



PLANNING STATEMENT

*Permission in Principle application for the erection of up to three dwellings on the land at School Road, Apperley, Gloucester, GL19 4DQ*

On behalf of Mr Topham

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# 1.0 Introduction and Site Context

- 1.1 This application is submitted on behalf of Mr Topham (the Applicant) and seeks permission in principle (PiP) for the erection of up to 3no. dwellings on land at School Road, Apperley, Gloucester, GL19 4DQ.
- 1.2 This application seeks confirmation that the proposals are acceptable in principle. This statement reviews the constraints of the site, current policy considerations and all other matters including the planning history of the site which has already granted permission for one dwelling on part of the site to assess its potential for residential development.

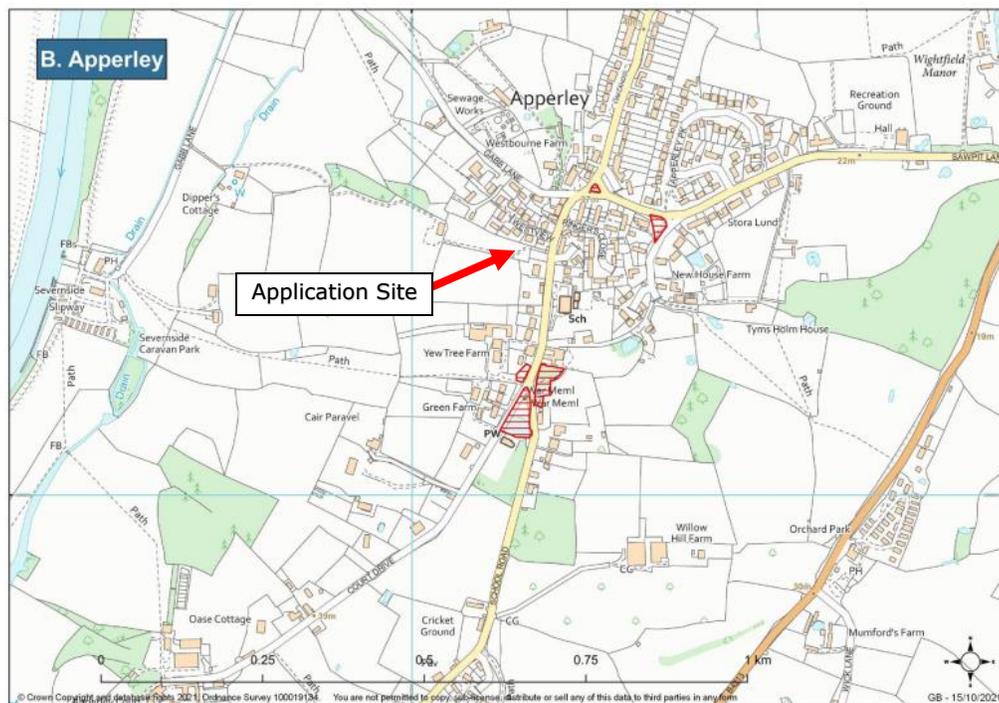
## Site Context

- 1.3 The proposed site is located on School Road, Apperley as per the enclosed site plan submitted in support of this application and outlined within figures below. As set out below and within section 2 of this statement a dwelling fronting School Road I currently under construction follow a recent planning permission.



Site Plan indicating previous permission and adjoining development

- 1.4 The site is accessed via a private track from School Road. The track serves the surrounding farmland and agricultural building located approximately 100m to the west.
- 1.5 According to the Tewkesbury Local Plan adopted in June 2022, Apperley doesn't have a defined settlement boundary and is categorised as a "rural area." However, this site is surrounded by residential development and is located within the existing settlement of Apperley, with residential development immediately adjacent to the north and east.



 LAN4 - Locally Important Open Spaces

*Extract from the Tewkesbury Borough Plan 2011-2031 proposals map adopted June 2022*

- 1.6 The site is an area of pastureland used for occasional grazing of sheep and cattle owned by the applicant but is not designated as being a local important space.
- 1.7 The site is within an accessible location, being within walking distance of all the amenities in the village. This includes a primary school, pub, a village hall, sports pitches, tennis court, and allotments. Apperley is well served by bus service No. 351 which connects it to Tewkesbury, Gloucester, and other surround villages with

services throughout the day and into the evening. There is a bus stop for this service 150 yards away.

