

Item No 03:-

21/00650/FUL

**Land North East Of Chedworth Village Hall
Chedworth
Gloucestershire**

Item No 03:-

Application for Technical Details Consent for 2 No. dwellings (based on a Permission in Principle application (ref. 20/02017/PLP) for the erection of up to 3no. dwellings) at Land North East Of Chedworth Village Hall Chedworth Gloucestershire

Full Application 21/00650/FUL	
Applicant:	Centaur Homes (South West) Limited
Agent:	SF Planning Limited
Case Officer:	Martin Perks
Ward Member(s):	Councillor Jenny Forde
Committee Date:	8th December 2021
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Design and Impact on the Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty and the Setting of Heritage Assets
- (b) Access and Parking
- (c) Impact on Residential Amenity and Use of Village Hall and Tennis Courts
- (d) Impact on Protected Species

Reasons for Referral:

This application has been referred to Planning and Licensing Committee at the request of Cllr Forde for the following reasons:

'I would like this application to be referred to the Committee Panel to decide if it might go to Planning Committee for the following reasons:

Chedworth is not a principle settlement and this is a loss of green space and the open character of the site which clearly marked the change from the community infrastructure (village hall, tennis courts, car park etc) with this site marking the boundary from community to residential homes.

EN4 - Development pressure over recent decades has resulted in some inappropriately designed and located modern developments that have had a detrimental impact on the edges of settlements. Opportunities should be taken for new development to reverse this negative impact by being of design quality that fully respects the local landscape and historic character.

Any development would need to clearly and convincingly demonstrate that the setting of the Conservation Area and the setting of Smuggs Barn Cottage are either left unharmed, or if harm was to be caused that the public benefits of the scheme were clearly and convincingly demonstrated to outweigh that harm, whilst giving great weight to the conservation of the designated heritage assets in each case in line with National and Local Planning Policy.

Has this been clearly and convincingly demonstrated in this application?

This is an important main gateway into the village and the shoehorning of these 'uncharacteristic' properties has an arguably negative impact on the dispersed and low density historic settlement pattern of the village. '

1. Site Description:

1.1 This application relates to a parcel of land measuring approximately 0.18-0.19 hectares in size located adjacent to the north-eastern boundary of Chedworth Village Hall. The site is undeveloped and is currently occupied by a mix of vegetation including long grass, undergrowth, shrubs and hedging.

1.2 The south-western boundary of the site adjoins Chedworth Village Hall. Its north-western boundary adjoins tennis courts, its northern boundary adjoins a managed grassed area which is also occupied by a number of trees. The eastern boundary of the application site adjoins a metalled lane that links Fields Road to the south with the historic core of the village to the north. To the east of the lane is a line of post war dwellings known as Valley View.

1.3 The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB).

1.4 The northern boundary of the application site is located approximately 20m to the south of Chedworth Conservation Area (CA). The Grade II listed Smuggs Barn Cottage is located approximately 38m to the north of the application site.

1.5 A Public Right of Way (KCH68) extends in an east-west direction approximately 25m to the north of the application site.

1.6 The site is located within a Flood Zone 1.

2. Relevant Planning History:

2.1 Application site

CD.1386/A Outline application for residential development on 1.75 acres at approximately 4 houses to the acre. Refused 1964

CD.1386/B Outline application for one dwelling with garage, pedestrian access and alteration of agricultural to form vehicular access. Refused 1964

CD.1386/F Outline application for the erection of four semi-detached dwellings, new pedestrian and vehicle access. Refused 1980

CD.1386/J Outline application for the erection of a two storey building to provide a shop on ground floor with flat over. Refused 1984 Dismissed at appeal 1985

CD.1386/K Outline application for the erection of 2 dwellings, construction of new vehicular and pedestrian access. Refused 1984 Dismissed at appeal 1985

CD.6300/D Erection of a bungalow and associated access. Refused 1999. Dismissed at appeal 1999 (APP/F1610/A/00/1037393).

20/02017/PLP Erection of three dwellings. Permitted 2020

2.2 Village Hall

CD.1386/C Outline application for village hall and car park. Permitted 1965
CD.1386/D Renewal of outline application for a village hall and car park. Permitted 1968
CD.1386/D/Ap Village hall and car park. Permitted 1970
CD.1386/D/Ap/I Erection of a new village hall and car park. Permitted 1975
CD.1386/E Construction of a vehicular and pedestrian acces. Extension to existing car parking area. Refused 1979 Dismissed at appeal 1980
CD.1386/G Extension to village hall to provide a doctor's room. Refused 1981
CD.1386/H Extension to village hall to provide a doctor's room. Refused 1981
CD.1386/L Extension to committee room, new changing room showers and toilets, formation of toilet for the disabled. Permitted 1993
CD.1386/M Provision of play equipment. Permitted 1994
CD.1386/N Extension to form store. Permitted 2000

2.3 Tennis Courts/Playing Field

CD.6300 Change of use of land from agricultural to football field/playing field. Permitted 1981
CD.6300/A Construction of two all weather tennis courts. Permitted 1986
CD.6300/B Erection of a timber clad pavilion. Permitted 1993
CD.6300/C Erection of a new tennis pavilion building. Permitted 1999
02/01216/FUL Installation of floodlights. Permitted 2002

3. Planning Policies:

DS3 Small-scale Res Dev non-Principal Settle
H1 Housing Mix & Tenure to meet local needs
EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN5 Cotswolds AONB
EN7 Trees, Hedgerows & Woodlands
EN8 Bio & Geo: Features Habitats & Species
EN10 HE: Designated Heritage Assets
EN11 HE: DHA - Conservation Areas
EN15 Pollution & Contaminated Land
INF3 Sustainable Transport
INF4 Highway Safety
INF5 Parking Provision

4. Observations of Consultees:

- 4.1 Gloucestershire County Council Highways: No objection
- 4.2 Environmental and Regulatory Services Noise: No objection
- 4.3 Biodiversity Officer: No objection
- 4.4 Conservation Officer: No objection

4.5 Tree Officer: No objection

5. View of Town/Parish Council:

5.1 Response dated the 10th March 2021:

(1) *Impact on community facilities - The parish council is extremely concerned about the impact of the proposed houses on the tennis courts and the village hall.*

Tennis Courts - Councillors do not believe that there are sufficient schemes of mitigation in place to prevent the glare of the floodlights from the tennis courts from adversely impacting on the houses. The tennis courts are a valuable amenity for the village and surrounding area and it is essential that complaints from residents of the new houses should not be allowed to impact on the ability of the Tennis Club to use its courts.

The NPPF states that 'Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.'

In the initial report on the PiP it was stated by the planning officer that 'sophisticated schemes of mitigation in the build design, form and layout' should be included. The parish council would question what these 'sophisticated' measures are and believes that any measures which are included should be clear and included as a condition to the planning application.

Village Hall - House 1 is very close to the village hall which is an invaluable resource for the village. Covid-19 has forced the temporary closure of the hall but in normal times there are numerous events, including weddings, parties, socials etc which continue late into the evening. In order to attract business from weddings etc it is essential that no restrictions are placed on the hours under which the hall operates.

The parish council would urge officers to ensure that the measures are 'sophisticated' and will prevent noise from the hall disturbing the residents of the new houses so that pressure is not put on the hall to reduce its opening hours.

