

Outline application for the erection of up to 30 dwellings with associated means of access, car parking, public open space, landscaping, sustainable drainage system (SuDS) and associated infrastructure (all matters reserved except for access) at Land North of Folly View Broadway Road Willersey Gloucestershire

Outline Application 25/02983/OUT	
Applicant:	Eagle One Homes
Agent:	Origin3
Case Officer:	Martin Perks
Ward Member(s):	Councillor Gina Blomefield and Councillor Tom Stowe
Committee Date:	11 February 2026
RECOMMENDATION:	PERMIT subject to completion of S106 legal agreement(s) covering financial contributions to secondary education, library services and community transport, the provision of affordable housing and self-build/custom build housing, and financial contributions to Willersey Parish Council for improvements to the village hall, recreation ground and cemetery

1. Main Issues:

- (a) Residential Development Outside a Principal or Non-Principal Settlement
- (b) Housing Mix and Affordable Housing
- (c) Impact on the Cotswolds National Landscape
- (d) Access and Highway Safety
- (e) Flooding and Drainage
- (f) Impact on Residential Amenity
- (g) Biodiversity

2. Reasons for Referral:

2.1 This application has been referred to Planning and Licensing Committee as it falls into the major development category as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. Site Description:

3.1 This application relates primarily to the southern part of an agricultural field lying adjacent to the western edge of the village of Willersey. The application

site measures approximately 1.84 hectares in area. The field as a whole measures approximately 3.1 hectares in size. The existing field is flat in appearance and is set to grass. Agricultural fields are located to the west of the application site and to its immediate north. A group of agricultural type buildings, which are now used for commercial purposes, are located approximately 80m to the north-west of the application site. Post war residential development adjoins the southern and eastern boundaries of the application site. In addition to the application field, the application site also includes the route of a proposed access drive which would extend approximately 50m into the Folly View housing development to the south of the aforementioned field.

- 3.2 The village of Willersey is designated as a Principal Settlement in the Cotswold District Local Plan 2011-2031. The village's development boundary extends along the southern and eastern boundaries of the application site. The application site is located outside, but adjacent to, the village's development boundary.
- 3.3 The site is located within the Cotswolds National Landscape (CNL) (formerly known as the Cotswolds Area of Outstanding Natural Beauty). The boundary of the CNL extends along the southern side of Collin Lane approximately 250m to the north of the application site.
- 3.4 The site is located outside of Willersey Conservation Area. The boundary of the conservation area is located approximately 180m to the east of the application site. There are no listed buildings within the immediate vicinity of the application site.
- 3.5 Public Right of Way HWY9 runs along the eastern and northern boundaries of the part of the field lying to the north of the application site.
- 3.6 The site is located within Flood Zone 1.

4. Relevant Planning History:

Application site

- 4.1 None

Land to north of application site

- 4.2 14/04854/OUT Residential development for up to 71 dwellings (35 to be affordable units). Refused 2015. Dismissed at appeal 2016 (APP/F1610/W/15/3121622)

Land to south of application site - site of Folly View

- 4.3 CD.2043 Outline application for the erection of a bungalow Refused 1957
- 4.4 CD.2043/A Outline application for the erection of 2 bungalows Refused 1960
- 4.5 CD.2043/B Outline application for house and bungalow Refused 1964 Dismissed at appeal 1965
- 4.6 CD.2043/E Fruit and vegetable stall on roadside Refused 1969
- 4.7 CD.2043/F Outline application for a semi-bungalow Appeal dismissed 1974
- 4.8 CD.2043/G Outline application for erection of a farmhouse Refused 1978
- 4.9 CD.2043/H Erection of a steel portal framed agricultural building Refused 1977
- 4.10 CD.2043/G Outline application to erect a dwelling Refused 1988
- 4.11 CD.2043/J Erection of a new building for storage and sale of goods produced in adjoining glasshouse, new vehicular access Refused 1980 Appeal dismissed 1981
- 4.12 CD.2043/K Erection of a dwelling and garage Refused 1984 Appeal dismissed 1985
- 4.13 14/01739/OUT Residential development of up to 20 dwellings (Outline application). Recommended for approval by Officers. Refused by Planning Committee 2014. Allowed at appeal 2015 (APP/F1610/A/14/2227938).
- 4.14 16/01572/FUL Erection of 30 no. dwellings with access, landscaping and associated infrastructure. Permitted 2016
- 4.15 16/04902/FUL Variation of Condition 2 (plan numbers) of permission 16/01572/FUL (Erection of 30 no. dwellings with access, landscaping and associated infrastructure) involving amendments to design and layout of approved scheme. Permitted 2017

Land to south of application site - Field House

- 4.16 23/00366/OUT Outline application for erection of up to 4 dwellings and garages with associated landscaping, parking and works Demolition of existing commercial and domestic buildings. Permitted 2023
- 4.17 23/03814/FUL Demolition of existing commercial and domestic buildings and construction of 5 dwellings and associated infrastructure. Permitted 2024
- 4.18 24/01262/FUL Demolition of existing commercial and domestic buildings and construction of 5 dwellings and associated infrastructure. Variation of condition 2 (approved plans) of planning permission 23/03814/FUL to enable amendments to design of approved scheme. Permitted 2024

5. Planning Policies:

- INF8 Water Management Infrastructure
- DS1 Development Strategy
- DS4 Open Market Housing o/s Principal/non-Pr
- H1 Housing Mix & Tenure to meet local needs
- H2 Affordable Housing
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF1 Infrastructure Delivery
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision
- INF7 Green Infrastructure

6. Observations of Consultees:

- 6.1 Gloucestershire County Council Highways: No objection subject to conditions.
- 6.2 Gloucestershire County Council Lead Local Flood Authority: Additional information requested.
- 6.3 Gloucestershire County Council Archaeology: No objection subject to condition.

6.4 Gloucestershire County Council Community Infrastructure: Requests contribution of £39,771.20 to secondary)16-18 education and £5,880 to library services. A contribution of £50,000 to community transport is also requested.

6.5 Gloucestershire County Council Public Rights of Way:

6.5.1 *'The proposed development lies in close proximity to Public Right of Way (PROW) HWY9, which has been clearly identified and thoughtfully considered within the Design and Access Statement. I appreciate that the development has been set back from the PROW, which helps preserve the character of the area and aligns well with the existing built environment at the eastern end of HWY9. I'm pleased to see the inclusion of a linking path between the northern edge of the village/main street and the existing footpath. It would be highly beneficial if this new path could be legally dedicated as an extension of HWY9, securing permanent connectivity for pedestrians.*

6.5.2 *While this path would provide direct access to village amenities and the wider countryside, it's important to note that it is classified as a footpath, not a bridleway. Therefore, the aspiration for a cycling link, as mentioned in Section 4.1 of the Design Response, is unfortunately not feasible under its current legal status along this route.*

6.5.3 *I would like to seek clarification regarding the statement in Part 11 of the Design and Access Statement, which reads: "Plots 1, 2 and 3 will properly address open space and the PROW beyond." This wording is vague and somewhat ambiguous, particularly as plots 1, 2, and 3 are not located near the Public Right of Way—plot 17 appears to be the closest. Could you please clarify what is meant by this statement and how these plots are intended to relate to the PROW?*

6.5.4 *The legal routes of the existing footpaths must be protected and remain fully available for public use at all times. If the footpaths need to be temporarily closed to allow ground works to take place or to safeguard the public during construction works, then an application should be made to GCC PROW giving 12 weeks' notice for this.'*

6.6 Biodiversity Officer: No objection subject to conditions.

6.7 Tree Officer: No objection subject to condition.

6.8 Environmental and Regulatory Services Air Quality: No objection.

- 6.9 Environmental and Regulatory Services Contamination: No object subject to condition.
- 6.10 Housing Officer: Comments incorporated into report.
- 6.11 Landscape Consultant: Comments incorporated into report.
- 6.12 Severn Trent Water: No objection subject to condition.
- 6.13 Thames Water: No objection. Recommend attachment of water supply condition. Comments incorporated into report.
- 6.14 Historic England: *' Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.'*
- 6.15 NHS Gloucestershire: No response to date.
- 6.16 Worcestershire County Council: No response to date.
- 6.17 Wychavon District Council: No response to date.

7. View of Parish Council:

Response received on the 6th November 2025:

- 7.1 *' Willersey Parish Council objects to planning application 25/02983/OUT.*

7.1.1 The proposal is contrary to multiple provisions of the National Planning Policy Framework (December 2024), including:

- Paragraphs 8 and 11-15 - the plan-led and sustainable development principles;*
- Paragraph 79 - ensuring rural housing maintains the vitality of existing communities;*
- Paragraphs 104-110 and 105 - promoting sustainable transport and protecting public rights of way;*
- Paragraphs 167-169 - managing flood risk and ensuring drainage infrastructure is adequate; and*
- Paragraphs 174-183 (especially 182) - giving great weight to conserving and enhancing the landscape and scenic beauty of Areas of Outstanding Natural Beauty.*

7.1.2 *It also conflicts with the Cotswold District Local Plan (2011-2031), notably Policies DS1, DS2, EN1, EN4, EN5, EN14, EN15, INF1, INF3, INF5, INF7, and S19, and with the Cotswolds AONB Landscape Strategy and Guidelines (Section 19.1 - Escarpment Outliers).*

7.1.3 *Furthermore, the proposal fails to comply with DEFRA's Rights of Way Circular 1/09, which requires planning authorities to treat the effect of development on public rights of way as a material consideration (see Chapter 7).*

7.2 Housing Land Supply and Policy Context

7.2.1 *Willesley Parish Council recognises that the Cotswold District Local Plan (2011-2031) is now partially out of date, as the District cannot currently demonstrate a five-year housing land supply in accordance with the NPPF.*

7.2.2 *However, under NPPF paragraph 11(d) and Footnote 8, the "tilted balance" in favour of granting permission does not apply where policies protecting areas of particular importance are relevant — including the Cotswolds Area of Outstanding Natural Beauty (AONB).*

7.2.3 *The AONB designation therefore provides a clear reason for refusal, regardless of the current housing supply position.*

7.2.4 *Furthermore, the PC has been consulting with developers on applications for 60 homes at W7A which is in the Local Plan and also for 40 on W4B which is outside the AONB and more likely to gain approval. If W4B is granted then W11 will likely be added. We suggest that the final applications for these 2 sites will be in the region of 100 homes. Thus additional development on W8B will far exceed the numbers envisaged in the Local Plan and would be disproportionate to the size, character, and infrastructure capacity of the village, contrary to the plan-led approach required by NPPF paragraphs 11, 15, and 20.*

7.3 Harm to the Cotswolds AONB

7.3.1 *The site lies within the Cotswolds Area of Outstanding Natural Beauty (AONB), a nationally protected landscape where great weight must be given to conserving and enhancing scenic beauty (NPPF paragraphs 182-183 and Section 85 of the Countryside and Rights of Way Act 2000).*

7.3.2 *The Cotswolds AONB Landscape Strategy and Guidelines (Section 19.1 - Unwooded Vale) identifies this landscape as one of the most visually sensitive*

parts of the Cotswolds. This development would contravene a number of guidelines:

- Maintain the open, sparsely settled character of the Unwooded Vale by limiting new development to existing settlements and avoiding development between existing villages.*
- Avoiding development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements in areas of open landscape.*

7.3.3 The advice is to maintain open, undeveloped gaps between settlements, to prevent coalescence and retain distinct village identities - this proposal would reduce the gap against the guidance and link the village to the houses on the other side of the County boundary in Broadway. It would significantly reduce the space between Folly View and the Willersey Provisions industrial site off Collin Lane turning open countryside with isolated developments into built up area surrounding the remains of W8A green space. This is gradual erosion of the AONB at its border.

- Ensure that new development does not adversely affect the wider rural landscape and views to and from the AONB. This proposal would degrade the panoramic views to and from the escarpment and across the vale - especially from FP 9 and others on the escarpment e.g. FPs 10, 12 & 14.*
- Conserve the existing dark skies and areas of dark landscape*

7.3.4 Adopt measures to minimise and where possible reduce light pollution

7.3.5 Any development would be contrary to these guidelines - see para 6.

7.3.6 This proposal would directly conflict with these strategic objectives. It would introduce suburban-style development into open countryside, reduce the green gap between Willersey and Broadway, and erode key view corridors towards the escarpment. The result would be a permanent and harmful alteration to the open landscape character of this part of the AONB.

7.4 Impact on Public Right of Way FP9

7.4.1 A much-used Public Footpath (FP9) runs from the edge of the Field Lane housing along open fields with minimally uninterrupted views across the countryside to the Cotswold escarpment. This important public amenity would be severely compromised, as the outlook would change from open rural views

to a housing estate. The estate would be located at the very point that the FP enters what is currently open fields.

7.4.2 This conflicts with Local Plan Policy INF7 (Green Infrastructure), which requires development to protect and enhance existing green infrastructure and access networks.

7.4.3 NPPF paragraph 105 reinforces that "Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users." This proposal has the opposite effect.

7.4.4 Chapter 7 of DEFRA's Rights of Way Circular 1/09 also states:

"The effect of development on a public right of way is a material consideration in the determination of applications for planning permission, and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered."

7.4.5 This development would have a clear negative impact on FP9 and on public enjoyment of the AONB landscape.

7.5 Flooding, Drainage, Water and Sewage Infrastructure

7.5.1 The site is frequently waterlogged, and Willersey's sewage system already overflows during heavy rainfall; it overflows in Collin Lane into the stream there. This is a pinchpoint for all flows from the west of the village. Since the system is already overflowing on occasion, the additional flow from this development would go straight into the stream and gardens of residents on Collin Lane. The pumping station also overflows as it cannot cope with the existing volumes. The PC will submit a separate comment on this issue.

7.5.2 This conflicts with Local Plan Policies EN14 (Managing Flood Risk), EN15 (Pollution and Contaminated Land), and INF5 (Sustainable Drainage Systems), as well as NPPF paragraphs 167-169.

7.5.3 If the application were approved we ask that a condition be attached that no dwellings should be occupied until adequate foul drainage and sewage upgrades are completed and operational, verified by Severn Trent Water and the Lead Local Flood Authority.

Fresh Water.

7.5.4 We note Thames Water comment: Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal.

7.5.5 We submit that approval would be contrary to CC6 in the Plan update consultation and also LP INF1 & INF2 also NPPF para 20 & 161.

7.6 Sustainability and Access

7.6.1 Willersey has very limited local facilities— a garage, primary school and two public houses. Willersey was designated as a Principal Settlement in the last LP but due to the closure of both the Post Office and village shop has been reclassified in the ongoing Reg.18 consultation as Non Principal.

7.6.2 Residents must travel to Broadway or beyond for shops, secondary schools, and medical services. The pavement to Broadway is frequently under water, making pedestrian access unsafe and unsustainable. This somewhat isolated location on the edge of the village encourages a pattern of car-dependent living which conflicts with NPPF paragraphs 8 and 104-110 and Local Plan Policies DS1, DS2, and INF3 (Sustainable Transport).

7.7 Impact on the Cotswolds AONB Dark Skies

7.7.1 The Cotswolds AONB is recognised as having some of the darkest skies in England, ranked 13th out of 326 districts nationally. Darkness at night is identified as one of the "special qualities" of the AONB in the Cotswolds AONB Management Plan (2018-2023).

7.7.2 The AONB's Position Statement on Dark Skies and Artificial Light (March 2019) sets out Policy CE5: Dark Skies, which states that:

"Development proposals in the Cotswolds AONB should avoid and minimise light pollution affecting dark skies and should seek opportunities to remove or reduce existing sources of light pollution."

7.7.3 The policy also seeks to increase the area of dark skies by controlling the spread of artificial lighting and protecting the tranquillity and night-time character of the AONB.

7.7.4 This development would introduce significant new sources of light pollution — including street lighting, domestic security lighting, and vehicle headlights — at the rural edge of Willersey, within one of the darker parts of the Cotswold escarpment landscape.

7.7.5 The cumulative effect would erode the rural night-time environment, diminish enjoyment of the night sky, and conflict with Policy CE5 of the Cotswolds AONB Position Statement. It would also be inconsistent with NPPF paragraphs 174 and 182, which require great weight to be given to conserving and enhancing the landscape and scenic beauty of the AONB, including its dark skies.

7.7.6 The applicant has not provided any detailed lighting strategy or assessment of light spill, nor any measures to mitigate potential harm. The proposal therefore conflicts with Policy CE5 of the Cotswolds AONB Dark Skies Statement and Local Plan Policies EN1 and EN4, which require that development respects and enhances the natural and scenic qualities of the AONB.

7.8 Cumulative Impact and "Major Development" Status

7.8.1 The developer previously consulted local residents on a larger scheme of 50 houses over a greater area.

7.8.2 This partial application for 30 homes represents a strategic attempt to circumvent planning policy thresholds contrary to NPPF Paragraphs 55-57 & 64 and LP Policies INF1, DS1 & S2. Although related to Cirencester, S2 supports the principle that the site should be assessed as a whole.

7.8.3 We suggest CDC require a masterplan or phasing strategy for the full site before determining any part of the application

7.8.4 The current application for 30 houses does not materially reduce the landscape, visual, or infrastructure impacts of the development of this site.

7.8.5 A "major development" is defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 as:

- Housing: 10 or more dwellings, or sites of 0.5 hectares or more;

7.8.6 This proposal clearly qualifies as major development, and under NPPF paragraph 182 and Local Plan Policy EN1, major development in an AONB

should only be permitted in exceptional circumstances and where it is in the public interest.

7.8.7 The applicant's assertion that this scheme is "not major" is therefore misleading. The proposal has significant cumulative impacts on landscape, FP9, drainage, dark skies, and village sustainability, and must be treated as major development requiring full scrutiny.

