

**Outline application for up to 120 dwellings with all matters reserved with the exception of access at Land North East of Mickleton Gloucestershire GL55 6UF**

<b>Outline Application 25/01621/OUT</b>	
Applicant:	Brookworth Homes
Agent:	Ridge And Partners LLP
Case Officer:	Martin Perks
Ward Member(s):	Councillor Gina Blomefield Councillor Tom Stowe
Committee Date:	10 September 2025
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**1. Main Issues:**

- (a) Residential Development Outside a Principal or Non-Principal Settlement
- (b) Housing Mix and Affordable Housing
- (c) Impact on the Character and Appearance of the Area
- (d) Access and Highway Safety
- (e) Impact on Residential Amenity
- (f) Biodiversity
- (g) Flooding and Drainage
- (h) Archaeology

**2. Reasons for Referral:**

- 2.1 This application has been referred to Planning & Licensing Committee as it falls into the major development category for the purposes of the Town and Country Planning (Development Management Procedure) Order 2015.

**3. Site Description:**

- 3.1 This application relates to an area of agricultural land located adjacent to the north-eastern edge of the village of Mickleton. The application site measures approximately 5.09 hectares in size. It comprises 2 fields which are separated by an agricultural track, which runs in a roughly south-west to north-east direction through the site. The south-western and south-eastern boundaries of the application site adjoin Mickleton Development Boundary. The aforementioned village is designated as a Principal Settlement in the Cotswold District Local Plan 2011-2031.

- 3.2 The application site is bordered by post war residential development to its south-east and south-west. Agricultural fields are located to its north-west and north-east. A group of portal framed agricultural buildings are located approximately 70m to the east of the application site.
- 3.3 The site is located outside of the Cotswolds National Landscape (CNL). The southern/south-eastern boundary of the application site is located approximately 110m to the north of the CNL. The easternmost part of the application is located approximately 180m to the west of the CNL.
- 3.4 The site is located outside of Mickleton Conservation Area. The boundary of the conservation area is located approximately 350m to the south-west of the application site. There are no listed buildings within the immediate vicinity of the application site.
- 3.5 Multivallate Hill Fort on Meon Hill Scheduled Ancient Monument (SAM) is located approximately 1.2km to the north-east of the application site.
- 3.6 A Public Right of Way (HMN5) extends in a roughly east-west direction through the application site. The aforementioned Public Right of Way forms part of the Heart of England Way. It runs around the lower part of Meon Hill, to its west, north and east.
- 3.7 The site is located in Flood Zone 1.
- 3.8 An avenue of poplar trees extending along either side of the farm access track which runs through the application site has recently been made the subject of a Group Tree Preservation Order.

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

##### **Application Site**

- 4.1 None

##### **Land to South-West**

- 4.2 13/03539/OUT Demolition of packhouse building, No.1 and No.4 Canada Lane, store building and other structures, and erection of up to 80 dwellings (Class C3); up to 346 square metres Business Use (Use Class B1); together with access; surface attenuation pond; landscaping and all other associated works (Outline application). Permitted 2014

- 4.3 14/01578/REM Construction of 77 dwellings, garages, associated road and access infrastructure (Reserved Matters). Approved 2014
- 4.4 15/00698/REM Variation of Condition 7 (timber windows) of approval 14/01578/REM to allow the use of UPVC windows in rear elevations of Plots 1-11, 20-39, 64-70. Approved 2015
- 4.5 15/00699/REM Erection of HV sub station and associated works. Approved 2015
- 4.6 15/01357/FUL Erection of 5 dwellings and associated infrastructure works. Permitted 2015
- 4.7 15/01358/OUT Removal of Condition 14 (B1 timing of occupation) of Outline permission 13/03539/OUT (Demolition of packhouse building, No.1 and No.4 Canada Lane, store building and other structures, and erection of up to 80 dwellings (Class C3); up to 346 square metres Business Use (Use Class B1); together with access; surface attenuation pond; landscaping and all other associated works (Outline application). Permitted 2016
- 4.8 15/01359/FUL Demolition of No.'s 2 & 3 Canada Lane and erection of 2 no. replacement dwellings, 2 no. garages and all associated infrastructure works. Permitted 2015

## **5. Planning Policies:**

- DS1 Development Strategy
- DS4 Open Market Housing o/s Principal/non-Pr
- H1 Housing Mix & Tenure to meet local needs
- H2 Affordable Housing
- INF1 Infrastructure Delivery
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision
- INF7 Green Infrastructure
- 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
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land

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

- 6.1 Gloucestershire County Council Highways: Objection - *'The site as shown on the red line plan submitted with the application does not have a connection to the adoptable highway and cannot therefore demonstrate a safe and suitable access as required by the NPPF.'*
- 6.2 Gloucestershire County Council Lead Local Flood Authority: No objection
- 6.3 Gloucestershire County Council Community Infrastructure: Requests contributions of £166,598.64 to secondary education and £23,520 to library services.
- 6.4 Gloucestershire County Council Archaeology: *'advise that field evaluation is necessary in order to fully understand the significance of the heritage assets of archaeological interest which will be impacted by the proposals.'*
- 6.5 Gloucestershire County Council Public Rights of Way: Comments incorporated into Officer report.
- 6.6 Severn Trent Water: No objection subject to condition
- 6.7 Warwickshire County Council: No objection
- 6.8 Stratford-on-Avon District Council: *' As an adjoining District Planning Authority, Stratford-on-Avon wishes to offer no representation to the planning application. Matters inclusive of (but not limited to) the impact on highways, ecology and wider impacts on amenity shall of course need to be carefully considered and consulted upon as appropriate.'*
- 6.9 Biodiversity Officer: Objection - insufficient information.
- 6.10 Environmental and Regulatory Services Air Quality: Objection - comments incorporated into Officer report.
- 6.11 Environmental and Regulatory Services Contamination: No objection subject to condition.

- 6.12 Environmental and Regulatory Services Noise: No objection subject to conditions.
- 6.13 Tree Officer: No objection subject to conditions.
- 6.14 Landscape Officer: Objection - comments incorporated into Officer report.
- 6.15 Housing Officer: Comments incorporated into Officer report.
- 6.16 Active Travel England: Refer to standing advice.
- 6.17 Newt Officer: It is considered that there is a reasonable likelihood that great crested newts will be impacted by the development proposals and before granting planning permission great crested newts must be addressed via one of the two licensing options
- 6.18 Historic England: *Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.'*

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

### **Response received on the 31st July 2025:**

*'Mickleton Parish Council (MPC) wish to object to this application. Further details of our objection are set out below.*

#### *7.1 National Planning Policy Framework*

*7.1.1 The NPPF (December 2024) states that the planning system should contribute to the achievement of sustainable development including the provision of homes and supporting infrastructure in a sustainable manner.*

*7.1.2 Sustainable development requires ensuring land of the right type is available to support growth, innovation and improved productivity and by identifying and coordinating the provision of infrastructure. New homes must have accessible services and open spaces to support health, social and cultural wellbeing. It also requires the protection and enhancement of our natural, built and historic environment.*

*7.1.3 It is MPC's contention that the proposed development at Mickleton is not sustainable development for the following reasons.*

## *7.2 Impact on traffic through the village*

*7.2.1 The number of vehicles travelling through the village has increased enormously over the last few years as a result of the recent developments at Oak Grange and Shepherds Fold as well as the large developments at Meon Vale and Long Marston Airfield. This can be evidenced from data recorded by the MPC camera on Stratford Road which records the number of vehicles coming into the village. The type of vehicles include not only cars but also farm vehicles and many large lorries.*

*7.2.3 In order to access the A46 at Evesham and the A44 towards Moreton-in-Marsh vehicles travelling from north or east of Mickleton have to travel through the village along the High Street (B4632). This part of the village is in a conservation area with many historic Grade 2 listed buildings fronting onto the High Street. In places the road is reduced to single file due to parked cars. This particularly applies at the junction with Chapel Lane. Access to other parts of the village including the village hall, primary school, playing field, multi-use games area and pub are via Chapel Lane, Mill Lane and Back Lane all of which are within the conservation area, congested and reduced to single file by parked cars.*

*7.2.4 The main High Street through the village has a number of bends which makes crossing for pedestrians very difficult. There is only one zebra crossing which is at the far end of the village some distance away from where most pedestrians need to cross in order to access village amenities.*

*7.2.5 The Apex Transport Planning Report submitted with the planning application estimates that the proposed new development will generate 147 extra vehicle trips in the rush hours between 8-9am and 5-6pm each day. The number of vehicle trips for the entire day will be considerably in excess of this. It also estimates that around 65% of this extra traffic will come through the High Street. That will result in many more vehicles having to come through the village increasing congestion and the detrimental impact on the conservation area and historic buildings.*

*7.2.6 Despite the planning application including a number of documents which suggest that there should be "no concerns" with respect to differing forms of transport, the experience of current residents is almost the opposite.*

*7.2.7 The bus service is not frequent enough nor reliable enough, hence only used by people who do not have access to a vehicle. Traffic volumes, narrow*

*roads, and a complete lack of cycleways means that residents do not cycle to local amenities for safety reasons. Many residents do not walk either for the same reason. The nearest train station is at Honeybourne which realistically can only be reached by car, cycling not being viable for distance and safety reasons.*

*7.2.8 The High Street and other roads through the village were never designed to cater for the large increase in traffic which has occurred over the last few years. The basic infrastructure is the same as it was 50 years ago when the volume and type of traffic using the road was considerably lower and different. The roads are already heavily congested due to recent development and this is having a detrimental effect on the character of what is a typical Cotswold village (albeit that part of the village is technically on the border of the Cotswolds National Landscape (formerly known as the Area of Outstanding Natural Beauty)) and the historic buildings which line the road.*

### *7.3 Access to the public highway*

*7.3.1 There is only one access to the proposed development which is via Furrow Way at the junction with Stratford Road. Furrow Way is an unadopted estate road which was originally designed to cater for traffic at the existing Shepherds Fold development. The proposed development would more than double the volume of traffic using Furrow Way. It is not capable of supporting this extra traffic without causing a significant risk to users.*

*7.3.2 Furthermore the junction with Stratford Road is already busy, particularly during rush hours, and it can be difficult turning right from Furrow Way onto the Stratford Road due to the increase in volume of traffic using that road and the junction layout. The extra traffic generated by the proposed new development will compound this problem.*

*7.3.3 As Furrow Way is unadopted who would pay for the additional maintenance which would undoubtedly arise as a result of it being used by additional traffic?*

### *7.4 Lack of essential village amenities*

*7.4.1 The village does not have a medical practice, a dentist or a post office. The nearest ones are at Lower Quinton and Chipping Campden. These medical practices are already operating at capacity which makes it very difficult to get appointments. The new developments at Meon Vale and Long Marston Airfield are also putting extra strain on the medical and dental practices at Lower Quinton.*

*7.4.2 If the proposed development was to proceed that it is highly likely that new residents would not be able to obtain adequate local medical and dental care, and certainly nothing would be available to them within the village.*

## *7.5 Education*

*7.5.1 The village primary school is a single form entry and is already operating at capacity. It does not have the space to be enlarged so construction of additional classrooms is not an option. Nearby primary schools at Meon Vale, Lower Quinton and Chipping Campden are also at capacity. The secondary school at Chipping Campden is full and has a waiting list.*

*7.5.2 The proposed development has been designed to attract families. Where are the children going to be educated because there is little to no vacancies within schools which are within easy reach?*

*7.5.3 Furthermore the road outside Mickleton Primary School already gets very congested in the morning and afternoon when children arrive and depart as there is limited parking and drop off points. There is no capacity at this school to take extra children.*

## *7.6 Employment*

*7.6.1 Mickleton is a rural village. The nearest towns are Evesham and Stratford-upon-Avon (both about 9 miles away). Neither of these towns are major centres of employment.*

*7.6.2 More major centres of employment are much further afield at Worcester, Cheltenham, Gloucester, Oxford, Coventry and Birmingham but none of these locations are easily accessible for people living in Mickleton.*

*7.6.3 As such we would argue that the proposed development at Mickleton is not likely to support growth, innovation and improve productivity and question whether there would be adequate local employment opportunities available for people moving into the development.*

*7.6.4 The working from home culture which arose due to necessity during COVID is now reversing as employers realise that productivity has been detrimentally impacted so any argument that employment opportunities can be satisfied by home working is not sustainable in the long term.*



## *7.7 Population Increase*

*7.7.1 Between 2011 and 2021 the population of Mickleton increased by 38%. Taking account of all towns and larger villages within the Cotswold District Council's region, this was the second largest increase with only Moreton-in-Marsh recording a larger increase.*

*7.7.2 The population increase in other towns and villages within the region was much lower - for example the increase in Cirencester was only 6%. The total population increase across the whole of the CDC region was 9.6%.*

*7.7.3 It is quite clear that Mickleton has already incurred a disproportionate increase in population. We would suggest that the village is seen as a "soft touch" for development because technically the main part of the village is just outside the Cotswolds National Landscape and there are less restrictions on development than areas which are within it.*

*7.7.4 It is simply not fair or reasonable for Mickleton to continue to take the brunt of new development when it has already suffered large scale development over the last 10 years. If the proposed development is allowed to proceed then it is likely that this would result in the population of the village increasing by well over 50% since 2011 but with virtually no change to the village infrastructure and amenities.*

*7.7.5 Future development should be focused on those locations which have not already suffered such large population increases and where the infrastructure and necessary amenities are already in place to support growth. This is what is meant by sustainable development.*

## *7.8 Effect on Environment*

*7.8.1 We have already commented on the increased traffic flow along the High Street and other village roads and the detrimental effect this would have on the character of the village, the conservation area and the historic/Grade 2 listed buildings.*

*7.8.2 In addition the section of the Heart of England Way (HOEW) between Mickleton and Lower Quinton runs right through the centre of the site of the proposed development and the site is also close to Meon Hill and the Iron Age Fort (a Scheduled Monument) which are within the Cotswolds National Landscapes. This is part of the village's natural and historic environment which should be protected.*

*7.8.3 The proposed development includes an estate road which cuts across the HOEW. According to the plans this road will be required to give access to at least 50 houses so the daily traffic using the road and having to cross the HOEW will be considerable. This will have a significant detrimental effect on the tranquil character of the HOEW as there would be large scale development on both sides of it. Also there would be a potential hazard to users where the estate road crosses the HOEW.*

