

Item No 11:-

14/05595/FUL (CT.2165/Y)

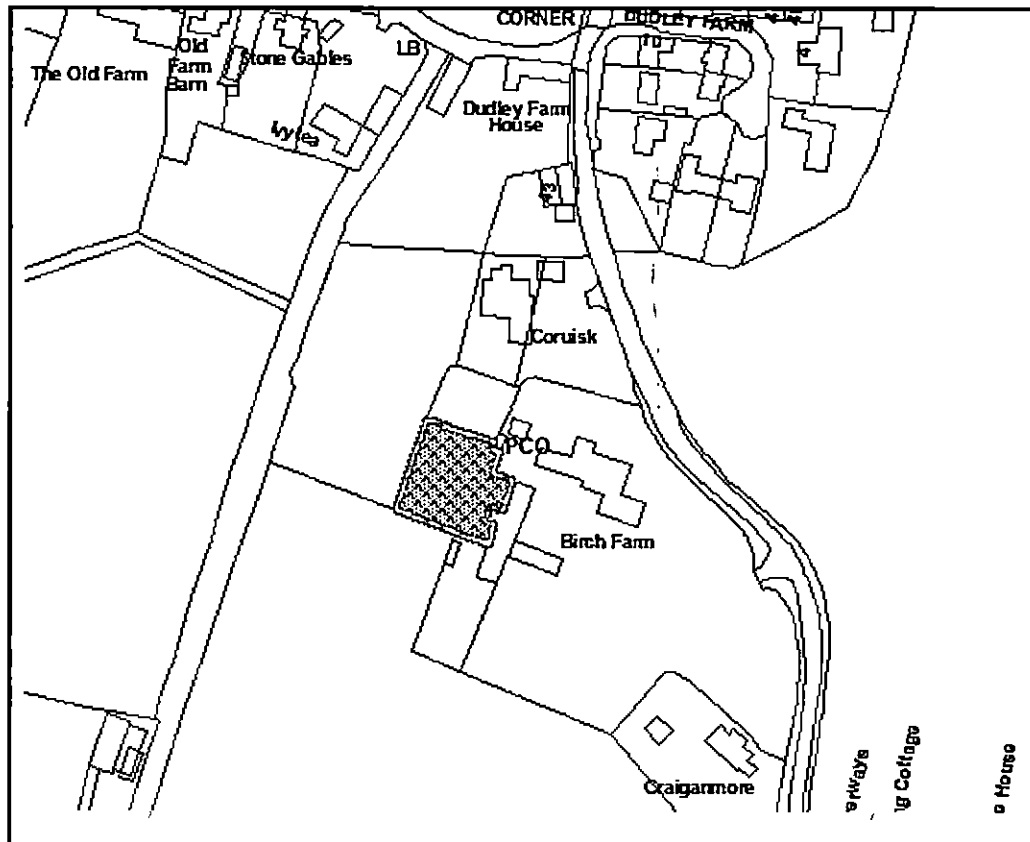
**Birch House
Ampney Crucis
Gloucestershire
GL7 5SG**

Item No 11:-

**Proposed external swimming pool with pavilion at
Birch House
Ampney Crucis**

Full Application 14/05595/FUL (CT.2165/Y)	
Applicant:	Mr Andrew Raphael
Agent:	Pool Architecture Ltd
Case Officer:	Claire Baker
Ward Member(s):	Councillor David Fowles
Committee Date:	8th July 2015

Site Plan



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RECOMMENDATION: PERMIT

UPDATE: THIS APPLICATION WAS DEFERRED FROM THE PLANNING COMMITTEE HELD ON 10 JUNE 2015 TO ALLOW FOR A MEMBERS SITE INSPECTION TO ASSESS THE IMPACT OF THE PROPOSAL ON THE CONSERVATION AREA, THE NEIGHBOUR AND ON VIEWS FROM THE BRIDLE WAY.

Main Issues:

- (a) Impact on the setting of adjacent listed buildings and the character and appearance of the Ampney Crucis Conservation Area
- (b) Impact on the amenity of the occupiers of neighbouring properties
- (c) Impact on users of the Public Footpath and Bridleway

Reasons for Referral:

The application has been referred at the request of former Councillor Horsfall as he considered the proposed pavilion to be out of scale with the existing buildings.

1. Site Description:

The application site is within the residential curtilage of Birch House. It is in the immediate setting of Birch House and its associated barn, both of which are Grade II listed buildings. The site is also within the eastern portion of the Ampney Crucis Conservation Area.

2. Relevant Planning History:

None

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR15 Conservation Areas
 LPR42 Cotswold Design Code
 LPR46 Privacy & Gardens in Residential Development

4. Observations of Consultees:

Conservation Officer: Comments incorporated into the Officer Report

5. View of Parish Council:

Objects: the adjoining pavilion is out of scale with the surrounding buildings and several orders of magnitude larger than the existing summer house; the roof of the pavilion building is too high and unnecessarily large given the relatively low level, single story accommodation proposed underneath it; Its design is not in keeping with any existing buildings in Ampney Crucis; the large scale and visual dominance of the building would have an adverse visual impact on users of the bridleway to the west of the proposal and from neighbouring properties

6. Other Representations:**4 Objections received:**

- (i) the large pavilion is out of proportion and very obtrusive;
- (ii) the scale is too large and the roof too high; the pyramidal roof is alien to the Cotswold character of the area;
- (iii) it would adversely affect the character and appearance of the conservation area;
- (iv) the building is intrusive to neighbouring properties as it will loom over neighbours gardens;
- (v) the position of the swimming pool will mean that it is noisy for people using the public footpath;
- (vi) the pavilion has an ugly intrusive chimney;
- (vii) the development should be re-located to another area of land within the residential curtilage but outside the conservation area;
- (viii) the pavilion does not make a positive contribution to local character and distinctiveness;
- (ix) the proposed pavilion would be far more prominent from public vantage points than the existing structure;

- (x) it would fill in a gap that can presently be seen between the farm house and the barn adversely affecting the setting of the listed buildings;
- (xi) the bar and swimming pool in its current position would give rise to smoke, smell and noise which would affect neighbouring residential gardens.

7. Applicant's Supporting Information:

Design, Heritage Environment and Access Statement

8. Officer's Assessment:

Introduction

The proposal is for the construction of a swimming pool and erection of an associated pavilion. The pavilion would have subterranean accommodation beneath it and be constructed of traditional materials; oak left to silver, Cotswold stone chimney stack and reconstructed stone roof tiles. The pavilion would measure approximately 5.2 metres to the ridge with a footprint of approximately 5.5 metres square. The adjacent barn has a height of 7.2 metres to the ridge.

