

Proposed demolition of existing buildings, conversion of existing building to dwelling and four new dwellings (Resubmission of 22/00025/FUL) at Land at Grid Reference 415682 201136 London Road Fairford Gloucestershire GL7 4AS

Full Application 23/01048/FUL	
Applicant:	W Risby Ltd
Agent:	Abberley Design Ltd
Case Officer:	Andrew Moody
Ward Member(s):	Michael Vann
Committee Date:	13th March 2024
RECOMMENDATION:	PERMIT

I. Main Issues:

- (a) Background and principle of development
- (b) Design and impact upon heritage assets
- (c) Landscape impact
- (d) Residential amenity
- (e) Highway safety
- (f) Biodiversity and North Meadow SAC
- (g) Trees
- (h) CIL

2. Reasons for Referral:

2.1 The application has been referred by the Ward Member, Cllr Michael Vann, for the following reason:

2.1.1 "Thank you for your email dated Friday 26 January with your Delegated Report and its Recommendation "Permit". I appreciate the full and detailed content of the Delegated Report concerning what I consider to be an unusual and complex site. I apologise for this email reaching you shortly before the expiry of the 7 days given on 26 January.

2.1.2 The planning application 23/01048/FUL had been logged onto the system on 24 March 2023 and I was elected to CDC on 5 May 2023. You received an important consultee comment (GCC Highways) on 26 January 2024 and you issued the Delegated Report on the same day. That was the first I knew of the matter.

2.1.3 Over the weekend I visited adjoining property owners of Holmdene, 1, 2 and 3 Lower Croft and Albion Cottage over the weekend and drew residents' attention to the GCC letter. It is not therefore a surprise to me that you have received a flurry of objections this week. I have to say that I was disappointed to learn of the lack of

engagement between the site owner and present adjoining property owners which I consider amounts to inadequate consultation.

2.1.4 My request as Ward Councillor is for CDC please to refer the application to the Schedule Review Panel and for the Panel to refer the application to the Planning and Licensing Committee of CDC. I consider that a site inspection would be appropriate in this case.

2.1.5 I fully accept the present use of the site is a non-conforming use and that residential development including the retention and conversion of the present Non-Designated Heritage Asset would be appropriate for the site.

2.1.6 My concern relates to the number of dwellings proposed on the site and the car parking and access to and from the site.

2.1.7 I note that the GCC as Highway Authority states: "The proposed car parking on the site is very tight" though it goes on to accept what is proposed subject to conditions.

2.1.8 I appreciate that the site had been for many years an operational engineering works with vehicular traffic during business hours to and from the public highways to the south and west of the site. This is a busy part of Fairford with poor visibility for pedestrians and vehicles. Vehicular traffic generally has increased substantially in recent years and the proposed development introduces several (5 proposed in the application) new residential owners requiring vehicular access to their properties.

2.1.9 Finally. I observe that as a member of CDC's Planning and Licensing Committee I have inspected properties and considered applications less worthy of consideration by the Committee than 23/01048/FUL".

3. Site Description:

3.1 The application relates to a number of buildings at the former East Gloucestershire Engineering Ltd premises at Lower Croft Mews, London Road Fairford, which is located to the northern side of the A417 within Fairford, and to the south / west of Mount Pleasant. The buildings are a mixture of traditional stone and modern commercial buildings, with accesses to the western and southern boundaries. Surrounding development is primarily residential, although there is an area of trees subject to a Tree Preservation Order to the north.

3.2 The site is within the Fairford Conservation Area, in addition to the Development Boundary for the town designated within the Local Plan. Whilst not subject to any landscape designation, it is within the Outer Zone of Influence for the North Meadow Special Area of Conservation (SAC).

