

Item No 03:-

20/01582/FUL

**Grove Cottage
Hazleton
Cheltenham
Gloucestershire
GL54 4EB**

Item No 03:-

Erection of single storey side extension, insertion of two windows on the South facade, windows and doors to be painted cream at Grove Cottage Hazleton Cheltenham Gloucestershire GL54 4EB

Full Application 20/01582/FUL	
Applicant:	Mr P McIntyre
Agent:	Cotswold Architects
Case Officer:	Harrison Bowley
Ward Member(s):	Councillor Robin Hughes
Committee Date:	14th October 2020
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Design and Impact on Hazleton Conservation Area
- (b) Impact on Listed Building
- (c) Impact on the Cotswolds Area of Outstanding Natural Beauty
- (d) Impact on Residential Amenity
- (e) Highways Safety
- (f) Impact on protected trees

Reasons for Referral:

Objections have been received from twelve neighbours and the Parish Council. The comments will be addressed in sections 5 and 6 of the report and in the main body of section 8. Councillor Hughes has called the application to the Planning and Licensing Committee raising concerns over the impact on the highway and overlooking of the churchyard.

1. Site Description:

The application site consists of a traditional vernacular, stone cottage that is identified on the 1st edition historic epoch dating from 1844 to 1888. The cottage was once a very modest dwelling but has been altered and extended over time with additions of two-storey extensions to provide its present form. The property benefits from garden space to the front and rear with off road parking identified on the opposite side of the road which also contains a double garage.

The property is located within the Hazleton Conservation Area and the Cotswolds Area of Outstanding Natural Beauty. The building is also within the setting of the Grade I listed Church of St Andrew to the south.

2. Relevant Planning History:

12/02896/FUL - Demolition of existing garage and erection of new garage - Permitted 24/08/2020.

97.02386 - Erection of two storey extension and alterations - Permitted 10/02/1998.

3. Planning Policies:

TNPPF The National Planning Policy Framework
EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape

EN5 Cotswolds AONB
EN7 Trees, Hedgerows & Woodlands
EN10 HE: Designated Heritage Assets
EN11 HE: DHA - Conservation Areas
INF4 Highway Safety

4. Observations of Consultees:

Conservation Officer - Comments considered in the main body of this report.

Tree Officer - Comments considered in the main body of this report.

Historic England - Comments considered in the main body of this report.

5. View of Town/Parish Council:

Four comments have been formally submitted on behalf of Hazleton Parish Council in response to separate revised plans. Material planning considerations raised have been considered as part of the determination of the application and are addressed in full in the main body of this report. The comments are available in full through the electronic planning file and are summarised below:

- Impact on highway owing to restriction of road.
- Proposed fenestration is out of keeping
- Restricted views of the open countryside
- Restricted views when leaving and joining the highway
- Overlooking of the church grounds
- Impact on trees
- Lack of archaeological information and heritage statement
- Overdevelopment

6. Other Representations:

Twenty-two letters of objection has been received from twelve members of the public. Comments on the application are available through the electronic planning file and a summary is provided below:

- Impact on highway owing to restriction of road
- Unsafe access to property
- Loss of original character
- Impact on trees
- Limited access for farm vehicles
- Fenestration out of keeping with character of property and conservation area
- Loss of privacy to churchyard
- Reduced highway visibility to adjoining access
- Overdevelopment

7. Applicant's Supporting Information:

N/A

8. Officer's Assessment:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that '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.'

The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.

The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

Background and Proposed Development

The application has been through a number of amendments, with revised plans having been submitted on 27/07/2020 prior to the final set of plans being received on 25/08/2020. The initial scheme was for a single storey extension to the east elevation, however following concerns regarding, heritage and trees, the scheme has instead been amended to a single storey extension to the north elevation, elongating the existing porch. The proposed extension will project 1m from the existing north elevation, matching the depth of the porch, with a ridge of 3.2m and eaves of 2.3m. The addition will extend 4m beyond the side of the existing wall, resulting in a total cumulative width of 5.7m. The extension will be finished in stone and roof tiles to match the host dwelling.

The application also includes the introduction of replacement ground floor door with a large window opening on the east elevation as well as two new window openings on the south elevation. By virtue of the ground floor positioning and in keeping visual appearance, the proposed windows on the south elevation will benefit from permitted development and as such will not require planning permission. The proposed north elevation opening will be considered within the main body of this report however, as this proposal will utilise materials not currently utilised in the property. The scheme also initially included a submerged oil tank within the western section of garden, this element of the proposal has however been omitted from the scheme, with the existing oil tank instead retained in its existing position.

