

**Development of land and erection of buildings to expand an existing Integrated Retirement Community (Use Class C2), including landscaping, parking, access and associated works at Siddington Park Cirencester Road Gloucestershire GL7 6GU**

<b>Full Application 24/02513/FUL</b>	
Applicant:	Rangeford Holdings Ltd
Agent:	Pegasus
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Mike Evemy
Committee Date:	14 January 2026
<b>RECOMMENDATION:</b>	<b>PERMIT SUBJECT TO THE COMPLETION OF A SECTION 106 LEGAL AGREEMENT FOR THE PAYMENT OF FINANCIAL CONTRIBUTIONS TOWARDS LIBRARY FACILITIES AND TRAVEL PLAN; ALSO, THE PAYMENT OF THE FINANCIAL CONTRIBUTION TO MITIGATE THE IMPACT OF THE DEVELOPMENT UPON THE NORTH MEADOW AND CLATTINGER FARM SPECIAL AREA OF CONSERVATION</b>

**1. Main Issues:**

- (a) Background and Proposed Development
- (b) Principle of Development
- (c) Affordable Housing
- (d) Design and Impact upon Heritage Assets
- (e) Landscape and Trees
- (f) Residential Amenity
- (g) Biodiversity
- (h) Highways
- (i) Library Contribution
- (j) CIL

**2. Reasons for Referral:**

- 2.1 The application has been referred to the Review Panel by the Ward Member, Cllr Mike Evemy, for the following reasons:

2.2 *'I would like this application to be considered by the Approval Panel and subsequently considered by the Planning and Licensing Committee for the following reasons:*

2.2.1 *The size of this development (55 dwellings) makes it a major application which would automatically be considered by the Committee under our current scheme of delegation. This application was validated just a week or so before that scheme came into force.*

2.2.2 *There has been significant interest in the application locally with many objections made by residents about the scale of the development and its potential impact on the residential amenity of neighbours*

2.2.3 *If granted, the dwellings would contribute towards the District's increased housing target although there are no affordable dwellings incorporated into the scheme.'*

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

3.1 The proposal relates to land that forms part of the site associated with the now constructed Care Home development, known as Siddington Park, adjacent to, and accessed from, the A419. The site is to the southern side of the access to the east of the village of Siddington, and to the west of the village of Preston.

3.2 The site is bounded by residential development to the north (Preston Leigh) and south and the existing care home buildings to the east. It is not within a Conservation Area and the nearest Listed Buildings are Preston Mill, just to the north-west across the South Cerney Road, and Siddington House to the south of the existing care home development, both of which are Grade II listed. The site is covered by a group Tree Protection Order (TPO).

3.3 The site is located within Flood Zone 1 as identified by the Environment Agency.

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

4.1 06/02770/OUT: Outline application for business park (Use Class B1): Granted 14.12.2007

4.2 08/01259/REM: Reserved Matters application for the detailed roundabout access to the previously approved employment development: Granted 15.10.2008

4.3 11/05462/FUL: Construction of site access, including connection to new roundabout on A419: Granted 25.01.2012

4.4 11/05716/OUT: Outline application for a Continuing Care Retirement Community (Use Class C2), including a core building with care bedrooms, close care units, linked assisted units and ancillary facilities, detached assisted living units, landscaped grounds, internal highway layout and car parking (access layout of all buildings, full details of the core building and 20 associated assisted living units to be determined in detail): Granted 13.11.2012

4.5 14/05481/REM: Reserved Matters pursuant to Outline permission ref. 11/05716/OUT (Continuing Care Retirement Community (Use Class C2), including a core building with care bedrooms, close care units, linked assisted units and ancillary facilities, detached assisted living units, landscaped grounds, internal highway layout and car parking). Granted 09.10.2015

4.6 15/02532/OUT: Outline application for an extension to the continuing care retirement community development permitted under application ref: 11/05716/OUT (Use Class C2) comprising the construction of a 46-bed Dementia Care Unit and additional 4 blocks of Assisted Living Units (32-beds), landscaped grounds, internal highways, car parking and associated works: Granted 11.03.2016

4.7 16/01264/FUL: Application for an additional assisted living apartment block (6 units) within the previously permitted Continuing Care Retirement Community development (Use Class C2): Granted 12.07.2016

4.8 17/00076/OUT: Part Outline/part detailed full application for planning permission for a revised scheme for the Continuing Care Retirement Community permitted under Application Ref 11/05716/OUT (Use Class C2) and under application Ref 15/02532/OUT (Use Class C2), comprising the extension of earlier site, construction of a central facilities building providing community care services together with provision of 171 Assisted Living Units/Close Care Units together with landscaped grounds, internal highways, parking and associated works Permitted 21.02.2018

4.9 20/00543/FUL Erection of single storey ancillary building associated with the care home for a temporary 3 year period and erection of 4 flagpoles with associated car parking and landscape works including gates and wall. Granted 21.02.2018

## **5. Planning Policies:**

- TNPPF The National Planning Policy Framework
- DS4 Open Market Housing o/s Principal/non-Pr
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN9 Bio & Geo: Designated Sites
- EN10 HE: Designated Heritage Assets
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision
- INF7 Green Infrastructure

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

- 6.1 Conservation Officer: Concerns over the design, comments incorporated into the report
- 6.2 Biodiversity Officer: No objection subject to conditions
- 6.3 Strategic Housing: Accepts content of Viability Assessment
- 6.4 Environmental and Regulatory Services (Noise): No objection subject to conditions
- 6.5 Environmental and Regulatory Services (Contamination): No objection
- 6.6 Newt Officer: No objection, recommends informative note
- 6.7 Lead Local Flood Authority: No objection
- 6.8 Environment Agency: No comment
- 6.9 Thames Water: No objection
- 6.10 GCC Community Infrastructure: Contribution towards Library provision required