7.8.8 The village has other sites outside the AONB and development which erodes the AONB is not in the public interest.

7.9 Conclusion

7.9.1 This proposal would:

- *Cause substantial harm to the Cotswolds AONB;*
- *Destroy valued views and reduce amenity along Public Footpaths*
- *Fail to protect or enhance green infrastructure, contrary to INF7 and NPPF para 105*
- *Exacerbate flooding and sewage issues; and*
- *Represent unsustainable, disproportionate growth beyond the capacity of the village.*

7.9.2 Should permission nevertheless be granted we recommend that conditions be attached:

- *no dwellings should be occupied until water and sewage systems are fully upgraded,*
- *a substantial landscape buffer must be provided to protect the AONB and the amenity of Public Footpath FP9.*
- *The existing 30mph limit be extended to include the entrance to Folly View.'*

8. Response received on the 14th November 2025:

8.1 ' This is one of two current planning intentions for a total of ninety houses in Willersey and we are expecting another application for thirty shortly.

8.1.1 Although we realise that each planning application is considered separately, we would ask that CDC consider the impact of cumulative approvals for build on the village. We would also like to engage with the Council regarding

the proposed Local Plan and understand that current planning applications will not be considered as part of the future proposed allocation.

8.1.2 Willersey Parish Council requests CDC to pause any further planning decisions whilst the Consultation on the Local Plan takes place, so local people and their representatives can discuss future development with CDC and make strategic, rather than damaging piecemeal decisions.

8.1.3 Willersey Parish Council formally objects in the strongest possible terms to planning application 25/02983/OUT. This proposal for 30 new dwellings is fundamentally flawed, demonstrably unsustainable, and directly contravenes key principles established in the National Planning Policy Framework (NPPF 2024) and the Cotswold District Local Plan (CDLP).

8.1.4 The proposed development, when considered alongside recent and pending growth in Willersey and neighbouring settlements, will lead to an intolerable and critical strain on the village's already failing infrastructure and irreversible environmental harm.

1. Failure to Address Infrastructure Incapacity and Crisis Points

1.1 The proposal fails to satisfy the requirements of NPPF Paragraphs 98 and 101 (ensuring development is only granted where the necessary infrastructure is available or can be provided) and CDLP Policy INF1 (Supporting Infrastructure). Willersey's essential services are at crisis point and cannot absorb the impact of a further 30 households.

1.1 Foul Sewerage, Drainage, and Flood Risk (NPPF 170 & CDLP EN14)

1.1.1 The foul sewerage and drainage system is severely overburdened. The existing infrastructure has already been significantly impacted by the cumulative strain from the Folly View, Willow Green, and Farncombe Estate developments joining the network.

1.1.2 The system, which operates as a single pipe system, is at maximum capacity, resulting in frequent and severe sewage spills. Flooding has become a regular occurrence, sometimes up to five times a year, especially during prolonged heavy rain. This affects Collin Lane, Blind Lane, and Badsey Road (under the railway bridge). Crucially, raw sewage, which has been seen floating along Collin Lane and into the stream alongside the Recreation Ground/Willow Green (ultimately feeding into Badsey Brook and the River Avon), is being discharged into floodwaters and the gardens of Collin Lane, posing a severe

public health risk. This contamination causes the backup of sewage systems for properties on Collin Lane, Collin Close, and others, stopping the use of toilets and showers until the floodwaters subside.

1.1.3 Holding Objection from Severn Trent: The Parish Council notes that Severn Trent (the foul sewerage provider) has requested a Holding Objection to this planning application, having been alerted to the potential for the proposed development to have a detrimental impact on the surrounding Network and Treatment Works, with the possibility of causing further flooding or pollution. The Parish Council requests that Severn Trent's recommendations, following their investigation, are given maximum weight, noting that simply stating Severn Trent has a duty to improve the network deflects responsibility and conflicts with recommendations from the National Flood Forum (NFF).

1.2 Water Supply Network Capacity (CDLP INF1)

1.2.1 In addition to the foul drainage issues, the existing water supply network has been officially determined to be insufficient to serve this development, directly contradicting the requirement for necessary infrastructure to be in place. This deficiency is officially noted:

1.2.2 Thames Water Comments: Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. As such Thames Water request that the following condition be added to any planning permission. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed... (etc.)

1.2.3 This official statement confirms that the necessary water network infrastructure is not currently available, placing an unacceptable risk of no/low water pressure on existing residents and directly contravening planning policy.

1.3 Health and Education Services

1.3.1 Local GP surgeries and dental practices, particularly those in the wider catchment area including Broadway (which is situated in the adjacent county of Worcestershire and on which Willersey villagers rely for service provision), are already severely overstretched. Waiting times are increasing, a situation worsened by developments impacting the already strained Worcestershire service provision. Furthermore, the village school is small and its site in the conservation area constrains expansion, with most year groups at capacity. An

influx of new residents, particularly families, will exacerbate this crisis, forcing households to make multiple daily journeys to separate primary schools or seek education further afield, thereby undermining the sustainability of the location. CIL Inadequacy: The Parish Council firmly maintains that these critical infrastructure challenges—including but not limited to Sewage, Fresh Water, Electricity, Gas, GPs, and Schools—will not be addressed by the Community Infrastructure Levy (CIL) suggested by the developer. These essential infrastructure challenges must be definitively resolved before any planning permission could be granted.

2. Irreversible Harm to the Cotswolds National Landscape (AONB)

2.1. The application site lies within the Cotswolds National Landscape (AONB), a nationally protected landscape where great weight must be given to conserving and enhancing scenic beauty (NPPF Paragraphs 187-190 and Section 85 of the Countryside and Rights of Way Act 2000). In such locations, the scale and extent of development should be limited, and the 'presumption in favour of sustainable development' does not automatically apply (NPPF Paragraph 11). The destruction of AONBs contravenes the 1949 Act of Parliament passed to conserve such areas of the UK.

2.2 Development here must adhere to the highest level of protection, as stipulated by NPPF Paragraphs 189 and 190 (giving great weight to landscape and scenic beauty) and CDLP Policy EN5 (Conserving AONB).

2.1 Major Development and Strategic Circumvention (NPPF 182, 55-57, 64 & CDLP EN1, S2, INF1, DS1)

2.1.1 This proposal for 30 dwellings clearly qualifies as major development within an AONB, and under NPPF Annex 2 Glossary and Local Plan Policy EN1, it should only be permitted in exceptional circumstances and where it is in the public interest—a test this application fails entirely.

2.1.2 Furthermore, this proposal is understood to represent a second phase of development (following Folly View) based on an option to purchase acquired during the first phase. This partial application for 30 homes represents a strategic attempt to circumvent planning policy thresholds by seeking piecemeal consent, contrary to NPPF Paragraphs 55-57 & 64 and Local Plan Policies INF1, DS1, & S2 (which supports assessing the site as a whole). The Parish Council strongly recommends that Cotswold District Council require a masterplan or phasing strategy for the full site before determining any part of the application.

2.2 Coalescence, Visual Harm, and Dark Skies

2.2.1 The Cotswolds AONB Landscape Strategy and Guidelines (Section 19.1 - Unwooded Vale) identifies this area as one of the most visually sensitive parts of the Cotswolds. This development contravenes core guidelines by failing to:

- Maintain the open, sparsely settled character of the Unwooded Vale by extending the settlement into an open landscape.*
- Maintain open, undeveloped gaps between settlements to prevent coalescence and retain distinct village identities. This proposal continues to reduce the gap and will link the village to houses across the County boundary in Broadway, significantly reducing the space between Folly View and the Willersey Provisions industrial site. This constitutes a gradual, irreversible erosion of the AONB at its border.*

2.2.2 Ryan Mills, Landscape Consultant, states in his report:

2.2.3 "The site occupies a sensitive position on the western edge of Willersey, forming part of the rural setting of the village within the Cotswolds National Landscape. The proposed development would give rise to localised adverse effects on landscape character and visual amenity, particularly in views from Willersey Footpath 9 and from nearby residential receptors."

2.2.4 The site is highly visible, severely interrupting panoramic views of the escarpment, particularly from the public footpath Willersey 9 and others on the escarpment (e.g., FPs 10, 12, & 14). Granting permission would cause irreversible visual harm and degrade the panoramic views to and from the escarpment and across the vale.

2.2.5 Furthermore, the proposal completely ignores the requirement to minimise light pollution and conserve existing dark skies. The development contravenes AONB guidelines, and the AONB's Position Statement on Dark Skies and Artificial Light (March 2019) has not been considered by the applicant, threatening to erode the area's dark skies and setting a damaging precedent.

2.3 Ecological Damage (NPPF 189, 190 & NERC Act S41)

2.3.1 The Parish Council asserts that the proposal completely ignores the conservation and enhancement of wildlife and cultural heritage, as required by NPPF Paragraphs 189 and 190. The site possesses important biodiversity,

including species listed as being of conservation concern on Section 41 of the NERC Act (Habitats and Species of Principal Importance). Documented sightings include RSPB Red List birds (e.g., lesser spotted woodpecker) and Amber List birds (e.g., tawny owl), which will lose their habitat if this field is developed.

2.3.2 The Parish Council therefore questions the accuracy of the Ecological Appraisal Report prepared by Malford Environmental Consulting Ltd, which, for example, states in Field Survey 4.6.2 that "very few birds were seen or heard." Local residents, including Mr. R. Topp (whose photographic evidence is published in the Parish magazine), have consistently reported a vast biodiverse area for many species of conservation concern that are increasingly rare across the UK. The site is an essential wildlife corridor used by deer, foxes, and rare newts, and must be protected.

3. Loss of Village Identity and Unsustainable Location

3.1 The proposal constitutes unsustainable development, threatening the small, rural character of Willersey and directly ignoring the principles of planned development required by NPPF Paragraph 15.

3.2 Lack of Amenities and Transport (NPPF 8, 104-110 & CDLP DS1, DS2, INF3): Willersey lacks the essential facilities to support this development. The village is now extremely limited, consisting only of two public houses, a garage (fuel only), and a primary school. Residents must travel to Broadway or beyond for access to shops, medical services, and schools.

3.3 This dependency on external services means residents are isolated and car-dependent, which conflicts directly with NPPF Paragraphs 8 and 104-110 and Local Plan Policies DS1, DS2, and INF3 (Sustainable Transport). The developers' proposed transport strategy is untenable: the pavement to Broadway (approx. 1.1 miles/25-minute walk to the nearest shop) is frequently underwater, making the journey unsafe and unsustainable, and the direct route involves crossing the A44 near a busy roundabout, which is dangerous. This isolation and inherent car dependency will equally apply to the residents of the new development.

3.4 Erosion of Character: This scheme is widely viewed by the community as a "continuous march towards urbanisation," threatening to turn this "quintessentially Cotswold Village" into an "urbanised satellite" that merges with Broadway. The development fundamentally changes the lifestyle bought into by existing residents, particularly those who purchased retirement homes

seeking quiet living, whose quality of life will be detrimentally affected by the proposed large, family-orientated estate and adjacent play area.

4. Planning Compliance and Community Engagement

4.1 Rebuttal of Applicant's Claims

4.1.1 The Parish Council challenges several key statements made by the Applicant (Eagle One) in their consultation materials and documentation:

- Character of the Land: The developer describes the proposed site as "an agricultural field landscaped as an orchard." This is factually incorrect. The field is actively used as both arable and pastoral land, used for grazing animals (cows and sheep) and to produce hay/grass bales, as evidenced by photographs submitted in other objections.*
- Enclosure and Impact: The developer incorrectly states the site "is well enclosed and well-related to existing houses of Willersey, so is considered it would have minimal impact on the National Landscape." The Parish Council asserts the site is neither well enclosed nor well related. It is bound by hedgerows and a public right of way (HWY9). The development will have maximum impact on the National Landscape, causing irreversible visual harm highly visible from the escarpment and public footpaths, evident even from the photographs provided by the developer. It is highly likely that Broadway Tower will no longer be visible from this public footpath should development proceed.*

4.2 Unnecessary and Unplanned Development

4.2.1 The land is not designated for housing within the current Local Plan. The village has already accommodated in excess of 125 new properties spread across at least four sites in recent years. This level of growth is far in excess of the much revised local plan for the next decade and clearly constitutes over-development.

4.2.2 Furthermore, Willersey was designated as a Principal Settlement in the last Local Plan but, due to the closure of both the Post Office and village shop, it has been reclassified in the ongoing Regulation 18 consultation as Non-Principal. Therefore, basing the planning application on the technicality that Willersey is currently a Principal Settlement (based on an old local plan) is misleading and fails to account for how the area has changed and the true lack

of sustainability. This proposal is therefore overbearing and should be refused due to the existing and documented strain on infrastructure, as detailed above.

4.2.3 Housing Type and Community Benefit: There is significant scepticism regarding the true affordability of the proposed homes, citing previous local developments where "affordable" housing remained beyond the reach of local young people. Furthermore, the proposed amenity (a play area) is redundant given the existence of a thriving recreation ground, leading to the conclusion that the scheme offers NO valuable contribution to the village at all.

4.2.4 Procedural Failings (NPPF 15): This proposal ignores the community's clear vision for Willersey, where the developer's own consultation showed 97% of respondents opposed the plan, directly violating the spirit of plan-led and community involvement requirements.

5. Conclusion and Request for Refusal

5.1 For the reasons detailed above, this proposal fails to meet the tests of sustainability, infrastructure capacity, and environmental protection set out within the NPPF (2024) and the Cotswold District Local Plan. The documented inability of the existing water network, the crisis in health and education provision (especially considering reliance on Worcestershire services), the irreversible visual and ecological harm to the Cotswolds National Landscape, and the demonstrable lack of community support are overwhelming grounds for refusal.

5.2 Willersey Parish Council respectfully requests that Planning Application Ref: 25/02983/OUT be refused forthwith.'

8.2 In addition to the above comments, Willersey Parish Council has also submitted a separate request for financial contributions towards the following:

- i) Village Hall extension & upgrades;
- ii) Recreation Ground improvements;
- iii) Cemetery improvements;

8. Other Representations:

8.1 Approximately 141 individual objections, 273 signed copies of a standard objection letter and 1 support received.

8.2 Main grounds of objection are:

- i) Over development of our village which is already over developed.
- ii) The development is within the AONB.
- iii) The development is on prime agricultural land.
- iv) There are no affordable houses planned within this application for the young people of our village to buy.
- v) The majority of residents of Folly view do not want this development.
- vi) There are three other developments in the pipe line for expansion of our village namely - a) Auto sleepers on the Willersey Industrial estate, b) 60 houses proposed by the C of E church on the field called Terrafy; c) 50 houses that Newlands want to build on the field once owned by Jean Moore at the rear of the new Willow Green development.
- vii) The sewage presently in the village can't cope, Severn Trent are constantly being called to clear and jet blast through the existing sewer pipes at the bottom of Collin Close and in Collin Lane.
- viii) Surface water adds to the problem when there is prolonged heavy rain with sewage spilling out of the storm drains onto the road in Collin Lane. This sewage has been seen floating down the road and into the stream feeding into Badsey brook which feeds into the river Avon. This is not healthy for both aquatic life and humans.
- ix) There are no local convenience stores in Willersey.
- x) The public transport is sparse and unconnected, so to go to an early doctor's appointment or catch or return by a train from Honeybourne or Evesham stations, if you haven't got a car or can't afford to pay for a taxi you are stuck.
- xi) The five country roads feeding into Willersey are busy at peak times. In poor surface condition, very twisty which leads to several serious accidents due to reckless speeding drivers which will only increase with more people moving into the village having to commute for work.
- xii) Doctor's surgeries are near to capacity.
- xiii) Primary and secondary schools are also near to capacity.
- xiv) In nearby Broadway (Controlled by Wychavon Planning) a 114 house development has been approved with more to come, we share some of their infrastructure which is also near to full capacity.
- xv) The strip of land that this developer is applying for is in the AONB if granted it is likely there will be additional infill applications from developers to join up a string of ribbon plots connecting Broadway Road to Collin Lane all within the protected AONB.
- xvi) There will be nothing to stop the applicant extending this to 50 homes or even 80 and returning to the layout that has been rejected before. I fear that

we will end up with poorly built homes out of keeping with a Cotswold stone area degrading our AONB status with properties positioned on a poorly designed site that floods and feels utilitarian. The site would evaporate the views and living standards of 80 adjacent residents. There will be a significant loss of privacy for adjoining properties especially at the point of entry and all exists including footpaths., There will be a loss of habitat safety and condensing of services without any additional provision.

xvii) Willersey cannot cope with anymore housing developments especially for the rich. The local young adults of this village can't afford to buy properties in the village and have to move into towns.

xviii) The infrastructure of the village cannot cope with more estates built.

xix) The area where it is planned is a beautiful area of fields and public right of way.

xx) The houses and bungalows which back onto this field have beautiful views which will disappear and will look into people's windows and to the rest of the proposed housing estate and will be difficult to sell because of this.

xxi) Loss of privacy, noise, pollution and impact to the local area.

xxii) Lack of a construction statement and traffic management plan.

xxiii) With infrequent buses, no meaningful employment in the area and no shop or upper school in the village the area fails the current needs for sustainable local living.

xxiv) It seems irresponsible to place a pond beside a play area for children which will have to be fenced. The swales shown are another health hazard with stagnant and contaminated water accumulation and a breeding ground for mosquitoes and diseases.

xxv) The entry point onto the site is totally inappropriate with a restricted access reduced width left hand bend.

xxvi) It's a really bad idea to have an entry point off a quiet established estate that passes Rose fronted style cottages with no footpaths and verges. There is a safety consideration to be understood with the increase in traffic throughout the existing estate.

