

**Item No 05:-**

**20/02338/FUL**

**Dalarna  
Donnington  
Moreton-In-Marsh  
Gloucestershire  
GL56 0XZ**

## Item No 05:-

**Erection of first floor front extension, two-storey rear extension, replacement rear dormer window and widening access with replacement gates at Dalarna Donnington Moreton-In-Marsh Gloucestershire GL56 0XZ**

<b>Full Application 20/02338/FUL</b>	
Applicant:	Mr Barry Daniel
Agent:	Mr Alan McColm
Case Officer:	Amy Hill
Ward Member(s):	Councillor Julian Beale
Committee Date:	11th November 2020
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

### **Main Issues:**

- (a) Design and Impact on Heritage Assets
- (b) Impact on Residential Amenity
- (c) Impact on Cotswold Area of Outstanding Natural Beauty

### **Reasons for Referral:**

The Ward Member, Councillor Beale, has requested that the application goes before the Planning and Licensing Committee as he considers the proposed development would be oversized and unsuitable for the setting, and would therefore be at odds with the Council's obligation to preserve the Donnington Conservation Area, and because it is in conflict with Local Plan Policy EN11.

### **1. Site Description:**

The site comprises a one and a half to two-storey detached dwellinghouse, with reconstituted stone to the front and natural stone to the rear. It is set back from the road edge with parking to the front and an attached garage to the side.

The site is within the Donnington Conservation Area and Cotswolds Area of Outstanding Natural Beauty (AONB), as well as being close to several listed properties.

### **2. Relevant Planning History:**

18/03599/FUL: Extensions and alterations to dwelling. Permitted November 2018

### **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  
EN10 HE: Designated Heritage Assets  
EN11 HE: DHA - Conservation Areas

INF4 Highway Safety  
INF5 Parking Provision

#### **4. Observations of Consultees:**

N/A

#### **5. View of Town/Parish Council:**

None received at time of writing this report.

#### **6. Other Representations:**

1 Third Party General Comment Received regarding the absence of the site notice. It was subsequently replaced.

15 Third Party letters of Objection were received (1 of which was by parties who commented twice at this first stage of consultation). Objections were raised to the following aspects:

- i. Overdevelopment of the plot (including cumulative additions)
- ii. Overdevelopment of an existing dormer bungalow resulting in essentially a house
- iii. Single lane track access
- iv. Disruption during build process
- v. Impact on Conservation Area - including views of the roofscape
- vi. Overbearing and would dominate nearby dwelling
- vii. Out of keeping with nearby dwellinghouses
- viii. Form and scale fail to relate to the existing dwellinghouse
- ix. Unsympathetic design
- x. Extensive use of render
- xi. Loss of light and overbearing to neighbouring properties
- xii. Suburban style of the gates and opportunity for wooden gates rather than metal
- xiii. Loss of a three-bedroomed dwellinghouse (with the proposal being less affordable)
- xiv. Use of front area as a car park
- xv. Overlooking to neighbour to the front and lack of landscaping to limit views
- xvi. Disruption caused by works
- xvii. Loss of views of the sky
- xviii. Impact on setting of listed buildings
- xix. Precedent for development of the other bungalows
- xx. Impact on value of nearby houses

Following revised details being received 18 comments objecting to the proposal were received (3 of which were by parties who commented twice at this second stage of consultation). Objections were raised to the following aspects:

- i. Design
- ii. Impact on Conservation Area - The proposed development does not preserve the special character of the Conservation Area in terms of scale, form, proportion, design and materials. It would severely diminish the rural village character of this very special conservation area.
- iii. Harm to public views of roofscapes from public right of way
- iv. Impact on setting of Listed Building
- v. Loss of general amenity
- vi. Overdevelopment
- vii. Loss of privacy to the neighbour with a rooflight facing Middle Ground, large window at first floor level to the rear, and windows to the front

- viii. Condition on another planning application at a neighbours plot regarding privacy
- ix. Extension to a house which is currently appropriate to the plot it sits in
- x. Loss of views
- xi. Reduction in light to surrounding neighbour
- xii. Overbearing to neighbours
- xiii. Dominate/Out of proportion with nearby houses and cottages which make up typical Cotswold hamlet/along stretch of road
- xiv. Out of keeping with the surrounding buildings, nature and requirements of the village in general
- xv. Adverse effect of value of nearby homes
- xvi. Adverse impact on neighbour and impact of sloped land level
- xvii. Affordability of property
- xviii. Disruption during work
- xix. The structure will intrude into the garden area thereby eradicating the balance of open space shared by these properties.
- xx. Widening access resulting in a carpark and loss of privacy associated with this
- xxi. Out of keeping metal gates
- xxii. Lack of site visit by Officer to the neighbouring properties

## **7. Applicant's Supporting Information:**

Proposed Drawings  
 Design and Access Statement  
 Waste Management Statement

## **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.

The proposal is for a first floor extension to the front, a two-storey extension to the rear and a dormer window. The plans have been amended following comments from the neighbours and discussion with the Case Officer.

The extension to the front has been amended, such that it has reverted to the design approved in 2018 (18/03599/FUL). This would add a first floor gable extension to an existing single-storey front section. It would increase the ridge height of this section to the ridgeline of the main dwellinghouse. The scheme has been amended from a shallow roof pitch with a three pane window at first floor level, to a 45 degree roof pitch with a two pane window. The eaves height would be increased to approximately 4m, compared to the current 2.4m. It would be clad in natural stone.

To the rear, the proposed two-storey extension has been reduced in size. Initially it was proposed with a shallow roof pitch, approximately 6.2m in width (the main two-storey dwellinghouse is approximately 10m in width). This included an overlap to the side of the dwellinghouse by approximately 1.2m to the side of the main two-storey element.

The ground floor element is proposed to be extended approximately 4.3m from the rear wall of the original dwellinghouse, and the first floor 3.2m from it. It was initially proposed to be clad in render. It is now, however, proposed to be constructed with a natural Cotswold stone finish. The width has been reduced to approximately 5m, with no overlap towards the neighbouring boundary now proposed to the side at first floor level. A flat roofed dormer window is also proposed at the rear, approximately 1.4m in height and 3.4m in width.

The entrance gates are also proposed to be widened from approximately 3m to 3.5m. The current metal gate would be replaced with new metal gates with a more simple design and the pillars moved apart, along with the boundary wall, at approximately the same height as the current wall and pillars.

### **(a) Design and Impact on Heritage Assets**

Given that the site is within Donnington Conservation Area, 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.

A number of the properties on the opposite side of the road (although not directly opposite) are listed and, as such, the Local Planning Authority is also statutorily required to have special regard to the desirability of preserving their setting in accordance with Section 66(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 EN10 requires consideration of proposals that affect a designated heritage asset and/or its setting with a greater weight given to more important assets. It supports proposals that sustain and enhance the character, appearance and significance of designated heritage assets and their setting, which put them in viable uses, consistent with their conservation. Where harm would be caused, it would not be supported unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm.

Local Plan Policy EN11 seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials and the retention of positive features. This should include avoiding the loss of open spaces which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of conservation areas. Hard and soft landscaping should respect the character and appearance of conservation areas and proposals should have regard to the relevant conservation area appraisal.

NPPF Section 12 requires good design, providing sustainable development and creating better places to live and work. Paragraph 127 states that 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 National Planning Policy Framework states that historical 'assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'.

In terms of officers' assessment, the extension to the front of the dwelling has been amended to reflect closely that which was previously approved in 2018. It should be noted that the latter permission has been implemented. Whilst the width of the front extension would be greater than the existing two storey gable at the front, it remains similar to the gable width of the main dwelling and is above the existing single storey element. Although it reaches the ridge height of the main dwellinghouse, this is considered acceptable as it corresponds to the height of the existing front gable. The materials proposed are to match those on the existing dwellinghouse which are also considered to be in keeping with the dwelling's appearance. The site is within the Donnington Conservation Area and close to listed buildings; however, as a relatively more recent (circa 1960s) addition to the streetscene within this historic context, the existing dwellinghouse does not, in itself, contribute positively to the generally historic character and appearance of the conservation area. Nevertheless, the proposed addition to the front elevation of the property is considered to be sympathetic to the existing dwelling and therefore not to be detrimental to the appearance of the wider conservation area.