6.11 Natural England: No objection subject to securing appropriate mitigation

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

7.1 Preston Parish Council:

Whilst the Parish Council has no objections to this application, it is particularly concerned about the effect that it will have on existing residents on the site as well as those in the neighbouring properties in Preston Leigh. In particular:

- Building is much denser than the completed part of the site.
- Windows and balconies will overlook properties in Preston Leigh as acknowledged in the Statement of Community Involvement.
- Insufficient car parking and spaces provided should be wider to accommodate disabled and elderly residents.
- There is no continuous flow of traffic through the site. Any vehicles entering the site, on the existing narrow roads, will need to turn causing congestion and possible issues for emergency vehicles.
- Existing trees should be retained and all measures recommended by Ayers Forestry in the Arboricultural report should be adhered to.
- There is concern regarding the safety of some of the existing trees which may be dead or diseased, particularly as a bough fell into the garden of a Preston Leigh resident recently.
- The Parish Council would like to see plans for planting to mitigate the impact of the development.
- There is concern whether the attenuation tank, previously installed, is adequate to cope with the proposals in phase 2?

7.2 During the construction phase, the Parish Council would like to see the following arrangements put in place for the benefit of existing residents and those at Preston Leigh:

- Restriction of working hours to include early mornings and weekends
- Concern re 24/7 security lighting and cameras which were a nuisance during phase 1 of the build.
- Concern regarding congestion on the narrow roads within the site for construction and emergency vehicles.
- Satellite Navigation systems direct traffic to Preston Leigh and, therefore, clear signage to the site is required

7.3 In addition, concerns have been raised regarding the overgrown planting around the attenuation tank which is causing visibility problems for drivers on

the South Cerney Road as well as whether the currently closed site exit / entrance on the South Cerney Road will be reinstated. Please could you confirm the situation ?

## **8. Other Representations:**

8.1 48 representations have been received objecting to the proposal, raising the following matters:

- density too high
- traffic and congestion
- development too high
- will overrun facilities in Phase 1
- would prefer two storey maximum
- overlooking
- insufficient parking provided
- massing and impact upon neighbours
- loss of daylight
- loss of green space that contributes positively to the area
- contrary to Design Code
- impact upon amenity of residents
- impact upon trees

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

- Acoustics Report
- Affordable Housing Statement
- Arboricultural Impact Assessment and Method Statement
- Biodiversity Self-Assessment Form
- BNG Metric
- Design and Access Statement
- Financial Viability Statement
- Flood Risk Assessment
- Heritage Report
- Phase 1 Geo-Environmental Risk Assessment
- Planning Statement
- Preliminary Ecological Appraisal
- Sustainability Stage 2 Report
- Transport Statement
- Travel Plan
- Seniors Housing Need Planning Assessment
- Statement of Community Involvement

**10. Officer's Assessment:**

**(a) Background and Proposed Development**

- 10.1 The background to the development of this includes an outline planning permission (ref: 06/02770/OUT) that was granted for development of the wider Siddington Park site as a business park, which includes the current application site.
- 10.2 Further to this, outline planning permission for Phase 1 of the Integrated Retirement Community (Use Class C2) development and associated works was granted under reference 11/05716/OUT, reserved matters approved under reference 14/05481/REM, as well as a full planning permission for additional development within the Phase 1 boundary (ref: 16/01264/FUL). These permissions relate to the Phase 1 development that has been constructed immediately to the south and south-east of the application site.
- 10.3 With regard to the application site subject to this application, outline planning permission was granted for a C2 Use Class development, comprising a care home and assisted living units under reference 15/02532/OUT. This permission was not implemented.
- 10.4 Outline planning permission (ref: 17/00076/OUT) was also granted for the Phase 1 and 2 land for Assisted Living Units/Close Care Units. This was also not proceeded with.
- 10.5 Therefore, any previously granted outline permissions for the development of the Phase 2 site have expired. They are, however, material considerations in the determination of the current application.
- 10.6 The proposal includes the erection of 6 blocks of apartments, containing a total of 55 units.

Block 1

- 10.7 This would be two storeys in height and located closest to the roundabout off the A419, containing 3 units, each with 3 bedrooms.

Block 2

- 10.8 This would also provide accommodation on two floors, with a total of 8 units to include 2 x 1-bed; 4 x 2-bed and 2 x 3-bed units.

### Block 3

10.9 11 units would be included within this building across three floors. The unit sizes would be 3 x 1-bed; 5 x 2-bed and 3 x 3-bed.

### Block 4

10.10 Block 4 would be positioned towards the north-western corner of the site, with a mix of 3 and 4-storey heights, containing 15 units. This would include 3 x 1-bed; 7 x 2-bed and 5 x 3-bed.

### Block 5

10.11 This block includes 9 units across three floors. The units provided would include 3 x 1-bed and 6 x 2-bed.

### Block 6

10.12 This building also includes 9 units across three floors, including 3 x 1-bed and 6 x 2-bed.

10.13 The 55 units would, therefore, include 14 x 1-bed; 28 x 2-bed and 13 x 3-bed, with the height of the buildings varying between two and four storeys in height.

## **(b) Principle of Development**

10.14 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 would therefore be the current development plan for the District which is the Cotswold District Local Plan 2011-2031.

