



3 August 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 **Tuesday, 11 August 2026 at 2.00 pm.**

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 - 16)

To confirm the minutes of the meeting of the Committee held on 8 July 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. **25/02443/FUL - Land to the West of Fossey Farm, Moreton-In-Marsh**

(Pages 19 - 58)

Proposal

Construction of 10no. dwellings

Case Officer: Rebecca McAndrew

Ward Member: Councillor Daryl Corps

Recommendation

Permit, subject to confirmation from Gloucestershire County Council Highways that, following review of additional swept-path analysis relating to refuse vehicle maneuvering within the site, its recommendation of no objection remains unchanged, and subject to the conditions set out below.

9. **25/02960/FUL - Shoecroft Barn, Ablington, Bibury** (Pages 59 - 90)

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: Rebecca McAndrew

Ward Member: Councillor David Fowles

Recommendation

REFUSE

10. **25/02961/LBC - Shoecroft Barn, Ablington, Bibury** (Pages 91 - 112)

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: Rebecca McAndrew

Ward Member: Councillor David Fowles

Recommendation

CONSENT

11. **26/01237/REM - Land South West of Alexander Drive and East of the Maples, Cirencester** (Pages 113 - 160)

Proposal

Reserved Matters pursuant to outline permission 16/00054/OUT relating to approval of scale, layout, appearance and landscaping for 129 dwellings and four ground floor community use spaces with associated roads, parking and landscaping for Phase 2D associated with outline planning permission 16/00054/OUT. Discharge of outline planning permission conditions 16 (SuDS Schemes for each phase/sub-phase), 17 (Conformity and Maintenance with/of SuDS), 18 (SuDS Maintenance and Management Plan), 48 (Electric vehicle charging infrastructure), 49 (Waste Minimisation and Soil Management), 51 (Phased Arboricultural Reports), 56 (Protection of Biodiversity Compliance wit), 58 (Ecological Construction Method Statement), 60 (Lighting Design Strategy), 61 (Landscape, Ecological and Arboricultural), 65 (Hours of operation), 67 (Hours of operation) and 68 (Noise). Discharge of S106 obligation 2.5 of Schedule 1.

Case Officer: Julian Pye

Ward Member: Councillor Ray Brassington

Recommendation

APPROVAL of Reserved Matters subject to conditions.

12. **26/00905/FUL - Land South of Longfurlong Lane, Tetbury** (Pages 161 - 188)

Proposal

Change of use of land to Class F 2 (c) Areas or places for outdoor sport or recreation.

Case Officer: Helen Cooper

Ward Member: Cllr Laura Hall-Wilson

Recommendation

REFUSAL

13. **26/01821/PLP - Land to the South of Manor Court, Eastleach** (Pages 189 - 216)

Proposal

Permission in Principle application for the erection of 1 x modest single storey dwellinghouse.

Case Officer: Joanne Reeves

Ward Member: Councillor David Fowles

Recommendation

REFUSE

14. **Sites Inspection Briefing**

Members for 2 September 2026 (if required)

To be confirmed.

15. **Licensing Sub-Committee**

Members for 19 August 2026 2pm – (Licensing Act 2003)

Councillors Ian Watson, Daryl Corps, Nick Bridges

Members for 20 August 2026 2pm – (Taxis, Private Hire, and Street Trading Consent Matters)

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

(END)

This page is intentionally left blank



Planning and Licensing Committee
08/July2026

Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 8 July 2026

Members present:

Ian Watson (Chair)	Nikki Ind (Vice Chair)	
Ray Brassington	Daryl Corps	Julia Judd
Nick Bridges	Paul Evans	Michael Vann
Patrick Coleman	David Fowles	

Officers present:

Marie Barnes, Lawyer	Geraldine LeCointe, Assistant Director - Planning Services
Julia Gibson, Democratic Services Officer	Martin Perks, Principal Planning Officer
Tyler Jardine, Trainee Democratic Services Officer	Rebecca McAndrew, Consultant Planner
	Matthew Jopp, Principle Highway Development Management Officer

Observers:

Councillor Gina Blomefield

303 Apologies

There were apologies from Councillor Dilys Neill.

304 Substitute Members

Councillor Nikki Ind was Vice Chair and Councillor Ian Watson was Chair.

305 Declarations of Interest

Councillor Daryl Corps declared an interest in the application for Land by the Fosseyway Garden Centre. He declared that he would address the Committee as Ward Member and then leave the Chamber before the debate and vote.

306 Minutes

The minutes of the meeting on 10 June 2026 were discussed.

Councillor Brassington requested an update on the Member question from the last meeting.

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

RESOLVED: to APPROVE the minutes of the meeting held on 10 June 2026.

To Confirm the minutes held 10 June 2026 (Resolution)		
For	Ray Brassington, Nick Bridges, Patrick Coleman, Daryl Corps, Paul Evans, David Fowles, Nikki Ind, Julia Judd, Michael Vann and Ian Watson	10
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

307 Chair's Announcements

Members were advised that Licensing training would take place on 27 July, the next Planning Committee meeting had been rescheduled to Tuesday 11 August, and supplementary reports had been circulated in advance of the meeting.

308 Public questions

There were no public questions.

309 Member questions

There were no Member questions.

310 25/02687/FUL Land Parcel East of Willersey Business Park

The proposal was for residential development comprising 60 dwellings.

Case Officer: Martin Perks

Ward Member: Councillors Gina Blomefield and 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, highways and Willersey Parish Council.

The Chair invited the Case Officer to introduce the application. The Case Officer shared the application details with the Committee including additional pages:

- Members were advised of two additional Parish Council representations, relating to foul drainage and a Section 106 contribution towards a Multi-Use Games Area.

Public Speakers

Public Speaker – Kevin O'Donoghue – Parish Council

The Parish Council requested a larger Section 106 contribution towards recreation, arguing that the proposed on-site provision did not adequately cater for older children or adults and that a Multi-Use Games Area (MUGA) was needed to serve the growing village population. Concerns were raised regarding foul drainage, with a request that a pre-occupation condition be added to ensure sewerage improvements were completed before any dwellings were occupied.

Public Speaker – Councillor Gina Blomefield – Ward Member

Whilst welcoming the additional highway mitigation measures, concerns remained that they did not address existing highway safety issues, particularly given cumulative development and the proximity of a proposed industrial access.

Concerns were also raised regarding the adequacy of the existing footway and sewerage capacity. Support was expressed for the Parish Council's proposed condition requiring drainage improvements to be completed before occupation of the development.

Members questions

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

- The requested highway contributions had been accepted. Biodiversity net gain calculations remained under discussion, although protected species and habitat issues had been resolved.
- No solar panels were proposed as part of the application.
- A Gloucestershire Highways site visit had been undertaken. Cumulative impacts from surrounding developments had been considered, and the proposed highway mitigation measures were considered proportionate and sufficient to provide safe and suitable access for pedestrians, cyclists and vehicles, including at the public footpath crossing opposite the site.
- The proposed recreation provision complied with planning policy, with an £8,000 contribution secured towards the village recreation ground. A Multi-Use Games Area (MUGA) was not considered necessary to make the development acceptable in planning terms and therefore could not be required through a Section 106 agreement. The Parish Council would also receive Community Infrastructure Levy (CIL) funding, which could be used towards future infrastructure projects.
- Severn Trent had not yet identified whether network improvements would be necessary. The recommended Grampian condition required drainage details and any necessary upgrade programme to be agreed before development commenced

08/July2026

and was considered sufficiently robust while allowing flexibility for Severn Trent to determine and implement any required works.

- A deferral was not considered necessary, as foul drainage was regulated under separate legislation and Severn Trent had a statutory duty to provide a connection.
- The residential travel plan contribution would fund the monitoring and implementation of sustainable travel measures over a five-year period. Public transport contributions would be used to improve existing bus stops within the village, with the final specification to be agreed through the Section 106 Agreement.
- Education transport contributions were calculated to mitigate the impact of the development on home-to-school transport provision, based on projected pupil numbers and a three-year funding period.
- The highway works were required to be completed before occupation of the development. The Traffic Regulation Order (TRO) to introduce revised speed limits would be progressed separately under the Highways Act and was not considered necessary to condition before occupation.
- The precise cause and scale of the sewerage capacity issues had not yet been identified but were understood to relate to the sewer network rather than the treatment works themselves. Responsibility for identifying and delivering any necessary improvements rested with Severn Trent under its statutory duties, with the planning condition requiring an agreed drainage scheme and implementation programme.

Member comments

Councillor Fowles proposed that consideration of the application be deferred pending the outcome of Severn Trent's investigations into the existing foul drainage network, expressing concern that the nature and extent of the identified capacity issues remained unknown.

Councillor David Fowles proposed DEFERRING the application and Councillor Daryl Corps seconded the proposal.

The proposal was put to the vote and rejected by the Committee.

RESOLVED: to REJECT the proposal to defer the application.

- Concern was raised that the development did not include solar panels, given the Council's declaration of a climate emergency and its environmental policies.
- Concern was raised regarding the site's proximity to the adjacent industrial estate and the potential for future amenity issues, including noise, dust and fumes.
- There were no sustainable highway grounds for refusal, given the advice and recommendations of the Highway Authority.
- Objections related not to the principle of development, but to whether the supporting infrastructure, particularly foul drainage, was capable of accommodating further housing.

08/July2026

- Ongoing uncertainty surrounding sewerage capacity, although it was acknowledged that the proposed Grampian condition reflected current planning guidance and appeal decisions.
- Appreciation was expressed to the Gloucestershire Highways Officer for attending the meeting and providing clarification on the proposed highway mitigation measures

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

RESOLVED: to PERMIT the application.

08. 25/02687/FUL Land East of Willersey Business Park - DEFER (Resolution)		
For	Daryl Corps and David Fowles	2
Against	Ray Brassington, Patrick Coleman, Paul Evans, Nikki Ind, Julia Judd, Michael Vann and Ian Watson	7
Conflict Of Interests	None	0
Abstain	Nick Bridges	1
Rejected		

08. 25/02687/FUL Land East of Willersey Business Park - PERMIT (Resolution)		
For	Ray Brassington, Nick Bridges, Patrick Coleman, Paul Evans, Nikki Ind, Julia Judd, Michael Vann and Ian Watson	8
Against	Daryl Corps and David Fowles	2
Conflict Of Interests	None	0
Abstain	None	0
Carried		

311 26/00613/OUT Land to the East of Nostle Road

The proposal was Outline application for 50 dwellings.

Case Officer: Martin Perks

Ward Member: Councillor Tony Dale

Recommendation:

PERMIT subject to no objection from Biodiversity Officer (and any associated conditions), completion of a S106 legal agreement covering the provision of affordable and self-build/custom build housing, Biodiversity Net Gain Monitoring and financial contributions to secondary (16-18) education, library services, school transport, bus stops and a travel plan.

Planning and Licensing Committee

08/July2026

The Chair invited the Case Officer to introduce the application.

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

- Further representation had been received from the Cotswolds National Landscape Board objecting to the application on the basis that it constituted major development within the AONB. These matters had been addressed within the report and the recommendation remained unchanged.

Public Speakers

Public speaker – Councillor Michael Seath – Town and Parish Council

The Town Council did not object to the principle of development but remained concerned about the scale of the proposal and its impact on the landscape and local community. The proposal would result in a permanent loss of landscape and that the development did not accord with the landscape guidance for the site. Reference was made to the objection from the Cotswold National Landscape Board. Concerns were raised regarding drinking water capacity, foul drainage and flood risk, with support expressed for pre-commencement or pre-occupation conditions relating to water infrastructure. If permission was granted, it was requested that additional landscape, drainage and principal residence conditions be imposed.

Public speaker – Mr George Hudson – Agent/Applicant

The proposal formed part of the allocated Local Plan site and had been developed following officer advice to deliver a comprehensive scheme. The development sought to provide high-quality homes using local materials, support the local economy during construction, and contribute to the long-term sustainability of Northleach by increasing the resident population and supporting local services.

Site Inspection Briefing

- The site was prominent within the landscape, with rising ground and visible contours that were not fully apparent from the plans.
- The proposed access from Nostle Road avoided the main road network.
- The proposed development would extend beyond the established building line of the existing development opposite, increasing its visual prominence.
- It was recognised that the detailed design of the development would be considered at the reserved matters stage and would be important in integrating the development into the surrounding area.
- The adjacent residential development had become well integrated into the town over time, demonstrating good design and landscaping.

Members questions

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

- The site was allocated for housing in the Local Plan and that the submitted layout was indicative only. The increased capacity reflected changes in national planning policy promoting the efficient use of land, with officers considering the proposed extent of development to respond appropriately to the site's

topography and setting. Detailed design, landscaping, lighting, green infrastructure and water supply infrastructure would be considered through reserved matters and planning conditions.

- The proposed road layout was indicative only and that the road terminus would provide continued access through the existing field gate to the adjoining land, rather than indicating future development access.
- The secondary education contribution would be used to provide additional education infrastructure, including school places or facilities, to accommodate pupils generated by the development.
- Members could request the reserved matters application be brought back to Planning Committee. However, forthcoming changes to the national scheme of delegation could result in reserved matters applications being determined under delegated powers rather than by committee.
- Whilst the Cotswold National Landscape Board objected on landscape grounds, officers considered the visual impact to be localised and not sufficient to justify refusal when balanced against the benefits of the development.

Member comments

- Support was expressed for the indicative layout, noting that the proposed design would create a more balanced entrance to the town and demonstrated thoughtful design.
- The scale of development would be delivered over a number of years and was considered proportionate in the context of the town's growth.
- The provision of affordable housing was welcomed, with the view that it could make a significant contribution towards meeting identified local housing need.
- Additional housing would help support the long-term vitality and sustainability of Northleach's local services and facilities.
- The Town Council did not object to the principle of development and that scrutiny had identified matters to be addressed through the subsequent stages of the application.

16:30 Councillor Michael Vann left the chamber and did not take part in the vote.

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

RESOLVED: to PERMIT the application.

09. 26/00613/OUT Land East of Nostle Road - PERMIT (Resolution)		
For	Ray Brassington, Nick Bridges, Patrick Coleman, Daryl Corps, Paul Evans, David Fowles, Nikki Ind, Julia Judd and Ian Watson	9
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

312 25/02443/FUL Land to the West of Fosseway Farm

The proposal was for the construction of 10 dwellings.

Case Officer: Rebecca McAndrew

Ward Member: Councillor Daryl Corps

Recommendation:

PERMIT subject to the completion of a S.106 agreement securing travel plan and the offsite highways work monitoring

Subject to conditions. – Updated Recommendations.

The Chair invited the Case Officer to introduce the application.

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

- Gloucestershire Highways had withdrawn the requirement for a Travel Plan and associated Section 106 obligation. The recommendation was therefore amended to grant planning permission subject to conditions only.

Public Speakers

Public speaker – Cllr Eileen Viviani – Town and Parish Council

Concerns were raised that the Highway Authority's assessment did not fully reflect existing congestion in Moreton-in-Marsh or the cumulative impact of additional traffic. It was requested that the Committee apply the same pre-occupation water infrastructure conditions as those imposed by a recent Planning Inspector's appeal decision. It was further argued that, given the site's location within the Cotswold National Landscape and the absence of affordable housing, the proposal's benefits did not outweigh the perceived harm.

Public speaker – Dale Radford – Agent/Applicant

The proposal had been developed in collaboration with officers and technical consultees to address issues raised during the application process.

The scheme would deliver ten high-quality bungalows in a sustainable location, providing a specialist form of housing whilst incorporating landscaping and biodiversity enhancements. Technical consultees had raised no outstanding objections and the proposal represented an appropriate balance between identified impacts and the public benefits of the development.

Public Speaker – Councillor Daryl Corps – Ward Member

Concerns were raised regarding the site's location adjacent to the A429, existing traffic congestion, cumulative development, the proximity of the access to the adjacent care home and the resulting highway safety impacts. The site lay outside the development boundary within the Cotswold National Landscape and was therefore contrary to Local

Planning and Licensing Committee

08/July2026

Plan Policy DS4. Concern was also expressed that the proposal would provide no affordable housing. A site visit and further consideration by Gloucestershire Highways were requested before the application was determined. If approved, it was requested that the development be restricted to single-storey bungalows.

17:00 – Councillor Corps left the chamber and did not take any further part in the debate or vote.

Members questions

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

- Whilst the proposal met the threshold requiring affordable housing, the applicant had submitted a viability assessment demonstrating that affordable housing could not be provided. This assessment had been independently reviewed on behalf of the Council, which agreed that a viability gap existed. Concern was expressed that the development would not deliver any affordable housing despite the identified local need.
- The Highway Authority had assessed the proposed site access and was satisfied that it was suitable, with officers relying on the specialist advice provided. The consultation response did not confirm whether a site visit had been undertaken.
- A petition had been received objecting to the application on grounds relating to the impact on the adjoining care home, highway safety, development outside the settlement boundary within the Cotswold National Landscape, and conflict with the emerging neighbourhood plan.

Member comments

A proposal was made to defer the application to enable Members to undertake a site visit. The reasons included concerns regarding the site's relationship with the adjacent care home, the proposed access arrangements and existing traffic conditions.

Councillor David Fowles proposed deferring the application for a Site Inspection Briefing and Councillor Paul Evans seconded the proposal. The proposal was put to the vote and agreed by the Committee.

RESOLVED: to DEFER the application.

10. 25/02443/FUL Land West of Fossey Farm - DEFER (Subject to Site Inspection) (Resolution)		
For	Ray Brassington, Nick Bridges, Patrick Coleman, Paul Evans, David Fowles, Nikki Ind, Julia Judd and Ian Watson	8
Against	None	0
Conflict Of Interests	Daryl Corps	1
Abstain	None	0
Carried		

Planning and Licensing Committee

08/July2026

313 Sites Inspection Briefing

The Chair advised members to keep the 5 August 2026 free for a Site Inspection Briefing.

314 Licensing Sub-Committee

Members for 9 July 2026

Councillors Ian Watson (Chair), Michael Vann, Ray Brassington

Members for 14 July 2026

Councillors Ian Watson (Chair). Paul Evans, Michael Vann

The Meeting commenced at 2.00 pm and closed at 5.19 pm

PLANNING AND LICENSING COMMITTEE 11 August 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 11 August 2026
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION

Parish	Application	Schedule Order No.
Moreton In Marsh	Land to the West of Fosseyway Farm Stow Road Moreton-In-Marsh 25/02443/FUL Full Application	1
Bibury	Shoecroft Barn Ablington Bibury Cirencester 25/02960/FUL Full Application	2
Bibury	Shoecroft Barn Ablington Bibury Cirencester 25/02961/LBC Listed Building Consent	3
Cirencester	Land South West of Alexander Drive and East of The Maples Cirencester 26/01237/REM Approval of Reserved Matters	4
Tetbury Upton	Land South of Longfurlong Lane Tetbury 26/00905/FUL Full Application	5
Eastleach	Land to the South of Manor Court Eastleach 26/01821/PLP Permission in Principle	6

Construction of 10no. dwellings at Land to the West Of Fosseway Farm Stow Road Moreton-In-Marsh Gloucestershire

Full Application 25/02443/FUL	
Applicant:	Aspects Building Services Ltd
Agent:	Planning And Design Group (UK) Ltd
Case Officer:	Rebecca McAndrew
Ward Member(s):	Councillor Daryl Corps
Committee Date:	11 August 2026
RECOMMENDATION:	Permit, subject to confirmation from Gloucestershire County Council Highways that, following review of additional swept-path analysis relating to refuse vehicle manoeuvring within the site, its recommendation of no objection remains unchanged, and subject to the conditions set out below.

UPDATE: At the previous Planning and Licensing Committee meeting, Members resolved to defer determination of the application to enable a Committee Site Visit to take place. Members considered that a site visit would assist in assessing the relationship of the proposal to the surrounding area, including the site's landscape setting, relationship with neighbouring development and access arrangements. The Committee Site Visit is scheduled to take place on 5 August 2026.

Since publication of the original Committee report, the emerging Draft Cotswold Local Plan 2026–2043 has progressed through the plan-making process. At the time of writing, Members were due to consider whether the draft Local Plan should proceed to public consultation. The draft Local Plan identifies the application site as a proposed non-strategic housing allocation (Site M28B – Land west of Aldi, Moreton-in-Marsh) for approximately 20 dwellings. The draft Local Plan has not been adopted and remains at an early stage of the plan-making process. Accordingly, whilst it is capable of being a material consideration, only limited weight can currently be attributed to the proposed allocation.

1. Main Issues:

- (a) Principle of Development
- (b) Impact on the Cotswolds National Landscape
- (c) Design
- (d) Impact on Residential Amenity

- (e) Highways Safety
- (f) Biodiversity and Geodiversity
- (g) Trees, Landscaping and Green Infrastructure
- (h) Drainage and Flood Risk
- (i) Land contamination
- (j) Accessibility and Connectivity
- (k) Planning Obligations

2. Reasons for Referral:

- 2.1 Major development.

3. Site Description:

- 3.1 The application site comprises approximately 0.79 hectares of land (circa 0.97ha including access) located to the west of Stow Road (A429) on the edge of Moreton-in-Marsh. The site lies immediately adjacent to, but outside, the defined settlement boundary and is currently undeveloped.
- 3.2 The site is bordered by a recently constructed care home and Aldi supermarket to the east, with access proposed via this existing highway network. To the north are recreational uses including a multi-sports facility and croquet/bowls club, beyond which are residential properties. To the south and west the site adjoins agricultural land and open countryside.
- 3.3 The proposed residential development site is within the ownership of Aspects Homes (the applicant). Certificate B notices were served on Esmere Gardens Care Home and Gloucestershire County Council as Highway Authority, as part of the proposed access route is understood to cross land within their respective ownerships.
- 3.4 The site lies within the Cotswolds National Landscape (AONB) and is relatively flat, enclosed by established hedgerows and tree boundaries, with some trees along the northern boundary subject to Tree Preservation Orders. Public Footpath HMM7 (part of the Monarch's Way) runs along the western boundary, providing pedestrian connectivity to the town and surrounding countryside.
- 3.5 The site is located within Flood Zone 1 and benefits from proximity to local services and public transport links, with bus stops within walking distance along Stow Road.

4. Relevant Planning History:

None.

5. Planning Policies:

- DS1 Development Strategy
- DS2 Dev within Development Boundaries
- DS3 Small-scale Res Dev non-Principal Settle
- DS4 Open Market Housing o/s Principal/non-Pr
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN5 Cotswolds AONB
- EN4 The Wider Natural & Historic Landscape
- EN10 HE: Designated Heritage Assets
- INF4 Highway Safety
- INF5 Parking Provision
- EN6 Special Landscape Areas
- EN7 Trees, Hedgerows & Woodlands
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF7 Green Infrastructure

6. Observations of Consultees:

6.1 Biodiversity Officer:

6.1.1 The Council's Biodiversity Officer raises no objection to the proposed development, subject to conditions. A series of ecological conditions are recommended, including the submission of a Construction Environmental Management Plan (Biodiversity) and a 30-year Landscape and Ecological Management Plan (LEMP) to secure the long-term establishment, management and monitoring of habitats. Conditions are also recommended to secure on-site biodiversity enhancements, including integrated bird and bat features, habitat protection during construction, and a lighting strategy to avoid impacts on nocturnal species.

6.1.2 In respect of biodiversity net gain (BNG), the Officer notes that the scheme would rely in part on off-site units and that the submitted metric should be updated to reflect a realistic target condition for on-site habitats. Subject to these amendments and the discharge of the statutory biodiversity gain condition, the proposals are considered capable of delivering the required net gain.

6.1.3 The Officer also confirms that appropriate mitigation has been secured in respect of Great Crested Newts through the District Licensing Scheme, addressing previous concerns.

6.2 Tree Officer:

No objection. Protected trees along the northern boundary have been correctly identified and will be retained. Subject to adherence to the submitted tree protection plan and implementation of the proposed landscaping and planting scheme, the development is acceptable. Conditions are recommended to secure tree protection and replacement planting.

6.3 Environmental Health Contamination:

6.3.1 No objection. The submitted Phase 1 Desk Study (Oct 2025) identifies potential onsite and offsite contamination risks, including infilled ground, historic agricultural use, a former campsite, and a nearby petrol filling station. A Phase 2 intrusive investigation (soil and gas testing) is required, which is supported.

6.3.2 Conditions are recommended to secure site investigation, any necessary remediation, and verification of works to ensure the site is suitable for its proposed use.

6.4 Thames Water:

6.4.1 Thames Water raises no objection in principle but has been unable to confirm foul water capacity and therefore recommends conditions to secure capacity, phasing, or necessary network upgrades prior to occupation. Upgrades to sewage treatment works may also be required.

6.4.2 The site lies within an area affected by groundwater infiltration; while the development is not expected to significantly impact the network, careful design is required to prevent flooding.

6.4.3 No objection is raised to surface water proposals subject to a sequential approach and agreement with the LLFA. No objection is raised in respect of water supply capacity, subject to standard informatives.

6.5 Landscape:

6.5.1 The Landscape Officer raises no objection to the proposal. The site is recognised as forming part of the Cotswold National Landscape and its development would result in the loss of a small area of pastoral land and a localised extension of the settlement edge. This would lead to a noticeable, but limited, change in landscape character.

6.5.2 However, the site is relatively well contained by existing development, including the adjacent supermarket, care home and hospital, meaning that effects on the wider landscape are limited. The most sensitive views are from Public Right of Way HMM7, where the development would be visible; however, impacts are not considered significant and would reduce over time as landscaping becomes established.

6.5.3 The submitted landscape strategy is generally supported, including the retention of hedgerows and provision of new planting, although some refinements are recommended. These include strengthening boundary planting, adopting a softer treatment to the PROW connection, and exploring more landscape-led sustainable drainage solutions. The Officer also highlights the importance of controlling external lighting to protect dark skies.

6.5.4 Overall, subject to these measures, the Landscape Officer concludes that the proposal would result in localised and acceptable landscape and visual effects and would comply with relevant Local Plan policies.

6.6 GCC Lead Local Flood Authority:

No objection. The revised drainage strategy, using permeable paving for attenuation, is considered more robust and will not increase flood risk. Supporting SuDS maintenance and exceedance details are acceptable. Sufficient information has been provided and no drainage conditions are required.

6.7 GCC Highways:

6.7.1 No objection subject to conditions.

6.7.2 Gloucestershire County Council Highways has undertaken a full assessment of the application. The submitted Transport Statement has been considered and is broadly accepted.

6.7.3 The Highway Authority advises that the proposed ten dwellings are likely to generate approximately six vehicle movements during peak hours. This is

considered to represent a very small proportion of the traffic already using the existing access onto the A429, which primarily serves Aldi and Esmere Gardens Care Home.

6.7.4 The Highway Authority notes that the existing access was designed to accommodate the level of traffic currently using it and concludes that the additional vehicle movements generated by the proposal would not result in an unacceptable reduction in highway safety. Particular consideration has been given to the section of access road beyond the adopted highway serving the application site. Whilst this section narrows, it is not considered to result in an unacceptable impact on highway safety.

6.7.5 The Highway Authority concludes that the proposal would not have an unacceptable impact on highway safety and would not result in a severe impact on congestion. Accordingly, no objection was raised subject to conditions relating to access, parking provision, construction traffic management and the implementation of the approved highway works.

6.7.6 Subsequent to the publication of the original Committee report, the Highway Officer undertook a further review of the submitted Transport Statement and requested additional swept-path analysis relating to refuse vehicle manoeuvring within the proposed turning head. The Highway Officer has confirmed that he remains satisfied with the conclusions of the Transport Statement regarding traffic generation and the principle of access but requires the additional information before confirming whether the Highway Authority's recommendation of no objection remains unchanged. The applicant is currently preparing further information for review by the Highway Authority.

6.8 GCC Community Infrastructure Planning:

The County Council advises that planning obligations (S106) may be required to mitigate infrastructure impacts and should be secured prior to approval.

6.9 GCC PROW:

6.9.1 No objection in principle, subject to safeguards. The proposal makes positive use of Public Footpath HMM7 as a pedestrian connection; however, clarification is required regarding the proposed cycle link, as the route is legally restricted to pedestrian use unless formally upgraded.

6.9.2 The public right of way must remain unobstructed and unaffected during and after construction, with any temporary or permanent changes requiring appropriate legal consent (e.g. diversion or closure orders).

6.10 GCC Minerals & Waste Planning Authority:

6.10.1 No objection in principle. The submission demonstrates partial consideration of waste minimisation, but further details are required for both construction and occupation phases. Conditions are recommended to secure a Site Waste Management Plan and provision for recycling facilities.

6.10.2 No safeguarding issues are identified for waste or mineral infrastructure.

6.10.3 No financial contributions are currently sought for education or libraries, as sufficient capacity exists. However, the Council emphasises the need to address infrastructure requirements through S106, including monitoring fees, to ensure the development remains acceptable.

6.11 Archaeology:

The site is within an archaeologically sensitive area, but previous geophysical survey and trench evaluation found no significant remains. The risk of impact is low, and no further archaeological work is required.

7. View of Town/Parish Council:

7.1 Objection raised. Concerns include reliance on a Public Right of Way for cycle access, suitability of the site (as previously identified in the SHELAA), ecology and flood risk constraints, and unresolved issues relating to highways, sewage infrastructure, and amenity impacts. The application is considered premature, and clearer on-site Biodiversity Net Gain provision is requested.

8. Other Representations:

8.1 18 third party representations and one petition (containing approximately 74 signatories) have been received, objecting to the application on the following grounds:

- The principle of development, with the site located outside the defined settlement boundary and within the Cotswolds National Landscape;

- Encroachment into the countryside and harm to the rural character, landscape setting and the Cotswolds National Landscape;
- Concerns regarding the impact of the development on the established settlement boundary and the precedent it may set for further development beyond the settlement edge;
- Highway safety concerns, including congestion and access issues, particularly at the A429/Stow Road junction and the access serving Aldi and Esmere Gardens;
- Existing parking pressures, including concerns regarding parking provision associated with Esmere Gardens Care Home and the potential loss of parking spaces;
- Concerns regarding pedestrian and vehicular safety within the existing access arrangements serving Esmere Gardens;
- Pressure on local infrastructure, including healthcare facilities, local services, education provision and wastewater infrastructure;
- Impact on residential amenity, including overlooking, loss of privacy, noise, disturbance, loss of tranquillity and increased activity;
- Impact on the outlook, wellbeing and living conditions of residents of Esmere Gardens Care Home;
- Impact on vulnerable and elderly residents of the adjoining care home;
- Concerns regarding construction impacts on neighbouring occupiers and care home residents;
- Loss of green space, biodiversity, wildlife habitat and the site's contribution to the setting of the surrounding countryside;
- Concerns regarding the scale, layout and density of the development;
- Concerns that the proposal does not make efficient use of land and that a greater number of dwellings could potentially be accommodated;
- The absence of affordable housing provision;
- Concerns regarding the findings and assumptions of the submitted Financial Viability Assessment;
- The lack of any mechanism to secure future affordable housing contributions should viability improve;
- The lack of any mechanism to prioritise occupation of the bungalows by older persons or those with disabilities;
- Concerns regarding the relationship of the development to the adjoining care home; and
- Concerns that the proposal would result in overdevelopment of the site.

8.2 Members queried at the previous Committee meeting whether Esmere Gardens Care Home had objected to the proposal. Whilst a number of representations have been received from individuals associated with the care home, no formal representation has been submitted by or on behalf of the care home operator.

Part of the proposed access arrangement is understood to cross land within the ownership of Esmere Gardens Care Home. Certificate B notice was therefore served on them by the applicant.

- 8.3 Members also queried at the previous Committee meeting what matters were raised within the petition submitted in relation to the application. The petition, containing approximately 74 signatories, objects to the proposal on the grounds that development would result in nuisance and disturbance to vulnerable residents living within a care home environment, prejudice the safety of residents, visitors and others using the access road, and extend development beyond the settlement boundary into the Cotswolds National Landscape. The petition also raises concerns regarding the impact of the proposal on the peace, tranquillity and outlook currently enjoyed by residents of Esmere Gardens Care Home.

9. Applicant's Supporting Information:

- 9.1 The application is supported by a Planning Statement, Design and Access Statement, Transport Statement, Flood Risk Assessment, Ecological Appraisal, Arboricultural reports, landscaping details, and contamination information.

10. Officer's Assessment:

Background and Proposed Development

- 10.1 The application site is located on land to the west of Fosseyway Farm, Stow Road, Moreton in Marsh. The site extends to approximately 0.8 hectares (circa 1.96 acres) and comprises an area of grassland and scrub, which has been partly cleared following recent development to the east. The site lies on the western edge of the settlement, with residential development and a retail unit to the north, Esmere Gardens Care Home to the east, and open agricultural land to the south and west.
- 10.2 Full planning permission is sought for the construction of 10 no. dwellings. The proposed development comprises 10 single-storey, 3-bedroom bungalows, with associated access, parking, landscaping and infrastructure works.
- 10.3 The layout proposes a low-density form of development arranged within the site, with vehicular access taken from the existing access serving adjacent development. Each dwelling is provided with private amenity space and parking provision.

- 10.4 Vehicular access to the site would be from the existing access road off Stow Road, passing Aldi and Esmere Gardens Care Home. Whilst a short section of the route would narrow adjacent to the care home and would operate under a priority shuttle arrangement, the scale of development proposed is modest. The supporting Transport Statement forecasts that the scheme would generate approximately 6 two-way vehicle movements during the morning peak hour and 5 during the evening peak hour. Therefore, it concludes that the development would have a negligible impact on the operation of the local highway network and would not give rise to highway safety concerns.
- 10.5 The application is supported by a Planning Statement, Design and Access Statement, Transport Statement, Flood Risk Assessment, Ecological Appraisal and Financial Viability Assessment, together with other supporting technical information.
- 10.6 The site lies outside the defined settlement boundary for Moreton in Marsh and within the Cotswolds National Landscape.

(a) Principle of Development

- 10.7 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires 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."*
- 10.8 The starting point for determining this application is the adopted Cotswold District Local Plan 2011-2031 (LP).
- 10.9 Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires the Local Planning Authority to have regard to any local finance considerations, so far as material to the application.
- 10.10 The policies and guidance within the National Planning Policy Framework (NPPF) are also a material consideration.
- 10.11 The application site lies outside the defined development boundary of Moreton-in-Marsh, which is identified as a Principal Settlement under Policy DS1 of the LP. As such, whilst the settlement itself represents a sustainable location for growth, the site falls within the open countryside for the purposes of the development plan.

- 10.12 In these circumstances, Policy DS4 is engaged, which seeks to restrict new open market housing outside development boundaries unless specific exceptions apply. The proposal does not fall within any of the defined exception categories set out within the reasoned justification for Policy DS4. Therefore, in policy terms, the scheme conflicts with Policy DS4 when considered in isolation.
- 10.13 However, the development plan must be read as a whole. Policy DS1 sets out an overarching strategy which supports sustainable development, and this aligns with paragraph 11 of the NPPF, which establishes a presumption in favour of sustainable development. The Council's current housing land supply position is also a material consideration. The Council is presently unable to demonstrate a five-year supply of deliverable housing sites, with its most recent published position indicating a housing land supply of approximately 1.8 years. In these circumstances, the policies most important for determining applications for housing should be considered out-of-date and paragraph 11(d) of the NPPF is engaged. Accordingly, planning permission should be granted unless the application of policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusal, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.
- 10.14 Furthermore, paragraph 83 of the NPPF recognises that housing in rural areas should be located where it can enhance or maintain the vitality of rural communities. In this case, the site is immediately adjacent to the built-up area of Moreton-in-Marsh and benefits from good access to services, facilities and public transport opportunities. As such, it cannot reasonably be described as an isolated or unsustainable location.
- 10.15 Accordingly, whilst the proposal conflicts with Policy DS4 by virtue of its location outside the settlement boundary, that conflict is reduced by the site's close relationship with a Principal Settlement, its sustainable location and the Council's current housing land supply position. The proposal would deliver 10 additional dwellings, including single-storey bungalow accommodation which would contribute towards housing choice within the District. The acceptability of the development therefore turns on its compliance with other relevant development plan policies and the overall planning balance. Subject to the detailed considerations set out below, officers consider that the benefits of the scheme outweigh the identified policy conflict and that the proposal represents a sustainable form of development.

(b) Impact on the Cotswolds National Landscape (Area of Outstanding Natural Beauty)

- 10.16 The application site is located within the Cotswolds National Landscape (Area of Outstanding Natural Beauty). Section 85(A1) of the Countryside and Rights of Way Act 2000 (as amended by the Levelling-up and Regeneration Act 2023) places a statutory duty on decision-makers to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes.
- 10.17 This statutory duty is reflected in Policy EN5 of the Cotswold District Local Plan and Paragraph 189 of the National Planning Policy Framework (NPPF), both of which require that great weight is given to conserving and enhancing landscape and scenic beauty in such designated areas.
- 10.18 Policy EN5 and Paragraph 190 of the NPPF also set out that major development within National Landscapes should be refused other than in exceptional circumstances and where it can be demonstrated to be in the public interest. However, Footnote 67 of the NPPF confirms that whether a proposal constitutes "major development" in this context is a matter for the decision-maker, having regard to the nature, scale and setting of the proposal, and whether it would be likely to have significant adverse effects on the purposes of the designation.
- 10.19 While the proposal comprises 10 dwellings and therefore constitutes 'major development' for the purposes of the Town and Country Planning (General Permitted Development) Order, it is not considered to represent major development within the meaning of the NPPF. Having regard to its modest scale, its position immediately adjacent to the built-up edge of Moreton-in-Marsh, and its limited extent, the proposal would not give rise to significant adverse effects on the overall character or special qualities of the National Landscape.
- 10.20 Notwithstanding this, the proposal has been designed with full regard to its sensitive landscape context. It would extend development beyond the existing settlement edge onto currently undeveloped land and therefore results in a degree of encroachment into the countryside. However, the site is closely related to existing built form and does not form part of a wider open or prominent landscape.
- 10.21 The key consideration is therefore whether the proposed scale, layout and landscaping would conserve and enhance the character and appearance of the National Landscape. In this regard, the low-density form of development, the use of appropriate materials, and the incorporation of landscaping, open space

and boundary treatments would assist in assimilating the scheme into its surroundings and softening its visual impact.