*7.8.4 It is not clear from the Land Registry documents who actually owns this section of the HOEW so we would question whether the developer has the right to construct an estate road which cuts across the HOEW.*

*7.8.5 The design of the proposed development shows high density housing with little open space. This would result in a significant reduction in the area of the agricultural buffer land which currently exists between the existing Shepherds Fold development and Meon Hill and would present as a harsh urban looking perimeter to the eastern boundary of the village visible particularly from Granbrook Lane coming from Ilmington with inadequate transition between housing and open fields. This would have a detrimental impact on the rural aspect of this part of the village and the views between this area and the adjacent Cotswolds National Landscape.*

*7.8.6 The high density nature of the design with lack of open space looks more appropriate for a brownfield inner city site rather than a rural Cotswolds village on the edge of the Cotswolds National Landscape. The most recent large development at Mickleton was the Oak Grange development where housing density is much lower and there are far more open spaces and footpaths. The proposed design shows a total disregard for the environment.*

*7.8.7 For these reasons we would argue that the proposed development fails to provide adequate open spaces and does not adequately protect this part of the village's natural and historic environment.*

## *7.9 Local Plan*

*7.9.1 The CDC Local Plan 2011-2031 concluded that due to environmental constraints and the size of the village, recent growth and lack of developable and deliverable land, no further housing allocations would be made in Mickleton. Furthermore the site of the proposed development falls outside the village's development boundary as shown on the Local Plan.*

*7.9.2 Although certain parts of the Local Plan now carry less weight due to the publication of the NPPF, this does not in any way alter the conclusions which CDC reached in the Local Plan about future development in Mickleton and the development boundary which should apply to the village. Those constraints still apply notwithstanding that central Government has increased CDC's housing target.*

*7.9.3 So if CDC concluded that development in the village was not sustainable when the Local Plan was published, why should it suddenly become sustainable now just because housing targets have altered?*

## *7.10 Conclusion*

*7.10.1. The key question is whether the benefits of this proposed development outweigh the adverse impacts.*

*7.10.2 In practice what are the benefits? We would suggest that the only conceivable benefit is that it would increase the region's housing stock by 120 and create some affordable homes for those people who want to live in the village but cannot afford to buy an existing property. It is difficult to see what other benefits would arise given the location of the site.*

*7.10.3 On the other hand and as already demonstrated, the adverse impacts include increased traffic and congestion in the village, additional strain on overstretched essential services such as medical and dental practices and schools and a detrimental effect on the overall character of the village, the conservation area and the village's natural and historic environment.*

*7.10.4 The proposed development does not support growth nor improve productivity. It also does nothing to improve village infrastructure - on the contrary it puts additional strain on it. It harms rather than protects or enhances the village's natural and historic environment.*

*7.10.5 Mickleton is a rural village some distance away from local towns. It is not a town or a suburb and should not become one. Although parts of the village are not technically in the Cotswolds National Landscape it does border it and most visitors and objective people would see it as a typical Cotswolds village which needs to be protected. You only have to walk around the village to see that. It has already suffered extensive development, disproportionate compared with other nearby towns and villages. It cannot and should not be expected to accommodate further development.*

*7.10.6 In our view the adverse impacts of this proposed development would significantly outweigh the very limited benefit and as such the application for outline planning permission should be refused.'*

## **8. Other Representations:**

8.1 Approximately 148 objections, 8 support and 3 general comments received.

### **8.2 Main grounds of objection are:**

- i) The views and land that will be ruined as well as the impact it will have on so many people and houses makes this utterly ridiculous. Absolutely no need for any more houses in this section of Mickleton and an alternative area should be found that is less invasive on some many people.
- ii) Mickleton is over-developed. There have been 3 recent huge developments.
- iii) Inadequate infrastructure.
- iv) Difficult to obtain doctor and dentist appointments.
- v) Mickleton school is not big enough.
- vi) Mickleton is a small village that does not have the amenities to support more developments. These additional houses will put more pressure on roads not suitable to support. The traffic through the village is unsustainable for more housing. There is already significant development taking place in the area with Meon Vale and the airfield nearby with huge developments and houses constantly for sale. We do not have the infrastructure to support more developments in this area. We need the green spaces and fields for farming. We do not need more light pollution for the wildlife that are already struggling. There are not sufficient bus routes and traffic in each direction is already a huge challenge.
- vii) Last year there was a fire on my drive due to my neighbours car having a fault. It took the fire department nearly 45 minutes to get to my house due to them coming from Stratford upon Avon & Broadway. Warwickshire and Worcestershire. There are 2 fire stations less than 10 minutes away from Mickleton but due to funding from the government they can't afford to be on call all the time. I was told by the firemen that it takes longer for them to come as it's over the border. I nearly lost my home.

viii) The area is approximately 1 mile from any services. Hence living in this area will involve constant car travel as most households involve all members working with limited time to walk to the amenities. The properties will have 1 to 4 vehicles so minimum additional vehicles on struggling roads will be 200.

ix) This application is close to AONB with The Cotswolds AONB Management Plan Policy CE5 seeks to increase the areas of dark skies in the Cotswolds and requires proposals to avoid and minimise light pollution. Adverse impact on dark skies and nocturnal species.

x) This proposal represents overdevelopment and places further strain on the village's limited infrastructure, services, and amenities, which are already struggling to meet the needs of our growing population. The scale of this development is unsustainable and will irreversibly change the character and rural identity of our community.

xi) Adverse impact on the surrounding landscape. The proposed site borders the Heart of England Way, a cherished walking route that offers both residents and visitors stunning views of the countryside, including the iconic Meon Hill a documented historic fort. This development would seriously degrade these views, undermining the natural beauty and heritage value of the area. Once lost, this valued landscape and its visual amenity cannot be recovered.

xii) The field in question provides a vital green buffer and contributes to the openness and rural setting of the village. To remove this is to erode the very fabric that makes our village special. There is no landscape buffer on the South side of the development which reflects the developers' attitude towards existing people in the village.

xiii) The proposed site lies on productive farmland that contributes significantly to the rural character of Mickleton. Developing this land would result in the permanent loss of open countryside and severely compromise the stunning, unspoiled views toward Meon Hill - a cherished local landscape. This visual and environmental impact would be irreversible and entirely inappropriate for such a sensitive location.

xiv) The Heart of England Way, a nationally recognised long-distance footpath, runs directly through this area. Any development here would undermine the integrity and enjoyment of this important public route, which is widely used by both residents and visitors. The character of this well-loved trail would be lost to housing encroachment.

xv) Adding 120 dwellings to this part of Mickleton represents a disproportionate and unsustainable expansion of the village. Such a scale of development is entirely out of keeping with the size, character, and historic form of the settlement. Rather than enhancing the village, it would overwhelm it, eroding the very qualities that make Mickleton a desirable and distinctive place to live.

xvi) This proposal would also significantly impact the amenity of nearby residents, particularly those living on Nursery Close. The close proximity of the new development would lead to a loss of privacy, daylight, and general quality of life for existing households.

xvii) Mickleton's local infrastructure is already under pressure. Services such as schools, GP surgeries, and dental practices are struggling to meet current demand. Introducing 120 new homes would only worsen the situation - and there is no clear evidence that the necessary infrastructure improvements will be delivered, or even planned.

xviii) Horrified that plans of this nature could even be considered with already proposals to build more houses over by Cotswold edge, taking into account the fairly recent development by Newlands, Miller homes and Cala homes.

xix) Adverse highway impact. It would more than double the amount of houses already on Furrow Way and funnel them all out of one road. It would cause havoc for existing residents and severely impact on traffic turning left or right out of Furrow Way.

xx) Furrow way itself already has an over proportionate level of traffic, some of which travels at excessive and dangerous speeds which has been reported to the Police on a number of occasions, add another few hundred cars and associated delivery drivers speeding up and down the road and accidents will occur. This proposal is another example of over development with no real consideration on the impact to the village or local area, with no amenities or the infrastructure to cope, no space at local schools, no space at local doctors/dentists, and as has been already mentioned the Police are constantly having to attend major incidents in Mickleton already which are massively disproportionate to size of the village and number of residents, so adding more fuel to that bonfire will continue to add more misery to residents as the proposed development will create a rabbit warren for criminality that the Police just simply do not have the manpower or resources to deal with, giving criminals even more easy targets for burglary etc. The fact the development is also proposing building up to the base of Meon Hill is heart-breaking in itself as its

massively going to ruin the outlook and views over the local countryside , and bring with it more noise and light pollution not to mention a loss of general amenity as the majority of residents use that land for regular walking and exercise.

xxi) Furrow Way is still not an adopted road. It has three or four right-angle turns which makes it very unsatisfactory as a through road for construction traffic and then for an additional 240 odd extra cars. Parked cars along the road are also an additional problem, as are children who play in the street.

xxii) The existing Estate around Furrow Way was designed for 78 houses. The proposed development of a further 120 house would mean that its thoroughfare would have to cope with cars from 2 1/2 times the number of dwellings.

xxiii) Houses in Furrow Way are also very near the curb and would suffer noise and air pollution from the additional traffic.

xxiv) Canada Lane which runs adjacent to Furrow Way is a public footpath with a children's play area along it. It is not a public right of way. The proposed development straddles Canada Lane, and it is obvious cars and vans will use it instead of Furrow Way, even if they are prohibited as it is a straight path. Canada Way is well used by walkers - it forms part of the Heart of England Way, and children. It also provides access for farm machinery to the farm buildings at the end of the lane. It would not, therefore, be possible to fence off Canada Lane between the two sides of the proposed development, and that would leave open access from the new development.

xxv) Road Access to Stratford Road. There is already a huge issue as cars turning into the main road have restricted sightlines, especially of the traffic coming at speed into the village. The plan claims that there will be no significant impact on the traffic in Mickleton which is palpably false. Road traffic figures used in the proposal date from 2019. There has been considerable increase in traffic flow since then, not least in delivery vans.

xxvi) Lack of services to cope with the 200+ extra people in these houses. No doctors, dentists, irregular bus services, poor access to Emergency Services, lack of space in local schools. There are also extremely limited employment opportunities locally.

xxvii) An ongoing problem with social housing has been its allocation to people who are not from this area.

xxviii) We simply do not have the infrastructure to accommodate another 120 homes in the village. The local GP and school is not equipped to accommodate this increase. We have very few amenities in the village as it and we do not have good transport links. The increased traffic through the village would be hazardous and the crime rate is sadly already increasing and this has the potential to make it worse. We hardly see any police presence in the village and being in the location we are it seems to take forever to access emergency services.

xxix) Seems like this planning permission is based on a requirement to hit number targets as to how many new builds can be crammed into available area. No consideration seems to be given to either the provision of wider infrastructure, which will be required with the resulting population increase, or the potential destruction of an area of beautiful countryside giving a negative effect on our beautiful old English village (Mickleton).

xxx) Unsustainable Greenfield Location: The site is outside the settlement boundary, conflicting with sustainable development principles and rural landscape protection. A district housing shortfall doesn't justify such harmful development.

xxxi) The proposed development relies on a single access point via Furrow Way, which is a narrow and winding road. This route already presents challenges for existing residents, and the increased traffic, particularly from construction vehicles, would pose a serious safety risk.

xxxii) The land at the back of Meon Hill, where the development is proposed, has a known history of flooding due to runoff from the hill. Introducing 120 new homes and the associated infrastructure on this site would likely worsen this issue. Without a robust and evidence-based solution to manage water runoff and protect nearby properties, this development could lead to severe environmental and structural problems in the future.

xxxiii) Furrow Way and the surrounding development roads are privately owned, unadopted roads which I believe were not up to standard for the council to adopt and are an ongoing nightmare for residents with numerous repairs to date. As such there are a number concerns regarding the impact of a large volume of additional vehicular traffic including construction vehicles and an additional c.240 vehicles for the new properties.

xxxiv) As an existing resident Furrow Way itself is subject to many access issues already - the end of the estate has plants growing which completely obstruct



views onto the Stratford Road (seasonal) and a waiting disaster as ownership/responsibility is not known . Stratford Road grass verges also obstruct view and overgrown making the footpath impassable at times. Further the 'S' bend or 'chicane' at the beginning of the estate is very poorly designed for traffic flow and a near miss/ regular issue as it is difficult to navigate the bends without going on the wrong side of the road in a standard car and with residents also parking on the corners it is impossible to see to go around cars - more than doubling traffic flow will be a significant problem and it's not fit for purpose as it is.

xxxv) There are issues relating to the management of the existing development, such as landscaping and roads being unadopted. How would two different Management companies interact and who is responsible for what? We still have issues outstanding /unresolved with Cala Homes on the current estate 8 years on from completion.

xxxvi) It is beyond dispute that this Iron Age hillfort is a Designated Heritage Asset and also a component of the Cotswold National Landscape (formerly AONB) since 1990. It is also one of only two scheduled monuments in Warwickshire.

xxxvii) I would contend that the existing vista of Meon Hill from Canada Lane /the Heart of England Way at the field edge of the Cala development will be lost, thus impacting on the setting of the heritage asset and National landscape. Furthermore, views from Meon Hill over the village and beyond to the greater escarpment between Ilmington and Ebrington will also be adversely impacted to the detriment of their respective settings. Nothing can be done to ameliorate such damaging consequences.

xxxviii) Adverse noise and light pollution and pollution from vehicles.

xxxix) The Cala development, in around 2016, entailed the construction of some 80 dwellings on a site of 4.65 hectares. The present proposal envisages 120 houses being built on 5.09 hectares. To achieve the same density in the present circumstances the developer would need to have around 7 hectares to build on and so is nearly two hectares light. This illustrates that there must be a considerably higher and inappropriate density involved in the present case. I suggest that the scale and density are inappropriate in relation to both the built and natural environment and unsympathetic and out of character with these surroundings.

xl) Previous flooding issues on the site.

xli) Back in 2013, there was a Development Strategy Evidence paper, produced by CDC, which stipulated that 80 dwellings should be built in Mickleton during the Local Plan period between 2011 and 2031. In reality, over three times this amount, some 257 dwellings, were constructed during the five years or so thereafter. This resulted in a 30 per cent rise in the village population and represented a disproportionate contribution to the District's housing targets/needs. There was no commensurate alignment of infrastructure to absorb such a huge increase. Another 120 dwellings will swell the population by a further 14 per cent, which exacerbates the existing disproportionality and undermines social cohesion and a sense of community, better achieved by gradual and organic incremental growth that can be more readily absorbed by the existing settlement. The present large scale, bolted on estate, at the North-Eastern extremity of the village, beyond its development boundary, is far from the school and village centre with limited facilities and services and will not integrate well with the existing community.

xl ii) Impact on privacy and amenity of occupiers of neighbouring properties.

xl iii) Cotswold District Council's 'Policy S17: Mickleton states: '7.20.2 Whilst there is limited employment within Mickleton, employment opportunities are available at Weston-sub-Edge, Willersey and Chipping Campden, all within five miles. Tourism also plays an important role locally.' & '7.20.5 Planning permission has been granted for a substantial development of 1,050 houses; self-catering lodges; and holiday homes at the Long Marston Estate (now called Meon Vale) in Stratford-on-Avon District, north of Mickleton. The development provides 367 affordable homes (a 35% affordable housing requirement) and residents from the Campden Vale Ward qualify. (ii) No additional employment is proposed as part of the development over and above the existing storage and distribution uses, although it will include a leisure hub, grass and astro-turf sports pitches, which will benefit residents in the north of the District.' This policy acknowledge the fact that there are currently limited local employment opportunities with no current and/or future employment expansion plans in the local area. It also acknowledges the significant Meon Vale development that already has 367 affordable homes that 'residents from the Campden Vale Ward qualify' for. Considering this policy and the other nearby and significant housing development at Fernleigh Park, I do not believe a further 120 dwellings are required in Mickleton. From the facts presented, I can only conclude that there is currently no significant and/or immediate requirement for additional dwellings in Mickleton.

xl iv) Residents in Furrow Way and Mattock Mews were told by Cala Homes on purchase that these roads would be adopted by Gloucestershire County

Council for ongoing repair and maintenance. I understand from the site managing company REMUS that this did not happen. 1. Therefore, as these roads have not been adopted it is unclear as to who will be responsible for their ongoing repair and maintenance.