(a) Impact on the Hazleton Conservation Area

The site also lies within the Hazleton Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

Local Plan Policy EN11 states that development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features. Development in conservation areas will not result in loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the conservation area.

NPPF Section 12 requires good design, providing sustainable development and creating better place to live and work in. Paragraph 127 states decisions should ensure that development 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. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which are sympathetic to local character and history maintaining a strong sense of place.

Section 16 of the NPPF (2018) seeks to conserve and enhance the historic environment and is consistent with Policies EN10 and EN11.

Grove Cottage is predominantly located within the Hazleton Conservation Area and within the setting of the Grade II* listed Church of St Andrew which dates from the 12th century. The cottage

itself is of a traditional vernacular, stone construction and is identified on the 1st edition historic epoch dating from 1844 to 1888. At the time, the cottage was once a very modest dwelling but has been altered and extended over time with additions of two-storey extensions to provide its present form.

The scale of the development has been significantly reduced during the application process, with the final proposal relocated away from the prominence of the church yard to the north elevation. The slender extension would not impact upon the key views of the church from the highway and the churchyard setting. The existing property is of a historic nature however has been substantially altered with a two storey extension in the late 1990's. That being said, the existing property is still of a characterful vernacular appearance with the later additions integrated well with the overall character and appearance of the dwelling. The plot is modest in size, being of an irregular shape on the corner of two abutting roads. Whilst the site has benefited from a generous extension previously, the proposed further addition will be set within the existing building lines and will be of a modest scale. As such, it will not result in an overdeveloped appearance to the plot, nor an uncharacteristic level of built form within the context of the wider area. The existing dwelling currently benefits from a modest porch to the northern elevation, with the proposed extension appearing as a proportionate elongation of this existing form. The addition will have a minimal projection of just 1m, incorporating a simple design and form that will appear as in keeping and subservient to the host dwelling. The proposed use of stone to match the host dwelling will further emphasise the integrated appearance, complementing the traditional vernacular style of the host dwelling, which is considered appropriate owing to the prominent position within the street scene.

The scheme also seeks to provide a new enlarged opening to the ground floor north east elevation in place of double doors. This aspect is not objectionable subject to detailing, with the proposal in keeping with the existing solid to void ratio of the property and of a proportionate scale.

Overall it is considered that the proposed development will preserve the special qualities of the Hazleton Conservation Area and as such is acceptable in this regard.

(b) Design and effect on a Listed Building

The host dwelling is within the vicinity of the Church of St Andrew, Grade II* listed building. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 16(2) and 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Cotswold District Local Plan Policy EN10 'Historic Environment: Designated Heritage Assets' states that in considering proposals that affect a designated heritage asset or its setting, great weight should be given to the asset's conservation. Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted. Proposals that lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm.

The proposals have been revised to take account of concerns relating to further development which would detract from the setting and visual prominence of the Grade II* designated heritage asset of the Church of St Andrew. The addition will not obscure views of the heritage asset, by virtue of its positioning within the existing building lines of the property. The scale of the proposed addition is modest and as such will not detract from or dominate views from the public realm. The extension will be finished in materials matching the host dwelling which is considered appropriate owing to the sensitive setting of the area. Overall it is considered that the proposed extension will preserve the setting of the designated heritage asset and as such is acceptable in this regard.

(c) Impact on the Cotswolds Area of Outstanding Natural Beauty

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Local Plan Policy EN5 relates specifically to the Cotswolds AONB, and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

Section 15 of the NPPF seeks to conserve and enhance the natural environment. More specifically Paragraph 172 states Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (amongst other sensitive areas), which have the highest status of protection in relation to these issues.

The proposed development will be set within the established residential curtilage of Grove Cottage, within the existing building lines of the property. As such, the development will not result in any encroachment of urban built form into the open countryside. The development will also not obstruct any key views from within the public realm by virtue of its scale and positioning. Despite the extensions prominent position within the street scene, it will appear as an in keeping addition to the area, subservient in scale and finished in materials matching those of the host dwelling and wider area. Overall it is therefore considered that the proposed development will preserve the landscape character and special qualities of the Cotswolds AONB.

(d) Impact on Residential Amenity

Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect. Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.

The proposed development is of a modest scale set within the established residential curtilage of the host dwelling. The addition will extend up to the existing northern boundary of the property; however this abuts the public highway and as such will not impact any adjoining residential properties. The extension will be of a modest scale and height and as such will not result in any overbearing impacts or loss of light to neighbouring properties.