4. Relevant Planning History:

- 4.1 22/00025/FUL: Demolition of existing buildings, conversion of building to dwelling and 4 new dwellings. Withdrawn

5. Planning Policies:

- TNPPF The National Planning Policy Framework
- DS2 Dev within Development Boundaries
- S5 S5 - Fairford
- EC2 Safeguarding Employment Sites
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN9 Bio & Geo: Designated Sites
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision
- INF7 Green Infrastructure

6. Observations of Consultees:

- 6.1 Conservation Officer: No objection subject to conditions
- 6.2 Biodiversity Officer: No objection subject to conditions
- 6.3 Natural England: No objection
- 6.4 Tree Officer: No objection subject to conditions
- 6.5 Drainage Engineers: No objection subject to condition
- 6.6 Highway Authority: No objection, subject to conditions

7. View of Town/Parish Council:

- 7.1 Fairford Town Council **OBJECTS** to this application on the grounds of being contrary to the following policies:

7.1.2 Safety of vehicle and pedestrian access (CDLP policy INF4 and NPPF (especially paras 110 and 112))

There is no footpath on the West side of the site and any on-road parking there would create a significant visibility hazard adding to that existing with vehicles often coming round the bend from Mount Pleasant/Hatherop Road at some speed.

7.1.3 Design (CDLP policy EN2 and Appendix D, NPPF and NDG/NMDC)

Although the turning area has been improved relative to the previous application by the removal of the dwelling on the inside of the L, there is still very limited turning space within the site when parked vehicles are taken into consideration. This is highlighted by the allocation of the parking space for Unit 3 away from the property itself at the southern end of the site.

Overlooking of neighbouring properties (particularly to the East and South of Unit 4) and resulting potential loss of privacy is clearly a more serious issue than with the previous industrial use.

There seems inadequate private amenity space for the proposed dwellings. This is not good design (NPPF para 134 refers).

7.1.4 Impact on Heritage (CDLP policy EN10)

It is unclear how the existing building is to be demolished to make way for the carport without affecting the wall of the adjacent listed property (Holmdene). These issues basically arise because of over-development of the site.

In the event that the LPA decided to approve this application contrary to our advice we would strongly suggest that a condition is imposed removing permitted development rights for additional windows on the East side of Unit 4, for both heritage and privacy reasons.

7.2 Concerns were raised to the Town Council by neighbouring residents. These are listed below:

7.2.1 As you're aware, the wall between us and East Engineering is listed and it's proposed that the carport will be located there - we would need to know how the existing building is to be demolished without affecting our wall and if it is damaged in any way, it will be repaired as new.

7.2.2 Our main concern is additional traffic to the slip road which will provide the main access to the development. There is no pavement on this road, and this is already a hazard to pedestrians. As you're probably aware, there is already significant traffic from Mount Pleasant and London Road that use this slip road, if another

five houses are built, we'd assume that would probably mean another 7 cars at least using this road (not including visitors etc) which would significantly increase the dangers that already exist. In addition, would all emergency vehicles be able to access the site effectively?

7.2.3 We understand that there are vehicle inspection pits there and do to the nature of the business that was there, the soil would be contaminated and would need to be removed. How will this be managed?

7.2.4 Would we be affected by light pollution i.e. erection of lamp posts etc?

8. Other Representations:

8.1 17 objections have been received, making the following comments:-

- increase in traffic on narrow road
- sewerage capacity
- impact of parking spaces
- impact upon privacy
- impact upon wildlife
- potential contamination
- loss of parking for existing residents

9. Applicant's Supporting Information:

- Planning, Design and Access Statement
- Arboricultural Method Statement
- Land Contamination Assessment
- Ecological Appraisal
- Highways Technical Note
- Proposed plans

10. Officer's Assessment:

(a) Background and Principle of Development

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

10.2 The application has been submitted following the withdrawal of application 22/00025/FUL, which proposed a total of 7 units (6 new build and 1 conversion of an existing building).

Following concerns raised by Officers and the Highway Authority, this application was amended and reduced to 4 new build properties, however it was considered that this amendment was too significant and required a new application to be submitted.

- 10.3 The current proposal includes, therefore, the conversion of the existing building to be retained (Unit 4) into a 4-bedroom property, in addition to 4 new builds:

Unit 1 - detached 2-bedrooms

Units 2 and 3 - semi-detached 2 bedrooms

Unit 5 - detached 3 bedrooms

- 10.4 The NPPF has at its heart a 'presumption in favour of sustainable development'. It states that there are three overarching objectives to achieving sustainable development: economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.