- 10.22 Overall, whilst the proposal results in a localised change to the settlement edge, it would conserve the wider landscape character and scenic beauty of the National Landscape. Any limited harm arising would be contained and should be weighed in the planning balance alongside the benefits of the scheme.

(c) Design & Layout

- 10.23 Policy EN2 requires development to achieve a high standard of design that respects the character and distinctive appearance of the locality. This is reinforced by Chapter 11 of the NPPF, which places significant weight on the creation of well-designed, beautiful and sustainable places. The NPPF expects development to be visually attractive, sympathetic to local character and history, and to establish a strong sense of place through high-quality architecture, layout and materials.
- 10.24 In addition, the Cotswold Design Code provides locally specific guidance on achieving high-quality design that responds to the defining characteristics of the area. It emphasises the importance of reinforcing local identity through the use of traditional materials, simple building forms, and high-quality detailing that reflects the Cotswold vernacular.
- 10.25 The proposal comprises a low-level development of detached bungalows arranged in a low-density layout, with associated parking and landscaping. The scale, form and grain of development respond positively to the site's edge-of-settlement location, providing a soft and appropriate transition between the built-up area of Moreton-in-Marsh and the open countryside. Whilst third parties have raised converse concerns regarding both overdevelopment and inefficient use of land density, the proposed layout reflects the prevailing pattern of development at the settlement edge and accords with both the NPPF and the Cotswold Design Code, which support context-led approaches to density.
- 10.26 The dwellings themselves have been designed to reflect the principles of well-designed homes, incorporating architectural detailing characteristic of the local area. In accordance with the Cotswold Design Code, the scheme proposes the use of stone as the primary facing material, together with traditional detailing including chimneys and stone heads and cills to window and door openings. This approach would reinforce local distinctiveness and would ensure that the

development integrates successfully with the established built character of the area.

- 10.27 The layout ensures appropriate separation distances would be secured between proposed dwellings and neighbouring uses, including the adjacent care home. Boundary treatments, along with a strong landscaping framework, would soften the development, enhance biodiversity and assist in assimilating the scheme into its wider landscape setting.
- 10.28 Overall, the proposed development would balance the efficient use of land with high-quality, locally distinctive design which would sit comfortably within the local context. On this basis, the proposal meets the requirements of Policy EN2 and the Cotswold Design Code and the provisions of the NPPF.

(d) Residential Amenity

- 10.29 LP Policy EN2 requires development to be of a high standard of design which respects the character and distinctive appearance of the locality and accords with the Cotswold Design Code (Appendix D). The Design Code further requires development to secure a high standard of residential amenity, including appropriate levels of privacy, outlook, daylight and sunlight, and the provision of usable external space for both existing and future occupants.
- 10.30 This is consistent with paragraph 135(f) of the NPPF, which seeks to ensure that developments create places with a high standard of amenity for existing and future users.
- 10.31 A key consideration in this case is the relationship between the proposed development and the adjacent Esmere Gardens Care Home. Three bungalows would back onto the care home site.
- 10.32 Third-party representations raise significant concerns regarding potential overlooking, noise, disturbance and loss of tranquillity. Concerns have also been raised by residents of Esmere Gardens Care Home and by family members and visitors of care home residents regarding the effect of the development on the outlook, setting and tranquillity currently experienced by care home residents. The existing site currently provides an undeveloped buffer between the care home and open countryside. As such, it is acknowledged that the introduction of residential development would alter this relationship and result in increased activity both during construction and occupation. A degree of change is inevitable where development occurs adjacent to existing uses. However, the

key issue is whether the level of impact would be so significant as to result in undue harm to residential amenity.

- 10.33 It is acknowledged that the development would alter the current outlook enjoyed by residents of the care home, which presently benefits from views across undeveloped land. However, the planning system does not protect private views. The relevant consideration is whether the development would result in unacceptable impacts on amenity through overlooking, loss of privacy, overbearing impacts, loss of light or disturbance.
- 10.34 The relationship between the proposed bungalows and the neighbouring care home would be acceptable. The dwellings would be sited and orientated to secure adequate levels of daylight for both future occupiers and existing residents of the care home. The submitted plans indicate that a separation distance of approximately 16 metres would be retained between a habitable room window serving one of the proposed bungalows and a stairwell window within the care home, increasing to around 18 metres in relation to a dining room window. Whilst these distances fall below the typically applied 22 metre guide, the potential for overlooking would be limited by the single-storey form of the proposed dwellings and the provision of 1.8 metre high boundary treatment. In addition, the layout would avoid direct overlooking of primary habitable room windows, with views largely confined to secondary or circulation spaces.
- 10.35 Given the single-storey form of development, the proposed separation distances and the proposed boundary treatments, the development would not appear unduly overbearing or give rise to unacceptable overlooking or loss of privacy. The proposal would therefore maintain an acceptable living environment for existing care home residents.
- 10.36 It is also considered that noise generated from additional vehicle movements and general residential activity would not be so significant, given the scale of the development, as to result in material disturbance to care home residents. Whilst there would inevitably be some increase in activity associated with the occupation of ten dwellings, the scale of development is modest and is not considered likely to result in significant noise or disturbance that would materially harm the living conditions of care home residents. Furthermore, having regard to the separation distances between the proposed dwellings and the care home, it is unlikely that any external lighting associated with the development would give rise to harmful light pollution.

- 10.37 The proposed development would also secure a satisfactory standard of residential amenity for future occupants. Suitable window-to-window separation distances would ensure adequate levels of privacy, outlook and natural light, whilst each dwelling would be served by a private garden of an appropriate size, providing sufficient outdoor amenity space.
- 10.38 Overall, whilst the proposal would change the existing relationship between the care home and the adjoining land, it would not result in material harm to the living conditions of neighbouring occupiers and would secure an adequate standard of amenity for future residents. The development would therefore be acceptable in amenity terms, having regard to Policy EN2, the Cotswold Design Code (Appendix D) and the provisions of the NPPF.

(e) Highway Safety

- 10.39 LP Policy INF4 requires development to provide safe and suitable access for all users and to ensure that it does not compromise highway safety or the efficient operation of the transport network.
- 10.40 This is supported by paragraphs 115 and 116 of the NPPF, which require that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 117 further emphasises that opportunities to promote sustainable transport modes should be considered.
- 10.41 The proposal would provide two parking spaces per dwelling and would utilise an existing access arrangement serving the adjacent Aldi store and Esmere Gardens Care Home, connecting onto the A429 (Stow Road). Concerns have been raised through third-party representations regarding existing congestion, difficulties in accessing the junction and the safety of additional traffic movements, particularly at peak times. Issues relating to parking pressure associated with Esmere Gardens Care Home, the safety of vulnerable residents using the access road and the impact of construction traffic have also been highlighted.
- 10.42 Gloucestershire County Council Highways has undertaken a full assessment of the application, including consideration of the submitted Transport Statement, the proposed access arrangements and the likely traffic generation associated with the development. The Highway Authority advises that the submitted Transport Statement is broadly accepted and notes that the proposed ten dwellings are likely to generate around six vehicle trips during peak hours,

representing a very small proportion of the traffic already using the access road serving Aldi and Esmere Gardens Care Home.

- 10.43 The Highway Authority further notes that the access was designed to accommodate the level of traffic currently using it and concludes that the additional vehicle movements generated by the proposal would not result in an unacceptable reduction in highway safety. Particular consideration has been given to the section of access road beyond the adopted highway serving the application site. Whilst this section narrows as it approaches the site, the Highway Authority advises that this would not result in an unacceptable impact on highway safety. The Highway Authority also notes that the site is reasonably located in relation to sustainable transport opportunities, with bus stops on the A429 within a short walking distance and a segregated footway connecting the site to the existing adopted highway network.
- 10.44 Subsequent to the publication of the original Committee report, the Highway Officer undertook a further review of the submitted Transport Statement and identified a matter requiring additional clarification in relation to refuse vehicle manoeuvring within the site. Whilst the submitted Transport Statement states that the proposed turning head has been designed to enable a refuse vehicle to enter the site, turn and exit in a forward gear, and refers to Appendix B in support of that conclusion, that manoeuvre does not appear to be demonstrated within the submitted swept-path analysis. The Highway Officer has therefore requested additional swept-path analysis to demonstrate that Gloucestershire County Council's refuse collection vehicles can safely access the site, turn within the proposed turning head and exit in a forward gear.
- 10.45 The Highway Officer has confirmed that he remains satisfied with the Transport Statement's conclusions regarding the likely traffic generation associated with the development and the principle of access via the existing road serving Aldi and Esmere Gardens Care Home. The outstanding matter relates solely to confirming the suitability of the proposed turning head for refuse vehicle manoeuvring. At the time of writing, the applicant is preparing additional information for review by the Highway Authority.
- 10.46 At the previous Committee meeting, Members queried whether a site visit had been undertaken by the Highway Authority as part of its assessment of the application. The Highway Officer has confirmed that a site visit was undertaken during the consideration of the proposals.
- 10.47 Whilst the concerns raised by local residents are acknowledged, significant weight must be afforded to the views of the Highway Authority as the statutory

consultee on highway matters. Subject to Gloucestershire County Council Highways confirming that the additional swept-path analysis satisfactorily addresses the refuse vehicle manoeuvring requirements and that its recommendation of no objection remains unchanged, officers are satisfied that the proposal would comply with Policy INF4 and the provisions of the NPPF.

(f) Biodiversity and Geodiversity

- 10.48 LP Policy EN8 seeks to conserve and enhance biodiversity and geodiversity. It supports development which delivers net gains where possible, resists proposals that would result in habitat fragmentation or harm to protected species and irreplaceable habitats and requires adequate mitigation or compensation where impacts cannot be avoided.
- 10.49 This approach is reflected in Chapter 15 of the NPPF, which seek to ensure that development minimises impacts on biodiversity, avoids significant harm and secures measurable net gains. Paragraph 187 places particular emphasis on the protection and enhancement of valued habitats and species, including the delivery of biodiversity net gain.
- 10.50 The application site comprises undeveloped land that contributes to local ecological value, particularly in relation to grassland and boundary vegetation. Third-party representations raise concerns regarding the loss of habitats for birds, insects and other wildlife. However, the submitted Ecological Appraisal identifies that, whilst there will be some loss of habitat, the impacts can be mitigated through appropriate measures, including the retention of existing vegetation where possible and the provision of new planting and biodiversity enhancements.
- 10.51 No objection has been raised by the Council's Biodiversity Officer, subject to conditions. These include the submission of a Construction Environmental Management Plan (Biodiversity), a 30-year Landscape and Ecological Management Plan (LEMP), the provision of on-site biodiversity enhancements (including integrated bird and bat features), and a sensitive lighting strategy to protect nocturnal species. The Officer also advises that the biodiversity metric should be updated to reflect a realistic target condition for onsite habitats and confirms that biodiversity net gain can be achieved through a combination of on-site measures and off-site units. Appropriate mitigation for Great Crested Newts has also been secured.

- 10.52 The biodiversity net gain requirement would be secured through a Biodiversity Gain Plan to be submitted and approved prior to commencement of development.
- 10.53 In conclusion, subject to the recommended conditions and the implementation of appropriate mitigation and enhancement measures, the proposal is considered capable of complying with Policy EN8 and the relevant provisions of the NPPF.

(g) Trees, Landscaping & Green Infrastructure

- 10.54 LP Policy EN7 seeks to ensure the protection and retention of trees, woodland and hedgerows, recognising their contribution to the character and appearance of the area, as well as their ecological value. Development proposals should incorporate appropriate landscaping and retain important features wherever possible.
- 10.55 This approach is supported by paragraph 136 of NPPF, which emphasises the importance of trees and green infrastructure in enhancing the environment, contributing to biodiversity, and improving the quality of development.
- 10.56 The application is accompanied by an Arboricultural Impact Assessment and landscaping proposals identifying existing trees, including those subject to Tree Preservation Orders along the site boundaries. The proposals seek to retain these features and incorporate new planting within the development, thereby reinforcing the site's boundaries and providing a degree of visual containment.
- 10.57 The Council's Tree Officer raises no objection subject to conditions securing tree protection measures during construction and the implementation of the proposed landscaping scheme. The retention of existing trees, together with the additional planting, will be important in integrating the development into its surroundings, softening the visual impact of the built form and maintaining a transition between the settlement and the adjacent countryside.
- 10.58 Subject to compliance with the recommended conditions, the proposal is considered to accord with Policy EN7 and the relevant provisions of the NPPF.

(h) Drainage and Flood Risk

- 10.59 LP Policy EN14 requires that development is appropriately located having regard to flood risk and incorporates sustainable drainage systems to manage

surface water. Development should not increase flood risk elsewhere and must ensure that surface water is appropriately managed.

- 10.60 This approach is supported by paragraphs 173 and 174 of the NPPF, which seek to ensure that development is directed to areas of lowest flood risk and is safe for its lifetime without increasing flood risk elsewhere. Paragraph 181 requires that major developments incorporate sustainable drainage systems (SuDS), unless there is clear evidence that this would be inappropriate.
- 10.61 The application site lies within Flood Zone 1 and is therefore at low risk of flooding, making it sequentially preferable for residential development. A Flood Risk Assessment and surface water drainage strategy have been submitted in support of the application, which proposes the use of sustainable drainage measures, including permeable paving and controlled discharge.
- 10.62 The Lead Local Flood Authority raises no objection to the revised drainage strategy, acknowledging that the proposed approach is robust and would not result in an increased risk of flooding either on-site or elsewhere.
- 10.63 Foul drainage is proposed to connect to the public sewer network. Whilst Thames Water has raised no objection to the scale of development in network terms, it has identified potential constraints at the receiving sewage treatment works and therefore recommends a condition to secure any necessary capacity upgrades or phasing prior to occupation.
- 10.64 Overall, the site is sequentially appropriate for development, and, subject to the imposition of conditions securing detailed drainage design and any necessary infrastructure upgrades, the proposal would not increase flood risk on-site or elsewhere. The scheme is therefore considered to comply with the relevant provisions of the NPPF and Local Plan policies relating to flood risk and drainage.

(h) Land Contamination

- 10.65 Local Plan Policy EN15 requires that land is suitable for its proposed use, with all potential contamination risks properly investigated, assessed and mitigated. Development proposals must clearly demonstrate that any contamination can be remediated and managed without giving rise to unacceptable risks to human health, property or the wider environment.
- 10.66 This is supported by paragraph 196 of the NPPF, which requires that planning decisions ensure a site is suitable for its proposed use, taking account of ground

conditions and any risks arising from contamination or instability. Where necessary, remediation and mitigation measures should be secured to ensure safe development.

- 10.67 The application is supported by a Phase 1 Geo Environmental Desk Study, which identifies potential contamination risks associated with historic land uses, including agricultural activity and possible made ground. The report recommends that further intrusive site investigation is required to fully assess any contamination present.
- 10.68 The Council's Environmental Health Officer raises no objection to the proposal subject to the imposition of conditions requiring the submission of a Phase 2 site investigation, together with any necessary remediation strategy and verification report. These measures will ensure that any contamination risks are appropriately identified and addressed prior to development.
- 10.69 Subject to the recommended conditions, the development would ensure that the site is suitable for its intended residential use and would therefore comply with Policy EN15 and the provisions of the NPPF.

(h) Accessibility and Connectivity

- 10.70 LP Policy INF4 requires development to provide safe and suitable access for all users and to support sustainable transport and connectivity. This is reinforced by Chapter 9 of the NPPF, which seeks to secure safe, inclusive environments and maximise opportunities for walking and cycling.
- 10.71 The site is sustainably located within walking distance (less than 10 minutes) of Moreton-in-Marsh town centre and a range of local facilities, including a medical centre, food store and other services. It is also well served by public transport, with bus stops on Stow Road providing connections to the town centre and railway station.
- 10.72 The proposed development would provide a new access road incorporating a pedestrian footway linking to the existing public footpath network, ensuring appropriate pedestrian connectivity. Cycle parking would be provided within the curtilage of each dwelling.
- 10.73 Public Footpath HM/7/1 crosses the site and forms part of a wider network, including the Monarch's Way. The scheme retains and integrates this route, maintaining existing connections. No objection is raised by the County Council Public Rights of Way Officer, subject to this route remaining unobstructed and

any alterations being subject to separate legal procedures. While a cycle link from this public right of way was originally considered, this would not been taken forward as the route is restricted to pedestrian use.

- 10.74 In view of the above, the proposal is considered to provide safe and suitable access and accords with Policy INF4 and the provisions of the NPPF.

(k) Planning Obligations

- 10.75 Paragraphs 56 and 58 of the NPPF require that planning obligations are only secured where they are necessary to make the development acceptable, directly related to the development, and fairly and reasonably related in scale and kind.
- 10.76 In respect of infrastructure provision, the County Council has confirmed that no financial contributions are required in relation to education or library services, due to sufficient existing capacity. The development will, however, be liable for Community Infrastructure Levy (CIL), which will contribute towards wider infrastructure provision across the district.
- 10.77 LP Policy H2 requires the provision of affordable housing on residential developments of 11 or more dwellings. Within designated rural areas, such as the National Landscape, a lower threshold of 6 or more dwellings applies, reflecting the need to support the delivery of affordable housing in smaller rural communities.
- 10.78 The proposal would therefore ordinarily be expected to provide policy-compliant affordable housing provision.
- 10.79 In support of the application, the applicant has submitted a Financial Viability Assessment (FVA). This concludes that the development would be unable to viably support affordable housing provision once all development costs and policy requirements are taken into account.
- 10.80 The submitted viability evidence has been independently reviewed on behalf of the Local Planning Authority. The review considered the development values, benchmark land value, build costs, abnormal costs and anticipated development returns. The independent review concluded that the applicant's viability evidence provides a reasonable basis for assessing the scheme and that the development would not be capable of supporting policy-compliant affordable housing provision.

- 10.81 The review concluded that the principal viability challenge is not the benchmark land value, but the cost of delivering the development. In particular, the proposal comprises a relatively small scheme of only ten dwellings and therefore does not benefit from the economies of scale typically associated with larger residential developments delivered by volume housebuilders. In addition, the proposal comprises detached single-storey bungalows which generally incur higher build costs relative to the floorspace provided than conventional two-storey housing due to the increased foundation, roofing and infrastructure requirements.
- 10.82 The independent review further concluded that, having regard to prevailing construction costs and the scale and form of development proposed, a policy-compliant affordable housing scenario would generate a substantial viability deficit. Furthermore, even in the absence of affordable housing provision, the scheme remains marginal once all development costs, including CIL liabilities, are taken into account. On this basis, the findings of the FVA have been accepted.
- 10.83 Officers acknowledge concerns raised through public representations regarding the absence of affordable housing provision, the density of development and whether the site could accommodate a greater number of dwellings. However, the application before the Council seeks permission for the construction of 10 dwellings and it is this proposal that must be assessed against the provisions of the development plan and other material considerations. The key consideration is whether the submitted proposal represents an acceptable form of development having regard to all relevant planning considerations.
- 10.84 Representations have also suggested that a viability review mechanism should be secured to capture any future uplift in viability towards affordable housing provision. Having regard to the scale of the development and the independently reviewed viability evidence, officers do not consider it necessary or reasonable to require such a mechanism in this instance.
- 10.85 Whilst the Local Planning Authority would ordinarily seek policy-compliant affordable housing provision, national planning policy recognises that planning obligations should not undermine the deliverability of otherwise acceptable development proposals. Having regard to the independently reviewed viability evidence, officers are satisfied that the scheme is unable to viably support affordable housing provision and that a departure from Policy H2 is justified in this case.

- 10.86 Members should therefore weigh the benefits arising from the delivery of ten dwellings, including the provision of single-storey accommodation which would contribute towards housing choice within the District, against the absence of affordable housing provision within the overall planning balance.
- 10.87 In view of the accepted viability position, no on-site provision or financial contributions towards affordable housing are sought.

Other Matters

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

Human Rights and Equality

- 10.89 In making this recommendation, the Local Planning Authority has had regard to the Human Rights Act 1998 and considers that the proposal is compatible with the Convention rights. The decision is proportionate and in the public interest.
- 10.90 The Local Planning Authority has also had regard to its duties under the Equality Act 2010. No adverse impacts on persons with protected characteristics have been identified.

11. Conclusion:

- 11.1 The proposal would result in the delivery of 10 dwellings, including single-storey bungalow accommodation, on a site immediately adjoining the built-up area of Moreton-in-Marsh. Whilst the site lies outside the defined settlement boundary and therefore conflicts with Policy DS4 of the Local Plan, the site occupies a sustainable location with good access to local services, facilities and public transport opportunities. In addition, the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, which is a significant material consideration.
- 11.2 Subject to the detailed matters considered within this report, the proposal would not give rise to unacceptable impacts in respect of landscape character, design, residential amenity, ecology, drainage or other technical matters. The Highway Authority remains satisfied with the submitted Transport Statement in respect of traffic generation and the principle of access but has requested additional swept-path analysis relating to refuse vehicle manoeuvring within

the proposed turning head before confirming whether its recommendation of no objection remains unchanged.

- 11.3 On balance, officers consider that the benefits of the proposal outweigh the identified conflict with Policy DS4 and that the scheme represents a sustainable form of development. Subject to Gloucestershire County Council Highways confirming that the additional swept-path analysis satisfactorily addresses the refuse vehicle manoeuvring requirements and that its recommendation of no objection remains unchanged, the proposal is considered to accord with the Development Plan when read as a whole and the relevant provisions of the NPPF. It is therefore recommended that planning consent is granted.
- 11.4 RECOMMENDATION: Permit, subject to confirmation from Gloucestershire County Council Highways that, following review of additional swept-path analysis relating to refuse vehicle manoeuvring within the site, its recommendation of no objection remains unchanged, and subject to the conditions set out below.

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): xxx.

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, a sample panel of stonework of at least 1m² shall be erected on site for inspection and approved in writing by the Local Planning Authority. The panel shall demonstrate the proposed stone type, coursing, bonding, mortar mix and pointing. The development shall thereafter be carried out in accordance with the approved panel.

Reason: To ensure a high-quality finish appropriate to the locality.

4. Windows and doors shall be recessed a minimum of 75mm within the wall face and retained as such thereafter.

Reason: In the interests of visual amenity and local distinctiveness.

5. All planting comprised in the approved landscaping scheme shall be carried out in the first planting season following the occupation of any building or the completion of the development, whichever is the sooner. Any planting which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. If any trees or hedgerows fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year period.

Reason: To ensure adequate provision for trees/hedgerows, in the interests of visual amenity and the character and appearance of the area.

6. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details specified in Weddles Tree Protection Plan drawing no 1335-005, Jul 25 before any development including demolition, site clearance, materials delivery or erection of site buildings, starts on the site. The approved tree protection measures shall remain in place until the completion of development. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within any area fenced.

Reason: To ensure adequate protection measures for existing trees/hedgerows to be retained, in accordance with Cotswold District Local Plan Policy EN7.

7. No development shall commence (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

The CEMP shall include, but not be limited to:

a) Construction management measures

- Construction traffic management (including parking, loading/unloading, routing and wheel washing)
- Hours of construction and deliveries

- Measures to control noise, dust and general disturbance

b) Biodiversity protection measures:

- Risk assessment of potentially damaging construction activities
- Identification of biodiversity protection zones
- Measures to safeguard habitats including ditches, hedgerows and trees
- Practical measures and sensitive working methods to avoid or reduce impacts (including method statements)
- Timing of works and restrictions to avoid harm to biodiversity
- Ecological supervision (including timing and role of an Ecological Clerk of Works, where required)
- Protective fencing, exclusion zones and site signage
- Details of excavations and measures to prevent harm to wildlife (e.g. ramping or covering)
- Monitoring and compliance checks during construction

The approved CEMP shall be adhered to throughout the construction period.

Reason: To safeguard highway safety, residential amenity and biodiversity during construction, in accordance with Policies INF4, EN2 and EN8 of the Cotswold District Local Plan, the Conservation of Habitats and Species Regulations 2017 (as amended), and the National Planning Policy Framework.

8. A 30-year Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to any above ground works of the development hereby approved being undertaken. The plan shall be prepared in accordance with the principles set out in the Biodiversity Gain Plan and must include, but not necessarily limited to, the following information:

1. Description and evaluation of features to be managed, including locations shown on a site map;
2. Establishment details, including preparation of the land;
3. Landscape and ecological trends and constraints on site that might influence management;
4. Aims and objectives of management linked to the Gloucestershire Local Nature Recovery Strategy;
5. Appropriate management options for achieving the aims and objectives;
6. Prescriptions for all management actions;
7. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5 or 10 year periods;

8. Details of the body or organisation responsible for the implementation of the plan;
9. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures that might need to be put in place; and
10. Timeframe for reviewing the plan.

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

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraph 187, 192 and 193 of the NPPF, and Local Plan policy EN8.

9. Before the erection of any external walls, details of the provision of integrated bird nesting features, integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or south-east facing elevations), hedgehog holes and invertebrate hotels shall be submitted to the Local Planning Authority for approval. The details shall include a drawing showing the types of features, their locations within the site and their positions on the elevations of the dwellings, and a timetable for their provision. The approved details shall be implemented before the dwellings hereby approved are first occupied and thereafter permanently retained.

Reason: To secure biodiversity enhancements in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policy EN8 of the Cotswold District Local Plan and Section 40 of the Natural Environment and Rural Communities Act 2006.

10. No external lighting shall be installed until a site-wide lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

The strategy shall include:

- a) Identification of areas and features on site that are sensitive to nocturnal wildlife;
- b) Details of all external lighting, including location, height, design, intensity and direction (supported by contour plans and technical specifications), demonstrating that lighting will not adversely affect biodiversity or wildlife movement;
- c) Measures to minimise light spill and protect residential amenity and dark skies.

All external lighting shall be installed and retained in accordance with the approved strategy.

Reason: To protect the living conditions of neighbouring occupiers, biodiversity and dark skies, in accordance with Policies EN2 and EN8 of the Cotswold District Local Plan, the Conservation of Habitats and Species Regulations 2017 (as amended), and the National Planning Policy Framework.

11. 1. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins.

2. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure any contamination of the site is identified and appropriately remediated in accordance with Cotswold District Council Local Planning Policy EN15 and Section 15 of the NPPF.

12. If contamination is found during development, works shall cease until a remediation scheme has been submitted and approved.

Reason: To address unforeseen contamination.

13. No development shall be occupied until confirmation has been provided that either:

1. Foul water Capacity exists off site to serve the development, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. 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, or
3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development.

14. No dwelling shall be occupied until confirmation has been provided that either:

1. All sewage treatment works upgrades required to accommodate the additional flows from the development have been completed or:
2. A development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water 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 approved development and infrastructure phasing plan.

Reason: Sewage treatment works upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

15. No dwelling shall be occupied until the access has been constructed in accordance with the approved details.

Reason: In the interests of highway safety.

16. Each dwelling shall not be occupied until its parking and cycle parking provision has been completed in accordance with the approved plans and shall thereafter be retained. The car parking spaces shall be hard surfaced and positively drained to a suitable outfall to ensure no surface water runs onto the highway and once occupied shall be maintained as such thereafter.

Reason: To ensure adequate parking provision

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

Reason: To encourage sustainable transport.

18. Public Footpath HMM7 shall be retained on its existing alignment and kept open and unobstructed at all times during construction and following completion of the development.

Reason: To ensure the protection and continued use of the public right of way

19. No development shall commence until a Site Waste Management Plan has been submitted to and approved.

Reason: To minimise construction waste.

20. Prior to occupation, details of refuse and recycling storage facilities shall be submitted to and approved, and implemented prior to occupation.

Reason: To ensure adequate waste provision.

21. The development shall be undertaken in accordance with the recommendations contained within sections 5.1.1, 5.1.3, 5.1.5, 5.1.6 and 5.1.9 of the Preliminary Ecological Appraisal Rev D (Weddles, 17th February 2026). 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, 192 and 193 of the National Planning Policy Framework, Policy EN8 of the Cotswold District Local Plan 2011- 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Informatives:

1. This estate road and drainage layout will require approval under Section 38 of the Highways Act 1980 if it is to be adopted as 'highway maintainable at public expense'.

There are detailed issues that need to be approved in order to achieve technical approval under that process and the developer should be advised to contact Gloucestershire County Council to ensure that approvals and agreements are secured before commencement of works. The obtaining of planning permission for any design/layout will not be considered as a reason to relax the required technical 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 Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any

2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

3. The Lead Local Flood Authority (LLFA) offer the following advice:
 1. The LLFA will consider how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency
 2. Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.
4. 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.

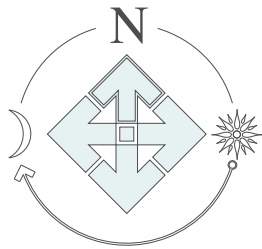
The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

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

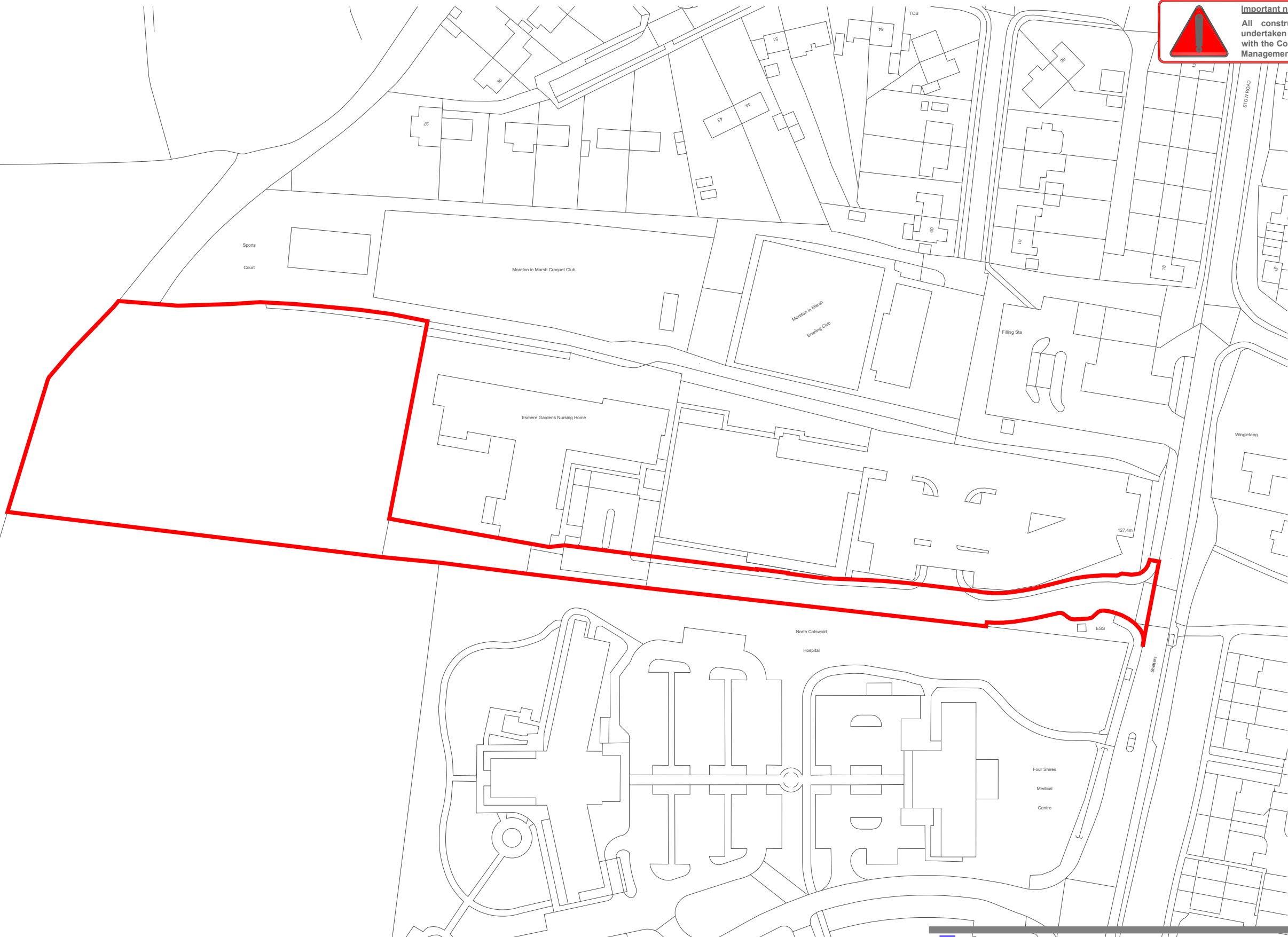
The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Cotswold District Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not 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/>

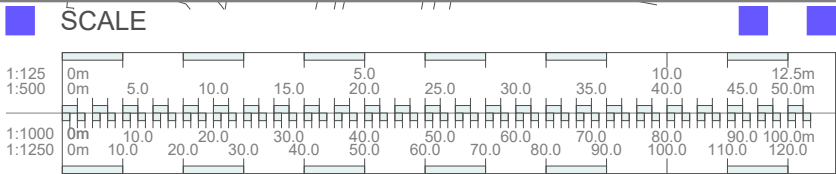
The Gloucestershire Local Nature Recovery Strategy (LNRS) has been published by Gloucestershire County Council. This strategy must be used to inform the Strategic Significance Multiplier in the Statutory Biodiversity Metric or the Small Sites Metric, depending on which version has been submitted. As part of your discharge of condition application the biodiversity metric will need to be updated to refer to the published LNRS. Please speak to your project ecologist for further advice or alternatively, you can engage with the Council's pre-application advice service: Get advice on your planning application - Cotswold District Council



Important note:
All construction works to be undertaken in strict accordance with the Construction (Design and Management) Regulations 2015.



Ordnance Survey, (c) Crown Copyright 2025. All rights reserved. Licence number 100022432



Cadsquare Midlands Ltd
Suite 28, Greenbox
Westonhall Road
Stoke Prior
Bromsgrove
Worcestershire
B60 4AL
t: 01527 878555
www.cadsquaremidlands.co.uk

- Architecture
- Planning
- Engineering

ASPECTS
HOMES
PLANNING

LAND ADJOINING
ESMERE GARDENS
STOW ROAD
MORETON-IN-MARSH

LOCATION PLAN

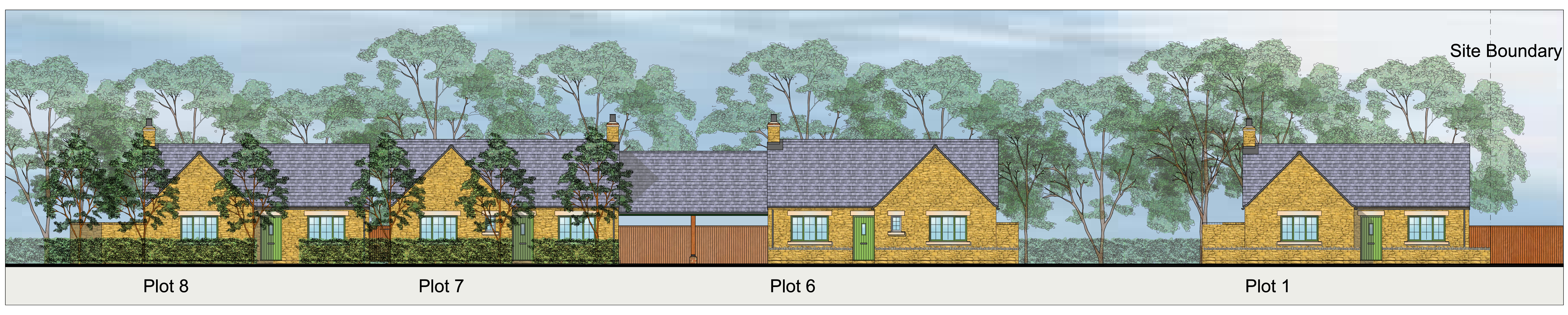
25-017 / 001
MAY 2025
1:1250@A3

This page is intentionally left blank

Ref:	Type:	Sq.ft.	No.
Private.			
A	3 Bed bungalow	1080	6
B	3 Bed bungalow	1050	4
			Total = 10



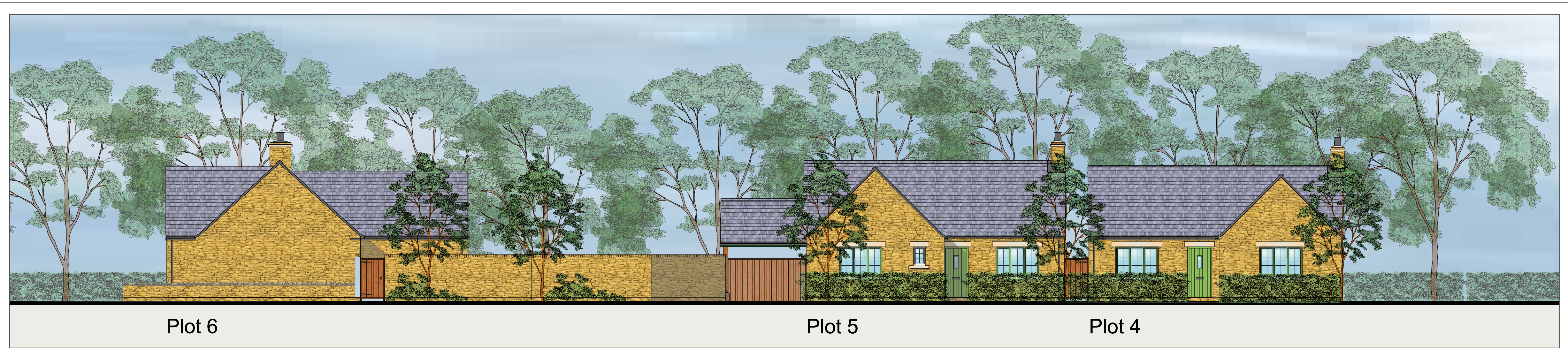
This page is intentionally left blank



Elevation to access road



East elevation to shared drive court



West elevation to shared drive court



Elevation to Open Space

This page is intentionally left blank

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 at Shoecroft Barn Ablington Bibury Cirencester Gloucestershire GL7 5NU

Full Application 25/02960/FUL	
Applicant:	Bibury Trout Farm
Agent:	Andrew P Jones Associates
Case Officer:	Rebecca McAndrew
Ward Member(s):	Councillor David Fowles
Committee Date:	11 August 2026
RECOMMENDATION:	REFUSE

1. Main Issues:

- (a) Principle of Development
- (b) Design and Impact on Heritage Assets
- (c) Impact on Cotswolds National Landscape
- (d) Impact on Residential Amenity
- (e) Highways Safety
- (f) Biodiversity and Geodiversity

2. Reasons for Referral:

- 2.1 No formal request for a call-in was received by the Ward Member. In discussion with Officers, due to local interest and objections including from consultees, Officers opted to call the application to the review panel.
- 2.2 The Review Panel agreed the request for the application to be considered at the Planning and Licensing Committee, as it was necessary to consider the highways implications of the development in light of Gloucestershire County Councils representations in response to the case. It was also agreed that a Site Inspection Briefing would be undertaken.