Concerns have been raised with regards to overlooking of the church yard to the south of the site by virtue of the introduction of the two south elevation windows. As noted previously, these windows do not require planning permission in their own right as they will be situated at ground floor level and will have a similar visual appearance to those of the existing property. As such, this aspect of the scheme would benefit from permitted development and would be outside of the scope of consideration for the application.

Overall it is therefore considered that the proposed development will not impinge upon the amenity of adjoining properties and as such is acceptable in this regard.

(e) Highways Safety

Local Plan Policy INF4 states that development will be permitted that provides safe and suitable access and has regard, where appropriate, to the Manual for Gloucester Streets.

Section 9 of the NPPF promotes sustainable transport. Paragraph 108 of the NPPF states that in applications for development, it should be ensured that:

- (a) appropriate opportunities to promote sustainable transport modes can be - or have been taken up, given the type of development and its location;
- (b) safe and suitable access to the site can be achieved for all users; and

(c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

A number of concerns have been raised regarding highways safety as a result of the development. The concerns raised are two-fold, relating to the access and visibility of the host and neighbouring property and relating to the restricted use of the highway, most notably by farm vehicles. With regards to visibility, the proposed extension will be set within the existing building lines of the property, set back from the highway by 2m at its closest point. The development will therefore not impinge upon existing site lines. The existing gateway will be removed, therefore removing the ability of cars to utilise the eastern section of the plot for parking. The adjoining access to the east will benefit from the same access to the highway, with any impacts on visibility considered negligible by virtue of the modest scale and positioning of the development. With regards to use of the highway, the proposed extension will be set behind the existing dry stone boundary wall within the existing curtilage of the host dwelling and as such will not encroach onto the highway at any point. The development will be, in its entirety, situated on land owned by the applicant and set back from the grass verge and highway. The existing grass verge and boundary treatments will be retained and as such the width of the highway will remain unaltered. It is therefore considered that the proposed development will not result in the highway becoming impassable by larger vehicles to a greater degree than would already be associated with the narrow country lane.

(f) Impact on protected trees

The application site sits adjacent to the church yard to the south which contains mature trees within the vicinity of the adjoining boundaries. The trees are protected by virtue of being in the conservation area.

Local Plan Policy EN7 requires development to conserve and enhance natural assets likely to be affected, including trees, hedgerows, and woodland of high landscape amenity, ecological or historical value as well as veteran trees.

Concerns were raised in response to the original proposal as a result of the close proximity of the extension to the protected trees located within the churchyard. However the proposal has been repositioned to the northern elevation of the property, set further away from the trees. Subsequently, the risk to trees on the adjoining land is very limited and the Councils Tree Officer has not requested any further information or conditions relating to tree protection. It is therefore considered, that the proposed development will conserve the protected trees and is therefore acceptable in this regard.

9. Conclusion:

The proposal is considered to comply with Local Plan Policies and material considerations, as such the proposal is recommended for permission.

The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). This is because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

10. Proposed conditions:

1. The development shall be started within 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be implemented in strict accordance with the following approved plans: Proposed Elevations (Drawing No. 20-014-P-E01B); Proposed First Floor Plan

(Drawing No. 20-014-P-FF03B); Proposed Ground Floor Plan (Drawing No. 20-014-P-GF01C); Proposed Site Plan (Drawing No. 20-014-P-SP01D).

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

3. The external walls of the development hereby permitted shall be built of natural Cotswold stone with the same stone colour and size, coursing bonding, method of pointing and mix and colour of mortar to that of the existing wall and shall be permanently retained as such thereafter. In addition, the pointing shall have a marginally recessed finish and shall be brushed or bagged to match the existing.

Reason: To ensure that in accordance with Cotswold District Local Plan Policy EN2 and EN11, the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

4. The roofslopes of the development hereby permitted shall be covered with reconstituted stone tiles and shall be permanently retained as such thereafter.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy EN2 and EN11, the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

5. All windows hereby approved shall be constructed in accordance with the District Council's 'Traditional Casement Windows Design Guide' and shall be permanently retained as such thereafter.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and EN11.

6. New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the Local Planning Authority and shall be permanently retained as such thereafter.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and EN11.

7. No doors shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

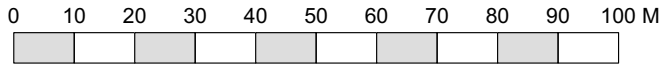
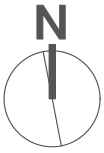
The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and EN11.

