

## **GLOUCESTER CITY COUNCIL**

<b>COMMITTEE</b>	<b>:</b>	<b>PLANNING</b>
<b>DATE</b>	<b>:</b>	<b>2<sup>ND</sup> DECEMBER 2014</b>
<b>ADDRESS/LOCATION</b>	<b>:</b>	<b>LAND EAST OF HEMPSTED LANE</b>
<b>APPLICATION NO. &amp; WARD</b>	<b>:</b>	<b>13/01032/OUT WESTGATE</b>
<b>EXPIRY DATE</b>	<b>:</b>	<b>23<sup>RD</sup> JUNE 2014</b>
<b>APPLICANT</b>	<b>:</b>	<b>THE SYLVANUS LYSSONS CHARITY TRUSTEES C/O BRUTON KNOWLES</b>
<b>PROPOSAL</b>	<b>:</b>	<b>Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval (layout, scale, appearance and landscaping reserved for future consideration)</b>
<b>REPORT BY</b>	<b>:</b>	<b>ADAM SMITH</b>
<b>NO. OF APPENDICES</b>	<b>:</b>	<b>JCS PRE-SUBMISSION DOCUMENT NOVEMBER 2014 POLICIES SITE PLAN REPRESENTATIONS</b>

### **INTRODUCTION**

This application has been subject to a high level of objection and necessitates the careful balancing of a range of issues. This report therefore goes into a high degree of detail to assist Members in understanding and coming to a view on these important matters.

#### **1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The proposed site is situated to the east side of Hempsted Lane between the Gordon League rugby ground and the footpath linking The Gallops with Hempsted Lane.
- 1.2 To the west side the site abuts Hempsted Lane and wraps around Manor Farm House. At this point Hempsted Lane has sporadic residential development fronting the road, the consistent detached properties on both sides of the road then the late 20<sup>th</sup> century Ladywell Close development opposite the site at the south west corner.

- 1.3 Beyond the footpath to the south is residential development, the Court Gardens properties on the east side, the modern Bridle Court development to the west, fronting Hempsted Lane.
- 1.4 To the south east is the modern residential estate, The Gallops. To the north and north east the site abuts open space including the rugby ground and a play area. There are playing fields beyond to the north east adjacent to Secunda Way.
- 1.5 The site is currently in agricultural land and is understood to be grazed at a low level.
- 1.6 The application is for residential development, the provision of open space including an orchard, cycleways, footpaths, and associated works.
- 1.7 The application is made in outline form, with means of access offered for approval and appearance, layout, scale and landscaping all reserved for future consideration.
- 1.8 The application is accompanied by plans indicating the parameters of the proposal. The vehicular access is proposed off Hempsted Lane between Ladywell Close and the access lane to Newark Farm. The total site is approximately 3.4ha, of which approximately 1.5ha would be public open space.
- 1.9 The residential development is proposed to occupy the north of the site, with the southern area adjacent to the footpath and up to roughly level with Manor Farm House as open space. The indicative layout has twice been amended, including to set the residential build area back from Hempsted Lane and from Manor Farm House, and to reinstate a green link between the existing open space to the north east and the proposed open space at the south of the site along the eastern boundary. The open space would therefore link from the south up both sides of the development to the existing green link to the north of the site.
- 1.10 The scale of development is shown to be maximum 2 storeys but with three areas for feature buildings at 2.5 storeys.
- 1.11 Application documentation originally referred to 60 units but as will be seen following discussions the applicants have indicated an acceptance of 50 units.
- 1.12 The application is presented to the Planning Committee given the scale of development and level of objection.

## **2.0 RELEVANT PLANNING HISTORY**

- 2.1 None.

### 3.0 **PLANNING POLICIES**

- 3.1 The following planning guidance and policies are relevant to the consideration of this application:

#### Central Government Guidance - National Planning Policy Framework

- 3.2 This is the latest Government statement of planning policy and is a material consideration that should be given significant weight in determining this application.

#### *Decision-making*

The NPPF does not alter the requirement for applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

In assessing and determining applications, Authorities should apply the presumption in favour of sustainable development.

For decision-making, this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent, or relevant policies are out of date, granting planning permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
  - specific policies in the NPPF indicate development should be restricted.

Authorities should look for solutions rather than problems and decision-takers should seek to approve applications for sustainable development where possible.

#### *Core planning principles*

Planning should:

- Be genuinely plan-led;
- Be a creative exercise in ways to enhance and improve places;
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Secure high quality design and a good standard of amenity;
- Take account of the different roles and character of different areas;
- Support the transition to a low carbon future, take account of flood risk and encourage the use of renewable resources;
- Contribute to conserving and enhancing the natural environment and reducing pollution;
- Encourage the effective use of land by reusing brownfield land;

- Promote mixed use developments;
- Conserve heritage assets in a manner appropriate to their significance;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;
- Take account of and support local strategies to improve health, social and cultural wellbeing and deliver sufficient community and cultural facilities and services to meet local needs.

The NPPF is topic based on a similar basis to the previous PPGs and PPSs:

#### *Promoting sustainable transport*

Seeks to ensure developments generating significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Decisions should take account of whether;

- The opportunities for sustainable transport modes have been taken up;
- Safe and suitable access to the site can be achieved for all people;
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented on transport grounds whether the residual cumulative impacts of development are severe.

#### *Delivering a wide choice of high quality homes*

To boost significantly the supply of housing, Authorities should

- Use their evidence base to ensure that their Local Plan meets the full objectively assessed needs to market and affordable housing in the housing market area, as far as is consistent with the policies set out in the NPPF;
- Identify and update annually a supply of specific deliverable site sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%;

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the Authority cannot demonstrate a five year supply of deliverable housing sites.

#### *Requiring good design*

Emphasis is retained on good design, seeking to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character and history while not discouraging innovation, ensure safe and accessible environments, and are visually attractive as a result of good architecture and appropriate landscaping. Permission should be refused for development of poor design that fails to take opportunities for improving areas.

#### *Promoting healthy communities*

Encourages the involvement of all sections of the community. Decisions should aim to achieve places which promote;



- Opportunities for meetings between members of the community who might not otherwise come into contact;
- Safe and accessible environments;
- Clear and legible routes, high quality public space that encourage use.

Decisions should also;

- Plan positively for shared space, community facilities and other local services;
- Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

The importance of access to high quality open spaces is also emphasised.

#### *Meeting the challenge of climate change, flooding and coastal change*

Seeks to secure reductions in greenhouse gas emissions, supporting the delivery of renewable and low carbon energy and associated infrastructure.

In terms of flooding, authorities should direct development away from high flood risk areas, but where development is necessary, make it safe without increasing flood risk elsewhere. The use of sustainable drainage systems is encouraged.

#### *Conserving and enhancing the natural environment*

Sets out that the planning system should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, geological conservation interests and soils;
- Recognising the wider benefits of ecosystem services;
- Minimising impacts on biodiversity and providing net gains where possible;
- Prevention of unacceptable risks or adverse affects by pollution;

Authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight.

Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, Local Planning Authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Authorities should aim to conserve and enhance biodiversity by applying the following principles;

- If significant harm cannot be avoided, mitigated or compensated for, refuse permission;
- Opportunities to incorporate biodiversity in and around developments should be encouraged;

- Refuse permission for development resulting in the loss or deterioration of irreplaceable habitats unless the need for and benefits of the development clearly outweigh the loss.

Developments should be prevented from contributing to or being put at unacceptable risk from soil, air, water or noise pollution, remediate and mitigate land where appropriate, and limit the impact of light pollution.

*Conserving and enhancing the historic environment*

Retains the general approach to protect and enhance heritage assets, and to require applicants to assess the significance of assets affected by development proposals, including any contribution made by their setting.

An appropriate desk-based assessment and where necessary a field evaluation is required where an application site includes or has the potential to include assets with archaeological interest.

Authorities should identify and assess the particular significance of any heritage asset that may be affected taking account of the available evidence and expertise.

In determining applications, Authorities should take account of;

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
- the desirability of new development making a positive contribution to local character and distinctiveness.

Great weight should be given to the asset's conservation. The more important the asset, the greater the weight. Significance can be harmed or lost through alteration or destruction of the asset or development within its setting. Any harm or loss should require clear and convincing justification.

Where substantial harm or total loss of significance of an asset would occur, applications should be refused unless it can be demonstrated that this is necessary to achieve substantial public benefits that outweigh that harm or loss or all of the following apply:

- the nature of the asset prevents all reasonable uses of the site; and
- no viable use of the asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Where a proposal will lead to less than substantial harm to the significance of a designated asset, this should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determination. In weighing applications that affect such non-designated assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Authorities should look for opportunities for development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

#### *Planning obligations and conditions*

Planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Planning conditions should only be imposed where they are

- Necessary;
- Relevant to planning and to the development to be permitted;
- Enforceable;
- Precise; and
- Reasonable in all other respects.

The National Planning Practice Guidance has also been published to accompany and in part expand on the National Planning Policy Framework.

#### The Development Plan

3.3 Section 38 of the Planning and Compulsory Purchase Act 2004 has established that - "The development plan is

(a) The regional spatial strategy for the region in which the area is situated, and

(b) The development plan documents (taken as a whole) which have been adopted or approved in relation to that area.

If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy that is contained in the last document to be adopted, approved or published (as the case may be). 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."

#### Local Plan

3.4 The statutory development plan for Gloucester remains the City of Gloucester Local Plan (Adopted 1983 and partially saved until the Local Development Framework is adopted). Under the terms of the NPPF, weight can be given to these policies according to their degree of consistency with the NPPF.

H1.d – The development of sites for residential purposes other than those identified in Policy H.1a or arising from H.1c (City centre) will be considered in relation to the availability of land at that time, and on merit if they are located within the existing continuous built-up area, but elsewhere there will be a presumption against development other than minor infill.

H1.e – In determining planning applications, consideration will be given to the density and quality of housing development, so that a suitable range of house types may be available at all times.

H4 – The City Council will seek to ensure that there is a satisfactory provision of housing for those sections of the community whose needs are not adequately met by the private sector.

A.2 – Particular regard will be given to the City's heritage in terms of archaeological remains, listed buildings and conservation areas.

T6 – Measures will be introduced to encourage cycling.

L1 – The City Council will ensure the provision of an adequate level of public open space in the City through the retention of existing areas, the inclusion of public open space within areas of new development and, where areas of shortfall are identified, the maintenance of a watching brief to consider opportunities for these to be made good.

L1.c – On new housing developments, public open space will be provided in centralised locations which are accessible to the residents. Plots will not be less than half an acre in size and the needs of all sections of the community will be considered when they are laid out.

L1.e – Where developers require the City Council to adopt areas of public open space and amenity space there will be an agreement between the Council and the developer which will include the deposit by the developer of a financial sum sufficient to cover the maintenance costs of that land for ten years.

L2.b – Where appropriate, the City Council will seek to provide additional sports pitches on the public open space which is incorporated into new housing developments.

3.5 Subsequent to the 1983 plan there has also been the City of Gloucester (Pre-1991 Boundary Extension) Interim Adoption Copy October 1996), and City of Gloucester First Stage Deposit Local Plan (June 2001).

3.6 Regard must also be had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. This cannot be saved as it is not a formally adopted plan, however with it being adopted for development control purposes it is still judged to be a material consideration. Appeal reference APP/U1620/A/07/2046996 dated 18<sup>th</sup> March 2008 confirms the degree of weight that may be afforded to the 2002 Revised Deposit Draft Local Plan. It is considered that particular weight may be afforded to those policies that attracted a limited number of, or no objections during the consultation stages. In his decision the Inspector stated the following;

“Although the local plan is not part of the development plan it has been adopted for development control purposes and I give considerable

weight to it having regard to the amount of public consultation that it underwent....”

### 2002 Plan designations

Landscape Conservation Area (associated policy LCA.1)

### 2002 Plan Policies

B.6 – Prime Biodiversity Area

B.10 – Trees and hedgerows on development sites

LCA.1 – Development within landscape conservation areas

FRP.1a – Flood risk

FRP.6 – Surface water run-off

FRP.10 – Noise

FRP.11 – Pollution

FRP.15 – Contaminated land

BE.1 – Scale, massing and height

BE.2 – Views and skyline

BE.4 – Criteria for the layout, circulation and landscape of new development

BE.5 – Community safety

BE.6 – Access for all

BE.7 – Architectural design

BE.8 – Energy efficient development

BE.9 – Design criteria for large commercial development

BE.12 – Landscape schemes

BE.15 – Provision of open space in major development

BE.17 – Design criteria for large scale residential development

BE.18 – Vehicular circulation and parking in new residential development

BE.21 – Safeguarding of amenity

BE.31 – Preserving sites of archaeological interest

BE.32 – Archaeological assessment

BE.34 – Presumption in favour of preserving archaeology

BE.36 – Preservation in situ

BE.37 – Recording and preserving archaeology

TR.9 – Parking standards

TR.12 – Cycle parking standards

TR.31 – Road safety

TR.33 – Providing for cyclists/pedestrians

H.4 – Housing proposals on unallocated sites

H.7 – Housing density and layout

H.8 – Housing mix

H.15 – The provision of affordable housing

H.16 – Affordable housing mix, design and layout

H.18 – Lifetime homes

OS.2 – Public open space standard for new residential development

OS.3 – New housing and public open space

OS.4 – Design of public open space

OS.5 – Maintenance payments for public open space

CS.11 – Developer contributions for education

In 2006 Preferred Options LDF documents were published including the Site Allocations and Designations (non central area) and Development Control Policies. These were not taken forward to submission. In 2012 they were endorsed by the Council as a material consideration in decision-making along with the 2002 Second Deposit Local Plan, where relevant and consistent with the NPPF, until such a time as replaced by the new, emerging development plan framework. It is proposed that they be discontinued with the submission of the JCS.

#### Site allocations

SAD2 - The site is retained as Landscape Conservation Area (refer to Policy BNE4)

SAD5 – Prime Biodiversity Area

SAD7 – Robinswood Hill Country Park (views of)

SAD9 – Conservation Areas (refer to Policy BNE5)

SAD10 – Views and skyline

#### Development Control Policies

H1 – Windfall Residential Development

H2 – Housing Density and Mix

D1 – Design and Layout

D2 – Community Safety

D5 – Safeguarding Amenity

D6 – Landscape Design in New Development

BNE1 - Nature Conservation and Biodiversity

BNE2 – Trees and Hedgerows

BNE4 – Landscape Conservation Areas

BNE5 – Conservation Areas

BNE8 – Preserving Archaeology

BNE9 – Archaeological Assessment, Evaluation, Recording

BNE10– Flood Risk

BNE12 – Pollution

BNE14 – Water Supply and Run-Off

TR3 – Parking Provision

LR2 – Provision of Public Open Space

CS3 – Provision for and Loss of Educational Facilities

- 3.7 In terms of the emerging local plan, the Council is preparing a Joint Core Strategy with Cheltenham and Tewkesbury Councils and has recently published the Joint Core Strategy Pre-Submission Document, June 2014. At this stage, the endorsement of the 2002 Second Deposit and 2006 LDF Preferred Options *until replaced by the new development plan framework* begins to take effect, with the JCS being up to date and based on new evidence.
- 3.8 The following policies are of relevance (as this is a new document these policies are set out in full at the end of the report for Members' reference) and the plan is subject to representations through the consultation which affects the weight that can be attributed to the policies:

SP1 - The Need for New Development  
 SP2 – Distribution of new development  
 SD1 – Presumption in favour of sustainable development  
 SD4 – Sustainable design and construction  
 SD5 – Design requirements  
 SD7 – Landscape  
 SD9 – Historic environment  
 SD10 – Biodiversity and geodiversity  
 SD11 – Residential development  
 SD12 – Housing mix and standards  
 SD13 – Affordable housing  
 SD15 – Health and environmental quality  
 INF1 – Access to the transport network  
 INF2 – Safety and efficiency of the transport network  
 INF3 – Flood risk management  
 INF 4 – Green infrastructure  
 INF5 – Social and community infrastructure  
 INF7 – Infrastructure delivery  
 INF8 – Developer contributions

- 3.9 In addition to the Joint Core Strategy, the Council is preparing its local City Plan.

Supplementary guidance

- 3.10 Heights of buildings – guidelines for developers in the Gloucester area (*November 2008*). This sets out guidelines for developments with buildings that break the skyline. It identifies a key viewpoint from the footpath at the south of the site towards the city centre taking in the Cathedral tower.
- 3.11 Views of Robinswood Hill and other high ground from Hempsted Supplementary Planning Guidance 1996. This is an old document that sets out the Council's preference to protect an important viewing point in the City, across the application site to the Cotswold escarpment.
- 3.12 Policies can be viewed at the relevant website address:- Gloucester Local Plan policies – [www.gloucester.gov.uk/planning](http://www.gloucester.gov.uk/planning); and Department of Community and Local Government planning policies - [www.communities.gov.uk/planningandbuilding/planning/](http://www.communities.gov.uk/planningandbuilding/planning/).

#### **4.0 CONSULTATIONS**

- 4.1 The Highway Authority raises no objection subject to conditions.
- 4.2 The County Council Asset Management and Property Services department requests contributions to education and libraries (set out in detail later).
- 4.3 The Urban Design Officer raises no objection in principle, based on the extent of development on the parameters plan, although concerns are raised about whether the detailed layout and access would work well. The number of dwellings should be limited by condition, anything above 27 dwellings per

hectare would seem too high. The preservation of the orchard and open space are very positive features, this also keeps development away from the most prominent spaces. The southern hedge should be cut back to reveal views of the cathedral. A link across Secunda Way is essential. The bus services are poor.

- 4.4 On the basis of the original proposals the Conservation Officer raised concerns about the impact on the setting of the Conservation Area, that the indicative layout does not respond to the village form, density and layout, and that the routes through the site could harm the orchard and ridge and furrow. The Officer recommended that the application be refused.
- 4.5 Further amended illustrative layouts included setting the development area back from the Hempsted Lane frontage by around 14 metres and reducing the number of units. The final comments of the Conservation Officer are based on this material and an objection is maintained, on the basis of harming the setting of the Conservation Area, eroding the sense of separation from the rest of the City, the negative impact of the new vehicular access and associated visibility splay to Hempsted Lane opening up views of the development, and the partial loss of ridge and furrow.
- 4.6 The Civic Trust raises no objection provided there is a full archaeological investigation, and reserves judgement on the detail of the scheme.
- 4.7 The City Archaeologist raises no objection subject to a condition to secure a further programme of archaeological work.
- 4.8 The Planning Policy Officer emphasises that the Authority needs to continue to identify sites for housing development, particularly to meet the City's needs in the longer term, and that it is committed to ensuring that the requirement to maintain a five year plus 5% housing land supply, as required by the NPPF, is met. It is noted that in principle, and subject to the site bringing forward suitable sustainable development, the site will help to ensure that the City maintains a healthy housing land supply, delivers more affordable house while preserving the Conservation Area and improves linkages and connectivity to green infrastructure. The Officer also considers that the development would provide the opportunity to address some of the weaknesses in the ward that were identified in the ward profile.
- 4.9 The Environment Agency raises no objection.
- 4.10 The Landscape Architect welcomes the provision of open space and seeks the securing of this and commuted sums by a s106 agreement.
- 4.11 The Drainage Engineer raises no objection but seeks the securing of a drainage system that employs a Sustainable urban Drainage System.
- 4.12 Severn Trent Water raises no objection subject to a condition to secure details of the drainage system.



- 4.13 The Environmental Protection Officer raises no objection but reserves judgement of the detail to the reserved matters stage.
- 4.14 The Environmental Planning Service Manager raises no objection subject to a condition to secure biodiversity enhancements.
- 4.15 The Contaminated Land Officer raises no objection.
- 4.16 The Housing Manager raises no objection but requests that the detail of the affordable housing contribution be secured by a s106 agreement.

## **5.0 PUBLICITY AND REPRESENTATIONS**

- 5.1 131 neighbouring properties were notified. Site and Press Notices were also published. Second and third consultations were undertaken on amended plans in August and November 2014.
- 5.2 The matters raised in representations may be summarised as follows:
- Site is not allocated for housing
  - Previous Inspector's decisions have resisted development of the site
  - Change in Council's position on suitability of site for development
  - Previous Council Land Availability Assessments have concluded that the site is unsuitable for development
  - Only limited weight should be given to allocation in draft City Plan and to SHLAA findings
  - A 5-year housing supply can be demonstrated, no need for development
  - SHLAA report suggests site coming forward in 6-10 year period
  - Hempsted has had a substantial increase in housing in last 15 years
  - Conflict with JCS policies
  - Development of the site would not be infilling within the built up area of the City
  - Conflict with the 2013 SALA housing capacity for the site of 40
  - Providing a housing land supply should not be at the cost of ignoring environmental considerations
  - Lack of consultation / ignoring views of local people
  - Brownfield sites should be built out first
- 
- Harming rural village character
  - The field prevents the coalescence of Hempsted and the rest of the City
  - Conflict with Landscape conservation area designation, which is consistent with the NPPF, and the Council refused the dwelling at Rectory Lane on this basis
  - Previous support from Inspectors for protecting the character of the area
  - Conflict with Council's 2013 Landscape Analysis
  - Questioning how the Council would know the landscape sensitivity of the site if not explicitly considered in the JCS Landscape Characterisation Assessment and Sensitivity Analysis

- The description of the adjacent area in the JCS landscape sensitivity area could apply to the application site and the fields are reported as playing 'a vital role in retaining a rural character within an otherwise highly developed village'.
  - Conflict with the Council's WSP study showing the west side of the site as not suitable for development
  - 1996 SPG 'Views of Robinswood Hill and other high ground from Hempsted sets specific criteria for development
- 
- The historic environment is a major consideration
  - Harming setting of the Conservation Area
  - Harming remains of ridge and furrow farming system
  - Conflict with the Conservation Area Appraisal
  - Support for the Conservation Officer's comments
- 
- Harming the landscape qualities of the site
  - Any destruction of the tree screen would be harmful - the planting undertaken by the owners has enhanced the contribution the site makes to the landscape ambience of the village
- 
- Harming views from public paths, views of hills and cathedral
  - The hedge currently blocking eastward views could be trimmed or removed in future revealing the view
- 
- Replacing agricultural fields that are in use
  - Questioning where the grazing cattle would go?
  - Unnecessary use of green land for housing
- 
- Harm to wildlife
  - Designation as a Prime Biodiversity Area
  - Loss of habitat
- 
- The proposed open space does not relate to the need in Westgate for additional play and sports facilities and allotments
- 
- 60 units is too many
  - Proposal is too dense, not in keeping
  - Proposal is unacceptable in design terms
- 
- Anti-social behaviour concerns
  - Need for bungalows (to reduce pressure on school, traffic and anti social behaviour)
  - Play area should be in view from a road so Police can monitor it
- 
- Proposal is not sustainable, contrary to the NPPF definition of sustainable development
- 
- Pressure on the village school, which was previously deemed unsuitable for expansion
  - Need for a play area for primary children
  - Need to retain some open space

- Open space must remain public if site is sold on
- Need to set aside land for a community building
- Lack of health facilities
  
- Traffic and parking
- Dangerous access
- Deceptive bends and speeding
- Would lead to an increased risk of traffic accidents
- Transport Report is out of date
- Capacity of local network, unacceptable increase in volume of traffic
- A secondary access is needed to Secunda Way
- Site is not well served by public transport and a financial contribution is needed
- Access to Secunda Way is a more obvious and sensible solution
  
- Prematurity – prior to Neighbourhood Plan / should deal with all local sites as a masterplan
- There is no overall support in the local community for the proposals
  
- The drainage system cannot support more development
- Impact on flooding
- The surface water attenuation feature shown on the amended illustrative layout is an integral part of the application and has a major impact on the public open space and should be the subject of a formal planning application
- The location of a water attenuation feature raises important issues that local people should be consulted on e.g. loss of playing space, potential dangers, design, nature conservation, maintenance and how funding would be secured
  
- Impact on amenity of residents of 67 Hempsted Lane
- Impact on properties in the Gallops including outlook, and noise levels
- Impact on elderly people in the vicinity
- Noise from traffic and pedestrian paths
- Light pollution, including avoiding lighting the green link at the east side of the site
  
- Other parts have been added to Hempsted in the past
- Support for 50% of the site becoming public open space
- The Trust (applicant) needs to make best use of its assets
- The Trust is entitled to support - provides stipend for vicar, owns land necessary for improving access to the school and cemetery
- The orchard would benefit from additional planting
- Would allow a new play area to be built
- Existing hedge will remain only to extent eventual owners wish
- Moving the balancing pond to the adjacent open space is acceptable but the Council should mow the area to ensure it will be used by dog walkers rather than the football field
- The buffer zone at Hempsted Lane is an excellent improvement
- Retaining the hedge at Hempsted Lane is an excellent improvement

- Both go a long way to sustaining the character of the village conservation area
- Along with 50% open space makes this an application not to be jeopardised

5.3 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting.

## **6.0 OFFICER OPINION**

6.1 It is considered that the main issues with regard to this application are as follows:

- Delivery of housing / allocation position
- Landscape and visual impact
- Conservation
- Archaeology
- Agricultural use
- Urban design and character of the area
- Traffic and transport
- Residential amenity
- Drainage
- Sustainability
- Ecology
- Open space and soft landscaping
- S106 contributions

The Authority has adopted a Screening Opinion that this is not EIA development.

### NPPF decision-taking

6.2 The NPPF should be given significant weight in decision making as the most up to date national planning policy and in the absence of a recent formally adopted Local Plan. Paragraph 14 of the NPPF sets out what the presumption in favour of sustainable development means for decision taking. This is not an adopted development plan allocation or otherwise directly supported in an adopted development. As such the NPPF instruction is to grant permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in (the NPPF) taken as a whole; or
- Specific policies in (the NPPF) indicate development should be restricted.

### Delivery of housing / allocation position NPPF

6.3 The NPPF policy on housing is framed around increasing the supply of housing. The Authority is under a duty to maintain a 5 year supply of housing. Paragraph 47 of the NPPF states (extract):

*“To boost significantly the supply of housing, Local Planning Authorities should:*

- Use their evidence base to ensure that their Local Plan meet the full objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework ...*
- identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% ...”*

- 6.4 If the Council fails to demonstrate its 5 year supply it risks losing appeals if it refuses housing schemes. Paragraph 49 of the NPPF states

*“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.”*

There are numerous recent appeals that have been allowed in part because a 5 year supply cannot be demonstrated by the Authority in question.

*Local policy*

- 6.5 The site is not allocated in the 1983 Adopted Plan.
- 6.6 In the 2002 Second Deposit Local Plan the site is Landscape Conservation Area and this was continued in the 2006 Preferred Options LDF Site Allocations Document. The south west corner is in the Conservation Area and there is a Private Playing field allocated to the north east and a housing commitment identified to the south east (now built).
- 6.7 There is a tension between the 2002/2006 Landscape Conservation Area designation and the need in the emerging JCS/City Plan to deliver houses in the city, coupled with an updated landscape evidence base which moves away from Landscape Conservation Area designation.
- 6.8 The JCS Pre-Submission document (November 2014) identifies an Objectively Assessed Need for the JCS area of 30,500 dwellings for the period 2011-2031 with the Gloucester component being 11,300.
- 6.9 The application site is not a JCS allocation, which are larger scale ‘strategic’ allocations. It is however a component of the JCS figures for housing delivery and the site is included in the emerging City Plan capacity calculations and is a potential City Plan allocation.
- 6.10 Each JCS authority undertook a Strategic Assessment of Land Availability in 2013 which superseded earlier similar studies. This found the site suitable, available and deliverable for development within 5 years.

- 6.11 The site was originally submitted to the Land Availability Assessment in 2008 and was found unsuitable for development in 2009, 2010 and 2011.
- 6.12 In 2012 the JCS Authorities completed the Landscape Characterisation Assessment and Sensitivity Analysis. This became the landscape evidence base against which sites were considered for the 2012 SHLAA updates in the JCS area. The application site was not explicitly considered by this report as it does not lie on the urban fringe of the City (although its sensitivity classification is discussed further later in the report). Only those areas identified as 'High' landscape sensitivity were considered outright unsuitable for development on landscape grounds. On this basis the site changed from being 'unsuitable' for development in the 2011 SHLAA to 'suitable' for development in the 2012 SHLAA. Within the City only Robinswood Hill is considered to be of 'High' landscape sensitivity.
- 6.13 In 2013 consultants WSP provided evidence to support preparation of the City Plan looking in greater detail at potential development sites on the edge of the city and within the urban area that had landscape issues to consider. This is commented on in further detail in the 'Landscape' section of this report. The WSP report found that part of the site had development potential. The site was identified as a development opportunity site in the City Plan Sites Consultation (Summer 2013).
- 6.14 The WSP Report also informed the 2013 SALA, whose findings were used to inform the potential City Plan capacity figure for the JCS. This is how it appears in the JCS and City Plan figures/potential allocations.
- 6.15 The JCS Housing Background paper (Nov 2014) demonstrates that both Gloucester City and the JCS area can demonstrate a 5 year plus 5% housing supply in accordance with the NPPF.
- 6.16 It is important to note however that the JCS Housing background paper trajectory demonstrates that for the next 7 years the City does not benefit from contributions to housing supply from JCS partner authorities but is solely reliant on capacity from within the Gloucester administrative area to deliver the City's housing requirements. It is important therefore that in the short to medium term sites with the potential to deliver housing within Gloucester continue to come forward to ensure that the City meets its targets and maintains its five year supply in accordance with the NPPF.
- 6.17 JCS Policy SD11 notes that residential development on 'other' sites (not allocated, not previously-developed land) will only be permitted where:
- i. It is for affordable housing on a rural exception site in accordance with Policy SD13, or*
  - ii. It is infilling within the existing built up areas of cities, towns and villages, 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 plans.*

- 6.18 The site is not currently allocated or previously-developed land. It is infilling within the existing built-up area of the City, so there is no conflict with Policy SD11.

*Conclusions*

- 6.19 Significant weight must be given to the NPPF, and the duty for Councils to maintain the delivery of housing. While the City Plan has not progressed to a formal submission, the evidence base indicates that the site is able to contribute to the City's 5 year housing land supply which needs to be maintained.

Landscape and visual impact

- 6.20 The site slopes up from north to south. The existing hedgerows indicate the field patterns apparent from the formerly rural area. Ridge and furrow remains evident in part of the site and an old orchard also remains in the south east area although parts of it have deteriorated substantially.

*Policy context*

- 6.21 As already noted, the site is designated as a Landscape Conservation Area in the 2002 Plan and this continues in the 2006 LDF Preferred Options designations. There appears to be a longstanding theme of seeking to protect the site through the LCA designation, including (as noted by objectors) the Inspector's conclusions on protecting local character in the 1991 Local Plan Inquiry.

- 6.22 Policy LCA.1 states:

*Development will not be permitted that would detract from the particular landscape qualities and character of Landscape Conservation Areas unless there are exceptional circumstances. Open air recreational uses and small-scale development required to support them, agricultural development and renewable energy proposals may be acceptable provided they are sensitively located, designed and landscaped.*

- 6.23 The NPPF sets out that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- 6.24 This approach isn't supported in the NPPF any more. The NPPF refers to protecting and enhancing valued landscapes but the Government has been moving away from this approach towards landscape characterisation and sensitivity analysis. The evidence supporting the LCA approach is becoming increasingly old and dates from the 1990s and is superseded by the characterisation and sensitivity work undertaken for the JCS in accordance with the NPPF approach and in addition to that the WSP landscape analysis mentioned already. There is a large amount of LCA designation covering many green spaces of varying type and quality within the city boundary. I consider these factors must limit the weight that can be attributed to the 2002 and 2006 LCA designations.

- 6.25 The emerging local policy on landscape is JCS Policy SD7, which states:
- 1. Development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being*
  - 2. Proposals will have regard to the local distinctiveness and historic character of the differing landscapes in the JCS area, drawing, as appropriate, upon existing Landscape Character Assessments and the Landscape Character and Sensitivity Analysis. They will be required to demonstrate how the development will protect or enhance landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement or area.*
  - 3. All applications for development will consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect. Planning applications will be supported by a Landscape and Visual Impact Assessment where, at the discretion of the Local Planning Authority, one is required. Proposals for appropriate mitigation and enhancement measures should also accompany applications.*
- 6.26 As mentioned earlier the landscape character and sensitivity work was undertaken to inform the JCS. The first part of the work was a characterisation assessment building on work undertaken by the County Council. The sensitivity analysis is about assessing how sensitive the landscape is to change. It was designed to guide large scale urban extensions – it was never the intention that smaller areas be included. As such the application site is not included in the zoning map although the whole village is described in the written statement. One objector appears to contend that the application site could have been given the same zoning classification as to the west of Hempsted Lane. The Environmental Planning Service Manager arranged this work and agrees that the village description could equally apply to the application site despite not being part of the work. In that case the grading given is medium to low, which is in the bracket of sites considered for development, although the supporting text refers to remaining fields playing a vital role in retaining a rural character. As already noted only high sensitivity areas were ruled out, and even higher graded sites are now identified for development within the JCS area (Pre Submission Document 2014).
- 6.27 In addition Policy BE.2 of the 2002 Plan seeks to protect views. More recently the 2008 SPD mentioned above sets out important views to consider when assessing development proposals that break the skyline. Viewpoint 6 is of the cathedral from the public footpath to the south of the site. Important views are also set out in the Conservation Area Appraisal – a north easterly view from Manor Farm House, and two easterly views across the southern part of the site.
- 6.28 There is in addition a 1996 SPD that seeks to protect views from Hempsted Lane across the site to Robinswood Hill and the Cotswold escarpment. This can only be attributed limited weight in my view – it is not associated with an



up to date adopted local plan, it is an old statement, and the ability to actually experience the view is now substantially inhibited.

*Applicant's analysis*

- 6.29 The applicant considers that the designation of the site as Landscape Conservation Area is wholly inappropriate. The applicant's consultant has analysed the impact. The landscape sensitivity of this local landscape character area to the proposed development is low/medium, which indicates that the landscape is of reasonably positive character although it contains very limited significant features other than the orchard which is in decline and would therefore be potentially tolerant of significant change. They observe how visually contained the site is due to topography and vegetation, and consider that the magnitude of landscape change would not be dramatic; overall assessed to be low.
- 6.30 Overall the landscape effects of the development would vary between minor beneficial and minor/moderate adverse at the outset of the scheme, with most adverse effects reducing in the longer term.
- 6.31 The applicant has also produced several visualisations to assist in establishing the impact of the proposed scale of development on views identified in various documents.

Viewpoints A, B and C are west-east across the field and reflect the view identified in the 1996 SPD.

Viewpoint A effectively does not exist at present as it is blocked by the substantial boundary hedge. The visualisation shows that this hedge would be retained and the development would not be seen (neither would the long-distance view).

Viewpoint B shows the opening in the boundary hedge and that the development would clearly be perceived through the gap when passing up and down Hempsted Lane.

Viewpoint C is most useful to assess the blocking effect of development on views towards Robinswood Hill and the Cotswold escarpment. This indicates that the upper part of Robinswood Hill would still be seen but the Cotswold escarpment would be blocked.

Viewpoints D and E reflect Viewpoint 6 set out in the 2008 SPD, from the public footpath to the south of the site towards the city centre, taking in the Cathedral and St Nicholas Church. The visualisation of Viewpoint D is somewhat unhelpful as it is shown from behind a hedge, but in combination with Viewpoint E suggests that the upper part of the cathedral tower would still be perceived and St Nicholas Church tower and the County Council office building would be blocked, although they are part obscured from viewpoints here by the tree line north of the site anyway. In addition, as the detailed layout is reserved for future consideration, it is possible that a direct clear view

corridor may be able to be retained by the layout of units. This could be secured by condition.

The views in the Conservation Area Appraisal across the lower part of the field would be preserved as this part of the site would remain open, although the buildings may be perceived in the left side of the view.

The view in the Conservation Area Appraisal northwards from Manor Farm House has not been modelled specifically but it would appear inevitable that development would block views out from this property towards the city centre.

The applicant also looked at a range of other visual receptors around the site in their analysis, including from Robinswood Hill.

It is also of note that it would appear that with the 'buffer' open space introduced at Hempsted Lane, views of the cathedral from here would be revealed from a public area.

- 6.32 In terms of visual effects, the overall significance for the settlement areas and properties identified would vary between negligible to moderate adverse.
- 6.33 The overall effects are concluded to be predominantly localised and contained. The proposed development would not give rise to any effects that should preclude it on landscape and visual grounds.

*Landscape consultant's work for City Council*

- 6.34 The WSP study suggests that part of the site (broadly the centre and north of the field) has development potential. The conclusions of WSP and the applicant's consultants are broadly the same on the scope for development but the difference is the development of the western part between the existing hedgerow and Hempsted Lane – which is proposed in the application but excluded in the WSP work as a less acceptable part of the site for development.
- 6.35 Therefore the application proposal pushes at the limits of that considered acceptable by WSP in seeking to develop the field next to Hempsted Lane, although 14 metres of open space would be retained next to the road.
- 6.36 WSP has been appointed to provide a critical analysis of the applicant's Landscape and Visual Appraisal to assist the Council's decision. As part of this the consultants have also reviewed the objection letter of Mr Goodred (who comments in detail on their previous landscape appraisal work), and revisited their appraisal in light of his comments.
- 6.37 In essence, the consultant agrees with the appraisal's conclusions pertaining to the overall significance of the effect of the development. However the consultant considers some evidence is lacking when assessed against best practice in Guidelines for Landscape and Visual Impact Assessment (GLVIA) 3<sup>rd</sup> edition:

- Extent of the landscape study area and establishment of local character, historic areas and buildings as part of the baseline.
- Suitability for change of the surrounding landscape around the site has not been established – to establish the magnitude of change and significance of the effect.
- It is not mentioned if any consultation has taken place to agree viewpoints around the site.
- A study area has not been established or a Zone of Visual Influence concluded from the viewpoints, although the viewpoints chosen are generally felt to be representative of the potential visual receptors.
- Summer and winter photographs are not both shown to show respective impacts.

- 6.38 The southern part of the site retains the feel of the historic rural character, with a small field pattern and the orchard. It gives views across the city from the south east. This upper part is the most sensitive, while the northern part has less landscape features and is low lying.
- 6.39 While there are some reservations about the detailed methodology against best practice, these are not legislative requirements and overall WSP considers that the applicant's report was carried out in accordance with the spirit of GLVIA 3 and therefore current best practice. Fundamentally WSP agrees with the report's conclusions in terms of the overall significance of effect of the development upon both the landscape and visual receptors. It is considered that the application justification is an appropriate level of review proportionately to the application and site in question as is recommended in the best practice. It is also of note that the justification was undertaken on the basis of the original scheme, since when the numbers of units have been reduced with the setback off Hempsted Lane increased – in effect it will have slightly improved in this regard.

#### *Conclusions*

- 6.40 The landscape policies in earlier local plan documents must be seen to have limited weight given their status and being overtaken by emerging local policy and national policy in the NPPF. Studies have been undertaken to reflect this new approach, and the applicant has employed consultants to review the actual landscape impacts that would arise. While the development would be perceived from several locations around the site, in terms of those views identified as important in Council publications, some are barely achievable at present, one is from a private residence (although a similar view can be achieved from the gate), and some would be retained, as well as being able to influence the impact at the reserved matters stage. Coupled to which, the opening up of the site to public open space would increase the public ability to appreciate views from the site, notably the higher southern part, in comparison to what is possible currently.
- 6.41 The Council has employed expert consultants to review the landscape justification for the application. They concur with the overall conclusions. On this basis with no outright disagreement from our appointed landscape

consultants, I do not consider an objection on landscape grounds is sustainable.

#### Conservation

- 6.42 Given the level of objection and sensitivity of the issue I have gone into some detail on the specific issues raised here and hope it is of use for Members in coming to an overall view.

#### *The Conservation Area*

- 6.43 The Conservation Area includes Newark Farm at the north and then runs down Hempsted Lane, incorporating some land to the east of the road including Manor Farm House. The application site is therefore opposite the Conservation Area across Hempsted Lane, immediately adjacent to the Conservation Area at Manor Farm House, and part-within the Conservation Area at its south west corner.
- 6.44 The Conservation Area is an unusual shape, extending northwards along Hempsted Lane and excluding the modern Ladywell Close housing development to west and the majority of the application site to the east, then including the Newark Farm outbuildings (now demolished to make way for a redevelopment) at the northern edge.
- 6.45 The Conservation Area sits enclosed for the majority of its southern half by modern housing development. Open fields adjoin the area largely to the west, where the land leads down to the river from the edge of the built up area of Gloucester, to the north at Newark Farm and to the north east at the application site.

#### *Setting considerations*

- 6.46 It is generally accepted that designation of heritage assets should have an effect beyond their particular boundaries and this is supported in national and local policy. Effect on the setting of Conservation Areas can be a material consideration and there are numerous appeal decisions where this point is considered in depth. There is no statutory provision for the setting of Conservation Areas to be considered however (as there is with listed buildings) - Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

#### *NPPF*

- 6.47 The NPPF requires Authorities to identify and assess the particular significance of any heritage asset that may be affected – including by development affecting the setting of a heritage asset, and take this into account when considering the impact.
- 6.48 The NPPF also requires Authorities to take account of

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - The desirability of new development making a positive contribution to local character and distinctiveness.
- 6.49 Great weight should be given to the asset's conservation, and the more important the asset, the greater the weight. The NPPF then goes on to set out a policy position depending on the level of harm identified:
- 6.50 Where substantial harm or total loss of significance of a designated heritage asset would occur, the development should be refused unless it can be demonstrated that this is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- The nature of the heritage asset prevents all reasonable uses of the site; and
  - No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - The harm or loss is outweighed by the benefit of bringing the site back into use.
- 6.51 Where a development proposal would lead to less than substantial harm, this should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.52 The NPPG notes that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting. In terms of public benefits, it notes that they should be of a nature or scale to be of benefit to the public at large and not just a private benefit, and may include heritage benefits such as sustaining or enhancing the significance of a heritage asset and the contribution of its setting, reducing or removing risks to a heritage asset, or securing the optimum viable use of a heritage asset in support of its long term conservation.
- Local policy*
- 6.53 The 2002 Second Deposit Local Plan includes Policy BE.29, but this refers to proposals within conservation areas and not to their setting. The 2006 LDF Preferred Options Policy BNE5 refers to ensuring that development within and adjacent to Conservation Areas preserves and enhances the character or appearance of Conservation Areas, including protecting open space and views that are important to the character of the area.
- 6.54 The JCS pre-submission document Policy SD9 refers to conserving and enhancing designated and undesignated heritage assets and their settings as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.

### *Conservation Area Appraisal*

- 6.55 A Conservation Area Appraisal was undertaken by consultants for the Council and published in 2007. The character appraisal refers to its distinctive rural character, having retained a separate identity and not been affected by suburban sprawl, although it also acknowledged that today it is a village of housing developments dating from the 1960s. The northern part of the Conservation Area is a later addition to the earlier-designated part.
- 6.56 The fields are described as forming a protective green belt around the village. The Appraisal comments in some detail on these fields:

*Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.*

*... One of these fields contains Hempsted's last surviving orchard, while the field to the north of the orchard has a complete medieval ridge and furrow system ...*

*To develop fields that are an integral part of the rural character of Hempsted would be to change the character of the Conservation Area, sever the link with the agricultural past, lead to a much denser village scene, tip the balance in the village mix of modern and historic buildings in favour of the modern, and lead to the loss of panoramic views towards Robinswood Hill and the Cotswolds escarpment view (in the case of Manor Farm)*

The Appraisal concludes that development of fields would be detrimental to the setting of the Conservation Area.

