, particularly the location of plot 4B near residential boundaries, with concerns raised about privacy, noise, outlook, and sense of enclosure. Concerns were raised about increased pedestrian activity near residential boundaries, with potential impacts including disturbance, overlooking, and loss of privacy. Mitigation was requested through landscaping, screening, lighting control, and path design. A detailed Construction Management Plan was requested covering programme timing, working hours, construction traffic routes, dust and noise control, and ongoing communication with residents during construction.

Speaker 2 – Mr Peter McCaffery – Applicant's representative

The Innovation Village brought together industry, farmers, landowners and researchers to develop practical solutions for sustainable agriculture and biodiversity recovery, whilst supporting rural resilience and skills development.

It was expected to attract investment and generate significant local economic benefits, including increased employment and opportunities for young people to remain in Gloucestershire.

The development was designed as a landscape-led, low-carbon campus that set high standards for sustainability, nature recovery and environmental performance, supporting the university's mission to equip future graduates to address global challenges.

Planning and Licensing Committee

13/May2026

Member questions

Members of the Committee asked a series of questions and noted that:

- The Innovation Village was not expected to directly increase student numbers requiring accommodation in the local area. A wider Estate Masterplan had been developed which sought to provide further student accommodation, but this required planning permission in its own right and would need to be subject to a separate application.
- All detailed design matters, including layout and building design, are reserved for future approval through reserved matters applications. Concerns raised, particularly regarding Plot 4B, have been noted and considered at this stage. The current parameter plans already indicated that this plot would be limited to a single-storey building.

Member comments

- Strong overall support and positive summary of the scheme.
- The development was considered beneficial for Cirencester and the wider Cotswolds.
- Concerns highlighted around the junction due to mixed users, including pedestrians, cyclists, school children, buses and caravans. A request was made for a 20mph speed limit to improve safety.

Councillor Julia Judd proposed to PERMIT the application D subject to: i. legal agreement(s) between the Applicant and the District Council and Gloucestershire County Council prior to the decision notice being issued; ii. agreement of the draft conditions set out in the report together with any draft conditions as may be agreed by Members at Planning & Licensing Committee; iii. delegated authority being given to the Head of Planning Services, in consultation with the Chairman and Vice-Chairman of the Planning & Licensing Committee, to amend and/or add to the suggested draft conditions where such amendments would not deviate significantly from the purpose of the draft conditions. Councillor Nikki Ind seconded the proposal. The proposal was put to the vote and agreed by the Committee.

RESOLVED: to PERMIT the application.

24/01143/OUT - Royal Agricultural University (PERMIT) (Resolution)		
For	Nick Bridges, Patrick Coleman, Nikki Ind, Julia Judd, Dilys Neill and Michael Vann	6
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

286 Response to Ministry for Housing, Communities and Local Government Consultation: Fees for Planning Applications

Purpose

The Ministry of Housing, Communities and Local Government (MHCLG) is consulting (23 March–18 May 2026) on reforms to planning application fees in England, to better resource Local Planning Authorities (LPA) and improve timeliness and quality of decision-making.

Accountable Member

Councillor Juliet Layton

Report author

Harrison Bowley

The Government had asked 22 questions. The Head of Planning explained that the draft responses had been prepared, and members were invited to raise any comments or queries either now or by email.

Written comments can be submitted by Friday 15 May, ahead of a required response to Government on Monday.

A Member strongly urged the Government to review Permission in Principle (PIP) applications and consider their abolition, citing concerns that PIP had created uncertainty and difficulties for committees, communities and officers.

Recommendations

That the Planning and Licensing committee resolves to:

1. Agree to the consultation response and;
2. Delegate authority to the Head of Planning Services to respond to the consultation on behalf of Cotswold District Council.

Councillor Michael Vann proposed to agree the recommendations and Councillor Julia Judd seconded the proposal. The proposal was put to the vote and agreed by the Committee.

RESOLVED: to AGREE the recommendations.

To agree and delegate to Head of Planning the response to MHCLG consultation (Resolution)		
For	Nick Bridges, Patrick Coleman, Nikki Ind, Julia Judd, Dilys Neill and Michael Vann	6
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

287 Sites Inspection Briefing

The Chair advised members to keep the 3 June 2026 free for a possible Site Inspection Briefing.

Councillors Dilys Neill (Chair), Ray Brassington, Patrick Coleman, Julia Judd, Michael Vann.

288 Licensing Sub-Committee

There were no licensing sub-committees planned.

The Meeting commenced at 2.00 pm and closed at Time Not Specified

Chair

(END)

PLANNING AND LICENSING COMMITTEE 10 June 2026

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 10 June 2026
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION

Parish	Application	Schedule Order No.
Willersey	Land Parcel East of Willersey Business Park Willersey Gloucestershire 25/02687/FUL Full Application	1
Kempsford	Cutlers Field And Horcott Hill Fairford Gloucestershire 25/03721/FUL Full Application	2

Residential development comprising 60 dwellings with associated roads, accesses, parking and servicing, open space, landscaping and drainage infrastructure at Land Parcel East of Willersey Business Park Willersey Gloucestershire

Full Application 25/02687/FUL	
Applicant:	Gloucester Diocesan Board of Finance
Agent:	PJS Development Solutions Ltd
Case Officer:	Martin Perks
Ward Member(s):	Councillor Gina Blomefield & Councillor Tom Stowe
Committee Date:	10 June 2026
RECOMMENDATION:	PERMIT subject to no objection from Biodiversity Officer (and associated conditions), the completion of a S106 legal agreement covering matters such as affordable housing, self-build/custom build plots, Biodiversity Net Gain monitoring, and financial contributions to education and library services and Willersey Parish Council

1. Main Issues:

- (a) Residential Development in a Development Boundary
- (b) Housing Mix and Affordable Housing
- (c) Design and Impact on the Character and Appearance of the Area
- (d) Access and Highway Safety
- (e) Flooding and Drainage
- (f) Impact on Residential Amenity
- (g) Biodiversity

2. Reasons for Referral:

- 2.1 This application has been referred to Planning and Licensing Committee because it constitutes major development having regard to the Town and County Planning (Development Management Procedure) (England) Order 2015.

3. Site Description:

- 3.1 This application relates to an area of agricultural land lying to the east of Willersey Business Park/Industrial Estate, which is itself located on the northern edge of the village of Willersey. The application site measures approximately

3.35 hectares in size and is linear in form. It extends in a north-south direction. The southern boundary of the site adjoins the B4632, its eastern and northern boundaries adjoin agricultural fields. A former railway line runs in a south-west to north-east direction to the north of the application site. It lies approximately 25m from the application site at its closest point. The western boundary of the application site adjoins an agricultural field. However, the field benefits from planning permission for employment development (22/03534/FUL) as part of a proposal to extend the adjacent industrial estate. The application site is located approximately 50m to the east of the existing industrial estate.

- 3.2 The application site has a relatively flat appearance. However, land levels decrease uniformly by approximately 6m from the site's southern boundary to its northern edge (a distance of approximately 350m-400m).
- 3.3 The majority of the site is located within Willersey Development Boundary as designated in the Cotswold District Local Plan 2011-2031. However, the northern section of the application site is located outside the aforementioned development boundary. The land in question measures approximately 75-90m in length by 90m in width. The area of the site proposed for housing falls within the village's development boundary.
- 3.4 The area of the site falling within Willersey Development Boundary and the area of land recently granted permission for employment development are allocated in the Local Plan for residential and employment purposes - W_7A/WIL_E1C - Land north of B4632 and east of employment estate (49 dwellings net and 1.97 hectares for B1, B2 and/or B8 use class employment land).
- 3.5 Willersey Industrial Estate is designated as an Established Employment Site in the Local Plan - Willersey Industrial Estate (EES5).
- 3.6 The site is located outside the Cotswolds National Landscape (CNL). The boundary of the CNL extends along the southern side of the B4632 which runs adjacent to the southern boundary of the application site.
- 3.7 The site is located outside Willersey Conservation Area (CA). The boundary of the CA is located approximately 60m to the south-west of the application site.
- 3.8 A Public Right of Way (HWY4) runs in a north-south direction approximately 35m to the east of the application site.
- 3.9 The site is located within Flood Zone 1.

4. Relevant Planning History:

Application site

4.1 CD.6002 Construction of a new vehicular access. Permitted 1979

Land to west of application site

4.2 22/03534/FUL Employment development comprising new production, office, workshop and service buildings, covered storage areas, external storage areas for products and parts, parking areas and vehicular access to the B4632 road, landscaping and external works. Permitted 2024

5. Planning Policies:

- DS1 Development Strategy
- DS2 Dev within Development Boundaries
- 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
- EN5 Cotswolds AONB
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN12 HE: Non-designated Heritage Assets
- 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

6. Observations of Consultees:

6.1 Gloucestershire County Council Highways: No objection subject to conditions.

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

- 6.3 Gloucestershire County Council Archaeology: *'In my view there is a low risk that archaeological remains will be adversely affected by this development proposal. Therefore, I recommend that no archaeological investigation or recording need be undertaken in connection with this scheme.'*
- 6.4 Gloucestershire County Council Community Infrastructure: Requests contributions of £79,542.40 to secondary 16-18 education and & £11,760 to library services.
- 6.5 Biodiversity Officer: Further information requested.
- 6.6 Tree Officer: No objection subject to condition.
- 6.7 Environmental and Regulatory Services Noise: No objection subject to condition.
- 6.8 Environmental and Regulatory Services Air Quality: No objection
- 6.9 Severn Trent Water: No objection subject to condition.
- 6.10 Thames Water: Requests condition covering water supply.
- 6.11 Wychavon District Council: *'On behalf of Wychavon District Council we note the site is already an allocation with the adopted Cotswold Local Plan and accordingly have no further comments to make.'*
- 6.12 Worcestershire County Council: No response received to date

7. View of Parish Council:

7.1 Response received on the 23rd November 2025:

7.1.1 ' Willersey Parish Council is aware of the above application and, having engaged with the developer and considered the proposals in light of community concerns, hereby wishes to register its formal and robust objection unless fundamental infrastructure and safety concerns are fully mitigated.

7.1.2 While the Parish Council acknowledges this site is identified within the Local Plan (W7A/WIL-EC1) and welcomes the amendments made—including the proposed housing split and the allocation of bungalows, social, and affordable housing—we assert that the application fails to meet key tests within

the National Planning Policy Framework (NPPF 2024) and the Cotswold District Local Plan (CDLP).

7.1.3 Flooding, Foul Sewage, and Surface Water (NPPF 170; CDLP EN14)

The Parish Council deems the lack of capacity within the existing sewage and water systems to be of primary importance to the health and wellbeing of our residents.

- *Foul Sewage Capacity: Frequent flooding of both rainwater and untreated sewage is experienced in all parts of the village. Foul sewage has, on many occasions, reached the watercourses of Badsey Brook and its culverts.*
- *Inadequate Pumping Station: The Badsey Lane pumping station is completely inadequate for the existing housing stock, let alone a further 60 properties. Severn Trent has already instigated a Grampian Condition, confirming their present inability to upgrade the system necessary to service this development.*
- *Water Supply Network Capacity: The Planning Statement is silent on this critical issue. The Thames Water Comments on a comparable local application (25/02983/OUT) officially confirmed the "inability of the existing water network infrastructure to accommodate the needs of this development proposal," requiring network upgrades before occupation. This confirms that the necessary infrastructure is not currently available, placing an unacceptable risk of no/low water pressure on existing residents and directly contravening planning policy.*
- *Non-Compliance: The lack of essential infrastructure is detrimental to the health and wellbeing of residents, and unless fully remedied, the application fails to meet the needs of NPPF 170 and CDLP EN14. Evidence of flooding has been previously submitted.*

7.1.4 Highway Safety and Burdensome Traffic (NPPF 96; NPPF 109)

The issue of Highway Safety, raised by both the Parish Council and residents, represents the second critical barrier to this development.

- *Hazardous Access Location: The proposed access route is situated on the B4632 at a blind bend with no current footway. The B4632 is known for considerable speeding, with traffic often exceeding the 30 mph limit approaching the village.*

- *Poor Visibility: There is a poor line of sight in both directions. Approaching the village from the Stratford direction, vehicles travelling at speed will have little or no visibility of a vehicle attempting a right turn into the development. Conversely, traffic exiting the village frequently accelerates towards the 40 mph zone, creating risk for vehicles turning left. The application does not fully address this safety deficit.*
- *Conflict with HGV Movements: This stretch of road is also designated for the egress of large HGVs from the adjacent Autosleepers site (under granted planning application 22/0654/FUL). The proximity of the proposed access road to the Autosleepers egress will lead to a direct conflict between HGV traffic and the development's residents.*
- *Traffic Burden: With 60 properties, there will likely be at least 120 additional vehicle movements per day along a section of the B4632 that is already overburdened with HGVs avoiding the congested A44 and A46, using Willersey as a rat run.*
- *Unsustainable Transport: All essential facilities (shops, health, secondary schools) are at least two miles distant, necessitating car use. Public transport is infrequent and the nearest stop is over 500 metres away, requiring residents to cross the Badsey Lane/Pike Corner roundabout, a known accident blackspot. This contradicts sustainable transport policies and fails to comply with NPPF 109.*

7.1.5 Design, Community Facilities, and Noise (NPPF 104; NPPF 134; CDLP H1, INF7)

While the design is generally compliant with CDC guidance, significant concerns remain regarding the deployment of amenity space and the impact of adjoining land uses.

- *Misuse of Amenity Space: The proposed playground is considered redundant, given the village already maintains a comprehensive play area within 500 metres. Furthermore, its placement adjacent to a SUDS pond poses an inherent danger to small children.*
- *Loss of Allotments: The proposed development has resulted in the loss of much-used allotments for village residents. The Parish Council suggests the amenity space could be better utilised to replace these lost allotments. This loss of facility is a further erosion of community amenity which should be addressed.*

- *Noise Impact: Concerns regarding Noise generation from the expanding Willersey Business Park (Autosleepers) remain unmet. The Noise Impact Assessment provided is insufficient as it was undertaken prior to any expansion work. The proposed 'bund' and non-overlooking windows are not felt to be sufficient protection from the noise, which, under certain climatic conditions, is already audible across the village. The imminent expansion means the noise impact will rise, which is likely to be detrimental to the health and wellbeing of residents.*

7.1.6 Wider Infrastructure and Sustainability (NPPF 96, 98, 100 101; CDLP INF1)

- *Reliance on Neighbouring Authority: The lack of employment opportunities and essential services within the village necessitates that many residents must travel into the neighbouring local authority area of Wychavon in order to shop, work, and access medical services (such as those in Broadway and Evesham). This reliance on cross-border travel, almost exclusively by private car, highlights the unsustainability of the location.*
- *School Capacity: The local primary school is approaching capacity in most year groups. Consequently, the influx of families from 60 new dwellings will likely exceed remaining capacity, necessitating that children be transported by vehicle to the nearest available location (potentially out-of-county). This adds strain to educational transport budgets and increases vehicle movements on an already stressed network. The nearest secondary school, Chipping Campden, is also heavily oversubscribed.*
- *Health Access: All necessary health facilities are at least 3 miles distant. Accessing the nearest doctors in Broadway requires crossing the A44 (a 60 mph road), which is not safely accessible on foot.*
- *Cumulative Effect: This development, coupled with applications at Folly View (25/02983/OUT) and the expected proposal at Willow Green, will almost double the size of the village. Given CDC's position that Willersey is not a principal settlement, the Parish Council asserts that this is not a sustainable location for large-scale greenfield housing.*

7.1.7 Landscape, Heritage, and Biodiversity (NPPF 187, 189 & 190)

- *AONB and Landscape Impact: The Planning Statement correctly notes that the site is outside the AONB but, given that the AONB is immediately to the south, it does lie within its setting. The development should be assessed with great weight given to conserving scenic beauty (NPPF Paragraphs 189 &*

190). While the proposal includes a landscaped edge, the scale and design must be rigorously scrutinised to prevent the gradual, irreversible erosion of the AONB border and avoid coalescence with Broadway, which threatens to turn Willersey into an "urbanised satellite."

- *Heritage and Archaeology: While the site is distant from Listed buildings and the Willersey Conservation Area, and the applicant states that archaeological investigations found "nothing considered to be of archaeological significance," the application lacks a full Heritage Statement to address the site's setting adjacent to the historic settlement. Furthermore, the Parish Council disputes the dismissal of archaeological potential; the 2017 assessment recommended on-site work which does not appear to have been satisfactorily completed. Given recent finds in the locality (including swords and potential Roman remains), this oversight must be rectified.*
- *Biodiversity Net Gain: The proposed net gain appears overstated. The land is currently greenfield used for rural domestic activities (including the lost allotments). To replace this with limited planting, while tarmacking large areas, is not considered a genuine environmental or wellbeing gain for the village.*
- *Dark Skies: The majority of the village has no street lights. We are concerned that lighting associated with this development will add to existing light pollution, conflicting with the AONB's promotion of the Dark Sky ethos(NPPF 15). Any lighting must be strictly low-key to retain the village's rural character.*

7.1.8 *In summary, while the Parish Council wishes to support the provision of housing, the substantial, unmitigated concerns regarding sewage and flooding capacity, highway safety, and the lack of essential social infrastructure constitute clear contraventions of the NPPF and outweigh the principle of development at this time.'*

7.1.9 Willersey Parish Council has also requested S106 contributions towards improvements/works to the village hall, the recreation ground and cemetery, as well as a contribution towards/provision of allotments (attached).

8. Other Representations:

8.1 Approximately 44 objections received.

8.2 **Main grounds of objection are:**

- i) Unsustainable Location and Infrastructure Pressure.
- ii) Willersey is a small rural settlement with limited services, employment opportunities, and public transport. Adding 60 dwellings would significantly increase the population without the necessary infrastructure to support it. The village school, road network, and drainage systems are already under strain. The proposal would increase traffic along the B4632 and Station Road, both of which are narrow and already hazardous. No adequate mitigation has been presented to address congestion, pedestrian safety, or air quality impacts.
- iii) Harm to Landscape Character and the AONB Setting.
- iv) The proposed site forms part of the open countryside at the edge of the Cotswolds Area of Outstanding Natural Beauty (AONB). Development here would erode the rural setting that defines the approach to Willersey, leading to unacceptable visual intrusion. The Cotswold District Local Plan (Policy EN4 and EN5) requires development to conserve and enhance the landscape and scenic beauty of the AONB and its setting. The proposed massing, lighting, and urban form are entirely out of character with the surrounding agricultural landscape and would set a damaging precedent for further encroachment.
- v) Inadequate Biodiversity and Drainage Measures.
- vi) The applicant's Preliminary Ecological Appraisal and Biodiversity Net Gain (BNG) statement are insufficiently detailed. There is little evidence that the site can deliver genuine net biodiversity gains, as required under the Environment Act 2021. The drainage strategy is also underdeveloped: Willersey already suffers from surface-water flooding, and the introduction of impermeable surfaces on this scale would exacerbate local flood risk. The application fails to demonstrate compliance with Policy EN14 (Flood Risk) and INF7 (Sustainable Drainage Systems). The increased number of domestic cats and dogs would further impact birds, bats and reptiles.
- vii) Design, Density, and Heritage Context.
- viii) The proposed layout and density do not respect Willersey's character or traditional village form. The uniform house types and suburban layout lack the variation, vernacular detailing, and integration with existing built form that Policy EN2 demands. The development would visually and physically detach from the historic core of the village, undermining its sense of place and heritage value.
- ix) Conflict with Local and National Planning Policy.
- x) This proposal conflicts with the Cotswold District Local Plan and the National Planning Policy Framework (NPPF) on multiple counts: it is unsustainable, harmful to local character, and fails to meet the tests of environmental protection and landscape conservation. The Council can demonstrate a healthy housing land supply, so there is no justification for approving speculative development that damages the rural environment.

- xi) Increased Traffic and Dangerous Rural Roads.
- xii) The proposed access routes-particularly via Station Road, Main Street, and the B4632-are narrow, winding, and ill-suited to handle heavy additional traffic volumes. These roads already experience congestion at peak times, with poor visibility at several junctions and tight bends. There are few footpaths or safe cycle routes, and no street lighting in places, creating significant hazards for pedestrians, schoolchildren, and cyclists. Increased car use from 60 new homes would exacerbate accident risks, noise, and air pollution, undermining the rural character of the village.
- xiii) The B4632 is already recognised as a problematic route for large vehicles and through-traffic between Broadway and Mickleton. Collin Lane has a very dangerous bridge and several accident hotspots and has been closed twice for the air ambulance in the past 5 years. Adding dozens of new daily car trips will intensify wear on these narrow country lanes and worsen existing safety issues. No credible transport assessment or highway improvement plan has been provided to demonstrate that the road network can safely accommodate this scale of growth. This directly conflicts with Policy INF4 of the Cotswold District Local Plan, which requires development to ensure a safe and suitable access for all users.
- xiv) Infrastructure Incapacity - The Planning Statement's assertion that the proposal will deliver "planned sustainable housing growth" is directly undermined by known, severe deficiencies in critical infrastructure in Willersey. These issues must be definitively resolved before planning permission can be granted, as the current proposal fails to satisfy NPPF Paragraphs 98 and 101 and CDLP Policy INF1 (Supporting Infrastructure):
- xv) Foul Sewerage, Drainage, and Flood Risk: The document acknowledges "more technical work to undertake on foul drainage design, in liaison with Severn Trent Water", but claims this is "not a reason for withholding planning consent". This position is untenable. The existing single-pipe system is severely overburdened, resulting in frequent and severe sewage spills, raw sewage discharge into floodwaters and residential gardens, and a public health risk affecting properties on Collin Lane, Blind Lane, and Badsey Road. I note that Severn Trent has issued a Holding Objection to a nearby application due to the network's inability to accommodate new demand, a concern which applies equally here. Satisfactory drainage must be demonstrated before consent, not merely facilitated by it. The application is supported by a Flood Risk Assessment and Sustainable Drainage Strategy, which demonstrates the development will not be at risk of flooding or increase risk elsewhere, but the necessary technical work with Severn Trent is still pending.
- xvi) Water Supply Network Capacity: The Planning Statement is silent on this critical issue. The Thames Water Comments on a comparable local application (25/02983/OUT) officially confirmed the "inability of the existing

water network infrastructure to accommodate the needs of this development proposal," requiring network upgrades before occupation. This confirms that the necessary infrastructure is not currently available, placing an unacceptable risk of no/low water pressure on existing residents and directly contravening planning policy.

xvii) Health and Education Services: The financial contributions intended under S.106 for "schools and libraries infrastructure provision" are inadequate to address the systemic crisis. Local GP surgeries and dental practices (including those in the necessary Worcestershire catchment) are severely overstretched. The village primary school is small, constrained by its conservation area site, and most year groups are at capacity. A large, family-orientated development will exacerbate this crisis, forcing car-dependent journeys for essential services and education, thus undermining the sustainability claims.

xviii) Landscape and Heritage Concerns - AONB and Landscape Impact: The Planning Statement correctly notes that the site is outside the AONB but, given that the AONB is immediately to the south, it does lie within its setting. The development should be assessed with great weight given to conserving scenic beauty (NPPF Paragraphs 189 & 190). While the proposal includes a landscaped edge, the scale and design must be rigorously scrutinised to prevent the gradual, irreversible erosion of the AONB border and avoid coalescence with Broadway, which threatens to turn Willersey into an 'urbanised satellite.'

xix) While the site is distant from Listed buildings and the Willersey Conservation Area, and archaeological investigations found 'nothing considered to be of archaeological significance', the application lacks a full Heritage Statement to address the site's setting adjacent to the Cotswold National Landscape and historic ridge and furrow fields.

xx) Village Identity, Noise, and Traffic Safety - -Unsustainable Location and Car Dependency: The village lacks the essential facilities (shops, medical services) to support 60 new dwellings, reinforcing a dependency on external services in Broadway or beyond. This conflicts directly with NPPF Paragraphs 8 and 104-110 and CDLP Policy INF3 (Sustainable Transport). The developer's proposed landscaped footway does not negate the fact that the walk to the nearest shop in Broadway (approx. 1.1 miles) is frequently unsafe due to flooding and requires crossing the dangerous A44 near a busy roundabout.

xxi) Highway Safety: While the Transport Statement (TS) concludes no 'severe impact' upon the safety or operation of the local highway network, the junction from the B4632 road to the site remains a local concern and is considered dangerous by the community, even with the single new road access point proposed.

xxii) Noise from Auto-Sleepers: The submitted Noise Assessment concludes acceptable internal and external noise levels can be achieved 'With suitable garden boundary treatment and standard double glazing alongside alternative ventilation'. Given that the adjacent Auto-Sleepers development (Ref 22/03534/FUL) will involve new production, office, and workshop buildings, and noise is an important consideration for 'high standards of amenity for future occupiers', the community maintains that the noise from the soon-to-be-extended industrial works has not been sufficiently interrogated to protect residential amenity.

xxiii) Open Space and Local Amenities (CDLP H1, INF7) - The proposal includes open space and mentions a LEAP play area and SUDS pond. While the S.106 obligations are set to secure Open space (including SUDS) provision and management, the specific nature of the amenity provision must be reconsidered to meet local need:

xxiv) Allotments Requested: Local engagement indicated that the community specifically requested allotments in meetings with the applicant, noting part of the land's previous use for this purpose. This valuable community amenity directly supports the GDBF's own 'Sustainable' core value and promotes local food security.

xxv) LEAP Redundancy: The community view is that the proposed LEAP play area is unnecessary, as the village already benefits from an existing, excellent recreation area nearby. Recommendation: To ensure the open space provision (Policy INF7) best serves the community, the incorporation of allotments, potentially in substitution for the proposed LEAP area, should be secured via the S.106 agreement.

xxvi) The development is supported in principle as a Local Plan allocation, and the design quality is acknowledged. However, until the severe, evidenced infrastructure deficiencies (foul sewerage and water supply), dangerous access junction and unresolved issues regarding noise and community-requested open space (allotments) are definitively resolved and secured, I believe the application should not be granted.

xxvii) As a result of the developments at Willow Green, Folly View, Ingles Court, St Winnifred's Gardens and Lions Gate, Willersey already has in excess of 125 new properties built without the existing infrastructure expanded to meet this extra capacity, such as roads, Sewage and fresh water, medical services, and schools.

xxviii) The light pollution caused by this development will obliterate the Village's rural character making it feel like an out of town illuminated car park.

xxix) I request CDC pause any further planning decisions whilst the Consultation on the Local Plan takes place, so local people and their representatives can discuss future development with CDC and make strategic, rather than damaging piecemeal decisions.

xxx) As a village we have no shops, no doctors ,two pubs and a garage. Our roads are a main link to Evesham, the A44 and further afield building more houses in a already crammed village will just put extra strain on local services, doctors schools etc .plus put more vehicles into an already busy road network via the village including cars lorries vans etc

xxxii) Overloaded sewage system.

xxxii) Recent months have seen well-documented instances of severely low water pressure and, in many cases, a complete failure by Thames Water to supply existing households. To approve further demand on a network that is already failing its statutory requirements would be, in my view, a reckless breach of sustainable development principles. I therefore request that the following points are strictly applied to any recommendation made to the Planning Committee: Strict Grampian Conditions: It is vital that a "negative" Grampian Condition is attached to any permission. This condition must explicitly prohibit the occupation of any new dwelling until the entire programme of off-site reinforcement works is completed, tested, and certified as operational by Thames Water. Evidence of Baseline Recovery: The Council must demand evidence that proposed upgrades will not only accommodate the new builds but will also resolve the existing systematic failures in the Willersey and Mickleton cluster. The "impact studies" mentioned by Thames Water must be made available for public and Parish Council scrutiny to ensure they are based on accurate, current performance data rather than outdated models. Cumulative Impact: Given that these two applications represent a significant percentage increase in the village's housing stock, they must be assessed as a single cumulative burden on the pumping and storage facilities serving this part of the Cotswolds.

xxxiii) The NPPF, and PPG doubled the need for residential. CDC having only 1.8 years supply. The site is allocated for residential, in the existing Local oval Plan. so the principle is acceptable. My objection relates to the site not being efficiently used for residential, contrary to the NPPF. The residential density is about 28 dph whereas with the level of need, and the nature of the site 35 dph would be more appropriate, leading to up to 15 additional units, with 40% being affordable. In the context of the CDC preferred scenario achieving, nowhere near the residential need, it is essential to make effective use of land.

xxxiv) The current consultation on the NPPF emphasis the need to maximise density, and if it becomes operational would support refusal. There are no residential characteristics, adjoining the site, that would mean higher density would be inappropriate.

xxxv) Shortfalls to higher density include: Low use of terraces, being particularly absent from the large units. Roofspace of the 4 and 5 bedroom units, not using the roofspace for bedrooms, easily achievable with dormers, the result being narrower plots for the large units. Space standards,

particularly for the larger units, massively in excess of the minimum standards. Incorporation of garages, that through experience will mostly become storage. There are adequate reasons to refuse this application. Failure to do so puts it question whether CDC is doing all that it can do, to narrow the gap between residential need, and projected supply.

8.3 **Chipping Campden Town Council**

8.3.1 'Chipping Campden Town Council objects to this application on the grounds of overdevelopment in a rural area lacking the necessary infrastructure. Our concerns are as follows:

Fresh Water Supply

8.3.2 Thames Water identify insufficient capacity in the existing network and request a condition preventing occupation until upgrades are complete or a phasing plan is agreed. This aligns with Parish Council concerns over low water pressure and capacity in the immediate and surrounding areas.

Allocation & Strategic Context

8.3.3 Wychavon DC confirm the site is allocated in the adopted Cotswold Local Plan. While principle is established, delivery conditions and mitigation remain necessary to ensure acceptable impacts on infrastructure, amenity, and environment.

8.3.4 The proposal is contrary to several key policies in the Cotswold District Local Plan 2011-2031, including

- *INF1 - Infrastructure Delivery - the area lacks sufficient infrastructure to support the proposed development, including utilities, healthcare and education*
- *INF2 - Social and Community Infrastructure - there is inadequate provision of essential community services such as schools, libraries, and GP surgeries*
- *INF3 - Sustainable Transport - the development would increase car dependency due to poor public transport and unsafe walking / cycling routes*
- *INF4 - Highway Safety - the local road network is unsuitable for increased traffic, particularly HGVs, and poses safety risks*

- *EN8 - Biodiversity & Biodiversity Net Gain (BNG) - at present, it is considered that the proposed site plans would facilitate habitat fragmentation, which is significant at site level, fails to establish and promote the conservation and enhancement of ecological networks*
- *EN14 - Managing Flood Risk - the flood risk has been underestimated, contrary to local evidence.*

8.3.5 Also, with the additional separate application for 30 houses Land North of Folly View Broadway Road Willersey, 25/02983/OUT, this will only add further pressure on already inadequate infrastructure.

Summary

8.3.6 This application represents unsustainable overdevelopment in a rural area adjacent to the Cotswolds National Landscape. The local infrastructure-transport, utilities, education, health, and emergency services-is insufficient to support further growth.'

8.4 Weston Sub Edge Parish Council

8.4.1 'Weston Sub Edge Parish Council has reviewed the detailed responses submitted by Willersey Parish Council, Chipping Campden Town Council, and Gloucestershire Highways, and we fully support and endorse the concerns raised in those representations.

8.4.2 We believe the cumulative issues presented across landscape, infrastructure, transport, sustainability, and policy compliance provide clear and substantial grounds for refusal.'

8.5 CPRE - North Cotswolds District Committee

8.5.1 'CPRE acknowledges that this site is identified within the Local Plan (W7A/WIL-EC1) as suitable for mixed use development. However, we share the concerns expressed by the Parish Council, local residents and consultees in relation to potential flood risk, noise, loss of amenity, biodiversity loss and lack of infrastructure.

8.5.2 Representatives from CPRE visited the application site and walked the roads and public rights of way in the vicinity on 16 November 2025.