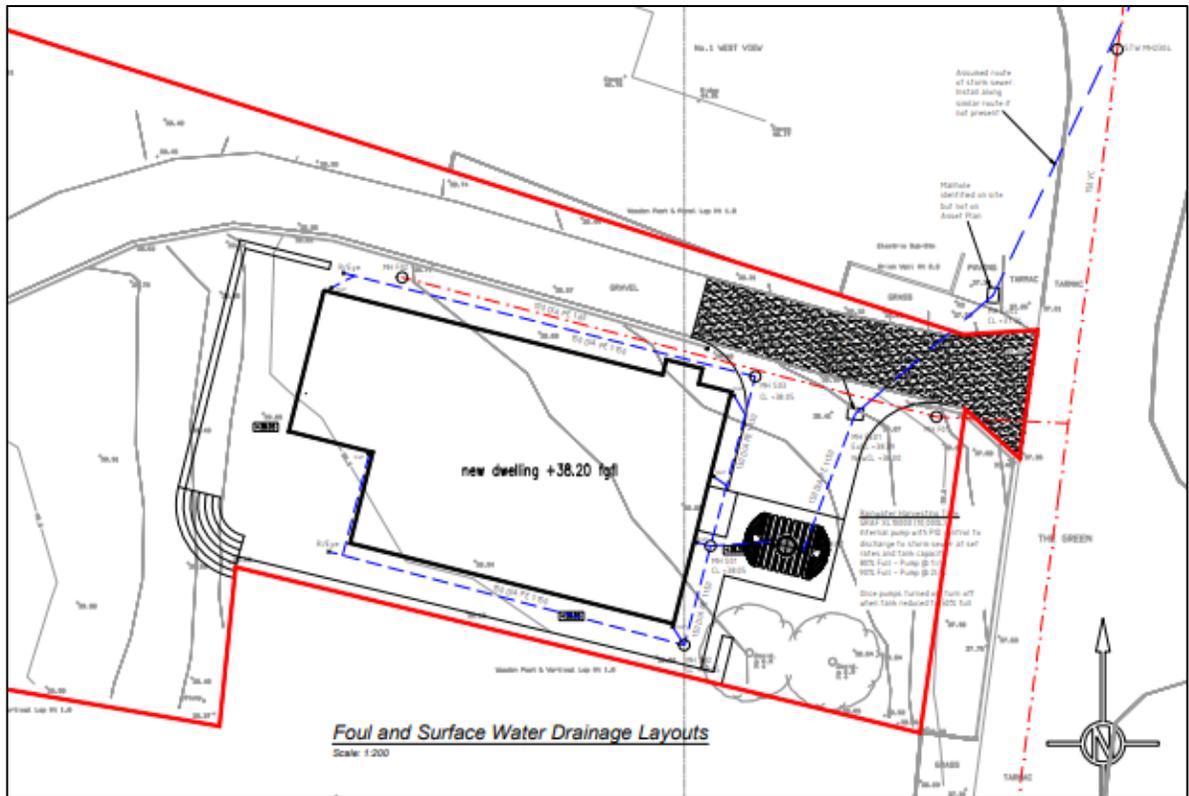
- 1.8 There are no listed buildings or heritage assets in the immediate vicinity of the site.

## 2.0 Planning History

2.1 The planning history for the site relevant to this application is set out below:

- **10/00388/FUL** Change of use of agricultural land to private equestrian use including construction of manage. Although planning permission was granted, the mänge was never built.
- **19/01218/OUT** Outline application for the erection of 1 no. dwelling (all matters reserved). Granted Permission
- **19/01166/PIP** Permission in Principle for the erection of 1no. dwelling. The application was refused, and the appeal was dismissed.
- **21/00559/OUT** Outline application for the erection of 1 no. dwelling, with all matters reserved for future consideration except for access. Granted Permission.
- **22/01174/APP** Approval of Reserved Matters (Scale, Layout, Appearance, Landscaping) pursuant to outline consent 21/00559/OUT for the erection of one dwelling. Granted Permission
- **22/00163/CONDIS** Application for approval of details subject to Conditions 12, 13, 18 and 19 of 21/00559/OUT. Granted Permission
- **22/01078/PIP** Permission in principle for the erection of up to four dwellings. Application Withdrawn in February 2023 when TBC claimed to have a 5 year housing land supply.