To the rear, the dwellinghouse is less evident from public views, although there is a footpath to the east from which views of the rooflines are apparent, and some oblique views are possible from the road. The addition of the extension, with an increased footprint of approximately 25m<sup>2</sup>, half the width (at two-storeys) of the original dwellinghouse's gable, and simple gable form, is considered to be in keeping with the overall appearance of the building. The first floor window in this elevation is larger than those to the front, but given the location to the rear, the age and character of the dwellinghouse, this is considered not to be harmful to the appearance of the extension.

Cumulatively, whilst the dwellinghouse would appear more as a two-storey property, an existing two-storey front gable is prominent as part of its current character, and the evolution of the property would remain clear. There are bungalows next to the dwellinghouse, but these do not match the current dwellinghouse and, as such, differences between the properties are considered not to be harmful to the streetscene, especially given the context of the hamlet with unique historic buildings. The plot size is considered ample to accommodate the larger dwellinghouse without appearing overdeveloped or cramped.

The character of the village is, in part, the differing roof heights throughout the hamlet, which often result from its sloping levels, with the current application site lower than the bungalows to the west and higher than the dwellinghouses to the east. Equally, the overall ridge height is not proposed to be altered.

The proposed dormer window is similar in height and style to the dormer window to be removed. As such, it is considered not to be harmful to the appearance of the dwellinghouse or wider area.

The main dwellinghouse is constructed of reconstituted stone; however, it is proposed to use natural Cotswold stone for the extensions. This is considered appropriate in the area and given the age of the reconstituted stone of the main dwellinghouse it is acknowledged that obtaining an exact match would be difficult. A condition would be attached to any permission to require a sample panel of the stonework to ensure an appropriate finish is achieved. The render proposed would be limited to the dormer window, which is considered to be acceptable.

Views from the public domain are largely of the front elevation, with the alterations to this aspect considered acceptable. From the footpath to the east, views of the roofs are visible; however, to the forefront are the existing bungalows which already alter this historic view. As such, the impact on the public views by the additional roof is considered acceptable.

The change to the entrance gates would widen the access. The current pillars and metal gate are considered not to be sympathetic to the conservation area; however, the proposed gates are simpler and arguably more appropriate, and the proposal would therefore not result in harm to the conservation area or setting of listed buildings.

The proposals are therefore considered to have an acceptable impact on the character and appearance of the dwellinghouse, and, as a result, also to have a neutral impact on the Donnington Conservation Area and setting of nearby listed buildings.

As such the proposal is considered to comply with the design and heritage considerations of Local Plan Policies EN2, EN10 and EN11, and Sections 12 and 16 of the NPPF.

### **(b) 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.

To the rear, the two-storey aspect of the extension has been stepped away from the boundary shared with the property known as 'Middle Ground' by approximately 5m. Middle Ground has a number of windows on this side of the dwellinghouse. One looks directly towards the application site, and the view from this is already of the built form of the dwellinghouse. Whilst the extension would reduce the outlook from this window, the material reduction of light to this room is considered limited due to the elevated height of Middle Ground to the site and the additional existing glazed door to the rear. The doors to the rear are a sufficient separation from the proposed extension, and at a relative height, that the extension would not overlap the 45 degree line from the mid-point of these windows on the horizontal or vertical plane. Light to some of the windows of the conservatory would be affected; however, most would not suffer unacceptable loss of light, and as such impact on the room overall would be acceptable. This level of impact is considered not to be materially harmful to the living conditions of the occupiers of Middle Ground.

The proposal would cause a degree of overbearing impact; however, Middle Ground benefits from a slightly elevated position and openness to the rear of the site. Given that the two-storey aspect of the extension is set away from the boundary by approximately 5m, this is considered sufficient (taking account of the proposed height of approximately 6.2m) for the level of overbearing impact to be acceptable. The extension would be visually evident from the neighbour's property; however, loss of private views is not a material planning consideration.

The roof light proposed in the east elevation of the proposed rear extension is shown as 1.7m above the floor level, as such views from this would be most readily be upwards with no windows in the neighbouring property directly facing it at first floor level. As such, whilst concerns have been raised regarding overlooking, the degree of potential overlooking is considered acceptable. Any additional windows (to either extension) at first floor level facing the sides would require planning permission, whilst the addition of windows in the ground floor aspect of the rear extension would not result in unacceptable overlooking. The window to the rear at first floor level is larger than a standard casement, although not indicated as a balcony. Potential use of the roof to beyond it as a balcony is considered to cause unacceptable overlooking to the neighbour, and as such, a condition will be attached to restrict such use.

The first floor window in the front elevation faces towards the road and neighbouring property opposite, where it is accepted that a lower level of privacy would be expected as the environment is already characterised by the public highway. As such, the addition of the window at first floor level is considered acceptable. The ground floor part of the front extension already exists and as such the addition of a condition to limit the addition of windows to this is considered unreasonable.

The widening of the access, whilst making the access easier to navigate, would not result in materially greater views of the neighbouring property than currently available from the site and public realm. As such, this aspect of the proposal is considered not to harm the amenity of the neighbouring properties.

The dwellinghouses to the east, known as Morningside and Hill Cottage, are at a lower elevation to the site. The rear extension is separated from the boundary by approximately 5.6m on this side, with the front extension only approximately 0.9m apart. Both these neighbours have (or are the process of constructing) rear extensions; however, the furthest elevations do not include a window on the far gable ends. As such, the windows facing the site are approximately 12.5m and 15m away from the boundary of the site respectively for Morningside and Hill Cottage. The extension to Hill Cottage would limit any views and impact of the proposal on Little Cottage (alongside Hill Cottage to the north). The separation between the rear elevation and the windows on the Morningside and Hill Cottage are sufficient to ensure that the impact with regards to overbearing and loss of light are considered acceptable.

Due to the relative positions of the front extension to Hill Cottage, the impact on the amenity of this neighbour would be limited. For Morningside, the drop in land levels results in the impact of the front extension being greater than it would usually cause on level land. Nevertheless, the separation between the dwellinghouse and proposed extension is considered sufficient that the resulting loss of light or any potential overbearing impact would be acceptable.

As such the proposed development is considered to accord with the residential amenity considerations of Cotswold District Local Plan Policy EN2 and Section 12 of the NPPF.

### **(c) Impact on Cotswold 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 Cotswold 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 is contained within the clear residential curtilage of the site and relates closely to the existing built form on the site. It does not encroach into open countryside nor harm the character or appearance of the Cotswolds AONB. As such the proposal is considered to accord with Local Plan Policy EN5 and Section 15 of the NPPF.



#### **(d) Other Matters**

Objections have been received in relation to the disturbance involved in the building process and the suitability of the lane from which the site is accessed. Given the domestic scale of the development and availability for parking on the site, requiring a construction management statement is considered unreasonable and there is no reason to believe the level of disturbance would be beyond that typical for residential extensions. It would remain the responsibility of the driver of any vehicles to ensure they have parked in a safe or obstructive manner and if this has not been done then it would become a highways or police matter.

The loss of a three-bed dwelling from within the settlement and the reduction of affordable housing stock that this would result in, as raised by objectors, has also been noted. The dwellinghouse does not constitute Affordable Housing, having regard to relevant Local Plan policies. As such, policies allow householders to extend their properties to reflect their needs, subject to the policies referred to in the preceding text of this report.