2. Any consideration of access to this site via Furrow Way should be put on hold until this road has been adopted by Gloucestershire County Council.

xlvi) Impact on protected species such as great crested newts.

xlvi) Having worked within Environmental Consultancy and written numerous LVAs, I believe that the LVA submitted for this development is sub-par in standard. The report disregards several negative impacts that the development will have on the surrounding visual environment and the Historical Monument upon Meon Hill. This is confirmed by the consultee response from Planscape which states that a selection of 'the judgements regarding visual sensitivity and the magnitude of change appear understated'. Additionally, the LVA places significant emphasis on the mitigation planting within the landscape design to reduce the developments impact. However, the absence of a substantial landscape margin within the design, coupled with the fact that the planting would take several years to provide any level of visual buffer, undermines the LVA's conclusion. Additionally, the photography used within the LVA is limited which, coupled with the lack of wireframes or verified visualisations, seeks to understate the level of visual impact that the development would have in order to provide a beneficial outcome for the developer - in this case, that the development would be of little impact, when this is clearly incorrect. The methodology employed for the sensitivity ratings and its effects are also inconsistent throughout the report, demonstrating a lack of attention to detail that this development proposal as a whole consistently demonstrates.

xlvi) The singular access road to the proposed development is also inadequate as it passes through Shepherds Fold. This is a housing area that is already under exceeding amounts of pressure from high vehicle traffic, with cars regularly parked on both sides of the road making the road one way. The access road will not be able to accommodate road traffic for an additional 120 houses and as such, the access road is highly inadequate for use.

xlvi) A road will have to cross the Heart of England Way.

xlvi) Loss of agricultural land.

l) Impact on tourism.

li) Meon Hill is a breathtaking, farmed, natural landscape that is admired from people all over the world. Its rich history dates to the iron age of which numerous archaeological finds have been discovered. Trading farm land for a housing development at the base of this historic and picturesque site would cause irreversible damage to the landscape and huge distress to the local community.

lii) On two separate occasions I have found Great Crested Newts at the front of our property, meters away from the boundary fence. These sightings have been recorded with Amphibian and Reptile Conservation. The only way these beautiful creatures could have accessed our property is via the proposed development site.

liii) I can confirm that large quantities of surface water run-off has caused significant flooding; requiring the Shepherds Fold developer (Cala) to provide additional drainage (despite having installed the swales and ponds as per their design). A significant number of new properties is likely to increase the amount of surface water run-off, which in turn is likely to overwhelm the original Cala infrastructure as well as the additional drainage channel along the back of the development

### 8.3 **Main grounds of support are:**

i) I fully support this development with the provision of social housing. I am one of many families in social housing in Mickleton who have outgrown our homes and are in need of 3 bedroom housing. There is no such affordable social housing in this village or other nearby Cotswold villages so there is a huge demand for this. And I hope that provisions can be made for this to happen and be allocated to those with a strong local connection to the village. However, the village does need better facilities such as a bigger school and help with repairing / building the club at the sports field. In addition to this the playing field on the existing estate would need better play equipment for all ages as currently only has one or two pieces of play equipment and is spread out so not even a real play area. I genuinely hope this proposal is passed and we can make the village even better.

ii) I'm all for this development, it is something I feel is needed as at this moment in time my partner and I can't get a 3 bedroom house for our 2 teenage boys and 14 month old baby anywhere near where our family and work places are. we need to make sure the village gets what it needs! We need a Dr's surgery, Meon Surgery can only take so much before that starts to not work, we will need a new primary school with better facilities to accommodate pick up

and drop off because it is crazy at the moment. I'd like to see some funding or development for a proper sports club down at the sports field to help the younger generation with at least something to do.

iii) Fully support. Big social housing need for the children who have grown up in the village now wanting to stay in the village. There is no affordable rented accommodation here for them, house prices are too high and there are no houses to buy for 1st time buyers. Green spaces and a doctors' surgery is a must as well as a bigger or additional school.

iv) It is my belief that there is insufficient housing available for those living in the northern edges of the Cotswolds. Young adults are not able to take advantage of Help To Buy schemes due to a lack of available qualifying properties. Many objectors suggest other land be used but this is not available or prohibitively expensive, resulting in properties that are not suitable for first time buyers. I also believe that the number of dwellings proposed is relatively minimal, and that the people moving to the area will provide revenue to local businesses. It will also provide a source of employment in the local area.

v) I support this development because it will give local people a chance to live in the village where they've been bought up.

vi) I don't think 120 houses is the right number of properties for that plot of land but the village does need more affordable housing. My daughter can't get a social rented house within 25 miles of Mickleton and she's lived here her entire life, my grandson will also be at the age he wants to leave home in a few years and there's no rental properties for him either. There also isn't a drs surgery in the village either and something needs to be done about this before anything is built.

vii) The village is in dire need of a doctor's surgery, better traffic calming measures and a mixed use centre for its young people. You cannot bring families to the village unless you give them something to do, a safe place to do it and the ability to get help should they break something whilst doing it. It is also in need of socially rented housing for the young persons of this village to be able lay their own roots in which they themselves have grown. Now, 120 houses is ridiculous and far too vast a number for the space in which you plan to build it. Fewer houses, bigger gardens and more open green spaces to allow for a better landscape fitting to its current surroundings would be far more acceptable than the current proposal. Boarders would also need to encourage and protect the existing wildlife.

viii) Now you take into consideration that there is a doctor's surgery 2 miles away servicing the village. This is also servicing 6000 houses that are being developed across the border and is not acceptable to use this as part of your "good infrastructure" a new local surgery is a must. However there are plans for 2 local primary schools and a high school within this 2 miles across the border so that should alleviate some of the issues relating to the schools here. To summarise: A better revised proposal with good sized socially rentable housing, softer borders, more green spaces with sympathy to the view of Meon hill and a substantial contribution to providing a social hub and sports facility for the village would absolutely get my support. And probably more of the village too.

#### 8.4 **General comments are:**

i) I live on Stratford Road and the traffic from all of the new building within and around Mickleton has grown considerably making the Stratford Road and through the village very dangerous. This development is obviously going to be built and always has been so we would like an improvement to the foot path all the way along the Stratford Road to make it safe for all to use and either lower the speed limit or put speed cameras in the 40. There also needs to be some control to traffic through the village. This is a Village and needs to be kept as one.

ii) Whilst I am very much in favour of some limited affordable housing to enable young people to stay in the village and for young families to have access to larger accommodations as their families grow, the infrastructure of the village needs to be significantly improved before further developments are considered. There is already huge strain on the already saturated road infrastructure to towns such as Stratford and the Motorway network, and the bus services are not sufficient. i.e. there are no busses on a Sunday, irregular busses (4hrs apart) during the week and those just in one line of travel, and no busses to get young people to school / college in Stratford.

iii) We have lost many facilities in recent years: the Doctor's surgery, the Post Office, numerous shops and the Bank. The current amenities are not sufficient to deal with existing demand. Before further development is considered a sustainable plan needs to be developed whereby the needs of the current residents are adequately met. Two key issues here are the access to medical and educational facilities.

iv) Would brown field sites be better used?

## 8.5 Heart of England Way Association

*8.5.1 I am the Secretary for the Heart of England Way Association and am responding under the authority of the Association. The Heart of England Way is a long established, 100-mile long distance path running from Cannock Chase to Bourton-on-the-Water. The Association supports the promotion and maintenance of the route, which is waymarked and shown on OS maps. It has also been incorporated into the "E2" European Long Distance path running from Stranraer to Athens. The European Ramblers Association has plans to promote route "E2" in 2026. So this is a public right of way of substantial significance and not merely of local interest. It is very popular among long distance walkers and attracts people from all parts of the UK and Europe, bringing economic as well as health and recreational benefit to the towns and villages on its route.*

*8.5.2 The Heart of England Way passes right through the centre of the proposed development and as such the between the development site and Upper Quinton that do not involve major diversions comprising substantial distances of road walking, which is both hazardous and unpleasant. Therefore, maintenance of the route both during and post-construction will need to be managed within or near to the boundary of the development.*

*8.5.3 I note the comments of the Public Rights of Way Officer regarding protection of the right of way through the site, and subject to one amendment the requirements set out in their comments should be incorporated into a planning condition if the development is to proceed. The one amendment to their requirements is where they say that it is "preferable" to provide a suitable alternative route if the existing route needs to be temporarily closed. In view of the nature of this right of way and my above comments about a lack of off-site alternative routes in this case it is not acceptable to temporarily close the route without providing a viable alternative within or near to the boundary of the development. Therefore I am asking for a condition that a temporary closure should not take place unless an alternative route that does not involve extensive road walking has been defined and agreed by the Planning Authority in advance of the closure, and that notices describing the alternative route have been posted at each end of the diversion. The Association would welcome consultation prior to any such temporary closure/diversion and will contribute constructively to secure alternatives that meet the needs of both walkers and the developer. We will be willing to post any such diversions on our website to help to avoid any confusion or conflict between walkers and builders.*

*8.5.4 I note the proposed retention of the public footpath post-development as described in the Indicative Landscape Masterplan (ILM). If the development should proceed, retention of the right of way as described in the ILM should be the subject of a suitable planning condition to ensure it is provided as described.*

*8.5.5 In the absence of any of the conditions as described above the Heart of England Way Association would be in objection to the development. However, if conditions can be attached as described above, in full, our position would become neutral.'*

## **8.6 Gloucestershire Wildlife Trust**

### *'Site & Ecological Context*

*8.6.1 The site comprises 5.09 ha of arable farmland divided by Canada Lane, bounded by existing housing to the west and south and open farmland to the north and east. Habitats on site include scattered native trees, bramble margins, dry ditch features, and hedgerows. Great crested newts (GCN) have been confirmed present in a pond immediately adjacent to the southern site boundary. The wider context includes patches of High Priority Woodland Habitat and Network-connected hedgerow corridors, which create a moderate opportunity for local ecological integration. The site lies outside any statutory designations or IRZs, though LWSs are located within 1.5 km.*

### *BNG*

*Habitat + 10.08%*

*Hedgerows + 41.31%*

*Water Courses + 86.72%*

*8.6.2 All BNG is proposed on-site. Trading rules are satisfied and the delivery mix includes arable-to-grassland conversion, ditch enhancement, and hedgerow creation. However, delivery relies on assumed condition uplift which will require long-term enforcement.*

### *Arboriculture & Green Infrastructure*

*8.6.3 Eight Category C trees are proposed for removal; none are of high arboricultural quality or legal constraint. An avenue of Poplars along Canada Lane will require crown lifting to 3.5m, which falls within best practice. Approximately 288 replacement trees are proposed as part of a wider landscape*



*framework including meadow edge planting, hedgerow reinforcement, and a large SUDS basin in the northeast. The GI layout creates structured green corridors along site boundaries and is intended to support GCN movement and provide wider habitat value.*

*8.6.4 There is opportunity to further strengthen the site's integration with the local Nature Recovery Network, particularly to the north and east, where priority woodland and hedgerow habitats lie beyond the site boundary. If secured through future phasing, off-site planting, or long-term management agreements, these connections could deliver more meaningful landscape-scale ecological function. The existing layout provides a basic structural framework for this, but more deliberate tie-in with external habitat corridors would support NRN objectives and enhance long-term ecological resilience.*

#### *Drainage & SUDS*

*8.6.5 Surface water will discharge to the adjacent watercourse, with infiltration ruled out due to clay subsoils. The strategy includes a large attenuation basin, part-wet with permanent pond features, and designed to QBAR with 1-in-100 year plus 40% climate change storage. A Simple Index Approach confirms pollution mitigation is sufficient. Exceedance routing has been mapped and avoids impact to dwellings.*

#### *Recommendations*

*8.6.6 The proposal achieves the required +10% net gain in habitats and exceeds it for linear features. GCN presence is acknowledged and reasonably mitigated through a network of corridors and refuge features. The SUDS basin offers multifunctional GI if delivered to spec.*

*8.6.7 Planning consent is supportable on ecological grounds subject to conditions securing:*

- A 20+ year LEMP with adaptive management*
- BNG is secured prior to occupation*
- SUDS is secured prior to occupation*
- Prior to commencement of each phase of development, a Construction Environmental Management Plan (CEMP) shall be submitted.'*

## 8.7 CPRE North Cotswolds District

*8.7.1 CPRE recognises that the revised housing targets have left the district vulnerable to speculative development on sites that are not supported by appropriate infrastructure and fall outside the scope of the existing local plan.*