xxvii) Due to previous developments in the village of Willersey it is now common in periods of heavy rain to see manhole covers lifting and raw sewage, diluted by rainwater, being discharge from the manhole. The reason for the pressure build-up causing the manhole cover to lift is not known but is likely to be due to either: -The pipes for the combined sewerage and drainage system being too small for the load in periods of heavy rain, or - a throttling of the input to the pumping station to prevent the station being overloaded. Whatever the reason, the fact that diluted unprocessed sewage is being discharge from manholes in the village means the combined sewerage and drainage system is inadequate for the total flow in periods of heavy rain.

xxviii) If residential was to be permitted, the NPPF, would require the efficient use of land. With a residential density of only about 20 units per Hectare, the application should be refused, as it would not be making efficient use of land for residential. 45 units would be far more appropriate. That could be achieved at the reserved matters stage through layout, design, and the dwelling mix matching the need. Examples would be predominantly terraces, with some flats; no detached properties; no garages, as they waste space becoming storage; use of internal road for parking, where achievable; inclusion of rooms in the roofs, as part of the design; and fewer 4 and 5 bedroom units. Through these type of measures, Suds; children's play space; Biodiversity e.t.c. areas would still be achievable. By modern standards the prevailing density would, at around 30 units per Hectare, using CDC method, be appropriate, for residential in such a location.

xxix) The school is currently at capacity. Children cannot be accommodated within year groups due to constraints on space, and there is very little outside provision, except by permission of the Parish Council. This means any primary age child will need, at the expense of the Local Authority, to transport children further afield, with the nearest facility being in another county.

xxx) Although some small local employers, the majority of employment is in Evesham, Cheltenham or Gloucester, necessitating vehicle requirement, as public transport is too limited to accommodate this for potential residents.

xxxi) There are no highway improvements planned in the application. Willersey suffers from speeding traffic.

xxxii) The development will also remove the demarcation between Willersey and Broadway. At present the fields provide a clear and natural break between the two villages, which are in different counties.

xxxiii) The Illustrative Masterplan document indicates a Maintenance Corridor on the eastern side of the proposed development site. The corridor contains the sewage pipe from the previous Folly View development. The maintenance corridor will become a major eye-sore without regular maintenance (i.e. grass cutting). The ditch will become a flood risk if not maintained and vegetation and silt is allowed to build up. Flooding occurred from the ditch where it goes under the Broadway Road due to poor maintenance. The farmer has taken action to ensure that the flood risk associated with the ditch where it runs through the proposed maintenance corridor is currently minimised. However, to maintain this state will require regular attention. If planning permission is granted it is requested that this is conditional on provision being made to ensure that appropriate maintenance is funded and regularly carried out on the maintenance corridor and ditch for the life of the development.

xxxiv) We are already restricted for parking spaces and also the development would destroy our green communal area. Plus the huge new amount of traffic

to the new development would be a safety issue with children playing out and pets.

xxxv) Willersey is completely lacking in facilities. There is no shop causing the residents to travel by car to Broadway and Evesham. There is a high proportion of elderly residents in Willersey and it already proves difficult to get doctor's appointments and more housing will only add to the problems. We already have flooding issues from sewers and despite Severn Trent's remedial works the problem still exists for some current homeowners. This proposed development is not in the approved local plan and should not therefore be permitted.

xxxvi) The reliance of many Willersey residents on critical services provided in neighbouring Worcestershire, due to the village's position on the county boundary, further exacerbates the local infrastructure deficit. The development's failure lies in its dependence on new residents using public transport or walking, without acknowledging the severe limitations of the existing network. Providing a bus timetable and encouraging walking is not an adequate or sustainable solution for creating a better, equitable society, particularly for those reliant on public transport for employment, healthcare, and education access in hubs such as Broadway and Evesham. The current public transport network is insufficient for this level of reliance, it is unacceptable that vulnerable people need to travel by bus to buy a pint of milk, and therefore the development is not a sustainable environmental solution in accordance with NPPF objectives.

xxxvii) Irreversible Visual Harm to the Cotswold National Landscape.

xxxviii) This is a backland site that lies beyond the established built form of Willersey. Development here would represent an inappropriate encroachment into open countryside and undermine the village's traditional linear character. The proposed layout would be out of keeping with the existing pattern of housing and would erode the rural setting of Broadway Road.

xxxix) Entry to Folly View is not wide enough to accept more traffic.

xl) The proposed road will detach and run between our house and our parking space and reduce the total number of spaces available for our use from 6 to 3 (between 3 houses). Currently, we can tandem park our cars, which ensures that the roads remain safe and clear of parked vehicles. The development would compromise this arrangement, leading to increased parking congestion and a significant reduction in the convenience, visibility and safety of access to our homes.

xli) The planning application has made no provisions to address the very real parking concerns. It is not acceptable to simply reduce the number of parking spaces without regard for the house owners, who will be significantly impacted by this development. This oversight demonstrates a lack of planning, goodwill, and consideration for those living in the affected properties.

xlii) Loss of wildlife habitat.

xliv) The developer's own consultation demonstrated that an overwhelming majority of respondents - 97% a significant percentage - were opposed to this scheme. Despite this clear feedback from local residents, the proposal remains essentially unchanged. This disregard for community views undermines the credibility and purpose of the consultation process.

xlv) The adjoining over 55 community would be severely affected by this inappropriate development.

xlvi) Folly View is overburdened with parked cars every day, usually parked up on the pavement due to lack of space. Broadway Road has a speed limit of 40mph grinding down to 30mph in Folly View! Several children play daily in Folly View making their way to the green space which the developer provided and plans to remove in their plan to become a road.

xlvii) Impact on dark skies.

xlviii) Conflict with Local Plan Policies EN1, EN4, EN5, and EN7.

l) Application field floods in winter.

li) Critical failure of the proposal to demonstrate sustainability, its adverse environmental and social impacts, and non-compliance with policies within the National Planning Policy Framework (NPPF) and the Cotswold District Local Plan (CDLP).

li) Harm to Cotswolds National Landscape. Conflict with NPPF 187. The development does not conserve and enhance the landscape and scenic beauty of this AONB.

lii) The infrastructure for the village has already been significantly impacted by the Folly View, Willow Green and the joining of Francombe Estate to the existing sewage infrastructure. Flooding, which was a once in ten year event, has now become a regular occurrence sometimes up to 5 times a year, especially during prolonged periods of heavy rain. This affects Collin Lane, Blind Lane and Badsey Road under the railway bridge, with raw sewage being discharged in to the flood waters and into the gardens of Collin Lane in particular. The flood waters cause a backup of the sewage systems for properties on Collin Lane, Collin Close and others and stops the use of toilets and showers until the flooded sewage system subsides.

liii) Historic England is currently studying the final archaeological report of a neighbouring major iron age and Roman villa discovery in Willersey, to consider whether the area should be designated a scheduled monument for long-term protection. While the full extent of the nearby Iron Age settlement discovered in Willersey is still being uncovered, recent archaeological work suggests it is an extensive, multi-phase site that underlies later Roman structures. Geophysical surveys have helped to map its features beneath the ground. Uncovered features and dimensions suggest this Willersey site is potentially extensive and likely the reason why organized metal detectorists groups have from time-to-time focused attention on the 25/02983/OUT proposed development field.

liii) The existing parking arrangements in Folly View, although to residential standards, are plainly inadequate leading to casual parking of visiting cars and trade vans along the existing access road. At least 12 children from the adjoining houses play and socialise on the footways. If traffic is increased their safety and the safety of the vulnerable and the elderly residents will be put at risk. Some of the frontages, ironically sold to their occupiers by the very people behind their proposed development, will lose their amenity by the extended access road passing within as little as 4.5 metres away. The existing green space, enjoyed by all, will disappear.

liv) Inadequate sewage capacity and infrastructure.

lv) The construction of large numbers of houses off Broadway Road in the direction of Broadway has narrowed the gap between Willersey and Broadway. The construction of further houses as now proposed would erode that gap even further.

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

Ivii) We are currently suffering flooding in the adjoining field to that of the proposed site with the watercourse which runs alongside our property almost full. After several days of rain the ground is saturated and the water which runs from the hillside pouring into the watercourse creating issues for properties in Field Lane where the water is running straight through the rear garden to the front of the house and further down to the rear of Collin Close reaching Collin Lane.

8.3 **Main Grounds of Support**

8.4 The Parish Council has campaigned on four points:

- i)
 1. Protect the AONB - I feel this is an ugly field which has no great "beauty" to protect.
 2. Stop Sewer Flooding - The documents submitted indicate this has been considered and dealt with.
 3. Infrastructure crisis - The GP would receive extra funding for extra patients, 30 houses does not represent a huge increase in patient numbers. I notice Barn Close has not objected. School places are a concern. The extra traffic on our roads would not be significant.
 4. We don't want it. This is a 5-year old's argument.

- i) I do want it. As we want our village to grow. Nationwide there is a shortage of houses which will last until this kind of NIMBY attitude exists.

- ii) We have 2 pubs which are barely surviving, a fantastic farmers market which needs customers, and with an increased population we might even get a village shop again.

- iii) The development looks well planned with possibilities for expansion.

8.5 **Gloucestershire Constabulary:**

8.5.1 'The Design and Access Statement includes the Secured by Design requirements within this Outline application but also any subsequent Reserved Matters applications. It would be advantageous for the applicants to contact the Designing Out Crime Officer for Gloucestershire Constabulary rather than Thames Valley as mentioned on Page 35. I would be happy to help with any SBD applications for this site.

8.5.2 To facilitate this, the inclusion of a condition would help ensure this conversation continues at each design stage, enabling this application to meet the requirements set out in the following documents

- *Section D.65, Paragraph (a) explains Open spaces, including streets and parks should be designed with adequate seating, gently sloping access routes, measures to reduce fear of crime, and an attractive appearance, so that people are encouraged to use them. Cotswold District Local Plan 2011-2031*

- *CIHT Residential Parking Design guidance note*
- *Security Overlay to the RIBA Plan of Work*
- *Chief Planning Officer's letter in July 2017 reminding Authorities of the importance to include crime prevention and counter terrorism security measures*
- *Section 4.6 detailing Layout and connectivity in Manual for Street, Department of Transport*
- *Paragraph 135 (f) of the National Planning Policy Framework (NPPF), Department for Levelling Up, Housing and Communities*
- *Paragraph P2 of the Public Spaces section in the Ministry of Housing, Communities and Local Government's National Design Guide*
- *Paragraph 12 of the Healthy and Safe Communities section of the Practical Planning Guidance (PPG) which replaced Safer places: the planning system and crime prevention in 2014*
- *Section 17 of the Crime and Disorder Act 1998 Page 2 of 2*

8.5.3 It is important to stress each of these documents place a requirement for the Planning Authority and the architect/ developer to create designs which prevent crime, the perceived fear of crime and ASB.'

8.6 Cotswolds National Landscape Board

16-page letter received. Main comments are:

'Landscape and Visual Impact

8.6.1 The site comprises a relatively flat, open agricultural field located at the western edge of Willersey, currently used as pastureland. It is bounded by existing residential development to the south (Folly View) and east, Willersey Footpath 9 to the north and north-east, and open countryside to the west and northwest. The site sits within a transitional landscape between the built-up village core and the surrounding rural landscape, making it sensitive to development pressure.

8.6.2 We note the applicant's reference to the Council's assessment contained within a 2014 study of land surrounding Key Settlements report which does not set out an in-principal objection to the development of the site on landscape grounds, subject to new development being of a high quality, however it is also of note that the site (promoted as part of a wider site for 80 homes) was assessed as unsuitable in the Council's 2021 Strategic Housing Land Availability Assessment. We also note the Council's preapplication advice to the applicant

regarding the need to create a soft, transitional edge to the settlement and to avoid an unduly dense roofscape.

8.6.3 Section 19.1 of the Cotswolds AONB Landscape Strategy and Guidelines (LS&G) referenced above highlights how the development and expansion of settlements can give rise to potential adverse landscape implications including:

- Intrusion of expanded settlement fringes into the landscape including within the setting of the AONB;*
- Degradation of views to, from and across the AONB;*
- Proliferation of suburban building styles, housing estate layout and materials;*
- Upgrading of minor roads and lanes associated with new development and the introduction of suburbanising features such as mini roundabouts, street lighting, highway fencing, kerbs and traffic calming measures;*
- Increased traffic leading to increased damage to road verges and roadside hedges and walls and the creation of informal passing places;*
- Introduction and accumulation of lit areas and erosion of characteristically dark skies.*

8.6.4 The proposal would extend built form into open countryside and would impact the landscape character of the Unwooded Vale Landscape Character Type (and specifically the Vale of Evesham Fringe within which it is located. The character of this landscape is defined by open, gently rolling agricultural fields, mature hedgerows, scattered trees, and a sparse settlement pattern. It retains strong visual connectivity with the Cotswold Escarpment and has historically been shaped by hedgerow field boundaries and the presence of ridge and furrow features.

8.6.5 Whilst the site contributes to the agricultural landscape that defines the village's setting and forms part of the transition between the built form and the surrounding countryside, the character of the site is influenced by the adjacent urban development at Folly View and Field Close and it does not exhibit historical features to the same extent as other neighbouring parcels of land. Therefore, we agree with the LVIA's assessment that the development would give rise to a minor adverse effect on the character of the Unwooded Vale LCT.

8.6.6 As far as the impact of the development on landscape character of the Escarpment is concerned, the proposed development would only have the potential for indirect perceptual change to be experienced within it rather than any physical change. We agree with the visual assessment which concludes limited change from publicly accessible locations on the Escarpment would

arise. Therefore, we consider that the change and effect upon the landscape character of the Escarpment would be at worst minor at both Year 1 and Year 15.

8.6.7 The LVIA photography illustrates that even from Viewpoint 7 on Willersey Bridleway 14 where the site is perhaps most clearly seen from the Escarpment, the development would sit behind the Folly View development and would not extend the perception of built form extending further westwards whilst it would also be seen in the context of development to the east at Field Lane/Collin Close and Maurice Gardens to the north. Whilst we do not necessarily agree with the LVIA's assessment of a negligible level of effect, we would consider that it would not exceed minor from this and other viewpoints on the Escarpment.

8.6.8 The key visual impact is the effect of the development on views back to the Escarpment from Footpath 9 (Viewpoints 1 and 2), views to the Escarpment being one of the CNL's special qualities outlined at Section 4 of the CNL Management Plan. Whilst the current baseline view from this location features the dwellings at Folly View and Field View creating a strip of urban form, the ridges of the houses only reach mid-way up the Escarpment and in some places glimpsed views of the lower slopes are possible. The development would bring that urban form significantly closer to the receptor and further reduce the views of the Escarpment.

8.6.9 Photomontages illustrate that only parts of the wooded upper parts of the Escarpment would remain visible above the rooftops, whilst views of the mid and lower Escarpment fields would be blocked. We do not agree with the applicant's assessment that the scheme has a varied roofscape as advised by the Council, in particular along the sensitive northern edge. However, we do agree with the assessment that the development would have a major/moderate level of effect at Year 1, based on the photomontages and landscaping proposals shown, this would remain major/moderate, i.e. significant, at Year 15, particularly from Viewpoint 1.

8.6.10 We note that the 30-dwelling proposal has been scaled back from an initial proposal for 50 dwellings occupying the whole field and the developed edge has therefore been pulled back from Footpath 9 and as such its impacts have been moderated to an extent. However, we agree with the applicant's assessment that these impacts at Year 1 and 15 would still be significant and recommend that they are moderated further.

8.6.11 We consider that this could be achieved by reducing the heights of plots 17-22 to single storey dwellings, and increasing the planting along the northern boundary to mitigate impact on views from Footpath 9 back towards the Escarpment and better contain the development, vary the roofscape and aid the creation of a soft, transitional edge to the settlement. This would also align with the Council's preapplication feedback that the development should feature "variations in building heights and massing to avoid uniformity and excessive built form clustering". This should not be to screen the development entirely, but to reduce the current prominent appearance of these two-storey, 8.8m high dwellings and their impact on blocking large parts of the Escarpment from view. The use of estate railings is also not supported in isolation due to their somewhat stark, urban appearance.

8.6.12 It is acknowledged that this application is made in outline form with matters relating to layout, scale and landscaping to be determined at a future reserved matters stage should outline planning permission be granted, however we recommend that at the very least a building heights parameter plan is required to form part of the set of approved plans with which a future reserved matters application should substantially accord.

8.6.13 We also note and support the Council's Landscape Consultant's observation that "The section of the LVIA titled "Likely Effects upon Cotswolds National Landscape Special Qualities" is therefore welcomed and demonstrates appropriate recognition of the designation. However, while a qualitative review of several special qualities is provided, no assessment of magnitude of change or level of effect is presented. This should be quantified to provide clarity on the degree to which the proposal would influence the special qualities and perceptual attributes of the National Landscape, in line with best practice guidance". As stated above, we consider that the proposal as currently submitted is likely to give rise to significant adverse impacts on views to the Escarpment, one of the identified special qualities.

8.6.14 Currently we consider that the proposal conflicts with the Board's policies and guidance, in particular Section 19.1 of the Cotswolds AONB Landscape Strategy and Guidelines; namely 'the degradation of views to, from and across the AONB' and does not accord with the LS&G's recommendations to 'Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements in areas of open landscape' and 'Ensure that new development does not adversely affect the wider rural landscape and views to and from the AONB'.

8.6.15 As such, we consider that the proposal as it stands would not conserve and enhance the landscape and scenic beauty of the CNL and does not accord with Policy EN5 and paragraph 189 of the NPPF as well as with Policies CE1 and CE13 of the CNL Management Plan. We consider that based on the information submitted, the proposal could do more to moderate its detrimental impacts on the National Landscape and therefore that test C of NPPF paragraph 190 has not yet been passed.