(a) Impact on the setting of adjacent listed buildings and the character and appearance of the Ampney Crucis Conservation Area

Birch House, and the associated barn, are Grade II Listed Buildings. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the buildings, their setting, and any features of special architectural or historic interest they may possess, in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

They also lie within the Ampney Crucis 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.

Section 12 of the National Planning Policy Framework asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 132 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within the setting. Paragraph 134 states that where proposals will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm should be weighed against the public benefits of those works.

Section 7 of the NPPF requires good design. Paragraph 58 states that decisions should ensure that developments: function well in the long term and add to the overall quality of an area; establish a strong sense of place, creating attractive and comfortable places; and respond to local character and history, reflecting the identity of the surroundings and materials, whilst not stifling innovation. Paragraph 60 states that local distinctiveness should be promoted or reinforced and Paragraph 61 that connections between people and places, with the integration of new development into the built and historic environment.

Paragraph 121 of the P.P.S.5 Planning Practice Guide advises that the design of development affecting the setting of a heritage asset may play an important part in determining its impact, drawing attention to scale, proportion, height, massing, alignment and use of materials, whilst clarifying that new buildings do not have to ape historic ones, but should nevertheless form a harmonious group with them.

Policy 15 of the Cotswold District Local Plan states that development within or affecting a conservation area must preserve or enhance the character or appearance of the area as a whole, or any part of that area. It states that development will be permitted unless: it involves the

demolition of a building, wall or other structure that makes a positive contribution; new or altered buildings that are out-of-keeping with the special character or appearance of the area in general or in a particular location (in siting, scale, form, proportions, design or materials); or there would be the loss of open spaces that make a valuable contribution.

Policy 42 of the Local Plan requires that development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

The proposed scheme has been amended following negotiations with Officers. Initially the swimming pool was proposed to be orientated north-south. This meant that it would have cut across the axis of the former threshing porch of the listed barn. Whilst this is currently, regrettably, covered by a lean-to extension, it appears fundamentally intact, and could, in the future, potentially be re-exposed. Whilst the barn would never have been a formal feature, nor would the axis have been formally delineated, the relationship between the barn and the countryside beyond is fundamental to its character as a rural building. To place a swimming pool between the two would harmfully erode this character, thereby harming the setting and failing to sustain the significance of the heritage asset. Following discussions on site, therefore, it was agreed that the swimming pool be swung round to the currently proposed position, so that it would not sit between the barn and the views towards the countryside.

With regard to the proposed pavilion, there is a long tradition of substantial houses having ancillary structures, whether functional, such as farm buildings and dovecotes, or recreational, in the form of banqueting houses and summer houses. Consequently the principle of the swimming pool pavilion is a perpetuation of this tradition and is therefore appropriate. The design of the proposed pavilion has also been amended following discussion with Officers. The original design was for a shallow pitched roof, of a type that had little meaningful relationship with the local Cotswold vernacular or its context. Consequently negotiations revolved around trying to design a structure that reflected traditional Cotswold forms. The revised design incorporates a cross-gable which is a quintessential characteristic of the district, such as the grade II*-listed 16th century dovecote at Naunton. Officers are of the view that revised design more successfully reflects this tradition in a modest, contemporary way, and being built from oak to be left to silver and reconstituted stone tiles should mellow and blend into the landscape.

The proposed swimming pool is now located in a position that would not cross or impinge upon any key views to or from the listed buildings, or impact upon any wider views within or around the conservation area. The proposed pavilion would read as part of the group of buildings, and the design has been amended to reflect both traditional local materials, oak left to silver and reconstituted stone tiles, and one of the most quintessentially characteristic forms of vernacular Cotswold architecture from dovecotes and cottages to country houses, the cross-gable.

The proposal would therefore not harm the setting of the adjacent listed buildings, and would serve to preserve or enhance the character and appearance of the surrounding conservation area, and would thereby sustain their significance. It therefore accords with Sections 7 and 12 of the National Planning Policy Framework and Policies 15 and 42 of the Cotswold Local Plan.

(b) Impact on the amenity of the occupiers of neighbouring properties

The nearest residential property to the site of the proposed pavilion and Pool is Coruisk. However, the proposed pavilion is not immediately adjacent to the residential curtilage of Coruisk but is adjacent to a paddock within the same ownership. Officers are therefore of the view that the proposed pavilion would be located at a distance from the neighbouring dwelling and its residential curtilage such that it would not harm the occupiers' residential amenity by being overbearing or give rise to overlooking or nuisance from noise, smoke or smells.

(c) Impact on users of the public footpath and bridleway

There is a public bridleway and public footpath in the vicinity of the site from which the site can be clearly viewed. Officers are of the opinion that the views of the conservation area from these public rights of way would not be harmed by the proposed development as the proposed pavilion would be in keeping with the character of the existing buildings and would be read in conjunction with them.

9. Conclusion:

Officers are therefore satisfied that the scale, design and use of materials for the proposed pavilion are appropriate and would not cause harm to the setting of adjacent listed buildings and would serve to preserve or enhance the character or appearance of the conservation area. In addition Officers are satisfied that the proposal would not have an adverse impact on the residential amenity of the occupiers of the nearest residential property, Coruisk. Accordingly it is recommended that the application be permitted.

10. Proposed conditions:

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.

The development hereby approved shall be implemented in accordance with the following drawing number(s): BRH D108 Rev P2.

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

Work shall not be carried out on the walling or roofing until samples of the proposed walling and roofing materials have been approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policies 15 and 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

Work shall not begin on the external woodwork until a sample of the external woodwork finished in the proposed colour has first been submitted to and approved in writing by the Local Planning Authority. The external woodwork shall be finished and thereafter retained as approved.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42. The colour of the finish of the external woodwork will have a material effect on the appearance of the proposed development.

