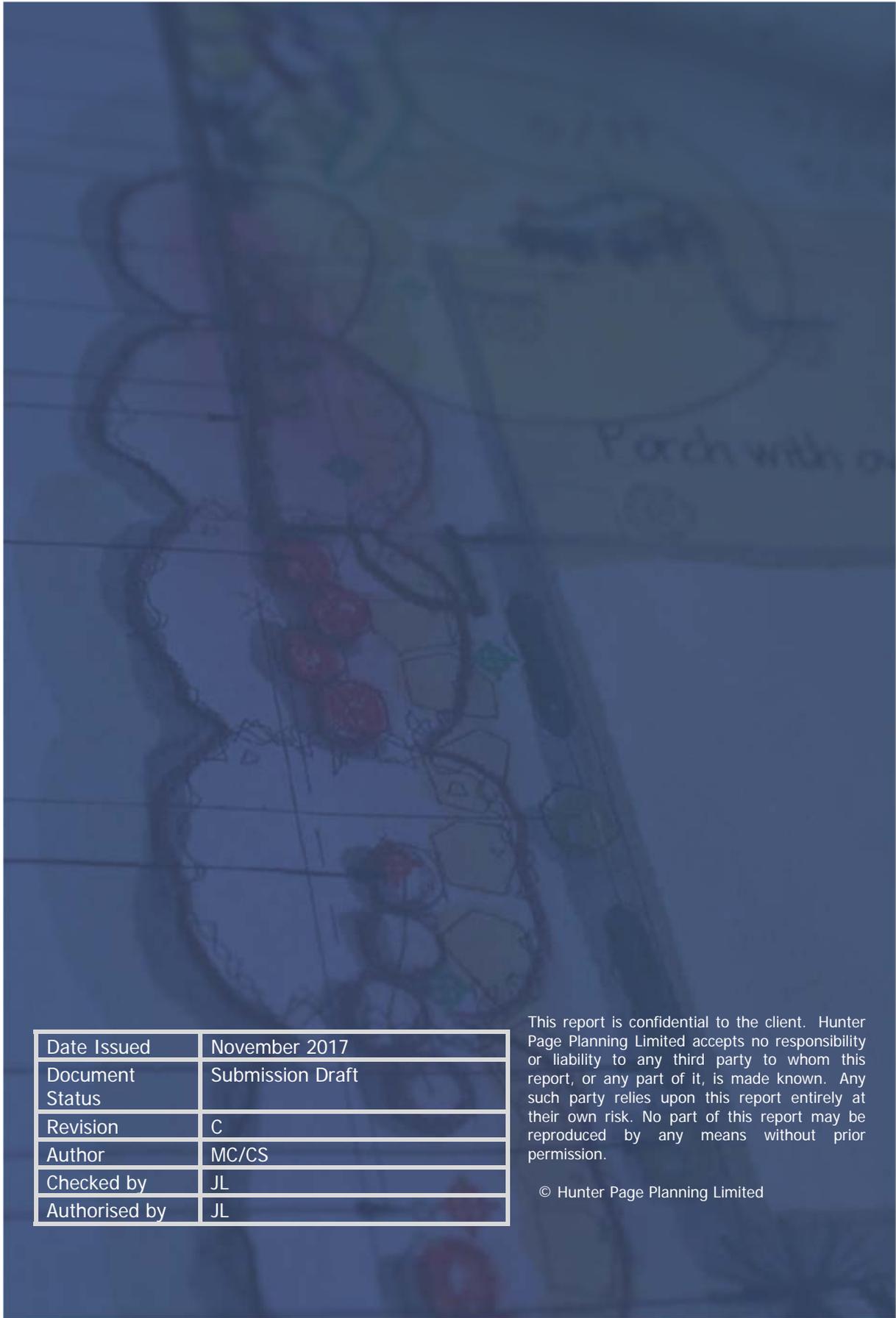


# Planning Statement

Outline Planning Application for up to 40 new dwellings and associated works at 'Land off Collin Lane', Willersey

For Newland Homes  
Our ref: 5367 | November 2017





Date Issued	November 2017
Document Status	Submission Draft
Revision	C
Author	MC/CS
Checked by	JL
Authorised by	JL

This report is confidential to the client. Hunter Page Planning Limited accepts no responsibility or liability to any third party to whom this report, or any part of it, is made known. Any such party relies upon this report entirely at their own risk. No part of this report may be reproduced by any means without prior permission.