Lighting and Dark Skies

8.6.16 Light pollution occurs in the form of light trespass where light shines where not needed, sky glow where light appears over towns and cities and glare, which is the uncomfortable reaction when a light source is viewed within a dark atmosphere. These all contribute to the erosion of 'dark skies' and the ability to view the stars at night.

8.6.17 No information has been submitted in respect of lighting with the applicant stating that it will be considered at reserved matters stage, should outline planning permission be granted.

8.6.18 Paragraph 198c of the NPPF states that planning decisions should ensure that new development is appropriate for its location and in doing so they should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Paragraph 001 of the PPG on Light Pollution (Paragraph: 001 Reference ID: 31-001-20191101) states that "intrinsically dark landscapes' are those entirely, or largely, uninterrupted by artificial light. National parks ... can serve as good examples". As National Landscapes have the same level of protection with regards to landscape and scenic beauty as national parks within the NPPF and PPG and dark skies are one of the special qualities of the Cotswolds National Landscape, we consider it reasonable to treat the National Landscape as an 'intrinsically dark landscape' in NPPF and PPG terms. Policy CE6 of the National Landscape Management Plan states that proposals that have the potential to impact on the dark skies of the CNL should be delivered in a way that is compatible with and seek to further the conservation and enhancement of these dark skies, by seeking to avoid and where avoiding is not possible, minimise lighting.

8.6.19 Street lighting and other external lighting should be kept to a minimum and we recommend that a detailed lighting scheme should be submitted which demonstrates compliance with the requirements of with Guidance Note 01/21 on The Reduction of Obtrusive Light, published by the Institution of Lighting

Professionals (ILP) (which forms Appendix 2 of the Board's Position Statement on Dark Skies and Artificial Light, referenced above).

8.6.20 We would recommend that the relevant 'environmental zone' for which compliance should be assessed is Environmental Zone E1 which relates to National Landscapes to mitigate any adverse impact and ensure that all lighting meets the standards to preserve the dark skies and landscape character of the Cotswolds National Landscape.

8.6.21 We would also recommend that the lighting strategy should comply with relevant aspects:

- Guidance Note 01/21 on The Reduction of Obtrusive Light, published by the Institution of Lighting Professionals (ILP) (which forms Appendix 2 of the Board's Position Statement on Dark Skies and Artificial Light, referenced above);*
- Towards a Dark Sky Standard, published by the UK Dark Skies Partnership (link);*
- Dark Skies Technical Advice Note (May 2021), published by South Downs National Park Authority (link);*
- Dark Skies Technical Advice Note Appendix - Glazing (May 2021), published by South Downs National Park Authority (link);*
- Lighting Design Guide (July 2023), published by Dedham Vale National Landscape and Coast & Heaths National Landscape (link)*

8.6.22 The Board has also recently adopted further Technical Lighting Design Guidance which will be provided to the LPA once published on our website.

8.6.23 Parts of Willersey, including Main Street, are not street lit and consideration should be given, in the context of seeking to avoid and where avoiding is not possible, minimise lighting to conserve darks skies, to minimising street lighting. Without prejudice, if the local authority is minded to grant planning permission, planning conditions should be imposed which seek to mitigate any adverse impact and ensure that all lighting meets the standards outlined above and will be limited to low-level, down-facing lights to preserve the landscape character and natural beauty of the Cotswolds National Landscape.

Public interest

8.6.24 When assessing whether the proposed development is in the public interest, it is important to note that National Landscapes are landscapes whose

distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them. It is also important to note that the Government has stated that 'meeting housing need is never a reason to cause unacceptable harm to [National Landscapes]' (Ministry of Housing, Communities & Local Government (2021) Government response to the local housing need proposals in 'Changes to the current planning system).

8.6.25 We consider that the harm caused by the proposed development as currently submitted would be unacceptable in this regard and would not be in the public interest.

Conclusion

8.6.26 The Board considers that the proposal comprises major development within the CNL for the purposes of NPPF paragraph 190 and therefore permission should be refused other than in exceptional circumstances and where it can be demonstrated that the proposal is in the public interest. At this stage we consider that the major development 'tests' outlined at paragraph 190 have not been passed to demonstrate that exceptional circumstances exist and that the development would be in the public interest.

8.6.27 We consider that the proposal as submitted would not conserve and enhance the landscape and scenic beauty of the CNL and consequently the application does not accord with Cotswold Local Plan Policy EN5 and paragraph 189 of the NPPF as well as with Policies CE1, CE13 and CE15 of the CNL Management Plan.

8.6.28 We consider that this represents a strong reason for refusal in NPPF paragraph 11d)i) terms and that the 'tilted balance' should not be engaged, however this could be overcome if our recommendations could be incorporated.

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

8.6.30 We recommend the following should be provided to support a case that exceptional circumstances do apply for this application and potentially overcome this holding objection:

- *Evidence of housing need specific to Willersey, in line with the recommendations of Policy CE15 of the CNL Management Plan 2025-2030 which states that windfall housing proposals on undeveloped land adjoining, or outside of, built up area boundaries (or equivalent) should only be supported where there is robust evidence of a specific local housing need.*
- *Justification for how that need specific to Willersey will not be met by the site allocated within the current Local Plan, for which there is a live planning application.*
- *Revisions to building heights and landscaping treatments to demonstrate that the development can moderate the assessed significant adverse impacts on the development on views to the Cotswold Escarpment from Footpath 9, these views being one of the CNL's special qualities, to an acceptable degree. Acknowledging that this is an outline application, as a minimum this information should include a building heights parameter plan to form part of the set of approved plans with which a future reserved matters application should substantially accord.*

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

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

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

8.6.34 Without prejudice, if the LPA is minded to permit this application, it should provide proportionate, reasoned, and documented evidence to

demonstrate how it sought to further the purpose, not merely through mitigation of harm but by taking all reasonable steps to further the purpose. If it is not practicable or feasible to take measures to further this purpose, the LPA should provide evidence to show why it is not practicable or feasible.'

9. Applicant's Supporting Information:

- Air Quality Assessment
- Archaeological Evaluation
- Design & Access Statement
- Ecological Appraisal Report
- Flood Risk Assessment and Drainage Strategy
- Magnetometer Survey Report
- Phase 1 Desk Study (contamination)
- Planning Statement
- Preliminary Arboricultural Impact Assessment
- Statement of Community Involvement
- Sustainability and Energy Statement
- Transport Statement
- Travel Plan Statement
- Waste Minimisation Statement
- Landscape and Visual Impact Assessment
- Biodiversity Net Gain Statement and Metric Calculations

10. Officer's Assessment:

Proposed Development

- 10.1 This application is seeking Outline planning permission for the '*erection of up to 30 dwellings with associated means of access, car parking, public open space, landscaping, sustainable drainage system (SuDS) and associated infrastructure.*' Details relating to Access form part of this application. However, other details relating to Appearance, Scale, Layout and Landscaping have been reserved for subsequent reserved matters approval should Outline permission be granted. This application therefore seeks to establish the principle of development on the site rather than its final design or layout.
- 10.2 The proposed scheme seeks permission for the erection of up to 30 dwellings, of which 40% would be affordable dwellings and 5% would be self-build/custom build plots. A development of 30 dwellings would generate 12 affordable dwellings and 1 self-build/custom build plot.

- 10.3 The applicant has submitted an indicative layout with this application which is intended to demonstrate how the application site could reasonably accommodate the level of development being proposed. The layout shows housing focused on the southern, central, eastern parts of the application site, as well as along part of its northern boundary. The western part of the site is shown as a green buffer, incorporating flood attenuation and a children's play area.
- 10.4 The proposed development would be served by a new vehicular/pedestrian entrance to the south of the application site and by a pedestrian entrance located in its north-eastern corner. The proposed vehicular/pedestrian entrance would extend through an existing grassed area located in the eastern part of the Folly View residential development to the south of the application site. It is proposed to create a new roadway/footway from the application field to the existing estate road serving Folly View. The new roadway would measure approximately 50m in length and would join on to the aforementioned estate road at a point approximately 60m to the north of the B4632 Broadway Road.
- 10.5 In addition to the proposed new vehicular access, it is also proposed to create a new pedestrian entrance in the north-eastern corner of the application site. The proposed entrance would connect with an existing Public Right of Way which extends around the eastern and northern boundaries of the field lying to the north of the application site. The existing Public Right of Way links into Hays Close and Collin Close to the north-east of the application site, through which it is possible to reach the centre of the village.
- 10.6 The number of dwellings proposed for the site has been reduced following pre-application discussions with Council Officers. The original pre-application proposal sought advice on a scheme for 50 dwellings that would have extended across the whole of the larger field. The indicative mix of housing includes a mix of 1, 2, 3, 4 and 5 bed dwellings, with 0.65 hectares of the site being set aside for green infrastructure.

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

- 10.7 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'* The starting point for the determination of this planning application is therefore the current development plan for the District which is the Cotswold District Local Plan 2011-2031.

- 10.8 In addition to the above, it is noted that policies in the current National Planning Policy Framework (NPPF) (December 2024) represent a significant material consideration when assessing this application. It is also noted that the Government published a new draft version of the National Planning Policy Framework (NPPF) for consultation on the 16th December 2025. The consultation period for the aforementioned document expires on the 10th March 2026 and it is anticipated that a final version of the new NPPF will be released in 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. The relevant draft policies will be referred to in this report in addition to those policies in the existing NPPF.
- 10.9 The application site is located outside Willersey Development Boundary. The following Local Plan policy is considered applicable to this proposal:
- 10.10 Local Plan Policy DS4: Open Market Housing Outside Development Boundaries and Non-Principal Settlements
- New-build open market housing will not be permitted outside Principal and Non-Principal Settlements unless it is in accordance with other policies that expressly deal with residential development in such locations.*
- 10.11 The current scheme would result in the erection of new build open market housing outside a development boundary and is therefore considered to be contrary to the above policy.
- 10.12 Notwithstanding the above, it is noted that the Council also has to have regard to policies in the National Planning Policy Framework (NPPF) and guidance in the Planning Practice Guidance (PPG) when reaching a decision. The current NPPF and the PPG represent significant material considerations. In particular, it is noted that the December 2024 update of the NPPF, in combination with the updated PPG on Housing and Economic Needs Assessment, introduced a new standard method for calculating local housing need. Prior to the December changes to the NPPF and PPG, the Council could demonstrate a 7.3 year supply of housing land. It was therefore comfortably meeting its requirement to provide a 5 year supply of such land. However, as a result of the aforementioned changes the Council can now only demonstrate a 1.8 year supply.
- 10.13 Prior to December 2024, the Council's 5 year supply was measured against the residual Local Plan housing requirement, which was 265 homes per year (based on the Housing Land Supply Report August 2023). However, the new standard method means that the Council's 5 year supply must now be measured against

the standard methodology calculation of the number of homes needed in the district, which increased in December 2024 from 504 to 1036 homes per annum. The December changes to the NPPF therefore result in the Council having to deliver a far higher number of dwellings than that required prior to December 2024. As the supply figure is now under 5 years, it is necessary to have regard to paragraph 11 of the NPPF, which states:

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

For decision-taking this means:

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

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

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

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

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

10.15 In the case of criterion d) i) of paragraph 11, it is noted that footnote 7 of the NPPF advises that areas or assets of particular importance can include National

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

10.16 With regard to the consultation draft NPPF and new housing outside settlements, it is noted that the aforementioned document replaces the criteria set out in paragraph 11 with a new policy which sets out the type of development that is acceptable outside settlements. In instances when a Council cannot demonstrate a 5-year supply of deliverable housing site, draft Policy S5 states:

S5: Principle of development outside settlements

'1. Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:

j. Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test²⁸), and where the development would:

i. be well related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or

ii. comprise major development for storage and distribution purposes which accords with policy E3.

2. In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies

which state that development proposals should be refused in specific circumstances. '

10.17 In the case of applications such as the one now submitted, it is evident that the draft policy states that, where there is a shortfall in housing land supply, such applications should be well related to an existing settlement and be of a scale which can be accommodated taking into account the availability of existing or proposed infrastructure. Paragraph 1 of Policy S5 states that such application should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the draft NPPF. These aspects of the proposal will be addressed in the following sections of this report.

10.18 With regard to the application site itself, it is noted that the current site forms part of a larger field that has been assessed as part of the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) process. The site is referenced as '*W8B Land west of Field Close & north of B4632*' the Strategic Housing and Economic Land Availability Assessment Update October 2021. It states that the site proposal is for 80 dwellings.

10.19 The SHELAA assessment states:

Unsuitable - The site is within the AONB and is exposed with clear views from the road and the hills to the south and the wider AONB. It is also viewed from the Public Right of Way to the north. It is a relatively flat field with a strong rural character at Willersey's eastern entrance. The field is in active agricultural use as animal pasture and has ridge and furrow.

10.20 The application site occupies the southern part of the site assessed in the SHELAA. It does not therefore extend as far north as the site referenced in the SHELAA.

10.21 The application site adjoins existing village development on 2 sites and within walking and cycling distance of the village centre. It is therefore considered to be well-related to the settlement of Willersey when assessed against draft NPPF Policy S5.

10.22 With regard to the size of the proposed development relative to the size of the village as a whole, the Council's Local Plan Review Preferred Options Consultation November 2025 states that Willersey has 458 dwellings at the time of publication. With regard to residential development in the current Local Plan period, the Cotswold District Housing Land Supply Report - May 2025 states

that 89 dwellings have been built in the village in the period between the 1st April 2011 and the 31st March 2024. In addition, as of the 1st April 2024 extant permissions totalled 8 dwellings. This equates to a total of 97 dwellings. For comparison, the nearby village of Mickleton has been subject to 266 completions and commitments in the same period. In addition to the aforementioned completions and extant permissions, Local Plan allocations in Willersey total 54 dwellings. This includes the land lying to the east of Willersey Industrial Estate which has a guideline figure of 49 dwellings, and a garage/workshop site in the centre of the village with an indicative guide of 5 dwellings. The site adjacent to the industrial estate is located on the north-eastern edge of the settlement and is therefore located at the opposite end of the village to the current application site. There is no direct visual or physical interconnectivity between the 2 sites. With regard to the aforementioned allocated site, it is noted that a Full planning application for the erection of 60 dwellings on the site was validated in November 2025 and is currently live (25/02687/FUL). A separate application for 60 applications on the allocated site is therefore being assessed at the current time and has to be taken into account when considering this Outline application. An application has not been received in relation to the garage/workshop site in the centre of the village.

10.23 Having regard to the size of the settlement as a whole, including its growth since 2011, it is considered that the introduction of 30 dwellings on this site would not represent a disproportionate increase in the size of the settlement in terms of dwelling numbers. In terms of services and facilities, the village hosts a primary school, employment estate, church, village hall, petrol station/vehicle garage and 2 public houses. Regular bus services also pass through the village. The settlement benefits from a range of services and facilities which are in reasonable walking and cycling distance of the application site. The creation of the public footpath connection in the north-eastern corner of the application site would also mean that the site would be located approximately 400m from the village centre, 600m from the primary school and 800m from the employment estate. Paragraph 4.4.1 of Manual for Streets (MfS) states that walkable neighbourhoods are typically characterised as having a range of facilities within a 10-minute walking distance (c.800m). It is noted that MfS also states that this is not an upper limit, and that walking offers the greatest potential to replace short car trips, particularly those under 2km. Access to the village centre would also be available along the B4632 Broadway Road to the south of the application site, on which bus stops can be found.

10.24 With regard to the attractiveness and safety of the available routes, it is noted that the north-eastern route to the village centre avoids main roads and passes through residential areas. It is also relatively flat and is illuminated. It is

considered that the application site does therefore provide good connectivity to existing services and facilities for pedestrians and cyclists and does offer alternatives to the use of the private motor car in this respect. Whilst it is noted that future residents would likely be dependent on the use of the private motor car to undertake trips relating to retail, healthcare and leisure, the rural nature of the District means that the availability of all such services within a single settlement within the District is very limited. In addition, the erection of 30 dwellings is considered to be modest in number and not to represent a strategic level of development. As a consequence, it is necessary to offer a degree of flexibility in relation to sites such as this, which can offer good accessibility to existing services and facilities in the settlement, whilst also being within relatively close proximity to other settlements, such as Chipping Campden or Mickleton, which can offer a range of other services and facilities. In addition, future residents would have reasonable access to bus services to locations such as Stratford-upon-Avon, Cheltenham and Chipping Campden. It is considered that there would be a reasonable range of transport modes on offer for future residents of the development. It is considered that Paragraph 83 of the NPPF is of relevance to this proposal and represents a significant material consideration. It states that *'housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'*.

- 10.25 In light of the above and having regard to the relatively modest size of the proposed development and its rural location, it is considered that the proposal does not conflict with key paragraphs in the NPPF such as paragraph 110 which states that *'..... Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'* and 'paragraph 129 c which supports development which makes efficient use of land, whilst taking into account *'the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for future improvement and the scope to promote sustainable travel modes that limit future car use'*. In the case of this proposal, it is noted that Gloucestershire County Council (GCC) Community Infrastructure advises that the village's primary school has capacity to accommodate children from the proposed development. In addition, the highway network can reasonably accommodate the level of proposed development and the scheme could

benefit local facilities such as the public houses, garage, employment estate and church. Existing services and facilities are within walking and cycling distance of the site and bus services are also available. With regard to healthcare, NHS Gloucestershire has not responded to the application. Concerns raised by objectors regarding drainage infrastructure are noted and will be addressed in detail later in this report.

10.26 With regard to the consultation draft NPPF, Policy CC2 states that:

'1. In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal:

a. Be located where a genuine choice of sustainable transport modes exists, and improve opportunities for walking, wheeling, cycling and public transport, in accordance with policies TR3 and TR4;

b. Support good access to facilities to limit the need to travel, whether through the development's location, through development densities which improve catchment populations for local services, or by incorporating community facilities and premises to support local employment opportunities; '

10.27 Draft NPPF Policy TR3 states:

1. So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:

a. Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are, or can be made sustainable, by limiting the need to travel and offering a genuine choice of transport modes for residents and users, unless the nature of the use makes this impractical;

b. Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use;

c. The environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account - including taking opportunities to

avoid or mitigate any adverse environmental effects, and to secure net environmental gains such as reductions in air pollution;

d. In rural areas, opportunities to improve wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.'