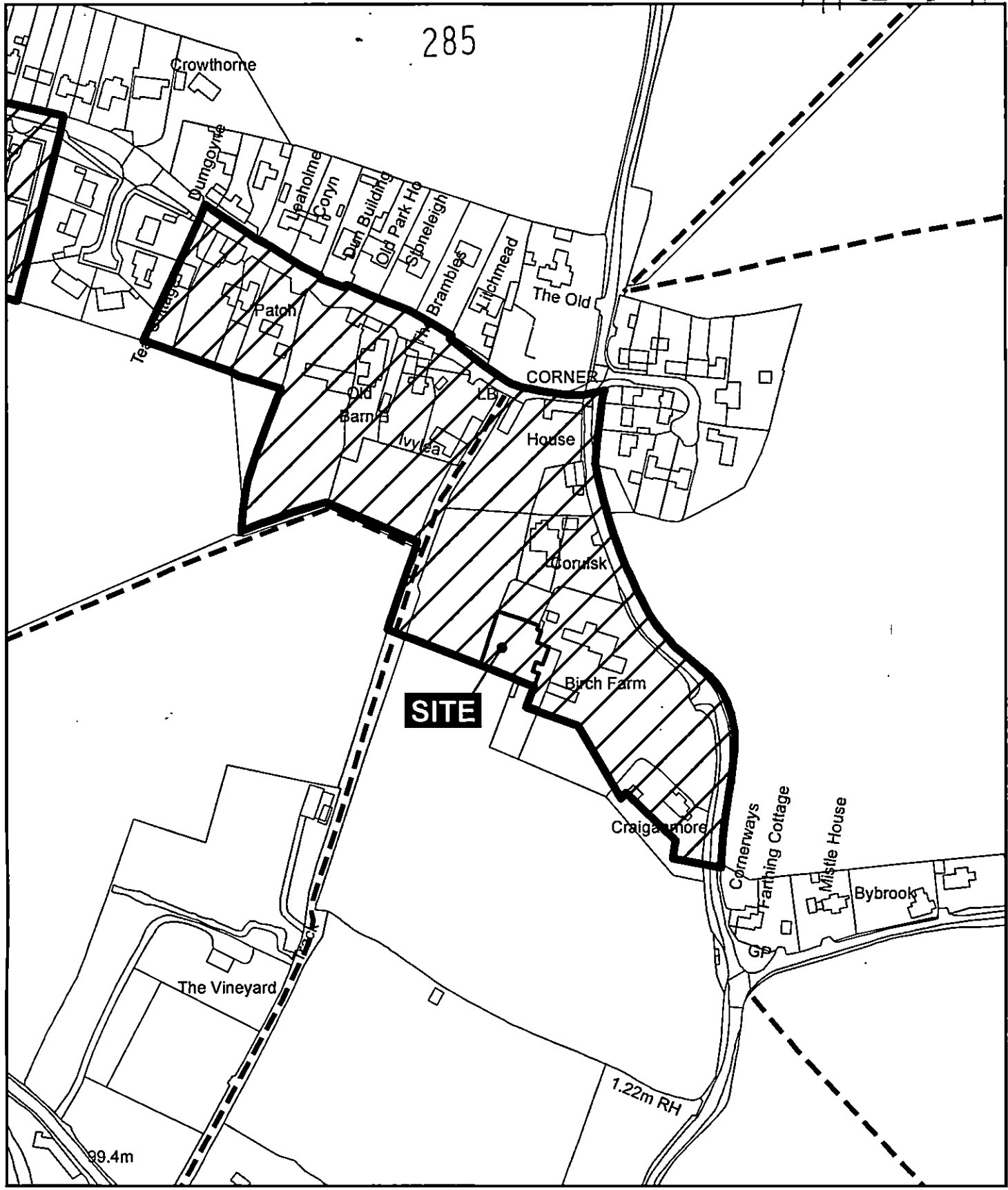
The oak shall not be treated in any way and shall be left to weather and silver naturally.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

No wires, plumbing or pipework other than those shown on the approved plans shall be fixed on the external elevations of the building.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

285



COTSWOLD DISTRICT COUNCIL



Birch House, Ampney Crucis,
Cirencester, Gloucestershire.