3. Site Description:

- 3.1 This application relates to a grade II listed converted stone barn and associated lean-to and linear buildings, located on the north-western edge of the village of Bibury. The buildings are used for office/commercial purposes in connection with Bibury Trout Farm to the south/south-east, with accommodation above.

- 3.2 The application site has been drawn close to the existing buildings, with access to the road. To the north-eastern boundary is the Bibury to Ablington Road and is defined by a drystone wall. To the west is an agricultural field, including a recently constructed agricultural building, and to the south is the Trout Farm and River Coln.
- 3.3 The site is located within the Bibury Conservation Area and the Cotswolds National Landscape.
- 3.4 The River Coln is designated as a Main River by the Environment Agency. The application buildings are elevated above the aforementioned river and are located within Flood Zone 1.

4. Relevant Planning History:

- 4.1 CD.3062 Change of use of barn from agricultural to use as a store in connection with water undertaking. Permitted 1962
- 4.2 CD.3062/A Change of use from barn to dwelling. Permitted 1962
- 4.3 CD.3062/B Change of use of barn into dwelling. Permitted 1962
- 4.4 CD.3062/C Conversion of listed building into dwelling and outbuilding into flat to accommodate staff. Erection of a garage. Alteration of vehicular access. Permitted 1974
- 4.5 CD.3062/D Alterations to and use of lean-to as light industrial. Permitted 1977
- 4.6 CD.3062/E Conversion of listed building to use as living accommodation for the Bibury Trout Farm Manager. Use of most of ground floor as storage. Permitted 1979
- 4.7 CD.3062/F Erection of a chimney stack. Permitted 1987
- 4.8 CD.LBC134/A Erection of a chimney stack and removal of existing flue. Permitted 1987
- 4.9 CD.3062/G Erection of a single unit mobile home for use by the assistant fishery manager. Permitted 1990
- 4.10 03/01448/LBC Conversion of ground floor store into residential accommodation. Permitted 2003

- 4.11 03/01449/FUL Conversion of ground floor store into residential accommodation ancillary to existing dwelling on the first floor. Permitted 2003
- 4.12 09/00809/FUL Conversion of ground floor store into ancillary residential accommodation. Permitted 2009
- 4.13 09/00810/LBC Conversion of ground floor store into ancillary residential accommodation. Permitted 2009
- 4.14 12/02549/FUL Renewal of planning permission 09/00809/FUL to incorporate ground floor store into residential accommodation. Permitted 2012
- 4.15 12/02551/LBC Renewal of planning permission 09/00810/LBC for internal alterations, insertion of windows, change to external door and the demolition of lean-to store. Permitted 2012
- 4.16 21/04793/FUL Change of Use of Shoecroft Barn and historic outbuildings for use as an events venue. Refurbishment and alterations to include replacement of lean-to with Dutch barn extension, erection of entrance link building and garage extension. Alterations to fenestration and reinstatement of historic vehicular entrance. Withdrawn 2022
- 4.17 21/04794/LBC Change of Use of Shoecroft Barn and historic outbuildings for use as an events venue. Refurbishment and alterations to include replacement of lean-to with Dutch barn extension, erection of entrance link building and garage extension. Alterations to fenestration, modern internal floors and partitions, and reinstatement of historic vehicular entrance. Withdrawn 2022
- 4.18 22/02853/FUL Change of use of Shoecroft Barn and historic outbuilding to provide x5 holiday lets, refurbishment and alterations to include replacement of lean-to with extension and garage extension, and external alterations. Permitted December 2022
- 4.19 22/02854/LBC Change of use of Shoecroft Barn and historic outbuilding to provide x5 holiday lets, refurbishment and alterations to include replacement of lean-to with extension and garage extension, and alterations to fenestration, modern internal floors and partitions. Permitted December 2022
- 4.20 23/03980/FUL Erection of a café/gift shop. Permitted 2024

- 4.21 25/00840/FUL Conversion of ground floor of existing barns from general storage to cafe with retail area, including amendments to the lean-to, creation of a decking/patio area, and associated alterations. Withdrawn 2025
- 4.22 25/00841/LBC Conversion of ground floor of existing barns from general storage to cafe with retail area, including amendments to the lean-to, creation of a decking/patio area, and associated alterations. Withdrawn 2025
- 4.23 26/00015/FUL Retrospective car park adjacent to Shoecroft Barn and alterations to access. Pending consideration

5. Planning Policies:

- TNPPF The National Planning Policy Framework
- CDCLP CDC LOCAL PLAN 2011-2031
- EC1 Employment Development
- EC3 All types of Employment-generating Uses
- EC5 Rural Diversification
- EC6 Conversion of Rural Buildings
- EC7 Retail
- EC8 MainTown Centre Uses
- EC9 Retail Impact Assessments
- EC10 Tourist Facilities & Visitor Attractions
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN9 Bio & Geo: Designated Sites
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN13 HE:Conv'n of non-domestic historic bldgs
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision

6. Observations of Consultees:

- 6.1 Conservation Officer: No objections (following amendments)

- 6.2 Biodiversity Officer: No objections
- 6.3 Gloucestershire County Council Highway Officer: Objection maintained following review of additional transport information submitted after committee deferral.
- 6.4 Environment Agency: No response received

7. View of Town/Parish Council:

7.1 Bibury Parish Council:

7.1.1 "Bibury Parish Council is frustrated that this application has been allowed so soon after its predecessor with the only changes being to Decking /Gravel.

7.1.2 Over 100 residents objected to this recently Highways also objected. We strongly OBJECT to this application. We will put our detailed objection on the planning application as I am mindful of the consultees deadline."

7.1.3 Bibury Parish Council unanimously OBJECT to 25/02960/FUL/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/Shoecroft Barn Ablington Bibury Cirencester Gloucestershire GL7 5NU

Overtourism

7.1.4 Bibury Parish Council agrees that overtourism by the Trout farm, resulting high volumes of visitors, is having a negative impact on the local environment, community, and the overall visitor experience, the village cannot sustainably manage and maintain its character.

7.1.5 This application 25/02960/FUL we understand will be open to non-trout farm visitors therefore we believe will lead to another increase in visitor numbers.

7.1.6 The Trout Farm already has a large café in its grounds as well as existing extended café facility selling ice cream opposite the main site. The village has another four catering businesses for the public all serving food and drink, Policy EC10 New or extended tourist facilities and visitor attractions (excluding accommodation) (ii) d. is an identified opportunity that is not met by existing facilities;

7.1.7 9.10.4. The Local Plan ensures that new tourism development is effectively and appropriately controlled to protect the high quality natural and built environment of the District, especially in the AONB. The term 'special affinity' has been used in order to protect the character of Cotswold towns and the countryside

7.1.8 EC10: 9.10.6. The area's popularity with visitors is not sufficient justification for the location of new tourist attractions. Any large-scale visitor development will generally be considered to be unacceptable if it would harm the landscape or features of historic interest, or have a harmful impact on the transport network.

Access

7.1.9 The access to Shoecroft barn is on a single carriageway country lane used by rural agricultural vehicles, emergency vehicles and residents, this lane is constantly grid locked and verges eroded by tourist vehicles using the Trout farm main car park which is often full to overflowing in the summer therefore a new café as a standalone destination with traffic arriving will only exacerbate car parking and access to the Trout farm overflow car parks which have been overused this summer, not only creating enormous frustration to residents from Ablington and Bibury alike, but causing great danger to both pedestrians and drivers, contrary to policy INF4 Avoiding severance of communities, also EC10 9.10.6, EN15 the air can be polluted through gaseous emissions through local traffic generation in a conservation area.

7.1.10 The culmination of all these factors has created an unsafe public road with constant conflicts between traffic, cyclists and pedestrian's and cumulative congestion and the negative impacts on residents' movements are severe contrary to INF4 which with this possibility of another cafe facility open to the public from the roadside increasing potential footfall and increase safety risk, more emissions, noise and more frustration to the people who live here.

7.1.11 The nearest fire station is in Northleach and their quickest and preferred route to access Bibury and surrounding villages in an emergency is to use the lane from Ablington into Bibury, this already busy lane (due to Trout farm visitors and car parks) will have an increased traffic flow due to expansion of Trout farm facilities. Gloucestershire Highways have Objected to this planning application.

Pollution

7.1.12 There are no details of foul water drainage, although Thames Water are now addressing the foul water pollution in Bibury, we understand a substantial increase in foul water from a café of this size would be detrimental to the sewage capacity at the Ablington end of the village, especially with any overflow being so close to the River Coln. If cesspits are to be considered the runoff will be extremely close to both the drinking water aquifer and the river Coln. EN15 10.15.3 therefore need to be designed appropriately and in discussion with the Environment Agency and as a Parish Council we consider there is not enough detail of this important part of the planning application. It is important that there are controls to ensure an adequate and safe water supply for residents.

7.1.13 Groundwater feeds into both public and private water supplies. These supplies may be affected through pollution and may be depleted through surface water and drainage systems which do not allow for natural infiltration of water through soils.

7.1.14 While there's no single, universally applicable figure, a cafe could use between 600 to 1000 gallons of water per day. Toilet flushes alone can account for a significant portion of this, with each flush potentially using 5 to 10 litres of water.

7.1.15 Noise pollution will increase as more visitors come to bigger tourist café facilities EN15 10.15.4 In areas where the community values quiet enjoyment and tranquillity, noise can be similarly detrimental, as can vibration, dust, smell and the intrusion of light and heat. Considering these points, Bibury Parish Council Strongly Object to this application.

- 7.2 They also submitted a "May Day Bank Holiday 2025 - Examples of dangerous traffic situations on the Ablington Road - Sunday 4th May 2025" document and a section of a report regarding traffic issues.

8. Other Representations:

- 8.1 102 third party representations have been received, objecting to the application on the grounds of:
- i. Additional vehicle trips (customers, staff, servicing) on constrained local roads (narrow carriageways, limited footways, pinch points).
 - ii. Pedestrian safety concerns on routes with limited/absent footways and conflicts with vehicles/cyclists.
 - iii. Increased congestion/queuing in peak periods and knock-on impacts for village movement.

- iv. Parking shortfall/overspill leading to unsafe or obstructive parking and pressure on residential streets.
 - v. Potential effects on emergency/service vehicle access during busy periods.
 - vi. No parking indicated on the plans.
 - vii. Increased noise and general disturbance from additional visitors, vehicles, and outdoor activity.
 - viii. Light spill and loss of tranquillity from increased evening/operational lighting
 - ix. Noise pollution
 - x. Increased litter and general nuisance associated with higher footfall.
 - xi. Harm to the character and appearance of the Conservation Area and the village's historic character.
 - xii. Harm to the National Landscape including effects on tranquillity and landscape character through intensification/commercialisation.
 - xiii. Concerns regarding impacts on the listed building and the setting of heritage assets.
 - xiv. Potential effects on protected species/habitats and calls for more robust ecological survey evidence.
 - xv. Ecological enhancement measures previously included not provided with this application.
 - xvi. Trees shown as removed on the site plan (but not mentioned on the application form)
 - xvii. Potential for pollution and water-quality impacts affecting the River Coln and wider water environment.
 - xviii. Concerns about adequacy of drainage/foul sewage arrangements to accommodate café use and lack of information submitted.
 - xix. Overprovision of cafés/retail locally and potential impact on existing businesses
 - xx. Inconsistencies in the Heritage, Design and Access Statement and overall poor quality of submission
 - xxi. Frustration application was validated given quality of submission
 - xxii. Limited changes from the previous application
 - xxiii. Proliferation of planning applications submitted
 - xxiv. Inclusion of previously not mentioned farm manager's accommodation
 - xxv. Concern over site becoming an events venue
 - xxvi. Lack of compliance with condition
 - xxvii. Erosion of working farm into a solely tourist based enterprise
 - xxviii. One business causing detriment to the village without benefits to the village
 - xxix. Lack of compliance with conditions
 - xxx. Footpath not installed in accordance with condition on application
- 21/02486/FUL

- xxxi. Potential light spill/pollution
- xxxii. No retail impact assessment (EC9)
- xxxiii. Proposal does not comply with economy policies
- xxxiv. Applications a waste of time and money, and causes distress
- xxxv. Strategic management plan of the Trout Farm required
- xxxvi. Concerns over potential future creep of development

9. Applicant's Supporting Information:

- Ecological Impact Assessment prepared by Darwin Ecology dated July 2025
- Heritage, Design and Access Statement dated March 2025
- Transport Impact Assessment dated June 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.' The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.
- 10.2 The policies and guidance within the National Planning Policy Framework (NPPF) are also a material planning consideration. 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.

Background and Proposed Development

- 10.3 The application seeks the conversion of the ground floor of the existing building into a café with retail area, including amendments to the lean-to and decking area.
- 10.4 The application was reported to Planning and Licensing Committee in May 2026 with a recommendation for approval, subject to the completion of a legal agreement. During consideration of the application, Members expressed concerns regarding the transport and highway implications of the proposal and

resolved to defer determination to allow further information to be submitted and reviewed in respect of those matters.

- 10.5 Following the deferral, the applicant submitted a Traffic Impact Assessment dated June 2026. The assessment sought to compare the likely traffic generation associated with the proposed conversion of Shoecroft Barn against the extant permission granted under application 23/03980/FUL for a café and gift shop elsewhere within the Trout Farm complex. The assessment concluded that the proposal may generate fewer trips than the approved scheme due to its reduced seating capacity.
- 10.6 The additional transport information was reviewed by Gloucestershire County Council in its capacity as Highway Authority. Whilst noting the conclusions of the Traffic Impact Assessment regarding comparative trip generation, the Highway Authority advised that the principal issue was not the number of trips generated by the proposal but whether safe and suitable access could be achieved for all users. Following review of the additional evidence, the Highway Authority maintained its objection to the development.
- 10.7 Subsequently, the applicant's agent made further representations directly to the Highway Authority, contending that the relocation of the café to Shoecroft Barn would reduce pedestrian movements between the existing visitor car park and the previously approved café location and would therefore improve pedestrian safety. The Highway Authority reviewed these representations and confirmed that they did not alter its position, advising that no supporting pedestrian assessment, survey evidence or analysis had been submitted to demonstrate the extent of any such benefits. The Highway Authority therefore maintained its formal objection to the application.
- 10.8 In light of the additional information submitted following Committee deferral, together with the Highway Authority's maintained objection, the highway and pedestrian safety implications of the proposal have been reassessed and are considered further within Section (e) of this report.
- 10.9 The associated Listed Building Consent application (25/02961/LBC) relating to the same proposed works is also being considered by Planning and Licensing Committee. The Listed Building Consent application raises distinct heritage considerations and is recommended for approval, reflecting the conclusion that the proposed works would preserve the significance of the designated heritage asset. Members are advised that the determination of each application must be considered on its individual planning merits

(a) Principle of Development

- 10.10 Bibury Trout Farm comprises an established farm and tourist attraction within the village of Bibury. The proposal seeks the conversion of the ground floor of an existing building to a café with an ancillary retail area.
- 10.11 In principle, the proposal is considered acceptable under Policy EC1, as it would maintain and enhance the vitality of the rural economy. No additional residential use is proposed and, given the functional link to the existing Trout Farm attraction, the development would facilitate the growth of local employment opportunities. The proposal therefore accords with Policy EC3.
- 10.12 The Trout Farm has already diversified into tourism-related uses, and the proposal is considered to represent a continuation of this diversification of an existing farm enterprise. It would involve the re-use of existing buildings and, given the established tourist activity on the wider site, would not give rise to conflict with ongoing farming operations. The scale and form of development are considered appropriate, with the design contributing positively to the character and appearance of the area (discussed further below). The proposal therefore complies with Policy EC5.
- 10.13 The building is of solid construction and capable of conversion with limited external alteration. The proposed use would be compatible with existing uses in and around the site and would not prejudice agricultural operations. As such, the proposal accords with Policy EC6.
- 10.14 The primary use of the ground floor would be as a café, with the retail element limited in scale and ancillary to that use. Bibury does not have a specific strategy and is not an identified Centre. As such, this location is considered not to be 'Out of Centre' for the purposes of Local Plan Policy EC8. The utilisation of an existing building is considered to contribute to the quality, attractiveness and character of the settlement.
- 10.15 At a national level, the proposal would support economic growth and productivity in accordance with Paragraph 85 of the NPPF, which gives significant weight on the need to support economic growth. In relation to Paragraph 88, the proposal comprises the expansion of a business and further diversification in a rural area through the conversion of existing buildings.
- 10.16 Bibury is located on a B-road and functions as a significant tourist destination. Whilst café provision already exists both within the village and at Bibury Trout Farm, the applicant has identified a need for additional provision, noting that a

previously approved café elsewhere on the site is no longer intended to be implemented. The proposal would utilise an existing (listed) building, which is not considered to be adversely affected by the change of use. In principle, the proposal is considered to have a functional relationship with the existing tourist attraction and would support the ongoing operation and diversification of Bibury Trout Farm.

- 10.17 The significant tourism pressures affecting Bibury are acknowledged, with traffic, parking and pedestrian safety issues representing established concerns within the village. Following deferral of the application by Planning and Licensing Committee, additional transport information was submitted by the applicant in the form of a Traffic Impact Assessment. Whilst the applicant contends that the proposal would predominantly serve visitors already present within Bibury and the Trout Farm, and that the development would generate fewer trips than the extant permission granted under application 23/03980/FUL, the Highway Authority has advised that trip generation is not the principal issue in this case.
- 10.18 The Highway Authority considers that insufficient information has been provided to assess pedestrian accessibility and safety, including pedestrian movements along Ablington Lane, pedestrian and vehicle interaction, accessibility for mobility-impaired users, and conditions experienced during peak visitor periods. The application has therefore not demonstrated that safe and suitable access can be achieved for all users. These matters are considered in detail within the Highway Safety section below.
- 10.19 The proposal would continue to make use of an existing building and would not involve encroachment into the wider countryside. In principle, the proposal is capable of supporting sustainable tourism objectives and the ongoing diversification of an existing rural enterprise. However, compliance with the development plan must be considered in the round, having regard to all material considerations, including transport and highway safety impacts.
- 10.20 Whilst the proposal is considered acceptable in principle under Policies EC1, EC3, EC5, EC6 and EC10, the acceptability of the scheme ultimately depends upon whether it can be demonstrated that safe and suitable access can be achieved for all users. This matter is assessed below under Highway Safety.

(b) Design and Impact on Heritage Assets

- 10.21 Shoecroft Barn is a grade II listed building. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of

preserving or enhancing the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (for planning permission).

10.22 The barn also lies within the designated Bibury Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.23 Considerable weight and importance must be given to the aforementioned legislation.

10.24 Local Plan Policy EN1 seeks where appropriate, to promote the protection, conservation and enhancement of the historic and natural environment.

10.25 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."*

10.26 Local Plan Policy EN10 states:

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

2 Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.

3 Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:

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

10.27 Local Plan Policy EN11 states:

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

- a. Preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;*
- b. Include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;*
- c. Will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.*
- d. Have regard to the relevant Conservation Area appraisal (where available); and*
- e. do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting."*

10.28 Local Plan Policy EN13 states that proposals to extend or alter non-domestic heritage assets that have already been converted will be permitted where the works would preserve the significance of the asset, its setting and/or the character or the appearance of the surrounding landscape in a manner that is proportionate to the significance of the asset.

10.29 Section 12 of the NPPF reiterates that achieving well designed and high-quality places and buildings is importance.

10.30 Section 16 of the NPPF seeks to conserve and enhance the historic environment. Paragraph 210 states that Local Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 212 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 states that any harm to or loss of significance, through alteration or development within the asset's setting should require clear and convincing justification. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed

against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 10.31 The main threshing barn forms part of the Bibury Trout Farm complex and contributes to the character of the site through its historic agricultural form and fabric. The barn has previously been converted to non-agricultural uses, with a number of unsympathetic modern alterations already present. As such, while the building retains heritage value as a listed structure, its sensitivity to change has been reduced in certain areas.
- 10.32 The proposal involves the conversion of the ground floor of the barn to a café with ancillary retail use in connection with the established use of the site as Bibury Trout Farm. The change of use would not result in the loss of an historic agricultural function and would provide a viable use that supports the ongoing maintenance and use of the listed building. The principle of conversion is therefore considered reasonable.
- 10.33 The proposals include the compartmentalisation of the ground and first floor. The removal of the modern stair with two new openings in the historic western gable considered acceptable. The other physical works to the threshing barn appear to involve alterations to modern fabric, and are considered uncontentious.
- 10.34 The western lean-to is a modern and unsympathetic addition which makes a limited contribution to the overall significance of the listed building. The proposed alterations to this element, including raising the roof by approximately 30cm, would not materially alter its character or compete with the principal barn and are therefore considered acceptable.
- 10.35 The proposed link between the lean-to and rear shelter shed has been reduced in size from that originally proposed. This aspect is now considered to be deferential and subordinate, and reducing the awkward roof junctions. The Conservation Officer has confirmed this aspect is now considered reasonable.
- 10.36 Regarding the shelter shed, this would remain an open, covered external space rather than being enclosed. Amended plans have also omitted the intended concrete floor slab, with the flooring to now be renovated. The impact on the shelter shed is therefore considered acceptable.
- 10.37 To the south of the building, the replacement of the existing steps with wider steps and the introduction of a small terrace area are proposed. The use of dry-stone retaining walls is considered appropriate to the rural context of the site

and would soften the appearance of these changes. Overall, this element of the scheme is not considered to harm the appearance or setting of the listed building.

- 10.38 Taken together, the proposed works are considered to preserve the significance of the listed building and its setting.
- 10.39 The site is located on the northern edge of the Bibury Conservation Area. The Bibury Conservation Area Statement does not identify the site itself as being of particular significance beyond the presence of the listed building. The land in and around the site has a managed and man-made appearance, with a character that differs from the historic core of the village
- 10.40 The proposal utilises the existing barn, with the alterations subservient to the principal barn and of a design that respects the character and appearance of the site. Given the significance of the barn is considered to be preserved, the contribution this makes to the Conservation Area is would likewise be preserved. Accordingly, it is considered that the proposed development would not have an adverse impact on the character and appearance of the conservation area.
- 10.41 The proposal is therefore considered to comply with Local Plan Policies EN2, EN10, EN11, and EN13, and NPPF Sections 12 and 16.

(c) Impact on the Cotswolds National Landscape

- 10.42 The site is located within the Cotswolds National Landscape (formerly known as the Area of Outstanding Natural Beauty). Section 85(A1) of the Countryside and Rights of Way (CROW) Act 2000 (as amended by Section 245 of the Levelling-up and Regeneration Act 2023) states that relevant authorities have a duty to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.
- 10.43 Local Plan Policy EN1 states that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:
- a. ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;
 - b. contributing to the provision and enhancement of multi-functioning green infrastructure;

- c. addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;
- d. seeking to improve air, soil and water quality where feasible; and
- e. ensuring design standards that complement the character of the area and the sustainable use of the development.

- 10.44 Local Plan Policy EN4 states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas, and that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets.
- 10.45 Local Plan Policy EN5 Cotswolds Area of Outstanding Natural Beauty (AONB) states that in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.
- 10.46 Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by *'protecting and enhancing valued landscapes'* and *'recognising the intrinsic character and beauty of the countryside'*.
- 10.47 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.'*
- 10.48 The site is located on the edge of the village and forms part of a transitional area that relates more closely to the built form and infrastructure of Bibury than to the open countryside beyond. The immediate context is influenced by a range of built and man-made features, including a Thames Water pumping station and car park to the north, a large agricultural building to the west, and managed ponds to the south. As such, the site is experienced within a modified landscape context that is distinct from the more rural character of the surrounding National Landscape.
- 10.49 The proposed development would not result in a significant change to the character or appearance of the site. The principal barn already has a quasi-residential appearance, and vehicles are currently present within and around

the site. The proposed external café use would be oriented toward the village, rather than outward into the surrounding landscape, thereby limiting its visual and experiential impact on the wider National Landscape.

- 10.50 The need for external lighting is considered limited, as café use would primarily occur during daylight hours. Nevertheless, recognising the importance of tranquillity and dark skies within the National Landscape, a planning condition restricting the extent and operation of external lighting is recommended to ensure that any potential impact is appropriately controlled.
- 10.51 Overall, the proposal is considered not to have an adverse impact on the intrinsic qualities, character or natural beauty of this part of the National Landscape.
- 10.52 Concerns have been raised regarding potential noise impacts, including from amplified music. While cafés are not generally associated with significant noise generation of this nature, it is acknowledged that uncontrolled noise could affect the tranquillity of the area and nearby residential amenity. As a precautionary measure, a condition restricting amplified music is recommended.
- 10.53 Subject to the recommended conditions, the proposal is considered to conserve the landscape character and scenic beauty of the National Landscape and therefore complies with Local Plan Policies EN4 and EN6.

(d) Impact on Residential Amenity

- 10.54 Local Plan Policy EN2 requires development to accord with the design code, which contained guidance on impacts on residential amenity.
- 10.55 Local Plan Policy EN15 states that:

Development will be permitted that will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through:

- a. pollution of the air, land, surface water, or ground water sources; and/or*
b. generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.

- 10.56 The proposed development relates to the conversion of the ground floor to café use. The planning history supports the lawful use of the first and second floor as lawfully residential, which aligns with the agent's assertion of a

managers flat. Mixed-use arrangements with residential accommodation located above or adjacent to commercial uses, including cafés, are common in built-up areas and are not inherently incompatible. Café use would be expected to operate primarily during daytime hours. Given the potential presence of residential accommodation above, a condition restricting the hours of operation is recommended in order to safeguard residential amenity.

- 10.57 The barn is located within an active area of Bibury Trout Farm, where non-residents are already present, and there is limited scope for private external amenity space associated with the upper floors. Future occupiers would reasonably expect a degree of activity associated with the site and its surroundings. In this context, the proposed café use is not considered to result in an unacceptable impact on the amenity of any occupants of the building.
- 10.58 Concerns have also been raised regarding the potential for noise impacts on nearby residents, including those more central within Bibury/Arlington, particularly from music and customer activity. A condition restricting amplified music is recommended in order to prevent adverse impacts. With regard to general customer noise, given the separation distances to nearby dwellings and the existing levels of activity and background noise within Bibury, the proposal is not considered likely to give rise to unacceptable harm to residential amenity.
- 10.59 The proposal is therefore considered to comply with the residential amenity considerations of Local Plan Policies EN2 and EN15.

(e) Highways Safety

- 10.60 Local Plan Policy INF4 states that development will be permitted where safe and suitable access can be achieved for all users and where development does not have an unacceptable impact on highway safety. Local Plan Policy INF3 seeks to promote sustainable transport choices and prioritise safe and recognisable walking connections for all users.
- 10.61 Section 9 of the National Planning Policy Framework promotes sustainable transport. Paragraph 115 states that development should ensure that sustainable transport modes are prioritised where appropriate, safe and suitable access can be achieved for all users, and that any significant impacts on the transport network or highway safety can be mitigated to an acceptable degree. Paragraph 116 states that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

- 10.62 Following deferral of the application by Planning and Licensing Committee, the applicant submitted a Traffic Impact Assessment. The assessment compared the proposed development against the extant permission granted under application reference 23/03980/FUL and concluded that the proposed café may generate fewer trips than the approved scheme due to a reduced seating capacity.
- 10.63 The submitted Traffic Impact Assessment has been reviewed by Gloucestershire County Council as Highway Authority. Whilst the Highway Authority acknowledges the assessment's conclusions regarding comparative trip generation, it advises that trip generation is not the principal issue in this case. The key consideration is whether safe and suitable access can be achieved for all users and whether the highway safety implications of the development have been appropriately assessed and mitigated. The Highway Authority has maintained its objection to the proposal.
- 10.64 The application site is accessed from Ablington Lane, a narrow rural road which serves residential properties, agricultural traffic, visitors to Bibury Trout Farm and visitors to Bibury itself. Ablington Lane does not benefit from continuous pedestrian infrastructure linking the site to existing visitor parking areas, Bibury village or associated visitor attractions. As a consequence, pedestrians are frequently required to walk within the carriageway alongside vehicular traffic.
- 10.65 Evidence submitted during the course of the application demonstrates that substantial pedestrian activity occurs on Ablington Lane during peak visitor periods and that pedestrians and vehicles regularly share constrained carriageway space. The Highway Authority considers this evidence significant because it demonstrates the actual operating conditions experienced on the local highway network.
- 10.66 The Highway Authority advises that the submitted Traffic Impact Assessment does not include:
- a pedestrian access assessment;
 - a pedestrian route assessment;
 - an assessment of pedestrian and vehicle interaction;
 - an assessment of accessibility for mobility-impaired users;
 - an assessment of pedestrian conditions during peak visitor periods; or
 - an assessment of whether mitigation measures may be necessary.
- 10.67 Whilst the applicant contends that the proposal would predominantly serve existing visitors to Bibury and the Trout Farm, and would improve matters when

compared with the extant permission, these assertions have not been supported by a robust assessment of pedestrian accessibility or safety. The Highway Authority advises that no supporting survey work, behavioural analysis or pedestrian movement assessment has been submitted which would enable those conclusions to be independently verified.

- 10.68 It is acknowledged that no personal injury collisions have been recorded on Ablington Lane during the most recent five-year period. However, the Highway Authority advises that collision records alone do not demonstrate that safe and suitable access has been achieved. The principal concern relates to the interaction between pedestrians and vehicles within a constrained highway environment where significant pedestrian activity has been observed during peak visitor periods.
- 10.69 Following the Highway Authority's objection, the applicant's agent made further representations suggesting that relocation of the café to Shoecroft Barn would reduce pedestrian movements between the existing visitor car park and the approved café location and would therefore improve pedestrian safety. Gloucestershire County Council reviewed those representations and confirmed that they did not alter its position. The Highway Authority advised that no supporting pedestrian assessment, survey evidence or analysis had been submitted to demonstrate the extent of any such benefits and therefore maintained its objection.
- 10.70 Having regard to the evidence before it, the Local Planning Authority concurs with the findings of the Highway Authority that insufficient information has been submitted to demonstrate that safe and suitable access can be achieved for all users, including pedestrians and mobility-impaired users. Furthermore, insufficient information has been submitted to demonstrate that any resulting highway safety impacts have been appropriately assessed or could be mitigated to an acceptable degree.
- 10.71 In the absence of a robust assessment of pedestrian accessibility, pedestrian safety and pedestrian-vehicle interaction, the proposal fails to demonstrate compliance with Paragraph 115(b) of the National Planning Policy Framework, which requires safe and suitable access to be achieved for all users, and Paragraph 115(d), which requires highway safety impacts to be appropriately assessed and mitigated. The proposal is therefore contrary to Policies INF3 and INF4 of the Cotswold District Local Plan 2011-2031.
- 10.72 Accordingly, the Local Planning Authority considers that the applicant has failed to demonstrate that the proposal would not result in an unacceptable impact

on highway safety and the application is therefore unacceptable on highway grounds.

(f) Biodiversity and Geodiversity

- 10.73 This application is accompanied by an Ecological Impact Assessment which has assessed the site and surrounds for the presence of bats and other protected species. The aforementioned report identified that the main barn (above ground floor level) was of high suitability for roosting bats, and that the other sections were of negligible suitability. As the proposed works would not impact features suitable for roosting bats, the Biodiversity Officer has advised no further surveys are required in this instance. They have advised that the mitigations recommended within sections 6.10 to 6.14 of the EcIA to safeguard bats are accorded with, and a condition is recommended.
- 10.74 The proposal may affect nesting swallows, with recommendations to safeguard birds and to compensate for the loss of nests provided. Conditions to secure suitable enhancement of the site have also been provided.
- 10.75 Given the potential for bats, and potential increases in pressure to add external lighting, it is considered that a condition restricting external lighting is also attached.
- 10.76 It is noted that third party comments have been received regarding wildlife in the area, including river. Whilst these are noted, the proposal is considered to affect these habitats given the limited physical works involved and existing activity on the wider site.
- 10.77 The Biodiversity Officers raises no objection to the application. It is considered that the proposal accords with Local Plan Policy EN8.

Biodiversity Net Gain (BNG)

- 10.78 While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain. The red site boundary is constrained closely to the built form of the development, and as such is considered that the area of habitat affected directly would be *de minimis* and therefore exempt from BNG.

(g) Flooding and Drainage

- 10.79 The application site is located within a Flood Zone 1 which is the lowest designation of Flood Zone and one in which new holiday let development can be acceptable in principle. Notwithstanding this, the site is located adjacent to the River Coln, which is designated as a Main River by the Environment Agency. The River Coln and land to its south fall within a Flood Zone 3.
- 10.80 The proposed development will not result in a limited increase in the amount of built development on the site. Whilst the Drainage Engineer and Environment Agency did not comment on this application, they raised no objections to the previous application the impacts of which remain the same.
- 10.81 Concerns were raised in regard to the lack of details regarding drainage. Surface water drainage will be covered by a condition; however, the sewage would be connected to the mains. The agent has advised the building has been connected to the mains, and ensuring suitable capacity would be within the remit of Thames Water.
- 10.82 It is considered that the proposed development can be undertaken without having an unacceptable impact on flooding or drainage in accordance with Local Plan Policy EN14 and Section 14 of the NPPF.

Other Matters

- 10.83 The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). This is because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.
- 10.84 It is noted that not all trees surrounding the site have been annotated on the proposed plans. These are outside the site boundaries and would not be directly affected by the proposal. It has also been advised on the application form that no trees would be affected by the development. As such, the granting of permission for the proposed development is considered not to grant the removal of said trees.

11. Conclusion

- 11.1 The proposal would provide a viable use for a listed building and would support the diversification of an existing rural business associated with Bibury Trout Farm. The proposal is considered acceptable in principle and the heritage

impacts, including effects on the Grade II listed building and the Bibury Conservation Area, are considered acceptable and compliant with the relevant policies of the Cotswold District Local Plan and the National Planning Policy Framework.

- 11.2 The proposal is also considered acceptable in respect of its impact on the Cotswolds National Landscape. Subject to appropriate controls, the development would not result in unacceptable harm to the character, appearance or tranquillity of the National Landscape. Residential amenity impacts are similarly considered acceptable, and no objections have been raised by the Council's Biodiversity Officer in relation to ecology or biodiversity matters.
- 11.3 Furthermore, the proposed development is not considered to give rise to unacceptable impacts in terms of flooding or drainage and is capable of complying with the requirements of Local Plan Policy EN14 and the National Planning Policy Framework.
- 11.4 However, insufficient information has been submitted to demonstrate that safe and suitable access can be achieved for all users. The submitted Traffic Impact Assessment does not adequately assess pedestrian accessibility, pedestrian safety, pedestrian and vehicle interaction, accessibility for mobility-impaired users or pedestrian conditions during peak visitor periods. The applicant's subsequent representations have been reviewed by Gloucestershire County Council as Highway Authority but this has not altered its position. The Highway Authority has maintained its objection to the proposal.
- 11.5 Given the objection from Gloucestershire County Council as Highway Authority, significant weight is attached to its specialist advice. The proposal is therefore considered contrary to Policies INF3 and INF4 of the Cotswold District Local Plan 2011-2031 and Paragraphs 115(b) and 115(d) of the National Planning Policy Framework.
- 11.6 The recommendation is therefore REFUSE.

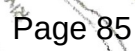
12. Reasons for Refusal:

1. The applicant has failed to demonstrate that safe and suitable access can be achieved for all users. The site relies upon pedestrian movement along Ablington Lane, a constrained rural road with no dedicated pedestrian infrastructure, where evidence demonstrates substantial pedestrian activity and shared use of the carriageway with vehicular traffic during peak visitor periods. Insufficient evidence has been submitted

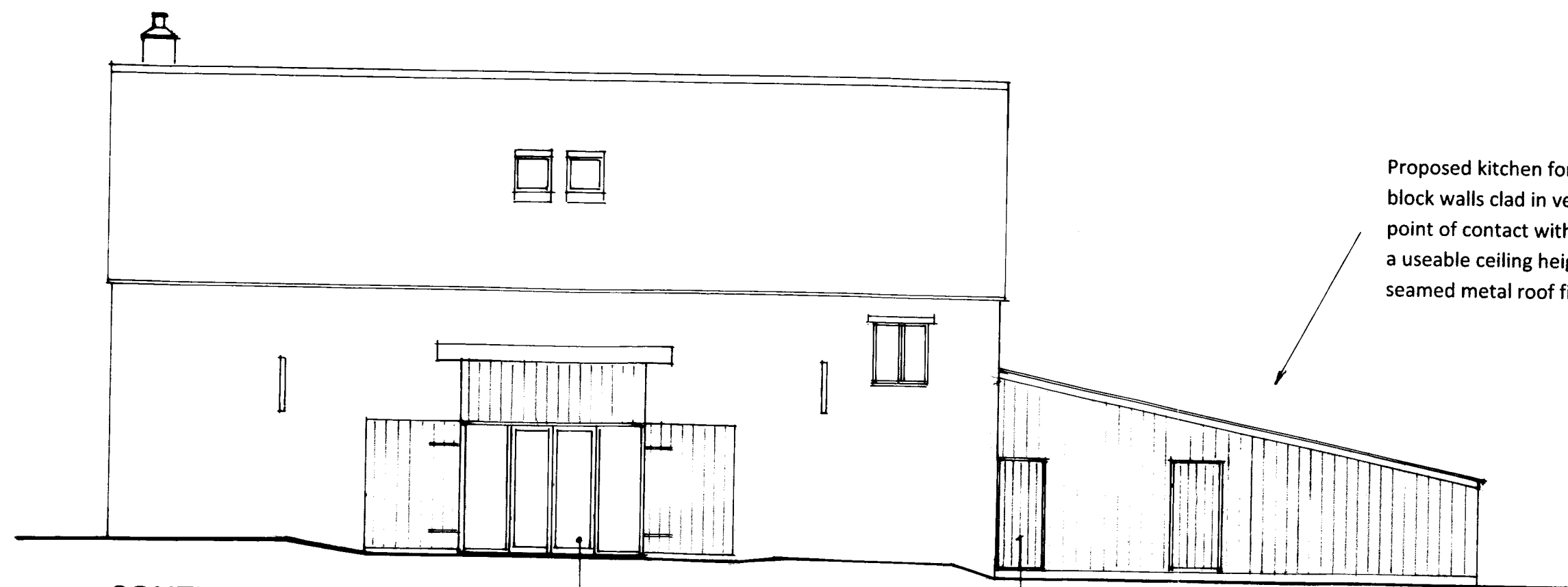
to demonstrate that pedestrian accessibility and pedestrian safety have been adequately assessed or that any resulting highway safety impacts have been shown to be acceptable or capable of mitigation to an acceptable degree.