10.15 The site the subject of this application is situated outside of any Development Boundary as identified with the current Local Plan. The site also lies outside of a settlement, being considered separate from Cirencester, South Cerney and Siddington for the purposes of the Council's Housing Strategy. Therefore, Policy DS4 is of relevance to the consideration of the proposal, which states that:

10.16 '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.'

10.17 Notwithstanding this, the proposals are for Use Class C2 (Residential Institutions) development, the type of development proposed is addressed within the Local Plan's Housing policy set and paragraph 8.0.1 explains that "The purpose of this section is to guide delivery of the identified needs for housing in the District. Development will be required to provide an appropriate mix of dwelling sizes, tenures and types reflecting the overall Local Plan requirements and the requirements of the locality at the time of the development."

10.18 Policy H1 (Housing Mix & Tenure to Meet Local Needs) states that:-

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

10.19 Policy H2 (Affordable Housing) sets out the policy in relation to affordable housing contributions in all housing developments that provide 11 or more new dwellings (net) or have a combined gross floorspace of over 1,000sqm, and that such developments will be expected to contribute towards affordable housing provision to meet an identified need in the District and address the Council's

strategic objectives on affordable housing. The Policy states that the affordable housing requirement on all sites requiring a contribution, subject to viability, is up to 40% of new dwellings gross (on non-brownfield land).

10.20 Also relevant to the consideration of this application is Local Plan Policy H4 (Specialist Accommodation for Older People). This states that:-

'Proposals for specialist accommodation for older people, including sheltered and extra care housing, care homes and other appropriate models of accommodation for the elderly and those with particular needs will be permitted provided that the development:

- Meets a proven need for that type of accommodation
- Is designed to meet the particular requirements of residents with social, physical, mental and/or health care needs
- Is easily accessible to public transport, shops, local services, community facilities and social networks for residents, carers and their visitors and
- Where accommodation is provided on a freehold or leasehold basis, it should provide affordable housing in accordance with Policy H2. This includes proposals for self-contained units of accommodation within a residential institution (use class 2). In the case of sheltered accommodation and extra care accommodation a mix of tenures will be encouraged. Where a development site has been divided into parts, or is being delivered in phases, the site will be considered as a whole for the purpose of determining the appropriate affordable housing requirement.'

10.21 As the supporting text to Policy H4 explains (para. 8.4.5), "There is often confusion as to whether specialist accommodation for older persons falls into the use class defined as residential institutions (C2) or a dwelling house (C3). Nevertheless, development which creates living spaces that retain the essential characteristics of a self-contained dwelling, even if some care is provided, will be expected to provide affordable housing in accordance with Local Plan Policy H2". The current proposals are for self-contained apartments and therefore would be expected to contribute towards affordable housing provision.

10.22 Paragraph 8.4.1 of the current Local Plan supporting text for Policy H4 states that "The SHMA Update (April 2016) anticipates a dramatic growth in the older population in Cotswold District with higher levels of disability and health problems amongst older people. There is a requirement for 665 sheltered and extra care housing units between 2017 and 2031. This forms part of the OAN. These [sic] are also a requirement for 580 nursing and residential bedspaces between 2017 and 2031. This is in addition to the OAN. Identified needs are a

snapshot in time and applicants must refer to the latest evidence, such as future updates to the SHMA, when submitting planning applications. Specialist accommodation for older people should include a range of tenures and should not contribute to unbalanced communities."

10.23 With regard to need, the NPPF states the following at paragraphs 62 and 63:

*62. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.*

*63. Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.*

10.24 In addition to the above, it is noted that the Government published a draft version of the NPPF on the 16th December 2025. The consultation period for the aforementioned document expires on the 10th March 2026 and it is anticipated that a final version of the NPPF will be released in Spring 2026. Whilst the draft NPPF is a consultation document, it is considered that the proposed policies within it are a material consideration and must be given a degree of weight at the present time.

10.25 The Gloucestershire Local Housing Needs Assessment (2020) (GLHNA) identifies that the population aged 75+ within the Cotswold District is likely to increase by 8,998 persons over the 20-year period 2021-41, and identified a need for 1,699 units of 'owned' sheltered housing and 149 units of 'owned' extra care units in Cotswold District by 2041.

10.26 The application has been supported by a Needs Assessment, which draws the conclusion that there is a current *'significant shortfall in the number of seniors housing units within the Cotswold local authority. Furthermore, content from Cotswold District Local Plan 2011 - 2031 documents also recognises a need to increase the provision of seniors housing. Population projections provided by*

*the ONS estimate there will be significant growth in the 65+ and 75+ population which will further strengthen the argument for increased provision of specialised housing for the elderly.'*

10.27 This has been assessed by the Strategic Housing team, who are in agreement with the conclusions, and are satisfied that a need for the development can be evidenced.

10.28 Notwithstanding the above, the Local Planning Authority has to have regard to policies in the National Planning Policy Framework (NPPF) when reaching a decision. The NPPF represents a significant material consideration. In particular, it is noted that the December 2024 update of the NPPF introduced a new standard method for calculating local housing need. Prior to the December changes to the NPPF, the Council could demonstrate a 7.3 year supply of housing land. However, as a result of the aforementioned changes, the Council can now only demonstrate a 1.8 year supply.

10.29 The new standard method requires 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.

10.30 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.

10.31 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 the policies in the Local Plan controlling new housebuilding are out-of-date at the present time, and that paragraph 11 would be engaged in these circumstances.

10.32 With regard to 11 d) i., the site is not within either a conservation area or the Cotswolds National Landscape, whilst the nearest listed buildings are separated from the site by existing development. The site is within the Zone of Influence for the North Meadow Special Area of Conservation (SAC), however mitigation may be provided in respect of this, as discussed below.