Flood Risk

8.5.3 *Serious concerns have been expressed by the Parish Council and local residents regarding the inadequate combined sewage and drainage system of Willersey and, in particular, the capacity of the pumping station at Badsey Lane, which is operated by Severn Trent Water. In a letter included in the applicant's Flood Risk Assessment (FRA), Severn Trent admits 'there is insufficient capacity ... to take the proposed foul flows' . (Appendix G7).*

8.5.4 *CPRE has seen photographs and reports of surface water flooding over several years, including those showing incidents where the capacity of drainage infrastructure has been overwhelmed, resulting in sewage flooding.*

8.5.5 *The developers acknowledge the issues but have designed the proposal in preparation for flooding by raising floor levels, rather than exploring appropriate mitigation and remediation strategies which would benefit the wider community.*

8.5.6 *While valuable, one attenuation pond is a very minimalist approach to managing the issues. It would not seem sufficient to prevent the excessive surface water run-off expected from the development onto the surrounding roads, which are already at risk of flooding. There are many 'nature based' SuDS available, which offer additional benefits, such as water purification, along with environmental benefits.*

8.5.7 *The developer acknowledges the risk and degree of rainwater sewage infiltration, but the application does not include a Rainfall Derived Infiltration and Inflow (RDII) projection. With accurate modelling, RDII can support specific infrastructure features including sewage system design and domestic infrastructure which will reduce and compensate for the increased surface water.*

8.5.8 *A positive FRA must show that the site is 'safe from current and future surface water flooding for the development's lifetime' and that there is 'no consequential risk elsewhere' . However, there is clear evidence that there is already pluvial and sewerage flooding with consequential risk for the wider community of Willersey.*

8.5.9 *A more realistic and relevant FRA would calculate the likely cumulative flood risk arising from this development, combined with the most recent development, the other application currently being considered and any other plots likely to be developed in the foreseeable future. This approach would be*

consistent with National Planning Policy Framework (NPPF) Para 170, which requires that development should not increase flood risk elsewhere and Para 171, that cumulative impacts should be considered.

8.5.10 Neither the CDC Strategic Flood Risk Assessment (SRFA) nor the Environment Agency provide up-to-date data to enable reliable climate based projections. However, the SFRA states 'this SFRA has considered that any site at existing surface water risk...will likely be at increased risk in the longer term' and this without considering the impact of increased runoff inherent in any development.

Noise

8.5.11 CPRE supports the view of the Parish Council and CDC's officer for Environmental Health - Noise - in requesting further assessment of the possible noise impact from the expansion of Willersey Business Park.

8.5.12 Page 2 of the Noise Evaluation states that 'Outdoor noise levels already exceed the desirable level for this residential development ... and may foreseeably do so increasingly'. The 2 metre acoustic barrier proposed is said to be 'of limited value to the residential outside areas...and limited benefit to habitable rooms on the first floor at ... the nearest properties'.

Loss of Recreational Amenity

8.5.13 In the description of this site in CDC's Strategic Housing & Economic Land Availability Assessment (SHELAA) October 2021, it was noted that:

'There is a demand for allotments in Willersey. The Cotswold District Open Space & Recreation Study also identifies a shortage of public open space in Willersey. The allotment use has anecdotally diminished in recent years due to the threat of development - people have not wanted to invest time or money in allotments on this site, despite there being demand for allotments in Willersey.'

The loss of the allotments is of particular concern to the Parish Council, which emphasises that 'the loss of facility is a further erosion of community amenity which should be addressed'.

Lack of Infrastructure

8.5.14 CPRE is aware that 'Infrastructure First' is a prominent ambition of Cotswold District Council. Willersey has no immediate infrastructure such as a shop, bank, medical centre or secondary school. All of these are at least two miles away. Currently, the application does not comply with the requirements for sustainable development, as specified in the NPPF Para.8.

8.5.15 We also note that Thames Water has identified an inability of the existing water network infrastructure to accommodate the drinking water requirements of this development proposal.

Biodiversity Loss

8.5.16 The SHELAA analysis showed considerable existing biodiversity with numerous opportunities for preserving or increasing biodiversity on-site, including the dense hedges.

8.5.17 A number of significant issues around biodiversity net gain have been identified by CDC's Senior Biodiversity Officer, who recommends that a full review of the BNG information should be undertaken. CPRE would fully support this recommendation.

Conclusion

8.5.18 CPRE acknowledges that this site is identified within the Local Plan. However, we would ask the council to consider the cumulative impact of this development in the light of other recent developments and future applications within the village.

8.5.19 Of particular importance is the need for:

- *Comprehensive, strong flood prevention and mitigation strategies*
- *Thorough analysis of the infrastructure necessary to cope with the sewerage and pluvial flooding which can be expected, not just for this development, but including recent new builds and forthcoming applications.*
- *The need to preserve and enhance biodiversity, green infrastructure and recreational amenity.*

- *A better understanding of the degree of noise pollution and its potential impact on residents.'*

8.6 **Cotswolds National Landscape Board**

8.6.1 ' Having reviewed this application and for the reasons expanded upon within Annex 1 below, we wish to raise a holding objection to this application. In particular, the application contains inadequate assessment of landscape and visual matters to enable the Board to make a fully informed consultation response.

8.6.2 The Board considers that insufficient information has been submitted to demonstrate that the proposal would conserve and enhance the landscape and scenic beauty of the CNL and consequently the application does not accord with Cotswold Local Plan Policy EN5 as well as with Policies CE1 and CE13 of the CNL Management Plan. It would also conflict with the requirement of paragraph 189 of the National Planning Policy Framework that development within the setting of National Landscapes 'should be sensitively located and designed to avoid and minimise adverse impacts on the designated areas'.

8.6.3 The Board is particularly concerned about the lack of consideration of how the proposal would extend the built area of Willersey in views from the escarpment, these views being one of the CNL's 'special qualities'. This would potentially conflict with the Board's policies and guidance, in particular Section 19.1 of the Cotswolds AONB Landscape Strategy and Guidelines which advises against the 'intrusion of expanded settlement fringes into the landscape including within the setting of the AONB'.

8.6.4 Furthermore, the proposal has not demonstrated how it seeks to further the purpose of the CNL's designation, that being the conservation and enhancement of its natural beauty as required by s.85 of the CROW Act. Accordingly, the Board considers that if the LPA were minded to grant planning permission for the proposal as submitted, it may not have fulfilled the statutory duty to seek to further the purpose of CNL designation.

8.6.5 The Board also considers that the evidence of need is not robust enough in the context of Policy CE15 of the CNL Management Plan 2025-2030 to justify the quantum of development over and above that for which the site is currently allocated within the Cotswold Local Plan (i.e. net 49 dwellings).

8.6.6 As explained in the Annex accompanying this response, this holding objection requests further information and clarification to be submitted by the

applicant regarding housing need, landscape and visual and dark skies matters to enable the Board to fully assess any potential adverse impacts upon the landscape and scenic beauty of the National Landscape. The Board will be happy to provide a further assessment on likely effects once this information has been submitted by the applicant.

8.6.7 We recommend that the Council should not determine this application until after the further information that we have requested has been provided and the Board and other consultees have provided comments on that further information.

8.6.8 DEFRA guidance for relevant authorities (referred to in Appendix 1 below) states that as far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes. This goes beyond mitigation and like for like measures and replacement. The proposed measures to further the statutory purpose of a National Landscape should explore what is possible in addition to avoiding and mitigating the effects of the development, and should be appropriate, proportionate to the type and scale of the development and its implications for the area and effectively secured.

8.6.9 The 'seek to further' duty does not preclude decisions that are 'net harmful' to the natural beauty of a National Landscape. However, positive evidence is required to demonstrate that the relevant authority has, in all the circumstances, sought to further the purpose, not merely through mitigation of harm but by taking all reasonable steps to further the purpose.

8.6.10 Without prejudice, if the LPA is minded to permit this application, it should provide proportionate, reasoned, and documented evidence to demonstrate how it sought to further the purpose, not merely through mitigation of harm but by taking all reasonable steps to further the purpose. If it is not practicable or feasible to take measures to further this purpose, the LPA should provide evidence to show why it is not practicable or feasible.'

9. Applicant's Supporting Information:

- Archaeological Desk Based Assessment
- Archaeological Evaluation
- Written Scheme of Investigation - Archaeology
- Flood Risk Assessment
- Noise Assessment

- Planning Statement
- Preliminary Ecological Appraisal
- Residential Travel Plan
- Soft Landscape Management and Maintenance Plan
- Soft Landscape Specification
- Transport Statement
- Design and Access Statement
- Biodiversity Net Gain Statement and metric calculations
- Landscape and Visual Impact Assessment

10. Officer's Assessment:

Background and Proposed Development

- 10.1 This application seeks full planning permission for the erection of 60 dwellings and associated works. The proposed scheme includes a mix of 1 and 2 storey dwellings, consisting of 8 bungalows and 52 two storey properties. In terms of housing mix, the proposed development comprises 36 open market dwellings and 24 affordable units. The proposed open market dwellings comprise 10 two bed units, 16 three bed units, 8 four bed units and 2 five bed units. The affordable units comprise 4 one bed maisonettes, 4 two bed bungalows, 10 two bed dwellings and 6 three bed dwellings.
- 10.2 The majority of the proposed 2 storey dwellings would be approximately 8-8.5m in height. The proposed 5 bed dwellings would be approximately 9m high. The proposed bungalows would measure between approximately 6.2m and 6.7m in height. The proposed dwellings would consist of a mix of detached, semi-detached and terraced units.
- 10.3 The external walls of the proposed dwellings would be constructed using a mix of natural stone, reconstituted stone and roughcast render. The roofs of the proposed dwellings would be covered in artificial stone slate.
- 10.4 The proposed development also includes 19 garage buildings (providing 28 parking spaces), 106 allocated parking spaces and 15 visitor parking spaces.
- 10.5 Vehicular access to the proposed development would be via a new vehicular entrance onto the B4632 to the south of the application site. A pedestrian/cycle entrance would also be located in the south-western corner of the site and would open onto the aforementioned highway. It is also proposed to create new footways and upgrade existing footways along a stretch of the B4632 extending from the south-western corner of the application site to an existing

mini-roundabout located in the village of Willersey. A new pedestrian crossing across the B4632 is also proposed as part of the highway works. The proposed highway works would extend for approximately 125m.

- 10.6 In addition, it is proposed to create a new 40mph zone to the east of the existing 30mph zone lying on the B4632 to the east of the application site. The proposed speed limit change would provide a more gradual transition in vehicle speeds along the B4632 as opposed to the existing transition which goes directly from 60mph to 30mph.
- 10.7 An equipped children's play area is to be located in the northern part of the application site. An area of public open space and an attenuation basin are to be located alongside the play area.

(a) Residential Development in a Development Boundary

- 10.8 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 planning application is therefore the current development plan for the District which is the Cotswold District Local Plan 2011-2031.
- 10.9 In addition to the above, it is noted that policies in the current National Planning Policy Framework (NPPF) (December 2024) represent a significant material consideration when assessing this application. It is also noted that the Government published a new draft version of the National Planning Policy Framework (NPPF) for consultation on the 16th December 2025. The consultation period for the aforementioned document expires on the 10th March 2026 and it is anticipated that a final version of the new NPPF will be released in Summer 2026. Whilst the draft NPPF is a consultation document, it is considered that the proposed policies within it are a material consideration and must be given a degree of weight at the present time. The relevant draft policies will be referred to in this report in addition to those policies in the existing NPPF.
- 10.10 The majority of the application site is located within Willersey Development Boundary. Development within such locations is covered by the following Local Plan Policy:

10.11 Policy DS2 Development Within Development Boundaries

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

10.12 The erection of residential development within Willersey Development Boundary is therefore acceptable in principle. In addition to Policy DS2, the area of the site within the development boundary is also allocated for mixed use development in the Local Plan:

10.13 Policy S19 Allocated mixed use development site

W_7A/WIL_E1C - Land north of B4632 and east of employment estate (49 dwellings net and 1.97 hectares for B1, B2 and/or B8 Use Class employment land)

10.14 The area within the development boundary is therefore deemed to be suitable, in principle, for both employment and residential uses.

10.15 In addition, the draft NPPF states:

S4: Principle of development within settlements

'1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.'

10.16 Notwithstanding the above, it is noted that the Council also has to have regard to policies in the National Planning Policy Framework (NPPF) and guidance in the Planning Practice Guidance (PPG) when reaching a decision. The NPPF and the PPG represent significant material considerations. In particular, it is noted that the December 2024 update of the NPPF, in combination with the updated PPG on Housing and Economic Needs Assessment, introduced a new standard method for calculating local housing need. Prior to the December changes to the NPPF and PPG, 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 the Council can now only demonstrate a 1.8 year supply.

10.17 Prior to December 2024, the Council's 5 year supply was measured against the residual Local Plan housing requirement, which was 265 homes per year (based on the Housing Land Supply Report August 2023). However, the new standard

method means that the Council's 5 year supply must now be measured against the standard methodology calculation of the number of homes needed in the district, which increased in December 2024 from 504 to 1036 homes per annum. 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.

10.18 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 DS2 is out-of-date at the present time and that paragraph 11 is engaged in such circumstances. Notwithstanding this, it is considered that a reasonable degree of weight can still be attributed to Policy DS2 at the current time as it is considered to accord with the aspirations of the NPPF which seek

to promote sustainable development in rural areas, support housing that reflects local needs and enhance or maintain the vitality of rural communities.

10.19 In the case of criterion d) i) of paragraph 11, it is noted that footnote 7 of the NPPF advises that areas or assets of particular importance can include National Landscapes. Harm to such an area could therefore provide a strong reason to refuse an application for housing even if a 5 year supply of housing land cannot be demonstrated. With regard to 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. 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.

10.20 With regard to the application site itself, an assessment of the site is included in the Council's Strategic Housing and Economic Land Availability Assessment Update October 2021 (SHELAA). The site is included under site reference: Land north of B4632 and east of employment estate (ref: W7A). The SHELAA states the following:

'Description

10.20.1 The White Report (2014) provided a description for the parcel. This is reproduced below and is considered to still be relevant to the parcel:

10.20.2 'The site lies on the northern side of the settlements, where it abuts Willersey Business Park to the west and open pastoral farmland to the east. It consists of very gently sloping pastoral land falling north, in fenced enclosures with a series of dilapidated buildings and rough storage areas on its southern boundary, where a tall hedge separates it from the B4632. Its northern boundary is fenced, with views over the flat pasture fields to the low vegetation on the dismantled railway, which, together with extensive woodland, effectively screens all views from the north. There is a hedged track along the eastern boundary, with a PRow running parallel a few metres away in the adjoining pasture field.'

Summary

10.20.3 The majority of this site is already allocated for mixed use development in the adopted Local Plan. This area continues to be developable. The part of the site to the north of the existing Local Plan site allocation would be an

extension to the site allocation. This land is part of the same field that is already allocated in the Local Plan. It would make best use of this land and historic field boundaries if the whole of this field were brought forward for development, rather than leaving a remnant part of an agricultural field which may be difficult to cultivate.

Recommendation

10.20.4 The existing Local Plan site allocation should remain allocated in the Local Plan. The northwards extension to the site is a candidate for further consideration for allocation within the Local Plan.

10.20.5 Indicative capacity 57 houses (based on the density multiplier assumption) and 2ha of B1, B2 and/or B8 use class employment land as an extension to Willersey Industrial Estate.'

- 10.21 It is evident that the SHELAA is supportive of the use of the land for residential purposes. In addition, it recommends a higher number of dwellings than that set out in the Local Plan.
- 10.22 With regard to the size of the proposed development relative to the size of the village as a whole, the Council's Local Plan Review Preferred Options Consultation November 2025 states that Willersey had 458 dwellings at the time of publication. With regard to residential development in the current Local Plan period, the Cotswold District Housing Land Supply Report - May 2025 states that 89 dwellings have been built in the village in the period between the 1st April 2011 and the 31st March 2024. In addition, as of the 1st April 2024 extant permissions totalled 8 dwellings. This equates to a total of 97 dwellings. For comparison, the nearby village of Mickleton has been subject to 266 completions and commitments in the same period. In addition to the aforementioned completions and extant permissions, Local Plan allocations in Willersey total 54 dwellings. This includes the current site (which has a Local Plan indicative guide of 49 dwellings) and a garage/workshop site in the centre of the village with an indicative guide of 5 dwellings. In addition, it is also noted that Planning and Licensing Committee has resolved to permit an Outline planning application for 30 dwellings in connection with land lying to the north of Folly View on the western edge of the village (25/02983/OUT). The aforementioned site is located at the opposite end of the village to this application site. An application has not been received in relation to the garage/workshop site in the centre of the village.

- 10.23 Having regard to the size of the settlement as a whole, including its growth since 2011, it is considered that the introduction of 60 dwellings on this site would not represent a disproportionate increase in the size of the settlement in terms of dwelling numbers. In terms of services and facilities, the village hosts a primary school, employment estate, church, village hall, petrol station/vehicle garage and 2 public houses. Regular bus services also pass through the village. The settlement benefits from a range of services and facilities which are in reasonable walking and cycling distance of the application site. The application site is located approximately 400m from the village centre and the entrance to the employment estate and 500m from the village's primary school. Paragraph 4.4.1 of Manual for Streets (MfS) states that walkable neighbourhoods are typically characterised as having a range of facilities within a 10-minute walking distance (c.800m). It is noted that MfS also states that this is not an upper limit, and that walking offers the greatest potential to replace short car trips, particularly those under 2km.
- 10.24 With regard to the attractiveness and safety of the available routes, it is noted that the applicant is proposing to upgrade existing footways between the application site and the mini-roundabout located at the northern end of Main Street. A tactile pedestrian crossing and changes to speed limits are also proposed. The highway improvements would provide a safe pedestrian route from the site to services and facilities in the village. In addition, the pedestrian/cycle route is also relatively flat. It is considered, subject to the completion of the aforementioned highway works, that the proposed development would be provided with good connectivity to existing services and facilities for pedestrians and cyclists and would offer alternatives to the use of the private motor car in this respect. Whilst it is noted that future residents would likely be dependent on the use of the private motor car to undertake trips relating to retail, healthcare and leisure, the rural nature of the District means that the availability of all such services within a single settlement within the District is very limited. As a consequence, it is necessary to offer a degree of flexibility in relation to sites such as this, which can offer good accessibility to existing services and facilities in the settlement, whilst also being within relatively close proximity to other settlements, such as Chipping Campden or Mickleton, which can offer a range of other services and facilities. In addition, future residents would have reasonable access to bus services to locations such as Stratford-upon-Avon, Cheltenham and Chipping Campden. It is considered that there would be a reasonable range of transport modes on offer for future residents of the development. It is also considered that Paragraph 83 of the NPPF is of relevance to this proposal and represents a significant material consideration. It 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'. The proposal is also considered to accord with the aspirations of draft NPPF Policy CC2 which states that development should 'support good access to facilities to limit the need to travel...'

- 10.25 In light of the above and having regard to its rural location and its allocation for housing in the Local Plan, it is considered that the proposal does not conflict with key paragraphs in the NPPF such as paragraph 110 which states that '*.... Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'* and paragraph 129 c which supports development which makes efficient use of land, whilst taking into account '*the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for future improvement and the scope to promote sustainable travel modes that limit future car use'*. In the case of this proposal, it is noted that Gloucestershire County Council (GCC) Community Infrastructure advises that the village's primary school and the Primary Planning Area have capacity to accommodate children from the proposed development. In addition, the highway network can reasonably accommodate the level of proposed development and the scheme could benefit local facilities such as the public houses, garage, employment estate and church. Existing services and facilities are within walking and cycling distance of the site and bus services are also available. With regard to healthcare, NHS Gloucestershire has not responded to this application. Concerns raised by objectors regarding drainage infrastructure are noted and will be addressed in detail later in this report.
- 10.26 It is considered that the erection of 60 dwellings on this site would not represent a disproportionate increase in the size of the settlement, especially in light of the allocation of the site for new housing in the Local Plan.
- 10.27 With regard to the cumulative impact of this proposal and the 30 dwellings proposed on the land to the north of Folly View, it is noted that the 2 sites are located at opposite ends of the village. The 2 sites are approximately 600m apart (as the crow flies). As a consequence, there is no direct visual or physical interconnectivity between the 2 sites. The respective developments would therefore appear as distinct entities. In this respect, the proposed developments

would result in incremental extensions of the settlement rather than a single large expansion which would potentially extend further into the countryside than the schemes now proposed. As a result, the proposals are considered not to unbalance the settlement. Main Street will remain at the heart of the village and define its character as at present.

10.28 In terms of infrastructure, GCC Community Infrastructure considers that the Primary Planning Area has capacity to accommodate the 30 dwelling scheme in addition to the 60 dwellings proposed on this site. Furthermore, the amount of traffic generated by the proposed developments is considered not to have an adverse impact on the operation of the local highway network. It must also be noted that the 60 dwelling site is allocated for residential development in the Local Plan, indicating that the village has a level of services and facilities which can accommodate future growth in housing numbers. Whilst the Local Plan has set out a guide of 49 dwellings for the respective site, the aforementioned figure is not a rigid maximum. It is simply an indication of the level of development that could reasonably be accommodated on the site, based on the District's housing needs at the time of the adoption of the Local Plan in 2018. On the basis that the Council's housing requirements are now out of date, it is considered that limited weight can be attached to the 49 dwelling figure. The housing numbers set out in the Local Plan cannot therefore be taken as an absolute maximum when considering the future growth of the settlement. In assessing the 2 current applications for residential development, it is considered that the additional 41 dwellings arising from the additional units on the current application site and the Folly View site would not represent an excessive increase in housing numbers above that already allocated in the Local Plan. The 2 proposals are therefore considered not to have an adverse cumulative impact on the settlement, either in terms of its rural character or on services, facilities or infrastructure capacity.

(b) Housing Mix and Affordable Housing

10.29 The following Local Plan policies are considered applicable to this application:

10.30 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.'*

10.31 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.'

- 10.32 With regard to housing mix, this application seeks to provide a range of 2, 3, 4 and 5 bed dwellings. Of the 60 dwellings, 50 would be 3 bed and under. In addition, the proposed dwellings would be arranged in a mix of detached, semi-detached and terraced units. It is considered that the proposed scheme would provide a reasonable number of smaller and medium sized dwellings across both the affordable and open market elements of the development. The proposal is therefore considered 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,*' in accordance with Local Plan Policy H1. In addition, the floorspace of the proposed dwellings meets minimum floorspace standards as required by the aforementioned policy.
- 10.33 With regard to affordable housing, the applicant is seeking to provide 4 one bed maisonettes, 4 two bed bungalows, 10 two bed dwellings and 6 three bed dwellings. The proposed tenure mix would include 7 units for affordable rent, 10 for social rent and 7 for affordable sale. The aforementioned mix accords with the recommendations set out by the Council's Housing Section. The Council's Homeseeker register indicates that 55 persons were registered for affordable housing in Willersey parish in May 2026. The current proposal would help to address existing housing needs within the parish and is considered to be in accordance with Local Plan Policy H2. The delivery of affordable housing is considered to carry significant weight.
- 10.34 It is considered that the affordable units are distributed across the site in a reasonable manner and that the design of the respective dwellings is consistent with that of the open market units. The scheme is therefore considered to result in a tenure blind form of development.

10.35 The applicant is seeking to provide 3 self-build/custom build serviced plots. This is in accordance with the requirements of Local Plan Policy H2.

10.36 The provision of affordable housing and self-build/custom build serviced plots will be secured through a S106 legal agreement.

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

10.37 The application site occupies a relatively flat and open area of agricultural land located adjacent to the north-eastern edge of the village. The majority of the site is set to grass and is used for grazing. However, a section of the southern part of the site (approximately 0.4 hectares in size) is overgrown with undergrowth and other vegetation. The area in question has been used as allotments in the past. It also contains a redundant corrugated metal shed. The eastern and southern boundaries of the site are defined by a line of trees and understorey vegetation.

10.38 The site is not subject to any specific landscape designation. However, the northern boundary of the Cotswolds National Landscape (CNL) (formerly known as the Cotswolds Area of Outstanding Natural Beauty) runs along the southern side of the B4632 to the south of the application site. Whilst the site is located outside the CNL, 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).

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

10.40 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 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.'*

10.41 Local Plan Policy EN2 Design of the Built and Natural Environment

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

10.42 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.'*

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

1. *'In determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.'*

10.44 In terms of national policy, Paragraph 187 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should contribute to and enhance the natural and local environment by *'protecting and enhancing valued landscapes'* and *'recognising the intrinsic character and beauty of the countryside'*.

10.45 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.'*

10.46 In addition to the above, the Council's Cabinet, at its meeting on the 8th May 2025, resolved to 'endorse the recommendation of the report that the Cotswolds National Landscape Management Plan 2025-2030 be used:

- 'as a material consideration in the determination of planning applications (where compatible with relevant Local Plan and national policy)'

10.47 The Cotswolds National Landscape Management Plan 2025-2030 includes a number of policies which are considered applicable to this application, including:

10.48 Policy CE1. Landscape

CE1.1 Proposals that have the potential to impact on, or create change in, the landscape of the Cotswolds National Landscape (CNL), should be delivered in a way that is compatible with and seek to further the conservation and enhancement of the landscape character of the location, as described by the CNL Board's Landscape Character Assessment and Landscape Strategy and Guidelines. There should be a presumption against the loss of key characteristics identified in the landscape character assessment.

CE1.2 Proposals that have a potential impact on, or create change in, the landscape of the CNL, should seek to further the conservation and enhancement of the scenic quality of the location and its setting, views, including those into and out of the National Landscape and visual amenity.'

10.49 Policy CE4: Local distinctiveness

'CE4.1 Proposals that are likely to impact on the local distinctiveness of the Cotswolds National Landscape (CNL) should be delivered in a way that is compatible with and seek to further the conservation and enhancement of this local distinctiveness. This should include:

- being compatible with the CNL Board's Landscape Character Assessment, Landscape Strategy and Guidelines, Local Distinctiveness and Landscape Change and any relevant position statement or guidance published by the Board.*
- being designed to respect local settlement patterns, building styles, scale and materials in accordance with design guidance prepared by local planning authorities;*

- *using an appropriate colour of Cotswold limestone to reflect local distinctiveness.'*

10.50 Policy CE5: Tranquillity

'CE5.1 Proposals that have the potential to impact on the tranquillity of the Cotswolds National Landscape (CNL) should be delivered in a way that is compatible with and seek to further the conservation and enhancement of this tranquillity, by seeking to avoid and where avoiding is not possible, minimise noise and other aural and visual disturbance.

CE5.3 Proposals that have the potential to impact on the tranquillity of the CNL should have regard to - and be compatible with - the CNL Board's Tranquillity Position Statement.'

10.51 Policy CE6: Dark Skies

'CE6.1 Proposals that have the potential to impact on the dark skies of the Cotswolds National Landscape (CNL) should be delivered in a way that is compatible with and seek to further the conservation and enhancement of these dark skies, by seeking to avoid and where avoiding is not possible, minimise lighting.

CE6.2 Measures should be taken to increase the area of dark skies in the CNL by removing and, where removal is not possible or appropriate, reducing existing sources of lighting.

CE6.3 Proposals that have the potential to impact on the dark skies or dark landscapes of the CNL should have regard to and be compatible with:

- *The National Landscapes Board's Dark Skies and Artificial Light Position Statement.*
- *Cotswolds National Landscape Technical Lighting Design Guidance*
- *Best practice standards and guidance, in particular, that published by the Institution of Lighting Professionals. '*

10.52 Draft NPPF Policy N4: Protected Landscapes states that *'...Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas.'*

10.53 The application site occupies a group of agricultural fields located to the east of the existing settlement. A strip of agricultural land is located between the

western boundary of the application site and existing village development to the west. The eastern edge of the settlement is currently defined by an employment estate and a dwelling. Planning permission was granted in 2024 (22/03534/FUL) for the creation of new employment development on the land lying between the application site and the existing employment estate/dwelling. The aforementioned permission has yet to be implemented but remains extant at the present time.

- 10.54 The southern boundary of the application site extends along the northern side of the B4632. A post war residential housing estate (Ley Orchard) is located to the south of the aforementioned highway. The eastern and northern boundaries of the application site adjoin agricultural fields. A line of trees and understorey vegetation extends along the aforementioned boundaries. A tree lined former railway line runs in a south-west to north-east direction to the north of the application site. It lies approximately 25m from the application site at its closest point.
- 10.55 With regard to public views of the site, the principal public vantage points are from the B4632 to the south and Public Right of Way HWY4 to the east. The latter runs in a north-south direction through the field lying adjacent to the eastern boundary of the application site. It is located approximately 35m from the application site.
- 10.56 Views of the site from the B4632 are largely screened by existing roadside vegetation. The principal view through the site from the aforementioned road is from the existing site access. However, it is noted that the current view is largely limited to existing vegetation and a metal shed, which restricts views through the site to the north. With regard to the Public Right of Way, views of the site are screened to a certain extent by existing boundary vegetation, although this vegetation does become more sparse along the northern part of the site's eastern boundary. The existing employment estate also form a backdrop to views experienced from the Public Right of Way. It is noted that the field to the east of the application site is characterised by pronounced ridge and furrow. This is less evident in the application site, although there is some evidence of such an agricultural practice in the northern part of the site, albeit less pronounced than on the field to the east.
- 10.57 A landscape assessment of the site is included in the 2021 SHELAA. It states:

'Landscape Sensitivity Evaluation: Medium/Low Justification:

10.57.1 The landscape sensitivity given to the parcel as part of its inclusion within the 'Study of land surrounding Key Settlements in Cotswold District Update' (Cotswold District Council and White Consultants, October 2014) report was Medium/Low. The justification provided for this rating is reproduced below and is still considered to be an appropriate justification for the parcels landscape sensitivity:

10.57.2 'The site is susceptible to housing development by reason of its current land use, but this has little time-depth. It is of low susceptibility by reason of its well-screened location and proximity to existing economic development, outside the settlement but well-screened within the wider landscape. The AONB boundary is the southern edge of the B4632, on the northern edge of which a tall hedge provides screening at present, although there may be some limited views into the site from first floor windows of houses opposite. Dense hedges on nearby parallel field boundaries screen views in from traffic approaching the settlement from the east, but care would be required to ensure that building heights were no more than those of buildings in the adjoining Business Park, to avoid any significant visibility from the scarp slope to the south east. Retention of part of the strongly vegetated southern boundary is recommended. The inclusion of the land to the north does not change the landscape sensitivity of the parcel. This is because the land shares the same characteristics as the existing parcel and creates a logical addition to the parcel up to the dismantled railway. Any development would need to be delivered within a robust landscape framework that retains and supplements the existing boundary vegetation.'

10.58 As part of the application process and in response to comments made by bodies such as the Cotswolds National Landscape Board, the applicant has submitted a Landscape and Visual Impact Assessment (LVIA) with this application. The LVIA has assessed the site from a number of vantage points, including higher land within the CNL. The Non-Technical Summary of the LVIA states:

'1.6. The overall weighted landscape sensitivity of the site and surrounding landscape has been assessed as high. This is largely due to forming part of the setting of the National Landscape, whilst the site itself has few valued landscape components other than the open grassed field forming the settlement edge. The introduction of residential properties into a grassed field will see a change in character. The magnitude of landscape impact has been assessed as medium as there will be a loss of grassland, but areas of grassland will remain to the north, supplemented with significant tree, hedgerow and scrub planting. The introduction of new residential development may be prominent for a limited number of observers but is not considered uncharacteristic when set within the attributes of the receiving landscape.'

1.7. Following the loss of the scrub vegetation at the south of the site, once the native hedgerow within the highway verge has matured, this will enhance the setting and approach and create a more cohesive road corridor on the approach to Willersey. The residential development will filter the views of the industrial park and the combination of the more permeable residential layout, intertwined with a landscape framework, with trees and open spaces, it will create a more appropriate rural transition than the current industrial edge. Enhancements of the boundary vegetation will also mitigate views and as a result, the residual impacts would be reduced and the residual impact on the landscape character would be moderate.'