- 10.5 The site is within the Development Boundary defined for Fairford within the CDLP, (Policy S5 and Inset Map 4), where Policy DS2 (Development Within Development Boundaries) states that 'Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle'. Policy FNPI of the Fairford Neighbourhood Plan also states that applications for new development within Development Boundaries will be permissible in principle.

- 10.6 The site is not designated as an Established Employment Site in the CDLP, having regard to Policy EC2 and Appendix E, neither does it have any such designation in the Fairford Neighbourhood Plan.

- 10.7 In addition, considering that the site is surrounded by development which is primarily residential in use, and that it is within easy walking distance of the facilities in the Town Centre, including shops, a Library and bus stops, then it is considered that this would be a sustainable location for residential development to occur.

(b) Design and impact on heritage assets

- 10.8 The site lies within close proximity to, and within the setting of four listed buildings, Holmdene and the three cottages to the south of Holmdene; all listed grade II. In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, in accordance with Section 66(1) of the Planning (Listed Buildings & Conservation Areas) Act, 1990.

- 10.9 The site lies within the designated Fairford Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

- 10.10 Part 2 of the NPPF addresses the issue of achieving sustainable development. Paragraph 8 identifies the three 'overarching objectives' of sustainable development: economic; social; and environmental. The environmental objective includes the requirement 'to protect and enhance our natural, built and historic environment ... and mitigating and adapting to climate change' (paragraph 8(c)).
- 10.11 Section 12 of the revised National Planning Policy Framework reiterates that achieving a high quality of design for places and buildings is fundamental to the planning process.
- 10.12 Paragraph 135 advises that, amongst other things, development should be: 'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'.
- 10.13 Section 14 of the revised National Planning Policy Framework is concerned with addressing the challenge of climate change. Paragraph 162 states that new development should comply with local plan policies for decentralised energy supply, unless it can be demonstrated that, having regard to the type of development involved and its design, that this is not feasible or viable, and that any development should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 10.14 The Glossary of the National Planning Policy Framework identifies both listed buildings, and conservation areas as designated heritage assets; it also identifies the category of non-designated heritage assets.
- 10.15 Whilst Unit 4 is not listed, it is nevertheless an interesting, early-industrial historic structure which contributes positively to the character and appearance of the conservation area, and as such has been considered as potentially worthy of consideration as a non-designated heritage asset.
- 10.16 Section 16 of the revised National Planning Policy Framework requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 205 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, irrespective of whether any potential harm amounts to substantial harm, total loss or less-than-substantial harm to its significance. Paragraph 206 clarifies that significance can be harmed through alteration or development within the setting.
- 10.17 Paragraph 207 states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that the harm is necessary to achieve substantial public benefits. Paragraph 208 states that where a development proposal will cause harm to the significance of a designated heritage asset that is less-than-substantial harm, that harm is weighed against the public benefits of those works. Paragraph 209 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that a balanced judgement