10.33 In respect of 11 d) ii., and in the absence of a 5-year housing land supply, the site is within a relatively sustainable location, considering the Phase 1 development, and the ease of access to facilities within Cirencester.

10.34 Therefore, whilst the site is outside of any development boundary designated within the Local Plan, it is considered that the need for additional C2 housing provision is considered to have been demonstrated and, coupled with the current 5-year housing land supply within the District, the provision of 55 units would also weigh significantly in favour of the proposal being considered acceptable in principle.

### **(c) Affordable Housing**

10.35 Policy H2 of the Local Plan requires that:

1. *All housing developments that provide 11 or more new dwellings (net) or have a combined gross floorspace of over 1,000sqm 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 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.*

10.36 A Financial Viability Assessment has been provided with the application. Owing to the commercially sensitive financial content, this has not been put into the public domain.

10.37 However, the report concludes that ... *the proposed scheme is unable to support any affordable housing. This is because the residual land value generated by a*

*100% private scheme is below the Benchmark Land Value. The main reason for the viability conclusion is the high construction costs relative to the achievable sales values in this location.*

10.38 The content of this report has been consulted upon by Officers with external consultants, who have confirmed that they concur with its findings. This has also been agreed by the Strategic Housing team, such that it is considered that the proposal would accord with Part 6 of Policy H2, and that no contribution towards affordable housing provision is required, either through the inclusion of on site units within the application, or a financial contribution towards off-site provision.

**(d) Design and Impact upon Heritage Assets**

10.39 Siddington Park House and Preston Mill are grade II listed buildings and are in proximity to the proposal site. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving these buildings and monuments, as well as their setting, and any features of special architectural or historic interest it may possess, in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.40 Preston Conservation Area is located to the opposite side of the A419 Cirencester Road and its setting is a planning consideration which could be impacted by long distance views.

10.41 Local Plan Policy EN10 Designated Heritage Assets is also relevant and states:

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

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 or harm; and
- The nature and level of the public benefit of the proposal.

10.42 Local Plan Policy EN11 Conservation Areas states 'Development Proposals, 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 space, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.'

10.43 Local Plan Policy EN2 - Design of the Built and Natural Environment states that: 'Development will be permitted which accords with the Cotswold Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.'

10.44 With regard to the Cotswold Design Code:

D.9: Careful study should be made of the context of any new development. Each site will have its own characteristics, and a specific landscape or townscape setting. Any proposed development should respond to this.

D.10: Settlements are distinctive in how they sit within the landscape. They have their own unique layouts and patterns of streets. These characteristics should be reflected in the location and design of the new developments.

D.14: In designing new development, close attention to the site and its setting should work at all levels, from overall principle, density and grain to the scale, form, roofscapes, elevations and detailed features of the buildings and then the landscaping surrounding them.

D.16: New buildings should be carefully proportioned and relate to the human scale, and to their landscape or townscape context.

D.17: Excessive or uncharacteristic bulk should be avoided. New buildings should generally not dominate their surroundings, but should complement the existing structures or landscape, and sit comfortably within their setting.

D.18: The height of new buildings should respond to the local context.

10.45 Section 16 of the National Planning Policy Framework (NPPF) requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets, including their settings.

10.46 Paragraph 210 states 'In determining applications, local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness'.

10.47 Paragraph 212 states 'When considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

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

10.49 Paragraph 215 states '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 proposals'.

10.50 Paragraph 219 states 'Local planning authorities should look for opportunities for new development within Conservation Area and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.'

10.51 The NPPF in Annex 2 defines the Setting of a Heritage Asset as 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate the significance of an asset or may be neutral'.

10.52 Significance is defined in Annex 2 of the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest. That interest maybe archaeological, architectural, artistic or historic'.

10.53 Section 12 of the National Planning Policy Framework requires good design.

Paragraph 135 states that policies and decisions should ensure that developments:

- function well and add to the overall quality of an area;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting.

10.54 Having regard to Policy H1, developers are required to comply with the Nationally Described Space Standards (NDSS) on all residential units. These have been satisfied with regard to the floor space of each of the proposed units.

10.55 Preston Mill is a grade II listed building, which is close to the current outlined site, albeit that it is separated by the development of houses at Preston Leigh. The sluice and ponds relating to the Mill are largely to its front elevation and its location, alongside that of the River Churn, on the opposite side of the highway would indicate that its significance is unlikely to be physically affected.

10.56 However, in character and visual terms Preston Mill and Preston Mill Barn (on the opposite side of the village road to the Mill, but adjacent to the site) have a scale and relationship to each other and the village road which is important to the significance of the Mill's setting and the character of the area. Therefore, it is considered important that this scale and form is respected particularly in relation to proposed built form.

10.57 The proposal site is Phase 2 of the development of a Retirement Village, with Phase 1 having been completed. The Phase 2 site includes the area of the site to the west of the access road, which directly accesses from the A419 Cirencester Road. In this respect, the entrance to the site would be prominent from the highway, alongside the Phase 1 development to the southeast of the

site and lining the boundary of the Road are largely concealed by the protected tree line.

10.58 The Phase 1 development includes buildings of between 2 and 4 storeys in height, a total of 123 units, with their locations being carefully located in relation to their context, notably with the lower buildings located along the access road and adjacent to the listed building Siddington Park House. The Phase 2 proposal site also has two storey buildings (including Preston Mill) to the north and north-west of the site, and also opposite the access road within the site within Phase 1.