2.2 As set out above to the east of the site planning permission has been recently granted for a single dwelling which is under construction.



Approved layout for approval on front section of site via 22/01174/APP

2.3 A previous Planning in Principle application for the erection of 1no. dwelling (Ref: 19/01166/PIP) on part the central part of the application site was refused by Tewkesbury Borough Council on 30th January 2020.

2.4 The single reason for refusal was as follows:

*"The proposed application site is located outside of the defined settlement boundaries in the Tewkesbury Borough Local Plan to 2011 (March 2006) and in the Tewkesbury Borough Plan Pre-submission version 2019 (Policy RES2), and the site does not meet any of the other criteria within Policy RES3 & RES4. The site would be an encroachment into the open countryside, with consequential landscape harm, and does not comply with the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 Policy SD10 and Policy SD6. There are no other specific exceptions/circumstances defined in district or neighbourhood plans which indicate that permission in principle should be granted. Therefore, the proposed application site is not an appropriate location for new residential development, and contrary to the policies within the Joint Core Strategy 2017 and the emerging Tewkesbury Borough Plan 2019."*

- 2.5 A subsequent appeal was dismissed on 21<sup>st</sup> September 2020 (Ref: APP/G1630/W/20/3249306). The main issue mentioned in the decision notice is whether the proposed development would provide a suitable and accessible location for housing with regard to the development plan.
- 2.6 Following the above-mentioned appeal decision, the policy framework for the area has evolved somewhat, with Tewkesbury Borough Council recently adopting a new local plan. The new local plan includes policies such as RES 4 that are in favour of small-scale residential development within the rural settlements without the development having to fall within the definition of "infill" development as SD10 requires. These policies are discussed in greater depth in section 3.
- 2.7 In addition, the site in the case of this application is larger than the previously dismissed appeal and to the east, the site context has changed with a single dwelling being constructed. The larger site area will assist in providing development more in character with the existing built form in the vicinity and enable more soft landscaping to be delivered as part of the proposals.
- 2.8 Furthermore, as outlined in the later section of this statement, the Council cannot currently demonstrate a 5-year supply of deliverable housing sites. The proposed development would make a contribution towards addressing this undersupply in a sustainable location.

## 3.0 Planning Policy and Justification

- 3.1 The permission in principle route to obtaining permission came into force on the 1st of June 2018 and aims to provide a fast-track route through the planning process in order to speed up housing delivery. The Planning Practice Guidance relating to Permission in Principle describes this consent route as 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.
- 3.2 The permission in principle consent route has two stages. The first stage (permission in principle as per this application) establishes whether a site is suitable in-principle, and the second (technical details consent) stage is when the detailed development proposals are assessed.

### **National Planning Policy**

- 3.3 The National Planning Policy Framework (NPPF) and associated Planning Policy Guidance provide the overarching principle for all new development.
- 3.4 The importance of presumption in favour of sustainable development is emphasised in the NPPF. This development benefits the local community in economic, social, and environmental aspects by reducing traffic movement, improving property amenities, and preserving the wider environment.
- 3.5 Paragraph 69 of the NPPF is relevant in this regard, with emphasis placed on the importance of small and medium sites for housing as they can make an important contribution to local housing requirements and are often built out relatively quickly.
- 3.6 As such, councils are encouraged to support the development of windfall sites, giving great weight to the benefits of using suitable sites for homes.

### **Joint Core Strategy (JCS)**

- 3.7 For residential development, JCS policy SD10 sets out that "within the JCS area, new housing will be planned in order to deliver the scale and distribution of housing development set out in Policies SP1 and SP2."

3.8 Criterion 4 of Policy SD10, sets out that on unallocated sites (such as the application site), housing development will only be permitted, where it meets one of four exceptions:

- i. It is for affordable housing on a rural exception site in accordance with Policy SD12, or;*
- ii. It is infilling within the existing built-up areas of the City of Gloucester, the Principle Urban Area of Cheltenham or Tewkesbury Borough's towns and villages except where otherwise restricted by policies within District plans, or;*
- iii. It is brought forward through Community Right to Build Orders, or;*
- iv. There are other specific exceptions / circumstances defined in district or neighbourhood.*

3.9 Criterion *iv* of SD10 is applicable in this case, since Tewkesbury has recently adopted its new local plan, which supports very small-scale development at rural settlements.

