

Site Context and Background

The site is located on the main street running through the centre of the village and comprised a parcel of steeply sloping undeveloped land situated with houses on either side. The northern boundary of the site comprised a dry-stone wall within which was set a Grade II listed water pump.

Prevailing planning policies for the area at the time sought to resist proposals for new build market houses other than in settlements with defined 'settlement boundaries' as set out in the Local Plan. Avening was not however somewhere that benefited from having a 'settlement boundary' and as such, the site was not in a location where the local planning authority would be supportive of proposals for a new house.

Furthermore, the site, along with the rest of the village, is located with the Cotswold Area of Outstanding Natural Beauty, where local planning authorities have a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the area. The site was also within the village's designated Conservation Area. The site was therefore highly constrained.

Prior to Plan-A's involvement, there had previously been four failed attempts at seeking planning permission for residential development at the site.



Our Approach

Following a thorough review of the site's planning history and careful consideration of the status of the Local Plan and the local authority's housing land supply position, we devised a strategy would help our client realise their goal.

Rather than putting forward a proposal for a new open-market dwelling, we instead pursued an application for a live/work unit. Whilst the village was not recognised as a sustainable location for development in the adopted Local Plan, it nevertheless had a limited range of services and facilities, and the inclusion of commercial space (for either office or shop use) within the proposal, meant that the scheme could provide additional employment and/or retail opportunities to serve the local community.



Working closely with the designer, careful consideration was given to the scheme's design in order to address previous concerns raised by the local planning authority to the past schemes they had refused. The proposed siting of the unit, at the front rather than towards the rear of the plot, contributed to the established building line at the back edge of the pavement, and the building's traditional Cotswold vernacular appearance was carefully designed to be in keeping with the character of the area. The scheme also proposed the restoration of the listed water pump, which was to be set within a specially constructed alcove at the front of the building. Importantly, the proposed development did not span the full width of the site frontage such that views through the site were maintained, ensuring a degree of openness was to be retained.

Despite these efforts, the application was initially refused by the Local Planning Authority. However, the LPA's decision was overturned at appeal.

The application and subsequent appeal were submitted at a time when the adopted Local Plan was time expired and the relevant policies in respect of housing supply deemed 'out of date' in the context of a housing land supply shortfall. In such circumstances, the National Planning Policy Framework requires that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. Based on a carefully constructed appeal case, we were able to convince the Inspector of the merits of the proposals, taking into account the important considerations with regards the LPA's reasons for refusal, including scheme design, highway safety, Conservation Area and protected landscape factors and heritage considerations with regards the listed water pump. Accordingly, the appeal we pursued was upheld and planning permission duly granted.



The site was subsequently sold on and acquired by new developer, who retained Plan-A to assist with regards proposed amendments to the scheme. Following further discussions with officers, permission has recently been granted for a wholly residential scheme at the site as an alternative to the previously approved live/work unit.

Key to securing a successful outcome for our clients in this case was our in-depth understanding of the site's planning history, appreciation of the weight that could be attributed to relevant planning factors including policies and other material considerations and having the tenacity to pursue various scheme amendments, whilst all the time maintaining a positive and pro-active working relationship with officers. Based on our clients' needs and aspirations, we were able to determine an appropriate strategy which has ultimately achieved their desired goal.