2. The proposal therefore fails to demonstrate compliance with Paragraph 115(b) and Paragraph 115(d) of the National Planning Policy Framework (December 2024) and is contrary to Policies INF3 and INF4 of the Cotswold Local Plan.

This page is intentionally left blank



This page is intentionally left blank

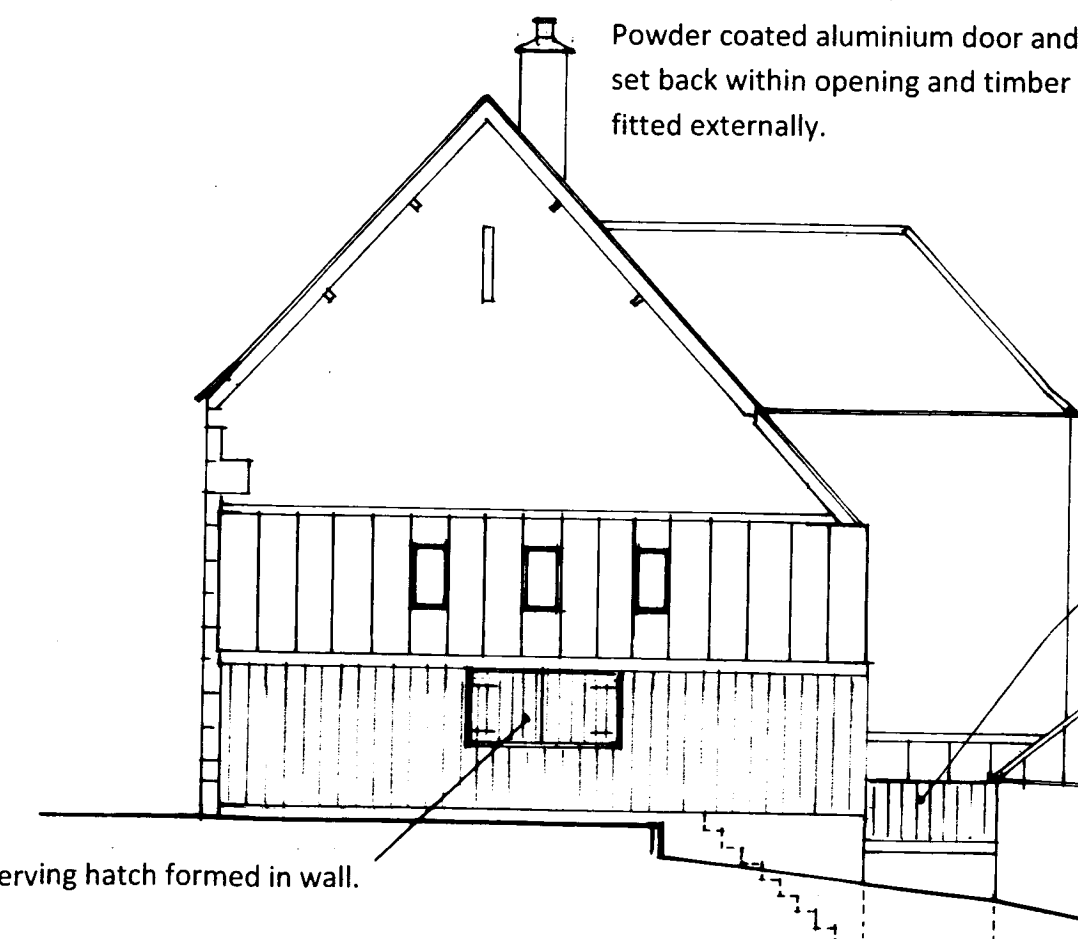


SOUTH WEST ELEVATION

Proposed kitchen formed within the existing lean-to extension, renovated with concrete block walls clad in vertical timber boarding. Roof structure to be lifted by 300mm at the point of contact with the stone barn and the pitch is to be adjusted by 1 degree to maintain a useable ceiling height at its lowest point. The corrugated iron roof is to be replaced with a sealed metal roof finish.

New access door to first floor apartment.

All timber posts and roof timbers to be retained and renovated as required.



NORTH WEST ELEVATION

Powder coated aluminium door and glazed screen set back within opening and timber boarded doors fitted externally.

Link between the kitchen and the barn to be constructed in concrete block, partly ground retaining and finished with timber boarding, and a sealed metal roof to match.

Serving hatch formed in wall.

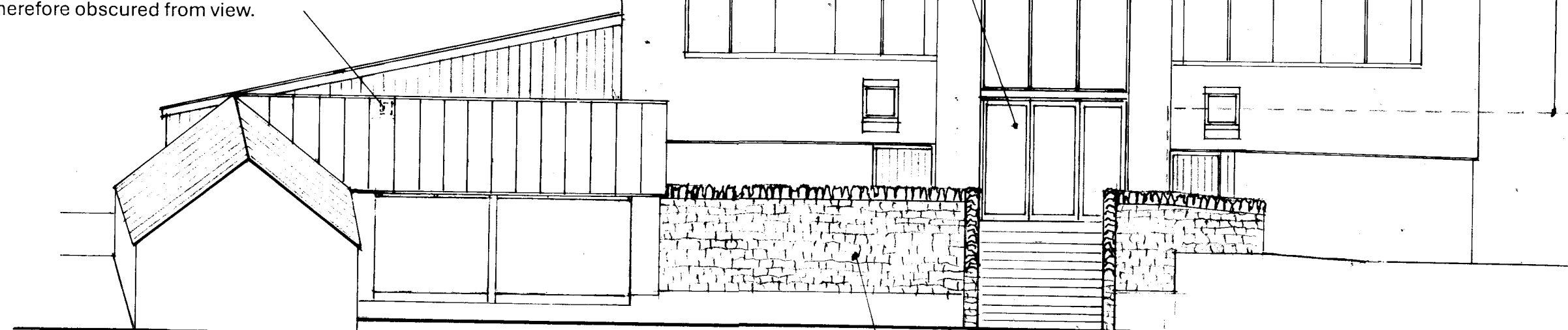
Existing corrugated roof finish to be removed and replaced with a sealed metal roof finish on existing structure.

New powder coated aluminium folding glazed doors to replace existing aluminium doors with a replacement glazed screen over to match.

Note. Existing single storey building (See floor plan) not shown for clarity.

SOUTH EAST ELEVATION

Cooker hood extract fan grill on external wall, 200mm sq. colour to match timber cladding. Location between two building elements, therefore obscured from view.



NORTH EAST ELEVATION

Existing patio area reconfigured as shown with the installation of a natural stone retaining wall to facilitate a level gravel surface and support for a new stairway. Wall extend in height to form a balustrade wall.

Rev C 2-6-26 Cooker extract note added.
Rev B 14-8-25 Further general amendments.
Rev A 22-5-25 General amendments.

Client BIBURY TROUT FARM			ANDREW P JONES ASSOCIATES <u>Development Consultants</u> FLAXFIELD HOUSE, POST OFFICE LANE CLEEVE HILL, CHELTENHAM, GLOUCESTERSHIRE. GL52 3PS TELEPHONE/FAX 01242 676025 e-mail aj@apjassociates.co.uk
Project SHOECROFT BARN, BIBURY CONVERSION TO A CAFÉ WITH RETAIL AREA.			
Drawing ELEVATIONS AS PROPOSED			
Drg No 1621/501C	1:100@A2	25-2-25	

SCALE BAR 1:100
0 1m 2m 3m 4m

This page is intentionally left blank

Kitchen formed within existing building with concrete block wall extended as required to enclose building footprint and clad externally with timber boarding on battens over a dpm and finished internally with plasterboard on an insulated timber frame.

Kitchen cooker to have a cooker hood extract fan over, ducted through the wall behind to a standard external, 200mm sq wall mounted grill, to match external cladding.

Serving hatch formed in wall.
Link between kitchen and existing barn formed with timber clad blockwork to match.

New timber staircase to first floor apartment, enclosed within concrete block wall.

New external timber doors. (See elevations)

Powder coated aluminium glazed screen doors.

New access door to apartment over.

New timber staircase to first floor apartment enclosed within a concrete block wall.

EXISTING APARTMENT
(Farm managers accommodation)

FIRST FLOOR

Previously blocked up opening to be reopened.
Male wc formed with insulated stud partitions.
New suspended timber floor to line with existing and supported on concrete sleeper walls.

New powder coated aluminium folding screen doors to replace existing aluminium doors.

Existing stone floors to be renovated.

All timber posts and roof timbers to be retained and renovated as required.

Timber partitions between bays.

Metal spiral staircase to be removed and floor opening made good.

Female wc formed with insulated stud partitions.

New suspended timber floor to line with existing and supported on concrete sleeper walls.

Existing patio area reconfigured as shown with the installation of a natural stone retaining wall to facilitate a level gravel surface and support for a new stairway. Wall extend in height to form a balustrade wall.

GROUND FLOOR

SCALE BAR 1:100

0 1m 2m 3m 4m

Client

BIBURY TROUT FARM

Project

**SHOECROFT BARN, BIBURY
CONVERSION TO A CAFÉ
WITH RETAIL AREA.**

Drawing

**FLOOR PLANS
AS PROPOSED**

Drg No 1621/500D

1:100@A2

24-2-25

**ANDREW P JONES
ASSOCIATES**

Development Consultants

FLAXFIELD HOUSE, POST OFFICE LANE,
CLEEVE HILL, CHELTENHAM,
GLOUCESTERSHIRE. GL52 3PS
TELEPHONE/FAX 01242 676025
e-mail aj@apjassociates.co.uk

This page is intentionally left blank

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 at Shoecroft Barn Ablington Bibury Cirencester Gloucestershire GL7 5NU

Listed Building Consent 25/02961/LBC	
Applicant:	Bibury Trout Farm
Agent:	Andrew P Jones Associates
Case Officer:	Rebecca McAndrew
Ward Member(s):	Councillor David Fowles
Committee Date:	11 August 2026
RECOMMENDATION:	CONSENT

1. Main Issues:

- (a) Design and Impact on Heritage Assets

2. Reasons for Referral:

- 2.1 No formal request for a call-in was received by the Ward Member. In discussion with Officers, due to local interest and objections including from consultees, Officers opted to call the application to the review panel.
- 2.2 The Review Panel agreed the request for the application to be considered at the Planning and Licensing Committee, as it was necessary to consider the highways implications of the development in light of Gloucestershire County Councils representations in response to the case. It was also agreed that a Site Inspection Briefing would be undertaken.

3. Site Description:

- 3.1 This application relates to a grade II listed converted stone barn and associated lean-to and linear buildings, located on the north-western edge of the village of Bibury. The buildings are used for office/commercial purposes in connection with Bibury Trout Farm to the south/south-east, with accommodation above.
- 3.2 The application site has been drawn close to the existing buildings, with access to the road. To the north-eastern boundary is the Bibury to Ablington Road and is defined by a drystone wall. To the west is an agricultural field, including a

recently constructed agricultural building, and to the south is the Trout Farm and River Coln.

- 3.3 The site is located within the Bibury Conservation Area and the Cotswolds National Landscape.
- 3.4 The River Coln is designated as a Main River by the Environment Agency. The application buildings are elevated above the aforementioned river and are located within Flood Zone 1.

4. Relevant Planning History:

- 4.1 CD.3062 Change of use of barn from agricultural to use as a store in connection with water undertaking. Permitted 1962
- 4.2 CD.3062/A Change of use from barn to dwelling. Permitted 1962
- 4.3 CD.3062/B Change of use of barn into dwelling. Permitted 1962
- 4.4 CD.3062/C Conversion of listed building into dwelling and outbuilding into flat to accommodate staff. Erection of a garage. Alteration of vehicular access. Permitted 1974
- 4.5 CD.3062/D Alterations to and use of lean-to as light industrial. Permitted 1977
- 4.6 CD.3062/E Conversion of listed building to use as living accommodation for the Bibury Trout Farm Manager. Use of most of ground floor as storage. Permitted 1979
- 4.7 CD.3062/F Erection of a chimney stack. Permitted 1987
- 4.8 CD.LBC134/A Erection of a chimney stack and removal of existing flue. Permitted 1987
- 4.9 CD.3062/G Erection of a single unit mobile home for use by the assistant fishery manager. Permitted 1990
- 4.10 03/01448/LBC Conversion of ground floor store into residential accommodation. Permitted 2003
- 4.11 03/01449/FUL Conversion of ground floor store into residential accommodation ancillary to existing dwelling on the first floor. Permitted 2003

- 4.12 09/00809/FUL Conversion of ground floor store into ancillary residential accommodation. Permitted 2009
- 4.13 09/00810/LBC Conversion of ground floor store into ancillary residential accommodation. Permitted 2009
- 4.14 12/02549/FUL Renewal of planning permission 09/00809/FUL to incorporate ground floor store into residential accommodation. Permitted 2012
- 4.15 12/02551/LBC Renewal of planning permission 09/00810/LBC for internal alterations, insertion of windows, change to external door and the demolition of lean-to store. Permitted 2012
- 4.16 21/04793/FUL Change of Use of Shoecroft Barn and historic outbuildings for use as an events venue. Refurbishment and alterations to include replacement of lean-to with Dutch barn extension, erection of entrance link building and garage extension. Alterations to fenestration and reinstatement of historic vehicular entrance. Withdrawn 2022
- 4.17 21/04794/LBC Change of Use of Shoecroft Barn and historic outbuildings for use as an events venue. Refurbishment and alterations to include replacement of lean-to with Dutch barn extension, erection of entrance link building and garage extension. Alterations to fenestration, modern internal floors and partitions, and reinstatement of historic vehicular entrance. Withdrawn 2022
- 4.18 22/02853/FUL Change of use of Shoecroft Barn and historic outbuilding to provide x5 holiday lets, refurbishment and alterations to include replacement of lean-to with extension and garage extension, and external alterations. Permitted December 2022
- 4.19 22/02854/LBC Change of use of Shoecroft Barn and historic outbuilding to provide x5 holiday lets, refurbishment and alterations to include replacement of lean-to with extension and garage extension, and alterations to fenestration, modern internal floors and partitions. Permitted December 2022
- 4.20 23/03980/FUL Erection of a café/gift shop. Permitted 2024
- 4.21 25/00840/FUL Conversion of ground floor of existing barns from general storage to cafe with retail area, including amendments to the lean-to, creation of a decking/patio area, and associated alterations. Withdrawn 2025

- 4.22 25/00841/LBC Conversion of ground floor of existing barns from general storage to cafe with retail area, including amendments to the lean-to, creation of a decking/patio area, and associated alterations. Withdrawn 2025
- 4.23 26/00015/FUL Retrospective car park adjacent to Shoecroft Barn and alterations to access. Pending consideration

5. Planning Policies:

- TNPPF The National Planning Policy Framework

6. Observations of Consultees:

- 6.1 Conservation Officer: No objections (following amendments)
- 6.2 Biodiversity Officer: No objections
- 6.3 Gloucestershire County Council Highway Officer: Objection
- 6.4 Environment Agency: No response received

7. View of Town/Parish Council:

- 7.1 Bibury Parish Council:

7.1.1 "Bibury Parish Council is frustrated that this application has been allowed so soon after its predecessor with the only changes being to Decking /Gravel."

7.1.2 Over 100 residents objected to this recently Highways also objected. We strongly OBJECT to this application. We will put our detailed objection on the planning application as I am mindful of the consultees deadline."

7.1.3 Bibury Parish Council unanimously OBJECT to 25/02960/FUL|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|Shoecroft Barn Ablington Bibury Cirencester Gloucestershire GL7 5NU

Overtourism

7.1.4 Bibury Parish Council agrees that overtourism by the Trout farm, resulting high volumes of visitors, is having a negative impact on the local

environment, community, and the overall visitor experience, the village cannot sustainably manage and maintain its character.

7.1.5 This application 25/02960/FUL we understand will be open to non-trout farm visitors therefore we believe will lead to another increase in visitor numbers.

7.1.6 The Trout Farm already has a large café in its grounds as well as existing extended café facility selling ice cream opposite the main site. The village has another four catering businesses for the public all serving food and drink, Policy EC10 New or extended tourist facilities and visitor attractions (excluding accommodation) (ii) d. is an identified opportunity that is not met by existing facilities;

7.1.7 9.10.4. The Local Plan ensures that new tourism development is effectively and appropriately controlled to protect the high quality natural and built environment of the District, especially in the AONB. The term 'special affinity' has been used in order to protect the character of Cotswold towns and the countryside

7.1.8 EC10: 9.10.6. The area's popularity with visitors is not sufficient justification for the location of new tourist attractions. Any large-scale visitor development will generally be considered to be unacceptable if it would harm the landscape or features of historic interest, or have a harmful impact on the transport network.

Access

7.1.9 The access to Shoecroft barn is on a single carriageway country lane used by rural agricultural vehicles, emergency vehicles and residents, this lane is constantly grid locked and verges eroded by tourist vehicles using the Trout farm main car park which is often full to overflowing in the summer therefore a new café as a standalone destination with traffic arriving will only exacerbate car parking and access to the Trout farm overflow car parks which have been overused this summer, not only creating enormous frustration to residents from Ablington and Bibury alike, but causing great danger to both pedestrians and drivers, contrary to policy INF4 Avoiding severance of communities, also EC10 9.10.6, EN15 the air can be polluted through gaseous emissions through local traffic generation in a conservation area.

7.1.10 The culmination of all these factors has created an unsafe public road with constant conflicts between traffic, cyclists and pedestrian's and cumulative

congestion and the negative impacts on residents' movements are severe contrary to INF4 which with this possibility of another cafe facility open to the public from the roadside increasing potential footfall and increase safety risk, more emissions, noise and more frustration to the people who live here.

7.1.11 The nearest fire station is in Northleach and their quickest and preferred route to access Bibury and surrounding villages in an emergency is to use the lane from Ablington into Bibury, this already busy lane (due to Trout farm visitors and car parks) will have an increased traffic flow due to expansion of Trout farm facilities. Gloucestershire Highways have Objected to this planning application.

Pollution

7.1.12 There are no details of foul water drainage, although Thames Water are now addressing the foul water pollution in Bibury, we understand a substantial increase in foul water from a café of this size would be detrimental to the sewage capacity at the Ablington end of the village, especially with any overflow being so close to the River Coln. If cesspits are to be considered the runoff will be extremely close to both the drinking water aquifer and the river Coln. EN15 10.15.3 therefore need to be designed appropriately and in discussion with the Environment Agency and as a Parish Council we consider there is not enough detail of this important part of the planning application. It is important that there are controls to ensure an adequate and safe water supply for residents.

7.1.13 Groundwater feeds into both public and private water supplies. These supplies may be affected through pollution and may be depleted through surface water and drainage systems which do not allow for natural infiltration of water through soils.

7.1.14 While there's no single, universally applicable figure, a cafe could use between 600 to 1000 gallons of water per day. Toilet flushes alone can account for a significant portion of this, with each flush potentially using 5 to 10 litres of water.

7.1.15 Noise pollution will increase as more visitors come to bigger tourist café facilities EN15 10.15.4 In areas where the community values quiet enjoyment and tranquillity, noise can be similarly detrimental, as can vibration, dust, smell and the intrusion of light and heat. Considering these points, Bibury Parish Council Strongly Object to this application.

- 7.2 They also submitted a "May Day Bank Holiday 2025 - Examples of dangerous traffic situations on the Ablington Road - Sunday 4th May 2025" document and a section of a report regarding traffic issues.

8. Other Representations:

- 8.1 102 third party representations have been received, objecting to the application on the grounds of:

- i. Additional vehicle trips (customers, staff, servicing) on constrained local roads (narrow carriageways, limited footways, pinch points).
- ii. Pedestrian safety concerns on routes with limited/absent footways and conflicts with vehicles/cyclists.
- iii. Increased congestion/queuing in peak periods and knock-on impacts for village movement.
- iv. Parking shortfall/overspill leading to unsafe or obstructive parking and pressure on residential streets.
- v. Potential effects on emergency/service vehicle access during busy periods.
- vi. No parking indicated on the plans.
- vii. Increased noise and general disturbance from additional visitors, vehicles, and outdoor activity.
- viii. Light spill and loss of tranquillity from increased evening/operational lighting
- ix. Noise pollution
- x. Increased litter and general nuisance associated with higher footfall.
- xi. Harm to the character and appearance of the Conservation Area and the village's historic character.
- xii. Harm to the National Landscape including effects on tranquillity and landscape character through intensification/commercialisation.
- xiii. Concerns regarding impacts on the listed building and the setting of heritage assets.
- xiv. Potential effects on protected species/habitats and calls for more robust ecological survey evidence.
- xv. Ecological enhancement measures previously included not provided with this application.
- xvi. Trees shown as removed on the site plan (but not mentioned on the application form)
- xvii. Potential for pollution and water-quality impacts affecting the River Coln and wider water environment.
- xviii. Concerns about adequacy of drainage/foul sewage arrangements to accommodate café use and lack of information submitted.

- xix. Overprovision of cafés/retail locally and potential impact on existing businesses
- xx. Inconsistencies in the Heritage, Design and Access Statement and overall poor quality of submission
- xxi. Frustration application was validated given quality of submission
- xxii. Limited changes from the previous application
- xxiii. Proliferation of planning applications submitted
- xxiv. Inclusion of previously not mentioned farm manager's accommodation
- xxv. Concern over site becoming an events venue
- xxvi. Lack of compliance with condition
- xxvii. Erosion of working farm into a solely tourist based enterprise
- xxviii. One business causing detriment to the village without benefits to the village
- xxix. Lack of compliance with conditions
- xxx. Footpath not installed in accordance with condition on application 21/02486/FUL
- xxxi. Potential light spill/pollution
- xxxii. No retail impact assessment (EC9)
- xxxiii. Proposal does not comply with economy policies
- xxxiv. Applications a waste of time and money, and causes distress
- xxxv. Strategic management plan of the Trout Farm required
- xxxvi. Concerns over potential future creep of development

- 8.2 The majority of issues raised relate to the planning application and addressed in the report for the planning application.

9. Applicant's Supporting Information:

- Ecological Impact Assessment prepared by Darwin Ecology dated July 2025
- Heritage, Design and Access Statement dated March 2025

10. Officer's Assessment:

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

Background and Proposed Development

- 10.2 The application seeks the conversion of the ground floor of the existing building into a café with retail area, including amendments to the lean-to and decking area.
- 10.3 This application was considered by the Planning and Licensing Committee on 13 May 2026. Following debate, Members resolved to defer determination of the application to enable further information and clarification to be provided regarding the operational requirements of the proposed café use within the listed building. In particular, Members sought clarification on the proposed kitchen-related infrastructure such as flues, extraction systems and ventilation arrangements. Concerns were also raised regarding foul drainage and sewage capacity associated with the proposed café use. Additional information has subsequently been submitted by the applicant and is assessed within the relevant sections of this report.
- 10.4 Whilst drainage matters principally relate to the operation of the proposed use rather than the impact of the works on the significance of the listed building, Members are advised that these matters have been considered under the associated planning application. In that regard, the applicant has advised that the building is already connected to the mains sewer, with sewer capacity falling within the remit of the statutory undertaker.
- 10.5 Members should note that the associated full planning application (25/02960/FUL) is also presented to this meeting and is recommended for refusal on highway safety grounds. However, Listed Building Consent and planning permission are separate statutory regimes addressing different matters. The determination of this Listed Building Consent application is confined to assessing the impact of the proposed works on the significance, character and special interest of the designated heritage asset. Highway impacts, drainage matters and other planning considerations are assessed under the companion planning application. Accordingly, the recommendation on the planning application should not influence the Committee's assessment of the heritage merits of this Listed Building Consent application, which must be determined independently.
- 10.6 As an application for Listed Building Consent, this application is concerned exclusively with the effect of the proposed physical works on the special architectural and historic interest of the Grade II listed building. The assessment below therefore focuses on whether the proposals would preserve the

significance of the heritage asset and whether any harm arising from the works is justified, having regard to relevant heritage legislation and planning policy.

(a) Design and Impact on Heritage Assets

- 10.7 Shoecroft Barn is a grade II listed building. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving or enhancing the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 (for listed building consent).
- 10.8 The barn also lies within the designated Bibury Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 10.9 Considerable weight and importance must be given to the aforementioned legislation.
- 10.10 Section 12 of the NPPF reiterates that achieving well designed and high-quality places and buildings is importance.
- 10.11 Section 16 of the NPPF seeks to conserve and enhance the historic environment. Paragraph 210 states that Local Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 212 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 states that any harm to or loss of significance, through alteration or development within the asset's setting should require clear and convincing justification. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 10.12 The main threshing barn forms part of the Bibury Trout Farm complex and contributes to the character of the site through its historic agricultural form and fabric. The barn has previously been converted to non-agricultural uses, with a number of unsympathetic modern alterations already present. As such, while the building retains heritage value as a listed structure, its sensitivity to change has been reduced in certain areas.
- 10.13 The proposal involves the conversion of the ground floor of the barn to a café with ancillary retail use in connection with the established use of the site as Bibury Trout Farm. The change of use would not result in the loss of an historic agricultural function and would provide a viable use that supports the ongoing maintenance and use of the listed building. The principle of conversion is therefore considered reasonable.
- 10.14 The proposals include the compartmentalisation of the ground and first floor. The removal of the modern stair with two new openings in the historic western gable considered acceptable. The other physical works to the threshing barn appear to involve alterations to modern fabric, and are considered uncontentious.
- 10.15 The western lean-to is a modern and unsympathetic addition which makes a limited contribution to the overall significance of the listed building. The proposed alterations to this element, including raising the roof by approximately 30cm, would not materially alter its character or compete with the principal barn and are therefore considered acceptable.
- 10.16 Following the Committee's deferral of the application, additional details have been provided in relation to the proposed kitchen extraction and ventilation system. These confirm that the cooker hood would be ducted through the wall to a 200mm square external extract grille, coloured to match the timber cladding of the lean-to. The grille would be located between two building elements and would be largely obscured from public view. Given its modest scale, discreet siting and sympathetic appearance, the extract grille would not result in harm to the special architectural or historic interest of the listed building. The Conservation Officer has reviewed the revised details and raises no objection.
- 10.17 The proposed link between the lean-to and rear shelter shed has been reduced in size from that originally proposed. This aspect is now considered to be deferential and subordinate, and reducing the awkward roof junctions. The Conservation Officer has confirmed this aspect is now considered reasonable.

- 10.18 Regarding the shelter shed, this would remain an open, covered external space rather than being enclosed. Amended plans have also omitted the intended concrete floor slab, with the flooring to now be renovated. The impact on the shelter shed is therefore considered acceptable.
- 10.19 To the south of the building, the replacement of the existing steps with wider steps and the introduction of a small terrace area are proposed. The use of dry-stone retaining walls is considered appropriate to the rural context of the site and would soften the appearance of these changes. Overall, this element of the scheme is not considered to harm the appearance or setting of the listed building.
- 10.20 Taken together, the proposed works are considered to preserve the significance of the listed building and its setting.
- 10.21 The site is located on the northern edge of the Bibury Conservation Area. The Bibury Conservation Area Statement does not identify the site itself as being of particular significance beyond the presence of the listed building. The land in and around the site has a managed and man-made appearance, with a character that differs from the historic core of the village.
- 10.22 The proposal utilises the existing barn, with the alterations subservient to the principal barn and of a design that respects the character and appearance of the site. Given the significance of the barn is considered to be preserved, the contribution this makes to the Conservation Area would likewise be preserved. Accordingly, it is considered that the proposed development would not have an adverse impact on the character and appearance of the conservation area.
- 10.23 The proposal is therefore considered to comply with Sections 12 and 16 of the NPPF.

11. Conclusion:

- 11.1 The proposal is considered to comply with the above considerations, and is therefore recommended for consent.

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. 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 the building is repointed using materials and a finish that is appropriate to the building which is listed as being of architectural and historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.

3. The timber cladding shall not be treated in any way and shall be left to weather and silver naturally and shall be permanently retained as such thereafter.

Reason: Traditionally timber cladding was untreated, and this method is considered to be the most appropriate in order to preserve the special architectural or historic interest which the Listed building possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.

4. No new doors or windows shall be installed until details have been submitted to, and approved in writing by the Local Planning Authority. The submitted details shall be as a scale of 1:10 or 1:20, with details of mouldings and profiles as a scale of 1:1, and shall also include details of the final colour/finish.

Reason: To ensure that the doors and windows are designed and finished in a manner which is appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving its special interest and sustaining its significance, in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.

5. No repairs or renovations shall be undertaken to the L-shaped shelter shed, including to its timber posts, roof structure, or flooring, until a detailed specification and method statement has been submitted to and approved in writing by the Local Planning Authority.

The specification shall include a survey of the existing structure and flooring, and an assessment of its condition.

Reason: To ensure that the repair and refurbishment of the L-shaped shelter shed is appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving its special interest and sustaining its significance, in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. These are important details which need to be undertaken in a manner which ensures that they serve to preserve the special merit of the building.

6. New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the Local Planning Authority and shall be permanently retained as such thereafter.

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

7. The development shall be undertaken in accordance with the recommendations contained within sections 6.8 to 6.17 and 7.2 to 7.3 of the Ecological Impact Assessment (Darwin Ecology, July 2025 - received 19th September 2025). All of the recommendations shall be implemented in full according to the specified timescales, and thereafter permanently retained.

Reason: To ensure wildlife is protected in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policy EN8 of the Cotswold District Local Plan 2011- 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

8. Prior to first use, details of the provision of 3no. compensatory swallow nest cups installed on the building, 1no. bird box affixed to a suitable onsite tree and 1no. bat box affixed to the western gable end of the building shall be submitted to the Local Planning Authority for approval. The details shall include a drawing showing the types of features, their locations within the site and their positions on the elevations of the building, and a timetable for their provision. The approved details shall be implemented in accordance with the approved specification and programme of implementation and be retained thereafter.

Reason: To protect and enhance the site for biodiversity in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policy EN8

of the Cotswold District Council Local Plan, and for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

Informatives:

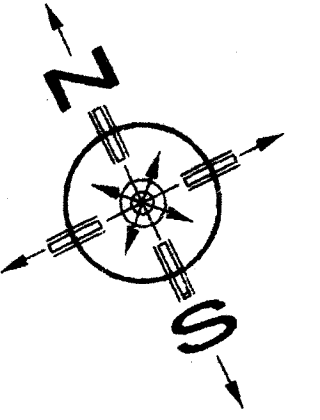
1. The development hereby approved shall be carried out in accordance with the following drawing number(s):

1621/500 REV C; 1621/501 REV B; and 1621/502 REV B

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

2. The works permitted are as per the approved plans and the details within the submitted Heritage, Design and Access Statement do not form part of the approved works.

This page is intentionally left blank



EXISTING CAR PARK.

EXISTING FOOTPATH

Footpath access to Bibury Trout Farm.

ABLINGTON LANE.

SHOECROFT BARN
Proposed Ground Floor Café
Existing residential (Farm managers flat) over.

Deck / Patio

Location of existing foul drainage pump with
rising main connection to existing foul sewer
in Ablington Lane.

EXISTING STORAGE BUILDING.

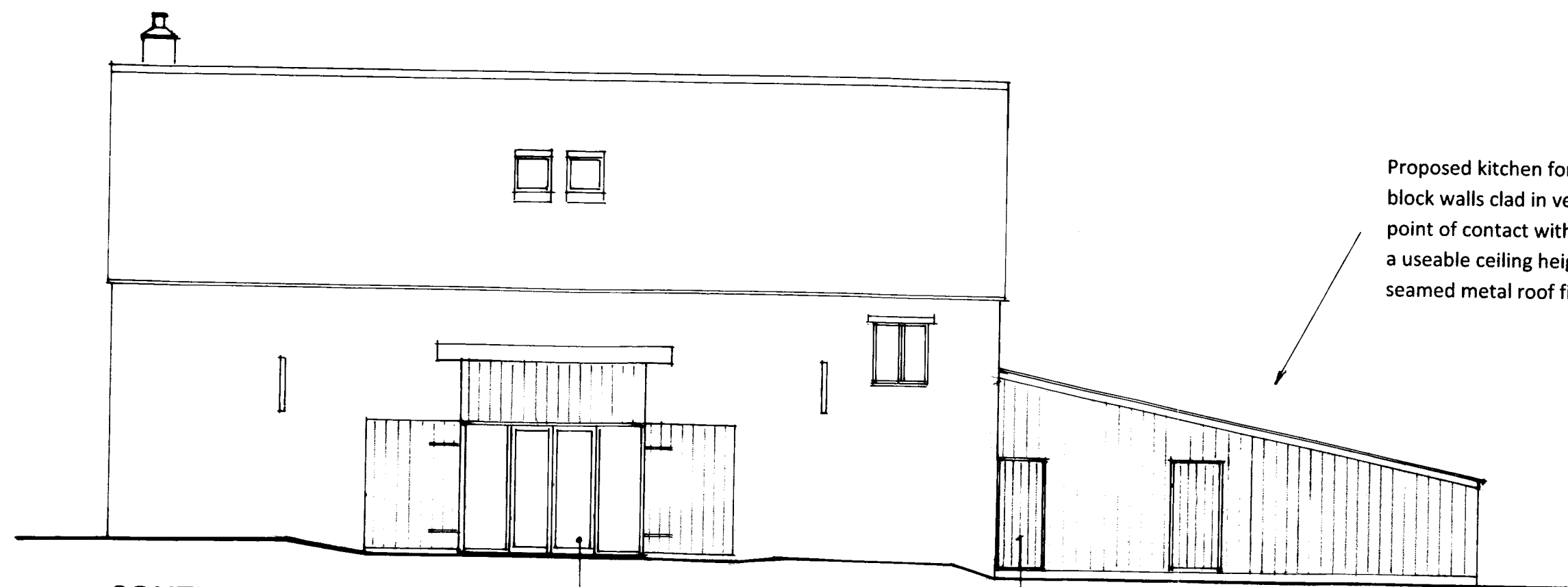
Rev B 14-8-25 Foul sewer pump location added.

SCALE BAR 1:200

0 2m 4m 6m 8m

Client BIBURY TROUT FARM			ANDREW P JONES ASSOCIATES <u>Development Consultants</u> FLAXFIELD HOUSE, POST OFFICE LANE CLEEVE HILL, CHELTENHAM, GLOUCESTERSHIRE, GL52 3PS TELEPHONE/FAX 01242 676025 e-mail aj@apjassociates.co.uk
Project SHOECROFT BARN, BIBURY CONVERSION TO A CAFÉ WITH RETAIL AREA.			
Drawing SITE PLAN			
Dwg No 1621/502 '8	1:200@A1	3-3-25	

This page is intentionally left blank

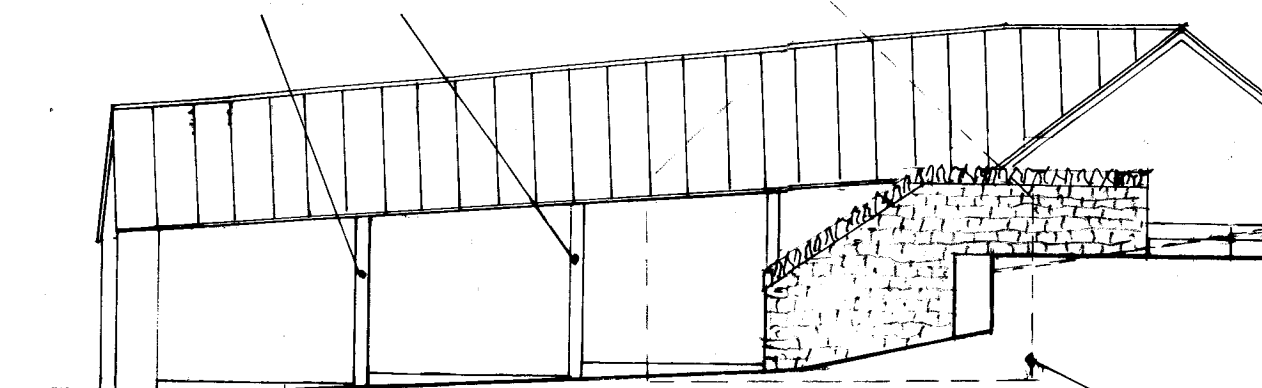


SOUTH WEST ELEVATION

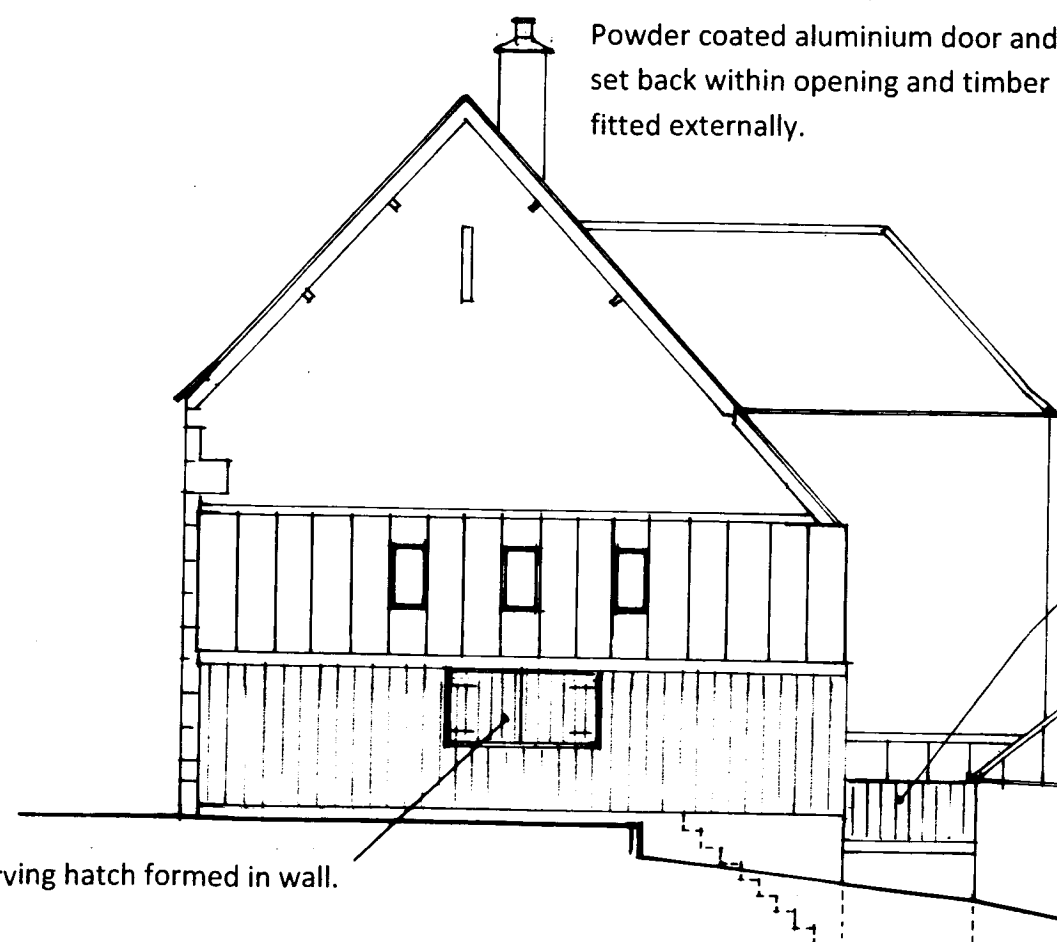
Proposed kitchen formed within the existing lean-to extension, renovated with concrete block walls clad in vertical timber boarding. Roof structure to be lifted by 300mm at the point of contact with the stone barn and the pitch is to be adjusted by 1 degree to maintain a useable ceiling height at its lowest point. The corrugated iron roof is to be replaced with a sealed metal roof finish.