3.10 This was not the case when the previous appeal was dismissed on the site and therefore the proposals do not have to meet the other criteria within SD10 since there are other circumstances which permit the development as outlined below.

#### **Tewkesbury Borough Local Plan 2011 to 2031 (Adopted June 2022)**

3.11 Policy RES3 of the adopted local plan outlines policies for new housing outside settlement boundaries. It is supportive of small-scale developments at rural settlements in accordance with Policy RES4.

3.12 Policy RES4 states that "To support the vitality of rural communities and the continued availability of services and facilities in the rural areas, very small-scale residential development will be acceptable in principle within and adjacent to the built-up area of other rural settlements providing:

*a) it is of a scale that is proportionate to the size and function of the settlement and maintains or enhances sustainable patterns of development.*

*b) it does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the plan period; as a general indication no more than 5% growth will be allowed;*

*c) it complements the form of the settlement and is well related to existing buildings within the settlement;*

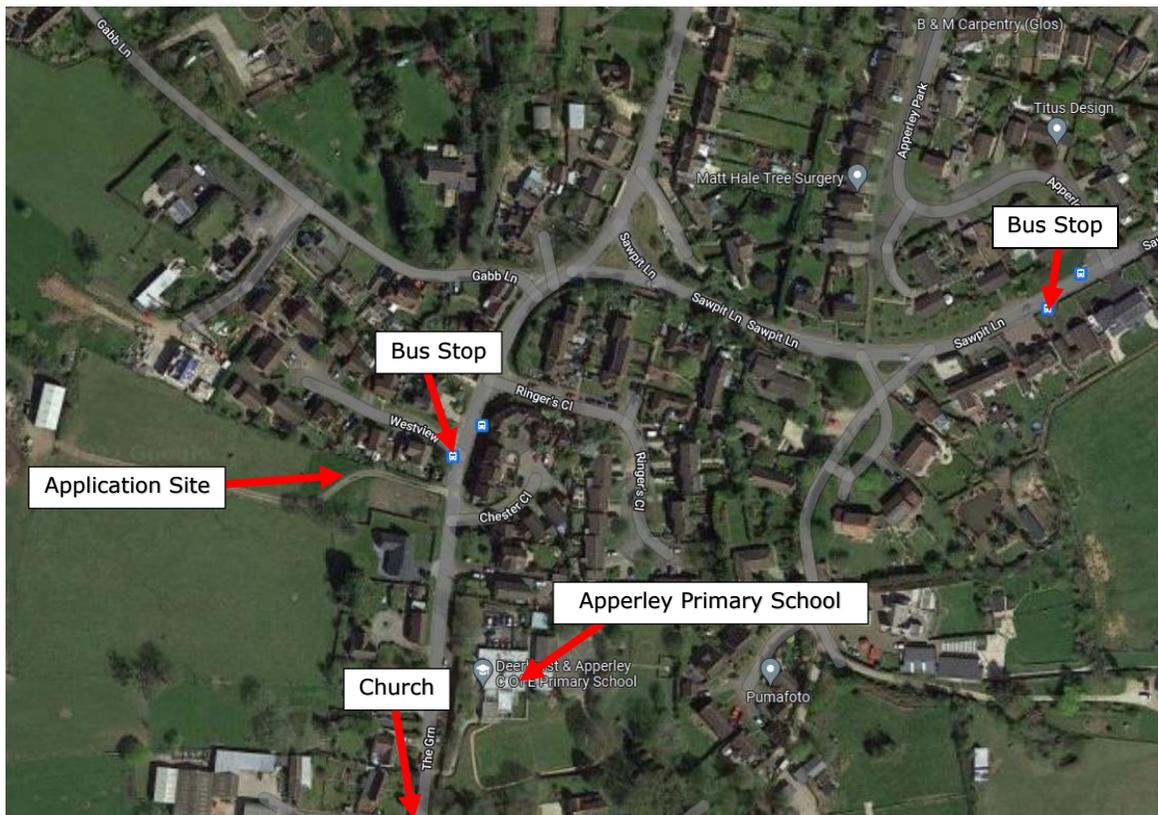
*d) the site of the proposed development is not of significant amenity value or makes a significant contribution to the character and setting of the settlement in its undeveloped state;*

