

Replacement, part conversion and remodelling of existing General/Heavy Industrial buildings/site with a Rural Business Hub including associated landscaping and consolidated parking at Hill Farm Main Road Oddington Gloucestershire

Full Application 25/03713/FUL	
Applicant:	Gavin & Roxbury Limited
Agent:	SF Planning Limited
Case Officer:	Amy Hill
Ward Member(s):	Councillor David Cunningham
Committee Date:	13 May 2026
RECOMMENDATION:	PERMIT

1. Main Issues:

- (a) Principle of Development
- (b) Design and Impact on the Cotswolds National Landscape
- (c) Impact on the setting of Oddington Conservation Area
- (d) Impact on Residential Amenity
- (e) Highways Safety and Sustainable Transport
- (f) Biodiversity and Geodiversity
- (g) Flood Risk and Drainage

2. Reasons for Referral:

- 2.1 The Councils Non-Executive Scheme of Delegation outlines that Applications which involve 100sqm non-residential building floorspace or sites over 1 hectare in size must be determined by the Planning and Licensing Committee and may not be determined under delegated powers.

3. Site Description:

- 3.1 The application site comprises a collection of modern agricultural buildings currently used for B2 industrial purposes, a bungalow, and surrounding agricultural land extending to approximately 1.6 hectares. Land to the west of the buildings has been levelled and is used for parking and storage, including a number of storage containers. Overall, the site slopes gently from west to east.
- 3.2 The site is located in open countryside to the north of the village of Upper Oddington, on the opposite side of the A436. It lies approximately 2.2

kilometres east of Stow-on-Wold. Vehicular access is obtained from the highway to the south, serving both the application site and agricultural fields to the north and east. The wider area is characterised by open agricultural fields.

- 3.3 The site lies within the Cotswolds National Landscape. The Oddington Conservation Area is located approximately 40 metres to the south of the site and terminates on the southern side of the A436. As such, the site lies within the setting of the Conservation Area.
- 3.4 A Public Right of Way, Oddington Footpath 5, crosses the south-western corner of the site.

4. Relevant Planning History:

- 4.1 17/00611/CLEUD - Certificate of Lawful Existing Use or Development under Section 191 of the Town and Country Planning Act 1990 for the occupation of a dwelling in breach of condition h) - agricultural occupancy restriction of permission CD.5849 - Permitted 09/03/2017;
- 4.2 17/02258/FUL - Removal of Condition h) (agricultural occupancy restriction) of permission CD.5849 - Permitted 11/07/2017;
- 4.3 22/01634/CLEUD - Certificate of Lawful Existing Use or Development under Section 191 of the Town and Country Planning Act 1990 for the use of the site as B2 Use (General Industrial) and associated ancillary uses - Permitted 10/08/2022;
- 4.4 22/04337/FUL - Change of use of the land from agricultural to outdoor live performance venue (sui generis), an engineering operation resulting in a sunken amphitheatre, erection of a kitchen pod, installation of a permanent pavilion base, temporary use of part of the site for car parking, laying out of an access track (part retrospective) - Refused 14/09/2023;
- 4.5 22/04303/FUL - Erection of a marquee pavilion, installation of outdoor lighting structures and installation of other 'pod' structures for a temporary period each calendar year from 30 April to 1 October to facilitate outdoor leisure events - Refused 14/09/2023;
- 4.6 23/03675/FUL - Change of use of existing general/heavy industrial site (use class B2) to flexible use (use class E(g)i [offices] and E(g)iii [light industrial]) - Permitted 14/08/2024;

4.7 25/01141/FUL - Demolition of existing dwelling and erection of replacement dwelling including associated parking, reinstatement works and wider landscaping - Permitted 23/07/2025

5. Planning Policies:

- TNPPF The National Planning Policy Framework
- EC1 Employment Development
- EC2 Safeguarding Employment Sites
- EC3 All types of Employment-generating Uses
- EC5 Rural Diversification
- EC6 Conversion of Rural Buildings
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN9 Bio & Geo: Designated Sites
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision

6. Observations of Consultees:

- 6.1 GCC Public Rights of Way: No objections as long as the route remains unaffected
- 6.2 GCC Highways Officer: Full comments attached as Appendix A
- 6.3 GCC Minerals and Waste: Additional information required
- 6.4 GCC Local Lead Flood Authority: No objection subject to conditions
- 6.5 CDC Tree Officer: No objections subject to conditions
- 6.6 CDC Flood Risk Officer: Additional information required
- 6.7 CDC Economic Development Lead: Support

- 6.8 CDC Environmental Health Officer (Land contamination): No objections subject to condition
- 6.9 CDC Environmental Health Officer (Noise): No objections subject to condition
- 6.10 CDC Biodiversity Officer: No objections subject to conditions
- 6.11 Cotswolds Conservation Board: No site-specific comments

7. View of Town/Parish Council:

- 7.1 Oddington Parish Council: *'The Parish Council supports this application which is a marked improvement over the existing barns. The Council also welcomes the provision of accommodation for start up businesses and the employment opportunities that will follow on from this. We note that one of the new barns is slightly higher than the existing barn. Without wishing to compromise future use, the Council wonders whether the height could be reduced.'*

8. Other Representations:

- 8.1 One third party representation has been received, raising general comments.
- Supported the concerns by the Parish Council
 - Application for a replacement house included the removal of buildings and re- landscaping associated with the amphitheatre
 - Seeks to secure these aspects as part of this application, in case the house isn't constructed.