Informatives:

Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is:

less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.



- NOTES:
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PROJECT:
Proposed Extension to:
Grove Cottage
Hazleton
Cheltenham
GL54 4EB

TITLE:
**Site Location Plan
PLANNING**

DRAWING NO.	REV.
20-014-E-SLP	.

SCALE:
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DATE:
May 2020

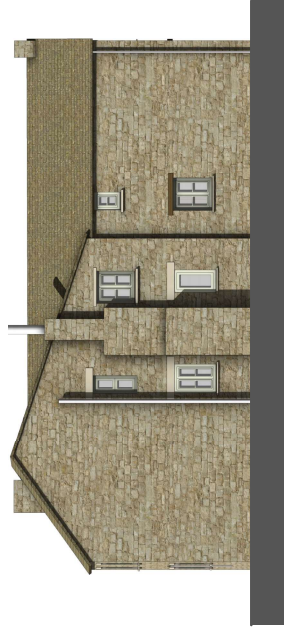
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NORTH WEST ELEVATION



SOUTH WEST ELEVATION



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PROJECT:
 Proposed Extension to:
 Grove Cottage
 Hazleton
 Cheltenham
 GL54 4EB

TITLE:
**Existing Elevations
 PLANNING**

DRAWING NO.	REV.
20-014-EE	1

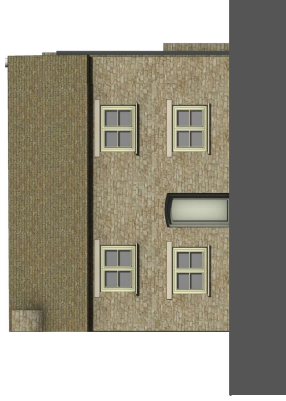
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DATE:
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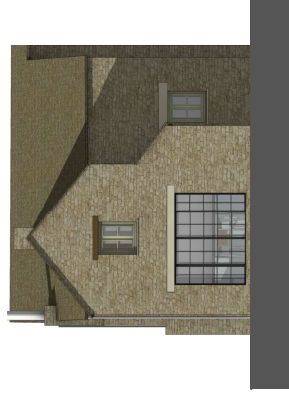
NORTH WEST ELEVATION



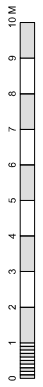
SOUTH WEST ELEVATION



SOUTH EAST ELEVATION



NORTH EAST ELEVATION



B: 21/08/20 • North east extension omitted, Single storey
 Northern extension added.
 A: 26/07/20 • Extension reduced in depth, Roof changed to a
 mono-pitch, Slating reduced.

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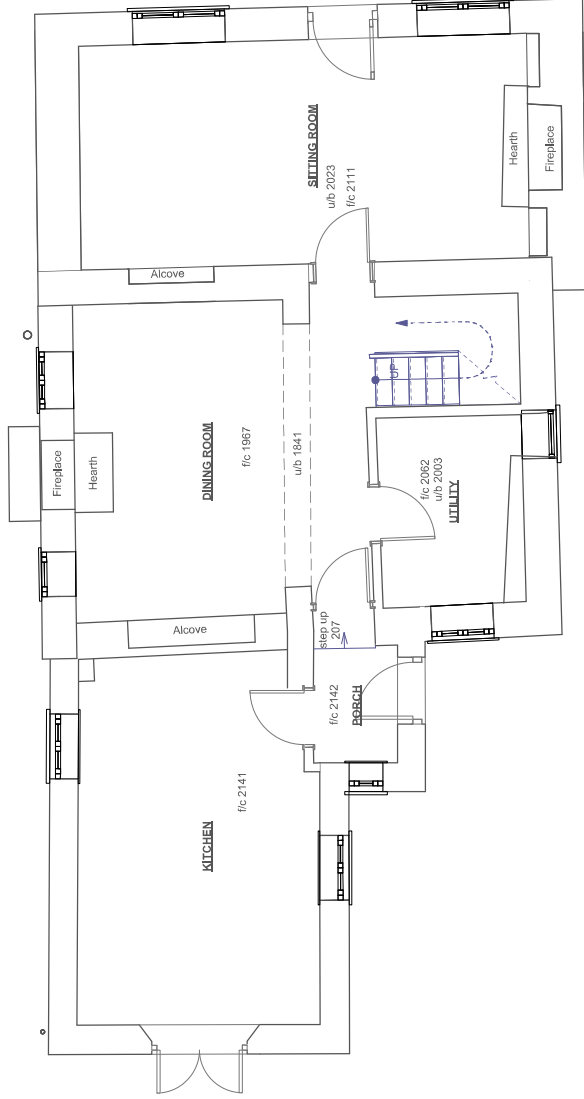
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**Proposed Elevations
 PLANNING**