Concerns have been raised that, due to the current Covid-19 situation, a site visit to the neighbours' properties has not been possible. The neighbours to the site have provided multiple photographs which clearly show the relationship between the site and the neighbouring properties, including the window layout of Middle Ground. The Case Officer has visited the site itself, and the surrounding area from public views. She has also benefitted from having been to Morningside previously in assessing an earlier application there. As such, whilst neighbours wish for visits to be undertaken to the various properties and within some of these, officers are satisfied that they sufficiently understand the character and relationship of the neighbouring properties to be able to make an informed recommendation in this case.

#### **9. Conclusion:**

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

#### **10. Proposed conditions:**

1. The development shall be started by 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 approved shall be carried out in accordance with the following drawing number(s):

PFD/02 REV B; Proposed Roof Plan; and Proposed New Entrance Gates

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

3. The materials to be used for the external roof of the development hereby permitted shall match those used in the existing building and shall be permanently retained as such thereafter.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policies EN2, EN10 and EN11, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.

4. Prior to the construction of any external wall of the development hereby approved, a sample panel of walling of at least one metre square in size showing the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel and shall be permanently retained as such thereafter. The panel shall be retained on site until the completion of the development.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policies EN2, EN10 and EN11, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

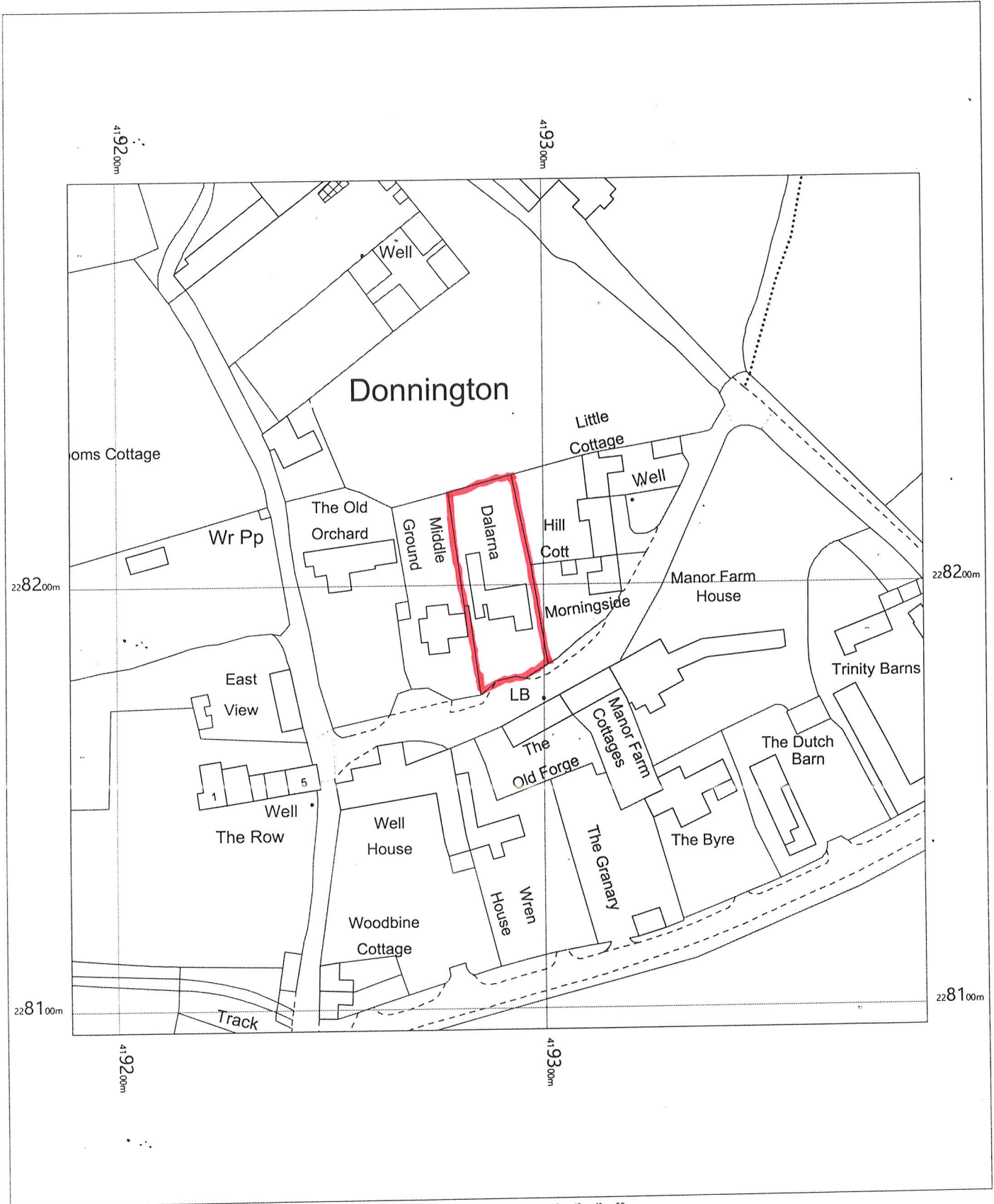
5. The flat roof area to the rear elevation above the Garden Room hereby permitted, as shown on the approved plans, shall not be used for any purpose other than in connection with the maintenance of the building or as a means of escape in the event of a fire/emergency.

**Reason:** In order to protect the privacy of adjoining residents in accordance with Local Plan Policy EN2.

**Informatives:**

1. 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 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

OS 1:1250 SCALE



Dalarna  
Moreton-In-Marsh  
Donnington  
Gloucestershire  
GL56 0XZ

OS MasterMap 1250/2500/10000 scale  
Friday, September 14, 2018, ID: UPT-00741984  
www.themapshop.co.uk