© Hunter Page Planning Limited

## **Contents**

**1.0 Introduction**

**2.0 Site Context**

**3.0 The Proposed Development**

**4.0 Relevant Planning History and Policy Context**

**5.0 Planning Considerations**

**6.0 Summary and Conclusions**

## 1.0 Introduction

- 1.1 This Planning Statement has been prepared by Hunter Page Planning Ltd on behalf of Newland Homes to accompany an outline planning application for the erection of up to 40 dwellings at land off Collin Lane in Willersey. All matters are reserved with the exception of access which is to be considered at this stage.
- 1.2 The application follows the granting of an outline application for the erection of up to fifty dwellings directly to the north of Collin Lane in 2016 (LPA Ref: 14/05636/OUT) and the corresponding reserved matters approval. The proposed site lies directly to the north of this consented scheme and is in the control of the applicant. The access is therefore proposed via the access granted for the land to the south.
- 1.3 This statement provides a contextual analysis of the site and the surrounding area, including a summary of relevant planning history. In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, this statement will appraise the policies contained within the operative Development Plan for the area and will address all other material considerations relevant to the development proposed, including the National Planning Policy Framework (The Framework).
- 1.4 This statement should be read in conjunction with the following associated documents;
- Landscape and Visual Appraisal – MHP
  - Design Statement – Newland Homes
  - Ecological Appraisal (inc surveys) – All Ecology
  - Transport Statement – Tonks Consulting
  - Arboricultural Report – Tree Maintenance Limited
  - Flood and Drainage Assessment & Drainage Strategy - NHL

## 2.0 Site Context

- 2.1 The site is located off Collin Lane to the north west of the village of Willersey which is a village located approximately 2km from the larger village of Broadway and approximately 9km to the south east of the town of Evesham.

- 2.2 The village of Willersey is located on a major trunk road and therefore the site benefits from good transport links, including bus services to Broadway, Evesham and Cheltenham. Willersey is defined as a Principal Settlement in both the adopted and emerging local plans.
- 2.3 There is also a good level of service and employment provision accessible from the application site.
- 2.4 The site itself comprises a total of 4.5 acres of relatively flat land and does not incorporate any statutory landscape designations.
- 2.5 Immediately to the north of the site is a former railway line with embankment which now provides important footpath links which incorporates dense vegetation. To the north east is a residential development known as 'The Quinary' and directly to the south is a former nursery site, which has a planning permission in place for up to 50 dwellings.

### **3.0 The Proposed Development**

- 3.1 The proposal is for a residential development for up to 40 dwellings, a percentage of which will be allocated for affordable housing. This exact percentage is to be agreed with the Local Planning Authority through the consideration of this planning application.
- 3.2 In terms of the scale of the dwellings proposed, this will comprise a combination of single storey and two storey properties, although as per the indicative layout it is anticipated that there will be a high proportion of single storey dwellings. The architectural design approach will be responsive to the local vernacular in the area in terms of design, materials and boundary treatments.
- 3.3 To the north east of the site an area of open space has been incorporated within the layout, together with a proposed attenuation pond. A comprehensive landscaping scheme is also proposed as part of a reserved matters submission.

### **4.0 Relevant Planning History and Policy Context**

#### **Relevant Planning History**

- 4.1 This application follows the granting of a planning permission (LPA Ref: 14/0536/OUT) for the erection of up to fifty dwellings and the approval of the subsequent reserved matters application (LPA Ref: 16/0243/REM). The conditions attached to these applications have also been formally discharged.
- 4.2 In 2015, planning permission was also granted at appeal (APP Ref: APP/F1610/A/14/2227938) for the erection of 20 houses at a nearby site, outside of the defined settlement boundary. This site was within the Area of Outstanding Natural Beauty, but was considered by the Inspector to represent a sustainable form of housing development.

### **Planning Policy Context**

- 4.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.4 The development plan relevant to the site comprises the Cotswold District Local Plan 2001-2011. Cotswold District Council is currently in the process of replacing this document with an emerging Cotswold District Local Plan for 2011-2031, however this is at examination stage and does not yet carry full weight.

#### *Cotswold District Local Plan 2001-2011*

- 4.11 The Cotswold District Local Plan 2001-2011 is the current statutory document to inform any future development proposals, or planning policies, in the district.
- 4.12 **Policy 19** sets out requirements for Development Outside Development Boundaries. Development will be appropriate to the rural area provided that the proposal relates well to existing development; meets the criteria set out in other relevant policies in the plan; and would not:
- a) *'result in new-build open market housing other than that which would help to meet the social and economic needs of those living in rural areas;*
  - b) *Cause significant harm to existing patterns of development, including the key characteristics of open spaces in a settlement;*
  - c) *Lead to a material increase in car-borne community;*
  - d) *Adversely affect the vitality and viability of settlements; and*

e) *Result in development that significantly compromises the principles of sustainable development.*

4.13 **Policy 21** sets out the Affordable Housing requirements for exceptional sites and non-exceptional sites in the district. It specifically states:

*'In order to meet demonstrated needs, a proportion of affordable housing will be sought as part of the development of any significant site in Cirencester, Tetbury, Moreton-in-Marsh, Bourton-on-the-Water and any site elsewhere, whether or not the site is specifically allocated in this Plan.*

4.14 The policy concludes that any affordable housing should be integrated in terms of its design and layout in a tenure built form.

*Cotswold Emerging District Local Plan 2011-2031*

4.15 The Cotswold Emerging District Local Plan is currently under examination, and therefore is yet to be adopted. It is proposed to replace policies from the current Local Plan, which expired in 2011. All references are to policies in the submission Local Plan.

4.16 **Policy DS3** concentrates on Residential Development Outside the Principal Settlement. It specifically states:

*'Outside the Development Boundaries of Principal Settlements, small-scale residential development will be permitted provided it:*

- a) *Is within or adjacent to a rural settlement;*
- b) *Demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;*
- c) *Is of a proportionate scale and maintains and enhances sustainable patterns of development;*
- d) *Complements the forms and character of the settlement; and*
- e) *Does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.'*

---

*National Planning Policy Framework 2012**National Planning Policy Framework*

- 4.17 The National Planning Policy Framework (NPPF) was published in March 2012 and sets out the Government's planning policies for England and is a material consideration in planning decisions.
- 4.18 The NPPF lists 12 core principles in order to achieve sustainable development. The planning system should *'Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities of growth;*
- 4.19 The NPPF, under **paragraph 49**, states all housing applications should be considered in the context of sustainable development.
- 4.20 Under **paragraph 47**, the NPPF sets out a list of criteria for Local Planning Authorities to boost the supply of housing significantly. The first point makes reference to Local Plans meeting their objectively assessed needs for market and affordable housing in the market area, as well as complying with the policies set out in this framework.
- 4.21 **Paragraph 50** emphasises the importance of delivering a wider choice of high quality homes, as well as widening ownership and creating sustainable communities. The policy further states Local Planning Authorities should identify where affordable housing is needed, *'unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified...and the agreed approach contributes to the objective of creating mixed and balanced communities'.*

## 5.0 Planning Considerations

### Housing Background

- 5.1 The emerging local plan currently includes a site allocation for a neighbouring site to the north east of the current application site. (Site W\_7A/WIL\_E1C). This site is located to the north east of the current application site.

- 5.2 Through the local plan consultation process, Newland Homes has raised a number of concerns in relation to the suitability of this site for housing development and the likelihood that it can and will be developed for residential and business uses. There are three principal concerns with regards to this.
- 5.3 The first of these concerns relates to highway implications arising from a development in the location of the allocated site. A technical highway opinion has been sought on this which identifies three aspects as follows;
- The compatibility of new homes integrated with or immediately adjoining industrial uses.
  - The location of the site to the east of Willersey will lead to traffic passing through an existing substandard mini-roundabout with an historic accident problem which is likely to be detrimental to highway safety; and
  - The highway frontage of the proposed allocated site is limited and has poor visibility along the B4632 leading to a significant loss of frontage vegetation if a safe access is to be provided. This has not been subject to detailed assessment to determine suitability.
- 5.4 Secondly, in considering the landscape impacts of future development at Willersey the White Report the award winning *'Study of land surrounding key settlements in Cotswold District'* produced by White Consultants (the White Report) undertaken in 2000, concluded that land at the north east edge of the village (together with land on the scarp slope to the south and south west edge of the village) was not suitable for development due to visual prominence. The allocated site to the north west of this application site falls within that area.
- 5.5 As part of the submitted evidence base for the emerging local plan, an updated report has been prepared by White Consultants which was produced in October 2014, with additional site assessment supplements in 2014 and 2015. This maintains that the land to the north east of the village edge is not suitable for development.
- 5.6 The allocated site is separated from the B4632 by a tall hedge. This provides screening to the AONB immediately to the south, which is characterised as being of medium/low landscape sensitivity. It is important to highlight that this conclusion is reached largely on the grounds of the screening provided by, the hedge on its

southern boundary. Given the poor visibility along the B4632, in order to create a safe access, therefore, it is considered that the critical screening vegetation would be significantly eroded and thereby increasing the impact on the AONB.

- 5.7 The concerns in relation to the landscape impact of a housing development on the emerging allocation are such that an independent appraisal has been commissioned and undertaken by MHP in respect of this. This comments on the open nature of the land east of the village where the northern parts form the setting of the AONB. *'Its value lies in its openness, rural character and strong sense of time depth. The footpath on adjacent land experiences unique and unspoilt views into the AONB and parts of the village conservation area'* and considers that it meets the criteria for valued landscape. It concludes that *'The site east of Willersey is therefore sensitive in terms of its proximity and open relationship with both the AONB and as a Valued Landscape.'*
- 5.8 Given the landscape value attributed to the site, together with the impacts caused by any future access along the frontage, this allocation is considered contrary to emerging and national policy in respect of harm to the AONB and its setting and valued landscapes.
- 5.9 Furthermore, notwithstanding the suitability issues identified, there are also deliverability issues in respect of this site. There are existing employment uses which together with proposed employment uses, would not be compatible with residential development in terms of noise and disturbance. Willersey Industrial Estate is well established with businesses in class B1 and B2 established for well over 25 years and expansion of employment opportunities is justified and welcomed. The buildings where those businesses are located immediately adjoin the western boundary of the proposed allocation site rendering that part of the allocation unsuitable for residential uses. This will either sterilise that part of the site, or form the location for the B1, B2/B8 employment uses of the allocation. This will have a further knock on effect for the internal arrangement of land uses within the allocation, pushing any potential residential area to a linear strip along the eastern boundary, making it an unattractive prospect to house builders.

### **Principle of Development**

- 5.10 Sustainable development is seen as the golden thread running through plan making and decision-taking processes. Paragraph 14 of the National Planning Policy

Framework sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay. The NPPF also goes on to say that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless the any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole.

- 5.11 In the case of Cotswold District Council, the current development plan is the Cotswold District Local Plan 2001 to 2011. This plan is time expired in that it planned for development up to 2011. The Council is currently preparing an emerging Local Plan, however given this emerging plan is not adopted it carries minimal weight at this point in time. Furthermore, whilst this emerging plan incorporates an allocation for housing in Willersey, for the reasons set out in detail, it is not considered that this site is suitable or deliverable.
- 5.12 In such cases, where development plan policies are out of date, permission for development should be granted, unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 5.13 Local Plan Policy 19 restricts development outside of identified development boundaries. Whilst the application site is adjacent to housing development, it lies outside of a settlement boundary defined by Policy 19 of the Local Plan. That said, this policy is, as acknowledged by the Council<sup>1</sup>, out of date and inconsistent with the Framework and thus carries very limited weight.
- 5.14 The framework places an emphasis on the requirement to boost significantly the supply of housing and recognises that housing can help with the vitality of rural communities. Additionally, that market housing can facilitate the provision of affordable housing.
- 5.15 Given the fact that Policy 19 carries very little weight, the planning balance is tilted firmly in favour of sustainable development. Additionally, in 2015, planning permission was granted for the erection of up to twenty dwellings<sup>2</sup> on a nearby site in Willersey which also lies outside of the settlement boundary, but was more sensitive in that it was within the Area of Outstanding Natural Beauty. In this

---

<sup>1</sup> APP/F1610/16/W/3151754

<sup>2</sup> APP/F1610/A/14/2227938

instance, the Inspector concluded that the development would not compromise the overall principles of sustainable development.

- 5.16 In summary, the principle of this proposal has effectively been established through the granting of 50 houses directly to the south. To add to this, given the fact that Policy 19 carries little weight and the site is located in a sustainable location, the principle of the proposal is acceptable, subject to compliance with all other aspects of the framework.

### **Design**

- 5.17 The application is in outline form and therefore at this stage, the exact design of the proposed dwellings has not yet been finalised. That said, the application is accompanied by an indicative layout which demonstrates that the site is capable of accommodating the number of dwellings proposed whilst still respecting the existing pattern of development in the area.
- 5.18 The layout fully incorporates the principles identified within the landscape assessment and proposes a low density arrangement to reflect the existing village character and this edge of settlement location. The scale of the dwellings has been carefully considered with a large proportion of single storey bungalows proposed throughout the site.
- 5.19 The architectural style will be one of high quality that will respond to the local vernacular within the area and will sit comfortably adjacent to the development to the south.

### **Landscape**

- 5.20 The application site is not the subject of any statutory or local landscape designations. A Landscape and Visual Appraisal accompanies the application and concludes that the proposed development would form a logical extension to the existing settlement. Furthermore, that this would not cause any unacceptable harm to the setting and landscape character of the area.

### **Biodiversity**

- 5.21 There are no statutory designated sites within 1km of the site. An Ecological Appraisal has been carried out which identifies that the site is generally low in terms of its ecological value. Bat Surveys have also been undertaken, due to the hedgerow

surrounding the site offering the potential for foraging and commuter bats. The Bat Survey confirms that there are minor adverse impacts associated with the loss of a small section of hedgerow but through suggested mitigation measures, significant improvements can be achieved.

- 5.22 In summary, the application site is low in ecological value. Whilst a small section of hedgerow is proposed for removal, additional planting will be undertaken which will compensate for the minor adverse impact of any loss.
- 5.23 It is therefore considered that the proposed development will have an acceptable impact on biodiversity.

### **Access**

- 5.24 Paragraph 32 of the National Planning Policy Framework requires a safe and sustainable access to be achieved to a development. Furthermore, it states that planning decisions should take account of whether opportunities for sustainable transport modes have been taken up depending on the location of the site, to reduce the need for major transport infrastructure.
- 5.25 The application proposes to access the new development via the existing approved application for up to fifty dwellings on the adjacent site to the south. A Transport Assessment has been undertaken to analyse the suitability of this access arrangement and to forecast the impact associated with providing the additional dwellings proposed as part of this current application.
- 5.26 The report clearly confirms that the current proposals would result in a low level of trip generation and that even with the additional development, there is significant capacity at the site access junction to accommodate the proposed dwellings. It utilises infrastructure provided by the approved scheme including a safe pedestrian access to centre Willersey.
- 5.27 With this in mind, the proposal demonstrates a safe and suitable access can be achieved to the development in line with national guidance. In addition, the Proposals will benefit from highway improvements carried out as part of the adjacent development.

### **Trees**

- 5.28 The application is accompanied by an arboricultural survey which assists in establishing the condition and importance of trees and hedgerows within and surrounding the site. It has been recommended that certain trees are removed, due to posing a significant danger. There are no protected trees within the site, however, where possible existing planting will be retained and new planting will form part of a detailed landscaping scheme.

### **Flooding and Drainage**

- 5.29 A flood risk and drainage assessment has been undertaken. The site is located in Flood Zone 1 and is therefore at a low risk from river flooding. The management of surface water has also been considered through this assessment. The proposals include enhancement to existing ditches and watercourses.

## **6.0 Summary and Conclusions**

- 6.1 Paragraph 14 of the NPPF sets out that the 'golden thread' of decision making is the presumption in favour of sustainable development. There is also a requirement for Local Planning Authorities to boost significantly the supply of housing. The proposal comprises the erection of up to 40 dwellings including the provision of affordable housing and open space to assist in delivering additional much needed housing in the area.
- 6.2 The site is located in a sustainable location, on the edge of an existing village settlement and directly adjacent to an approved housing application for 50 dwellings. There is a good level of service provision in the area and sustainable transport links to Cheltenham, Evesham and Broadway as confirmed in the approved application to the south and the appeal decision in respect of a neighbouring site west of Field House.
- 6.3 Unlike the site allowed at appeal, the application site is not covered by any statutory landscape designations and will represent a logical extension to the existing village. There will be no unacceptable landscape impact. Furthermore technical reports have been submitted to demonstrate the proposal is acceptable in terms of access, trees, biodiversity and drainage.

- 6.4 The proposal constitutes sustainable development in all aspects of the term and complies with all other relevant local and national policies.