9. Applicant's Supporting Information:

- Photos of existing buildings to be demolished
- Biodiversity Net Gain Design Stage Report Version 1.2 prepared by AllEcology dated November 2025
- Dusk Emergence Survey Covering Note - Dusk Emergence Surveys for Bats prepared by AllEcology dated April 2025
- Preliminary Ecological Appraisal Version 1.2 prepared by AllEcology dated November 2025
- Biodiversity Metric Calculation Tool (received 21st November 2025)
- Rural Business Hub At Hill Farm, Oddington: A Local Employment Opportunity Economic (Retention And Growth) Benefits Statement
- Design and Access Statement prepares by SOTA dated November 2025

- Letter reference 5363 from David M Boswell BSc (Hons) MSc Geo-Environmental Engineer for Wilson Associates (Consulting) Limited dated 2nd September 2024
- Flood Risk Assessment, Drainage & Maintenance Strategy prepared by davidsonwalsh dated 19.02.2026 Revision D
- Arboricultural Survey, Impact Assessment and Protection Plan MHP ref: 24060A BERRY BANK, ODDINGTON_TS AIA TPP_V2
- Planning Statement by SFPlanning dated November 2025
- Landscape & Visual Impact Statement LS6335/HF/Doc001B dated November 2025
- Report (structural) Issue 002 dated 04/10/2025 Job number 24/236
- Transport Statement prepared by rappor revision 03 dated December 2025
- Framework Travel Plan prepared by rappor revision 02 dated December 2025
- Covering Letter from agent (SFPlanning) dated 6th January 2026 (updated 19 March 2026)

10. Officer's Assessment:

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.
- 10.2 The policies and guidance within the National Planning Policy Framework (NPPF) are also a material planning consideration. In addition to the above, it is noted that the Government published a draft version of the NPPF on the 16th December 2025. The consultation period for the aforementioned document expired on the 10th March 2026 and it is anticipated that a final version of the NPPF will be released in Summer 2026. Whilst the draft NPPF is a consultation document, it is considered that the proposed policies within it are a material consideration and must be given a degree of weight at the present time.

Background and Proposed Development

- 10.3 The application seeks the redevelopment of the site to create a rural business hub to support local Cotswold-based start-up businesses, providing flexible incubation space for small-scale rural economic activity. The proposed uses comprise a mix of E(g), B2 and B8 uses. While the Planning Statement initially

referred to E Class uses more generally, this has subsequently been clarified by the applicant's agent.

- 10.4 The existing lawful use of the buildings and yard is B2 (general industrial). There is also an extant permission allowing E(g)(i) (offices) and E(g)(iii) (light industrial) uses. The existing B2 use became lawful through immunity from enforcement action rather than the grant of planning permission and, as such, is not subject to planning controls in respect of matters such as transport impacts, noise, or operating hours.
- 10.5 The site also includes the area of land currently containing a bungalow, the removal of which has been previously approved alongside the provision of a replacement dwelling to the north of the site.
- 10.6 Barn 1 would be retained and converted, with the removal of an existing open-sided section measuring approximately 308 square metres. The remaining building would have a footprint of approximately 22.6 metres by 31.6 metres. It would have an overall height of 8.4 metres, with main eaves at 6.4 metres and a lean-to section with eaves at 3.1 metres. The building would feature a low stone wall of approximately 1.1 metres around its base, with ash cladding above, designed to weather naturally to a silvered finish. The roof would be finished in metal sheeting and incorporate integrated solar panels.
- 10.7 Barn 2 would be a newly constructed building measuring approximately 12 metres by 32 metres, with an open porch area on the eastern side measuring 3 metres by 12 metres. To the rear would be a bin storage area and three parking spaces, each with EV charging provision. The building would have eaves heights of approximately 4.3 metres and an overall ridge height of 8.8 metres. Materials would comprise silvered ash cladding, a low stone wall, and a metal roof with integrated solar panels. Oak louvres would be used over areas of glazing to reduce light spill and minimise the visual impact of openings.
- 10.8 Barn 3 would also be newly constructed and would measure approximately 14 metres by 8.8 metres, with an overhang to either side. It would have an overall height of approximately 8.3 metres and eaves at 3.9 metres. The building would employ a matching palette of silvered ash cladding, a low stone wall, and a metal roof.
- 10.9 Barn 4 would replace an existing building on the site and would have a footprint of approximately 23 metres by 10 metres. It would have an overall height of approximately 7 metres and main eaves at 3.6 metres. The building would be

constructed using Cotswold stone walling, a reconstituted stone roof, and aluminium glazing.

- 10.10 The majority of parking would be located to the north of the site, broadly in the area currently occupied by the bungalow to be removed. This would provide 34 car parking spaces, including 9 spaces with EV charging provision. A further 5 spaces would be provided to the south of the site, including 4 accessible spaces and 1 EV charging space, resulting in a total of 42 car parking spaces across the site. The southern part of the site would also include provision for 7 covered bicycle spaces and 5 motorcycle spaces.

(a) Principle of Development

- 10.11 Local Plan Policy EC1 relates to employment development. It outlines that Employment Development will be permitted where it:

a. supports the creation of high quality jobs in professional, technical and knowledge based sectors and seeks to support economic opportunities which capitalise on the strength of existing academic and training institutions and research organisations;
b. maintains and enhances the vitality of the rural economy;
c. enables opportunities for more sustainable working practices, including homeworking
d. supports and improves the vitality and viability of Primary, Key, District and Local Centres; or
e. supports sustainable tourism in ways that enables the District to attract higher numbers of longer-stay visitors.

- 10.12 Local Plan Policy EC3 relates to proposals for employment generating uses. In relation to sites outside of development boundaries and outside of established employment sites, such as the site, the policy outlines that proposals for small-scale employment development appropriate to the rural area will be permitted where they:

a. do not entail residential use as anything other than ancillary to the business; and
b. are justified by a business case, demonstrating that the business is viable; or
c. facilitate the retention or growth of a local employment opportunity

- 10.13 Supporting paragraph 9.3.7 advises that '*Generally, Policy EC3 encourages employment proposals which support or restructure the local economy through the provision of incubation space for small-scale rural economic activity.*'

10.14 Established employment sites are listed within Appendix E of the Local Plan and are safeguarded by Local Plan Policy EC2 (Established Employment Sites). Whilst the application site is not identified as an established employment site, it is currently in lawful employment use and, in this regard, the objectives of safeguarding and promoting employment uses are considered relevant to the assessment of the proposal.