### *Applicant's observations*

- 6.57 There are no nationally designated sites within the application area. The only designated asset that may be affected is the Conservation Area. The site includes a small part of the Conservation Area, which is earmarked as public open space to which public access would be improved. There is a high degree of screening between the site and the Conservation Area, and views from the Conservation Area into the site are difficult to obtain. The two southernmost 'important views' that are identified in the Conservation Area Appraisal would be entirely preserved. The third, from Manor Farm House, would be difficult to obtain in practice. The east side of Hempsted has lost much of its rural character. Given that the site has no public access and is largely screened from the Conservation Area, this part of the setting of the conservation area in particular does not make a major contribution to its significance. Overall the effect of the development on the Conservation Area would be on its setting only and would be minor in nature. Reasonably well preserved ridge and furrow remains although similar areas survive elsewhere outside the site nearby and in the wider area.

### *Consultees' observations*

- 6.58 The Civic Trust raises no in-principle objection, however the Conservation Officer objects. The Officer identifies that the Conservation Area retains its distinctive rural character with open fields and long views across the fields to Robinswood Hill, the Cotswold escarpment and Gloucester Cathedral together with several farmsteads and former farmhouses within and surrounding the Conservation Area boundary, and that the fields form a protective green belt around the village. The Officer considers that the site contributes to the openness and spaciousness of this area and these are key characteristics that give the area its significance and setting, and also preserves the sense of separation from Gloucester and important views. The limited views of the site that can be achieved in practice are not considered to be overriding in the consideration of setting. The Officer also considers that the new vehicle access and associated visibility splay to Hempsted Lane would have a negative impact in opening up views to the development that would be highly prominent resulting in additional traffic and loss of the rural setting.
- 6.59 The Officer agrees with the conclusions of the WSP study, which limits development to the eastern side of the application site and is preferable in conservation terms, reducing the impact on the conservation area. The Officer considers that the area from Hempsted Lane to the historic hedgerow alignment should be retained as open space/pasture and that the 14 metre set back is not sufficient. That larger set back to the historic field boundary would allow the rural setting of the Conservation Area to be preserved and due to the sloping topography the development would also have a reduced impact. The partial loss of the ridge and furrow is also cited as impacting on the historic landscape character of the area.
- 6.60 If approval is recommended, the Conservation Officer requests that conditions are imposed to secure the 14 metre set back from Hempsted Lane and link to the orchard, to prevent development on the orchard itself, and to agree details of the visibility splay for the access.

#### *Analysis*

- 6.61 Without knowing the siting or appearance of the buildings yet it is not possible to make an appraisal as to detailed design. Consideration must be given with regard to the parameters set out of a maximum of two-storeys (10 metres to ridge), with a 'feature building' area fronting the open space to the south of 2.5 storeys (11.5 metres to ridge), to which the illustrative material assists.
- 6.62 The part of the site that is within the Conservation Area – the south west corner of the field adjoining Hempsted Lane and Manor Farm House – is proposed to be retained as open space, and this can be secured by condition. As such this part of the Conservation Area would be physically preserved and actually opened up to public use. The views noted across this area towards the orchard and beyond would also not be built on, and although houses would probably be perceived in the left edge of the view from here, I consider that view would be preserved. As such I consider that the statutory duty with respect to any land in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that

area, is satisfied. Similarly, it would not conflict with the local and national policy in terms of land within Conservation Areas.

- 6.63 The key conservation issue then is the impact on the setting of the Conservation Area. English Heritage has published guidance on setting of heritage assets that remains of use and has been considered in the assessment.
- 6.64 It is of note that the Conservation Area designation and associated Appraisal clearly considers this field, and indeed specifically includes part of it at the south west corner within the boundary of the Conservation Area. The remainder of the field is therefore deliberately ruled outside of the Conservation Area.
- 6.65 The Conservation Area Appraisal comments in some detail on development pressures for the area, and I consider these need testing against the specific proposal under consideration. These comments also largely mirror the Conservation Officer's concerns and provide a useful structure against which to consider the effects of the proposal in detail:

*Preservation of the sense of separation from Gloucester and maintenance of the green and rural character of the village*

- 6.66 Numerous objections have commented on the role that the site plays in providing a green break, separating Hempsted from the rest of the city and contributing substantially to a rural village character. It is seen that the open space around the asset adds to the overall significance. While it is not designated 'green belt', which prevents the coalescence of towns from each other, I can sympathise with why people might consider it serves a similar purpose.
- 6.67 I cannot agree entirely however, that the field is part of a protective green belt around the village; rather the effect is more sporadic – the site is an open area amongst development. This is in part a result of 1960s development, with the demolition of Hempsted Court, along with Elm Lodge and Willow Lodge (now the High View estate), fields south of the Farm (Chartwell Close) and opposite Manor Farm (Ladywell Close and the school), and the later development around Secunda Way. There is also built development along Hempsted Lane. This is evident from a plan view of the area and from experience on the ground.
- 6.68 The site does however provide a intermittent break in the urban form of this area. It can perhaps best currently be perceived on the ground at the east-west footpath south of the site where views of the field are best appreciated. Travelling up and down Hempsted Lane the 'break' is to my mind less apparent given you see the substantial boundary hedge rather than open views of a field, although clearly this is still a stretch without road-fronting development, while the field can be perceived through the hedge at close proximity.



- 6.69 In this way, building on the site as proposed would inhibit this green break effect somewhat – buildings would be perceived from the footpath to south although the substantial area of field retained as open space would be in the foreground and would give a lesser effect of a ‘green break’. Buildings would inevitably be perceived through the gap in the hedge for the vehicular access point so the feeling of green break here would be compromised somewhat. The development would also inevitably be in the foreground of views towards the Conservation Area from the footpath at the north east of the site. It would affect the sense of rural village character somewhat, with the ‘urban’ form of houses being perceived to varying degrees from around the site.
- 6.70 The presence of the development would continue the relationship of the Conservation Area to close-neighbouring modern housing development, as is evident to the south, south east and west. It would, of course, increase this effect somewhat.
- 6.71 I do not consider that the overall impact would be to the extent raised in some representations of a total loss of its special character, nor do I consider it would lead to the wholesale coalescence of the ‘old’ village into the development to north – it would contribute to both, but the retention of substantial parts of the field as public open space, and retention of the boundary hedge in part, would temper both effects. Coupled to which, opening up the lower part of the site to open space would improve the ability to experience this area.
- 6.72 Overall I consider the proposed development would have a negative effect in this particular respect that weighs against the proposal, contributing to the loss of rural character that the open fields bring into the urban area. Nevertheless given the position on designation for this purpose, the retention of a large part of the field as open space, and that the current visual experience of this ‘break’ along Hempsted Lane is just the substantial boundary hedge rather than any extensive views of fields, these factors limit the weight that can be given to this in my view.

*Protects important views*

- 6.73 There are existing views into the Conservation Area across the site. Views towards the northern part of the Conservation Area are substantially inhibited by the hedgeline along Hempsted Lane. The views possible in the direction of the Conservation Area from the footpath and the existing public open space to the north east of the site have already been considered and are not viewpoints explicitly identified in any policy or guidance as of high importance.
- 6.74 Important views out of the Conservation Area are identified in the Appraisal. I have already commented on the viewpoints across the south of the site. The other identified view relevant to this site is northeastwards from Manor Farm House. The development would sit directly within this view, noted in the Appraisal as a view of the cathedral tower, interrupted by the bulk of County Hall. This is a private dwelling with limited ability of the public to experience this view out of the Conservation Area, although a similar view can be achieved from the gate on Hempsted Lane. A new view of the cathedral

actually appears likely to be revealed from the west of the site being given to public open space.

*Continuous orchard, meadow and playing fields*

- 6.75 The proposal would not result in wholesale loss of this characteristic as seems to be feared in the Appraisal. The proposal would clearly replace some of this land with houses, but a substantial part of the field would be retained as public open space and open space links are proposed around both east and west sides of the houses.

*The surviving orchard*

- 6.76 The orchard would be retained and could be positively enhanced if planning permission is granted with a suitable condition.

*Complete medieval ridge and furrow system*

- 6.77 This would be partially lost, and partially retained on the undeveloped open spaces.

*Sever the link with the agricultural past*

- 6.78 Again this would not be the wholesale effect that seems to be feared in the Appraisal. The opening up of a private field to public use would enhance this experience; it would still clearly be appreciated, but to a lesser degree.

*Lead to a much denser village scene*

- 6.79 The addition of new buildings in place of fields would clearly contribute to this effect, but the proposed open space and the boundary hedge are significant mitigating factors in this respect.

*Tip the balance in the village mix of modern and historic buildings in favour of the modern*

- 6.80 There is already a substantial amount of late 20<sup>th</sup> century/early 21<sup>st</sup> century development in the area. I do not realistically consider that this proposal could be considered to be harmful in this respect to warrant refusal of permission. The real issues would be of design quality, and the nearby developments at Manor Farm barns and Newark Farm suggests that housebuilders can deliver housing design complimentary to the surroundings.

*Loss of panoramic views towards Robinswood Hill and the Cotswold escarpment*

- 6.81 These have been covered earlier in the report.
- 6.82 Finally, concerns are raised that the new access and splay would open up views that would be highly prominent and this is considered to result in additional traffic and loss of rural setting. I have already considered the rural setting issue. I do not consider that the traffic from 50 units could be seen to cause substantial harm to the setting of the Conservation Area.

*Conclusions*

- 6.83 The opening up of a considerable part of the application site to public open space would contribute to enhancing the experience of the Conservation Area

in its lower part. It also has a substantial mitigating effect on many of the concerns raised in the Conservation Area Appraisal along with the boundary hedging.

- 6.84 The fields were clearly noted, and then deliberately not included within the Conservation Area other than the south west corner to be retained as open space. They are not subject to the same 'special' level of protection as land within Conservation Areas and considerations should be proportionate to the heritage significance.
- 6.85 However the proposed development would erode some of the rural character of the setting of the Conservation Area. The development would have an effect on the experience of passing through Hempsted – there is little doubt that, depending on the extent of hedge removal necessary for the access, the buildings would be perceived on the field at some point from Hempsted Lane. This would erode some of the rural feel, the limited sense of there being a break in built development at this point and the sense of the historic part of Hempsted being a separate entity. This appears to be the same consideration behind the Local Plan Inspector's comments in the mid 1990s, where he 'accepted the desirability of protecting the views out of Hempsted as a means of retaining its rural ambience', and influencing the 1996 SPG.
- 6.86 In respect of other non-designated heritage assets the development would have the effect of complete removal of some of the ridge and furrow, and minor detriment to the setting of the remaining ridge and furrow. It would have a slight negative effect on the setting of the Manor Farm House as a 'positive building' in the Conservation Area. It would not have any meaningful effect on the 'positive open space' that is attributed to the south west corner.
- 6.87 Some harm is therefore identified in conservation terms. However, given the actual experience of this that would arise, post-development, the visual connections, the setting of the Conservation Area heritage asset being the main contention, and that some benefits would arise, it is not 'total loss of significance' and I do not consider that it could be considered any worse than 'less than substantial harm' under the terms of the NPPF. In this case that harm should be weighed against the public benefits of the proposal.
- 6.88 Finally, it is of note that the Conservation Officer indicates a preference for an alternative form of development that would reduce the impact that she finds. The application site sits in the context of other open land that gives potential alternatives for development of the wider area that would suggest the amount of development applied for could be accommodated in a less visually sensitive area while retaining the field next to Hempsted Lane. This clearly could represent a better scheme. However the applicant has asked the Council to determine the application that is currently on the table.

#### Archaeology

- 6.89 As is evident to the naked eye, and mentioned in many of the objection letters, ridge and furrow is evident through the site, probably of medieval date.

6.90 An on-site investigation was required by the Authority and the evaluation identified a small number of archaeological features which appear to pre-date those ridge and furrow earthworks. The evaluation also identified parts of a field system of medieval or post-medieval date. The remains identified are of low significance, but importantly the work identifies the presence of features of medieval or earlier date and so there is potential for similar features to survive elsewhere within the site. These could be damaged or destroyed by the development.

6.91 This is not necessarily an in-principle problem necessitating refusal, but does require mitigation. The City Archaeologist recommends that any permission be subject to a condition to secure a programme of archaeological work, with a further phase of trial trenching prior to development. Further mitigation by either watching brief or excavation would then be required depending on the results.

#### Agricultural use

6.92 The site is currently used for grazing as a remote site from the main holding, which is approximately 10km away and much larger; it is a large (200ha) livestock enterprise.

6.93 The NPPF guidance is to take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, Authorities should seek to use areas of poor quality land in preference to that of a higher quality. It also refers to protecting and enhancing valued soils.

6.94 Policy SD15 of the JCS requires that new development must take into account the quality and versatility of any agricultural land affected by proposals, recognising that the best agricultural land is a finite resource.

6.95 There is a system for measuring the quality of agricultural land. The site is classified as the lowest quality of land within the definition of the “best and most versatile” land – grade 3a. It is similar/lower quality to agricultural land in the wider area.

6.96 The loss of this land to the proposed development would not compromise the individual farming operation which is much larger and primarily based elsewhere, it would not result in an unacceptable loss of the best agricultural land, and I do not consider a defensible objection to the loss of agricultural land could be sustained.

#### Urban design and character of the area

6.97 Again with this being an outline application we are considering principles rather than detailed design. It is important however that the Authority does not allow a quantum of development that would inevitably result in poor design if it is too much for the available space.

6.98 In terms of the proposed density of development in comparison with the character of the existing surroundings, some analysis has been undertaken in

the applicant's Design and Access Statement. This suggests that an apparent 'mid-way' point, comparable with The Gallops – between the low density of the Hempsted Lane houses, and the high density of Soren Larson Way – would be appropriate. I am not so convinced. I feel this fails to take into account the position of the proposed area of development which relates more directly to Hempsted Lane, particularly when you consider this is how many people would experience the development (being accessed off Hempsted Lane) and it is also of note that the Conservation Area is on this side of the site. I consider the density and layout of the development, particularly in this west side of the site, ought to sympathetically reflect Hempsted Lane. Based on the design statement of 27 dwellings per hectare, this would equate to approximately 50 units. Discussions with the applicant's agents have indicated that this refinement would be accepted. In the absence of anything convincing that 60 units can be comfortably accommodated, I recommend that a maximum of 50 be secured by condition if planning permission were granted.

*The 'green break'*

- 6.99 The role that the site plays in providing a green break, separating Hempsted from the rest of the city and contributing substantially to a rural village character is raised in several objections and specifically by one objector as a reason why the development is unacceptable against design policies.
- 6.100 I have addressed the matter earlier in my report, and consider the proposed development would have a negative effect in this respect that weighs against the proposal, but that given the position on designation for this purpose, the retention of a large part of the field as open space and its benefits, and that the current visual experience of this 'break' along Hempsted Lane is largely the substantial boundary hedge rather than any extensive views of fields, these factors limit the weight that can be given.
- 6.101 No in-principle objection is raised by the Urban Design Officer. Overall I consider that the proposals would have a minor negative effect on the character of the area by replacing part of the 'green break' with urban form, however this is tempered by the experience of this that would actually arise in practice and the benefits that the scheme would bring in terms of open space and linkages, while, with a condition limiting the number of units to 50 and with control over the final layout and design, there is no objection in terms of the appearance of the scheme itself.

Traffic and transport  
*Collision analysis*

- 6.102 The assessment for the most recently available accident data indicates that there are no specific highway safety issues in the area.

*Accessibility*

- 6.103 The site benefits from walking and cycling access to local amenities, with a local shop, post office and primary school all nearby. Bus stops within 400 metres serve routes to Stroud and the city centre.

*Vehicular trip generation*

6.104 The trip generation has been predicted using the industry-recognised TRICS database, and the trip rates have been applied to 70 dwellings, giving a robust assessment of impact. Predicted traffic increases are of a magnitude within the day to day variation in flows. The proposal is predicted to generate 43 vehicular trips in the AM peak and 48 in the PM peak with a total of 388 trips over a 12 hour day. The journey to work Census data indicates that 58% of these vehicles would travel towards Gloucester. Traffic surveys have been undertaken to determine the existing baseline flows, with TEMPRO growth figures (including committed development at Gloucester Quays) added to the baseline flows to provide a 2018 baseline. The vehicular trip generation has been added to the baseline flows to enable junction capacity analysis to be undertaken. The consultants conclude that it would have no material impact on the network.

#### *Site access*

6.105 The vehicular access is proposed from Hempsted Lane, subject to a 30mph speed restriction, as a priority junction and includes a 5.5 metre wide carriageway with two 2 metre footways to tie into the existing Hempsted Lane footways. Vehicular visibility splays have been demonstrated in accordance with the measured 85<sup>th</sup> percentile speed of the road.

6.106 Using the trip criteria above the site access has been demonstrated as operating with 93% spare capacity in the AM peak hour and 96% in the PM peak hour, therefore no queues are expected at the proposed junction.

#### *Hempsted Lane/Secunda Way*

6.107 This junction is operating with less spare capacity than the site access junction, albeit that the impact on this junction would have almost no effect on the operating capacity and queuing on the Hempsted Lane approach. The highest level of queuing resulting is one additional vehicle in the queue on the Secunda Way approach in the AM peak hour.

#### *Impact on the wider network*

6.108 As the vehicular trip generation is so low the impact of the development across the wider network is limited. Hempsted Lane is only predicted to see an increase of 18 vehicles in the PM peak hour (less than 3 additional vehicles every 10 minutes). 18 vehicles amount to a less than 1% increase in the 2500 vehicles that use the Secunda Way/Hempsted Lane junction in the peak hours. This falls well within the daily fluctuation of vehicles and is therefore considered an acceptable increase.

#### *Internal layout and parking*

6.109 The internal layout and parking are not available to assess at this stage and could be covered by conditions and reserved matters approval. The submission indicates that this will comply with current guidance and will be subject to Road Safety and Non-Motorised User Audits.

6.110 Overall the Highway Authority raises no objection subject to conditions.

#### Residential amenity

- 6.111 The residential development area would come up to 20 metres from the edge of the residential gardens of properties in The Gallops, taking into account the existing bank of trees and the green link that has been reintroduced at this side. Given the substantial tree screen along this boundary, the separation and scale of development, and the ability to have control over the precise siting and design of the scheme at reserved matters stage, I see no in principle reason to refuse the scheme in terms of impact on these properties. The detailed design will need to take care in this relationship, taking into account the gradient of the land.
- 6.112 The residential development area would be around 80 to 90 metres from the residential properties to the south and would not cause any significant harm to them.
- 6.113 The residential development area would be across Hempsted Lane from the two existing properties (nos. 110 and 112) at a separation of approximately 25 metres (including the proposed 14 metre set back from the Lane frontage). They would be sufficiently far apart that, coupled with the likely retention of large parts of the boundary hedge and the proposed scale of development, there would be no significant harm to amenities in my view.
- 6.114 The residential development area was initially proposed to adjoin the boundary of Manor Farm House. There is an open aspect to this property on the field side. The latest amended illustrative layout shifts the development area away from this boundary and with some care in the reserved matters design, I consider a scheme can be designed that would not cause any substantial harm to the amenities of residents here.
- 6.115 At the north of the site the residential development area would be approximately 10 metres from the boundary of the neighbouring property across the green link. There is substantial planting along most of this boundary, although care would need to be taken here to avoid any overlooking, overshadowing or overbearing effects on the neighbouring properties when designing a detailed scheme. Taking into account the existing screening, the separation distance, the scale of proposed development and control that would be had at the reserved matters stage over siting and design, I consider it would be possible to avoid any harm to neighbours in this direction also.
- 6.116 Given the surrounding residential properties, if granted permission the construction phase should be limited to appropriate hours of work, and a method statement secured to address dust and light pollution, wheel washing, etc, to protect amenity as well as highway safety.

#### Flooding and drainage

- 6.117 The site is in Flood zone 1, the lowest risk zone with a less than 1 in 1000 annual probability of flooding. The submitted assessment indicates no anticipated increase in flooding elsewhere from the development.

- 6.118 The drainage system would attenuate flows up to and including the 1 in 100 year plus 30% rainfall event. Flows would be limited to greenfield run off rate of 9.15 litres/second. This would be achieved by on-site storage, although the indicative plans now show an attenuation basin off the site in the adjacent open space. The report highlights low permeability and that the site is likely to be unsuitable for surface water disposal by infiltration. The Drainage Engineer raises no objection, nor does the Environment Agency, but details of the drainage system are sought by condition along with a commitment to a Sustainable urban Drainage System. As such there is likely to be a net positive effect in terms of drainage. In respect of that off-site attenuation basin, it is not part of the current proposals, being outside the site 'red line'. This may prove to be an acceptable solution, but it should also be possible to attenuate within the site.
- 6.119 Many objectors have raised the issue of the drainage system in Hempsted, concerned that the proposal could harm its ability to function. I asked Severn Trent to consider this specifically in their consultation response and they have confirmed that they have no objection to the development subject to securing details of the proposed drainage system for approval by condition. It would appear that the applicant also contacted Severn Trent prior to the application and they indicated no objections.
- 6.120 A condition is proposed should permission be granted, which would require a detailed drainage solution to be agreed.

#### Sustainability

- 6.121 The applicants have agreed that they wish to propose a scheme that achieves sustainability benefits in the new buildings. They are reluctant to agree a specific Code for Sustainable Homes level at this outline stage but would commit to agreeing a methodology pursuant to a condition.

#### Ecology and trees

- 6.122 This part of the City has biodiversity interest with river and floodplain habitats in the vicinity of the site and statutory and non-statutory sites in the wider area.
- 6.123 The site is noted as being Prime Biodiversity Area. The author of that 2002 Policy has advised that this is applicable to the Severn washlands and not to this particular site. Irrespective of which, the survey work undertaken on behalf of the applicant is instructive on the actual ecological sensitivity of the site.
- 6.124 The 2002 Second Deposit Plan has the concept of biodiversity gain at its core. Sites were graded from A (very important SSSI level) to D, with a different policy approach depending on the grade. Although not identified in that plan, the 2006 survey graded the site as D, the policy for which is 'development will be permitted that impacts upon a site of nature conservation interest identified as a C or D provided that mitigation and/or compensation on or off site is implement that ensures the biodiversity value of the site is enhanced over the long term'.



- 6.125 The applicants conducted a Phase 1 habitat and preliminary protected species survey of the site using desk study and a walkover survey. Generally the site comprised three small fields of species poor, semi-improved grassland loosely separated by two hedgerows with poor structure and low species diversity.
- 6.126 The survey concurs with the Council's own survey of 2006. No legally protected, rare or otherwise notable species were observed during their survey, although potentially suitable habitats were identified. Specifically:
- No indication of badgers;
  - Trees and hedgerows provide a nesting resource for birds;
  - No direct evidence of reptiles but it does provide a sub-optimal habitat;
  - No evidence of bats;
  - No evidence of dormice;
  - Potential for orchard trees to provide microhabitat for invertebrates;
  - Extremely unlikely any great crested newts would be present.
- 6.127 The ecological interest resides in the remaining orchard at the south east of the site and hedgerows, noted as the only parts of the site of anything other than negligible ecological value. The orchard is proposed to be retained however it is in poor condition. There could be positive enhancements from the development from associated landscape works. The proposal seeks to retain the majority of habitats of value. Other potential habitat enhancements through the development are identified by the applicants.
- 6.128 There are no protected trees on the site. An analysis has been undertaken and concludes that the site has low to moderate arboricultural value. The scheme proposes to retain and incorporate most of the existing trees.
- 6.129 The site currently comprises semi improved grassland of limited ecological sensitivity and would become houses, gardens and open space including an improved orchard. There is no reason why the biodiversity value of the site in the long term could not be higher than existing particularly with a programme to improve the orchard. While some grassland would be lost, the diversity of gardens is well documented and albeit with different species it would over the long term be equivalent or better than the existing site in biodiversity terms. Other measures such as provision of bat and bird boxes can augment provision for such species. Policies B.8 of the 2002 Plan and SD10 of the JCS refer to encouraging development to contribute positively to biodiversity, and the NPPF refers to providing net gains in biodiversity where possible. Conditions are recommended to secure a programme of ecological works, secure landscaping works including the orchard and boundary hedges, the construction phase being undertaken in accordance with the consultant's recommendations, and a further condition to protect retained trees during construction.
- 6.130 On this basis no objection is raised in terms of ecological impacts or trees.

Open space and soft landscaping

- 6.131 The existing play space to the north of the site between it and the Gordon League ground is intended to be removed and a new play space is already proposed in the existing Secunda Way open space to the north east of the site. Other improvements to that open space from the adjacent housing development are complete or planned, including football pitches and possibly changing rooms.
- 6.132 The proposals are for the southern part of the site to be public open space. This is currently private land and the proposals would open up a considerable tract of land for use by the public including an orchard and potentially a further new play area. The strips of open space to either side of the housing could also be adopted by the Authority. As such a substantial benefit in terms of open space provision and green linkages to the wider area would arise. As noted above the applicant proposes that the scheme incorporate existing trees including the orchard, which should be subject to a programme of works to improve it.
- 6.133 Commuted sums for the maintenance of the open space would need to be secured in a s106 agreement. The delivery of such a substantial area of public open space would be a significant benefit from the development.

#### S106 contributions

##### *Affordable housing*

- 6.134 A contribution of 40% on site affordable housing is offered by the applicant. The tenure split, arrangement of units, and specific requirements such as Lifetime Homes, wheelchair and design standards would need to be secured by a legal agreement and are under discussion currently with Housing Officers.
- 6.135 This would meet the level of affordable housing sought in the JCS.

##### *Open space*

- 6.136 As noted already a substantial amount of the site is offered for adoption as public open space. Commuted sums for the maintenance of the open space would need to be secured by a legal agreement and are currently under discussion with the Landscape Architect.
- 6.137 This would exceed the level of open space sought in new development.

##### *Education and libraries*

- 6.138 The County Council seeks a contribution to education on the following basis:
- 6.139 Primary requirements – at the rate of £11,692 per primary pupil (50 dwellings would result in a total contribution of £146,150). Payable in instalments.
- 6.140 Secondary requirements – at the rate of £17,832 per secondary pupil (50 dwellings would result in a total contribution of £133,748). Payable in instalments.

- 6.141 Several objectors comment that previous expansion plans for the local school were put on hold. I have checked this with the County Council. I am advised that the school can be physically expanded on the existing site if needed. The 'on hold' plans relate to a consultation about expanding with an additional half form entry. Concerns were raised about access and traffic and the plan was dropped for that year, since when a secondary access has been negotiated and the purchase of the relevant land is currently with solicitors. It is probable that a further consultation would be arranged about the appropriate size of expansion, with the secondary access delivered. Without a contribution to assist expansion, there is the risk that children in Hempsted would not be able to get into the school.
- 6.142 The County Council seeks a contribution to library services on basis of £196 per qualifying dwelling (50 dwellings looks like resulting in a total contribution of £9800)
- 6.143 Securing of these terms would meet the infrastructure needs set out by the County Council.

#### Other environmental considerations

- 6.144 There is no objection from the Council's Contaminated Land Officer as there is no potentially contaminative history associated with the site.
- 6.145 There is no objection from the Environmental Protection Officer, although further comments may be required at the reserved matters stage if outline permission is granted.

#### Human Rights

- 6.146 In compiling this recommendation we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any affected properties. In particular, regard has been had to Article 8 of the ECHR (Right to respect for private and family life, home and correspondence) and the requirement to ensure that any interference with the right in this Article is both in accordance with the law and proportionate. A balance needs to be drawn between the right to develop land in accordance with planning permission and the rights under Article 8 of adjacent occupiers. On assessing the issues raised by the application no particular matters, other than those referred to in this report, warrant any different action to that recommended.

## **7.0 CONCLUSION**

- 7.1 The NPPF is the key material consideration, being the most up to date planning policy at a national level. Paragraph 14 of the NPPF sets out what the presumption in favour of sustainable development means for decision taking. Members should bear in mind what a substantial change in policy approach the NPPF creates in its presumption in favour of sustainable development.

- 7.2 The application requires a careful balancing of a range of often competing issues. The need to find sites to deliver housing requires difficult decisions to be made about sites that previously might have been ruled out of consideration automatically because there was any form of restrictive designation and because other less sensitive sites were alternatives. As those sites get built out others must come into consideration that require more difficult judgements. For example, the former RAF Quedgeley site has provided a substantial supply of houses as it has been developed but will not continue to do so. With the need to continue an ongoing 5 year supply of housing, other sites must come into consideration for development in order to preserve areas of the highest sensitivity from development.

*1983 Adopted Local Plan*

- 7.3 In relation to those saved policies that can be given weight by consistency with the NPPF, there is no objection.

*2002 Second Deposit Local Plan / 2006 LDF Preferred Options*

- 7.4 The Landscape Conservation Area policies would indicate that the development should be resisted. However the weight that can be given to this policy, given the dated approach and emerging JCS policy, is limited. Furthermore, detailed assessment has been made by experts and the views of the two Landscape consultants indicate that there is no fundamental objection on landscape grounds.
- 7.5 The 2002 Conservation Areas policy refers to proposals within Conservation Areas and there is no objection in this respect. The LDF Conservation Policy also refers to setting, and harm is identified to the setting of the Conservation Area although this is limited.
- 7.6 The indicative visualisations suggest that in terms of the views and skyline policy the preservation of a view corridor to the cathedral tower could be secured by condition and an additional view from the open space at the west side would be revealed. In terms of the two identified views out of the Conservation Area at the south they would be preserved but the view from Manor Farm House would be affected. The currently substantially-inhibited view from Hempsted Lane would be partially obscured by the development where an opening in the hedge might theoretically reveal it although new viewpoints within the public open space would be revealed.
- 7.7 There is no objection against the other relevant biodiversity, landscaping, affordable housing, transport, environmental health, residential amenity, drainage, archaeological, open space, developer contributions and design policies of the 2002 Plan. The equivalent applies against the 2006 LDF policies, other than SAD7 which seeks to protect views of Robinswood Hill and would as above be partially inhibited from any opening on Hempsted Lane, although enhanced from the southern public open space. These LDF policies are proposed to be discontinued anyway. Positive benefits would arise in terms of the policy aspirations for delivery of public open space and landscape schemes.

*NPPF*

- 7.8 Under Paragraph 14 of the NPPF, as this is not a development plan allocation (or other mechanism to accord with the development plan) that should be approved 'without delay', planning permission should be granted unless;
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
  - specific policies in the NPPF indicate development should be restricted.
- 7.9 As considered above, the need to boost the supply of housing and to maintain a 5 year supply are significant factors, and benefits would arise from the scheme, not least the opening up of a substantial part of the site to public open space and providing green links to the wider area, and delivery of affordable housing.
- 7.10 There are no objections against the transport, housing, healthy communities, and climate change/flooding policies of the NPPF.
- 7.11 Adverse impacts in terms of the setting of the conservation area, views and the loss of the green break (in terms of the design, natural environment and historic environment policies of the NPPF), are shown to be of a magnitude that would not 'significantly and demonstrably outweigh the benefits'. Notably in terms of conservation issues, the 'less than substantial harm' must be weighed against the public benefits of the proposal. In my opinion no NPPF policies indicate that development should be restricted either.

*JCS Pre-submission Document*

- 7.12 The proposal would contribute to meeting the 11,300 new homes required in Gloucester between 2011 and 2031, and to meeting the objectively assessed development needs of the area referred to at Policies SP1 and SP2. That overarching policy reflects the NPPF 'Paragraph 14' instructions and so the same conclusions apply. Outstanding representations to Policies limit the weight that can be attributed.
- 7.13 There would be some harm against Historic Environment Policy SD9 in the terms already identified. The reviews by the two landscape consultants indicate that there would be no sustainable objection against Landscape Policy SD7. When balanced with the positive outcomes in terms of linkages, minor harm would arise against Design Policy SD5. Outstanding representations to Policies SD5 and SD9 limit the weight that can be attributed.
- 7.14 In assessing the application there are no objections against the relevant sustainable design, biodiversity, housing development, affordable housing, transport, environmental health, flood risk and infrastructure policies of this plan, indeed positive outcomes would arise in terms of the provision of substantial green infrastructure.
- 7.15 No other material considerations are considered to outweigh the above analysis.

*Overall conclusion*

- 7.16 Therefore it is my view that there is no reason to refuse the application that, when balanced against the need to deliver housing and the benefits of the scheme, could be sustained.

**8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER**

- 8.1 That planning permission is granted subject to the completion of a legal agreement to secure the terms set out at paragraphs 6.134 – 6.142 above and the following conditions:

Condition 1

Application for approval of details of the appearance, layout, scale and landscaping (hereinafter called "the reserved matters") shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 2

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last reserved matters to be approved.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 3

Approval of the reserved matters shall be obtained from the Local Planning Authority in writing before any development takes place.

Reason

To enable the Local Planning Authority to exercise proper control over these aspects of the development and to ensure that the development accords with local and national planning policy guidance.

Condition 4

Plans and particulars of the reserved matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

#### Condition 5

Development shall conform to maximum parameters as follows;

- Height of buildings as set out in plan ref. 511 Parameter plan scale & density received by the Local Planning Authority on 3<sup>rd</sup> October 2013;
- Extent of residential buildings and roads as set out in plan ref. 505 Rev. C Illustrative Layout received by the Local Planning Authority on 3<sup>rd</sup> November 2014.

#### Reason

To establish the maximum parameters approved for the development and to ensure the delivery of the open space and associated links in accordance with Policies BE.1, BE.2, BE.4, BE.7, BE.12, BE.17, OS.2, OS.4 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 58 of the NPPF.

#### Condition 6

The development shall involve the construction of no more than 50 residential units.

#### Reason

To ensure a suitable quantum of development that strikes a balance between the efficient use of land and respect for the character of the area, in accordance with Policies BE.17 and H.17 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD11 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 58 of the NPPF.

#### Condition 7

Any reserved matters application shall include longitudinal and lateral cross sections to scale of the existing and proposed ground levels and the finished floor levels of the houses. The development shall be carried out in accordance with the approved details.

#### Reason

In the interests of the visual amenities of the area, the setting of the Conservation Area and the residential amenities of neighbouring properties, in accordance with Policies BE.1, BE.2, BE.4, BE.7 and BE. 21 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD5, SD7, SD9 and SD15 of the Joint Core Strategy Pre-Submission Document 2014, and Paragraphs 17, 58 and 131 of the National Planning Policy Framework.

#### Condition 8

No development shall commence until samples of the external facing materials to the walls and the roofs of the buildings, rainwater goods, doors

and the areas of hard surfacing have been submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken only in accordance with the approved details.

**Reason**

In the interests of the visual amenities of the area and the setting of the Conservation Area in accordance with Policies BE.7 and BE.17 of the 2002 City of Gloucester Second Deposit Local Plan, Policies SD5 and SD9 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 58 and 131 of the National Planning Policy Framework.

**Condition 9**

If not approved at the reserved matters stage, no development shall commence until precise details of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken only in accordance with the approved details.

**Reason**

In the interests of the visual amenities of the area and the setting of the Conservation Area in accordance with Policies BE.7 and BE.17 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 58 and 131 of the National Planning Policy Framework.

**Condition 10**

Any reserved matters application shall include the location of the storage spaces for waste and recycling facilities associated with each dwelling including any shared repositories at parking courts, flats, etc. The approved facilities shall be installed for each dwelling before any such associated dwelling is occupied.

**Reason**

In the interests of the visual amenities of the area in accordance with Policies BE.4 and BE.7 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014, and Paragraphs 17 and 58 of the National Planning Policy Framework.

**Condition 11**

No development shall take place until a comprehensive scheme for the provision of works for the disposal of foul sewage and surface water that shall employ a Sustainable Urban Drainage System has been submitted to and approved in writing by the Local Planning Authority. The approved drainage scheme shall thereafter be fully implemented to serve the development and no buildings shall be occupied until the drainage scheme is fully implemented.

**Reason**



To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Policies FRP.1a, FRP.6, FRP.11 of the City of Gloucester Second Deposit Local Plan 2002 Policy INF3 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 103 of the NPPF.

#### Condition 12

No construction shall commence on buildings until a methodology for securing sustainable buildings has been submitted to and approved in writing by the Local Planning Authority. That methodology shall set out clear commitments that will be achieved in the development including, as relevant, a Code for Sustainable Homes level. Development shall take place only in accordance with the approved methodology.

#### Reason

To support the move to a low carbon future, in accordance with Policy SD4 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 95, 96 and 97 of the NPPF.

#### Condition 13

No construction shall commence on buildings until a scheme detailing how 10% of the on-site energy requirement (measured in carbon) is to be generated by renewable or low carbon means has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented thereafter such that it shall be fully operational prior to occupation of the 50<sup>th</sup> dwelling (or otherwise the final dwelling to be constructed, as is applicable), and maintained thereafter.

#### Reason

To support the move to a low carbon future, in accordance with Policy SD4 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 95, 96 and 97 of the NPPF.

#### Condition 14

Any reserved matters application shall be accompanied by a study to demonstrate that the scheme will preserve views of the Cathedral tower from the footpath to the south of the site

#### Reason

To ensure that the tolerance in the indicative scheme actually takes effect, in accordance with the aims of the Heights of Buildings Supplementary Planning Document November 2008, Policies BE.1 and BE.2 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014, and Paragraph 58 of the NPPF.

#### Condition 15

Any reserved matters application/s shall include a green link providing free passage between the open space at the southern part of the site and the existing open space to the north east of the site of at least 10 metres in width, and it shall be instated prior to the completion of 50% of the approved units.

#### Reason

To secure that shown in the submitted material, in the interests of good design, creating useable links between public open space infrastructure and encouraging healthy communities, in accordance with Policies BE.4 and OS.4 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD5 and INF4 of the Joint Core Strategy Pre-Submission Document 2014, and Paragraphs 58, 61 and 69 of the NPPF.

#### Condition 16

If not approved in detail at the reserved matters stage, no development shall commence until a detailed landscape scheme that includes the restoration of the historic orchard at the south of the site and the retention and where appropriate supplementary planting of boundary hedges ('gapping up' at existing, and replanting at the vehicular access) has been submitted to and approved in writing by the Local Planning Authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers. Drawings must include accurate details of all existing trees with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed.

#### Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment, in accordance with Policies BE.4 and BE.12 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 58 of the National Planning Policy Framework.

#### Condition 17

The approved landscaping scheme shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a minimum period of five years. During this time any trees, shrubs or other plants which are removed, die, or are seriously damaged or diseased shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the five year maintenance period.

#### Reason

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment in accordance with Policies BE.4 and BE.12 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 58 of the National Planning Policy Framework.

#### Condition 18

No development shall commence on the site or machinery or material brought onto the site for the purpose of development until full details of adequate measures to protect trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority. This shall include:

A. Fencing. Protective fencing must be installed around trees and hedgerows to be retained on site. The protective fencing design must be to specifications provided in BS5837:2005 or subsequent revisions, unless agreed in writing with the local planning authority. A scale plan must be submitted and approved in writing by the Local Planning Authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of development,

B. Tree Protection Zone (TPZ) The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the TPZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ, unless agreed in writing with the Local Planning Authority. The TPZ shall be maintained during the course of development

#### Reason

To ensure adequate protection to existing trees which are to be retained, notably the orchard, in the interests of the character and amenities of the area in accordance with Policies B.10 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002) and Paragraph 17 the National Planning Policy Framework.

#### Condition 19

No development shall commence until an Ecological Action Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but is not limited to:

Restoration of the orchard;  
Installation of bird and bat boxes;  
Ecologically sensitive external lighting;

And shall comprise:

Location of works (where appropriate);  
Method Statement for the works;  
Timetable for the works.

The Ecological Action Plan shall thereafter be implemented as approved.

Reason

To secure biodiversity enhancement in accordance with Policy B.8 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD10 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 109 and 118 of the NPPF.

Condition 20

The construction phase shall be undertaken only in accordance with the recommendations in the FCPR Ecological Appraisal dated 24<sup>th</sup> July 2013.

Reason

In the interests of the preservation of biodiversity in accordance with Policy B.8 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD10 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 109 and 118 of the NPPF.

Condition 21

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday to Friday 0800hours to 1800hours, and Saturdays 0800hours to 1300hours. For the avoidance of doubt no works shall take place at any time on Sundays, bank or public holidays.

Reason

To safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Condition 22

Before any preparatory groundworks or site preparation are undertaken a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority which specifies measures to address the following issues:

Nuisance caused by dust from groundworks, vehicle movements and stockpiling;  
Nuisance from any lighting to site works or security compounds;  
Storage of waste;  
Provision for the loading and unloading of plant and materials;  
Provision for the parking of vehicles of site operatives and visitors; and

Wheel washing of vehicles visiting the site.

Development shall be undertaken only in accordance with the approved Construction Method Statement.

**Reason**

To safeguard residential amenity, prevent pollution and preserve highway safety in accordance with policies FRP.9, FRP.11, BE.21 and TR.31 of the Second Deposit City of Gloucester Local Plan (2002), Policies SD15, INF1 and INF2 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

**Condition 23**

No development shall commence until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

**Reason**

The site may contain significant heritage assets. Should such assets be present the Council requires that provision be made for a programme of archaeological mitigation. This is in accordance with Policy BE.31 of the Second Deposit City of Gloucester Local Plan (2002), Policy SD9 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 131 of the NPPF.

**Condition 24**

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 10 metres of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

**Reason**

In the interests of highway safety by ensuring the access is suitably laid out and constructed in accordance with Policy TR.31 of the City of Gloucester Second Deposit Local Plan 2002, Policies INF1 and INF 2 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 32 of the NPPF.

**Condition 25**

The proposed vehicular access shall not be brought into use until splayed sight lines provided from a point either side of the access 2.4 metres back from the carriageway edge to a point on the nearside carriageway edge 47 metres distant in each direction with the area in advance of the splay lines so defined cleared of all obstructions to visibility and thereafter similarly maintained.

#### Reason

To ensure that adequate visibility is provided and maintained in the interests of highway safety in accordance with Policy TR.31 of the City of Gloucester Second Deposit Local Plan 2002, Policies INF1 and INF 2 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 32 of the NPPF.

#### Condition 26

No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

#### Reason

In the interests of highway safety by ensuring the access is suitably laid out and constructed in accordance with Policy TR.31 of the City of Gloucester Second Deposit Local Plan 2002, Policies INF1 and INF 2 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 32 of the NPPF.

#### Condition 27

The details to be submitted for the approval of reserved matters shall include vehicular parking and turning facilities within the site, and the buildings hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

#### Reason

In the interests of highway safety by ensuring that adequate parking and manoeuvring facilities are available within the site, in the interests of highway safety in accordance with Policy TR.31 of the City of Gloucester Second Deposit Local Plan 2002, Policies INF1 and INF 2 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 32 of the NPPF.

#### Condition 28

Prior to commencement of development, details of pedestrian and cyclist access as illustrated on drawing numbered 502 Rev F (received by the Local Planning Authority on 1<sup>st</sup> August 2014) shall be submitted to and approved in writing by the Local Planning Authority, implemented in accordance with the approved details and thereafter maintained.

#### Reason

To promote sustainable forms of transport and to provide safe and suitable access for all in accordance with Policy TR.31 of the City of Gloucester Second Deposit Local Plan 2002, Policies INF1 and INF 2 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 32 of the NPPF.

#### Condition 29

No residential unit hereby permitted shall be occupied until secure and covered cycle storage facilities for a minimum of two bicycles per dwelling has been made available in accordance with design details to be submitted to and approved in writing by the local planning authority and thereafter shall be retained for the duration of the development.

#### Reason

To ensure that adequate cycle parking is provided and to promote cycle use, in accordance with Policy TR.12 of the Second Deposit City of Gloucester Local Plan (2002) and Paragraph 32 of the NPPF. (See note 3 below).

#### Note 1

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

#### Note 2

The applicant or any future developer is strongly advised to consider the location and arrangement of waste and recycling provision against the collection requirements of the service provider (dragging distances, access/turning space, gradient, etc).