(2) *Following on from the point regarding the light pollution from the tennis club the current application includes roof lights in the single storey extensions to the rear of the houses which are directly in the path of the light from the tennis courts which does not seem to fit in with measures to mitigate issues.*

(3) *Highway safety - the parish council was extremely concerned by the design of the PiP application which did not allow for vehicles to turn on site. Safety on this stretch of road is important as it forms part of the Park and Stride route used by children attending St Andrew's Primary School, Chedworth. It is therefore important that children are not put in any danger by the presence of the new houses.*

The reduction to two houses has allowed the developer to include turning areas on each plot which is an improvement. However, the current design includes a short length of pavement along the frontage of the houses. This is totally out of keeping with the village of Chedworth which has NO footpaths at all. The site plan shows a footpath which extends beyond the land in the ownership of the applicant

but parish council is unclear how this extended path would be created and the parish council is unconvinced that an extremely short length of path, totally out of keeping with the village, would increase road safety.

(4) *Materials - the council objects to the use of reconstituted stone in this location which is the main entrance to the village. The houses, if allowed, should be built from natural Cotswold stone. The description of roof materials as slate is ambiguous and needs clarification - the roofs should be covered with good quality reproduction stone slates laid in diminishing courses. Blue or black slate, for example, is not a material which is used in Chedworth.*

(5) *Traffic - Due to the coronavirus, the traffic survey is not a true representation of the use of the road by pedestrians or vehicles and should be redone when the current lockdown is over and at a time when the school is open.*

(6) *Sustainability - The application states that Chedworth has a shop and post office. This is incorrect. The Post Office closed many, many years ago and the farm shop, located at the other end of the village, closed in February.*

Buses are restricted to two a week at times which are not suitable for use by workers. Therefore, any shopping or working away from the home requires a car journey and the idea that the bus service can be used to improve employment opportunities is inaccurate.

(7) *Energy Saving - Electric car charge points should be included at both houses and serious consideration should be given to including solar panels within the design '*

6. Other Representations:

6.1 22 Objections received to plans submitted originally. 17 objections received to amended plans.

6.2 Main grounds of objection to plans originally submitted:

- i) Light disturbance from tennis court lighting.
- ii) Future occupants would be subjected to noise and light disturbance from the tennis club. The tennis club predates the housing and this should be a factor in any deliberations.
- iii) Noise and disturbance to future residents from the pre-school at village hall.
- iv) Impact of activities at village hall on future occupiers of the proposed dwelling.
- v) Adverse impact on highway safety.
- vi) The road access is already very busy due to the school being in close proximity, this will become very congested and with no pavements or lighting could be dangerous.
- vii) The village hall and tennis courts were built outside the development boundary to minimise the noise and light emitted by activities in both the hall and the tennis courts. They are very much part of the village but do not extend the built limits of the settlement. As such, the application site covers an area that is outside CDC's Principal and Non-Principal Settlements and outside Chedworth Development Boundary. It is therefore officially classed for planning as countryside and the erection of new build market housing is covered by Local Plan Policy DS4 which has an objection to such development. Proposed development is in conflict with Policy DS4 and is therefore contrary to one of the principal strategic policies in the Local Plan.

- viii) Even if Policy DS3 was deemed appropriate, this application's effect on the tennis club would be very negative to the local community and not in accordance with Policy DS3.
- ix) Chedworth has a school, no shop as the Farm Shop has just closed and a bus outside peak times to Cirencester returning within two hours of arriving in Cirencester. Para 6.3.4 requirements are not met by this application.
- x) The Chedworth Parish Housing Needs survey in 2017 showed there was no requirement for any new detached houses in the village. 5 people would look to move within open-market housing but at least 20 houses had been sold over the past 2 years.
- xi) There have been numerous refusals and appeal refusals on this site since 1985. Ignoring this policy created specifically to protect such areas would cause a serious planning precedent.
- xii) There are many residents' cars and vans parked on the highway opposite the planned access every evening and weekend making it difficult for use by cars entering and leaving the main village centre.
- xiii) As in the recent refusal for nearby 20/01189/PLP, where only part of the proposal was outside the Development Boundary, there are no material considerations that outweigh the policy conflict. This is not house-building land. It is the area for village recreation where neighbours are distanced from the disturbance of noise from parties, fetes, play-areas, football or tennis.
- xiv) This type of housing is not needed in Chedworth. Young villagers are not able to stay in the village and this type of housing doesn't help. We don't need huge family housing in a village that has lots and nothing for first time buyers.
- xv) This club is a heart of the village and village life. The proximity of this development will encroach on the club and its ability to provide exercise activity and fun for its member and the residents of Chedworth. As such, the greater good is not saved by this development. Village life for many will be impacted by a development that will serve very few. It should not proceed.
- xvi) I am dismayed that given the Cotswolds District Council's declaration that there is a climate emergency that this type of development is going ahead. There is no indication that the houses will be carbon neutral. I think that given the CDC's ambitions the houses should be developed with this in mind.
- xvii) It is inevitable that: a) the noise from the village hall which is used, ordinarily, late into the night, and b) the floodlights from the tennis club which will shine directly into the back of the homes: will impact the residents of the development and in time may mean that vital community facilities are restricted in their use. This is manifestly unfair and will cause detrimental harm to the wider village and the financial viability of these community assets.
- xviii) The plans suggest that the design of the houses is not in keeping with the CDC's design code. The houses should be built in Cotswold Stone and Cotswold slate - in keeping with the village as a whole.
- xix) The plans suggest that a pavement will be built in front of the houses. This is not in keeping with Chedworth as a whole.
- xx) The traffic survey was conducted in lockdown. It is totally unrepresentative. It needs to be done again.
- xxi) Dense scrub (of which much of the site is) is the one of the most important and rare habitats for wildlife there is, particularly for birds. Of which only one line is mentioned in his report. The Chedworth area is renowned for its rare birdlife, including turtle doves (a rare and declining species - these birds need mature scrub) and nightingales (which require dense scrub). The surveyor would not necessarily see any in the one

- day he was assessing the site. The damage done can only be off-set if diverse dense scrub can be created elsewhere.
- xxii) None of us want the village to remain static in a time warp and not to evolve, but by squeezing a few houses into any vacant plot has little public benefit, and in time will homogenize the village's identity and character. Wanton infilling of previously undeveloped parcels of land that are in prominent positions will be detrimental to the feel and nature of the immediate location. Just because a parcel of land is undeveloped, it doesn't mean it should be.
 - xxiii) The houses appear to be three storey, to be built on perhaps one of the highest points in the village, on the ridge of the valley. They will not only tower over everything they surround but they will also be visible for miles around day and night (adding to light pollution), and from many of the roads as one enters the village, and the footpaths that criss-cross the surrounding area. To claim these houses blend in with the surroundings is to totally misunderstand what Chedworth is all about - Chedworth is largely a valley village my opinion that cannot be seen until one descends in to it. This development detracts from the essence of the village.
 - xxiv) The land concerned provides a perfect 'buffer' between houses and the village recreational areas and is very much in keeping with natural rural context which attracts people to the village. If the current plans go ahead I believe it will be a classic example of 'over development' and will lead to inevitable conflict between several establishments (one being the tennis club) and the new residents. The normal activities of the tennis club involve noise, comings and goings, floodlighting to mention a few. The lights despite being chosen to have the minimal amount of downlighting spread will undoubtedly cause issues. I believe any restrictions on their current use would have a detrimental affect on the activities on offer which would be an enormous 'backward step' to all the success the club has achieved over the years. We have always had strong links with the Primary school, and they have regularly walked up to take part in their sessions. With any development it would result in more traffic not just to tennis club users but more importantly to parents and children who use the 'park and stride' route from the village hall car park to the school.
 - xxv) The Pre-school attached to the Village Hall would also be affected. It is a thriving much in demand establishment and is looking to add to it's facilities. Any new residents so close to this development would experience privacy, light and noise issues.
 - xxvi) The tennis club provides a valuable community service, for leisure purposes, social purposes and for financially supporting village projects. This development would seriously affect the club, but also set a precedent for future developments. It is an 'infill' project in the wrong place.
 - xxvii) The road like most of the roads in Chedworth is narrow with no pavement. Children walk to and from the village school and older children walk up to the village hall area to meet buses. This area can and often is quite a busy junction as it's one of the main routes into the village.
 - xxviii) The size and look of the houses are strongly urban and would best be suited to a modern town housing estate within a town setting and not suitable or complimentary to a rural historical setting like Chedworth.
 - xxix) Previous officers have rightly taken the view that the above, applications on this site, a Cotswolds AONB, neither conserve, nor enhance the natural beauty the landscape (S85(1) of the Countryside and Rights of Way Act 2000). This application fails these same tests.
 - xxx) This land should not be used for housing, it should be left as a 'wild' space