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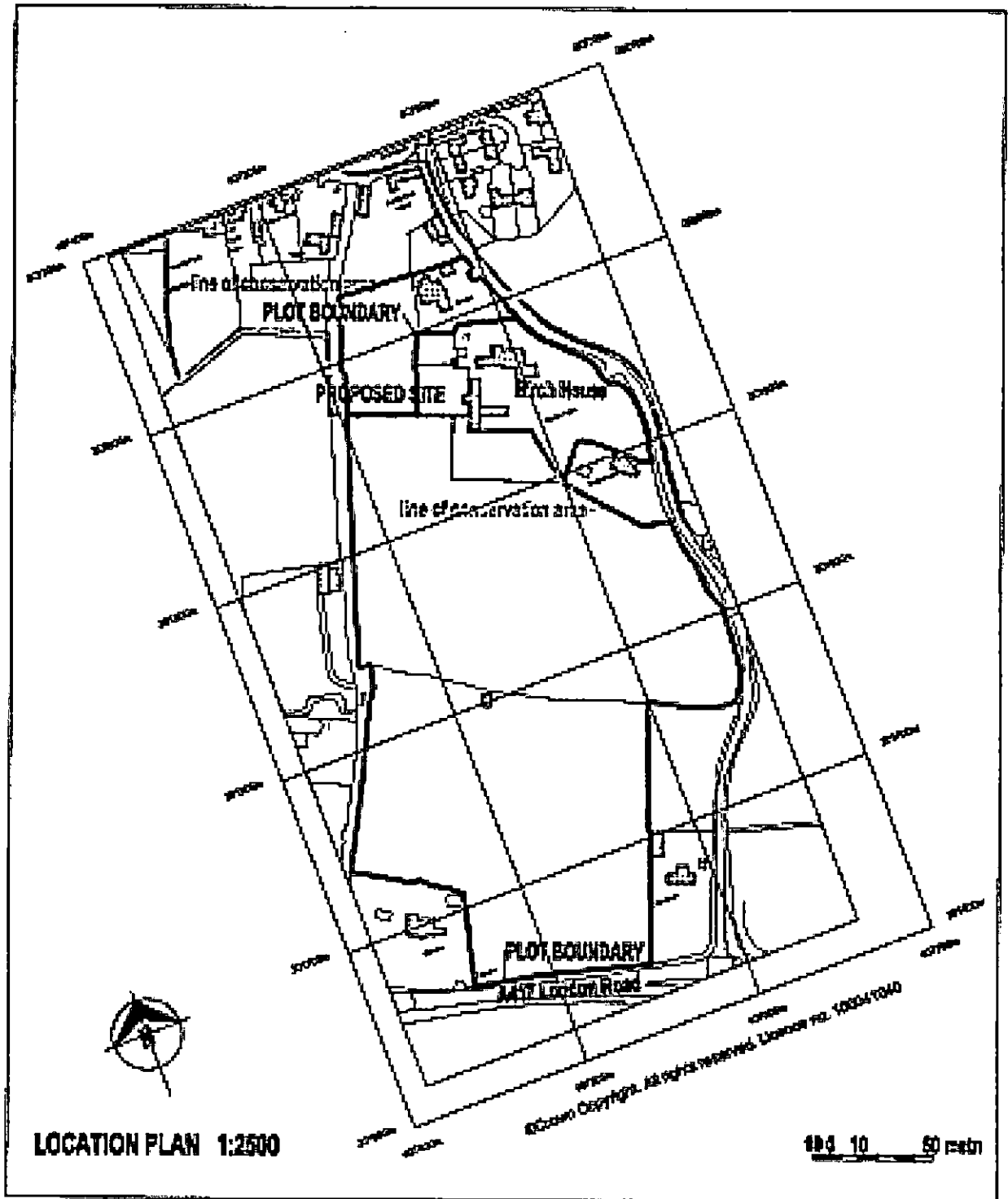
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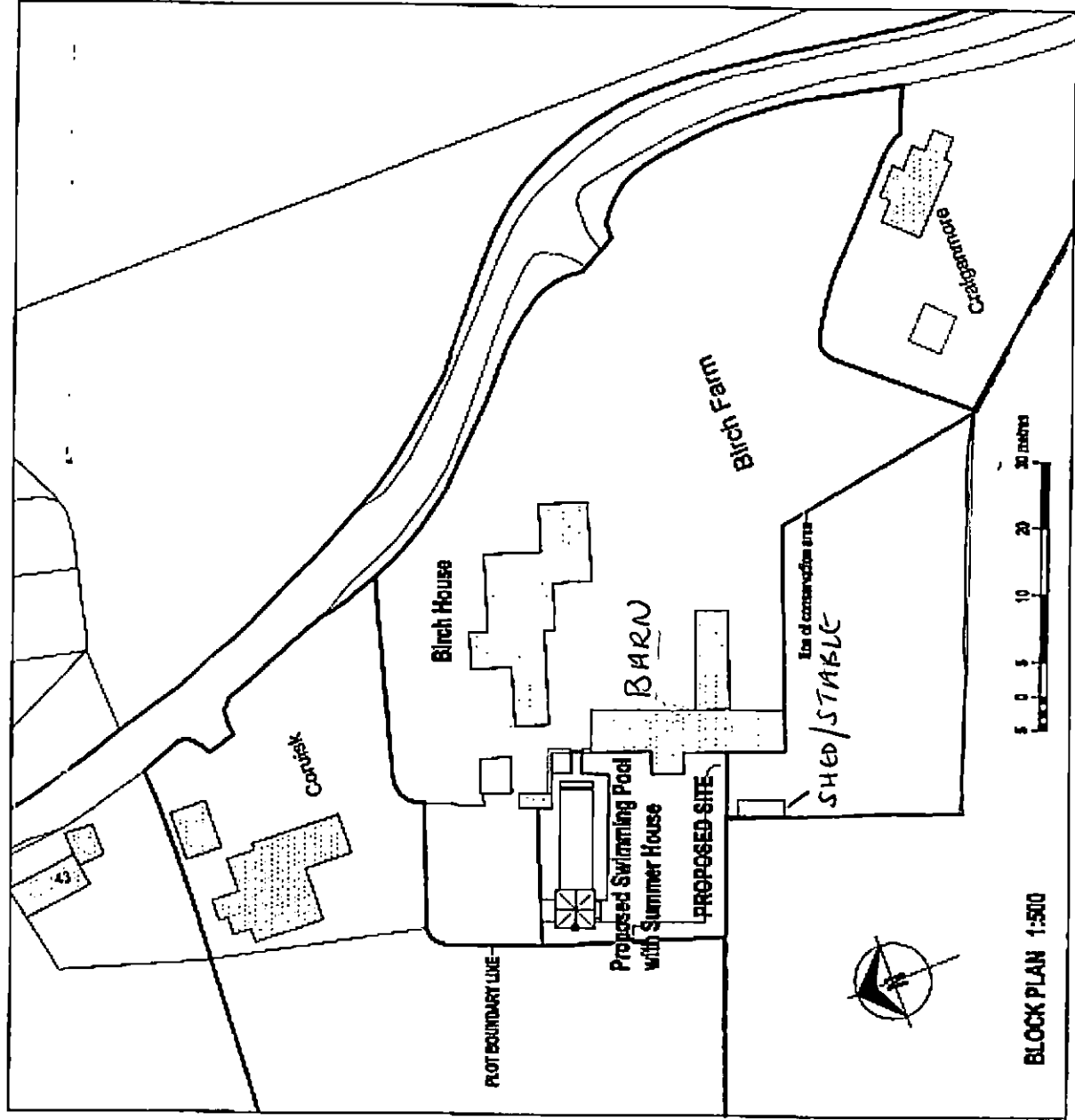