#### Note 3

Garages which measure 6 metres x 3 metres can provide adequate cycle storage as well as a car parking space.

#### Note 4

The applicant or successors are advised of the close proximity of a buried GPSS oil pipeline and although plotted on the submitted layout plan, the mapping of these pipelines can be slightly erroneous. Given the proximity of the works, extreme caution is advised. It is recommended that the pipeline operator or representative is contacted in early course – you may need to enter into an agreement with them. Assistance is available at [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk).

#### Note 5

The developer should not assume that the illustrative layout would be accepted at reserved matters stage.

#### Note 6

This permission is accompanied by a legal agreement dated xxxxx

Decision: .....

Notes: .....

.....  
.....  
Person to contact: Adam Smith  
(Tel: 396702)

## **Appendix – JCS Pres-Submission Document November 2014 Policies in full**

### **Policy SP1: The Need for New Development**

1. During the plan period, provision will be made to meet the need for about 30,500 new homes and land to support about 28,000 new jobs. This is to be delivered by development within existing urban areas through district plans, existing commitments, urban extensions to Cheltenham and Gloucester, and the provision of Strategic Allocations at Ashchurch. This strategy aims to locate jobs near to the economically active population, increasing sustainability, and reducing out-commuting thereby reducing carbon emissions from unsustainable car use.
2. This housing requirement for each local authority will be as follows:
  - Gloucester 11,300 new homes
  - Cheltenham 9,100 new homes
  - Tewkesbury 10,100 new homes
3. The appropriate level of new housing and employment will be monitored and a review undertaken five years following the adoption of the JCS and periodically thereafter, taking into account the most up-to-date evidence available at that time.

### **Policy SP2: Distribution of New Development**

1. To support their economic roles as the principal providers of jobs, services and housing, and in the interests of promoting sustainable transport, development will be focused at Gloucester and Cheltenham, including urban extensions to these areas.
2. Over the plan period to 2031, land will be provided for about 31,040 new homes and for about 64 hectares of employment land, to support about 28,000 new jobs.
  - Gloucester and its urban extensions will accommodate about 11,943 new homes



- Cheltenham and its urban extensions will accommodate about 10,720 new homes
  - Elsewhere within Tewkesbury Borough development will accommodate about 8,377 new homes
3. This will be met:
- Through strategic allocations at Ashchurch
  - Through smaller scale development meeting local needs at Tewkesbury town in accordance with its role as a market town, and at rural service centres and service villages.
4. Whilst planning to meet the development needs of Gloucester and Cheltenham in and adjoining the two urban areas through the proposed urban extensions, no wider provision will be made elsewhere within Tewkesbury Borough to meet these unmet needs.
5. Rural service centres and service villages as identified in Table SP2c below will accommodate lower levels of development to be allocated through the Tewkesbury Borough Plan and Neighbourhood Plans, proportional to their size and function, and also reflecting their proximity and accessibility to Cheltenham and Gloucester and taking into account the environmental, economic and social impacts. Over the plan period to 2031:
- The rural service centres will accommodate 1860 new homes, and
  - The service villages will accommodate 752 new homes
6. In the remainder of the rural area, Policy SD11 will apply.

**Policy SD1: Presumption in Favour of Sustainable Development**

1. Unless either of the parameters under (3) below apply, through their development plans the Joint Core Strategy Authorities will seek positively to meet the objectively assessed development needs of the area incorporating sufficient flexibility to adapt rapidly to change.
2. Planning applications that accord with this Joint Core Strategy (and with subsequent district plans or neighbourhood plans) will be approved, unless material considerations indicate otherwise.
3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the council will grant permission unless material considerations indicate otherwise, and unless:

- i. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or
- ii. Specific policies in that framework indicate that development should be restricted.

#### **Policy SD4: Sustainable Design and Construction**

1. Development proposals will demonstrate how they contribute to the aims of sustainability by increasing energy efficiency, minimising waste and avoiding the unnecessary pollution of air, harm to the water environment, and contamination of land or interference in other natural systems. In doing so, proposals (including changes to existing buildings) will be expected to achieve and, where viable, exceed applicable national standards.
2. All development will be expected to be adaptable to climate change in respect of the design, layout, siting, orientation and function of both buildings and associated external spaces. Proposals must demonstrate that development is designed to use water efficiently, will not adversely affect water quality, and will not hinder the ability of a water body to meet the requirements of the Water Framework Directive.
3. Waste created through the process of construction should be carefully managed and reduced wherever possible. Major planning applications must be accompanied by a waste minimisation statement which demonstrates how the development will seek to minimise waste and sustainably re-use waste materials whenever possible during the lifespan of the development.
4. To avoid unnecessary sterilisation of identified mineral resources, prior extraction should be undertaken where it is practical, taking into account environmental acceptability and economic viability relating both to extraction of the mineral(s) and subsequent implementation of the non-minerals development of the site.
5. Major planning applications must be submitted with an Energy Statement that clearly indicates the methods used to calculate predicted annual energy demand and associated annual Carbon Dioxide (CO<sub>2</sub>) emissions.
6. Where viable, such developments should secure 10% or more of their energy demand from decentralised (on or near site) and renewable or low carbon energy sources (including the use of combined heat and power where appropriate).

#### **Policy SD5: Design Requirements**

1. Where appropriate, proposals for development - which may be required to be accompanied by a masterplan and design brief - will need to clearly demonstrate how the following principles have been incorporated:
  - i. **Context, Character and Sense of Place**

New development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting. Design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, and having appropriate regard to the historic environment.
  - ii. **Legibility and Identity**

New development should create clear and logical layouts that create and contribute to a strong and distinctive identity and which are easy to understand and navigate. This should be achieved through a well-structured and defined public realm, with a clear relationship between uses, buildings, routes and spaces, and through the appropriate use of vistas, landmarks and focal points.
  - iii. **Amenity and Space**

New development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution.
  - iv. **Public Realm and Landscape**

New development should ensure that the design of landscaped areas, open space and public realm are of high quality, provide a clear structure and constitute an integral and cohesive element within the design.
  - v. **Safety and Security**

New development should be designed to contribute to safe communities including reducing the risk of fire, conflicts between traffic and cyclists or pedestrians, and the likelihood and fear of crime.
  - vi. **Inclusiveness and Adaptability**

New development should provide access for all potential users, including people with disabilities, to buildings, spaces and the transport network, to ensure the highest standards of inclusive design. Development should also be designed to be adaptable to changing economic, social and environmental requirements.
  - vii. **Movement and Connectivity**

New development should be designed to integrate, where appropriate, with existing development, and prioritise movement by sustainable transport modes, both through the application of legible connections to the

wider movement network, and assessment of the hierarchy of transport modes set out in Table SD5a below. It should:

- be well integrated with the movement network within and beyond the development itself
  - provide safe and legible connections to the existing walking, cycling and public transport networks
  - ensure accessibility to local services for pedestrians and cyclists and those using public transport
  - ensure links to green infrastructure
  - incorporate, where feasible, facilities for charging plug-in and other ultra-low emission vehicles
  - be fully consistent with guidance, including that relating to parking provision, set out in the Manual for Gloucestershire Streets and other relevant guidance documents in force at the time.
2. Detailed requirements of masterplans and design briefs, should the local planning authority consider they are required to accompany proposals, are set out in Table SD5d. These requirements are not exhaustive.

### **Policy SD7: Landscape**

1. Development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being.
2. Proposals will have regard to the local distinctiveness and historic character of the different landscapes in the JCS area, drawing, as appropriate, upon existing Landscape Character Assessments and the Landscape Character and Sensitivity Analysis. They will be required to demonstrate how the development will protect or enhance landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement or area.
3. All applications for development will consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect. Planning applications will be supported by a Landscape and Visual Impact Assessment where, at the discretion of the local planning authority, one is required. Proposals for appropriate mitigation and enhancement measures should also accompany applications.

### **Policy SD9: Historic Environment**

1. The built, natural and cultural heritage of Gloucester City, Cheltenham town, Tewkesbury town, smaller historic settlements and the wider countryside will continue to be valued and promoted for their important contribution to local identity, quality of life and the economy.
2. Development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment.
3. Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. Consideration will also be given to the contribution made by heritage assets to supporting sustainable communities and the local economy. Development should aim to sustain and enhance the significance of heritage assets and put them to viable uses consistent with their conservation whilst improving accessibility where appropriate.
4. Proposals that will secure the future conservation and maintenance of heritage assets and their settings that are at risk through neglect, decay or other threats will be encouraged. Proposals that will bring vacant or derelict heritage assets back into appropriate use will also be encouraged.
5. Development proposals at Strategic Allocations must have regard to the findings and recommendations of the JCS Historic Environment Assessment (or any subsequent revision).

#### **Policy SD10: Biodiversity and Geodiversity**

1. The biodiversity and geological resource of the JCS area will be protected and enhanced in order to establish and reinforce ecological networks that are resilient to current and future pressures. Improved community access will be encouraged so far as is compatible with the conservation of special features and interests.
2. This will be achieved by:
  - i. Ensuring that European Protected Species and National Protected Species are safeguarded in accordance with the law
  - ii. Conserving and enhancing biodiversity and geodiversity on internationally, nationally and locally designated sites, and other assets of demonstrable value where these make a contribution to the wider network

- iii. Encouraging new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. For example, by incorporating habitat features into the design to assist in the creation and enhancement of wildlife corridors and ecological stepping stones between sites
  - iv. Encouraging the creation, restoration and beneficial management of priority landscapes, priority habitats and populations of priority species. For example, by securing improvements to Strategic Nature Areas (as set out on the Gloucestershire Nature Map) and Nature Improvement Areas.
3. Any development that has the potential to have a likely significant effect on an international site will be subject to a Habitats Regulations Assessment.
  4. Within nationally designated sites, development will not be permitted unless it is necessary for appropriate on-site management measures, and proposals can demonstrate that there will be no adverse impacts on the notified special interest features of the site.
  5. Development within locally-designated sites will not be permitted where it would have an adverse impact on the registered interest features or criteria for which the site was listed, and harm cannot be avoided or satisfactorily mitigated.
  6. Harm to the biodiversity or geodiversity of an undesignated site or asset should be avoided where possible. Where there is a risk of harm as a consequence of development, this should be mitigated by integrating enhancements into the scheme that are appropriate to the location and satisfactory to the local planning authority. If harm cannot be mitigated on-site then, exceptionally, compensatory enhancements off-site may be acceptable.

### **Policy SD11: Residential Development**

1. 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.
2. Housing development will be permitted at Strategic Allocations and on sites that are allocated by district and neighbourhood plans.
3. On sites that are not allocated, housing development and conversions to dwellings will be permitted on previously-developed land in the existing built-up areas of Gloucester City, Cheltenham and Tewkesbury towns, rural service centres and service villages.
4. Housing development on other sites will only be permitted where:

- i. It is for affordable housing on a rural exception site in accordance with Policy SD13, or
  - ii. It is infilling within the existing built up areas of cities, towns and villages, 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 plans.
5. Proposals involving the sensitive, adaptive re-use of vacant or redundant buildings will be encouraged, subject to the requirements of other policies including Policies SD2, INF5 and SD9. Proposals that will bring empty housing back into residential use will also be encouraged.
6. Residential development should seek to achieve the maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network.

## **Policy SD12: Housing Mix and Standards**

### **1. Housing Mix**

- i. Housing development will be required to provide an appropriate mix of dwelling sizes, types and tenures in order to contribute to mixed and balanced communities and a balanced housing market. Development should address the needs of the local area, including the needs of older people, as set out in the local housing evidence base including the most up to date Strategic Housing Market Assessment.
- ii. Self-build housing and other innovative housing delivery models will be encouraged as part of an appropriate mix.
- iii. Improvements to the quality of the existing housing stock involving remodelling or replacing residential accommodation will be encouraged where this would contribute to better meeting the needs of the local community, subject to the requirements of other policies including Policy SD5 and Policy SD9.

### **2. Standards**

- i. New housing should meet and where possible exceed appropriate minimum space standards.
- ii. Housing should be designed to be accessible and adaptable as far as is compatible with the local context and other policies, including Policy SD9.

### **3. Specialist accommodation**

- i. Provision of specialist accommodation, including accommodation for older people, will be supported where there is evidence of a need for this type of

accommodation and where the housing/bed spaces will contribute to meeting the needs of the local community.

- ii. Specialist accommodation should be located to have good access to local services. In the case of Extra Care housing schemes which provide ancillary facilities on site, these facilities should complement those already available in the locality and should be made available to the wider community.
- iii. Schemes that create self-contained units of accommodation will be subject to the requirements of Policy SD13.

### **Policy SD13: Affordable Housing**

1. The JCS local authorities will seek through negotiation to deliver new affordable housing as follows:
  - i. On sites of 5-9 residential units (or covering 0.2 hectares or more of land), 20% affordable housing will be sought
  - ii. On sites of 10 or more residential units (or covering 0.4 hectares or more of land), 40% affordable housing will be sought.
2. For the purpose of this policy, residential units are dwelling houses (use class C3) and also any self-contained units of accommodation within a residential institution (use class C2). Where a development site has been divided into parts, or is being delivered in phases, the site will be considered as a whole for the purpose of determining the appropriate affordable housing requirement.
3. Where possible, affordable housing should be provided on-site and should be seamlessly integrated and distributed throughout the development scheme. On sites where it is not possible to deliver all affordable housing as on-site provision, the residual requirement should be provided through acceptable alternative mechanisms (such as off-site provision or financial contributions). Further guidance on acceptable mechanisms may be provided in District plans.
4. Affordable housing must also have regard to meeting the requirements of Policy SD12 concerning type, mix, size and tenure of residential development.
5. The design of affordable housing should meet required standards and be equal to that of market housing in terms of appearance, build quality and materials.
6. Provision should be made to ensure that housing will remain at an affordable price for future eligible households, or that subsidy will be recycled for alternative affordable housing provision.

#### **Rural exception sites**

7. In certain circumstances, where there is clear evidence of a local housing need that cannot be met elsewhere, affordable housing will be permitted on rural exception sites. A rural exception site must be within, or on the edge of, a rural



settlement. It should be of a small scale and well related to the settlement both functionally and in terms of design.

#### Viability

8. Where there is an issue relating to the viability of development that impacts on delivery of the full affordable housing requirement, developers should consider:
  - i. Varying the housing mix and design of the scheme in order to reduce costs whilst having regard to the requirements of other policies in the plan, particularly Policy SD5, and the objective of creating a balanced housing market
  - ii. Securing public subsidy or other commuted sums to assist delivery of affordable housing
9. If a development cannot deliver the full affordable housing requirement then a viability assessment in accordance with Policy INF7 will be required.

#### **Policy SD15: Health and Environmental Quality**

1. High-quality development should protect and seek to improve environmental quality. Development should not create or exacerbate conditions that could impact on human health or cause health inequality.
2. New development must:
  - i. Cause no unacceptable harm to local amenity including the amenity of neighbouring occupants
  - ii. Result in no unacceptable levels of air, noise, water, light or soil pollution or odour, either alone or cumulatively, with respect to relevant national and EU limit values
  - iii. Result in no exposure to unacceptable risk from existing or potential sources of pollution. For example, by avoiding placing sensitive uses in locations where national or EU limit values are exceeded, or by incorporating acceptable mitigation measures into development.
  - iv. Incorporate, as appropriate, the investigation and remediation of any land contamination within the site
  - v. Ensure that any risks associated with land instability are satisfactorily resolved

- vi. Take into account the quality and versatility of any agricultural land affected by proposals, recognising that the best agricultural land is a finite resource
- vii. Have regard to any areas of tranquillity that are identified in adopted or emerging district plans and neighbourhood plans
- viii. Avoid any adverse impact from artificial light on intrinsically dark landscapes.
  - a. Proposals for development at Strategic Allocations, and other development proposals at the discretion of the local planning authority, must be accompanied by a health impact assessment.

### **Policy INF1: Access to the Transport Network**

1. Developers should aim to provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. All proposals must ensure that:
  - i. the development provides safe vehicular access to the highway network
  - ii. any increased level of car use derived from the development does not result in severe increases in congestion on the network. Severe increase in congestion in this context relates to highway junctions no longer operating within their design capacity
  - iii. any severe increase in congestion likely to arise from development must be mitigated to ensure highway junctions operate within their design capacity, and
  - iv. connections should be provided where appropriate to existing walking, cycling and passenger transport networks and should be designed to enable and encourage maximum potential use.
2. Where a significant amount of new trips is anticipated from a proposed development, the local planning authority may require applications to be accompanied by a Travel Plan that has full regard to the criteria set out in Paragraph 35 of the National Planning Policy Framework.

### **Policy INF2: Safety and Efficiency of the Transport Network**

1. Developers will be required to assess the impact of proposals on the transport network to ensure that they will not detrimentally affect its safety or efficiency. All proposals will demonstrate the impact of prospective development on:

- i. congestion at network pinch-points
  - ii. travel safety within the vicinity of the development, and
  - iii. noise and/or atmospheric pollution within the vicinity of the development.
2. Planning permission will be granted only where the impact of development is not considered to be severe or, where severe impact is considered likely, can be mitigated to the satisfaction of the local planning authority in consultation with the Local Highway Authority.

### **Policy INF3: Flood Risk Management**

1. Development proposals must avoid areas at risk of flooding, in accordance with a risk- based sequential approach. Proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. For sites of strategic scale, the cumulative impact of the proposed development on flood risk in relation to existing settlements, communities or allocated sites must be assessed and effectively mitigated.
2. Minimising the risk of flooding and providing resilience to flooding, taking into account climate change, will be achieved by:
  - i. Requiring new development to, where possible, contribute to a reduction in existing flood risk
  - ii. Applying a sequential test for assessment of applications for development giving priority to land in Flood Zone 1, and, if no suitable land can be found in Flood Zone 1, applying the exception test
  - iii. Requiring new development that could cause or exacerbate flooding to be subject to a flood risk assessment which conforms to national policy and incorporates the latest available modelling and historic data and information and guidance contained in the authorities' Strategic Flood Risk Assessments and Supplementary Planning Documents, in order to demonstrate it will be safe, without increasing flood risk elsewhere
  - iv. Requiring new development to incorporate suitable Sustainable Drainage Systems (SuDS) where appropriate in the view of the local authority to manage surface water drainage: to avoid any increase in discharge into the public sewer system; to ensure that flood risk is not increased on-site or elsewhere; and to protect the quality of the receiving watercourse and groundwater. Where possible, the authorities will promote the retrofitting of

SuDs and encourage development proposals to reduce the overall flood risk through the design and layout of schemes which enhance natural forms of drainage. Developers will be required to fully fund such mitigation measures for the expected lifetime of the development including adequate provision for on-going maintenance.

- v. Working with key partners, including the Environment Agency and Gloucestershire County Council, to ensure that any risk of flooding from development proposals is appropriately mitigated and the natural environment is protected in all new development

#### **Policy INF4: Green Infrastructure**

1. The green infrastructure network of local and strategic importance will be conserved and enhanced, in order to deliver a series of multifunctional, linked green corridors across the JCS area by:
  - i. improving the quantity and/or quality of assets
  - ii. improving linkages between assets in a manner appropriate to the scale of development, and
  - iii. designing improvements in a way that supports the cohesive management of green infrastructure.
2. Development proposals should consider and contribute positively towards green infrastructure, including the wider landscape context and strategic corridors between major assets and populations. Where new residential development will create, or add to, a need for publicly accessible green space or outdoor space for sports and recreation, this will be fully met in accordance with Policy INF5. Development at Strategic Allocations will be required to deliver connectivity through the site, linking urban areas with the wider rural hinterland.
3. Existing green infrastructure will be protected in a manner that reflects its contribution to ecosystem services (including biodiversity, landscape/townscape quality, the historic environment, public access, recreation and play) and the connectivity of the green infrastructure network. Development proposals that will have an impact on woodlands, hedges and trees will need to include a justification for why this impact cannot be avoided and should incorporate measures acceptable to the local planning authority to mitigate the loss. Mitigation should be provided on-site or, where this is not possible, in the immediate environs of the site.
4. Where assets are created, retained or replaced within a scheme, they should be properly integrated into the design and contribute to local character and

distinctiveness. Proposals should also make provisions for future maintenance of green infrastructure.

### **Policy INF5: Social and Community Infrastructure**

1. Proposals to develop land or buildings currently or previously in use as a community facility will demonstrate, including evidence of engagement with relevant local community groups and partner organisations, why the facility is no longer required and, as appropriate, how, when and where suitable local replacement facilities will be provided. Provision of replacement facilities will have regard to the locational and other relevant elements of this policy.
2. Where new residential development will create, or add to, a need for community facilities, it will be fully met as on-site provision and/or as a contribution to facilities or services off-site. New or refurbished provision will be of an appropriate type, standard and size. From an early stage, developers will be expected to engage with the relevant local authorities and infrastructure providers and, as appropriate, relevant local community groups where they exist, to ensure that new provision meets the needs of the community that it will serve and is fit for purpose.
3. Social and community infrastructure should be centrally located to the population it serves and be easily accessible on foot and by bicycle. It should be located so as to have the potential to be well-served by public transport. Developers should aim to provide flexible, multifunctional facilities within mixed-use developments, creating shared space which maximises benefits to the community and minimises land-take. In the case of open space, 'easily accessible' means it is located within reasonable walking distance of the development it serves. New facilities should be accessible to all members of the community, and be planned and phased in parallel with new development.

### **Policy INF7: Infrastructure Delivery**

1. Where need is generated as a result of individual site proposals and/or as a consequence of cumulative impact, new development will be served and supported by adequate and appropriate on- and/or off-site infrastructure and services. In identifying infrastructure requirements, development proposals will also demonstrate that full regard has been given, where appropriate, to implementing the requirements of the Joint Core Strategy Infrastructure Delivery Plan.
2. Where need for additional infrastructure and services and/or impacts on existing infrastructure and services is expected to arise, the local planning authority will seek to secure appropriate and proportionate infrastructure provision in respect of:

- i. Affordable housing
- ii. Climate change mitigation/adaptation
- iii. Community facilities
- iv. Early Years and Education
- v. Health and well-being facilities
- vi. The highway network, traffic management, sustainable transport and disabled people's access
- vii. Protection of cultural and heritage assets and the potential for their enhancement
- viii. Protection of environmental assets and the potential for their enhancement
- ix. Provision of Green Infrastructure including open space
- x. Public realm, and
- xi. Safety and security including emergency services

This list is neither exhaustive nor are its elements mutually exclusive.

3. Priority for provision will be assessed both on a site-by-site basis and having regard to the mitigation of cumulative impact, together with implementation of the JCS Infrastructure Delivery Plan.
4. Planning permission will be granted only where sufficient provision has been made for infrastructure and services (together with their continued maintenance) to meet the needs of new development and/or which are required to mitigate the impact of new development upon existing communities. Infrastructure and services must be provided in line with an agreed, phased timescale and in accordance with other requirements of this Plan.

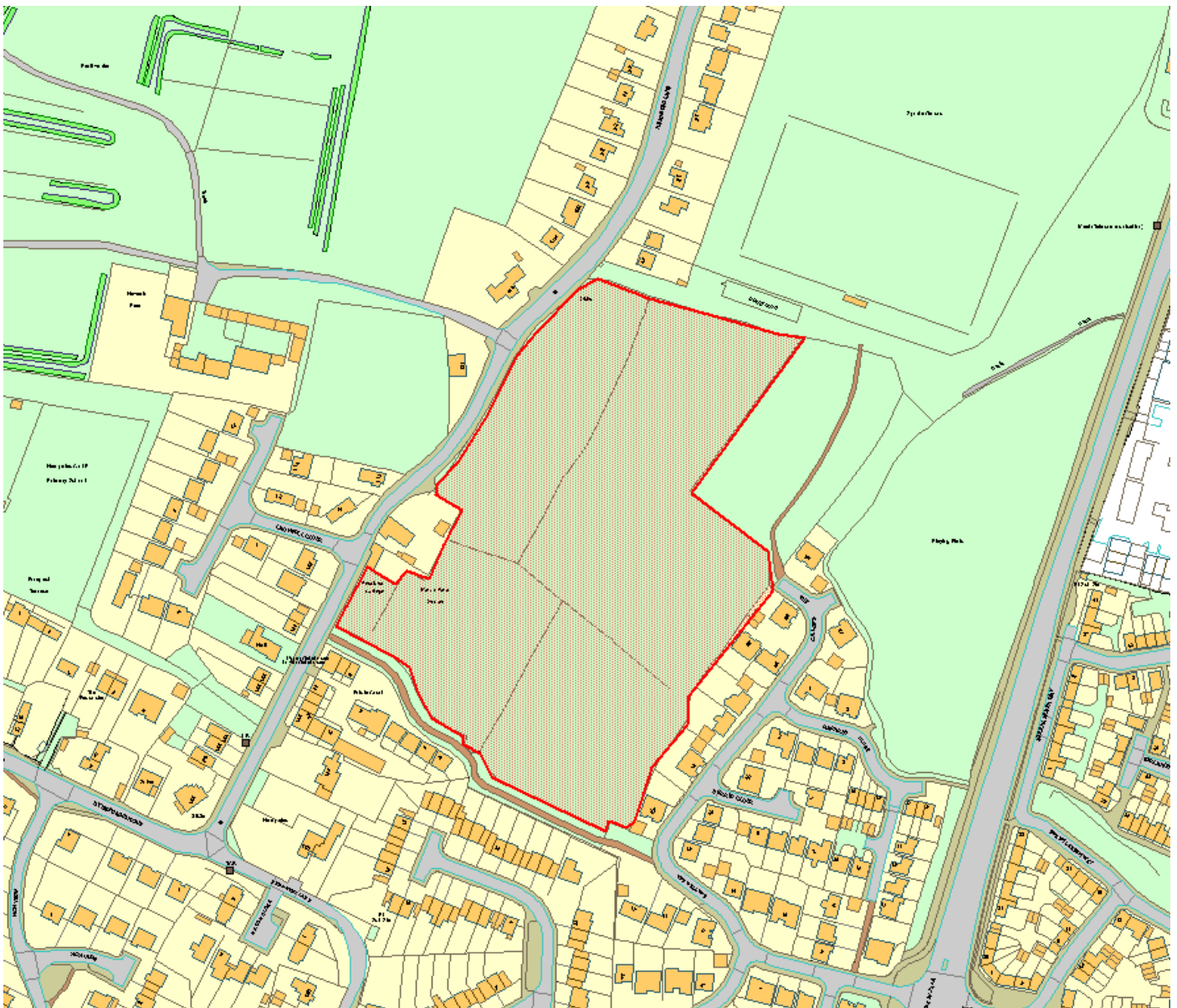
### **Policy INF8: Developer Contributions**

1. Arrangements for direct implementation or financial contributions towards the provision of infrastructure and services required as a consequence of development, including its wider cumulative impact, and provision where appropriate for its maintenance, will be negotiated with developers before the grant of planning permission.
2. Where, having regard to the on- and/or off-site provision of infrastructure, there is concern relating to the viability of the development, an independent viability assessment, funded by the developer and in proportion with the scale, nature and/or context of the proposal, will be required to accompany planning applications. The submitted assessment and its methodology may be independently appraised.

13/01032/OUT

Land East Of Hempsted Lane  
Hempsted Lane  
Gloucester

Planning Committee 02.12.2014





18 November 2014

The Development Control Officer  
Attention Mr Adam Smith  
Gloucester City Council  
Herbert Warehouse, The Docks  
Gloucester, GL12EQ

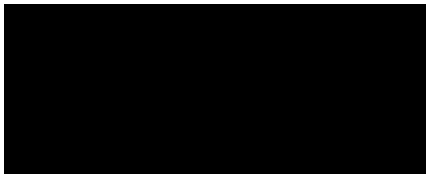
Dear Sir

Re: **Planning Application Ref: 13/01032/OUT - Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval (layout, scale, appearance and landscaping reserved for future consideration)**

I confirm that my original comments made in my letter dated 12 April 2014 remain valid and I wish them to be taken into account by the planning committee on 2<sup>nd</sup> December 2014. I also have the following additional comments:

1. I endorse and support the comments and recommendation made by Charlotte Lewis, Principal Conservation and Design Officer, in her consultation memorandum dated 11 November 2014. Access on to Hempsted lane not only breaches the "Green Buffer" it presents an unsafe and unnecessary traffic burden for the conservation area. Shifting the proposed development away from the conservation area makes the readymade traffic controlled access onto Secunda way a more obvious and sensible solution.
2. I also support the suggestion for a separate planning application to cover the re siting of the balancing pond. The land proposed for re siting is not owned by the applicant nor do they have any rights over it.

Yours



T J Stevenson



*Dear Sir or Madam , I wish to object most strongly once more to this application because determination before the Hempsted Neighbourhood Plan is in place would be premature. It is immoral for The Lysons Trust to seek to force this through whilst the whole future of Hempsted is being considered by residents. All available brown field sites should be built out prior to any form of development on a greenfield being considered. I also object to this application because I believe that the site access as proposed would be likely to lead to an increased risk of traffic accidents and an unacceptable increase in the volume of traffic on what is already an often busy road.*

Mr Stephen Morgan



Development

20 NOV 2014

Control

19/xi/14

Dear Mr. Smith,


Land off Hempsted Lane, Gloucester : 13/1932/OUT

Thank you for your recent letter about further submissions in respect of the above matter. Please append the following comments to those already sent you and aggregate them all together as a formal objection to the latest submission.

Additionally it would seem to me that with visibility splays about the new junction to Hempsted Lane, of something like 2.4mtrs -x- 54mtrs that requirement will punch a very substantial hole in the very attractive tree screen along side the road. I mentioned this in my letter 25/8/14. This will surely have a deleterious effect on the landscape quality of this area and will open up the site to views from quite a broad area, views, not of pleasant landscape but, very likely, unattractive modern housing; ugh!

Do think very carefully about this, room for a TPO?

Yours faithfully,



17<sup>th</sup> November 2014

Mr Adam Smith  
Gloucester City Council  
Development Control  
Herbert Warehouse  
The Docks  
Gloucester GL1 2EQ

Dear Adam,

Planning Reference: 13/01032/OUT Land East of Hempsted Lane Hempsted

We are strongly objecting to the planning application put in for Land East of Hempsted Lane. The amended plan/visuals do not reduce the dramatic negative impact that this development will have on the village. The underlying principal reasons are that the land which is partly in the conservation area and the development is in contradiction of policies national, regional and local and also dramatically erodes away the heart of the village of Hempsted into an overflow of the city of Gloucester. The following is the detail of why we are objecting:

There are numerous questions raised by some of the application's content and supplementary information. However, frankly, it would take a vast amount of time to ensure one conveyed all of the questions and pinpoint all irregularities as one has to understand the complexities of the planning system and the various local and regional planning law, policies and SPG. It does seem apparent that the policy such as below will not be adhered to if planning permission is granted:

As per the Hempsted Policy CA12/4: The Council will consider what further development will be permitted in Hempsted Lane and under what conditions (of the Gloucester Local Plan) which says, under LCA1, on page 28, that:

"Development will not be permitted that would detract from the particular landscape qualities and character of the Landscape Conservation Area unless there are exceptional circumstances."

Exceptional circumstances, yes affordable housing and standard housing units' needs are accepted as being required to meet current demand; however a balance should surely be sought! This village has endured the various housing developments that have taken place over the past years and the current ongoing development north of Ladywell can be to a degree tolerated, but this development is a step too far and will result in the loss of historically rich land.

Also the development would be at odds with swathes of the Conservation Area Appraisal and management recommendations in section 9.2, which highlight the importance of the fields along Hempsted Lane which are critical to the setting of the conservation area.

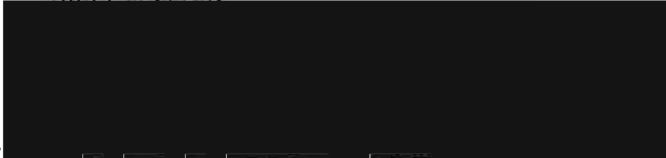
The land which provides a "buffer" between such significant and unique historic land will detrimentally be developed to increase the coffers of a supposedly Gloucester community focused charity, by taking away the only remaining piece of the land which makes Hempsted village actually a VILLAGE! The loss of this land has mass implications for the future in respect to the rural identity of the Hempsted, the local area and thus the County as a whole. What makes one proud of living and having their life informed by Gloucestershire is its rural identity and continuous episodic development of such rural areas will invalidate this identity and will lead to a homogenised urban sprawl.

Section 9.1 states that a number of 'negative sites' and vacant 'gap' sites have been identified where some form of built development has the potential to improve the townscape. This area is definitely not a negative site, on the contrary the land is held in high regard seemingly by Council too by virtue of the Manor Farm interpretation panel which identifies the land's historical importance in terms of the orchard and the ridge and furrow. Act 1990 sec 72 states that where an area, such as Hempsted, is formally a conservation area "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area". The National Planning Policy Framework (NPPF) policy 131 also insists on the preservation of historically important land.

We would also argue with the transport study in respect to its conclusion that Hempsted Lane is an appropriate road to access the development, ultimately it is a narrow village lane and with further additional housing development will potentially not become fit for purpose and could present a danger for highway users and pedestrians. Plus the increase in traffic would further eradicate the rural feel of the village.

Other negative ramifications of this development would also include the loss of open views and the fauna and flora of this rural piece of land.

Yours sincerely



Sandra Vicker and Martyn Robbins

**OBJECTION TO Planning Application 13/01032/OUT - AMENDED PLANS SUBMITTED IN NOVEMBER 2014 on Land East of Hempsted Lane, Gloucester - Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval (layout, scale, appearance and landscaping reserved for future consideration).**

**From: Mr. K.H. Goodred and also acting on behalf of acting on behalf of others listed.**

**Date: 16<sup>th</sup> November 2014**

**From Mr. K.H.Goodred, [REDACTED]**  
**and also acting on behalf of the following:**

Mr & Mrs KM Keates, [REDACTED]  
Miss A Keates & Mr J Shelton [REDACTED]  
Mr & Mrs G Rea [REDACTED]  
Mr & Mrs R Keates, [REDACTED]  
Mr & Mrs R Emery, [REDACTED]  
Mr & Mrs P Clune, [REDACTED]  
Mr & Mrs T Overthrow, [REDACTED]  
Mr & Mrs R Dillon, [REDACTED]  
Mr & Mrs D Alberts, [REDACTED]  
Mr & Mrs M Ellis, [REDACTED]  
Miss K. Keates, [REDACTED]  
Mr & Mrs R Dyer, [REDACTED]

Date: 16 November 2014

**To:**

Mr. Adam Smith,  
Gloucester City Council Development Control,  
Herbert Warehouse, The Docks,  
Gloucester, GL1 2EQ

Dear Sir,

**OBJECTION TO AMENDED PLANS (SUBMITTED IN NOVEMBER 2014) relating to Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester - Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval (layout, scale, appearance and landscaping reserved for future consideration).**

Please see below objections to the AMENDED PLANS relating to the planning application for residential development and open space on the fields to the East of Hempsted Lane. These replace those dated 14<sup>th</sup> November 2014.

Yours sincerely,

Keith Goodred

## Introduction

With reference to my original objection dated 5th May 20014 and 19<sup>th</sup> August 2014 to various amendments, all issues raised remain relevant to the amended plans now submitted in November. However, in the light of recent submissions put forward by Council officers, below is a summary of the key points of objection to the proposals.

**This supersedes the comments dated 14<sup>th</sup> November 2014 which were mistakenly emailed to the Council on the same date.**

## Key Points of Objection to the Planning Application

### 1. Conservation Area Policy

1.1 Firstly the proposals are in clear conflict with the policies of set out in the 2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a SPD by the Council which states in paragraph 9.2:

*‘Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.’*

1.2 The historic remains of the ridge and furrow farming system and continuing agricultural use adds to the historic value and rural setting of the old village and Conservation Area.

1.3 The Council’s Principal Conservation and Design Officer has objected to the proposals because of the impact on the setting of the Conservation Area.

### 2. Landscape Value

2.1 The proposals are in clear conflict with area’s designation as a Landscape Conservation Area (LCA) as set out in the 2002 Gloucester City Local Plan Second Stage Deposit Draft.

2.2 This policy states:

*Policy LCA.1 Development Within Landscape Conservation Areas*

*Development will not be permitted that would detract from the particular landscape qualities and character of Landscape Conservation Areas unless there are exceptional circumstances. Open air recreational uses and small-scale development required to support them, agricultural development and renewable energy proposals may be acceptable provided they are sensitively located, designed and landscaped.’*

2.3 The proposals will detract from the particular landscape qualities and character as they would result in the coalescence of the ribbon development to the north with the old historic

village area in the south into fields which currently form a 'green lung'. They will also adversely impact upon the important contribution the fields make to the character of the old village area including the prominent archaeological remains of the ridge and furrow farming system. These are the reasons the fields were designated as an LCA in the first place in accordance with criteria set out for designation of LCAs in the 2002 Local Plan page 27, paras 3.40 and 3.41.

2.4 The Council's policy for Landscape Conservation Areas, whilst not including specifically numbered criterion, is not a blanket policy which excludes any possibility of development. Implicit to the policy are circumstances where development can be permitted. These are:

- 1. Where it would not detract from the particular landscape qualities and character of Landscape Conservation Areas;*
- 2. In exceptional circumstances;*
- 3. Where it is open air recreational uses and small-scale development required to support such uses; and*
- 4. Agricultural development and renewable energy proposals may be acceptable provided they are sensitively located, designed and landscaped.*

2.5 In this context the policy is considered to be in line with NPPF requirements for criteria based landscape policies set out on page 26, para 113 which states:

*'113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.'*

2.6 It is also noted that the policy continues to be used by the Council for Development Control purposes and as recently as May this year a planning application for a dwelling on land to the south of Rectory Lane, Hempsted (Application reference no. 13/00977/FUL) was refused on the grounds that it was contrary to policy LCA.1 of the Second Deposit City of Gloucester Local Plan (2002).

2.7 The Council's Planning Policy response to the planning application posted on the planning application website on November 4<sup>th</sup> states the following:

*'In 2012 the JCS authorities completed the Landscape Characterisation Assessment and Sensitivity Analysis work for the JCS area – land east of Hempsted Lane was not explicitly considered by this report as it does not lie on the urban fringe of the City. This study became the landscape evidence base against which sites were considered for the 2012 SHLAA updates. The report was later published in 2013. For SHLAA purposes only those areas identified as 'High' landscape sensitivity were considered 'unsuitable' for development on landscape grounds. On this basis the site changed from being 'unsuitable' for development in the 2011 SHLAA to 'suitable' for development in the 2012 SHLAA. Within the City only Robinswood Hill is considered to be of High landscape sensitivity.'*



2.8 This raises a number of issues. Firstly, if the area was not explicitly considered how would the author of the statement know what landscape sensitivity the fields have?

2.9 Secondly the Joint Core Strategy (JCS) Landscape Characterisation Assessment and Sensitivity Analysis 2013 explanation of the grading system for sensitivity states on page (ii):

*‘The aim of this stage is to discover which broad areas of the urban fringe should be protected from development on account of their high landscape and visual sensitivity. However, this does not mean that those areas deemed to be of lesser sensitivity in this exercise are suitable for development; these areas will be subject to further layers of constraint and sensitivity analysis to be undertaken on a range of topics, including historic environment, urban morphology, ecology, local landscape issues along with other factors such as transport and other infrastructure. Any of these “sieving” exercises might highlight additional constraints making parts of these less constrained areas unsuitable for development.’*

2.10 Clearly the historic environment is a major consideration in considering development of the land to the east of Hempsted Lane. The Council’s Principal Conservation and Design Officer sets out the case as to why the application is unacceptable on these grounds. Local landscape issues are also important as set out in the same paragraph above.

2.11 To decide that a site is suitable for development just because it was not identified as of ‘High landscape sensitivity’ in a study where the site is stated to be ‘not explicitly considered’ seems an inappropriate way to consider such an important matter.

2.12 Thirdly the matter of whether the application fields were included in the Assessment and Analysis was discussed with Mr. Meyrick Brentnall, the Council’s Environmental Planning Service Manager: Regeneration Strategy and Delivery who, in an email dated 15/04/2014 (see Annex 2 of my submission dated 5<sup>th</sup> May 2014), wrote (my emboldening):

*‘As we discussed, the JCS landscape assessment/analysis was commissioned to inform the Broad location work, and was separated into 2 discrete tasks; first the Characterisation assessment, followed later by the Sensitivity analysis. The objective was to provide an evidence base supporting strategic decisions for large scale urban extensions.*

*The Characterisation was based upon the LDA study of 2006, and the individual carrying out the work was to use this as a basis for their assessment, subdividing the areas into smaller more discrete units.*

*Hempsted was one of the first areas subject to the characterisation work, and I would support your contention that the description put forward covers a large part of the village*

*going beyond the area 'W' identified on the map. If nothing else there is a detailed description of the historic centre including the cross. I apologise if earlier conversations were not explicit in that regard. **I would also agree with you that the description put forward will likely to have included the fields to the East of Hempsted Lane.***

*The Sensitivity analysis was carried out later. Both myself and Tim Watton (planning policy manager at the time) were clear where the boundary should go, in this case along Hempsted lane – this was to ensure that the document was kept strategic and for reasons of pure expediency. If every paddock, small field and open area on the periphery of Gloucester, Cheltenham, Tewkesbury and Bishop's Cleeve were subject to detailed analysis, the work would have never been completed – a real cause for concern at the time given the rate of progress. **As we discussed I do however, accept that the description as narrated for G41 could apply to the fields east of Hempsted Lane.'***

2.13 Of particular importance here is Mr. Brentnall's acceptance that the description of area G41 could apply to the fields to the east of Hempsted Lane. This is because the sensitivity analysis area G41 is not an extensive area as is the case for many others in the analysis and therefore specific fields can be identified.

2.4 G41 is very specific about the importance of the remaining fields in this area in that they:

*'play a vital role in retaining a rural character within an otherwise highly developed village'.*

2.15 Under the heading 'Reasons' the sensitivity analysis concludes:

*'Important in retaining a rural village character, helping to separate modern housing developments and allowing older properties to remain visible'*

2.16 This is further evidence that even recent surveys of landscape still set out the local importance of these fields in retaining rural village character as has been the view of the Council for over 20 years.

### **3. 2013 Strategic Assessment of Land Availability (SALA)**

3.1 The proposals are in clear conflict with the 2013 SALA where the fields are considered under the reference SUB06 – Land east of Hempsted. The '*Unconstrained site area*' is reduced from 3.42 Ha (2012 SHLAA) to 1.26 Ha (2013 SALA) with a '*Housing Potential (Market adjustment)*' capacity reduced from 50 dwellings (2012 SHLAA) to 40 dwellings (2013 SALA). Appendix 2 of the SALA under the column headed '*2013 Update*' states:

*'Current evidence shows the site is subject to landscape sensitivity and this needs to be carefully addressed through any potential scheme in consultation with the local community. Site identified as potential development opportunity site in 2013 City Plan sites consultation. 2013 landscape evidence reduces the developable area of the site.'*

3.2 The next column headed '2013 Panel Comments' states:

*'Suggested a 90% developable area given reduced site area from landscape evidence.'*

3.3 As for consultation, it is clear that the views of the majority of local people have been ignored.

#### **4. 2013 'WSP Landscape Analysis of Potential Development Sites' (WSP Study)**

4.1 The proposals are in clear conflict with the WSP Study. The WSP Landscape Analysis shows that the field on the western side of the site is part of an 'Area not suitable for development', whilst the planning application includes nearly all of it for development.