6.3 Main grounds of objection to amended plans:

- i) Unacceptable design.
- ii) Adverse highway impact. This is a very busy road especially during school term and do not believe that there is sufficient view of the road to the north because of the slope.
- iii) Future conflict between future occupiers of the houses and the village hall, pre-school group and tennis club.
- iv) This is probably the primary ingress/egress to the village and I fear that houses of both sides of the road in this area will have a negative impact on the visual experience that is Chedworth.
- v) The properties are too high in comparison to other dwellings in the close area.
- vi) The dwellings do not adhere to low carbon measures.
- vii) The dwellings are not designed specifically to take into account the fact they are to be built in a conservation area. They are copies of houses they have built before on larger estates.
- viii) No details have been provided for materials being used.
- ix) The uniform design still appears urban in style and is detrimental to the surroundings and the listed buildings nearby.
- x) These houses will be in an elevated position therefore having too much prominence.
- xi) The rural and peaceful situation of the Tennis Club courts are enjoyed by our members and visiting players as they are positioned in a quiet private location away from houses. Any noise from the new residents will be distracting and annoying for our players particularly during the Glos County League matches and coaching sessions. The Tennis Club is looking to reach out to local communities and schools to provide more activities in the future, any restriction of this would have a detrimental effect on what we could provide and the future viability of the club.
- xii) Due to the close proximity of these house to the tennis courts it is inevitable the Tennis Club will have to deal with future complaints and conflicts about the club's activities and facilities from the new residents.
- xiii) This is a narrow and potentially dangerous stretch of road, the situation will not be improved with cars from the proposed new houses needing access to it.
- xiv) Current road and amenities do not support further residential development. Furthermore, the tennis facilities in Chedworth are one of the few communal facilities in the village ; to crowd them in this way is poor rural planning by all involved - as such, the project deserves to be criticised.
- xv) Concerns about floodlights' impact on the potential homeowners, the level of noise both ways, the likelihood of complaints about the club's activities, which is a well-established amenity established with certain criteria.
- xvi) Stray tennis balls will occasionally end up in their gardens, and players will be keen to retrieve these - thereby disrupting residents' privacy. The high hedge wind protection screening for our courts will significantly reduce natural light to their gardens.
- xvii) On 15th July 2020, Cotswold District Council declared an 'Ecological Emergency' and approved an Ecological Emergency Action Plan. Destroying an existing 'wild' space, home to a variety of precious wildlife vital for bio-diversity totally contravenes this action plan. The CDC's Climate Emergency Strategy for 2020-2030 would also be contravened by allowing unnecessary housing development on a precious green field site. Our village school has just become one of the first in the country to become Net Zero Carbon. It is appalling that this tremendous achievement should be undermined by allowing development that will create new carbon emissions in close proximity to the school.

- xviii) Nothing should be allowed that would harm and spoil the much-needed benefits the tennis club and village hall afford the local community.
- xix) Adverse highway impact.
- xx) The proposed site is also in an area of the village that has a long, on-going problem with disruptions to its water supply. When there is no water the school is forced to close, as happened on the 16th December last year. It is not acceptable that our children's education should be jeopardised in any way by exacerbating this problem with increased demands on the water supply.
- xxi) The changes made make absolutely no difference to the reasoning behind why this development should be allowed.
- xxii) A number of applications to develop this land have been rejected by the CDC in the past, partly no doubt, to respect and retain the natural screening of the trees, bushes, hedges and scrub that cover the site. This green space acts as delineation between the village boundary and the recreation areas beyond.
- xxiii) If historically there had been some form of dwelling or permanent building on the site, then it would be more understandable to consider some form of development to take place. With the idea to conserve or enhance what was originally there. However, in a location such as this, to allow new constructions where previously there was none is ill-conceived.
- xxiv) None of us want the village to remain static and resist modernity, but squeezing a few houses into any unadulterated parcel of land has little public benefit. In time it will homogenize the village's identity and character, particularly if they are in prominent positions such as this. It should be irrelevant how many houses are being proposed to occupy this piece of land, what size, style or materials they are made of etc.... to allow any dwellings to be built would be misguided.
- xxv) Too much massing - they resubmit a semi detached development creating a town terrace effect on the entrance road to the village using reconstituted materials not in keeping and especially when bordering a conservation area.
- xxvi) Design - these semi detached properties look again like any town development and not in keeping or sympathetic with this rural area in an ANOB.
- xxvii) The architect's street scene is misleading - the picture gives an impression the development is on the edge of parkland not a road.
- xxviii) Adverse ecological impact.
- xxix) The Village hall, play area, football pitch, fitness equipment, tennis club were all situated away from the main settlement of the village with this plot of land a buffer separating the two areas thus preventing conflict. I cannot imagine the village would choose to build a tennis club with the court baseline 12 meters from private houses and gardens let alone can I imagine that CDC would have granted planning permission for a club so close to residential properties. How can it be acceptable to grant permission the other way around when an active members tennis club of 170 plus with play every day including noisy junior and adult coaching and training sessions, visiting team league matches all making use of floodlights a sure recipe for future conflict, that's not to mention social events, recreational sessions not to mention copious amounts of stray balls into gardens. To allow such a development so close to the tennis club would be hugely detrimental and damaging to the clubs ambiance and membership.
- xxx) Conflict with pre-school.
- xxxi) Increased traffic, potentially 3 cars per house with inadequate off road parking on a road already filled with residents parked cars, creating more hazards along with congestion at school drop off and pick up times!

- xxxii) The Chedworth Parish Housing Needs Survey 2017 concluded no large family houses were required.
- xxxiii) It is readily recognisable that there are already traffic constraints in the proposed area of development due to the narrowness of the access road and residents and visitors parking on the East side of it. This parking effectively means that the road has already been reduced to a single track at the point where vehicles would be egressing from the drives of the proposed properties with all the implications

6.4 Chairman Hill & Valley Tennis Club

- i) We are a small intimate club enjoying a natural rural setting and not affected by residential activity in any way, which is an aspect much appreciated by members and visiting players alike. Our objections are based on the harm caused to the club as a community asset by the degradation of this unique setting; and the negative impact on our playing experience caused by such close proximity of gardens and homes, as well as the likelihood of future conflict over use of our floodlights and over noise from group tennis activities.
- ii) The tennis club is a long-standing village facility, supported by over 160 members from Chedworth and surrounding villages, providing locally embedded opportunities for sporting activity all the year round. We provide coaching and regular children's tennis activities for our village school as part of their sports curriculum; and offer coaching support to children of non-member families as part of our policy of promoting tennis for all. We are a self-sustaining village asset, run by volunteers, providing benefits to the well-being and fitness of all age groups in our community. We attract people to Chedworth who might not otherwise use such facilities as the village pub, and our events bring people to the Village Hall.
- iii) The boundary of the proposed development is 5 metres from our court fencing and less than 11 metres from the nearest court baseline; which is establishing a situation where our activities are likely to impact the residents of the houses, and their activities are likely to impact the quality of our playing experience. We are all too aware that other tennis clubs in close proximity to housing are experiencing ongoing complaints about lighting and noise and wish to avoid such a situation arising here.
- iv) At establishment, the rationale for the location of the courts was to put distance between sporting activity and existing residential housing in order to preserve the tranquillity of residents home life; clearly tranquillity will not be preserved for the proposed properties.
- v) Given the proximity of the gardens to our courts we are likely to suffer noise interference from mowing and hedge cutting activity, leaf blowers, possibly smoke from BBQ's and/or bonfires and music or other noise close to the courts. Such interference will do much to harm the quality of coaching, match play and social competitions.
- vi) The granting of PIP is in conflict with Local Plan Policy DS4 Open Market Housing Outside Development Boundaries and Non-Principal Settlements. The development boundary of the village appears to have been extended to facilitate the development on land previously rejected as suitable for housing.
- vii) We also challenge the validity of the PIP decision on the basis that consultation with the community was significantly diminished during periods of lockdown when residents were considerably distracted by concerns over the pandemic.