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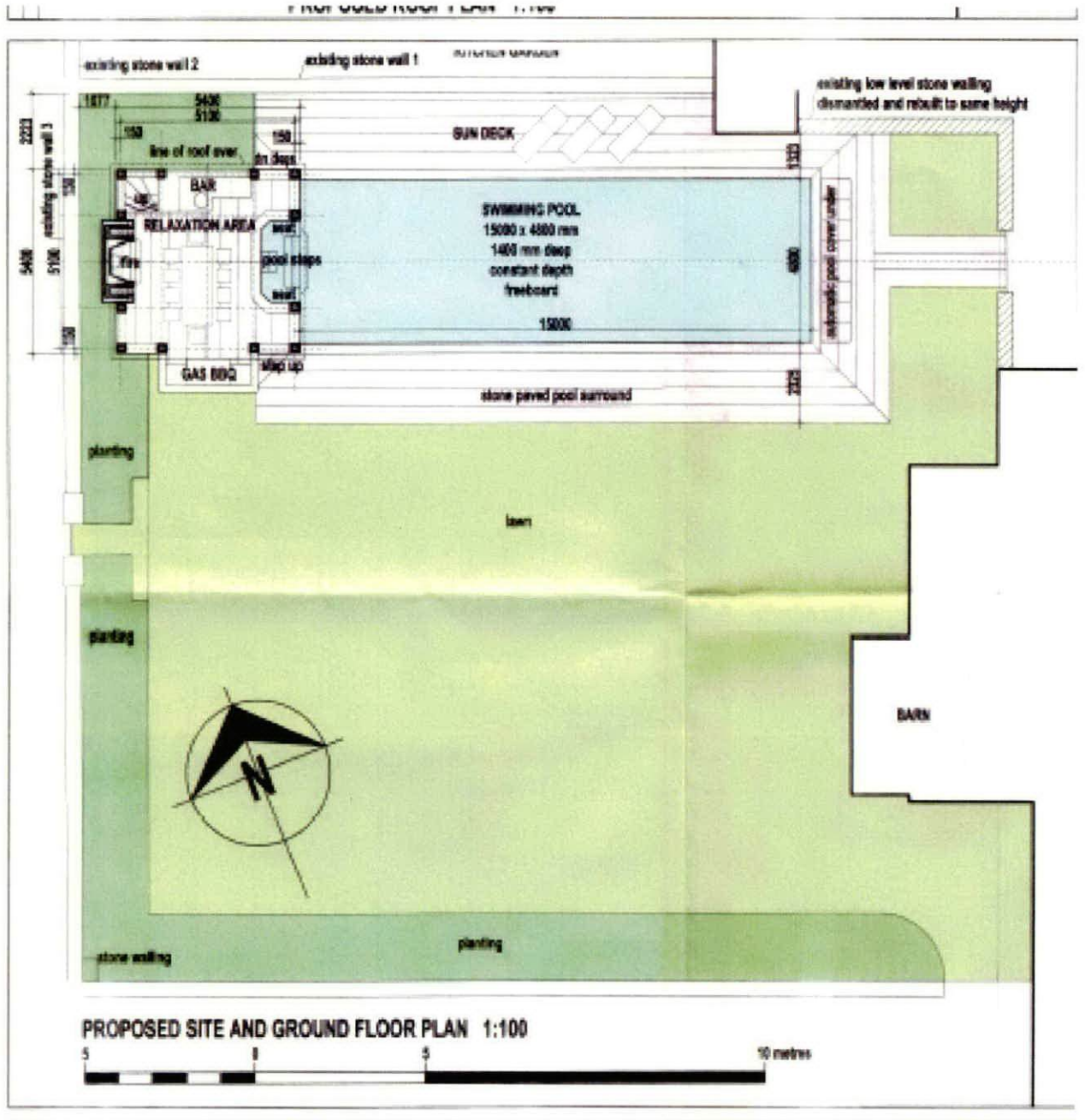
-  Public Rights of Way
-  Conservation Area