- 10.59 The Case Officer has viewed the site from a number of public vantage points including the Public Right of Way to the east, and Public Rights of Way within the CNL. It is considered that the findings of the LVIA are reasonable.
- 10.60 The current proposal would result in the removal of the existing roadside boundary vegetation. As such, the proposal would open up views of the site from the B4632 to the immediate south of the site. Notwithstanding this, existing roadside vegetation along the northern side of the road to the east of the site would continue to provide a significant degree of screening when approaching the village from the east. Whilst the proposal would be visible from the B4632, the level of visibility would largely be restricted to a short section of the aforementioned highway and would be seen predominantly by motorists rather than more sensitive receptors such as pedestrians.
- 10.61 In order to lessen the visual impact of built development on the B4632, the applicant is proposing to set the new dwellings back approximately 10-15m from the highway and introduce soft landscaping to their front. In light of the relatively short section of road that would be affected by the proposal, combined with the presence of existing housing to the south of the B4632 (which is visible on the eastern approach into the settlement), and the set back position of the proposed dwellings, it is considered that the changes to the southern boundary of the site would result in a minor change to the character and appearance of the area and to the setting of the CNL. In relation to the latter, it is noted that the post war housing estate located to the immediate south of the application site is located within the CNL. The character and appearance of the adjacent designated landscape is therefore already heavily influenced by residential development.
- 10.62 With regard to views from the Public Right of Way to the east of the application site, it is noted that the existing line of trees/understorey vegetation would provide an element of screening of the lower parts of the proposed

development. However, the upper storeys and roofscape would be visible above existing landscaping. Whilst buildings on the existing employment estate form a backdrop to the site when viewed from the Public Right of Way, the existing buildings are relatively modest in size and are not unduly conspicuous or obtrusive. As a result, it is considered that the proposed scheme would alter the relationship of the application site with the landscape to its east. The proposal would therefore increase the visual presence of built development when viewed from the Public Right of Way. However, it is also necessary to acknowledge that the site has been allocated for residential development in the Local Plan and it is therefore a location where the introduction of new housing is considered to be acceptable in principle. It is therefore accepted that the site is one where development can potentially be introduced without causing an unacceptable level of harm to the character and appearance of the area and the setting of the CNL. In the case of the current scheme, the applicant has sought to introduce a range of building heights and designs along the eastern edge of the site. The applicant has also avoided the introduction of development into the northernmost part of the site, which is more exposed when viewed from the east. New tree planting is also proposed along the site's eastern boundary. In addition, the number of dwellings addressing the site's eastern boundary is limited, with only 10-11 dwellings out of the proposed 60 dwellings lying along the site's eastern edge. In this respect, the proposal is considered not to result in a wall of development along the eastern part of the site. Whilst the proposal will change the character and appearance of the landscape lying adjacent to the eastern edge of the settlement, it is considered that the proposed change is respectful of existing village development and that it would be seen in context with the existing settlement. As a consequence, the proposal is considered not to have a not have a significant detrimental impact on the natural and historic landscape lying to the east of the application site.

- 10.63 With regard to more distant views, it is noted that there are a network of Public Rights of Way extending across the rising land forming part of Willersey Hill and around the village of Saintbury to the south-east of the application site. The aforementioned routes are located within the CNL. Views of the site from the hillside are limited by a mix of vegetation, topography and distance. Where the site and north-eastern part of the village are visible, the site forms a small component of a wider landscape view and is seen in context with existing village development. It is considered that the proposed development would not have an adverse impact on setting, character or appearance of the CNL. In addition, due to the proximity of the site to existing village development, the proposal is considered not to have an adverse impact on dark skies.

- 10.64 With regard to the impact of the proposal on the CNL in general, the proposed development would have a visual and physical connection with the existing Principal Settlement. It would not therefore appear as a standalone development in the open countryside. Existing housing is located to the south of the site and employment development to its west. The site is therefore located in an area which has a character and appearance which is already heavily influenced by existing built development. In addition, the site does not extend further eastwards into the countryside than the existing edge of residential development lying to the south of the application site. There are also limited views available of the site from the CNL. It is considered that the proposed development can be undertaken without causing harm to the setting, character and appearance of the CNL and that it would not conflict with Local Plan Policies EN4 and EN5, guidance in Section 15 of the NPPF, policies in the Cotswolds National Landscape Management Plan, and the requirement to further the purpose of conserving and enhancing the natural beauty of the National Landscape.
- 10.65 With regard to design, the applicant is pursuing a traditional design approach. The size, scale, proportions, materials and detailing of the proposed dwellings are consistent with the appearance of many other housing developments that have been erected across the District in recent years. It is also considered that the scheme respects the size, scale, design and existing housing types that are seen with the village of Willersey. It is therefore considered that the design approach is appropriate for the location and that it respects local character and distinctiveness in accordance with Local Plan Policy EN2 and the Cotswold Design Code.
- 10.66 In terms of site layout, the scheme is considered to respond in an acceptable manner to what is a linear site. The creation of the site entrance in the south-eastern corner of the site is necessary to ensure that adequate distance is achieved between the proposed entrance and the new entrance approved recently as part of the industrial estate extension to the west. The positioning of the internal estate road along the western boundary of the site also ensures that a buffer is provided between the industrial units approved to the west and new housing. Within the proposed estate, new housing would address the internal road layout. New tree planting and green space is also provided as part of the layout. An area of land to the north of the proposed housing would also be set aside for Public Open Space and a Local Equipped Area of Play. The introduction of east facing dwellings along the eastern boundary of the site also means that the development would not turn its back on the adjacent countryside. It would also ensure that back gardens/close boarded fences do not form a feature along the site's eastern boundary. In addition, following

discussions with Officers, the applicant has removed an enclosed communal car parking area initially proposed in the centre of the development with a more open, and better surveilled parking area. It is therefore considered that the layout of the scheme is acceptable and the revisions address a number of comments raised by the Designing Out Crime Officer. It is considered that the scheme has been reasonably designed to prevent crime and disorder and to address the requirements set out in Section 17 of the Crime and Disorder Act 1998 which states that *'it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,*

(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and

(b) the misuse of drugs, alcohol and other substances in its area; and

(c) re-offending in its area; and

(d) serious violence in its area.'

10.67 With regard to energy efficiency, the proposed scheme seeks to adopt a fabric first approach which would include increased insulation, high efficiency glazing, electric vehicle charging, Air Source Heat Pumps and rainwater harvesting. It is considered that the proposal reasonably addresses the impact of climate change.

10.68 It is considered that the proposal accords with Local Plan Policy EN2 and guidance in the Cotswold Design Code.

(d) Access and Highway Safety

10.69 The proposed development would be served by a new vehicular access which would be located in the southern boundary of the application site. It would open onto the B4632. The aforementioned highway is subject to a 30mph speed limit where it passes the application site. A new dedicated pedestrian/cycle entrance would also be created in the south-western corner of the application site. It would also open onto the B4632. The new pedestrian/cycle entrance would connect into the as yet unimplemented employment site entrance approved under permission 22/03534/FUL. New and upgraded footways are also proposed along the stretch of the B4632 extending from the application site to the existing mini-roundabout located in the village, which is located

approximately 125m from the development site. A new pedestrian crossing across the B4632 is also proposed as part of the highway improvement works. In addition, it is proposed to create a new 40mph zone to the east of the existing 30mph zone lying on the B4632 to the east of the application site. The proposed speed limit change would provide a more gradual transition in vehicle speeds along the B4632 as opposed to the existing transition which goes directly from 60mph to 30mph.

10.70 The following policies and guidance are considered applicable to this proposal:

10.71 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.

10.72 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.*'

- 10.73 This application is accompanied by a Transport Statement (TS) which includes information relating to matters such as vehicle speeds, traffic generation, access visibility, accessibility, pedestrian/cycle movements and highway safety.
- 10.74 With regard to the proposed vehicular entrance, it would be located on the outside of a bend in the existing road. An Automated Traffic Count undertaken in January 2025 recorded 85th percentile speeds of 36.6mph westbound and 37.4mph eastbound along the stretch of road adjacent to the site entrance. Based on this data, the requisite visibility splays would be 69.1m to the east and 71.4m to the west. The applicant has submitted a visibility splay plan which demonstrates that the aforementioned distances can be achieved. The bend in the road does not prejudice visibility in this instance.
- 10.75 With regard to traffic generation, the TS states that the proposed development would generate 28 vehicular trips during the AM peak period and 26 vehicular trips during the PM peak period. It is considered that the level of traffic generated by the proposed development would not have a significant impact on the operation of the local highway network, and would not be severe in the context of paragraph 116 of the NPPF.
- 10.76 The TS also includes details relating to junction visibility within the development as well as swept path analysis plans showing that the internal road layout and the site entrance can safely accommodate passing vehicles and larger service vehicles.
- 10.77 The proposed scheme would provide parking for 149 vehicles which is considered to be acceptable for the size and form of development being proposed. Each property has sufficient space to provide secure cycle storage.
- 10.78 Gloucestershire County Council (GCC) Highways have assessed the application and raises no objection to the proposal.
- 10.79 It is considered that the proposed development can be undertaken without having an adverse impact on highway safety in accordance with Local Plan Policies INF3, INF4 and INF5 and Section 9 of the NPPF.

(e) Flooding and Drainage

- 10.80 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.

10.81 This application is accompanied by a Flood Risk Assessment (FRA). The FRA has identified the presence of pooling in areas towards the centre of the site where ridge and furrow is present. The depth of pooling can be approximately 0.2m. The FRA states:

10.81.1 'Following review of the topographical survey and conducting a site walkover, it is reasonable to ascertain these areas of risk in the centre of the site with depressions in the topography, characteristic of ridge and furrow features. Therefore, the areas of surface water risk are arguably localised flooding, as opposed to being a wider flow route.'

10.82 The FRA identifies that on-site infiltration would not be practicable in this instance. It therefore recommends the use of on-site attenuation, which would also utilise a drainage ditch approved as part of the adjacent industrial estate development:

10.82.1 'It is proposed to introduce an entirely new gravity stormwater system which will direct flows to an attenuation basin, sufficiently sized to store the volume of runoff for up to a 1 in 100 year event plus 40% climate change allowance, which will reduce risk of flooding downstream. Runoff will also be directed to conveyance swales and lined permeable paving providing at source treatment and promoting a SuDS Management Train.'

10.82.2 'The overall discharge rate from site will be restricted to the 11.4 l/s for all return period storms.'

10.83 The proposed scheme has been assessed by GCC Lead Local Flood Authority (LLFA) in its role as a statutory consultee for surface water drainage matters. Following discussions with the applicant, the LLFA confirms that the proposed surface water drainage proposals are acceptable and it raises no objection.

10.84 It is considered that the proposed development can be undertaken without causing an unacceptable risk of flooding or surface drainage problems in accordance with Local Plan Policy EN14 and guidance in Section 14 of the NPPF.

10.85 With regard to foul drainage, the applicant is seeking to connect to the existing Severn Trent Water network. It is noted that a number of concerns have been raised by local residents about the capacity of the existing drainage network. The relevant body for dealing with foul water in the site area is Severn Trent Water (STW). It has been made aware of the issues currently experienced by local residents. However, under the requirements of the Water Industry Act 1991, STW has a statutory duty to connect residential development to its

network. It is therefore responsible for ensuring that its infrastructure has capacity to accommodate new development. The means of connection to the network would ultimately be a matter between the developer and STW. In its formal response to this application, STW states:

10.85.1 Severn Trent has concerns regarding the impact the additional flow that this proposed development will generate, we have been contacted by a number of residents about flooding in the area and we are still completing investigations into the issues. However, no investment is currently confirmed and consequently we cannot object to approval being granted.

10.85.2 Under current legislation a developer has the right to connect to the public foul network to drain foul water, and to do so at the nearest or most convenient point on the existing network. In addition to this right, Severn Trent has a statutory duty to provide any network reinforcement that may be required to accommodate the flow generated by such a new development.

10.85.3 With a view to better understanding how our network is operating Severn Trent is undertaking a number of investigations. Once these investigations are completed, if improvements are deemed necessary, these will be undertaken in accordance with our investment plans.

10.85.4 Unfortunately, we are not yet able to say with any certainty what may need to be done or when any necessary works may be completed.

10.85.5 In light of the above, given Severn Trent is unable to object to this proposal, we would request that any approval granted by yourselves should be conditioned.'

10.86 In light of the comments from Severn Trent Water, the following condition is recommended. The condition is the same as that recommended in connection with the application for 30 dwellings at Folly View in Willersey (25/02983/FUL) which was considered recently by Planning and Licensing Committee:

Prior to the commencement of development, a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall:

i) Include the design of all on and off-site foul sewerage infrastructure, the diameters of proposed pipes and the capacity of any on or off-site storage;

ii) *Include a timetable and programme for the provision of the foul sewerage infrastructure; and*

iii) *Demonstrate that, where connection to a public sewer is proposed, the additional foul sewerage discharge can be accommodated within the public sewer system without increasing the risk of flooding or backing up of the existing system on the site or elsewhere. The development shall be carried out in accordance with the approved details and the approved timetable and programme.*

Reason: *In order to ensure that the development hereby permitted is provided with a satisfactory means of foul drainage as well as reducing the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Local Plan Policies EN14 and EN15. It is important that these details are agreed prior to the commencement of development in order to ensure that the proposal will not have an adverse impact on foul drainage and to ensure that adequate infrastructure can be provided.*

10.87 The matter of foul drainage was also covered as part of an appeal relating to the erection of 25 dwellings on a site in Worcestershire in January 2025 (APP/H1840/W/24/3345732). The appeal decision related to an area covered by STW, which is the same body responsible for dealing with foul water in Willersey.

10.88 Paragraph 12 of the appeal decision states:

'12. The Council identifies that the village suffers from blocked and overflowing drains. This matter has also been raised by many local residents and the local MP who have reported that the existing sewers cannot cope during high rainfall leading to overflow of raw sewerage onto local roads. These comments raise concern by interested parties that these problems would be exacerbated by the proposal putting greater pressure on the sewer within the local area. However, as statutory undertaker STW has a duty to accommodate demand for the disposal of foul water. The development would increase the use of the sewerage system, albeit to a modest extent. However, the responsibility lies with STW rather than the developer to maintain and, where necessary, increase capacity. Therefore, where foul water has overflowed onto roads and properties, although regrettable, this does not provide a robust reason to refuse a proposal.'

10.89 In the case of the above appeal, the Planning Inspector considered the scheme to be acceptable in drainage terms subject to a condition requiring 'details of

foul drainage to be submitted and approved by the local planning authority prior to the commencement of development. This could include the requirement for the appellant to demonstrate that where a connection to the public sewer is proposed that the additional foul sewerage can be accommodated within the existing system without increasing the risk of flooding or backing up of the existing system on site or elsewhere. Such a condition would be reasonable and ensure that the scheme manages its foul drainage requirements properly, without materially impacting on the existing off-site drainage issues raised by interested parties.' The aforementioned condition was more onerous than the condition recommended by STW, which required details to be agreed prior to first occupation of the development. The condition now recommended by Officers is consistent with that set out by the Inspector in the aforementioned appeal case.

10.90 In addition to the above, Officers have also had regard to the following when reaching this recommendation:

10.91 Paragraph 201 of the NPPF states:

' 201. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.'

10.92 It is considered that the proposed development can be undertaken in a manner that would not have an adverse impact on foul drainage and in accordance with Local Plan Policy INF8.

(f) Impact on Residential Amenity

10.93 Each of the proposed dwellings would have an internal floorspace in excess of minimum floorspace standards in accordance with Local Plan Policy H1.

10.94 The proposed dwellings would be positioned and orientated in a manner that would provide future occupants with acceptable levels of light and privacy and that would avoid instances of overbearing impact. In addition, each dwelling would be provided with adequate levels of outdoor amenity space in accordance with the Cotswold Design Code.

- 10.95 The proposed scheme makes provision for a children's play area and recreation space. It is therefore considered that the proposal provides adequate public open space.
- 10.96 The application site is located approximately 50m from an existing employment estate. However, it is noted that permission exists for the creation of new employment development on the strip of land lying between the existing employment estate and the housing now proposed. As part of the aforementioned permission, conditions were attached covering noise and operating hours. In addition, an operational hours working directive was also added as a condition which limits the type of activities that can be undertaken outside the hours of 0700-1800 Monday to Friday and 0700-1400 on Saturdays. Restrictions included a need for doors to remain closed, no deliveries and no machinery to be operated outside of buildings. It is also of note that the Local Plan allocates the land for a mix of employment and residential uses, which indicates that such uses can co-exist on the allocated site as a whole
- 10.97 This application is accompanied by a Noise Assessment which has been assessed by the Council's Noise Officers. The aforementioned Officers are satisfied that the proposed relationship between the residential and employment sites is acceptable. However, it is recommended that mechanical ventilation is installed in the first floor habitable rooms of 7 properties that have front or rear windows facing the approved employment site. This will provide an additional means of ventilation to the occupiers of the respective properties should the opening of a window cause undue disturbance.
- 10.98 The proposal is considered to accord with Local Plan Policies EN2, EN15 and INF2 and guidance in the Cotswold Design Code.

(g) Biodiversity

- 10.99 The application site occupies an area of agricultural land which is covered in predominantly, but which also includes area of undergrowth, trees and hedgerows. Agricultural fields are located to its north, east and west.
- 10.100 This application is accompanied by a Preliminary Ecological Appraisal (PEA). A dusk emergence bat survey has also been undertaken as part of the application submission.
- 10.101 The Biodiversity Officer provided the following initial response to this proposal:

' Habitats -

10.101.1 *The site contains three hedgerows (H1, H2 and H3). It appears that one or more of these hedgerows may fit the criteria for priority hedgerows under Section 41 of the NERC Act 2006. The PEA does not define whether any of these hedgerows satisfy this criteria to be considered as a priority habitat and this should be confirmed.*

10.101.2 *Also, it is noted that the hedgerows H2 and H3 are to be lost. In consideration of the site plans, it is unclear why H2 cannot be retained and enhanced. Therefore, this should be clarified as at present, insufficient information has been provided to justify its loss.*

Amphibians –

10.101.3 *The site is within the green impact risk zone as per the Great Crested Newt District Licensing Scheme, with no ponds within 250m of the site. The ponds present within 250-500m of the site are all separated by considerable barriers and built form and in this instance, I agree with the assessment of the PEA that GCN are unlikely to be impacted by the development. The site may support common amphibians, and the report recommends that precautionary working measures to safeguard common amphibians can be included within a Construction Ecological Management Plan (CEMP). The CEMP can be secured by condition once all other biodiversity issues are resolved.*

Bats -

10.101.4 *The timber framed building (B2) was assessed to have low suitability for roosting bats, and a further emergence survey was undertaken which did not record any roosting bats. It is noted that trees within the woodland will be removed, and some of these trees were classified as PRFI. Therefore, precautionary methods are required for works to these trees.*

10.101.5 *Static surveys for bats were undertaken, which recorded at least 8 species using the site with the largest amount of activity attributed to Common Pipistrelle bats. Other notable species recorded using the site were Lesser Horseshoe, Noctule, Serotine and Leisler's although the volume of activity attributed to these species was lower than that of the Common Pipistrelle.*

10.101.6 *The PEA recommends that edge habitats should be retained to reduce severance of bat habitats, and lighting should be designed to ensure dark corridors remain. The proposed site and BNG plans indicate that the southern*

boundary is to comprise modified grassland, with a complete loss of the linear and woodland habitat features to facilitate development. It appears that this will constitute severance of the commuting and foraging habitat in this area of the site, with no habitat created to mitigate this loss. This should be addressed, and habitat features should be created along the southern boundary to mitigate for the loss of habitat and to retain connectivity for foraging and commuting bats which have been recorded as using the site during the submitted surveys. The BCT and ILP guidance refers to the potential for offences under the legislation which affords bats and their roosts protection by the severance of key bat flightpaths

Birds -

10.101.7 The assessments and recommendations pertaining to birds are considered sufficient, and recent site photos demonstrate that the grassland on site is unlikely to be suitable for ground nesting birds.

Reptiles -

10.101.8 Reptile surveys undertaken recorded a peak count of one adult grass snake and one adult slowworm, with two juvenile grass snakes also recorded. The PEA recommends that a reptile mitigation strategy and management plan will be required. I agree with this recommendation and the strategy should be secured by condition once all other biodiversity issues are resolved.

Dormice -

10.101.9 Suitable habitats for dormice have been identified on site within the PEA, although it is stated that no impacts to the species are considered likely. Given that full surveys for dormice were not undertaken and the site contains habitat which are suitable for dormice, it is my view that precautionary working methods for dormice should be included within a CEMP.

Riparian mammals -

10.101.10 I agree with the assessments and recommendations pertaining to otters and water voles, and do not anticipate any impacts to these species.

Other species -

10.101.11 The assessments and recommendations pertaining to hedgehogs and invasive non-native species are sufficient.'

10.101.12 In response to the above, the applicant has provided additional information, to which the Biodiversity Officer has advised:

'Hedgerows

10.101.13 I note the justification for the loss of hedgerows which have now been confirmed to meet the criteria of 'priority habitat' under Section 41 of the Natural Environment and Rural Communities (NERC) Act, 2006. However, it should be clarified which hedgerows/how much hedgerow will be created as mitigation and compensation for priority habitat hedgerow loss, as in instances where a loss cannot be avoided, the applicant must demonstrate that the mitigation hierarchy has been followed (paragraph 193 of the NPPF). Furthermore, principle 2 in the Statutory Biodiversity Metric User Guide (July 2025) states the following: "The use of this biodiversity metric does not override existing biodiversity protections, statutory obligations, policy requirements, ecological mitigation hierarchy or any other requirements." Any compensation required to mitigate potential impacts to these priority hedgerows must be shown to be 'additional' to the minimum 10% net gain requirement.

Bats

10.101.14 I acknowledge that the revised plans now demonstrate a species-rich native hedgerow and additional grassland enhancement along the southern boundary of the site. I accept these proposals in principle, assuming that adequate information can be provided within the HMMP to demonstrate that the hedgerow and grassland can be managed for the benefit of biodiversity including bats and will not be subjected to harsh and restrictive management for amenity reasons which would lower the overall ecological value.'

10.102 At the time of writing this report, additional information is still awaited in relation to the hedgerow matter. However, it anticipated that this is a matter that can be addressed following further discussion. In addition, it is considered that the proposal can be undertaken in a manner that would not otherwise have an adverse impact on protected species or their habitat in accordance with Local Plan Policy EN8 and section 15 of the NPPF. An update will be provided to Committee Members at the Committee meeting.

10.103 With regard to Biodiversity Net Gain (BNG), the applicant is seeking to deliver BNG partly on-site and partly off-site. The development is unlikely to be able to deliver the requisite 10% enhancement solely through on-site measures. The applicant is therefore proposing to provide additional enhancements on an area of land in their ownership which lies to the north-west of the railway line. The

area in question is currently used for arable purposes and measures approximately 9.8 hectares in size. An area of the aforementioned land measuring approximately 4.2 hectares would be used for the creation of an orchard, neutral grassland and mixed native scrubland. At the present time, the Biodiversity Officer has requested further information and clarification regarding metric calculations. It is considered that further details are required in order for Officers to be reasonably satisfied that 10% BNG can be secured. Members will be provided with an update on this matter at the Committee meeting.

Other Matters

10.104 With regard to trees, the Tree Officer states:

10.104.1 'The proposal results in the removal of moderate and low quality trees to the south of the site. Individually the trees and groups offer little amenity value, however as a group there is some screening and amenity value.'

10.104.2 The hedgerow running to the east of the site is proposed to be retained and enhanced with new planting.'

10.104.3 The western boundary of the site will be enhanced following conditioning of a landscape plan for 22/03534/FUL.'

10.104.4 No specific tree or hedge protection measures are required.'

10.104.5 Removed trees will be adequately compensated for if soft landscaping is delivered as per landscape plan drawing no. PR124834 11A Sheets 1-4. The proposed scheme consists of a good mix of native and ornamental species and will result in a significant canopy cover increase. The soft landscape specification details planting methods and aftercare. Trees which fail to establish must be replaced for the duration of the management period.'

10.105 It is considered that the proposed development is in accordance with Local Plan Policy EN7.

10.106 It is noted that the northern part of the site includes ridge and furrow. Such a feature reveals evidence of mediaeval farming practises and can constitute a non-designated heritage asset. The proposed development would result in the loss of the aforementioned asset. Local Plan Policy EN12 states that '*development affecting a non-designated heritage asset will be permitted where it is designed sympathetically having regard to the significance of the asset, its*

features, character and setting. Paragraph 216 of the NPPF states that *' the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'* In this instance, it is noted that the site is allocated for housing/employment development in the Local Plan. The introduction of development onto the site has therefore already been established in principle. In addition, the ridge and furrow on the site is less pronounced than the ridge and furrow that is present on the fields which are located to the east of the application site. Larger and more visually prominent ridge and furrow will remain on the fields to the east, thereby ensuring that the ridge and furrow characteristics of the landscape to the north-east of the settlement will remain. The loss of the area in question on the application site is therefore considered not to significantly erode the overall significance of the ridge and furrow that lies to the north-east of the village. In light of the site allocation, the modest contribution the existing ridge and furrow makes to the overall level of ridge and furrow lying adjacent to the settlement and the fact that extensive areas of ridge and furrow will remain, it is considered that there is a reasonable justification for the loss of the existing ridge and furrow on the site having regard to the aforementioned policy and guidance.

10.107 With regard to archaeology, GCC Archaeology has advised:

10.107.1 *'I advise that I have checked the proposed development site against the County Historic Environment Record, and there is no significant archaeology known at this location. The site was subject to archaeological evaluation in 2018, with negative results.*

10.107.2 *In my view there is a low risk that archaeological remains will be adversely affected by this development proposal. Therefore, I recommend that no archaeological investigation or recording need be undertaken in connection with this scheme.'*

10.108 With regard to climate change and energy efficiency, the applicant states *'the site will achieve a total reduction in regulated CO2 emissions in order to reach the Target Emission Rate (TER) outlined in Approved Document Part L (AD L) 2023 through fabric-first, demand reduction and low carbon and renewable energy measures and will successfully deliver the minimum onsite reduction target in regulated CO2 emissions over AD L 2023 for domestic elements of the site.'* The measures proposed include features such as energy efficient building fabric and insulation, high efficiency glazing, air source heat pumps, electric

vehicle charging and rainwater butts. It is considered that the proposed scheme reasonably addresses issues arising from climate change.

10.109 With regard to financial contributions, GCC Community Infrastructure has requested contributions of £79,542.40 to secondary 16-18 education and £11,760 to library services. 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, are directly related to the proposed development and are 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. GCC advises that the village's primary school has capacity to accommodate children arising from the proposed development.

10.110 Willersey Parish Council has also requested S106 contributions towards improvements to the village hall, the recreation ground and cemetery, as well as a contribution either financially or in the form of land release for allotments. The requested contributions include: Allotment provision Land or lease; village Hall expansion & upgrades £175,000; recreation Ground improvements £30,000; and cemetery paths £10,000. In response to these requests, the applicant is agreeable to a contribution of £120,000 towards village hall improvements and £8,000 towards the village's recreation ground. It is noted that a £60,000 contribution towards the village hall has been agreed as part of the recently approved development for 30 dwellings on land adjacent to Folly View in the village. It is considered that the £120,000 represents a proportionate level of contribution in this instance. With regard to the recreation ground contribution, it is noted that this development would provide an on-site equipped play area, as well as a reasonably large area of open space which could be used as a kickabout area or dog exercising area. The proposed development would therefore provide a reasonable level of outdoor play and recreation space which would reduce pressure on the existing recreation ground in the village. GCC Community Infrastructure states that the proposed development would generate approximately 16.8 primary school aged children and 8.2 secondary (11-16) aged children. The proposed on-site play area would address many of the needs of younger children, without the need to use the existing recreation ground. The number of older age children would be relatively limited in number and is considered not to place undue strain on the existing village facilities. The provision of £8,000 towards the existing recreation ground is therefore considered reasonable in this instance.

10.111 With regard to cemetery footpath upgrades, it is noted that a contribution to such works has been agreed as part of the Folly View development. There is

therefore no additional requirement for a further contribution in order to make this current development acceptable in planning terms.

10.112 With regard to allotments, The parish council states:

10.112.1 *'We request the replacement of these allotments and suggest a reduced area be made available for rent by the PC e.g. 2 acres, provided it was suitably prepared i.e. fenced, car parking, water provision etc. with road access, 1 acre would be for cultivation. The applicant owns the adjacent land and is in a position to accede to this requirement.'*

10.112.2 *'If the site is not fully prepared and available on a long term lease then we would request ownership of the land as it would make little sense for us, or users, to invest in land which could be removed from our control at relatively short notice.'*

10.113 It is noted that southern part of the application site has historically included an area of land which was used for allotments. Aerial photographs dating from 2000 indicate that allotments were present on part of the site adjacent to the B4632. However, photographs dating from 2014 onwards indicate a change in the character of the land and a move to a grassed area and subsequently the more overgrown appearance that is seen today. It does not appear that the land has been used as allotments in a practical sense for a number of years. It is noted that the applicant gave interested parties who were using the land a 12 month notice period in 2023. As such, the land is no longer used by third parties and is no longer used as allotments. Furthermore, there is no duty for the current landowner to make the land available as allotments or provide alternative facilities. In addition, as the area of land in question is not maintained/managed by a local authority, it is not subject to the same statutory protection that would be applicable should a local authority wish to dispose of an allotments in its control. In such circumstances, the local authority would need to obtain the consent of the Secretary of State. This is not the case for a private landowner.

10.114 An allotment is an area of land, leased either from a private or local authority landlord, for the use of growing fruit and vegetables. In some cases this land will also be used for the growing of flowers, and the keeping of hens, rabbits and bees. The keeping of other types of livestock would not typically constitute an allotment use. The aerial photographs of the site over the last 10 years or more show that the land has been overgrown and has not served a function as allotments. Whilst an individual(s) may have had a tenancy agreement in place until recently, the use has now ceased. Officers therefore question the

community value of the space, especially since the tenancy agreements have now ceased and there is no public right of access to the land.

10.115 The site is allocated for residential development in the Local Plan. The site allocation policy makes no requirement for allotments or for allotments to be retained/replaced. The use of the land for residential development has therefore been assessed as being acceptable in principle through the Local Plan process.

10.116 There is no requirement for the current landowner to continue to provide allotments or to find an alternative location. Furthermore, neither Local Plan Policy INF2 nor the Local Plan site allocation require alternative facilities to be provided following the development of the site where that the site is no longer in allotment use. The provision of alternative allotments is not therefore something that would be necessary to make the planning application acceptable in planning terms. It is noted that the parish council has referred to the provision of open space and the support for such areas in the NPPF. Paragraphs 98 of the NPPF seeks to provide open spaces and social and recreation facilities in new development. Paragraph 104 seeks to protect existing open space, and for its loss to be justified or a replacement offered.

10.117 The definition of 'open space' in the NPPF is:

' All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as visual amenity.'

10.118 In the case of this development, the applicant is providing open space, including recreation space, on site, which is considered to be appropriate for the size and form of the proposal. The NPPF does not set out a formal requirement to deliver new allotments as part of new housing schemes. The current proposal is therefore considered not to conflict with the aspirations of the NPPF in this respect.

10.119 Notwithstanding this, the applicant has confirmed that they are willing to enter into discussions with the parish council about the potential release of other land in their ownership as an allotments. This would be a separate matter for the applicant and the parish council.

10.120 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 The proposed scheme seeks to introduce new residential development onto a site located within Willersey Development Boundary and which is allocated for residential development in the Local Plan. In addition, the Council cannot currently demonstrate a robust 5 year supply of housing land. Paragraph 11 d of the NPPF is therefore applicable to this application. In the case of paragraph 11 d i, it is considered that the proposed development would not cause harm to the setting of the Cotswolds National Landscape. As such, the impact of the proposal on the aforementioned protected area does not provide a strong ground to refuse the application in this instance. In the case of paragraph 11 d ii, it is considered that the benefits arising from the delivery of new housing, including affordable housing, weigh heavily in favour of the proposed scheme. Subject to no objection being raised by the Biodiversity Officer, it is considered that the adverse impacts of the proposal do not significantly and demonstrably outweigh the benefits. It is therefore recommended that this application is granted permission subject to the recommendation set out above.

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):

24.050.100 9, 24.050.101 9, 24.050.102 9, 24.050.103 9, 24.050.104 9, 24.050.105 9,
24.050.106 6, 24.050.107
24.050.1000 2,

24.050.200 A, 24.050.201.01, 24.050.201.02, 25.050.201.03 A, 24.050.202, 24050.203,
24050.204 A, 24.050.206 A, 24050.207 A, 24050.208.01 A, 24050.208.02 A ,
24050.208.03 A, 24050.209 A, 24050.210 A, 24050.211.01 A, 24050.211.02 A,

24050.GAR.01 A, 24050.GAR.02 A, 24050.GAR.03 A, 24050.GAR.04 A.

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24.050.SSO1 1,

241030-RAP-XX-XX-DR-D-3100 P04.

241030-RAP-XX-XX-DR-TP-6000 P03 and 241030-RAP-XX-XX-DR-TP-6001 P02, or 241030-TP-6002 P01 and 241030-TP-6003 P01.

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, sample panels 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 panels. The panels shall be retained on site until the completion of the development.

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

5. Prior to the construction of any external wall of the development hereby approved, a sample panel of render of at least one metre square in size showing its proposed texture and colour shall be erected on the site and subsequently approved

in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel and shall be permanently retained as such thereafter. The panel shall be retained on site until the completion of the development.

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

6. New render shall be of a roughcast type and be of a mix containing sharp sand, stone dust, pea shingle and lime unless an alternative mix is agreed in writing by the Local Planning Authority. The render shall finish flush with all stone dressings and shall not be belled outwards over the heads of doors, windows or any other opening.

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

7. 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.

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

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

9. Within one month of their installation, windows and external doors shall be painted/finished in a colour that has first been approved in writing by the Local Planning Authority.