is required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 10.18 Policy EN1 of the Cotswold District Local Plan states that new development should promote the protection, conservation and enhancement of the historic and natural environment by several measures, including: ensuring the protection and enhancement of heritage assets and their settings; addressing climate change; and ensuring that the design of proposals should complement the character of the area.
- 10.19 Policy EN2 requires development to accord with the Cotswold Design Code, and that proposals should respect the character and distinctive appearance of the locality. The supporting text states that: 'Good design is a key aspect of sustainable development and addressing climate change, is indivisible from good planning and should contribute positively to making places better for people' (paragraph 10.2.1).
- 10.20 Policy HI of the Local Plan requires the housing mix and tenure of development to provide a suitable range of housing in terms of size, type and tenure to reflect local housing need in both the market and affordable housing sectors. Development proposals must also comply with the Nationally Described Space Standard.
- 10.21 Paragraphs D.59 - D.62 provide guidance regarding sustainable design and states that 'the potential impacts of climate change can be addressed through a variety of means, from the incorporation of better insulation and renewable energy technologies, to adaptations for severe weather events, and the use of local and recycled building materials. Re-use of existing buildings is also often more environmentally sustainable than demolition and new build.' The Design Code also stresses that sustainable design needs to be responsive to the character of the area and the sensitivities of the site.
- 10.22 Following a Full Council meeting on 3rd July 2019, Members adopted a Motion regarding climate change. The Council has committed to reviewing the adopted Local Plan and to producing a Supplementary Planning Document where necessary to ensure that climate change is a strategic priority for new development.
- 10.23 Policy EN4 states that development should take into account historic landscape character and local distinctiveness, and would be expected to enhance, restore or better manage significant historic landscape features, including key views, the setting of settlements, settlement pattern, and heritage assets.
- 10.24 Policy EN10 reiterates the NPPF's concern that great weight should be given to the conservation of designated heritage assets. It states that proposals that sustain the character, appearance and significance of designated assets will be permitted, but that proposals that would harm the significance of an asset or its setting would not be permitted unless outweighed by mitigating public benefit.
- 10.25 Policy EN11 states that proposals that affect conservation areas or their settings would be permitted providing that, amongst other things; it would preserve or where

appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, and materials; and that it will not result in a loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance of the conservation area. It also states that internally illuminated signage will not be permitted unless it does not have an adverse impact on the Conservation Area or its setting.

- 10.26 Policy EN12 states that proposals which affect a non-designated heritage asset would be permitted where it is designed sympathetically, having regard to the significance of the asset. It also states that 'Proposals for the demolition or total loss of a non-designated heritage asset will be subject to a balanced assessment taking into account the significance of the asset and the scale of harm or loss'. The accompanying information (Table 6, pages 154-5) lays down a series of criteria for selection as a non-designated heritage asset (based upon Historic England criteria), which includes architectural interest, historic interest, representativeness, aesthetic value, group value, and sense of completeness, advising that is not necessary for a building to meet all the criteria in order to be considered a non-designated heritage asset.
- 10.27 Policy EN13 states that proposals for the conversion of non-domestic, historic buildings would be permitted where it can be shown that the proposal would secure the future of the asset; that it would conserve the significance of the asset (including its form, features, character and setting); where the asset is structurally sound; and where it is capable of conversion without substantial alteration, extension or rebuilding.
- 10.28 The Fairford Neighbourhood Plan was approved at referendum stage, which means that it has full planning weight in decision-making.
- 10.29 Policy FNPI2 seeks to achieve high standards of design, referencing (amongst other things) the Cotswold Design Code, key views that should be maintained, stone and pointing colour, boundary treatments, and bin storage.
- 10.30 Policy FNPI3 seeks to conserve non-designated heritage assets. Whilst the historic building (proposed unit 4) has not been identified in the Neighbourhood plan as an NDHA, it has been identified by the Council as an NDHA since the beginning of negotiations on this site.
- 10.31 Policy FNPI6 seeks to encourage low-carbon buildings, including potentially innovative approaches, and requires that all new non-residential buildings should achieve the BREEAM Excellent Standard.
- 10.32 With regard to the Cotswold Design Code, Paragraph D.9 states that any proposed new development should respond to its landscape or townscape setting.
- 10.33 Paragraph D.10 states that Settlements are distinctive in how they set within the landscape with their layouts and patterns of streets. Any new development should reflect this in its location and design.