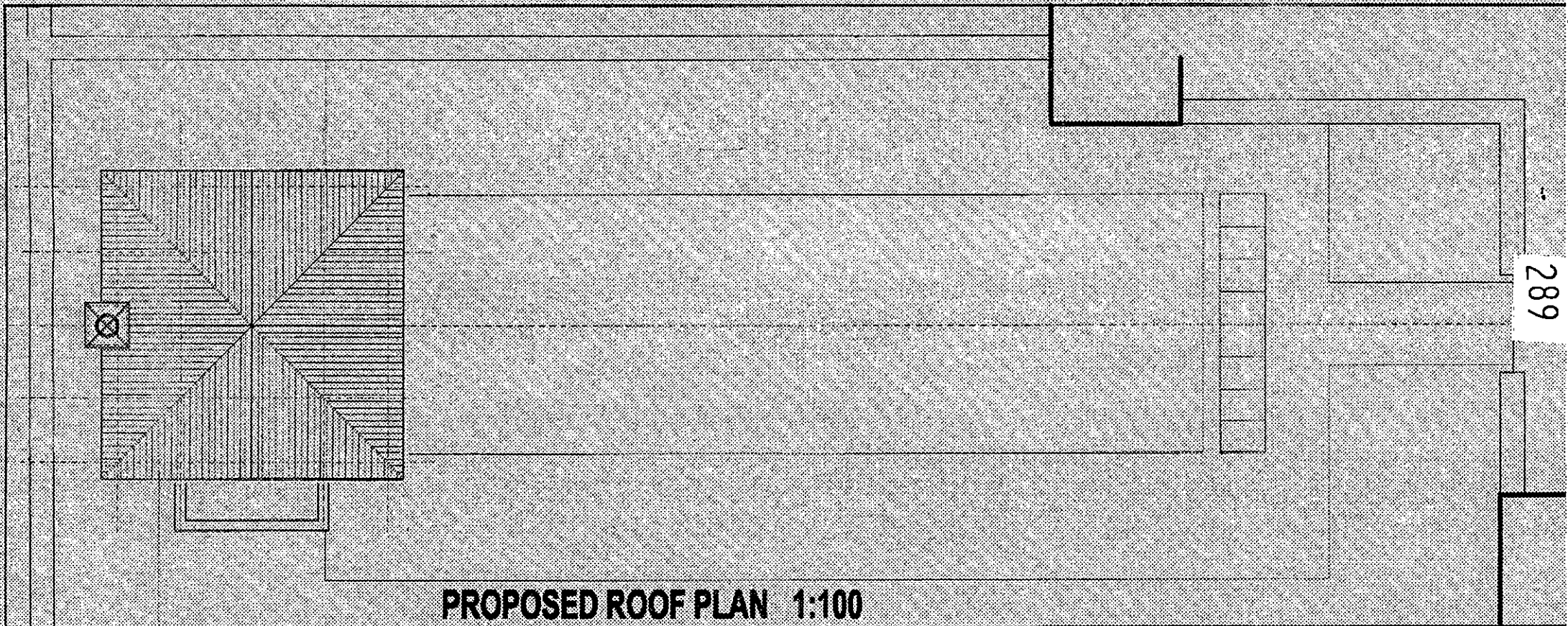






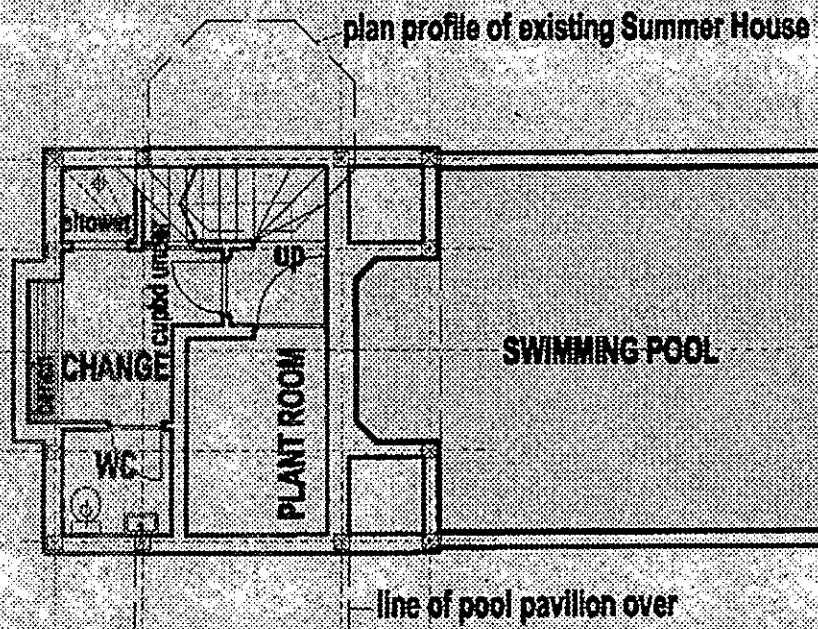
BLOCK PLAN 1:500





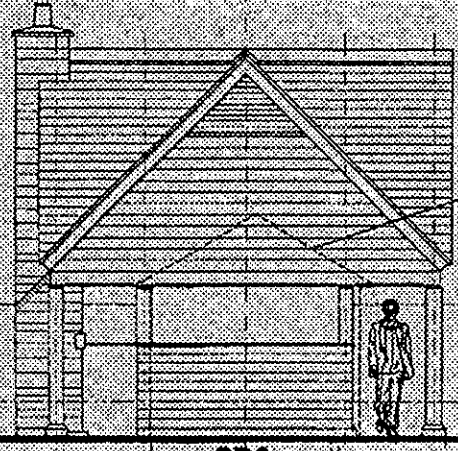
PROPOSED ROOF PLAN 1:100

289



PROPOSED BASEMENT FLOOR PLAN 1:100

existing stone wall 2
existing stone wall 3



profile of existing Summer House

top of existing stone wall 1

line of vegetable garden behind
SUN DECK

BBQ

line of swimming pool behind

line of basement behind

structure not surveyed

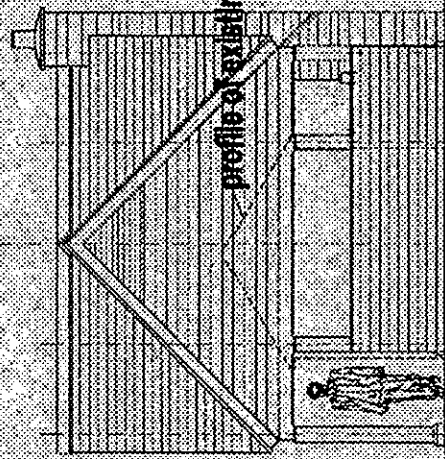
existing low level stone walling
dismantled and rebuilt to same height