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

10. No windows, external doors or rooflights shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

The design and details shall be accompanied by drawings to a minimum scale of 1:5. 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. The development hereby permitted shall be managed and maintained in accordance with the details in the document titled ' Soft Landscape Management and Maintenance' Reference PRI24834man Date July 2025 Revision A.

Reason: In order to ensure that new and existing landscaping will be maintained and managed in a manner that will contribute in a positive way to the character and appearance of the site and the surrounding area in accordance with Local Plan Policies EN2, EN4 and EN5.

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

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

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

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

14. Prior to the first occupation of 10 of the dwellings hereby permitted, the Local Equipped Area of Play shall be provided fully in accordance with the details shown on drawing PRI24834 20 and it shall be retained in accordance with the approved details thereafter.

Reason: To ensure that future residents will have access to areas of open space and recreation and to ensure that such areas are provided and maintained to a satisfactory standard for the longer term in accordance with Local Plan Policies INF2 and EN2.

15. Prior to the first occupation of the development hereby permitted, a timetable for the adoption of the estate roads and the completion of other roads and footpaths, including details relating to the future maintenance and management of the unadopted roads and footpaths shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and maintained/managed in accordance with those details thereafter.

Reason: In order to ensure that the road and footpath network is completed and thereafter maintained to an acceptable standard in the interests of highway safety and in accordance with Local Plan Policy INF4 and Section 9 of the National Planning Policy Framework.

16. Prior to the first use of the new vehicular access onto the B4632, it shall be provided with visibility splays in accordance with the details show on drawing 241030-RAP-XX-XX-DR-TP-3200 P03 (Transport Statement May 2025), with all obstructions to visibility greater than 0.9m above the level of the carriageway removed, and the visibility splays shall be retained as such thereafter.

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

17. Prior to commencement of the development hereby permitted, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken fully in accordance with the approved CMP. The CMP shall include but not be restricted to:

- i) Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- ii) Advisory routes for construction traffic;
- iii) Any temporary access to the site;
- iv) Locations for loading/unloading and storage of plant, waste and construction materials;
- v) Method of preventing mud and dust being carried onto the highway;
- vi) Arrangements for turning vehicles;
- vii) Arrangements to receive abnormal loads or unusually large vehicles;

- viii) Highway Condition survey;
- ix) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses;
- x) Delivery and construction hours.

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

18. Prior to the first occupation of the development hereby permitted, pedestrian and vehicular accesses from the application site to the B4632 shall be provided fully in accordance with the approved details.

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

19. Prior to the first occupation of the development hereby permitted, off-site highway works shall be completed fully in accordance with drawings 241030-RAP-XX-XX-DR-TP-6000 P03 and 241030-RAP-XX-XX-DR-TP-6001 P02, or, drawings 241030-RAP-XX-XX-DR-TP-6002 P01 and 241030-RAP-XX-XX-DR-TP-6003 P01.

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

20. Prior to the first occupation of each dwelling hereby permitted, each respective dwelling shall be provided with car parking and access to a highway maintainable at public expense in accordance with the approved details.

Reason: In order to ensure that adequate parking and access is provided for future occupiers of the development hereby permitted in accordance with Local Plan Policies INF4 and INF5 and guidance in Section 9 of the National Planning Policy Framework.

21. No dwelling hereby permitted shall be occupied until confirmation has been provided that either:

- i) all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
- ii) a development and infrastructure phasing plan has been agreed in writing by the Local Planning Authority to allow the 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.

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.

22. Prior to the commencement of development, a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall:

- i) Include the design of all on and off-site foul sewerage infrastructure, the diameters of proposed pipes and the capacity of any on or off-site storage;
- ii) Include a timetable and programme for the provision of the foul sewerage infrastructure; and
- iii) Demonstrate that, where connection to a public sewer is proposed, the additional foul sewerage discharge can be accommodated within the public sewer system without increasing the risk of flooding or backing up of the existing system on the site or elsewhere. The development shall be carried out in accordance with the approved details and the approved timetable and programme.

Reason: In order to ensure that the development hereby permitted is provided with a satisfactory means of foul drainage as well as reducing the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Local Plan Policies EN14 and EN15. It is important that these details are agreed prior to the commencement of development in order to ensure that the proposal will not have an adverse impact on foul drainage and to ensure that adequate infrastructure can be provided.

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

Reason: In order to preserve the rural character and appearance of the site and in the interests of residential amenity and biodiversity, in accordance with Cotswold District Local Plan Policies EN2, EN4, EN5, EN8, and EN15.

24. Prior to the first occupation of Plots 4, 5, 18, 19, 20, 47 and 48, the first floor habitable rooms of the respective plots, which face towards the site of the employment development approved under planning permission 22/03534/FUL, shall be provided with mechanical ventilation fully in accordance with details that have first been approved in writing by the Local Planning Authority and the development shall be retained in accordance with the approved details thereafter.

Reason: In order to ensure that future occupants are provided with an adequate level of residential amenity in accordance with Local Plan Policy EN15 and Paragraph 198 of the National Planning Policy Framework.

25. 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. The Strategy shall be in accordance with the proposal set out in the approved submission (Proposed Drainage Layout; 241030-RAP-XX-XX-DR-D-3100-P04). The SuDS Strategy must include a detailed design and 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.

26. No dwelling shall be occupied until a SuDS Management and Maintenance Plan for the lifetime of the development, which shall include the arrangements for adoption by a public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SuDS Management and Maintenance Plan shall be implemented in full, and thereafter managed and maintained fully in accordance with the approved timescales and 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.

27. No development shall commence on site until a Construction Phase Surface Water Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall outline what measures will be used throughout the period of the construction of the development to ensure surface water does not leave the site in an uncontrolled manner and put properties elsewhere at increased risk of flooding.

The construction phase of the development hereby permitted shall be undertaken fully in accordance with the approved plans.

Reason: To ensure the construction phase of the development has a satisfactory means of drainage that does not increase the risk of flooding from the site in accordance with Local Plan Policy EN14. It is important that these details are agreed prior to the commencement of development as any on-site works could have implications for flooding and drainage.

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 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>

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. Highways

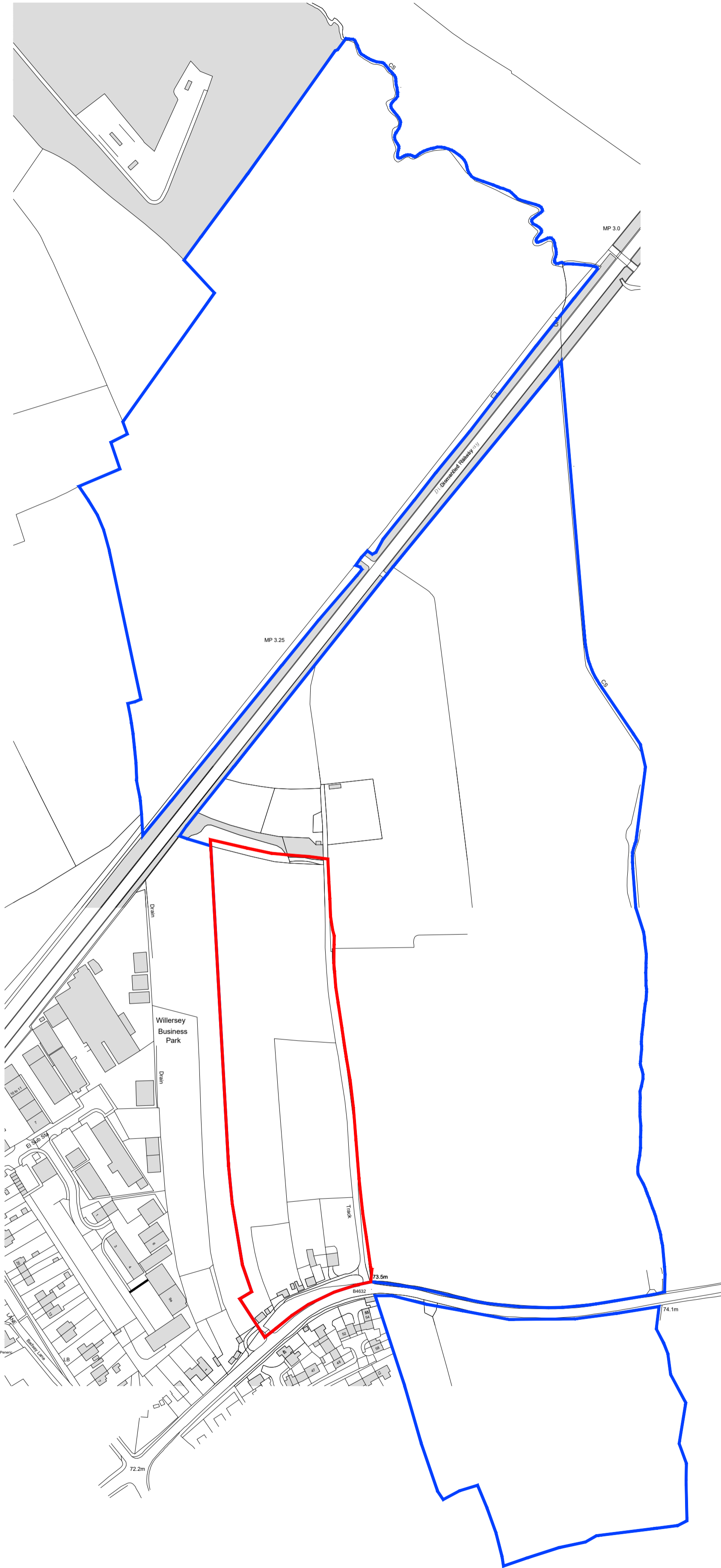
The estate road and drainage layout will require approval under Section 38 of the Highways Act 1980 if it is to be adopted as 'highway maintainable at public expense'. There are detailed issues that need to be approved in order to achieve technical approval under that process and the developer is advised 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 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.

The off-site works will need to be delivered following the completion of a s278/S184 Agreement with the Local Highway Authority.

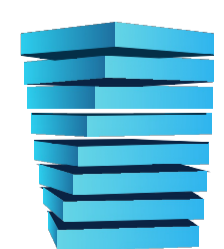
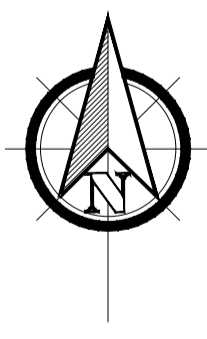
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 5. All dimensions must be checked on site before any action by others and prior to commencement of work or the preparation of Specialists drawings.
 6. The copyright of this drawing remains with the Architect.
 7. If in doubt ask!

REVISIONS

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- Application Boundary
- Land within applicants ownership



ERIC COLE ARCHITECTURE

Eric Cole Ltd. The Old Police Station, First Floor, 21 High Street,
 Stonehouse, Gloucestershire, GL10 3NG
 T: +44 (0)1285 641234 E: mail@ericcole.co.uk W: www.ericcole.co.uk

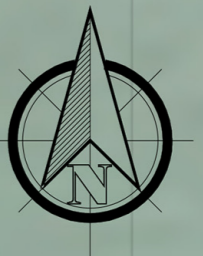
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PROJECT:	LAND NORTH OF B4632, WILLERSEY		
DWG TITLE:	SITE LOCATION PLAN		
SCALE:	1:2500 @ A2	DRAWN: RP	CHECKED: RJW
DWG NO:	24.050.1000	REV: 2	DATE: MAY 25

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REVISIONS



Autosleepers
 Application
 ref:22/03534/FUL

- RT AFFORDABLE RENT
- SR SOCIAL RENT
- AS AFFORDABLE SALE
- SB SELF BUILD UNIT



ERIC COLE ARCHITECTURE

Eric Cole Ltd. The Old Police Station, First Floor, 21 High Street,
 Stonehouse, Gloucestershire, GL10 2NG
 T: +44 (0)1285 641234 E: mail@ericcole.co.uk W: www.ericcole.co.uk

PROJECT:	LAND TO THE NORTH OF THE B4632, WILLERSEY		
DWG TITLE:	SITE LAYOUT		
SCALE:	1:500@A1	DRAWN: RP	CHECKED: RJW
DWG NO:	24.050.100	REV: 9	DATE: MAR 25

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REVISIONS



STREET SCENE A-A



STREET SCENE B-B



STREET SCENE C-C

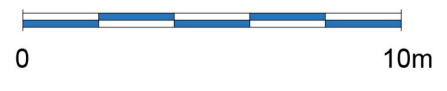


STREET SCENE D-D



ERIC COLE ARCHITECTURE

Eric Cole Ltd. The Old Police Station, First Floor, 21 High Street,
 Stonehouse, Gloucestershire, GL10 2NG
 T: +44 (0)1285 641234 E: mail@ericcole.co.uk W: www.ericcole.co.uk



PROJECT:	LAND TO THE NORTH OF THE B4632, WILLERSEY		
DWG TITLE:	STREET SCENES		
SCALE:	1:200@A1	DRAWN: FW	CHECKED: RP
DWG NO:	24.050.SS01	REV: 1	DATE: APRIL 25

Page 97

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Fitness equipment



7. Beverley robinia parallel bars. Product code:TBR7232



8. Atkinson robinia climbing apparatus. Product code:TBR7201

Benches - Bryntirion Seat. Product code: BX14 1035



Bin - Weyburn open top litter bin. Product code: BX14 203/LB



1. Kangaskhan robinia slide. 1.8m high. Providing sliding and climbing play experiences. Product code:TBR7189



2. Hitmonchan robinia multi play unit, providing climbing, balancing, sliding, imaginative and social play experiences. Product code:TBR7201



3. Caterpie robinia stepping posts, providing balancing and imaginative play experiences. Product code:TBR7146



4. Pidgey robinia swing, providing swinging play experience. Product code:TBR7134



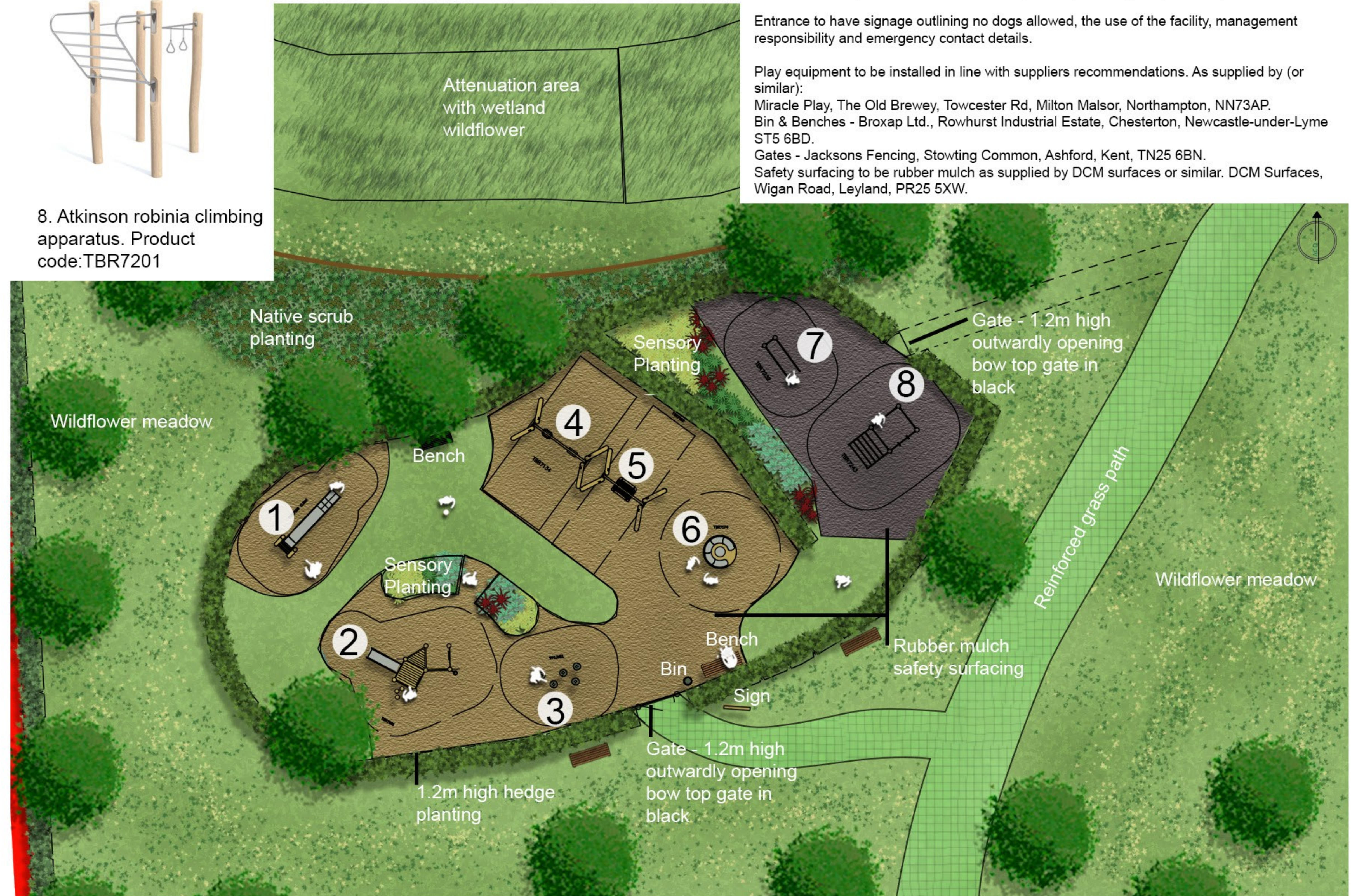
5. Moltres robinia inclusive swing, providing swinging play experience. Product code:TBR7162



6. Electrobe robinia roundabout, providing rotating and social play experiences. Product code: TBR7174



Notes:
 All equipment, surfacing and structures to be installed in line with BS EN1176 and BS EN1177 and to receive a post installation RoSPA inspection prior to opening of facility.
 Entrance to have signage outlining no dogs allowed, the use of the facility, management responsibility and emergency contact details.
 Play equipment to be installed in line with suppliers recommendations. As supplied by (or similar):
 Miracle Play, The Old Brewery, Towcester Rd, Milton Malsor, Northampton, NN73AP.
 Bin & Benches - Broxap Ltd., Rowhurst Industrial Estate, Chesterton, Newcastle-under-Lyme ST5 6BD.
 Gates - Jacksons Fencing, Stowting Common, Ashford, Kent, TN25 6BN.
 Safety surfacing to be rubber mulch as supplied by DCM surfaces or similar. DCM Surfaces, Wigan Road, Leyland, PR25 5XW.



Land to the north of the B4632, Willersey LEAP Proposals

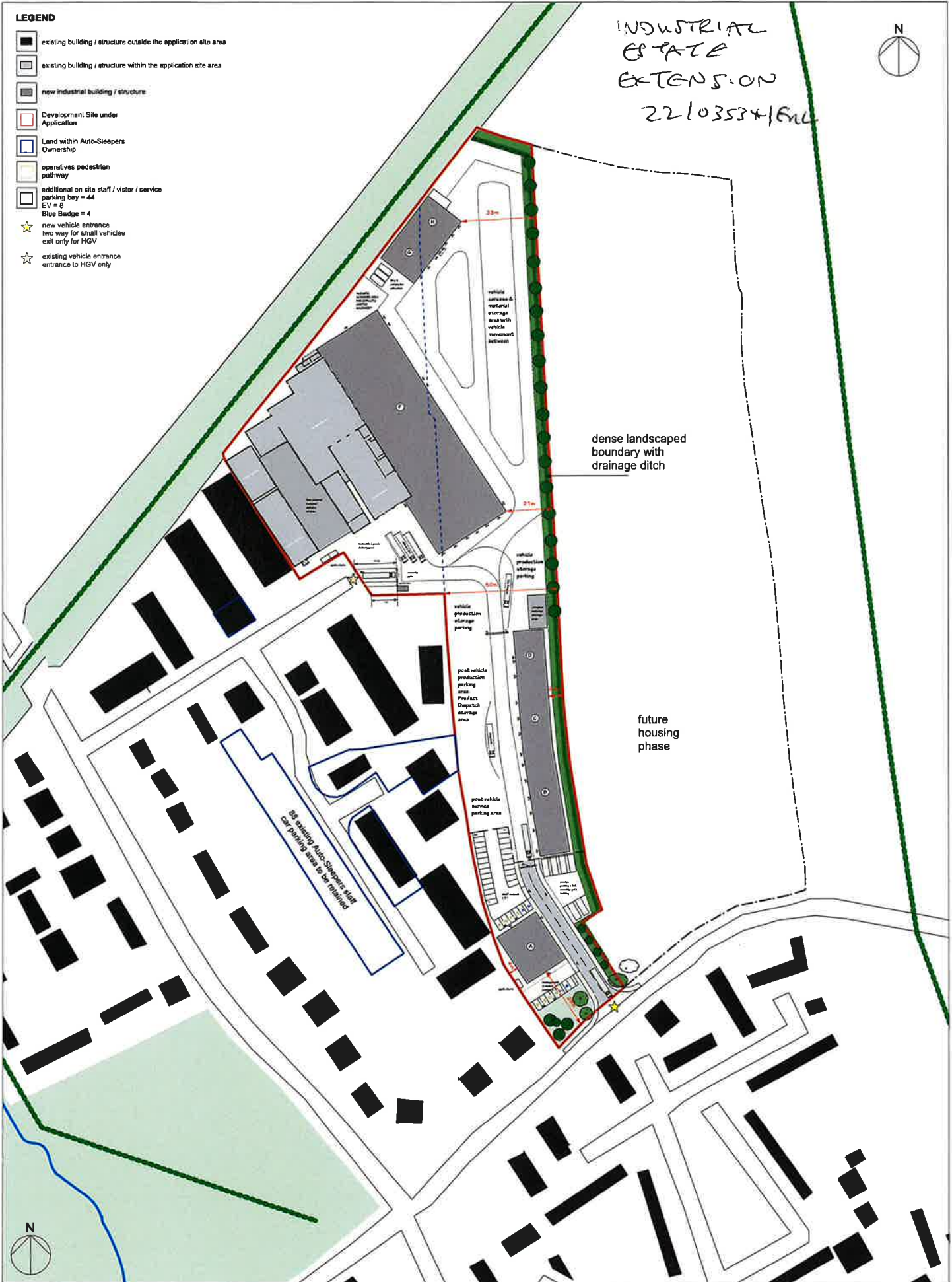
Rev	Date	Details	Drawn

ACD ENVIRONMENTAL
 HEAD OFFICE
 Rodbourne Rail Business Centre, Grange Lane, Malmesbury, SN16 0ES
 Tel: 01666 825646
 Unit 7, Godalming Business Centre, Woolsack Way, Godalming, GU7 1XW
 Tel: 01483 425714
 Crescent House, Yonge Close, Eastleigh, SO50 9SX
 Tel: 02382 026300
 email: mail@acdenv.co.uk
 www.acdenvironmental.co.uk

scheme: Land to the north of the B4632, Willersey
 client: Gloucester Diocese
 drawing: LEAP Proposals
 date: May 2025
 scale: 1:200@A3
 drawing no: PRI24834 20
 drawn: ALK checked: JS

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LEGEND

- existing building / structure outside the application site area
- existing building / structure within the application site area
- new industrial building / structure
- Development Site under Application
- Land within Auto-Sleepers Ownership
- operatives pedestrian pathway
- additional on site staff / visitor / service parking bay = 44
EV = 8
Blue Badge = 4
- new vehicle entrance two way for small vehicles exit only for HGV
- existing vehicle entrance entrance to HGV only

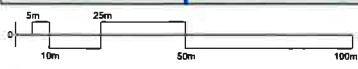
INDUSTRIAL
ESTATE
EXTENSION
22/03/24/ENL



dense landscaped boundary with drainage ditch

future housing phase

88 existing Auto-Sleepers staff car parking area to be retained



Revisions
A: 30.09.22 - Final Issue
B: 03.10.22 - Second Issue
C: 05.10.22 - Planning Issue



Job Title
**AUTO-SLEEPERS,
Willersey, Colswold,
Commercial Expansion**

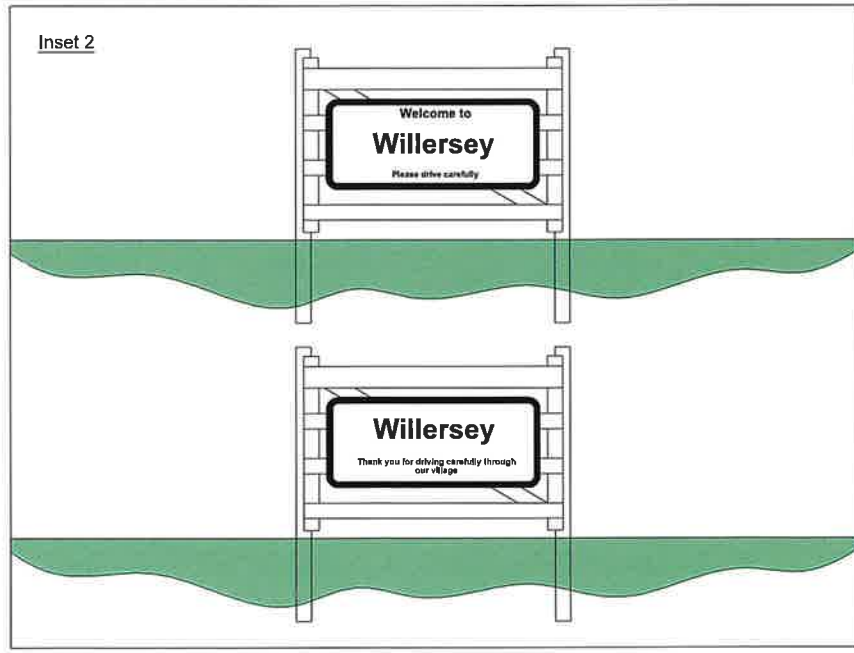
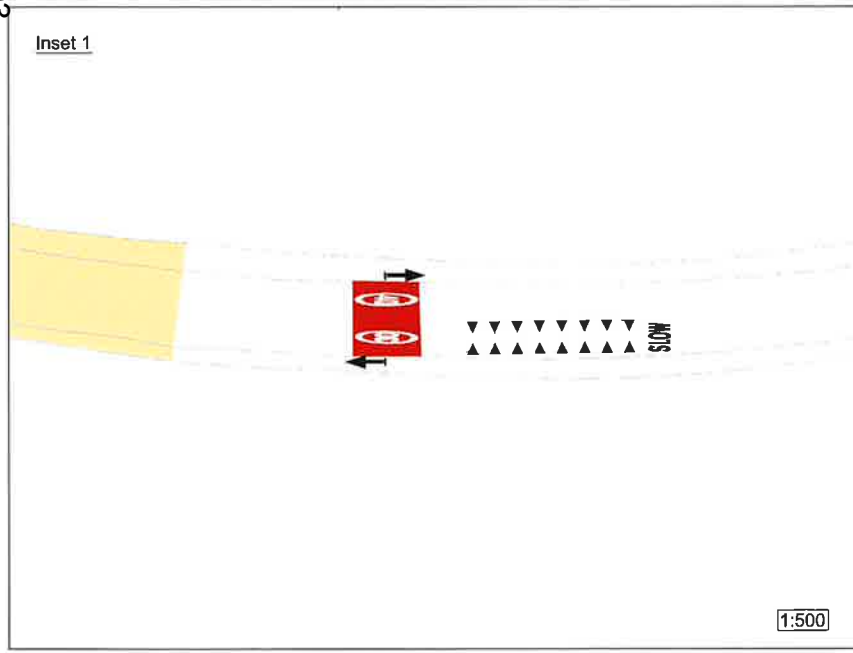
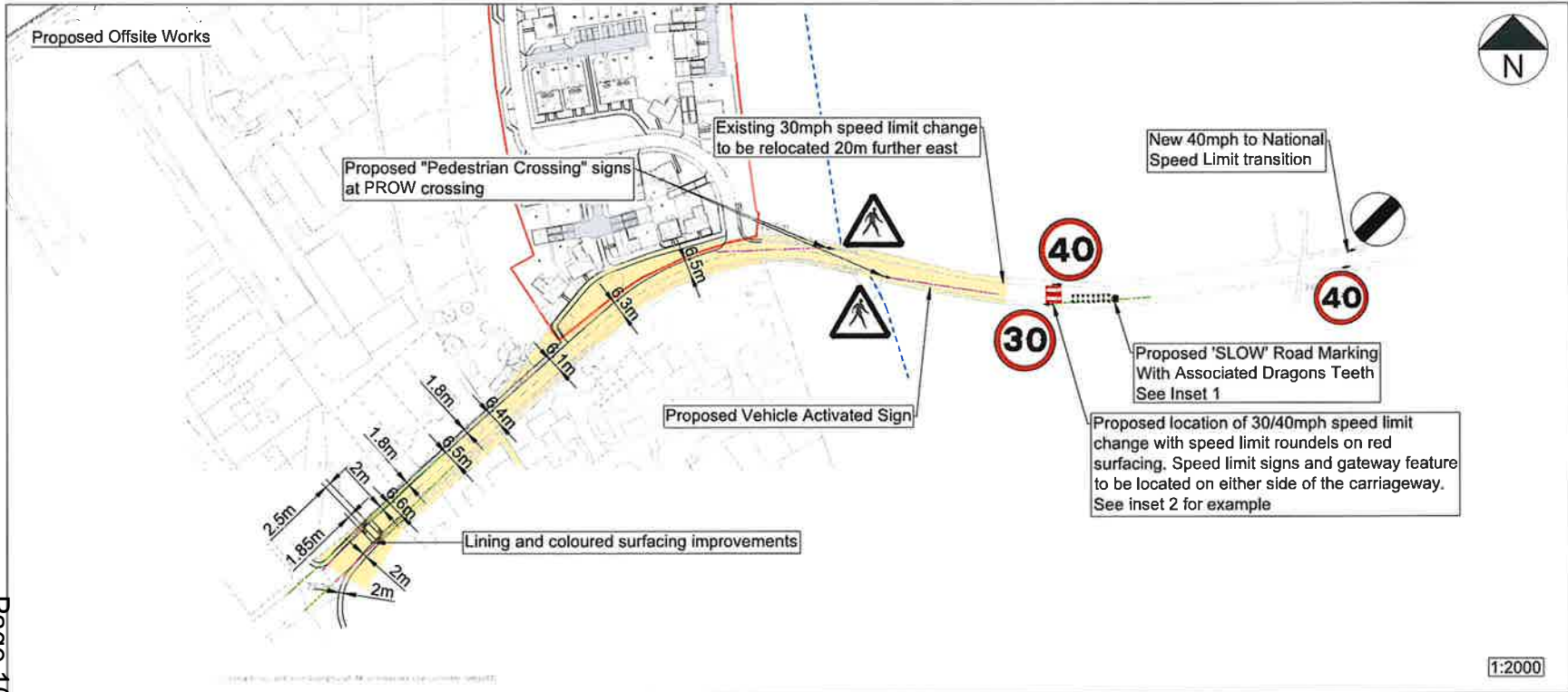
Graham Frecknall Architecture & Design
11 Agincourt Street, Mansfield, Nottinghamshire, N7 2S 3JZ
Tel: 01820 716418 Fax: 01600 714307 E-mail: gfa@frecknall.co.uk

Drawing Title
Proposed Site Block Plan

Drawn	HD	Date	Scale
		APR 2022	1:750 @ A1
Job Number	Work Stage	Page	Rev.
1010.10	PLANNING		C
Drawing Number	AL.P.110		

Notes
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 - The topographical survey was undertaken by BWB Consulting, drawing number GDBF-BWB-00-01-PR-G-0001, dated 30/07/2019.
 - Highway boundary information has been provided by Gloucestershire County Council, 11/04/2018, and has been overlaid by Rappor onto the Ordnance Survey on a best fit basis. The applicant should undertake all necessary checks to ensure all visibility splays and necessary works can be accommodated within the adopted highway or land controlled by the applicant.
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 - The layout is subject to detailed design, capacity testing, ground investigations & earth modelling, road safety audit, utilities & services and confirmation of land ownership.
 - Use of the drawing does not absolve the client from their responsibilities in regards to health & safety and CDM regulations.