1:1250 scale print at A4, Centre: 419289 E, 228195 N

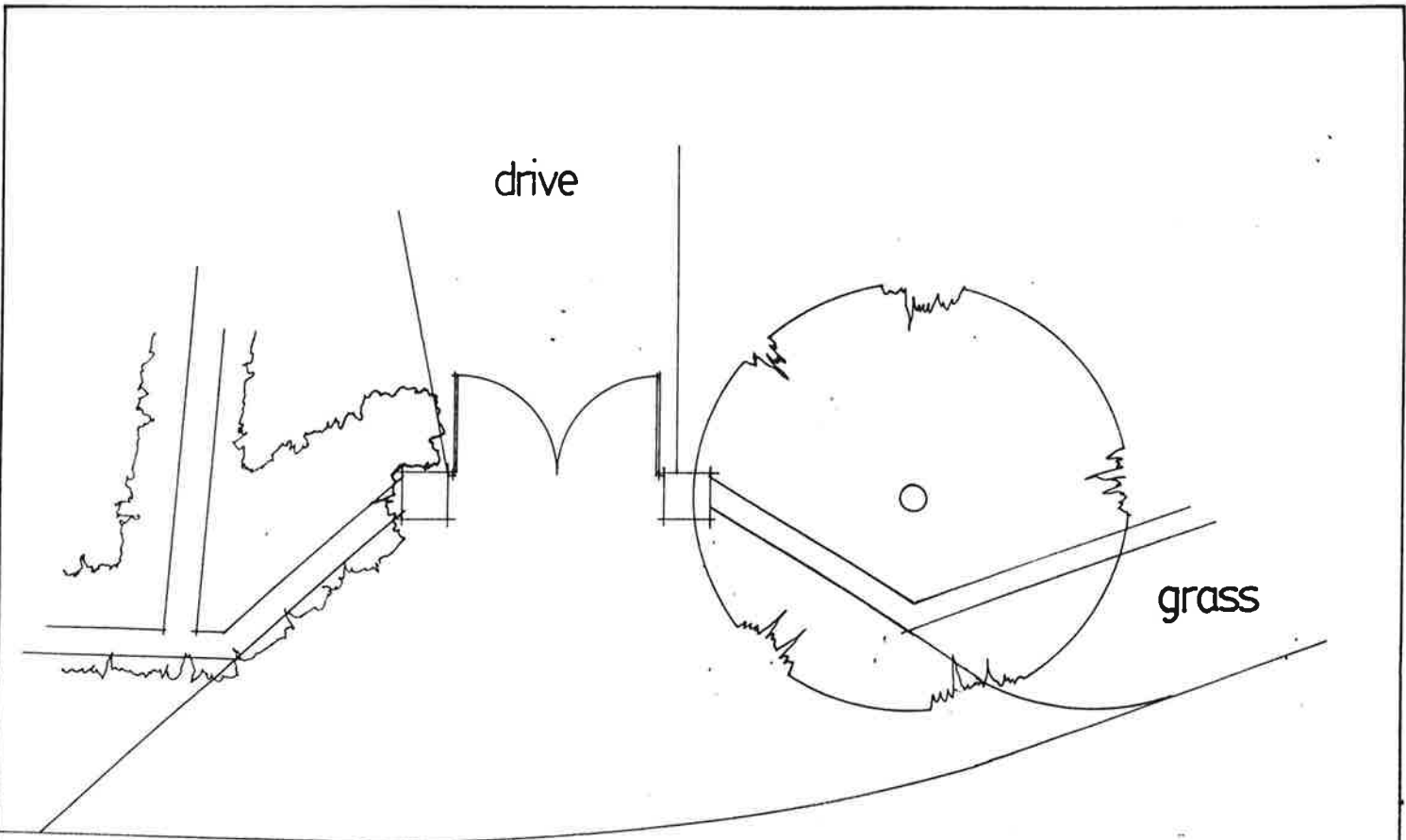
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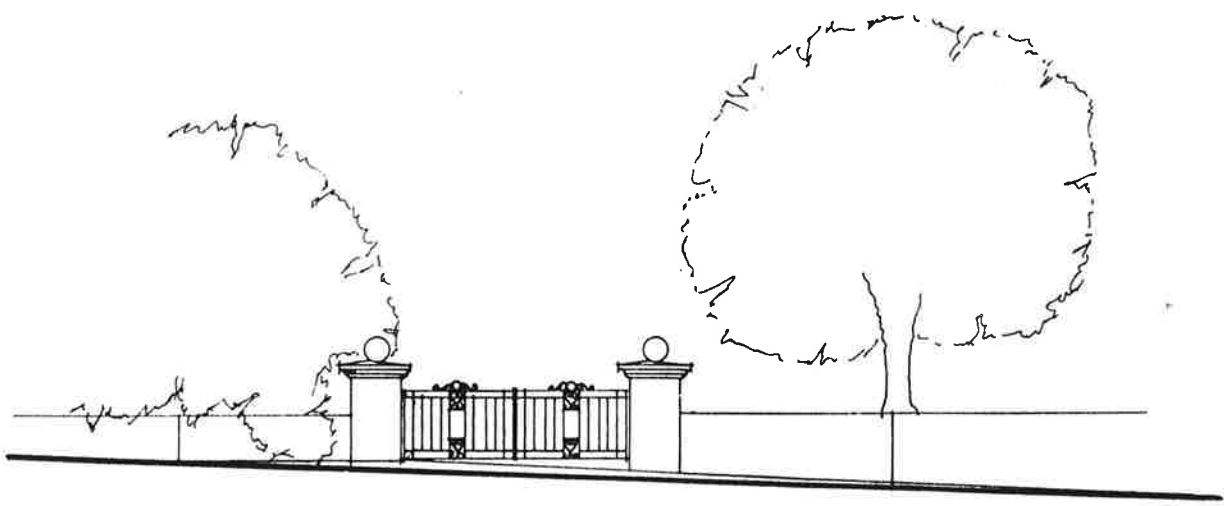
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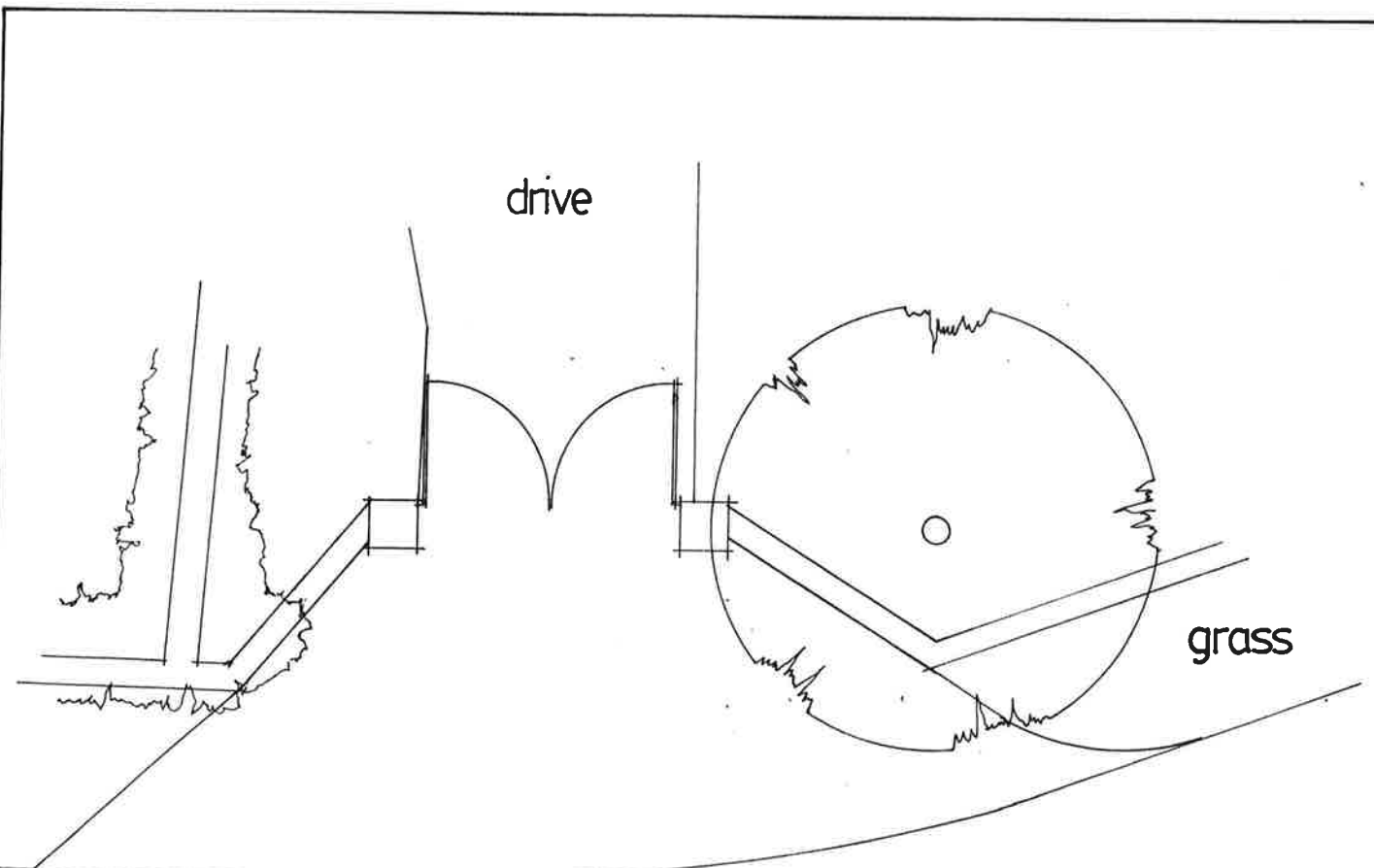