- viii) The comments on the PIP submitted to CDC by Chedworth residents were overwhelmingly negative towards the development; this appears to have been disregarded by the case officer.
- ix) Should the current application be passed we don't believe the mitigations proposed to minimise impact and conflict in either direction are sufficient to eliminate any future conflict especially over use of floodlights.
- x) We insist on the insertion of covenants into the sale deeds which protect the club from future challenges over the use of floodlights and noise nuisance, and access to the properties as below. The club should be consulted over the wording of such covenants.
- xi) We request that access arrangements be in place for our players to recover stray tennis balls from the properties. Preferably, access gates in the boundary fencing should be provided and be available for use at all times the courts are in use.
- xii) These covenants should insist on the preservation of the existing hedge screening located on Parish Council land between the courts and the property boundary, to a height that is effective both as visual background from a players point of view, and as a barrier for light overspill.
- xiii) Covenants on the development should prohibit tree cutting, planting and felling that negatively affects the tennis club.

6.5 The Chedworth Society

Objections received on the 17th March 2021, 16th August 2021, 25th August 2021 and the 20th October 2021

Main concerns raised are:

- i) The Village Hall, playing field, children's playground, adult exercise area and tennis courts were deliberately placed close to the settlement but without causing nuisance. Development here will only cause harm, inevitably bring complaints and objections to future improvement/light replacements, damaging the sustainability of community amenities. Hall doors are opened for events in hot weather. PA systems are used outside. Folk Camps have visited for up to 2 weeks of camping, eating and drinking outside and making music day and night. New neighbours would have to be very tolerant.
- ii) Village sustainability is only true in environment and social terms. We have no shop or post office, a village hall striving to make ends meet, a pub hoping to reopen and no real bus service. Adults cannot use the school bus, leaving one service on Monday or Wednesday of 40 minutes each way to Cirencester, returning 1 hour 40min later - little used as unsustainable for employment or a weekly food shop. We have no mains gas, septic tanks, frequent water outages for many years, all mitigated by the special environment and community clubs.
- iii) The refusal/appeal for 20/01189/PLP, Fair Haven, decided not to move the development boundary, stating the council has a robust, 7 year, 228% supply score with no need to release land.
- iv) The general pattern of Chedworth, which should be retained for future generations to enjoy, is building on only one side of the road with large gaps and should be retained at this village entrance. With no lighting and no paved footpaths the shared spaces still work safely as they are consistent. There should be no formal footpath and drives across the space as this removes priority temporarily for pedestrians. The short

tarmac path would suddenly start, cross over 15m of driveways creating the visibility splays and stop just as children have to re-enter the road to cross at a T junction with blind bend to the left. Cars should give way to pedestrians and if any houses were sadly built, they should be set back from the road with splays within their own land, not take 2m from the public space to enable splays across a tarmac pavement. Cars will have to drive up a slope to reach these high plots which then look down into houses opposite. The turning area does not look quite adequate for the 3 cars proposed. Gates should be 5 bar type not urban close boarded. Forward sited cottages here are traditionally built side on to roads. The only tarmac paving is outside the remaining social housing, here used for parking only, never for walking.

- v) We do not normally have 2m solid fencing in Chedworth gardens. Trees and hedging on land in parish ownership should not be removed or damaged. They were planned for existing residents.
- vi) Although the site is in the AONB only 20m outside the Chedworth Conservation Area, it is a prominent access to the historic village. The listed Smugg's Barn Cottage, within the Conservation Area, is in full view from the road level with the site. Google street view shows the pair of cottages to be almost invisible as they blend into the landscape with mellow stone walls and roofing.
- vii) The proposed buildings in comparison would completely dominate the street scene in height and mass.
- viii) Cotswold Design Code D15-D18 emphasises looking in keeping; not being prominent but sitting in the landscape; proportionality; no excessive or uncharacteristic bulk; responding to local context; forming gentle transitions from open countryside to settlement. All of these requirements fit Smugg's Barn Cottage but are the opposite of what is offered by these new proposals. They do not enhance the setting in any way.
- ix) The village hall had to be built to resemble a barn. The houses opposite were originally built as social housing and of local design, now mostly enlarged and blocking important views, but they fulfil a need keeping families local. D23 says new designs should not draw on existing buildings that have been unsuccessful or have not respected local distinctiveness. A cottage is the only type which could almost enhance this plot.
- x) The local community will not benefit from 2 large houses. Mostly they are bought from people outside the area while locals wait for something more suitable and more Chedworth. The larger the house the more likely any children are moved from the village school to private schools after a settlement period.
- xi) It is not a sustainable site for two large estate houses with multiple cars.
- xii) These modern estate houses cause maximum detriment to the area. A single small energy efficient cottage with ground source heat pump would cause the minimum, with a pair of cottages the maximum considered. They would still have no public benefit here.
- xiii) The changes still make tiny changes but nothing to mitigate the obvious problems caused by allowing building in a space which should be a buffer from the noisier village amenities.
- xiv) The designs are enlarged copies of the latest estate houses from Centaur Homes in Gotherington. The bulk is not reduced. A pair of 3 bed cottages would be more appropriate in this village where large £1m+ houses are already allowed replacing the limited stock of smaller more affordable homes on nearby Fields Road. Plot 1 side extension is too bulky.
- xv) There is still no 'agent of change' mitigation to ensure that future inhabitants of 2 inappropriately built houses will not make vexatious complaints about nuisance from

the amenities which enhance the lives and wellness of hundreds of other residents, children and visitors to the village. Noise from air source heat pumps must not affect tennis court serving lines.

- xvi) There are no details for the accesses. The higher old verge should be protected as such as it prevents parking on the verge without added road clutter. Parking for school drop-off/collect causes problems on all other adjacent lanes despite requests to use the Village Hall Park & Stride.

7. Applicant's Supporting Information:

Biodiversity report
Light Intrusion Assessment
Environmental Noise Assessment
Planning Statement
Statement of Community Engagement
Sustainability Statement
Transport Technical Note
Arboricultural Survey, Impact Assessment and Protection Plan
Ecological Report

8. Officer's Assessment:

Background and Proposed Development

8.1 Permission in Principle (PIP) was granted in 2020 (20/02017/PLP) for the erection of up to 3 dwellings on this site. The aforementioned permission established that the residential development of the site is acceptable in principle. Following approval of a PIP application, the applicant is required to submit a Technical Details Consent (TDC) application which addresses the detailed aspects of the development. The current application is such an application. The consideration of this application is therefore limited to matters of detail rather than the matter of whether the proposal is acceptable in principle.