- Key:**
- Indicative Site Boundary
 - Adopted Highway Boundary
 - 40m Visibility Splay to speed limit change
 - 45m Visibility Splay to pedestrian crossing sign
 - PROW - Public Right of Way

Rev	Date	Details	By	Chkd
P01	22.01.26	First Issue	GA	DC



CLIENT:
Gloucester Diocesan Board of Finance

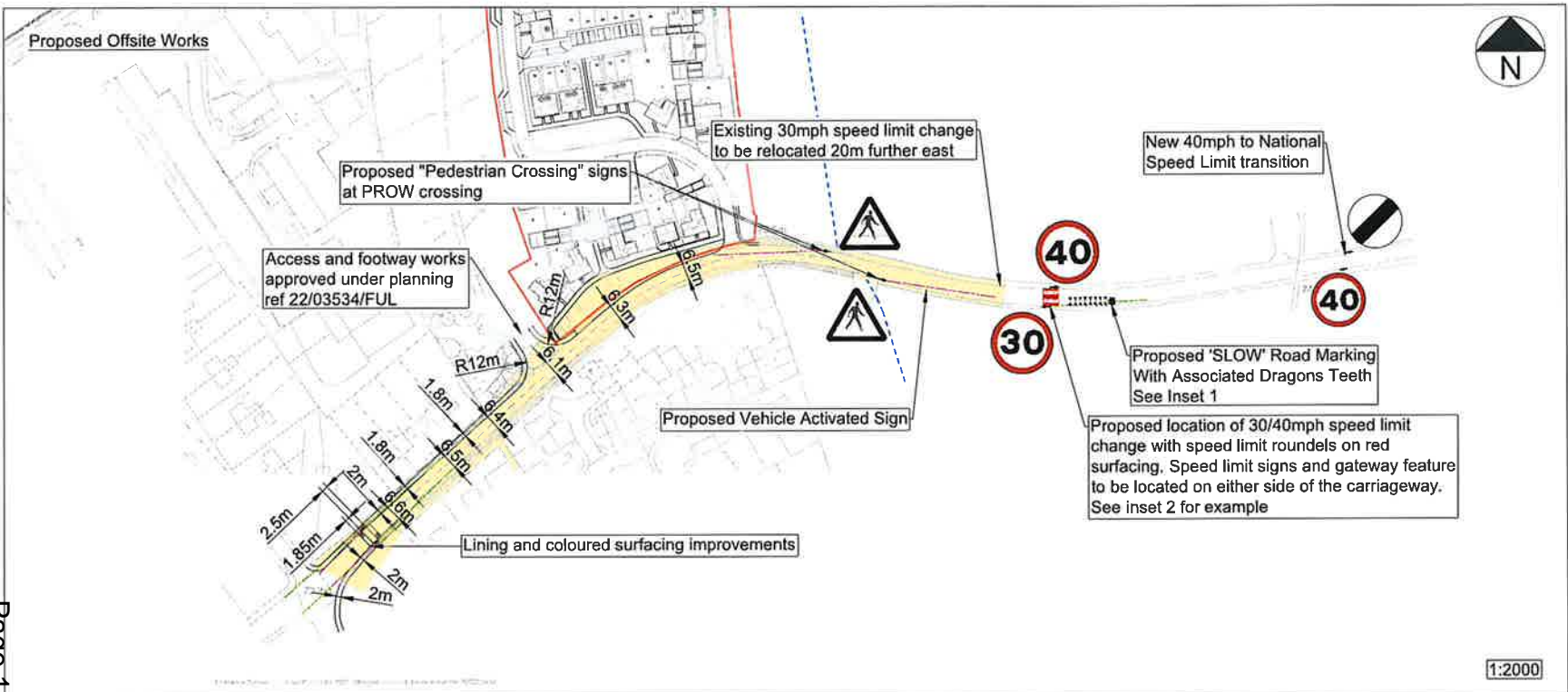
PROJECT:
Land at Willersey

TITLE:
Proposed Offsite Works
Without Autospleers

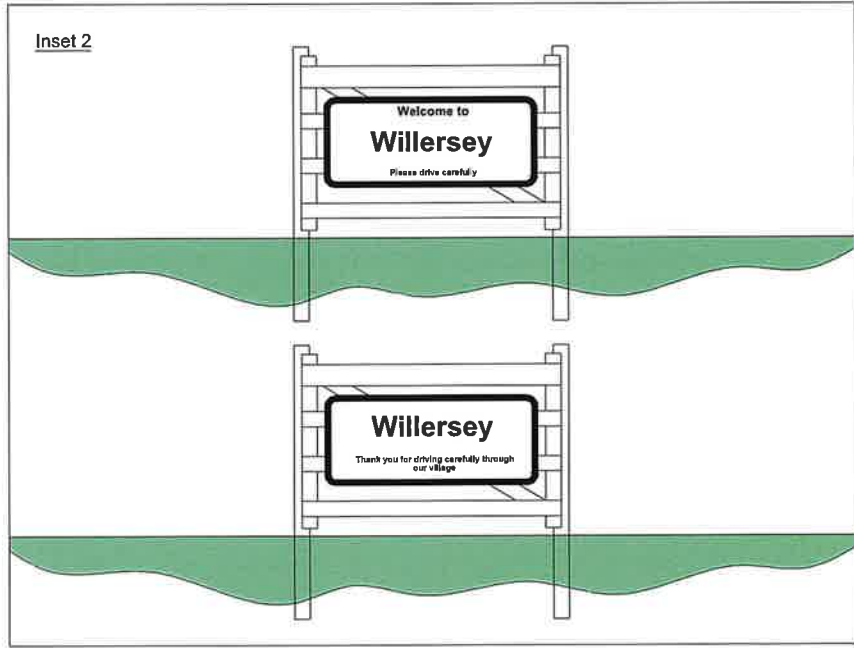
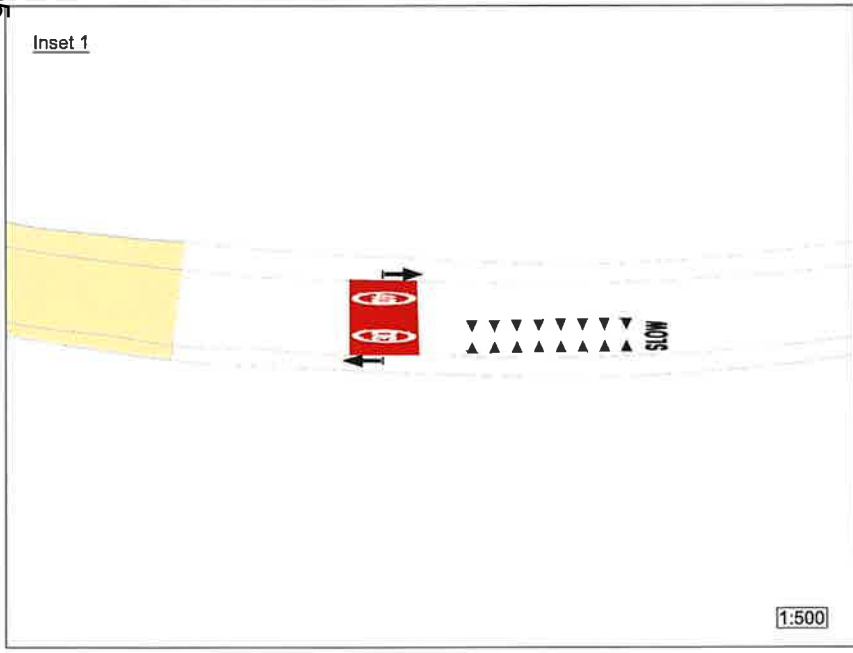
SCALE @ A3:	DATE:	DRAWN:	CHECKED:	APPROVED:
As Stated	22.01.26	GA	DC	MG

STATUS:	INFORMATION	REVISION
DRAWING NO	241030-RAP-XX-XX-DR-TP-6002	P01

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- Key:**
- Indicative Site Boundary
 - Adopted Highway Boundary
 - 40m Visibility Splay to speed limit change
 - 45m Visibility Splay to pedestrian crossing
 - PROW - Public Right of Way



Rev	Date	Details	By	Chkd
P03	14.05.25	Updated Site Layout & Access	SB	MG
P02	15.04.25	Updated Site Layout & Footway Connection	JL	JNDS
P01	05.03.25	Updated Footway Connection	SB	JNDS



CLIENT: Gloucester Diocesan Board of Finance

PROJECT: Land at Willersey

TITLE: Proposed Offsite Works

WITH AUTOSLEEPERS

SCALE @ AS	DATE	DRAWN	CHECKED	APPROVED
As Stated	26.02.25	SB	JNDS	MG

STATUS: INFORMATION

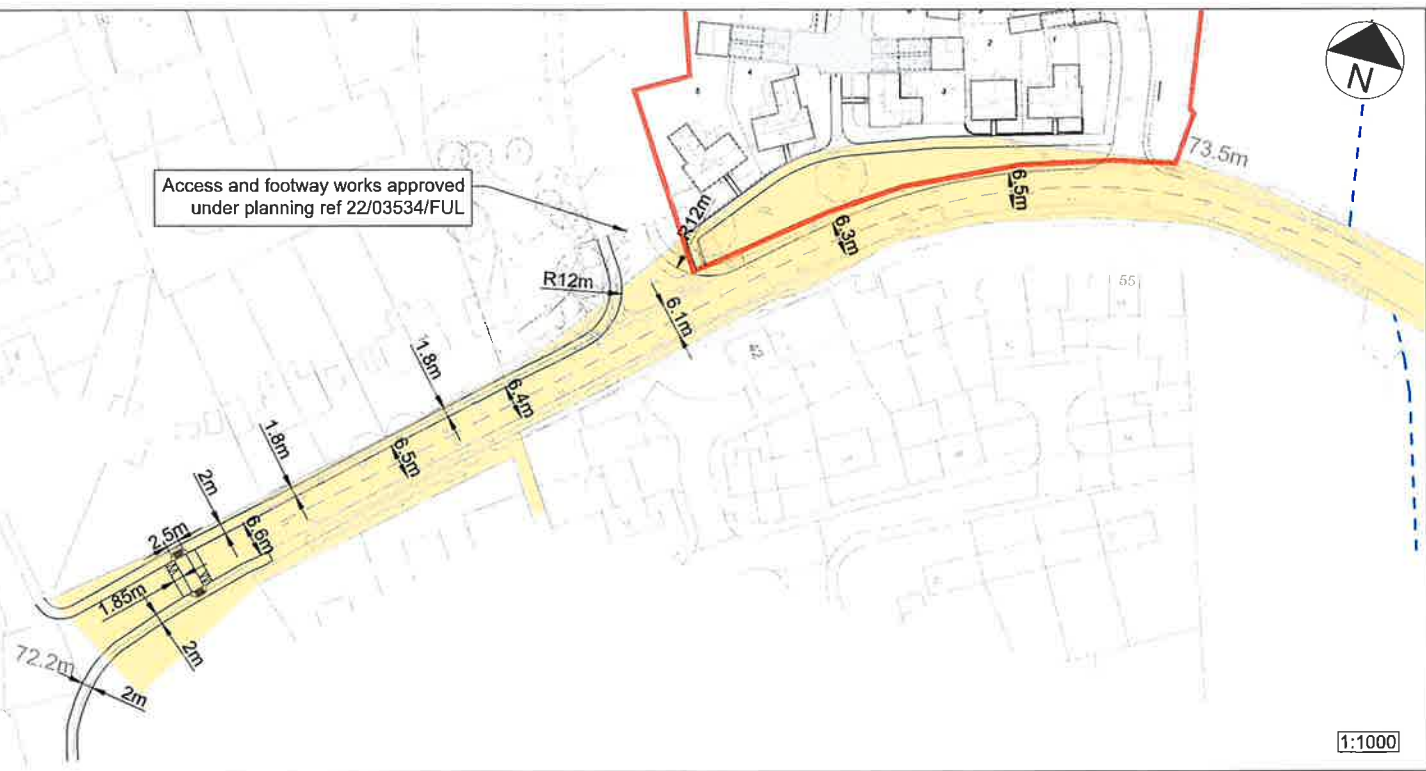
DRAWING NO: 241030-RAP-XX-XX-DR-TP-6000

REVISION: P03

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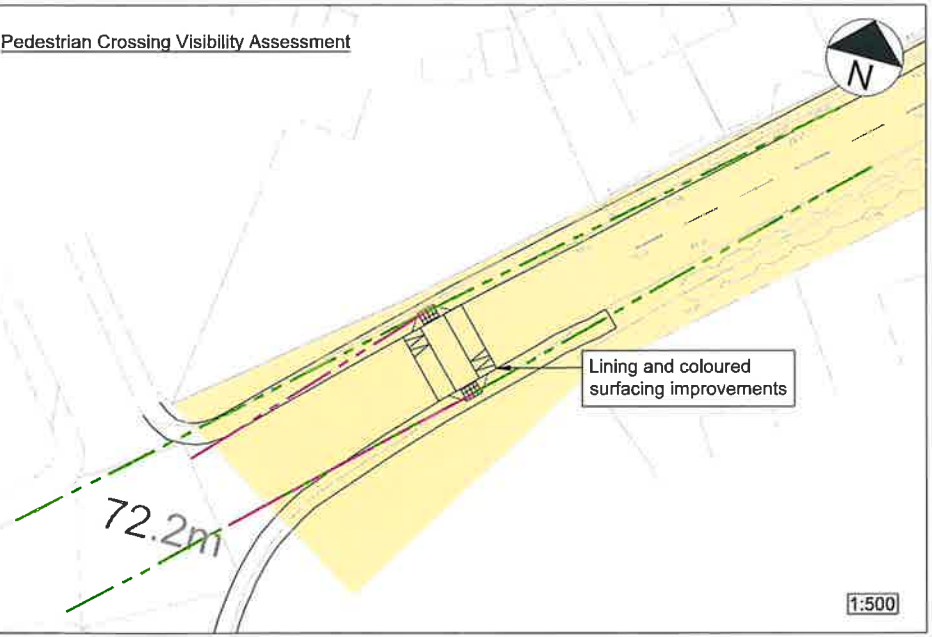
Proposed Footway

Access and footway works approved under planning ref 22/03534/FUL



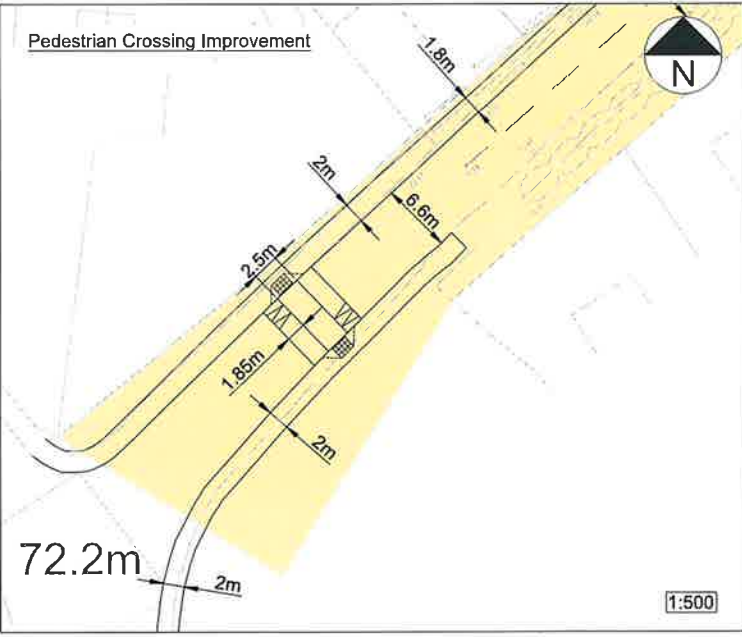
1:1000

Pedestrian Crossing Visibility Assessment



1:500

Pedestrian Crossing Improvement



1:500

Notes:

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9. Use of the drawing does not absolve the client from their responsibilities in regards to health & safety and CDM regulations.

Key:

- Indicative Site Boundary
- Adopted Highway Boundary
- PROW - Public Right of Way
- - - 1.0m x 43m Pedestrian Visibility Splay
- - - 1.0m x 28m Pedestrian Visibility Splay to Junction

P02	14.05.25	Updated Site Layout & Access	SB	MG
P01	15.04.25	Updated Site Layout & Proposed Footway	JL	JNDS
Rev	Date	Details	By	Chkd



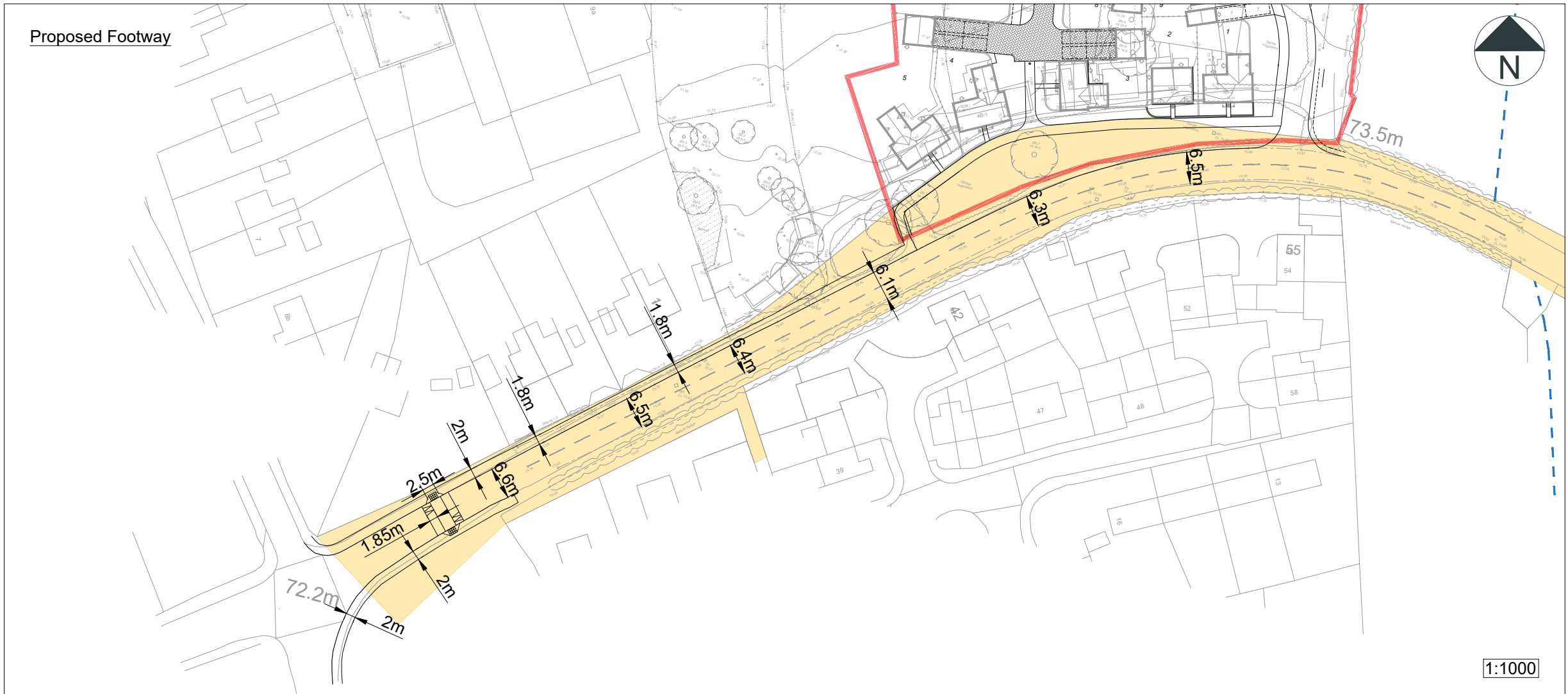
CLIENT: Gloucester Diocesan Board of Finance
 PROJECT: Land at Willersey

TITLE: Proposed Footway Connection
 WITH AUTOS LECTURES

SCALE @ A3	DATE	DRAWN	CHECKED	APPROVED
As Stated	05.03.24	SB	JNDS	MG
STATUS: INFORMATION				REVISION:
DRAWING NO: 241030-RAP-XX-XX-DR-TP-6001				P02

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Proposed Footway



Notes:

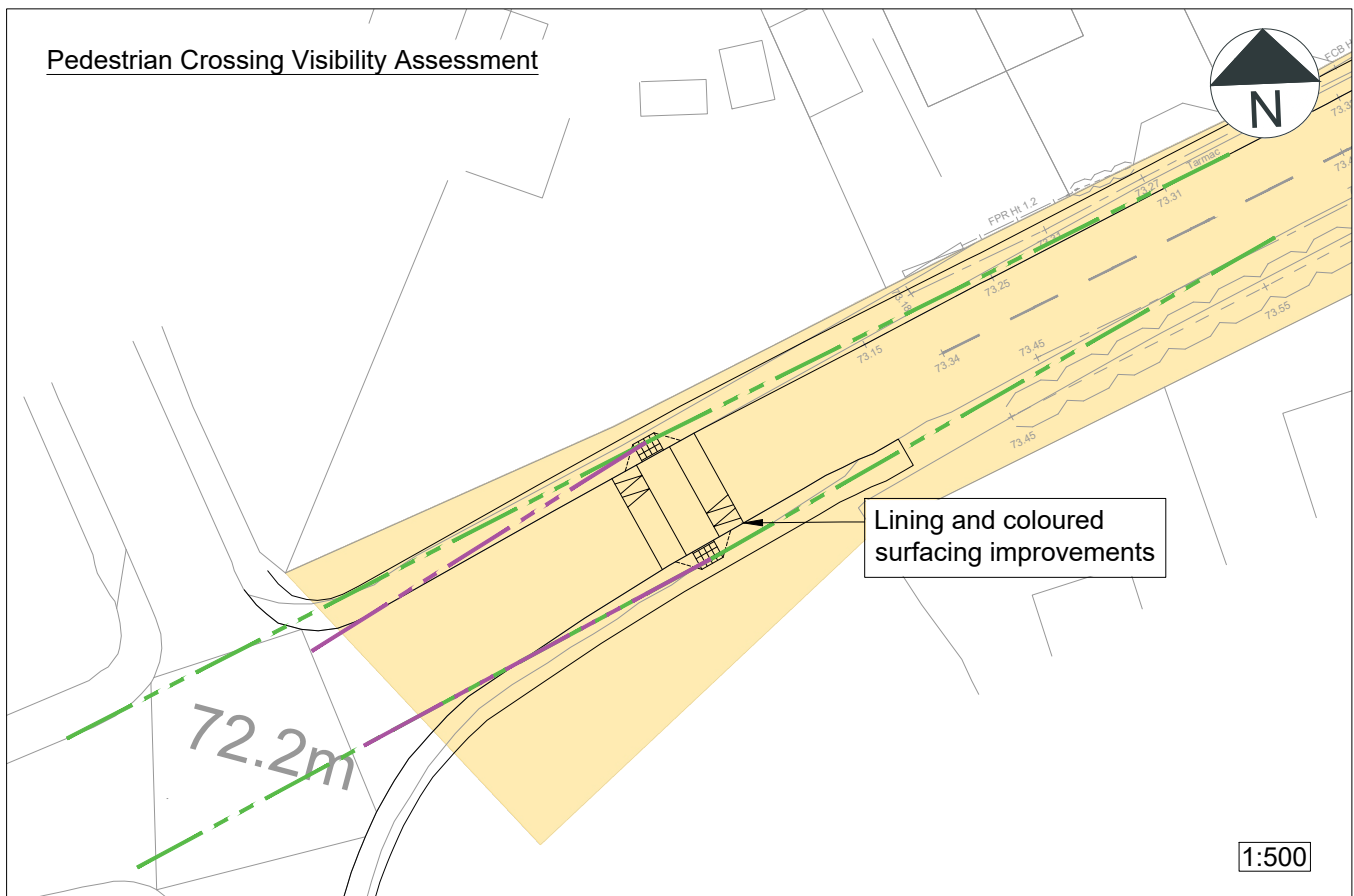
1. Do not scale from this drawing. All dimensions are in metres, unless stated otherwise.
2. This drawing is based on the architect's layout by Eric Cole Architecture, drawing number 24.050.100 Rev 3, dated March 2025.
3. The red line boundary is based on the architect's layout by Eric Cole Architecture, drawing number 24.050.100 Rev 3, dated March 2025. The applicant should undertake legal, and title checks to ensure that the red and blue lines are accurate. Rappor will not accept any liability for any inaccuracies in the red and blue line boundaries.
4. The topographical survey was undertaken by BWB Consulting, drawing number GDBF-BWB-00-01-DR-G-0001, dated 30/07/2019.
5. Highway boundary information has been provided by Gloucestershire County Council, 11/04/2018, and has been overlaid by Rappor onto the Ordnance Survey on a best fit basis. The applicant should undertake all necessary checks to ensure all visibility splays and necessary works can be accommodated within the adopted highway or land controlled by the applicant.
6. Ordnance Survey, (c) Crown Copyright 2025. All rights reserved. Licence AC0000813445.
7. Drawing to be read in conjunction with all other drawings. Any discrepancies are to be reported to the engineer 5 working days in advance of undertaking any work.
8. The layout is subject to detailed design, capacity testing, ground investigations & earth modelling, road safety audit, utilities & services and confirmation of land ownership.
9. Use of the drawing does not absolve the client from their responsibilities in regards to health & safety and CDM regulations.

Key:

- Indicative Site Boundary
- Adopted Highway Boundary
- PROW - Public Right of Way
- 1.0m x 43m Pedestrian Visibility Splay
- 1.0m x 26m Pedestrian Visibility Splay to Junction

Page 109

Pedestrian Crossing Visibility Assessment



Pedestrian Crossing Improvement



Rev	Date	Details	By	Chkd
P01	22.01.26	First Issue	GA	DC

rappor

Infrastructure and environmental consultants

CLIENT: Gloucester Diocesan Board of Finance

PROJECT: Land at Willersey

TITLE: Proposed Footway Connection Without Autospleers

SCALE @ A3:	DATE:	DRAWN:	CHECKED:	APPROVED:
As Stated	22.01.26	GA	DC	MG

STATUS: INFORMATION

DRAWING NO:	REVISION:
241030-RAP-XX-XX-DR-TP-6003	P01

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The Parish Council have asked that this be registered as their comment:

Application Reference: 25/02687/FUL **Location:** Land to the East of Willersey Business Park, Willersey **Proposal:** Erection of 60 Dwellings

This is one of two current planning intentions for a total of ninety houses in Willersey and we are expecting another application for thirty shortly. Although we realise that each planning application is considered separately, we would ask that CDC consider the impact of cumulative approvals for build on the village.

We would also like to engage with the Council regarding the proposed Local Plan and understand that current planning applications will not be considered as part of the future proposed allocation. Willersey Parish Council requests CDC to pause any further planning decisions whilst the Consultation on the Local Plan takes place, so local people and their representatives can discuss future development with CDC and make strategic, rather than damaging piece meal decisions.

Willersey Parish Council is aware of the above application and, having engaged with the developer and considered the proposals in light of community concerns, hereby wishes to register its **formal and robust objection** unless fundamental infrastructure and safety concerns are fully mitigated.

While the Parish Council acknowledges this site is identified within the Local Plan (W7A/WIL-EC1) and welcomes the amendments made—including the proposed housing split and the allocation of bungalows, social, and affordable housing—we assert that the application fails to meet key tests within the National Planning Policy Framework (NPPF 2024) and the Cotswold District Local Plan (CDLP).

1. Flooding, Foul Sewage, and Surface Water (NPPF 170; CDLP EN14)

The Parish Council deems the lack of capacity within the existing sewage and water systems to be of **primary importance** to the health and wellbeing of our residents.

- **Foul Sewage Capacity:** Frequent flooding of both rainwater and untreated sewage is experienced in all parts of the village. Foul sewage has, on many occasions, reached the watercourses of Badsey Brook and its culverts.
- **Inadequate Pumping Station:** The **Badsey Lane pumping station is completely inadequate** for the existing housing stock, let alone a further 60 properties. Severn Trent has already instigated a **Grampian Condition**, confirming their present inability to upgrade the system necessary to service this development.
- **Water Supply Network Capacity:** The Planning Statement is silent on this critical issue. The **Thames Water Comments** on a comparable local application (25/02983/OUT) officially confirmed the *"inability of the existing water network infrastructure to accommodate the needs of this development proposal,"* requiring network upgrades **before** occupation. This confirms that the necessary infrastructure is **not currently available**, placing an unacceptable risk of no/low water pressure on existing residents and directly contravening planning policy.
- **Non-Compliance:** The lack of essential infrastructure is **detrimental to the health and wellbeing** of residents, and unless fully remedied, the application fails to meet the needs of **NPPF 170** and **CDLP EN14**. Evidence of flooding has been previously submitted.

2. Highway Safety and Burdensome Traffic (NPPF 96; NPPF 109)

The issue of Highway Safety, raised by both the Parish Council and residents, represents the second critical barrier to this development.

- **Hazardous Access Location:** The proposed access route is situated on the B4632 at a **blind bend** with no current footway. The B4632 is known for considerable speeding, with traffic often exceeding the 30 mph limit approaching the village.
- **Poor Visibility:** There is a poor line of sight in both directions. Approaching the village from the Stratford direction, vehicles travelling at speed will have **little or no visibility** of a vehicle attempting a right turn into the development. Conversely, traffic exiting the village frequently accelerates towards the 40 mph zone, creating risk for vehicles turning left. The application does not **fully address** this safety deficit.
- **Conflict with HGV Movements:** This stretch of road is also designated for the egress of large HGVs from the adjacent Autosleepers site (under granted planning application 22/0654/FUL). The proximity of the proposed access road to the Autosleepers egress will lead to a **direct conflict** between HGV traffic and the development's residents.
- **Traffic Burden:** With 60 properties, there will likely be at least 120 additional vehicle movements per day along a section of the B4632 that is already **overburdened** with HGVs avoiding the congested A44 and A46, using Willersey as a **rat run**.
- **Unsustainable Transport:** All essential facilities (shops, health, secondary schools) are at least two miles distant, necessitating car use. Public transport is infrequent and the nearest stop is over 500 metres away, requiring residents to cross the **Badsey Lane/Pike Corner roundabout**, a known accident blackspot. This contradicts sustainable transport policies and fails to comply with **NPPF 109**.

3. Design, Community Facilities, and Noise (NPPF 104; NPPF 134; CDLP H1, INF7)

While the design is generally compliant with CDC guidance, significant concerns remain regarding the deployment of amenity space and the impact of adjoining land uses.

- **Misuse of Amenity Space:** The proposed playground is considered redundant, given the village already maintains a comprehensive play area within 500 metres. Furthermore, its placement adjacent to a SUDS pond poses an **inherent danger** to small children.
- **Loss of Allotments:** The proposed development has resulted in the loss of much-used allotments for village residents. The Parish Council suggests the amenity space could be better utilised to replace these lost allotments. This loss of facility is a further erosion of community amenity which should be addressed.
- **Noise Impact:** Concerns regarding **Noise generation** from the expanding Willersey Business Park (Autosleepers) remain **unmet**. The Noise Impact Assessment provided is insufficient as it was undertaken *prior* to any expansion work. The proposed 'bund' and non-overlooking windows are not felt to be sufficient protection from the noise, which, under certain climatic conditions, is already audible across the village. The imminent expansion means the noise impact will rise, which is likely to be **detrimental to the health and wellbeing** of residents.

4. Wider Infrastructure and Sustainability (NPPF 96, 98, 100 101; CDLP INF1)

- **Reliance on Neighbouring Authority:** The lack of employment opportunities and essential services within the village necessitates that many residents must travel into the **neighbouring local authority area of Wychavon** in order to shop, work, and access medical services (such as those in Broadway and Evesham). This reliance on cross-border travel, almost exclusively by private car, highlights the unsustainability of the location.
- **School Capacity:** The local primary school is **approaching capacity in most year groups**. Consequently, the influx of families from 60 new dwellings will likely exceed remaining capacity, necessitating that children be transported by vehicle to the nearest available location (potentially out-of-county). This adds strain to educational transport budgets and increases vehicle movements on an already stressed network. The nearest secondary school, Chipping Campden, is also heavily oversubscribed.
- **Health Access:** All necessary health facilities are at least 3 miles distant. Accessing the nearest doctors in Broadway requires crossing the A44 (a 60 mph road), which is not safely accessible on foot.
- **Cumulative Effect:** This development, coupled with applications at Folly View (25/02983/OUT) and the expected proposal at Willow Green, will **almost double the size of the village**. Given CDC's position that Willersey is **not a principal settlement**, the Parish Council asserts that this is **not a sustainable location** for large-scale greenfield housing.