#### **5. 2014 Pre-Submission Document Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury**

5.1 The proposals are in clear conflict with policy SD11. Clause 3 & 4 – Residential Development which states (my emboldening):

*Policy SD11: Residential Development*

*1. 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.*

*2. Housing development will be permitted at Strategic Allocations and on sites that are allocated by district and neighbourhood plans.*

***3. On sites that are not allocated, housing development and conversions to dwellings will be permitted on previously-developed land in the existing built-up areas of Gloucester City, Cheltenham and Tewkesbury towns, rural service centres and service villages.***

*4. Housing development on other sites will only be permitted where:*

*i. It is for affordable housing on a rural exception site in accordance with Policy SD13, or*

*ii. It is infilling within the existing built up areas of cities, towns and villages, 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 plans.*

5.2 The site is not allocated in a district or neighbourhood plan and is not previously developed land, nor is it a rural exception site or infilling. There are no other specific exceptions/circumstances defined.

5.3 The proposals are in clear conflict with policy SD9 – Historic Environment as set out by the Council's Principal Conservation and Design Officer in comments dated 11/11/14.

5.3 In the context of section 2 above the proposals are in clear conflict with policy SD7 – Landscape which states (my emboldening):

*Policy SD7: Landscape*

- 1. Development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being.*
- 2. Proposals will have regard to the local distinctiveness and historic character of the different landscapes in the JCS area, drawing, as appropriate, upon existing Landscape Character Assessments and the Landscape Character and Sensitivity Analysis. They will be required to demonstrate how the development will protect or enhance landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement or area.***
- 3. All applications for development will consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect. Planning applications will be supported by a Landscape and Visual Impact Assessment where, at the discretion of the local planning authority, one is required. Proposals for appropriate mitigation and enhancement measures should also accompany applications.*

5.4 It is clear from criterion 2 that historic character is an important consideration and therefore the views of the Council's Principal Conservation and Design Officer are very relevant to this policy.

## **6. National Planning Policy Framework (NPPF)**

6.1 As stated in my original submission the proposals are in clear conflict with the NPPF. Below are the key (not all) references to this my original submission concerning this conflict:

Conserving and Enhancing the natural environment – pages 21-22, paras 1.49- 1.53;  
Requiring good design – pages 22-23 paras 1.54 – 1.60;  
Conserving and enhancing the historic environment - pages 37-39, paras 3.30 – 3.40  
The presumption in favour of sustainable development – pages 52, paras 5.37 – 5.46

## **Other Matters**

### **7. Housing Land Supply**

7.1 As stated in the comments of the Council's Planning Policy section on the planning application, there is sufficient housing land supply to meet a 5 year plus 5% housing land supply in accordance with para. 47 of the NPPF. Whilst it may be important to identify new sites these should not be at the cost of ignoring other important environmental policy considerations set out in the Council's own planning documents and NPPF. Such an approach is unsustainable and will be to the detriment of the environmental quality of the City of Gloucester making it a less attractive place in which to live and work.

### **8. The Gloucester City Plan**

8.1 The City Plan is still in its early stages of preparation. It has not allocated any land for housing development and the purpose of the 2013 consultation document was to 'provide options for public consultation' (see page 6 of the Consultation document).

8.2 The consultation concerning the land subject of this planning application was referred to as ‘WS12 – Land East of Hempsted’ and, as the Council will know, it attracted many objections to the principle of development.

8.3 The NPPF, page 48, para 216 is clear on the weight that should be given to emerging Local Plans. It states the following:

*‘216. From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:*

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).’*

8.4 The City Plan is still at an early stage of preparation – ‘Site Options Consultations’ and there are significant unresolved objections relating to the proposed development site. Therefore it should be given little, if any weight, in the determination of this planning application.

8.5 If there is any doubt as to the local opposition to these proposals the following should be noted:

8.6 In an extraordinary general meeting of the Hempsted Residents Association being called in July 2013 where over 100 local residents turned out. 71% voted to oppose development of the fields. As a result of this the HRA objected to the proposals set out in the City Plan as did many individual residents.

8.7 A survey of Hempsted’s residents carried out last summer by Gloucester’s MP Richard Graham, which had over 200 responses, also showed a similar result (70% partly or completely against development).

8.8 A consultation carried out by planning consultants RPS (acting for the applicants, Sylvanus Lysons Trust) which took place on 2<sup>nd</sup> July 2013 was reported in their ‘Statement of Community Involvement & Pre-Application Consultation’. It shows that 77% of responses at the event either objected to the principle or specific issues relating to the proposals, with only 13% in support with caveats, or, in support. If you add up all the pre-prepared letter responses and post-exhibition responses the percentage objecting in principal or to specific issues becomes 81%.

8.9 In addition, of course there are the objections relating to the current planning application.

## **Conclusion**

9.1 There are clear and irrefutable Planning reasons why this development should be refused based on well-founded planning policies of Gloucester City Council.

9.2 Should this planning application for development be approved it will most certainly destroy something in Gloucester which is a treasured asset which many future generations could enjoy by providing a sense by of place, community and wellbeing, something all generations should be entitled to.

This concludes my additional comments,

Yours sincerely,

Keith Goodred

F.A.O Mr Adam Smith

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

- 1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development*'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane '*so that green links can be maintained through the village*'.
- 2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: '*Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.*'
- 3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
- 4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south would also be compromised.
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**The application is contrary to many planning policies including:**

**2002** Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2.

**2007** Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2.

**2006** Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5.

**2006** Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56.

**2012** National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137.

**1996** SPG – Views of Robinswood Hill and other high ground from Hempsted.

Kind regards,  
Helena

Helena Birt  
Naylor Powell Newent

Richard J Trelfa, B.Sc., C (Eng.), MIMechE,  
[REDACTED]

Adam Smith  
Development Control  
Herbert Warehouse  
The Docks  
Gloucester GL1 2EQ

Thursday, 13 November 2014

Dear Mr Smith,

**Planning Application 13/01032/OUT**  
**Land east of Hempsted Lane**

I notice that the Balancing Pond has been moved into land now owned by Gloucester City Council. This is land which resulted from the need for the developers of the Grange Estate to provide Open Space. I assume that the Council thinks this is acceptable. Personally I think that it is acceptable, but the Council should mow the area to ensure that it will be used by dog walkers, rather than the nearby football field.

It seems that the Balancing pond has been moved to provide more Open Space / access in/to the proposed Manor Farm estate. It reinstates the greenway at the rear of my property. I find this acceptable, but request that it is not lit. The existing path, to the south of the site is lit and I hope that will serve the purpose of access at night time?

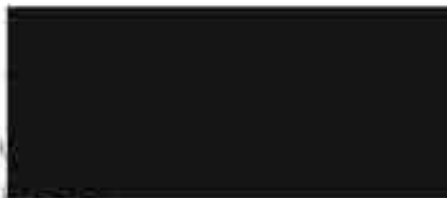
Yours,

[REDACTED]

Mobile [REDACTED]  
Email [REDACTED]



From:



Dear Sir,

Date: 24.4.14

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

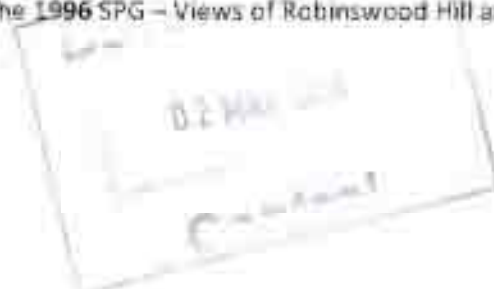
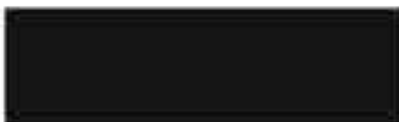
I object strongly to the above application because the proposals will have an adverse impact upon:

- 1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 "... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development". Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.
- 2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: 'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'
- 3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
- 4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.
- 5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

**The application is contrary to many planning policies including:**

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Yours sincerely,



From: Joseph Lamb

[Redacted]

Dear Sir,

Date: 28/4/14

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.

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3. **Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

4. **The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

5. **Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

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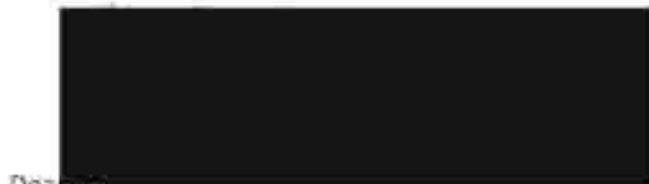
Yours sincerely,

[Redacted Signature]

DEVELOPMENT  
13/01032/OUT  
PLANNING  
28/4/14



From: ELLEN & WAYNE DOWDALL



Dear Sir,

Date: 28/4/14

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47: "... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development". Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.

2. **Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: 'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'

3. **Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

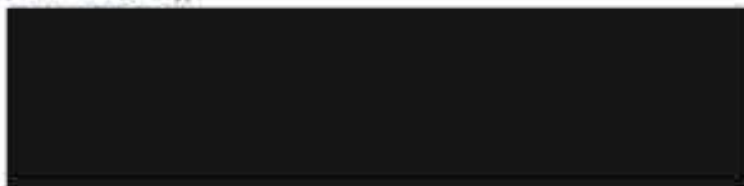
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Yours sincerely,



From: Mr & Mrs S. Young

Date: 30th April 2014

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and** which also prevent the coalescence of the main urban area with the older historic part of Hempsted village. This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years; in 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 5.3.47 "the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development". Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane "so that green links can be maintained through the village".

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Yours sincerely,





From: AARON MUMFORD

Dear Sir,

Date: 27th April 14

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

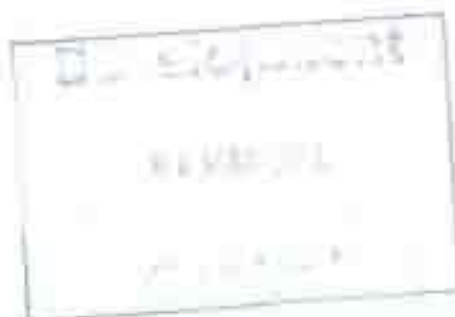
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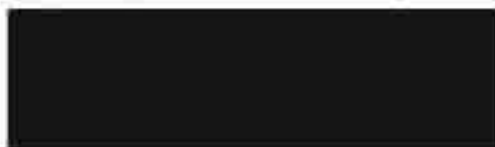
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Yours sincerely,



From:

Mr & Mrs Stacey



Dear Sir,

Date: 29-4-14

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and** which also prevent the coalescence of the main urban area with the older historic part of Hempsted village. This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.

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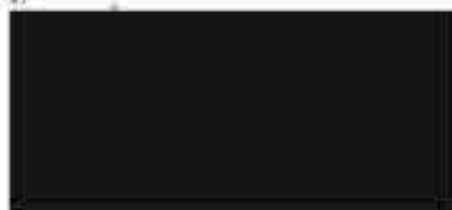
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Yours sincerely,





From: MR & MRS O. F. EACOTT

Dear Sir,

Date: 28-4-14

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Yours sincerely,



From: MARIA CAWENSH

Date: 29/4/14

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

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Yours sincerely,

13/01032/OUT  
29/4/14



From: MR & MRS L.M. CALVERT,



Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

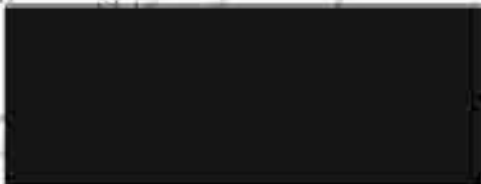
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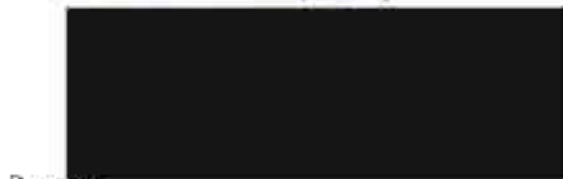
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Yours sincerely,



THIS IS EXTREMELY VALUABLE AND IMPORTANT TO THOSE OF US WHO USE THIS FOOTPATH REGULARLY, AND ENJOY THE OPEN VIEWS OF OUR COUNTRYSIDE AND DISTANT VIEWS OF OUR WONDERFUL HISTORIC CATHEDRAL. IT WOULD BE SACRILEGE TO DEPRIVE THOSE OF US WHO CHOOSE TO MOVE TO OUR CURRENT ADDRESS LARGELY BECAUSE OF ITS COUNTRY SETTING AND VILLAGE AMENITIES. SHOULD THIS DEVELOPMENT BE PERMITTED.

From: Mr. N. Sykes



Dear Sir,

Date: 29th April 2014

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

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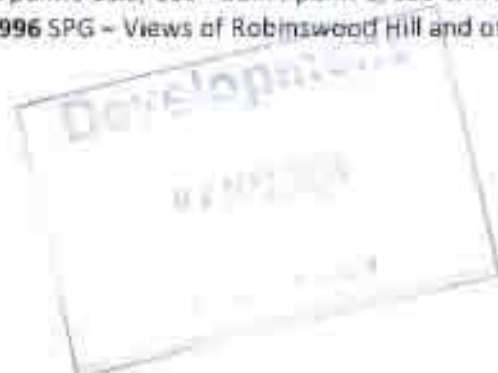
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Yours sincerely,





From: Mrs B L Harris - [REDACTED]

To: MR ADAM SMITH, GLOUCESTER CITY COUNCIL, DEVELOPMENT CONTROL  
HERBERT WARR HOUSE, THE VINEY, GLOUCESTER.

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Date: 29th April 2013

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Yours sincerely,

[REDACTED]

[REDACTED]



From:

Date: 30-4-2014

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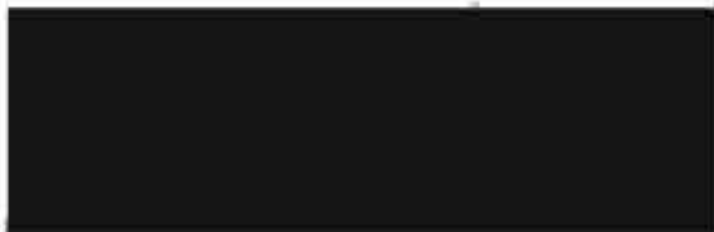
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[Redacted Signature]

DEVELOPMENT CONTROL  
31 MAY 2014

From:



Dear Sir,

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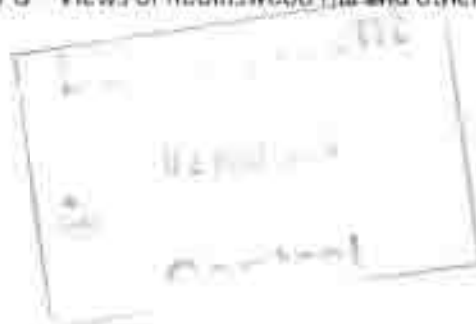
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From:

MARTYN ROBBINS



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Date: 30 APRIL 2014

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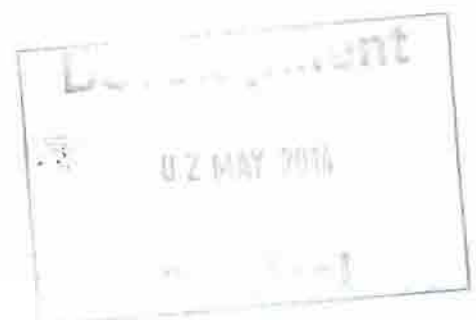
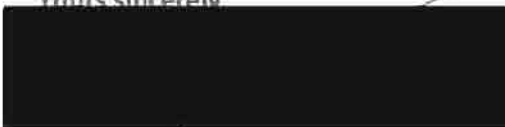
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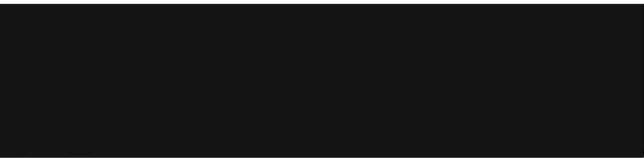
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The 2002 Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The 2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2; The 2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5; The 2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The 2012 National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137; and The 1996 SPG - Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely



From: SANDRA VICKER



Date: 30 APR 14

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

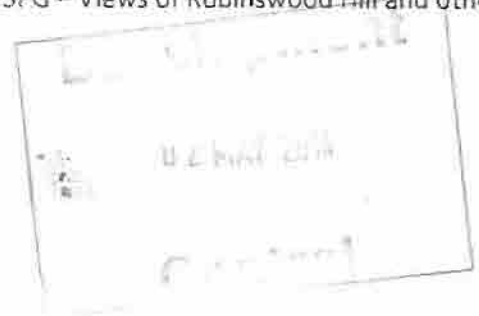
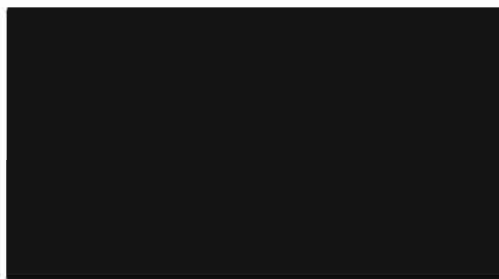
I object strongly to the above application because the proposals will have an adverse impact upon:

- 1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development*'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane '*so that green links can be maintained through the village*'.
- 2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: '*Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.*'
- 3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
- 4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.
- 5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

**The application is contrary to many planning policies including:**

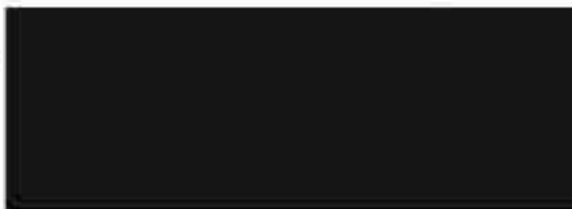
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Yours sincerely,





From:



Date: 29/4/14

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted;** and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village. This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years: in 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.

2. **Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: 'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'

3. **Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

4. **The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

5. **Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

The application is **contrary to many planning policies** including:

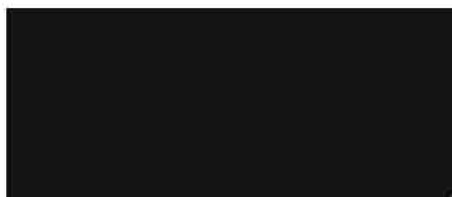
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Yours sincerely,





From:



Date:

29.04.2014

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

**1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development*'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane '*so that green links can be maintained through the village*'.

**2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: '*Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.*'

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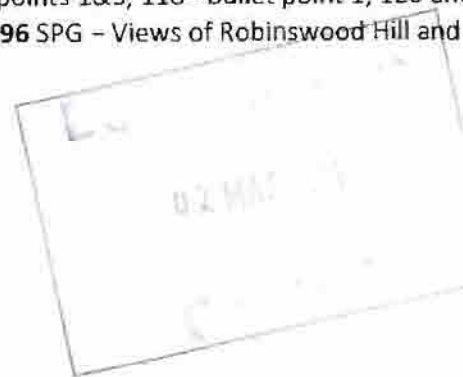
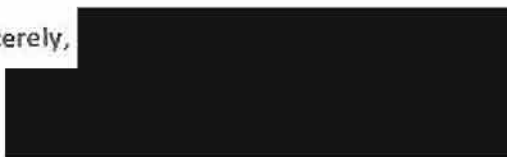
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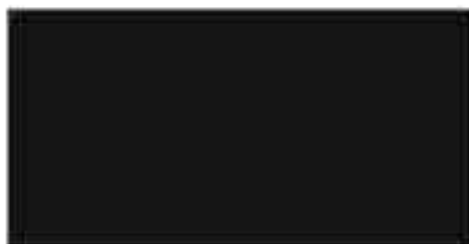
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Yours sincerely,



From:



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Date:

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Yours sincerely,





28 April 2014

Planning Department,  
Gloucester City Council,  
Herbert Warehouse,  
The Docks,  
Gloucester  
GL1 2EQ

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

- 1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted;** and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village. This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 *'... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'*. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane *'so that green links can be maintained through the village'*.
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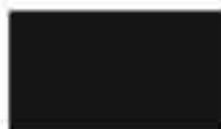
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2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56.

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1996 SPG – Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,



From:



Dear Sir,

Date:

1st MAY 2014

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

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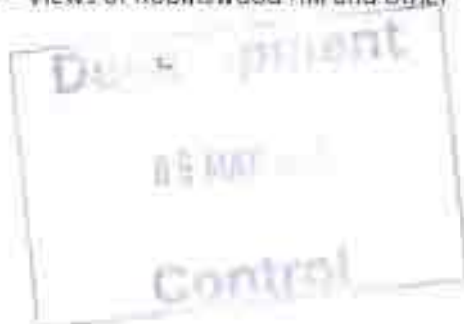
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Yours sincerely,





From:



Dear Sir,

Date: 29-4-14.

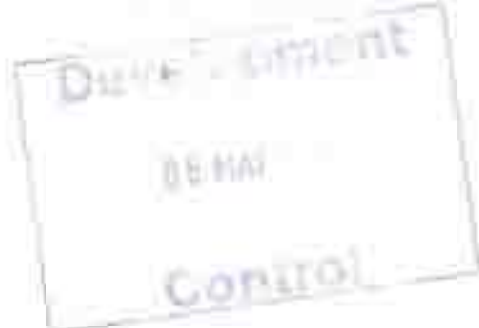
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Yours sincerely,

From:



Dear Sir,

Date:

**OBJECTION TO Planning Application 13/D1032/OUT on Land East of Hempsted Lane, Gloucester**

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1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para: 6.3.47: *'... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'*. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane *'so that green links can be maintained through the village'*.

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4. **The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

5. **Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

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Yours sincerely,





From:

Date:

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 "... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development". Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.
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Yours sincerely,





From:

Development

15 MAY

Control

Date: 30 April 2014

Dear Sir,

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I object strongly to the above application because the proposals will have an adverse impact upon:

1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village. This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 "the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development". Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 "WSP Landscape Analysis of Potential Development Sites" which concludes that no development should take place on the western field fronting Hempsted Lane "so that green links can be maintained through the village".
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Yours sincerely

I have already re-sent you (on 11 April 2014) my original e-mail with the correct reference. That I have had no acknowledgment means, I guess, that all is well.

**From:** Keith Goodred  
**Sent:** 09 November 2014 15:21  
**To:** Adam Smith  
**Subject:** Planning Application 13/01032/OUT - Amended Layout

Dear Adam,

**Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

**Amended Illustrative Layout made available on 4<sup>th</sup> November 2014**

I note that the proposed surface water attenuation feature has been relocated on land outside the application site on existing public open space and which is not under the control of the applicant. My understanding is that the land is owned by the Council.

As this is an integral part of the outline planning application and has a major impact on the public open space shouldn't it therefore be subject of a formal planning application included as part of the development proposals?

The location for a water attenuation feature does raise important issues which local people should be consulted on through the planning application process e.g. loss of playing space, potential dangers associated with such water features, the design and potential for nature conservation, who would maintain the feature and how funding would be secured.

Yours sincerely,

Keith Goodred

From: [REDACTED]



Date: 30/4/2014

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.
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Yours sincerely,

[REDACTED]



From:

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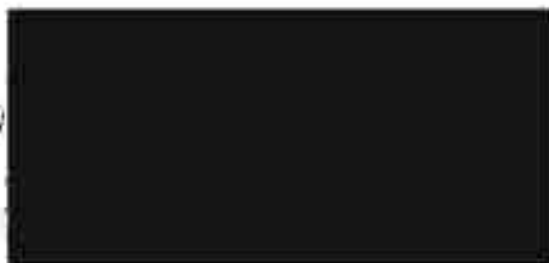
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Yours sincerely,

From:



Dear Sir,

Date: 30.4.2014

**OBJECTION TO Planning Application 13/01032/OJT on Land East of Hempsted Lane, Gloucester**

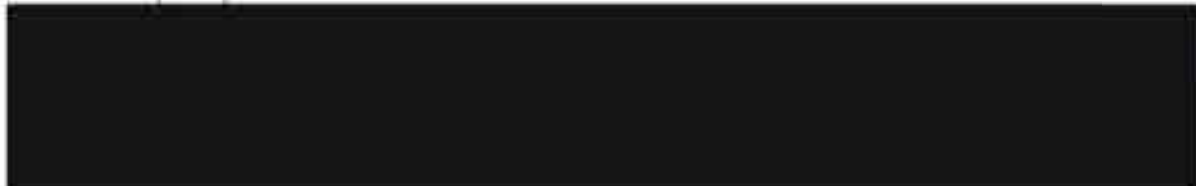
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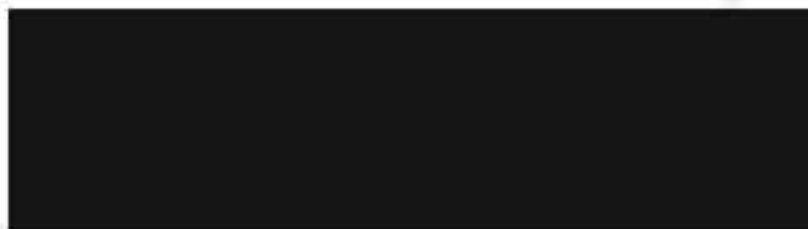


05 MAY 2014

Control



From:



Dear Sir,

Date:

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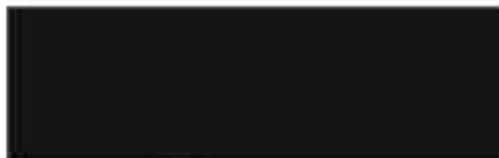
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Yours sincerely,



Adam Smith  
Glos City Council  
Develop. Control  
Herbert Warehouse  
Gloucester  
GL1 2EQ

2 May 2014

Dear Mr Smith,

Re: 13/01032/OUT

With reference to this planning application I would like to say that by and large I support some of the points put forward by the Hands Off Hempsted Campaign.

However I also recognize the need for further housing in the Gloucester area but would suggest that before virgin land is attacked the brown field sites close by and abutting Hempsted should be sympathetically planned, cleaned up and used.

Hempsted has historically been a village on the edge of Gloucester. The South-West Bypass made available a large amount of land which has been mainly covered with housing - some socially successful and some socially problematic.

I hope that in the future when this land (East of Hempted Lane) is developed it will be done with sufficient insight to produce an area that retains some character and retains open space for the use of all the people of the area.

The suggested plan for 60 houses plus open space is still somewhat unimaginative and the density of housing too great. I suggest again that brown field sites should be used before consideration is given to the use of unadulterated land.

Yours sincerely

Sarah Goss





From:

Development

16 MAY

Control

Date: 2/5/14

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Yours sincerely,

Residents in Hempsted for 28 years!



From: [REDACTED]

Dear Sir,

Date: 2 May 2014

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and** which also prevent the coalescence of the main urban area with the older historic part of Hempsted village. This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.
2. **Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: 'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'
3. **Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
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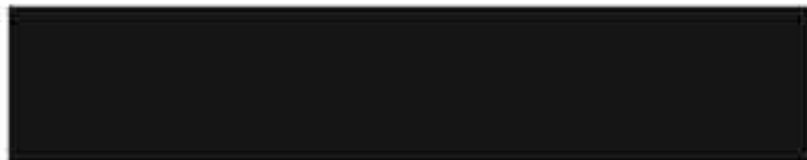
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Yours sincerely,

[REDACTED]

From:



Dear Sir,

Date:

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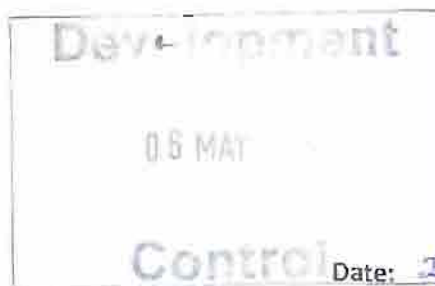
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Yours sincerely,





From:



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**1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development*'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane '*so that green links can be maintained through the village*'.

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Yours sincerely,





From:

Dear Sir,

Date:

30/04/2014

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Yours sincerely,



From:

Development

D.B. HAY

Control

Dear Sir,

Date: 29/4/2014

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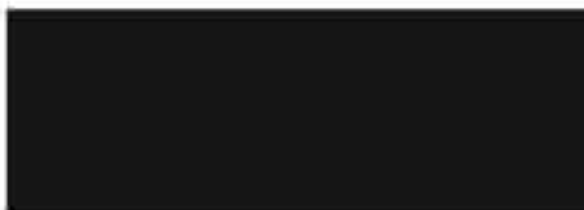
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Yours sincerely,



From:



Dear Sir,

Date: 1.5.14

**OBJECTION TO Planning Application 13/01037/OUT on Land East of Hempsted Lane, Gloucester**

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From:

Date:

30/4/2014

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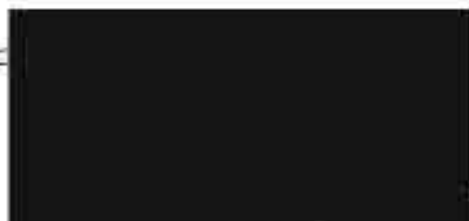
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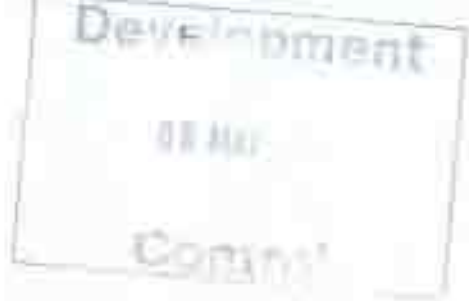
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From:



Date: 1/5/14

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From:



Dear Sir,

Date: 1<sup>st</sup> May 2014.

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2. **Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: 'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'

3. **Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

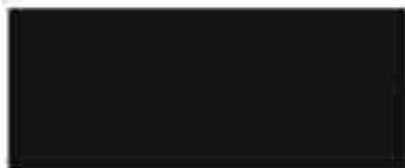
4. **The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

5. **Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

The application is contrary to many planning policies including:

The 2002 Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The 2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA-12/4 and supporting text in para 9.2; The 2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5; The 2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The 2012 National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137; and The 1996 SPG - Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,





From:



Dear Sir,

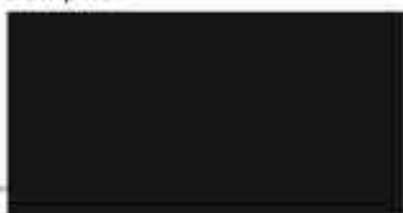
Date: 29-04-2014

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 "... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development". Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.
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  3. **Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
  4. **The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.
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Yours sincerely,



From:



Date: 30 4 2014.

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47: *'... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'*. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane *'so that green links can be maintained through the village'*.
  2. **Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: *'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'*
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Yours sincerely,





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Date: 1/3/14

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From:

Dear Sir,

Date: 30.4.2014

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Yours sincerely,





From: [REDACTED]

Date: 30-04-2014

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Yours sincerely,



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Dear Sir,

Date:

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Yours sincerely,

Development

15 MAY 2013

Control



From:



Dear Sir,

Date:

1-5-14

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

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3. **Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
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5. **Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

The application is **contrary to many planning policies** including:

The 2002 Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The 2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2; The 2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.45, BNE3, BNE4, BNE5 and D1 clauses 1&5; The 2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The 2012 National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137; and The 1996 SPG - Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,



M. T. CHIVERS & C. J. CHIVERS



Ref 13/0/032/OUT

LAND TO EAST OF HEMPSTEAD. MAJOR FARM

WE THE OWNERS OF ABOVE ADDRESS STRONGLY OBJECT TO ANY DEVELOPMENT ON THIS LAND AND LIST SOME REASONS BELOW.

- HEMPSTEAD LANE AS AN ROUTE INTO/OUT OF THIS DEV' IS OUT OF THE QUESTION TO INCREASE TRAFFIC ISSUES/PROBLEMS.
- HEMPSTEAD HAS HAD MORE THAN ITS FAIR SHARE OF BUILDINGS, MORE WILL ONLY ADD TO SEWER PROBLEMS.
- THE SCHOOL IS TOTALLY FULL AND TRAFFIC AT START-FINISH TIMES HAS TO BE SEEN TO BE BELIEVED. (FATAL ACCIDENT ADMITS)
- THE LOCKED UP LAND AROUND SAINTBURY'S WHICH IS BROWN FIELD NEEDS TO BE USED WITH DIRECT ACCESS ONTO THE MAIN ROAD BY PASS.
- THIS GREEN FIELD SPACE IS A BIT OF A FIRE BREAK FROM TRAFFIC FUMES ETC FROM THE BYPASS, IT SHOULD BE DEVELOPED INTO A WOODED NATURE RESERVE TO IMPROVE AIR QUALITY AND PEOPLE'S LIVES.
- WE LIVE IN AGE RELATED HOUSING AND THIS DEVELOPMENT WILL BRING THE KIND OF 'ANTI SOCIAL PROBLEMS' SEEN ON THE CANTER SIDE DEV' RIGHT ON OUR DOOR STEP.

AS YOU WILL AGREE WITH THIS DEVELOPMENT (DON'T HAVE THE GUTS/COMMON SENSE TO SAY NO TO DEVELOPERS) THEN BUILDINGS TO THE TOP END SHOULD BE AGE RELATED BUNGALOWS WHICH WOULD REDUCE PRESSURE ON THE SCHOOL AND MEAN LESS TRAFFIC. ALSO LESS CHANCE OF ANTI SOCIAL PROBLEMS, AND WE MAY BE ABLE TO SEE OVER THE TOP TOP TO RETAIN OUR VIEW OF THE CATHEDRAL.



Development 5. LANDRESS

28 APR 2014

Control

24.4.14.

GL 2 5LD

RE. PLANNING APPLICATION NO 13/01032/OUT.

CONSENT TO THIS PROPOSAL WILL HAVE A  
HIGH NEGATIVE IMPACT ON HEMPSTEAD VILLAGE  
AND THE ENVIRONMENT.

THE FIELDS AS THEY ARE DO PROVIDE A  
GREEN LONG IN A VERY BUILT UP AREA. PLANTING  
TREES INSTEAD OF HOUSES WOULD BE MORE  
BENEFICIAL IN OFFSETTING TRAFFIC POLLUTION  
FROM THE BYPASS AND HEMPSTEAD LANE.

I AM SURE THE EXISTING WILD LIFE WOULD  
LIKE IT ALSO.

PLEASE CONSIDER THESE ENVIRONMENT IMPACT VERY  
CAREFULLY

Development

29 APR 2014

Control

28<sup>th</sup> April 2014

Dear Sir

**OBJECTION TO PLANNING APPLICATION 13/01032/OUT ON LAND EAST OF HEMPSTED LANE.**

I'm afraid that I am not used to writing letters of objection to planning applications, so I hope that I am doing this correctly.

I do wish to object to this particular application. The fields themselves are one of the reasons why Hempsted feels special. They act as a centre for the community and help make Hempsted feel like a village rather than a town or a suburb of Gloucester. Without this green space where it is, we would lose so much by way of rural enjoyment. The open area that the fields provide, give unrivalled vistas of the surrounding areas. Indeed, one of my neighbours called her bungalow "Cathedral View" because of the stunning views of the Cathedral from her property and I can understand completely why she did this. The distant hills are a wonderful sight and on some mornings and evenings can show a wealth of colours in the sky which would be partially prevented by the building of houses on this land.

The wildlife is equally important. We enjoy badgers, foxes, rabbits and no end of birds that use the fields either as a habitat or as a means of crossing. It is important that the children come to understand the value of the wildlife and it is not an uncommon sight to see adults and children observing these animals when occasions allow. If nurtured in the right way, this could increase the population of these animals and introduce others were this open space to be left alone. (Even the cattle appear to be somewhat friendly.)

The current use is for agriculture which seems an eminently sensible use of the land. It cannot be said that the land is underused. This application changes the use of the land in what I might term a destructive way to allow profit for the owners to the detriment of the existing residents. The area in question has evidence of ridge and furrow farming, and any attempt to build on or near this would detract from the historical importance of the site. We must not lose such history as once lost, it can never be recovered.


I have to confess that I chose to come and live in Hempsted because of the delightful nature of the village. We have seen the size of Hempsted more than treble in the last 12 years and village amenities are at bursting point. The school is full and is the subject of expansion. Car parking for and access to the school is at breaking point and causes a great deal of distress to the local residents. I myself see a considerable increase in litter dumped in the street and on my property during term time and further increases in the size of Hempsted will only make this matter worse.

The waste water and sewer system are what they are before the new building started. We have no doctor or dentist in the immediate area, even with such a growth in our population, which means we have to compete for places with either the City centre or Quedgeley. We also have to contend with parking by the Gloucester collage pupils that block the straight forward access towards the city. The road is still a narrow country lane by modern comparisons and in any case, was never intended to take the volume of traffic we see today.

One final issue is to draw your attention to the recent need for a dispersal order in Hempsted which has been necessary on the East side of Secunda Way which has a higher element of social housing. Increasing the level of social housing on the West side of the road is most likely to have a corresponding affect on Anti Social Behaviour which would be most unwelcome, and I would invite you to check the last 12 months data on [www.Police.uk](http://www.Police.uk). Any increase would no doubt further stretch the resources of the police further.

In conclusion, my wife and I regularly enjoy walking round Hempsted, looking at the wildlife and being grateful for the views and ambiance of the area we live in. Please don't let this proposed change to use of the land rip the heart out of the village where we live. Places like Hempsted are all too few and we should do all we can to protect such a wonderful area before it is all lost to concrete forever. Please may I urge you not to allow this planning application?

Yours faithfully

A black rectangular box redacting the signature of John P. Sharrock.

JOHN P. SHARROCK

67 Hempsted Lane,  
Hempsted,  
Gloucester,  
GL2 5JS  
20<sup>th</sup> April 2014

Dear Mr Smith,

**Planning Application No: 13/01032/OUT**

Thank you for your letter of 3<sup>rd</sup> April detailing the outline planning application for the land East of Hempsted Lane.

We would like to strongly object to the planning application for the reasons listed below.

- **Sewerage** - We have grave concerns that the sewerage system currently in Hempsted will not be able to cope with the additional burden of up to 60 houses. We have lived in Hempsted Lane for 10 years and during that time we have had effluent covering our garden on at least 6 occasions. Having written to the Environmental Health Authority and Severn Trent Water a decision was made to fit a one-way valve to prevent the sewerage from the main drain coming back up into our garden. The valve is maintained and checked annually by Severn Trent Water, with the cost being fully met by themselves. This clearly shows that there is a problem with the system, as Severn Trent would not have inserted a one-way valve, at cost to them. Although this has stopped effluent coming into our garden, the one-way valve often closes when the main drain fills up which means we are unable to use the facilities in our own home, e.g. shower, washing machine etc. until the valve has re-opened.
- **Road safety** - Access from the proposed site will cause an additional burden to traffic leading onto Hempsted Lane. The majority of homes own at least one or two cars, and there does not appear to be enough parking spaces in the plans to accommodate them. This will mean that cars will be parked on the lane, and will be a safety hazard due to lack of visibility for drivers. The amount of traffic entering the lane will also cause problems as it tries to filter onto the main road.
- **Conservation area** - It appears that the planning application is also in conflict with the council's 2013 "WSP Landscape Analysis of Potential Development Sites", which states that no development should take place, '**so that green links can be maintained through the village.**' The historic remains of the ridge and



furrow system are important to Hempsted and society in general. If these historic sites are built upon, they will be lost forever.

- **Schools** -The local school is full to capacity. If the new houses that are proposed are family homes, the question must be asked of where the children will go to school? It seems unrealistic to continue to build houses when the infrastructure of the village remains the same. For example, there is no dentist or doctor's surgery.
- **Privacy** - We do have concerns over privacy if the planning application is passed and the new development is built. Our bathroom and landing window looks directly over the field, and we would have issues over the lack of privacy this could entail for us. The plans also mention 2.5 storey 'feature buildings' located in various areas of the plot. Our bedroom window looks out towards one of the areas mentioned, and we have great concerns for our privacy.
- **Noise levels** - As our house is so closely situated to where the new development is proposed we have concerns about noise levels, from both traffic and pedestrian paths. The plans show that driveways and paths are situated throughout the area, with a pedestrian access located from our side of the plot.
- **Views** - The surrounding green area is very important to Hempsted as it is what makes Hempsted a village, not just another urban sprawl. The Hempsted Conservation Area Appraisal and Management Proposals, confirms the importance of the fields. **'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separations from Gloucester, to maintain the green and rural character of the village, and they protect important views.'**

Thank you for your consideration in this matter.

Teresa Finch

Timothy Finch

I see the important issue as ensuring that if development is approved sufficient land is set aside for public use to enable:-

- a) an improved play area for primary children, and
- b) a community building which could be largely lottery funded    Potential uses:-

- i) a village hall - the existing village hall is rather small for the present size of Hempsted,
- ii) changing rooms - the current football field lacks any changing facilities
- iii) room for a visiting doctor from one of the city centre practices

It may be not possible to have land for all of the above alongside other provision but I hope amenities for the next generation of the residents of Hempsted gets priority.

Regards

Robert Kingston

From:

Dear Sir,

Date: 8<sup>th</sup> April 2014

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

**1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.

**2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: 'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'

**3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

**4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

**5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

The application is **contrary to many planning policies** including:

The 2002 Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The 2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2; The 2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5; The 2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The 2012 National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 125 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137; and The 1996 SPG - Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,



Dear Sir,

I am a resident of Hempsted and have lived in High View since 1986. I hope you will take into consideration the following observations I have on this proposed development.

Let me say from the outset that I fully appreciate the reasons behind the Lysons Trust proposal to develop the land. As the land appears not to be viable for future agricultural working and they have a need to generate income to support their charitable function, then developing the land is their only option. I believe that they have not suggested this lightly as they have supported the Hempsted community in many ways not least providing the stipend to pay our vicar. It is the wish of many households in the village to maintain the village environment and its community spirit and this would be lost if we didn't have a viable church and our local post office.

The proposed development is on one of the last remaining green fields in the old part of Hempsted. I live in High View which was built in 1967/68 on what was the grounds of a large house near to the centre of the old part of the village. I am an "incomer" living in what must have been considered a new development back in 1968. High View has 36 houses in it I believe, and Court Gardens, another development of the same time, has about the same. Whilst I support the principle of the suggested development, it is the scale of it that I feel is too much. 60 houses is far too many and I feel that this will impact on the village in an adverse way. I do like the proposal to provide more land for the community to use as footpaths etc.

I have looked at the site plan and feel that the access into the development will cause some danger in turning into the development. There is a nasty unsighted bend at Manor Farm house and another one just before the entrance to the playing field in Hempsted Lane. Parking at these two sites and in between makes driving a hazard at present, further traffic will only make things worse.

Another concern of mine is whether the drainage system in Hempsted can actually support the development. I don't know the technicalities involved, but the village has already experienced sewage problems involving works being done in the road outside the Post Office and at the mini roundabout junction leading into St. Swithuns Road. Considering we are so near to Netheridge pumping station, I understand that our drains take a tortuous route to get the sewage away at present without any further loading.



It is a sadness to me that there is insufficient room at the school for some of the village children to be accommodated there at present. We do have problems with children being brought in by car from other parts of Gloucester. The parking in St. Swithuns Road at peak school times is appalling and so is the behaviour of some of the parents too. We do not have the school facilities to take on an increased intake, although I would welcome children from the village being able to walk to school.

I am realistic enough to know that development of this land will be approved in some form but I hope that you and the planning committee will take on board the concerns I have about the scale of the development and its impact on the village.

One last point, will Councillor Paul Toleman, who is a member of the Planning Committee, be allowed to vote on this application?

Yours faithfully,  
Avril Sparkes

Stewart N Cypher,



*29 April '14*


Dear Sir,

Planning application for residential and open space  
development on land off Hempsted Lane, Gloucester.  
REF: 010/01032/out.

I enclose my formal objection to the above proposal and I shall be obliged if you will keep me up to date with the progress of the decision making process including the date at which the matter will be presented to the appropriate committee.

Please acknowledge receipt of my objection.