*e) the proposal would not result in the coalescence of settlements*

*f) the site is not located in the Green Belt, unless the proposal would involve limited infilling in a village, limited affordable housing for local community needs or any other exceptions explicitly stated within the National Planning Policy Framework.”*

- 3.13 The proposed development involves the erection of up to 3no. dwelling houses adjacent to the existing residential development in the centre of the village of Apperley. The small scale nature of the proposed development is proportionate to the size and function of Apperley and would maintain and enhance sustainable patterns of development by supporting local level services within the vicinity.
- 3.14 Whilst it would be a matter for the technical detail consent (TDC) stage, the development can be designed in a similar manner to the adjacent development at Westview to the north of the site (i.e. with an access road and frontage development) to ensure it complements the form of the settlement in this part of Apperley and relates well to existing buildings. In addition, the site in the case of this application is larger than the previously dismissed appeal, which will assist in providing development more in character with the existing built form in the vicinity and enable more soft landscaping to be delivered as part of the proposals.
- 3.15 The site of the proposed development is not identified within the local plan as being of significant amenity value or making a significant contribution to the character and setting of the settlement. It has an affinity with the adjacent to housing development to the north and east and its development also wouldn't result in the coalescence of settlements.
- 3.16 Very small-scale development on this site would be appropriate and would not be isolated from other developments or have an adverse impact on the environment. The site is suitable for a small-scale residential development which could be accommodated comfortably on the site and designed to ensure there would be no material harm to the amenities of neighbouring dwellings.

- 3.17 The landscape impact of the proposals, which is a matter for the TDC stage, would be negligible as when viewed from the wider views, it will be seen in the context of the existing build form within Apperley. As such, it is fully complied with RES4 of the local plan.
- 3.18 Policy RES5 relating to 'New Housing Development' is relevant. Many of the points would be considered at the TDC stage since they aren't matters of principle or have already been considered previously within this statement. In terms of access, there is direct access off School Road which is subject of a 30mph speed restriction. There is good visibility to enter and exit the highway and there is also enough space within the plot to accommodate parking and turning area in accordance with RES5.



*Location of site and services within Apperley*

- 3.19 The site has good accessibility of the settlement and its amenity, with close access to bus stop, school, and church, with frequent bus service (Appendix A), and does not cause any reduction of open space or cause harm to the existing dwellings.

- 3.20 The Site is within Flood Zone 1, giving the site a low risk of flooding; the site also has a very low risk of surface water flooding. It is not considered that it is at risk of flooding and as such the proposal is in accordance with Policy ENV2 of the local plan.

### **Five-Year Housing Land Supply**

- 3.21 As outlined in Tewkesbury Borough Council's latest Five-Year Housing Land Supply Statement published in October 2023, the Council can now only demonstrate a **3.24 years** supply of deliverable housing sites.
- 3.22 This is based on a total deliverable supply of 1,892 dwellings against a minimum housing need of 2,924 dwellings over the next 5 years. There is a shortfall of 1,032 dwellings against the required 5-year supply.
- 3.23 Consequently, paragraph 11 d) of the National Planning Policy Framework applies as the Council cannot demonstrate a 5-year supply. This tilts the planning balance in favour of sustainable development for housing proposals.
- 3.24 The proposed development would deliver additional housing on a suitable site within an existing rural settlement, helping to address the identified undersupply in the Borough.
- 3.25 As per paragraph 11 d), the adverse impacts of the proposal (which are very limited in our view) do not significantly and demonstrably outweigh the benefits of providing much-needed housing, when assessed against the Framework as a whole.
- 3.26 Granting permission would be consistent with the presumption in favour of sustainable development set out in paragraph 11 of the NPPF given the current housing land supply position. It would also align with paragraphs 78 and 79 of the NPPF which seek to promote housing to meet local needs and support sustainable growth in rural areas.