10.59 The design of the development has been amended since submission, owing to concerns over the scale, massing and appearance of the proposal, together with the impact upon the setting of the above mentioned heritage assets. These amendments have addressed a number of the concerns, although the Senior Conservation and Design Officer remains of the opinion that further alterations to the proposal would be required to address outstanding concerns that relate to the fenestration, which is detailed below:

*10.59.1 With Phase 2 the scale, heights and mass of the proposed development on the site would be significantly greater than the existing buildings surrounding the site, as with Phase 1. This in turn is considered to causes a level of harm collectively to the settings of Preston Mill, Siddington Park House and Preston Conservation Area.*

*10.59.2 However, the level of harm has been mitigated to a degree by the proposed two storey heights and the lower massing of Block 1 representing a row of cottages utilising some Cotswold vernacular forms, proportions and details in local materials and to a lesser degree Block 2 which has greater mass and 2.5 storey height. On balance the locations and scale, mass and heights of Blocks 1 and 2 would cause a low level and no greater harm the settings of Preston Mill and Preston Conservation Area, than Phase 1.*

*10.59.3 Block 3 on balance would cause no greater harm than Phase 1 to the settings of Preston Mill or Preston Conservation Area directly, due to its lower height, mass and scale and its location more centrally to the development site.*

*10.59.4 However, Block 4 would cause a greater level of harm to the setting of Preston Mill due to their proximity to each other and their clear contrast in scale, mass and height, to each side of the village road to Siddington. The lower section of Block 4 adjacent to Preston Leigh in conjunction with the trees which line the village road to Siddington, provides a level of mitigation, but the*

*contrast in scale, mass and height, would still be evident and less than substantial harm would still be caused.*

*10.59.5 Blocks 5 and 6 are lower than Block 4 but would also line the road to Siddington, albeit set back behind the tree line. Block 6 is sited at an angle which lowers its overall visual mass, but the combined long elevations of Blocks 4 and 5 would be parallel to the road, collectively causing an additional level of harm. The setting of Preston Mill and how it is experienced includes the rural low-density character of the road to Siddington Village.*

*10.59.6 Therefore, it is considered that Block 4 would cause a greater level of less than substantial harm to the setting of Preston Mill as a listed building than the harm caused by Phase 1 and the remainder of Phase 2 on the settings of the designated heritage assets.*

10.60 These concerns have been brought to the attention of the applicant, however no further amendments to the design have been forthcoming, and it has been requested that the application be determined on the basis of the submitted plans.

10.61 Having reviewed the concerns raised in respect of the design, the main issues relate to Blocks 5 and 6 in respect of their scale, mass, height and design.

10.62 However, when balancing these matters against the benefits of the proposal, which include the provision of 55 residential units, additional accommodation for the elderly, a financial contributions towards Library facilities, your Officers have concluded that, on balance, the proposal should be recommended for approval on the basis of these remaining design concerns. These blocks are located on lower-lying areas of land when viewed from the A419, and would also be separated from the South Cerney Road by existing tree and hedgerow screening, and it is considered that their wider impact would be mitigated by these factors.

#### **(e) Landscape and Trees**

10.63 As stated above, Policy EN2 of the Local Plan states that development will be permitted which accords with the Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality and should respond to its landscape setting with regard to proportion, density, grain, scale and form, as well as the architectural design of the buildings, and to the landscaping around them.

10.64 Policy EN4 of the Local Plan states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. This policy requires that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, settlement patterns and heritage assets.

10.65 Policy EN7 (Trees, Hedgerows & Woodlands) states that development will not be permitted that fails to conserve and enhance trees of high landscape, amenity, ecological or historical value, veteran trees, hedgerows of high landscape, amenity, ecological or historical value, and/or woodland of high landscape, amenity, ecological or historical value. Where trees, woodland or hedgerows are proposed to be removed as part of development, compensatory planting will be required.

10.66 The site is not located within a specifically protected landscape and is relatively well-contained due to land levels and existing boundary trees. Nevertheless, good quality landscaping is important to the overall quality of the proposed development, as required by Local Plan Policy EN2, and would also help to address paragraph 136 of the NPPF, which requires opportunities new tree planting.

10.67 Landscaping details have been provided, which show additional tree planting across the application site, including further planting along the northern boundary of the site, beyond which lie the dwellings at Preston Leigh. Amongst the tree species to be planted include field maple, oak, beech, silver birch, crab apple and cherry trees. These details are considered to be acceptable.

10.68 The entire site is covered by a 2006 area Tree Preservation Order, (TPO), which means that all trees growing at the time the TPO was made will be protected. There are trees around the northern and western boundaries that provide screening value, which are proposed to be retained.

10.69 The site specific tree that are proposed are considered to be acceptable in principle, although a condition is recommended requiring the submission of full details prior to the commencement of development.

## **(f) Residential Amenity**

10.70 Policy EN2 and the Cotswold Design Code require consideration of the impact of development in terms of residential amenity, which is also referred to within paragraph 135 (f) of the NPPF.

10.71 The relationship between the proposed buildings and the Phase 1 development is considered to be acceptable. The only other properties affected are the dwellings at Preston Leigh, which is to the north of the site. All bar one of these dwellings are beyond either the 22m (for 2-storey development) or 28m (for 3-storey development) distance stipulated for habitable windows within the Cotswold Design Code, notwithstanding the protected trees along the boundary and additional proposed tree planting.

10.72 The one dwelling that is within this distance of No. 6, which is the westernmost of these properties, and closest to Block 4 within the Phase 2 development. This dwelling is approximately 20m distant from the nearest 3-storey high part of Block 4, albeit that the orientation of No. 6 is such that the rear of the dwelling faces away from the application site. The side elevation to No. 6 has two windows, a secondary clear glazed within to the ground floor, and an obscure glazed first floor window.