*8.7.2 In the Applicant's Design and Access Statement, the agent argues that existing policy is superseded by the absence of the required five-year supply of land for housing. Given the increase in the housing requirement from 420 dwellings a year in the adopted Local Plan to 1,036 dwellings a year arising from the revised standard methodology, the lack of a five-year supply is hardly surprising. CPRE has long believed that this measure has a disproportionate influence on the outcome for applications for housing, whether in decisions made by local planning authorities or at appeal.*

*8.7.3 CPRE acknowledges that the National Policy Planning Framework (NPPF) has, at its heart, a presumption in favour of sustainable development but that NPPF para 11 (d) requires:*

*'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*

*i 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.'*

*ii We do not consider this application to be sustainable development. In our view it would have an adverse impact on the village, a designated heritage asset and the rural landscape adjacent to the Cotswolds National Landscape, previously the Cotswolds Area of Outstanding Natural Beauty.*

*The Site and its Surroundings*

*8.7.4 Representatives from CPRE visited the application site and walked the roads and public rights of way in the vicinity on 18th July 2025.*

*8.7.5 The application site comprises open arable land located at the north-eastern edge of Mickleton, forming part of the rural transition between the settlement and the surrounding countryside.*

*8.7.6 While the site itself does not fall within any designation, it occupies a visually sensitive edge-of-settlement location which borders the Cotswold National Landscape. There are wide-ranging views between the site and the Cotswold National Landscape and Meon Hill.*

#### *Landscape Impact*

*8.7.7 CPRE supports the view of the landscape officer that:*

*8.7.8 'In landscape terms, the proposed development would result in a noticeable and permanent change to the character of this part of Mickleton. The site currently plays an important role in defining the rural edge of the village and contributes to the sense of separation between settlement and open countryside, particularly when viewed from the east and south-east. While some adjacent development influences the context, this diminishes with distance, and the openness of the site remains a key part of its character and visual sensitivity'*

*8.7.9 CPRE is concerned about the high density of housing proposed and the degree to which its impact can be mitigated. The applicant claims that a key aspect of the proposal is 'establishing a more appropriate interface between the settlement and the surrounding countryside..' This would be achieved by a perimeter green buffer intended to soften the interface between the proposed development and the rural landscape. However, large sections of the buffer are not wide enough to achieve this aim and almost non-existent along the southern boundary of the site where the lack of a buffer will have a significant impact on the residents of Nursery Close and Hill View Close.*

*8.7.10 Our concerns are reinforced by the Biodiversity Officer:*

*8.7.11 'The indicative plans demonstrate a lack of ecological connectivity across the site and around the peripheries to the wider network, with ecological fragmentation likely. The width of buffer zones is insufficient and unlikely to provide any ecological benefit given the substantial built form proposed. The inclusion of footpaths and play equipment within the majority of these buffer*

*zones also means that the buffers zones are likely to be subject to frequent disturbance and diverse pressures, and will not provide any ecological benefit'.*

#### *Impact on a Heritage Asset*

*8.7.12 The impact of the proposed development on the views from the village edge and, in particular, from the Heart of England way towards Meon Hill are of significant concern. Meon Hill sits within the Cotswold National Landscape and is designated as a Scheduled Monument. It is a multivallate hillfort and one of only two large multivallate hillforts in Warwickshire. The hillfort and its setting should therefore be protected by the NPPF.*

*8.7.13 NPPF para 212 states that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation'*

*8.7.14 NPPF para 213 states that '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. Substantial harm to or loss of: b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

*8.7.15 In addition, Meon Hill is an escarpment outlier and an important landmark in its own right, being viewed from miles around. Outliers are a distinctive, highly visible landscape type that often retains a remote character. As a result, the hills are highly sensitive to change that would introduce built elements to otherwise agricultural landscapes.*

*8.7.16 CNL's Landscape and Strategy Guidelines 2016 states that planners should:*

*'Avoid development that may restrict or obscure views to the upper slope, skylines or sweeping views across the landscape and to distinctive features such as folly towers and hillforts'.*

#### *Loss of Recreational Amenity*

*8.7.17 The proposed site is crossed by two public rights of way. HMN5, known locally as Canada Lane, runs centrally through the existing estate and the proposed estate. Canada Lane is a wide track, lined by trees which were planted*

*by members of the community to commemorate the late Queen's Diamond jubilee. It forms part of a long-distance route (LDR), the Heart of England Way. In addition to being an important national LDR, the Heart of England Way has also been incorporated into the "E2" European Long Distance path running from Stranraer to Athens. The European Ramblers Association has plans to promote route "E2" in 2026.*

*8.7.18 The National Planning Policy Framework states in paragraph 105 that:*

*'Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails'.*

*8.7.19 Canada Lane is very well-used by local residents, walkers and tourists. CPRE contends that the proposed development will not protect or enhance these public rights of way and, indeed they could become hazardous to the public, particularly at the point where the proposed road crosses from one side of the site to the other.*

#### *Lack of Infrastructure*

*8.7.20 CPRE understands that 'Infrastructure First' is a prominent ambition of Cotswold District Council. Development that is not plan-led is less likely to benefit from long-term infrastructure planning and is unlikely to provide infrastructure benefits. Local services, such as hospitals, doctors, schools, transport infrastructure and sewage treatment works would therefore be likely to be further stretched due to the lack of planned investment and new facilities.*

*8.7.21 Since 2011, Mickleton has seen considerable development, increasing the population by some 38%. The cumulative effect of this recent development on the infrastructure of Mickleton has not been to the benefit of the village. There are very limited employment opportunities and the number of local businesses has, in fact, declined. The primary school is at capacity with no room to expand and there is no GP surgery in the village. Residents describe a lack of social cohesion and sense of community.*

#### *Access*

*8.7.22 The proposed access to the site is through the Shepherd's Fold (Cala Homes) development, via Furrow Way/Ridge Close. Furrow Way and the roads on the surrounding development are privately owned, unadopted roads.*

*Residents of Shepherd's Fold currently experience problems with access along Furrow Way, which has a number of tight bends and is often reduced to single file by parked vehicles. In our view, Furrow Way would not provide suitable and safe access for vehicles either during the construction phase, or post-development, for an estimated 120 to 240 additional vehicles making multiple trips each day.*

*8.7.23 As Canada Lane (described above) is wide enough to allow vehicle access to farm buildings, CPRE would want to know how other vehicles would be prevented from using it as an alternative to Furrow Way for access to the proposed development.*

### *Conclusion*

*8.7.24 CPRE would ask the council to consider this development in the light of other development applications within the village and together with the active consultation for significant expansion of the existing developments at Meon Vale and Long Marston.*

*8.7.25 We submit that the adverse impacts of permitting this development would significantly and demonstrably outweigh any benefits and respectfully ask that this application be refused.'*

## **8.8 Cotswolds National Landscape Board**

*8.8.1 'In reaching its planning decision, the local planning authority (LPA) has a duty to seek to further the statutory purpose of conserving and enhancing the natural beauty of the National Landscape.<sup>3</sup> This duty should be explicitly addressed within the decision including an explanation of how the LPA considers the duty has been discharged. Further information on this new duty is provided in Appendix 1 below and the Board recommends that, in fulfilling this 'duty to seek to further the purpose', the LPA should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications:*

- Cotswolds National Landscape Management Plan 2025-2030 (link);*
- Cotswolds AONB Landscape Character Assessment (link) particularly, in this instance, with regards to Landscape Character Types (LCT) 19 (Unwooded Vale), 2 (Escarpment) and 1 (Escarpment Outliers) from which the site is visible;*

- *Cotswolds AONB Landscape Strategy and Guidelines (link) particularly, in this instance, regards to LCT 19 (link) including Section 19.1, LCT 2 (link), including Section 2.1 and LCT 1 (link), including Section 1.1;*
- *Cotswolds AONB Local Distinctiveness and Landscape Change (link); and*
- *Cotswolds National Landscape Board Position Statements (link) particularly, in this instance, the Housing Position Statement (link) and its appendices (link), Development in the Setting of the AONB (link), Tranquillity Position Statement (link), Landscape-led Development Position Statement (link) and its appendices (link) and the Dark Skies and Artificial Light Position Statement (link) and its appendices (link 1, link 2, link 3).*

*8.8.2 Having reviewed the application, the Board objects to the application for the reasons expanded upon in Annex 1 below. We consider that, due to the quantum and location of development proposed and lack of effective mitigation and/or enhancement, the proposal would not conserve and enhance the landscape and scenic beauty of the CNL and would potentially harm views to and from the CNL, its dark skies and its tranquillity, these being three of its special qualities.*

*8.8.3 As such it would conflict with Cotswold District Local Plan Policy EN5 and paragraph 189 of the NPPF and would not accord with Policies CE1, CE5, CE6 and CE13 of the CNL Management Plan. It also conflicts with the requirement of paragraph 189 that development within the setting of National Landscapes "should be sensitively located and designed to avoid and minimise adverse impacts on the designated areas". The Board considers that for the purposes of NPPF paragraph 11d) i), these conflicts provide a strong reason for refusal.*

*8.8.4 The proposal also provides neither an effective means of mitigating this harm nor any enhancement to the CNL or its setting and would not further the purpose of the CNL's designation, that being the conservation and enhancement of its natural beauty, as required by s.85 of the Countryside and Rights of Way Act 2000 ('CRoW Act').*

*8.8.5 DEFRA guidance for relevant authorities (referred to in Appendix 1 below) states that as far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes. This goes beyond mitigation and like for like measures and replacement. The proposed measures to further the statutory purpose of a*

*National Landscape should explore what is possible in addition to avoiding and mitigating the effects of the development, and should be appropriate, proportionate to the type and scale of the development and its implications for the area and effectively secured.*

*8.8.6 The 'seek to further' duty does not preclude decisions that are 'net harmful' to the natural beauty of a National Landscape. However, positive evidence is required to demonstrate that the relevant authority has, in all the circumstances, sought to further the purpose, not merely through mitigation of harm but by taking all reasonable steps to further the purpose. The Board does not consider that all reasonably practicable steps have yet been taken to seek to further the purpose of designation and, therefore, the seek to further duty cannot yet be adequately met.*

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

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

- Air Quality Assessment
- Design & Access Statement
- Ecological Impact Assessment
- Flood Risk Assessment and Drainage Strategy
- Health Impact Assessment
- Historic Environment Desk-Based Assessment
- Landscape and Ecological Management Plan
- Landscape and Visual Impact Assessment
- Planning and Affordable Housing Statement
- Waste Minimisation Statement
- Energy and Sustainability Statement
- Transport Assessment
- Framework Travel Plan
- Arboricultural Impact Assessment and Method Statement



## 10. Officer's Assessment:

### Proposed Development

- 10.1 This application seeks Outline planning permission for the erection of up to 120 dwellings and associated works. Details relating to Access form part of this application. However, other details relating to Scale, Appearance, Layout and Landscaping are stated on the planning application form as being reserved for later approval should Outline permission be granted for this application. This application therefore seeks to establish the principle of development on the site rather than to obtain detailed planning approval.
- 10.2 Notwithstanding the Outline nature of this application, the applicant has submitted a site plan and a phasing plan with this application which show the layout of dwellings, roads and open space within the development. The aforementioned plans are not annotated as illustrative or indicative. As such, it is necessary to consider the layout plans as being a formal submission for the intended layout of the development. The Government's Planning Practice Guidance states:

*Can details of reserved matters be submitted with an outline application?*

*An applicant can choose to submit details of any of the reserved matters as part of an outline application. Unless the applicant has indicated that those details are submitted "for illustrative purposes only" (or has otherwise indicated that they are not formally part of the application), the local planning authority must treat them as part of the development in respect of which the application is being made; the local planning authority cannot reserve that matter by condition for subsequent approval.*

*Paragraph: 035 Reference ID: 14-035-20140306*

*Revision date: 06 03 2014*

- 10.3 The submitted plans show housing located on the application fields lying to the north and south of the farm track that extends through the application site. The proposed housing is arranged in a relatively uniform manner across the site, with development extending to within 5m of the site's southern boundary and 20m of its eastern/north-eastern boundary. New housing is shown as being approximately 20m-40m from the north/north-western boundary of the application site.

- 10.4 Vehicular access to the proposed development would be via the existing residential housing development located to the south-west of the application site. The principal entrance would join onto the north-eastern end of an existing residential cul-de-sac (Mattocks Mew). Vehicular access would then extend along a residential estate road (Furrow Way) before joining the B4632 Stratford Road, which is located approximately 350m to the south-west of the main body of the application site.
- 10.5 Pedestrian access from the site could also be via the Heart of England Way which extends south-westwards from the application site towards the centre of the village.

**(a) Residential Development Outside a Principal or Non-Principal Settlement**

- 10.6 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.
- 10.7 The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2011-2031. It is also located outside a Non-Principal Settlement for the purposes of the aforementioned plan. The erection of new-build open market housing on the site would therefore be covered by the following policy:
- 10.8 Policy DS4: Open Market Housing Outside Development Boundaries and Non-Principal Settlements:
- 'New-build open market housing will not be permitted outside Principal and Non-Principal Settlements unless it is in accordance with other policies that expressly deal with residential development in such locations. '*
- 10.9 The supporting text to Policy DS4 states:

*'6.4.4: Policy DS4 is intended to preclude, in principle, the development of speculative new-build open market housing which, for strategic reasons, is not needed in the countryside. 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. It would also not prevent alterations to, or extensions of, existing buildings.*

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

10.10 The current scheme would result in the erection of new build open market housing outside a development boundary and is therefore contrary to the above policy.