- 10.28 In relation to the above draft policies, it is noted that the application site is located adjacent to a Principal Settlement wherein new residential development is acceptable in principle. The Local Plan has established that the village of Willersey has sufficient services, facilities and infrastructure to accommodate housing growth over the course of the Local Plan period. In addition, for the reasons set out previously, the site has reasonable accessibility to a range of services and facilities by means other than the private motor car. Having regard to the rural nature of the District and the limited availability of services and facilities in most the settlements within it, it is considered that village of Willersey does constitute a sustainable location for the size of development now being proposed.
- 10.29 It is considered that the erection of 30 dwellings onto this site would not represent a disproportionate increase in the size of the settlement.
- 10.30 With regard to the cumulative impact of this proposal and the 60 dwellings proposed on the allocated site to the east of Willersey Industrial Estate/Business Park, it is noted that the 2 sites are located at opposite ends of the village. The 2 sites are approximately 600m apart (as the crow flies). As a consequence, there is no direct visual or physical interconnectivity between the 2 sites. The respective developments would therefore appear as distinct entities. In this respect, the proposed developments would result in incremental extensions of the settlement rather than a single large expansion which would potentially extend further into the countryside than the schemes now proposed. As a result, the proposals are considered not to unbalance the settlement. Main Street will remain at the heart of the village and continue to define its character as at present.
- 10.31 In terms of infrastructure, GCC Community Infrastructure considers that the village primary school has capacity to accommodate the 60 dwelling scheme in addition to the 30 dwellings proposed on this site. Furthermore, the amount of traffic generated by the proposed developments is considered not to have an adverse impact on the operation of the local highway network. It must also be noted that the 60 dwelling site is allocated for residential development in the Local Plan, indicating that the village has a level of services and facilities which

can accommodate future growth in housing numbers. Whilst the Local Plan has set out a guide of 49 dwellings for the respective site, the aforementioned figure is not a rigid maximum. It is simply an indication of the level of development that could reasonably be accommodated on the site, based on the District's housing needs at the time of the adoption of the Local Plan in 2018. On the basis that the Council's housing requirements are now out of date, it is considered that limited weight can be attached to the 49 dwelling figure. The housing numbers set out in the Local Plan cannot therefore be taken as an absolute maximum when considering the future growth of the settlement. In considering the 2 current applications for residential development, it is considered that the additional 41 dwellings arising from this current application and the additional units on the allocated site would not represent an excessive increase in housing numbers above that already allocated in the Local Plan. The 2 proposals are therefore considered not to have an adverse cumulative impact on the settlement, either in terms of its rural character or on services, facilities or infrastructure capacity.

(b) Housing Mix and Affordable Housing

10.32 With regard to housing mix and affordable housing, the following Local Plan policies are considered relevant to this proposal:

10.33 Policy H1 Housing Mix and Tenure to Meet Local Needs

1. *All housing developments will be expected to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable housing sectors, subject to viability. Developers will be required to comply with the Nationally Described Space Standard.*

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

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

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

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

10.34 Policy H2 Affordable Housing

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

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

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

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

4. *In exceptional circumstances consideration may be given to accepting a financial contribution from the developer where it is justified that affordable housing cannot be delivered on-site, or that the District's need for affordable housing can be better satisfied through this route. A financial contribution will also be required for each partial number of affordable units calculated to be provided on site.*

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

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

- 10.35 The applicant is proposing to provide 12 affordable dwellings. The aforementioned figure equates to 40% of the proposed dwellings and is therefore in accordance with Local Plan Policy H2. The Council's Housing Officer has recommended a mix of 2 one bed flats, 4 two bed flats, 4 two bed dwellings, 1 three bed dwelling and 1 four bed dwelling. In terms of tenure, the proposed housing would comprise 6 social rented units, 2 affordable rented units, 3 shared ownership units and 1 First Home. The Housing Officer advises that there are currently 55 households that qualify for affordable housing in Willersey and neighbouring parishes. The current proposal would therefore make a valuable contribution to the delivery of affordable housing in the area and meet an identified need. The provision of affordable housing is therefore considered to represent a significant material consideration that weighs in favour of the proposed development.
- 10.36 With regard to the mix of open market dwellings, it is considered necessary to ensure that a mechanism is put in place to secure an appropriate mix of market dwellings, as required by Local Plan Policy H1. It would not be possible to control the mix of the open market housing at the reserved matters stage, which is limited to matters relating to scale, layout, appearance, access and landscaping. The provision of larger, more expensive dwellings for open market sale can increase average house prices across the District, which can then increase the Council's housing needs and its housing affordability issues, both in the affordable and open market sectors. A higher average house price can mean that more persons fall into housing need. In contrast, the provision of smaller 1, 2 and 3 bed open market dwellings can more reasonably address such an issue. Figures from the Office for National Statistics (ONS) indicate that the ratio between median house prices and median gross annual earnings in Cotswold District in 2024 (based on a 5 year average) was 14.64 times. In comparison, the difference was 5.63 times in 1997. The provision of a high percentage of 4 and 5 bed dwellings simply adds to the price differential and does little to address the Council's issues relating to house price affordability. In addition, the latest ONS figures issued at the end of October 2025 project that the number of one-person and multiple adult households without dependent children would rise from 71.7% to 76.4% of all households by 2032, and that average household sizes would drop from 2.54 to 2.24 in the same period. There is therefore a growing need for smaller units to meet changes in household sizes and composition.
- 10.37 The Council's Local Plan Partial Update Issues and Options Consultation document states that *'Building more and more houses to reduce house prices (or "Build, Build, Build", as Boris Johnson puts it) does not work, particularly in*

Cotswold District. There is much evidence to support this. Cotswold District has delivered significantly more housing than has been required in recent years, yet housing affordability has continued to worsen. 'With regard to potential future Local Plan policy, it goes on to state that *'smaller homes are generally more affordable, so a policy requirement could be introduced for a higher proportion of 1, 2 and 3 bedroom market houses, and fewer 4 and 5 bedroom houses.'* It is noted that Table A2.19 of the Gloucestershire Strategic Housing Market Assessment Update Final March 2014 states that 80% of new market accommodation required in Cotswold District in the period up to 2031 would be 1, 2 and 3 bed units, with just 20% being 4 bed dwellings and above. In order to ensure that an appropriate mix of open market housing is provided, it is considered that the matter is addressed by condition or as part of the S106 agreement.

10.38 The submitted information states that the proposed dwellings would consist of an indicative mix of 1, 2, 3, 4 and 5 bed properties. It has been agreed that no more than 8 of the dwellings would be 4 bed or larger. A condition is recommended that would limit the proposed development accordingly. This would ensure that the mix of housing reasonably accords with the requirements of Policy H1.

10.39 The applicant is proposing to provide 1 self-build/custom build plot in accordance with the requirements of Local Plan Policy H1.

10.40 The delivery of affordable housing and the self-build/custom build plot would be secured through a S106 legal agreement.

(c) Impact on the Character and Appearance of the Cotswolds National Landscape

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

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

10.43 Local Plan Policy EN1 Built, Natural and Historic Environment

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

- a. Ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;*
- b. Contributing to the provision of multi-functional green infrastructure;*
- c. Addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;*
- d. Seeking to improve air, soil and water quality where feasible; and*
- e. Ensuring design standards that complement the character of the area and the sustainable use of the development.*

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

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

10.45 Local Plan Policy EN4 The Wider Natural and Historic Landscape

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

10.46 Local Plan Policy EN5 Cotswolds Area of Outstanding Natural Beauty (AONB)

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

2. *Major development will not be permitted within the AONB unless it satisfies the exceptions set out in National Policy and Guidance.*

10.47 Local Plan Policy INF7: Green Infrastructure

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

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

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

10.48 In terms of national guidance, Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by '*recognising the intrinsic character and beauty of the countryside*'.

10.49 Paragraph 189 of the NPPF states that '*great weight should be given to conserving and enhancing landscape and scenic beauty in ... National Landscapes which have the highest status of protection in relation to these issues.*'

10.50 It is noted that the consultation draft NPPF Policy N4 advises that '*substantial weight should be placed on the importance of conserving and enhancing the natural beauty...*' of National Landscapes. This differs from the great weight set out in the current NPPF.

10.51 Draft Policy N4: Protected Landscapes states:

' 1. Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to their statutory purposes and special qualities. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads.'

10.52 The Cotswolds National Landscape is classed as a Protected Landscape.

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

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

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

10.55 Policy CE1. Landscape

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

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

10.56 Policy CE4: Local distinctiveness

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

- *being compatible with the CNL Board's Landscape Character Assessment, Landscape Strategy and Guidelines, Local Distinctiveness and Landscape Change and any relevant position statement or guidance published by the Board.*

- *being designed to respect local settlement patterns, building styles, scale and materials in accordance with design guidance prepared by local planning authorities;*

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

10.57 Policy CE5: Tranquillity

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

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

10.58 Policy CE6: Dark Skies

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

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

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

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

10.59 The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment (LCA) as falling within Landscape Character Area 19D Vale of Evesham Fringe. This in turn falls within Landscape Character Type Unwooded Vale.

10.60 The LCA advises that the *'Development and expansion of settlements'* is a Local Force for change

10.61 The Potential Landscape Implications of such development can include:

- *'Intrusion of expanded settlement fringes into the landscape including within the setting of the AONB*
- *Degradation of views to, from and across the Pastoral Lowland Vale*
- *Impact or loss of views of key features such as church towers across the landscape.*
- *Erosion or loss of distinctive small linear and nucleated settlement patterns due to settlement growth and coalescence.*
- *Loss/dilution of organic growth patterns of settlements including the relationship between the historic core and adjacent historic fields, paddocks and closes*
- *Proliferation of suburban building styles, housing estate layout and materials and the introduction of ornamental garden plants and boundary features.*
- *Upgrading of minor roads and lanes associated with new development and the introduction of suburbanising features such as mini roundabouts, street lighting, Highway fencing, kerbs and traffic calming measures*
- *Increased traffic leading to increased damage to road verges and roadside hedges and walls and the creation of informal passing places*
- *Introduction and accumulation of lit areas and erosion of characteristically dark skies.*
- *Potential loss of archaeological remains and historic features.*
- *Loss of archaeological and historical features, field patterns and landscapes.*
- *Interruption, weakening or loss of the historic character of settlements and the historic context in how they have expanded, especially the importance of the relationship between the historic core of the settlement and surviving historic features such as churchyards, manor houses, burgage plots, historic farms, pre-enclosure paddocks and closes.'*

10.62 The LCA's Landscape Strategies and Guidelines advises:

- *' Maintain the open, sparsely settled character of the Unwooded Vale by limiting new development to existing settlements and avoiding development between existing villages.*
- *Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements in areas of open landscape*
- *Ensure that new development does not adversely affect the wider rural landscape and views to and from the AONB.*

- *Ensure new development is proportionate and does not overwhelm the existing development.*
- *Ensure that new development does not adversely affect settlement character and form or impact on views of key features such as church towers.*
- *Avoid ribbon development along major access or through routes*
- *Avoid developments incorporating standardised development layout, suburban style lighting, construction details and materials that cumulatively can lead to the erosion of peaceful landscape character.*
- *Layout of development should respect local built character and avoid cramming up to boundaries resulting in hard suburban style edge to the settlement.*
- *Control the proliferation of suburban building styles and materials*
- *Promote the use of local building materials and building styles in the construction of new buildings and extensions to existing dwellings. (New buildings should, at least, respect local vernacular style). Promote the conservation and/or encourage the restoration of existing buildings in preference to new built development particularly in rural areas.*
- *Conserve the existing dark skies and areas of dark landscape*
- *Adopt measures to minimise and where possible reduce light pollution*
- *Retain existing trees, dry stone walls, hedges etc as part of the scheme for green infrastructure and to reflect the former landscape, historic field patterns etc.*
- *Ensure new development is visually integrated into its surroundings and does not interrupt the setting of existing settlements. Break up harsh edges of new development with appropriate and adequate tree planting ideally in advance of the development taking place.*
- *Retain hedgerow trees and seek opportunities to plant or tag new hedgerow trees*
- *Ensure the density of new development reflects its location relative to the 'core' of the settlement and its proximity to the surrounding rural landscape*
- *Avoid disconnecting the historic core of settlements from its rural surroundings particularly village Conservation Areas.*
- *Preserve archaeological and historical features and deposits and promote initiatives that remove heritage assets from at risk' status in the Heritage at Risk Register.*
- *Avoid proposals that result in the loss of archaeological and historical features or that impact on the relationship of the settlement and its links with surviving historical features.*
- *Consider the impact on local Public Rights of Way as settlements expand and take into account any required improvements*

- *Ensure development proposals safeguard and provide new links and enhancements to the Public Rights of Way network.'*

10.63 It is noted that the document entitled 'Study of land surrounding Key Settlements in Cotswold District: Update' October 2014 states the following in relation to SHELAA reference W_8B:

'LANDSCAPE SENSITIVITY:

Evaluation: Medium

Justification:

This site is susceptible to housing development by reason of its open character and land use, and by the presence of a PROW along part of its boundaries and lack of vegetated boundary to the west. It is intervisible with the scarp slope to the south and from Broadway Road/Leamington Road. It is of value being within the AONB. However, it is not of intrinsically high value, with good screening from the dismantled railway to the west and existing housing along its eastern boundary. If housing development is permitted here it should be of high quality and present a positive edge to the west, where it will be visible when approaching from Broadway.'

10.64 The aforementioned document is more open to development on the site than the 2021 SHELAA report which states:

'Unsuitable - The site is within the AONB and is exposed with clear views from the road and the hills to the south and the wider AONB. It is also viewed from the Public Right of Way to the north. It is a relatively flat field with a strong rural character at Willersey's eastern entrance. The field is in active agricultural use as animal pasture and has ridge and furrow.'

10.65 The application site occupies a smaller area of land than that identified in the SHELAA. It comprises a relatively flat and open agricultural field which is set to grass. It does not contain any landscape features of any particular note. In addition, it does not contain ridge and furrow as mentioned in the above report. As a consequence, the site appears distinct from the land to the north of the site which contains ridge and furrow, hedgerows and a number of trees. Notwithstanding this, the openness of the site affords views from the Public Right of Way (HWY9 which runs to the north of the site) to the escarpment to

the south, as well as contributing to the rural setting of the village and the character and appearance of the designated landscape.

- 10.66 The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) with this application. The LVIA has assessed the impact of the development from a number of public vantage points in and around the settlement, including viewpoints from Public Rights of Way traversing the higher land to the south of the application site. With regard to visual effects, the LVIA states:

'In terms of visual effects, from publicly accessible locations, the vast majority of receptors within the Study Area would experience a negligible effect due to the visual containment of the Proposed Development and its well related nature to the existing edges of Willersey. This includes from the rising escarpment of the Cotswolds to the south of the Site. There will be a Major/Moderate adverse effect on Willersey Footpath 9 at Year 1 which passes in close proximity to the north of the Proposed Development. By Year 15 this is expected to reduce to Major/Moderate to Moderate adverse following semi-maturation of the landscape proposals and weathering of the residential development. Users of Broadway Footpath 523(C) would experience a minor adverse effect at Year 1 reducing to negligible by Year 15.'

- 10.67 With regard to landscape effects, the LVIA states:

'the overall landscape effects on the Site-specific landscape elements and features have been assessed as moderate adverse at Year 1 and Year 15 as a result of the Proposed Development. In terms of the wider LCA 19D: Value of Evesham Fringe, effects arising from a result of the Proposed Development were judged to be minor adverse. The nature of the Proposed Development is not uncharacteristic within the receiving landscape context, retaining and enhancing the limited features which are present, whilst also being of similar style, design and Cotswold vernacular to the Folly View development which bounds the Site to the south. The positive frontage interface of the northern and western edges of the Proposed Development mark an improvement upon the rear boundaries of development along Hays Close and Field Lane to the east of the Site as currently experienced along Willersey Footpath 9. The proposals represents a high-quality residential development and landscape enhancement over the existing baseline scenario that provides a sense of place.'

- 10.68 In response to the above comments, Officers concur that the proposed development would be most visible from Public Right of Way HWY9 which extends around the eastern and northern edges of the field lying to the north of the application site. The proposed development would be readily visible from

the aforementioned route, with an open area of grassland lying between the site and the future development. The rising hills of the Cotswolds escarpment are visible beyond the application site. Furthermore, Public Right of Way HW9 extends westwards into Worcestershire where it becomes Public Right of Way 523 (C), although the site can be viewed to a lesser degree from the aforementioned route. In terms of landscape and visual effects, Officers consider that the proposal would have a Major/Moderate adverse effect from Public Right of Way HWY9 and an initial minor adverse effect from Public Right of Way 523 (C). Notwithstanding this, it is noted that the site is viewed against a backdrop of existing post war housing, which already influences the experience of users of the Public Rights of Way. It is also noted that the application site does not directly abut the route of Public Right of Way HWY9. As a consequence, users of the aforementioned route would continue to experience a degree of openness along the route and views through to the escarpment to the south. The rising land to the south of the site would continue to be visible above the proposed housing and continue to provide a backdrop to built development. The rural character of the route would therefore be retained to a large extent.