10.73 With regard to Block 4, as originally proposed, there would have been open-sided terraces on each floor facing towards this neighbouring dwelling, notwithstanding the existing tree screening. However, these sides have now been enclosed, such that the only view out from these terraced areas would be towards Block 3 to the east.

10.74 Furthermore, shadow diagrams have been provided to demonstrate that there would be no material impact upon the amenities of these neighbouring properties to the north arising from the proposed development.

10.75 Therefore, it is considered that the proposal is acceptable with regard to any impact upon residential amenity, having regard to Policy EN2 of the Local Plan and paragraph 135 (f) of the NPPF.

## **(g) Biodiversity**

10.76 Section 15 of the NPPF seeks to ensure development minimises the impact on and provided net gains for biodiversity.

- 10.77 Local Plan Policy EN8 supports development that conserves and enhances biodiversity and geodiversity, providing net gains where possible.
- 10.78 Policy EN9 requires consideration of the impact of development proposals upon internationally designated wildlife sites.
- 10.79 With regard to biodiversity net gain, the applicant has demonstrated a measurable net gain in habitat units (95.93%) can be achieved on-site. A 10-year landscape ecological management plan is recommended to secure appropriate establishment and on-going monitoring and management details, along with appropriate remedial measures if habitats fail. Bird and bat boxes are also recommended, although these features do not count towards a measurable net gain, the incorporation of these features will provide opportunities for protected and notable species on-site and deliver net gains in accordance with Chapter 15 of the NPPF and Local Plan Policy EN8.
- 10.80 In respect of protected and notable species, the preliminary ecological appraisal has confirmed the site provides limited/negligible opportunities for notable and protected species. Despite this, woodland north and west of the application site will provide opportunities for protected and notable species therefore, site clearance and construction works should adhere to the precautionary mitigation measures detailed in the Council's precautionary method of working document.
- 10.81 In addition, the woodland provides suitable habitat for commuting nocturnal species namely, European protected bat species. As a result, a lighting condition is recommended, ensuring any external lighting is sensitively designed to minimise light spill towards the woodland parcels and newly erected bat boxes. Conditions are recommended to this effect.
- 10.82 The site is also within the Outer Zone of the North Meadow Special Area of Conservation, wherein a financial contribution is required to be paid to mitigate any potential impact upon this internationally designated wildlife site. The payment for this contribution is still awaited, therefore in the event of planning permission being granted, the decision notice may not be issued until this payment has been received, as per the recommendation. No objection is raised by either the Senior Biodiversity Officer or Natural England subject to this mitigation being made.

## **(h) Highways**

10.83 Section 9 of the NPPF advocates sustainable transport, including safe and suitable accesses to all sites for all people. However, it also makes it clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network are 'severe'.

10.84 Local Plan Policy INF3 (Sustainable Transport) supports development that actively supports travel choices with priority to walking and cycling and access provided to public transport. Links with green infrastructure, PROWs and wider cycle networks should be provided. Development that would have a detrimental effect on the amenity of existing infrastructure will not be permitted.

10.85 Local Plan Policy INF4 (Highway Safety) supports development that is well integrated with the existing transport network and beyond the application site, avoiding severance resulting from mitigation and severe impact upon the highway network. Developments that create safe and secure layouts and access will be permitted.

10.86 Local Plan Policy INF5 (Parking Provision) seeks to ensure sufficient parking provision to manage the local road network.

10.87 The proposed additional residential units would use the existing entrance off the A419 Cirencester Road which serves Phase 1, with a total of 68 car parking spaces shown, including 9 disabled parking spaces.

10.88 The Highway Authority are raising no objection to the proposal, provided that the applicant submits a Travel Plan so as to promote alternative modes of transport to the private car, as well as a 'car club' for residents. This is also subject to a Legal Agreement, with the payment of a financial contribution (£30,320) in addition to a Monitoring Fee (£5000).

10.89 Therefore, the proposal is considered to accord with Policies INF4 and INF5 of the Local Plan, and Section 9 of the NPPF.

## **(i) Library Contribution**

10.90 The County Council has requested a financial contribution towards Library facilities totalling £10,780. Should planning permission be granted, this will be secured by way of a S.106 Legal Agreement.

**(j) CIL**

10.91 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. As this development is providing affordable housing, the applicant may apply for an exemption for those dwellings.

**11. Conclusion:**

- 11.1 Notwithstanding the outstanding concerns raised by the Senior Conservation and Design Officer, with particular regard to Blocks 5 and 6, when considering the planning balance, including the benefits that would arise from the proposal, including additional housing, accommodation for the elderly, biodiversity net gain, and a contribution towards Library facilities, at a time when the Local Planning Authority is unable to demonstrate a 5-year housing land supply, it is considered that the proposal would accord with the provisions of the Development Plan, alongside the NPPF, neither of which are outweighed by other material planning considerations.
- 11.2 The proposed development is considered to accord with the policies in the draft NPPF.
- 11.3 The recommendation is to grant planning permission, subject to the completion of the Legal Agreement to secure the payment of a financial contribution towards library facilities and a Travel Plan. Also awaited is the payment of the financial contribution to mitigate the impact of the development upon the North Meadow and Clattinger Farm SAC.