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20-014-P-E01	B

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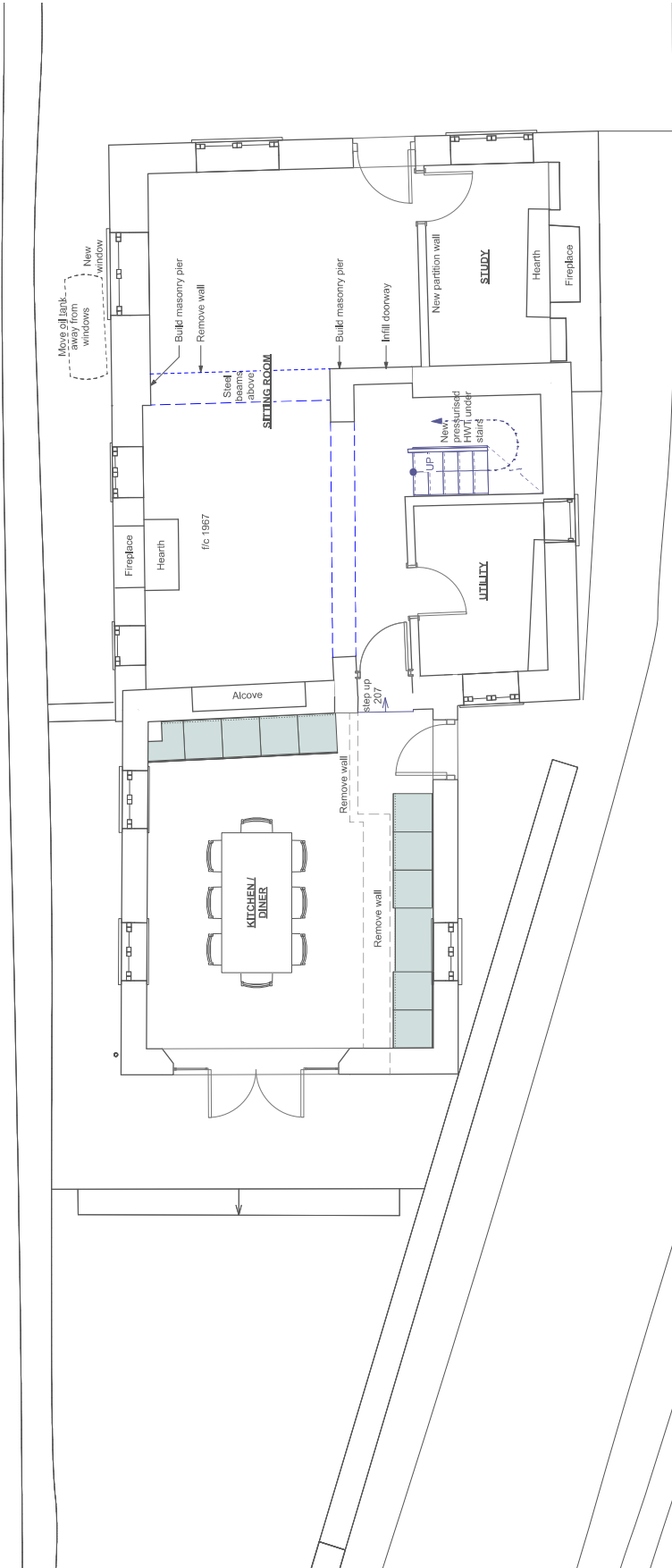
PROJECT:
 Proposed Extension to:
 Grove Cottage
 Hazleton
 Cheltenham
 GL54 4EB

TITLE:
**Existing Ground Floor Plan
 PLANNING**

DRAWING NO.	REV.
20-014-E-GF	-

SCALE:
 1:50@A2
 DATE:
 May 2020

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B: 21.06.20 • North east extension omitted, Single storey Northern extension added.
 A: 26.09.20 • Extension reduced in depth, Roof changed to a monopitch, Stairs reduced.

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PROJECT:
 Proposed Extension to:
 Grove Cottage
 Hazleton
 Cheltenham
 GL54 4EB

TITLE:
Proposed Ground Floor Plan
PLANNING

DRAWING NO.	REV.
20-014-P-GF01	B

SCALE:
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 DATE:
 May 2020