5. Landscape, Heritage, and Biodiversity (NPPF 187, 189 & 190)

- **AONB and Landscape Impact:** The Planning Statement correctly notes that the site is *outside* the AONB but, given that the AONB is immediately to the south, it does lie **within its setting**. The development should be assessed with **great weight** given to conserving scenic beauty (NPPF Paragraphs 189 & 190). While the proposal includes a landscaped edge, the scale and design must be rigorously scrutinised to prevent the **gradual, irreversible erosion of the AONB border** and avoid coalescence with Broadway, which threatens to turn Willersey into an "**urbanised satellite**."
- **Heritage and Archaeology:** While the site is distant from Listed buildings and the Willersey Conservation Area, and the applicant states that archaeological investigations found "nothing considered to be of archaeological significance," the application **lacks a full Heritage Statement** to address the site's setting adjacent to the historic settlement. Furthermore, the Parish Council disputes the dismissal of archaeological potential; the 2017 assessment recommended on-site work which does not appear to have been satisfactorily completed. Given recent finds in the locality (including swords and potential Roman remains), this oversight must be rectified.
- **Biodiversity Net Gain:** The proposed net gain appears **overstated**. The land is currently greenfield used for rural domestic activities (including the lost allotments). To replace this with limited planting, while tarmacking large areas, is not considered a genuine environmental or wellbeing gain for the village.

- **Dark Skies:** The majority of the village has no street lights. We are concerned that lighting associated with this development will add to existing light pollution, conflicting with the AONB's promotion of the **Dark Sky ethos**(NPPF 15). Any lighting must be strictly low-key to retain the village's rural character.

In summary, while the Parish Council wishes to support the provision of housing, the substantial, unmitigated concerns regarding **sewage and flooding capacity, highway safety, and the lack of essential social infrastructure** constitute clear contraventions of the NPPF and outweigh the principle of development at this time.



S106 Funds Request Form - Town/Parish Councils

Please read the Guidance Notes on page 4 before completing this form

General details

Organisation: Willersey Parish Council

Address: Village Hall, Main Street, Willersey WR12 7PJ

Contact person: Kevin O'Donoghue

Position held in organisation: Parish Clerk

Contact email/telephone number: clerk@willerseyparishcouncil.org.uk

Project details

Please provide the following information regarding your project. You should attach supporting documents to this request such as quotations, etc.

1.
 - a. Planning application number from which you are requesting funds:
25/02687/FUL Terrafy Willersey
 - b. Name and purpose of the contribution in the S106 agreement:
Extension of village hall, improvements to recreation ground, improvements to cemetery
2. Please provide a brief description of the project:
 - 1.Village Hall extension & upgrades
 - 2.Recreation Ground improvements
 3. Cemetery improvements
 4. Land allocation for village shop or a financial contribution.
3. Please provide the location/address of the project:
 - 1.Village Hall, Main St. Willersey WR12 7PJ
 - 2.Recreation Ground, Badsey Lane Willersey WR12 7PR
 - 3.St.Peters Church, Church St. Willersey WR12 7PN
4. How will the project mitigate the impact of the development that these S106 funds were secured from?

1) Allotments

- This development is on former glebe land which, until this application, had been used for ages by villagers as allotments. In recent years residents have been discouraged from taking up the leases due to the classification of the land for development and the imposition of short term leases by the applicant.
- Nevertheless it has been a valuable community asset and an opportunity for the improvement of health and social well being of the community and its loss represents a significant reduction in local green infrastructure and community growing space. The land

allocated for biodiversity increase on the other side of the railway line in no way compensates for this loss.

- Willersey has a thriving Horticultural Society that holds a well attended annual show. The PC also regularly receives requests for the provision of allotments which it is unable to meet despite its statutory duty to do so.
- The loss of this land as a valuable community asset is contrary to Dec 2024 NPPF para 98c and also 98a & b which requires planning policy to provide the social, recreational and cultural facilities and services the community needs.
- This development will have a negative effect on the recreational facilities and the green infrastructure of the village contrary to INF7.
- We reference INF3 which supports the use of planning obligations to secure infrastructure facilities necessary to mitigate the impact of development.
- Policy EN2 which encourages developments that contribute positively to the character and sustainability of the area, including green infrastructure.
- Policy EN8 which promotes the protection and enhancement of biodiversity and natural assets, which allotments support.
- NPPF 96c which specifically mentions provision of allotments to enable and support healthy lives - planning policies and decisions should aim to achieve healthy, inclusive and safe places.

- We request the replacement of these allotments and suggest a reduced area be made available for rent by the PC e.g. 2 acres, provided it was suitably prepared i.e. fenced, car parking, water provision etc. with road access, 1 acre would be for cultivation. The applicant owns the adjacent land and is in a position to accede to this requirement.
- If the site is not fully prepared and available on a long term lease then we would request ownership of the land as it would make little sense for us, or users, to invest in land which could be removed from our control at relatively short notice.

2) Village Hall

- An increase of 60 dwellings represents an increase in village population of 150-180 residents i.e. an uplift of 15-18% v 2021 census.
- The village hall has been refurbished in the last few years but the main hall size is the same as when it was built in 1968 and is only just able to handle many village events. The kitchen and toilets are also outdated.
- The capacity with the stage in use is 95 people and the extra demand from this housing is a tipping point which will necessitate an expansion if the hall is to fulfil its purpose.

- Without this development the expansion & improvements are not necessary but with it the need becomes immediate and unavoidable.
- Therefore it is fair and reasonable that CDC secures the maximum possible contribution from the developer towards the cost.

Project Costing

Current footprint 346 sq.mtrs. ref. **17/01544/FUL**, 15% increase is 52 sq.mtrs.

The cost of a 15%, 52m² increase as calculated by Chat GPI for the Cotswolds is shown below.

Category	Mid Estimate	High Estimate
Construction 52m2	£135200	£166400
Professional fees	£16900	£24960
Surveys	£3500	£6,000
Planning Building Regs,	£2500	£4000
Contingency 10%	£15810	£20136
Total excl VAT	£173910	£221496

We have been informed by Newlands Homes that they will be applying for planning on W4B & there is also a current application for 30 homes 25/02983/FUL Folly View.

We expect to make additional S106 requests for these sites and any monies received will be used either singly or combined for a building expansion and upgrade of facilities including the kitchen, toilets and car parking.

3) Recreation Ground

- We note the intended provision on the development of a few pieces of equipment, however the age range catered for in our ground is far wider and the equipment more complex.
- The ground is within easy walking distance and it is clear there will be increased usage and demand directly resulting from the increase in population. This will require upgrading of surfaces around the equipment and more complex equipment.
- The ability to play ball games as well as play on the equipment will mean our ground continues to be the centre of recreational activity and will need improvements.
- We request £30k which is a sum compatible with previous S106 agreements.

4) Village Shop

- The village is in need of one since the two previous were closed, one due to the Post Office scandal and the other as a result of Covid. Both were otherwise financially viable. Demand is directly linked to the increase in population, especially of the elderly, and we note the number of bungalows in this application.
- The additional 30 dwellings will significantly increase demand for everyday goods.
- To make the development sustainable, we request that the scheme provides either (a) land for a community shop unit within or near the development, or (b) a financial contribution towards establishing such a facility elsewhere in the village by the PC which we estimate will cost £250k.
- If not through a planning application, then how will the village ever get one. The village garage has made an approved application 22/00237/FUL on the basis of the acknowledged demand but was unable to proceed due to the difficulties of the current usage.

5) Cemetery & other village infrastructure

- Residents tend to opt for internment in the cemetery and we see a direct link between an increase in population and an increase in long term demand on cemetery facilities.
- The PC has in the last few years spent considerable sums on expanding the cemetery, however to make the extension usable it requires an 85mtr tarmac path.

Project Cost

Chat gpt estimates £10k

1. Preparation (excavation, sub-base, edging): £25–£40 per m²
 2. Tarmac surfacing (base + wearing course): £35–£60 per m²
 3. Finishing (edgings, compaction, disposal): £10–£20 per m²
- Total typical range: £70–£120 per m² (excluding VAT).

Calculation for 85 m²

Low estimate (£70/m²): £5,950

High estimate (£120/m²): £10,200

The path would ensure that the extended cemetery is accessible and fit for purpose for both existing and new residents.

a. Total cost of project:

b. Amount of S106 funds you are requesting:

(if your organisation is able to reclaim the VAT please do not include any VAT costs in the amount you are requesting - please see guidance note 4)

Project costs of necessary infrastructure improvements resulting from the development

Allotment provision	Land or lease
Village Hall expansion & upgrades	£175k
Recreation Grd improvements	£30k
Village Shop provision	Land or £
Cemetery paths	£10k

5.

c. Please list your secured match funding, including the funds your own organisation will provide.

The Parish Council has reserves of c.£50k and is able to access PWLB loans. The funds from the S106 agreements with the potential 3 housing developments in the village will furnish the remainder.

N.B. Similar agreements:

- 17/00890/FUL Willow Green 2016 a voluntary agreement in lieu of S106, £60k for improvements to the Village Hall & £20k for the recreation ground.
- 16/01572/FUL Folly View 30 homes in 2016 £40k for V.Hall & recreation ground.
- Construction costs have risen by 44% since 2016.

Until we know which housing developments are proceeding we will not incur the costs of speculative architects work, QS costings etc. as the details of the required expansion are unknown.

d. Please list any match funding that has not yet been secured.
The Parish Council has funds, no other agency has been approached.

6. Please provide the estimated start and end dates of the project.
Start date: 2027
End date:2028
7. Please provide your planning permission reference (if applicable). See note 6 on page 4.

N/A
8. Please provide details of who will carry out the works
Willersey Parish Council
9. Please provide details of who will be responsible for future maintenance
Willersey Parish Council

Supporting documentation and Declaration

Please tick the boxes below to confirm that these documents have been included with your application:

- Bank statement showing the bank details (account and sort code) to transfer the funds. Note that the account has to be in the organisation's name. This documentation is not required if these details are already registered on our finance system.
- Quotation that matches the project costs given on this form. VAT must be listed separately.

I declare and confirm that (please tick the boxes below):

- I am authorised to make this application on behalf of the applicant organisation.
- The information given on this form and supporting documentation is correct to the best of my knowledge and belief.

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Change of use of agricultural land to allow for the siting of caravans in association with Fairford Royal International Air Tattoo (for up to 28 days annually) at Cutlers Field and Horcott Hill Fairford Gloucestershire

Full Application 25/03721/FUL	
Applicant:	Royal Air Force Charitable Trust Enterprises (RAFCTE)
Agent:	Plan-A Planning & Development Ltd
Case Officer:	Jordan Hawes
Ward Member(s):	Councillor Helene Mansilla and Cllr Tristan Wilkinson
Committee Date:	10 June 2026
RECOMMENDATION:	PERMIT

1. Main Issues:

- (a) Principle of Development
- (b) Design and Impact on the Character and Appearance of the Area
- (c) Impact on Residential Amenity, Public Health and Waste Management
- (d) Impact on Biodiversity
- (e) Impact on Highway Safety
- (f) Impact on Flood Risk

2. Reasons for Referral:

- 2.1 The application has been brought before the Planning and Licensing Committee as required by the Scheme of Delegation and Planning Protocol as the site relates to the development of 1 hectare or more land (please refer to 3.A Types of applications not to be determined under delegated powers).

3. Site Description:

- 3.1 The application site comprises sections of two agricultural fields on the south-eastern periphery of Fairford, just north of RAF Fairford. Both sites, Cutlers Field and Horcott Hill, located south-west and north-east of Horcott Road, respectively, have existing vehicular accesses.
- 3.2 The site is located approximately 0.5km south of the Cotswold Water Park Site of Special Scientific Interest (SSSI) and is within the outer zone of influence for the North Meadow Special Area of Conservation (SAC).

4. Relevant Planning History:

4.1 There is no relevant planning history for the site.

5. Planning Policies:

- NPPF National Planning Policy Framework
- EC1 Employment Development
- EC5 Rural Diversification
- EC10 Tourist Facilities & Visitor Attractions
- EC11 Tourist Accommodation
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN8 Bio & Geo: Features Habitats & Species
- EN9 Bio & Geo: Designated Sites
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF4 Highway Safety

6. Observations of Consultees:

6.1 Biodiversity Officer: No objections.

6.2 Natural England: No comments regarding the impact of the development on the SSSI; confirmed that the application can be screened out of Appropriate Assessment as it relates to the North Meadow SAC.

6.3 GCC Highways: No objections subject to conditions.

6.4 GCC Lead Local Flood Authority: No Objections.

6.5 Environmental Health - Air Quality: No comments.

6.6 Environmental Health - Contamination: No objections.

6.7 Environmental Health - Noise and Amenities: No objection.

6.8 Flood Risk Management Officer: No objections.

6.9 Ministry of Defence: No objections subject to condition.

7. View of Town/Parish Council:

7.1 No comments received at time of writing.

8. Other Representations:

8.1 No comments received at time of writing.

9. Applicant's Supporting Information:

- Appendix 3: Details of Temporary Ancillary Facilities, received 24 November 2025;
- Article 18 Consultation with Highway Authority (response to Highway Authority consultee comments), prepared Royal Airforce Charitable Trust Enterprises (RAFCTE; received 24 March 2026);
- Delivery Instruction - Royal International Air Tattoo 2026 (Volunteer Village), received 22 April 2026;
- Delivery Instruction - Volunteer Campsite, dated 24 April 2024);
- Details of Temporary Trackway, received 4 February 2026;
- Ecological Appraisal and Impact Assessment, prepared by Cotswold Environmental (dated December 2025);
- Planning Statement, prepared by Plan-A Planning and Development Ltd (dated November 2025);
- Pre-application Advice Note - 24/02994/PAYPHH, prepared by Cotswold District Council (dated 4 November 2024);
- Pre-application Advice Note - 24/03016/PAYPHH, prepared by Cotswold District Council (dated 11 November 2024);
- Residents' Newsletter, received 24 November 2025;
- Site 1 - Vision Splays (dwg no. FFD 1-12), received 27 April 2026;
- Site 2 - Vision Splays (dwg no. FFD 1-13), received 27 April 2026;
- Traffic Management Plan, prepared by Tracsis Events (dated 26 June 2025);
- Waste Management Arrangements (email), prepared by Nicola Pugh (received 9 April 2026);
- Waste Report, prepared by M.J Church (received 24 November 2025).

Biodiversity Net Gain Information:

- BNG Metric (received 13 January 2026);
- BNG Assessment (received 13 January 2026);
- BNG Baseline Site 1 (received 13 January 2026);
- BNG Baseline Site 1 and 2 (received 13 January 2026);
- BNG Baseline Site 2 (received 13 January 2026);
- BNG Proposal Site 1 (received 13 January 2026);

- BNG Proposal Site 1 and 2 (received 13 January 2026);
- BNG Proposal Site 2 (received 13 January 2026).

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 and the Fairford Neighbourhood Plan 2020 - 2031.
- 10.3 The policies and guidance within the revised National Planning Policy Framework (NPPF) are also material planning considerations.
- 10.4 In addition to the above, it is noted that the Government published a draft version of the NPPF on the 16th December 2025. The consultation period for the aforementioned document expired on the 10th March 2026 and it is anticipated that a final version of the NPPF will be released in Summer 2026. Whilst the draft NPPF is a consultation document, it is considered that the proposed policies within it are a material consideration and must be given a degree of weight at the present time.

Proposed Development

- 10.5 Pre-application discussions confirmed that the siting of other temporary structures and campsites, excluding the siting of caravans, would meet the criteria for permitted development as set out under Class B (temporary use of land) of Part 4, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.
- 10.6 As such, this application seeks permission for a recurring temporary change of use of sections of two agricultural fields to 'sui generis' to allow for the siting of approximately 150 caravans to solely accommodate volunteers and workers associated with the annual Fairford Royal International Air Tattoo festival for up to 28 days per year. The north-east site, referred to as Cutlers Hill, would host a volunteer village with at most 100 of the proposed 150 caravans, whilst the south-western site, Horcott Hill, would accommodate up to 50 caravans for

contractors. Both sites would utilise existing vehicular accesses off of Horcott Road.

(a) Principle of Development

10.7 Local Plan Policy EC1 'Employment Development' states that *'employment development will be permitted where it:*

(a) supports the creation of high quality jobs in professional, technical and knowledge-based sectors and seeks to support economic opportunities which capitalise on the strength of existing academic and training institutions and research organisations;

(b) maintains and enhances the vitality of the rural economy;

(c) enables opportunities for more sustainable working practices, including home-working;

(d) supports and improves the vitality and viability of Primary, Key, District and Local Centres; or

(e) supports sustainable tourism in ways that enables the District to attract higher numbers of longer-stay visitors.'

10.8 Local Plan Policy EC5 'Rural Diversification' states that *'development that relates to the diversification of an existing farm, agricultural estate, or other land-based rural business will be permitted provided that:*

(a) the proposal will not cause conflict with the existing farming operation including severance or disruption to the agricultural holding that would prejudice its continued viable operation;

(b) existing buildings are reused wherever possible; and

(c) the scale and design of the development contributes positively to the character and appearance of the area.'

10.9 Local Plan Policy EC10 'Development of Tourist Facilities and Visitor Attractions' states that *'new or extended tourist facilities and visitor attractions (excluding accommodation) will be permitted provided the proposal:*

(a) has a functional relationship and special affinity with the historic and natural heritage of the area;

(b) is well related to the main tourist routes;

(c) is an identified opportunity that is not met by existing facilities; and

(d) as far as possible, use is made of existing buildings, particularly agricultural buildings in the countryside, with the number and scale of new buildings kept to a minimum.'

10.10 Local Plan Policy EC11 'Tourist Accommodation' states, with regard to Touring Caravan and Camping Sites, that: *'proposals for the development of new, or the expansion of, existing touring caravan and camping sites, will be permitted provided that the proposal:*

(a) is well related to the main tourist routes; and

(b) makes use of any converted or potentially convertible agricultural buildings that may be available with the number and size of any associated new buildings kept to the minimum necessary.'

10.11 The proposals relate to the siting of caravans to accommodate employees and volunteers associated with the annual Royal International Air Tattoo festival at RAF Fairford. The event benefits the local economy through attracting tourists and visitors to the area, benefiting local businesses. As such, the proposed development is considered to meet criterion (b) of Policy EC1 (Employment Development)

10.12 Accommodation for employees and volunteers is vital to facilitating the success of the event. Given the scale and nature of the event, it is not possible to accommodate workers and volunteers in existing tourist accommodation. The caravans would be sited on agricultural land on the fringe of Fairford, identified as a Principal Settlement, for a period of up to 28 days per year. After the event, the sites would be cleared and restored to their original agricultural use and appearance.

10.13 With regard to Policy EC5 (Rural Diversification), it is considered that owing to the temporary nature of the works, the proposal would not conflict with existing farming operations. Criterion (b) in this case is not relevant as there are no existing buildings that could be re-used to achieve the proposals. Whilst the scale and design of the development would not contribute positively to the

character and appearance of the area, the caravans would only be situated for up to 28 days per year and in association with a festival resulting in evident public benefits. As such, on balance it is considered that the proposal would be in accordance with Policy EC5.

10.14 With regard to Policies EC10 (Development of Tourist Facilities and Visitor Attractions) and EC11 (Tourist Accommodation), it is considered that the proposed site would have a functional relationship with the historic and natural heritage of the area given the association with the RIAT festival and the proximity of the sites to RAF Fairford. The sites would be well connected to main tourist routes, both being accessed from an A-road and on the fringe of Fairford. The proposal is an identified opportunity which is not met by existing facilities; and, as above, there are no existing buildings that could be re-used to accommodate workers and volunteers at such a scale for a temporary period. As such, the proposals are considered to accord with Policies EC10 and EC11.

10.15 In light of the above, the proposals are considered to accord with Local Plan Policies EC1, EC5, EC10 and EC11; as such, the principal of the proposal is considered acceptable.

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

10.16 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.

10.17 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.

10.18 Section 12 of the NPPF requires good design, providing sustainable development and creating better place to live and work in. Paragraph 135 states decisions should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which are sympathetic to local character and history maintaining a strong sense of place.

10.19 The proposed development would result in the introduction of caravans to the two agricultural fields for a period of up to 28 days annually. The works would be in association with the annual Fairford RIAT festival.

10.20 Whilst the sites are within open countryside, and the siting of caravans would harm the rural character and appearance of the site to a degree, it is noted that this would be for a limited period of up to 28 days annually, after which the site would be restored. The two sites are located on the periphery of Fairford, a principal settlement, and within close proximity to RAF Fairford. The north-eastern site is also within close proximity to a sewage treatment facility. As such, whilst the sites are within open countryside they are within close proximity to existing non-agricultural development and the proposed use is unlikely to materially harm the character and appearance of the sites and their surroundings. Any such harm would also be outweighed by the evident public benefits associated with the development, particularly with regard to the local economy.

10.21 The proposals are therefore considered to accord with Local Plan Policies EN2 and EN4, NPPF paragraph 135 and the policies of the draft revised NPPF (December 2025).

(c) Impact on Residential Amenity, Public Health and Waste Management

10.22 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, in conformity to the amenity requirements of Section 12 of the NPPF.

10.23 Local Plan Policy EN15 'Pollution and Contaminated Land' states that:

1. 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.

2. Unless proposals would result in no unacceptable risk to future occupiers of the development and/or the surrounding land, development will not be permitted: (a) that is located on or in the vicinity of land that is contaminated or suspected of being contaminated; and/or (b) on land that contains or which potentially would create through development a pathway for migration of a potentially hazardous substance into a sensitive receptor.

3. In respect of affected sites the developer and/or landowner will be required to undertake appropriate investigation(s) and to carry out necessary remedial works.'

- 10.24 Owing to the nature of the development, the proposals are considered not to impinge on the residential amenities currently enjoyed by the occupants of neighbouring properties in terms of an unacceptable loss of daylight, loss of privacy, or overbearing effect. The proposals are therefore considered to accord with the residential amenity considerations of Local Plan Policy EN2, Section 12 of the NPPF.
- 10.25 The applicant has submitted a Waste Report outlining the waste collection and recycling services. Further information was required during the course of the application. Given the proximity of the site to the RAF Fairford aerodrome, there is a particular concern for the creation of new habitats that can attract and support populations of large and/or flocking bird species which are hazardous to aircraft and can have a detrimental impact on aviation safety, as noted by the MOD's Safeguarding Officer.
- 10.26 In response to Officer comments, the applicant provided further information regarding the waste management of the two sites outlined in an email titled 'Waste Management Arrangements', dated 9th April 2026.
- 10.27 The waste management arrangements are considered sufficient to address the concerns raised by the MOD's Safeguarding Officer regarding bird strike risk and the management of waste.
- 10.28 The proposed arrangements are also considered sufficient to ensure that waste will be collected regularly throughout the course of the event and that the sites will be cleared of all waste after the event, returning the site to its original state. Reporting on all waste disposal and waste transfer will also be carried out after the event.
- 10.29 With regard to public health, the proposed siting of caravans on the sites is considered not to result in any unacceptable risk to public health or safety, the natural environment or air, light or noise pollution, in accordance with Local Plan Policy EN15.

(d) Impact on Biodiversity

- 10.30 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.

- 10.31 Local Plan Policy EN9 seeks to safeguard the integrity of designated biodiversity and geodiversity sites at international, national and local scales.
- 10.32 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 and should provide net gains where possible.
- 10.33 Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity.
- 10.34 Paragraph 193 of the NPPF states that local planning authorities, when determining applications, should apply the following relevant principle: *"(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused".*
- 10.35 Paragraph 194 of the NPPF affords Special Areas of Conservation (SAC) the same protection as habitat sites.
- 10.36 Paragraph 195 of the NPPF states that the presumption in favour of sustainable development does not apply where the project is likely to have a significant effect on a habitats site, unless an appropriate assessment has concluded that the project will not adversely affect the integrity of the habitats site.
- 10.37 During the course of the application, Natural England confirmed in writing that, owing to the scope of the works, providing temporary accommodation solely for employees and volunteer workers associated with the RIAT festival, the development could be screened out of appropriate assessment as the proposals would be considered not to increase recreational pressure on the North Meadow Special Area of Conservation (SAC).
- 10.38 Whilst the site lies within the impact zone for the Cotswold Water Park SSSI, Natural England have raised no concerns.
- 10.39 Regarding BNG, the Council's Biodiversity Officer has advised the following:
- "After reviewing the submitted information including measures by which baseline habitats will be retained during the operational phase, the development is not considered to constitute an impact and is not required to*

deliver at least 10% net gains as it will not result in a loss or decrease of the biodiversity of on-site habitats".

- 10.40 Regarding habitats and protected species, the application is accompanied by an Ecological Appraisal and Impact Assessment. No Priority Habitats or notable plant species were recorded within or adjacent to the proposed sites, and the sites comprise intensively cultivated agricultural land.
- 10.41 Whilst the Biodiversity Officer has noted that bats have been recorded within 2km of the site, including species known to be sensitive to light, and recommended that a condition be included to secure a lighting strategy for the site, it is considered that owing to these sites being a relatively small part of the much wider event site which would not be subject to any lighting design strategy, such a condition would be unenforceable and unnecessary in this case.
- 10.42 The proposal is considered not to adversely affect protected species or habitats; as such, provided the development is carried out in accordance with the recommendations made within section 4 of the submitted Ecological Appraisal and Impact Assessment, the proposed development is considered to be in accordance with Local Plan Policies EN8 and EN9, Section 15 of the NPPF and the policies of the draft revised NPPF (December 2025).

(e) Impact on Highway Safety and Parking

- 10.43 Local Plan 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.
- 10.44 Local Plan Policy INF5 requires development proposals to 'make provision for residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network'.
- 10.45 Section 9 of the NPPF promotes sustainable transport. Paragraph 115 states that, 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 48; 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.

- 10.46 Paragraph 116 states that 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.
- 10.47 The application demonstrates that the existing vehicular accesses provide sufficient visibility to enable safe access and egress for vehicles, and the applicant has confirmed that full traffic management system will be in place, planned and implemented by TRACSIS, details of which are shared with local authorities, emergency services and other relevant bodies through the Safety Advisory Group (SAG). The proposed parking arrangements are also considered sufficient.
- 10.48 Subject to adherence to the approved operational and transport arrangements, the proposed development is considered to accord with Local Plan Policies INF4 and INF5, Section 9 of the NPPF and the policies of the draft revised NPPF (December 2025).

(f) Impact on Flood Risk

- 10.49 Local Plan Policy EN14 seeks to minimise flood risk and improve flood resilience. It states 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' and 'the design and layout of development proposals will take account of flood risk management and climate change and will include, unless demonstrably inappropriate, a Sustainable Drainage System'. This is in accordance with Section 14 of the NPPF.
- 10.50 The application sites are both within Flood Zone 1 and are considered very low risk of flooding, and the proposed development is considered unlikely to have a significant impact on the surface water drainage of the sites. The proposed development is therefore considered to accord with Local Plan Policy EN14, Section 14 of the NPPF and the policies of the draft revised NPPF (December 2025).

11. Conclusion:

11.1 Overall, it is considered that the development is in accordance with established policies and guidance. It is therefore recommended that the application is granted planning permission.

11.2 The CIL rate for this type of development is zero and therefore no CIL is payable.

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): FFD 1-1, FFD 1-2, FFD 1-7 and FFD1-8.

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

3. The development hereby permitted shall be used solely for the accommodation of employees and/or volunteers in association with the Royal International Air Tattoo (RIAT) festival for up to 28 days in a calendar year, and shall at no time be used for accommodation on a commercial, business or service-related basis.

Reason: The site is located within the outer zone of influence of the North Meadow Special Area of Conservation (SAC). As the proposed development is for the accommodation of employees and volunteers solely associated with the RIAT festival, the application is screened out of Appropriate Assessment. Were the site to be used for the accommodation of visitors or tourists, the increase in recreational pressure on the SAC would subject the site to the mitigation measures set out in the 'North Meadow and Clattinger Farm Special Area of Conservation Interim Recreation Mitigation Strategy 2023-2028'. Additionally, extending the temporary use beyond 28 days would be contrary to the interests of highway safety and the visual amenity of the rural landscape.

4. The development shall be undertaken in accordance with the recommendations contained within the Ecological Appraisal and Impact Assessment, prepared by

Cotswold Environmental (dated December 2025). All of the recommendations shall be implemented in full according to the specified timescales, and thereafter permanently retained.

Reason: To ensure biodiversity is protected in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187 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.

5. Waste collection shall be carried out in full accordance with the details outlined in the submitted email titled 'Waste Management Arrangement' as received 9 April 2026.

Reason: To ensure that the development will not result in an unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses, and for the mitigation of bird strike risk to aircraft, in accordance with Local Plan Policy EN15.

6. The development shall be carried out in accordance with the submitted operational and transport arrangements, including arrival and departure management, internal circulation, vehicle marshalling and shuttle bus provision, as set out in the submitted Delivery Instructions, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that safe and suitable access is provided for all users of the public highway, in accordance with Local Plan Policy INF4 and paragraph 115 of the NPPF.

Informatives:

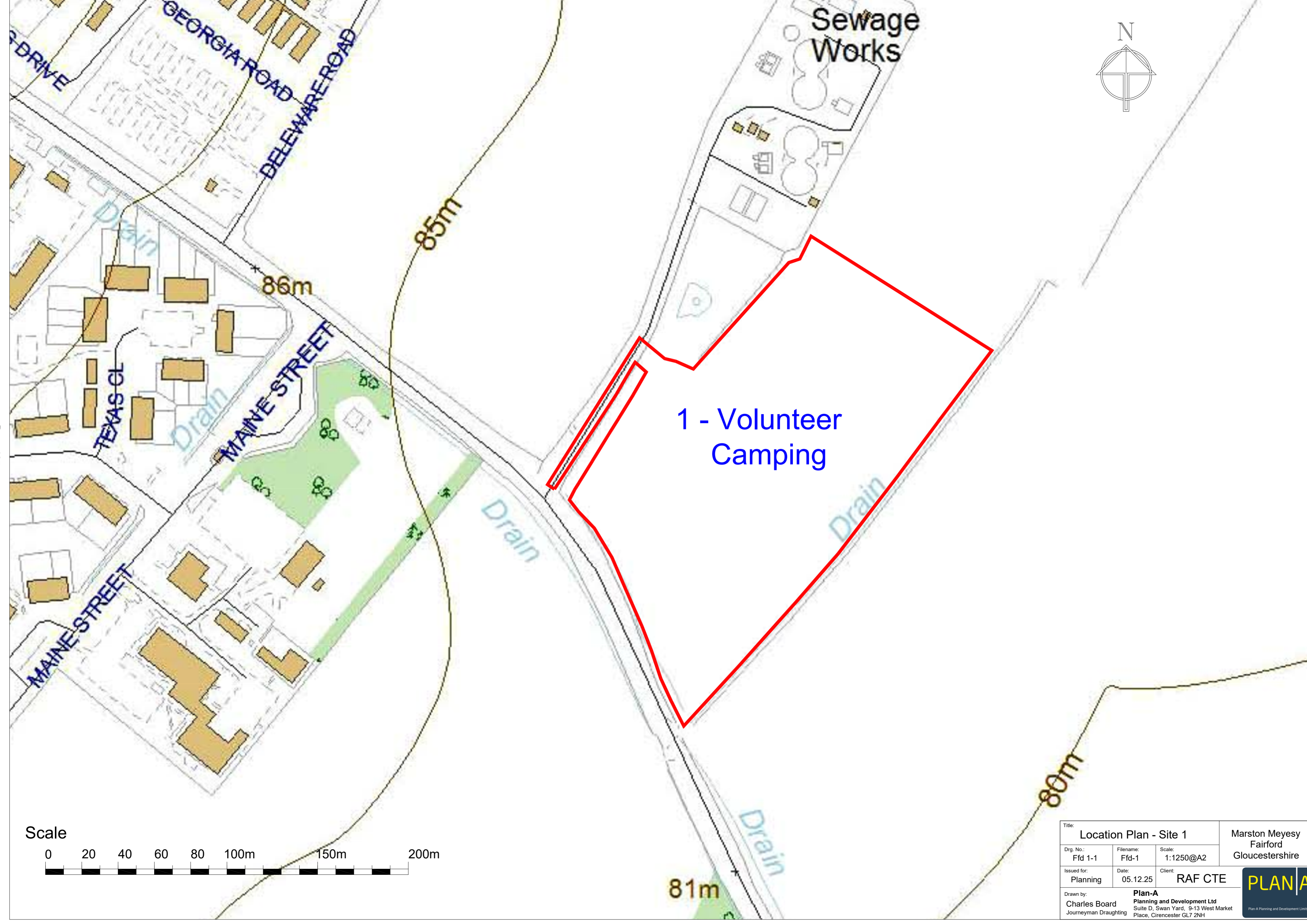
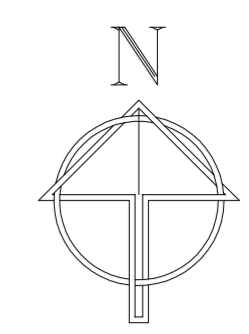
1. The applicant is reminded of Regulations 75, 76 and 77 of the Habitats Regulations and their relevance to 'permitted development'.

