

**NORTH COTSWOLD DISTRICT*****Chairman***

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Draft letter to Cotswold District Council

Cotswold District Council
Trinity Road
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19th January 2018

For the attention of Deborah Smith

Dear Sirs

Application Reference 17/04765/OUT: Moore Land Collin Lane Willersey

I write to set out the North Cotswold District of the Campaign to Protect Rural England's objection to the proposed development. In drafting this letter, CPRE has taken account of among other things all the documents which accompanied the planning application, and other recent proposals for housing development in the village.

The Site and its Surroundings

Representatives of CPRE visited the site and walked the public rights of way in the vicinity on 16 January 2017. The existing use and the nature and condition of the boundaries were noted. In particular, it was observed that the northern boundary consists of the trackbed of the disused section of the former Stratford to Cheltenham railway line and the edge of the small housing development known as The Quinary; the southern boundary adjoins the site of the approved development 14/05636/OUT for 50 dwellings.

We note from Drawing No 765/5/1 that access is proposed to be taken from the site of 14/05636/OUT, which itself will take its access from Collin Lane.

Consultation Responses

We note that Willersey PC objected on grounds relating to cumulative effects and highways impact.

We have seen the letter dated 17 November from Carl Tonks Consulting to Newland Homes which compares the site of the proposed development favourably in highways impact terms with the District Council's preferred site (W7_A) for mixed use development including 49

dwellings. Nevertheless, there appears to be no response at the time of writing from GCC Highways, and in the absence of such a response we are inclined to support the PC on this matter, having noted in particular on the site visit the narrowness of Collin Lane in the vicinity.

The Development Plan and Planning Policy

The development plan still consists solely of the Cotswold District Local Plan 2001-2011. CPRE is aware that the emerging Local Plan has concluded its Examination but that the Inspector is yet to report. In recent appeals, Inspectors have taken the view that the adopted Local Plan is out of date, not only because in respect of housing provision it is time expired, but also because its general policies do not necessarily comply with the National Planning Policy Framework (NPPF).

We therefore acknowledge that little or no weight can be now attached to the adopted Local Plan; while it is also clear that less than full weight can yet be attached to the emerging Local Plan. Nevertheless, we believe that considerable weight should be attached to the policies of the emerging Local Plan as it has reached an advanced stage following many years of preparation, and is supported by a substantial evidence base. We disagree strongly with the applicant's view set out at paragraph 5.11 of the Planning Statement that "minimal" weight should be attached to it.

The National Planning Policy Framework and Planning Practice Guidance are clearly important material considerations but in these particular circumstances should not override emerging planning policy.

Willersey has been defined in Policy DS1 of the emerging Local Plan as one of seventeen principal settlements, a longer list than in the previous Local Plan; it now includes some of the larger villages, of which Willersey is one example, as well as the smaller towns.

CPRE notes paragraph 6.2.1, which states *"Development Boundaries have been drawn around the settlements identified specifically in the Development Strategy (Policy DS1)"* and paragraph 6.2.2, which explains that development boundaries include sites that are under construction and have been granted planning permission.

This approach is clearly evident in Willersey, where the development boundary includes land on Broadway Road, and south of the application site off Collin Lane, in the latter case acknowledging the grant of planning permission for 50 dwellings under 14/05636/OUT.

Policy DS3 Residential Development Outside the Principal Settlements therefore applies:

"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 form 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.”*

CPRE’s interpretation of this policy is that all the criteria have to be met, on the basis of the use of the word “and” at the end of the penultimate criterion.

We note that emerging Policy DS3 is positively drafted. Taking each of the five criteria in turn, the proposed development could reasonably be described as adjacent to the village, as it adjoins the newly defined settlement boundary placed here because of the approved housing development adjoining, rather than existing development. It therefore meets criterion (a).

The second criterion is in our view difficult to apply. No detailed evidence appears to have been provided on the extent to which the proposed development might support local facilities and services. Indeed, such evidence would be hard to produce, as people exercise choice in their expenditure. Nevertheless, as services in Willersey are somewhat limited, it can reasonably be inferred that the bulk of expenditure on convenience goods and virtually all expenditure on comparison goods will be made outside the village. Broadway is located very close to Willersey just across the border with Worcestershire, but its own facilities are relatively limited and to a great extent cater for tourists rather than the needs of the surrounding area. The nearest settlements to Willersey offering a major supermarket and comparison goods are Evesham (11 km) and Stratford on Avon (22 km). The proposed development is therefore unlikely to meet this criterion.

In relation to criterion (c), we do not think it could be reasonably argued in principle that the scale of the proposed development in itself is excessive in relation to the size of the village. 40 dwellings represents a relatively small proportion of the housing stock in the village and the civil parish as a whole. However, we consider that cumulative impact is a significant issue, bearing in mind the amount of development recently permitted in the village, and so we consider the proposed development to be contrary to criterion (e). In particular, we consider that it would not maintain and enhance sustainable patterns of development. The supporting evidence for the Local Plan notes that Willersey has a substantial employment base in relation to the size of the resident working population, and that levels of self-containment are high by rural standards in this part of the North Cotswolds. Put another way, however, there are still substantial gross flows for travel to work into and out of this area, and there is no guarantee that the occupants of this (or any other) new housing development will be employed locally. These circumstances are likely to give rise to almost complete reliance on the private car for journeys to work.