- 10.69 In addition to the retention of the northern part of the existing field as agricultural land, the illustrative layout also indicates that the western part of the application site could be kept free from housing. It would therefore enable the creation of a transitional area between built development and the open countryside thereby softening the impact of development when viewed from the west. New housing would therefore relate closely to existing housing developments, helping to reduce the spread of development into the wider landscape.
- 10.70 With regard to views from other public vantage points, it is noted that views from the B4632 Broadway Road on the western approach into the settlement would largely be screened by the existing Folly View development. The proposal is therefore considered to have a negligible landscape and visual impact when viewed from the aforementioned location.
- 10.71 With regard to views from the network of Public Rights of Way that extend across the rising land to the south of the application site, it is noted that the site forms a minor part of a wider landscape view that incorporates both the village and the Vale of Evesham to the north. The proposed housing would sit alongside existing housing. In combination with the modest size of the application site, its close relationship to existing village development and the longer distance nature of the views, it is considered that the proposed housing

would have a negligible impact on the character and appearance of the CNL when viewed from the higher land to the south.

10.72 In addition to the above, it is also noted that Outline permission for 20 dwellings on the site of the existing Folly View development was allowed at appeal in 2015 (14/01739/OUT , APP/F1610/A/14/2227938). At the time, Folly View site was a greenfield site similar to the current application site. In considering the impact of development on the Cotswolds National Landscape, the Inspector stated:

'30. I am aware that views of the appeal site from the public right of way to the north would change in that it would introduce some built development into the foreground of views towards the Escarpment. However, the Escarpment would be the backdrop to the proposed new built development. The Escarpment would still be seen rising above the proposed houses and it would remain the dominant feature in the landscape when viewed from this public right of way.

31. The appeal site is often obscured by intervening landscaping and topography from many of the public rights of way crossing the slopes of the Escarpment to the south. However, I am also aware that there are some public views from parts of this higher land to the south. Where the new dwellings would be seen they would form a very small part of the much wider landscape including the Vale of Evesham and stretching onwards to the Malvern Hills. The appeal site is a small element of a much larger landscape view. It would be seen in the context of the built development immediately adjacent at Willersey. If no development were to occur at the appeal site the views of the appeal site already includes built development which is seen to the north. The proposal would be a very small addition of built development within a vast landscape. In my assessment there would be no adverse impact caused by the proposal when viewed from public viewpoints within the AONB to the south. In particular I note that the Council's Landscape Officer considers that the appeal proposal can be accommodated within the appeal site without having a significant adverse landscape impact.

32. Clearly, the development would lead to the loss of a field but that field does not have within it any features that are special to the character of this part of the AONB.

33. I therefore conclude, for the reasons explained above, that the proposal would not harm the character or appearance of that part of the AONB within which it would be situated or the surrounding area.'

10.73 The Folly View development occupies a more prominent roadside position than the current application site. It also involved a far greater and more noticeable extension of built development into the countryside than the current proposal. Notwithstanding this, it was deemed to be acceptable by the Planning Inspector. It is noted that this proposal would add to the westwards extension of the settlement. However, given the modest size of the site, its close relationship to existing village development and the limited impact of the scheme on the wider landscape, it is considered that overall landscape and visual impact would be very localised. It is therefore considered not to cause an overall level of harm that would be to detriment of the character and appearance of the CNL.

10.74 The Council has engaged a Landscape consultant to undertake an independent assessment of the proposal and the documents submitted in connection with this application. The Landscape consultant initially requested further clarification about a number of points, such as the assessment of landscape sensitivity and landscape/visual receptors. The applicant has provided further information to address these matters. The Landscape consultant has reviewed the addition information and states:

10.74.1 'In summary, the proposed development would give rise to a degree of adverse effect on landscape character and visual amenity, particularly in the early years following implementation. These effects are acknowledged to be mitigated through the proposed landscape strategy and would be expected to reduce over time as planting establishes and matures.'

10.74.2 'If minded for approval, it is recommended that conditions are imposed to ensure that the landscape and visual effects are appropriately managed and mitigated. These should secure a landscape-led approach that reflects the site's sensitivity.'

10.75 The conditions referred to in the above response relate to landscaping, building material details, external lighting and the submission of a Landscape and Ecological Management Plan (LEMP). As this application is an Outline application, matters relating to landscaping, materials and lighting would be addressed at the Reserved Matters stage should permission be granted. A Public Open Space, green infrastructure management condition is proposed as part of this recommendation, which would cover the future management of green spaces. A 30 year Habitat Monitoring and Management Plan is also proposed which could the future management of biodiversity habitats. In summary, the Landscape consultant considers that the landscape and visual

effects of the development can be satisfactorily mitigated and no objection is raised.

10.76 In light of the residential nature of the development and its location adjacent to an existing Principal Settlement, it is considered that the proposed scheme would not have an adverse impact on the tranquillity of the CNL. In addition, it is also considered that the proposal would not have an adverse impact on dark skies given the overall size of the development and its proximity to existing housing.

10.77 With regard to the duty to *'further the purpose of conserving and enhancing the natural beauty'* of the CNL, it is evident that the character and appearance of the designated landscape is not just defined by open countryside but also by the setting of buildings and settlements within the landscape and the manner in which they relate to it. The village of Willersey sits within the CNL and therefore contributes to its character and appearance. The proposed development would be seen in context with the existing settlement and, by virtue of its modest size in relation to the settlement as a whole, its relatively discreet position, the green infrastructure that could be incorporated into the development and the indicative design approach that would respect traditional building forms, it is considered that the development could be undertaken in a manner that respects the setting of the settlement within the designated landscape and the character and appearance of the CNL. New landscaping and a sensitive design approach (as has occurred at Folly View to the south) would also ensure that development responds sympathetically to its location. In this regard, it is considered that the proposal reasonably addresses the requirement to further the purpose of conserving and enhancing the natural beauty of the CNL.

10.78 With regard to the potential coalescence of the village of Willersey with existing housing in Wychavon District to the west, the Planning Inspector made the following comments in relation to the proposal to develop the site of the existing Folly View development in 2015:

'18. I do not share the Council's concerns that the gap between Willersey and the Wychavon Housing is particularly important. The gap that would remain would be sufficient to show that the Wychavon Housing was separate from, and did not form part of, the housing in Willersey. I have explained that character and appearance of the Wychavon Housing does not reflect the Cotswold vernacular. The appeal proposal provides an excellent opportunity of building housing at the entrance to Willersey which could reflect that which was typical of this part of the Cotswolds. In so doing this would emphasise the difference

between the Wychavon Housing and the settlement of Willersey to the benefit of the area.

19. There is no evidence before me that the proposal would diminish the separate identities of Willersey or Broadway. The fact that the gap between the Wychavon Housing and Willersey would be reduced would not impact on the identities of either Willersey or Broadway. Neither do I agree that the proposal would lead to the coalescence of Willersey and Broadway as suggested by the Council.'

- 10.79 The current proposal would not extend development beyond the western edge of the existing Folly View development. It is considered that it would not result in the coalescence of Willersey with the housing development in Wychavon District to the west.
- 10.80 With regard to dark skies, the application site is located adjacent to existing residential housing estates. The proposed scheme would not therefore appear as an isolated or distinct form of development within the landscape. It would be located alongside development where street lights and household illumination are evident. Having regard to the modest size of the application site, the limited extent of estate roads (which would limit the amount of street lights that would be required) and its relationship to existing village development, it is considered that the proposed development would not have an adverse impact on dark skies, having regard to Cotswolds National Management Plan Policy CE6 or paragraph 198c of the NPPF, which seeks to *'limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'* Conditions are proposed which would require the approval of lighting schemes that minimise the impact of light pollution on dark skies and on the CNL.
- 10.81 With regard to tranquillity, the proposed scheme seeks permission for residential development adjacent to existing residential development. The proposed use is considered not to represent a form of development that would be likely to generate a level of noise or disturbance that would have an adverse impact on the tranquillity of this part of the CNL. The proposed use is consistent with existing development in this location and is considered to be acceptable in its context. The proposal is considered not to conflict with Cotswolds National Management Plan Policy CE5 in this respect.
- 10.82 It is considered that the proposed development can be undertaken without having an unacceptable adverse impact on the character or appearance of the Cotswolds National Landscape or the rural setting of the village. The proposal

is considered to accord with Local Plan Policies EN1, EN4 and EN4, Section 15 of the NPPF, Policy N4 of the draft NPPF and the policies in the Cotswolds National Landscape Management Plan.

Major Development in the Cotswolds National Landscape

10.83 In determining this application, it is necessary to assess whether the proposal constitutes major development for the purposes of paragraph 190 of the NPPF. This is distinct from the categorisation of major development set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015, which is based solely on the size of a development. With regard to paragraph 190, footnote 67 of the NPPF states that whether a proposal is '*major development*' is a matter for the decision maker, taking into account its nature, scale and setting and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.'

10.84 Paragraph 190 states:

'planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such an application should include an assessment of:

i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and

iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that can be moderated'.

10.85 The above criteria are repeated in draft NPPF Policy N4.

10.86 In the case of this proposal, the submitted scheme is for 30 dwellings adjacent to a Principal Settlement. The proposed number of dwellings is therefore considered to be relatively modest when assessed in the context of the settlement as a whole. The proposed residential use is also compatible with existing adjacent development and is not therefore out of character with the area. Whilst the scheme would result in the development of a greenfield site within the CNL, the area in question is modest in size and seen in context with

existing built development. In addition, the landscape and visual impact of the scheme is considered to be localised. The proposal would not generate significant levels of traffic or noise, disturbance or light pollution that would be harmful to the CNL. When assessed against the requirements of Footnote 67 of the NPPF, it is considered not to have a significant adverse impact on the purposes for which the area has been designated. The comments of the Cotswolds National Landscape Board are noted. However, for the reasons stated, it is considered that the proposal does not constitute major development in the CNL in this instance.

10.87 It is noted that the 2016 appeal decision relating to the erection of 71 dwellings on land off Collin Lane to the north of the current application site determined that the appeal scheme would constitute major development within the CNL. However, the development of 30 dwellings at Folly View to the south has been considered previously not to represent major development. In the case of the appeal scheme, it is noted that the proposal was for a greater number of dwellings than the current scheme, it was located on a more prominent roadside site and on a site that exhibited a number of attractive features such as ridge and furrow, trees and hedgerows. In contrast, the current application site has a stronger physical and visual connection with the land on which the Folly View development was erected. It is considered that the current proposal does not constitute major development for the purposes of paragraph 190 of the NPPF.

(d) Access and Highway Safety

10.88 The proposed development would be served by a new vehicular/pedestrian entrance to the south of the application site and by a pedestrian entrance located in its north-eastern corner. The proposed vehicular/pedestrian entrance would extend through an existing grassed area located in the eastern part of the Folly View residential development to the south of the site. It is proposed to create a new roadway/footway from the application field to the existing estate road serving Folly View. The new roadway would measure approximately 50m in length and would join on to the aforementioned estate road at a point approximately 60m to the north of the B4632 Broadway Road.

10.89 In addition to the proposed new vehicular access, it is also proposed to create a new pedestrian entrance in the north-eastern corner of the application site. The proposed entrance would connect with an existing Public Right of Way which extends around the eastern and northern boundaries of the field lying to the north of the application site. The existing Public Right of Way links into Hays

Close and Collin Close to the north-east of the application site, through which it is possible to reach the centre of the village.

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

10.91 Local Plan Policy INF4 Highway Safety

'Development will be permitted that:

a. Is well integrated with the existing transport network within and beyond the development itself, avoiding severance of communities as a result of measures to accommodate increased levels of traffic on the highway network;

b. Creates safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoids street clutter and where appropriate establishes home zones;

c. Provides safe and suitable access and includes designs, where appropriate, that incorporate low speeds;

d. Avoids locations where the cumulative impact on congestion or other undesirable impact on the transport network is likely to remain severe following mitigation; and

e. Has regard, where appropriate, to the Manual for Gloucestershire Streets or any guidance produced by the Local Highway Authority that may supersede it.'

10.92 In addition, criteria 1 a and b of Local Plan Policy INF3: Sustainable Transport states that development will be permitted where it:

a. actively supports travel choice through provision, enhancement and promotion of safe and recognisable connections to existing walking, cycling and public transport networks ...;

b. gives priority to pedestrians and cyclists and provides access to public transport facilities taking account of the travel and transport needs of all people.'

10.93 Paragraph 116 of the NPPF states *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network,*

following mitigation, would be severe, taking into account all reasonable future scenarios.'

- 10.94 Draft NPPF Policy TR6:3 states that *'all development proposals should be capable of proceeding without having a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or a unacceptable impact on highway safety, taking into account any mitigation measures proposed as well as any wider network improvements.'*
- 10.95 This application is accompanied by a Transport Statement (TS) which includes information relating to matters such as vehicle speeds, traffic generation, access visibility, accessibility, pedestrian/cycle movements and highway safety.
- 10.96 With regard to vehicle speeds along the B4632 Broadway Road, the TS includes the results of seven day Automated Traffic Counts (ATCs) that were undertaken in February 2025. The ATCs recorded 85th percentile speeds of 31.5mph north-eastbound and 34.7mph south-westbound. The speed limit for the section of road passing the Folly View junction with the B4632 is 40mph. The respective speed limit drops to 30mph at a point approximately 15-20m to the north-east of the aforementioned junction. Within the Folly View development itself, a road sign on a lamp post specifies a 30mph limit.
- 10.97 The proposed development would utilise the existing Folly View junction with the B4632. The existing junction has visibility of approximately 2.4m by 120m to the south-west and 2.4m by 62m to the north-east. It can therefore provide adequate visibility in both directions for vehicles entering the B4632. In addition, the Folly View estate road is wide enough to accommodate 2 way traffic. It is therefore considered that the existing junction arrangements are suitable for the level of development that is being proposed.
- 10.98 With regard to the creation of an entrance road from the existing field onto Folly View, it is also considered that the proposed access road and junction arrangement are suitable and capable of safely accommodating vehicle traffic arising from the proposed development. The proposed junction with Folly View can provide adequate visibility and the new carriageway will be 5.5m in width, which is capable of accommodating passing traffic. The TS includes a swept path analysis plan which demonstrates that the proposed access road can accommodate larger service vehicles, such as a refuse vehicle.
- 10.99 With regard to traffic generation, the TS predicts a total of 17 two way vehicle movements in the AM peak period (0800-0900) and 18 two way vehicle movements in the PM peak period (1700-1800). The Folly View junction

connects with a B road, which in turn joins the A44 approximately 550m to the west of the aforementioned junction. Traffic will therefore join a network of B and A roads which have capacity to accommodate the additional traffic flows generated by the proposed development. It is considered that the level of traffic generated by the proposed development would not have a material impact on the operation of the local highway network, and would not be severe in the context of paragraph 116 of the NPPF. In terms of cumulative impact, it is noted that the TS submitted in connection with the proposed 60 dwelling scheme on the north-eastern side of the village predicts that the respective development would generate a total of 28 vehicular trips during the AM peak period and 26 vehicular trips during the PM peak period. It is considered that the combined level of traffic generated by the 2 developments would not be at a level that would have an adverse impact on highway safety or have a severe impact on the local road network.

10.100 In terms of pedestrian and cycle connectivity, it is considered that the site affords safe and reasonable access to existing services and facilities in the village for such users. Bus stops are also within reasonable walking distance of the site. Gloucestershire County Council Public Rights of Way are broadly supportive of a connection into the existing Public Right of Way adjacent to the north-eastern corner of the application site. It is considered that the site offers access to a range of services and facilities by means other than the private motor car and is consistent with Local Plan Policy INF3 in this respect.

10.101 With regard to car parking, it is considered that the application site has sufficient space to accommodate adequate on-site parking to meet the future needs of the development. The final layout and number of parking spaces would be established at the Reserved Matters stage should Outline planning permission be granted for this development. It is noted that the proposed access road would cut across part of an existing hardstanding which is used currently for the parking of vehicles in the Folly View development. At present, the area provides space for 6 tandem parking spaces. However, it is noted that the approved plans for the Folly View development show 3 allocated spaces in the area in question. The current proposal would not result in the loss of the aforementioned approved spaces and would not therefore reduce parking to a level below that which has been deemed previously to be acceptable. In addition, the parking spaces serve 2 bed dwellings rather than larger family homes and as such would typically generate a lesser parking demand. Whilst the current proposal may lead to an increase in on-street parking compared to the existing situation, there are no parking restrictions along the existing estate road and the road is of a design and width which can accommodate on-street parking. The potential for displacement parking is considered not to be at a

level that would have an adverse impact on highway safety or the operation of the existing estate road.

10.102 Gloucestershire County Council Highways raises no objection to the application.

10.103 It is considered that the proposed development can be undertaken without having an adverse impact on highway safety or the operation of the local highway network. The proposal is considered to accord with Local Plan Policies INF3, INF4 and INF5 and guidance in Section 9 of the NPPF.

(e) Flooding and Drainage

10.104 The application site is located in Flood Zone 1, which is the lowest designation of flood zone and one in which new residential development can be acceptable in principle.

10.105 This application is accompanied by a Flood Risk Assessment and Drainage Strategy has assessed the susceptibility of the site to flooding. With regard to the Risk of Flooding from Surface Water (RoFSW), the aforementioned report states that *'The RoFSW dataset shows the majority of the site has a very low yearly chance of flooding. This is consistent between the present-day mapping and the future flood risk projections. There is a low to high risk surface water flow route within the east of the site associated with the existing ditch.'* It goes on to state that *'the site is not located within an area assigned a groundwater flooding susceptibility class,'* and that *'shallow groundwater was encountered during the infiltration testing.'*

10.106 In terms of a drainage strategy, the submitted report states:

'Infiltration is deemed unsuitable following onsite testing, and so surface water runoff generated by the development would be attenuated using lined cellular storage tanks across the site, lined permeable paving, and a basin. Flows would be discharged to the ditch to the north of the site and restricted to QBAR for all events up to and including the 1 in 100 year plus 40% climate change storm, to provide betterment compared to the existing free-flowing scenario.' It also states that *'There is a ditch located along the eastern boundary, as well as to the north of the site. As the site levels currently fall towards the north, surface water runoff from the existing site would naturally flow to the ditch to the north of the site. It is therefore proposed that surface water generated by the development would be attenuated on site prior to being discharged to the northern ditch.'* Other measures such as rainwater harvesting, permeable

paving, swales and filter drains could be incorporated into a final detailed design.