10.11 Notwithstanding the above, it is noted that the Council also has to have regard to policies in the National Planning Policy Framework (NPPF) when reaching a decision. The NPPF represents a significant material consideration. In particular, it is noted that the December 2024 update of the NPPF introduced a new standard method for calculating local housing need. Prior to the December changes to the NPPF, the Council could demonstrate a 7.3-year supply of housing land. It was therefore comfortably meeting its requirement to provide a 5-year supply of such land. However, as a result of the aforementioned changes the Council can now only demonstrate a 1.8-year supply. The new standard method means that the Council has to deliver 1036 homes per annum as opposed to the 504 homes per annum requirement that existed prior to the December 2024 update. Moreover, the aforementioned update to the NPPF removed the wording in the document that enabled previous over-supply to be set against upcoming supply. The residual requirement for the remainder of the Local Plan period would have been 265 dwellings per annum (based on the Housing Land Supply Report August 2023) prior to the changes in December. The December changes to the NPPF therefore result in the Council having to deliver a far higher number of dwellings than that required prior to December 2024. As the supply figure is now under 5 years, it is necessary to have regard to paragraph 11 of the NPPF, which states:

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

*For decision-taking this means:*

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

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

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

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

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

10.13 In the case of criterion d) i) of paragraph 11, it is noted that footnote 7 of the NPPF advises that areas or assets of particular importance can include National Landscapes. Harm to such an area could therefore provide a strong reason to refuse an application for housing even if a 5-year supply of housing land cannot be demonstrated. With regard to criterion d) ii), it is necessary to weigh the benefits arising from the scheme, such as the delivery of housing, including affordable housing, against the adverse impacts of the proposal. These aspects of the proposal will be addressed later in this report. However, in the case of criterion d) ii), it is evident that the adverse impacts would have to significantly and demonstrably outweigh the benefits in order for an application to be refused.

10.14 With regard to the application site itself, an assessment of the site is included in the Council's Strategic Housing and Economic Land Availability Assessment Update October 2021 (SHELAA). The site is included under site reference MK2B. Land to the north-west of the application site has the site reference MK11.

10.15 With regard to the application site, the SHELAA states:

*'Today, the part of MK2B that once occupied a greenhouse has been returned to arable farmland. Only the western third of the allotment garden site on MK11, as shown on the 1960s Ordnance Survey plan, appears to be in use. The rest of this allotment garden has returned to agricultural use, although layout of the former allotments, including the central access track, remains intact. The other parts of MK2B, MK7 and MK11 remain as productive agricultural farmland.'*

10.16 The SHELAA Summary states:

*MK2B: the southern boundary of MK2B abuts late 20th Century housing development, which currently provides a harsh edge to the village and a poor transition between the built-up area and the wider countryside. If MK2B was developed, there may be an opportunity to improve the appearance of the north-eastern edge of the village with a better transitional belt, similar to that achieved in the nearby Oak Grove development off Broad Marston Road, plus landscape interspersed within the built development. A comprehensive Green Infrastructure scheme would be required. This site has a readymade access to Stratford Road through Furrow Way and Ridge Close. It is also reasonably well contained from further development to the east by the significantly higher landscape impact of such development on the setting of the AONB.*

*Recommendation*

*MK2B: is a candidate for further consideration for allocation within the Local Plan.*

10.17 Whilst the need to deliver new housing is a significant material consideration, this Council also has to consider the longer term implications arising from the delivery of ad-hoc, standalone developments that would potentially prejudice the more strategic and sustainable growth of the settlement that could be achieved through the Local Plan process. The consideration of this site for allocation in the Local Plan would include a holistic assessment of the site and the settlement, the potential development capacity of the site, the availability and capacity of local infrastructure and services as well as the impact of development on the landscape, highways and other planning matters. It would also assess the site in context with other potential development sites in and around the village. There are therefore a wide range of factors that would be considered as part of the site allocation process. The recommendation in the SHELAA does not therefore mean that a development of the size now proposed is automatically acceptable.

- 10.18 In terms of the delivery of 120 dwellings on this site, it is of note that Mickleton has been subject to a significant level of new housing development in the current Local Plan period. The Council's 'Cotswold District Housing Land Supply Report - May 2025' states that 264 dwellings have been built in the village in the period dating from the 1st April 2011 to the 31st March 2024. In addition, as of the 1st April 2024 extant permissions totalled 2 dwellings. This equates to a total of 266 dwellings. The aforementioned figure is noticeably higher than other similar and larger sized settlements in the District such as Andoversford - 74 dwellings, Blockley - 59 dwellings, Chipping Campden - 185 dwellings, Kemble - 80 dwellings, Lechlade - 117 dwellings or Willersey - 97 dwellings. The village has therefore been subject to development pressure in the current Local Plan period. In addition, the growth of the village in residential terms has not been accompanied by any corresponding growth in employment, health or social infrastructure.
- 10.19 The existing village contains a primary school, church, village hall, 2 public houses, butchers, convenience store, garden centre and hotel. It does not offer a GP surgery, secondary school, employment estate and has a limited bus service to Stratford-upon-Avon and Chipping Campden/Moreton-in-Marsh. It is of note that a post office and GP surgery have closed in the current Local Plan period. The village therefore offers a limited range of services and facilities for the size of the development now being proposed. In addition, a number of the facilities are relatively distant from the site, such as the primary school at approximately 1.2km and the garden centre at approximately 2km. The applicant's Transport Statement has provided traffic generation figures for the AM and PM peak periods (77 & 70 two-way movements respectively), but has not provided figures for daily vehicle movements or expected pedestrian or cycle trips. Whilst the latter data is missing, the figures of 77 and 70 two-way movements in the AM and PM peak periods are of note. The majority of trips undertaken to and from the site would therefore be via the private motor car. Moreover, in light of the limited services and facilities in the settlement and the commuting proximity of other large settlements such as Stratford-upon-Avon to the site, it is considered that the proposed scheme could act as a dormitory development or require future occupants to be reliant on the use of the private motor car to undertake most day to day activities. Officers therefore have significant concerns about the ability of the development to provide realistic alternatives to the use of the private motor car. Paragraph 110 of the NPPF states that *'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to*

*maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.'*

- 10.20 In the case of air quality, it is noted that the proposed development would be accessed via an existing residential estate road. A number of dwellings front directly onto the road. The Council's Environmental and Regulatory Services Air Quality Officer has advised:

*'I have reviewed the submitted Air Quality Assessment, and agree in principal that the development is unlikely to cause air pollution concentrations which exceed the current UK objectives. However, it is becoming increasingly accepted that any increase in air pollution can have negative impacts on health, even when these the concentrations are below the aforementioned objectives. The existing residents of the village should not be expected to be exposed to significant increases in air pollution, resulting from traffic generated from the proposed development, particularly those residing on Furrow Way, but also those on Stratford Road and Granbrook Lane. To establish if the development may have a significant negative impact on air quality in the vicinity of the development, I request a detailed air quality assessment is undertaken and submitted to the council. In the absence of such an assessment, I object to the development as there is no evidence to demonstrate air quality in the area will not be significantly impacted.'*

- 10.21 The number of dwellings now proposed would generate a significant level of additional traffic when compared to that passing through the existing estate and nearby roads, to the detriment of the environmental quality of the locality and the air quality enjoyed by existing residents.
- 10.22 Whilst the rural nature of the area is noted, it is considered that the current proposal would, by virtue of its size and distance from services and facilities, still result in future occupants of the development having a disproportionate reliance on the use of the private motor car to undertake most day to day activities. An increase in vehicle movements would also have an adverse impact on air quality. In addition to the conflict with paragraph 110 of the NPPF, it is also considered that the proposed development would conflict with Paragraph 135 a) of the NPPF, which states that developments '*will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.*' A reliance on the use of the private motor car and the significant extension of the settlement into the open countryside are considered not to meet these criteria. Furthermore, paragraph 7 of the NPPF states that the '*purpose of the planning system is to contribute to the achievement of*

*sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner.*' Paragraph 8 of the NPPF states that *'achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives.'* The 3 objectives are economic, social and environmental. Whilst housing can contribute to the social and economic objectives, there is also a need to take account of the environmental objectives, such as the impact of development on the natural, built and historic environment. It also of note that the social objective states that homes should be provided *'with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.*' It is therefore evident that the delivery of new homes should be undertaken in a manner that respects the aforementioned aspiration.

- 10.23 The current proposal, by virtue of its size and its degree of encroachment into the open countryside, combined with previous development allowed in the current Local Plan period, the limited services and facilities on offer in the settlement and the reliance that future residents would place on the use of the private motor car to undertake most day to day activities, would result in a disproportionate increase in the size of the settlement that would fail to respond in a sympathetic manner to its location and its prevailing character. Moreover, the site is considered to have limited accessibility to services and facilities, which is an important element of the social objective set out in paragraph 8 of the NPPF. It is considered that the proposal does not represent a sustainable form of development and that the adverse impacts of the scheme would significantly and demonstrably outweigh the benefits arising from the delivery of the proposed housing.

**(b) Housing Mix and Affordable Housing**

- 10.24 The application site occupies agricultural land. The proposed development is therefore subject to 40% affordable housing provision. The following Local Plan policies are considered relevant to this application in terms of affordable housing, self-build/custom build housing and housing mix.

- 10.25 Policy H1 Housing Mix and Tenure to Meet Local Needs

1. *All housing developments will be expected to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable housing sectors, subject to*



*viability. Developers will be required to comply with the Nationally Described Space Standard.*

*2. Any affordable accommodation with 2 or more bedrooms will be expected to be houses or bungalows unless there is a need for flats or specialist accommodation.*

*3. Proposals of more than 20 dwellings will be expected to provide 5% of dwelling plots for sale as serviced self or custom build plots, unless demand identified on the Local Planning Authority's Self-Build and Custom Register or other relevant evidence demonstrates there is a higher or lower level of demand for plots.*

*4. Starter Homes will be provided by developers in accordance with Regulations and national Policy and Guidance.*

*5. Exception sites for Starter Homes on land that has been in commercial or industrial use, and which has not currently been identified for residential development will be considered.*

#### 10.26 Policy H2 Affordable Housing

*1. All housing developments that provide 11 or more new dwellings (net) or have a combined gross floorspace of over 1,000 square metres, will be expected to contribute towards affordable housing provision to meet the identified need in the District and address the Council's strategic objectives on affordable housing.*

*2. In settlements in rural areas, as defined under s157 of the Housing Act 1985, all housing developments that provide 6 to 10 new dwellings (net) will make a financial contribution by way of a commuted sum towards the District's affordable housing need subject to viability. Where financial contributions are required payment will be made upon completion of development.*

*3. The affordable housing requirement on all sites requiring a contribution, subject to viability is:*

- i. Up to 30% of new dwellings gross on brownfield sites; and*
- ii. Up to 40% of new dwellings gross on all other sites.*

*4. In exceptional circumstances consideration may be given to accepting a financial contribution from the developer where it is justified that affordable*

*housing cannot be delivered on-site, or that the District's need for affordable housing can be better satisfied through this route. A financial contribution will also be required for each partial number of affordable units calculated to be provided on site.*

*5. The type, size and mix, including the tenure split, of affordable housing will be expected to address the identified and prioritised housing needs of the District and designed to be tenure blind and distributed in clusters across the development to be agreed with the Council. It will be expected that affordable housing will be provided on site as completed dwellings by the developer, unless an alternative contribution is agreed, such as serviced plots.*

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

10.27 The proposed development seeks to provide 40% affordable housing which would equate to 48 dwellings if 120 dwellings were delivered on the site. The applicant is willing to enter into agreement with the Housing Section in terms of the final mix of tenures and sizes. A mix of 45% social rent, 25% affordable rent, 25% First Homes and 5% shared ownership is a typical starting point for discussion, with 25% 1 bed, 44% 2 bed, 21% 3 bed and 10% 4 bed units being noted by the applicant. It is considered that the scheme can deliver an acceptable level and mix of affordable housing in accordance with Policy H2, subject to the completion of a S106 legal agreement.

10.28 With regard to self-build/custom build housing, the delivery of 120 dwellings would require the provision of 6 serviced plots in accordance with the 5% requirement set out in Policy H1. This would usually be agreed as part of the S106 legal agreement process.

10.29 With regard to the mix of open market dwellings, it is considered necessary to ensure that a mechanism is put in place to secure an appropriate mix of market dwellings, as required by Local Plan Policy H1. It would not be possible to control the mix of the open market housing at the reserved matters stage, which is limited to matters relating to scale, layout, appearance, access and landscaping. The provision of larger, more expensive dwellings for open market sale can increase average house prices across the District, which can then increase the Council's housing needs and its housing affordability issues, both in the affordable and open market sectors. A higher average house price can mean that more persons fall into housing need. In contrast, the provision of smaller 1, 2 and 3 bed open market dwellings can more reasonably address

such an issue. Figures from the Office for National Statistics indicate that the ratio between median house prices and median gross annual earnings in Cotswold District in 2024 (based on a 5 year average) was 14.64 times. In comparison, the difference was 5.63 times in 1997. The provision of a high percentage of 4 and 5 bed dwellings simply adds to the price differential and does little to address the Council's issues relating to house price affordability. The Council's Local Plan Partial Update Issues and Options Consultation document states that *'Building more and more houses to reduce house prices (or "Build, Build, Build", as Boris Johnson puts it) does not work, particularly in Cotswold District. There is much evidence to support this. Cotswold District has delivered significantly more housing than has been required in recent years, yet housing affordability has continued to worsen.'* With regard to potential future Local Plan policy, it goes on to state that *'smaller homes are generally more affordable, so a policy requirement could be introduced for a higher proportion of 1, 2 and 3 bedroom market houses, and fewer 4 and 5 bedroom houses.'* It is noted that Table A2.19 of the Gloucestershire Strategic Housing Market Assessment Update Final March 2014 states that 80% of new market accommodation required in Cotswold District in the period up to 2031 would be 1, 2 and 3 bed units, with just 20% being 4 bed dwellings and above. In order to ensure that an appropriate mix of open market housing is provided, it is considered that the matter is addressed by condition or as part of the S106 agreement.

10.30 Notwithstanding the above, at the present time, a S106 agreement is not in place to secure the provision of affordable/self-build/custom build plots within the development, or a suitable mix and range of housing in terms of size, type and tenure to reflect housing need and demand in both the market and affordable housing sectors. It is therefore considered that the proposal is in conflict with Local Plan Policies H1 and H2.

10.31 If a suitable mechanism, such as a S106 agreement, could be agreed, it is considered that the provision of affordable housing/ self-build/custom build plots and appropriate mix of market housing would represent a benefit and would contribute in a positive manner to the Council's new requirement to provide additional dwellings in the District. It is considered that this would represent a significant material consideration that would weigh in favour of the proposed development.

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

10.32 The application site occupies an area of agricultural land located adjacent to the north-eastern edge of Mickleton. It is bisected by a Public Right of Way

(Heart of England Way). The site forms part of patchwork of fields which define the land to the north-east of the settlement and which lie at the foot of Meon Hill, which is located to the north-east of the application site.