- 10.34 Paragraph D.13 states that the particular character of existing streets should be respected, 'including gaps between buildings, which can often be important'.
- 10.35 Paragraph D.14 states that in designing new development, attention should be paid to the site and its setting in terms of density, grain, scale and form, as well as the architectural design of the buildings, and to the landscaping around them.
- 10.36 Paragraph D.22 advises that when a more vernacular character is adopted for a new building, the style should be carefully researched in order to reflect the qualities of the traditional architecture of the area, including materials, proportions and roof forms, as well as the siting, scale and detailed design of features.
- 10.37 The Fairford Character Design Assessment identified the application site as falling within the East End North area of the town, paragraph 4.8.4 stating that: 'It is likely that the barns and workshops of what was the East Gloucestershire engineering were once attached to the farm. These latter were very much working buildings, until very recently servicing the agricultural community ... They are made for a wide variety of materials including corrugated iron, blockwork (probably reconstituted stone), natural stone etc.'
- 10.38 Paragraph 4.13.3 states that: 'East Gloucestershire Engineering was, until recently, a sliver of light industrial enterprise, a reminder of the area's busy, rural past'.
- 10.39 The layout of the development takes the form of buildings fronting a back lane, which, for pedestrians, forms a through route, and therefore avoiding the suburban character of a cul-de-sac, and it is therefore considered acceptable.
- 10.40 It is also noted that, compared to the withdrawn application submitted in 2022, the total number of units is reduced from seven to five, to include one conversion and four new builds, in addition to a carport. The lower density and reduced pressure on the site is welcome.

Unit 1

- 10.41 This corresponds to Unit 7 in the earlier application. The design is very similar, although the orientation has shifted slightly. The only comments raised previously were that the windows should be subdivided, which has now been addressed, and that the lintels should be oak-faced, rather than stone. These amendments have been made such that the design of this property is considered acceptable.

Units 2 and 3

- 10.42 These correspond to Units 5 and 6 in the previous application. The location and design are almost the same, and it is considered that they form a fairly typical pair of late vernacular cottages, advising that, given the length of the roof, there should be chimneys

at the gable ends, which has now been addressed. In addition, the design of the windows has been amended to add a single, horizontal glazing bar should to each light.

Unit 4

- 10.43 Unit 4 comprises the building that the Council have identified as a Non-Designated Heritage Asset (NDHA). This is proposed to be retained and converted into a dwelling. The design has been amended to respond to these concerns over the appearance of the building, and now presents a far simpler, more rural-industrial, less fussy appearance. The rear wing would utilise brick and horizontal boarding; this would (subject to samples) reflect both the industrial character of the site, and the current mix of materials used here, a character specifically identified in the Fairford Character Design Assessment. The proposed works to this NDHA appear reasonable.

Unit 5

- 10.44 Unit 5 replaces Units 1 and 2 from the previous application, and is different in both design and position. The design has been amended to remove a two of three gablets to the front façade of the building, as this was not considered to be typical of local vernacular. Subject to this amendment, the design is considered acceptable.

Car port

- 10.45 This structure is located opposite the NDHA towards the southern boundary of the site, nearest to the listed buildings. Therefore a more subtly industrial approach to its appearance and materials is considered reasonable, as this helps prevent the development from appearing confused, but keeping a more light-industrial character to the southern part of the site, but a late-vernacular character to the northern part.
- 10.46 The roof of the car port would have the entire roof covered in a photovoltaic roof covering, and electric vehicle charging points within the building. In addition, the proposed bin and cycle storage structures are considered appropriate.
- 10.47 The scheme is considered to provide a reasonable mix of house sizes in accordance with Local Plan Policy H1.
- 10.48 In view of the condition of the site and, apart from the NDHA to be retained as Unit 4, the appearance of the existing building upon the site, it is considered that the proposed redevelopment for residential use would lead to less than substantial harm to the significance of the designated heritage assets, including the listed buildings to the south and the conservation area. When weighing this harm against the public benefits of the proposal, i.e. the provision of housing, it is considered that the requirements of paragraph 208 of the NPPF are addressed.
- 10.49 In summary, the amendment made to the proposal are considered to have addressed Officers concerns with regard to the design, and therefore the proposal is considered to

be in accordance with Policies EN2, EN10 and EN11 of the Local Plan, the design policies within the Fairford Neighbourhood Plan, which cross-reference Policy EN2 and the Cotswold Design Code (Appendix D) in the Local Plan, in addition to Section 16 of the NPPF.