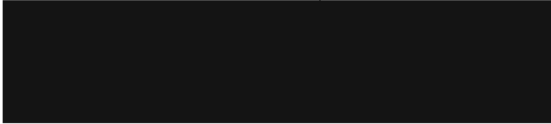
Yours faithfully,



Chief Planning Officer,  
Gloucester Planning Department,  
The Docks,  
Gloucester.

FORMAL OBJECTION: Land at Hempsted Lane, Ref 13/01032/OUT

From Stewart N. Cypher,



Landscape/Conservation.

In spite of the somewhat perfunctory dismissal of the qualities of this site in the above terms by the Consultants. or EDP, whoever they are(Para 6.9 Planning statement) for those who live in the village and I have for the past 50 odd years the land is of very significant value. I find it offensive to the interests of the local people that some City based outfit can be so dismissive of qualities that I find extremely attractive. The arrogance of this approach fills me with foreboding of what might eventually arise if a permission were to be mistakenly granted; I sincerely hope it won't be.

Highways.

Having lived alongside Hempsted Lane for so many years I have formed an unshakeable opinion that whatever the law may set as a speed limit 90% of traffic using this road exceeds it. I am of the unshakeable view that if a speed limit survey were to be carried out under properly controlled conditions that view would be justified and supported. Access for 60 houses (probably generating about 100 cars) emerging on to Hempsted Lane at the point shewn, somewhat vaguely, on Drawing No JNY7853-04RPS will present hazards of significant dimensions. The bends in that section of the highway appear benign, believe me they are VERY DECEPTIVE.

Infrastructure.

Although long past the age of having to worry about schooling further children arising from new housing can only cause further pressure on the school capacity with inevitable clamour for more capacity at the school so that eventually it will lose it's attractiveness as a 'village' school and become simply a learning centre for children and inevitably lose it's identity as the village school

Dated

*28th April '14*



FAO - Mr Adam Smith

Dear Mr Smith

Please find attached a letter from myself re the above planning application for Hempsted Lane.

I strongly object to this application my reasons stated in the attached. Also the village itself struggles to accommodate the existing traffic and number of families.

There are no amenities in the village the school is a village school and over subscribed as it is.

I think there needs to be more money put into improving the village and surrounding area without adding more concrete jungles where families have to travel to service their everyday needs.

Thank you for taking the time to read my letter.

Regards

Mrs Louise Mclarney



*I object to application 13/01032/ou for the following reasons. I do not consider this to be sustainable development. The infrastructure cannot cope with development on this scale .It will overstretch the School, Victorian sewers and roads. It will led to further denigration of the community and villa.ge character It is a further example of building on a green field site when alternatives exist in the village to provide housing on brown field sites.. It is the worst form of speculative development where profit is put before the needs of the residents. It will cause the loss of the protected views from Hempsted over to the Cotswolds The village has done more than its bit in loosing open space to development in the last 10 years. Dr C Hardman*

Mr Charles Hardman

41 Hempsted Lane

The Development Control Officer  
Attention Mr Adam Smith  
Gloucester City Council  
Herbert Warehouse, The Docks  
Gloucester, GL12EQ



18 April 2014

Dear Sir

Re: **Planning Application Ref: 13/01032/OUT**

Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval (layout, scale, appearance and landscaping reserved for future consideration)

1. I wish to object to this application on the grounds that:
  - a. It does not take account of the recent Landscape Assessment work carried out by WSP on behalf of Gloucester City Council;
  - b. The proposed number of dwellings is too high and not in concert with surrounding parts of Hempsted;
  - c. The proposed access to the site via Hempsted lane is unsafe and also breaches the Open space buffer parallel to HL recommended in the recent landscape assessment;
  - d. There is insufficient capacity at the local Primary school for any further development in Hempsted;
  - e. The complex and archaic foul water system is at breaking point and cannot support any extra load placed upon it.
  - f. The proposed development will have a major deleterious impact if treated in isolation to the other emerging plans for housing/infrastructure development in Hempsted.
2. Landscape Assessment – A significant update to the landscape Value assessment was carried out in October 2013 by WSP. The assessment recommends that development on this site should be limited to the eastern side to limit the landscape effect on the site and its surroundings. Retaining the western side of the site, green links would be maintained through the village.
3. Number of Dwellings – The application suggests that the number of dwellings should be in the region of 60. It further suggest that this number is modelled on the medium density found at the Gallops. However, the areas chosen as the basis for low, medium and high densities is flawed. Housing density in HL should not be used as it is simply the product of outdated ribbon style development. Equally the developments to the east of secunda way represent the poor standards seen on larger sites all over the UK and should not feature in the calculation. A more balanced approach would be to use the Gallops as High, and the adjacent Court Gardens or close by High view as Medium with Chartwell/ladywell Close providing the Low density case.

4. Access Via Hempsted Lane – The proposed access via Hempsted Lane represents a poor choice in terms of safety, and traffic movements through the village. The ready-made traffic controlled junction with secunda way has the capacity and inbuilt safety control which allows additional traffic to quickly access the major routes without passing or impinging on or interfering with school traffic. Access onto HL would also breach the green buffer that is so important to maintain the rural feel when travelling south towards the older part of Hempsted
5. Local Primary School – The local school is already full and has no capacity to accept additional pupils. Congestion and parking problems are also a daily feature which can only become worse if additional significant (i.e.>20 dwellings) housing is allowed to be built.
6. Foul Water/Sewerage System – Although not acknowledged by Severn Trent the Hempsted sewerage system is at or beyond it full capacity. Numerous problems where raw sewerage appears in residents houses have occurred over the past 5 to 10 years. The routing of the system is also complex and archaic, with effluent being pumped up the hill towards Rectory Lane and then north down Hempsted lane, east under the canal and finally south to its final destination at Netheridge. More development will inevitably bring more problems.
7. Lack of Master Plan – The application to develop the land at the east of HL is the first in a line of developments that will come forward in the short to medium term. To consider it in isolation when we know that other equally significant proposals are on their way would be crazy. The opportunity is here lets deal with it in a measured and professional way so that we don't end up with something no one wants or will own up to being involved in.
8. In summary I conclude that there is sufficient evidence to show that this application should not be approved in its present form and that further work is needed to bring it to an acceptable level. Its location, so close to the "village", makes it one of the most significant developments in Hempsted for many years and therefore must not be viewed in isolation or until a comprehensive plan can be developed and the overall impact on Hempsted is satisfactorily established.

Yours



T J Stevenson

# HANDS OFF HEMPSTED CAMPAIGN

We, the signatories to this petition OBJECT to Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester - Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works, ON THE GROUNDS that the application is contrary to the planning policies of Gloucester City Council and the National Planning Policy Framework in that the development will adversely impact upon:

1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted
2. Fields which are critically important to the setting to the Hempsted Conservation Area
3. Fields which prevent the coalescence of the main urban area with the older historic part of Hempsted village
4. Wildlife currently using the fields
5. Historic remains of the ridge and furrow farming system and old orchard
6. The open views from public paths around the fields

NAME	ADDRESS	SIGNATURE
CHARLES MURRAY JONES		
JENNIFER FINCH		
TIM KINCH		
Teresa Finch		
Laurence Humphries		
D. Kelchell		
A. Blanchfield		
K. Stafford-Pratt		





From:

John Rowland



Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.

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3. **Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

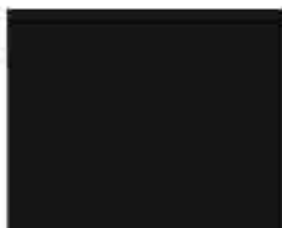
4. **The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

5. **Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

**The application is contrary to many planning policies including:**

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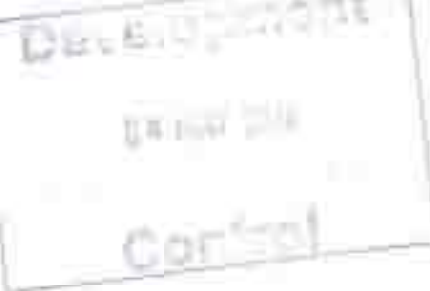
Yours sincerely,





From:

Barbara Forward



Dear Sir,

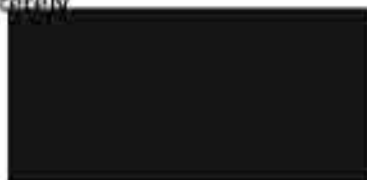
Date:

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and** which also prevent the **coalescence of the main urban area with the older historic part of Hempsted village**. This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47: *'... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'*. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane *'so that green links can be maintained through the village'*.
  2. **Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: *'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'*
  3. **Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
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Yours sincerely



From: Terry Onions



Dear Sir,

Date:

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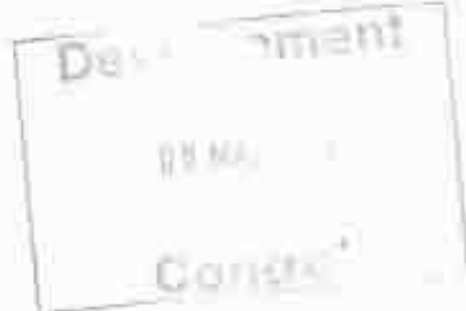
Yours sincerely,





From:

Ruth Owens



Dear Sir,

Date:

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

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1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47: *'... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'*. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane *'so that green links can be maintained through the village'*.
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Yours sincerely,

[Redacted signature]

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Date:

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Yours sincerely,



From: KEVIN + JULIE KEATES



Dear Sir

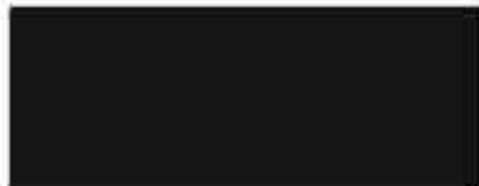
Date: 3.5.14

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Yours sincerely,



From:

John Chivers

Dev

Dear Sir,

Date: 3-5-14.

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Yours sincerely



From: A. Thomas - Bennett

Dear Sir,

Date: 29/4/14

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Yours sincerely,



From:

GUNNY SHEPHERD

03 MAY

cont

Dear Sir,

Date: 2.5.14

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Yours sincerely,

[Redacted Signature]



From: **MR J. COLBACH**



Dear Sir,

Date: **1 MAY 2014**

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

**1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47: "... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development". Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.

**2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: 'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'

**3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

**4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

**5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

**The application is contrary to many planning policies including:**

The 2002 Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The 2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2; The 2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5, The 2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The 2012 National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137; and The 1996 SPG - Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,



From: ELAINE EUDO-MITCHELL



Dear Sir,

Date: 28/4/14

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

- 1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development*'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane '*so that green links can be maintained through the village*'.
- 2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: '*Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.*'
- 3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
- 4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.
- 5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

**The application is contrary to many planning policies including:**

The 2002 Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The 2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2; The 2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5; The 2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The 2012 National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137; and The 1996 SPG – Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,



Dear Mr Smith,

In reference to application 13/01032/out in Hempsted, I would like to object on the grounds of open space that is so crucial to the village including the people and animals that live there. There is a regularly attended football pitch, a park that I regularly go to with my family, and there are animals that graze on the land. Hempsted, although close to the city centre, is picturesque and lovely to view for the residents and also children of the local primary school. It is unacceptable and I am appalled at this plan to demolish the green belt.

Yours sincerely

Joanne Carter

Hello

Comments have been submitted regarding proposal [Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval \(layout, scale, appearance and landscaping reserved for future consideration\)](#) at [Land East Of Hempsted Lane Hempsted Lane Gloucester](#). The following supporting comment was made today by Mr Alan Lomax.

*I support this application in particular as some 50% of the land will become Public open space. I suggest that the open space should be assured by having it transferred to Gloucester city ownership as part of any transaction with a developer. I agree with the concerns of other respondents re capacity of the sewerage system, and the lack of health facilities in or within easy walking distance of the village, especially a problem for the elderly or infirm. Alan Lomax*

Planning Committee  
Gloucester City Council  
Herbert Warehouse  
The Docks  
Gloucester  
GL1 2EQ

23<sup>rd</sup> April 2014

**Re: Planning Application 13/01032/OUT**

Dear Sir or Madam,

I listened with interest at the recent Village Hall meeting chaired by our MP Richard Graham concerning this latest development proposal for Hempsted.

It seems very obvious to me that SUSTAINABILITY is at the core of the decision you need to make, and at this point in time this planning application is simply not sustainable!

**SEWERAGE INFRASTRUCTURE UNSUSTAINABLE:** The sewerage system in Hempsted regularly experiences difficulties as it was designed for a village of 450 dwellings. As I understand it, ALL of the new developments that have sprung up over the last decade are plumbed into this small and ageing infrastructure, causing unpleasant overflow into village gardens on a regular basis.

**SCHOOL EXPANSION UNSUSTAINABLE:** The school is over-subscribed with many people driving in and out of the village from surrounding areas which causes considerable congestion, particularly as there are no parking facilities at the school. Again I understand that an investigation was carried out by the City Council to extend the school approximately a year ago and that the plans were abandoned because the project was deemed "unsustainable."

There are also issues of road safety, speeding along the bypass, difficulties of access in and out of the village (the roundabout by Hobbs being a specific problem) lack of facilities for residents in terms of healthcare (we

have no doctor or dentist) retention of undeveloped countryside and the protection of wildlife.

I am very interested in the library that a panel member was intending to add extra funds to however, in lieu of more development. Where exactly is this?!

Thank you for your consideration,

Yours faithfully,

Mrs. A. Thomsen



***For Attention of Mr Adam Smith***

**Amended Plans 13/01032.OUT Land East of Hempsted Lane**

Dear Mr Smith,

I should like to make comments to the above amended plans as follows;

- 1) The buffer zone of at least 14m to the new residential area provided along the northern part of Hempsted Lane is an excellent improvement
- 2) Retaining the Hedge along Hempsted Lane is an excellent improvement

These two improvements will go a long way to sustain the character of the Village Conservation area. This, along with a 50% Open Space provision, in my view, makes this an application not to be jeopardized.

However, one objection I think needs to be made and that is, that the intention for sewerage disposal will worsen the problems that all too often occur in Hempsted. Severn Trent, I feel, really needs to acknowledge an issue here. Problems have occurred all too frequently in Court Gardens and lower Hempsted Lane. An extra fifty houses, I feel, makes a material difference.

Thanks and Regards  
*Gordon Heath.*

From: *Sarah Charles*

Date: *3/5/14*

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

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**1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development*'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane '*so that green links can be maintained through the village*'.

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Yours sincerely

Hello

Comments have been submitted regarding proposal [Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval \(layout, scale, appearance and landscaping reserved for future consideration\)](#) at [Land East Of Hempsted Lane Hempsted Lane Gloucester](#). The following objection was made today by Mr Mike Whitehouse.

*Dear Mr Smith, With reference to the application, I wish to object to it due to the further loss of fields in the Hempsted area. In the past 15 years the number of houses in Hempsted has increased 3 fold and in doing so the area has also noticed a large increase in Anti-social behaviour, traffic problems and the loss of village feel. I note the proposed entrance to the new estate is on a bend thus a potential road traffic collision waiting to happen. The proposed move of the play park, if this is moved it needs to go in view of a road so that the police can view it as they pass. By building on the fields there will be a loss of habitat for the wild life that is there. Personally my neighbours and I will lose the view of Robinswood hill. Finally, if you have to build I would suggest bungalows. Whether they be semi, detached or sheltered housing bungalows for retired people at least this will not spoil the view for most of the existing homes and will attract a certain type of person, i.e. older people wishing to downsize within Hempsted so that they do not have to move away from their roots. Regards  
Mike Whitehouse Hempsted Lane*

Hi Adam,

Just want to log my strong OPPOSITION AGAINST the planning application reference: 13/1032/OUT.

Myself & my family moved to the area in April this year. We moved for the primary reason of my daughter's future education at the village school here. This school won't be able to accommodate more houses & potential children that will come hand in hand with that.

The area has lovely open fields, great for my daughter to grow up around, walk our dog in etc; we don't want to be lost in just another housing estate. The beauty of this area is we are still Hempsted Village. With all the proposed houses for the area, we will lose that Village appeal & the floodgates will open for more & more endless housing plans for the area.

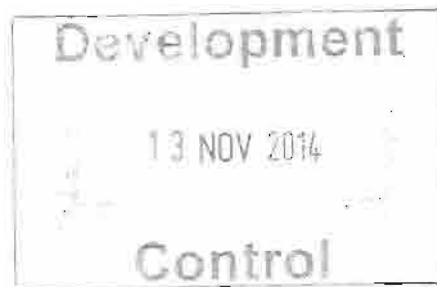
Regards flooding too, Hempsted has flooded previously & building more houses in the area could well have adverse effects in returning serious flooding to the area, with less fields as soak aways.

Accept this as strong opposition to the plans & I hope you hear & listen to my concerns.

Yours Sincerely,

Paul Cooke.





10/11/2014

Your ref 13/01032/OUT

Dear Mr Smith,

We have no comment to make on the ammended layout of housing as shown on your web site as we believe the land in question should not be built on. Our reasons for this were given in our objections to the original plans and these have not changed.

Yours truly



**OBJECTION TO Planning Application 13/01032/OUT -  
AMENDED PLANS SUBMITTED IN AUGUST 2014 on Land East  
of Hempsted Lane, Gloucester - Outline planning application  
for residential development of site, open space including  
orchard, cycleways, footpaths, and associated works. Means  
of access offered for approval (layout, scale, appearance  
and landscaping reserved for future consideration).**

**From: Mr. K.H. Goodred and also acting on behalf of acting  
on behalf of others listed.**

**Date: 19<sup>th</sup> August 2014**

**From Mr. K.H.Goodred, [REDACTED]**  
**and also acting on behalf of the following:**

Mr & Mrs KM Keates, [REDACTED]  
Miss A Keates & Mr J Shelton [REDACTED]

Mr & Mrs G Rea, [REDACTED]

Mr & Mrs R Keates, [REDACTED]

Mr & Mrs R Emery, [REDACTED]

Mr & Mrs P Clune, [REDACTED]

Mr & Mrs T Overthrow, [REDACTED]

Mr & Mrs R Dillon, [REDACTED]

Mr & Mrs D Alberts, [REDACTED]

Mr & Mrs M Ellis, [REDACTED]

Miss K. Keates, [REDACTED]

Mr & Mrs R Dyer, [REDACTED]

Date: 19<sup>th</sup> August 2014

**To:**

Mr. Adam Smith,  
Gloucester City Council Development Control,  
Herbert Warehouse, The Docks,  
Gloucester, GL1 2EQ

Dear Sir,

**OBJECTION TO AMENDED PLANS (SUBMITTED IN AUGUST 2014) relating to Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester - Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval (layout, scale, appearance and landscaping reserved for future consideration).**

Please see below objections to the AMENDED PLANS relating to the planning application for residential development and open space on the fields to the East of Hempsted Lane.

Yours sincerely,

Keith Goodred

## **1.0 Introduction**

1.1 With reference to my original objection dated 5th May 20014 all issues raised remain relevant to the amended plans. However there are two additional matters I wish to bring to the attention of the Council. These are set out below.

## **2.0 2013 Strategic Assessment of Land Availability (SALA)**

2.1 Since my original objections the 2013 Strategic Assessment of Land Availability (SALA) has been published. In my original objections I referred to the 2012 Strategic Housing Land Availability Assessment (SHLAA) set out on pages 47-48, paras 5.5 – 5.10 of my submission and also referred to the 2013 'WSP Landscape Analysis of Potential Development Sites' set out on pages 20-21, paras 1.43-1.48. I argued why I consider both to be flawed and that little, if any, weight should be given to either in the determination of planning applications.

2.2 Notwithstanding the above, it is noted that the 2013 Strategic Assessment of Land Availability (SALA) which replaces SHLAAs, refers to the planning application site under site 'SUB06 – Land east of Hempsted'. It takes account of the WSP Landscape Analysis (referred to as the City Council Landscape Report Dec 2013). Comparing the 2012 SHLAA with the 2013 SALA, the 'Unconstrained site area' is reduced from 3.42 Ha (2012 SHLAA) to 1.26 Ha (2013 SALA) with a 'Housing Potential (Market adjustment)' capacity reduced from 50 dwellings (2012 SHLAA) to 40 dwellings (2013 SALA).

2.3 This compares with the net developable area shown on the amended planning application plans of 1.67 Ha with an indicative capacity of 50 dwellings. In addition to points I have raised in my original objections, neither the submitted application plans or the amended plans meet with the conclusions of the 2013 SALA.

2.4 In my original I objection I described how the 2012 SHLAA was not carried out in accordance with Government Guidance. The same applies to the 2013 SALA which also had no community input in the assessment process and ignored long standing, well founded Council planning policies for the application site.

2.5 In addition representatives from both RPS and Bruton Knowles served on the Assessment Panel and despite declaring an interest were allowed to participate in the discussion about development potential of the fields to the east of Hempsted Lane. This would appear completely contrary to any concept of integrity or fairness for which the Council should set a high standard. Indeed it appears contrary to well established Council practice for committee meetings where Members who declare a pecuniary interest in a matter on the agenda cannot participate in the decision making process.

2.6 The requirement to express an interest whilst serving on the Site Assessment Panel is found in para 2.32 of the SALA 2013, 'Section 2: The Assessment Process' under the sub heading 'Site Assessment Panel'. But what is the point of declaring an interest if it makes no difference to participation in the discussions? This flaw in the process undermines the credibility of the 2013 SALA and, as a consequence, it should carry very little, if any, weight in the determination of planning applications.



### 3.0 2014 Pre-Submission Document Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury

3.1 My original objection contains references to a number of policies referred to in the 2013 Draft Joint Core Strategy. Since then the 2014 Pre-submission JCS was published for consultation. Although the policy numbers and some of the detailed wording have changed, the overall affect is that the policies are still relevant to the objections made. This applies to the following policies:

Policy Type	Policy number 2013 JCS Draft	Policy number 2014 JCS Pre-Submission Doc.
Landscape	S6	SD7
Historic Environment	S8	SD9
Biodiversity and Geodiversity	S9	SD10
Residential Development	C1	SD11

3.2 It should be noted that cause 4(ii) of policy SD11 allows for infilling development within the existing built up areas. However the development proposals at Hempsted should not be considered as 'infilling' which is normally considered to be *the filling of small gaps within existing development e.g. the building of one or two houses on a small vacant plot in an otherwise extensively built up frontage. The plot will generally be surrounded on at least three sides by developed sites or roads.*

3.3 The land to the east of Hempsted Lane is Greenfield and, including the public open space in the north west corner, is around 4Ha in size. Such an area cannot be considered as infilling. Therefore under policy SD11 the planning application should be refused.

This concludes my additional comments,

Yours sincerely,

Keith Goodred

Adam Smith  
Principal Planning Officer  
Development Management  
Gloucester City Council  
Herbert Warehouse  
The Docks  
Gloucester

Chris Hargraves

24<sup>th</sup> April 2014

Dear Adam

**Re: 13/01032/OUT – Land East of Hempsted Lane, Hempsted, Gloucester**

**Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval (layout, scale, appearance and landscaping reserved for future consideration)**

I write in response to the above application. I live nearby at 6 Court Gardens and know the site well, walking past it on a regular basis. Having looked at the application submission I consider that there are a number of reasons why planning permission should not be granted. These are outlined below. I should add that I am a chartered town planner with 17 years' experience and therefore hope my comments are of use to you.

Suitability of the site for residential development

The outline application proposes the construction of up to 60 homes on an attractive greenfield site to the east of Hempsted Lane. The site is not allocated for housing in the statutory development plan, which remains the 1983 Gloucester City Local Plan. Nor is it allocated for housing in the more recent non-statutory development plans prepared by the City Council.

In terms of whether the application site is suitable for residential development it is useful to refer to the Council's Strategic Housing Land Availability Assessment (SHLAA).

According to the Council's website, four SHLAA reports have been published in 2009, 2010, 2011 and most recently in 2012. The application site has been assessed with regard to its suitability for housing in all four SHLAA reports.

Notably, in the 2009, 2010 and 2011 SHLAA reports, the Council concluded that the site is 'not suitable' for residential development and therefore 'not achievable'. The reasons cited relate primarily to the landscape constraints associated with the site that 'cannot be overcome' although reference was also made to poor public transport access, the potential impact on the setting of nearby listed buildings as well as impact on the setting of Hempsted Conservation Area.

The most recent SHLAA report published in December 2012 concludes that the landscape and archaeological heritage constraints associated with the site can be 'overcome with careful consideration' and that as a result the site is suitable, available and achievable within a 6-10 year timeframe.

It is not clear however why the Council's view on the suitability of the site has changed in the most recent assessment. Whilst I appreciate that SHLAA findings must be re-visited in light of increased housing requirements, no proper reason is provided or background evidence to support the change in stance.

The fact is that the Council in three of its four assessments of potential housing availability has concluded that the site is not suitable for residential development.

Although the site has been allocated as a potential development site in the draft City Plan (2013) the plan is at a relatively early stage of preparation and can therefore only be afforded very limited weight if any.

The draft City Plan simply reiterates the findings of the 2012 SHLAA with no further justification for the inclusion of the site as a potential development opportunity.

#### Whether there is a need for the development

Whilst the aspirations of the NPPF to significantly boost housing supply are acknowledged, it is relevant to note that the Council is currently able to demonstrate a 5-year supply of deliverable housing land without recourse to the application site.

As identified in the pre-submission draft Joint Core Strategy (JCS) the total housing requirement across the JCS area in the period 2011 – 2031 is 30,500 homes with the requirement for Gloucester City being identified as 11,300 new homes. This is lower than the figures quoted by the applicant which have evidently been taken from an earlier draft version of the JCS document.

It is understood that total housing capacity within the City's administrative boundaries is around 7,800 and that urban extensions in Tewkesbury Borough will provide a further 3,000 homes. The total anticipated supply at 10,800 is some 500 dwellings lower than the identified requirement (11,300).

However, across the JCS area as whole, the anticipated level of supply at 31,069 dwellings exceeds the identified requirement (30,500).

In terms of 5-year housing land supply, taking the overall anticipated supply of 7,800 homes within the City's administrative boundaries, the annualised requirement is 390 homes and the five year requirement including 5% buffer is therefore 2,048 dwellings.

According to the 2012 SHLAA report the anticipated supply in the period 2012 – 2017 is around 2,339 dwellings. The Council is therefore currently able to demonstrate that it has a 5-year housing land supply and is not under pressure to release the application site for development.

Indeed, the SHLAA report itself suggests that the site should come forward in the longer term (6 – 10 years).

### Landscape Conservation Area

The application site is identified in the 2002 Second Deposit Draft Local Plan as a Landscape Conservation Area (LCA). Policy LCA1 – Development within Landscape Conservation Areas applies. The policy states that:

**Development will not be permitted that would detract from the particular landscape qualities and character of Landscape Conservation Areas unless there are exceptional circumstances. Open air recreational uses and small-scale development required to support them, agricultural development and renewable energy proposals may be acceptable provided they are sensitively located, designed and landscaped.**

The importance of protecting and enhancing valued landscapes is also recognised in the National Planning Policy Framework (NPPF) which states that ‘the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes’.

The landscape constraints associated with the application site have long been recognised by the Council through the revised deposit draft Local Plan (2002) and more recently in previous iterations of the SHLAA. The importance of the site in landscape terms is also recognised in the Hempsted Conservation Area Appraisal (2007).

Whilst the surrounding uses have to some extent had an urbanising effect on the application site, it still has a very rural character and it is apparent that residential development even on a reduced portion of the overall site would have a significant landscape impact contrary to both Policy LCA1 and the NPPF. Importantly, no exceptional circumstances have been demonstrated to justify a departure from Policy LCA1.

The applicant has commissioned their own landscape assessment in February 2010 which unsurprisingly concludes that development on the site would not have a harmful impact. The Council should seek independent advice in arriving at a balanced conclusion on this issue.

### Impact on the setting of Hempsted Conservation Area

The application site is adjacent to and includes a small proportion of the Hempsted Conservation Area.

The NPPF states that ‘local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal’ (my emphasis).

It goes on to state that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting (my emphasis).



Notably, the Council published a character appraisal and management proposals for the Hempsted Conservation Area in 2007. The appraisal states in relation to the Conservation Area that:

- It has a distinctive rural character, with several farmsteads and former farmhouses within its boundaries, as well as a number of agricultural fields; and
- Though situated close to major roads, landfill sites, flood defences, industrial estates lining the former docks and the Gloucester and Sharpness canal, it has successfully retained a separate identity and has not been affected by industrial and suburban sprawl

In more general terms, the appraisal highlights the fact that Hempsted has, to date, escaped being swamped by suburban sprawl.

Importantly the appraisal provides specific commentary on the application site stating that:

*'fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views' (my emphasis).*

It goes on to state that:

*'The field to the north of the orchard has a complete medieval ridge and furrow system, with strips running in an elongated S shape, and headlands representing the turning point of the plough. Further north a belt of poplar separates these trees from the adjacent playing fields but nevertheless continues the theme of green and open space that is important to the conservation area's setting'.*

Critically it states that:

*'To develop fields that are an integral part of the rural character of Hempsted would be to change the character of the conservation area, sever the link with the agricultural past, lead to a much denser village scene, tip the balance in the village mix of modern and historic buildings in favour of the modern, and lead to the loss of panoramic views towards Robinswood Hill and the Cotswolds escarpment views (in the case of Manor Farm) and of Gloucester City Centre (in the case of Newark Farm).*

It is evident from the extracts set out above that the application site is critically important to the setting and character of the Conservation Area. Its loss to residential development would clearly be contrary to existing development plan policies as well as the NPPF.

### Biodiversity

The application site has been designated as a Prime Biodiversity Area (PBA).

Views on the likely ecological impact of the development should therefore be sought from an independent expert. If permission is granted the applicant should be expected to demonstrate a net biodiversity gain.

### Loss of important views

The Council has in place adopted Supplementary Planning Guidance entitled 'Views of Robinswood Hill and Other High Ground from Hempsted' (1996). The document highlights the importance of views of Robinswood Hill and the Cotswold escarpment beyond from Hempsted which are 'not just visually pleasing but contribute to the rural ambience and character of the village'.

Notably the desirability of protecting the views out of Hempsted as a means of retaining the village's 'rural ambience' was accepted by the previous planning inspector considering the Gloucester City Local Plan.

Importantly the SPG refers specifically to the views from Hempsted Lane between Manor Farm and no. 67 Hempsted Lane (i.e. across the application site) which are considered important enough to warrant special protection.

In order to protect those views, the SPG states that development will be resisted unless it can be shown that the views of the 50m contour on Robinswood Hill will not be compromised. Furthermore, development should not compromise views of the Cotswolds AONB or Churchdown Hill.

More recently in 2008 the Council adopted its 'Height of Buildings' Supplementary Planning Document for the purposes of development management. The document identifies a number of important local and strategic 'view corridors'.

Notably one of the strategic corridors identified is the view from Hempsted across the application site towards the Cathedral (Corridor 6). The report states that 'Many landmarks can be viewed from this location, including St. Nicholas Church, the cathedral and County Council Offices.

Although not forming part of the statutory development plan, the Central Area Action Plan (Preferred Options Paper) 2008 contains policy 'CA6 Views and Skyline' which states that:

*'Proposed development should respect and protect the City skyline and important views and vistas within the Central Area. It will be particularly important to protect views of the Cathedral and the Docks. Development that would adversely affect important views including those identified on the Proposals Map will not be permitted.'*

It is evident that the proposed development would result in the loss of important views to Robinswood Hill, the Cotswold escarpment and towards other landmarks including Gloucester Cathedral. As such it would be contrary to the adopted SPG (1996) as well as the more recent heights of buildings SPD (2007) and Policy CA6 of the Central Area Action Plan preferred options paper.

### School capacity

Concerns have been raised that Hempsted Primary School is already at capacity and children living in Hempsted are having to attend schools in other areas such as Linden. The provision of a further 60 homes will exacerbate this situation and should be carefully considered.

The importance of school capacity is recognised in the NPPF which states that 'the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities'.

I understand the applicant has offered a financial contribution towards increasing the capacity of the school which is welcome. However clarity is needed as to whether the expansion of the school is possible both in terms of land availability and finance.

### Access arrangements

The application proposes one main vehicular access onto Hempsted Lane. At present, Hempsted Lane suffers from a considerable amount of on-street parking which causes an obstruction to the flow of traffic particularly during peak hours.

The additional trip generation associated with the development must be carefully considered. It may be sensible to promote a second vehicular access through the residential development to the east of the site, thereby allowing easy access onto Secunda Way rather than all traffic from the development having to travel along Hempsted Lane.

### Public transport

Although the site is a relatively sustainable location in terms of walking and cycling it is not well-served by public transport, indeed the City Council in its various iterations of the SHLAA have acknowledged that the site has fair to poor public transport access.

There is one bus service running along Hempsted Lane (Service 113) which offers just two journeys per day. If permission is granted a financial contribution should be sought towards improving the frequency of this service as well as the quality of waiting facilities.

### Impact on the Hempsted Neighbourhood Plan

Hempsted has a neighbourhood plan underway, albeit at a very early stage. Although refusal of the application on the grounds of prematurity is unlikely to be justified, it is evident that granting permission for development would undermine the ability of the neighbourhood plan to influence future development locations in Hempsted.

### Foul Water Disposal

I understand that foul water sewage capacity in Hempsted is limited with some properties already experiencing problems. Clearly an additional 60 homes will increase pressure and it is essential that the development is supported by any necessary upgrades.

The NPPF strongly emphasises the need to ensure new development is supported by appropriate investment in infrastructure.

## Conclusion

To summarise, the site is an attractive greenfield site that forms an important part of the setting of Hempsted Conservation Area and provides key views to Robinswood Hill and other important landmarks. Despite the urbanising nature of adjoining uses, the site retains a rural character and provides an important degree of separation between the older parts of Hempsted and more recent developments.

The Council's adopted SPG 'views of Robinswood Hill' the Conservation Area Appraisal (2007) and the Heights of Buildings SPD all robustly demonstrate the importance of the site and suggest that it should remain undeveloped.

Notably the Council's own Strategic Housing Land Availability Assessment (SHLAA) concluded in 2009, 2010 and 2011 that the site is not suitable for development. Only in the most recent report in 2012 has this position changed with no proper justification or supporting evidence.

Furthermore, the Council is currently able to demonstrate a 5-year housing land supply without the inclusion of this site and although housing requirements over the whole Local Plan period need to be met, the priority should be to focus on other, less sensitive sites in order to meet that requirement.

I hope my comments are of use to you.

Kind regards

Chris Hargraves



From: John McCullough

Dear Sir,

Date: 02-05-14

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

**1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development*'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane '*so that green links can be maintained through the village*'.

**2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: '*Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.*'

**3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

**4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

**5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

**The application is contrary to many planning policies including:**

The 2002 Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The 2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2; The 2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5; The 2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The 2012 National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137; and The 1996 SPG - Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,



From: Mr + Mrs McManey

Dear Sir,

Date: 30th April 2014

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

- 1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development*'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane '*so that green links can be maintained through the village*'.
- 2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: '*Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.*'
- 3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
- 4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.
- 5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

**The application is contrary to many planning policies including:**

The **2002** Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The **2007** Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2; The **2006** Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5; The **2006** Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The **2012** National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137; and The **1996** SPG - Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,



Richard J Trelfa, BSc., C (Eng.), MIMechE,  
"Peter's field", 21 The Gallops, Hempsted, Gloucester GL2 5QB

Planning Committee,  
Gloucester City Council,  
The Herbert Warehouse,  
The Docks,  
GL1 2EQ

Cc Cllr Paul Toleman,

Friday, 11 April 2014

Dear Sirs,

Planning Application 13/01032/OUT  
Submitted by Bruton Knowles on behalf of  
the Sylvanus Lysons Trust

You have sent me a letter, probably because I am a neighbour of this land.

I support this application because,

1. I lived in Honeythorn Close, backing on to the MOD store and the tip, for over 30 years and, moved to the Gallops to live in a mature environment, 10 years ago.
2. The Sylvanus Lysons Trust needs to demonstrate its Charitable Purpose in terms of making best use of its assets. The land is currently let for agriculture to a tenant 10km away. The land is currently attractive for housing development. Capital raised from its sale can be deployed, in the market, to achieve a return of at least 6.5% pa.
3. The Trust is entitled to our support because, among other things, it provides the stipend for our vicar and, owns land



Email

Richard J Trelfa, BSc., C (Eng.), MIMechE,

"Peter's field", 21 The Gallops, Hempsted, Gloucester GL2 5GB

necessary for improving the access to our school and our cemetery.

4. Half the land is being offered as public Open Space.
5. This includes an Historic Orchard which, although dilapidated, will benefit from new planting.
6. Existing hedge planting will remain only to the extent that the eventual owners of the land wish.
7. Acceptance of this Application will allow a new Play Area (LEAP) to be built in the NE corner of the Council's football field.

However, I would like to draw a number of items to your attention:

1. The foul water from this development is planned to join that from the Grange Estate, where I live, to flow down to the Anchorage, to be pumped up Hempsted Pitch, to join that pumped up from Chartwell Close, to then travel to the Post Office and then travel by gravity down Hempsted Lane (down a pipe which has half the cross sectional area of the feeder pipes) and, at the bottom, pass by syphon, under the canal and, then, travel southwards down the Bristol Road to pass, by syphon, under the canal to the Netheridge Sewage works. Now, if that is not daft, when Secunda Way is there offering a new route, what is?
2. The offer of half the land as public Open Space is generous. What concerns me is the extent to which that is vulnerable when the land is sold, with Planning Permission, to another developer. I suggest that Planning Permission is conditional on the basis that Open Space land is transferred to City Council (i.e. Public ownership) forthwith.
3. Local opinion should be sought as to the appropriation of Section 106 funds

Yours,



Email

Dear Mr Smith,

Thanks for your letter of 6th August 2014 regarding the reference 13/01032/OUT unfortunately I have been on holiday and, since returning, have been unable to access these plans online for some reason. I have also been unable to visit the council as I have my children at home, one of whom is recovering from serious injuries sustained at Hempsted Primary School which have prevented us from walking any distance.

Regarding the amended plans, I have been informed by other Hempsted residents that they are still in the same location, with the same access point which I referred to in my previous letter raising my objections to the proposed plans, therefore, my previous objections still stand.

In addition to this I am aware that the government is seeking to amend planning policy to protect green fields like the one which these plans are for. Whilst there are large areas of Hempsted which have previously been used but now lie abandoned (brown field sites around Marina Junction for example) I cannot agree to a green field being dug up and changed. Please develop the brown field areas first and improve the facilities in Hempsted before adding more houses to the village itself.

Yours sincerely,



*It is probably not unreasonable to assume that a proportion of the purchasers of the proposed properties in this application will be young people with children who will need to attend Hempsted Primary School, many of whom will be motored to school adding to the already chaotic situation that existing residents of Hempsted Lane, St Swithens Road and Highview suffer every school day. Not to mention the potential overload to be coped with by the stressed staff at the school. Residents of Bridle Court purchased their properties with a pleasant outlook across fields to a view of the Cathedral, the proposed development east of Hempsted Lane will almost certainly devalue those properties and destroy the last patch of green separating Hempsted from the City. Within a mile or so from Hempsted village there are a number of vacant "Brown Field Sites" which surely should be developed first before having to concrete over fields which still accommodate cattle from time to time. Please thin again.*

Mr Melvyn Perry

To

Adam Smith RE: 13/01032/OUT

Gloucester City Council Planning Officer  
Manor Farm  
No. 1000  
Gloucester  
GL1 2EE

Roger Scrivins



Dear Sir,

Date: 22 April 2014

I am in a quandary as to how to word this letter. I attended the open meeting regarding this application, held at Hempsted Village Hall on 10 April 2014, chaired by our MP, and at the conclusion of which I was still unsure as to whether a personalised missive was best, or better to include the technically worded response of those who are leading the objection to the proposal. Sadly, I have fallen between a rock and a hard place, and decided to include both methods of communication in my response. Initially, I will record what you will recognise as a prepared text in opposition to the proposals, which I fully endorse, but also wish to make some further observations about, thereafter.

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

- 1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 "... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development". Nothing has changed on these fields since then and the housing development to the east was already allowed for by the inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.
- 2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: 'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'
- 3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
- 4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south would also be compromised.
- 5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph). There is high potential for habitat and species restoration and enhancement.

The application is contrary to many planning policies including:

2002 Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2

2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2.

2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5.

2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56.

2012 National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137.

1996 SPG – Views of Robinswood Hill and other high ground from Hempsted.

#### **My personal additional comments**

I have been a resident of Hempsted since 1983. I have seen many changes, not the least of which is a dramatic increase in housing development, with no proportionate development of support facilities. One of the remaining blessings of living here, has been the perception of a village atmosphere created by the fact that one has to cross water to get to Hempsted village, the approach from the South West being open countryside, and from the city centre up Hempsted lane affording the views and rural nature that is reflected in the paragraphs above.

The open meeting referred to in my opening paragraph caused me to reflect on the different perceptions of vested interests, coupled with those who have the collective well-being at heart. I sensed that there is little likelihood of a blanket "No" to all development in Hempsted; that principles of Landscape and Sustainability are issues in this case; and that the school provision and parking issues related to it are something that have to be considered. I noted that the Sylvanus Lysons Trust have already made some provision of ground for the benefit of Hempsted in their application.

I was also made aware that in the near future 12-18 months?- Hempsted will have to develop its own community plan – excuse me if I have not described it accurately- and that it is something future development will have to cognisance of.

Hereafter referred to as the "green" aspect, Hempsted lane is further enhanced by the presence of the Gordon League RFC, a club which I support as a member. There is also the Hempsted recreation ground, which I understand is maintained by the City Council on behalf of the residents of Hempsted.

I would like to see the "green" issue progressed in a co-ordinated way, rather than the application above being viewed in isolation.

This would include the City Council, Education, Sylvanus Lysons Trust, Gordon League RFC, the Rugby Football Union, and Newland Homes, whom I am told are the holders of restrictive covenants with regard to Gordon League RFC, all coming together with the soon to be developed Hempsted Community Plan. My chosen course would be of a united approach, protecting much, but not all of the "green" land, the Gordon League becoming much more of a community centre, with an all weather pitch to be used by Hempsted School, thus releasing ground at the school for development of whatever is needed most. The existing support structures in the village are not sustainable for a further expanded community. The Lysons Hall and Village Hall are too small for many events (including open meetings re planning!).

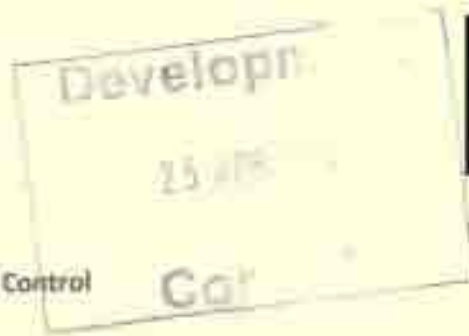
In conclusion, I am opposed to the current application as it stands. I would propose a deferment until the issues raised in my previous paragraph have been considered in the forthcoming Hempsted Community Plan

Yours sincerely

Roger Scrivner

Delivered in person to Gloucester City Council offices, 22/4/14.





18th April 2014

Adam Smith  
 Gloucester City Council Development Control  
 Herbert Warehouse  
 The Docks  
 Gloucester  
 GL1 2EQ

Dear Mr Smith,

**Regarding Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I include with this letter points which have been offered to me in objection against the proposed development, ending each point with my own personal opinions as a resident of the area.

I object strongly to the above application because the proposals will have an adverse impact upon:

**1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted;**  
 This character would be destroyed by these proposals and I and my children would no longer be able to pass cows on our way to school every day.

Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.

**2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: 'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.' Also the documents such as the AMR and SHLAA included in the plans mention the poor air quality in Gloucester which would not be improved by removing the few green areas there are in the area.

**3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area. Plus the City Archaeologist believes there are features in the area of proposed development which pre-date the ridge and furrow earthworks and I support the conditions he wishes to impose regarding those findings.