Regulation 75 of the Conservation of Habitats and Species Regulations states that it is a condition of any planning permission granted by the Town and Country Planning (General Permitted Development) Order made on or after 30 November 2017 that development which is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and which is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the Local Planning Authority under Regulation 77.

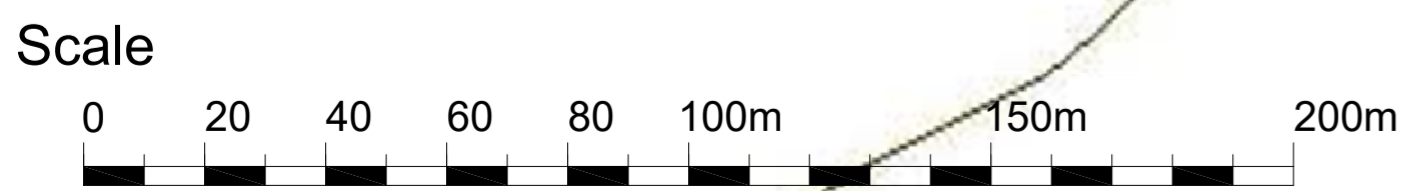
Therefore, whilst the development hereby approved can be implemented, other works which fall under permitted development which form part of the overall scheme that the LPA is aware of cannot be lawfully commenced until the separate application under Regulation 77 is approved by the Local Planning Authority.

2. Please note that the proposed development set out in this application would be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), however, no CIL is payable as the Cotswold CIL Charging Schedule gives this type of development a zero rate. However, if the nature of the development were to change, you are advised to contact the Council to discuss the requirement for planning permission and CIL liability.

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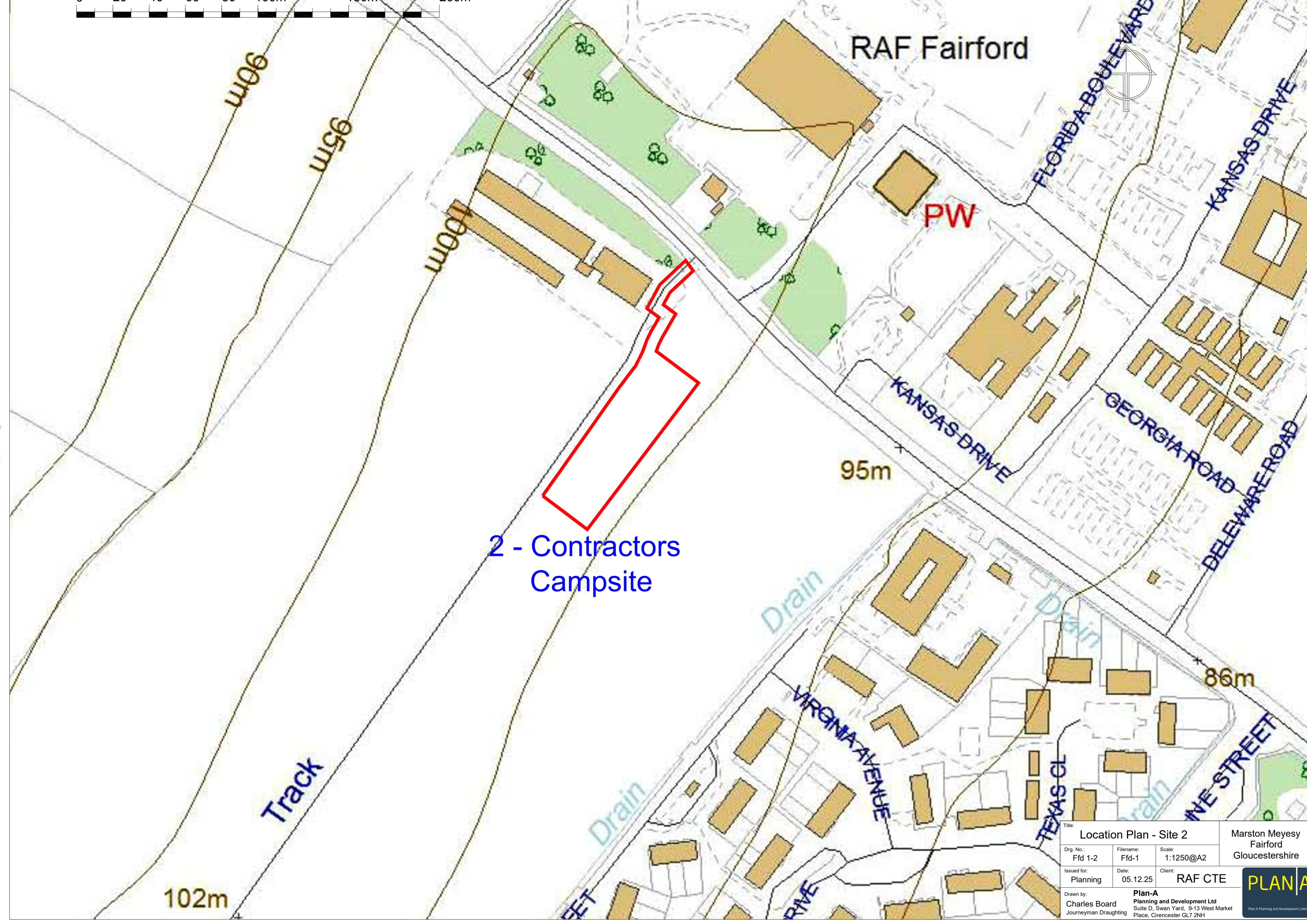


1 - Volunteer
Camping



Title: Location Plan - Site 1			Marston Meyesy Fairford Gloucestershire
Dwg. No.: Ffd 1-1	Filename: Ffd-1	Scale: 1:1250@A2	
Issued for: Planning	Date: 05.12.25	Client: RAF CTE	PLAN A <small>Plan A Planning and Development Limited</small>
Drawn by: Charles Board Journeyman Draughting			

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2 - Contractors
Campsite

RAF Fairford

PW

Title: Location Plan - Site 2			Marston Meyesy Fairford Gloucestershire
Dwg. No.: Ffd 1-2	Filename: Ffd-1	Scale: 1:1250@A2	
Issued for: Planning	Date: 05.12.25	Client: RAF CTE	
Drawn by: Charles Board Journeyman Draughting			
Plan-A Planning and Development Ltd Suite D, Swan Yard, 9-13 West Market Place, Cirencester GL7 2NH			

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Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	PLANNING AND LICENSING COMMITTEE – 10.06.2026
Subject	FOOTPATH DIVERSION ORDER TETBURY UPTON Footpath No NTU 46 (Part) PUBLIC PATH DIVERSION ORDER 2026 (ref: 25/02389/PROWOR)
Wards affected	Tetbury and East Rural; Tetbury with Upton
Accountable member	Councillor Nikki Ind - Email: nikki.ind@cotswold.gov.uk Councillor Laura Hall-Wilson - Email: Laura.Hall-Wilson@cotswold.gov.uk
Accountable officer	Harrison Bowley (Head of Planning Services) Email: Harrison.Bowley@cotswold.gov.uk
Report author	Andrew Moody (Principal Planning Officer) Email: Andrew.Moody@cotswold.gov.uk
Summary/Purpose	To consider making a Public Path Diversion Order in respect of TETBURY UPTON Footpath No NTU 46 (Part) at Worwell Farm. To determine whether the Order should be confirmed or not confirmed.
Annexes	Annex A – GCC PROW map Annex B – Approved site layout Annex C – Site photographs (to follow) Annex D – Draft Public Path Order and Plan
Recommendation(s)	That Planning and Licensing Committee resolves to: a) Make a Public Path Diversion Order in respect of TETBURY UPTON Footpath No NTU 46 (Part) under Section 275 Town and Country Planning Act 1990 and carry out the statutory consultation (subject to response and any final minor amendment required by the County Council PROW Officers). b) To confirm the Public Path Diversion Order, if unopposed
Corporate priorities	<ul style="list-style-type: none"> • Delivering Good Services • Responding to the Climate Emergency • Supporting Communities
Key Decision	NO
Exempt	NO



COTSWOLD

District Council

Consultees/ Consultation (informal consultation)	Planning Agent on behalf of the Landowner Upton Parish Council Auto-Cycle Union British Horse Society Byways and Bridleways Trust Open Space Society The Ramblers Cycling Touring Club County Council Highways and Public Rights of Way
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1. EXECUTIVE SUMMARY

- 1.1 This report is to appraise members of an application for a Public Path Diversion Order in respect of TETBURY UPTON Footpath No NTU 46 (Part)
- 1.2 Section 257 of the Town & Country Planning Act 1990 allows the Council to, by order, authorise the stopping up or diversion of any footpath bridleway or restricted byway if they are satisfied that it is necessary to do so in order to enable development to be carried out.
- 1.3 TETBURY UPTON Footpath No NTU 46 is located in Tetbury at Worwell Farm, Cirencester Road, crossing the boundaries of Tetbury and East Rural; Tetbury with Upton wards.
- 1.4 An application for the footpath diversion was submitted to the Council validated and the order drafted.
- 1.5 The Council undertook an informal consultation exercise with the statutory consultees to understand any concerns or objections that may arise.
- 1.6 2 objections and 1 comment to the diversion were submitted to the Council.
- 1.7 Officers have engaged with the agent for the applicant and the objectors in respect of the objections indicated. The Objections remain at the date of this report.
- 1.8 This report considers and responds to the grounds for objection.
- 1.9 The conclusion of the report is a recommendation that the Footpath Order is made.

2. BACKGROUND

- 2.1 The footpath is located in Tetbury at Worwell Farm, Cirencester Road, crossing the boundaries of Tetbury and East Rural; Tetbury with Upton wards. The existing legal route of the footpath runs generally east from Cirencester Road (opposite Trubshaw Close) partly along the farmhouse drive before entering the fields, and crossing a stream to join other footpaths in the network. **Refer to Annex A for GCC PROW map**
- 2.2 The applicant applied for and received consent for the mixed use development comprising healthcare facility, 27 dwellings (including 11 affordable units), landscaping, site access, internal estate road and associated works (Ref: 23/02682/FUL) on the site at Worwell Farm, the approved site layout indicating an obstruction to the existing legal route of the footpath. **Refer to Annex B for approved site layout**



- 2.3** Pursuant to s257 Town and County Planning Act, a person can apply to the Council for the stopping up or diversion of any footpath bridleway or restricted byway. The Council can make such an order if they are satisfied that it is necessary to do so in order to enable development to be carried out provided that the Council considers the disadvantages that may arise from the stopping up or diversion of the way to members of the public or to persons whose properties adjoin or are near the existing highway.
- 2.4** Officers carried out a site visit to undertake an assessment and consider the amenity of the existing and proposed route of the footpath.
- 2.5** The existing route will be obstructed by development as permitted by the Planning Permission, it will be necessary for development to establish a diversion.
- 2.6** The proposed route is to the south of the existing footpath / development passing along a more direct route. The route is to be made up in hoggin and is part of the landscaped edge of the development.
- 2.7** Along the route is a point of local interest – the “Wor well” part of the Tetbury Avon. This was visible from the existing route and the agent has confirmed permitted access from the proposed route. **Refer to Annex C for site photographs.**
- 2.8** Following an informal consultation with statutory consultees on the draft order indicated objections were received from Stroud Rambling Club and South Cotswold Ramblers and comments were received from the County Council Public Rights of Way officer.
- 2.9** The applicant discussed the indicated objections and has added permissive access between the proposed diversion and the “Wor well” as indicated on the plan. Permissive routes do not form part of the legal route, but it is understood this has resolved the indicated objections received.
- 2.10** It should be noted that the footpath is temporarily closed and a diversion provided under an application to the County Council.

3. Policies

National Policy

- National Planning Policy Framework (NPPF) – Para 91, 98, 20
- Planning Policy Practice Guidance – Open space, sports and recreation facilities, public rights of way and local green space
- Defra Rights of way Circular (1/09)



Core Strategy

- Policy INF5 – Parking Provision (Infrastructure)

Neighbourhood Development Plan

- Policy 3: Promotion of Sustainable Transport – para 4.2.4 Rights of Way Network

4. Consideration

Necessity for Future Development

- 4.1** The diversion is necessary to enable a permitted scheme under the planning permission. These works would not be compatible with the existing route of the right of way. The path will remain accessible and enjoyable to the public as a consequence of the diversion.

Suitability of Proposed Route

- 4.2** The proposed route diverts a subtly different route, along to the south of the new development, avoiding the rear gardens, to re-join the footpath network. The proposed route is slightly shorter, although this is not considered a detriment to the route. The views and outlooks from the current route would be impacted by the development. The make up is currently along part of a tarmacked access. The proposed route will be materially different to the definitive route. being along a landscaped route and made up in hoggin. However, this is not considered less amenable than the existing route.
- 4.3** The diversion route will not have an adverse impact when considering the accessibility of the whole path and the equalities duty
- 4.4** The proposal is therefore in accordance with National Policy and guidance.

5. SUMMARY OF RESPONSES

- 5.1** To assist members, the grounds for objections are summarised below:
1. general correspondence regarding correct mapping
 2. no access to the Wor well – now resolved
 3. inadequate width (2m) – now resolved
 4. absence of natural foliage



6. OFFICER RESPONSE

6.1 The grounds for objections are considered as follows.

6.2 Response to point 1

6.2.1 Officers have liaised with the County Council and the agent, and the draft order and plan are now considered accurate.

6.3 Response to point 2

6.3.1 The existing route of the footpath passed close to the Wor well allowing a view of the feature. Access was permitted by the landowner. The agent has confirmed that from the proposed route there will be a gate from the footpath allowing unrestricted access for the public to visit the Wor well.

6.3.2 The access to the feature is considered as reasonably amenable as the current route access. It is understood this indicated objection it now resolved.

6.4 Response to point 3

6.4.1 The existing width of the footpath is stated as being 3m wide at points.

6.4.2 Where a footpath is unenclosed the County Council minimum width is 2m. the applicant is proposing 2m as the minimum width, the County Council have not raised an objection to the proposal.

6.4.3 The County Council officer have confirmed they are happy with a 2 metre width, given that there will be a grass verge between the hedge and the new footpath. The verge is now incorporated in the order. It is understood this indicated objection it now resolved.

6.5 Response to point 4

6.5.1 Landscaping is not generally a consideration of a footpath application. The nature of any green space and general amenity can be taken into the overall consideration, however, during the process of the planning application for the development the landscaping was considered and approved.



7. ALTERNATIVE OPTIONS

7.1 To not make the Order.

8. FINANCIAL IMPLICATIONS

8.1 There are no financial implications for the Council

9. LEGAL IMPLICATIONS

9.1 Should the Order be made and subsequent objections received to the statutory consultation, the Council must consider submitting the application Secretary of State (Planning Inspectorate) for determination

10. EQUALITIES IMPACT

10.1 The diversion route will not have an adverse impact when considering the accessibility of the whole path and the equalities duty

11. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

11.1 The protection and appropriate diversion of footpaths can provide both climate emergency and community benefits.

12. BACKGROUND PAPERS

12.1 The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

Application details can be found on the Planning portal: 25/02389/PROWOR

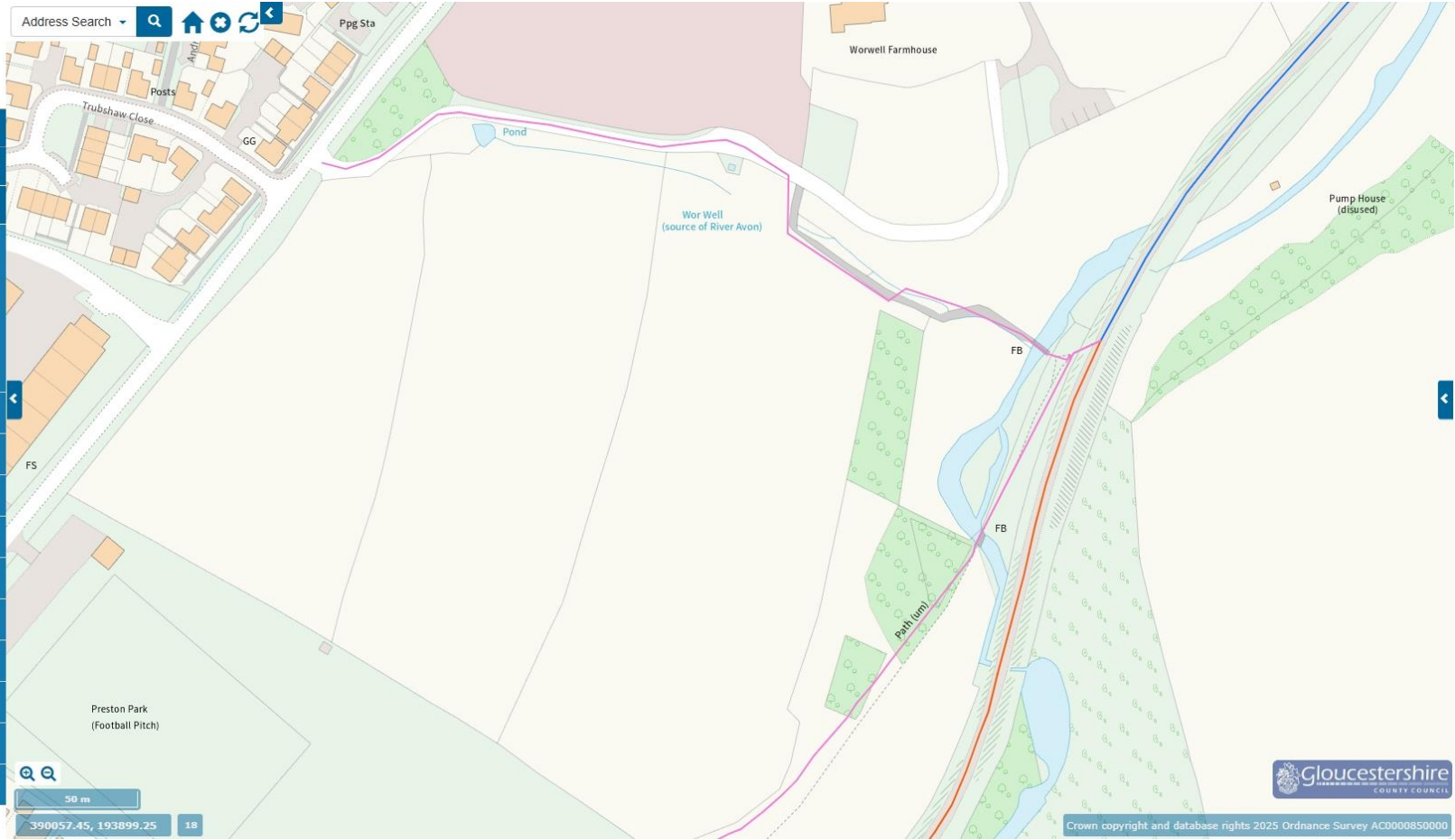
12.2 (END)

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GCC PROW





- SHOW LAYERS
- Background Mapping. +
 - PROW -
 - Footpath
 - Footpath
 - Bridleway
 - Restricted Byway
 - BOAT
 - Temporary path closures
 - National Trails
 - Promoted routes
 - Unresolved DMMO claims
 - Village Greens
 - Common Land
 - Forest of Dean
 - GCC Boundary
 - GCC Parishes
 - PROW Officer Areas

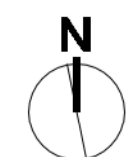
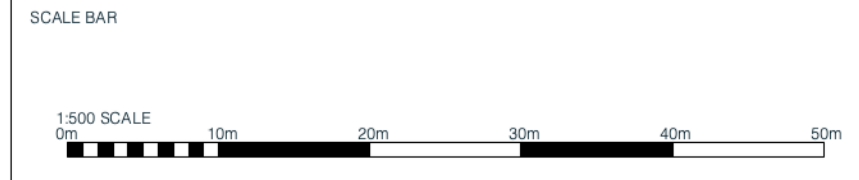


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BOUNDARY TREATMENTS	
	0.9M BLACK POWDER COATED RAILINGS WITH GATE; HEDGE TO GARDEN SIDE
	1.5M HIGH STONE WALLING
	1.8M CLOSE BOARDED FENCE / CONCRETE POSTS & GRAVEL BOARDS

ECOLOGY	
	32 no. SWIFT BOXES - [CHAMBER & ENTRANCE BRICK RECESSED INTO WALL DIRECTLY BENEATH EAVES
	15 no. BAT BOXES - [HABITAT CHAMBER AND ENTRANCE SLOT RECESSED INTO WALL DIRECTLY BENEATH EAVES

FOR DETAILED PLANTING LAYOUT, SEE DRAWING 1046-351 & 352



GENERAL NOTES:
 1. CONTRACTOR TO CHECK ALL DIMENSIONS ON SITE. FIGURED DIMENSIONS ARE TO BE USED. DISCREPANCIES TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING.
 2. THIS DRAWING IS COPYRIGHT

FILE NAME: N:\Volumes\Server Data\Jobs\APG ARCHITECTURE\1046 Land of Cirencester Road, Tetbury\Production_Information\E-1\WP\W2023 Resubmission scheme\1046 PH Site Layout.vrx

REVISION LOG:			
C	RS/IR	24/08/2023	
REV	BY/CHECKED:	DATE:	COMMENT:



PROJECT: 1046 - LAND AT WORWELL FARM, TETBURY
 SHEET TITLE: SITE LAYOUT
 PROJECT ID: TPH - APG - XX - ZZ - DR - A
 ORIGINATOR: APG
 ZONE: XX
 LEVEL: ZZ
 TYPE: DR
 ROLE: A

SHEET SCALE: 1:500 @ A1
 STATUS: S0
 STATUS DESCRIPTION: PLANNING
 SHEET NO: PR01 / C
 REVISION NO:

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TOWN & COUNTRY PLANNING ACT 1990 SECTION 257

COTSWOLD DISTRICT COUNCIL

TETBURY UPTON Footpath No NTU 46 (Part)
PUBLIC PATH DIVERSION ORDER 2026

THIS ORDER is made by Cotswold District Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the Footpath to which this Order relates to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely the mixed use development comprising healthcare facility, 27 dwellings (including 11 affordable units), landscaping, site access, internal estate road and associated works (Ref: 23/02682/FUL).

BY THIS ORDER:

- 1 The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this Order ("the Schedule") shall be diverted as provided below.
- 2 There shall be created to the reasonable satisfaction of Gloucestershire County Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
- 3 The diversion of the footpath shall have effect on the date on which Gloucestershire County Council certify that the terms of Article 2 have been complied with.
- 4 Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

The entire width of that length of TETBURY UPTON Footpath No NTU 46 running from OS Grid Ref ST 8994 9393 (Point A) (opposite 26 Trubshaw Close) in a general north-easterly direction for approximately 56m to OSGR ST 8999 9395 (Point C) then in an easterly direction for approximately 151m to OSGR ST 9014 9393 (Point D) turning in a southerly direction for approximately 24m to OSGR ST 9014 9390 (Point B) as shown between points A - C- D - B

PART 2

A new Footpath with a minimum width of 3m. running from OS Grid Ref ST 8994 9393 (Point A) (opposite 26 Trubshaw Close) in a general easterly direction for approximately 201m to OSGR ST 9014 9390 (Point B) where it rejoins the original route of Footpath No NTU 46 as shown between Points A – B on the plan attached to this Order. The new Footpath is to be made up of 2m wide hoggin path and 1m wide soft verge.

DATEDDAY OF 20

THE SEAL OF COTSWOLD)
DISTRICT COUNCIL WAS HEREUNTO)
AFFIXED IN THE PRESENCE OF)

Authorised Officer

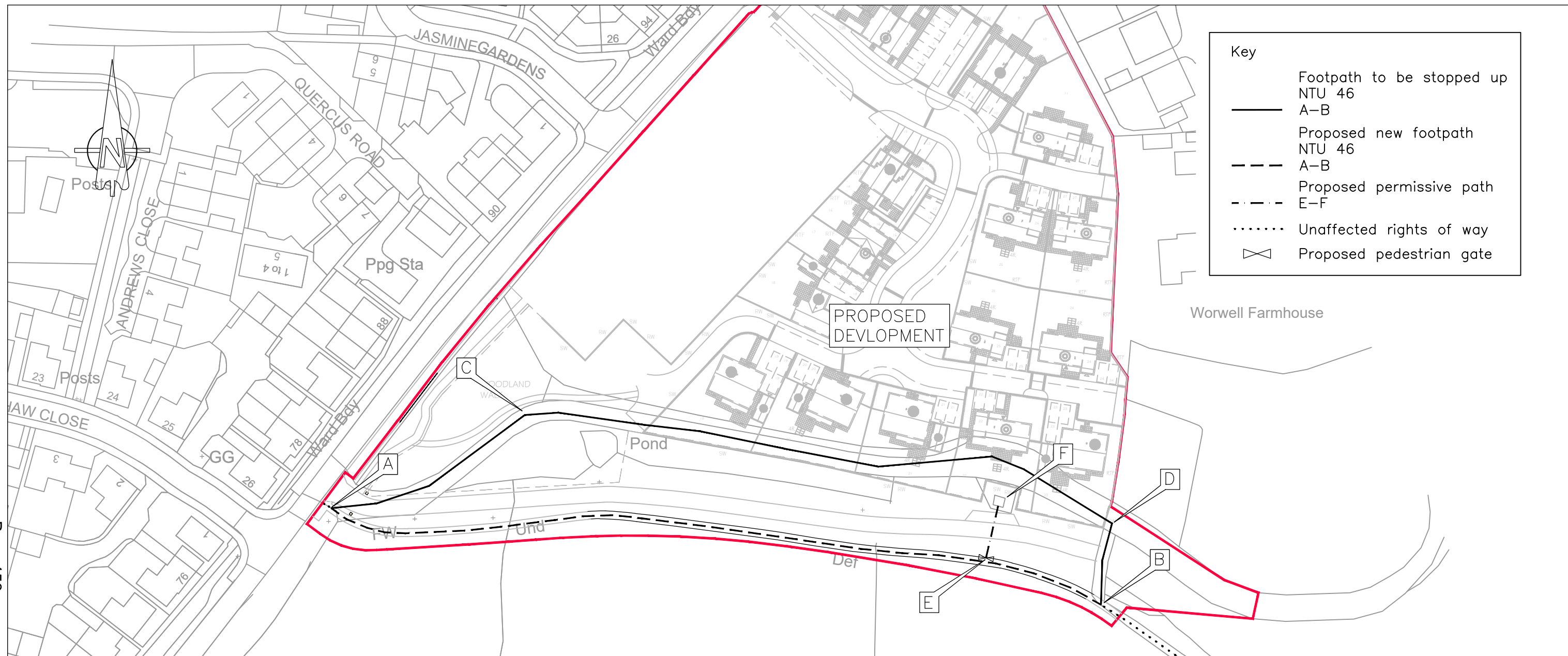
Dated:

20

COTSWOLD DISTRICT COUNCIL

TETBURY UPTON Footpath No NTU 46 (Part)

PUBLIC PATH DIVERSION ORDER 2026



Key	
	Footpath to be stopped up NTU 46
	A-B
	Proposed new footpath NTU 46
	A-B
	Proposed permissive path E-F
	Unaffected rights of way
	Proposed pedestrian gate

L6	19.05.26	Points B and D relocated to previous positions. Points E and F added. Permissive path added to key.	WSR	TC
L5	15.05.26	Pedestrian gate and footpath spur added (permissive route).	WSR	TC
L4	05.01.26	Footpath route amended in accordance with confirmed legal route.	WSR	TC
L3	15.12.25	Footpath route amended in accordance with confirmed legal route.	WSR	TC
L2	23.10.25	Points C and D have been added to the drawing as requested.	WSR	TC
L1	21.10.25	First issue.	WSR	TC
REV. No.	DATE	DESCRIPTION	DRAWN	CHECKED

Client STONEWOOD HOMES		MJA CONSULTING CIVIL & STRUCTURAL ENGINEERS	
Project Worwell Farm, Tetbury		Ipsum Court, 24 The Quadrant, Abingdon Science Park, Abingdon Oxon, OX14 3YS Tel: 01235 555173 Email: mail@mjaconsulting.co.uk	
Title Proposed diversion of footpath NTU 46		Scale: 1:1000 @ A3	Status: LEGAL
Drawn: WSR	Project Engineer: WSR	MJA Project No: 6977	Date: 01/2024
Drawing Number: 6977-MJA-SW-XX-DR-C-920			Rev: L6



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	PLANNING AND LICENCING COMMITTEE – JUNE 2026
Subject	LOCAL ENFORCEMENT PLAN 2026 – 2028
Wards affected	All
Accountable member	Councillor Juliet Layton - Cabinet Member for Housing and Planning
Accountable officer	Harrison Bowley – Head of Planning Services
Report author	Harrison Bowley – Head of Planning Services
Summary/Purpose	<p>This report presents the Council’s draft Local Enforcement Plan 2026–2028 for endorsement. The Plan establishes a clear and proportionate framework for investigating and responding to alleged breaches of planning control, in line with national guidance and best practice.</p> <p>The document sets out how enforcement cases will be prioritised, managed and resolved, ensuring that resources are focused on addressing breaches that cause the greatest harm while maintaining transparency and consistency in decision-making.</p> <p>The Planning Committee is asked to endorse the Plan as the Council’s formal policy approach to planning enforcement for the period 2026–2028.</p>
Annexes	Annex A – Local Enforcement Plan 2026 - 2028
Recommendation(s)	That the Planning and Licencing Committee resolves to: <ol style="list-style-type: none"> 1. Endorse the Local Enforcement Plan
Corporate priorities	<ul style="list-style-type: none"> • Delivering Good Services



	<ul style="list-style-type: none">• Delivering Housing• Supporting Communities
Key Decision	NO
Consultees/ Consultation	<p>No formal public or stakeholder consultation has been undertaken in the preparation of this document. The Local Enforcement Plan does not introduce new policy or change the statutory powers available to the Council, but instead sets out how existing legislative powers and national guidance will be applied in practice.</p> <p>As such, the document is an operational framework intended to provide clarity and transparency on current processes rather than to establish new policy requirements. Internal officer input has informed its preparation to ensure alignment with relevant legislation, national guidance, and service delivery considerations.</p>



1. BACKGROUND

- 1.1** This report presents the Council's updated Local Enforcement Plan for the period 2026–2028. The Plan sets out how the Council will investigate and respond to alleged breaches of planning control, providing a clear, transparent framework for decision-making and service delivery.
- 1.2** Members are reminded that, due to the confidential nature of planning enforcement investigations and the need to maintain their integrity, it would not be appropriate to discuss or refer to specific cases when considering this report. The purpose of this item is to consider and endorse the overarching policy framework only, rather than individual enforcement matters.
- 1.3** The Plan reflects national guidance and reinforces that planning enforcement is discretionary, with action taken where it is proportionate, expedient, and in the public interest. It is not a punitive process, but one focused on remedying harm and maintaining confidence in the planning system.
- 1.4** Key elements of the Plan include:
- Clear principles for enforcement: ensuring decisions are proportionate, consistent, transparent, accountable and targeted.
 - Defined scope of enforcement: clarifying what constitutes a breach of planning control and what falls outside the Council's remit.
 - Prioritisation framework: introducing a structured triage system and priority categories so that resources are focused on cases causing the greatest harm, with defined response targets.
 - Investigation process: setting out how cases are assessed, including a strong emphasis on resolving matters informally where appropriate before progressing to formal action.
 - Transparency for service users: outlining how reports can be made, what information is required, and what complainants and those subject to investigation can expect.
- 1.5** The Plan also reflects recent legislative changes, including updated time limits for enforcement action introduced through the Levelling-up and Regeneration Act 2023.
- 1.6** Overall, the document provides a clear and robust framework to ensure that enforcement activity is fair, proportionate, and focused on addressing harm, while making best use of limited resources.



1.7 For clarity, this report does not seek to review or assess the operational performance of the planning enforcement service. The purpose of the report is solely to present the draft Local Enforcement Plan 2026–2028 and to seek the Committee’s endorsement of the proposed policy framework. Matters relating to service performance are considered separately through the Council’s established performance monitoring and management processes.

2. ALTERNATIVE OPTIONS

2.1 To continue operating without an updated Local Enforcement Plan: This option is not preferred because it would reduce clarity and transparency for Members, service users and officers about how alleged breaches are prioritised, investigated and resolved. It would also miss the opportunity to formally align the Council’s approach with recent legislative changes, including updated enforcement time limits and a clearer triage and prioritisation process.