PLAN OF ENTRANCE - 1:100



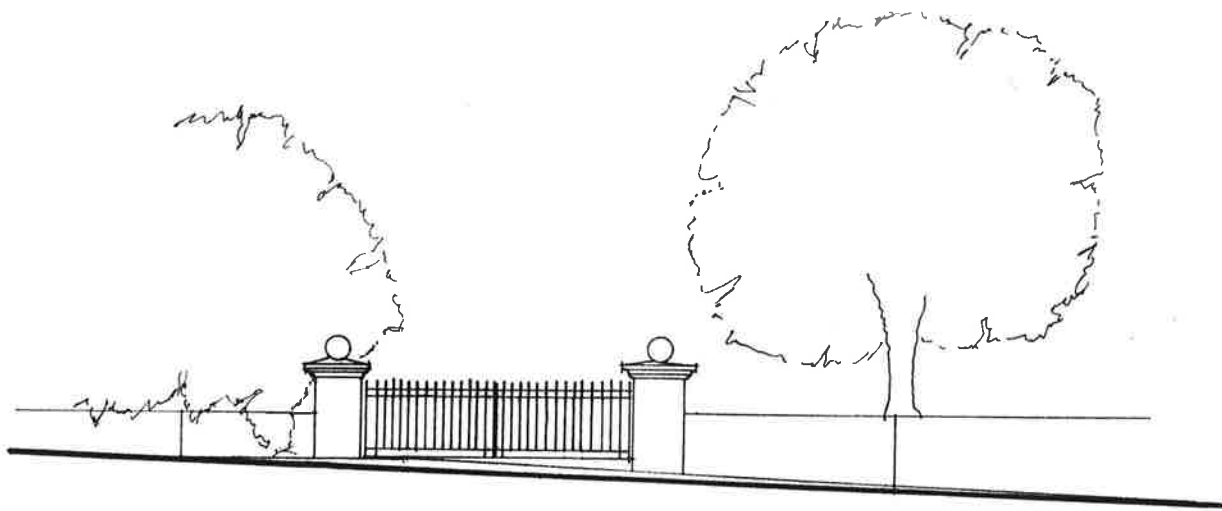
ELEVATION OF ENTRANCE

Proposed New Entrance Gates  
'Dalarna'  
Donnington  
Glos.  
  
'As Existing'  
  
Scale 1:100



road

### PLAN OF ENTRANCE - 1:100

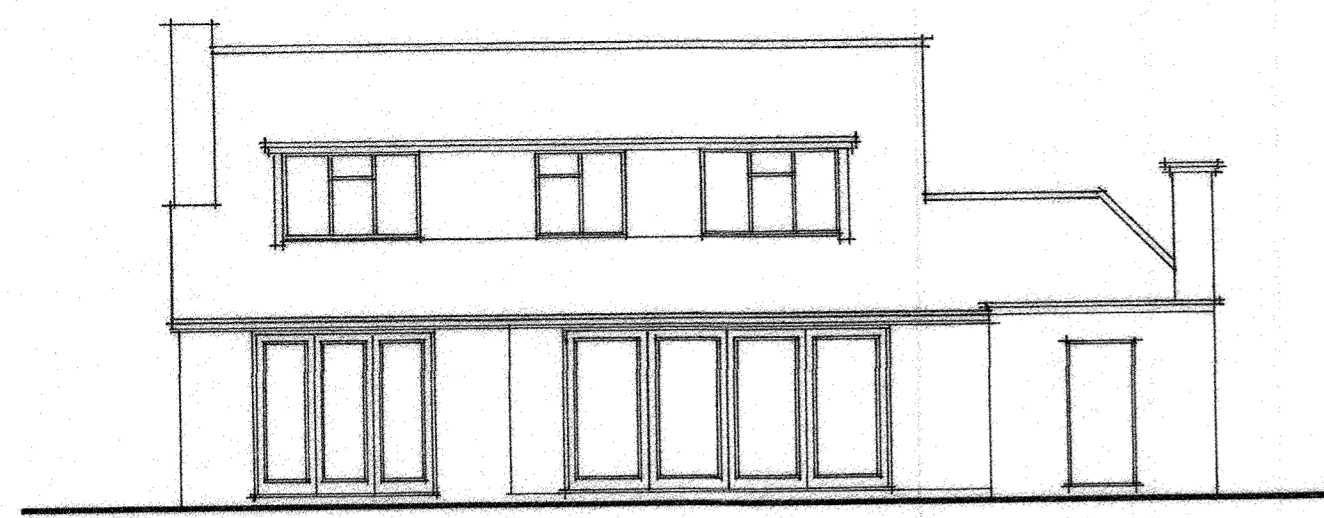


### ELEVATION OF ENTRANCE

Proposed New Entrance Gates  
'Dalarna'  
Donnington  
Glos.

Proposed

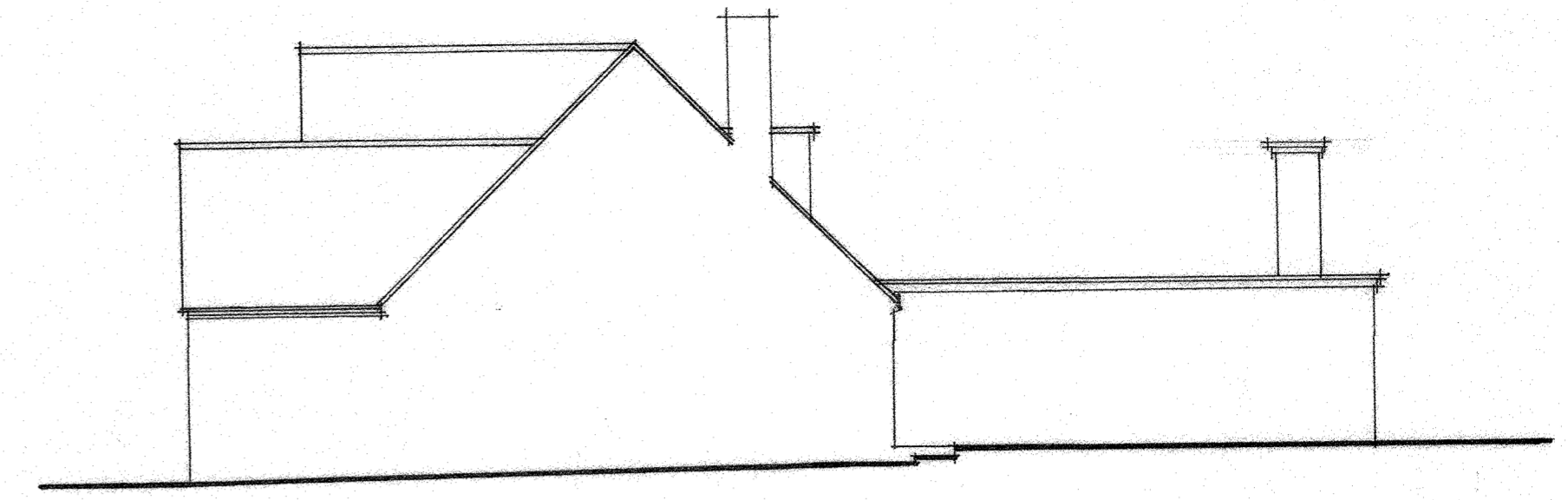
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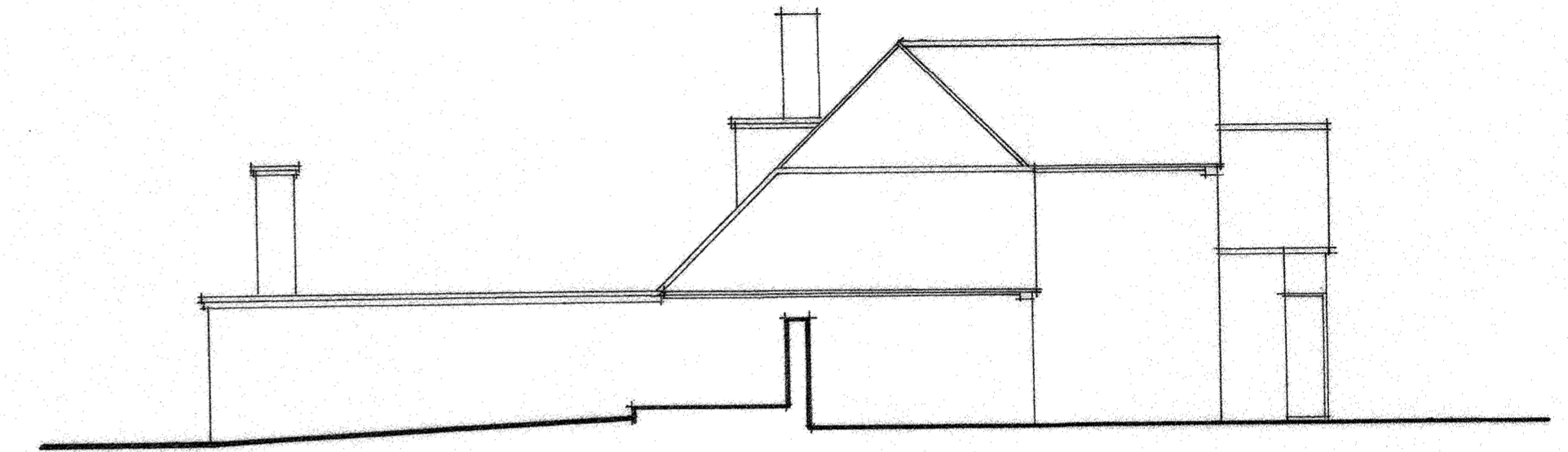
REAR ELEVATION