10.15 Local Plan Policy EC5 supports proposals for rural diversification where:

- a. the proposal will not cause conflict with the existing farming operation including severance or disruption to the agricultural holding that would prejudice its continued viable operation;*
- b. existing buildings are reused wherever possible; and*
- c. the scale and design of the development contributes positively to the character and appearance of the area.*

10.16 Local Plan Policy EC6 supports the conversion of rural buildings where:

- a. the building is structurally sound, suitable for and capable of conversion to the proposed use without substantial alteration, extension or re-building;*
- b. it would not cause conflict with existing farming operations, including severance or disruption to the holding that would prejudice its continued viable operation; and*
- c. the development proposals are compatible with extant uses on the site and existing and planned uses in close proximity to the site.*

10.17 Paragraph 85 of the NPPF states that:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

10.18 Paragraph 88 states that:

Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

- 10.19 Paragraph 89 outlines that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 10.20 In this case, Local Plan Policy EC1 is supportive in principle of the proposed development. By accommodating HG Ventures (the applicant's business) alongside providing space for local enterprises, the proposal would enhance the vitality of the rural economy and provide opportunities for more sustainable working practices, including reduced commuting to out-of-district locations.
- 10.21 Policy EC3 does not define a specific floorspace threshold for what constitutes 'small-scale' development, and site-specific circumstances are therefore a key consideration. In this instance, the internal floorspace would increase by approximately 27%. While Barn 2 would be of a comparable mass to Barn 1, Barns 3 and 4 would be substantially smaller. Overall, the proposal is considered reasonable to assess as small-scale employment development. The submitted Economic (Retention and Growth) Benefits Statement sets out the aims of the business and the growth of HG Ventures. Whilst this does not constitute a full financial business case, it is considered reasonable to conclude that the proposal would be viable.
- 10.22 Policy EC5 requires proposals not to conflict with existing farming operations; however, agricultural activities have ceased on the site and surrounding land. The main building would be reused, along with some smaller structures. Matters relating to design are considered elsewhere in this report, but the development

is considered to be of a scale and design that would contribute positively to the character and appearance of the area.

10.23 Policy EC6 is also relevant. A survey has been provided demonstrating that the main building is capable of conversion. While the appearance of the building would be significantly altered, its overall form would be retained and it would continue to read as an agricultural building. The principle of conversion of the building to office use has previously been established, and therefore, notwithstanding the extent of the works, the proposal is considered to comply with criterion (a) of Policy EC6. Given the absence of ongoing agricultural uses, the proposal would not prejudice farming activities, and as a proposal for commercial use on a site in lawful B2 use, it is considered compatible with surrounding uses.

10.24 Paragraph 88 gives significant weight to supporting economic growth, which the proposal would meet. Paragraph 89 of the NPPF specifies that development should *'not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.'* This is discussed further in the transport section below.

10.25 Overall, while the proposal would include significant alterations to the existing buildings and an overall increase in built form, it is considered to represent an appropriate intensification of use on a small-scale employment site, supported by Policy EC1, EC3, EC5 and EC6.

(b) Design and Impact on the Cotswolds National Landscape

10.26 The site is located within the Cotswolds National Landscape (formerly known as the Cotswolds Area of Outstanding Natural Beauty). Section 85(A1) of the Countryside and Rights of Way (CROW) Act 2000 (as amended by Section 245 of the Levelling-up and Regeneration Act 2023) states that relevant authorities have a duty to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

10.27 Local Plan Policy EN1 states that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:

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

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

10.28 Local Plan Policy EN2 states that *'Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.'*

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

10.30 Local Plan Policy EN5 Cotswolds Area of Outstanding Natural Beauty (AONB) states that in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

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

10.32 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.'*

10.33 Paragraph 190 of the NPPF states that *'[w]hen considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development⁶⁷ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.'*

- 10.34 Footnote 67 clarifies that *'For the purposes of paragraphs 190 and 191, 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.'*
- 10.35 Cotswold District Council endorsed the Cotswolds National Landscape Management Plan 2025-2030 on the 8th May 2025, with relevant policies within. Particularly Policy CE13: 'Development and infrastructure - principles' relates to the CNL Board Landscape Strategy and Guidelines and Landscape Character Assessments.
- 10.36 In terms of sensitivity, the majority of the application site and its surroundings fall within Landscape Character Type (LCT) 17: Pastoral Lowland Vale and Landscape Character Area (LCA) 17B: Vale of Moreton as defined in the Landscape Strategy and Guidelines for the Cotswolds National Landscape.
- 10.37 The CLCA identifies the isolated development such as conversion of farm buildings that might compromise rural landscape character, dispersed settlement patterns and views to the neighbouring Farmed Slopes including farm buildings converted to residential use as a Local Force for Change. The CLCA states that the Potential Landscape Implications of such development can include:
- *'Visual intrusions introduced to the landscape;*
 - *Erosion of the sparse settlement pattern of the Pastoral Lowland Vale;*
 - *Loss of characteristic open landscape;*
 - *Introduction of 'lit' elements to characteristically dark landscapes;*
 - *Upgrading of minor roads and lanes in areas of new development and introduction of suburbanising features such as gateways, kerbs, and lighting;*
 - *Loss of tranquillity;*
 - *Suburbanisation and domestication of agricultural landscape by the introduction of gardens e.g ornamental garden plants and boundary features, parking areas, lighting, and conversion of tracks to manicured drives and ornamental gateways;*
 - *Appearance of 'mini parklands' out of context with the surrounding landscape;*
 - *Appearance or extension of stables and 'white tape' field boundaries for horses and ponies (see 17.9 below);*
 - *Damage to road verges and roadside hedges and walls and the creation of informal passing places'*