291

PAVILION : SOUTH WEST ELEVATION 1:100

existing low level stone walling dismantled and rebuilt to same height

line of swimming pool behind



profile of existing Summer Ho

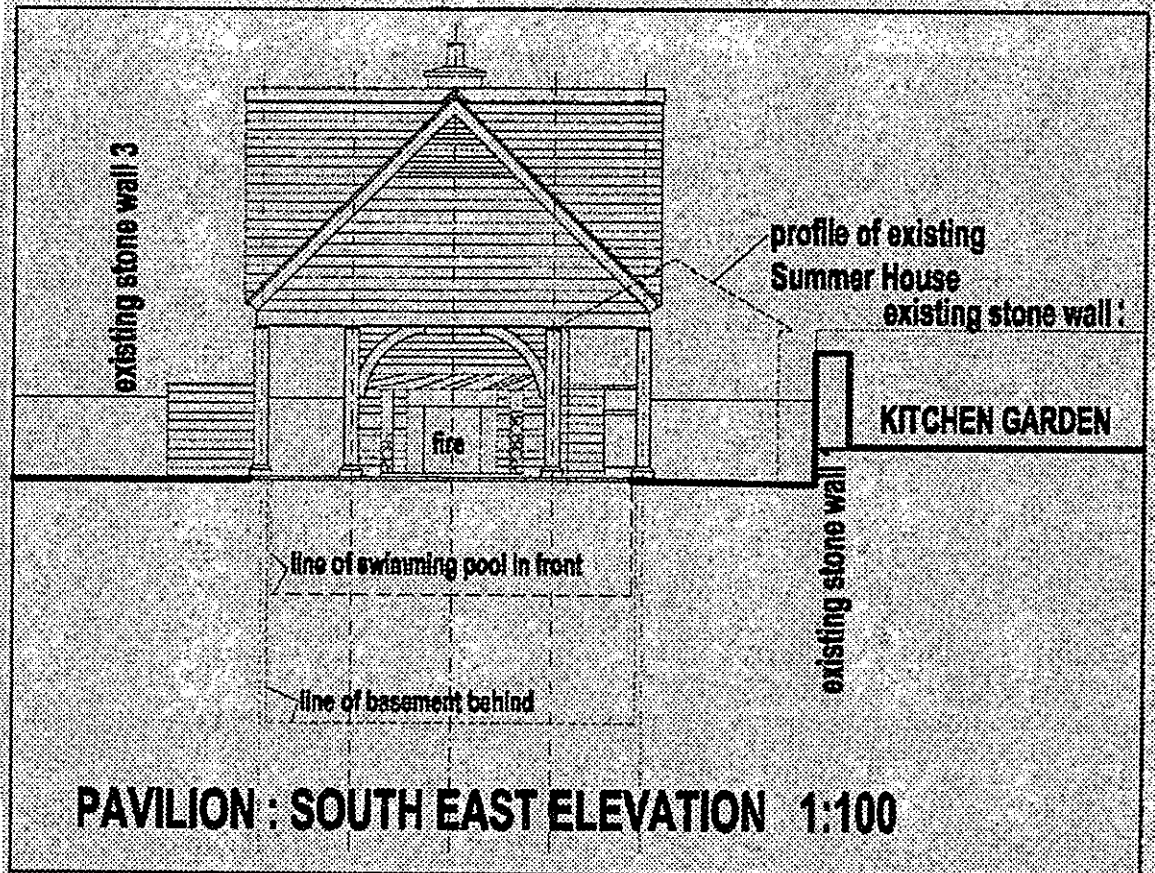
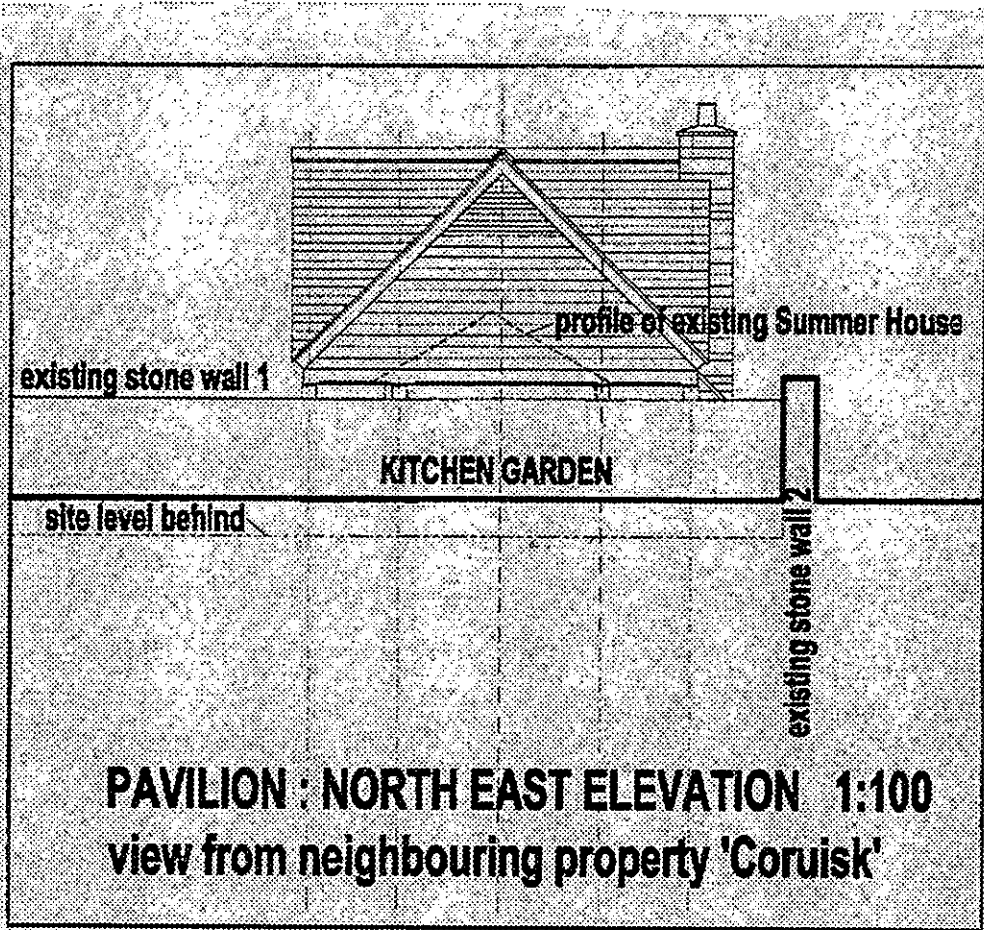
existing stone wall