New access door to first floor apartment.

All timber posts and roof timbers to be retained and renovated as required.



NORTH WEST ELEVATION



Powder coated aluminium door and glazed screen set back within opening and timber boarded doors fitted externally.

Link between the kitchen and the barn to be constructed in concrete block, partly ground retaining and finished with timber boarding, and a sealed metal roof to match.

Serving hatch formed in wall.

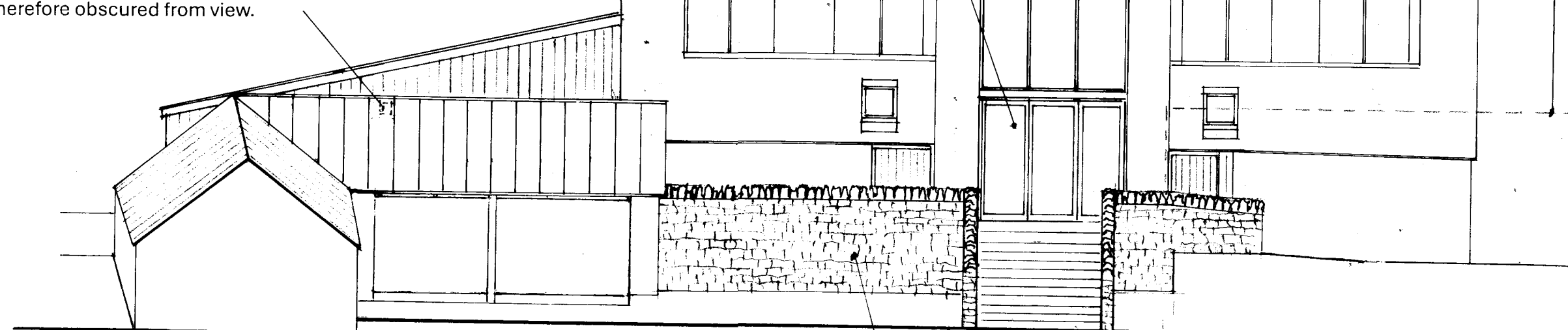
Existing corrugated roof finish to be removed and replaced with a sealed metal roof finish on existing structure.

New powder coated aluminium folding glazed doors to replace existing aluminium doors with a replacement glazed screen over to match.

Note. Existing single storey building (See floor plan) not shown for clarity.

SOUTH EAST ELEVATION

Cooker hood extract fan grill on external wall, 200mm sq. colour to match timber cladding. Location between two building elements, therefore obscured from view.



NORTH EAST ELEVATION

Existing patio area reconfigured as shown with the installation of a natural stone retaining wall to facilitate a level gravel surface and support for a new stairway. Wall extend in height to form a balustrade wall.

Rev C 2-6-26 Cooker extract note added.
Rev B 14-8-25 Further general amendments.
Rev A 22-5-25 General amendments.

Client BIBURY TROUT FARM			ANDREW P JONES ASSOCIATES <u>Development Consultants</u> FLAXFIELD HOUSE, POST OFFICE LANE CLEEVE HILL, CHELTENHAM, GLOUCESTERSHIRE. GL52 3PS TELEPHONE/FAX 01242 676025 e-mail aj@apjassociates.co.uk
Project SHOECROFT BARN, BIBURY CONVERSION TO A CAFÉ WITH RETAIL AREA.			
Drawing ELEVATIONS AS PROPOSED			
Drg No 1621/501C	1:100@A2	25-2-25	

SCALE BAR 1:100
0 1m 2m 3m 4m

This page is intentionally left blank

Kitchen formed within existing building with concrete block wall extended as required to enclose building footprint and clad externally with timber boarding on battens over a dpm and finished internally with plasterboard on an insulated timber frame.

Kitchen cooker to have a cooker hood extract fan over, ducted through the wall behind to a standard external, 200mm sq wall mounted grill, to match external cladding.

Serving hatch formed in wall.
Link between kitchen and existing barn formed with timber clad blockwork to match.

New timber staircase to first floor apartment, enclosed within concrete block wall.

New external timber doors. (See elevations)

Powder coated aluminium glazed screen doors.

New timber staircase to first floor apartment enclosed within a concrete block wall.

EXISTING APARTMENT
(Farm managers accommodation)

FIRST FLOOR

Previously blocked up opening to be reopened.
Male wc formed with insulated stud partitions.
New suspended timber floor to line with existing and supported on concrete sleeper walls.

New powder coated aluminium folding screen doors to replace existing aluminium doors.

Existing stone floors to be renovated.

All timber posts and roof timbers to be retained and renovated as required.

Timber partitions between bays.

Existing patio area reconfigured as shown with the installation of a natural stone retaining wall to facilitate a level gravel surface and support for a new stairway. Wall extend in height to form a balustrade wall.

Metal spiral staircase to be removed and floor opening made good.

Female wc formed with insulated stud partitions.

New suspended timber floor to line with existing and supported on concrete sleeper walls.

GROUND FLOOR

SCALE BAR 1:100

0 1m 2m 3m 4m

Client

BIBURY TROUT FARM

Project

**SHOECROFT BARN, BIBURY
CONVERSION TO A CAFÉ
WITH RETAIL AREA.**

Drawing

**FLOOR PLANS
AS PROPOSED**

Drg No 1621/500D | 1:100@A2 | 24-2-25

**ANDREW P JONES
ASSOCIATES**

Development Consultants
FLAXFIELD HOUSE, POST OFFICE LANE,
CLEEVE HILL, CHELTENHAM,
GLOUCESTERSHIRE. GL52 3PS
TELEPHONE/FAX 01242 676025
e-mail aj@apjassociates.co.uk

This page is intentionally left blank

Reserved Matters pursuant to outline permission 16/00054/OUT relating to approval of scale, layout, appearance and landscaping for 129 dwellings and four ground floor community use spaces with associated roads, parking and landscaping for Phase 2D associated with outline planning permission 16/00054/OUT. Discharge of outline planning permission conditions 16 (SuDS Schemes for each phase/sub-phase), 17 (Conformity and Maintenance with/of SuDS), 18 (SuDS Maintenance and Management Plan), 48 (Electric vehicle charging infrastructure), 49 (Waste Minimisation and Soil Management), 51 (Phased Arboricultural Reports), 56 (Protection of Biodiversity Compliance wit), 58 (Ecological Construction Method Statement), 60 (Lighting Design Strategy), 61 (Landscape, Ecological and Arboricultural), 65 (Hours of operation), 67 (Hours of operation) and 68 (Noise). Discharge of S106 obligation 2.5 of Schedule 1 at Land South West Of Alexander Drive and East of The Maples Cirencester Gloucestershire

Approval of Reserved Matters 26/01237/REM	
Applicant:	Harper Crewe Ltd
Agent:	Savills
Case Officer:	Julian Pye
Ward Member(s):	Ray Brassington
Committee Date:	11 August 2026
RECOMMENDATION:	APPROVAL OF RESERVED MATTERS SUBJECT TO CONDITIONS

1. Main Issues:

- (a) Layout
- (b) Appearance
- (c) Scale
- (d) Landscaping
- (e) Environmental Performance

2. Reasons for Referral:

- 2.1 Successful delivery of a sustainable, high-quality development on the Strategic Site south of Chesterton (Policy S2) is central to the Council's adopted Local Plan strategy. In accordance with the Council's scheme of delegation, officers consider it appropriate to report this application for approval of reserved matters pertaining to sub-Phase 2a of the development (The Steadings) to the Planning and Licensing Committee.

3. Site Description:

- 3.1 This application for reserved matters approval relates to a parcel of land that forms part of the wider allocated strategic site referred to as Land South of Chesterton and more recently as The Steadings. Sub phase 2D is located in the eastern part of the main site bounded by parcels 2A to C on its eastern side (including the Eastern Gateway into the development), when accessed from the Spratsgate Lane entrance, via the primary village street.
- 3.2 Immediately to the north of this parcel is a Primary Green Infrastructure Area (PGIA) within the site boundary and Alexander Drive and the associated residential area beyond. To the west, outside of the application site and site boundary, is The Cranhams, a Grade II listed building. Further west within the site boundary are development parcels included with the remainder of phase 2 (2F and 2G), and then future development parcels associated with Phase 3 of the scheme, including the proposed new neighbourhood centre. To the south of the parcel is the primary village street and immediately to the east, the rural link.
- 3.3 The site area is approximately 3.82ha forming part of the overall outline planning permission area of approximately 120ha, which was granted planning permission in 2019 (see below). The site is formed as a single parcel of land located to the north of the primary village street, and accessed from the future village space which will be addressed by the southernmost buildings proposed within this parcel.

4. Relevant Planning History:

- 4.1 On the 3rd April 2019, Cotswold District Council (CDC) granted outline planning permission (OPP) for a mixed-use development on the Strategic Site south of Chesterton, as per Local Plan Policy S2 (16/00054/OUT). As above, that Development is now referred to as The Steadings, and includes up to 2,350 new homes. The OPP was granted subject to 69 conditions and following the completion of two section 106 agreements; i.e. one between Bathurst Development Limited (BDL) and CDC, and one between BDL and Gloucestershire County Council (GCC).
- 4.2 In March 2021, CDC approved a Site Wide Design Code (SWDC) pursuant to OPP condition 9. It provides a skeletal structure for post-outline master planning work. OPP condition 10 requires the submission and approval of a Detailed Design Code (DDC) for each sub-area of The Steadings and in April 2025, CDC approved a DDC for sub phases 2d and e of the development.

- 4.3 In brief, the DDCs are required to prescribe, at a greater level of resolution than the SWDC, how agreed urban design principles are to be applied within the sub-area/phase in question. Subsequent Reserved Matters Applications (RMAs) are required to accord with the relevant approved DDC and the SWDC unless an alternative solution involving outstanding innovative design is proposed. All RMA's will be required to accord with this planning condition and submit a statement of compliance with the respective design codes (pursuant to condition 11 of the OPP).
- 4.4 In November 2021, CDC granted reserved matters approval for the development of phase 1a for 69 dwellings and associated green infrastructure. This sub phase is now practically complete and the majority of properties are occupied.
- 4.5 Following the granting of the OPP and the approval of the SWDC, the master developer (BDL) has also progressed the delivery of strategic infrastructure, including the first part of the primary village street off Spratsgate Lane, including a new highway junction in addition to strategic green infrastructure.
- 4.6 In December 2023, CDC granted reserved matters approval for the first section of the Primary Enhanced Street to serve sub phases 2a, b and c of the development.
- 4.7 In December 2023, CDC granted reserved matters approval for the first section of the Primary Green Infrastructure to serve sub phases 2a, b and c of the development.
- 4.8 In November 2025, CDC granted reserved matters approval for the next phase of the PGIA associated with sub phases 2D and E (ref 25/02185).
- 4.9 In January 2026, CDC granted reserved matters approval for the next phase of the primary village street into sub phases 2D and E (ref. 25/02186).
- 4.10 In January 2026, CDC granted reserved matters approval for the development of sub-phase 2A comprising 100 dwellings and associated infrastructure (ref: 26/02763).

5. Planning Policies:

National

- National Planning Policy Framework (NPPF) - updated December 2024.
- Planning practice guidance (PPG).

- National Design Guide - October 2019.

Cotswold District Council - Climate and Ecology

- Climate Emergency Strategy 2020-2030
- Ecological Emergency Action Plan

Cotswold District Council Local Plan Policies:

- S2 - Strategic Site, south of Chesterton
- EN1 - Built, Natural & Historic Environment
- EN2 - Design of Built & Natural Environment
- EN4 - The Wider Natural & Historic Landscape
- EN7 - Trees, Hedgerows & Woodlands
- EN8 - Bio & Geo: Features Habitats & Species
- INF1 - Infrastructure Delivery
- INF2 - Social & Community Infrastructure
- INF3 - Sustainable Transport
- INF7 - Green Infrastructure
- INF8 - Water Management Infrastructure

6. Observations of Consultees:

Pre-application Consultation

- 6.1 The applicant carried out extensive pre-application consultation on the original outline planning application. Thereafter, the local residents and the Town Council have continued to be actively engaged on the project and more recent public consultation for this specific reserved matters application (RMA) followed the principles set for previous phases of development.
- 6.2 Given the extensive consultation process previously undertaken, those registered on the database were notified of an online consultation process. Members of the public were duly advised to make representations directly to the LPA upon registration of the RMA.
- 6.3 A small number of representations were received by the applicant from existing groups and one resident of Tetbury. The comments have been provided by the applicant and can be summarised as follows:
 - The density is too low
 - The three storey element (buildings) are welcomed;
 - Lifts should be provided and two bedroom flats should have terraces

- Should reduce the number of garages
- Insufficient use of dormers
- When will there be cutting edge modern design? There is an opportunity for innovation
- Welcome the inclusion of bus stops within the village square and the emphasis on walking and cycling
- Bus introduction should be included early enough to influence travel behaviour, without this car use will become established.
- A simple local loop could help establish travel patterns
- There may be benefit in providing a local shuttle bus
- Bus stops should be conveniently located.
- Carriageway radii on bends look tight – large vehicles will need to mount kerbs
- Few houses have accommodation in the roof
- The images of the village square look optimistic as it will have traffic running through it
- The size of gardens should be roughly proportionate to the number of bedrooms.
- The three storey apartment looks 'barrack-like'. Projecting gable bays would provide some relief.
- More variation in the design of elevations where houses are in a line would be beneficial.
- Proposals for bin and cycle storage are unclear.
- Will there be landmark trees
- Will solar panels be provided.

Observations of Consultees:

- 6.4 The Council has undertaken a consultation exercise in relation to the submitted application. Summaries of all responses to the consultation on the application are included below and the responses are available in full on CDC's website.
- 6.5 The Officer's Assessment (see section 8 of this report below) reflects a project team approach to the Council's appraisal of the proposed design. It incorporates advice from the following internal consultees:
- Conservation and Design Officers
 - Landscape Officer
 - Tree Officer
 - Biodiversity/Ecology Officer
 - Highways Officer (GCC)

Responses to the first consultation exercise, May 2026

6.6 The comments below relate to the original application proposals and were received in response to the first consultation in September/October 2025.

6.7 CDC Biodiversity Officer

No objection. The submitted Ecological Compliance Statement and baseline is accurate and considered sufficient to demonstrate compliance with outline planning permission conditions.

The individual proposals for BNG for this sub phase will need to be considered as part of the overall approach to deliver habitats and BNG for the entire development. In consideration of the site clearance and preparatory works which have already been undertaken on the site, the information within the technical note is sufficient to demonstrate compliance with condition 56 of the OPP.

6.8 CDC Landscape Consultant

No objections: some recommendations on suitable revisions to the scheme, such as revised species, methods of planting which have been considered by the applicant team and used as the basis of revised plans and proposals.

6.9 CDC Tree Officer

No objections, satisfied that the Arboricultural Method Statement satisfies condition 51 of the outline planning permission. In addition, the proposed tree planting proposals are acceptable.

6.10 CDC Conservation and Design

No objections, but further amendments are required in respect of:

- mix and variation of house types (terracing)
- unit design/detailing (improvements/redesign to various buildings),
- use of materials/palette (clarifications) and boundary treatments (more natural stone)

6.11 CDC Environmental Health

Contamination

No objections to the proposed development.

Air Quality

The electric vehicle charging provision is considered to be satisfactory. Consequently, discharge of condition 48 for Phase 2a of the development is recommended.

6.12 **GCC - Lead Local Flood Authority**

No objections - Information provided with this application complies with requirements for reserved matter with respect to flooding and drainage as defined in planning permission 16/00054/OUT. The LLFA recommend that suitable detail has been submitted with this application for discharge of conditions 16 and 17 of that permission, although it stresses that the information falls short of supplying a useful SuDS Maintenance and Management Plan. The LLFA has strong concerns about the long term viability of underground storage crates and believes that the maintenance and management plan submitted with this application is written with ticking condition boxes in mind rather than providing the sort of detailed information that anyone responsible for managing underground storage crates may actually find useful over the lifetime of the development. The Sustainable Drainage Scheme and Management Plan needs to include a practical plan for monitoring and maintenance that includes details of record keeping and trigger levels to action any maintenance such as de-silting or more major maintenance.

6.13 **GCC Archaeologist**

No objections.

Archaeological matters are being dealt with under outline application 16/00054/OUT and an agreed mitigation strategy approved under condition 50. The details submitted are noted and no comments were considered necessary in relation to this reserved matters application.

6.14 **Minerals and Waste - GCC**

The submitted information is sufficient to recommend the approval of details for discharging the planning condition(s) relating to waste minimisation. No further action is recommended at this time.

6.15 **Thames Water**

No comments to make.

6.16 Environment Agency

Chose not to comment.

6.17 Historic England

No requirement to comment on the application.

6.18 Ministry of Defence

No objections.

6.19 Highways Officer (Gloucestershire County Council)

Gloucestershire County Council (GCC) Highways, acting in its capacity as a statutory consultee, undertook a full assessment of the reserved matters application proposals and was also involved through the pre-application process.

No objections to the proposed scheme, but a number of required revisions to the plans to ensure adequate turning and tracking for future vehicles, including refuse and emergency vehicles. Required deferment to enable further revisions to the proposals, which can be summarised as follows:

- revisions to the layout of specified junctions to ensure suitable tracking and turning facilities;
- revisions to the height of specified enclosure/walling were positioned within visibility splays;
- confirm safe refuse collection points
- clarify any proposed vertical deflections on the adoptable highways
- confirm details of connectivity of footways/cycleways to adjacent areas eg PGIA etc
- Ensure any on plot parking/driveways are of sufficient depth

6.20 Gloucestershire Constabulary – Designing out Crime Officer

Objection.

Concerns raised in respect to the use of rear parking courts within the site layout. Such rear parking can often be underutilised and sometimes abused, leading to car crime and on street issues. Some further concerns about the enclosure of parking courts with 1.8m walling which could reduce natural

surveillance, increase the fear of crime and create a place suitable for ball games.

The introduction of alleyways offers no benefit to the design, provides excessive permeability and could encourage future problems and anti-social behaviour. Concerns regarding the proposed parking area to the apartments and linkages to parcel 2E – this could lead to a 'rat run'. Potential issues related to poor lighting and shadows. Other concerns about the application related to the need to adhere to various policies and guidance, including the need to ensure houses are secured by design, with reference to latest 2025 guidance.

6.21 View of Cirencester Town Council

No Objection

However concerns raised regarding 'designing out crime' points raised by Gloucestershire Constabulary and requested that their comments were considered. Requested that Conservation Officer comments were also fully considered.

Concerns that there is minimal landscaping and raised further concerns that the bus arrangement won't meet the Section 106 agreement as the bus service referenced was no longer in service. Welcome that the proposals exceeded building regulations as solar panels and air source heat pumps will be installed on all properties along with electric vehicle charging points. We would like a condition that purchasers are offered the option of battery storage when purchased.

6.22 Siddington Parish Council

No objections but general comments provided. The Parish Council believes that an appropriate construction management plan should be provided, which would ensure construction traffic was not guided through Siddington village.

6.23 Cirencester Civic Society

Chose not to comment.

6.24 Community representations

One letter of support received from a member of public, summarised as follows: Pleased to note the higher density proposed, particularly the buildings fronting onto the village space. The proposed layout works and the affordable housing

is in line with expectations. The materials seem appropriate and the visual representations look comfortable.

Responses to the second consultation exercise, July 2026

6.25 The comments below were received in response to the second focused consultation exercise carried out at the beginning of July 2026. They relate to the revised application proposals as described in this report.

6.26 CDC Conservation and Design

No objection, subject to the following:

- Requirement to condition lintel and cill details, including both dwellings and ancillary structures
- Hipped roof to the rear of apartment block 1 appears unsympathetic and the eaves should be lowered to previous option
- Material plan/specification needs to be revised to remove reference to specific products
- Balance of roof materials needs to be updated/conditioned
- Boundary treatments need to incorporate additional low dry-stone walling.

6.27 CDC Landscape Consultant

No objections and acknowledgement that the revised proposals represent a positive response to previous landscape comments. Further details can be conditioned such as a hard landscape plan, including proposed materials, colours, finishes and boundary details and details of tree pit construction.

6.28 GCC Highways

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

The suggested conditions relate to visibility splays, parking details, cycle parking, electric vehicle charging points, a residential welcome pack and a construction management plan.

6.29 **Cotswold District Council Housing Officer**

The Council's Housing Officer has confirmed that they have no objection to the proposals in that the provision will contribute to meeting identified housing demand in Cirencester and the wider area. The officer notes that it is unfortunate that there are only 3 x social rented dwellings, given the disparity between local earnings and housing costs and the preference would have been for a slight reduction in shared ownership 2 bed dwellings and more social rented. However, it is also acknowledged that the affordable housing scheme mix as proposed is in accordance with the S106 agreement attached to the OPP.

6.30 **View of Cirencester Town Council:**

Any further response from Cirencester Town Council to the re-consultation will be reported to members as part of any addendum and updated information.

7. Applicant's Supporting Information:

- 7.1 The application for reserved matters approval was submitted in May 2026. Documents and drawings, as described by the Applicant's team, were submitted with this application (*for list of documents/drawings, see Item 10. Proposed Conditions, Condition 1*). All of the material is available on CDC's website.
- 7.2 Following further negotiations with the applicant through three pre-application and application stages, the applicant team formally submitted revised application material at the beginning of July 2026. The revised material provided the following revised information:
- a) revisions to the site layout, including revisions to junctions, tracking, parking and streets
 - b) revised house types and detailing
 - c) Revised boundary treatments and landscaping
 - d) Revised material palette/placement
 - e) Revised street scenes/visuals
 - f) Additional revised details eg window headers and cills
- 7.3 The above information was made available to view on the Council's website to inform the consultation exercise.

8. Officer's Assessment:

- 8.1 The case officer's conclusions on each of the key issues are set out in turn below, based upon the original submission as revised with material submitted at the beginning of July 2026, as above.

Scope of this application

- 8.2 As indicated above, this application for reserved matters approval, relates to sub-phase 2D of phase 2 of the overall development. The principle of development was established by the outline planning permission. The Council and the applicant have therefore moved beyond the question of whether development should take place to the question of what form, layout, appearance and detail it should take, in context of the approved outline planning permission, outline planning framework and related documents.
- 8.3 The reserved matters appropriate to this consideration are layout, scale, appearance and landscaping. They have been considered in context of the relevant national and local planning policies and specifically within the context of the outline planning permission and related design codes

The Design codes

- 8.4 The Site Wide Design Code (SWDC) was previously approved in 2021 and a detailed design code (DDC) for sub phases 2D and 2E was approved in the Spring of 2025. The SWDC and the DDC should be read in conjunction with the OPP – the Outline Planning Framework. In addition, The Cotswold Design Guide is also applicable to The Steadings being part of the adopted Local Plan.
- 8.5 The SWDC sets out how Bathurst Development Limited ("BDL") is the Master Developer for The Steadings and confirms that BDL is committed to providing a high-quality development, which will help meet the needs of the local community, Cirencester, and the District.
- 8.6 The SWDC also describes the intended architectural character for The Steadings, which reflects the Local Plan Framework. The Development is expected to be more contemporary in style, but reflecting the qualities of traditional architecture of the area, including materials, proportions, roof forms and detailing, to ensure local distinctiveness. Buildings should also utilise new technologies and best practice to address the relevant environmental and social concerns of today

- 8.7 The DDC builds upon and is consistent with the SWDC and sets out that “this document is for Parcels 2D and 2E, other parcels in phase 2 will be subject to separate detailed design codes....parcels 2D and 2E comprise between 250 – 280 dwellings”.
- 8.8 Parcels 2D and 2E sit to the west of Parcels 2A, 2B and 2C. To the west of the parcel and outside of the site boundary is The Cranhams, a Grade II listed building. The DDC adds further information to the Site Wide Design Code and sets out design principles relating to the character of the parcels, providing a full library of typologies, car parking arrangements and boundary treatments to which detailed proposals will be expected to refer. Some of the principles are specific to parcels, including public realm spaces and edge conditions, such as the village space and the village street along with the northern and eastern edges.
- 8.9 The DDC provides a detailed Framework Plan and provides a graphical summary of the requirements of the design code, identifying the following key requirements to ensure adherence to the code:
- Block structure;
 - Street types;
 - Streets and other routes;
 - Frontage types;
 - Important pieces of townscape;
 - Green infrastructure areas;
 - Other spaces within the Public Realm; and
 - Existing features to be retained
- 8.10 Townscape features within Parcel 2D include focal buildings forming the northern corner of the village space and framing the primary village street; a north/south secondary street that connects the PGIA/northern edge with the village space; a new greenspace and focal point set within the parcel that provides connectivity with a future play area to west of the parcel boundary and a continuous edge lane that wraps around the northern and western extent of the parcel
- 8.11 A mix of family housing of c.36 dwellings per hectare (net) has been provided, including a mix of house types and apartments that seek to address the key requirements for this part of Phase 2, namely the focal buildings and relationship with the primary village street, key groupings, northern and eastern open space edges whilst contributing to identified housing needs.

The scheme in summary

- 8.12 This application relates to a scheme of 129 dwellings with associated areas of green infrastructure, planting and highway. The scheme comprises a mix of dwelling types, including the requirement for focal buildings at the southern edge, fronting onto the primary village street and village space, dwellings facing onto the PGIA at the northern edge of the site and dwellings fronting onto the rural link along the eastern edge of the site.

The development plan

- 8.13 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan is the Cotswold District Local Plan 2011-2031, which was adopted on the 3rd of August 2018 (the Local Plan). Officers have therefore assessed the proposals against the relevant policies and Appendix B of the Local Plan, which sets out the Vision and Objectives for The Steadings.

The master planning process for The Steadings

- 8.14 The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities (NPPF par 131, page 39). The Local Plan describes how the master planning process for The Steadings will ensure that all aspects of development are properly addressed, including layout, landscape, density, the mix of uses, scale, materials and detailing. The key tenets of the post-outline approval master planning and urban design regime for The Steadings are described in summary below.
- The Local Plan framework, which sets clear expectations for the quality of The Steadings
 - Development and how this can be maintained.
 - The OPP framework, which includes the approved drawings and documents, the section 106 agreements, material approved pursuant to conditions, and material that supported the OPA.
 - The Site Wide Design Code approved by CDC pursuant to OPP condition 9.
 - Any DDCs approved by CDC pursuant to OPP conditions 10 and 11.
- 8.15 Design coding is fundamental to the regime described above.

Development context

- 8.16 Bathurst Developments Limited (BDL) is the Master Developer for The Steadings and has committed to work with CDC in managing and controlling the master planning process to ensure that the proposed Development delivers the shared vision. In doing so, BDL continues to deliver and plan for the delivery and management of the primary infrastructure for the development as a whole.
- 8.17 This sub phase of development is significant in delivering the first and easternmost sub phase (of phase 2), west of the new access onto Spratsgate Lane and in part, facing onto the primary village street as well as areas of primary green infrastructure to the north and south of the parcel.

Meeting local housing need

- 8.18 Policy H1 states that all housing developments will be expected to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable housing sectors, subject to viability. Developments should meet the needs and aspirations of people requiring market and affordable housing and developers will also be required to comply with the Nationally Described Space Standards (NDSS).
- 8.19 In addition to making an appropriate contribution to meeting local housing need, officers are keen to ensure the proposals optimise the potential of the site to accommodate an appropriate amount and mix of development, including green infrastructure and public space. Striking the right balance between the built development and related green space is critical to achieving a sustainable, high-quality development. In this regard the relationship with the PGIA is also an important consideration of this sub phase.

Affordable Housing

- 8.20 Policy H1 requires that any affordable accommodation with two or more bedrooms will be expected to be houses or bungalows unless there is a need for flats or specialist accommodation. Policy H2 stipulates that the type, size and mix, including the tenure split, of affordable housing will be expected to address the identified and prioritized housing needs of the District.
- 8.21 The section 106 agreement includes obligations relating to the phased provision of affordable housing across the Development. The agreement stipulates that 30% of the dwellings across the Development shall be provided as Affordable Housing. The percentage for each Phase or Sub-phase may be

higher or lower than 30%, subject to the Development as a whole meeting the Agreed Provision. The distribution of Affordable Housing is controlled through the approved Phasing Plan, which stipulates that Phase 2 will include 31% Affordable Housing.

- 8.22 The revised application proposals include the provision of 40 affordable homes (31%) in accordance with the Outline Planning Framework, comprising 62.5% Affordable and Social Rented Units and 37.5% Shared Ownership Units (as defined in the section 106 agreement). The proposed level of provision is consistent with the approved Phasing Plan as shown in the following table:

Affordable Type	Size	Phasing Plan Mix	Proposed Mix
Affordable Rent	1B2P	24%	25%
	2B4P	21%	20%
	3B6P	9%	10%
Social Rent	4B7P	12%	7.5%
Shared Ownership	2B4P	23%	25%
	3B5P	10%	12.5%

- 8.23 The proposed housing mix for sub phase 2D is set out below:

Type	Market	Affordable			TOTAL
		Affordable Rent	Social Rent	Shared Ownership	
1 bed apartment	3	8			11
2 bed apartment	9				9
1 bed maisonette		2			2
2 bed dwelling	15	8		10	33
3 bed dwelling	25	4		5	34
4 bed dwelling	37		3		40
TOTAL	89	22	3	15	129

Table 1 Proposed dwelling Mix

- 8.24 The following table sets out the proposed housing mix compared with the Council's housing needs assessment (2019) (informed by the suggested market mix from the SHMA). The housing mix broadly aligns with the mix established by the outline application, however, due to the length of development which abuts the PGIA and landscape edge, where there is a requirement for a lower density arrangement, there is a slight skew towards the provision of larger detached dwellings in these parts of the site. The proposed development however continues to provide an appropriate mix of dwellings sizes from 1

bedroom apartments to four bedroom dwellings to provide a varied and a relevant housing mix.

- 8.25 Thus, the main variation in the overall housing mix is the balance between 3 and 4 bed homes ie a reduction in 3 beds and for the reasons above, an increase in 4 bed units.

Source of Mix	Dwelling Type			
	1 bed	2 bed	3 bed	4 bed
Suggested Mix from the SHMA Update	3.8%	25%	47.4%	23.8%
Indicative Mix from the OPA	3%	29%	47%	21%
Proposed Mix for Sub Phase 2D	3%	27%	28%	42%

- 8.26 Given the nature of sub phase 2D, it is understandable that there might need to be a variation to the overall housing mix to enable the required number of homes to be delivered on the site. The s106 requires this justification to be agreed with the Council and this is set out within the submitted Planning Statement in respect of the specific conditions for sub phase 2D.
- 8.27 It is logical to assume that proposals for individual sub phases will involve some variation to the Outline Framework indicative mix, given relevant variations to development form and parcel requirements across The Steadings scheme. The proposals accord with the requirement to provide 31% affordable homes (as part of Phase 2) but with a degree of variation on the mix which officers consider is acceptable and should not have a detrimental impact upon achieving the overall required housing mix as set out previously and which might be subject to future review/update over the lifetime of the project.
- 8.28 The applicant has provided the following justification for the variation to the housing mix:
- The housing mix broadly aligns with the mix established as part of the outline application however, due to the length of development which abuts the landscaping where the character is identified as being lower density and due to the requirement for private drives to the edge of the phase there is a skew towards four bedroom dwellings to allow for the more spacious plots needed to accommodate these properties. The proposed development however continues to provide a good mix of dwelling sizes and house types to provide a varied and diverse phase of development. The proposal is therefore considered to accord with the outline planning permission, the aims of the SWDC and DDC and the requirements of the Local Plan Policy H1.*

- 8.29 The approach and the justification are considered reasonable and represent a relatively minor variation in context of the development of The Steadings as a whole. On balance, the proposed housing mix is considered acceptable by officers.

Optimising the Site's Development Potential

- 8.30 The NPPF stipulates that planning decisions should promote an effective use of land in meeting the need for homes and other uses. It also makes it clear that this involves optimising the potential of the site to accommodate and sustain an appropriate amount and mix of development, including green space. Similarly, Policy EN1 requires a balance to be struck between new development on the one hand, and the need to provide and enhance green infrastructure, and avoid habitat loss and fragmentation, on the other. Getting this balance right is critical to achieving sustainable, high-quality development.
- 8.31 Sub phase 2D is located directly adjacent to areas of PGIA to the north and the rural link to the east. The parcel of development forms just one sub phase of the overall phase 2 of The Steadings and thus, there is no specific requirement to provide any additional areas of significant green infrastructure and public open space within the red line, although in this case an additional green space has been included. Future residents will have direct walkable access to the new green space within the parcel along with areas of primary green infrastructure adjacent to the site.
- 8.32 The proposals do, however, provide a suitable mix of dwelling sizes with all housing having private gardens of suitable size with larger homes enjoying additional space per plot but not to the detriment of the smaller homes. In addition, other planting and landscaping is proposed such as street trees where appropriate.

Landscaping

Biodiversity Net Gain

- 8.33 The Environment Bill created a new requirement in planning legislation for a 10% biodiversity gain for new developments. The government will use the Defra Biodiversity Metric to measure changes to biodiversity. Members should note that this requirement came into force some time after the determination of the OPP.

- 8.34 Moreover, BDL has agreed that 10% biodiversity gain should be the starting point target for The Steadings as a whole. The Outline Framework creates an opportunity for around 15 ha on the main site to be managed specifically for biodiversity (i.e. 37% of the designated main open green spaces, or 12.5% of the overall OPP site area). Early application of the Metric to the Development as a whole indicates that the agreed 10% starting point target should be achievable.
- 8.35 OPP was granted subject to an approved Ecological Mitigation and Management Framework (EMMF), which describes how The Steadings will deliver biodiversity net gain (BNG) in accordance with local and national planning policy. CDC and BDL have also agreed a process to deliver a minimum of 10% BNG across The Steadings Development as a whole (including any off-site contributions if required to meet the overall 10% target).
- 8.36 BDL's stated aims for that process are as follows.
- Deliver a minimum of 10% BNG (in area and linear) across the Development as a whole (and/or provide an off-site contribution of required equivalent to achieve the overall 10%).
 - Maximize BNG on each parcel (Sub-Phase) as they come forward and where relevant.
 - Have a framework to demonstrate what is expected on each parcel, with certain assumptions.
 - Have a simple and efficient control mechanism to deliver the net gain.
 - Have an efficient mechanism to monitor net gain throughout the delivery process.
- 8.37 To demonstrate how its aims could be met, BDL previously commissioned consultants to undertake a Biodiversity Impact Assessment (BIA) of The Steadings Development as a whole, based on the OPP proposals. The BIA sets out a framework for how each Phase/Sub-Phase will contribute towards meeting a minimum of 10% BNG as described above. Not surprisingly, it shows that the level of achievable BNG is likely to vary across Sub-Phases and clearly the areas of PGIA will deliver a significant amount of BNG.
- 8.38 The BNG monitoring arrangements described above will continue to evolve as the Development progresses and each phase/sub phase will be assessed against the overall BNG requirements. Given that CDC and BDL have already agreed the overall objectives, officers are confident that the monitoring arrangements can continue to be refined to the satisfaction of all concerned.

- 8.39 The application site comprises a field that was previously arable and was then left fallow, such that ruderal species and grassland have colonised. Archaeological excavations were completed in early 2025, leaving large areas of bare ground. The site is bounded by a line of trees, sections of hedgerow and woodland, all of which are outside of the site boundary.
- 8.40 The applicant has submitted an Ecological Mitigation Strategy as part of the reserved matters submission and to accord with outline planning conditions 56, 58 and 61. Updated ecological surveys have also been undertaken. The Strategy outlines a number of measures that will ensure that any effects upon ecological features present on-site (namely birds, bats, dormouse, badger, great crested newts and reptiles) are avoided/minimised during pre-construction/enabling works, construction phase and post development. Furthermore, the favourable conservation status of the local dormouse and great crested newt populations will be maintained.
- 8.41 In the context of the site wide strategy for BNG, the development of sub phase 2D will result in a net loss of habitat units (-4.06 total net unit change). Although sub-phase 2D includes new public open space, tree and hedge planting, an area of wildflower grassland, an area of amenity grassland and private gardens, measures to support species set out within the EMMF remain limited and will be largely dealt with as part of the wider development.