10.38 The LCA's Landscape Strategies and Guidelines section states:

- *'Avoid isolated development, that will intrude negatively into the landscape and cannot be successfully mitigated;*
- *Conserve areas of dark skies;*
- *Oppose new housing in the Pastoral Lowland Vale (unless special circumstances apply in accordance with Paragraph 55 of the NPPF and development conserves and enhances the AONB as required by the CRow Act 2000;*
- *Avoid conversion of isolated farm buildings;*
- *Conserve the distinctive rural and dispersed settlement pattern;*
- *Restore existing stone farm buildings and structures in preference to new built development;*
- *When restored or converted to new uses, buildings must retain their historic integrity and functional character. Sound conservation advice and principles must be sought and implemented;*
- *Maintain the sense of openness and consider the impact of development, including cumulative development on views to and from the adjacent landscape types such as the Farmed Slopes and High Wold and on the setting of the AONB;*
- *Control the proliferation of suburban building styles and materials;*
- *Landscaping schemes accompanying development should encourage the planting of appropriately sized native trees, shrubs and traditional fruit varieties, whilst discouraging large alien tree species such as eucalypts and conifers and inappropriate cultivars of native species, particularly on fringes of open countryside;*
- *Respect traditional position of agricultural buildings and their relationship to the surrounding land;*
- *Introduce vehicle weight restrictions to prevent damage to verges and roadside boundaries.'*

10.39 In assessing the proposal, it is important to consider the baseline circumstances of the site. The site is currently characterised by regularised industrial activity, including noise, lighting and vehicle movements, which already detract from the tranquillity and natural character of the National Landscape.

10.40 To the south and west the area is bound by hedgerows and fencing to varying extents. The land slopes down towards the north east and is experienced from a public footpath, Oddington Footpath 5, to the west. At present, users of this footpath experience largely open views of the engineered yard and open storage associated with existing industrial use. The proposed development includes new hedgerow planting to better separate the footpath from

operational areas and is therefore considered to enhance the experience of users.

- 10.41 The design approach has evolved through pre-application discussions to achieve a high-quality response appropriate to a countryside location outside the main village. The majority of the buildings would be clad in ash timber, designed to weather naturally, reflecting agricultural vernacular materials. Stone detailing is used at lower levels, where concrete or blockwork might otherwise be expected, with the smallest building constructed entirely in stone. This approach is considered appropriate in response to the differing scales of the buildings, with the larger structures benefiting from a lighter timber appearance. The overall form, detailing (including louvres and overhangs), and site layout are considered to align with the principles of the Cotswolds Design Code.
- 10.42 The built form has been arranged compactly to limit encroachment into the wider National Landscape. The principal parking area is located to the north of the site, partly on land previously occupied by the bungalow to be removed, and is limited in wider views. While some light spill is anticipated from parking activity, this is considered acceptable in balance, given the compact layout achieved. Additional planting along the eastern boundary would further mitigate the impact of headlights and activity, and external lighting would be controlled by condition to ensure it is limited, downward-directed and time-restricted.
- 10.43 Having regard to the existing and permitted uses on the site, it is acknowledged that traffic movements would increase to some extent. However, against the established baseline, the resultant impact is considered limited, and it is not considered that the proposal would cause harm to the special qualities of the Cotswolds National Landscape.
- 10.44 While the proposal constitutes major development for the purposes of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended), it is considered that, taking account of the existing built form and lawful industrial use on the site, the nature, scale and setting of the proposal would not amount to major development for the purposes of Paragraph 190 of the NPPF.
- 10.45 Overall, the proposal is considered to represent an appropriate design and layout which would conserve the special qualities of the Cotswolds National Landscape, in accordance with Local Plan Policies EN2, EN4 and EN5.

(c) Impact on the Setting of Oddington Conservation Area

10.46 The site lies within the setting of the Oddington Conservation Area.

10.47 Local Plan Policy EN10 states:

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

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

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

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

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

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

a. Preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;

b. Include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;

c. Will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.

d. Have regard to the relevant Conservation Area appraisal (where available); and

e. do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.'

10.49 Section 16 of the NPPF seeks to conserve and enhance the historic environment. Paragraph 210 states that Local Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive

contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 212 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

10.50 The Oddington Conservation Area lies approximately 40 metres to the south of the application site, terminating on the southern side of the A436. The site is visible from parts of the Conservation Area, particularly from the junction of the A436 with the unnamed road through Oddington, and in certain views along the A436. The A436 forms a clear and established physical boundary between the Conservation Area and the application site.

10.51 From within the Conservation Area, the site is experienced in the context of the A-road and its associated traffic and infrastructure. The proposal would result in an intensification of activity on the site, including increased vehicle movements and some additional lighting. However, the site is already in lawful industrial use and is characterised by established built form and activity. In light of the existing baseline conditions, the degree of separation provided by the A436, and the nature of the surrounding context, the proposed development would not result in harm to the significance of the Conservation Area or its setting.

10.52 Accordingly, the proposal is considered to preserve the setting of the Oddington Conservation Area and to accord with the requirements of Local Plan Policies EN10 and EN11 and the relevant provisions of the NPPF.

(d) Impact on Residential Amenity

10.53 Local Plan Policy EN15 Pollution and Contaminated Land advises that:

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

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

2. Unless proposals would result in no unacceptable risk to future occupiers of the development and/or the surrounding land, development will not be permitted:

a. that is located on or in the vicinity of land that is contaminated or suspected of being contaminated; and/or

b. on land that contains or which potentially would create through development a pathway for migration of a potentially hazardous substance into a sensitive receptor.

3. In respect of affected sites the developer and/or landowner will be required to undertake appropriate investigation(s) and to carry out necessary remedial works.'

Contaminated Land

10.54 The submitted geotechnical investigation identified the potential presence of asbestos-containing materials on the site and recommended that further investigation and testing be undertaken. This recommendation has been reviewed and supported by the Council's Environmental Protection Officer. Accordingly, it is recommended that a planning condition be imposed to secure additional investigation and, where necessary, appropriate remediation measures.