**4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south would also be compromised.

**5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an



aerial photograph). There is high potential for habitat and species restoration and enhancement. I walk past this site on an almost daily basis and feel uplifted when I see and hear the wildlife in this area.

**The application is contrary to many planning policies including:**

**2002 Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2.**

**2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2.**

**2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5.**

**2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56**

**2012 National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137.**

**1996 SPG - Views of Robinswood Hill and other high ground from Hempsted.**

I have many questions regarding the documents included in the planning application.

In the Transport report they use an out of date report Appendix G, AMR and SHLAA which is supposed to be an annual report but the one included is from 2010. Since then a number of developments have been made in Hempsted changing and increasing the population in the area considerably. For example, my own family moved into a house which was unoccupied in Hempsted in 2010 and I know many other families who have done the same or moved into new properties which did not exist in 2010.

Unfortunately, services have not increased in line with development and there are still no medical facilities within walking distance, nor have there been any increases in education or other services in the area to accommodate the increase in the population. All this means that in order to access schools, medical facilities etc, people have to travel outside of the area, usually by car as the public transport is so poor and that has an impact on the environment.

The transport statement also refers to the 'wide footways' close to the proposed development to the East of Hempsted Lane, without mentioning that at number 110 these wide footways are so badly obstructed by the hedges that the bus stop sign is hidden and the remaining accessible footpath is so narrow and uneven that people with small children frequently choose to push their push chairs and prams on the road itself. The transport statement also fails to acknowledge the impact of the development that is due to take place to the west of Hempsted Lane at Newark Farm, this will have an impact on the number of people and vehicles in the vicinity but has not been taken into consideration by the people preparing the statement.

What is most striking in these documents is the lack of support for this development. From the meeting in the Village Hall last year to the meeting of the Hempsted Residents Association there is a majority against developing what is a Greenfield site. Most people would prefer to see the disused industrial sites to the north of Hempsted such as the area around Marina Junction and the previous oil depot developed before losing any more green fields.

Yours sincerely,



Lara Bricknell



Moya & Martin Burgess

Dear Sir,

Date: 30/04/2014

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

**1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane 'so that green links can be maintained through the village'.

**2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: 'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'

**3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

**4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

**5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

**The application is contrary to many planning policies including:**

The **2002** Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The **2007** Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2; The **2006** Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5; The **2006** Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The **2012** National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137; and The **1996** SPG – Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,



20<sup>th</sup> April 2014

Dear Mr Smith,

**Planning Application No: 13/01032/OUT**

Thank you for your letter of 3<sup>rd</sup> April detailing the outline planning application for the land East of Hempsted Lane.

We would like to strongly object to the planning application for the reasons listed below.

- **Sewerage** - We have grave concerns that the sewerage system currently in Hempsted will not be able to cope with the additional burden of up to 60 houses. We have lived in Hempsted Lane for 10 years and during that time we have had effluent covering our garden on at least 6 occasions. Having written to the Environmental Health Authority and Severn Trent Water a decision was made to fit a one-way valve to prevent the sewerage from the main drain coming back up into our garden. The valve is maintained and checked annually by Severn Trent Water, with the cost being fully met by themselves. This clearly shows that there is a problem with the system, as Severn Trent would not have inserted a one-way valve, at cost to them. Although this has stopped effluent coming into our garden, the one-way valve often closes when the main drain fills up which means we are unable to use the facilities in our own home, e.g. shower, washing machine etc. until the valve has re-opened.
- **Road safety** - Access from the proposed site will cause an additional burden to traffic leading onto Hempsted Lane. The majority of homes own at least one or two cars, and there does not appear to be enough parking spaces in the plans to accommodate them. This will mean that cars will be parked on the lane, and will be a safety hazard due to lack of visibility for drivers. The amount of traffic entering the lane will also cause problems as it tries to filter onto the main road.
- **Conservation area** - It appears that the planning application is also in conflict with the council's 2013 "WSP Landscape Analysis of Potential Development Sites", which states that no development should take place, '**so that green links can be maintained through the village.**' The historic remains of the ridge and

furrow system are important to Hempsted and society in general. If these historic sites are built upon, they will be lost forever.

- **Schools** -The local school is full to capacity. If the new houses that are proposed are family homes, the question must be asked of where the children will go to school? It seems unrealistic to continue to build houses when the infrastructure of the village remains the same. For example, there is no dentist or doctor's surgery.
- **Privacy** - We do have concerns over privacy if the planning application is passed and the new development is built. Our bathroom and landing window looks directly over the field, and we would have issues over the lack of privacy this could entail for us. The plans also mention 2.5 storey 'feature buildings' located in various areas of the plot. Our bedroom window looks out towards one of the areas mentioned, and we have great concerns for our privacy.
- **Noise levels** - As our house is so closely situated to where the new development is proposed we have concerns about noise levels, from both traffic and pedestrian paths. The plans show that driveways and paths are situated throughout the area, with a pedestrian access located from our side of the plot.
- **Views** - The surrounding green area is very important to Hempsted as it is what makes Hempsted a village, not just another urban sprawl. The Hempsted Conservation Area Appraisal and Management Proposals, confirms the importance of the fields. **'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separations from Gloucester, to maintain the green and rural character of the village, and they protect important views.'**

Thank you for your consideration in this matter.

Teresa Finch

Timothy Finch

**From:** Keith Goodred

**Sent:** 06 May 2014 07:09

**To:** Adam Smith

**Subject:** OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane**

Dear Mr. Smith,

Please see attached objection to the above planning application. I hope you are able to download and print this off but if not please let me know and I will post a hard copy to you ASAP. Could you please confirm receipt of the document.

In the submission I mention in paras 1.34-1.35 an email from Mr. Brentnall, Environmental Planning Service Manager at the Council and attach a copy at Annex 2. It was also copied to two other members of planning policy team.

If you would rather have his and the other names name taken off and for me just refer to an email from the Council then please let me know and I will amend accordingly and resend.

Hopefully you have access to all the documents I refer to. However, if you need any of the 1991 Local Plan Inquiry stuff then let me know. I have hard copies only and could always send you scanned or photocopied documents.

Yours sincerely,

Keith Goodred

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester - Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval (layout, scale, appearance and landscaping reserved for future consideration).**

**From: Mr. K.H. Goodred and also acting on behalf of acting on behalf of others listed.**

**Date: 5<sup>th</sup> May 2014**



**From Mr. K.H.Goodred, 24 Riversmeet, Appledore, Bideford, Devon, EX39 1RE  
and also acting on behalf of the following:**

Mr & Mrs KM Keates,  
Miss A Keates & Mr J Shelton 1  
Mr & Mrs G Rea,  
Mr & Mrs R Keates,  
Mr & Mrs R Emery,  
Mr & Mrs P Clune,  
Mr & Mrs T Overthrow,  
Mr & Mrs R Dillon,  
Mr & Mrs D Alberts,  
Mr & Mrs M Ellis,  
Miss K. Keates,  
Mr & Mrs R Dyer,

Date: 5<sup>th</sup> May 2014

**To:**

Mr. Adam Smith,  
Gloucester City Council Development Control,  
Herbert Warehouse, The Docks,  
Gloucester, GL1 2EQ

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane,  
Gloucester - Outline planning application for residential development of site, open space  
including orchard, cycleways, footpaths, and associated works. Means of access offered for  
approval (layout, scale, appearance and landscaping reserved for future consideration).**

Please see the below objections to the planning application for residential development and  
open space on the fields to the East of Hempsted Lane.

Yours sincerely,

Keith Goodred

# CONTENTS

Summary of Objection .....	5
<b>SECTION 1: IMPACT ON RURAL VILLAGE CHARACTER .....</b>	<b>8</b>
(i) Landscape Conservation Area Policy History.....	8
RPS Planning Statement .....	10
1993 Local Plan Inquiry .....	10
City of Gloucester Local Plan (October 1996) .....	11
Landscape Re-Assessment for Gloucester 1997 .....	12
2002 Gloucester City Local Plan Second Stage Deposit Draft .....	13
2006 Local Development Framework .....	14
Landscape Conservation Area Policy Summary .....	15
(ii) Recent Landscape Studies.....	16
The Joint Core Strategy (JCS) Landscape Characterisation Assessment and Sensitivity Analysis 2013	16
WSP Landscape Analysis of Potential Development Sites 2013 .....	20
(iii) National Planning Policy Framework (NPPF).....	21
(iv) Council's Interpretation Board.....	23
(v) RPS Landscape Evidence - Landscape and Visual Appraisal (LVA).....	25
<b>SECTION 2. ADVERSE IMPACT ON THE OPEN VIEWS.....</b>	<b>27</b>
2002 Gloucester City Local Plan Second Stage Deposit Draft .....	27
Views Across and Into the Fields .....	27
RPS Landscape Evidence - Landscape and Visual Appraisal (LVA).....	29
<b>SECTION 3: ADVERSE IMPACT ON HEMPSTED CONSERVATION AREA AND THE HISTORIC REMAINS OF THE RIDGE AND FURROW FARMING SYSTEM</b>	<b>31</b>
Gloucester Local Plan 1983 .....	31
Gloucester Local Plan 1996 .....	31
2002 Gloucester City Local Plan Second Stage Deposit Draft.....	31
2006 Local Development Framework .....	32
2013 Draft Joint Core Strategy Policy S8: Built and Historic Environment ...	32
Hempsted Conservation Area Appraisal & Management Proposals – Adopted by Gloucester City Council in 2007 as a Supplementary Planning Document for use for Development Control Purposes	33
RPS Heritage Impact Assessment.....	35
National Planning Policy Framework .....	37

<b>SECTION 4: ADVERSE IMPACT ON WILDLIFE CURRENTLY USING THE FIELDS DIRECTLY OR AS A CORRIDOR.</b>	<b>40</b>
<b>2002 Gloucester City Local Plan Second Stage Deposit Draft.....</b>	<b>40</b>
<b>2013 Joint Core Strategy Policy S9: Conservation and Improvement of Biodiversity &amp; Geodiversity</b>	<b>40</b>
<b>Wildlife Corridors.....</b>	<b>42</b>
<b>National Planning Policy Framework .....</b>	<b>43</b>
 <b>SECTION 5: OTHER MATERIAL CONSIDERATIONS .....</b>	 <b>46</b>
<b>1. Housing provision .....</b>	<b>46</b>
<b>The Gloucester CC Strategic Housing Land Availability Assessment (SHLAA)</b>	<b>47</b>
<b>2013 Draft Joint Core Strategy (JCS) .....</b>	<b>48</b>
<b>JCS Policy for Residential Development .....</b>	<b>50</b>
<b>Housing Supply Requirements .....</b>	<b>51</b>
<b>2. Provision of Public Open Space .....</b>	<b>51</b>
<b>3. National Planning Policy Framework .....</b>	<b>52</b>
 <b>Annex 1 Views from public footpaths and footways around the fields .....</b>	 <b>55</b>
<b>Annex 2 Email from Gloucester City Council .....</b>	<b>64</b>

## **Summary of Objection** (extracts from other documents in italics):

The proposals will have an adverse impact upon:

### **1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.**

This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area at Manor Farm House. Policies on the protection of these fields have been in place for over 20 years. They have been designated in successive Local Plans and the 2006 LDF as a Landscape Conservation Area.

In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 *'... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'*. The Council said at the same Inquiry (para 6.3.44: *'As the objectors concede, (referring to the developers) Hempsted has a village atmosphere, and the visual impact of development is significant because residents and visitors alike have perceptions and expectations of a separate village settlement on a low hill. It is important to retain the special character and separate village identity of Hempsted.'* Nothing has changed since then other than housing development which was allowed for by the Inspector further to the east on either side of the Southern Radial Road (now the A430 Secunda Way).

### **2. The open views from public paths around the fields.**

Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from next to the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. The hedgerow along the eastern side of Hempsted Lane reinforces the rural village character of the old part of Hempsted and it is still apparent that there is no development on the fields behind the hedgerow (see photo 7 in Annex 1). When it is managed properly and cut back this will become even more apparent. In addition the proposed access road into the fields will open up views of the proposed housing and expose its urban character.

Views of the Cathedral from the south would also be compromised by the proposed development. There are many views of the edge of the old village and Conservation Area from the public footpaths to the south, north and northeast of the site (see Annex 1). The proposed development would clearly block off and/or completely alter many of those views.



### **3. Fields which are critically important to the setting of the Hempsted Conservation Area.**

The 2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a SPD confirms this view in paragraph 9.2 which states: *'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'*

### **3A Historic remains of the ridge and furrow farming system and continuing agricultural use.**

This adds to the historic value and rural setting of the old village and Conservation Area (see photos in Annex1).

### **4. Wildlife currently using the fields directly or as a corridor.**

The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph). There is high potential for habitat and species restoration and enhancement.

The application is contrary to many planning policies and statements **including:**

**1983 City of Gloucester Local Plan. Saved Policy on:**  
**Landscape:** A2.

**1996 City Of Gloucester (Pre-1991 Boundary Extension) Local Plan.** Policies on:  
**Landscape:** NL.1, NL.1(a), NL.1(g); **Design:** BE.4(b) **Views:** BE.4(e) **Conservation Areas:** BE.2(c), BE.2(d), BE.2(e); **Nature Conservation:** NL.1, NL.1(e), NL.1(f).

**1996 SPG – Views of Robinswood Hill and other high ground from Hempsted.**

**2002 Gloucester City Local Plan Second Stage Deposit Draft.** Policies on:  
**Landscape:** ST.3, LCA.1, para 3.40; **Views:** BE.2. **Conservation Areas:** BE.31 and para 4.41;  
**Nature Conservation:** B.6 and para 3.30.

**2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper.** Policies on:  
**Landscape:** SAD2; **Views:** SAD7 & para 3.68; **Conservation Areas:** SAD9; **Nature Conservation:** SAD5 and para 3.46 to 3.55.

**2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper .** Policies on:  
**Landscape:** BNE4; **Design:** **Views:** D1 causes 1 & 5; **Conservation Areas:** BNE5; **Nature Conservation:** BNE1 & paras 5.12 to 5.13, BNE3 & paras 5.20 to 5.23.

**2007 Hempsted Conservation Area Appraisal & Management Proposals** Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and especially the supporting text in para 9.2.

**2012 National Planning Policy Framework.** Policies and statements on:

**Ministerial forward:** paras 4 to 6; **Sustainable Development:** Definition, top of page 2; para 7 – social and environmental role; para 14; **Section 11. Conserving and enhancing the natural environment:** para 109, also relevant is 113, 118 bullet point (bp) 1; **Section 7. Requiring good design:** para 56, para 58 - bps 1, 2, &4; **Section 12 Conserving and enhancing the historic environment:** paras 132, 133, 137. Also relevant are paras. 126, 129, 131-132.

**2013 Gloucester, Cheltenham & Tewkesbury Draft Joint Core Strategy (JCS)** Policies on: **Landscape** S6; **Policy S 8 - Built And Historic Environment** – Policy S8; **Conservation And Improvement Of Biodiversity & Geodiversity** - Policy S 9; **Residential Development** - Policy C1.

As stated on page 4, para. 1.8 of the Draft Joint Core Strategy, it '*is an emerging development plan document and should be read as a whole and accorded increasing weight as it completes this consultation. When taking planning decisions, the document should be accorded status as a material consideration demonstrating our intentions as to the direction of future plan making.*'

**Detailed Reasons for Objection** (extracts from other documents in italics):

**SECTION 1. ADVERSE IMPACT UPON AGRICULTURAL FIELDS, STILL IN USE, WHICH GIVE THE SPECIAL GREEN, RURAL VILLAGE CHARACTER AND IDENTITY OF HEMPSTED AND WHICH ALSO PREVENT THE COALESCENCE OF THE MAIN URBAN AREA WITH THE OLDER HISTORIC PART OF HEMPSTED VILLAGE.**

**(i) Landscape Conservation Area Policy**

**History**

**1990 City of Gloucester Local Plan which when on Deposit became the City of Gloucester (Pre-1991 Boundary Extension) Local Plan 1991.**

1.1 The Deposit version of the City of Gloucester (Pre-1991 Boundary Extension) Deposit Local Plan 1991 contained policies on Landscape Conservation Areas. I do not have a copy of the Deposit Plan but the policies were carried forward from the 1990 City of Gloucester Local Plan. These are:

*‘NL.1(a) Landscape and nature conservation areas as shown on the proposals map are designated by the city council to protect and enhance valuable landscape and wildlife features respectively.*

*Implementation policy*

*NL.1(e) Within areas designated as landscape conservation areas there will be a presumption against any development which would result in the loss of existing landscape features or which would detract from the existing appearance and character of these areas.’*

1.2 For Hempsted an area 18 was defined as a Landscape Conservation Area which included the fields which are the subject of the current planning application and the field opposite on the west side of Hempsted Lane. At the Local Plan Deposit stage there were objections to these policies.

1.3 At the subsequent Local Plan Inquiry held in 1993 the Inspector supported a policy on Landscape Conservation Areas, albeit with some amendment as set out on pages 37-39 of the Inspector’s Report - Inspector’s Comments and Recommendation 11. He did however recommend the deletion of area LCA 18 which is the land to the east of Hempsted Lane and single field to the west of Hempsted Lane (see pages 40-42, paras 4.1.27 to 4.1.34 and Recommendations 13 & 14.

1.4 However in doing so it was not his intention to recommend that the site was suitable for development. Far from it and in paragraph 4.1.33 he states:

*‘.....those historic characteristics of Hempsted which it is desired to retain should be safeguarded by virtue of the status of the village as a conservation area’ .....*

1.5 It should be remembered that under the Local Plan regulations in place at the time the Council were not obliged to accept the Inspector’s recommendations but needed to make a Statement of Decisions to explain the reasons why an Inspector’s recommendation was not being followed. If an Inspector’s recommendation was agreed this would require modifications to the Plan being proposed, consulted on and where necessary result in a Modifications Inquiry.

1.6 In The Statement of Decisions Report of December 1994 the Council stated:

*‘CPTSO’s Comments*

*There is some ambiguity in the Inspector’s view of Hempsted’s special character. While the Inspector’s statement show regard for the protection of Hempsted’s rural ambience and village character and setting, his recommendation, in my view, will fail to maintain that character in comparison to controls available through LCA designation. In my view the LCA designation should be retained as originally put forward in the Deposit Plan. If members agree to the deletion of Housing Site 4 (see Section 6), then the contribution of the field to the west of Hempsted Lane would be reinforced by the inclusion of the former Deposit Housing Site 4 into LCA No. 17 (Hempsted Village Fringe). The protection of views will, however, provide clarity for future development around the LCA and for potential uses within the designation.*

*CPTSO’s Recommendation*

*Agree with the Inspector in part. Add text and policy on retention of views of Robinswood Hill to Built Environment Chapter, but retain LCA 18. See Modifications No. 8/17 and 8/19 (City Plan only).’*

1.7 However, in response to a further objection concerning the Council’s above approach, the Council on pages 31 -34 of the Council’s document ‘COMMENTS ON THE SECOND MODIFICATIONS: RESPONSE REPORT - City of Gloucester Local Plan Pre-1991 Boundary Extension Local Plan’ set out further reasons why the Landscape Conservation Area (LCA.18) on the fields to the east and west of Hempsted Lane were to be retained. Of particular importance are the extracts set out below:

1.8 Page 34 states:



*'In summary, the Inspector disagreed with designation of the Landscape Conservation Area on the grounds it did not contribute to the setting of the City which is one of the criteria for designation set out in the Topic Paper on Landscape Conservation (LPA.21). In his report he took a narrow view that 'setting' could only refer to 'land which is not in itself within the built up area (Para. 4.1.29). He also noted that 'the retention of local character' and 'the protection of views' were not used as defining criteria. The Council disagrees with the Inspector in these respects. Land within and outside the City can contribute by providing a sense of location of place, as well as providing an immediate setting to part or parts of the City. There is no measure of scale implied by the term 'setting'. Protecting the 'setting' implies retention of character'.....*

*The Inspector considered that the existing Conservation Area designation, together with a policy protecting views of Robinswood Hill and other high ground, would be sufficient to protect the character of this site and the village. The Council had however indicated at the Inquiry its concern over the perceived weaknesses of controls in relation to protecting areas outside the Conservation Area and confusion of case law. Therefore, in line with the Inspector's obvious intention of protecting this site, Officers considered the Landscape Conservation Area provided a more appropriate form of control, one which would achieve the objectives of protecting Hempsted's rural ambience and historic village character and identity.*

*In conclusion, it is considered that the Council's past decisions in these matters are reasonable and justifiable and that there is no case for an amendment.'*

## **RPS Planning Statement**

1.9 The RPS 'Planning Statement in Support of Planning Application for Residential Development and Open Space Development on Land Off Hempsted Lane, Hempsted' (RPS Planning Statement) - dated September 2013 on page 18, para 6.7 and 6.8, argue that the policy is invalid because the Inspector had recommended its deletion.

1.10 However, as stated above, it is clear that the Council did give due consideration and justification in the Statement of Decisions and further in the above mentioned 'Comments On The Second Modifications : Response Report'. The Council has therefore been fully justified in continuing to use this policy for development control purposes and in Strategic Housing Land Availability Assessments (SHLAAs).

## **Consideration of Development of the Fields to the East of Hempsted Lane at the 1993 Local Plan Inquiry (now the subject of the current planning application)**

1.11 The fields which are the subject of this planning application were also the subject of an objection to the 1991 Local Plan because they had not been allocated for development. The

Inspector recommended that the fields should not be allocated and stated on page 123, para. 6.3.47 of his report:

*‘Nevertheless the evidence that I heard, and my own inspections of the site, leads me to the view that development on the scale proposed by the objectors would have an unacceptable impact, in both visual and community terms, on the special village character and identity of Hempsted.*

*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development’.*

1.12 Gloucester City Council’s own evidence set out on page 122 para. 6.3.44 said this about the fields:

*‘It is important to retain the special character and separate village identity of Hempsted, and it is in furtherance of that objective that the objection sites should be kept free from development.’*

1.13 It was apparent that whether these fields were designated a Landscape Conservation Area or not the Inspector considered that they should not be developed.

#### **City of Gloucester (Pre-1991 Boundary Extension) Local Plan (October 1996)**

1.14 The 1996 Local Plan consolidated and, where appropriate, amended the Landscape Conservation Area policies contained in the 1991 Local Plan. The policies are set out below together with an extract from the reasoned justification.

*‘5.3 The Planning Policy Guidance Note also recognises that our natural heritage is not confined to the various statutorily designated sites. The City Council will give added protection to valued natural areas and landscape features by designating, within the Local Plan, Nature Conservation Areas and Landscape Conservation Areas respectively.*

*NL.1(a) Landscape and nature conservation areas as shown on the proposals map are designated by the city council to protect and enhance valuable landscape and wildlife features respectively.*

#### **Landscape**

*5.7 .....Other areas of landscape value are also worthy of protection and the City Council will designate such areas Landscape Conservation Areas. These sites have been designated not only for any inherent landscape value they may possess, but also for their functional role in providing green space within a densely built up area and preventing the coalescence of adjoining urban areas. ....  
The open fields in the centre of Hempsted are designated because of the important*

*contribution they make to the special character of the village. Protection is also given to the views out from the village across the City to Robinswood Hill and the Cotswold escarpment.*

.....

*NL.1(g) Within areas designated as landscape conservation areas development will not be permitted which would detract from the character and appearance of those areas. Appropriate open-air recreational uses which respect the individual appearance and character of these areas will be permitted, and small-scale buildings which are necessary to support such recreational use will also be permitted provided that they are appropriately located, designed and landscaped.'*

1.15 Policy NL.1(a) includes the fields to the east of Hempsted Lane and therefore policy NL.1(g) applied to these fields. The planning application proposals do detract from the character and appearance of the area as is shown below.

**City of Gloucester Planning & Technical Services Department Landscape Re-Assessment for Gloucester 1997 (carried out by Bridges Design Associates)**

1.16 In 1997 The Council reviewed its approach to Landscape Conservation Areas (LCAs) in the 'Landscape Re-Assessment for Gloucester' prepared by the City of Gloucester Planning & Technical Services Department and known as the Bridges Design Associates Report. It identified criteria for designation of land as LCAs in response to the 1993 Local Plan Inquiry Inspector's call for '*well publicised and unambiguous criteria to be used to identify and define the areas in question*'.

1.17 The report sets out four criteria for designation of land as a Landscape Conservation Area. All the prospective sites were analysed against these criteria. The fields to the east of Hempsted Lane formed part of area F - Hempsted Village Centre and the analysis recommended their inclusion as a Landscape Conservation Area for the following reasons:

- '*Summary of Overall Value in Relation to the Defined Criteria:*

*The site is very visible from the main road through the village, has an important contribution to its semi-rural character, and may be of archaeological interest.*

*Recommendation: The site should be designated as a Landscape Conservation Area.'*

1.18 The Re-assessment stated which of four specified criteria the area met with in order to warrant inclusion as a LCA. In the case of Hempsted it concluded:

**'GLOUCESTER CITY COUNCIL - LANDSCAPE CONSERVATION AREAS EVALUATION FORM FOR LANDSCAPE RE-ASSESSMENT**

**Site:**    **F** Hempsted Village Centre

*Value in relation to the following criteria for the designation of land as Landscape Conservation Areas:-*

***Criteria No. (i) Contribution to the Setting of the City of Gloucester:***

*None.*

***Visibility from Major Transport routes:***

*Visible from the main road through Hempsted.*

- ***Criteria No. (ii) Separation of Built Development and Role as a Green Lung:***

*The site provides some separation of built development.*

- ***Criteria No. (iii) Intrinsic Aesthetic Value:***

***Non-visual:***

*There may be some archaeological interest in the area.*

***Visual:*** *The juxtaposition of these fields with buildings in the village of Hempsted are an important contribution to the character of this village on the edge of the City of Gloucester.*

- ***Criteria No. (iv) Special Landscape Value as Defined in the County Structure Plan:***

*No special value.'*

**2002 Gloucester City Local Plan Second Stage Deposit Draft (SSDD) - Endorsed by the Council as a material consideration in future planning decisions, where relevant and consistent with the National Planning Policy Framework. (See 12<sup>th</sup> July 2012 Planning Policy Sub Committee resolution and report).**

1.19 The criteria agreed above were then incorporated into the 2002 Gloucester City Local Plan which when it reached its Second Stage Deposit Draft (SSDD) was adopted by the Council for development control purposes.

1.20 The reasoned justification (RJ) for Landscape Conservation Areas is set out below together with the policy.

*'3.39 To identify aspects of landscape character worthy of protection, and to confirm the boundaries of the Special Landscape Area and the Estuary landscape, the City Council commissioned consultants to carry out a landscape assessment for the City.*

*3.40 Recognising the urban nature of the City and taking on board the comments of the Inspector at the 1993 Local Plan Inquiry the criteria for designation as Local Landscape Conservation Areas are as follows:-*



- *areas of land which contribute to the setting of the City of Gloucester and/or may be visible from major transport routes which feed into and circulate around the city;*
- *areas of land which serve to separate built development and create a green lung;*
- *the intrinsic value of the landscape concerned;*
- *Areas of Special Landscape Value as defined in the County Structure Plan.*

*3.41 Areas were then evaluated against the criteria leading to a number of Landscape Conservation Areas being identified; these are reproduced on the proposals map. Detailed site dossiers for each Landscape Conservation Area are available from Planning Services. These define the character of the areas and give reasons for inclusion.*

*3.42 It is the intention that Landscape Conservation Areas are protected from development that would detract from their character. However, in exceptional circumstances development within an area may be justified if the development is vital to the economic and social wellbeing of the city and no other suitable site is available.*

#### *Policy LCA.1 Development Within Landscape Conservation Areas*

*Development will not be permitted that would detract from the particular landscape qualities and character of Landscape Conservation Areas unless there are exceptional circumstances. Open air recreational uses and small-scale development required to support them, agricultural development and renewable energy proposals may be acceptable provided they are sensitively located, designed and landscaped.'*

1.21 The current planning application is contrary to this policy as it would detract from the particular landscape qualities and character of Landscape Conservation Area which in this case would particularly relate to the second and third criterion set out in the para. 3.40 of the RJ. The development will have a major adverse impact on the setting of the village, merge the old part of the village of Hempsted with the ribbon development to the north and change forever the character of the area which at a stroke would lose its special village character and identity as set out by the Council and Inspector at the 1993 Local Plan Inquiry. The proposed development does not represent the 'exceptional circumstances' that would allow for such development as set out in the 2002 Local Plan policy and amplified in para. 3.42.

**2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper (LDF/SAD) and  
2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper (LDF/DCP)**

**Both Endorsed by the Council as a material considerations in future planning decisions, where relevant and consistent with the National Planning Policy Framework. (See 12<sup>th</sup> July 2012 Planning Policy Sub Committee resolution and report).**

1.22 Again the Landscape Conservation Area policies were carried forward into in the LDF as follows:

1.23 LFD/SAD – Pages 8 – 9, Landscape Conservation Area Boundaries policy SAD2 and paras 3.13-3.18

1.24 LDF/DCP – Pages 24 – 25, Landscape Conservation Areas, policy BNE.4 and paras. 5.24 – 5.30

1.25 Also relevant is LDF/DCP – Pages 13-14, Design and Layout, policy D.1, clause 1 on

### **Landscape Conservation Area Policy Summary**

1.26 The site has been allocated as a Landscape Conservation Area in successive Local Plans and LDF since 1990. The Bridges Landscape Re-Assessment for Gloucester (see above) reaffirmed that the fields to the east of Hempsted Lane played a valuable role in meeting planning policy criteria because (i) it is an area of land which serves to separate built development and create a green lung; and (ii) because of its intrinsic value of the landscape concerned in that it provides archaeological interest and the juxtaposition of the fields with buildings in the village of Hempsted are an important contribution to the character of the village on the edge of the City of Gloucester.

1.27 The Inspector at the 1993 Local Plan Inquiry agreed that *‘the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development’*. At the same time he agreed the development of over 200 houses to the east of these fields on either side of the A430 Secunda Way and so was fully aware of the impacts it would have on the character of Hempsted. This is the only time the future of these fields has been tested at a formal planning inquiry and should be given great weight in the decision making process.

1.28 The landscape constraints were also recognised in successive Housing Land Availability Assessments and SHLAAs up to December 2011 (see Section 5 below) and the Council concluded the fields were unsuitable for development.

1.29 What is undeniable that once developed as proposed there will be a fundamental change in the character of the area. It is obvious that:

1. The rural setting of the old part of the village will be lost forever; and

2. It will result in the coalescence of the City ribbon development to the north with the old village area.

1.30 This is precisely what the Landscape Conservation Area policy has been achieving for over 20 years, a strategy which the Council has fully endorsed and which an independent Local Plan Inspector wanted to achieve but through different means.

## **(ii) Recent Landscape Studies**

### **1. The Joint Core Strategy (JCS) Landscape Characterisation Assessment and Sensitivity Analysis 2013**

1.31 The JCS Landscape Analysis, published in 2013 was prepared by the Gloucester City, Cheltenham Borough and Tewkesbury Borough Councils. The whole document can be viewed from the following link <http://www.gct-ics.org/Documents/EvidenceBase/Final-JCS-Master-Landscape-Characterisation-Assessment-and-Sensitivity-Analysis.pdf>

Page (i) sets out the reasons for the Analysis. *‘The objective of this work was to assign relative value as to the sensitivity of the landscape to large scale development, with the main output being the maps that show the various sensitivities for the specific areas. The intention is that these are used as one part of the process to identify development sites within the JCS area.’*

1.32 The maps showing the areas covered in Gloucester are found in Appendix 1 – Gloucester Landscape Character Area and Appendix 2 – Gloucester Landscape Sensitivity Area.

1.33 The maps do not include the fields to the east of Hempsted Lane but do include those to the west of Hempsted Lane. However when the descriptions for ‘Landscape Character Area W: Hempsted’ (page 13) and Gloucester Sensitivity Written Statements Area G41 Hempsted village: Medium – low sensitivity (page 45) are read it is apparent that the survey work also included the fields to the east of Hempsted Lane.

1.34 This matter was discussed with Mr. Meyrick Brentnall, the Council’s Environmental Planning Service Manager: Regeneration Strategy and Delivery who, in an email dated 15/04/2014 (see Annex 2), wrote (my emboldening):

*‘As we discussed, the JCS landscape assessment/analysis was commissioned to inform the Broad location work, and was separated into 2 discrete tasks; first the Characterisation assessment, followed later by the Sensitivity analysis. The objective was to provide an evidence base supporting strategic decisions for large scale urban extensions.*

*The Characterisation was based upon the LDA study of 2006, and the individual carrying out the work was to use this as a basis for their assessment, subdividing the areas into smaller more discrete units.*

*Hempsted was one of the first areas subject to the characterisation work, and I would support your contention that the description put forward covers a large part of the village going beyond the area 'W' identified on the map. If nothing else there is a detailed description of the historic centre including the cross. I apologise if earlier conversations were not explicit in that regard. **I would also agree with you that the description put forward will likely to have included the fields to the East of Hempsted Lane.***

*The Sensitivity analysis was carried out later. Both myself and Tim Watton (planning policy manager at the time) were clear where the boundary should go, in this case along Hempsted lane – this was to ensure that the document was kept strategic and for reasons of pure expediency. If every paddock, small field and open area on the periphery of Gloucester, Cheltenham, Tewkesbury and Bishop's Cleeve were subject to detailed analysis, the work would have never been completed – a real cause for concern at the time given the rate of progress. **As we discussed I do however, accept that the description as narrated for G41 could apply to the fields east of Hempsted Lane.'***

1.35 Of particular importance here is Mr. Brentnall's acceptance that the description of area G41 could apply to the fields to the east of Hempsted Lane. This is because the sensitivity analysis area G41 is not an extensive area as is the case for many others in the analysis and therefore specific fields can be identified.

1.36 G41 is very specific about the importance of the remaining fields in this area in that they:

*'play a vital role in retaining a rural character within an otherwise highly developed village'.*

Under the heading 'Reasons' the sensitivity analysis concludes:

*'Important in retaining a rural village character, helping to separate modern housing developments and allowing older properties to remain visible'*

1.37 This is further evidence that even recent surveys of landscape still set out the importance of these fields in retaining rural village character as has been the strategy of the Council for over 20 years.

1.38 The JCS Landscape Assessment is the basis is for the 2013 Draft JCS policy and reasoned justification on landscape and is found on pages 63-64 (my highlighting):

*'4.62 The landscape of the JCS area provides the setting for its towns and villages. Landscape character is a key component of an area's identity and development will be required to*



respect it. Landscape proposals for new development should be appropriate to the landscape character of the locality and contribute to local distinctiveness.

**Policy S6: Landscape Policy**

Development will seek to protect landscape character for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being.

**(i)Landscape Character and Enhancement**

Development will be required to have regard to the local distinctiveness and historic character of the different landscapes in the JCS area. Developments will be required to demonstrate how they protect or enhance landscape character and avoid detrimental effects on patterns and features which make a significant contribution to the character, history and setting of a settlement or area. Decisions on planning proposals will take account of impacts on landscape character areas and landscape types. Measures should be incorporated into development schemes to enhance the landscape character of the locality.

**(ii)Visual Impacts**

Applications for major developments may be required to be accompanied by a Landscape and Visual Impact Assessment. Where visual impacts are predicted, new landscape planting which is appropriate to the character and setting of the site should be incorporated to reduce the impacts and enhance the existing landscape.

**(iii)Landscape Sensitivity**

Applications for development will consider the sensitivity of the landscape and townscape in which they are to be located or which they will affect. In urban areas and on the urban fringe the developer will be required to demonstrate that both landscape and townscape sensitivity has been addressed. In villages and rural areas beyond the urban fringe the developer will be required to demonstrate that landscape and townscape sensitivity have been addressed.

**This policy contributes towards achieving Objective 4.**

**Justification**

4.63 Landscape character is a key component of the European Landscape Convention (Council of Europe), which seeks to protect, manage and create landscapes, and is based on the premise that all landscapes are important. A key component in implementing the convention is the National Character Areas map of England, which sets out landscape character on a broad scale, with the principal areas in the JCS area being the Severn and Avon Vale (NCA106) and the Cotswolds (NCA107). National Character Area Profiles have been prepared by Natural England for both these areas and identify key features and enhancement opportunities.

4.64 In Gloucestershire, a Landscape Character Assessment was carried out by Landscape Design Associates in 2006, which divided the county into landscape character areas and identified a number of different landscape types and the key issues for their conservation

*and enhancement. The findings of the LCA are a key factor to be considered in the design of developments and in assessing their impacts.*

*4.65 It is important that landscape character, which relates to the physical structure and land use of the landscape, is treated separately from visual impacts in assessing development. These two elements, when considered together, enable an assessment to be made of the sensitivity of different landscapes to change. This has been addressed, in particular, in relation to the strategic allocations included in the JCS and located in the urban fringes around the main settlements.*

*4.66 Visual impacts need to be addressed alongside landscape character. This will be a key element of Design and Access Statements and for major developments a Landscape and Visual Impact Assessment will be provided, which is in accordance with best practice guidance, such as that produced by the Landscape Institute.*

*4.67 In the urban fringe areas a Landscape Characterisation and Sensitivity Analysis was carried out in 2011. This identified in more detail the landscape character of potential development sites around Gloucester, Cheltenham and Tewkesbury. This should be used to assess the impact of developments in the urban fringe areas. The analysis grades sensitivity in five categories from low to high with high-medium and high categories being particularly sensitive to development.'*

**1.39 Para 4.67 should be read in the context of the Joint Core Strategy (JCS) Landscape Characterisation Assessment and Sensitivity Analysis 2013 explanation of the grading system for sensitivity which states on page (ii):**

*'The aim of this stage is to discover which broad areas of the urban fringe should be protected from development on account of their high landscape and visual sensitivity. However, this does not mean that those areas deemed to be of lesser sensitivity in this exercise are suitable for development; these areas will be subject to further layers of constraint and sensitivity analysis to be undertaken on a range of topics, including historic environment, urban morphology, ecology, local landscape issues along with other factors such as transport and other infrastructure. Any of these "sieving" exercises might highlight additional constraints making parts of these less constrained areas unsuitable for development.'*

**1.40** In the case of the fields at Hempsted there are very significant historic environment and local landscape issues as described above. In addition the sensitivity analysis is quite clear about the vital role these fields play in retaining a rural character within an otherwise highly developed village.

## 2. WSP Landscape Analysis of Potential Development Sites 2013

1.41 This study was carried out for the Council by consultants WSP and the purpose is set out in the Introduction on page 4:

*‘WSP has been instructed by Gloucester City Council to carry out landscape analysis of seven sites around Gloucester City, with regard to their suitability for residential development in relation to the potential landscape effects of any development. The brief from Gloucester City Council included the following;*

*The contractor should be aware that the final outputs will be a clear understanding of:*

- \* the relative suitability of the sites for development from a landscape perspective,*
- \* whether certain areas of a site are more acceptable to development than others,*
- \* whether or not mitigation (on site) could make an otherwise inappropriate site, or part of a site developable.*

*All sites have been designated as landscape conservation areas in local policy until recently. This report aims to analyse the sites after each has been visited and reviewed in terms of its; landscape elements, proximity to protected sites, any impact on its setting and context and visibility, the sites ability to enable development and any mitigation that will be required’*

1.42 The fields to the east of Hempsted Lane included in the study as site 5, Land East of Hempsted Lane and the Analysis is in Appendix A and Illustrative Plans in Appendix B. The full report can be viewed on this link:

[file:///C:/Users/Keith%20Goodred/Downloads/WSP%20FINAL%20Landscape%20analysis%20Report%20December%202013%20\(2\).pdf](file:///C:/Users/Keith%20Goodred/Downloads/WSP%20FINAL%20Landscape%20analysis%20Report%20December%202013%20(2).pdf)

1.43 Under the heading ‘Site description’ it states *‘This site especially the northern part adds to the semi-rural character of the village.’* As with other studies mentioned above this reaffirms that the old part of Hempsted is seen as village and also reaffirms that the fields subject of the planning application give the village a semi-rural character. It should be noted that when reading this section the surveyor has mixed up north and south on some occasions.

1.44 Despite this the Landscape Analysis goes on to state there is an opportunity for development on part of the eastern side of the fields. In the context of the Council’s long standing Landscape Conservation Area policies, the 1997 Landscape Re-Assessment and the JCS Landscape Analysis referred to above I do not accept the findings of the WSP report that there is scope for development of the site or on any part of it. This Analysis, which identifies a specific area as a potential development site on the fields, had no stakeholder involvement including residents or local communities and there has been no consultation in the context of Development Plan/City Plan preparation on the content.

1.45 It has not met with the guidelines on stakeholder consultation set out in the third edition of Guidelines for Landscape and Visual Impact Assessment (GLVIA3) produced jointly by the Landscape Institute and the Institute of Environmental Management & Assessment

(IEMA). This publication is recognised nationally by professionals as the up to date methodology for landscape and visual impact assessments. (See also section below under heading RPS Landscape Evidence produced by FPCR Environment and Design Ltd - Landscape and Visual Appraisal).

1.46 In this context the document should be given little weight.

1.47 Notwithstanding this, there is one finding which is of significance to this planning application. Under the heading 'Opportunity for Development' the analysis concludes:

*'Development on this site should be limited to the eastern side to limit the landscape effect on the site and its surroundings. This part has less landscape character and features, and is low lying in comparison to the northern\* area.'*

*By retaining the western side of the site, green links can be maintained through the village'*

\* My note - I believe this should be 'southern'.

1.48 I believe this is an attempt to maintain a green corridor between the ribbon development to the north and the old village area in the south in order help retain the rural village character. The current planning application is in clear conflict with these findings of the WSP Analysis and clarifies that the housing proposals of the current application would have a detrimental impact on the western part of the site.

### **(iii) National Planning Policy Framework (NPPF)**

#### **Conserving and enhancing the natural environment**

1.49 Section 11 of the NPPF addresses the issues of 'Conserving and enhancing the natural environment'. On landscape issues para. 109 states:

*'109. The planning system should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes, geological conservation.....'*

#### **Comment**

1.50 The landscape of the fields to the east of Hempsted Lane have been 'valued' for many years both for their intrinsic value and the value they have in contributing to the rural village character of the old Hempsted village area.

1.51 Para. 113 of the NPPF states:

*'113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives*



*appropriate weight to their importance and the contribution that they make to wider ecological networks.'*

**Comment**

1.52 The Council's policy for Landscape Conservation Areas meets the requirement for a criteria based policy against which development proposals for locally designated sites can be judged. The 2002 Local Plan and 2006 LDF both designate Landscape Conservation Areas and have a policy which is criteria based. The landscape qualities of the identified Landscape Conservation Areas are underpinned by the Landscape Re-Assessment for Gloucester 1997 (see above) and in the case of the fields to the east of Hempsted Lane those qualities are reaffirmed in the JCS 2013 Landscape Assessment (see above) and in part by the WSP Landscape Analysis 2013 (see above).

1.53 The proposals should therefore be assessed against the Landscape Conservation Area policies in the knowledge that the policies are soundly based and in line with NPPF requirements.

**Requiring Good Design**

1.54 Section 7 para 56 of the NPPF refers to the great importance the Government attaches to the design of the built environment. It states:

*'Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'*

**Comment**

1.55 Building up to 60 houses on a greenfield site which contributes so much to the rural village and historic character of Hempsted and which will also result in linking the ribbon development to the old village cannot be said to be good design. In fact it is very insensitive design and contrary to the aims set out in para. 58 first, second and third bullet points of the NPPF which state:

*'Planning policies and decisions should aim to ensure that developments:*

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;'*

**Comment**

1.56 The proposals will not add to the overall quality but eradicate the existing quality of the rural village character enjoyed by residents living in any part of Hempsted.