3. CONCLUSIONS

3.1 The draft Local Enforcement Plan 2026–2028 provides a clear, proportionate and transparent framework for how the Council will investigate and respond to alleged breaches of planning control.

3.2 Endorsing the Plan will ensure that enforcement activity is guided by an up-to-date policy framework that reflects current legislation, national guidance and the need to focus limited resources on cases causing the greatest planning harm.

3.3 The Committee is therefore invited to endorse the Local Enforcement Plan as the Council’s formal approach to planning enforcement for the period 2026–2028.

4. EQUALITIES IMPACT

4.1 The draft Local Enforcement Plan does not create new enforcement powers or new planning policy; rather, it sets out how existing statutory powers will be applied in a clear, consistent and proportionate way. In doing so, it supports the Council’s duties under the Equality Act 2010 by helping to ensure that decisions are made fairly,



transparently and on the basis of planning harm and material considerations, rather than personal characteristics. There are no specific adverse impacts identified for any protected characteristic group.

- 4.2** In implementing the Plan, officers will need to remain mindful of the Public Sector Equality Duty, including the need to make reasonable adjustments where required, communicate in an accessible way, and have due regard to the needs of vulnerable individuals when carrying out investigations and engagement. Enforcement activity must also be compatible with the Human Rights Act 1998, in particular the rights to respect for private and family life and the peaceful enjoyment of possessions, balanced against the wider public interest in maintaining confidence in the planning system. On that basis, no separate Equalities Impact Assessment is considered necessary for endorsement of this operational framework, although equality and human rights considerations will continue to be taken into account in individual casework and decision-making.

5. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

5.1 Climate and ecological emergency implications of this report:

- Impact on land use, wildlife and habitats
- Changes to energy use in buildings
- Use of any renewable energy (e.g. solar panels)

- 5.2** The Enforcement Plan will not result in any negative impacts upon the aforementioned emergencies, but will create a framework that seeks the proportionate enforcement of planning regulations and decisions, which are made in the public interest in order to deliver sustainable development

6. BACKGROUND PAPERS

- 6.1** The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

- Cotswold District Council Local Enforcement Plan January 2018



COTSWOLD

District Council

6.2 These documents will be available for inspection online at www.cotswold.gov.uk or by contacting democratic services democratic@cotswold.gov.uk for a period of up to 4 years from the date of the meeting.

(END)



Local Enforcement Plan 2026 - 2028

Contents

1. Introduction
2. What is a Breach of Planning Control
3. Matters we do not Investigate
4. Reporting a Suspected Breach of Planning Control
5. Assessing and Prioritising Suspected Breaches
6. Investigation Process and Enforcement Tools
7. What to Expect if a Report is Made About Your Property/Land
8. Comments and Complaints

1. Introduction

1.1. This Local Enforcement Plan details Cotswold District Council's approach to dealing with any reported breach of planning control. It sets out the principles and procedures the Council will follow when considering and taking enforcement decisions and actions.

1.2. The national Planning Practice Guidance sets out that effective enforcement is important to tackle breaches of planning control, maintain the integrity of the decision making process and ensure public acceptance of decisions is maintained. Whilst discretionary, the Council is committed to the principles of good regulation, ensuring its regulatory activities are:

- **Proportionate:** Enforcement action will be proportionate to the perceived risks and seriousness of the alleged offending and the harm caused.
- **Consistent:** Duties will be carried out in a fair and consistent manner, adopting a similar approach across the District where possible.
- **Transparent:** Clear, concise, and accessible information, advice, and guidance will be provided, distinguishing between legal requirements and best practice.
- **Accountable:** Decisions will be guided by clear, transparent criteria, with documented reasoning and accessible policies, while recognising that some parts of the process must remain confidential.
- **Targeted:** Resources will be focused on higher-risk breaches and areas where action is most needed, with timely and proportionate responses that reflect local needs and national priorities.

1.3. All enforcement activities will be carried out in accordance with the Human Rights Act 1998 and relevant equality legislation. The Council will ensure that

decisions and actions respect individuals' rights to privacy, property, and fair process, balancing these rights against the wider public interest.

2. What is a Breach of Planning Control

2.1. A breach of planning control occurs when development is undertaken without the necessary planning permission or consent, or when conditions or limitations attached to a permission are not complied with. Planning enforcement action is discretionary and serves a remedial purpose, meaning that action is taken to remove the harm caused by a breach of planning control, rather than simply to punish.

2.2. Most breaches of planning control are not criminal offences. A criminal offence typically arises if the requirements of a formal enforcement notice are not complied with within the specified time. However, certain breaches are criminal offences from the outset, including:

- Unauthorised works to a Listed Building.
- Unauthorised works to a tree protected by a TPO or to a tree within a Conservation Area.
- The display of advertisements which do not benefit from deemed (automatic) consent.

2.3. Breaches of planning control can become immune from enforcement action after a period of time has elapsed without action being taken:

- For breaches substantially completed before 25 April 2024, the previous 4-year rule applies to operational development and to changes of use of a building to a single dwellinghouse. All other breaches were subject to the 10-year rule. For breaches completed on or after 25 April 2024, the time limit is 10 years for all types of development, following changes introduced by the Levelling-up and Regeneration Act 2023.

- There is no time limit for taking enforcement action in relation to unauthorised works to listed buildings
- These time limits may be extended where there is evidence that the alleged breach has been deliberately concealed from the Council. These cases are very rare.

2.4. Matters that are not breaches of planning control can include (not exhaustive):

- Internal alterations to a building that is not a listed building.
- Land ownership disputes and boundary disagreements.
- Removable A-Board pavement advertisements
- Parking of vehicles on the highway or on grass verges.
- Operating a business from home, where the residential use remains primary and there is no significant impact on residential amenity or character.
- Matters covered by private covenants or other civil laws.
- Any development that benefits from "Permitted Development" rights under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- Clearing land of hedges, bushes, or undergrowth, unless protected by the Ancient Hedgerows Regulations 1997 (gov.uk/countryside-hedgerows-regulation-and-management and provided trees are not protected by a TPO or within a Conservation Area).
- Parking a caravan within the curtilage of a dwelling, provided its use is incidental or ancillary to the main dwelling.
- Insertion of additional windows in existing dwellings, unless restricted by planning conditions or permitted development rights.

What the Council Can and Cannot Do

2.5. The Enforcement Team investigate alleged breaches of planning control on behalf of Cotswold District Council. Officers do not act for the person reporting the breach or any third party. Planning enforcement is governed by law and must be fair, proportionate, and in the public interest. Officers cannot act outside of legal powers or intervene in matters covered by other legislation.

2.6. Officers therefore will:

- Investigate planning breaches where there is evidence and potential harm.
- Prioritise cases based on the level of harm caused.
- Seek informal resolution first, before considering formal enforcement action.
- Provide advice on options such as retrospective planning applications where appropriate.

2.7. The Council generally cannot investigate anonymous reports because we often need to contact the complainant to request further information, clarify details, or understand the nature of the harm. Accepting anonymous reports also increases the risk of malicious or unfounded allegations. To ensure fairness, transparency, and proper use of public resources, The Council require contact details for almost all reports. If someone wishes to remain anonymous, they may ask a Parish Councillor or District Councillor to submit the report on their behalf.

3. Matters we do not Investigate

3.1. Whilst the Council will always endeavour to investigate all reports, certain matters will fall outside the scope of planning enforcement. The Council cannot therefore:

- Act on behalf of complainants – officers role is impartial.
- Accept anonymous reports directly.
- Intervene in private or civil disputes, including:
 - Trespass on land
 - Boundary disputes
 - Deeds and covenant restrictions

For advice on these matters, consult a solicitor or the Citizens Advice Bureau. Guidance on the Party Wall Act 1996 is available at: gov.uk/party-wall-etc-act-1996-guidance.

- Investigate issues outside planning control, such as:
 - Obstruction of highways or public rights of way – Managed by Gloucestershire County Council or the police if safety is affected.
 - Parking of commercial or other vehicles on highways or grass verges – Usually a highways matter.
 - Health and safety concerns on building sites – These fall under the Health and Safety Executive.

4. Reporting a Suspected Breach of Planning Control

4.1. Routine monitoring of all development is not feasible across a district of this size, so potential breaches are usually identified through reports from the public and other stakeholders. Before reporting an alleged breach, it is recommended that third parties:

- Review the Council's Online Planning Register to see if planning permission has already been granted for the works: <https://publicaccess.cotswold.gov.uk/online-applications/>.

- Consider other agencies - If the issue relates to highways, noise, or health and safety, it may fall under other authorities such as Gloucestershire County Council, the police, or the Health and Safety Executive.
- Have all the details of the alleged breach to hand - having regard to paragraph 4.4 of this plan.

4.2. If you wish to report a breach to the Council, you are able to report this to us via the Council's online form. The Council's website provides a dedicated online form for reporting suspected breaches of planning regulations. This ensures all necessary information is captured efficiently and will ensure reports are processed expediently.

4.3. If it is not possible to use the online form, reports may be submitted by email or hard copy letter. However, these must include the minimum required information as outlined in paragraph 3.3 of this plan.

- Email: Planning.Enforcement@cotswold.gov.uk
- Post: The Council Offices, Trinity Road, Cirencester, Gloucestershire, GL7 1PX

4.4. To support an efficient investigation and avoid delays, the following minimum information is required:

- The precise address or location of the site where the alleged breach has occurred (ideally shown using What Three Words).
- A clear description of what the alleged breach of planning control is.
- When the alleged breach first occurred or when the activity started.
- If referring to non-compliance with approved plans or conditions, the specific planning application reference number and relevant conditions.
- Any supporting evidence, such as photographs, which can be uploaded via the online form or attached to emails.
- How the alleged breach affects you/the perceived harm
- Your full name, postal address, email address, and telephone number.

4.5. To enable a thorough investigation, complainants should provide as much information as possible. Unfortunately, if sufficient information is not received, the Council may not be able to investigate, or the report may not be deemed to meet the threshold to proceed to investigation when triaged (See Paragraph 5.4).

4.6. The Council will take steps to keep complainants' details confidential and ensure they are not shared with the individual(s) responsible for the alleged breach. However, in some circumstances, particularly if a case proceeds to an appeal or legal proceedings, it may be necessary for a complainant to give evidence, which could lead to their identity being disclosed. Such instances are very rare, and the case officer would contact complainants if this is the case.

5. Assessing and Prioritising Suspected Breaches

5.1. Each report of an alleged breach of planning control will be assessed on its individual merits. As planning enforcement is discretionary, the Council is not required to take formal action against every breach identified. This ensures a proportionate approach in accordance with the NPPF. Formal action will not be taken against unauthorised development that is acceptable in planning terms, where no harm is identified, or the harm is minimal.

5.2. In assessing suspected breaches, the Council will have regard to all relevant planning policies and other material considerations. Below are examples of matters that may be material and those that are not material considerations:

Material Consideration	Not a Material Consideration
<ul style="list-style-type: none"> • Overlooking and loss of privacy • Loss of light • Overshadowing • Creating a sense of enclosure/overbearing • Impact on the character of an area • Noise, Odour, Pollution • Highway safety • Planning policy and guidance • Design • Effect on Listed Buildings 	<ul style="list-style-type: none"> • Property values • The right to a view • Business competition • Restrictive covenants • Matters covered by other legislation • Moral objections • Land ownership

5.3. When considering whether to take formal action, the Council must be able to show that demonstrable harm has occurred as a result of the breach and that any action is proportionate and reasonable. The decision is based upon expediency, informed by considerations such as:

- Is the development acceptable in respect of all material considerations?
- If an application was submitted, is it likely to have been supported/permitted?
- Is the breach causing harm to public amenity and/or safety?
- Is the development contrary to national and/or local planning policy?
- Would action be proportionate to the level of harm identified?
- Is action required now, and is it in the public interest?

5.4. Reports will be triaged within 10 working days of receipt, except those relating to works to a listed building or a protected tree, which will be prioritised. Where a complaint is progressed to a formal investigation, a Triage Outcome Letter will be issued within this triage period. Cases that do not meet the triage

thresholds set out below will be closed and the complainant notified. These cases will not progress to a formal investigation:

A. No Breach of Planning Control Identified or Insufficient Information

- Following review if it is determined that:
 - The development is permitted under Permitted Development Rights, or
 - The activity does not constitute “development” under the Town and Country Planning Act 1990, or
 - The matter falls outside the scope of planning control (e.g., civil disputes, land ownership issues), or
 - Insufficient information has been submitted to undertake an initial investigation (including anonymous reports*).

Then:

- The case is closed and recorded as a no breach, with a written explanation to the complainant.
- The decision is recorded in the enforcement database with supporting evidence (e.g., photos, legal references).
- No further action is taken unless new evidence emerges.

B. Breach Identified but No Harm/Not Expedient

- If a breach is confirmed but:
 - The harm to public amenity, heritage, or environment is minimal, and
 - The development would likely have received planning permission if applied for, and
 - Enforcement action would be disproportionate or not in the public interest,

Then:

- The case is closed on the grounds of non-expediency.

- A retrospective planning application may be invited (but not required).
- The complainant is informed of the outcome and reasoning.
- The landowner is notified and advised of best practice or future compliance.

Please note: Where triage cannot determine the level of harm with reasonable certainty, or where further enquiries are necessary to understand the alleged breach, the matter will be progressed to a formal investigation.

5.5. To ensure effective use of resources and a consistent service, all reported breaches that progress to a formal investigation following triage will be assigned a priority rating, based on the nature of the alleged breach and the degree of harm caused. Cases may be re-prioritised as the investigation progresses.

5.6. Complainants will be advised of the Council's priority categorisation within the Triage Outcome Letter. Officers will undertake an initial investigation in accordance with the targets set below and the complainant will receive a post-initial investigation update within this timescale. Following this, updates will be provided at key milestones, where additional information is required and where timescales change. Routine communication where there is no meaningful update during investigations will not be provided owing to resource constraints.

5.7. Complainants should be aware that these are target timescales and may be subject to change due to caseload demands or the complexity of the investigation.

Priority Category	Type of Reported Breach (Examples)	Initial Investigation Target
Priority 1: Urgent / Serious Harm	<ul style="list-style-type: none"> - Unauthorised works to a Listed Building causing potentially irreversible damage - Unauthorised felling or significant damage to a protected tree (TPO or within a Conservation Area). - Development posing an immediate and serious risk to public safety (e.g., dangerous structures, significant highway safety issues). 	Within 10 working days
Priority 2: Significant Harm	<ul style="list-style-type: none"> - Unauthorised major operational development (e.g., new dwellings, large extensions) causing significant harm to amenity (e.g., severe overlooking, loss of light, overbearing impact). - Unauthorised material change of use causing significant and widespread nuisance (e.g., excessive noise, odour, traffic generation). - Non-compliance with conditions on major developments causing significant harm. - Untidy land or buildings causing substantial and widespread harm to the visual amenity of an area. 	Within 30 working days
Priority 3: Moderate Harm	<ul style="list-style-type: none"> - Unauthorised minor operational development (e.g., small extensions) causing moderate, localised harm to amenity. - Unauthorised change of use causing localised nuisance. 	Within 40 working days

	<ul style="list-style-type: none"> - Non-compliance with conditions on minor developments causing moderate harm. - Unauthorised advertisements causing moderate visual clutter. 	
Priority 4: Low Harm / Technical Breach	<ul style="list-style-type: none"> - Minor operational development with negligible or no demonstrable harm (e.g., small sheds, minor alterations that could likely be permitted). - Technical breaches of conditions causing limited harm. - Development that may upon investigation benefit from retrospective planning permission. 	Within 40 working days
Priority 5: Monitoring / Compliance	<ul style="list-style-type: none"> - Cases requiring ongoing monitoring of compliance with notices or conditions. - Follow-up on previously resolved cases. 	As required by case progression

5.8. Initial investigation means the first substantive enquiries and evidence gathering to establish key facts and assess harm. The outcome will generally include confirmation of whether a breach of planning appears likely, unlikely, or is not yet clear, and identifying next steps (close, monitor, negotiate, invite an application, issue a PCN, or consider formal enforcement action).

5.9. The target timescales are a guide. Actual response times may vary depending on:

- The volume of reports received at any given time.
- The need to gather further information or evidence from various sources.
- Staff availability and resources.

5.10. The Council will always endeavour to keep complainants informed if there are significant delays or changes to the expected timeframe.

6. Investigation Process and Enforcement Tools

6.1. Once a report has been triaged and allocated a priority category, it will be allocated to an Enforcement Officer to undertake an investigation. This may involve:

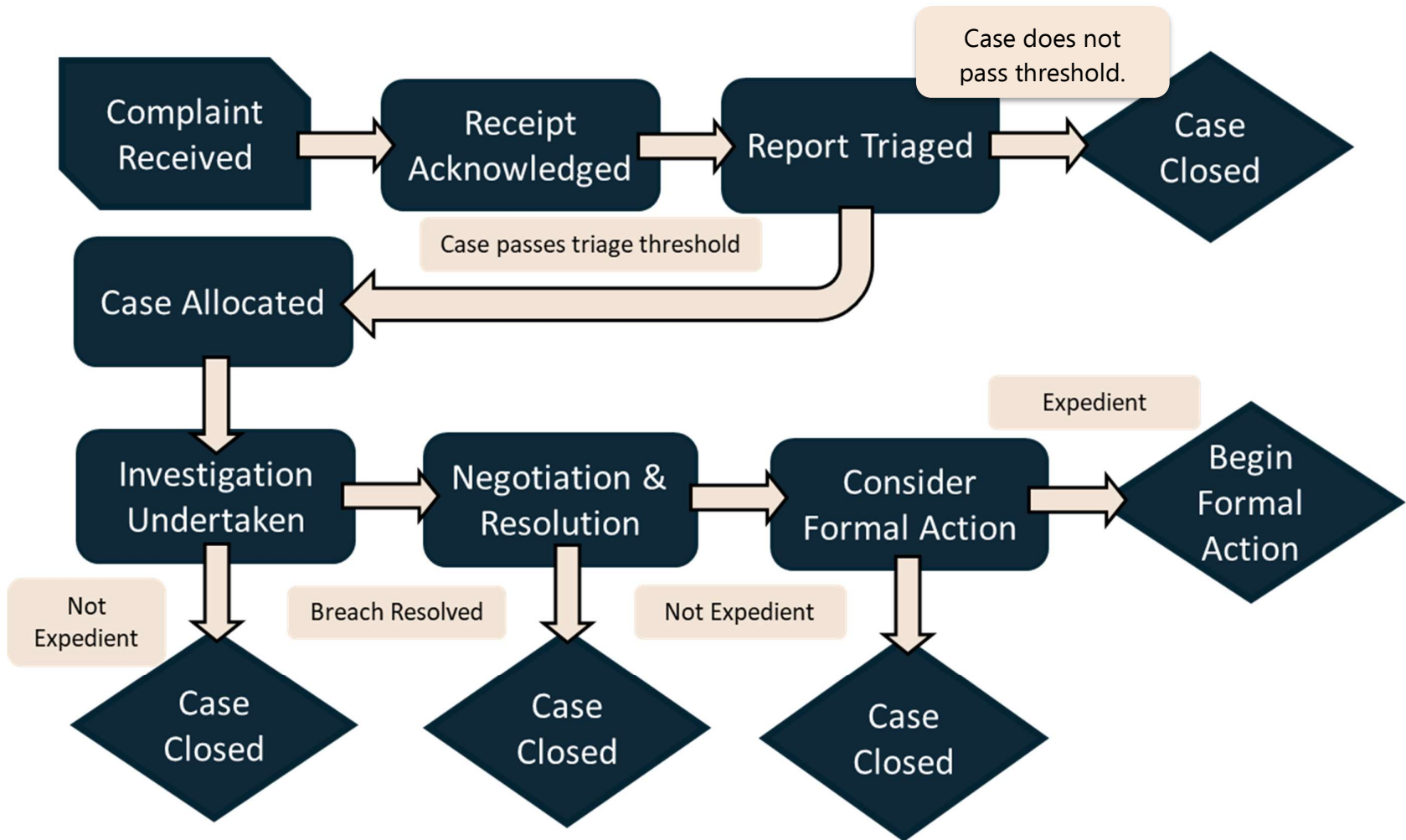
- Reviewing the information provided by the complainant.
- Checking planning history for the site.
- Consulting relevant planning policies and guidance.
- A desktop review of available online information
- Undertaking a site visit (internal or external, depending on access rights and nature of breach) to gather evidence, take photographs, and assess the extent of the alleged breach and any harm caused.
- Identifying the person(s) responsible for the breach and/or the landowner.
- Requesting further information from the complainant or other parties.

6.2. In most cases, the Council will seek to resolve breaches informally, particularly where the harm caused is moderate, or where the unauthorised development could be made acceptable through minor alterations or by submitting a retrospective planning application. This may involve:

- Engaging in discussions and negotiations with the alleged offender to seek a voluntary remedy.
- Requesting a retrospective planning application or inviting a pre-application where appropriate.
- Issuing an informal warning letter.

- 6.3. Informal resolution is often the quickest and most effective way to resolve a breach and is preferred where appropriate. Planning Enforcement is not a punitive process, and the objective is to resolve a breach of planning and mitigate any harm caused.
- 6.4. Where informal resolution is not achieved, or where the breach is serious and causes significant demonstrable harm, the Council will consider formal enforcement action where expedient. The Council has a range of statutory powers available under planning legislation, which are set out in more detail within Annex A:
- 6.5. Decisions on whether to take formal enforcement action will be made by authorised officers under the Council's adopted Scheme of Delegation. Legal advice will be sought where appropriate. All decisions will be based on the principles set out at paragraph 1.2 of this plan and will consider all material planning considerations and the public interest. The Council will maintain a record of all decisions made.

Flowchart of Enforcement Process for Service Users



7. What to Expect if a Report is Made About Your Property/Land

7.1. If you are the subject of a planning enforcement investigation, here are some practical steps to help you manage the situation:

- Enforcement is about resolving issues, not punishment. Most cases are settled informally. Avoid making further changes until the matter is clarified. It may be beneficial to consider applying for pre-application advice if you require guidance on the potential acceptability of your development, the Council officers a dedicated pre-application service relating to enforcement breaches.
- If officers contact you, reply within the timeframe given. Provide accurate information as delays or incomplete responses can prolong the case and may potentially result in formal action where meaningful progress cannot be made through informal processes.
- Under the Town and Country Planning Act 1990, authorised officers have a legal right to enter land (but not a dwelling without 24 hours' notice) for enforcement purposes. This power is used reasonably and only where necessary to investigate a report or monitor compliance.
- Formal action is usually a last resort. If a breach is confirmed, you may be asked to:
 - Apply for retrospective planning permission.
 - Make changes to comply with planning rules.
- You will be informed of any formal notices and have a right of appeal. The Council will always act proportionately and fairly.

8. Concerns and Complaints

8.1. If a service user wishes to raise concerns with the process of an enforcement investigation, it is possible to make a formal complaint. Details of this

procedure can be found on the Council's website or by contacting the Council's customer services team. This procedure covers complaints about the standard of service provided, including delays, errors, or unfair treatment, but does not cover situations where you wish to challenge a planning judgement or decision not to take enforcement action.

- 8.2. If once the Council's formal complaints process has been exhausted, a service user continues to believe the Council has acted unfairly or failed to follow proper administrative procedures, a complaint may be made to the Local Government and Social Care Ombudsman. The Ombudsman cannot overturn investigation outcomes, but can investigate alleged maladministration or service failure.

Data Protection and Privacy

- 8.3. Cotswold District Council processes personal data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. When you report a suspected breach of planning control, we will use your information solely for the purposes of investigating and resolving the case. Your details will be kept confidential and will not be shared with the person alleged to have breached planning control, except where disclosure is required by law, for example, if you choose to give evidence at an appeal or in court proceedings.
- 8.4. We retain information only for as long as necessary in line with our retention schedules. Further information on how the Council handles personal data, including your rights, is available in our Privacy Notice on the Council's website.

Review and Governance

8.5. This Local Enforcement Plan will be reviewed every three years, or sooner if there are significant changes to national legislation, local policy, or service requirements. Updates will be approved in accordance with the Council's governance arrangements, typically by the relevant Cabinet Member or Director with responsibility for Planning Services. The Planning Enforcement Team will monitor the effectiveness of this Plan and may recommend amendments to ensure it remains current, proportionate, and aligned with best practice.

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Agenda Item 12



COTSWOLD
DISTRICT COUNCIL

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	PLANNING AND LICENSING COMMITTEE – 10 JUNE 2026
Subject	APPOINTMENTS TO LICENSING SUB-COMMITTEES
Wards affected	None
Accountable member	Councillor Dilys Neill, Chair of Planning and Licensing Committee Email: dilys.neill@cotswold.gov.uk
Accountable officer	Angela Claridge, Monitoring Officer Email: angela.claridge@cotswold.gov.uk
Report author	
Summary/Purpose	To invite the Licensing Committee to confirm the appointment of Sub-Committees for the 2026/27 municipal year.
Annexes	Annex A – Nominated Members for Licensing Sub-committee (Taxi, Private Hire and Street Trading) Annex B – Rota for Licensing Sub-Committee (Licensing Act 2003 Matters)
Recommendation(s)	That the Planning and Licensing Committee resolves to: <ol style="list-style-type: none"> 1. Appoint five members of the Committee to the Licensing Sub-Committee (Taxi, Private Hire and Street Trading) in accordance with political proportionality and the wishes of political groups (3 Liberal Democrat, 2 Conservative); 2. Note that Licensing Sub-Committee membership will comprise the Chair or Vice Chair of the Planning and Licensing Committee and two other members of the Planning and Licensing Committee drawn on an alphabetical rota basis from the remaining members of the Planning and Licensing Committee (subject to their availability and



	completion of licensing training prior to participation in a Licensing Sub Committee (Licensing Act 2003) meeting).
Corporate priorities	Delivering Good Services
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Political groups that are entitled to seats on the sub-committee were asked to nominate members.



1. EXECUTIVE SUMMARY

- 1.1** The Council's Constitution provides that the Planning and Licensing Committee will appoint to two Sub-Committees which have certain functions and responsibilities:
- Licensing Sub Committee (Licensing Act 2003)
 - Licensing Sub Committee (Taxi, Private Hire and Street Trading)
- 1.2** The power to appoint members to Sub-Committees lies with the parent committee i.e. the Planning and Licensing Committee.

2. LICENSING SUB COMMITTEE (TAXI, PRIVATE HIRE AND STREET TRADING)

- 2.1** This Sub-Committee is responsible for determining taxi, private hire and street trading applications in certain circumstances e.g. where relevant offenses feature on the Disclosure and Barring Service (DBS) check, or where representations are made on the review of a license. The provisions of the Local Government Act 1972 relating to sub-committees apply to this licensing sub-committee, meaning the membership must be appointed for a specified period of time (usually the duration of a municipal year), in accordance with political proportionality. Meetings of this sub-committee are scheduled to take place monthly, c. 2 weeks after each meeting of the Planning and Licensing Committee, but these meetings will only go ahead where there are applications to determine.
- 2.2** It is proposed that the Planning and Licensing Committee appoints five members of the committee to the Licensing Sub Committee (Taxi, Private Hire and Street Trading) for the 2025/26 municipal year, in accordance with political proportionality, as set out in Table 1 below.



Table 1: Political proportionality on a five-member Sub-Committee

Group	Liberal Democrat	Conservative	Green*	Independent*	Total
Real entitlement	3.09	1.47	0	0	5 [†]
Rounded entitlement	3	1	0	0	5
Seats allocated	3	2	0	0	5

**Non-grouped independent members impact overall proportionality but do not have an automatic entitlement to seats on committees and sub-committees.*

† figure not summable due to rounding to two decimal places

2.3 Three seats were initially allocated to the Liberal Democrat Group, and one to the Conservative group, leaving a final seat to be allocated. Only 1 non-grouped member sits on the Planning and Licensing Committee. The Conservative Group has the largest proportional entitlement to the final seat (0.47), so the final seat is allocated to the Conservative Group.

3. LICENSING SUB-COMMITTEE (LICENSING ACT 2003)

3.1 The Licensing Sub Committee (Licensing Act 2003) is responsible for determining Personal Licenses and Premises Licenses where representations are received, and for considering whether to grant Temporary Event Notices where objections are received from the Police or Environmental Health. This sub-committee meets on an ad hoc basis when there are applications to consider.



- 3.2** The Licensing Sub-Committee (Licensing Act 2003) is a sub-committee which is governed by the provisions of the Licensing Act 2003 rather than the Local Government Act 1972. Under the Licensing Act 2003, the Planning and Licensing Committee must establish one or more sub-committees comprising three members of the Planning and Licensing Committee. This sub-committee is not subject to political proportionality and the membership does not have to be fixed for a specified period of time. It is a requirement of the Council's Constitution that the members participating in Licensing Sub Committee (Licensing Act 2003) meetings have completed licensing training.
- 3.3** It is proposed that the membership of this sub-committee will continue to comprise the Chair or Vice-Chair of the Planning and Licensing Committee (who will chair the sub-committee) and two other members of the Planning and Licensing Committee drawn on a rota basis from the remaining members of the Planning and Licensing Committee (subject to their availability and completion of licensing training prior to participation), as illustrated in Annex B. Officers will also seek to identify a fourth Member of the Planning and Licensing Committee to be on standby for each meeting should any of the three sub-committee members be unable to participate in the determination of an application at late notice. The standby member will be based on availability rather than a rota.

4. CONCLUSIONS

- 4.1** The Planning and Licensing Committee is asked to confirm the appointment of members to the Licensing Sub Committee (Taxi, Private Hire and Street Trading) Sub-Committee and note the membership arrangements for the Licensing Sub Committee (Licensing Act 2003).

5. FINANCIAL IMPLICATIONS

- 5.1** There are no financial implications arising directly from the recommendations in this report.



6. LEGAL IMPLICATIONS

- 6.1** The legal issues relating to licensing sub-committees are detailed in the body of the report, specifically paragraphs 2.1 and 3.2.

7. RISK ASSESSMENT

- 7.1** Appointing sub-committees in accordance with the provisions of the law and the Constitution will help to ensure that licensing applications can be determined in a timely fashion and reduce the risk of challenge to decisions.

8. EQUALITIES IMPACT

- 8.1** The Committee is advised to have due regard to the need to promote equality when appointing sub-committees with responsibility for determining licensing applications.

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 9.1** There are no climate or ecological implications arising directly from the recommendations in this report.

10. ALTERNATIVE OPTIONS

- 10.1** If the Planning and Licensing Committee wishes to change the size of the Licensing Sub Committee (Taxi, Private Hire and Street Trading) Sub-Committee or membership arrangements for the Licensing Sub Committee (Licensing Act 2003) it could pass a resolution requesting that officers bring a report to a future meeting with alternative proposals.

11. BACKGROUND PAPERS

- 11.1** None

Annex A: Nominations for Appointments to Licensing Sub-Committee 2026/27

Liberal Democrat Group (3)	Conservative Group (2)	Non-aligned independents (0) may be one
1. Ian Watson (Chair) 2. Michael Vann 3. Ray Brassington	1. Julia Judd (Vice-Chair) 2. David Fowles	

To change/update for 2026/27.

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LICENSING SUB-COMMITTEE (LICENSING 2003 ACT MATTERS) ROTA: June 2026 - May 2027

Sub-Committee 1	Sub-Committee 2	Sub-Committee 3	Sub-Committee 4	Sub-Committee 5
Dilys Neill (Chair) David Fowles Ray Brassington	Ian Watson(Chair) Julia Judd Michael Vann	Dilys Neill (Chair) Daryl Corps Nikki Ind	Ian Watson (Chair) David Fowles Paul Evans	Dilys Neill (Chair) Patrick Coleman Nick Bridges

NOTES

1. The rota for the sub-committee is set out above, and will rotate every time a sub-committee is needed. I.e. If a Sub-committee is only needed in June, and December and March, Sub-committee 1 will serve in June, Sub-committee 2 in December and Sub-Committee 3 in March.
2. If a Licensing Sub-Committee is needed, it will be held approximately 2 weeks after Planning and Licensing Committee. The rota at Licensing sub-committee (Licensing 2003 Act Matters) will be confirmed by the Planning and Licensing Committee at its preceding Meeting, when notice will also be given of any advance LS-Cs.
3. Any Members unable to attend an LS-C are requested **to notify the Chair and/or Democratic Services as soon as possible before the date** of the LS-C so that arrangements can be made for other Members of the Committee, or named Substitutes, who will attend the LS-C.
4. Licensing Act 2003 Matters require three Members to serve.
5. The Chair or Vice-Chair of Planning and Licensing should be present and chair the meeting unless apologies are given. If neither the Chair nor Vice-Chair are in attendance, a Chair should be elected at the start of the meeting.

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