Noise and disturbance

10.55 Part of the site benefits from a Certificate of Lawfulness confirming that the existing lawful use is B2 (general industrial). This lawful use applies to the area containing both the existing and proposed buildings and is not subject to planning controls in respect of noise, hours of operation or other operational restrictions.

10.56 While the Council's Environmental Health team has suggested a number of conditions to control noise arising from the site, it is considered that, in light of the existing lawful B2 fallback position, such conditions would not meet the tests of reasonableness or necessity.

10.57 Conditions relating to the construction phase of the development, including the control of construction noise and disturbance, have also been recommended by Environmental Health. These are considered reasonable and proportionate and are recommended to be included as part of any planning permission granted.

(e) Highways Safety and Sustainable Transport

- 10.58 The current lawful use of the site is industrial in nature, which is likely to generate a relatively limited number of vehicle trips but with a higher proportion of large vehicles. By comparison, office-based uses typically generate a greater number of vehicle trips, concentrated around peak hours of the day.
- 10.59 In terms of the sustainability of the location, it is noted that Local Plan Policy INF3 requires that:

'Development will be permitted that assists in delivery of the objectives of the Local Transport Plan and in particular:

- a. actively supports travel choice through provision, enhancement and promotion of safe and recognisable connections to existing walking, cycling and public transport networks (including, where appropriate, the rail network);*
- 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;*
- c. does not have a detrimental effect on the environment by reason of unacceptable levels of noise, vibration or atmospheric pollution;*
- d. ensures links with green infrastructure including Public Rights of Way and, where feasible, wider cycle networks;*
- e. makes a positive contribution, where appropriate, to the restoration of former railway lines by retaining existing embankments, cuttings, bridges and related features;*
- f. incorporates, where feasible, facilities for secure bicycle parking and for charging plug-in and other ultra-low emission vehicles;*
- g. accommodates, where appropriate, the efficient delivery of goods and supplies; and*
- h. considers the needs of people with disabilities by all modes of travel.'*

- 10.60 Paragraph 115 of the NPPF requires that:

'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.'

Sustainability of the Location

- 10.61 The Local Highways Authority have commented on this application, noting that: *'It is not considered to be a sustainable site in that any cycle route to the site is unattractive due to the level and speed of traffic on the A436 and the lack of any segregated facility as well as the topography in the area. Public transport is not an attractive option due to the frequency of the services as well as the walking route from the stops to the site along narrow unlit roads with no segregated provision and a need to cross the A436 to access the site again with no facilities or lighting to allow safe crossing of a busy, fast section of highway.'*
- 10.62 It is, however, also relevant that the site is already developed and in lawful industrial use. National and local policy recognises that rural employment sites will not always be located in highly sustainable locations, and supports the diversification and growth of rural businesses. The proposal would provide a type of flexible business accommodation not currently available in the local area and has the potential to reduce longer-distance commuting by providing employment opportunities closer to where people live.
- 10.63 The site also benefits from an extant permission granted in 2024 for flexible E(g)(i) (office) and E(g)(iii) (light industrial) uses. That permission did not restrict the proportion of office floorspace, the number or type of vehicle trips, or operating hours, although it was subject to a condition requiring the submission of a Travel Plan. The current proposal would increase overall floorspace by approximately 27%.
- 10.64 The submitted Transport Statement assesses the traffic impacts on the basis that the previously approved scheme could be 100% office use. Under that scenario, and with the proposed scheme assuming 80% office use, the predicted traffic movements would increase from:
- 20 to 22 vehicle movements in the AM peak;
 - 23 to 25 vehicle movements in the PM peak; and
 - approximately 150 to 170 total daily vehicle trips.
- 10.65 On this basis, the percentage increase in traffic movements would be limited. To ensure that trip generation does not exceed these assessed levels, a planning

condition restricting office floorspace to a maximum of 80% is considered necessary and reasonable.

- 10.66 With regard to reducing dependence on private motor vehicles, the Transport Statement submitted advises:

'6.23 The applicant, upon occupation of the development by their business, will provide branded bikes to members of staff who live within ten miles of the application site or who wish to travel to/from the railway station at either Kingham (a 20-minute cycle based on Google Maps) or Moreton-in-Marsh (a 31-minute cycle based on Google Maps). The proposed site plan demonstrates that showers will be provided on-site to allow cycle commuters to change into work clothes upon arrival.'

'6.24 The applicant will invest in an EV to operate a morning and evening shuttle service for staff from / to Kingham railway station, a 9-minute drive from the application site. These EV measures are compliant with the NPPF which includes ultra-low and zero-emission vehicles within the definition of sustainable travel.'

- 10.67 The application demonstrates that travel choice is being promoted as part of the development. While this is limited by virtue of the location, it is acknowledged that NPPF Paragraph 110 notes that *'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.'* In this case, the development would promote cycling as an alternative mode of transport, proposes a shuttle bus to and from the train station, and would otherwise support the use of electric vehicles. When considering the proposals, in combination with the existing context and uses, it is considered that the scheme satisfies the NPPF and Local Plan requirements to promote travel choice within this rural location.

- 10.68 The Highways Officer has gone on to advise that whilst they consider the application should be refused, should the application be recommended for permission that this should be subject to conditions requiring the submission of a Travel Plan (beyond the Framework Travel Plan submitted with the application) with a mechanism to require contributions to require ongoing monitoring of mechanisms specified. There is a current Framework Travel Plan submitted; however, the strategy of the site, to have small businesses rent each unit, results in difficulties in giving detailed specifics for each use at this stage. While it has been advised that the applicant will relocate to the site, most end users have yet to be determined.