8.2 In considering the initial PIP application, the Council had to have regard to the following national guidance set out in the Government's Planning Practice Guidance (PPG):

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

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

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

8.3 With regard to the decision making process, the PPG states:

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

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

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

8.4 In considering the PIP application, the Council determined that the application site falls within the settlement of Chedworth. The village of Chedworth is considered to constitute a Non-Principal Settlement for the purposes of the Cotswold District Local Plan 2011-2031. The erection of small scale residential development in Non-Principal Settlements is covered by Policy DS3 Small Scale Residential Development in Non-Principal Settlements. The aforementioned policy is supportive in principle of such development in settlements such as Chedworth. 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 an application is therefore the current development plan for the District which is the Cotswold District Local Plan 2011-2031.

8.5 This application seeks TDC for two 4 bed dwellings and two detached garages. The proposed dwellings will take the form of a pair of semi-detached properties. The proposed dwellings will front onto the road to the east and will be set back approximately 3m from the edge of the carriageway. The proposed garages will sit side onto the road and will be set back a similar amount to the proposed dwellings.

8.6 The proposed dwellings will be 1.5 storey in form and will have a ridge height of approximately 8.2m. Each dwelling will also contain 2 storey and single storey rear extensions measuring approximately 5m and 2.5m in length respectively. The 2 storey extensions will measure approximately 7.5m in height. The southernmost dwelling will also host a single storey side extension which will measure approximately 5.5m wide by 5.2m high.

8.7 The proposed garages will be located to the north and south of the proposed dwellings. Each garage will measure approximately 6.8m long by 3.8m wide by 4.7m high. Parking and turning will be provided to the side and rear of each garage.

8.8 The external walls of the dwellings and garages will be constructed in natural stone. The roofs will be covered in artificial stone tiles.

8.9 Vehicular access to the proposed dwellings will be via 2 new vehicular entrance points located to the south and north of the proposed dwellings.

8.10 The design of the scheme has been amended during the course of the application. The scheme initially proposed sought permission for the erection of 2 detached 5 bed dwellings and 2 detached garages. The dwellings and garages were also larger than those now proposed. For example, the proposed dwellings were approximately 10m in height and incorporated gable depths of approximately 9.7m. Following discussions with Officers, the height of the dwellings has been reduced to approximately 8.2m and the gable depths reduced to approximately 6.8m. The proposed garage buildings have also been reduced from double

garages to single garages. The roof height of the garage buildings has also been reduced from 5.2m to 4.7m.

(a) Design and Impact on the Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty and the Setting of Heritage Assets

8.11 The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape (S85(1) of the Countryside and Rights of Way Act 2000).

8.12 The site is located outside Chedworth Conservation Area (CA). The boundary of the CA is located approximately 20m to the north of the application site.

8.13 The Grade II listed Smuggs Barn Cottage is located approximately 38m to the north of the application site. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Considerable weight and importance must be given to the aforementioned legislation.

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

8.15 Local Plan Policy EN1 Built, Natural and Historic Environment states:

'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.'*

8.16 Local Plan Policy EN2 Design of the Built and Natural Environment states:

'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.'

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

1. *'Development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas.*
2. *Proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets.'*

8.18 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.'*

8.19 Policy EN10 Designated Heritage Assets states:

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

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

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

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

8.20 Local Plan Policy EN11 Designated Heritage Assets - Conservation Areas states:

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

- a. *Preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;*
- b. *Include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;*

- c. *Will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.*
- d. *Have regard to the relevant Conservation Area appraisal (where available); and*
- e. *do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.'*

8.21 The following national guidance is also considered applicable to this application:

8.22 Paragraph 174 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should contribute to and enhance the natural and local environment by '*protecting and enhancing valued landscapes*' and '*recognising the intrinsic character and beauty of the countryside*'.

8.23 Paragraph 176 of the NPPF states that '*great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.*'

8.24 Paragraph 199 states '*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*'

8.25 Paragraph 202 states that '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*'

8.26 The application site occupies an area of rough grassland which is almost triangular in shape and which lies adjacent to existing post war village development. The setting of the site is heavily influenced by the village hall to the south-west, the tennis courts to the north-west and a road and housing to the east. An area of recreational open space lies to the north of the application site. The site is bordered by hedge and tree species to its south-west, north-west and north. The principal public view of the application site is from the road to its east. Views through the site from the road to the landscape beyond are largely restricted by existing vegetation.

8.27 It is noted that the application site lies adjacent to one of the main roads leading to and from the historic core of the settlement. However, the area around the site is characterised by post war development. The closest historic buildings to the site are Smuggs Barn and Smuggs Barn Cottage to its north. Chedworth Conservation Area Statement (CAS) provides an assessment of the character of the area in Section 7: Smuggs Barn, Homestead and Winterwell House. It states '*The approach into the village past the Village Hall is a disappointing one. The new houses on the east side of the road obscure what would once have been fine views of the village in its valley setting and beyond across the Coln Valley . Smuggs Barn occupies a most important position at the junction of three lanes; a focal feature at the approach to the village and one which marks the south-western extent before the era of modern housing.*'

8.28 It is evident that the CAS does not identify that the area around the application site is of any particular merit, nor that it makes a positive contribution to the approach into the historic part of the settlement. The character of the approach is also heavily influenced by post war development. It is noted that the application site is undeveloped and set to grass and scrubby vegetation. However, in terms of its contribution to the rural setting of the CA and the listed Smuggs Barn Cottage, the Conservation Officer states *'the contribution the proposal site currently makes to these settings is very low. It is relatively small, does not retain its historic boundaries or form, is enclosed by other development, and does not afford views across it to the wider rural landscape context of the settlement or from the wider landscape setting into the Conservation Area. Neither of the designated heritage assets appear to have any historic functional relationship with the land of the proposal site and views to, from and across the site to and from the designated heritage assets is very limited by virtue of the landform, distance and boundary trees and hedges. The proposal site does currently provide a contrast in density of character in relation to the housing to opposite side of the road with the greater openness and lower density reflecting the settlement edge location.*

However, due to the positioning, scale and design of the proposed houses within the site the density of development would continue to remain lower to this side of the road, in comparison to the other side, with a green open character retained around them with their side and rear garden plots. This green rural character would also be reinforced by the retention of the grass bank to the front of the site along with the trees and hedge to its rear boundaries.

As a result, the former agricultural landscape context of the settlement would still be alluded to, with the proposal also reflecting the 'dispersed' and low density historic settlement pattern of the village, in this settlement edge location.

Therefore taking all the above into account (including the contents of the Chedworth Conservation Area Statement), it is considered that although there would be a change in the appearance of site, on balance the setting of the Chedworth Conservation Area and the setting of 'Smuggs Barn as a listed building, would remain unharmed, by the latest submission, subject to conditions.'

8.29 The proposed development will consist of a pair of 1.5 storey dwellings which are considered to reflect traditional vernacular building forms in terms of their size, scale, proportions and detailing. The proposed dwellings will face directly onto the road and will occupy a roadside position. The arrangement of the development is therefore considered to be consistent with existing development within the settlement. In addition, the proposed dwellings will retain open areas to their side and rear thereby allowing the site to retain a degree of openness. The existing roadside verge/bank will also be retained. It is considered that the level of proposed development does not represent an overdevelopment of the site.

8.30 The design of the proposed scheme has been amended during the course of the application. Officers considered that the design of the dwellings and garages initially submitted was inappropriate for the site given the size of the units and their design which was akin to more urban executive style housing. In response, the applicant has reduced the height and gable depth of the dwellings and also reduced the size of the garages. As a result, the proposed dwellings now have the appearance of a pair of 1.5 storey semi-detached cottages. The design is reflective of the Grade II listed Smuggs Barn to the north. The design of the proposed development is now considered to respect local character and distinctiveness in accordance with Local Plan Policy EN2. It is also considered that the proposal will not have an adverse impact on the setting of Chedworth Conservation Area or the Grade II listed Smuggs Barn

Cottage having regard to Local Plan Policies EN10 and EN11 and advice in Section 16 of the NPPF.