10.33 The application site is not located within a designated landscape. However, it is located in close proximity to the Cotswolds National Landscape (CNL). The aforementioned landscape lies to the south, east and north-east of the application site and covers the rising land occupied by Meon Hill to the east and the Cotswold escarpment to the south.

10.34 The Council, in performing or exercising any functions in relation to, or so as to affect, the Cotswolds National Landscape *'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).

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

10.36 Policy EN1 Built, Natural and Historic Environment

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

*a. ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;*

*b. contributing to the provision and enhancement of multi-functioning green infrastructure;*

*c. addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;*

*d. seeking to improve air, soil and water quality where feasible; and*

*e. ensuring design standards that complement the character of the area and the sustainable use of the development.*

10.37 Policy EN2 Design of the Built and Natural Environment

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

10.38 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.*

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

- 1. In determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.*
- 2. Major development will not be permitted within the AONB unless it satisfies the exceptions set out in National Policy and Guidance.*

10.40 Policy INF7: Green Infrastructure

- 1. Development proposals must contribute, depending on their scale, use and location, to the protection and enhancement of existing Green Infrastructure and/or the delivery of new Green Infrastructure.*
- 2. New Green Infrastructure provision will be expected to link to the wider Green Infrastructure network of the District and beyond.*
- 3. Green Infrastructure will be designed in accordance with principles set out in the Cotswold Design Code (Appendix D).*

10.41 In terms of national guidance, the following paragraphs from the NPPF are considered relevant to the proposal:

10.42 Paragraph 135 of the NPPF states that decisions should ensure developments:

- a) 'Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.'*

*d) are sympathetic to local character and history, including the surrounding built environment and landscape setting.. '*

10.43 Paragraph 187 of the NPPF states that planning policies and decision should contribute to and enhance the natural and local environment by '*protecting and enhancing valued landscapes*' and '*recognising the intrinsic character and beauty of the countryside*'.

10.44 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.*'

10.45 On the basis that the site is not located within the Cotswolds National Landscape nor a Special Landscape Area, it is considered that the site does not constitute a valued landscape for the purposes of paragraph 187. Notwithstanding this, paragraph 187 b of the NPPF states that planning decisions should contribute to and enhance the local environment by recognising the intrinsic character and beauty of the countryside. The current site is seen in context with the agricultural landscape lying to the north and east of the settlement and contributes positively to the rural setting of the village and the Cotswolds National Landscape.

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

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

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

10.48 Policy CE1. Landscape

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

*Guidelines. There should be a presumption against the loss of key characteristics identified in the landscape character assessment.*

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

#### 10.49 Policy CE4: Local distinctiveness

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

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

#### 10.50 Policy CE5: Tranquillity

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

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

#### 10.51 Policy CE6: Dark Skies

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

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

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

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

10.52 With regard to the site's context in terms of its relationship with existing village development, it is noted that a residential development of approximately 80 dwelling to the south-west of the current application site was permitted in 2014. The aforementioned development is now complete. However, it is also noted that the aforementioned site was previously occupied in part by derelict horticultural glasshouses. It therefore had a very different character and appearance to the site now proposed for development. The current site has a distinct agricultural character and appearance, with the application fields extending seamlessly into the wider agricultural landscape. The current proposal would therefore represent a far more discernible encroachment of development into the agricultural landscape than the recently completed development to its south-west.

10.53 A landscape assessment of the site has been undertaken as part of the SHELAA process. The October 2021 Update states:

*'MK2B evaluation: Low/Medium*

*The parcel's landscape sensitivity to development is derived from its existing rural context and its location on the edge of the settlement. The neighbouring settlement edge is present to two sides and has an influence on the parcel. Due to this, residential development within the parcel is unlikely to appear as incongruent or a protrusion into the landscape. The site boundaries are*



*considered to be relatively weak. Development of the parcel would provide an opportunity to deliver robust Green Infrastructure features that also soften the transition between the settlement and wider landscape. The footpath that divides the parcel would need to be accommodated within any proposal and could represent an attractive feature that promotes activity and connectivity with the wider landscape.'*

- 10.54 The SHELAA assessment acknowledges that the character of the site is influenced by adjacent residential development. However, this influence is less apparent when the site is viewed from the Public Right of Way (Heart of England Way) where it passes through the land to the north-east of the proposed development. The site is also readily visible on the eastward approach into the village along Granbrook Lane. With regard to the former, the existing footpath extends along an informal agricultural track which is partly lined by an avenue of poplar trees. It then extends eastwards and northwards around the lower slopes of Meon Hill to the east. The tree lined avenue and farm track provide an attractive route for walkers which is distinct from existing housing development to its west and south. Extensive views are also provided across the landscape to the north and east of the site, and particularly of Meon Hill for walkers leaving the settlement. It is noted that the Public Right of Way drops down in level slightly to the north-east of the site with the result that topography provides a degree of screening of existing development. The impact of existing housing on the Public Right of Way is therefore limited when viewed from the north-east. In contrast, the introduction of new development onto the application site would result in the upper storeys of development being clearly visible from the aforementioned location as opposed to the current situation where existing housing is not readily visible. The introduction of development onto the site would therefore have a far more urbanising impact on the experience of the users of the Heart of England Way. It would also result in significant extension of urban development closer to the Cotswolds National Landscape, which would erode the attractive landscape buffer that currently exists between the village and the designated landscape.
- 10.55 With regard to views from Granbrook Lane to the east, the avenue of trees extending alongside the Heart of England Way where it passes through the application site provide a degree of screening of existing village development when viewed from the aforementioned highway. The proposed scheme would result in the introduction of built development to the south of the existing trees thereby increasing the visual presence of development when viewed from the east (and from within the Cotswolds National Landscape). Moreover, the lack of any transition between built development and the surrounding countryside would result in the creation of a rather stark and hard edge to the proposed

development which would have little sympathy for its rural context or the relationship of the site to the wider landscape.

- 10.56 Public views of the site are also available from Public Rights of Way running to the north-east of Kiftsgate Court/Gardens to the south-east of the village. The site can be viewed at distance from the aforementioned footpaths. However, the site is seen in the context with much of the village and forms a relatively small component of a wider landscape view. There are no designated Public Rights of Way extending to the top of Meon Hill.
- 10.57 The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) with this application. The Landscape Consultant engaged by this Council has assessed the aforementioned report and this proposal and advises:

*'Site Context*

*10.57.1 The application site comprises open arable land located at the north-eastern edge of Mickleton, forming part of the rural transition between the settlement and the surrounding countryside. Although the site lies outside the boundary of the Cotswolds National Landscape (CNL), it remains visually connected to it, with clear intervisibility from higher ground including the Long Distance Path (PRoW 5), Granbrook Lane and PRoW 35.*

*10.57.2 According to the Gloucestershire Landscape Character Assessment (2006), the application site and surrounding area fall within the Unwooded Vale Landscape Character Type (LCT), and more specifically the Evesham Vale Landscape Character Area (LCA). This character area is defined by gently undulating to flat lowland topography, typically comprising large to medium-scale arable fields, relatively sparse tree cover, and a strong pattern of hedgerows. Visual containment is often limited, with long views available across the open vale and towards the elevated escarpment of the CNL to the south and east. While some modern development has occurred at the edges of settlements, many rural fringes retain a strong visual and functional relationship with the surrounding agricultural landscape.*

*10.57.3 In this context, the application site serves as a transitional space between the eastern edge of Mickleton and the wider open countryside. It comprises a relatively open tract of farmland defined by hedgerows, trees and a single lane (Canada Lane), with clear views to and from higher ground within the CNL. Its undeveloped character contributes to the rural setting of the village and reinforces the perception of a defined settlement edge. The site's visual*

*relationship with the wider vale and its intervisibility with the CNL give it a degree of landscape sensitivity that extends beyond its immediate boundaries.*

### *Landscape Character*

*10.57.4 The applicant's LVIA concludes that the site is of medium landscape value and that the proposed development would result in a moderate adverse effect at completion, reducing to minor adverse by Year 15 once mitigation planting has established. While the assessment reasonably identifies the landscape value and susceptibility of the site as medium, the magnitude of change and overall level of effect on landscape character appear to be understated.*

*10.57.5 The development would result in the loss of open agricultural land at the edge of Mickleton, introducing built form beyond the settlement boundary and which currently contributes to the rural setting of the settlement. This would represent a clear shift in landscape character, transforming the site from a perceptually open and agricultural edge into a more developed part of the village. While it is acknowledged that the site is influenced to some extent by existing development to the south and west, it is still experienced, particularly from the east and along surrounding footpaths as part of the wider countryside. The site currently plays a transitional role between the village and its rural setting, and this role would be diminished as a result of the proposed scheme.*

*10.57.6 The LVA recognises this transitional character but places too much weight on the visual influence of neighbouring development when judging the degree of change. In practice, intervening vegetation, hedgerows and subtle landform changes restrict visibility of built form from many eastern approaches, meaning the site continues to read as part of the wider agricultural landscape. The proposed introduction of a continuous band of development across the parcel would weaken this sense of separation and openness.*

*10.57.7 Mitigation in the form of buffer planting along site boundaries is proposed, but this is limited and would take considerable time to establish. While planting may help to soften the development's appearance in the long term, it cannot fully offset the change in character associated with the introduction of built form, infrastructure, domestic activity and external lighting. These elements would continue to influence the character of the site even after planting matures, resulting in a permanent change.*

*10.57.8 Notwithstanding these concerns, it is recognised that the principle of development on this site could be acceptable if it were guided by a strong*

*landscape-led approach. This would need to fully respond to the site's edge-of-settlement location and include a well-designed green infrastructure framework. In particular, this should incorporate street trees located within the public highway (rather than in private front gardens), a more natural and integrated SuDS strategy, and a wider green corridor along the eastern edge to soften the transition to open countryside. At present, however, the proposals do not reflect this approach. The extent of change to the landscape, both at the site level and in relation to the wider settlement, is likely to be greater than the LVA suggests. While some visual and perceptual effects may reduce over time as planting becomes established, the overall scale and density of the development, along with the current role of the site in maintaining Mickleton's rural edge, mean that adverse effects on landscape character are still likely to remain in the long term.*

### *Visual Amenity*

*10.57.9 The submitted LVA identifies a number of visual receptors who would be affected by the proposed development, including residents of nearby housing, users of the local road network, and walkers using public rights of way, particularly those to the east of the site. While the assessment identifies many of the relevant receptor groups, some of the judgements regarding visual sensitivity and the magnitude of change appear understated.*

*10.57.10 As with the assessment of landscape character, the LVA places significant reliance on the success of proposed mitigation planting to address visual harm. While this is an appropriate principle, the actual effectiveness of these measures depends heavily on early implementation, appropriate species selection, and sustained long-term management. The narrowness of the eastern buffer raises concern as to whether the scale of effect could be sufficiently mitigated, particularly within the early years whilst planting establishes.*

*10.57.11 Of particular concern is the visual impact on visual receptors on Granbrook Lane and Heart of England Way (PRoW 5), where the proposed development would form a new, prominent settlement edge. In the short to medium term, the development would appear visually prominent when seen from the east, especially from lower ground where the site is currently experienced as part of a broader rural panorama. The absence of a more substantial landscape margin, such as that referenced in the Council's pre-application advice, limits the potential effectiveness of visual mitigation in these locations.*

*10.57.12 Overall, the proposal would result in adverse change for some key receptor groups. While some of these views are already influenced by existing development, the openness of the site and the sensitivity of the PRow network, specifically to the east, means that in our professional judgement, the current proposed development would have a greater visual influence than the LVA suggests.*

#### *Landscape Proposals*

*10.57.13 As previously noted, this application includes a perimeter green buffer intended to soften the interface between the proposed development and the open countryside. However, the width and structure of this buffer are limited and do not provide a sufficient transition between the built form and the surrounding rural landscape. The provision of informal walking routes, green space, and native shrub and tree planting is welcome in principle, but in its current form the buffer lacks the depth and layering required to function effectively as a rural edge.*

*10.57.14 Although this is an outline application, the indicative layout suggests a relatively compact development form with limited space for street trees or a looser development grain at the settlement edge. There is little evidence of design measures that would signal a graduated transition towards the countryside, such as varied density, orientation or building typologies that respond to landscape character. As such, the development risks appearing abrupt and visually disconnected from its wider setting.*

*10.57.15 The Council's pre-application advice highlighted that the proposed scheme would result in a more discernible encroachment into open countryside than the CALA development to the south-west, which occupies previously developed land and benefits from a greater degree of visual containment.*

*10.57.16 The current scheme does not adequately respond to the landscape-led recommendations previously provided. The green buffer has not been widened, and there is no indication of a landscape strategy that seeks to integrate the development into its context through layered structural planting, a varied street hierarchy, or character-led design.*

*10.57.17 Furthermore, the proposed reliance on a single large attenuation basin towards the eastern edge of the site reinforces a formal and engineered appearance. This approach would benefit from a review in favour of a distributed and landscape-led SuDS network, incorporating features such as swales, rain gardens and tree pits within streets and green spaces. These would*

*provide visual interest, enhance biodiversity and help reduce the perceived dominance of engineered elements.*

### *Conclusion*

*10.57.18 In conclusion, the submitted LVA identifies relevant receptors and broadly follows accepted guidance, but the conclusions understate the likely degree of impact. The presentation of photography is limited, with a lack of clear single-frame planar images and no wireframes or verified visualisations to aid interpretation. The methodology used for sensitivity and effects is also inconsistent.*

*10.57.19 In landscape terms, the proposed development would result in a noticeable and permanent change to the character of this part of Mickleton. The site currently plays an important role in defining the rural edge of the village and contributes to the sense of separation between settlement and open countryside, particularly when viewed from the east and south-east. While some adjacent development influences the context, this diminishes with distance, and the openness of the site remains a key part of its character and visual sensitivity.*

*10.57.20 The landscape proposals show limited evidence of a landscape-led approach. The green buffer is too narrow to offer a meaningful transition, and the scheme lacks the structural planting, integrated SuDS integration and spatial design required to respond appropriately to its context.*

*10.57.21 In its current form, the application is not considered to comply with Local Plan Policies EN1, EN2, EN4 and INF7 and the proposed development would result in adverse landscape and visual effects that are not sufficiently addressed through the current layout or mitigation proposals. It is therefore recommended that a revised and more detailed Landscape Masterplan is developed. This should include consideration for reduced dwelling numbers and/or arrangement of dwellings to allow for a wider and more structurally diverse landscape buffer along the site edge, along with an integrated green infrastructure network throughout the development.'*

- 10.58 The concerns raised by the Landscape Consultant have been echoed by Cotswolds National Landscape Board, the CPRE, the parish council and local residents. In this instance, it is considered that the proposal, by virtue of the size of the development, the degree of encroachment into the open countryside, the enclosure of the gap between the settlement and the CNL, the lack of green infrastructure, the poor transition between built development and the wider landscape and potential light pollution would have a significant adverse impact

on the rural character and appearance of the landscape, the setting of the CNL and the setting of the settlement within the landscape. It is considered that the proposed development is contrary to Local Plan Policies EN1, EN4, INF7 and Sections 12 and 15 of the NPPF and policies CE1, CE4 and CE6 of the Cotswolds National Landscape Management Plan 2025-2030.