- 10.69 The Framework Travel Plan includes sections on the objective framework for full Travel Plans for each occupier, increasing awareness of sustainable travel options among staff, encourage less reliance on the car and improve the health of staff. This also includes intentions to survey and monitor the effectiveness of the Travel Plans. Section 5 includes more specific measures including the appointment of a Travel Plan Coordinator. As well as information, the main measures proposed include the provision of branded bikes to *'members of staff who live within ten miles of the application site or members of staff travelling to/from the train stations at Kingham (a 20- minute cycle) and Moreton-in-Marsh (a 31-minute cycle)'* and *'an electric vehicle to operate a morning and evening shuttle service from/to Kingham railway station, a 9-minute drive from the application site.'*
- 10.70 The Highways Officer has required the full Travel Plans. The Framework Travel Plan is clear that these will be produced, and it is therefore considered reasonable that these are submitted prior to the occupation of each unit. While the Highway Authority has suggested contributions towards monitoring, it is noted that the 2024 permission included travel planning measures without such contributions. On balance, it is considered reasonable that monitoring be undertaken by the appointed Travel Plan Co-ordinator rather than secured through financial contributions.
- 10.71 The provision of 13 electric vehicle charging points is also proposed and is considered appropriate given the likely reliance on private car travel.

Highways Safety and Impacts on the Road Network

- 10.72 NPPF Paragraph 116 outlines that:

' 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.'

- 10.73 Local Plan Policy INF4 outlines that:

'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 of 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.'

10.74 The Highway Authority has advised that it would recommend refusal due to concerns regarding the sustainability of the site and potential highway safety impacts. However, no objection was raised on highway safety grounds in respect of the 2024 permission for flexible employment uses on the site, nor in relation to a previously proposed events use.

10.75 It is acknowledged that the proposal would result in an increase in traffic movements at peak times. However, adequate visibility is available, or can be achieved, at the site access onto the A436. Subject to the maintenance of visibility splays in perpetuity, it is considered that the proposal would not result in an unacceptable impact on highway safety.

10.76 Overall, it is concluded that the development would not result in an unacceptable impact on highway safety or a severe impact on the local highway network. The proposal promotes sustainable transport measures to a degree that is proportionate to its rural context and is therefore considered to accord with Local Plan Policies INF3 and INF4 and Section 9 of the NPPF.

10.77 The presence of the Public Right of Way and comments from the County Council's Public Rights of Way Officer are noted. As the proposed works are located to the east of the footpath, no direct impact is anticipated. Nevertheless, an informative is recommended to remind the applicant of their duty to ensure that the route is kept safe, clear and unobstructed during construction and operation.

(f) Biodiversity and Geodiversity

Habitats and Protected Species

10.78 Local Plan Policy EN8 outlines that development will be permitted that conserves and enhances biodiversity and geodiversity, providing net gains

where possible. Furthermore, it outlines that proposals that would result in the loss or deterioration of irreplaceable habitats and resources, or which are likely to have an adverse effect on internationally protected species, will not be permitted.

10.79 Section 15 of the NPPF also outlines that development should conserve and where possible enhance biodiversity and geodiversity and should not result in the loss or deterioration of irreplaceable habitats and resources.

10.80 The application included the submission of a Preliminary Ecological Survey (PEA), and the Biodiversity Officer has accepted the information, advising that a sensitive lighting strategy is required to ensure that surrounding habitats, enhancement features, and wildlife corridors are not subject to nocturnal lighting. This is recommended to be secured by condition. Furthermore, conditions are recommended by enhancement features for bats and nesting birds detailed in the PEA. This is required to comply with Policy EN8 of the Cotswold District Local Plan 2011- 2031.

Biodiversity Net Gain

10.81 The information submitted advises that the proposal includes on sites gains of:

- 61.83% net gain in area habitat units
- 154.50% net gain in hedgerow units

10.82 As such, a 30-year landscape and ecological management plan condition is recommended. Subject to this, it is considered that BNG requirements would be met.

Trees

10.83 Local Plan Policy EN7 requires development to conserve and enhance natural assets likely to be affected, including trees, hedgerows, and woodland of high landscape amenity, ecological or historical value as well as veteran trees.

10.84 The proposed works do not affect protected or veteran/ancient trees. Some B grade trees would need to be removed, and the proposed planting is considered to suitably mitigate the harm the loss of these would cause. The demolition of some structures would affect the root protection area of a group of trees. To ensure this is undertaken without harming the retained trees a sequential method statement will be required. The incursion into the root protection of another tree, to provide the parking area, is considered unlikely

to result in significant harm. As such, the Tree Officer has not raised any objections to the application.

(g) Flood Risk and Drainage

- 10.85 Local Plan Policy EN14 requires that proposals should not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment as a result of flooding, through the appropriate application of the sequential and exception tests, and the provision of site specific flood risk assessments where applicable. It requires the incorporation of flood risk management and mitigation measures in the design and layout of development proposals that provide adequate provision for the lifetime of the development, and that include a Sustainable Drainage System unless this is demonstrably inappropriate. This is in accordance with Section 14 of the NPPF.
- 10.86 The site is located within a Flood Zone 1, which is the lowest designation of flood zone, and the proposed type of development is acceptable in principle in Flood Zone 1.
- 10.87 Consultations were undertaken with both the Local Lead Flood Authority (LLFA) and Cotswolds Flood Risk Management Officer. Due to the scale of the development the development falls within the remit of the LLFA.
- 10.88 The initial submission of the application included insufficient drainage information with regard to surface water management. Following this a Flood Risk Assessment, Drainage & Maintenance Strategy was submitted. The information submitted within this included infiltration testing, and this was considered suitable by the LLFA, subject to the submission and approval of a detailed Sustainable Drainage System Strategy. A condition requiring this is recommended.

Other Matters

Waste - Minerals Safeguarding

- 10.89 The site is located within a mineral safeguarding area as defined within the Local Minerals Plan. Policy MS01 Non-mineral developments within Mineral Safeguarded Area advises:

'Non-mineral development proposals within a Mineral Safeguarded Area (MSA) will be permitted provided: -

I. they are exempt from safeguarding requirements as set out in the list contained in table 2; or

- II. *needless sterilisation of mineral resources will not occur; or*
- III. *the mineral resources of concern are not economically valuable; or*
- IV. *it is appropriate and practicable to extract minerals prior to development taking place;*
- V. *the overriding need for development outweighs the desirability to safeguard mineral resources.'*

10.90 It is noted that the majority of the district is within a mineral safeguarding zone, including the site. The site has already been subject to development, and as such is not suitable for mineral extraction. During the engineer operations associated with the development there is the potential for viable deposits to be located, given the site it is considered that this would comprise limestone. The Waste and Minerals Officer has advised an investigation should be undertaken to see whether there are any viable deposits which could be utilised within the development.