Furthermore, the limited level of services available in Willersey not only has implications for where expenditure is made (criterion (b)) but also the associated modes of travel. Bus services are infrequent and slow and are unlikely to be used except by those who have no alternative. These circumstances are likely to give rise to almost complete reliance on the private car for journeys other than for work.

Taking criteria (c) and (e) together, we conclude that the proposed development, in the light of the total extent of housing commitment in the village, will not maintain and enhance sustainable patterns of development.

Returning to criterion (d), we consider that the form and character of the settlement would not be significantly adversely affected. However, this criterion must also be approached in the light of the fact that the site lies outside the proposed settlement boundary for Willersey; the purpose of defining settlement boundaries is to control or influence the form and character of settlements for a plan period and until such time as they need to be reviewed.

Housing Provision in Willersey

CPRE notes that there have been several proposals for housing development in Willersey in recent years. The planning permission granted in outline for 50 dwellings off Collin Lane, adjacent to the site of the proposed development (14/05636/OUT), has already been referred to. Development has not yet started.

A proposal for 20 dwellings (14/01739/OUT; PINS reference 2227938) on Broadway Road, adjacent to the boundary with Wychavon District was allowed on appeal in February 2015. A further 30 dwellings in this area have also been permitted (16/04902). The Council's preferred site for mixed use development would add another 49 dwellings.

We also note that a proposal (14/04854/OUT; PINS reference 3121622) for 71 dwellings south of Collin Lane, and opposite 14/05636/OUT, was dismissed on appeal in February 2016. Despite this, the total supply of committed housing already amounts to about 150 dwellings, compared with the 54 proposed for the village in Policy SA3 of the emerging Local Plan.

Five Year Supply

CPRE is satisfied on the available evidence that Cotswold District can demonstrate a 5 year supply of land for housing, notwithstanding the fact that the total housing requirement for the Plan period, and therefore also the five year requirement, is very much greater than prior to 2011.

Housing Provision - Conclusion

We consider that the objective of paragraph 47 of the Framework, to substantially boost the supply of housing, is being amply met in Cotswold District. First, the housing requirement set in the emerging Local Plan for the period 2011 to 2031, of 8,400 dwellings, is substantially greater than that in the Local Plan 2001 to 2011, based in the former Gloucestershire Structure Plan with the same end date. Secondly, the total supply of 9,842 dwellings as set out in Table 1 in the emerging Local Plan exceeds that requirement by 17%. Thirdly, as indicated above, there has been a substantial boost to the supply of housing locally. Finally, the supply has been boosted in the District as a whole by the approval on 16 January for the proposal for about 2,350 dwellings at Chesterton, Cirencester.

The Applicant's Planning Statement

This document has been referred to above in the context of the weight to be attached to it. CPRE has other concerns about the case it attempts to make. We do not disagree with the statement at paragraph 5.15 that Policy 19 of the adopted Local Plan carries little or no weight; but it does not follow that *"the planning balance is tilted firmly in favour of sustainable development"*, especially when no evidence is provided to support this assertion. Moreover, the rest of 5.15, and the whole of 5.16, ignores the longstanding principle that planning applications are determined on their individual merits, and in particular it cannot reasonably be argued *"that the principle of this proposal has effectively been established through the granting of 50 houses directly to the south"*. On the contrary, the proposed development has to be justified on its own terms.

The Planning Statement identifies Policy DS3 from the emerging Local Plan, and indeed it is arguably the most directly relevant single policy to this proposal. However, the PS makes no attempt to address the degree of compliance or otherwise with this policy, as this letter has done. In particular, it does not explicitly address the fact that although 14/05636 lies within the proposed settlement boundary for Willersey, the site of the present proposal lies outside it.

We also note that the PS devotes some space to the alleged shortcomings of the District Council's preferred site for both housing and employment (W7_A), implying that the site of the proposed development is a better alternative for its housing element. The suitability or otherwise of W7_A for its proposed uses is a matter for the Inspector who presided over the Local Plan Examination; and no alternative is suggested for its employment element. The longstanding requirement is for local planning authorities to submit what they consider to be a sound plan, the clear implication being that substantial evidence is required to justify any alternative for example to a plan's strategy or individual proposed allocations. No such substantial evidence has been provided here.

The Planning Balance and Conclusion

In terms of the three dimensions of sustainable development, the proposed development would provide modest economic benefits in the construction stage and when the dwellings are occupied. This must however be qualified by the fact that local firms will not necessarily be the beneficiaries in the construction stage, and once the dwellings are occupied, little expenditure is likely to be retained locally,

In the social dimension, benefits would accrue from the provision of housing. Again however this must be qualified by the fact that such benefits are already being provided, or will be provided, by the substantial commitments elsewhere in the village.

In the environmental dimension, it is acknowledged that the site lies outside the Cotswold AONB and that there are few environmental constraints to development. Nevertheless, we consider that the proposed development would have adverse environmental effects in giving rise to even greater reliance on the private car for travel to work and for other purposes. Increasing attention is being paid in the planning balance to air quality generally and vehicle emissions in particular, making it even more important than ever that planning strategies which concentrate rather than disperse development, and therefore reduce the need to travel, are upheld.

We consider the proposed development to be contrary to the provisions of the emerging Local Plan.

For the reasons given, we believe that this application should be refused, and respectfully ask the Council to do so.

We should be grateful if you could keep us informed of the progress of the application.

Yours sincerely

Alison Clifton Barnard

Chairman

Via email and post