1.57 Likewise the proposals will not establish a strong sense of place but destroy it. The sense of entering or leaving a rural village where cattle are still seen to be grazing in the rural fields will be lost leaving only a housing frontage and urban road access along Hempsted Lane. Significant views of the Cotswolds and Robinswood Hill will be lost and the setting of the historic character of the village built on. Also see photos in Annex 1.

1.58 The development completely fails to respond to local character and history, nor does it reflect the identity of local surroundings. In particular it pays no regard to the setting of the Conservation Area which extends along Hempsted Lane and which the proposed housing will actually be built adjacent to. It ignores the historic significance of a village established as a farming community and with a long agricultural history. The fields still retain a remnant orchard, meadows are still in agricultural use for grazing, and even a complete medieval ridge and furrow system can be seen and admired.

1.59 The fields are an integral part of the rural character and agricultural context for the whole of Hempsted and development would change the character of the Conservation Area, sever the link with the agricultural past, and result in the loss of a distinctive village beginning and end. See also Section 3 on the impact on the Conservation Area.

1.60 In summary these proposals fail to meet the requirement of the NPPF in terms of both the impact on the landscape and its setting on the old village of Hempsted and in design terms it will eradicate the existing character of the old village of Hempsted, be detrimental to the sense of place which currently exists and it does not respond to local character or the historic significance of Hempsted.

#### **(iv) Council's Interpretation Board**

1.61 The features referred to above which are so important to the rural village character have not only been recognised by the Council through its planning policies for over 20 years but the Council have also identified the importance of these fields, their historic significance and the views they present by erecting an interpretation board along the public footpath at the southern end of the fields which links Hempsted Lane with the new developments at The Gallops and beyond. This is an important and well used footpath linking to the newer housing to the east with the local shop, post office, school, church, village hall and other facilities. Below is a picture of the information board:



**Wording on picture is clear if zoomed to 200% on your computer. Main points covered from left to right:**

1. Manor Farm – Extent and history of Manor Farm most of which is the subject of a planning application for housing by the Sylvanus Lysons Trust (reference 13/01032/OUT);
2. Ridge and Furrow – History of the ridge and furrow medieval farming method which is visible over most of the fields;
3. Gloucester Cathedral Tower - Views and history of Gloucester Cathedral;
4. Gloucester & Berkeley Canal (Sharpness) - Views of red brick chimneys and history of Canal;
5. Old Orchard Trees - The old orchard, history and uses;
6. Mistletoe – location on orchard trees and its characteristics.

1.62 This is a local view (see section 2 on views below and photos in Annex 1) which local people see and admire each day and the board reaffirms not just the value that they put on it but the value the Council puts on it. The proposed development will destroy many of the elements referred to on the interpretation board.

**(v) RPS Landscape Evidence produced by FPCR Environment and Design Ltd - Landscape and Visual Appraisal (LVA)**

1.63 The FPCR statement clarifies that the Appraisal was prepared based upon the Guidelines for Landscape and Visual Impact Assessment, third edition (GLVIA3), published by the Landscape Institute and the Institute of Environmental Management and Assessment, in 2013.

1.64 Produced jointly by the Landscape Institute and the Institute of Environmental Management & Assessment (IEMA), the third edition of ‘*Guidelines for Landscape and Visual Impact Assessment*’ (GLVIA3) sets out the principles and approach for identifying and assessing the landscape and visual impacts of development proposals.

1.65 Looking at both the Landscape Institute and IEMA’s websites can be found introductory statements about the new guidance. I’m afraid FPCR did not provide a copy of the Guidance in their evidence and at nearly £50 at Amazon I could not afford to purchase it. Also I have obtained some copies of the section dealing with ‘Engaging with stakeholders and the public’.

1.66 On the IEMA website Josh Fothergill, the IEMA’s Policy and Practice Lead for Impact Assessment, welcomes the launch of GLVIA3, which he believes will:

*“contribute to the achievement of IEMA’s vision for EIA practice; to deliver more proportionate EIAs that work for developers, communities and the environment.”*

*“For the first time, this key piece of guidance specifically recognises and references the crucial role of the EIA professional whose interpretive knowledge and skills help to ensure that landscape and visual assessments, undertaken within the EIA process, can be effectively integrated with the rest of the topic assessments in an Environmental Statement.”*

*“Ultimately, GLVIA3’s increased emphasis on discussion and engagement with key stakeholders, should help to focus assessments on likely significant effects, improve the way cumulative effects are considered and reduce delays associated with further information requests.”*

1.67 The FPCR report on pages 5 – 6, paras 2.22 to 2.30 says that that the visual effects of the proposals on visual receptors has been assessed i.e. the impact development would have on the views available to people and their visual amenity.

1.68 Despite references in the FPCR Appraisal to people and their visual amenity; to visual receptors being all people; to the value attached to views; to the numerous visual receptors; and to views enjoyed by the community etc. there appears to be no evidence of community/stakeholder involvement in this assessment. The report makes no reference at all to stakeholder involvement in landscape and visual impact analysis and I am not aware of any such involvement. The assessment has therefore made no attempt to meet with good practice recommendations set out in GLVIA3, paras 3.40-3.45 where it states, among other things:



*'3.40 .....Nevertheless there are considerable benefits to be gained from involving the public in early discussion of the proposals and of the environmental issues that may arise. This can make a positive contribution to scoping the landscape and visual issues.'*

*3.42 Consultation is an important part of the Landscape and Visual Impact Assessment process, relevant to many of the stages described above. It has a role in gathering specific information about the site, and in canvassing the views of the public on the proposed development. It can be a valuable tool in seeking understanding and agreement about the key issues, and it can highlight local interests and values which may otherwise be overlooked. With commitment and engagement in a genuinely open and responsive process, consultation can also make a real contribution to scheme design.'*

1.69 Para. 3.44 sets out good practice principles for engagement in consultation.

1.70 It is surprising that no community engagement took place specifically on landscape and visual impact assessment given the number of residents with an interest in the fields and affected by the proposals. There has also been plenty of time for such engagement given that the development proposals were being prepared back as far as last July when they were presented for consultation but not as an exercise on landscape and visual impact.

1.71 The judgements referred to on page 30, para. 2.30 of the FPCR LVA therefore take no account of any local community perceptions of impact of the proposals on the landscape. In this case the residents of the Hempsted Community are clearly key stakeholders and it would have been useful if FPCR had involved residents in the analysis as set out above.

1.72 Unlike Landscape Appraisals undertaken by the Council and used as part of the evidence base, the FPCR LVA has not, and will not be subject to any public consultation or scrutiny at a planning inquiry (unless at appeal).

1.73 On this basis the evidence should be given little weight as the methodology does not follow recommended guidelines as set out by the Institute of Environmental Management and Assessment guidance in GLVIA3 and will not be subject to public consultation through the Development Plan process.

See next page for **Section 2 - Adverse Impact on the Open Views from Public Paths and Places Around the Fields.**

## **SECTION 2. ADVERSE IMPACT ON THE OPEN VIEWS FROM PUBLIC PATHS AND PLACES AROUND THE FIELDS.**

2.1 The following Local Plan and LDF policies and statements are relevant to views:

### **2002 Gloucester City Local Plan Second Stage Deposit Draft (SSDD) adopted for development control purposes**

*'4.11 The city has a very distinctive skyline with a clearly defined centre. The Cathedral is the focal point of the skyline and it is imperative that it should remain so. It is therefore important that new developments protect or enhance views of the Cathedral whether viewed as a pedestrian from within the city's streets; from the floodplain and road approaches into the city; or from Robinswood Hill and the hills that surround the city. The development should also ensure that long distance views to key natural landmarks visible from the city, such as May Hill and the Cotswold escarpment, are protected. (Details of views, corridors etc. will be developed as Supplementary Planning Guidance and will be published in due course.)'*

#### **Policy BE.2 Views and Skyline**

***Proposed development should respect and protect the city skyline and important views and vistas within the city, views of the surrounding countryside from within the city, and views of the city from the surrounding countryside. It will be particularly important to protect views of the Cathedral.***

2.2 Other policies which seek to protect views are **The 1996 SPG – Views of Robinswood Hill** and other high ground from Hempsted; **2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper** policy SAD7 and para 3.68; and **2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper** policy D1 clauses 1&5.

### **Views Across and Into the Fields**

2.3 The photos in Annex 1 show where the views of Robinswood Hill, the Cotswold Hills and Gloucester Cathedral can be seen from. Whilst the hedgerow along the Hempsted Lane adjacent to the site has compromised some of the views from the footway they can still be seen from a number of other locations as indicated on photos 2, 8, and 9. The proposed development would either obliterate or compromise those views and is therefore contrary to existing policies.

2.4 Equally, and probably more important to local people are the views across and into the site from the public footpaths to the south (linking Hempsted Lane with The Gallops), the north (play area footpath), from the north east (linking The Gallops with the play area, rugby

ground and recreation ground) and from the west at Hempsted Lane. These views take in many elements of the landscape including but not exclusively the following:

**From the South - Annex 1 photos 1 and 2:**

2.5 All the fields and hedgerows between the footpath and play area to the north including the ridge and furrow farming system – rural agricultural scene;  
The old orchard trees and associated mistletoe;  
The poplar trees and the rugby ground trees;  
Manor Farm House on the edge of the old village and Conservation Area;  
The Cathedral;  
The historic Gloucester and Berkeley (Sharpness) canal side buildings including the chimney from the Price Walkers sawmill dated 1800.

**Impact of the proposed development:**

2.6 Major impact with loss of view through to rugby ground replaced with view of urban scene with housing, play area, cycle paths etc. View of Cathedral compromised if not lost altogether. Views of Manor Farm House compromised and view of village edge lost;  
Overall loss of rural village character and ambience replaced with an urban scene.  
Major adverse impact on the setting of the Conservation Area.

**From the North and North East - Annex 1 photos 3 to 6:**

2.7 The edge of the old village including views of traditional farm house at Manor Farm House and the neo-Tudor lodge house opposite Manor Farm House at no.118 Hempsted Lane;  
All fields on the edge of the old village area and the ridge and furrow;  
The old orchard and other significant trees;  
Robinswood Hill and the Cotswolds;

**Impact of the proposed development:**

2.8 Major impact with views of fields, hedgerows, old orchard, significant tree groups (see Conservation Area Appraisal Townscape Appraisal Map), the ridge and furrow lost. All replaced with urban view of housing;  
Views of Manor Farm House and edge of old village area lost with the merging of the ribbon development to the north with Manor Farm House. All sense of a rural village character lost. Some views of Robinswood Hill and the Cotswolds lost.

**From the West from the footway along Hempsted Lane - Annex 1 photos 7 to 9:**

2.9 Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds and Robinswood Hill from the farm access north of Manor Farm House. The hedgerow along the eastern side of Hempsted Lane reinforces the rural village character of the old part of Hempsted and it is still apparent that there is no development on the fields behind the hedgerow (see photo 7). When the hedgerow is managed properly, as it will have to be, and cut back this will become even more apparent and long distance views are likely to be reinstated.

**Impact of the proposed development:**

2.10 The view from the farm gate will be blocked off. From Hempsted Lane it will be obvious that there is housing on the other side of the hedgerow and this will be further apparent when the hedgerow is managed properly, as it will have to be, and cut back or possibly grubbed out to benefit the views and sun lighting of the new residences. Also the proposed access road will open up views into the proposed housing development.

**RPS Landscape Evidence produced by FPCR Environment and Design Ltd - Landscape and Visual Appraisal (LVA)**

2.11 Notwithstanding that the FPCR Analysis should be given little weight because of the flaws in its methodology, it does set out evidence on views from around the site to which the FPCR analysis gives considerable weight.

2.12 The document goes on to describe the views affected providing photographs taken during the summer of 2013 when vegetation is in full leaf.

2.13 As most people will know there is a period from approximately November to April when vegetation is not in full leaf and for much of that period there is no leaf. During this period people still go about their daily business of going to work, school, recreation etc. and so the views at this time of year are of equal importance to that of sunny days in July. This is a failure of this study and is a misleading appraisal of truly representative views. Therefore little weight should be accorded to this part of the LVA.

2.14 Furthermore some of the photographs for some inexplicable reason have been taken at an angle away from the proposed location of the housing development i.e. 2 & 3 when there are perfectly good views from the public footpath adjacent to the play area toward the village which would clearly be obscured by the proposed development. A rural scene which is viewed by many, both old and young.

2.15 Photographs taken in February 2013 and April 2014 present a different picture of visibility of the site and are attached at Annex 1.

2.16 Whilst views from Hempsted Lane across the fields are obscured to a degree, for those walking along the footway it is quite apparent that there are agricultural fields on the other side of the hedgerow and even the restricted view still provides a strong rural character and ambience to the area.



2.17 It should be noted that this hedge, which has had only very limited maintenance, would almost certainly be cut back severely if housing were constructed on the site whether in the name of proper hedgerow maintenance, or more likely to enhance the views of the occupants of the new housing. In fact it is quite possible the hedgerow would be completely grubbed out to facilitate such views in the long term. In addition a further reason to cut back or grub out the hedgerow would be to obtain more sunlight for the properties. This is because the hedge faces west and will block out the evening sun and leave residences in the shade at an important time of day.

2.18 This is a likely scenario and on which the Council would have little, if any, control over in the long term. This would be perverse in that the views would again be opened up, not of Robinswood Hill and the Cotswolds but of the proposed housing. The Council must consider this matter in considering the impact of this development.

2.19 The FPCR analysis states that it follows the Guidelines for Landscape and Visual Impact Assessment, third edition (GLVIA3), published by the Landscape Institute and the Institute of Environmental Management and Assessment, in 2013.

2.20 Whilst, as stated above, I do not have a copy of this document but do have a quotation from it which is thus:

*“3.35 In reporting on the significance of the identified effects the main aim should be to draw out the key issues and ensure that the significance of the effects and the scope for reducing any negative/adverse effects are properly understood by the public and the competent authority before it makes its decision. The potential pitfalls are:*

*.....*

- losing sight of the most glaringly obvious significant effects because of the complexity of the assessment”*

2.21 This very neatly sums up the FPCR Appraisal. It clearly loses site of the obvious. The proposed development will mean the end for the rural village character of Hempsted recognised by so many for so many years but, alas, not by FPCR.

See next page for **Section 3 - Adverse Impact on the Fields Which Are Critically Important to the Setting of the Hempsted Conservation Area and the Historic Remains of the Ridge and Furrow Farming System and Continuing Agricultural Use.**

### **SECTION 3: ADVERSE IMPACT ON THE FIELDS WHICH ARE CRITICALLY IMPORTANT TO THE SETTING OF THE HEMPSTED CONSERVATION AREA AND THE HISTORIC REMAINS OF THE RIDGE AND FURROW FARMING SYSTEM AND CONTINUING AGRICULTURAL USE.**

3.1 The application is contrary to a number of planning policies as follows:

#### **3.2 Gloucester Local Plan 1983**

Saved **'CORE POLICY A2:**

*Particular regard will be given to the city's heritage in terms of archaeological remains, listed buildings and conservation areas.'*

#### **3.3 Gloucester Local Plan 1996:**

##### **'Core Policy BE.2**

*The City Council will give a high priority to protecting and enhancing its heritage in terms of listed buildings, conservation areas, and archaeological remains.*

##### **Policy BE.2(c)**

*In recognition of the importance of maintaining and enhancing the character of the city's existing conservation areas, the city council will, when considering planning applications, require new development to show respect for its setting and follow fundamental architectural principles of scale, height, massing and alignment, using appropriate materials. The acceptability of the demolition of non-listed buildings will be assessed in the context of the contribution they make to the character of a particular conservation area.*

**Policy BE.2(e)** *The City Council will seek to protect, enhance and preserve sites of archaeological interest and their settings.'*

#### **3.4 2002 Gloucester City Local Plan Second Stage Deposit Draft:**

3.5 Whilst there is no specific policy on development affecting the setting of a Conservation Area the Local Plan states in para. 4.41 (my emboldening)

##### **'CONSERVATION AREAS**

**4.41** *There are 11 conservation areas around the city. They are predominantly concentrated in the Central Area. Each of these areas has a valuable and distinctive character and therefore, proposals for development within conservation areas will be expected to preserve or enhance the character, appearance and/ or setting of the area. **We have begun the process of preparing assessments for the Conservation Areas. This will continue until each area is covered by an assessment including policies for the protection and enhancement of the areas.** An urban tree strategy is being prepared which will trees to be managed and protected and also opportunities for new planting. Where new*

*development is proposed, contemporary architectural solutions that respond to the context will be encouraged.'*

3.6 This indicates that the preparation of assessments was to begin which would include policies for the protection and enhancement of Conservation Areas. The Assessment for Hempsted Conservation Area was carried out in 2006 and approved for development control purposes in 2007 (see below).

***'Policy BE.31 Preserving Sites of Archaeological Interest***

*The City Council will seek to protect, enhance and preserve sites of archaeological interest and their settings.'*

**3.7 2006 Local Development Framework Site Allocations & Designations (Non-Central Area)**  
Preferred Options Consultation Paper.

***'Policy SAD9 - Conservation Areas***

*Designated Conservation Area boundaries are shown on the Proposals Map.*

*Development within or adjacent to a designated Conservation Area will be expected to preserve and wherever possible, enhance the character and appearance of the Conservation Area.*

*Policy BNE5 of the draft Development Control Policies DPD will be applied.'*

**3.8 2006 Local Development Framework Development Control Policies Preferred Options**  
Consultation Paper.

***'Policy BNE5 – Conservation Areas***

*The Council will seek to ensure that all new development within and adjacent to the established Conservation Areas, preserves and wherever possible, enhances the character or appearance of designated Conservation Areas through:*

- 1. The retention of important buildings, features and trees*
- 2. Requiring a high standard of design from new development proposals*
- 3. Protecting open spaces and views that are important to the character of the area*
- 4. Ensuring that new development respects the historic street pattern and character of individual streets or other spaces including all historic materials and components; and*
- 5. Ensuring that new development is of an appropriate scale, form, mass and layout*

*The demolition of non-listed buildings in Conservation Areas will only be permitted where the building will be replaced; where it can be proven that the building does not make a positive contribution to the Conservation Area, and where the replacement scheme would make a positive contribution to the appearance and character of the area.'*

**3.9 2013 Draft Joint Core Strategy Policy S8: Built and Historic Environment**

*'The districts' designated historic heritage assets, both above and below ground, such as:*

- *Nationally and locally designated assets including listed buildings, registered parks and gardens, registered battlefields and scheduled ancient monuments.*
- *Conservation areas.*
- *Their settings.*

*will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place.*

*Development should make a positive contribution to the built and historic environment of the JCS area, taking full account of the presence of any heritage assets and of their settings.*

*Proposals which put heritage assets to viable use will be treated favourably provided that they preserve and enhance local character and valued aspects of the historic environment including individual assets (both designated and undesignated) and their setting in a manner appropriate to their significance.*

*When considering proposals, consideration will be given to the contribution made to supporting sustainable communities, enhancing economic vitality, addressing local character and distinctiveness; and improving accessibility where appropriate.'*

### **3.10 Hempsted Conservation Area Appraisal & Management Proposals – Adopted by Gloucester City Council in 2007 as a Supplementary Planning Document for use for Development Control Purposes.**

3.11 The document sets out the importance of the fields to the east of Hempsted Lane to the setting of the Conservation Area. It best sets out why these fields are so important to the character and setting of the Conservation Area and therefore why they should not be developed. The following are quotes from various parts of the document:

#### ***'Part 1 Character Appraisal***

##### ***1 Summary***

##### ***1.1 Key characteristics***

*This Character Appraisal of the Hempsted Conservation Area concludes that the special interest of the area derives from the following key characteristics:*

*\_ It is situated on a flat-topped hill above meadows in the floodplain of the River Severn with extensive views to Gloucester, Highnam. and the Forest of Dean;*

*\_ It has a distinctive rural character, with several farmsteads and former farmhouses within its boundaries, as well as a number of agricultural fields;*

*\_ Though situated close to major roads, landfill sites, flood defences, industrial estates lining the former docks and the Gloucester and Sharpness canal, it has successfully retained a separate identity and has not been affected by industrial and suburban sprawl;'*

3.12 When this appraisal was carried out, the new housing development to the east including that on both sides of the A430 Secunda Way had been completed. This amounted



to 246 dwellings which in fact it had been completed by March 2004 (see page 5 of the Gloucester City Council Housing Monitoring Report 2004). Therefore the consultants who carried out the Appraisal were fully aware of development in the area and there has been no additional development of such a scale since.

### ***'1.2.2 Development pressures***

*Fields and gardens within the village are already subject to development pressure. Such development is judged to be detrimental to the setting of the conservation area.*

## **2 Introduction**

### **2.1 The Hempsted Conservation Area**

*Though brought within the boundaries of the City of Gloucester in 1967, Hempsted preserves its separate identity as a village on the south-western side of the city. The fact that it has escaped being swamped by suburban sprawl is all the more remarkable given its proximity to Gloucester: the centre of Hempsted is only 2.3km from Gloucester Cross, marking the centre of the city, and yet in appearance and character Hempsted is more like the Severnside villages further south and west than it is like nearby suburbs, such as Tuffley and Quedgeley.*

### **6.3 Key unlisted buildings**

*In addition to listed buildings, the conservation area contains several unlisted buildings that make a positive contribution to the character or appearance of the conservation area. These are identified on the townscape appraisal map as 'positive buildings'. This follows advice provided in English Heritage guidance on conservation area character appraisals, and within Planning Policy Guidance Note 15 (PPG15), both of which stress the importance of identifying and protecting such buildings. The criteria used for selection of positive buildings are those set out in Appendix 2 of English Heritage's Guidance on Conservation Area Appraisals (2005). Where a building has been adversely affected by modern changes and restoration is either impractical or not possible, they are excluded.*

*The following buildings in the conservation area are judged to make a positive contribution (\* means the building is a landmark building occupying a prominent site).*

.....  
\_ \*Manor Farm House and the neo-Tudor \*lodge  
house on the opposite side of Hempsted Lane  
(No. 118);  
.....

### **9.2 Development pressures (my highlighting)**

*Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.*

*Only two of the fields on the eastern side of Hempsted Lane lie within the conservation area boundary, but they form an important part of a belt of continuous orchard, meadow and playing fields that run south to north from Hempsted to the Monkmeadow roundabout and the inner relief road. This whole area is designated as a Landscape Conservation Area.*

*One of these fields contains Hempsted's last surviving orchard, while the field to the north of the orchard has a complete medieval ridge and furrow system, with strips running in an elongated S shape, and headlands representing the turning point of the plough. Further north a belt of poplar separates these trees from the adjacent playing fields but nevertheless continues the theme of green and open space that is important to the conservation area's setting.*

*To develop fields that are an integral part of the rural character of Hempsted would be to change the character of the conservation area, sever the link with the agricultural past, lead to a much denser village scene, tip the balance in the village mix of modern and historic buildings in favour of the modern, and lead to the loss of panoramic views towards Robinswood Hill and the Cotswolds escarpment views (in the case of Manor Farm) and of Gloucester City Centre (in the case of Newark Farm).*

**Recommendations:**

*\_ Policy CA12/3: Applications will also be required to adhere to policies in the Gloucester Local Plan Second Stage Deposit August 2002 and any other policies which supersede this in the LDF;*

*\_ Policy CA12/4: The Council will consider what further development will be permitted in Hempsted Lane and under what conditions (cf the Gloucester Local Plan which says, under LCA1, on page 28, that: 'Development will not be permitted that would detract from the particular landscape qualities and character of the Landscape Conservation Area unless there are exceptional circumstances.)'*

3.13 This demonstrates the importance of these fields to the character of not just the Conservation Area but to the rural village character and the historic agricultural past.

**Analysis of the RPS Heritage Impact Assessment (RPS HIA)**

**Executive Summary**

3.14 Page 1 para 4 of the RPS HIA claims that no part of the Conservation Area (CA) would be physically impacted by the proposed development.

3.15 This is simply not true. The proposals for housing abut the CA adjacent to Manor Farm House. This is physical impact.

3.16 Referring to paragraph 5 there are many Conservation Areas which sit within modern developments. However along Hempsted Lane from the northern most point of the CA to Manor Farm House to the south the CA lies adjacent to an open agricultural field to the west and opposite open agricultural fields on the east side of Hempsted Lane. This, of course, is precisely where the proposed development is sited and will have a major impact on the CA setting.

3.17 Para 6 refers to views of the fields from the Conservation Area along Hempsted Lane being difficult to obtain.

3.18 There may be a hedgerow running along the east side of Hempsted Lane but it is quite apparent, especially when the hedgerow is not in leaf, that there are open fields on the other side (see photograph 7 at Annex 1). Whilst the planting of the hedgerow along the eastern side of Hempsted Lane (western boundary of the fields) does compromise views across to the Cathedral, Cotswold Escarpment, and Robinswood Hill, it is still apparent from the footway along Hempsted Lane the land consists of open agricultural fields and the hedgerow reinforces the rural village character of Hempsted. It does this by reinforcing the rural gap between the newer ribbon development to the north and the old part of the village to the south. This gap is apparent on both sides of Hempsted Lane. This can be seen when walking along Hempsted Lane. Alternatively a look at the 2006 LDF Proposals Map or aerial photographs (recommend google aerial map) confirm this rural gap.

3.19 It is inevitable that the hedgerow will have to be managed properly and cut back in the future and then even the long distance views may well be restored.

3.20 Housing development on this frontage, even with the retention of the hedge as it is, would be very apparent to anyone walking along Hempsted Lane. It would mean the permanent loss of this openness which is part of the CA setting. Furthermore there are excellent views of the open fields from the farm gate just to the north of Manor Farm House along Hempsted Lane. This view also includes views of Robinswood Hill, the Cotswold Hills and the Cathedral which would be also blocked off by the proposed housing development (see Annex 1 photos 8 & 9).

3.21 The next and seventh paragraph refers to the views from the Conservation Area shown in the CA Appraisal (see Townscape Appraisal Map). It suggests that the views to the south east would not be affected. This assumes that the view is a blinkered one, only taking in a single point in the compass. This, of course is not what this view is meant to represent. The viewer would clearly see the setting of the CA to the north and north east without even having to move and this would of course include the proposed housing development only 30 metres to the north east.

3.22 In addition the RPS Assessment refers to the view looking north east from Manor Farm (which should actually be Manor Farm House) being difficult to obtain.

3.23 Clearly RPS have not entered the site to see that there are still very good views from Manor Farm House (see Photo 10 in Annex 1.) of both the fields and beyond to Gloucester Cathedral. The planning officer dealing with this application is welcome to check this for himself by appointment with me. Furthermore RPS again relies on views in the summer months of full leaf ignoring late autumn, winter and spring.

3.24 The Executive summary concerns itself mainly with views from the CA but not of the CA. RPS will be aware of advice by English Heritage on settings set out in 'The Setting of Heritage Assets' published by English Heritage in October 2011 (which RPS refers to on page 4, para 2.7 of their analysis). This guidance makes it quite clear on page 6, para. 2.3 that:

*'The setting of any heritage asset is likely to include a variety of views of, across, or including that asset, and views of the surroundings from or through the asset.'*

3.25 RPS does refer to such views later in the assessment but only those shown in the Design Statement which indicates a limited number of view points.

3.26 The photographs provided are of a poor quality and do not include, for example, views from the play area and public footpath along the northern boundary of the fields. Furthermore they only give views taken during the summer at a time of maximum leaf and are therefore not representative of the year round.

3.27 This evidence in Annex 1 of this document gives photographs taken in April of this year and February 2013 which indicate how the Conservation Area and its setting is easily viewed from many locations from the northern, north eastern (linking the play area footpath to The Gallops housing) and southern footpaths.

3.28 Para. 1.4 of the RPS Assessment does clarify the extent of the ridge and furrow which is over the whole of the planning application area.

3.29 In conclusion, the RPS Assessment of the CA completely under states the visibility of the CA and its setting from locations either outside or inside the Hempsted Conservation Area. This understatement is obvious by either looking at the attached photographs in Annex 1 of this document or by a visit to the site. RPS also relies on photographs taken during the summer and ignores the several months when vegetation is not in full leaf. RPS basically argues that the Conservation Area is not very visible so development of its setting is acceptable. This is without doubt an unsustainable argument.

### **National Planning Policy Framework**

3.30 The relevant sections are set out below and it is my contention that the above statement shows that the proposed development does not meet with its guidance and will do positive and unsustainable damage to the setting of Hempsted Conservation Area and hence to the Conservation Area itself. The Council's own approved Conservation Area Appraisal and Management Proposals clearly set out the importance of the contribution the fields to the east of Hempsted Lane make to the setting of the Conservation Area and the evidence above reaffirms this position.

3.31 Highlighted sections of the NPPF are of particular significance to this planning application.

*'129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.'*

Comment

3.32 The Council's Conservation Area Appraisal & Management Proposals does this.

*'131. In determining planning applications, local planning authorities should take account of:*  
*● the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;'*

Comment

3.33 The fields to the east of Hempsted Lane have been successfully used for agricultural use for many years.

*'● the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*  
*● the desirability of new development making a positive contribution to local character and distinctiveness.'*

Comment

3.34 The Council's Conservation Area Appraisal & Management Proposals sets this out.

*'132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. ....'*

Comment

3.35 The evidence above shows that the proposals would be fatal to the setting of the CA and therefore to the Conservation Area itself.

*'133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:'*

Comment

3.36 This is discussed in Section 5 of this objection.

*● the nature of the heritage asset prevents all reasonable uses of the site;*

Comment

3.37 The Council's policies on Conservation Areas and Landscape Conservation Area do not preclude development but the proposals as submitted would cause significant harm to the setting and the Conservation Area itself as outlined above.

*'and*



● *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and .....*

Comment

3.38 The fields to the east of Hempsted Lane have been used successfully for agricultural use for many years.

‘● *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*

● *the harm or loss is outweighed by the benefit of bringing the site back into use.*’

Comment

3.39 The last bullet point is discussed in Section 5 of this objection.

*‘137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.’*

Comment

3.40 The proposals neither enhance nor better reveal the significance of the Conservation Area as discussed above. They do positive damage to the setting and in doing so have a negative impact on the CA itself.

See next page for **Section 4 - Adverse Impact on Wildlife Currently Using the Fields Directly or as a Corridor.**

## **SECTION 4: ADVERSE IMPACT ON WILDLIFE CURRENTLY USING THE FIELDS DIRECTLY OR AS A CORRIDOR.**

4.1 The relevant policy framework is set out below. The site falls within the Prime Biodiversity area defined in words but not on the Proposals Map in the **2002 Gloucester City Local Plan Second Stage Deposit Draft (SSDD)** and defined on the Proposals Map in the **2006 Local Development Framework**. The relevant policies and paragraphs of these two documents are:

### **4.2 2002 Gloucester City Local Plan Second Stage Deposit Draft (SSDD)**

#### **Prime Biodiversity Area (PBA)**

Paras 3.20, 3.30, Policy B.6

*Para. 3.20 defines a PBA as ‘areas that have, or potentially have, particular concentrations of high priority habitat. Within these areas there is a high potential for habitat and species restoration and enhancement. Within a PBA development should promote the biodiversity character of the area and not conflict with opportunities to contribute to biodiversity targets as outlined in the Gloucestershire BAP.’*

*Para 3.30 defines the area of the PBA as the ‘un-built land to the west of the Gloucester and Sharpness canal (including Hempsted Landfill), and Alney Island. The area is part of the strategically important River Severn Corridor.’*

Policy B.6 Prime Biodiversity Areas states:

*‘Appropriate development within the Prime Biodiversity Area as defined above will be permitted if it can be shown that the proposal where possible will lead to biodiversity gains in the area. Benefits can be on or off site (though within the PBA) and should be in accordance with the special features as defined in the English Nature/Countryside Commission Natural Area Profile for the Severn and Avon Vales, and/or targets in the Gloucestershire Biodiversity Action Plan.’*

4.3 Similar policies are set out in the **2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper (LDF/SAD)** – policy SAD5, paras 3.46 – 3.55 and paras and the **2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper (LDF/DC)** – policy BNE1, paras 5.12 – 5.13; policy BNE3, paras 5.20-5.23.

### **4.4 2013 Joint Core Strategy Policy S9: Conservation and Improvement of Biodiversity & Geodiversity**

*‘Development proposals will be required to support the enhancement of existing biodiversity and geodiversity assets, explore opportunities to create and manage new ones where it is appropriate, and establish and reinforce ecological networks that are resilient to current and future pressures.*

*Proposals will be required to support:*

- *The creation of habitats within sites and if appropriate linking to other biodiversity networks of wildlife corridors and green infrastructure.*
- *The creation of linkages between sites to create a connected local and regional biodiversity network of wildlife corridors and green infrastructure.*
- *Improvements to Strategic Nature Areas as set out on the Gloucestershire Nature Map or meeting other local biodiversity objectives, such as enhancements to Nature Improvement Areas.*
- *Measures to conserve and, if possible, enhance biodiversity and geodiversity assets appropriate to their importance.*

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*Where there is a risk of harm to biodiversity or geodiversity as a consequence of a proposed development, developers will be expected to integrate enhancements into the proposal through mitigation measures that are appropriate to the location. If harm cannot be mitigated on-site, then compensatory enhancements will be required off-site.*

***This policy contributes towards achieving Objective 4.’***

4.5 The proposals for the site would leave very little natural areas remaining on the fields. The housing, together with a formal play area take up approximately 60% of the site and the remainder is crossed by cycleways and footpaths. The old orchard remains the only area which will not be formally laid out. However, as for the rest of the site, there will be public access and therefore more likelihood of disturbance by people and their dogs or other pets. At the moment there is no public access to the site and so all aspects of the environment remain largely undisturbed from human activity other than that related to farming activities.

4.6 Despite what the FPCR Environment and Design Ltd Ecological Appraisal says it is common sense that the huge reduction in the amount of undeveloped fields and the amount of disturbance from the new urban development is almost certainly going to reduce the ‘*high potential for habitat and species restoration and enhancement*’ as set out in the reasoned justification to the Prime Biodiversity Area policies.

4.7 Apart from the more common variety of birdlife that use the fields there have been sightings of birds of prey and at night the sound of owls. This suggests that there is a food source on the fields probably consisting of small vertebrates probably including field and other mice.

4.8 Also foxes and rabbits are known to use the fields. There is a badger run in the adjoining football field which connects to a tunnel across the A430 Secunda Way. It is therefore highly probable that the badgers feed in the planning application fields also. In addition it is known that bats forage in the vicinity of the fields.

4.9 If the consultants had spoken with local residents about local knowledge it is likely the Appraisal would have identified considerably more species using the fields either for feeding or as a habitat. The consultant should carry out further work with local residents to establish a more comprehensive and accurate appraisal than has been submitted.

4.10 There can be no doubt that the urbanisation of the fields will have a detrimental effect upon all these species mentioned above and result in a reduction of the variety of habitat and feeding areas.

### **Wildlife Corridors**

4.11 The FPRC Analysis in page 11 para 3.30 gives the impression that the fields are surrounded on three sides with residential development.

4.12 As has been said many times, the fields are not surrounded by residential development. Whilst the FPRC appraisal refers to the rugby ground to the north it makes no reference to the Hempsted Recreation Ground to the east and most importantly to the fields to the west of Hempsted Lane which go on to form an unbroken link to The Severn Estuary SAC, SPA, Ramsar Site and Important Bird Area. This is more than obvious when an aerial photograph of the Hempsted area is viewed (available on google maps). Also the 2006 LDF Proposals Map demonstrates this link.

4.13 It also links with Gloucester and Sharpness Canal via a public open space opposite the south east corner of the Recreation Ground across Secunda Way. There is already a badger tunnel link across this road, thereby recognising the wildlife links that already exist. As is well known many vertebrates will cross even busy roads such as the Secunda Way, particularly at night when they are quieter.

4.14 The fields are therefore part of a network of green infrastructure which links to the heart of Hempsted and the City. The proposed development would create an impenetrable barrier to this network along Hempsted Lane and thus be contrary to planning policies by adversely affecting the dispersal and migration of wildlife along the corridor as set out in the 2006 LDF/DC policy BNE3.

4.15 The 2002 Gloucester City Local Plan Second Stage Deposit Draft (SSDD) states:

#### *'Corridors*

*3.15 Corridors and links are a vital component of maintaining and enhancing biodiversity. Wildlife cannot exist long term in remote isolated pockets. Some species like mammals need to move around almost on a daily basis, while other such as plants need to disperse and mix their genetic material with others if they are to survive.*

*3.16 Links and corridors operate on a number of levels. They can be very local. For example a hedge connecting a few gardens. They can also operate at the macro level. For example the River Severn and its washlands acts as a major corridor for the movement and dispersal of wildlife on a regional scale. As global warming becomes more apparent the significance of these macro corridors will increase as they can allow the migration of species and habitats as the climate changes.*

*3.17 Development has the potential to block wildlife corridors and can have a significant impact on biodiversity. However it can also act in a positive manner and provide new corridors and links between disparate plant and animal communities.'*

4.16 The 2006 LDF/DC addresses the issues of wildlife corridors and para 5.20-5.22 states:

*'5.20 Wildlife corridors include open space, railways, watercourses and footpaths, they penetrate from the urban fringe through to the City Centre.'*

*5.21 Planning Policy Statement 9: Biodiversity and Geological Conservation identifies the importance and value of networks of natural habitat as:*

*'routes or stepping stones for the migration, dispersal and genetic exchange of species in the wider environment...'*

*5.22 The guidance states that the fragmentation of such networks should be avoided and that where possible the strengthening and restoration of such networks should be aimed for through the policies of the development plan.'*

*5.23 The wildlife corridors will be identified on the LDF Proposals Map.'*

4.17 Whilst the wildlife corridors are not actually identified on the Proposals Map the extent of the PBA is a good guide and these demonstrate well the links identified above.

***'Policy BNE3 – Wildlife Corridors***

*Wildlife Corridors, including those along streams, rivers, canals, railways and footpaths will be protected from development unless it can be demonstrated that the proposed development will not adversely affect the dispersal and migration of wildlife along the corridor.'*

4.18 The JCS policy (see above) also refers to:

- *'The creation of linkages between sites to create a connected local and regional biodiversity network of wildlife corridors and green infrastructure.'*

**National Planning Policy Framework (NPPF)**

4.19 The proposals are contrary to the NPPF as follows:

***11. Conserving and enhancing the natural environment***

*'109. The planning system should contribute to and enhance the natural and local environment by:*

*.....*

- *minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity,*



*including by establishing coherent ecological networks that are more resilient to current and future pressures;'*

Comment

4.20 As set out above the urban nature of the proposed development will reduce the potential for habitat and species restoration and enhancement identified for PBAs. Within a PBA development should promote the biodiversity character of the area and not conflict with opportunities to contribute to biodiversity targets as outlined in the Gloucestershire BAP. The proposal will act as a permanent barrier to the link to the Severn Estuary SAC, SPA, Ramsar Site and Important Bird Area thus preventing the dispersal and migration of wildlife along the corridor.

*'113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites,<sup>24</sup> so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.'*

Comment

4.21 The Council's planning policies set out above do this.

*'114. Local planning authorities should:*

- *set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; and.....'*

Comment

4.22 The Council's planning policies set out above do this.

*'117. To minimise impacts on biodiversity and geodiversity, planning policies should:*

*.....*

- *identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;'*

*.....*

Comment

4.23 The Council's planning policies set out above do this.

*'118. When determining planning applications, local planning authorities should*

*aim to conserve and enhance biodiversity by applying the following principles:*

- *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;'*

Comment

4.24 As set above the harm cannot be avoided because of the urban nature of the proposals and because it will act as a permanent barrier to the link to The Severn Estuary SAC, SPA, Ramsar Site and Important Bird Area thus preventing or having an adverse impact upon the dispersal and migration of wildlife along the wildlife corridor.

See next page for **Section 5 - Other Material Considerations.**

## SECTION 5: OTHER MATERIAL CONSIDERATIONS.

### 1. Housing provision

5.1 The applicant, in the Planning Statement in Support of the Planning Application (I will refer to this as the RPS Planning Statement), gives considerable weight to the need for housing to meet the Joint Core Strategy requirements.

5.2 However the fields to the east of Hempsted Lane are not allocated for development in any adopted Local Plan and although put forward as a 'Development Opportunity Site' in the 2013 City Plan Consultation many objections were raised to it. This part of the City Plan consultation was called the '*Gloucester's City Plan Consultation – Places, Sites, City Centre Strategy Consultation*'. As stated on page 4 of the document the '*consultation provides the opportunity to influence the direction of the City Plan document before the preferred approach is published*'. The second paragraph on page 6 states (my highlighting):

*'In addition to the ward information, this part of the City Plan provides details on potential development sites which are required to meet the City's future development needs. These sites will be shown as allocations and will set out the Council's proposals (sites over ten residential units) that are likely to be subject to development proposals during the lifetime of the Plan. .... However, it must be noted that the inclusion of a site in this document does not mean that the site will be identified in the Preferred Options for development. The purpose of this document is to provide options for public consultation and does not prejudice the Council's decision as to whether to include a site or not, at a later stage of the City Plan's preparation.'*

5.3 Therefore, until it moves on to the Preferred Option stage, it should be accorded very little, if any weight in determination of planning applications.

5.4 Furthermore the 2012 and 2013 Strategic Housing Land Availability Assessments (SHLAAs) which does include these fields should not be used in lieu of a properly prepared Local Plan as they have neither been subjected to any public consultation, nor been subjected to public scrutiny at a not Local Plan Examination in Public. National Planning Practice Guidance on Housing and economic land availability assessment (dated 06 03 2014) is quite clear on this in para 003 where it states (see 'Planning Practice Guidance' on Government website):

#### ***'Does the assessment allocate land in development plans?***

*The assessment is an important evidence source to inform plan making but does not in itself determine whether a site should be allocated for development. This is because not all sites*

*considered in the assessment will be suitable for development (e.g. because of policy constraints or if they are unviable). It is the role of the assessment to provide information on the range of sites which are available to meet need, but it is for the development plan itself to determine which of those sites are the most suitable to meet those needs.'*

### **The Gloucester CC Strategic Housing Land Availability Assessment (SHLAA)**

5.5 Up to 2011 successive Strategic Housing Land Availability Assessments (SHLAA) carried out by the Council said that the site was not suitable for development and in 2011 stated:

*'Greenfield open countryside. Surrounded by playing field and residential uses. Landscape sensitivity, prime biodiversity area. Would impact on the setting of listed buildings. Landscape constraints cannot be overcome.'*

5.6 However, at the Council's recent 2012 SHLAA (2013 SHLAA has not been published), the Panel of Assessors concluded that the site was suitable for residential development and that *'landscape and heritage constraints can be overcome with careful consideration'*. In fact, contrary to Government Guidance for preparing SHLAAs, the existing landscape and heritage policy constraints were completely ignored in the assessment which took a *'policy off'* approach and no new landscape and heritage surveys had been carried out on the site to show anything had changed. Furthermore there was no local community involvement which is a specific requirement of Government advice on preparing SHLAAs (now called the Strategic Housing and Economic Land Availability Assessment).

5.7 National Planning Practice Guidance is clear on who should be involved in preparing assessments and states in Paragraph: 008 Reference ID: 3-008-20140306 (my highlighting):

#### ***'Who should plan makers work with?***

*The assessment should be undertaken and regularly reviewed working with other local planning authorities in the relevant housing market area or functional economic market area, in line with the duty to cooperate.*

*The following should be involved from the earliest stages of plan preparation, which includes the evidence base in relation to land availability: developers; those with land interests; land promoters; local property agents; **local communities**; partner organisations; Local Enterprise Partnerships; businesses and business representative organisations; parish and town councils; **neighbourhood forums** preparing neighbourhood plans.*

*Revision date: 06 03 2014'*

5.8 In addition the 2012 SHLAA Panel was made up mainly of representatives from the housing development industry with some Council Planning Officers present, but no Landscape or Historic Environment Officers. It included a representative from Bruton Knowles who at the time, and still is, acting as property agents for the Sylvanus Lysons Trust, who own the land to the east of Hempsted Lane subject of the planning application!