Landscape Strategy

- 8.42 Given the relatively modest size of the sub parcel as part of the overall Steadings development, the proposed scheme relies upon and directly relates to the strategic landscaping being implemented in phases by BDL. This is primarily related to the PGIA which wraps around the northern, eastern and southern edges of the site.
- 8.43 The proposed development will face onto and address the PGIA as well as providing direct pedestrian access to the open space and areas of play that will be provided. In addition, the proposed landscape strategy for sub phase 2D provides an additional area of green space and relies upon tree and hedge planting within the street scene, along with other smaller shrubs and herbaceous planting. The larger trees and more robust hedging will be located in the higher order streets.
- 8.44 Planting will also be used to define key pedestrian movement routes and front gardens are proposed for a majority of the new dwellings.

Amenity spaces

- 8.45 One key amenity space is proposed within the scheme – a new green space to the north of the primary village street and the west of the main north/south secondary residential street,. The space will be fronted by new dwellings on either side and will be planted suitably to include new tree planting and associated shrubbery and enclosure.

Layout

Block Structure

- 8.46 In general terms, the public edges of the proposed development blocks are defined by frontage development which is very positive in urban design and placemaking terms, providing natural surveillance and enclosure of associated streets and public realm. Similarly, the proposed dwellings will face onto the northern and eastern edges of the site, facing onto the PGIA and the rural link respectively, along with the framing of the village space/primary village street to the south of the parcel.
- 8.47 Building setbacks are generally modest providing smaller areas of private/defensible place with private gardens to the rear. This will help reinforce the strong sense of enclosure but will also limit, in some streets, the ability to provide avenue street trees. This tighter enclosure of tertiary residential streets is also in keeping with the local vernacular evident throughout the existing town and in keeping with the SWDC.
- 8.48 There is an appropriate variety of parking solutions within the sub-phase, but given the nature of the site and its relationship with the primary village street (no direct vehicular access) and the relative shallowness of the development blocks, there is a reliance upon courtyard parking to the rear of the proposed apartments and community floorspace. This helps facilitate the provision of a strong built form and enclosure of the primary village street. Elsewhere, on plot parking has been provided along with two smaller parking courts, reducing a reliance upon on -street parking but also enabling secure rear parking and direct access to related houses. . Officers support this principle, where smaller courtyards are arranged within block interiors, ensuring that car parking will not overly dominate the public realm. Attention must then be provided to the quality of the parking courts along with natural surveillance and safety and security issues.

- 8.49 Officers have worked with the applicant team at pre-application/application stages to help re-design certain aspects and details of the layout, and this has enabled a more positive scheme including the retention of a connected edge lane that wraps around the northern and western edge of the site, a stronger rhythm of buildings onto the secondary street, improvements to the form and appearance of the apartments and the enhancement of corner buildings. . This accords with the requirements of the SWDC which notes that buildings should address routes and spaces and should address open spaces to provide natural surveillance. Buildings should have a coherent relationship with roads and spaces, and corner plots should be resolved.
- 8.50 Officers remain supportive of the proposed design approach described above and as revised, subject to the ability to provide suitable planting within streets and the parking courts where relevant, combined with a relevant palette of materials and finishes (see below).

Movement and connectivity

- 8.51 The proposed scheme provides a suitable movement framework consistent with the OPP and the SWDC, whereby streets and routes would provide suitable connectivity and permeability between development blocks and where the main residential street connects directly with the primary village street to the south. Footways lead to the PGIA and will also enable connection directly to subsequent sub phases of development to the south where appropriate (sub Phase 2E)
- 8.52 The proposals include a simple and suitable hierarchy of streets, including secondary and tertiary streets, an edge lane; private drives and pedestrian links. Other footways/cycleways are provided to ensure a high level of connectivity and permeability for future residents.

Highway Safety

- 8.53 GCC have reviewed the resubmission from the applicant and are satisfied that previous concerns raised have been addressed or can be conditioned. GCC insist that technical approval must be given and S38 works are signed before any work is commenced on site, with GCC supervision approved.
- 8.54 The Highway Authority has undertaken an assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on

Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

- 8.55 The Highways Officer has recommended conditions ensure that pedestrian visibility splays are implemented prior to occupation. Combined parking, cycle parking and electric vehicle charging point and residential welcome pack (which provides guidance for sustainable travel options) details are required to ensure the development is sustainable and promotes healthy communities.

Relationship between buildings and private amenity spaces

- 8.56 There is a clear definition between public and private space, with the majority of dwellings enjoying private gardens to the rear. The notable exceptions to this are the proposed apartments, although with the latter, there is easy access to proposed amenity space within the parcel and to the PGIA that will be located immediately to the north of the parcel.

Appearance

Architectural style

- 8.57 The proposed development would provide a range of buildings from single to three stories in height. The single storey buildings are essentially ancillary structures, such as garages and storage. The tallest buildings would be the two focal buildings situated on the southern edge of the parcel, adjacent to and facing onto the primary village street. otherwise, the majority of the proposed dwellings are two storeys in height.
- 8.58 Most of the house type designs exhibit an appropriate vernacular flavour with the use of traditional forms, roof pitches and detailing, including the introduction of chimneys on the majority of the dwellings. Officers have negotiated a number of revisions to the proposed scheme in ensuring that the proposed designs are more in keeping with the requirements of the design codes and the design guide. This has included revisions to various house types (including the omittance of house types considered less favourable), such as regularising and revising the proportions and placement of windows and doors, removing unsympathetic features, revising external features, introducing header and cill details, simplifying porch details and revising means of enclosure etc.

- 8.59 The proposed apartment buildings have been refined as part of this process and the revised proposals are now considered to be acceptable in context of the sub phase as whole.

Materials and finishes

- 8.60 Officers had concerns with some of the placement of materials and finishes originally proposed and the revised proposals have addressed the majority of these issues, confirming for example, the use of natural stone for dwellings fronting the primary village street, the use of reconstituted stone tiles for roofs, roughcast cream render, red brick for relevant ancillary buildings, with natural slate roofs, some variety in surface materials including raised tables, lower order streets, private drives and edge lanes. The materials proposed now accord with the approach set out within the SWDC and DDC although conditions will still be required in order to manage the appropriate quality and finishes through the delivery and implementation stages of the project.
- 8.61 The applicant has confirmed additional estate rail fencing to properties located along the northernmost edge, in addition to the use of hedging to front gardens. Further details and use of low stone walling where appropriate can be subject to condition.
- 8.62 The palette of colours proposed is generally acceptable. As above, conditions can be applied to an approval of the RMA that will enable the Council to suitably manage and control the approved materials, colours and finishes, including both structures and surfaces.

Scale

Building heights

- 8.63 Officers are satisfied that the building heights and the three-dimensional envelope of the proposed scheme is consistent with the Outline Framework and the SWDC/DDC.
- 8.64 The revised proposals are considered acceptable in respect of the form and articulation of the buildings, their relationship with the primary village street, the secondary street, the PGIA and the rural link; the rhythm and proportion of window and door openings and their contribution to the street scene as a whole.

Building Performance

- 8.65 The government has continued with plans to radically improve the energy performance of new homes through the introduction of the Future Homes Standard ("the FHS") by 2026. Homes built under the FHS will be zero-carbon ready. Their levels of energy efficiency will enable them to become zero-carbon homes, without any retrofitting, as the electricity grid continues to decarbonize. There will be a consultation on the new standards which are now predicted to be operational by the end of 2026.
- 8.66 The government previously announced in 2021 higher levels of energy efficiency in buildings and low carbon heating (ie heat pumps or low carbon heat networks) by 2025 at the latest. There was also the interim uplift to the Building Regulations which is intended to reduce carbon emissions by 31% relative to the previous regulations from 2013. The NPPF states that "local planning authorities should...when setting any local requirement for a building's sustainability, do so in a way consistent with the Governments zero carbon buildings policy and adopt nationally described standards."
- 8.67 Local plan policy S2 allocates the strategic site for "...a sustainable, high-quality, mixed-used development..." The Chesterton Vision and Objectives (Local Plan Appendix B) elaborate on Policy S2. The Vision describes (among other things) how the development "will promote innovation in residential, commercial and infrastructure design with a view to achieving more sustainable ways of living and a place that is future-proof."
- 8.68 Policy EN1 stipulates that "New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by...addressing climate change..." (among other things). Given the content of Policy S2 and Local Plan Appendix B, officers consider that the Policy EN1 requirement to address climate change is engaged in relation to The Steadings.
- 8.69 Furthermore, CDC is keen to address the climate emergency through the improvement of building performance and encourages applicants to consider LETI standards for space heating demand.
- 8.70 Space heating is the dominant driver of energy consumption in new homes (along with existing stock). It also accounts for the majority of residents energy costs. Limiting space heating demand is therefore critical to reducing energy demand in new homes.

- 8.71 The Council's Net Zero Carbon Toolkit (2021) recommends limiting space heating demand to 15kWh/m²/yr. It also recommends limiting Energy Use Intensity to 35kWh/m²/yr. These metrics are described as key performance indicators. It should be noted that the Council's Net Zero Carbon Toolkit is not part of the development plan, nor is it a Supplementary Planning Document. As such, it is cited here as an appropriate benchmark of high standards in relation to building performance, but officers have afforded it no weight in terms of decision making through the planning process.

The Outline Framework

- 8.72 The Energy Statement submitted in support of the Master Developer's outline application described how The Steadings will continue to be designed in accordance with the nationally recognized Energy Hierarchy: i.e.
- reducing energy demand in the first instance;
 - using energy more efficiently; and
 - only then, supplying clean renewable energy where appropriate.
- 8.73 The outline planning application described how photovoltaic panels ("PV") and air source heat pumps ("ASHPs") were low-risk technologies, which could be used as part of a 'suite' of effective solutions, subject to detailed design issues. The outline application also reflected undertakings that BDL and the Council gave to the Inspector during the Local Plan examination, explaining that while no on-site energy generation was proposed, the Local Plan Vision and Development Objectives would be achieved through careful consideration of the master plan, high performance building fabric, and low-carbon energy technologies such as PV, and air/ground source heat pumps, etc.
- 8.74 The current application seeks approval of reserved matters, pursuant to the OPP. Thus, the reserved matters should be consistent with the Outline Framework, which includes the site wide Energy Statement.
- 8.75 The applicant has confirmed that energy demand will be minimised through a fabric first approach, including the use of low U values, low air permeability and low thermal bridging to reduce heat loss. A fully electric heating strategy will be employed utilising air source heat pumps to serve both space and water heating along with maximising the amount of roof top photovoltaic panels. Their strategy is for this development to exceed the minimum requirements set out in current Building Regulations Part L through energy efficiency, high performing building fabric and low carbon technologies.

- 8.76 All measures will be considered including improved insulation measures, reduced thermal bridging, airtight construction and the use of energy efficient heating and hot water including air source heat pumps (ASHP's) for each dwelling and the use of renewables via photo voltaic panels. The applicant has confirmed that all feasible alternatives will be considered in reducing the development's embodied carbon with the whole life carbon of the project taken into consideration including product sourcing, construction, use and end of life. Furthermore, the construction of the dwellings will need to comply with future changes to regulations and building control requirements.
- 8.77 The applicant has advised officers that calculations based on a sample range of house types demonstrates that through the energy strategy described, the calculated as designed emissions are reduced by 83.94% over ADL 2021. Furthermore, calculations based on this sample range demonstrates that the renewable energy generation on-site is over three times higher the target provided in the Council's Net Zero Carbon Toolkit of 120 kWh/m²fp/yr, at 377.8 kWh/m²fp/yr.

Sustainable drainage

- 8.78 In March 2021, CDC approved a site-wide SuDS Delivery Strategy pursuant to OPP condition 15. That Strategy is predicated on a SuDS concept that was developed to support the OPA. It includes the construction of a series of basins and swales within the PGIA.
- 8.79 Those basins and swales will store surface water runoff from the parcels, thus limiting the overall surface water runoff from the Development to the equivalent greenfield runoff rates, with an allowance for climate change. In effect, surface water runoff from the completed Development, including sub phase 2a, will not exceed that from the undeveloped site, and will not increase the risk of flooding beyond the site.
- 8.80 In accordance with Local Plan Policy INF8 and CDC best practice guidance on green and blue infrastructure, the SuDS basins and swales will be multifunctional assets; i.e. preventing surface water runoff, contributing to biodiversity net gain, and enhancing the character and appearance of green public spaces within The Steadings.
- 8.81 There is limited space within sub phase 2d and, as above, no additional provision of significant public open space. As such, the proposed development will drain into the adjacent Suds system but also provide additional on-site attenuation where required.

Other Matters

- 8.82 Members will note that a number of issues were raised in response to consultation which are not fully addressed by the officers' comments above. These are addressed in turn below:

Designing Out Crime

- 8.83 Issues of layout, density, form and parking have been taken fully into account in the consideration of the proposed development. Whilst concerns about the use of rear parking courts and tertiary streets are fully understood, given the nature of the primary village street in this part of the development, along with the relative shallow block depths, there is a requirement to have a range of parking solutions and to continue to avoid the reliance upon on street parking. The proposed parking courts have been refined as part of this application process and the principle has been to ensure that such spaces are of high quality, directly overlooked, well-lit and connected to ensure that they feel safe and secure for future residents.
- 8.84 The introduction of additional footways and cycleways within the scheme is considered to improve permeability and connectivity and all proposed routes will benefit from natural surveillance and should feel safe and secure.
- 8.85 The approach to form, design and detailing is considered to be in accordance with the OPP, SWDC and DCC but does not preclude any future sub phase interpreting the design requirements in a different way, subject to also meeting the overall requirements and ensuring a consistent and joined approach is achieved across the development as a whole.

9. Conclusion

- 9.1 As indicated above, the principle of development is established by the OPP. Implicit in the granting of the OPP is that at least one form of development should be acceptable, in context of the related planning conditions and required design coding.
- 9.2 The proposals have been subject to an extensive and collaborative pre-application and application process via the existing planning performance agreement and significant progress has been made by officers in negotiating a number of improvements to the proposed scheme, including the layout of the development, the form, design and detailing of various buildings. The proposed energy strategy is consistent with the Outline Framework which

described how low risk, low carbon energy technologies could be used, including improved fabric and insulation, air source heat pumps for space heating and the utilisation of photovoltaic panels where appropriate.

- 9.3 Whilst the revised proposed layout is improved in respect of responding more positively to the requirements of the OPF, the SWDC and DDC, there remain a small number of issues where a balanced judgement has been made. The requirements of the highway authority related to the potential for future adoption have provided some challenges to achieving the design aspirations as set out within the OPP and the SWDC.
- 9.4 Furthermore, the revised suite of house types are much improved in respect of a suitable response to the requirements of the OPF and SWDC but the 'devil' will still be in the detail in respect of ensuring that design details are achieved consistently across the sub phase and in certain instances, on both front and rear elevations.. These include approving suitable window and door materials, finishes, reveals, rainwater goods, eaves details, material for walling, roofing and so on. Whilst the proposals accord with the general palette of materials set out within the SWDC, officers recommend that further conditions are attached to any approval of reserved matters in order to provide suitable controls and management of design quality.
- 9.5 The submitted revised reserved matters details reflect the requirements of the approved OPP and the DDC and are otherwise considered satisfactory and in accordance with the OPP and related documents as well as the policies of the Cotswold Local Plan.
- 9.6 The case officer therefore recommends conditional approval of this application, subject to the following conditions.

10. Proposed Conditions:

1. Development in accordance with approved drawings and documents

The development hereby approved shall be carried out in accordance with the following approved drawings and documents, including all planting, landscaping and details of all hard surfacing and other hard materials to be used throughout the development

Documents

Application form;

CIL Additional Information Form ;
 Planning and Consultation Statement;
 Design and Access Statement;
 Biodiversity Updates;
 Sustainable Drainage Scheme and Maintenance Plan prepared by Healer Surveys
 (required to be submitted as part of the application by condition 16 and 18 of the
 OPP)
 Transport Statement prepared by ttc;
 ▪ Sustainability Strategy prepared by Savills Earth;
 ▪ Statement of Compliance with the EMMF (required to be submitted as part of the
 application by condition 56 of the OPP) prepared by EDP; and,
 ▪ Site Waste Minimisation and Soil Management Report prepared by Healer Surveys
 (required to be submitted as part of the application by condition 49 of the OPP)
 Phased Arboricultural Report (Condition 51) prepared by EDP;
 ▪ Ecological Construction Management Plan and Construction Environment
 Management Plan (Condition 58) prepared by EDP
 ▪ EV Charging Point Plan (Condition 48) prepared by HarperCrewe.
 ▪ Lighting Technical Note from EDP Information to discharge 65, 67 ad 68 by Savills.
 ▪ Site Location Plan (SL-001L);
 ▪ Site Layout Plan (SL-001L);
 ▪ Coloured Site Layout (SL-002L)
 ▪ Parking and EVCP Plan (SL-010)
 ▪ Refuse Strategy Plan (SL-009);
 ▪ Materials Plan (SL-004C)
 ▪ Flat Block 1– Ground Floor Plan (FB.01.p1)
 ▪ Flat Block 1– First Floor Plan (FB.01.p2)
 ▪ Flat Block 1– Second Floor Plan (FB.01.p3)
 ▪ Flat Block 1– Front Elevation (FB.01.e1)
 ▪ Flat Block 1– Side Elevation (FB.01.e2)
 ▪ Flat Block 1– Rear Elevation (FB.01.e3)
 ▪ Flat Block 1– Side Elevation (additional) (FB.01.e4)
 ▪ Flat Block 2– Ground Floor Plan (FB.02.p1)
 ▪ Flat Block 2– First Floor Plan (FB.02.p2)
 ▪ Flat Block 2– Second Floor Plan (FB.02.p3)
 ▪ Flat Block 2– Front Elevation (FB.02.e1)
 ▪ Flat Block 2– Side Elevation (FB.02.e2)
 ▪ Flat Block 2– Rear Elevation (FB.02.e3)
 ▪ Flat Block 2– Side Elevation (additional) (FB.02.e4)
 ▪ Alcester HT– Floor Plans (ALC.p)
 ▪ Alcester HT– Elevations (ALC.e, ALC.e1, ALC.e2, ALC.e3)
 ▪ Ardley HT– Floor Plans (ARD.p)
 ▪ Ardley HT– Elevations (ARD.e)

- Broadway HT– Floor Plans (BRD.p)
- Broadway HT– Elevations (BRD.e, BRD.e1, BRD.e2)
- Chester HT – Floor Plans (CHE.p)
- Chester HT– Elevations (CHE.e, CHE.e1, CHE.e2)
- Chesterton HT– Floor Plans (CTN.p)
- Chesterton HT– Elevations (CTN.e)
- Claverdon HT– Floor Plans (CLV.p)
- Claverdon HT– Elevations (CLV.e, CLV.e1, CLV.e2)
- Halford HT– Floor Plans (HAL.p)
- Halford HT– Elevations (HAL.e, HAL.e1, HAL.e2)
- Honington HT– Floor Plans (HON.p)
- Honington HT– Elevations (HON.e, HON.e1)
- Loxley HT– Floor Plans & Elevations (LOX.pe)
- Oxhill HT– Floor Plans (OHX.p)
- Oxhill HT– Elevations (OHX.e)
- Murray HT – Floor plans (MUR.PE)
- Murray HT – Elevations (MUR.PE)
- Packwood HT–Floor Plans (PKW.p)
- Packwood HT– Elevations (PKW.e, PKW.e1)
- Penwood–Floor Plans & Elevations (PEN.pe)
- Singer HT– Floor Plans (SIN.p)
- Singer HT– Elevations (SIN.e)
- Somerton HT– Floor Plans (SOM.p)
- Somerton HT– Elevations (SOM.e, SOM.e1)
- Woodstock HT– Floor Plans (WDS.p)
- Woodstock HT– Elevations (WDS.e, WDS.e1, WDS.e2)
- Wolston HT– Floor Plans & Elevations (WOL.pe)
- Wotton HT–Floor Plans (WOT.p)
- Wotton HT– Elevations (WOT.e)
- Wroxhall HT– Floor Plans & Elevations (WRO.pe, WRO.pe1)
- Single Garage– Floor Plans & Elevations (SG.pe, SG.pe1)
- Double Garage– Floor Plans & Elevations (DG.pe, DG.pe1)
- Car barn– Floor Plans & Elevations (CB.pe)
- Substation– Floor Plans & Elevations (SB.pe)
- Street Scenes (SS.01, SS.02)
- Visualisations (VIS.01, VIS.02)
- Overview Soft Landscaping Proposals (GL2630 LP 01B)
- Soft Landscape Proposals (GL2630 LP 02B and 03B)
- Topographical Plan (3957-100A)
- Visibility Splays (3957-101B)
- Highway General Arrangement Plan (3957-102B)
- Flood Exceedance Plan (3957-106A)

- Engineering Layout (3957-110B)
- Longitudinal Sections (Sheets 1-3) (3957-111- 1C, 2C, 3C)
- Adoptable Highway Details (3957-112)
- Adoptable Drainage Details (3957-113)
- Manhole Schedule (3957-115A)
- Section 104 Layout (3957-S104B)
- Section 38 Layout (3957-S38B)
- SuDS Layout (3957-SuDS-A)

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the NPPF.

2. Prior to commencement of development above slab level, a comprehensive scheme for hard landscape works (the hard Landscaping Scheme) shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, the Landscaping Scheme shall include the following details:

- proposed finished levels or contours, including any proposed mounding and basins;
- proposed walls, retaining structures and association with adjoining areas of open space, including connection to adjacent footways/cycleways;
- all other proposed means of enclosure, walling, fencing and screening, and measures to prevent car parking on areas of green infrastructure;
- communal cycle parking facilities;
- proposed minor artefacts and structures (e.g. street furniture, benches, refuse and/or other storage units, and signs, etc.);
- existing and proposed functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc.);
- hard surface materials, to be used throughout the proposed development; and
- an Implementation Timetable for the scheme in its entirety.

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and Policy EN8, and the provisions of the NPPF.

3. Prior to any development above slab level full details of all proposed street tree planting, root protection systems, future management and maintenance plan, and the proposed times of planting, shall be submitted to and approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

4. Prior to commencement of the development above slab level hereby permitted, a scheme identifying the location of proposed PV roof panels, including individual dwellings and specific supporting roof slopes, shall be submitted to and approved in writing by the Local Planning Authority. The new roof panels shall be of a design which, when installed, shall not project forward of the roof slope on which the roof panels are located and shall be permanently retained as such thereafter.

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

5. No development shall commence above foundation level until a scheme for inspection and verification of the enhanced building performance requirements has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for its implementation alongside the Building Regulations approval process, and for formal reporting of specified 'as constructed' information to the Local Planning Authority at RIBA Stage 5 - Construction. Development shall be carried out in accordance with the approved scheme.

Reason: To ensure design standards that facilitate sustainable use of the development in accordance with Cotswold District Local Plan Policy S2 and Policy EN1.

6. Prior to the construction above slab level of any external wall/fence of the development hereby approved, samples of the proposed walling and roofing materials shall be submitted to the Local Planning Authority. The samples shall include:

- Roofing slates
- Natural walling stone
- Reconstituted walling stone
- Brick
- Natural dry stone for boundary walling
- Reconstituted stone for sills and heads
- Timber fences
- Railings

Sample panels of walling of at least one metre square in size showing where relevant the proposed stone colour, coursing, bonding, treatment of corners, method of pointing, mix and colour of mortar and render finish shall be erected on the site shall be provided to the Local Planning Authority. The panels shall include:

- Natural stone walling
- Reconstituted stone walling
- Brickwork
- Roughcast render
- Reconstituted stone boundary walling including piers and capping
- Natural dry stone boundary walling including capping
- Timber cladding for the walls of ancillary buildings
- Junctions between the proposed materials, including proposed placement on each
- corresponding elevation.

The development shall be carried out in conformity with details approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. 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 that will be appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

7. The following items shall not be installed/inserted/constructed in the development hereby approved, until their design and details, including materiality and external finish/treatment and colour, have been submitted to and approved in writing by the Local Planning Authority.

- Windows (all windows shall be constructed of timber, unless otherwise approved by the Local Planning Authority, and shall be permanently retained thereafter).
- External doors
- Garage doors
- Cill and header/lintel treatments
- Dormers
- Balconies including finish
- Porches and porch canopies including finish
- Ridges, eaves, verges and copings
- Chimneys
- Rooflights
- Roof panels
- Rainwater goods
- Internal finish of open undercrofts
- Railings, fencing and gates including finishes
- Bin and cycle stores

- Bird and Bat boxes, including individual location.

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

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

8. No construction work on the primary structures of the dwellings hereby approved shall take place until design details for the installation of air source heat pumps (including any housing) at each dwelling type, along with details of external services, meter boxes, pipework and ducting, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the design details so approved.

Reason: To ensure that in each case the air source heat pump is sited, so far as is practicable, to minimize effects on the external appearance of the building and on the amenity of the area.

9. None of the dwellings hereby approved shall be occupied until all measures and systems related to the energy efficiency and performance of the dwellings have been carried out in full, in accordance with the details set out within the submitted Sustainability Strategy and subject to the requirements of condition 4 of this decision notice.

Reason: To ensure the effectiveness in the use of enhanced building performance measures, which are intended to facilitate sustainable use of the development in accordance with Cotswold District Local Plan Policy S2 and Policy EN1

10. None of the dwellings hereby approved shall be occupied until a scheme for external lighting of the development has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the scheme shall include lighting design details for all streets and other vehicular routes; all pedestrian and cycle routes; all communal amenity spaces, refuse storage areas, and communal cycle parking facilities; all private footpaths and car parking courts. The scheme shall also include a timetable for implementation and arrangements for future maintenance. External lighting shall be provided and subsequently maintained in accordance with the approved scheme.

Reason: To provide a safe environment, while avoiding any unacceptable impacts on biodiversity, in accordance with Cotswold District Local Plan Policy EN2, Policy EN8 and Policy EN15

11. Prior to occupation, the approved Electric Vehicle Charging Point details shall be installed and available for use prior to occupation in accordance with the agreed specification unless replaced or upgraded to an equal or higher specification. Parking and charging points shall be maintained for this purpose thereafter.

Reason: To promote sustainable travel and healthy communities.

12. None of the dwellings hereby approved shall be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the [back of footway / edge of carriageway] shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level

Reason: To ensure there are no severe highway effects as a result of the development hereby approved in accordance with the requirements of the NPPF.

13. The Development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of the first occupation of the dwelling.

Reason: To reduce vehicle movements and promote sustainable access

14. Prior to the first occupation of each of the dwellings hereby approved, its means of access to the nearest public highway, and its parking and turning facilities, shall be provided as shown on the approved Site Layout Plan

Reason: To ensure conformity with the approved drawings, and in the interest of highway safety.

15. Vehicle and cycle parking shall be provided prior to first occupation of each dwelling in accordance with details to be contained within the approval of any reserved matters permission.

Reason: To promote sustainable travel and healthy communities.

16. The approved soft Landscaping Scheme shall be completed in its entirety by the end of the planting season immediately following practical completion of the last dwelling,

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

17. Any trees, plants or grassed areas shown on the approved planting plans that die, become diseased, are damaged, or removed, within ten years of the actual date of Practical Completion of all hard and soft landscape works, shall be replaced by the end of the following planting season. All replacement trees, plants and/or grassed areas shall be of the same size and species as those lost.

Reason: To ensure that all planting areas become established and thereby achieve the objectives of Cotswold District Local Plan Policy EN1, Policy EN7 and Policy EN8, and the provisions of the NPPF.

18. All trees and other planted areas as approved shall be maintained in accordance with the approved Landscape Management and Maintenance Plan, continuing for a minimum of 10 (ten) years following the date of the relevant Final Certificate (i.e. as defined in the section 106 agreement dated the 3rd of April 2019).

Reason: To ensure that all planting areas become established and thereby achieve the objectives of Cotswold District Local Plan Policy EN1, Policy EN7 and Policy EN8.

19. 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

20. The artificial Cotswold stone roofing slates hereby permitted shall be laid to diminishing courses.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed in a manner that is appropriate to the site and its surroundings and is reflective of local building traditions.

21. Notwithstanding the submitted details there shall be no bargeboards or eaves fascias 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 EN2.

22. All window and door 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.

23. The use of the community floorspace as hereby approved shall not operate outside of the following hours:

0800 – 2230 Monday to Saturday

0800 – 2000 Sundays and Public Holidays

Reason: To protect the amenity of the adjacent and nearby residential properties from excessive noise and disturbance.

INFORMATIVES

Highway to be adopted

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

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

- Drafting the Agreement;
- A Monitoring Fee;
- Approving the highway details;
- Inspecting the highway works.

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

2. You are advised that a Traffic Regulation Order (TRO) may be required. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving advertisement and consultation of the proposal(s).

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.

The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

The post planning Section 38 process will establish this need

3. The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Council's costs in undertaking the following actions: • Drafting the Agreement; • Set up costs; • Approving the highway details; and • Inspecting the highway works. You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

Meaning of Pavement Construction Works

4. Within the conditions above "pavement construction works" means any construction works on footways or cycleways above the formation level

Protection of Visibility Splays

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

Additional compensatory planting on the main site

6. The Master Developer has agreed that 10% biodiversity gain should be the starting point target for The Steadings as a whole. The Applicant's team have assessed the revised landscape design using the Biodiversity Metric, which generates area and linear calculations. The Metric indicates that Phase 2D is not capable of delivering biodiversity net gain on site. The Master Developer and the Applicant have therefore agreed that additional compensatory planting will be delivered on the main part of The Steadings site. The Outline Framework creates an opportunity for around 15 ha on the main site to be managed specifically for biodiversity (i.e. 37% of the designated main open green spaces, or 12.5% of the overall outline planning permission site area). This compensatory planting arrangement will be controlled and if necessary, enforced using the outline planning permission approval regime (i.e. planning conditions and obligations). The Master Developer has agreed to work with officers in jointly recording and monitoring the arrangements, as development across The Steadings progresses

Section 106 Agreement

7. The Applicant's attention is drawn to the section 106 agreement between Cotswold District Council and Bathurst Development Limited dated the 3rd of April 2019 (the Agreement).

Community Infrastructure Levy (CIL)

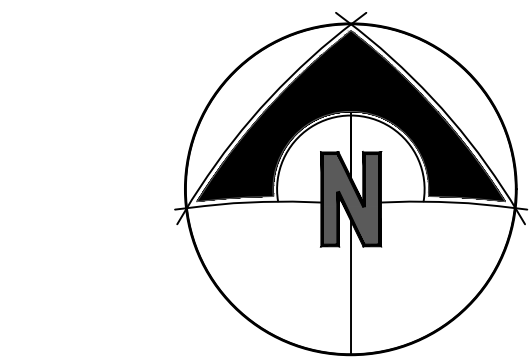
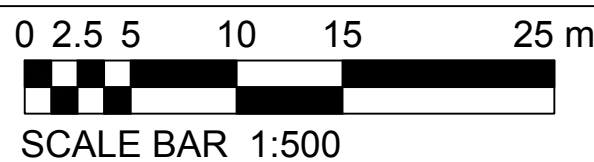
8. Please note that this development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), as the Strategic Site south of Chesterton is rated £0/m² for residential development

Landscaping

9. We would advise that a load-bearing soil-cell system is used for tree-pit construction where trees are located within or between areas of hard landscaping, particularly parking spaces. This would provide sufficient uncompacted soil volume to support healthy root development while accommodating the structural requirements of the surrounding surfacing.



THE STEADINGS, PARCEL 2D



Accommodation Schedule			
OPEN MARKET	Type	Bed	Number
	Apartment	Apt	1 3
	Apartment	Appt	2 8
	Wolston	Same/Fair	2 10
	Wolston	Same/Fair	2 5
	Huntington	Same/Fair	3 3
	Burnton	Same	3 15
	Claverton	Det	3 2
	Arley	Same/CT	3 5
	Arley	Det	4 8
	Packwood	Det	4 4
	Whitlock	Det	4 11
AFFORDABLE	AFFORDABLE RENT		
	Apartment	Apartment	1 8
	Murray	Maisonette FF	1 1
	Murray	Maisonette FF	1 1
	Wolston	Same/Fair	2 1
	Claverton	Same/Fair	2 7
	Claverton	Det (CT)	4 10
	Broadway	Det	4 1
	Total Number of Private Poles		
	89		
	SOCIAL RENT		
	Wolston	Same/Fair	4 3
AFFORDABLE	SHARED OWNERSHIP		
	Claverton	Same/Fair	2 10
	Claverton	Same/Fair	3 1
	Wolston	Same/Fair	3 4
	Total Number of Affordable Poles		
	49		
	Total Site Figures		
	129		

KEY:

Denotes Application Boundary

Denotes Affordable Housing (Shared Ownership)

Denotes Affordable Housing (Affordable Rent)

Denotes Affordable Housing (Social Rent)

Denotes Shared Bin Collection Point - To be used on collection days only

Denotes Visitor Parking Spaces

Denotes chimneys - refer to the relevant house type drawings for chimney setting-out locations.

Block Paving

Proposed Ramp - (Tarmacadam with red coated chippings)

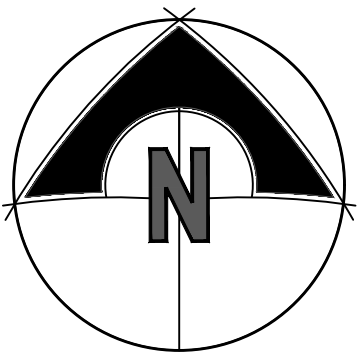
Note
Electric Vehicle Charging Points (EVCPs) to be provided to all dwellings, either attached or on post where parking is remote.

M	Plots 28 & 29 handed. Plots 70 / 71 Loxley housetype substituted for Murray. Mixed use apt. block updated to reflect LA comments. Bollards indicated to fire turning head.	24/06/26	EDB
L	Additional chimneys have been added to the following plots: Plots 28, 29, 31, 32, 33, 37, 38, 39, 40, 55, 56, 57, 58, 64, 65, 66, 67, 68, 69, 70, 71, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 102, 103.	26/03/26	SOS
Rev.	Description	date	init.

HarperCrewe Design Studio

Site: THE STEADINGS, PARCEL 2D CIRENCESTER		
Title: SITE LAYOUT		
Drawing No SL-001	Revision M	Date 28.01.26
Scale 1:500 @ A0		

This page is intentionally left blank



Accommodation Schedule			
Type	Bed	Number	
Apartment	Apt.	1	3
Apartment	Apt.	2	8
Winton	SemiTen	2	10
Winton	SemiTen	2	5
Herrington	SemiTen	3	3
Burton	Semi	3	15
Chesdon	Det	3	2
Aldby	SemiTen	3	5
Aldby	Det	4	8
Packwood	Det	4	4
Woodstock	Det	4	11
Claydon	Det (CT)	4	10
Brookway	Det	4	4
Total Number of Private Plots			89
AFFORDABLE RENT			
Apartment	Apartment	1	8
Murray	Maisonette FF	1	1
Murray	Maisonette FF	1	1
Pinewood	SemiTen	2	1
Chesdon	SemiTen	2	7
Orbit	SemiTen	3	4
SOCIAL RENT			
Winton	SemiTen	4	3
SHARED OWNERSHIP			
Chesdon	SemiTen	2	10
Longes	SemiTen	3	1
Winton	SemiTen	3	4
Total Number of Affordable Plots			49
Total Site Figures			129

KEY:

Denotes Application Boundary

Denotes Affordable Housing (Shared Ownership)

Denotes Affordable Housing (Affordable Rent)

Denotes Affordable Housing (Social Rent)

BCP

Denotes Shared Bin Collection Point - To be used on collection days only

V

Denotes Visitor Parking Spaces

Denotes chimneys - refer to the relevant house type drawings for chimney setting-out locations.

Block Paving

Proposed Ramp - (Tarmacadam with red coated chippings)

Note

Electric Vehicle Charging Points (EVCP's) to be provided to all dwellings, either attached or on post where parking is remote.

M	Plots 28 & 29 handed. Plots 70 / 71 Loxley housetype substituted for Murray. Mixed use app block updated to reflect LA comments. Bollards indicated to fire turning head	24/06/26	EDB
L	Additional chimneys have been added to the following plots: Plots 28, 29, 31, 32, 33, 37, 38, 39, 40, 55, 56, 57, 58, 64, 65, 66, 67, 68, 69, 70, 71, 80, 81, 82, 83, 84, 85, 86, 95, 96, 97, 98, 99, 100, 102, 103	26/03/26	SOS
Rev.	Description	date	init.

H

C

HarperCrew

Design Studio

Site:

THE STEADINGS, PARCEL 2D
CIRENCESTER

Title:

COLOURED SITE LAYOUT

Drawing No

SL-002

Revision

M

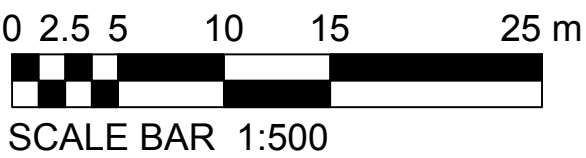
Date

28.01.26

Scale

1:500 @ A0

THE STEADINGS, PARCEL 2D



This page is intentionally left blank

Section Line



Streetscene A-A
Scale 1:200

Section Line



Section Line

Streetscene B-B
Scale 1:200



Streetscene C-C
Scale 1:200



Site Layout
Not to Scale

Romsey

T:01794 367703

Portishead

T:01275 407000

London

T:01794 367703

www.thrivearchitects.co.uk

This drawing is the copyright of Thrive Architects Ltd ©. All rights reserved. Ordnance Survey Data © Crown Copyright. All rights reserved. Licence No. 100007359. Permission is granted to scale from this drawing for the purposes of Local Authority Planning only. For all other purposes, DO NOT scale from this drawing. Contractors, Sub-contractors and suppliers are to check all relevant dimensions and levels of the site and building before commencing any shop drawings or building work. Any discrepancies should be recorded to the Architect. Where applicable this drawing is to be read in conjunction with the Consultants' drawings / Clients' Construction Specification.

Rev

Description

Date

Au

Ch

A

Issue for Planning

24.03.26

LI

RP

B

Amended as per PA comments

29.06.26

LI

RP

Rev

Description

Date

Au

Ch

Project

Phase 2D The Steadings

Drawing

Street Scenes

Client

Harper Crewe

Job no.