**12. Proposed Conditions:**

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

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

2. The development hereby approved shall be carried out in accordance with the following drawing numbers: 155388-STL-XX-00-DR-A-10005 P16; 155388-STL-XX-00-DR-A-10006 P16; 155388-STL-XX-00-DR-A-10575 P15; 155388\_10000\_P19;

155388\_10001\_P19 ; 155388\_10002\_P19; 155388\_10003\_P19; 155388\_10004\_P19; 155388\_10008\_P19; 155388\_10500\_P17; 155388\_10501\_P17; 155388\_10510\_P17; 155388\_10511\_P17; 155388\_10512\_P17; 155388\_10520\_P17; 155388\_10521\_P17; 155388\_10522\_P17; 155388\_10530\_P17; 155388\_10531\_P17; 155388\_10532\_P17; 155388\_10533\_P17; 155388\_10540\_P17; 155388\_10541\_P17; 155388\_10542\_P17; 155388\_10550\_P17; 155388\_10551\_P17; 155388\_10552\_P17; 155388\_10560\_P16; 155388\_10561\_P16; 155388\_10562\_P16; 155388\_10563\_P16; 155388\_30000\_P19; 841-ALA-00-XX-D-L-1001 REV P04; 841-ALA-00-XX-D-L-1002 REV P06; 841-ALA-00-XX-D-L-1003 REV P03; 841-ALA-00-XX-D-L-1004 REV P03; 841-ALA-00-XX-D-L-1007 REV P03; 841-ALA-00-XX-D-L-1008 REV P03; 841-ALA-00-XX-D-L-1009 REV P04; 841-ALA-00-XX-D-L-1010 REV P04; 841-ALA-00-XX-D-L-1011 REV P03; 841-ALA-00-XX-D-L-2004 REV P01; 841-ALA-00-XX-SP-L-0001 REV P02; 841-ALA-ZZ-ZZ-D-L-1012 REV P03; 841-ALA-ZZ-ZZ-D-L-1013 REV P03; 841-ALA-ZZ-ZZ-D-L-1101 REV P02; 841-ALA-ZZ-ZZ-D-L-1102 REV P02 and 841-ALA-ZZ-ZZ-D-L-1103 REV P02.

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

3. Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling materials to include natural Cotswold stone to Block 1, artificial Cotswold stone to the remainder of the buildings, render and timber boarding, shall be submitted to and approved in writing by the Local Planning Authority and only the approved materials shall be used.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

4. Prior to the construction of any external wall of the development hereby approved, samples of the proposed roofing materials to include natural blue slates, artificial Cotswold stone slates and metal roofing material samples for flat roofed elements, including bays and dormers, shall be submitted to and approved in writing by the Local Planning Authority and only the approved materials shall be used.

The artificial Cotswold stone slates shall be laid in diminishing courses.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

5. 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.

6. Prior to the construction of any external wall of the development hereby approved, a sample panel of boundary 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.

7. Prior to the construction of any external wall of the development hereby approved, a sample panel of the timber panelling of at least one metre square in size showing the size, shape and arrangement of timber boards, treatment of corners shall be erected on site and subsequently approved in writing by the Local Planning Authority. The timber panelling 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.

8. No external woodwork shall be installed in the development hereby approved, until a sample of the external woodwork finished in the proposed colour has first been submitted to and approved in writing by the Local Planning Authority. The external woodwork shall be finished fully in accordance with the approved details within one

month of its installation and shall be retained as such thereafter unless a similar alternative is first agreed in writing by the Local Planning Authority.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

9. Prior to the insertion of any doors, screens or windows (including bay windows and dormer windows) hereby approved their design details shall be submitted to and approved in writing by the Local Planning Authority. The design details shall be accompanied by drawings to a minimal scale of 1:5 with full size moulding cross section profiles, elevations and sections to show window head, surround and sill, manner of opening, window joinery design details including glazing bars, materials and finish and extent of recess within the openings. The development shall be carried out in accordance with the approved details and retained 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.

10. No eaves, ridges or verges, parapets, rooflights, flues or vents hereby approved shall be constructed until their design and materials/finishes have been submitted to and improved in writing by the Local Planning Authority. The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full moulding cross sectional profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

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

11. No bays, balconies, dormers, porches, canopies, parapets, or chimneys hereby approved shall be constructed until their design and materials/finishes have been submitted to and improved in writing by the Local Planning Authority. The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full moulding cross sectional 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.

12. Prior to installation, design details for rainwater goods including materials and finish shall be submitted to and approved in writing by the Local Planning Authority. The design and details shall be accompanied by drawings to a minimum scale of 1:5

with full moulding cross sectional 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.

13. Prior to installation, design details for rooflights and solar panels including materials and finish shall be submitted to and approved in writing by the Local Planning Authority. The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full moulding cross sectional 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.

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

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

15. Prior to installation, design details shall be submitted to and approved in writing by the Local Planning Authority to include the materials and finish for gates, railings and fences. The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full moulding cross sectional 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.

16. No bargeboards or eaves fascia 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.

17. 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.

18. Prior to installation, design details, materials and finishes of the bin and mobility scooter stores shall be submitted to and approved in writing by the Local Planning Authority. The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full moulding cross sectional 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.

19. Notwithstanding the submitted details, prior to the first use/occupation of the development hereby approved, a comprehensive landscape scheme shall be approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. 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 Policy EN2.

20. The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

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

21. 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 Policy EN2.