(c) Landscape impact

- 10.50 Policy EN2 of the Local Plan states that development will be permitted which accords with the Design Code (Appendix D). Proposals should be of a design quality that respects the character and distinctiveness of the locality.
- 10.51 Policy EN4 of the Local Plan states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of the Cotswold District or neighbouring areas. This policy requires that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness.
- 10.52 They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, settlement patterns and heritage assets.
- 10.53 Policy INF7 of the Local Plan states that 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. Green Infrastructure will be designed in accordance with principles set out in the Cotswold Design Code (Appendix D).
- 10.54 Paragraph 180 of the National Planning Policy Framework requires the planning system to recognise the intrinsic character and beauty of the countryside.
- 10.55 Consideration must also be given to the design guidelines within the Fairford Neighbourhood Development Plan (NDP) 2020-2031.
- 10.56 The site is not located within a designated landscape area. The Cotswolds National Landscape (formerly the Area of Outstanding Natural Beauty (AONB)) is located to the north of the site, whilst the boundary of the Coln Valley Special Landscape Area (SLA) lies approximately 215m to the north-west.
- 10.57 The site is located within Landscape Character Type (LCT) 'River Basin Lowland' and Landscape Character Area (LCA) 'TV 1C Fairford and Lechlade' as defined by the 'Gloucestershire Landscape Character Assessment, January 2006'. The River Basin Lowland LCT is described as "...a broad low lying area of pastoral land interspersed with an extensive wetland environment of rivers, streams and ditches and numerous areas of open water associated with restored gravel extraction areas..." and "The settlement pattern varies from generally sparsely settled areas with intermittent dispersed farms, to large nucleated villages and the small market town of Lechlade on Thames".

- 10.58 Changes to the site may be perceived at the southern entrance onto the site from the main road (A417). It is considered that the containment provided by the built surrounds and mature intervening vegetation would restrict views from the wider context.
- 10.59 In landscape terms the principle is acceptable, the proposal seeks to re-develop an existing brown field site which is enclosed by existing development including a road and associated gardens to three boundaries, with an area of trees subject to a Tree Preservation Order to the north. As such any development of this area would be contained and public views largely unaffected.
- 10.60 Therefore, it is considered that the proposal would be an acceptable addition to the townscape and considering views within the town.

(d) Residential amenity

- 10.61 Policy EN2 and the Cotswold Design Code require consideration of the impact of development in terms of residential amenity, which is also referred to within paragraph 135 (f) of the NPPF.
- 10.62 There are residential properties adjoining the site beyond the south-western and north-eastern boundaries, however the distance from any proposed windows to these boundaries is considered acceptable in terms of any overlooking. The three rooflights to the eastern elevation of Unit 4 are at a height relative to the first floor level that would preclude overlooking (1.75m), whilst the first floor side window to Unit 3 is to a shower room and would be fitted with obscure glazing. In addition, the redevelopment of the site would remove an otherwise non-conforming use from within a primarily residential area, removing any potential for noise and disturbance should this use be recommenced.
- 10.63 In light of the above, the impact on residential amenity, in terms of overlooking and any impact upon privacy, is considered acceptable and the scheme would accord with Policy EN2 and Appendix D of the Local Plan and paragraph 135 (f) of the NPPF.

(e) Highway safety

- 10.64 Local Plan Policy INF3 (Sustainable Transport) supports development that actively supports travel choices with priority to walking and cycling and access provided to public transport. Links with green infrastructure, PROWs and wider cycle networks should be provided. Development that would have a detrimental effect on the amenity of existing infrastructure will not be permitted.
- 10.65 Local Plan Policy INF4 (Highway Safety) supports development that is well integrated with the existing transport network and beyond the application site, avoiding severance resulting from mitigation and severe impact upon the highway network. Developments that create safe and secure layouts and access will be permitted.