**(d) Access and Highway Safety**

- 10.59 Vehicular access to the proposed development would be via an existing residential estate road which runs through the housing development to the south-west of the application site. A new entrance would connect the site onto an existing residential cul-de-sac (Mattocks Mews). The aforementioned road joins onto Furrow Way which connects with the B4632 Stratford Road to the south-west. Gloucestershire County Council (GCC) Highways advises that the aforementioned estate roads have not been adopted and, as such, do not form part of the public highway.
- 10.60 Pedestrian and cycle access would be via the Heart of England Way, which extends through the site to the village to the south-west.
- 10.61 Bus stops are present on the B4632 approximately 500m from the application site. Services run to Stratford-upon-Avon, Chipping Campden and Moreton-in-Marsh.
- 10.62 As set out previously, the applicant has submitted a Transport Statement (TS) which predicts that the development would generate 77 two-way vehicular movements in the AM peak period (08:00-09:00) and 70 two-way vehicular movements in the PM peak period (17:00-18:00).
- 10.63 With regard to vehicular access onto the B4632, the TS states : *'To the north of the site, the flows on Welford Road (considered the same as on Stratford Road) are shown at 330 two-way movements in the AM peak hour and 345 two-way movements in the PM peak hour. The proposals are forecast to increase movements on Stratford Road to the north of the Furrow Way junction by 19 two-way movements in the AM peak and 16 two-way movements in the PM peak. This is a minimal increase of 5-6% on the total flows which would be well within daily variations in traffic.'*
- 10.64 Notwithstanding the findings of the TS, it is evident that the proposed development cannot provide a direct access to the adopted public highway. Access to the development would need to be via unadopted roads which are in 3rd party control and which do not form part of the public highway. The

Highways Officer states *'The site as shown on the red line plan submitted with the application does not have a connection to the adoptable highway and cannot therefore demonstrate a safe and suitable access as required by the NPPF.'* It is therefore considered that the proposal is in conflict with Local Plan Policy INF4 and guidance contained in Section 9 of the NPPF. It has not been demonstrated that a safe and suitable access can be secured. The applicant would be reliant on the 3rd party agreement in order to secure access. The relevant notice has not been served on the appropriate parties and there is no assurance that such agreement could be reached.

- 10.65 In addition to the above, the application site is bisected by a Public Right of Way. Future development would result in vehicles having to cross the aforementioned route. Whilst alteration to the Public Right of Way would require the separate agreement under Rights of Way legislation, it is also noted that the current proposal does not set out how vehicles would be prevented from driving along the route of the Right of Way, which is metalled in part, to the B4632. At present, the route forms part of a farm access track. If gates were introduced onto the route, it would potentially prejudice access to and from the existing farm buildings to the north-east of the application site. Equally, gates could be left open which would not prevent residential access along the Right of Way.

- 10.66 GCC Public Rights of Way advises:

*10.66.1 'I have examined this application and have concerns that the proposed development will change the character of the existing right of way which is currently rural in nature with unspoilt views. I am also concerned about the potential misuse of vehicles along it as a short cut due to its convenient orientation from the main road to the furthest point of the estate.'*

*10.66.2 Chapter 7 of the Rights of Way Circular 1/09 Rights of way circular (1/09) - GOV.UK states that 'The effect of development on a public right of way is a material consideration in the determination of applications for planning permission and local planning authorities should ensure the potential consequences are taken into account whenever such applications are considered'.*

*10.66.3 The proposed site, within the red boundary is crossed by two public rights of way. HMN5, known locally as Canada Lane is part of the promoted long distance Heart of England Way, this path runs centrally through the existing estate and the new proposed estate. HMN34 is a connecting footpath that runs from Canada lane south towards Granbrook Lane.*



*10.66.4 The National Planning Policy Framework states in paragraph 105 that 'Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails'.*

*10.66.5 I have concerns that the proposal will not protect or enhance these public rights of way or access. Canada Lane is a wide, tree lined track . It is fairly flat, which makes it easily accessible to users who rely on trampers/mobility scooters to enjoy the countryside. The site plan illustrates that Canada Lane will be bounded on both sides by housing and crossed by the estate road. The views from this path, currently tree lined fields, will be changed forever by the addition of buildings. Although buffering has been discussed as a way of "hiding the houses" the implications of this means that it will also lose its characteristic tree lined avenue and far reaching rural views. Already the start of this path from Stratford Road has become urbanised and I don't think further development along it should be considered.*

*10.66.6 I am also concerned that Canada Lane will become a short cut to the new estate by unauthorised vehicles. The safe and relatively traffic-free route for users, including vulnerable people such as children accessing the playground alongside the public footpath will be lost. Currently vehicular access is available to reach the farm at the end, so what measures will be taken to ensure it doesn't become a rat run to the end of the estate yet still enables the farms accessibility?*

*10.66.7 In line with National Planning Policy Framework, pedestrians and cyclist movements within the scheme should be given priority and the development should create a safe space for that. Where the estate road crosses the public right of way it is important that mitigation is agreed with PROW prior to permission being granted. The crossing needs to be well signed and to avoid conflict between users the use of traffic calming /street furniture would need to be considered.'*

10.67 Insufficient information is therefore available to demonstrate that the proposed development will not cause a conflict with the use of the Public Right of Way (Heart of England Way).

**(e) Impact on Residential Amenity**

10.68 It is considered that the application site is of sufficient size to accommodate a form of residential development that would provide future occupants with

adequate outdoor amenity space, privacy and light. It is also considered that the future developed could be undertaken in a manner that would not have an adverse impact on the amenity of existing residents having regard to guidance in the Cotswold Design Code.

- 10.69 Notwithstanding this, the proposed development would result in vehicles having to drive along existing estate roads in close proximity to existing residential properties. As set out previously, Officers have concerns about emissions and air quality arising from the traffic that would be generated by the development. This is of particular concern giving the number of dwellings being proposed and the number of vehicles that the proposal would create. In the absence of more detailed air quality reports, it is considered that the proposal is contrary to Local Plan Policy EN15: Pollution and Contaminated Lane.

**(f) Biodiversity**

- 10.70 The application site occupies arable fields, which are bordered in part by a network of hedgerows. A line of poplar trees extends through the site. Residential gardens are located to the south and west of the site. A pond is also located close to the south-western corner of the application site. This application is accompanied by an Ecological Impact Assessment and the following Local Plan policy is considered applicable to the proposal:

- 10.71 Policy EN8 Biodiversity and Geodiversity: Features, Habitats and Species

1. *Development will be permitted that conserves and enhances biodiversity and geodiversity, providing net gains where possible.*
2. *Proposals that would result in significant habitat fragmentation and loss of ecological connectivity will not be permitted.*
3. *Proposals that reverse habitat fragmentation and promote creation, restoration and beneficial management of ecological networks, habitats and features will be permitted, particularly in areas subject to landscape-scale biodiversity initiatives. Developer contributions may be sought in this regard.*
4. *Proposals that would result in the loss or deterioration of irreplaceable habitats and resources, or which are likely to have an adverse effect on internationally protected species, will not be permitted.*
5. *Development with a detrimental impact on other protected species and species and habitats "of principal importance for the purpose of conserving*

*biodiversity"(41) will not be permitted unless adequate provision can be made to ensure the conservation of the species or habitat.*

10.72 The Biodiversity Officer has reviewed the submitted details and states:

*'Biodiversity Net Gain*

*10.72.1 The submitted BNG information demonstrates the following:*

- *10.08% net gain on area habitat units (on-site),*
- *41.31% net gain on hedgerow units (on-site),*
- *86.72% net gain on watercourse units (on-site).*

*10.72.2 The following issues have been identified:*

- *The baseline BNG map shows mixed scrub along the northern site boundary. Section 5.14 of the EcIA (ACD Environmental, May 2025 - uploaded 27th May 2025) describes "sparsely vegetated land that runs along the dry ditch, which comprises tall ruderal." Based on the information and description provided, I am not satisfied that this habitat on the northern boundary is equivalent to mixed scrub under the UKHab definition.*
- *The baseline BNG map key demonstrates 'Grassland' along the southern site boundary. This does not correlate with the metric spreadsheet which shows the habitat to be modified grassland, and this should be amended.*
- *No quadrat data for grassland, or site photos for grassland, scrub and ruderal habitats have been provided. This data should be provided to demonstrate that the on-site habitats have been accurately categorised.*
- *No condition assessment sheets have been submitted*
- *Site photos show that there may be some areas of the site where field margin habitats are present. Therefore, further clarity should be provided and if required, these habitats will need to be recorded within the baseline and demonstrated on the relevant maps.*

- *The SuDS basin to be created on-site has been recorded as Ponds (priority habitat). This habitat feature to be created should be reclassified to an appropriate habitat type. In this instance, this is most likely to be Sustainable drainage system given that the feature is to be an attenuation basin for surface water run-off. In addition to this, it is unlikely that an on-site water body with functionality as a SuDS basin for surface water run-off would achieve anything higher than poor condition and therefore, the target condition should be revised.*
- *Some habitats shown as retained such as the native and species-rich native hedgerows would likely be degraded in condition given their proximity to the proposed built form and gardens. This should be reflected in the BNG information.*
- *There is insufficient information to determine whether the proposed enhancement of the ditch to moderate condition is achievable.*
- *The post-intervention map key demonstrates symbology for vegetated gardens and modified grassland which is hard to distinguish between. Therefore, the key should be amended to make the delineation between these habitats clearer.*
- *The post-intervention map key demonstrates symbology for Decorative street planting and Shrub which appears to correspond to Horticulture and Hawthorn scrub within the metric spreadsheet. The map key should be amended to reflect this as the mapping does not match the metric spreadsheet.*
- *It is proposed that modified grassland will be delivered on-site in moderate condition, with some of the areas of modified grassland appearing to be created adjacent to dwellings and roads. It is my view that based on the information submitted and the development proposals, on-site modified grassland would not exceed poor condition, with reference to criterion A, B, D, E and possibly G. It should also be noted that section 9.3 of the EcIA*

*indicates that areas of modified grassland and other planting will be created within the front gardens of on-site dwellings. These habitats should therefore be recorded as vegetated garden. The statutory metric user guide provides clear guidance on private gardens:*

*- The post-development private garden has no public access, and biodiversity net gains cannot be legally secured. As these gains cannot be secured you should only record created private gardens as either:*

*- 'urban - vegetated garden'; or*

*- 'urban - unvegetated garden'*

*You should not:*

*- record the creation of any other new habitats within private gardens*

*- record enhancement of any habitat within private gardens. However, habitats which are recorded in the baseline and remain within a private garden may be recorded as retained.*

*- I do not agree that all parcels of other neutral grassland will achieve moderate condition. Some areas of ONG are adjacent to PRowS and roads and other footpaths to be created as shown in the indicative site masterplan. Therefore, based on the submitted information, it is my view that on-site BNG is unlikely to satisfy criterion A, B, C and E and the target condition should be revised.*

*- It should be confirmed whether the delivery of BNG will be phased. If so, the metric and report will need to be amended to reflect this. At present, it cannot be determined that the baseline is accurate and that on-site BNG is achievable. Whilst the masterplan is indicative, and BNG is a post-permission matter, BNG must be dealt with at the outline stage as the approval of reserved matters is not subject to the biodiversity gain condition. Consequently, at the outline stage, the Local Planning Authority must be confident that the biodiversity gain objective can be met, and the biodiversity gain condition can be successfully discharged.'*

10.73 The Biodiversity Officer goes on to state:

*'Site plan*

*10.73.1 The indicative plans demonstrate a lack of ecological connectivity across the site and around the peripheries to the wider network, with ecological fragmentation likely. The width of buffer zones is insufficient and unlikely to provide any ecological benefit given the substantial built form proposed. The inclusion of footpaths and play equipment within the majority of these buffer zones also means that the buffers zones are likely to be subject to frequent disturbance and diverse pressures, and will not provide any ecological benefit. Buffers should be widened to at least 5m and paths should not be created within these zones if they are to benefit biodiversity. Paths created near to buffers should be hardstanding to reduce the likelihood of encroachment by users into the buffers. The site plan should also provide for protected species such as Great Crested Newts which have been recorded adjacent to the site and include biodiverse corridors within the site. Currently, the proposed site plan would be contrary to Chapter 15 of the NPPF and Local Plan policy EN8.*

#### *Habitats and Protected species*

##### *Badgers -*

*10.73.3 The site surveys did not record evidence of badgers or their setts, but it is stated that dense vegetation on-site could have precluded field signs from being recorded. Section 5.48 states that on-site mounds provide sett-building opportunities for badgers, with commuting and foraging opportunities around site boundaries and along intersections of fields. It is my view that additional measures to those provided in section 7.5 are required to safeguard badgers during works, including details of a pre-works check for badgers by a competent ecologist.*

*10.73.4 These details can be secured by condition if all other biodiversity issues are resolved.*

##### *Bats -*

*10.73.5 The EcIA assessed that there are opportunities for commuting and foraging bats on site, but that bat activity surveys were not required due to the lack of on-site evidence and limited suitability for roosting bats. At present, it cannot be fully understood how bats may be using the site or be impacted by the proposals. Therefore, further surveys should be undertaken to understand how bats are using the site and to inform any further mitigation requirements. The information is also required to enable the Council to discharge its statutory obligations in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended).*

*Birds -*

*10.73.6 Habitats on site are suitable for birds and section 5.33 of the EcIA references records of red list species within 2km of the site including skylark and yellowhammer which are also listed as species of principal importance under Section 41 of the NERC Act 2006. Further surveys are required to determine how birds are using the site, including the arable field areas, and to inform suitable mitigation.*

*Dormice -*

*10.73.7 I agree with the assessments and recommendations of the EcIA pertaining to Dormice.*

*Great Crested Newts -*

*10.73.8 Section 5.27 of the EcIA states that eDNA testing from 2024 confirmed the presence of GCN in pond 1 which is adjacent to the southwest site boundary. Additionally, there is a historic record of GCN from this pond, the site is within the red and amber impact risk zones for the Great Crested Newt District Licensing Scheme, and there are approximately nine ponds within 500m of the site. Four of these ponds were assessed for their suitability to GCN, with pond 2 being assessed as excellent.*

*10.73.9 Not all ponds within 500m of the site have been assessed for their potential to support GCN, and some of these ponds are connected to the site. The site itself provides suitable terrestrial habitats for GCN including the arable land and GCN do migrate over arable land and bare open ground, sometimes utilising crevices in cracked earth for shelter. Therefore, based on the submitted information, I do not feel that the proposed mitigation in the form of precautionary working measures such as those within section 7.5 of the EcIA are likely to be sufficient, and in order for the works to be undertaken lawfully, they will need to proceed under licence. This can be through entering into the District Licensing Scheme or via the traditional licensing route with Natural England.*

*10.73.10 The details of an appropriate mitigation route through the entering of a suitable licensing scheme are required to enable the Council to discharge its statutory obligations in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended).*

*Reptiles -*

*10.73.11 I agree with the assessment that additional reptile surveys are unnecessary in this instance. However, I am not satisfied with the specificity of the recommendations contained within section 7.5 and therefore, a precautionary working method statement for reptiles should be secured by condition if all other biodiversity issues are resolved.*

*Other species -*

*10.73.12 I agree with the assessments and recommendations made for invertebrates, otters, water voles and hedgehogs.'*

- 10.74 It is considered that it has not been demonstrated that the proposed development reasonably provide 10% Biodiversity Net Gain or ensure that European protected species such as bats and great crested newts will not be adversely affected by the proposed development. The proposal is considered to conflict with Local Plan Policy EN8 and the Conservation of Habitats and Species Regulations 2017 (as amended).