HARP251123-SW

Date

11.02.26

Dwg no.

SS.01

Rev.

B

Author

EBE

Checked

RP

Scale

1:200 at A1

Status

PRELIMINARY

Office

Portishead

Client ref.

thrive.

architects

This drawing is the copyright of Thrive Architects Ltd ©. All rights reserved. Ordnance Survey Data © Crown Copyright. All rights reserved. Licence No. 100007359. Permission is granted to scale from this drawing for the purposes of Local Authority Planning Applications only. For all other purposes DO NOT scale from this drawing. Contractors, Sub-contractors and suppliers are to check all relevant dimensions and levels of the site and building before commencing any shop drawings or building work. Any discrepancies should be recorded to the Architect. Where applicable this drawing is to be read in conjunction with the Consultants' drawings / Clients' Construction Specification.

This page is intentionally left blank



Streetscene D-D
Scale 1:200



Streetscene E-E
Scale 1:200



Streetscene F-F
Scale 1:200



Romsey	T:01794 367703	Rev	Description	Date	Au	Ch	Rev	Description	Date	Au	Ch
Portishead	T:01275 407000	A	Issue for Planning	24.03.26	LI	RP					
London	T:01794 367703	B	Amended as per PA comments	29.06.26	LI	RP					

www.thrivearchitects.co.uk

This drawing is the copyright of Thrive Architects Ltd ©. All rights reserved. Ordnance Survey Data © Crown Copyright. All rights reserved. Licence No. 100007359. Permission is granted to scale from this drawing for the purposes of **Local Authority Planning Applications only**. For all other purposes DO NOT scale from this drawing. Contractors, Sub-contractors and suppliers are to check all relevant dimensions and levels of the site and building before commencing any shop drawings or building work. Any discrepancies should be recorded to the Architect. Where applicable this drawing is to be read in conjunction with the Consultants' drawings / Clients' Construction Specification.

Project	Phase 2D The Steadings				
Drawing	Street Scenes				
Client	Harper Crewe				
Job no.	HARP251123-SW			Date	24.03.26
Dwg no.	SS.02			Rev.	B
Author	LI	Checked	RP	Scale	1:200 at A1
Status	PLANNING			Office	Portishead
Client ref.					



This page is intentionally left blank

Change of use of land to Class F 2 (c) Areas or places for outdoor sport or recreation at Land South of Longfurlong Lane Tetbury Gloucestershire

Full Application 26/00905/FUL	
Applicant:	Longfurlong Greenfields Association
Agent:	
Case Officer:	Helen Cooper
Ward Member(s):	Cllr Laura Hall-Wilson
Committee Date:	11 August 2026
RECOMMENDATION:	REFUSAL

1. Main Issues:

- (a) Principle of Development/Loss of Agricultural Land
- (b) Impact upon the Cotswold National Landscape
- (c) Impact on Heritage Assets and their Setting
- (d) Impact on Residential Amenity
- (e) Highways
- (f) Biodiversity
- (g) Flood Risk and Drainage

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 a parcel of land to the south of Longfurlong Lane, Tetbury. The site measures approximately 9.62 hectares and contains agricultural land. It is located to the south of Tetbury, which is identified as a Principal Settlement within the Local Plan. However, the site itself falls outside the development boundary for the settlement as defined by the Local Plan Policies Map and it is set within the open countryside.

- 3.2 The site is bounded by the A433 along its eastern side. The wider surroundings are rural in character, with the site forming part of the open countryside between Tetbury and the Highgrove Estate.
- 3.3 There are Public Rights of Way (PROW) in and around the site. One footpath linking Longfurlong Lane to the shelter belt woodland 'Tetbury Upton Footpath 27, lies within the site and another 'Tetbury Upton Footpath 26' runs east-west through the woodland just outside the application site.
- 3.4 The site lies within the Cotswolds National Landscape. It also lies within an area of archaeological sensitivity and there are a number of designated and non-designated heritage assets within the wider area, including Tetbury Conservation Area, Doughton/Highgrove Conservation Area, Tetbury Camp Scheduled Monument, listed buildings and Estcourt Park Registered Park and Garden. The northern area of the site lies within Flood Zone 1, however the southern field is partially located within Flood Zone 2 and 3.

4. Relevant Planning History:

- 4.1 The following application relates to a large part of the site:

26/01167/SCOPE - EIA Scoping Opinion, in line with Regulation 15 of the EIA Regulations - Scoping Opinion Decision 16/06/2026.

- 4.2 The following applications relate to land north of the site:

25/00352/PLP - Permission in Principle application for the erection of 9 no. dwellings - Approved 02/05/2025;

25/02572/FUL - Erection of 8 dwellings (including 3 affordable units) with highway access onto Bath Road, associated landscaping and infrastructure works, removal of existing structure and installation of sewage pump station - Pending determination

5. Planning Policies:

- NPPF National Planning Policy Framework
- DS1 Development Strategy
- DS2 Dev within Development Boundaries
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape

- EN5 Cotswolds AONB
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN12 HE: Non-designated Heritage Assets
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF2 Social & Community Infrastructure
- INF4 Highway Safety
- INF5 Parking Provision
- INF7 Green Infrastructure
- NPTTE TETBURY/TETBURY UPTON NP 2015-2030
- NPTTP4 Pol 4 : RoW Network & Leisure routes
- NPTTP6 Pol 6 : Open space
- NPTTP8 Pol 8 : Local green space
- NPTTP9 Pol 9 : Mature & landmark trees

6. Observations of Consultees:

- 6.1 Cotswolds National Landscape Board: No comments provided in this instance.
- 6.2 Landscape Officer: Comments contained within the main body of the report.
- 6.3 CDC Drainage Engineer: Comments contained within the main body of the report
- 6.4 GCC Lead Local Flood Authority: No objection raised.
- 6.5 Biodiversity Officer: Comments contained within the main body of the report.
- 6.6 Environment Agency: No comments offered on the application
- 6.7 Environmental and Regulatory Services (Land Contamination): No objection raised.
- 6.8 GCC Highways: No objection raised.

7. View of Town/Parish Council:

- 7.1 Tetbury Upton Parish Council: *Tetbury Upton Parish Council have general comments to make on this application -*

1. *Any change of use will impact the various habitats of species in the area.*
2. *Traffic on Longfurlong Lane will be increased to the detriment of residents.*
3. *Council do not believe any of the land owners of the site have been consulted on the availability of the land.*
4. *Councils preference would be for the land to remain agricultural.*

8. Other Representations:

8.1 79 third party representations have been received, comprising 71 letters of support and 8 objections. The comments can be summarised as follows:

8.2 Comments of Support

8.2.1 Principle of the proposal

- Support for a low-impact community nature / recreation use.
- Retention of open land at the edge of Tetbury.
- Securing the land for informal recreation and community benefit.
- Community benefit and wellbeing
- Improved access to green space for walking, quiet recreation and enjoyment of nature.
- Benefits for physical and mental health.
- Opportunities for families, children, schools and community groups.
- Comments refer to the site as a valued "green lung" for Tetbury.

8.2.2 Landscape and character

- Retention of the rural character of Longfurlong Lane.
- Protection of the open countryside setting of Tetbury.
- Protection of views, pasture, hedgerows, trees, dry stone walls and the Cotswold National Landscape / AONB setting.

8.2.3 Ecology and biodiversity

- Protection and enhancement of meadow, hedgerows, ponds, watercourses, scrub, trees and veteran trees.
- Benefits for birds, bats, amphibians, insects, wildflowers and other wildlife.
- Support for biodiversity-focused land management.

8.2.4 Heritage and setting

- Retention of the historic and rural setting of Tetbury, Longfurlong and nearby heritage assets.
- Comments refer to the Highgrove / Doughton area.

8.2.5 Traffic and infrastructure

- The proposed use is considered to have limited impact on traffic, drainage, schools, health services and other infrastructure.
- Supporters contrast the proposal with more intensive forms of development.

8.2.6 Housing-related comments

- Some support is framed by concern about possible future housing on the site.
- The current application is for change of use to Class F2(c) and not residential development.
- Campaign to Protect Rural England (South Cotswolds and Tetbury District): To summarise the CPRE consider the proposed change of use to a community nature area would conserve and enhance the Cotswold National Landscape, protect biodiversity and habitats, maintain the landscape and cultural setting of Tetbury and the Highgrove Estate, and provide public access for quiet recreation, health and wellbeing. They refer to the Monarch's Way crossing the site and state that formalising the use would help protect existing walking and nature-based recreational use for future generations.
- Greening Tetbury: Supports the application due to biodiversity benefits and improved public access and associated health and wellbeing benefits. Considers the proposal to be compliant with Local Plan Policies EN1, EN4, EN5, EN7, EN8 and EN11.

8.3 **Comments of Objection**

- Use class / description: The proposal is said to be incorrectly described as Class F2(c), with some objectors considering it to be a nature reserve / community nature area rather than outdoor sport or recreation.
- Insufficient detail: Concerns are raised that the application lacks clarity on layout, activities, access, implementation, management and maintenance.
- Land ownership / deliverability: Objectors question whether the applicant has sufficient control of the land and whether the proposal can be delivered.

- Public access: Some objectors state that public access may remain limited to the existing Public Right of Way.
- Highways: Concerns are raised regarding increased use of Longfurlong Lane, highway safety, traffic levels and local junction capacity.
- Ecology / biodiversity: Concerns are raised regarding impacts on meadowland, habitats, protected species, veteran trees and wildlife.
- Flooding / drainage: Concerns are raised regarding flood risk, surface water drainage, sewerage capacity and nearby watercourses.
- Landscape / AONB: Objectors refer to potential harm to the rural landscape, Cotswold National Landscape / AONB and local character.
- Heritage: Some comments refer to effects on conservation values and the wider heritage setting.
- Housing-related confusion: Some objections relate to perceived residential development or general overdevelopment rather than the current application, which is for change of use to Class F2(c) and not for housing.

8.4 It should also be highlighted that an objection has been received from Turley Planning Consultants on behalf of Miller Homes:

- This objection raised concern that the application is inaccurately described as Class F2(c), is insufficiently detailed, lacks submitted plans, management/funding arrangements, ecological and BNG evidence, and flood risk information, and is said to be undeliverable because Miller Homes states it has an agreement with the landowner and no landowner licence or lease has been secured.

8.5 An objection has also been received from AJW Land and Development on behalf of the landowners. This states that the land is being promoted for residential development by Miller Homes and is not available for the proposed use. Concerns are raised that the application description is unclear, the submitted details are insufficient, no wider public access rights would be created, the proposal would be undeliverable without the landowners' agreement, and the proposal would conflict with Policy INF2.

9. Applicant's Supporting Information:

- Covering letter from Longfurlong Greenfields Association dated 19/03/2026
- Supporting Statement (Annex A) by Longfurlong Greenfields Association dated April 2026
- Biodiversity Net Gain Statement dated 15 March 2026
- Environment Agency Flood Map for Planning dated 10 March 2026
- Site Location Plan Drawing No. LGA1(a) dated 16 March 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 Tetbury and Tetbury Upton Neighbourhood Plan Made December 2021.
- 10.3 The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration. In addition to the above, it is noted that the Government published a draft version of the NPPF on the 16th of December 2025. The consultation period for the aforementioned document expired on the 10th of 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.

Background and Proposed Development

- 10.4 The application seeks full planning permission for the 'Change of use of land to Class F2 (c) Area or places for outdoor sport or recreation.' The covering letter advises that the purpose of the application is to secure a change of use to allow the establishment of a Community Nature Area on the fields.
- 10.5 The supporting letter advises that *"The Community Nature Area would be sensitively managed with the objective of enhancing biodiversity and landscape, balanced against providing public access so that residents and visitors can derive maximum health and wellbeing benefits. This would be achieved by providing accessible entrances, a network of mown paths, and benches for people to sit and enjoy this inspiring natural environment."* During the application process the applicant has amended this statement by submitting a revised Annex A supporting document, dated 28 April 2026. This document removes reference to mown paths and benches, and advises that the existing public rights of way would be utilised.

- 10.6 It should be acknowledged that the application has been made by Longfurlong Greenfields Association, which is a local community association. The applicant does not currently own the application site, however, Certificate B has been completed, and notice has been served on the identified landowners. An applicant is not required to own the land in order to apply for planning permission. Subject to the correct ownership certificate and notices having been provided, the application is valid and must be determined on its planning merits. Any grant of planning permission would not override private land ownership or confer any right to enter onto or carry out works on land without the necessary legal interests or consents.

(a) Principle of Development

- 10.7 Use Class F2 Local community (c) is defined as "areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms)". By way of example this use is considered to include activities/sites such as the following: polo grounds, general recreation areas, football pitches, cricket pitches and tennis courts.
- 10.8 It should be highlighted that Policy DS1 and DS2 outline the Development Strategy for the district and seek to permit proposals within development boundaries indicated on the Policies Map. In this instance, the application is outside of the defined settlement boundary and within open countryside, although it is not considered to be isolated development.
- 10.9 Policy INF2 'Social and Community Infrastructure' of the Local Plan states:
- 1. Proposals for community facilities, including open spaces, either in their own right or as a consequential requirement of development in the area will be permitted where, as appropriate, it is demonstrated that:*
- a. Where associated with another development, provision is synchronised with the scale, timing/phasing and needs of the associated development;*
- b. account has been taken of existing facilities and services in the area, including the quantity and quality of provision;*
- c. the proposal is economically viable in terms of its ongoing maintenance, and there is demonstrable local need for it;*

d. the facility or service is well-linked and accessible to the local community by foot, bicycle or public transport both at present and having regard to development proposals of the Local Plan;

e. the feasibility of multi-purpose use of the facility or service has been rigorously explored and, where possible, implemented in the proposal; and

f. provision is made for the on-going management/maintenance of the facility or service.

10.10 Criterion (a) is not applicable, as the proposal is not associated with another development.

10.11 In respect of (b), the application does not assess existing open space, sport or recreation facilities in the area, including their quantity, quality or accessibility. Whilst a number of public comments have been received supporting green space, the application is not supported with an assessment to demonstrate whether there is a need for Use Class F2 (C) development in Tetbury and the surrounding area.

10.12 For (c), no evidence is provided of economic viability, funding, resourcing or demonstrable local need for this specific facility.

10.13 Under (d), although the site is accessible via public rights of way, the submission lacks a clear access, layout or connectivity strategy to show that the facility would be well-linked and safely accessible by foot, bicycle or public transport. In addition, whilst Highways have raised no objection, it is unclear, how or where private motor vehicles would park if visitors were to drive to the site.

10.14 Criterion (e), is not considered to be directly applicable to the proposal, although it should be recognised that Class F2 (c) comprises various activities and if permitted a condition restricting the use would be recommended, to avoid potential landscape implications, for instance through the provision of paraphernalia associated with tennis courts, football pitches etc. which would potentially have an adverse impact upon the character of the rural landscape.

10.15 Finally, in respect of criterion (f), no detailed management or maintenance plan has been submitted to secure the facility's long-term operation.

10.16 Overall it is therefore considered that the proposal fails to demonstrate compliance with Policy INF2.

10.17 Policy INF7 'Green Infrastructure' is considered to be of relevance to the proposal, as the application seeks permission for a 'Community Nature Area'. Policy INF7 states:

"1. Development proposals must contribute, depending on their scale, use and location, to the protection and enhancement of existing Green Infrastructure and/or the delivery of new Green Infrastructure.

2. New Green Infrastructure provision will be expected to link to the wider Green Infrastructure network of the District and beyond.

3. Green Infrastructure will be designed in accordance with principles set out in the Cotswold Design Code (Appendix D)."

10.18 The Design Code advises that *"High quality, well integrated and carefully designed green infrastructure (GI) and landscape provision is crucial to the long-term success of developments, ensuring that the maximum multi-functional benefits are achieved for those that live in, work at and visit new developments. The spaces in between new buildings, the surrounding areas, and the connections between a new development and the existing townscape or landscape, are equally important to the design of the structures themselves."*

10.19 On the basis of the information provided, it is considered that the proposal broadly complies with Policy INF7 of the Local Plan.

10.20 Policy 5 of the Tetbury and Tetbury Upton Neighbourhood Plan relates to 'Protecting Identified Community Facilities and Assets of Community Value'. This policy seeks to support the development of new facilities and on this basis the proposal is considered to comply with Policy 5 of the NDP as it would provide a community nature area.

Loss of Agricultural Land

10.21 The proposal would result in the loss of a parcel of agricultural land. The site area measures approximately 9.62 hectares, although it is acknowledged that some of the land forms the tree belt on the site. Notwithstanding this, a significant area of agricultural land would be lost.

10.22 Paragraph 187 of the NPPF states: *"Planning policies and decisions should contribute to and enhance the natural and local environment by: ...*

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;"

- 10.23 Natural England grades agricultural land in categories from Grade 1 to Grade 5. Grade 1 to Grade 3a represent Best and Most Versatile (BMV) land. Given the scale of the site, its current agricultural use, and the proposed loss of agricultural land, the Local Planning Authority considers that an Agricultural Land Classification (ALC) Survey should have been carried out to support the application. This would identify whether the proposal would result in the loss of BMV land and enable the local authority to attribute weight to the loss of agricultural land accordingly. For instance, if the soil was low quality, less weight would be attributed to its loss in comparison to if the land were to be graded as BMV land.
- 10.24 Natural England's Agricultural Land Classification Map for the South West Region indicates that the land is Grade 3 'Good to moderate'. Natural England advise that the maps are not sufficiently accurate for individual fields and that Grade 3 is not subdivided. However, it should be noted that the site has the potential to be BMV land.
- 10.25 Whilst it is recognised that there may be public benefits associated with the proposal, for instance the proposal supports the health and wellbeing of the local community, these benefits need to be weighed against potential adverse impacts of development, such as the loss of agricultural land and the impact that this may have upon food security.
- 10.26 It is considered that insufficient information has been submitted to enable a thorough assessment of the implications of the loss of potential BMV land.
- 10.27 The applicant's supporting statement indicates that the meadowlands would continue to be managed through late summer hay cuts, after existing wildflower species have set seed. This suggests that some form of low-intensity agricultural management and hay production may continue alongside the proposed community nature area use. However, this is not supported by a detailed management plan, agricultural statement or mechanism securing the continuation, frequency, extent or destination of hay production. The application is for a material change of use to Class F2(c), and the land would no longer be agricultural. Accordingly, while the proposed hay cutting may reduce the extent of practical harm arising from the loss of productive agricultural use, it does not overcome the absence of an Agricultural Land Classification survey

or enable the Local Planning Authority to determine whether Best and Most Versatile land would be affected.

- 10.28 As outlined by paragraph 187 b) of the NPPF above, decisions should recognise the economic and other benefits of BMV land. In the absence of an ALC survey, the Council is unable to assess the quality of the land or the weight to be given to its loss.

(b) Impact upon the Cotswolds National Landscape

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

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

1. Development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas.

2. Proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets.

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

- 10.32 Section 15 of the NPPF also seeks to protect and enhance valued landscapes and recognise the intrinsic character and beauty of the countryside. Paragraph 189 states:

"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also

important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas."

10.33 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)*'

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

10.35 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.'

10.36 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.'*

10.37 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.'

10.38 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. '*

- 10.39 The Landscape Officer identifies the site as falling within Landscape Character Type 11: Dip-Slope Lowland, specifically LCA 11A: South and Mid Cotswolds Lowlands, a landscape which is sensitive to development that would introduce urbanising influences, interrupt openness or erode its simple rural character.
- 10.40 The Landscape Officer does not object to the principle of an informal nature or recreational use, noting that such a use *"could enhance the quality and appreciation of the landscape, particularly where it encourages low-key engagement with the countryside"*. The proposal before the Council is presented as a low-intensity community nature area, with no buildings, lighting, hardstanding, engineered paths, formal sports infrastructure or other operational development proposed. On that basis, the development as described would be unlikely to give rise to material landscape or visual harm.
- 10.41 The Landscape Officer has, however, sought proportionate additional information to clarify how the use would be accommodated on the ground. In particular, further details were requested in relation to the proposed site layout, the nature and location of any access arrangements, paths, benches, signage, boundary treatments or other ancillary features, and confirmation that no urbanising features such as lighting, formalised surfacing, fencing or engineered works are proposed. The Landscape Officer also advised that information should be provided to demonstrate how the informal and rural character of the site would be secured in the long term. This additional information has not been forthcoming during the application process.
- 10.42 A key concern arises from the breadth of Class F2(c), which could include a range of outdoor sport and recreation uses. Some uses within that class could introduce more formal or engineered features over time, including sports pitches, boundary treatments, lighting, signage, fencing or formalised surfacing. Such features would not be characteristic of this rural landscape and could risk suburbanising the site.
- 10.43 However, the application must be assessed on the basis of the submitted proposal. Given the low-key nature of the use as described, and in the absence of any proposed physical works, it is not considered that a refusal on landscape grounds would be justified. If planning permission were otherwise acceptable, appropriately worded conditions could restrict the use to an informal community nature area and prevent lighting, hard surfacing, fencing, structures or other operational development unless separately approved. Subject to such controls, it is considered that the proposal would be capable of conserving the

rural character, tranquillity and scenic qualities of the Cotswolds National Landscape.

- 10.44 The proposal is therefore not considered to conflict with Local Plan Policies EN4 and EN5 or Section 15 of the NPPF in landscape terms.

(c) Impact on Heritage Assets and their Setting

- 10.45 The site is in proximity to Tetbury Conservation Area, which lies approximately 170 m to the north east of the site at its closest point. Doughton Highgrove Conservation Area lies approximately 460 metres to the south west of the site. There are a number of listed buildings in the surrounding area, including Longfurlong Farmhouse, Grade II listed as well as numerous listed buildings within the identified Conservation Areas, including the Grade I listed Church of St Mary The Virgin and Highgrove (Grade II listed).
- 10.46 A Grade II Registered Park and Garden 'Estcourt Park' lies approximately 0.86km to the south east of the site.
- 10.47 A Scheduled Ancient Monument Tetbury Camp SAM No 293 is located approximately 0.54 km to the north east of the site. The site has also been identified as having high potential to hold archaeological interest. There are also a number of non-designated heritage assets in the surrounding area.
- 10.48 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.49 The Local Planning Authority is also statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, in accordance with Section 72(1) of the same Act.
- 10.50 Local Plan Policy EN1 seeks where appropriate, to promote the protection, conservation and enhancement of the historic and natural environment.
- 10.51 Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

- 10.52 Local Plan Policies EN10 and EN11 require great weight to be given to the conservation of designated heritage assets and their settings and requires development affecting Conservation Areas to preserve and where appropriate enhance their special character and appearance.
- 10.53 Local Plan Policy EN12 (Non-Designated Heritage Assets) seeks to ensure that development proposals conserve or enhance the significance of locally important heritage assets, taking into account their historic, architectural or cultural value.
- 10.54 Section 12 of the NPPF requires good design, providing sustainable development and creating better place to live and work in.
- 10.55 Section 16 of the NPPF seeks to conserve and enhance the historic environment.
- 10.56 On the basis of the submitted information, no buildings, enclosures, lighting, hardstanding or other operational development are proposed. The physical character of the site would therefore remain largely open and undeveloped. Given the separation distances, intervening context, and the absence of built development, the proposal would not appear to result in harm to the significance, character, appearance or setting of the identified Conservation Areas, listed buildings, Registered Park and Garden, Scheduled Monument or non-designated heritage assets.
- 10.57 However, as set out in section (b), the submission does not include a detailed site layout or sufficient supporting information to show how the use would be accommodated on the ground. Class F2(c) is a broad use and could include more formal recreational activity, with associated features such as lighting, signage, fencing, surfacing, boundary treatments or other engineered works. Such features could alter the open rural character of the site and, in turn, affect the historic landscape context and the wider setting of nearby heritage assets.
- 10.58 Notwithstanding this, it is considered that the potential heritage impacts arising from ancillary structures, lighting, surfacing, fencing or engineering works could be controlled by appropriately worded planning conditions, restricting the approved use to a low-key informal recreational use and preventing operational development unless separately approved. Subject to such controls, the relationship between the site and the identified designated and non-designated heritage assets would remain acceptable, and the significance and special interest of those assets would be conserved. The proposal would therefore accord with Sections 66(1) and 72(1) of the Planning (Listed Buildings and

Conservation Areas) Act 1990, Local Plan Policies EN10, EN11 and EN12, and Section 16 of the NPPF.

(d) Impact on Residential Amenity

10.59 Local Plan Policy EN2 requires development to accord with the Cotswold Design Code and respect the character and distinctive appearance of the locality. The NPPF also requires development to provide a high standard of amenity for existing and future users.

10.60 Local Plan Policy EN15 'Pollution and Contaminated Land' states:

"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."

10.61 The NPPF also seeks to protect residential amenity.

10.62 The site is crossed by existing public rights of way and the proposal does not include fencing or controlled access. The proposed Community Nature Area would therefore be capable of public access at all times. However, the proposal

does not include lighting, formal parking or built facilities, and its operational impact on neighbouring amenity would therefore be limited.

- 10.63 There is limited information on how visitor access, traffic and parking would be managed. Although the Highway Authority has raised no objection, some visitors may park within nearby residential areas, which could result in a degree of disturbance to residents. However, the proposed use appears to be low intensity and informal, with no additional footpaths or built infrastructure proposed. On that basis, the proposal is unlikely to result in unacceptable harm to residential amenity through intensification of use, noise or disturbance, in accordance with Policy EN15.
- 10.64 It should be noted that Environmental and Regulatory Services (Land Contamination) have raised no objection to the application with regard to human health risks associated with the proposed use from a land contamination perspective in accordance with Policy EN15.

(e) Highways

- 10.65 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 Gloucester Streets.
- 10.66 Local Plan Policy INF5 states that development will provide residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network.
- 10.67 Section 9 of the NPPF promotes sustainable transport.
- 10.68 Tetbury and Tetbury Upton Neighbourhood Plan Policy 4 supports the protection, extension and enhancement of the existing public rights of way network and leisure routes. The NPPF requires safe and suitable access and states that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety or a severe residual cumulative impact on the road network.
- 10.69 The Local Highway Authority have raised no objection to the proposal. They have advised that the proposal includes no new vehicular access, no alterations to the existing highway and no formal car parking, and that the change of use would not give rise to a material increase in vehicular traffic or adversely affect highway safety or the operation of the local highway network. As outlined

above, due to the limited information which has been provided with the application, it is unclear as to the level of visitors the Community Nature Reserve might attract and in turn the traffic levels which might be associated with the use. However, on the basis that the proposal appears to be a low intensity use and as no additional footpaths are proposed on the site, it is considered that the draw of the proposal would be limited.

- 10.70 In addition, the proposal outlines that there would be no alteration to the PRoW at the site and this would accord with 'Policy 4: Protection and enhancement of the Rights of Way Network and Leisure Routes' of the NDP which states "*The protection, extension and enhancement of the existing public rights of way network, indicated in Figures 11 and 12, will be supported.*"
- 10.71 On the basis of the LHA's advice it is considered that the proposal would not result in an adverse impact to highway safety in accordance with Policy INF4 of the Local Plan.

(f) Biodiversity

- 10.72 Local Plan Policy EN8 supports development that conserves and enhances biodiversity and geodiversity, provides net gains where possible, avoids significant habitat fragmentation and protects irreplaceable habitats and protected species interests. Policy EN9 protects designated biodiversity and geodiversity sites. Chapter 15 of the NPPF seeks to conserve and enhance the natural environment.
- 10.73 The Council's Biodiversity Officer has reviewed the application and advised that "*Records of protected and notable species exist within the nearby environment, and the site and surrounding environment contains habitats suitable to support wildlife. Therefore, an Ecological Impact Assessment (EcIA) report is required, which must be undertaken and prepared by a suitably qualified and experienced ecologist.*" This information has not been forthcoming during the course of the application. The proposal therefore fails to satisfy Policy EN8 as insufficient information has been provided to enable the Local Authority to assess the potential impact of the proposal upon biodiversity and to enable the Local Planning Authority to discharge its statutory obligations under The Conservation of Habitats and Species Regulations 2017 (as amended) with regards to European protected species.

Biodiversity Net Gain (BNG)

- 10.74 The application is for a material change of use of land and therefore constitutes development for the purposes of Section 55 of the Town and Country Planning Act 1990. Mandatory Biodiversity Net Gain therefore applies unless a specific exemption is demonstrated.
- 10.75 The applicant relies on the de minimis exemption and states that the proposal would not involve habitat removal, vegetation clearance, engineering works or biodiversity loss. The applicant also states that the land would be managed as a Community Nature Area for ecological benefit.
- 10.76 These points are noted. However, the application seeks permission for use of approximately 9.62 hectares of land within Class F2(c), which includes areas or places for outdoor sport or recreation. The Local Planning Authority must assess the lawful scope of the use applied for, not only the applicant's stated intentions. On that basis, the use could result in recreational activity across the wider site, with potential effects on existing habitats.
- 10.77 The Council's Biodiversity Officer has reviewed the submitted information and does not agree that the proposal has been shown to fall within the de minimis exemption. No BNG metric, baseline habitat information, post-development habitat plan or sufficient ecological information has been submitted to demonstrate that the exemption applies or that the required 10% BNG can be achieved.
- 10.78 The applicant has suggested that conditions could control any impacts. However, without adequate baseline information, the Council cannot properly assess the site's biodiversity value or identify what mitigation or BNG measures would be required. Conditions would not overcome this lack of information.
- 10.79 Reference has also been made to proposed future changes to the BNG regime. However, these are not currently in force and cannot be applied to this application.
- 10.80 It has therefore not been demonstrated that the proposal is exempt from mandatory BNG, or that the statutory biodiversity gain objective can be met. The proposal is therefore contrary to Policy EN8 of the Cotswold District Local Plan 2011-2031, Chapter 15 of the NPPF and the statutory BNG requirements.

Trees

- 10.81 Local Plan Policy EN7 requires development affecting valued trees, veteran trees, hedgerows or woodland to conserve and enhance them. Tetbury and

Tetbury Upton Neighbourhood Plan Policy 9 states that development that damages or results in the loss of ancient trees or hedgerow, or trees of good arboricultural and amenity value, will not be permitted, and that proposals incorporating such trees and hedgerows should be accompanied by a tree survey and management plan.

- 10.82 There are a number of mature trees on the site which are considered to be of public amenity value. The proposal does not show tree removal, although again a detailed proposed site plan is required. However, on the basis of the information submitted the trees on site would be retained thereby according with Policy EN7 of the Local Plan.

(g) Flood Risk and Drainage

- 10.83 Local Plan Policy EN14 states:

"1. Development proposals must avoid areas at risk of flooding, in accordance with a risk-based sequential approach that takes account of all potential sources of flooding. 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.

2. Minimising flood risk and providing resilience to flooding will be achieved by:

a. applying the sequential test for assessment of applications for development in Flood Zones 2 or 3, applying the exception test where necessary and in that event requiring developers to demonstrate that both limbs of the exception test can be satisfied;

b. requiring a site specific flood risk assessment for:

i. proposals of one hectare or greater in Flood Zone 1;

ii. all proposals in Flood Zones 2 and 3; or

iii. proposals in an area in Flood Zone 1 that has critical drainage problems.

3. 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 (SuDS).

4. Developers will, where required, fund flood management and/or mitigation measures for the expected lifetime of the development including adequate provision for on-going maintenance."

- 10.84 The document which has been submitted as a Flood Risk Assessment, only comprises a statement of the flood zone and a site screenshot. It does not amount to a site-specific Flood Risk Assessment and does not assess all sources of flood risk, the safety of users, climate change, surface water management, safe access and egress, or any measures required to manage flood risk over the lifetime of the development.
- 10.85 The application site exceeds 1 hectare and parts of the site lie within Flood Zones 2 and 3. A site-specific Flood Risk Assessment is therefore required by Local Plan Policy EN14 and national policy. In the absence of such an assessment, the Local Planning Authority cannot be satisfied that the proposal would be safe for its lifetime, would not increase flood risk elsewhere, and would incorporate appropriate drainage and flood risk management measures.
- 10.86 The Lead Local Flood Authority has advised that the proposal would not alter the surface water drainage of the site and has raised no objection. However, the Council's Drainage Engineer has requested clarification regarding the extent and location of any new impermeable or compacted surfaces, together with a site-specific Flood Risk Assessment.
- 10.87 Although the proposal is presented as a low-intensity change of use with no physical works currently proposed, the absence of a proportionate FRA means the Council does not have sufficient information to assess flood risk and drainage impacts having regard to the scale of the site and its partial location within Flood Zones 2 and 3. The proposal is therefore contrary to Policy EN14 of the Cotswold District Local Plan 2011-2031 and the flood risk provisions of the NPPF.

Other Matters

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

11. Conclusion:

- 11.1 For the reasons outlined above, it is considered that insufficient information has been submitted to demonstrate that the proposed Class F2 (c) use would provide a deliverable and appropriately managed community facility, having regard to access, layout, maintenance, funding and local need thereby failing to

comply with Policy INF2 of the Local Plan. In the absence of an Agricultural Land Classification Survey, the Council is unable to assess whether the proposal would result in the loss of Best and Most Versatile agricultural land or the weight given to that harm. The proposal is not considered to give rise to a reason for refusal in landscape terms, given its low-intensity nature and the absence of proposed physical works. However, it is recognised that limited information has been provided with regards to the proposed site layout, although on the basis that no physical works are proposed a landscape reason for refusal has not been recommended.

- 11.2 Insufficient information has also been provided in relation to potential ecological impacts, which include protected species and mandatory BNG requirements. In addition, a site-specific Flood Risk Assessment has not been submitted, and the Council is therefore unable to properly assess flood risk and drainage impacts.
- 11.3 The public benefits of the proposal, which include informal recreation, health and well-being for the local community as well as potential biodiversity enhancements (although the latter aspect has not been evidenced), are not considered to overcome the policy conflicts identified in this instance. The proposal is considered to be contrary to Policies INF2, EN8 and EN14 of the Local Plan and the relevant sections of the NPPF and it is recommended that planning permission be refused.

12. Reasons for Refusal:

1. The application has failed to demonstrate that the proposed Class F2(c) use would provide a deliverable and appropriately managed community facility. Insufficient information has been submitted in respect of the proposed layout, access arrangements, long-term management, maintenance, funding and local need. In addition, in the absence of an Agricultural Land Classification survey, the Local Planning Authority is unable to assess whether the proposal would result in the loss of Best and Most Versatile agricultural land, or the weight to be given to that potential harm. The proposal is therefore contrary to Policy INF2 of the Cotswold District Local Plan 2011-2031 and paragraph 187(b) of the National Planning Policy Framework.
2. Insufficient information has been submitted to demonstrate the biodiversity gain objective can be met and the biodiversity gain condition can be successfully discharged in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

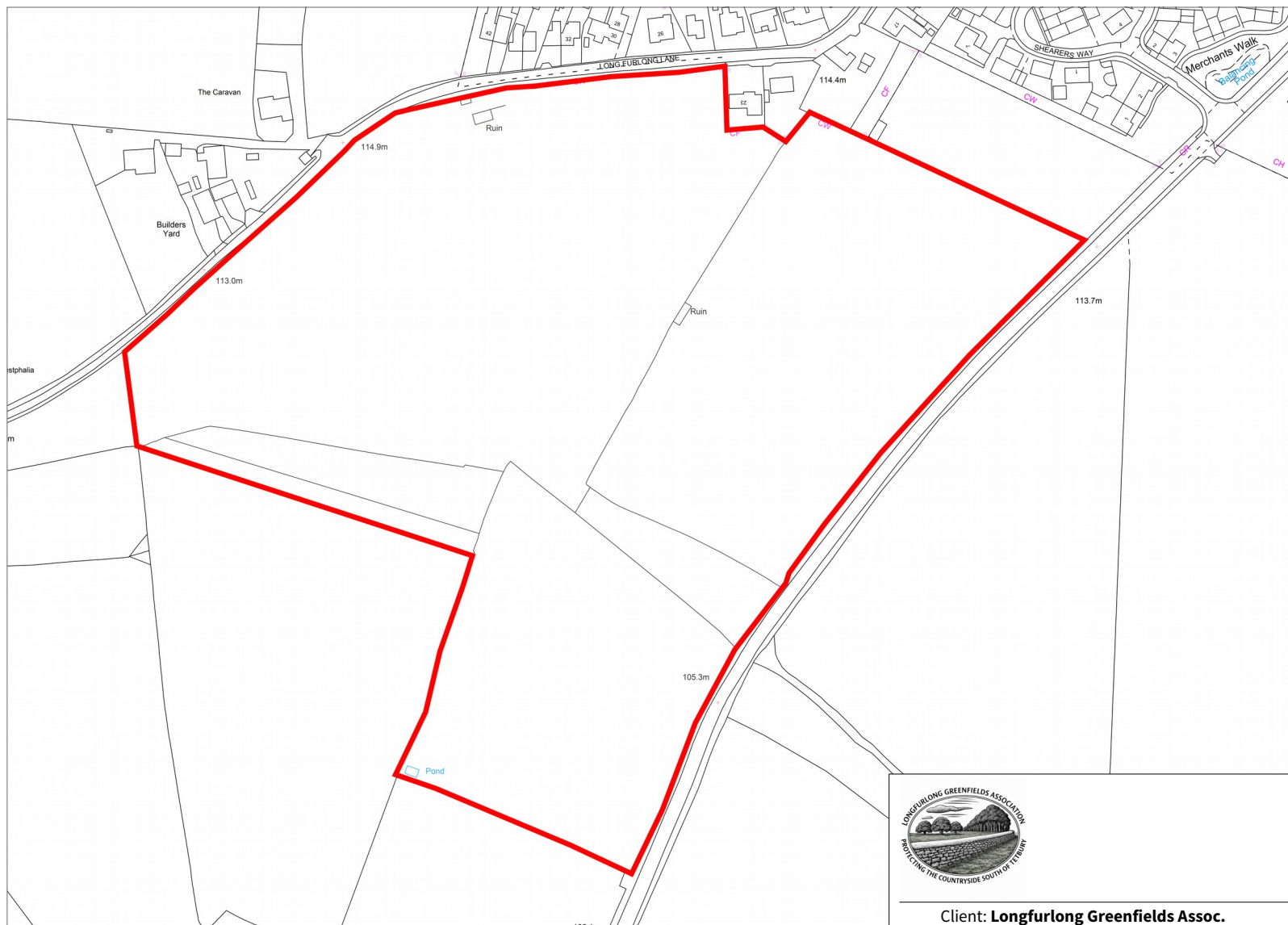
3. Insufficient information has been submitted to enable the Local Planning Authority to assess the potential impacts of the scheme on biodiversity in accordance with Local Plan policy EN8 and Chapter 15 of the National Planning Policy Framework. In addition, the above information needs to be sought from the applicant in order to comply with the Local Planning Authority's duty to discharge its statutory obligations under The Conservation of Habitats and Species Regulations 2017 (as amended) with regards to European protected species.

4. Insufficient information has been submitted to enable the Local Planning Authority to assess flood risk and drainage impacts. The application site exceeds 1 hectare and lies partly within Flood Zones 2 and 3, but no site-specific Flood Risk Assessment has been provided. The Local Planning Authority is therefore unable to determine whether the development would be safe for its lifetime, would avoid increasing flood risk elsewhere, and would incorporate appropriate flood risk and drainage measures. The proposal is therefore contrary to Policy EN14 of the Cotswold District Local Plan 2011-2031 and the flood risk provisions of the National Planning Policy Framework.

Informatives:

1. 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.

This page is intentionally left blank



Client: **Longfurlong Greenfields Assoc.**

Project: **Change of Use application**

Title: **Land at Longfurlong Lane, GL8**

Scale: 1:3000 @A4

Date: 16 Mar 2026

Drawn By: TJM

Drawing No: LGA1(a)

This page is intentionally left blank

Permission in Principle application for the erection of 1 x modest single storey dwellinghouse at Land to the South of Manor Court Eastleach Gloucestershire

Permission in Principle 26/01821/PLP	
Applicant:	Mr Richard Scholes
Agent:	
Case Officer:	Joanne Reeves
Ward Member(s):	Councillor David Fowles
Committee Date:	11 August 2026
RECOMMENDATION:	REFUSE

1. Main Issues:

- (a) Principle of development

2. Reason for Referral:

- 2.1 The application has been referred to Planning and Licensing Committee for determination, in accordance with the Council's adopted scheme of delegation, as the applicant is related to Councillor Helene Mansilla, the elected Ward Member for Lechlade, Kempsford and Fairford South.

3. Site Description:

- 3.1 The application site comprises a parcel of agricultural land (orchard / paddock) to the south-east of The Walled Garden ('Manor Court') in the village of Eastleach.
- 3.2 Originally two parishes separated by the River Leach, the hamlets of Eastleach Turville and Eastleach Martin were linked by a road bridge in the early 19th century and became a village in 1935. The village is located approximately 4 kilometres north-east of the Principal settlement of Fairford, as the crow flies, and 5 kilometres to the north-west of the Principal settlement of Lechlade.
- 3.3 The application site is located on the western edge of Eastleach Turville and comprises approximately 0.05 hectares. It is bounded to the north by the southern wall of The Walled Garden, and by a post and rail fence to the south

and west and a low drystone wall to the east. The latter separates the site from the formal gardens of Manor Farm House (rebuilt in 1872) to the north-east.

- 3.4 The site is within the Cotswolds National Landscape (formerly known as the Cotswolds Area of Outstanding Natural Beauty), and outside but adjacent to the Eastleach Conservation Area (to the east).
- 3.5 The application site appears on the 1st, 2nd, and 3rd Edition Ordnance Survey Maps (1844-1888, 1894-1903, and 1898-1939), whereupon it formed part of a larger parcel of agricultural land, with orchard immediately to the south, east and west. Whilst the orchard to the south of the application site appears to have disappeared by the late 19th century, the orchard to either side survived into the 20th century. Today, there are several trees on the application site, and immediately to the south and south-east (Manor Farm House gardens). The site remains undeveloped albeit for a greenhouse adjacent to The Walled Garden, and the existing means of enclosure.

4. Relevant Planning History:

- 4.1 22/04151/OUT - Outline planning application (all matters reserved) for the erection of a dwelling including the creation of new residential curtilage and associated works - Withdrawn 23/03/2023.
- 4.2 25/02520/CLEUD - Certificate of Lawful Existing Use or Development under Section 191 of the Town and Country Planning Act 1990 for use of land to the south-west of Flat 6, Manor House as residential garden - Refused 15/04/2026.
- 4.3 26/00922/PLP - Permission in Principle application for erection of 1no. single storey dwellinghouse - Returned.

5. Planning Policies:

- DS3 Small-scale Res Dev non-Principal Settle
- DS4 Open Market Housing o/s Principal/non-Pr
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- TNPPF The National Planning Policy Framework

6. Observations of Consultees:

6.1 Local Highway Authority -

Refusal: "The proposed dwelling would be located in a poorly connected rural location with very limited opportunities to access services and facilities by sustainable transport modes. The site has a DfT [Department for Transport] connectivity score of 10, has no Public Rights of Way connections in the vicinity and would result in future occupiers being predominantly reliant on the private car for day-to-day journeys. The location of the development is therefore unacceptable in principle and contrary to the objective of promoting sustainable transport and reducing the need to travel by private vehicle."

6.2 Biodiversity Officer -

"I have no objections to the permission in principle for the erection of 1 dwelling. However, the applicant should be aware that an ecological impact assessment specific to the site and the proposed development, and information demonstrating how the biodiversity gain objective will be met will be required at the technical design stage."

6.3 Flood Risk Management Officer -

6.3.1 "At the Permission in Principle stage, consideration is limited to whether flood risk presents a fundamental constraint to the location or amount of development."

6.3.2 According to the Environment Agency flood mapping, the site is located within Flood Zone 1, defined as land having a low probability of flooding (less than 0.1 percent annual probability of fluvial flooding). There are no mapped surface water or groundwater flood risks that would prevent the principle of a new dwelling on this land.

6.3.3 Therefore, we have no objection in principle to the proposal on flood risk grounds.

6.3.4 Detailed surface water drainage design, including infiltration testing (if applicable), discharge hierarchy assessment, SuDS proposals, runoff rate/volume control, exceedance routing and long-term maintenance arrangements will need to be provided and assessed at the Technical Details Consent stage."

6.4 Tree Officer -

6.4.1 "The site is just outside a conservation area. It is not presently affected by any TPOs. It appears some smaller trees will need to be removed to enable the proposal. No arboricultural information has been submitted.

6.4.2 If granted consent, at TDC stage detailed arboricultural information prepared in accordance with BS5837:2012 must be submitted and include:

- *Tree survey*
- *Arboricultural Impact Assessment*
- *Proposed tree protection measures in relation to the site layout.*

6.4.3 I am unlikely to view favourably a layout that requires the removal of, or is not compatible with, trees of high arboricultural quality.

6.4.4 Any tree loss must be appropriately mitigated by new tree planting. All arboricultural information must be prepared by a competent arboricultural practitioner such as an arboricultural consultant."

7. View of Town/Parish Council:

7.1 Eastleach Parish Council -

7.2 7th July 2026

7.2.1 "The Council have not had a response from you to the email below. We have heard that the response date had been brought forward to the 9th July which does not give time to write a substantive response but the Council objects to this application as the application does not improve on the previous application and those objections remain valid.

7.2.2 Policies DS3, EN4, EN5, EN11. 5 & Highways access requirements appear to be ignored."

7.3 24th July 2026

7.3.1 "This site is not suitable in principle because the only access from the Public Highway to the application site is via a private driveway owned by the freeholders of The Manor House Eastleach.

7.3.2 This application should not be considered until legal permission has been sought from The Manor House to use the private driveway, both for building works and in the longer term when the house might be in use.

7.3.3 This proposal will have a negative visual effect on the Eastleach Conservation Area. The rear part of this site is not enclosed by development and although it is not visible from the highway, the site creates a transitional landscape between the formal gardens of the Manor House and the wider agricultural landscape and open countryside beyond. Building on this site would constitute a loss of open space that allows views out or into the conservation area which makes a valuable contribution to the character of Eastleach. Small incremental changes over time have a big impact on the conservation area.

7.3.4 The site is within 100 meters of the Listed Buildings at Byre Cottage, Scissor Cottage, Tallett cottage all part of the former Barn at Manor Farm.

7.3.5 The site location lies in a transitional space between the built settlement and open farmland. Therefore, we would argue that falls outside of the Eastleach non principle setting and which means policy DS4 applies. This specifies that new open market housing will not be permitted outside the settlement unless other policy supports residential development in that area.

7.3.6 Eastleach has not been identified as one of the areas that is deemed appropriate for development in the process of review of the Local Plan. The Cotswold District Council has made a commitment to protect The Cotswold National Landscape.

7.3.7 The site lies immediately outside the Eastleach Conservation area but within the Cotswold National Landscape.

7.3.8 The applicant refers to the site as having a domestic garden character. There is local knowledge that the applicant changed the look of the site just before applying for a CLEUD in 2025. There is local knowledge that the site has always been an orchard. The separate CLEUD application (Ref 25/02520/CLEUD) for use of the land as a residential garden has been refused by the Cotswold district Council. Therefore, any reference to the use of the land as a garden should not be considered to be so in the decision process.

7.3.9 The GRCC with help of Eastleach Parish Council carried out a housing needs Survey in 2024 the results of which showed that there was only a need for social housing in Eastleach. The application in principle does not address the Village's need of affordable social rented dwellings."

8. Other Representations:

8.1 At the time of writing this report 29 third-party objections have been received, although at least 4 of these appear to be from the same two individuals. These objections can be summarised as follows:

- No published site notice, lack of prior consultation, speculative development, use of land as residential garden deemed 'unlawful' (25/02520/CLEUD), land subject to third party covenants, land outside village / in an unsustainable location in the countryside, impact on Cotswolds National Landscape (CNL) and heritage assets, limited access, flood risk, impact on biodiversity, impact on trees, and applicant's relationship to an elected Ward Member.
- Principle of development and site's rural edge of settlement location, impact on the character of the CNL and "the transitional landscape between the enclosed formal gardens of the Manor House and the wider agricultural landscape" (as opposed to domestic garden), harm to the setting of the conservation area, precedent, narrow shared access, and impact on drainage.
- Increased flood risk.
- Outside the boundary of the village, agricultural land not residential, unsustainable location, site landlocked, and flood risk.
- Late published notice, lack of prior consultation, speculative development, use of land as residential garden 'unlawful' (25/02520/CLEUD), land subject to third party covenants preventing development, site outside village, unsustainable location, site distinct from settlement / in the countryside, prejudicial impact on CNL, damaging impact to heritage, no access to proposed land / site landlocked, risk of flood damage to neighbouring properties / inadequate drainage, prohibited "in-fill" development, harmful proximity to historic building, impact on biodiversity and wildlife, including several mature trees.
- Development unsuitable in relation to the application site and Eastleach as whole. Does not address housing need in the village or the wider Cotswold District.
- Granting 'Permission in Principle' would endorse residential development on land that currently forms the rural edge of Eastleach. Harmful impact on CNL, not garden land, harm to setting of conservation area, risk that approval would be used to justify further incremental development on adjacent land resulting in a pattern of encroachment into the countryside that would be difficult to resist in future. Highway access and drainage have not been adequately addressed.

- Impact on wildlife and CNL, loss of orchard.
- Unsustainable location, concerns with respect to drainage and water run-off from further 'in fill' development, the site is in the CNL and outside the village boundary.
- A single dwelling does not address the housing need within Cotswold District; the site is within an AONB [CNL] and unsustainable. The site is not within the village boundary, access to the site is unclear and ambiguous, and a new house on a greenfield site outside the village envelope would set a dangerous precedent.
- Limited access and potential impact on the root system of an oak tree.
- No notification of application from Cotswold District Council (CDC) to residents, lack of required supporting documents on the CDC website, lack of prior consultation, use of land as residential garden deemed 'unlawful' / refused by CDC this year (25/02520/CLEUD), the site is located outside the built envelope of the village, unsustainable location, the site is within the CNL, detrimental impact on local biodiversity and wildlife, no access to the proposed land, previous conservation / historic environment objections, applicant related to an elected Ward Member.
- Single new build in the CNL (which does not address housing need) and outside the village boundary.
- Site within the AONB [CNL] and outside the defined village boundary.
- Outside the village and within the CNL.
- Impact on wildlife and lack of access.
- Outside the village boundary and within the Cotswolds National Landscape.
- Concerns as to what constitutes a "modest self-build dwelling", amount of development, change of land use, location, lack of credibility for new housing need, CNL, the site lies outside the boundary of the village.
- Access to the site, no amenities, such as water, electricity, power are available on the site. The village does not have scope for more development as has no shops or services other than the pub. Impact on the surrounding countryside and wildlife.
- Third-party covenant preventing development, the site is land-locked with no access. The proposed construction of a dwellinghouse would result in the permanent loss of an open space as well as a long-term damaging impact on the heritage and lived environment of the Eastleach area.
- Construction traffic, demonstrable harm to the tranquillity of the historic character of Eastleach and would exacerbate the existing pressure on village infrastructure.
- Location, land use and amount of development, the application site is part of the countryside that surrounds the existing housing within Eastleach and is not part of a lawful, residential site. The location of the proposed site is landlocked with no legal access.

- Impact on the adjacent conservation area, the proposed site is land locked, would push the village boundary further into the adjacent open countryside, there was flooding in 2007 which affected Turville Barns, proposal would have a detrimental effect on wildlife and trees.
- Inappropriate development which will result in a serious loss of amenity for existing residents and will be materially detrimental to the local environment.
- The proposed site is an orchard and falls outside the village boundary and forms part of the CNL. A new single dwelling on this site would have no benefit to the village of Eastleach or to the overall supply for housing in the Cotswolds.
- Conflicts with the principle of protecting the integrity of village settlements and would form a precedent for similar unsuitable, piecemeal development on the village boundary with agricultural land. It will increase traffic on the Manor drive, which has already limited and difficult access to the narrow village street.
- Site not within the Eastleach boundary and therefore in the countryside, proposed site not garden area but an area designated Orchard/agricultural, no access to the site - either for construction or potential residents, development in this area may adversely affect flooding - historically this has been an issue (to some degree or another on an annual basis) and with the ongoing issues of climate change, is likely to get worse.

8.2 *Officer response -*

8.2.1 The application was publicised for a minimum of 14 days (i.e. the statutory consultation period required as part of the consideration of an application for permission in principle) by display of two site notices on 30th June 2026 on or near the land to which the application relates in such a way as to be easily visible and legible by members of the public. The occupants of several neighbouring properties were also notified in writing. As was the Parish Council, the Ward Member and several consultees.

8.2.2 Regarding private rights of access, the purpose of the planning system is to manage the development/use of land in the public interest. Examples of public-interest matters include acceptable standards of privacy, adequate daylight or sunlight, and freedom from excessive noise. Boundary disputes, restrictive covenants, and other property rights are private matters. This includes private rights of way or 'easements', where a private right of way entitles one landowner to pass over another piece of land in order to get to their own land. Such matters are not relevant in deciding whether to grant or

refuse planning permission. This is because they are not material planning considerations, but private matters.

8.2.3 Other matters discussed below.

9. Applicant's Supporting Information:

- Heritage Statement
- Planning Statement

10. Officer's Assessment:

- 10.1 This application seeks 'Permission in Principle' for the erection of what is described as a 'modest single storey dwellinghouse' on the site. The application has been submitted in accordance with the provisions of The Town and Country Planning (Permission in Principle) (Amendment) Order 2017.
- 10.2 The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development, which separates the consideration of matters of principle for proposed development from the technical detail of the development. It is a two-stage process.
- 10.3 The Government's Planning Practice Guidance (PPG) sets out the matters that can be covered by a permission in principle application:

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

The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage [stage 1]. Other matters should be considered at the technical details consent stage [stage 2]. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.

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

- 10.4 If permission in principle is granted, the applicant will then need to apply for Technical Details Consent. The Technical Details Consent will include all the detailed aspects of the scheme such as design, layout, access, drainage, impact

on residential amenity etc. The Council has 35 days in which to determine a permission in principle application.

- 10.5 Regarding the decision-making process, the PPG states:

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

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

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

- 10.6 In considering this application, the Council is restricted to considering the principle of development rather than matters of technical detail. It cannot request additional information at this time and cannot add conditions to a decision notice. Such matters would be covered at the Technical Details Consent stage.

Principle of development

- 10.7 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."* The starting point for the determination of this planning application is therefore the current development plan for the District, which is the Cotswold District Local Plan 2011-2031.
- 10.8 The National Planning Policy Framework (NPPF) must be considered in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 10.9 The application site is located outside a Principal Settlement as identified in the Cotswold District Local Plan 2011-2031. The Principal Settlements are identified as the most sustainable locations to deliver future growth. These settlements were selected because of their social and economic sustainability, including accessibility to services and facilities. This notwithstanding, the Local Plan also

recognises that some rural settlements have greater sustainability credentials than others and include everyday facilities such as a shop/post office, a school and/or good public transport access to neighbouring services / employment opportunities. These settlements are described as 'Non-Principal Settlements'.

10.10 Whilst Eastleach has a church (one open, one closed), a pub, a village hall and a limited bus service, there is no village shop, and the nearest primary schools are located in the neighbouring villages of Hatherop and Southrop, and then the larger settlements of Fairford and Lechlade. Employment opportunities are also limited.

10.11 Local Plan Policy DS3 'Small Scale Residential Development in Non-Principal Settlements' states that -

"1. In non-Principal Settlements, small-scale residential development will be permitted provided it:

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

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

c. complements the form and character of the settlement; and

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

10.12 In contrast, Local Plan Policy DS4 'Open Market Housing outside Development Boundaries and Non-Principal Settlements' states that -

"New-build open market housing will not be permitted outside Principal and Non-Principal Settlements, unless it is in accordance with other policies that expressly deal with residential development in such locations."

10.13 The supporting text to Policy DS4 states that this policy is intended to preclude, in principle, the development of speculative new-build open market housing which, for strategic reasons, is not needed in the countryside. The policy does not, however preclude the development of some open market housing in rural locations; for example, dwellings resulting from the replacement or sub-division of existing dwellings, or housing created from the conversion of rural buildings. For the purposes of Policy DS4, any land that falls outside Development

Boundaries and Non-Principal Settlements is referred to as countryside, even if it is technically previously developed land.

- 10.14 Whether Eastleach is a Non-Principal Settlement or not is debatable. Whilst the settlement does not sit entirely comfortably within the definition of a Non-Principal Settlement, neither the village, nor the application site is considered 'isolated' in terms of paragraph 84 (isolated homes in the countryside) of the NPPF. Therefore, given its proximity to the villages of Hatherop and Southrop, and the Principal settlements of Fairford and Lechlade, the village is, on balance, considered a Non-Principal Settlement, notwithstanding the reliance on the motor vehicle to access most if not all services and facilities.
- 10.15 Notwithstanding the above, when reaching a decision, the Council must also have regard to policies in the NPPF. The NPPF and the Planning Practice Guidance (PPG) represent significant material considerations. The December 2024 update to 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, 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, because of the changes the Council can now only demonstrate a 1.8-year supply.
- 10.16 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:

"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."

10.17 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."* Considering this guidance, it is considered that both Local Plan Policies DS3 and DS4 are 'out-of-date' at the present time and that paragraph 11 would be engaged in such circumstances.

10.18 Regarding sub-paragraph (d) i. footnote 7 advises that policies in the NPPF that protect areas or assets of particular importance include National Landscapes, such as the Cotswolds National Landscape and designated heritage assets, such as listed buildings and conservation areas. Harm to these areas or assets of particular importance, therefore, potentially provides a strong reason to refuse an application for housing even if a 5-year supply of housing land cannot be demonstrated.

10.19 In the case of criterion d ii), it is necessary to weigh the benefits arising from the scheme, such as the delivery of housing, against the adverse impacts of the proposal. This includes ensuring developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (paragraph 135 c). However, in the case of criterion d) ii), it is evident that the adverse impacts would have to significantly and demonstrably outweigh the benefits for an application to be refused.

- 10.20 As noted above, in considering this application, the Local Planning Authority is restricted to considering the principle of development rather than matters of technical detail. Design, layout, access, drainage, and impact on residential amenity, would therefore be assessed as part of any subsequent Technical Details Consent application. This notwithstanding, the potential impact of the provision of a dwelling on the site, in terms of its impact on the Cotswolds National Landscape and the setting of the adjacent conservation area, is a material consideration in terms of determining if the location of the proposed development is acceptable in principle.

Cotswolds National Landscape

- 10.21 The site is located within the Cotswolds National Landscape (formerly known as the Cotswolds Area of Outstanding Natural Beauty) wherein the Local Authority in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty in accordance with section 85(A1) of the Countryside and Rights of Way Act 2000.
- 10.22 Local Plan Policy EN4 'The Wider Natural and Historic Landscape' states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. 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.
- 10.23 Local Plan Policy EN5 'Cotswolds Area of Outstanding Natural Beauty' states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.
- 10.24 Chapter 15 of the NPPF seeks to conserve and enhance the natural environment. Paragraph 187 states that planning decisions should contribute to and enhance the local environment by protecting and enhancing valued landscapes, and by recognising the intrinsic character and beauty of the countryside. Paragraph 189 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection in relation to these issues.

10.25 The Cotswolds National Landscape Management Plan 2025-2030 is also a material consideration in the determination of the application (where compatible with relevant Local Plan and national policy). The Management Plan includes several policies which are considered applicable to this application, including:

10.25.1 "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.

10.25.2 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.*

10.25.3 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."

- 10.26 The Cotswold National Landscape Character Assessment describes the different landscape character types typical of the Cotswolds, including the landscape character and key features of the Dip-Slope Lowland - South and Mid Cotswolds Lowlands, which includes the application site -

"Summary description

10.26.1 The Dip-Slope Lowland forms a broad area of gently sloping, undulating lowland with a predominantly south-easterly fall, and provides the final transition between the high Cotswold country and the Thames Valley. The lowland form is gently, although infrequently, dissected by small watercourses, with the overall impression of a well-managed, productive landscape of mixed arable and improved pasture. Medium to large scale regular fields enclosed by hedgerows predominate, although fences and stone walls are not entirely absent. Intermittent small villages and isolated farmsteads define the pattern of settlement, although there are some larger settlements present. There is also a distinctive pattern of large estates and their associated parks and woodland, some of which are of national importance. Otherwise, woodland is limited to isolated copses and shelter belts.

Landscape sensitivity

10.26.2 The strongly structured cultivated Dip-Slope Lowland landscape is sensitive to large scale developments that might interrupt wide views across the landscape and in particular to developments that would introduce tall vertical elements such as pylons and wind turbines. However, the presence of more intensively managed landscapes makes the Dip Slope Lowlands generally less sensitive than remoter and more elevated landscapes on the High Wold and High Wold Dip-Slope. Areas where a strong woodland framework exists are particularly suited to accommodate development. However, development

proposals should avoid extensive new woodland planting to screen developments, as this would compromise the open character of the landscape and long views across the Dip-Slope Lowlands.

10.62.3 Areas of ancient woodland and species rich grassland represent a small fraction of the extent that once existed and are therefore highly sensitive to developments that might compromise their survival or setting. Parkland landscapes are particularly sensitive to developments that might compromise their historic character and the contribution they make to the wider landscape of the Dip-Slope Lowlands. Care should be taken to ensure that developments do not compromise elements that constitute the wider setting of designed parklands such as estate villages and tree plantations."

- 10.27 The application site is located on the western edge of the rural settlement of Eastleach in an area where the built form of the village dissipates and transitions into the open countryside.
- 10.28 The provision of a single dwelling on the site, and the associated change in the use of the land from agricultural to residential, and its domestication, would result in an unacceptable encroachment of the domestic built form, and its associated paraphernalia and trappings, into the wider landscape setting. As a result, the provision of a dwelling on the site would fail to respect the existing settlement pattern, or conserve or enhance the natural beauty of the area. The historic and natural landscape character, together with the visual quality and local distinctiveness of the area would be diminished, including views into the settlement from the open countryside and farmland to the south, as well as views out.
- 10.29 For these reasons, it is considered that the provision of a dwelling in this location would neither maintain nor enhance sustainable patterns of development, nor complement the form and character of the existing village, or the contribution it makes to the wider landscape setting of the Cotswolds Natural Landscape.
- 10.30 In summary, the provision of a dwelling in this location, and the associated change in the use of the land from agricultural to residential, and its domestication, would fail to protect or enhance the intrinsic character and beauty of the Cotswolds Natural Landscape, contrary to the requirements of Cotswold District Local Plan Policies EN4 and EN5, and chapters 2 and 11 of the National Planning Policy Framework.

Setting of conservation area

- 10.31 Local Plan Policy EN10 'Historic Environment: Designated Heritage Assets' states that in considering proposals that affect a designated heritage asset, such as a listed building or conservation area, or its setting, great weight should be given to the asset's conservation. Development proposals that sustain and enhance the character, appearance, and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted. Proposals that lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm.
- 10.32 Local Plan Policy EN11 'Historic Environment: Designated Heritage Assets - Conservation Areas' states that development proposals that would affect conservation areas and their settings, will be permitted provided (amongst other things) they;
- preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;
 - include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area; and
 - will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.
- 10.33 Chapter 16 of the NPPF seeks to conserve and enhance the historic environment. Paragraph 210 states that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, such a listed building or a conservation area, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 213).

Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 10.34 The northern boundary of the application site is formed by the southern wall / south-east corner of The Walled Garden. The latter is a defining feature, which demarcates the south-western terminus of the built form in the area, both historically and today - the agricultural buildings to the north-west being modern, and mid to late 20th century in date.
- 10.35 Whilst a dwelling has recently been permitted (circa 2017) within The Walled Garden, this was a replacement dwelling, and both the building and its residential curtilage are contained by the walls of the garden. In contrast, the current application site extends south of The Walled Garden into an area historically used as an orchard, before transitioning into open farmland. The eastern boundary of the application site demarcates the western edge of the Eastleach Conservation Area. To the east of this, the formal gardens associated with the unlisted, albeit historic (circa 1872), Manor Farm House, form the southern edge of the conservation area, further contributing to the visual qualities of this transitional landscape.
- 10.36 Both Manor Farm House and its formal gardens have been deliberately included within the conservation area boundary, and contribute positively to the latter's character and appearance, with the extensive gardens preserving the soft, edge of settlement character of the area. The provision of a dwelling on the site would result in the unacceptable encroachment of the built form into the wider landscape setting, resulting in the erosion of this transitional character. As a result, the proposed development would fail to complement the form and character of the settlement. The setting of the conservation area would be diminished, and the undeveloped character of the site would be irrevocably lost, together with a key element of the designated heritage asset's setting. Whilst the harm to significance would be less than substantial, and the provision of a dwelling on the site would contribute to the five-year supply of deliverable housing within the District, the ensuing public benefits associated with a single dwelling would be limited and considered not to outweigh the harm to the setting of the conservation area, as both a designated heritage asset and an 'asset of particular importance'.
- 10.37 In summary, there is an 'in principle' objection to the provision of a dwelling in this location in terms of its failure to respect the existing settlement pattern / complement the form and character of the settlement, and its harmful impact

on the historic environment, including in terms of diminishing views of the conservation area from the open countryside and farmland to the south and south-west. The provision of a dwelling on the site is therefore considered contrary to the requirements of Local Plan Policies EN10, EN11 and EN12, and chapters 2 and 16 of the NPPF.

- 10.38 Notwithstanding the above, given the separation provided by the existing intervening built form (The Walled Garden, Manor House Farm etc.,) the provision of a dwelling on the site would be unlikely to affect the setting of the Grade II listed buildings to the north-east (Byre Cottage, 6. 7 and 8, Scissor Cottage and Tallett Cottage).

Connectivity to the public highway

- 10.39 It has not been clearly demonstrated as part of the application how the site would connect to the public highway (Back Lane). Instead, the site appears landlocked, with no direct access or frontage onto a highway maintainable at public expense. Whilst access is a technical details matter, in this instance, it is not clear if or how the existing access to Manor Farm House would be utilised, or if it is capable of being utilised, should 'permission in principle' be granted, or whether a new access would need to be formed onto Back Lane. In particular, no mechanism has been provided to demonstrate that the applicant can gain reasonable access to the site, or if any material changes would be required to secure that access.
- 10.40 Whilst the applicant has been given the opportunity to submit a plan in support of the current proposal showing how the application site would be accessed from the public highway, they have declined to do so by reference to a 2021 High Court decision (Case No: CO/4168/2020) whereby it was determined that the red line did not need to include existing access land up to the public highway where no new access works or material change to that access were proposed, and by stating *"No amendment to the submitted red-line boundary is therefore proposed"*. This is notwithstanding a 2024 Appeal decision (Appeal Ref: APP/X1165/W/24/33407880) where the Planning Inspector declined to determine an Appeal on the basis that, in his opinion, the local planning authority in question should not have determined the application in the absence of a plan showing how the site would be accessed from a public highway. On this basis, Officers do not consider such a request to be unreasonable, as it is potentially in the applicant's interests to demonstrate that the application site is capable of being connected to the public highway in a manner that would allow the proposed residential use to be achieved in principle.

10.41 Considering the concerns regarding the site's connectivity to the public highway, Gloucestershire County Council, in its capacity as Local Highway Authority (LHA), has been consulted, and commented as follows:

10.41.1 "This application has been submitted as a Permission in Principle (PiP) application. The scope of PiP is limited to the consideration of the location, land use and amount of development only. Detailed design, access arrangements and other technical matters are reserved for consideration at the subsequent Technical Details Consent stage.

10.41.2 The application site is not directly connected to the public highway within the submitted red line boundary. The nearest public highway is road number 400968, Eastleach Turville to Eastleach Road, a Class 4 publicly maintainable highway. Furthermore, there are no Public Rights of Way connections in the vicinity of the site.

10.41.3 The site is located in a rural location with a DfT [Department for Transport] connectivity score of 10, indicating a very low level of accessibility to services and facilities by sustainable transport modes. As a consequence, future occupiers would be heavily reliant upon the private car for the majority of day-to-day trips.

10.41.4 At the Permission in Principle stage, the Highway Authority is only able to consider whether the location of the proposed development is acceptable in principle. Given the site's poor connectivity and limited opportunities to access services and facilities other than by private vehicle, the proposal represents a form of development in a location that is inherently car-dependent.

10.41.5 The Highway Authority therefore considers that the location of the development is unacceptable in principle and recommends that Permission in Principle be refused on transport sustainability grounds.

10.41.6 In addition, it is noted that the application red line boundary does not appear to include any land that would provide a connection to the public highway. Whilst access is a matter for consideration at the Technical Details Consent stage, the Local Planning Authority may wish to satisfy itself that the application has been correctly validated and that the necessary land and rights can be demonstrated."

10.42 Notwithstanding the reliance on the motor vehicle to access most if not all services and facilities, the Local Planning Authority does not necessarily agree with the LHA that the application should be refused on transport sustainability

grounds alone, as that would have wider implications for the District given its predominantly rural character. Although, it is noted that the LHA shares the LPA's concerns regarding the lack of connectivity to the highway demonstrated, and the questions it raises as to whether this is achievable.

Other matters

- 10.43 Other matters, such as biodiversity (protected species), biodiversity net gain, drainage and the potential impact on trees, are not objectionable in principle having regard to the scope of the permission in principle application, and would be dealt with at the technical details stage, together with design, layout, and impact on residential amenity etc.
- 10.44 As discussed, boundary disputes, restrictive covenants, and other property rights are private matters. This includes private rights of way or 'easements', where a private right of way entitles one landowner to pass over another piece of land to get to their own land. Such matters are not relevant in deciding whether to grant or refuse planning permission. This is because they are not material planning considerations, but private matters.

11. Conclusion:

- 11.1 The provision of a dwelling in this location, and the associated change in the use of the land from agricultural to residential, and its domestication, would fail to protect or enhance the intrinsic character and beauty of the Cotswolds Natural Landscape, contrary to the requirements of Cotswold District Local Plan Policies EN4 and EN5, and Chapters 2 and 11 of the NPPF.
- 11.2 The provision of a dwelling in this location would result in the encroachment of the built form into the wider landscape setting of the conservation area, eroding its transitional character. The development would fail to complement the form and edge of settlement character of the area, diminishing the setting of the conservation area. The undeveloped character of the site would be irrevocably lost, together with a key element of the designated heritage asset's setting, contrary to the requirements of Local Plan Policies EN10 and EN11, and Chapters 2 and 16 of the NPPF.
- 11.3 The harm identified to the Cotswolds National Landscape and to the setting of the Eastleach Conservation Area attracts great weight. These protected areas and assets fall within the scope of NPPF footnote 7 and provide a strong reason for refusing the development. In any event, the adverse impacts identified

would significantly and demonstrably outweigh the limited benefits of the proposal when assessed against the Framework taken as a whole.

12. Reasons for Refusal:

1. The application site is located within the Cotswolds National Landscape wherein the Local Planning Authority is statutorily required to seek to further the purpose of conserving and enhancing the natural beauty of the landscape. The provision of a dwelling on the site, and the associated change in the use of the land from agricultural to residential, and its domestication, would result in an unacceptable encroachment of the domestic built form, and its associated paraphernalia and trappings, into the wider landscape setting, thereby failing to protect or enhance the intrinsic character and beauty of the National Landscape, as both a valued landscape and an 'area of particular importance'. Consequently, the provision of a dwelling on the site is considered contrary to Cotswold District Local Plan Policies EN4 and EN5, and chapters 2 and 11 of the National Planning Policy Framework.

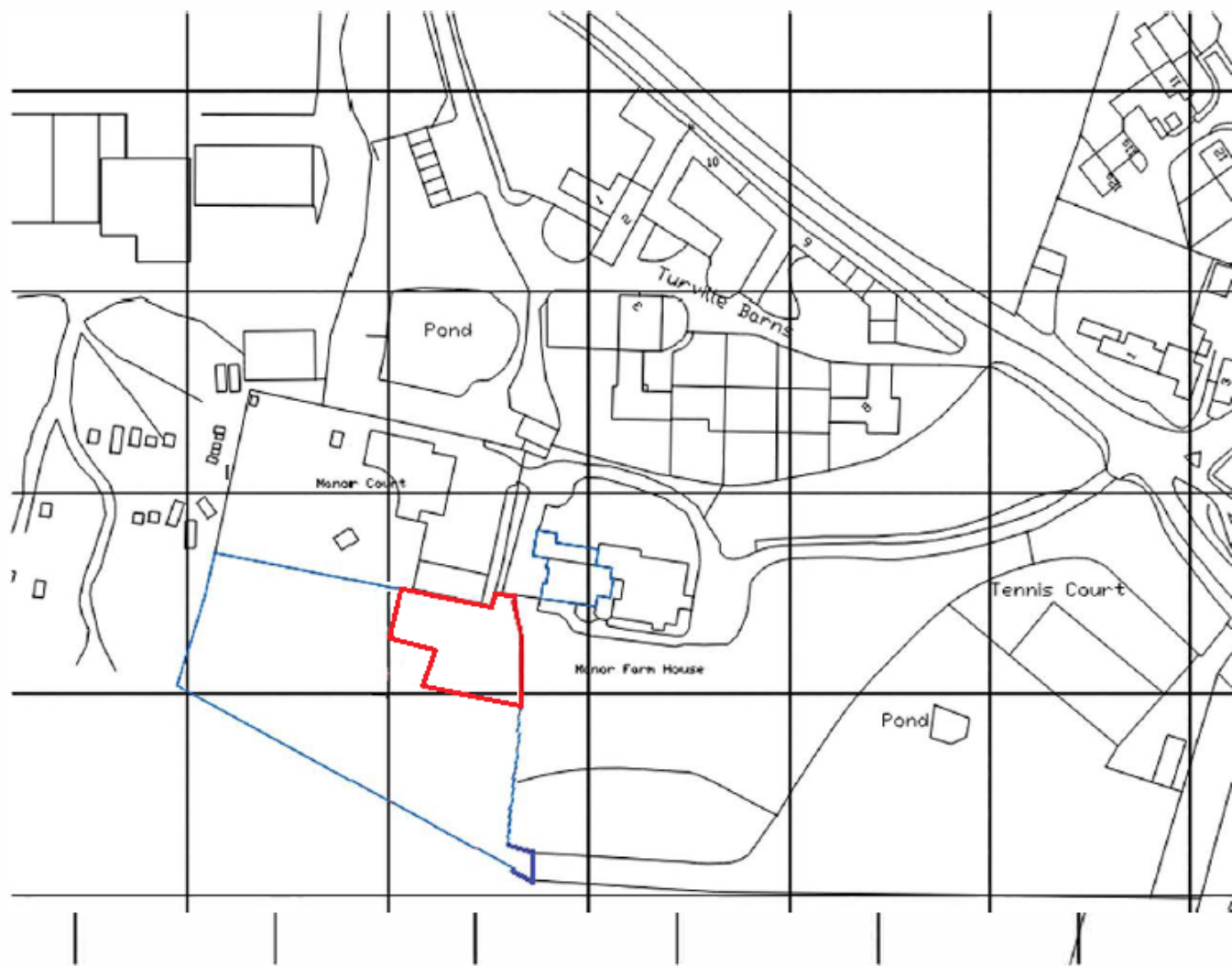
2. The application site is located outside but immediately adjacent to the Eastleach Conservation Area. The provision of a dwelling on the site would result in the encroachment of the built form into the wider landscape setting of the conservation area. The setting of the conservation area would be diminished, and the undeveloped, transitional edge of settlement character of the site irrevocably lost, together with a key element of the designated heritage asset's setting. Whilst the harm to significance would be less than substantial, and the provision of a dwelling on the site would contribute to the five-year supply of deliverable housing within the District, the ensuing public benefits associated with the provision of a single dwelling would be limited and would not outweigh the harm to the setting of the designated heritage asset. The proposed development would also fail to protect an 'asset of particular importance'. Consequently, the provision of a dwelling on the site is considered contrary to Cotswold District Local Plan Policies EN10 and EN11, and chapters 2 and 16 of the National Planning Policy Framework.

3. The application site is landlocked with no direct frontage onto a highway maintainable at public expense. Insufficient information has been submitted in support of the application to demonstrate that the application site is capable of being connected to the public highway in a manner that would allow the proposed residential use to be achieved in principle.

This page is intentionally left blank



Location plan 1:1250



This page is intentionally left blank



This page is intentionally left blank