- 10.66 Local Plan Policy INF5 (Parking Provision) seeks to ensure sufficient parking provision to manage the local road network.
- 10.67 Section 9 of the NPPF advocates sustainable transport, including safe and suitable accesses to all sites for all people. However, it also makes it clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network are severe.
- 10.68 The Highway Authority is of the opinion that the proposed access would represent a betterment over the existing situation and therefore do not object to the site being accessed from that point. Previous concerns regarding the use of the connection to Lower Croft have been addressed by the addition of two short, free standing lengths of wall which will ensure that route is only usable by pedestrians and cyclists.
- 10.69 The proposed car parking on the site is tight but it has been demonstrated by the submission of an AutoTRACK analysis that it will work and will not result in manoeuvres on the highway resulting in a detriment to highway safety. Visibility from the proposed access has been deemed acceptable for the speeds of vehicles on the carriageway at this point.
- 10.70 The site is in a sustainable location within easy walking distance of the facilities in the town, as well as public transport nodes. There would be a total of 11 car parking spaces provided, including garages and 1 visitor space, which is considered to be acceptable in view of the town centre location of the site. Therefore, the scheme is considered to accord with Policies INF4 and INF5 of the Local Plan, and Section 9 of the NPPF.

(f) Biodiversity and North Meadow SAC

- 10.71 An Ecological Survey has been provided with the application, which the Biodiversity Officer considers to be acceptable subject to the conditions recommended, which include compliance with the recommendations of the report, and the provision of bat roosting and bird nesting opportunities.
- 10.72 The site is located within the Outer Zone of Influence for the North Meadow Special Area of Conservation (SAC). As such, the applicant is required to make a financial contribution, secured by a S.111 Legal Agreement, to mitigate the impact of increased visitor pressure upon this internationally designated wildlife site. This payment has been received, such that Natural England are raising no objection to the proposal.

(g) Trees

- 10.73 Having regard to Policy EN7 of the Local Plan, and as referred to above, the area to the north of the site benefits from trees subject to a Tree Preservation Order. An arboricultural report has been provided with the application, to illustrate how these existing trees would be retained and protected during the course of the development.

10.74 The advice of the Tree Officer is that the details submitted are acceptable, subject to the conditions recommended.

(h) CIL

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

11. Conclusion:

11.1 The principle of residential development is considered acceptable, being within the settlement boundary defined for Fairford, and accords with the policies in the Development Plan and the NPPF.

11.2 The recommendation is for planning permission to be granted.

12. Proposed conditions:

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

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

2. The development hereby approved shall be carried out in accordance with the following drawing numbers: 1.12.2018-28-C; 29-B; 30-B; 31-C; 32-B; 33-B; 34-A; R403-02-A; R403-03-A; R403-04-A and R403-05.

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

3. Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling and roofing materials shall be 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 and EN11, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

4. Prior to the construction of any external wall of the development hereby approved, 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 and EN11, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

5. Prior to the construction of any external wall of the development hereby approved, the cladding of the bin and bicycle stores, including final colour/finish, shall be 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 and EN11, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

6. All windows and doors, shall be of timber construction and shall be permanently retained as such thereafter.

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

7. No windows, dormers, railings or bollards shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

9. The new rooflight(s) shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflight(s) is/are located and shall be permanently retained as such thereafter.

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

10. New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the Local Planning Authority and shall be permanently retained as such thereafter.

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

11. Where excavations or surface treatments are proposed within the root protection areas (RPA) of retained trees and hedgerows, full details shall be submitted to and approved in writing by the local planning authority before any development starts. The RPA is defined in BS5837:2012. Details shall include the proposed locations of excavations and/or surface treatments, proposed methods & specifications of excavations and/or surface treatments and any post excavation remedial works. All excavations or surface treatments shall be carried out in accordance with the approved details.

Reason: To prevent damage to or loss of trees having regard to Policy EN7 of the Cotswold District Local Plan.

12. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details specified in Certhia Consulting Ltd Arboricultural Method Statement (Lower Croft Mews July 2022) 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.

13. Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage assets. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the Management Plan thereafter. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur

14. The development shall be completed in accordance with the recommendations in Section 4 of the consultancy report (Ecological Appraisal, All Ecology, dated December 2021). All the recommendations shall be implemented in full, unless otherwise agreed in writing by the local planning authority.

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, the revised National Planning Policy Framework (in particular Chapter 15), Policy EN8 of the Cotswold District Local Plan and in order for the Council to comply for Part 3 of the Natural Environment and Rural Communities Act 2006.

15. Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or south-east facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terraces, starling boxes, swift bricks or house martin nest cups on the north or east-facing elevations) within the walls on the new buildings, as well as hedgehog gaps/holes within new fences/walls, 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 their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwellings hereby approved are first occupied and thereafter permanently retained.

Reason: To provide additional opportunities for roosting bats, nesting birds and hedgehogs as biodiversity enhancements in accordance with paragraphs 174, 179 and 180 of the revised National Planning Policy Framework, Policy EN8 of the local plan and Section 40 of the Natural Environment and Rural Communities Act 2006.

16. Prior to the erection of any external walls of the new dwelling hereby permitted, details of the energy efficiency measures to be introduced into the development shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed in the development fully in accordance with the approved details prior to the occupation of the dwelling hereby permitted.

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

17. The development hereby permitted shall not be first occupied until the electric vehicle charging points shown on drawing no. 1.12.2018-33-B have been installed. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

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

18. Prior to the first occupation of the development hereby approved the first floor shower room window in the side elevation of Unit 3 shall be fitted with obscure glazing (and shall be non opening) and shall be permanently retained as such thereafter.

Reason: To protect the privacy of the occupants of neighbouring dwellings in accordance with Cotswold District Local Plan Policy EN2.

19. No development shall take place until a desk study has been produced to assess the nature and extent of any contamination, whether or not it originated on site, the report must include a risk assessment of potential source-pathway-receptor linkages. If potential pollutant linkages are identified, a site investigation of the nature and extent of contamination must be 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 Remediation Scheme 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.

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 a Verification Report confirming 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 Local Plan Policy EN15 and Section 15 of the NPPF.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no extensions, windows, rooflights or other alterations shall be erected, constructed or sited within Plot 4 other than those permitted by this Decision Notice.

Reason: To ensure that the character and appearance of the existing building and the site is maintained and in the interests of residential amenity in accordance with Cotswold District Local Plan Policy EN2.

21. Prior to any part of the development hereby authorised being brought into beneficial use the sections of wall restricting the use of the connection to Lower Croft shall be constructed and once any part of the development is occupied shall be maintained as such thereafter.

Reason: To ensure a satisfactory means of access is provided and maintained in the interests of highway safety and in accordance with Cotswold District Local Plan Policy INF4.

22. Prior to any part of the development hereby authorised being brought into beneficial use the access, parking and turning areas shown on the submitted plans shall be laid out, constructed, hard surfaced, marked out and positively drained to ensure no surface water runs onto the highway and once any part of the development is occupied shall be maintained as such thereafter.

Reason: In the interests of highway safety, and in order to ensure that the development complies with Cotswold District Local Plan Policy INF4.

23. Prior to any part of the development hereby authorised being brought into beneficial use the visibility splays shown on the submitted plans shall be cleared of all obstructions to visibility greater than 0.6m above the carriageway level and once any part of the development is occupied shall be maintained as such thereafter.

Reason: To ensure that adequate visibility is provided for the duration of the use and maintained in the interests of highway safety in accordance with Cotswold District Local Plan Policy INF4.

Informatives:

1. Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, under separate cover. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate. There are further details on this process on the Council's website at www.cotswold.gov.uk/CIL
2. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
 - Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
 - Code for sustainable homes - A step-change in sustainable home building practice

- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
 - CIRIA C753 SuDS Manual 2015
 - The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.
 - Updated Planning Practice Guidance on Flood Risk and Coastal Change, published on 25th August 2022 by the Environment Agency - <https://www.gov.uk/guidance/flood-risk-and-coastal-change>
 - Non-statutory technical standards for sustainable drainage systems (March 2015)
3. If a protected species (such as any bat, great crested newt, dormouse, badger, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. If the discovery can be dealt with satisfactorily by the implementation of biodiversity mitigation measures that have already been drawn up by your ecological advisor and approved by the Local Planning Authority then these should be implemented. Otherwise a suitably experienced ecologist should be contacted and the situation assessed before works can proceed. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.
4. The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk