

TOWN & COUNTRY PLANNING ACT 1990

**STAGE 1 PERMISSION IN PRINCIPLE
APPLICATION FOR DEVELOPMENT
OF UP TO 1 NO DWELLING AT LAND
AT MILLACRE FARM, WHELFORD, FAIRFORD,
GLOUCESTERSHIRE, GL7 4DY**

PLANNING STATEMENT

Prepared by

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Our Reference: ADM.LPC5708

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1.0 INTRODUCTION

- 1.1 LPC (Trull) Ltd have been instructed to prepare an application for Permission in Principle (PiP) for the development of up to one No. dwellings on this land which lies to the north of Millacre Farm. Whelford near Fairford.
- 1.2 As shown below, the subject site lies within the built up area of the village of Whelford, and to the southeast of the town of Fairford and to the south of the A417 road to Lechlade. The site also lies within the Cotswold Water Park.



- 1.3 The site comprises an area of garden that is associated with Millacre Farm which lies in the southern corner of the plot. The remaining land to the south is open and surrounded by mature hedges. It is laid to grass and forms the private garden of the main dwelling. Provided below is the site edged in red and aerial photograph.

As shown by the plan opposite, the plot borders the road on its western side for a distance of about 60 metres. It then extends back eastwards by about 70 metres and narrows on its southern side where the house is located.






As confirmed by the aerial photograph opposite, the site is bordered by mature hedgerows. Within the plot the area is mostly laid to grass, with a substantial outbuilding, caravan and shipping container centrally located, screened from the road by fir trees and a hedge.



With the existing dwelling to the south and neighbouring property to the north, the site forms an infill plot between the two.

1.4 The site is well screened from the road by a high hedge and has a separate access via a pair of gates. Within the site itself there is a substantial outbuilding used by the applicant for purposes incidental to the enjoyment of the dwelling house, a mobile home and a shipping container, all of which will be removed as part of the proposed development. Provided below are recent photographs taken from the road.

<p>The photograph opposite shows the existing vehicular entrance to the main dwelling on the site. This lies at the southern end of the plot.</p>	
<p>This photograph shows the western roadside boundary of the plot and the separate access via gates.</p>	
<p>This photograph shows the site's western boundary with the road. The high boundary hedge means there is very little of the plot that is visible from the public realm.</p>	

1.5 The village of Whelford lies 2 miles (3.2km) south east of Fairford and 1 mile to the north of the village of Kempford. St Anne's Church lies a short distance to the south and there is a daily bus service in the village, Stagecoach West 76 bus Route, which has 48 stops departing from The Forum, Cirencester and ending at Market Place, Lechlade. Whelford Village Hall and Social Club is also within the village and there is also a farm shop, Wayside Farm Shop, further south off the main Whelford Road.

2.0 THE PROPOSED DEVELOPMENT

2.1 This application seeks Stage 1 Permission in Principle on this site for the erection of up to 1 No. dwelling. The application approach is defined in the National Planning Guidance, as below;

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

2.2 This establishes that the application is a two-stage process, with the first stage solely intended to establish whether the site is suitable in principle and the second stage then considering the detailed development proposals and potential impacts. The Government's guidance sets out that the scope of the first stage of permission in principle is limited to the assessment of:

- Location
- Land Use and
- The Amount of Development.

2.3 Accordingly, the purpose of this statement is focussed on the principle of development at this location only. Any further details in respect of the

intended new development and its acceptable assimilation will be submitted at the technical details stage.

- 2.4 This Planning Statement assesses the proposed development against the development plan policies of adopted Cotswold District Local Plan, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

3.0 PLANNING HISTORY

- 3.1 Research of the Council's website has revealed that planning permission was granted in July 2007 for the conversion of existing dwelling (Millacre Farm) into two dwellings with single storey pitch roof porch and new vehicle access. This was granted permission on 03 July 2007 under the reference 07/00993/FUL.

4.0 PLANNING POLICY

- 4.1 Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that all applications are determined in accordance with the Development Plan unless other material considerations indicate otherwise.

Cotswold District Local Plan (August 2018)

- 4.2 The current Development Plan consists of the Cotswold District Local Plan (Adopted August 2018);
- 4.3 The following Local Plan Policies are believed to be most applicable to the application assessment in principle.
- DS3 Small-Scale Residential Development in Non-Principal Settlements
 - EN2 Design of Built & Natural Environment (and Appendix D, the Design Code)
 - EN4 The Wider Natural & Historic Landscape

- EN7 Trees, Hedgerows & Woodlands
- EN9 Biodiversity and Geodiversity: Designated Sites
- INF4 Highway Safety
- INF5 Parking Provision

5.0 PLANNING ASSESSMENT

Principle of Development

5.1 The application site is located within the village of Whelford near Fairford, the northern boundary of which is the River Coln. The village is considered to be a Non-Principal Settlement for the purposes of the Cotswold District Local Plan 2011- 2031. New residential development in such locations is covered by Policy DS3 Small Scale Residential Development in Non-Principal Settlements. This confirms that small-scale residential development will be permitted provided it:

- a) demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally.*
- b) is of a proportionate scale and maintains and enhances sustainable patterns of development;*
- c) complements the form and character of the settlement; and*
- d) does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period*

5.2 Paragraph 79 of the National Planning Policy Framework (NPPF) states that *“housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will*

support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby”.

- 5.3 This application seeks planning permission in principle for the erection of one dwelling. Therefore, the proposal can reasonably be classed as 'small-scale residential development' in the context of Policy DS3. The Local Plan can therefore offer 'in-principle' support for the proposed development. The site is located within the non-principal settlement of Whelford, which allows the prospective occupiers of the dwelling to use the facilities on offer nearby and enhance the vitality of the village.
- 5.4 With regard to Policy DS3 as a whole, the proposed development will introduce new residents into the village which will help to enhance the vitality of the local community and support local services and facilities. Whelford is not a large village, but it is nevertheless an historic settlement that contributes to the distinctive character of the Cotswolds. It has a church (St Annes) which has weekly Sunday services, a Village Hall and Social Club, a Farm Shop and a regular bus service running from Cirencester through to Lechlade.
- 5.5 Many services and facilities are also located nearby in Fairford. Local Plan Policy EC7 defines Fairford as a District Centre for its wide variety of shops, facilities, and services. Fairford also offers many employment opportunities. The site is located approximately 2 miles from the Fairford Settlement Boundary. The route into the town from Whelford has a reasonably flat topography and is suitable for walking or cycling.
- 5.6 Given that the proposal is for one dwelling, the additional vehicle movements arising from the development will be limited. The proposal will not result in a disproportionate increase in the size of the settlement. The proposed dwelling will also follow the pattern of existing residential development located on the Whelford Road, and would complement the form, character, and rural nature of the village. Overall, therefore the proposed development accords with the aspirations of Policy DS3.

- 5.7 Furthermore, giving his judgment in *Braintree District Council v Secretary of State for Communities and Local Government & Ors* [2018] EWCA Civ 610, Lindblom J said paragraph 55 of the NPPF (applicable at that time) stated that local planning authorities “should avoid new isolated homes in the countryside unless there are special circumstances”. He continued to note: “Planning policies, whether in the development plan or in the NPPF, ought never to be over-interpreted. As this case shows, over-interpretation of a policy can distort its true meaning – which is misinterpretation.”
- 5.8 He said paragraph 55 was “expressed in general and unprescriptive terms”, did not dictate a particular outcome for an application, contained no presumption and simply advised local authorities on how to promote sustainable development in rural areas. The paragraph’s advice was to avoid “new isolated homes in the countryside”, which Lindblom J said: “Simply differentiates between the development of housing within a settlement - or village - and new dwellings that would be ‘isolated’ in the sense of being separate or remote from a settlement”.
- 5.9 He explained further: “Whether a proposed new dwelling is, or is not, ‘isolated’ in this sense will be a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand.” The issue should be given its common application therefore, and as said, it is not tenable to consider the application site isolated and thus unsustainably located.
- 5.10 Paragraph 60 states of the NPPF concerns housing provision and that, ‘To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay’.

- 5.11 Paragraph 69 adds that small and medium sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. Indeed, new housing per se supports the construction industry and increases local spend, as well as adding to social support for services and facilities. Therefore, taking a common-sense position there are no reasons on balance that weigh against the grant of permission in principle as sought. Furthermore, it should be stressed that the area does not fall in a sensitively designated area as referenced in the NPPF at paragraph 11d) i).
- 5.12 Lastly, in terms of development in rural areas, paragraph 85 requires planning policies and decisions to recognise 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 corollary is that housing dependant on local services should be on land that is physically well-related to existing settlements too.

Other Material Considerations

Suitability of Location

- 5.13 As mentioned, this site lies within the built-up area of the village of Whelford which is a settlement that is characterised by ribbon development fronting the main road. The village is considered to be a Non Principal Settlement in the Local Plan, which has a reasonable level of services and facilities able to support one new dwelling. Public transport facilities are available within the village and the NPPF at paragraph 105 also notes that sustainable transport solutions will vary between urban and rural areas, although it is of course strongly maintained that the application site is as accessible as the neighbouring

properties. Public transport and cycling are realistically usable alternatives to the private vehicle usage.

- 5.14 Indeed, The NPPF explains that rural housing should be located where it will enhance or maintain the vitality of rural communities. Given the distance to the village hub (Church, Village Hall and Social Club) it is evident that one dwelling at the site would play a role in enhancing the vitality of rural services and facilities. This accords with one of the main Strategic Objectives for the Cotswold District which seeks to support appropriate development in rural areas to help maintain the vitality and viability of small settlements and the countryside.

Character and Appearance of the area, Residential Amenity and Access

- 5.15 The application site lies within the built up area of the village with frontage to the main road. There are existing dwellings to both the north and south of the plot and residential properties on the opposite side of the road to the west comprising 1 Mill Bungalow, Holly Lodge and The Gables. The photograph provided below show the current street scene on the other side of the road to this plot.

This photograph is taken from the entrance to Millacre facing north, showing the driveway to The Gables and Whelford Mill beyond.



This photograph is taken from the entrance of Millacre towards the road showing the driveways opposite of 1 Whelford Mill Bungalow and Holly Lodge.



- 5.16 In terms of residential amenity, this will be a detached dwelling situated within its own spacious plot. It is envisaged that it will face the road with principal windows on its front and rear elevations. Consequently, due to the space between existing properties and low density nature of the proposed development, it is not considered that there would be any concerns with regard to overlooking of either neighbouring dwellings or their gardens.
- 5.17 It is envisaged that access will be achieved from the existing double gated entrance access to the main plot located to the north of the driveway to Millacre. As previously stated, the plot lies within the built up area of the village limits well within the 30 mph speed restrictions. The access is at a point where the road straightens, and visibility is good in both directions. It is therefore considered that there would be no highway safety issues arising from this application.

6.0 PLANNING BALANCE

- 6.1 In weighing the application in the overall planning balance, this site lies within a Non-Principal Settlement, in a sustainable location. It therefore accords with the main thrust of Development Plan policies and must also be considered against the following benefits.
- The application will make a valuable contribution of one dwellings to the Council's current housing land supply;

- The site is within walking distance of village services including the Church, Village Hall and Social Club, Bus Stop and Farm Shop.
- The new dwelling will contribute to support the vitality and viability of village services in the locality;
- There will be economic benefits created during the construction phase of the development;
- High quality living environment for new residents;
- The Council will benefit economically from the new homes bonus resulting from the new dwelling.

7.0 CONCLUSION

- 7.1 The purpose of this Planning Statement has been to support an application for Planning Permission in Principle for one dwelling at land at Millacre, Whelford, near Fairford. This represents Stage 1 of the planning process with Stage 2 to comprise the Technical Details Consent. Only the principle is sought for this application, with the scope of what's to be considered being the site's location, land use and amount.
- 7.2 It has been established in this Statement that the relevant policy of the Development Plan comprises Policy DS3 (Small-Scale Residential Development in Non-Principal Settlements) with the site located within the built up area of the village and comprising an infill plot. At the same time, it has been established that the relevant parts of the NPPF support new housing in rural locations which will enhance or maintain the vitality of rural communities.
- 7.3 In view of the policy presumption in favour of residential development in villages with the Cotswold District, I trust that you will have no hesitation in recommending that permission in principle be granted for this proposal.