## 4.0 Conclusion

- 4.1 The proposed development, as a development within the village of Apperley, should be considered entirely acceptable in principle in accordance with RES3, RES4 and RES5 of the Tewkesbury Borough Local Plan, the principles of the JCS and the NPPF.
- 4.2 The application site is not isolated but is in a sustainable location within the built-up area of Apperley and also within walking distance of a number of services and good public transport links.
- 4.3 Notwithstanding the proposal's compliance with policies within the adopted Tewkesbury Borough Local Plan, the fact that the Council does not have a five-year supply of deliverable housing means that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is incredibly difficult to see how the adverse impacts could be considered to outweigh the benefits significantly and demonstrably since the tilted balance is engaged.
- 4.4 The proposed housing development makes a small contribution towards housing supply in an area as well as providing a dwelling for the applicant and economic benefits to the local economy. This should weigh in favour of the development.
- 4.5 For the reasons stated above, planning permission should be granted for the Proposed Development.

# Appendix A – Bus Timetable for Apperley

Timetable valid from 3rd September 2023

**Tewkesbury • Apperley • Hartpury • Gloucester** **351**

**MONDAY TO FRIDAY** (excluding Bank Holidays)

<b>Tewkesbury Boots</b>	0645	1005	1220	1435
<b>Apperley Westview</b>	0656	1018	1233	1448
<b>Staunton Swan Inn</b>	0708	1028	1243	1458
<b>Corse Compton Close</b>	0710	1032	1247	1502
<b>Ashleworth Memorial Hall</b>	0717	1039	1254	1509
<b>Hartpury Memorial Hall</b>	0722	1044	1259	1514
<b>Maisemore Persh Lane</b>	0726	1048	1303	1518
<b>St Oswalds Village</b>	0735	1057	1312	1527
<b>Kingsholm Rugby Ground</b>	0739	1101	1316	1531
<b>Gloucester Transport Hub</b>	0745	1107	1322	1537

**Gloucester • Hartpury • Apperley • Tewkesbury** **351**

**MONDAY TO FRIDAY** (excluding Bank Holidays)

<b>Gloucester Transport Hub Stand I</b>	0900	1115	1330	1620	1750
<b>Kingsholm Rugby Ground</b>	0903	1118	1333	1623	1753
<b>St Oswalds Village</b>	0909	1124	1339	1631	1759
<b>Maisemore Persh Lane</b>	0918	1133	1348	1640	1808
<b>Hartpury Memorial Hall</b>	0922	1137	1352	1643	1812
<b>Ashleworth Post Office</b>	0927	1142	1357	1648	1817
<b>Corse Compton Close</b>	0934	1149	1404	1655	1824
<b>Staunton Swan Inn</b>	0936	1151	1406	1657	1826
<b>Apperley Westview</b>	0948	1203	1418	1708	1836
<b>Apperley Village Hall</b>	x	x	x	1709	1837
<b>Coombe Hill Swan Inn</b>	x	x	x	1715	1843
<b>Tewkesbury Boots</b>	1000	1215	1430		

Tewkesbury • Apperley • Hartpury • Gloucester

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Timetable valid from 3rd September 2023

SATURDAY (excluding Bank Holidays)

<b>Tewkesbury</b> Boots	0645	1005	1220	1435
<b>Apperley</b> Westview	0656	1018	1233	1448
<b>Staunton</b> Swan Inn	0708	1028	1243	1458
<b>Corse</b> Compton Close	0710	1032	1247	1502
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Gloucester • Hartpury • Apperley • Tewkesbury

351

SATURDAY (excluding Bank Holidays)

<b>Gloucester</b> Transport Hub Stand I	0900	1115	1330	1620	1750
<b>Kingsholm</b> Rugby Ground	0903	1118	1333	1623	1753
<b>St Oswalds Village</b>	0909	1124	1339	1631	1759
<b>Maisemore</b> Persh Lane	0918	1133	1348	1640	1808
<b>Hartpury</b> Memorial Hall	0922	1137	1352	1643	1812
<b>Ashleworth</b> Post Office	0927	1142	1357	1648	1817
<b>Corse</b> Compton Close	0934	1149	1404	1655	1824
<b>Staunton</b> Swan Inn	0936	1151	1406	1657	1826
<b>Apperley</b> Westview	0948	1203	1418	1708	1836
<b>Apperley</b> Village Hall	x	x	x	1709	1837
<b>Coombe Hill</b> Swan Inn	x	x	x	1715	1843
<b>Tewkesbury</b> Boots	1000	1215	1430		



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