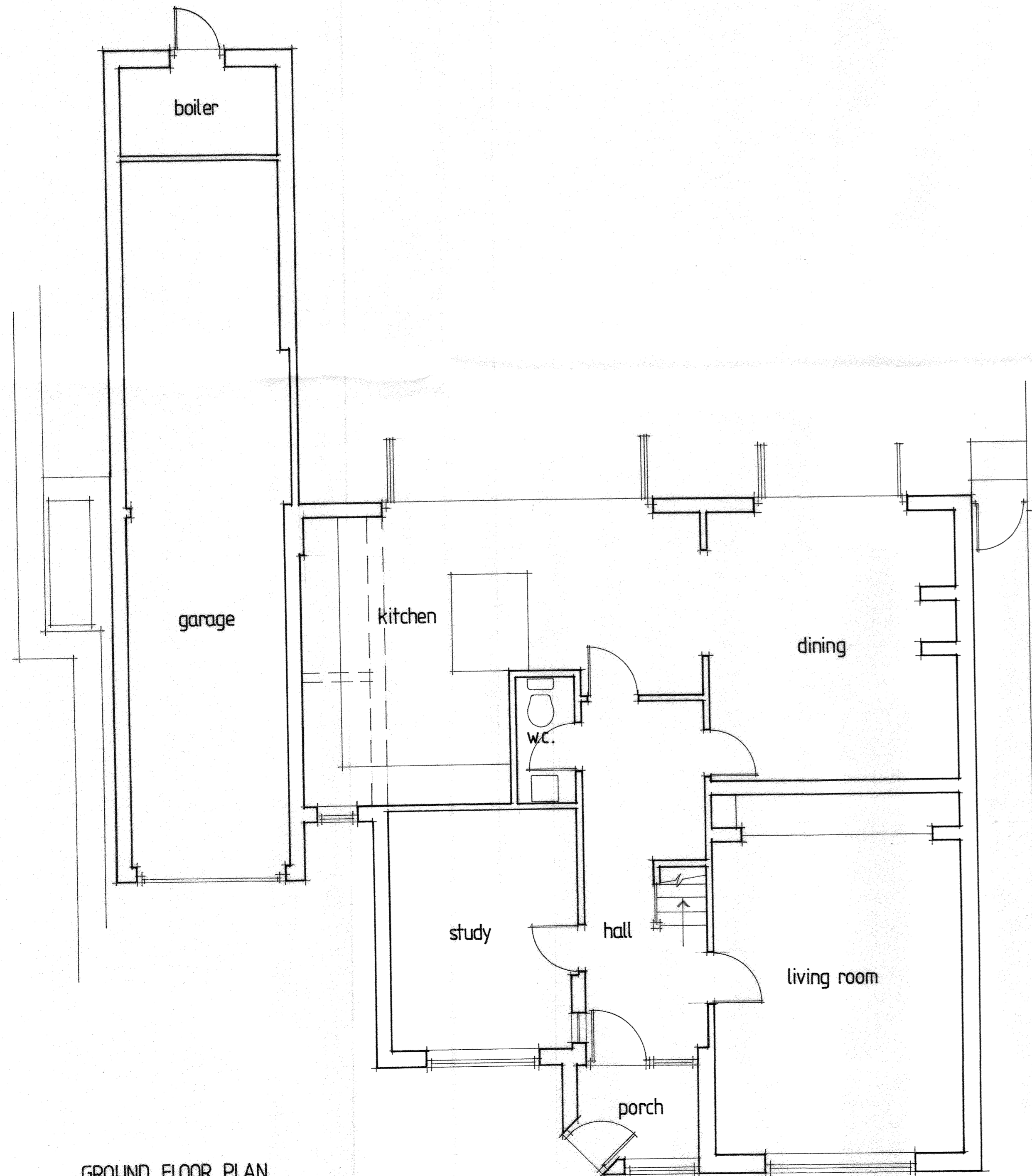
FRONT ELEVATION



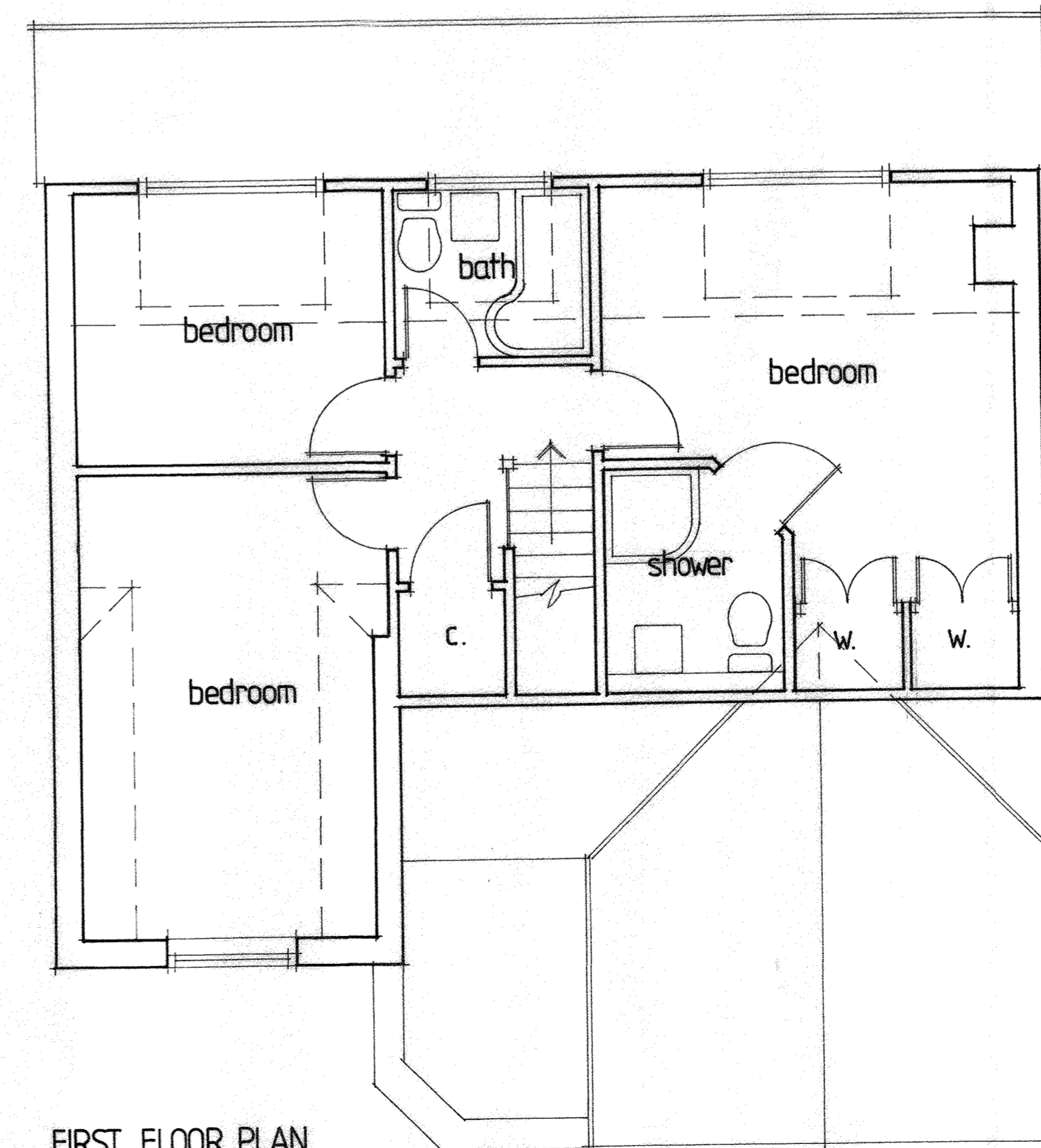
SIDE ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