8.31 With regard to the impact of the proposal on the Cotswolds AONB, the site is bordered by existing development and is not readily visible from public vantage points other than the adjacent road. The village hall and existing vegetation screen the site from the south and existing housing to the east restricts longer range views from the aforementioned direction. A combination of distance and vegetation limit views of the site from the road to the south-west. The existing 2 storey housing to the east is also in excess of 9m in height and is therefore approximately 1m higher than the dwellings now proposed. The proposed development will not therefore appear materially taller in the landscape than existing. The proposed development will be located in an area that already has a developed character. It will not result in an encroachment of development into the open countryside nor will it have an adverse impact on the setting of the site or settlement within the AONB landscape. It is considered that the proposed development accords with Local Plan Policies EN4 and EN5 and guidance in paragraphs 174 and 176 of the NPPF.

8.32 The applicant has submitted an Energy Statement with the application which states that the proposed dwellings will be fitted with air source heat pumps and water conservation measures. Electric vehicle charging points are also proposed.

8.33 Overall, it is considered that the design of the scheme is acceptable and that the proposal will not have an adverse impact on the setting, character or appearance of the AONB or heritage assets.

(b) Access and Parking

8.34 The proposed development will involve the creation of 2 new vehicular entrances onto the road to the east. An automated traffic count undertaken in November 2020 recorded average weekly speeds of 22.1mph in a northbound direction and 22.8mph in a southbound direction with 85th percentile speeds of 28.5mph and 28.4mph northbound and southbound respectively. The requisite visibility of 43m can be achieved from both entrance points. A number of other residential accesses already exist along the road. Adequate manoeuvrability from the accesses onto the road is achievable.

8.35 The concerns of objectors regarding highway safety are noted. The road acts as one of the main entrance roads into and out of the historic core of the settlement. It also provides access to the village hall, tennis courts and is used to access the primary school, approximately 150m to the north-east of the application site. A pedestrian footway does not extend along the side of the road where it passes the application site. However, there is no record of Personal Injury Collisions in the last 5 years within the vicinity of the application site. In addition, it is predicted that the proposed development will generate 13 vehicle movements per day. Of these, the majority will be outside the school run periods. The traffic generated by the proposed development is considered not to be of a level that will have severe impact on the operation of the local road network or have an adverse impact on highway safety. It is considered that the proposed development will not conflict with paragraph 111 of the NPPF which states that '*development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.

8.36 Each dwelling will be provided with a minimum of 3 parking spaces and associated turning space. It is considered that the proposed level of parking and turning is appropriate for the size of dwellings being proposed and in accordance with Local Plan Policy INF5.

8.37 Gloucestershire County Council Highway Officers raise no objection to the application.

8.38 It is considered that the proposed development can be undertaken without having an adverse impact on highway safety in accordance with Local Plan Policies INF4 and INF5 and guidance contained in Section 9 of the NPPF.

(c) Impact on Residential Amenity and Use of Village Hall and Tennis Courts

8.39 The proposed dwellings are of a size which meets the minimum floorspace standards for the size of dwellings being proposed in accordance with Local Plan Policy HI.

8.40 The proposed dwellings will each be provided with adequate garden space and will be positioned so as not to cause unacceptable levels of light or privacy to future occupiers having regard to guidance in the Cotswold Design Code.

8.41 It is noted that the application site lies adjacent to a tennis club with outdoor tennis courts/floodlights and a village hall. The village hall can host late night events. In addition, pre-school facilities are also provided on the village hall site. A number of concerns have been raised by local residents about the impact of existing uses on future occupiers of the proposed dwellings. In addition, concern has been raised about the potential impact that the future residential use of the site will have on the activities undertaken at the tennis club and village hall.

8.42 Local Plan Policy EN15: Pollution and Contaminated Land states that development will be permitted that will not result in unexpected risk to public health or safety through the 'generation of noise or light levels'.

8.43 Paragraph 187 of the NPPF states that planning decisions '*should ensure that new development can be integrated effectively with existing businesses and community facilities... Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed*'.

8.44 In light of the relationship of the site to the adjacent facilities, the applicant has submitted a Light Intrusion Assessment (LIA) and an Environmental Noise Assessment (ENA) with this application.

8.45 The LIA has assessed the potential impact of the floodlights on the proposed development. As part of the LIA, a light survey was undertaken when the tennis club floodlights were operational. At present, there are 9 floodlight columns on the site, of which 6 columns contain a single light box and 3 contain 2 light boxes. The columns are approximately 6.7m in height.

8.46 The LIA states 'All measured levels of 'light intrusion' are compliant with the ILP pre-curfew 'light intrusion' criterion of 2 lux for an EI Environmental Zone. The Proposed Development is therefore considered to be compliant with national guidelines for the control of 'light intrusion'. An EI Environmental Zone is stated as being 'Relatively uninhabited rural areas, National Parks, Areas of Outstanding Natural Beauty, IDA buffer zones etc'. It is also of note that the use of the floodlights is restricted by planning condition. Permission CD.6300/E limits the use of the floodlights to a period between 9am and 10pm each day. The floodlights cannot therefore be left on overnight. The maximum recorded light intrusion was 0.58Ev(lux) at a height of 2m which is below the 2Ev (lux) above which there may be a harmful impact. The Council's Environmental and Regulatory Service (ERS) Officers have assessed the proposal and consider that the findings of the LIA are acceptable. It is considered that the proposed development can be undertaken and occupied without being subject to an unacceptable light impact from the existing floodlights. It is also considered that the proposed development will not restrict the operation of the existing floodlights by the tennis club.

8.47 With regard to noise and disturbance, the ENA has assessed the potential impact arising from activities at both the village hall and tennis club. In summary, the ENA states:

'Advice is provided on the building fabric and ventilation of the development based on the survey results and noise modelling. With suitable noise mitigation measures, acceptable internal noise levels (i.e. below NR20) can be achieved during events with amplified music.

Tennis noise levels are considered acceptable and below the WHO threshold for onset of moderate annoyance of 50 dB within gardens and at the façade of the proposed dwellings. We have considered solid 2-metre-high boundary fences (minimum surface mass 10 kg/m²) to the proposed gardens in our modelling.

On this basis, we would consider noise from both the tennis courts and Chedworth Village Hall falls below the Lowest Observed Adverse Effect Level of the NPPG and NPSE. Noise may be audible, but we do not consider it would cause any change in behaviour or attitude; as such, this achieves the aims of the National Planning Policy Framework (NPPF).'

8.48 ERS Officers have assessed the proposal and aforementioned report and raise no objection to the application subject to conditions requiring the introduction of additional insulation in the proposed dwellings and the erection of a 2m high acoustic fence along the boundary with the tennis court.

8.49 Overall, it is considered that the proposed development can be undertaken without causing adverse harm to the future occupants of the proposed dwellings or resulting in a reduction in the activities that can be undertaken in the existing community facilities.

8.50 The proposal is considered to accord with Local Plan Policy EN15 and guidance in paragraph 187 of the NPPF.

(d) Impact on Protected Species

8.51 The application site is predominantly covered with coarse grasses and scrubby vegetation. A gappy hedgerow lies along the southern and eastern edges of the site. A range of trees lie to its north and south. Due to the predominance of existing grassland within the site, the site is considered to have limited ecological value. The applicant has submitted an

Ecological Report with the application which has set out a number of measures to enhance the biodiversity potential of the site. The measures include the reinforcement and enhancement of existing hedgerows, new planting within the site, bird and bat boxes and log piles.

8.52 The Council's Biodiversity Officer has assessed the proposal and considers that the scheme can be undertaken without having an adverse impact on protected species or their habitat, and that it represents a suitable enhancement. It is considered that the proposal accords with Local Plan Policy EN8.