10.107 The submitted details and recommendations have been assessed by Gloucestershire County Council Lead Local Flood Authority (LLFA), which has requested additional information. It states:

' Flood Risk

10.107.1 As shown in the Flood Risk Assessment and Drainage Strategy (P24-3059; September 2025) (FRA) The site is in flood zone 1 and mostly at very low risk according to the Risk of Flooding from Surface Water (RoFSW) maps. However, there is an area at medium and high risk along the eastern boundary in which, according to the masterplan, there will be properties situated. This could either put these properties at risk or displace the flood water an increasing the risk elsewhere, if not mitigated. No modelling has been carried out as it is being proposed to do so before a reserved matters application if the application is approved.

10.107.2 It should be noted that modelling of the watercourse was carried out to support a previous application (20/04553/OUT) and shows that the site might be at higher risk than the RoFSW maps show and the impact over a wider area of the site. This should be addressed in this application.

Surface Water Management

Runoff Destination

10.107.3 The geology of the site is Charmouth Mudstone, which is not conducive for infiltration. Instead, it is proposed to discharge surface water to a watercourse to the northwest of the site. This watercourse is not mapped, the LLFA has no information on it and none has been provided with the FRA. According to the topographic survey and the LiDAR information the LLFA has, the site appears to fall and therefore drain to the northeast rather than towards the watercourse identified. It will also require extensive work outside of the redline boundary and may require approval from third party land. For these reasons, further information should be provided.

10.107.4 It should also be noted that the National Standards for Sustainable Drainage Systems state that when discharging to a surface water body, the outfall should be a vegetated channel or reuse an existing outfall rather than building a new engineered outfall in the watercourse.

Discharge rate and volume

10.107.5 The proposed discharge rate is 3.6 l/s, which is approximately equal to the greenfield runoff rate for QBar and which will help manage runoff volume.

Sustainable Drainage System (SuDS) strategy and indicative plan

10.107.6 SuDS will be incorporated into the drainage strategy with an attenuation basin, underground cellular storage and permeable paving being provided. While it's been shown that the strategy can accommodate a 1% Annual Exceedance Probability (AEP) rainfall event plus 40% for climate change (Standard 3 of the National Standards) it hasn't been shown that it will meet Standard 2 (managing the first 5mm of rainfall for the majority of events without producing runoff).

10.107.7 Underground cellular storage is not mentioned in the National Standards and their use is not considered sustainable given it's onerous maintenance requirements and the inability to easily check if it is functioning. They should be replaced with more above ground features that can provide multiple benefits to the development.

10.107.8 The areas draining through the permeable paving and then the attenuation basin will be part of a SuDS treatment train to manage water quality, however, the remaining hardstanding area will not be. This is particularly pertinent for the access road, which could introduce hydrocarbons and sediments to the surface water.

10.107.9 The masterplan does show swales around the site but these haven't been incorporated into the SuDS Strategy.

Climate change

10.107.10 Climate change has been included at a value of 40%, which is in line with the Environment Agency's estimates.

Exceedance flow plan

10.107.11 A plan showing where surface water will flow through and off the site in events that exceed the design of the drainage have not been included but will depend on the final topography of the site.

LLFA Recommendation

10.107.12 More information should be provided to demonstrate the site would not be at undue risk of flooding and won't increase the risk elsewhere. Furthermore, more information should be provided on the runoff destination and it should be demonstrated that the strategy can meet the National Standards for SuDS, as described above.'

10.108 The applicant is currently in discussions with the LLFA about the matters raised. It is anticipated that additional information will be available prior to the Committee meeting. It is also considered that the matters raised are ones that can be reasonably addressed. Subject to no objection from the LLFA and the attachment of any conditions that it recommends, it is considered that the scheme could be undertaken in accordance with Local Plan Policy EN14 and Section 15 of the NPPF. Without the agreement of the LLFA it is considered that the proposed scheme would be unacceptable on surface water grounds.

10.109 With regard to foul drainage, the applicant proposes to connect the development to the existing Severn Trent Water network. The submitted drainage report states '*There is a public foul sewer within the site boundary; the 150 millimetre (mm) pipe enters the site from Folly View to the south and conveys flows towards the south-eastern corner, and then in a north-western direction along the eastern site boundary. The sewer exits the site via an existing path which connects to Hays Close to the north-east.'*

10.110 A large number of concerns have been raised by local residents and the parish council in relation to the capacity in existing foul drainage infrastructure in the village. The parish council states:

'The system, which operates as a single pipe system, is at maximum capacity, resulting in frequent and severe sewage spills. Flooding has become a regular occurrence, sometimes up to five times a year, especially during prolonged heavy rain. This affects Collin Lane, Blind Lane, and Badsey Road (under the railway bridge). Crucially, raw sewage, which has been seen floating along Collin Lane and into the stream alongside the Recreation Ground/Willow Green (ultimately feeding into Badsey Brook and the River Avon), is being discharged into floodwaters and the gardens of Collin Lane, posing a severe public health risk. This contamination causes the backup of sewage systems for properties on Collin Lane, Collin Close, and others, stopping the use of toilets and showers until the floodwaters subside.'

10.111 The relevant body for dealing with foul water in the site area is Severn Trent Water (STW). It has been made aware of the issues currently experienced by local residents. However, under the requirements of the Water Industry Act 1991, STW has a statutory duty to connect residential development to its network. It is therefore responsible for ensuring that its infrastructure has capacity to accommodate new development. The means of connection to the network would ultimately be a matter between the developer and STW. In its formal response to this application, STW states;

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

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

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

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

10.111.5 In light of the above, given Severn Trent is unable to object to this proposal, we would request that any approval granted by yourselves should be conditioned as follows:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and*
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use.*
- Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by*

means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

10.111.6 Reason To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.'

10.112 In addition to the above, it is noted that the issue of foul drainage capacity was covered as part of an appeal relating to the erection of 25 dwellings at Drakes Broughton near Pershore in Worcestershire in January 2025 (APP/H1840/W/24/3345732). The appeal decision related to an area covered by STW, which is the same body responsible for dealing with foul water in Willersey.

10.113 Paragraph 12 of the appeal decision states:

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

10.114 In the case of the above appeal, the Planning Inspector considered the scheme to be acceptable in drainage terms subject to a condition requiring *'details of foul drainage to be submitted and approved by the local planning authority prior to the commencement of development. This could include the requirement for the appellant to demonstrate that where a connection to the public sewer is proposed that the additional foul sewerage can be accommodated within the existing system without increasing the risk of flooding or backing up of the existing system on site or elsewhere. Such a*

condition would be reasonable and ensure that the scheme manages its foul drainage requirements properly, without materially impacting on the existing off-site drainage issues raised by interested parties.' The aforementioned condition was more onerous than the condition recommended by STW, which required details to be agreed prior to first occupation of the development.

10.115 In light of the concerns raised by local residents and the findings of the Planning Inspector in relation to the aforementioned appeal, it is recommended that the following condition (based on the condition used in the above mentioned appeal) is attached to a decision should permission be granted for this scheme:

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

The drainage scheme shall:

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

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

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

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

10.116 The aforementioned condition would require the developer to ensure that foul drainage infrastructure has capacity to accommodate the proposed development. This would ensure that the development would not place additional pressure on the existing infrastructure and address the requirements of Local Plan Policy INF8: Water Management Infrastructure which states that

proposals will be permitted that *' takes account of the capacity of existing off-site water and wastewater infrastructure and the impact of development on it, and make satisfactory provision for improvement where a need is identified that is related to the proposal.'*

10.117 In reaching this conclusion, Officers have also had regard to Paragraph 201 of the NPPF which states:

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

10.118 It is considered that measures can be put in place to ensure that the proposed development would not exacerbate the existing foul drainage issues encountered by local residents.

10.119 Subject to no objection from the LLFA in relation to surface water drainage matters, it is considered that the proposed development can be undertaken in accordance with Local Plan Policies EN14, EN15 and INF8 and Section 14 of the NPPF.

(f) Impact on Residential Amenity

10.120 The submitted layout plan demonstrates that the application site can accommodate 30 dwellings in a manner that would enable the provision of adequate outdoor amenity space. In addition, there is sufficient space within the site to accommodate dwellings that meet minimum floorspace standards as required by Local Plan Policy H1. Furthermore, it is considered that the proposed dwellings could be positioned and orientated in a manner that would avoid harm in relation to privacy, light and overbearing impact. The application is considered to accord with the Cotswold Design Code in these respects.

10.121 It is noted that 11 of the existing 30 dwellings on the Folly View development, which were permitted under 16/04902/FUL, provide over 55's accommodation. The respective dwellings are located in the western/north-western part of the respective development. It is considered that the submitted illustrative layout plan demonstrates that new dwellings can be positioned a sufficient distance from existing dwellings so as to prevent unacceptable harm to existing

residents. The proposed residential use is also considered to represent a form of development that would not cause an unacceptable level of noise, disturbance or pollution to occupants of the over 55's accommodation. Noise and disturbance arising during the construction phase of the development can be mitigated by an operating hours restriction which would form part of a Construction Management Plan condition.

10.122 The submitted plans set aside an area in the western part of the application site for a children's play area. The indicative layout also shows that the site can accommodate public open space and green infrastructure for the benefit of all future occupiers.

10.123 The proposed site entrance drive would extend across an existing grassed area which is located to the front (east) of 4 dwellings on Folly View (Nos 15-18). It would also be located to the front (north) of 19 and 20 Folly View which are located to the south of the proposed entrance drive. A private drive and a shared parking area currently lie between the front of the aforementioned 2 dwellings and the grassed area. The proposed entrance drive would provide the sole means of access and egress to and from the application site. The proposed access arrangements would result in a material increase in vehicle movements to the front of Nos 15 -20 Folly View. It would also result in additional movements along the stretch of the existing Folly View estate road which connects with the B4632. Notwithstanding this, it is noted that the existing Folly View development comprises 30 dwellings. There is therefore already a precedent for a similar level of traffic to that generated by the proposed development passing in close proximity to existing dwellings on Folly View. In the case of the current proposal, the traffic arising from this scheme would not pass the majority of dwellings on Folly View. The main impact would be on dwellings located in the eastern part of the aforementioned estate. In the case of Nos 15-20, the aforementioned dwellings are not subject to traffic passing their front elevations at the present time. Whilst the proposed development would introduce vehicle movements to the front of the respective properties, the level of passing traffic would not be materially different to that already experienced by other properties on Folly View. With regard to the impact of additional traffic on properties fronting onto the main Folly View estate road, it is noted that the proposal will increase vehicle movements along the road. However, the increase is considered not to be of a level that would cause an unacceptable level of noise, disturbance and pollution to the occupiers of the properties in question. It is also noted that a number of existing dwellings front onto the B4632 Broadway Road which is subject to far higher numbers of vehicle movements than would arise from the proposed development. On balance, it is therefore considered that the proposed access arrangements could

be put in place and operated without causing an unacceptable level of harm to existing residents having regard to Local Plan Policy EN15 and paragraph 198 of the NPPF.

10.124 The existing grassed area which would be developed for the new access road is not subject to any condition or agreement securing its use as Public Open Space. Access to the area could therefore be restricted at the present time.

10.125 With regard to designing out crime, the final layout and design of the scheme would be addressed at the Reserved Matters stage and would have regard to comments from Gloucestershire Constabulary. However, it is considered that there is reasonable scope to arrive at a scheme which would reasonably prevent crime and disorder and address the requirements set out in Section 17 of the Crime and Disorder Act 1998 which states that *'it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,*

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

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

(c) re-offending in its area; and

(d) serious violence in its area.'

10.126 It is considered that the proposal accords with guidance in the Cotswold Design Code.

(g) Biodiversity

10.127 This application is accompanied by an Ecological Appraisal (EA) Report. There are no European, national or local nature conservation designations covering the application site and the site does not contain UK Priority Habitat. The application filed comprises species-poor improved grassland. With regard to the site boundaries and its surroundings, the EA report states:

10.127.1 'The northern boundary and most of the western boundary of the application site is a continuation of the grazed, improved grassland. The southern end of the western boundary is delineated by post & wire fencing behind which is a short row of planted trees including oak (Quercus robur), field

maple (Acer campestre), hawthorn (Crataegus monogyna), silver birch (Betula pendula), hazel (Corylus avellana) and cherry plum (Prunus sp) - all trees are located outside the application site boundary.

10.127.2 The southern boundary of the application site is delineated by post & wire or post & rail fencing dividing the application site field from residential properties and gardens associated with Folly View. At the western end is a row of four Lawson cypress (Chamaecyparis lawsoniana) while at the eastern end are four oak trees, a small cherry plum and a large crack willow (Salix fragilis), which is located behind the ditch - all trees are located outside the application site boundary.

10.127.3 Along the fence are a number of small, scattered field maple and silver birch trees, which are set back in Folly View, with small patches of bramble (Rubus fruticosus agg) along the fence - all trees apart from one small field maple tree are located outside the application site boundary.

10.127.4 At the location where the proposed new access road will enter the application site development is a small length of recently established hedge comprising hawthorn, field maple, hornbeam (Carpinus betulus) and blackthorn (Prunus spinosa).

10.127.5 The eastern boundary of the application site is delineated by post & wire or post & rail fencing dividing the application site field from residential properties and gardens associated with Field Lane. Along the fence line is a mix of ornamental garden beech (Fagus sylvatica) and hornbeam (Carpinus betulus) hedge and bramble (Rubus fruticosus agg).'

10.128 The aforementioned report also states :

10.128.1 'There are short lengths of field drainage ditches located along and outside of the eastern boundary of the application site as well as to the north of the development site associated with the track along the northeast boundary of the wider field. These ditches are small (1m wide by 2m deep) and ephemeral being dry / damp at the time of the surveys that supports no aquatic / emergent vegetation.'

and

10.128.2 'The habitat directly affected by the proposed scheme is of very low ecological value being sheep-grazed, improved grassland (UK Habitat: Modified

Grassland). All plants recorded are common/widespread species, and no notifiable invasive plant species were recorded on site.

10.128.3 A main badger sett is located within a group of trees located outside the south-west corner boundary of the application site.'

10.129 In response to the submitted report, the Biodiversity Officer made the following initial comments:

10.129.1 'Habitats - The ecological report states that all boundary habitats to be retained will be safeguarded from damage and root compaction during construction. Section 7.1.1 of the report contains recommendations to safeguard these habitats. Although these recommendations are largely considered to be sufficient, it is felt that the details of exclusion buffers and protective fencing need to be specified within this section of the report so that the recommendations can be accurately complied with.

10.129.2 Bats - I agree with the assessments and conclusions of the ecological report pertaining to roosting and foraging and commuting bats. Given the nature of the habitats on site and the level of assessment which has been undertaken, it is felt in this instance that no further bat survey work is necessary.

10.129.3 Badgers - A main badger sett was recorded within a group of trees outside of the red line boundary area to the southwest. Other evidence of badger activity in the form of fresh digging, a dung pit and a latrine was also recorded during the survey. The ecological report states that the evidence shows that badgers migrate and forage along the field edges.

10.129.4 Section 6.4 outlines working methods to protect badgers, which include a 30m exclusion and buffer zone and restrictions to working during daylight hours. Section 7.1.2 provides recommendations to safeguard badgers in the form of Reasonable Avoidance Measures (RAMs); some of these recommendations contain the word 'should'. Although these RAMs are largely appropriate, the wording of recommendations containing 'should' needs to be amended to use words like 'will' or 'must' in order to make these recommendations definitive and fully enforceable.

10.129.5 Additionally, the report states that the 30m exclusion zone around the badger sett will not contain any deep excavation. The illustrative site masterplan (drawing no. 220 rev J) appears to show some construction for plot 1 will take place within this 30m exclusion zone. Can the ecologist please confirm that this

construction required for plot 1 will not involve any activities or works which are likely to damage the badger sett?

10.129.6 Birds - In consideration of the on-site habitats present which are to be lost and/or impacted by the proposed development, the assessment and recommendations for birds are felt to be sufficient. The creation of additional boundary habitats such as hedgerows and trees is likely to provide an overall benefit for local bird populations, especially passerine species

10.129.7 Amphibians - I agree with the assessments pertaining to Great Crested Newts and other amphibians. No further survey work is considered necessary in this instance.

10.129.8 Reptiles - I agree with the assessments pertaining to reptiles, and no further survey work is considered necessary in this instance.

10.129.9 Other species - Hedgehogs have been identified as potentially present within the ecological report, and the recommendations contained within section 7.1.3 of the report are considered to be sufficient to safeguard this species.

10.129.10 Enhancements for biodiversity - The ecological report recommends that holes in fencing for hedgehogs, a minimum of fifteen integrated bat roosting features and 30 integrated swift nesting boxes should be installed to enhance the site's value for biodiversity. Section 10 of the report also refers to habitat piles to be created within suitable locations. I am supportive of these recommendations and as no finalised details have been provided, these should be secured by condition once all other biodiversity issues are resolved.

10.129.11 Lighting - I am pleased to see that recommendations to reduce impacts of lighting are provided within the ecological report. No finalised lighting strategy has been provided and therefore, I recommend that a sensitive lighting strategy is secured by condition once all other biodiversity issues are resolved.'