10.91 The agent has advised that *'The existing site is covered in crushed stone, foundations and concrete. It might be difficult to extract any useful stone for the project given the limited extent of foundations (and where they are needed it related to land already disturbed). Indeed, if any stone is found then it may be more appropriate to use this in the construction of the permitted replacement dwelling.'*

10.92 Given the current development on the site, level of existing disruption, and scope of works, the level of any stone found is considered likely to be limited. It would be at a scale which could be incorporated within the stone buildings on the site or on the previously approved dwellinghouse. Overall, it is not considered reasonable to delay the positive determination of the application to undertaken further investigation.

Previous works

10.93 A third party comment was received in relation to requiring works undertaken for the unlawful amphitheatre is restored by condition. A condition is attached requiring this with the application for planning permission for a replacement dwellinghouse. This was justified due to the encroachment of the dwellinghouse further away from the existing built form on the wider site. This is not applicable to the current development, and as such is not considered necessary to ensure the development is acceptable.

CIL

10.94 The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

11. Conclusion:

The proposal is considered to comply with Local Plan Policies and material considerations, as such is recommended for permission.

12. Proposed Conditions:

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

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

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

P_051_003; P_051_004; P_051_005; P_051_006; P_051_007; P_051_008; P_051_009; P_051_010; P_051_011; P_051_012; P_051_013; and P_051_015

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

3. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of retained trees, in accordance with BS5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

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

- a) Full details of any facilitation pruning.
- b) Methods of demolition within the root protection area (RPA as defined in BS5837:2012) of retained trees.
- c) Methodology and detailed assessment of any root pruning.

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

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

4. A. 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.

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

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

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

5. No below or above ground development shall commence until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify:

- the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases; and the specific measures will be employed for dealing with this material so as to:

- minimise its creation, maximise the amount of reuse and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill.

In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 - Waste Reduction and adopted Minerals Local Plan for Gloucestershire Policy SR01.

6. No above-ground development shall commence until full details of the provision made for facilitating the management and recycling of waste generated during occupation have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during occupation must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 - Waste Reduction.

7. No above ground development shall commence until details on the materials to be used in the construction of the development have been submitted to and agreed in writing by the Local Planning Authority. The construction materials should achieve at least 10% of the construction (by value) from materials derived from recycled and sustainable sources. The development shall be carried out in accordance with the submitted details.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 - Waste Reduction.

8. Prior to the commencement of the development, a construction management plan detailing how noise and dust is to be minimised and controlled during site clearance and construction. It shall include measures to be employed to prevent the

egress of mud, water and other detritus onto the public and any non-adopted highways.

The hours of work for the construction of the development shall be restricted to 08:00 to 18:00 Monday to Friday and 08:00-13:00 on Saturday with no working on Sunday or Bank Holidays.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Local Plan Policy EN15 and the National Planning Policy Framework.

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

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

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

Reason: To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as

inserted by Schedule 14 of the Environment Act 2021), paragraph 187, 192 and 193 of the NPPF, and Local Plan policy EN8.

10. Prior to the first use/occupation of the development hereby approved, a comprehensive landscape scheme shall be approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

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

11. Prior to the construction of any external wall of the development hereby approved above slab level, samples of the proposed walling and roofing materials have been approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policies EN2, EN4, and EN5, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

12. No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing, this should be in accordance with the proposal set out in the approved submission (Proposed Site Plan; 24194-13-C). The SuDS Strategy must include a detailed design, maintenance schedule, confirmation of the management arrangements, a timetable for implementation. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The approved scheme for the surface water drainage shall be implemented in accordance with the approved details before the development is first put in to use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed

prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

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

Reason: To ensure that in accordance with Cotswold District Local Plan Policies EN2, EN4 and EN5, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

14. Details of the 'plant' and 'bike' store, including their elevations and materials, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first use of the development hereby approved and shall be retained thereafter for their approved purposes.

Reason: To ensure a suitable appearance and the provision of covered cycle storage, in accordance with Local Plan Policies EN2, EN4, EN5 and INF5.

15. Prior to first use of the buildings hereby permitted, details of the provision of 4no. bird boxes, and 4no. integrated bat boxes or an accessible roof void with internal bat boxes, shall be submitted to the Local Planning Authority for approval. The details shall include a drawing showing the types of features, their locations within the site, and a timetable for their provision. The approved details shall be implemented in accordance with the approved specification and programme of implementation and be retained thereafter.

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

16. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details specified in MHP Arboricultural Impact Assessment and Tree drawing number 24060.503 Rev C before any development including demolition, site clearance, materials delivery or erection of site buildings, starts on the site. The approved tree protection measures shall remain in

place until the completion of development or unless otherwise agreed in writing with the local planning authority. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within any area fenced, unless agreed in writing with the local planning authority.

Reason: To ensure adequate protection measures for existing trees/hedgerows to be retained, in the interests of visual amenity and the character and appearance of the area, in accordance with Local Plan Policy EN7.

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

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

18. Prior to the installation of external lighting for the development hereby approved, an external lighting plan shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting, timers, and heat in Kelvin), so that it can be clearly demonstrated that areas to be lit will not affect compensatory bat roosts or biodiversity enhancement features, or disturb or prevent nocturnal species using wildlife corridors. All external lighting shall be installed only in accordance with the specifications and locations set out in these details.