Community Infrastructure Levy (CIL)

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

9. Conclusion:

9.1 Overall, it is considered that the proposed scheme represents a sensitive re-development of the existing site and that the proposal can be undertaken without having an adverse impact on the character or appearance of the area, the setting of heritage assets, residential amenity, highway safety or the use of the tennis courts or village hall. It is therefore recommended that the application is granted permission.

10. Proposed conditions:

1. The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

P20-2479_01 REV: M, P20-2479_02 SHEET NO: 01 REV K, P20-2479_02 SHEET NO: 02 REV K, P20-2479_02 SHEET NO: 03 REV K, P20-2479_02 SHEET NO: 04 REV K, P20-2479_02 SHEET NO: 05 REV J, P20-2479_02 SHEET NO: 06 REV E.

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

3. The materials to be used for the external walls and roof of the development hereby permitted shall match those used in the existing building and shall be permanently retained as such thereafter.

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

4. Prior to the construction of any external wall of the development hereby approved, a sample panel of walling of at least one metre square in size showing the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

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

5. All door and window frames shall be recessed a minimum of 75mm into the external walls of the building and shall be permanently retained as such thereafter.

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

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

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

7. No external doors, windows, eaves, verges, head and cill treatments, chimneys or dry stone walls shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

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

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

8. Prior to the first occupation of each dwelling hereby permitted, all windows and external doors in each respective dwelling shall be finished in their entirety in a colour that has first been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2, EN4 and EN5.

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

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

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

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

12. Notwithstanding the provisions of Schedule 2 Part 1 Class A and Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no extensions or outbuildings shall be erected or constructed within the application site other than those permitted by this Decision Notice.

Reason: In order to protect to preserve the rural character and appearance of the site which is located within the Cotswolds Area of Outstanding Natural Beauty and to ensure that the development is not adversely affected by, or has an adverse impact upon, adjacent community facilities in accordance with Cotswold District Local Plan Policies EN2 and EN15.

13. Notwithstanding the provisions of Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no walls, fences, gates, gate piers or other means of enclosure shall be erected or constructed within the application site other than those permitted by this Decision Notice.

Reason: In order to protect to preserve the rural character and appearance of the site which is located within the Cotswolds Area of Outstanding Natural Beauty in accordance with Cotswold District Local Plan Policies EN2, EN4 and EN5.

14. Prior to the first occupation of each dwelling hereby permitted, each respective dwelling shall be constructed fully in accordance with a sound insulation scheme that has first been approved in writing by the Local Planning Authority and which ensures that all habitable rooms are afforded an internal noise rating criteria level below Noise Rating Curve 20 (NR20).

Reason: In order to ensure that the future occupiers of the dwellings will not be subject to an unacceptable level of noise and that occupation of the dwellings will not have an adverse

impact on the operation of the tennis courts or village hall having regard to Local Plan Policy EN15.

15. Prior to the first occupation of any dwelling hereby permitted, a 2m high acoustic boundary fence or wall shall be erected along the north-western boundary of the application site in accordance with details to be first agreed in writing by the Local Planning Authority and the fence shall be permanently retained in accordance with the approved details thereafter.

Reason: In order to ensure that the future occupiers of the dwellings will not be subject to an unacceptable level of noise and that occupation of the dwellings will not have an adverse impact on the operation of the tennis courts or village hall having regard to Local Plan Policy EN15.

16. The development shall be carried out in accordance with the following biodiversity mitigation measures and enhancement features. All the measures and features listed below shall be implemented in full, unless otherwise agreed in writing by the Local Planning Authority, and all the features shall thereafter be permanently retained.

i) Site clearance and construction shall be carried out in accordance with sections 4.8 (badger and fox), 4.13 and Appendix D (great crested newt reasonable avoidance measures) of the Ecological Report dated 28th October 2021 prepared by AA Environmental;

ii) At least 1 no. integrated/built-in bat box (e.g. tube, brick or access panel) to be installed into apex of the southern (side) elevation wall of the dwelling at Plot 1 (i.e. below the chimney of the 2-storey main house) prior to the first occupation of the dwelling;

iii) At least 3 no. swift bricks to be integrated /built-in to the northern elevation (side) wall of the dwelling at Plot 2 at 1 metre intervals prior to the first occupation of the dwelling; and

iv) Provision of appropriate hedgehog gaps beneath fences or holes through walls prior to the first occupation of any dwelling hereby permitted.

Reason: To protect and enhance biodiversity in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Policy EN8 of the Cotswold District Local Plan 2011-2031, paragraphs 174, 179 and 180 of the National Planning Policy Framework and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006

17. Prior to the first occupation of each dwelling hereby permitted, each respective dwelling shall be fitted with an electric vehicle charging point. Each charging point shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced, in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities in accordance with Local Plan Policy INF3.

18. Prior to the erection of any external walls of the new build dwellings hereby permitted, details of the energy efficiency measures to be introduced into each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The energy efficiency measures shall, at a minimum, accord with the recommendations set out in the document titled 'Energy' 24th August 2021 | EJT | P20-2479 . The approved measures shall be installed in each dwelling fully in accordance with the approved details prior to the occupation of each respective dwelling.

Reason: In order to ensure the creation of an energy efficient development that addresses the impact of climate change.

Informatives:

1. Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, under separate cover. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate. There are further details on this process on the Council's website at www.cotswold.gov.uk/CIL.

2. Please note that planning permission does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 (including hedgehogs) and the Protection of Badgers Act 1992.

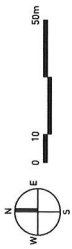
There is a low risk that great crested newts (GCN) may be present at the application site. However, the application site lies within a red/amber impact zone as per the modelled district licence map, which indicates that there is highly/moderately suitable habitat for GCN within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If a GCN is discovered during site preparation, enabling or construction phases, then all works must stop until the advice of a professional/suitably qualified/experienced ecologist and Natural England is obtained, including the need for a licence.

Works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest and replacement provision made so that there is no net loss of biodiversity.

Appropriate hedgehog gaps/holes in fences and walls are as specified at: <http://www.hedgehogstreet.org/help-hedgehogs/link-your-garden/>

2100650/RC

KEY
SITE LOCATION



LAND NORTH EAST OF CHEDWORTH VILLAGE HALL - SITE LOCATION PLAN Pegasus Design

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | WWW.PEGASUSGROUP.CO.UK | TEAM/DRAWN BY EJT/CLB | APPROVED BY P.M. EJT | DATE: 04/02/21 | SCALE: 1:1250 (BA3) | DRWG: P20-2479_03 REV. _1 | CLIENT: CENTAUR HOMES

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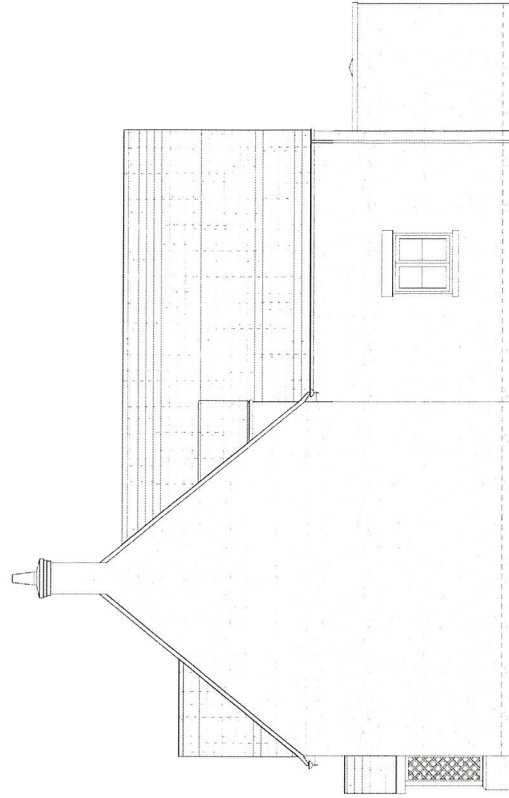
MAIN ROAD, CHEDWORTH - STREET SCENE