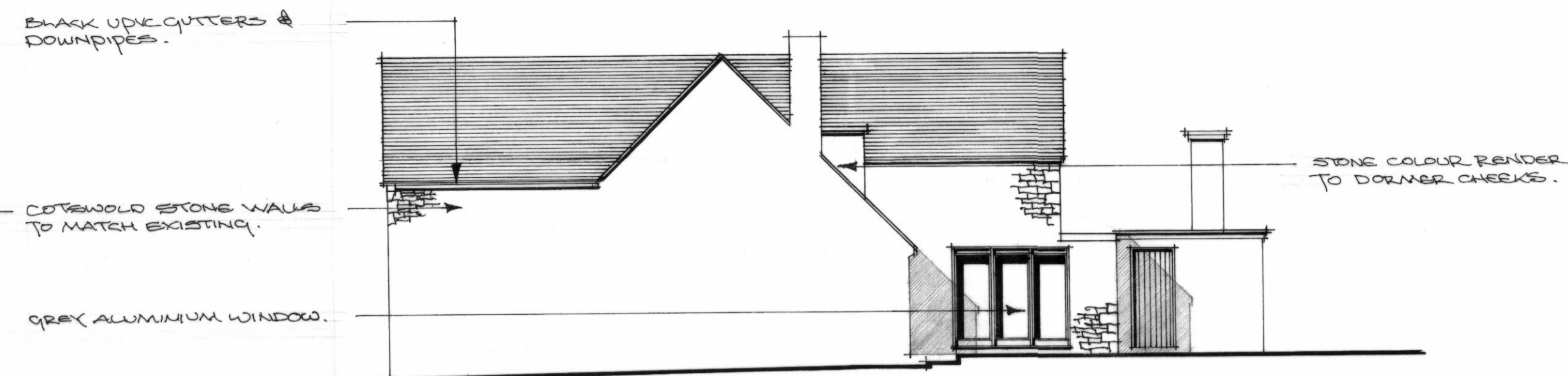
A		Date	Revisions
© copyright			
Client			
B. DANIELL + M. STEELE			
Drawing Title			
PROPOSED ALTERATIONS TO 'DALARNA' DONNINGTON GLOS. SURVEY OF EXISTING			
Scale		1:100, 1:50	
Date		JUN. 2020	
Drawn by			
<b>Alan McColm</b> M.C.I.A.T. Incorporated Architectural Technologist 8 Spinney Grove Evesham Worcs WR11 1BF Tel: 01386 422323			
Org. No.		Rev.	
PFD/01			