Reason: The prevent adverse impacts on species afforded protections under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). The proposals are also considered contrary to paragraph 193 of the National Planning Policy Framework (Chapter 15) and Policy EN8 of the Cotswold District Local Plan 2011- 2031.

19. Prior to any part of the development hereby authorised being brought into beneficial use the access, parking and turning areas serving the site shall be laid out, constructed, hard surfaced and positively drained to a suitable outfall to ensure no loose material or water runs onto the highway and once any part of the development is brought into use shall be maintained as such thereafter.

Reason: To ensure suitable parking, turning and access areas are provided in accordance with Local Plan Policies INF3 and INF4.

20. Before any part of the development hereby authorised is brought into beneficial use the visibility splays shown on the submitted plans shall be cleared of all obstruction to visibility greater than 0.9m above the level of the carriageway and once any part of the development is occupied shall be maintained as such thereafter.

Reason: To provide suitable visibility in the interests of highway safety in accordance with Local Plan Policy INF4.

21. Prior to the first occupation or beneficial use of each phase or unit (or group of units) of the development hereby permitted, a Travel Plan for that phase or unit(s) shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

- a) baseline information and a survey methodology for monitoring the travel mode choices of staff and visitors;
- b) objectives and targets for increasing the use of sustainable modes of travel;
- c) measures to encourage travel by sustainable modes;
- d) a timetable for implementation of those measures;
- e) a scheme for monitoring and review, including the appointment of a Travel Plan Co-ordinator and the submission of annual monitoring reports to the Local Planning Authority; and
- f) remedial measures to be implemented if the approved targets are not being met.

The relevant phase or unit shall not be occupied or brought into beneficial use until the Travel Plan for that phase or unit has been approved in writing by the Local Planning Authority.

The approved Travel Plan shall thereafter be implemented, monitored and reviewed in accordance with the approved details. Annual monitoring reports shall be submitted to the Local Planning Authority for a period of not less than five years from the date of first occupation or beneficial use of the relevant phase or unit.

Reason: To promote and secure sustainable travel choices, and to ensure that the development is implemented and operated in a manner which encourages travel by sustainable modes, in accordance with Policy INF3 of the Local Plan and the National Planning Policy Framework.

22. No more than 80% of the total floorspace hereby approved shall be used for office purposes (Use Class E(g)) at any time.

Reason: To limit peak traffic movements generated by the development, in accordance with Local Plan Policy INF4.

23. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order (as amended), the buildings hereby permitted shall be used only for flexible uses within Use Classes E(g), B2 and B8, and for no other purpose whatsoever, including any other purposes within Class E.

Reason: The development has been assessed and permitted as a small business hub. Other uses, including alternative uses within Use Class E, would materially alter the character of the site and result in impacts on the surrounding area that have not been assessed as part of this permission.

24. Only Barn 1 and Barn 2, as identified on approved drawing P_051_003, shall be used for purposes within Use Class B2.

Reason: In the interests of residential amenity in accordance with Local Plan Policy EN15.

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 one which will require the approval of an overall biodiversity gain plan, as well as a phase biodiversity gain plan for each phase of development before works commence. This is 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 these Biodiversity Gain Plans and templates can be found at <https://www.gov.uk/guidance/submit-abiodiversity-gain-plan>

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

The Gloucestershire Local Nature Recovery Strategy (LNRS) has been published by Gloucestershire County Council. This strategy must be used to inform the Strategic Significance Multiplier in the Statutory Biodiversity Metric or the Small Sites Metric, depending on which version has been submitted. As part of your discharge of condition application the biodiversity metric will need to be updated to refer to the published LNRS.

Please speak to your project ecologist for further advice or alternatively, you can engage with the Council's pre-application advice service: Get advice on your planning application - Cotswold District Council

The applicant will need apply to approve the details reserved by the 30-year Landscape and Ecological Management Plan (LEMP) and the Biodiversity Gain Plan at the same time. A step-by-step guide on how to apply for approval of conditions can be found here:

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

Nesting birds: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage and destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, hedgerows, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and 31st August. Clearance of suitable habitat should therefore be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

2. The Footpath should not be obstructed by vehicles, building materials or construction work at any time, maintaining and safeguarding public access at all times, if there is any suggestion that it will, whether through a need for a temporary closure or permanent diversion then contact should be made with the Public Right of Way team at the earliest opportunity.

Please note:

1) No change to the surface of the public right of way can be approved without consultation with the County Council and there must be no interference with the public right of way, either during development or once it has been completed, unless: -

a) The development will temporarily affect the public right of way; then the developer must apply and pay for a temporary closure of the route to us in Public Rights of Way (preferably providing a suitable alternative route); if any utilities are going to cross or run along a PROW then a section 50 license needs to be sought and granted - via GCC Streetworks department. Information regarding section 50 Licenses and an application form can be found at: <https://www.gloucestershire.gov.uk/highways/highways-licencespermits-and-permissions/>

b) Important: if the development will permanently affect any public right of way, then the developer must apply for a diversion of the route through the Local Planning Authority, under the Town and Country Planning Act 1990, as part of the planning application process. Absolutely no development should take place affecting the route of the path prior to the confirmation of a TCPA path diversion order through the LPA. The area Public Right of Way Officer should be consulted as part of this process.

2) Additionally:-

a) There must be no encroachment on the width of the public right of way.

b) No building materials may be stored on the public right of way.

c) Vehicle movements during construction should not unreasonably interfere with the use of the public right of way by walkers, etc., and the developer or applicant is responsible for safeguarding the public use of the way at all times.

d) No additional temporary or permanent barriers (e.g. gates, stiles, wildlife fencing) may be placed across the public right of way and no additional gradients or structures (e.g. steps or bridges) are to be introduced on any existing or proposed public rights of way without the consent of the county council.

3. Please note that the proposed development set out in this application would be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), however, no CIL is payable as the Cotswold CIL Charging Schedule gives this type of development a zero rate. However, if the nature of the development were to change, you are advised to contact the Council to discuss the requirement for planning permission and CIL liability.