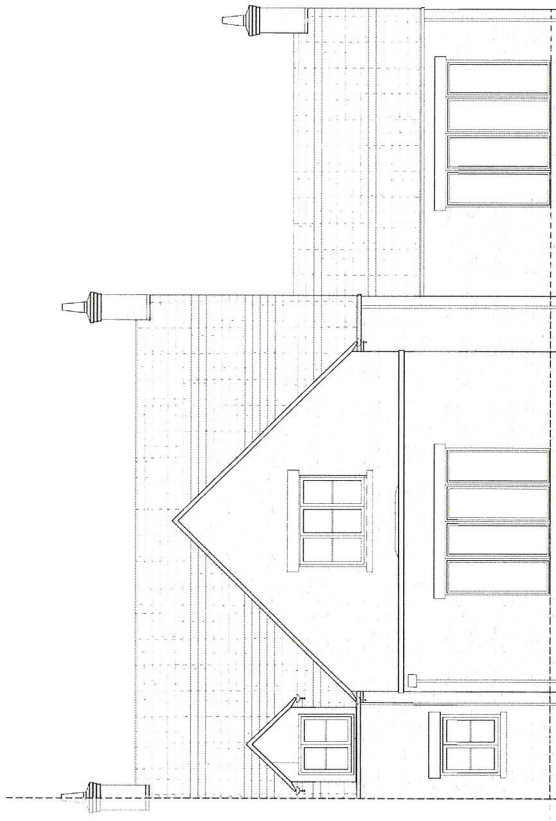
Artificial Cotswold Stone Slate
laid in diminishing courses



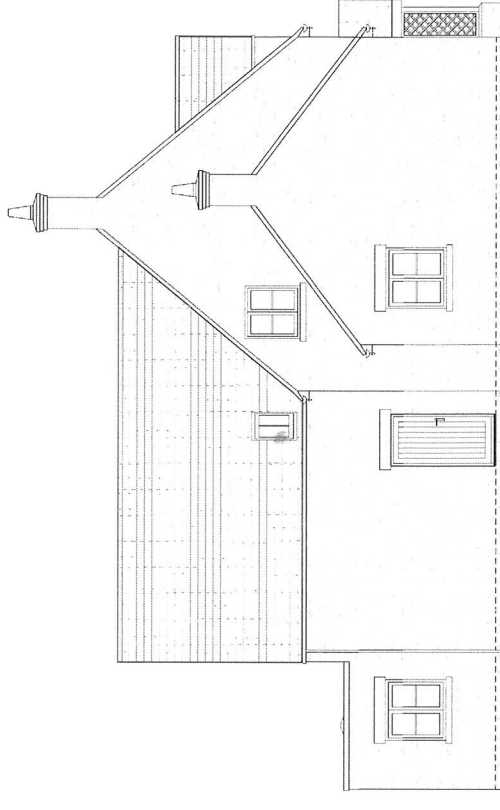
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

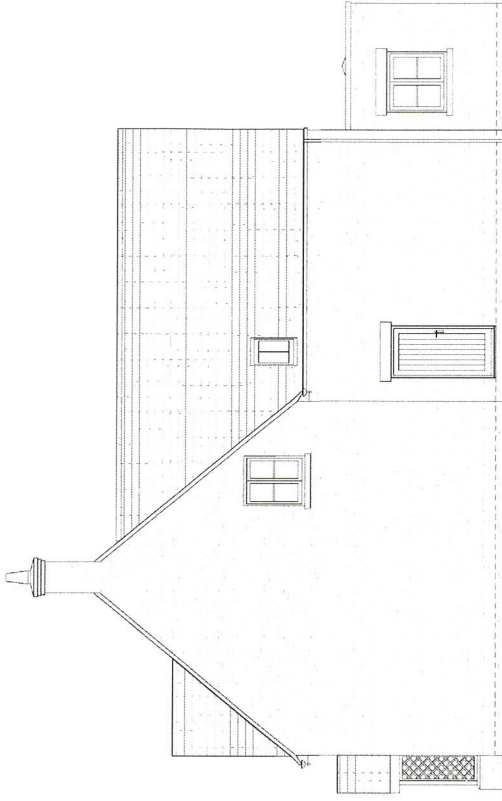
MAIN ROAD, CHEDWORTH - PLOT ONE ELEVATION



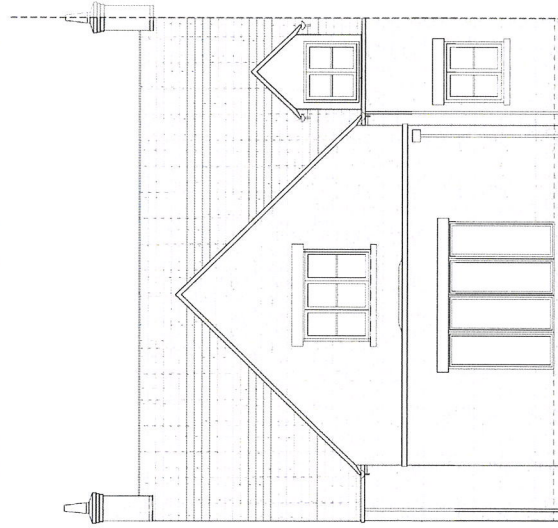
Artificial Cotswold Stone Slate
laid in diminishing courses



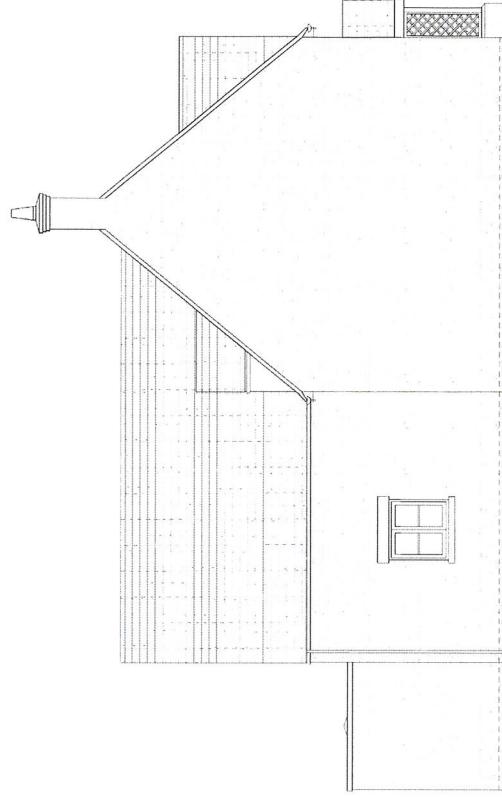
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

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ENERGY

Site: Land adjacent to the Village Hall, Chedworth

On behalf of Centaur Homes (South West) Ltd

1.1 The proposed houses will be low energy homes. They will be provided with the following:

- The dwellings shall exceed building regulations compliance and designed with excellent air tightness and ventilation systems to further reduce energy demand delivering comfortable and efficient homes;
- The dwellings will be provided with air source heat pumps to efficiently deliver space heating and domestic hot water. This will achieve a further reduction in CO2 emissions over building regulations. The heat pump will be linked to low surface temperature under floor heating and a domestic hot water cylinder;
- Both plots will have smart electric vehicle fast-charging points and if a connection is available in Chedworth then ultra-fast broadband to allow effective home working; and
- The houses will reduce and off-set water consumption by incorporating water conservation measures including low water use appliances, dual flush wc's, flow restrictors and metering to monitor consumption.