22. A 10-year Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works of the development hereby approved being undertaken. The plan shall be prepared in accordance with the principles set out in the Biodiversity Gain Plan and must include, but not necessarily be limited to, the following information:

- i. Description and evaluation of features to be managed, including locations shown on a site map;
- ii. Establishment details, including preparation of the land;
- iii. Landscape and ecological trends and constraints on site that might influence management;
- iv. Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat units;
- v. Appropriate management options for achieving the aims and objectives;
- vi. Prescriptions for all management actions;
- vii. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5- or 10-year periods;
- viii. Details of the body or organisation responsible for the implementation of the plan;
- ix. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures that might need to be put in place; and
- x. Timeframe for reviewing the plan.

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

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

23. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of retained trees, in accordance with BS5837:2012, including a tree protection plan(s) (TPP) and an

arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Full details of any facilitation pruning;
- b) Location and installation of services, utilities and drainage;
- c) Details of construction within the RPA or that may impact on the retained trees;
- d) A full specification for the construction of any roads, parking areas and hard surfacing, including details of the no dig-specification and extent of the areas of the roads, parking areas and hard surfacing to be constructed using a nodig specification. Details shall include relevant sections through them;
- e) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within RPAs is proposed, demonstrating that they can be accommodated where they meet with any adjacent hard surfacing or structures;
- f) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing;
- g) Tree protection during construction indicated on the TPP with construction activities clearly identified as prohibited in this area;
- h) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels, waste as well as any areas to be used for concrete mixing and fires;
- i) Details of any boundary treatments within RPAs;
- j) Methodology and detailed assessment of any root pruning;
- k) Details of arboricultural supervision and inspection by a suitably qualified arboriculturist;
- l) Methods to improve the rooting environment for retained and proposed trees and landscaping.

The development thereafter shall be implemented in strict accordance with the approved details.

**Reason:** Required prior to the commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policies EN1 and EN7 of the Cotswold District Local Plan and pursuant of section 197 of the Town and Country Planning Act 1990.

24. Prior to any above ground works of the development hereby approved being undertaken, details of the provision of 4no. integrated swift bricks on north or east-facing elevations and 4no. integrated bat roosting features (e.g. bat tiles, bat boxes or

bat tubes) on south or southeast-facing elevations within the walls of the new buildings shall be submitted to the Local Planning Authority for approval. The details shall include a drawing showing the types of features, their locations and positions within the site, and a timetable for their provision. The approved details shall be implemented prior to first use of the development hereby approved and thereafter permanently retained.

**Reason:** To provide additional nesting and roosting opportunities for birds and bats as biodiversity enhancements in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policy EN8 of the Cotswold District Local Plan and Section 40 of the Natural Environment and Rural Communities Act 2006.

25. No development shall take place until a site-specific Construction Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must cover (at a minimum) noise, dust, vibration, odour, waste management, recycling, deliveries, site storage and site welfare. The plan must demonstrate the adoption and use of the best practicable means to reduce any adverse impact to the surrounding environment and community. No construction machinery shall be operated on the site before the 07:00 hours on weekdays, 08:30 hours on Saturdays, nor after 18:00 hours on weekdays and 13:00 hours on Saturdays, and at no time on Sundays, Bank or Public Holidays.

**Reason:** To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Local Plan EN15 and the provisions of the NPPF.

26. The development shall be undertaken in accordance with the recommendations in Cotswold District Council's Precautionary Method of Working document. All the recommendations shall be implemented in full, unless otherwise agreed in writing by the Local Planning Authority.

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

27. Prior to the installation of external lighting for the development hereby approved, an external lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal species using wildlife corridors.

All external lighting shall be installed only in accordance with the specifications and locations set out in these details.

**Reason:** To protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), Policy EN8 of the Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006

28. The Residential Travel Plan hereby approved, dated [Insert] shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority and thereafter implemented as amended.

**Reason:** To reduce vehicle movements and promote sustainable access in accordance with Policy INF3 of the Cotswold District Local Plan and Section 9 of the NPPF.

29. The Noise Impact Assessment (NIA) dated 15/8/2025, as hereby approved, shall be strictly adhered to. Noise mitigation measures outlined within the NIA shall be installed prior to the first beneficial use of the site, and thereafter maintained inline with the manufacturer's guidelines. This includes the installation of the stated "mixed mode ventilation systems to supplement the airflow through the trickle ventilators" to properties where compliance with the requirements of BS 8233: 2014 (Guidance on sound insulation and noise reduction for buildings) cannot be complied with, with windows open.

**Reason:** To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Local Plan EN15 and the provisions of the NPPF.

30. For purposes of clarity and the avoidance of doubt, the application site, as a planning unit, shall be used only for C2 (Residential Institutions) use, and for no other purpose, including any other purpose in Class C3 (Dwelling Houses), of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or the equivalent to that Class in any statutory instrument amending or replacing the 2010 Order or any other change of use permitted by the Town and Country Planning (General Permitted Development) Order 2015.

**Reason:** It is essential that the Local Planning Authority retains control over the use of the development because of its rural location, in accordance with Cotswold District Local Plan Policy DS4 and the NPPF.

**Informatives:**

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

2. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence

3. The Developer is requested to erect a sign at the boundary of the new estate street with the nearest public highway providing the Developer's contact details and informing the public that the County Council is not responsible for the maintenance of the street.

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

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

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan in writing.

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

The applicant will need to apply to approve the details reserved by the 10-year Landscape and Ecological Management Plan and the Biodiversity Gain Plan at the same time. A step-by-step guide on how to apply for approval of conditions can be found here:

<https://www.cotswold.gov.uk/planning-and-building/planning-permission/step-by-step-guide-to-planning-permission/>

Cotswold District Council's Precautionary Method of Working document can be found here:

<https://www.cotswold.gov.uk/planning-and-building/wildlife-and-biodiversity/biodiversity-specifications/>