10.130 In response to the points raised, the applicant has submitted additional information to address the above comments. The Biodiversity Officer is satisfied with the additional information and has advised:

'Habitats and Protected Species

10.130.1 I have reviewed the ecological information submitted as part of objections, including photos of wildlife (some of which are photographs of deceased badgers and amphibians). My conclusions remain that the ecological information submitted by Malford Environmental sufficiently addresses the potential ecological constraints associated with the proposed development.

10.130.2 It is noted that the Government published a draft version of the NPPF on the 16th of December 2025. The consultation period for the aforementioned document expires on the 10th of 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. With regard to this, policy N2 (f) states that to contribute positively to the natural environment and support nature's recovery development proposals should incorporate integrated nest boxes into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective.'

10.131 A condition is proposed which would require the developer to make biodiversity enhancements, such as integrated bird and bats boxes, hedgehog gaps in fences and log piles. A Construction Environmental Management Plan - Biodiversity is also proposed in order to ensure that the construction phase of the development minimises its impact on biodiversity.

10.132 With regard to Biodiversity Net Gain (BNG), the Biodiversity Officer states:

' Biodiversity Net Gain

10.132.1 The latest BNG information now demonstrates the following:

- *8.68% net loss in area habitat units,*
- *695.35% net gain in hedgerow units,*
- *16.00% net gain in watercourse units.*

10.132.2 After reviewing the latest BNG information, I am now satisfied that all previously identified issues have been addressed. The latest proposals will result in a net loss of area habitat units, however, the latest ecological addendum states that:

10.132.3 "The proposed residential development scheme does not meet the requirements of the Environment Act 2021 as it does not achieve the statutory 10% BNG requirement for 'area habitats'. Therefore, for this scheme the BNG

unit deficit of 0.73 units will be financially compensated through purchasing off-site units from a suitable habitat bank or broker."

10.132.4 The development will require a combination of on-site habitat creation and purchase of additional BNG units to satisfy the requirements for mandatory BNG. These units do not need to be purchased until after an REM application has been approved. However, to successfully discharge the biodiversity gain condition, the units must be allocated to the development prior to the submission of a compliance application.

10.132.5 As the BNG proposals have now been agreed, a Habitat Management and Monitoring Plan (HMMP) will be needed to inform the S106 agreement. Monitoring fees for onsite habitats will also need to be secured by the S106 agreement.'

10.133 It is considered that the proposed development can reasonably meet the requirement to deliver a minimum 10% Biodiversity Net Gain.

10.134 The proposal is considered to accord with Local Plan Policy EN8 and guidance in Section 15 of the NPPF.

Other Matters

10.135 With regard to trees, the Council's Tree Officer states:

10.135.1 There is a veteran and protected oak tree off site to the north just outside the blue line boundary of the site. It is sufficiently far enough away from the red line boundary site to not be impacted.

10.135.2 There are a number of trees of moderate and high arboricultural quality (as defined in BS5837) just off-site or on the site boundary in the south western and south eastern corners of the site. Current site layouts indicate that with appropriate tree protection, detrimental impacts on these trees can be avoided and there is sufficient space between these trees and proposed new dwellings. At reserved matters a finalised BS5837 compliant arboricultural impact assessment tree protection plan should be submitted for approval.

10.135.3 A row of spaced out younger trees of lower arboricultural growing in the rear gardens of modern housing to the south of the site will not be impacted.

10.135.4 A short section of lower quality hedgerow and a small number of newly planted trees will need to be removed to enable site access. Subject to new tree planting to mitigate for this loss I have no objection to this removal.

10.135.5 New tree planting is proposed. This is supported and should include trees that will, where space allows, grow to an ultimately large size.'

10.136 A tree protection condition is proposed as part of this recommendation. It is considered that the proposed development can be undertaken in accordance with Local Plan Policy EN7.

10.137 With regard to archaeology, this application is accompanied by a geophysical survey report and the results of field evaluation trial trenching. The information has been assessed by GCC Archaeology which advises:

10.137.1 'The result of the archaeological investigations within the current application site was positive, and identified a series of ditch and gully enclosure systems and post-hole groups. Pottery was recovered from a high proportion of these features and indicated that the site was a settlement site dating to the early and middle Iron Age. Medieval or post-medieval furrows were also identified across the proposed development area.

10.137.2 Although the archaeology on this site is not of the highest significance, so meriting preservation in situ, the archaeological deposits on this site will make an important contribution to our understanding of the archaeology of the county and the wider region.

10.137.3 There is therefore no objection in principle to the development of this site, with the proviso that an appropriate programme of work to excavate and record any significant archaeological remains should be undertaken prior to development in order to mitigate the ground impacts of this scheme.'

10.138 A condition is proposed which will secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation, should permission be granted for this application. Historic England has offered no comments in relation to the proposal.

10.139 With regard to contamination, the applicant has submitted a Phase 1 Desk Study, which has been assessed by the Council's Environmental and Regulatory Services Contamination Officer. The respective Officer states *'The technical document supplied is a Phase 1 Desk Study of the site, and includes a conceptual site model, with a S-P-R approach, as well as a site walkover. The*

report denotes several onsite sources of potential contamination associated with generic farmyard activities from the historical use of the site as an agricultural field. It appears most of the potential sources of contamination are localised to the northwestern part of the site, noted as 'Zone B' by the report. The Desk Study recommended a further Intrusive Site Investigation in order to assess whether the site is suitable for intended use, as currently there is an unacceptable risk of harm to human health. I concur with this recommendation, and would welcome the opportunity to review any scope of works or methodology proposed.' No objection is raised to the development in principle, subject to a condition requiring the submission of a site investigation and remediation scheme. The application is therefore considered to accord with the requirements of Local Plan Policy EN15 in this respect. Historic England has been consulted but has not offered any comments in relation to the proposal.

10.140 With regard to financial contributions, GCC has requested contributions of £39,771.20 to secondary 16-18 education and £5,880 to library services. A contribution of £50,000 to community transport is also requested. The applicant is currently in discussions with GCC about the level of the community transport contribution and it is anticipated that an update will be provided at the Committee meeting.

10.141 Having regard to the size of the development, it is considered that the requested contributions are necessary to make the development acceptable in planning terms, are directly related to the proposed development and are fairly and reasonably related in scale and kind to the development. The contribution request is considered to accord with Regulation 122 of the Community and Infrastructure Levy Regulations 2010.

10.142 Willersey Parish Council has submitted a request for financial contributions towards the following:

- iv) Village Hall extension & upgrades;
- v) Recreation Ground improvements;
- vi) Cemetery improvements;

10.143 The submitted request includes £8,000 towards the village's recreation ground, £5,950 - £10,200 towards a 85m long tarmac footpath at the cemetery and £290,760 towards an extension to the village hall. Whilst Officers consider that the figures for the recreation ground and cemetery footpath appear broadly reasonable, concerns are raised about the figure for the village hall extension. It is of note that a contribution of £40,000 towards improvements at the village hall was secured as part of the Folly View development in 2016 (16/01572/FUL).

The aforementioned development was for 30 dwellings and was therefore the same size as the scheme now proposed. Even if inflation and other increases are taken into account, the figure of £290,760 appears high when compared to that secured in 2016. At the time of writing this report, the applicant is in discussions with the parish council about the level of contribution. It is anticipated that an update will be provided at the Committee in relation to this matter.

10.144 The proposed development would result in the loss of an area of agricultural land. Paragraph 187 of the NPPF states that planning should recognise '*the intrinsic character and beauty of the countryside and the wider benefits of the natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land...*' In this instance, it is unclear whether the land falls into the Best and Most Versatile category. However, even if it were to be considered as such, its use for grazing and its modest size mean that its economic and other benefits are considered to be limited and not to outweigh the benefits arising from the delivery of new housing.

10.145 In light of the need for the applicant and Severn Trent Water to resolve foul drainage capacity, it is considered reasonable for the time period for the submission of reserved matters to be extended from 3 years to 5 years in order to provide a degree of flexibility for both parties.

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

11. Conclusion

11.1 It is considered that the proposed development would make a positive contribution to the Council's supply of deliverable housing land and the provision of affordable housing. With regard to the latter, the proposal would help to address local housing needs. In addition, the proposed development would potentially support village services and facilities, such as the existing public houses, employment estate and school. In light of the Council's housing land supply position, it is considered that the delivery of the new housing represents a significant material consideration that weighs heavily in favour of the proposed scheme. It is noted that the proposal would result in the development of a greenfield site within the Cotswolds National Landscape. However, the character and appearance of the site is heavily influenced by

existing residential development and the scheme is considered to be of size and form that would not have an unacceptable impact on the character or appearance of the designated landscape. The proposed development is also considered not to be of a size or form that would have an unacceptable impact on highway safety, a severe impact on the road network, or cause adverse harm to residential amenity, biodiversity, trees or archaeology. The concerns raised in relation to foul drainage capacity are noted. However, it is considered that this matter can be addressed fully by condition.

- 11.2 It is considered that the impact of the proposal on the Cotswolds National Landscape would not provide a strong reason to refuse the application. In addition, the benefits of the proposal are considered not to be significantly and demonstrably outweighed by its adverse impacts. It is therefore recommended that the application is granted permission subject to no objection from the LLFA and completion of a S106 legal agreement covering matters such as affordable housing, self-build/custom building housing, education, library and highway contributions and contributions to the parish council.

12. Proposed Conditions:

1. Application for the approval of the reserved matters shall be made to the Local Planning Authority by 5 years from the date of this decision notice.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. The development shall be started by 2 years from the date that the last of the reserved matters is approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended)

3. The development shall not be started before approval of the details relating to Appearance, Layout, Landscaping and Scale have been given in writing by the Local Planning Authority.

Reason: These are "reserved matters" and were listed in the application for later approval. This is only an outline planning permission and these matters require further consideration by the Local Planning Authority. This condition is imposed to comply with the requirements of the Town and Country Planning Act 1990 as amended.

4. This decision relates to the land outlined in red on drawing number 2411 200 D and proposed site access arrangements shown on drawing FIGURE 3.1.

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

5. Prior to the first occupation of any dwelling hereby permitted, a pedestrian access shall be provided from the application site onto Public Right of Way HWY9 fully in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved access shall be retained in accordance with the approved details thereafter.

Reason: In order to ensure that a safe and accessible route to the village centre and associated services and facilities is provided for future occupants of the development hereby permitted in accordance with Local Plan Policy INF3.

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

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

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

Reason: To ensure any contamination of the site is identified and appropriately remediated in accordance with Local Plan Policy EN15. It is important that these details

are agreed prior to the commencement of development as any on-site works could have implications for pollution and human health.

7. No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains which may be present. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 218 of the National Planning Policy Framework.

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

The drainage scheme shall:

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

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

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

i) all water network upgrades required to accommodate the additional demand to serve the development have been completed; or

ii) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development

10. The development shall not commence until a 30-year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

a. Description and evaluation of the features to be managed;

b. Ecological trends and constraints on site that may influence management;

c. Aims, objectives and targets for management - links with local and national species and habitat action plans;

d. Description of the management operations necessary to achieving the aims and objectives;

e. Prescriptions for management actions;

f. Preparation of a works schedule, including annual works schedule;

g. Details of the monitoring needed to measure the effectiveness of management;

h. Details of the timetable for each element of the monitoring programme;

i. Details of the persons responsible for the implementation and monitoring;

j. Mechanisms of adaptive management to account for necessary changes within the work schedule to achieve the required targets; and

k. Reporting on year 1, 2, 5, 10, 15, 20, 25 and 30 with biodiversity reconciliation calculations at each stage.

The HMMP 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 enhancement works 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), paragraph 187, 192 and 193 of the NPPF, and Local Plan Policy EN8. It is important that these details are agreed prior to the commencement of development as any on-site works could have implications for biodiversity.

11. The development shall be undertaken in accordance with the recommendations contained within sections 6.4, 7.1.3, and 7.1.4 of the Ecological Appraisal report (Malford Environmental Consulting, 11th August 2025) and sections 7.1.1 and 7.1.2 of the Ecological Appraisal Addendum (Malford Environmental Consulting, 12th November 2025). All of the recommendations shall be implemented in full according to the specified timescales, and thereafter permanently retained.

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

12. An application for the approval of Reserved Matters shall include a Construction Environmental Management Plan - Biodiversity (CEMP-B) informed by an up-to-date ecological impact assessment. The CEMP-B shall include, but not necessarily be limited to, the following:

- i. Risk assessment of potentially damaging construction activities;
- ii. Identification of "biodiversity protection zones";

- iii. Details of deep excavations to be infilled or ramped access provided to prevent pitfall danger to mammals;
- iv. Practical measures (both physical and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- v. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- vi. The timing during construction when ecological or environmental specialists need to be present on site to oversee works;
- vii. Responsible persons and lines of communication;
- viii. The role and responsibility on site of an ecological clerk of works (ECoW) or similar person;
- ix. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- x. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP-B shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect biodiversity in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), the Protection of Badgers Act 1992, the Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework, Local Plan Policy EN8, and Section 40 of the Natural Environment and Rural Communities Act 2006.

13. Prior to the installation of external lighting for the development hereby permitted, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- i. Identify areas/features on site that are particularly sensitive for nocturnal wildlife, including foraging/commuting bats and badgers;
- ii. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly

demonstrated that areas to be lit will not disturb or prevent the above species using their nocturnal corridors.

All external lighting shall be installed in accordance with the approved strategy and retained as such thereafter. No external lighting shall be installed other than in accordance with the approved 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), local plan policy EN8 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006

14. Prior to installation of any external lighting, an external lighting design strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how the proposed development has been designed to minimise light pollution and the impact of development on dark skies and the character and appearance of the Cotswolds National Landscape, No external lighting shall be installed on the application site other than in accordance with the approved details.

Reason: In order to minimise light pollution and the impact of the development on dark skies and the character and appearance of the Cotswolds National Landscape in accordance with Local Plan Policies EN4 and EN5 and guidance in Section 15 of the National Planning Policy Framework.

15. Prior to the erection of any external walls of the development hereby permitted, a finalised Biodiversity Enhancement Plan for the site containing details of the provision of:

- i. Integrated bird boxes installed within the fabric of new dwellings;
- ii. Integrated bat boxes installed within the fabric of new dwellings;
- iii. Habitat piles;
- iv. Gaps in fencing and boundary treatments for hedgehogs;

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved specification and programme of implementation and be retained as such thereafter.

Reason: To protect and enhance the site for biodiversity in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policy EN8 of the Cotswold District Council Local Plan, and for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

16. An application for reserved matters shall include a drawing/schedule which sets out the proposed size and mix of dwellings and which shall include the number of bedrooms in each respective dwelling. No more than 8 of the dwellings shall have 4 bedrooms or more, with the remainder of the development being 1, 2 and 3 bedroom dwellings. The development shall be undertaken fully in accordance with the approved drawing/schedule.

Reason: In order to ensure that the development contains an appropriate mix of dwellings in accordance with the requirements of Local Plan Policy H1.

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

Reason: In order to ensure that the road and footpath network is completed and thereafter maintained to an acceptable standard in the interests of highway safety and in accordance with Local Plan Policy INF4 and Section 14 of the National Planning Policy Framework.

18. Prior to the erection of any external walls of the development hereby permitted, a detailed scheme for the provision and future maintenance and management of Public Open Space, including play equipment, litter bins, benches, dog waste bins and associated hard and soft landscaping, shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include the provision, type and layout of Public Open Space and associated facilities and a programme for implementation. The scheme shall thereafter be provided, maintained and managed in accordance with the approved details and timetables.

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

19. The details submitted at the Reserved Matters stage shall include a Tree Protection Plan which shall be in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - recommendations'.

Prior to the commencement of any works on site (including site clearance), the tree protection as detailed in the approved Tree Protection Plan shall be installed fully in accordance with the approved details and shall remain in place until the completion of the construction stage of the development.

Fires on site should be avoided if possible. Where they are unavoidable, they should not be lit in a position where heat could affect foliage or branches. The potential size of the fire and the wind direction should be taken into account when determining its location, and it should be attended at all times until safe enough to leave. Materials that would contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Construction Exclusion Zone and no building materials or surplus soil shall be stored therein. All service runs shall fall outside the Construction Exclusion Zone unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the retained/protected tree/s in accordance with Cotswold District Local Plan Policy EN7.

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

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

- vii) Arrangements to receive abnormal loads or unusually large vehicles;
- viii) Highway Condition survey;
- ix) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses;
- x) Delivery and construction hours.

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

Informatives:

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

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

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

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

about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

Information on how to discharge the biodiversity gain condition can be found here: <https://www.cotswold.gov.uk/planning-and-building/wildlife-and-biodiversity/biodiversity-net-gain-bng/>

2. Please note that the proposed development set out in this application will be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). The amount of the liability will be calculated when the related reserved matters application is determined. Further information about CIL is available at www.cotswold.gov.uk/CIL

3. Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Severn Trent Water under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either its website (www.stwater.co.uk) or by contacting its Developer Services Team (Tel: 0800 707 6600).

Before undertaking any work on site, all applicants should determine if Severn Trent Water has any assets in the vicinity of the proposed works. This can be done by accessing our records at www.digdat.co.uk

Severn Trent Water advises that even if its statutory records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Severn Trent Water records indicate that there are assets that may be affected by this proposal and as such the applicant must contact Severn Trent before any work takes place.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently you must contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the proposed building.

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

There are detailed issues that need to be approved in order to achieve technical approval under that process and the developer should contact Gloucestershire County Council to ensure that approvals and agreements are secured before commencement of works. The obtaining of planning permission for any design/layout will not be considered as a reason to relax the required technical standards for the adoption of the road and drainage and any changes may necessitate the submission of further planning applications. If the road is to be private then the residents should be advised that they may be taking on the responsibilities and liabilities of the highway authority with regards to maintenance, snow clearance etc and advised to take advice on public liability insurance against claims associated with those responsibilities.