**(g) Flooding and Drainage**

- 10.75 The site is located within Flood Zone 1, which is the lowest designation of Flood Zone and one in which new residential development can be acceptable in principle. The applicant has submitted a Flood Risk Assessment and Drainage Strategy to accompany this application. The aforementioned document indicates that surface water drainage would be addressed via the creation of on-site attenuation. It is proposed to create an attenuation basin in the northern part of the site. Water would be released at a controlled rate into an adjacent watercourse.

- 10.76 GCC Lead Local Flood Authority (LLFA) in its role as a statutory consultee for surface water drainage matters states the following in relation to the FRA:

*10.76.1 'The conclusion is that the site is safe to develop provided mitigation is provided for the increased rate of surface water discharge that the development will create by increasing the impermeable area of the site.*

*10.76.2 Mitigation of increased flood risk is proposed by attenuating surface water from the site in a balancing pond and controlling discharge from the pond to a drainage ditch on the south side of the track that runs along the northern border of the development. The discharge rate to the ditch will be controlled to the equivalent of the greenfield average event which is calculated to be 16.8 l/s requiring 1663 m<sup>3</sup> of attenuation volume.*



*10.76.3 The drainage strategy generally complies with the National guidance for sustainable drainage systems some detail the LLFA would like to see is what parties are responsible for the maintenance regime described in Appendix VII and details of the information that the designer will provide to those responsible for construction on how drainage features should be managed in a construction method statement.*

*10.76.4 Apart from these omissions the LLFA has no objection to the proposal and if the suggested details are provided at this stage then there would be no benefit in applying further drainage conditions to consent granted against this application.'*

10.77 The outstanding information requested by the LLFA could be addressed by condition should Outline permission be granted. The concerns of local residents regarding flooding are noted. However, it has been reasonably demonstrated that the site could accommodate measures that would address potential flooding and drainage issues in the future. The proposal is therefore considered to accord with Local Plan Policy EN14 and guidance in Section 14 of the NPPF.

10.78 Foul drainage would be directed to the existing Severn Trent Water network to the south-west of the application site. Severn Trent Water has no objection subject to condition.

#### **(h) Archaeology**

10.79 The application site is located approximately 1.2km from Maltby Hill Fort on Meon Hill Scheduled Ancient Monument (SAM). The site is therefore considered to be situated in an area which is sensitive in archaeological terms. GCC Archaeology has provided the following comments in response to this proposal:

*10.79.1 The settings assessment appears quite limited, and I consider there may be some additional impact on the setting of the Scheduled Monument. I therefore advise that the views of Historic England are sought as lead advisors on designated heritage 'A Historic Environment Desk Based Assessment has been submitted in support of the planning application (GHC Archaeology & Heritage, March 2025). The assessment has recognised the high potential for archaeological remains of the later prehistoric and Roman period to be present within the site and states that such remains are likely to be no more than of local significance and there is no evidence to suggest that they will be of sufficient importance to preclude or constrain development. The assessment*

*also concludes that residential development of the site would not alter the character of the monument's setting, nor would it infringe on its prominence in the landscape. assets.*

*10.79.2 The Desk Based Assessment has assessed potential based on the remains excavated to the west and only prescribes a local value to such likely remains. Late Iron Age and Roman settlement remains however have the potential to contribute to a number of regional research aims, especially in relation to the hinterland of the multivallate hillfort on Meon Hill. I do not consider full significance of the archaeological remains can be prescribed without further field investigation. The National Planning Policy Framework has a number of policies in relation to the historic environment but in particular:-*

- 207. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*
- 208. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*

*10.79.3 In line with National Planning Policies 207 and 208, I therefore advise that field evaluation is necessary in order to fully understand the significance of the heritage assets of archaeological interest which will be impacted by the proposals. This is to avoid or minimise conflict between the heritage asset's*

*conservation and any aspect of the proposal, should any of the remains be considered to be of national importance (see NPPF footnote 75 which states that "Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets").'*

- 10.80 Historic England has not raised an objection to the application in terms of the impact of the proposal on the setting of the SAM. However, in light of the comments from GCC Archaeology, it is considered that insufficient information has been provided to fully understand the archaeological impact of the development and its potential impact on features of archaeological interest in accordance with the requirements of Section 16 of the NPPF.

## **Other Matters**

- 10.81 With regard to contamination, Environmental and Regulatory Services advises *'Although currently arable farmland, the proposed development site is located on part of the former Meon Hill Nursery. Much the area of the former nursery site has already been subject to recent residential development notably to the southwest and south. Ground investigations carried out on land to the south west found significant soil contamination, "widespread lead contamination in the area of the former greenhouses to the north and south of Canada Lane" and hotspots of other substances typically associated with commercial nurseries from the early/mid-20th century. Also noted was oil contamination of soil and water, straddling the boundary with the proposed development area and associated with former fuel tanks. It is thus reasonable to anticipate similar ground contamination at the proposed development. 'It is recommended that a ground investigation condition is attached to a decision notice should Outline permission be granted for this application.*

- 10.82 With regard to arboriculture, the Tree Officer states:

*10.82.1 ' The most valuable arboricultural feature of the site is the avenue of white poplar trees which are proposed to be retained. This is supported. Final site layouts will need to consider allow for the constraints and opportunities these trees provide. Large trees growing in close proximity to dwelling can cause anxiety and overhanging branches into gardens can result in demands to extensive prune. Although deciduous shading must also be considered.*

*10.82.2 Current site layout will result in the loss of a small number of cherries of lower arboricultural quality (defined in BS5837) across the northern half of the site. Subject to appropriate compensatory planting over and above*

*expected tree planting as part of a landscaping scheme, I have no objections to the removal of these trees. '*

- 10.83 Since the submission of this application, a Group Tree Preservation Order has been attached to the central avenue of Poplar trees. This will ensure that the trees are protected from felling or other harmful works. Subject to the attached of conditions in the event that Outline permission is granted, it is considered that the development could proceed without causing harm to the well-being of existing trees.
- 10.84 With regard to the agricultural quality of the land, Officers do not have information to indicate the status of the existing fields. It is not therefore possible to establish whether the site falls into Grades 1, 2 and 3a and therefore constitutes Best and Most Versatile (BMV) land. Paragraph 187 of the NPPF states that planning should recognise '*the intrinsic character and beauty of the countryside and the wider benefits of the natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land...*' If the land were considered to fall into the BMV category, it is considered that the economic and other benefits of the land are relatively limited given the size of the land in question in relation to the wider agricultural landscape.
- 10.85 With regard to climate change, the applicant's supporting documents states that the proposed development will adopt a fabric first approach, with '*good levels of insulation and airtightness, energy efficiency systems and LZC energy sources. The primary objective for façade design will be to achieve the optimum balance between natural daylight and the reduced use of artificial lighting, whilst enabling passive solar heating to limit the need for space heating in winter and limiting summertime solar gains to reduce space cooling demands.*' It is also proposed to introduce air source heat pumps and a photovoltaic system. It is considered that the developer is seeking to reasonably address the impact of climate change in the construction of the new dwellings. Final details would be established at the reserved matters stage should Outline permission be granted.
- 10.86 With regard to financial contributions, GCC Community Infrastructure requests contributions of £166,598.64 to secondary education and £23,520 to library services. Having regard to the size of the development it is considered that the requested contributions are necessary to make the development acceptable in planning terms, directly related to the proposed development and fairly and reasonably related in scale and kind to the development. The contribution request is considered to accord with Regulation 122 of the Community and

Infrastructure Levy Regulations 2010. Notwithstanding this, at the present time no mechanism is in place to secure the aforementioned funding. Inadequate provision is therefore available to address the necessary infrastructure payments.

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

## **11. Conclusion**

- 11.1 It is considered that the proposed development would make a notable contribution to the Council's supply of housing land and the delivery of affordable housing. These aspects of the proposal are considered to weigh in favour of the proposed scheme. However, the proposal, by virtue of the number of dwellings being proposed, the amount of development already permitted in the settlement in the current Local Plan period, the degree of encroachment of development into the open countryside, the closing of the gap between existing built development and the Cotswolds National Landscape, the limited facilities and services on offer in the settlement, and the likely reliance on future occupiers of the development on the use of the private motor car to undertake most day to day activities, is also considered to result in a form of development that would lead to a disproportionate increase in the size of the village and one which would have a harmful impact on the character and appearance of the both the settlement and the wider area, including the setting of the Cotswolds National Landscape. In addition, it has not been demonstrated that the development can be served by a safe and suitable access, avoid conflict with the use of the Public Right of Way, meet Biodiversity Net Gain requirements, avoid harm to protected species and features of archaeological interest, as well as ensuring that future development would not have an adverse impact on air quality. Furthermore, a mechanism is not in place to secure affordable housing, self-build/custom build housing and financial contributions to education and library services. It is considered that the proposed scheme does not represent a sustainable form of development and is contrary to the objectives of the NPPF. The harm to the Cotswolds National Landscape is considered to represent a strong reason to refuse the application. However, even if this were not the case the adverse impacts of the scheme are considered to significantly and demonstrably outweigh the benefits arising from the delivery of new housing.

## **12. Reasons for Refusal:**

1. The proposed development, by virtue of its size and degree of encroachment into the open countryside, combined with the amount of development permitted in the village in the current Local Plan period, would result in a disproportionate increase in the size of the settlement to the detriment of its rural character and which, by virtue of the limited services and facilities on offer in the village and the distance of the application site from existing services and facilities, would result in future occupants of the proposed development being reliant on the use of the private motor car to undertake most day to day activities. The proposal is considered not to represent a sustainable form of development and is contrary to Section 2 and paragraphs 110 and 135 of the National Planning Policy Framework.

2. The proposed development would result in a significant encroachment of residential development into an attractive area of open countryside that currently makes a positive contribution to the character and appearance of the area, the setting of the Cotswolds National Landscape and the rural setting of the village. The proposal development, by virtue of its size, the lack of transition between built development and the wider landscape and the degree of encroachment into the countryside, is considered to have a harmful urbanising impact on the locality to the detriment of character and appearance of the area, the setting of the Cotswolds National Landscape and the rural setting of the village. The proposal is considered to be contrary to Local Plan Policies EN1, EN4 and INF7, Sections 12 and 15 of the National Planning Policy Framework and Policies CE1, CE4 and CE6 of the Cotswolds National Landscape Management Plan 2025-2030.

3. Insufficient information has been submitted to enable the Council to assess the impacts on biodiversity in accordance with Local Plan Policy EN8. In addition, further information is also required in order for the Council to meet its duty to discharge its statutory obligations under The Conservation of Habitats and Species Regulations 2017 (as amended) with regards to European protected species. Furthermore, there is insufficient information to demonstrate that the application will deliver at least a 10% biodiversity net gain 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.

The application site does not have a direct connection to the adopted public highway and, as such, it cannot be demonstrated that the development can be provided with a safe and suitable access in accordance with Local Plan Policy INF4 and paragraph 115 of the National Planning Policy Framework.

4. A S106 legal agreement has not been completed. As a consequence, there is no mechanism to secure the provision of affordable housing, a self-build/custom build plot and financial contributions to education and library services as required by Local Plan Policies INF1, H1 and H2.

5. Insufficient information is available to demonstrate that the proposed development will not have an adverse impact on features of archaeological interest and that the proposal accords with the requirements set out in Section 16 of the National Planning Policy Framework.

6. Insufficient information is available to demonstrate that the proposed development will not have an adverse impact on air quality and that existing residents, including those on Mattocks Mews and Furrow Way, would not be subject to an unacceptable level of air pollution arising from an increase in vehicle movements in close proximity to their existing dwellings. The proposal is considered to be contrary to Local Plan Policy EN15 and guidance in paragraphs 110 and 198 of the National Planning Policy Framework.

7. It has not been demonstrated that the proposed development can be undertaken in a manner that will not cause conflict with the operation/users of the Public Right of Way (Heart of England Way) that passes through the application site in accordance with Local Plan Policy INF4 and paragraph 115 of the National Planning Policy Framework.

### **Informatives:**

1. This application relates drawings: 5022103 RDG XX ST PL A 0100, 5022103 RDG XX ST PL A 0200, 5022103 RDG XX ST PL A 0300.

2. Please note that the proposed development set out in this application would have been liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) if planning permission had been granted. Therefore, if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application would also be CIL liable.