5.9 I think to most people this represents a clear conflict of interest and would not be allowed in a Council Meeting. This surely is not an acceptable way to conduct an assessment of potential development sites. This, together with the fact that no community involvement took place, could even lead to challenges to the SHLAA at a future Local Plan Inquiry, potentially leading to the Council having to repeat all the work in accordance with Government Guidance. This could result in substantial delays to the City Plan process.

5.10 Because of these shortcomings the current SHLAA should therefore be given very little, if any, weight in the determination of planning applications.

### **2013 Draft Joint Core Strategy (JCS)**

5.11 The strategy for the future development up to 2031 for Gloucester, Cheltenham and Gloucester is set out in the JCS. For Gloucester it is clear that the City cannot meet its needs for housing within the City boundary and therefore it will be necessary to build on what is currently Green Belt land on the northern side of the City but within the Borough of Tewkesbury. This amounts to some 4,397 dwellings with further homes delivered post 2013 in the same areas.

5.12 Whilst the incursion into the Green Belt is regrettable, the current City area clearly does not have the environmental capacity to meet the identified housing need. It does, however, present an excellent opportunity to provide high quality environments with ample green infrastructure. This can be seen by looking at the policies and plans set out from page 95 – 107 in CHAPTER 5 - STRATEGIC ALLOCATION POLICIES of the Draft JCS.

5.13 However the release of Green Belt land should not be seen as an opportunity to build on every piece of valued land in the City in order to try to reduce the requirement on Green Belt land.

5.14 Far from it. This would mean creating unsustainable environments in Gloucester leading to a reduction in the quality of life for residents in the current City boundary whilst at the same time providing far superior environments within the Green Belt urban extensions.



5.15 This would be perverse and result in poorly located housing developments, town cramming, and potentially the loss of valued landscapes and adverse impacts on the historic environment as would happen under the current application proposals.

5.16 This would be contrary to the Vision set out in Chapter 2, para. 2 of the JCS and Ambition 2- ‘A sustainable natural and built environment’ and the accompanying ‘Strategic Objectives’ set out on page 19.

**‘Strategic Objectives 4 and 5 which are as follows:**

***Conserving and enhancing the environment***

- *Protect and enhance the JCS area’s unique historic environment, its archaeological heritage and geological assets.*
- *Conserve, manage and enhance the area’s unique natural environment and great biodiversity, including its waterways, Sites of Special Scientific Interest (SSSI), the Cotswold AONB, and areas of landscape and biodiversity importance and maximise the opportunities to use land for active flood plain.*
- *Ensure all new developments support green infrastructure and improve existing green infrastructure within urban and rural areas to provide movement corridors for people and wildlife.*
- *Review the current green belt boundary with a view to releasing land to help meet the long term development needs of the area that cannot be accommodated elsewhere, whilst providing a long term permanent boundary for the future.*

***Strategic Objective 5 – Delivering excellent design in new developments***

- *Ensuring that all new developments are valued by residents as they:*
- *Are well integrated with existing communities with regard to transport, infrastructure and service links and their visual appearance.*
- *Have created their own distinct sense of place, which was informed by high quality and inclusive design reflecting typical local settlement patterns, landscape character, house types and materials from the JCS area thereby producing a high quality built environment that respects and enhances local distinctiveness.*
- *Have provided the services, social and physical infrastructure which residents need.’*

5.17 The fields which are the subject of the planning application have long been recognised as a valued landscape and for its contribution to the historic environment of Hempsted. Its development would be contrary to these Strategic Objectives.

5.18 The applicant refers in the RPS Planning Statement to there being there being a duty for the Council to maximise the number of dwellings built within the City Boundary (page 16, para. 5.17, page 18, para 6.4, and page 31 para. 9.7).

5.19 I am not sure where this exact wording comes from but clearly it is the duty of the Council to provide for sustainable development, not maximum development. This is imbedded in the Government's NPPF also.

### **JCS Policy for Residential Development**

5.20 The JCS sets out the context for planning applications for residential development in policy C1 on page 78 (my highlighting):

#### ***'Policy C1 – Residential Development***

*Proposals for housing development and conversions to dwellings will normally be permitted on **previously developed land** in the existing built up areas of Gloucester City, Cheltenham and Tewkesbury town, subject to the proposals having no detrimental impact upon the amenity and environment of their surroundings.*

***Proposals for housing development on greenfield land, other than in urban extensions and strategic allocations identified in the Joint Core Strategy, district plans or neighbourhood plans will only be permitted where:***

- *It is for affordable housing on a rural exception site where there is a clearly identified need that cannot be met elsewhere, or*
- *It is a home for a rural worker where there is a clear functional need for the person to be readily available on the site at all times and supports a financially viable business, or*
- *It is infill development within the existing built up areas of villages, or*
- *It is brought forward through neighbourhood plans or Community Right to Build Orders.*

*Residential development should seek to maximise density compatible with the protection of heritage assets, local amenity, the character and quality of the local and trunk road network.'*

5.21 The current City Plan is still at is very early stages with a Site Options Consultation last year (see para 5.2 above). I have been informed that the Preferred Options stage is not expected to be published until after the summer of this year. The proposals are therefore clearly contrary to the Draft JCS policy as the fields are neither allocated for development in a District or Neighbourhood Plan.

5.22 At the moment the Council relies on the 2002 Gloucester City Local Plan Second Stage Deposit Draft Policies and 2006 LDF policies for Development Control Purposes but the JCS is a material consideration also.

## Housing Supply Requirements

5.23 In accordance with the Draft JCS the graduated approach to housing requirements (see JCS page 32, para 3.39 and the JCS Housing Background Paper October 2013 section 10 and in particular page 32 para. 11.4 and the page 34, Table 18 – Gloucester 5 Year Supply based on the Draft JCS). It shows an oversupply of 1887 dwellings or 207.7% of the five year requirement met including a 5% buffer.

5.24 The three Councils have endorsed this approach by approving the Draft JCS and should be working to these figures when dealing with planning applications. On this basis, as well as the planning reasons set out above as to why the planning application proposals should be refused, there is also no need for the development based on the JCS housing supply figures.

## 2. Provision of Public Open Space.

5.25 The application makes provision for public open space including the possibility of transferring the existing play area to within the application site.

5.26 The 2013 Public Open Space Strategy contains the most recent information on public open space provision in Gloucester. Unfortunately this is not currently available on the Council's website and so I have taken account of the Gloucester Open Space Strategy Draft for Consultation December 2012.

5.27 Pages 76-79 assess provision and need for the Westgate Ward which is the largest in the City.

5.28 The main shortfalls identified in the ward are stated on page 76 of the Draft Strategy:

*'Sports pitch provision is 1.28ha per 1000, which falls short of the proposed standard for playing pitch provision of 1.6ha per 1000.'*

*'There are four play areas in the ward, which equate to 0.07ha per 1000, which falls well short of the proposed standard for formal play provision of 0.25ha per 1000.'*

5.29 Page 79 sets out the opportunities for improved provision:

*'Westgate ward meets the council's adopted standard for open space quantity, but a number of sites fall well short of the expected standard in terms of quality of park infrastructure and facilities. Improvements in provision should therefore concentrate on expanded high quality park infrastructure (paths, seats, bins etc), play and sports facilities and ensuring optimum maintenance and usage of sports pitches on existing sites.'*

.....

*The allotments site at Hempsted consists of one plot, which is not really viable in the longer term and will probably be disposed of at some point. The feasibility of creating a larger site for allotment provision in the ward, by converting an underused part of an existing open*

*space, could be explored.'*

5.30 The provision made in the development consists of the relocation of a play area and some informal public open space.

5.31 Whilst making some contribution to the identified needs for Westgate Ward it does not address those relating to the need for additional play and sports facilities and allotments.

5.32 The RPS Planning Statement on page 26, para 7.25 refers to the public open space provision being driven by community preferences and confirmed during consultations. It is unclear when this took place and with whom. However there were three meetings with the Hempsted Residents Association between August 2012 and March 2013 relating to the development proposals and the relocation of the play area (see RPS Statement Of Community Involvement & Pre-Application Consultation page 2, paras 2.6 – 2.8).

5.33 What is known is that at an Extraordinary General Meeting of the Hempsted Residents Association (HRA) held on the 8<sup>th</sup> July 2013 attended by over 100 local residents there was a clear vote against proposals to develop the fields with 76 (71%) against development and 27% for development. This led to the virtual collapse of the HRA. A survey carried out by local MP Richard Graham in the summer of 2013 also gave a similar result with 156 people (70%) either partly or completely against the proposals for development.

5.34 The consultation carried out by RPS and reported in their 'Statement of Community Involvement & Pre-Application Consultation' which took place on 2<sup>nd</sup> July 2013 shows on page 5 that 77% of responses at the event either objected to the principle or specific issues relating to the proposals, with only 13% in support with caveats, or, in support.

5.35 If you add up all the pre-prepared letter responses and post-exhibition responses the percentage objecting in principal or to specific issues becomes 81%.

5.36 It is clear that despite the proposals for provision of public open space in the development it did not result in overall support for the development proposals from the local community.

### **3. National Planning Policy Framework (NPPF)**

5.37 Much is made by the applicant that the proposals meet with the presumption in favour of sustainable development set out on page 4, para 14 of the NPPF.

5.38 Whilst the site would contribute toward meeting housing need this has to be set against the damage it would do to the valued landscape of these fields, the contribution they make to the historic environment and rural character of the old village of Hempsted, and the loss of an area which has high potential for habitat and species restoration and enhancement.

5.39 These assets have been recognised in many Gloucester City Council development plan documents over many years and their protection is backed by many planning policies in these documents as well as the Draft Joint Core Strategy and NPPF. In addition it is now known that a large proportion of Gloucester's housing need will be met in the Green Belt where there will be a great emphasis on providing quality, well designed environments with substantial amounts of green infrastructure. The existing residents of Gloucester are also entitled to such a quality environment.

5.40 Against this background it is considered that the adverse impacts of these proposals far outweigh the benefits, when assessed against the policies of the NPPF.

5.41 The Minister makes it quite clear in his Ministerial forward on page I of the NPPF that:

*'Sustainable development is about change for the better, and not only in our built environment.*

*Our natural environment is essential to our wellbeing, and it can be better looked after than it has been. Habitats that have been degraded can be restored. Species that have been isolated can be reconnected. Green Belt land that has been depleted of diversity can be refilled by nature – and opened to people to experience it, to the benefit of body and soul.*

*Our historic environment – buildings, landscapes, towns and villages – can better be cherished if their spirit of place thrives, rather than withers.'*

5.42 The top of page 2 sets out United Nations definition of sustainable development:

*'International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs'.*

5.43 On the same page the NPPF para 7 sets out the *'three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:*

- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and



● ***an environmental role*** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.'

5.44 In the former the development may be providing housing but it cannot be considered to be creating a high quality built environment that supports health, social and cultural well-being. Where a design actually destroys an area which contributes so greatly to social and cultural well-being it is not creating a high quality built environment.

5.45 The proposals cannot meet with the environmental role in that it again destroys a recognised area of landscape and historic setting value and will adversely impact on the existing biodiversity of the site and potential for improving biodiversity.

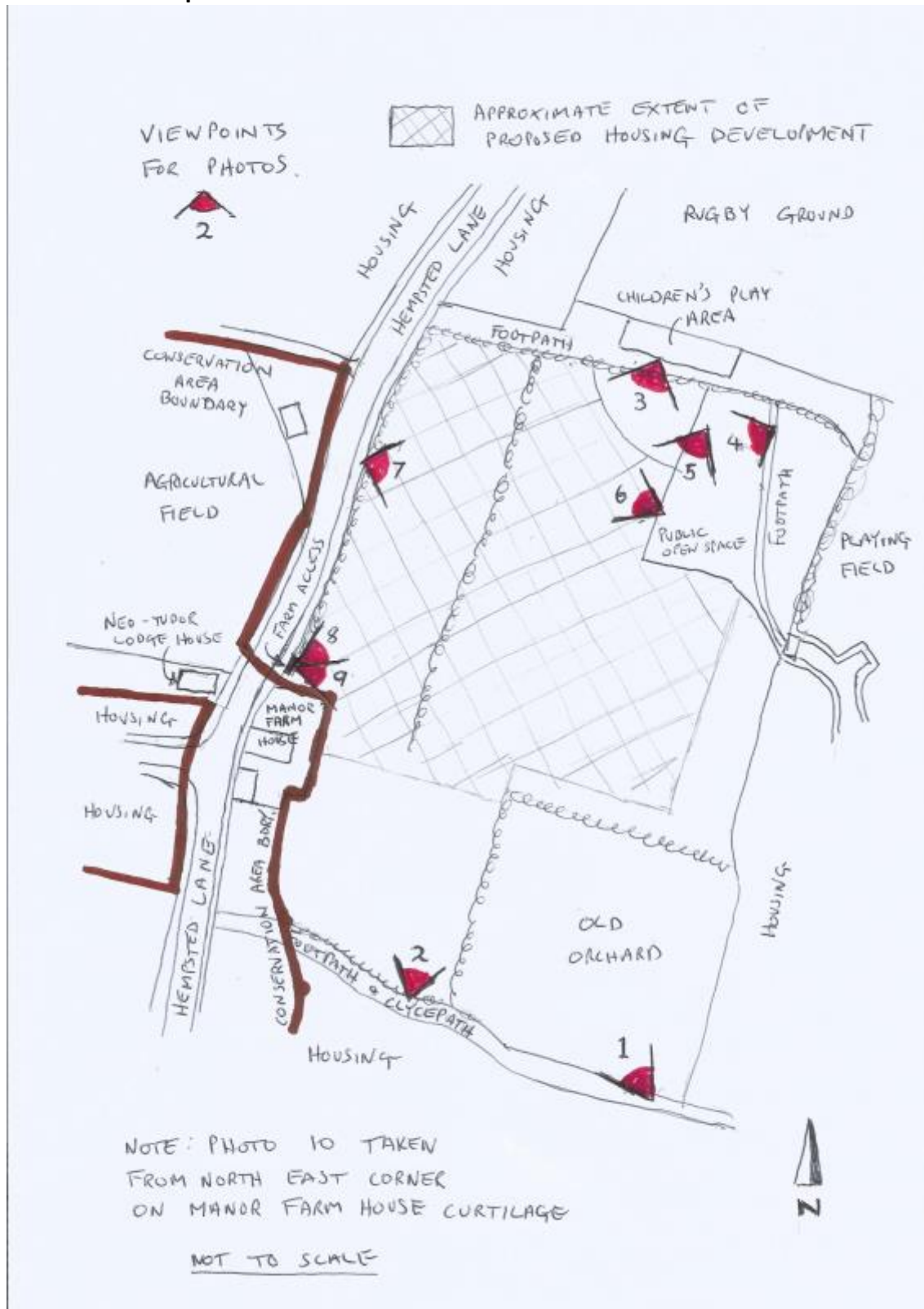
5.46 Should this planning application for development be approved it will most certainly destroy something in Gloucester which is a treasured asset which many future generations could enjoy by providing a sense by of place, community and wellbeing, something all generations should be entitled to.

KG 5th May 2014

# Annex 1

## Views from public footpaths and footways around the fields.

### Location of viewpoints



The photos in Annex 1 show where the views of Robinswood Hill, the Cotswold Hills and Gloucester Cathedral can be viewed from. Whilst the hedgerow along the Hempsted Lane adjacent to the site has compromised some of the views from the footway they can still be seen from a number of locations as indicated on photos 2, 8 and 9 and also from northern footpath leading to the play area to the north of the fields (see photo 2 of the FPCR Landscape and Visual Appraisal. The proposed development would either obliterate or compromise these views and is therefore contrary to existing planning policies.

Equally important to local people are the views across the site from the public footpaths to the south (linking Hempsted Lane with The Gallops), the north (play area footpath), from the north east (linking The Gallops with the play area, rugby ground and recreation ground) and from the west at Hempsted Lane. These views take in many elements of the landscape including, but not exclusively, the following:

**From the South - Annex 1 photos 1 & 2 and interpretation board shown under para 1.61 in the main text:**

All the fields and hedgerows between the footpath and play area to the north including the ridge and furrow farming system – rural agricultural scene;

The old orchard trees and associated mistletoe;

The poplar trees and the rugby ground trees;

Manor Farm House on the edge of the old village and Conservation Area;

The Cathedral;

The historic Gloucester and Berkeley (Sharpness) canal side buildings including the chimney from the Price Walkers sawmill dated 1800.

**Impact of the proposed development:**

Major impact with loss of view through to rugby ground replaced with view of urban scene with housing, play area, cycle paths etc. View of Cathedral compromised if not lost altogether. Views of Manor Farm House compromised and view of village edge lost;

Overall loss of rural village character and ambience replaced with an urban scene;

Major adverse impact on the setting of the Conservation Area.



1. Taken from public footpath and cycleway running along southern boundary of fields showing fields acting as a setting to the Conservation Area at Manor Farm House. Taken on 6<sup>th</sup> February 2013.



2. View from public footpath and cycleway to south of fields showing view of the Cathedral and fields in the foreground. Note cattle grazing with fields in continuing agricultural use. Taken on 9<sup>th</sup> April 2014.

**From the North and North East - Annex 1 photos 3 to 6:**

The edge of the old village including views of traditional farm house at Manor Farm House and the neo-Tudor lodge house opposite Manor Farm House at no.118 Hempsted Lane;  
All fields on the edge of the old village area and the ridge and furrow;  
The old orchard and other significant trees;  
Robinswood Hill and the Cotswolds;

**Impact of the proposed development:**

Major impact with views of fields, hedgerows, old orchard, significant tree groups (see Conservation Area Appraisal), the ridge and furrow lost. All replaced with urban view of housing;  
Views of Manor Farm House and edge of old village area lost with the merging of the ribbon development to the north with Manor Farm House. All sense of a rural village character lost.



**3.** View from public footpath and Hempsted Play Area towards Manor Farm and the Conservation Area on the east side of Hempsted Lane. Clear view of agricultural fields, the ridge and furrow, Manor Farm House and the neo-Tudor lodge house opposite. Taken on 6<sup>th</sup> February 2013.





**4.** View of the fields and Conservation Area from the public footpath between The Gallops and the children's play area showing the distinctive edge of the CA including positive buildings of Manor Farm House and the neo-Tudor lodge house on the opposite side of Hempsted Lane (No. 118) (as described in the Council's CA Appraisal). Photo taken on 6<sup>th</sup> February 2013



**5.** View towards Manor Farm and the start of the Conservation Area on the east side of Hempsted Lane, taken from the public open space between the play area and The Gallops development. Note ridge and furrow is clearly visible and this adds to the historic setting. Taken on 9<sup>th</sup> April 2014.



**6.** Historic remains of the ridge and furrow farming system and continuing agricultural use. This adds to the historic value and rural setting of the old village and Conservation Area. Although a small part of the ridge and furrow system is being retained under the development proposals, much of it falls into the development area which is evidenced by the above photo. The actual ridge and furrow feature extends across the whole of the proposed development area. Taken on 9<sup>th</sup> April 2014.

#### **From the west from the footway along Hempsted Lane - Annex 1 photos 7 to 9:**

Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds and Robinswood Hill from next to the farm access north of Manor Farm House. The hedgerow along the eastern side of Hempsted Lane reinforces the rural village character of the old part of Hempsted and it is still apparent that there is no development on the fields behind the hedgerow (see photo 7). When the hedgerow is managed properly, as it will have to be, and cut back this will become even more apparent and long distance views reinstated.

#### **Impact of the proposed development:**

The views to the Cathedral, Cotswold Escarpment, and Robinswood Hill from the farm gate will be blocked off. From Hempsted Lane it will be obvious that there is housing on the other



side of the hedgerow which will also be viewed from the new access road. The housing will be further apparent when the hedgerow is managed properly, as it will have to be, and cut back or possibly grubbed out to benefit the views and sun lighting of the new residences.



7. Whilst the planting of the hedgerow along the eastern side Hempsted Lane (western boundary of the fields) does compromise views across to the Cathedral, Cotswold Escarpment, and Robinswood Hill, it is still apparent from the footway along Hempsted Lane that the land consists of open agricultural fields and together with the hedgerow it actually reinforces the rural village character of Hempsted. It is inevitable that the hedgerow will have to be managed and properly and cut back in the future and even the long distance views will then be likely to be restored.

This picture demonstrates this point and although taken on the 6th February 2013 it must be remembered that for several months of the year the hedgerow is not in leaf.



8. View from the farm gate to the north of Manor Farm House towards Cathedral and Gordon League playing fields with fields in the foreground. Taken on 9<sup>th</sup> April 2014.



9. View from the farm gate to the north of Manor Farm House toward the Cotswold Escarpment and Robinswood Hill. Taken on 9<sup>th</sup> April 2014. Despite the partial blocking of some views from Hempsted Lane by



hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south would also be compromised.

### **View from Manor Farm House**



**10.** View from Manor Farm House within the Hempsted Conservation Area showing the proposed development site, the poplar trees in front of the rugby ground, the historic chimney associated with industry adjacent to the Gloucester and Berkeley Canal and the City centre including a view of Gloucester Cathedral.



### Email from Gloucester City Council

#### JCS Landscape Characterisation Assessment and Sensitivity Analysis

15/04/2014

To: Keith Goodred



Keith

Further to our second conversation I am happy to confirm the following:

Keith

Thank you for taking the time to talk to me yesterday.

As mentioned I am happy to confirm our conversation in an email.

As we discussed, the JCS landscape assessment/analysis was commissioned to inform the Broad location work, and was separated into 2 discrete tasks; first the Characterisation assessment, followed later by the Sensitivity analysis. The objective was to provide an evidence base supporting strategic decisions for large scale urban extensions.

The Characterisation was based upon the LDA study of 2006, and the individual carrying out the work was to use this as a basis for their assessment, subdividing the areas into smaller more discrete units.

Hempsted was one of the first areas subject to the characterisation work, and I would support your contention that the description put forward covers a large part of the village going beyond the area 'W' identified on the map. If nothing else there is a detailed description of the historic centre including the cross. I apologise if earlier conversations were not explicit in that regard. I would also agree with you that the description put forward will likely to have included the fields to the East of Hempsted Lane.

The Sensitivity analysis was carried out later. Both myself and Tim Watton (planning policy manager at the time) were clear where the boundary should go, in this case along Hempsted lane – this was to ensure that the document was kept strategic and for reasons of pure expediency. If every paddock, small field and open area on the periphery of Gloucester, Cheltenham, Tewkesbury and Bishop's Cleeve were subject to detailed analysis, the work would have never been completed – a real cause for concern at the time given the rate of progress. As we discussed I do however, accept that the description as narrated for G41 could apply to the fields east of Hempsted Lane.

I trust that clarifies the point. We discussed a few other matters, but I believe it was the above that you were particularly concerned to resolve. With regard to the Bridges Design report I have again asked WSP to return it. I will copy and send you the relevant extracts as soon as I receive it.

Any questions please give me a call

**Environmental Planning Service Manager: Regeneration Strategy and Delivery**

Mr R & Mrs T Dyer  
100 Hempsted Lane  
Hempsted  
Glos  
GL2 5JS

Mr Adam Smith,  
Gloucester City Council Development Control,  
Herbert Warehouse,  
The Docks,  
Gloucester,  
GL1 2EQ

23 April 2014

Dear Sir,

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

**1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.**

This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development*'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane '*so that green links can be maintained through the village*'.

**2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: '*Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.*'

**3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area. Although part of the Ridge and furrow system is being retained, much of it falls into the development area which is evidenced by the following photo:



This photo shows the land highlighted in red below:



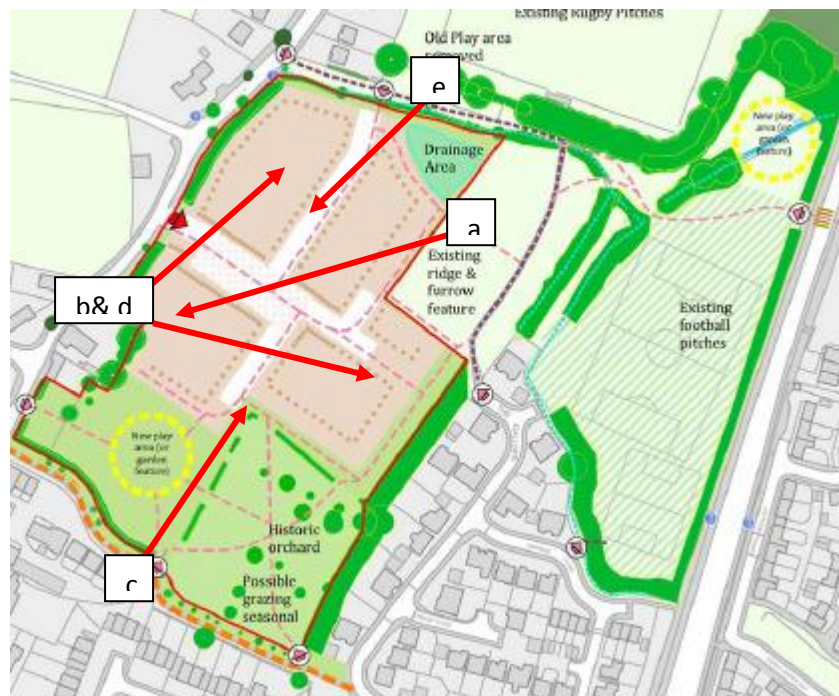
The actual ridge and furrow feature extends across the whole of the proposed development area.



**4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south would also be compromised.

I would like to point out that the planting of the hedgerow by the landowner is a deliberate attempt to block the important views across to the Cathedral, Cotswold Escarpment, and Robinswood Hill. To allow this sort of behaviour and to accept it especially when it forms the backbone of the landowners planning application is to make a mockery of your planning rules and regulations.

Despite the landowners best attempts to destroy the view, there are still many important views retained that development would obscure (all photos taken on 9 April 2014):





a. View towards Manor Farm and the start of the conservation area, taken from the public open land between the fields and the gallops development. Note ridge and furrow is clearly visible.



b. View from gate at Manor Farm towards Cathedral and Gordon League playing fields.





c. View from public footpath to Cathedral



d. View from gate at Manor Farm towards Cotswold Escarpment and Robinswood Hill.



e. View from public footpath and Hempsted Recreation Area towards Manor Farm and the start of the Conservation Area:



**5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph). There is high potential for habitat and species restoration and enhancement.

**6. The application is contrary to many planning policies including:**

**2002** Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2.

**2007** Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2.

**2006** Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5.

**2006** Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56.

**2012** National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137.

**1996** SPG – Views of Robinswood Hill and other high ground from Hempsted.

**7. Capacity of Hempsted School**

Hempsted School is at capacity. Many families that reside within the Hempsted boundaries and within easy walking distance of the school cannot get places at the school and instead have to drive their children to schools in Linden.

Further development in the village would make this problem worse. Children should be able to walk to their nearest school. Previous S106 funds from the Monk Meadow development and Raikes Chase that was ringfenced to allow expansion of the school was diverted back to the Sufficiency Funding Stream in June 2013 as it was



deemed that Hempsted School was not suitable for expansion due to infrastructure concerns. These concerns are listed below and would be COMPOUNDED by further development, not alleviated:

- There is current traffic congestion during the morning and afternoon which impacts on the safety of children at the School. It is anticipated that a significant amount of this congestion is created by vehicles turning on St. Swithuns Road as there is no through road. The introduction of a pedestrian-only access on Hempsted Lane North will enable vehicles to pick-up/drop-off and continue their journey without being required to turn around in a confined space.
- The pedestrian-only access is supported by parents (as shown in the travel survey) with 74.1% of parents agreeing that it would help improve their child's journey to school. When asked whether a vehicle access would help improve their child's journey, 44.3% stated that they would be in agreement.
- These results suggest that a new pedestrian access would be beneficial to many of the children's journeys, but also be a new safer point of access. It is recommended that appropriate safety measures are installed at the new access, in particular traffic calming measures, safety fencing along the carriageway on Hempsted Lane North and a pedestrian crossing, to further increase safety levels. Certain measures could be funded as part of the Section 106 agreement.
- Traffic volumes vary from school to school, depending on their location and individual circumstances. Although it is difficult to compare schools, it is clear that parents have concerns over safety at the school and action should not be avoided due to other schools being in a worse situation. There is extra emphasis for Hempsted Primary School to take action regardless of how they compare to other schools, as the number of pupils at the School is expected to increase in the near future.
- Although the travel survey identified that the majority of children living in Hempsted Village already walk to school, there is a significant number that arrive by car. It is anticipated that these journeys are made as part of the parents' journeys to work. Walking and cycling to school has several benefits as the journey to school becomes safer and the children benefit from increased physical activity.

Even if new S106 contributions were sought from this application to allow expansion of the school, it would need to be of such a magnitude to enable the school even to increase by 0.5 of an intake, that it would render the development unfeasible. It should therefore be considered whether the development should go ahead at all.

## **8. Drainage Issues**

The mains sewer under Hempsted Lane often has problems with blockage caused by insufficient capacity. This can cause sewerage to rise in the garden of a property in Field Court Garden (number 29). This needs further investigation, and the owners of the affected property should be consulted with closely BEFORE a planning decision is made to ensure that proper consideration has been given to this issue and / or an engineering solution.

## **9. Neighbourhood Plan**

The residents of Hempsted are in the process of creating a Neighbourhood Plan under the Localism Act. The Neighbourhood Area has been designated, and a Neighbourhood Forum has been approved and voted through by the Gloucester City Council Planning Committee.

The objectives of the emerging Hempsted Community Forum is to:

(a) To promote and improve the social, economic and environmental wellbeing of the area known as Hempsted as designated by Gloucester City Council as a Neighbourhood Planning Area under the Government's Localism Agenda and is hereinafter referred to as "the area of benefit".

(b) To steer the process that creates a Neighbourhood Plan under the Localism Act 2011

(c) To involve local people in community based decision making through working parties, working groups, and individual tasks as deemed necessary. Such groups will be made publically available for members to view and join.

(d) To secure the preservation, conservation, development and Improvement of features of general public amenity or historic or public interest in the area of benefit.

(e) Promote the health and well being of the residents of the area and working together as residents regardless of age, ethnic origin, ability, sex, belief or political affiliation recognising the value of our many differences.

As a resident of Hempsted and a member of the Hempsted Community Forum Steering Group, I feel that the emerging Neighbourhood Plan should be allowed to come into existence before decisions are made on any land within Hempsted. The National Planning Policy Framework is clear about community involvement through a Neighbourhood Plan. Para 16 and 17 state:

*16. The application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:*

- *develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;*
- *plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and*
- *identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.*

#### *Core planning principles*

*17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:*

- *be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up -to -date, and be based on joint working and co -operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;*
- *not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*
- *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 for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;*



To not allow an emerging Neighbourhood plan to develop prior to such a controversial and major development would be to fundamentally oppose the core planning principles of the NPPF.

Surely the community that would house the potential development and utilise any S106 money from such a development should be involved in decision making through Neighbourhood Planning. Afterall, this is the whole reason why the Localism Act came into force, so that communities have their say.

The results of the Hempsted Survey will soon be published which will then be used to create the planning policies that the Hempsted Community created and will vote on at referendum. This planning application must at the very least be deferred until such a time as the Hempsted Neighbourhood Plan is finalised.

This was the exact stance taken by Planners in Devizes (E/2013/0083/OUT) in rejecting a multi housing development planning application, as it went against the NPPF guidelines as there was an emerging Neighbourhood Plan.

Thank you for your consideration.

**Yours sincerely,**



Ray Dyer

From:

Dear Sir,

Date: 25.4.14

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

1. **Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 *'... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'*. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane *'so that green links can be maintained through the village'*.

2. **Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: *'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'*

3. **Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

4. **The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

5. **Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

The application is contrary to many planning policies including:

The 2002 Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The 2007 Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2; The 2006 Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5; The 2006 Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The 2012 National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137; and The 1996 SPG - Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,

Development

22 MAR 2014

Accepted

Dear Adam Smith,

Thank you for your letter of 3 April 2014 with the outline planning application for land east of Hempsted Lane (reference above). I and my wife have the following comments - phrased as "what about" questions.

So - what about:

Access to the site.

The ability of Hempsted Lane or the By-Pass to cope with the traffic flow (depending on where the entrance to the site is).

The ability of the lozenge "roundabout" to cope with the traffic flow from any direction.

The sacrifice of green space.

The sacrifice of the views toward Robinswood Hill.

The ability of Hempsted School to take more pupils (we gather that the school is already full). Parking for the school is currently appalling

- to the detriment of those living nearby.

Access to doctors and dentists surgeries.

Sewerage.

Flooding.

Hempsted Village no longer being a village but a suburb of Gloucester City.

Farmers allowing their cattle to graze on the land that may be built upon. Where will the cattle go?

Peter and Diana Canning  
8 Ladywell Close  
Hempsted  
Gloucester  
GL2 5XE

7th November 2014

Dear Mr Smith

I have already objected to the proposed development and have viewed the reviewed plans. As I live directly opposite the proposed development I would be affected by any building work taking place on this land. I have lived in the Gallops for twelve years, and in Hempsted for twenty two years.

I am concerned that the increase in new residents would constantly be passing my house and as with the development on the other side of the main road, the amount of extra and social housing have brought with it some undesirable residents who are constantly causing problems to the surrounding area.

There are a lot of elderly people in the bungalows and houses around the proposed development who would also be affected.

I object to more green land being used unnecessarily for houseing. This development affects the outlook from my property, will add to the noise levels in the area and could contribute to local flooding. The roads in Hempsted are already jam packed at peak times of day making a 5 minute journey into a 45 minute journey therefore more housing in the area will have a knock on effect to the traffic.

I hope you take my concerns seriously.

Yours sincerely

M Calienda

From: **MR S WALSH**

Dear Sir,

Date: **28/04/2014**

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

**1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 *'... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development'*. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane *'so that green links can be maintained through the village'*.

**2. Fields which are critically important to the setting to the Hempsted Conservation Area.** The 2007 'Hempsted Conservation Area Appraisal & Management Proposals' adopted as a SPD confirms the importance of these fields to the Conservation Area in paragraph 9.2 which states: *'Fields on both sides of Hempsted Lane are critically important to the setting of the conservation area. They help to preserve the sense of separation from Gloucester, to maintain the green and rural character of the village, and they protect important views.'*

**3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.

**4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.

**5. Wildlife currently using the fields directly or as a corridor.** The fields are linked to the meadows of the Severn Valley and form part of a wildlife corridor which attracts birds and other wildlife. Contrary to the statement in the applicants Ecological Survey, the site is linked to the west with fields on the other side of Hempsted Lane (see an aerial photograph which demonstrates this point). There is high potential for habitat and species restoration and enhancement.

**The application is contrary to many planning policies including:**

The **2002** Gloucester City Local Plan Second Stage Deposit Draft Policies ST.3, LCA.1, para 3.40 & BE.2; The **2007** Hempsted Conservation Area Appraisal & Management Proposals Adopted as a Supplementary Planning Document in 2007 policy CA 12/4 and supporting text in para 9.2; The **2006** Local Development Framework Development Control Policies Preferred Options Consultation Paper policies BNE1 and para 3.46, BNE3, BNE4, BNE5 and D1 clauses 1&5; The **2006** Local Development Framework Site Allocations & Designations (Non-Central Area) Preferred Options Consultation Paper policies SAD2, SAD5, SAD7 and para 3.46, and policy SAD9 and para. 3.56; The **2012** National Planning Policy Framework, paras. 58 - bullet points 1,2,&4; 109 - bullet points 1&3, 118 - bullet point 1, 126 and 137. Also very relevant are paras. 126, 128, 129, 131-133 and 137, and The **1996** SPG - Views of Robinswood Hill and other high ground from Hempsted.

Yours sincerely,



From:

PAUL COOKE + SARAH COOKE

Dear Sir,

Date: 2/5/14

**OBJECTION TO Planning Application 13/01032/OUT on Land East of Hempsted Lane, Gloucester**

I object strongly to the above application because the proposals will have an adverse impact upon:

- 1. Agricultural fields, still in use, which give the special green, rural village character and identity of Hempsted; and which also prevent the coalescence of the main urban area with the older historic part of Hempsted village.** This character would be destroyed by these proposals resulting in the merging of the ribbon development to the north with the old village and Conservation Area. Policies on the protection of these fields have been in place for over 20 years. In 1993 a City of Gloucester Local Plan Inquiry Inspector considered calls from developers for development of the same fields (Inquiry into the 1991 Local Plan). Neither the Inspector, nor the Council agreed with the proposals and the Inspector concluded in his report para. 6.3.47 '*... the importance of the fields to the north east of Manor Farm to the village character and identity of Hempsted is such that they should not be allocated for development*'. Nothing has changed on these fields since then and the housing development to the east was already allowed for by the Inspector. The proposals also conflict with the Council's 2013 'WSP Landscape Analysis of Potential Development Sites' which concludes that no development should take place on the western field fronting Hempsted Lane '*so that green links can be maintained through the village*'.
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- 3. Historic remains of the ridge and furrow farming system and continuing agricultural use.** This adds to the historic value and rural setting of the old village and Conservation Area.
- 4. The open views from public paths around the fields.** Despite the partial blocking of some views from Hempsted Lane by hedgerow planting there are still views of the Cotswolds from the farm access north of Manor Farm House and from the footpath leading to the existing play area. These would be blocked off by the development. Views of the Cathedral from the footpath to the south of the fields between Hempsted Lane and The Gallops would also be compromised.
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Yours sincerely,



My wife and I have lived in Hempsted for fortyfive years and have witnessed, sadly, the gradual loss of the real village character that attracted us to Gloucester all those years ago.

You in Planning are already aware of the objections to this proposed development concerning ongoing farming activities, the importance of saving the old "ridge and furrow " field example and the obvious loss of views of Gloucester if these houses are built.

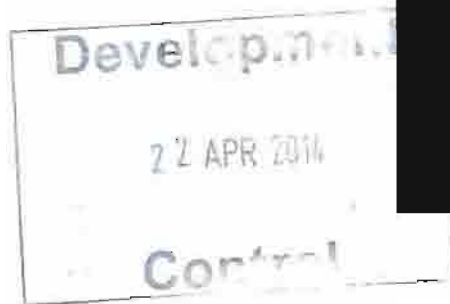
Also to be considered is the likley extra pressure which could result on the village school not to mention the misery we suffer twice a day from the chaotic school run traffic and parking.

At the lower end of Hempsted Lane several large "brown field" sites have remained for several years untouched, why not develop those areas before adding to the hundreds of new houses we have already seen erected in the village of Hempsted in the passed few years.

Regards,

M.L.Perry.

A sad resident of Highview.



April 15th 2014

Planning Committee  
Gloucester City Council  
The Herbert Warehouse  
The Docks  
GL1 2EQ

Planning Application 13/01032/OUT  
Submitted by Bruton Knowles on behalf of  
the Lysons Trust

Dear Sirs,

I have no objections to this  
planning application as it stands. However I  
do have the following concerns:-

a) The offer of half the land as public open  
space is very welcome but will this land remain  
as open space when it is sold on to a developer?  
How can the amount of open space be guaranteed?

b) There are problems with the foul water  
drainage in Hempsted, and additional houses  
will add to the problems already experienced  
by existing house holders i.e. sewage in their

gardens. If this development goes ahead it would be a good opportunity to create a system for the 21st century.

c) These fields are one of the remaining night time darker areas of Hampstead. Developing them will cause more light pollution so I would hope this could be minimised.

Yours faithfully,

A solid black rectangular box used to redact the signature of the sender.

[REDACTED]

The Development Control Officer  
Attention Mr Adam Smith  
Gloucester City Council  
Herbert Warehouse, The Docks  
Gloucester, GL1 2EQ

Dear Sir

Re: **Planning Application Ref: 13/01032/OUT** - Outline planning application for residential development of site, open space including orchard, cycleways, footpaths, and associated works. Means of access offered for approval (layout, scale, appearance and landscaping reserved for future consideration)

1. I am extremely unhappy about the whole idea that houses will be allowed to replace grazing cattle on the land at Manor Farm. However, in the event that the application is taken forward I wish to register my objection and have the following comments noted.
2. The application does not meet the sustainable criteria at any level.
3. It proposes the construction of too many dwellings at too high a density which is completely at odds with other developments nearby.
4. The proposed access should not be via Hempsted Lane, which already has more vehicle movements than it was ever intended to have. The better option, for safety and ease of access, would be to utilise the existing traffic light controlled junction onto Secunda Way?
5. There is no possibility of getting children from the proposed houses into the local school as it is full to the brim and recent expansion proposals were dropped due to the lack of opportunity to expand. Lack of expansion space is also compounded by serious access problems in St Swithuns Road.
6. The Sewerage system has serious problems and has overflowed several times in the past few years, adding an extra 60 houses would significantly increase the risk of such problems occurring in the future. The piecemeal addition of houses to the sewer network has never been properly taken into account
7. Loss of the natural green environment and the setting it provides would change the whole rural feel of Hempsted. Too much has already been lost with the construction of Secunda Way and the houses between it and the canal. Hempsted might be regarded as part of Gloucester but it must not be allowed to get consumed by urban sprawl.

Yours

[REDACTED]

Amanda M Stevenson (Mrs)





17 August 2014


Dear Mr Smith,

Re 13/01032/OUT, we object to any building being erected on the field to the east of Hempsted Lane. The fields are currently being used for grazing cattle and contribute to the village feel of Hempsted. The loss of this central green space will make Hempsted just another urban sprawling estate. The area has already had more than its share of development without any addition to its infrastructure. School facilities are limited and there are no medical or dental practices in the area. Public transport from the west of the area is limited to one bus per day. There are also brownfield sites in the Hempsted area which are for sale as housing developments that should be built on first before the destruction of green fields.

Yours sincerely

C Watts

S E Watts



18-8-14

Dear Sir/Madam

REF 13/01032/ONT

My wife and I are against  
any building on the fields  
east of Hempston Lane. We have  
lived here for 12 years and  
the village has multiplied  
threefold, so we say enough  
is enough. There are brown  
sites in Hempston that can  
be built on, before green  
fields. Something urgently  
needed would be a MEDICAL and  
DENTAL surgery.

Yours Sincerely

M<sup>R</sup> O EHOITT

M<sup>RS</sup> J EHOITT

Stewart N Cypher,



25/viii/14

Town and Country Planning Act 1990

Ref: 13/01032 /OUT

Land East of Hempsted Lane



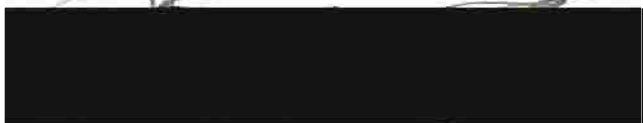
Dear Sir, *Mr Smith*

I have already sent you an objection to an earlier submission affecting the above site and I shall be grateful if you will attach the following remarks onto the original and treat the two as one whole.

On reflection the tree planting undertaken by the owners some little while ago has very considerably enhanced the contribution this site makes to the general landscape ambience of this part of the village and to the street scene. It provides a green wall to the back edge of the pavement and very significantly softens the landscape quality; I hope that due consideration has been, is being, given to the contribution the planting makes to the landscape qualities of the area and perhaps, under your Statutory duty you are carefully considering the question of Tree Preservation Order(s). Any significant destruction of the tree screen would cause great harm to the ambient qualities that now exist.

My comments about the access still hold good and I now simply underline them in this submission. I do hope that you will reject this application and save for the village a extremely important bit of landscape quality that once destroyed can never be replaced. Please keep me up to speed on the progress of this case.

Yours faithfully,



*Thanks for plans etc*

*P.T.O.*