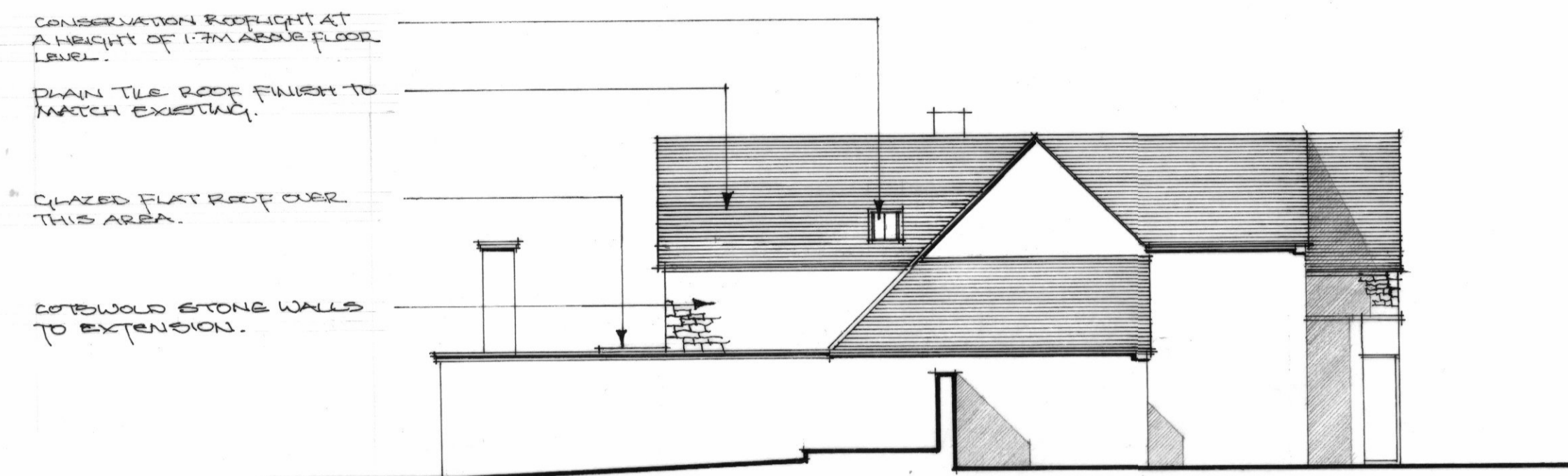
rear elevation



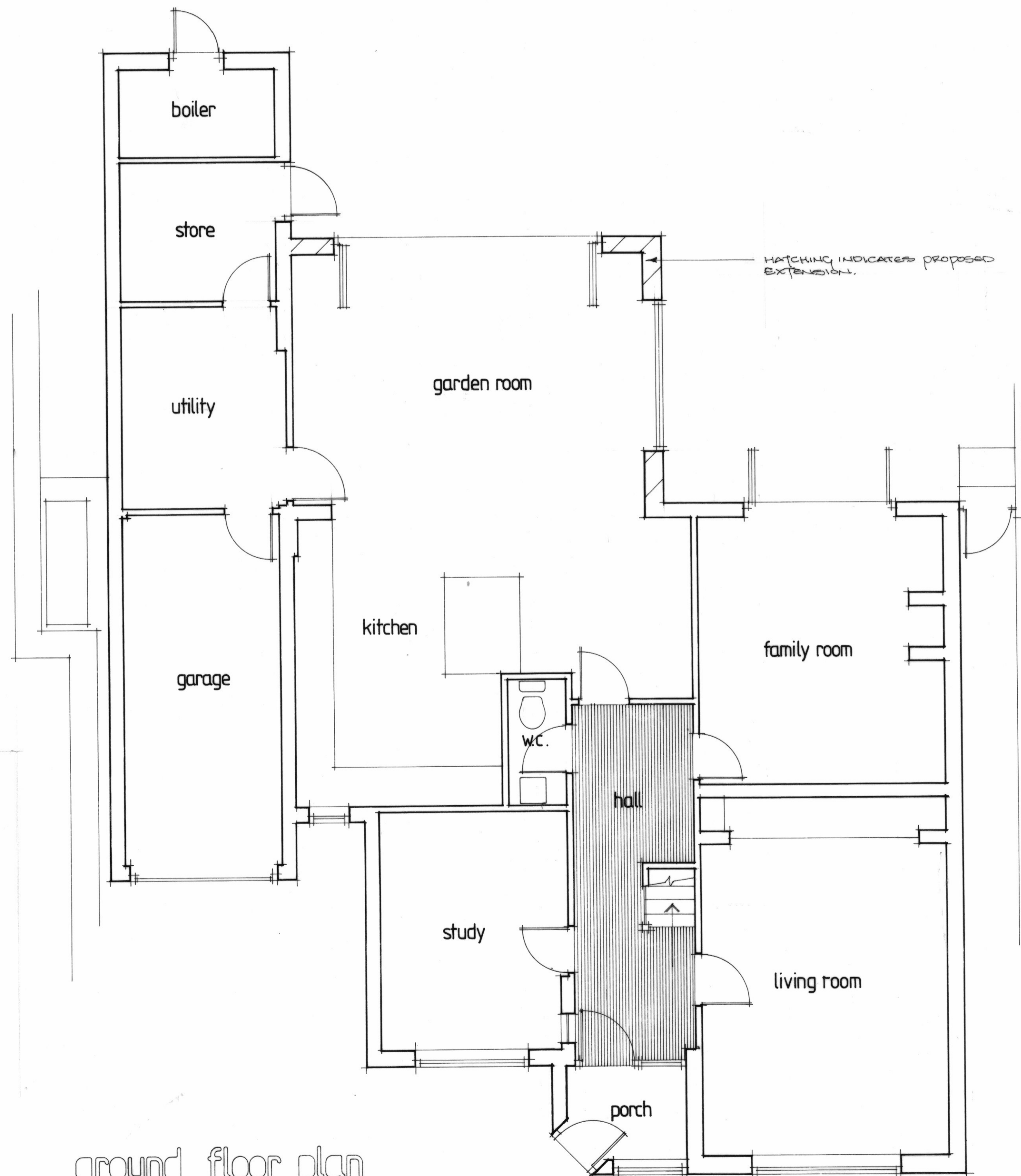
front elevation



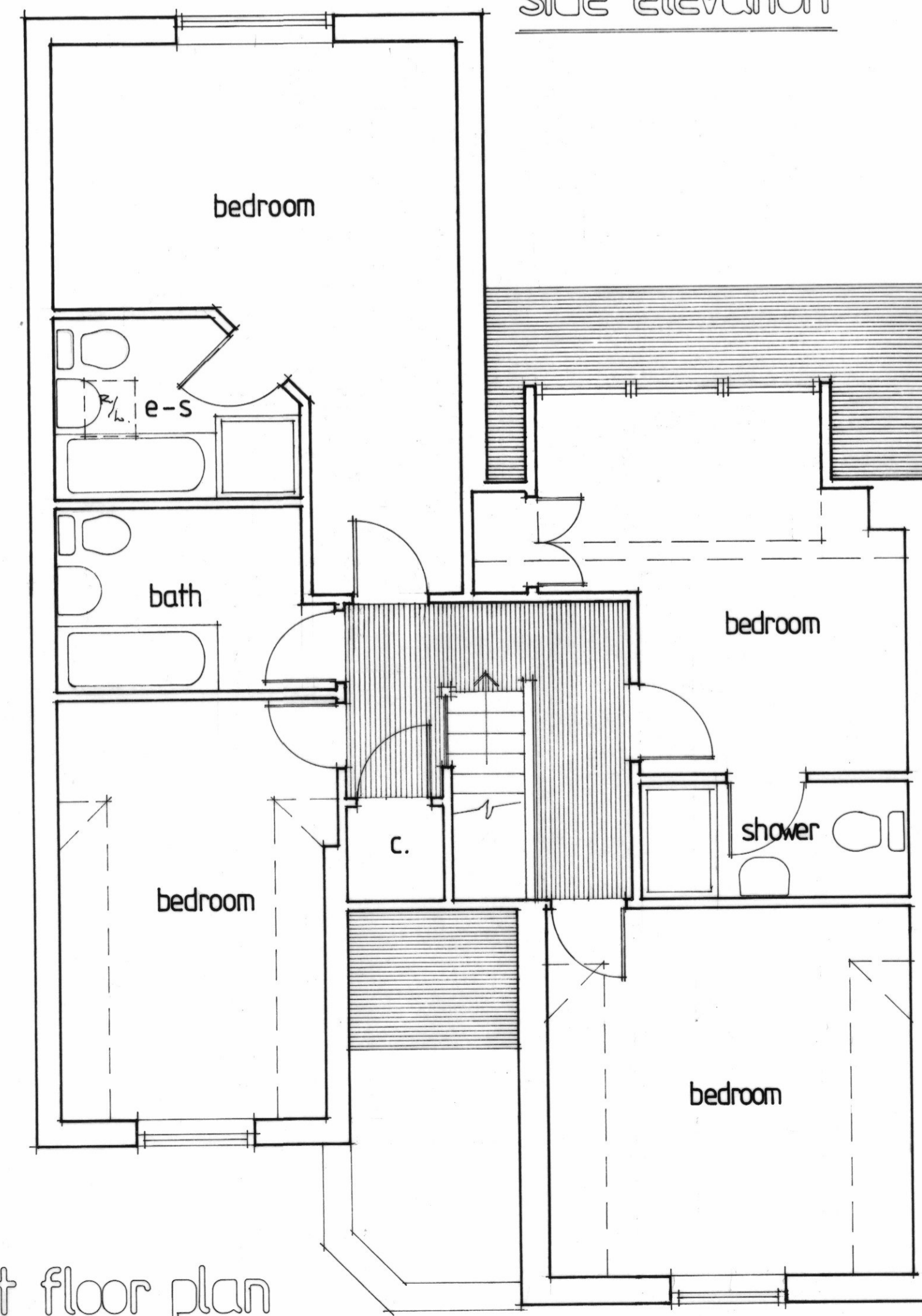
side elevation



side elevation

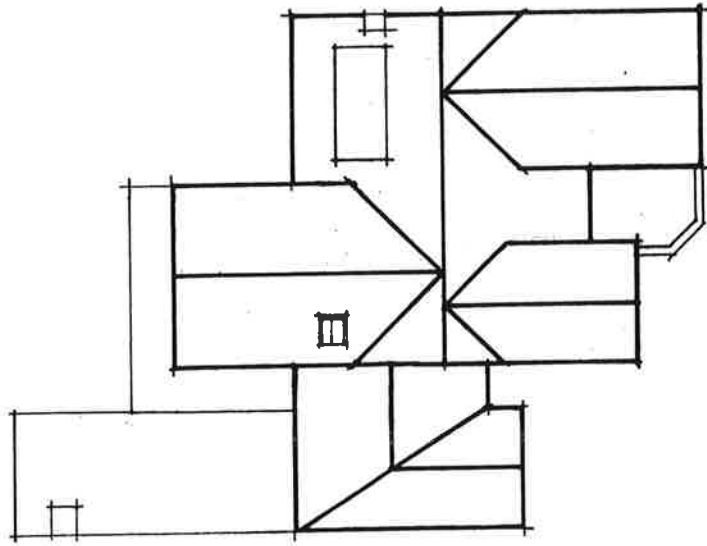


ground floor plan



first floor plan

B.	19.10.20	PERMIT SALES AGREED.
A.	22.9.20	VARIOUS AMENDMENTS.
	Date	Revisions
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Client		
B. DANIELL + M. STEELE		
Drawing Title		
PROPOSED ALTERATIONS TO 'DALARNA' DONNINGTON GLOS. PROPOSAL		
Scale		
1:100, 1:50		
Date		Drawn by
JUL. 2020		
Alan McColm M.C.I.A.T. Incorporated Architectural Technologist		
8 Spinney Grove Evesham Worcs WR11 1BF Tel: 01386 422323		
Drg. No.		Rev.
PFD / 02		B



roof plan

Proposed Alterations To  
'Dalama'  
Donnington  
Glos.

Proposed Roof Plan

Scale 1:200