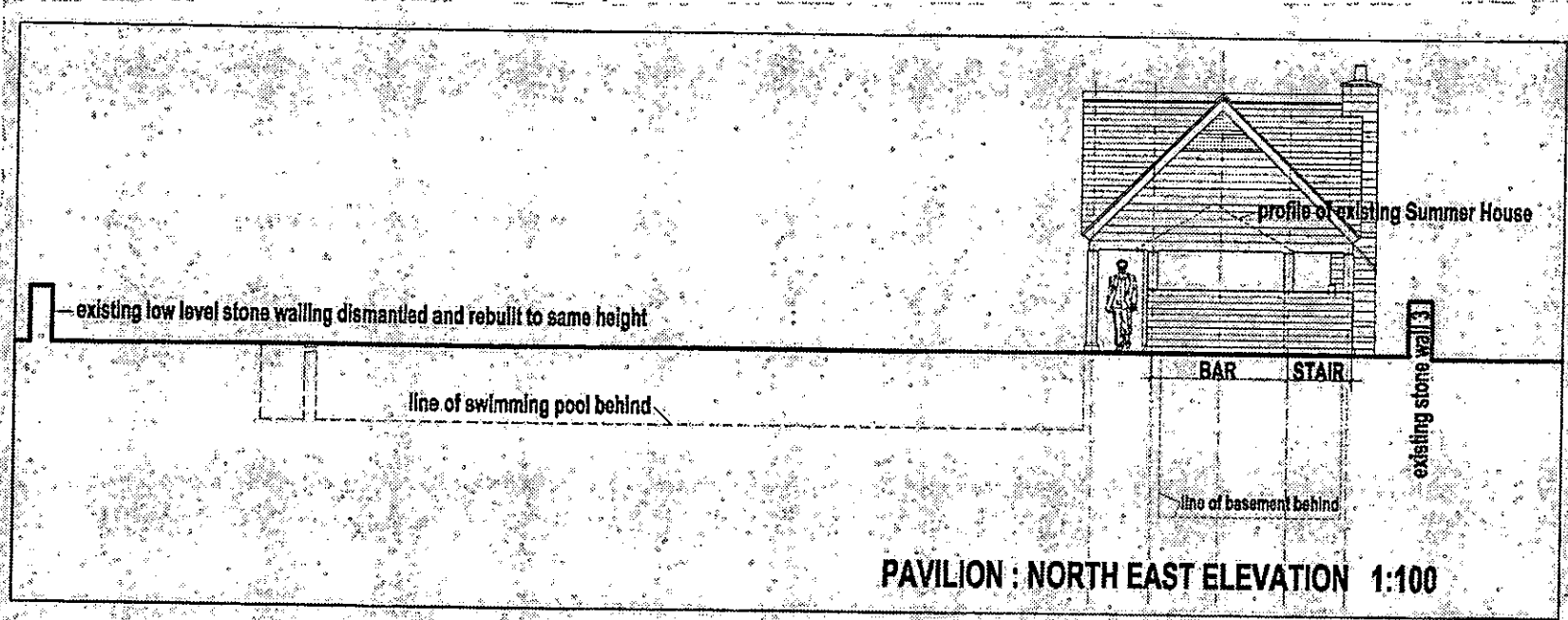
BAR STAIR

line of basement behind

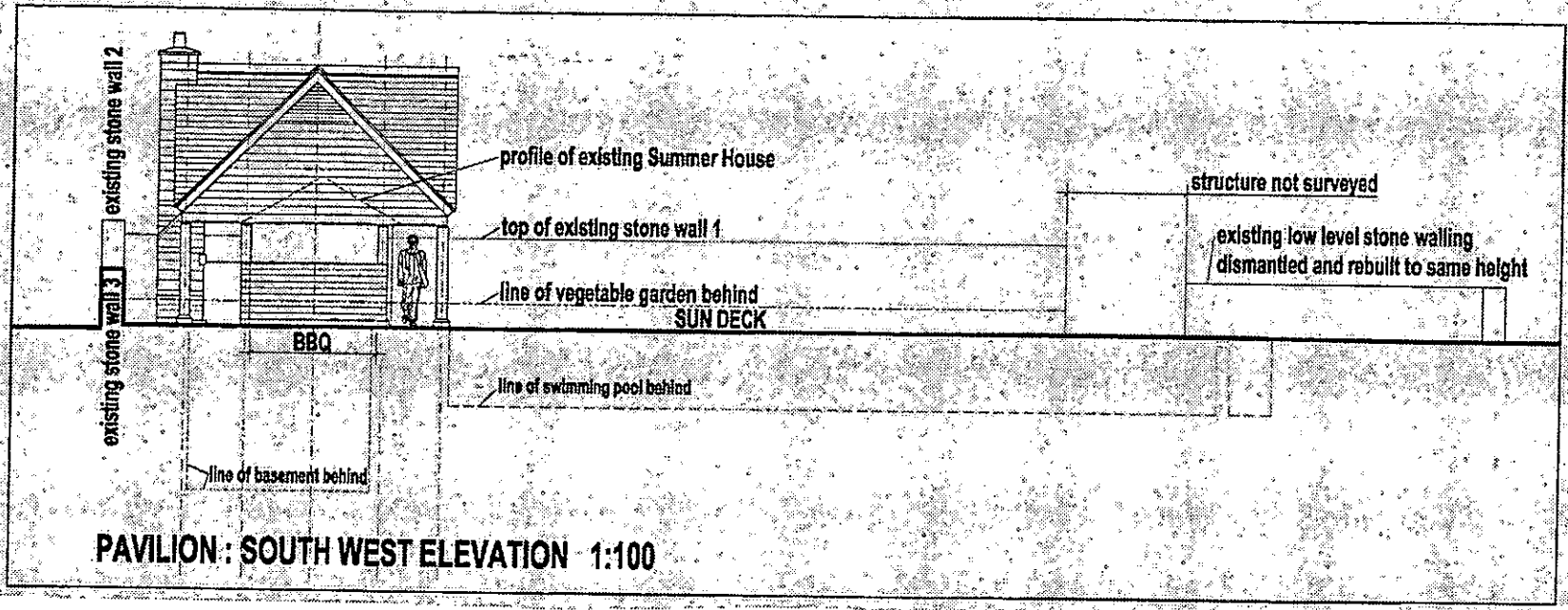
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PAVILION : NORTH EAST ELEVATION 1:100

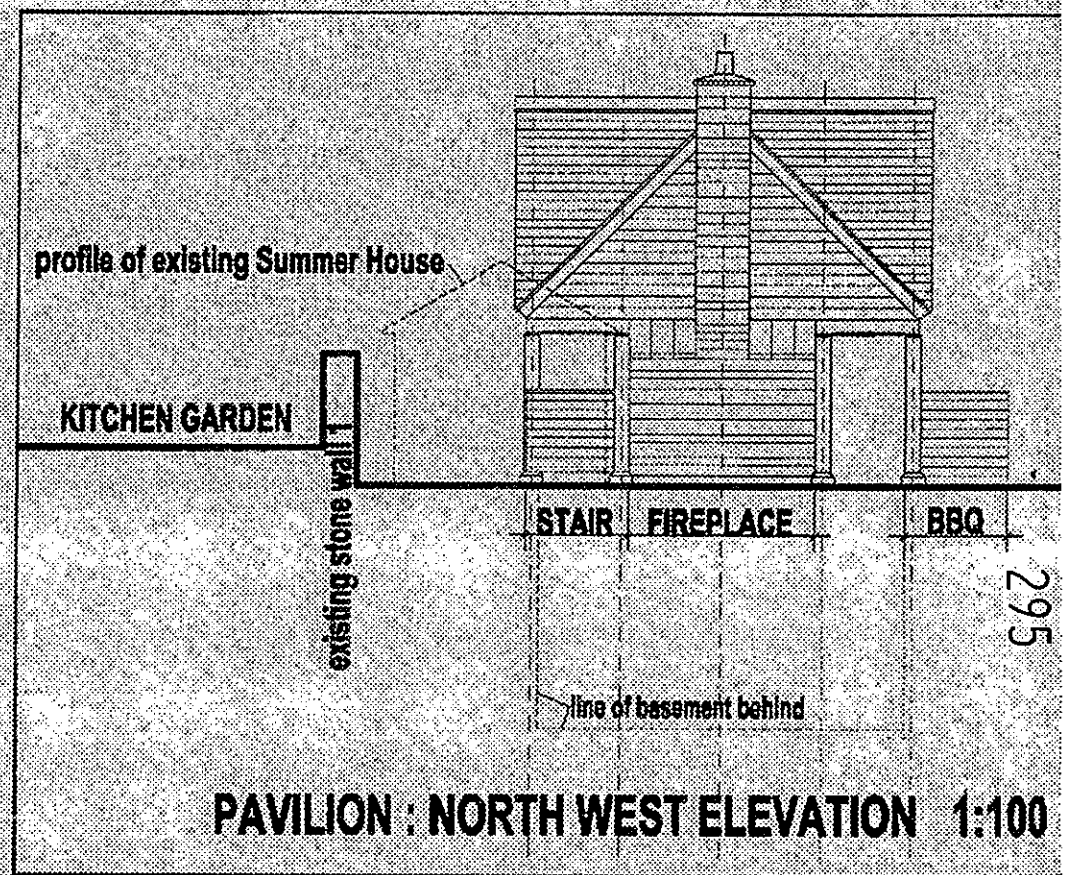
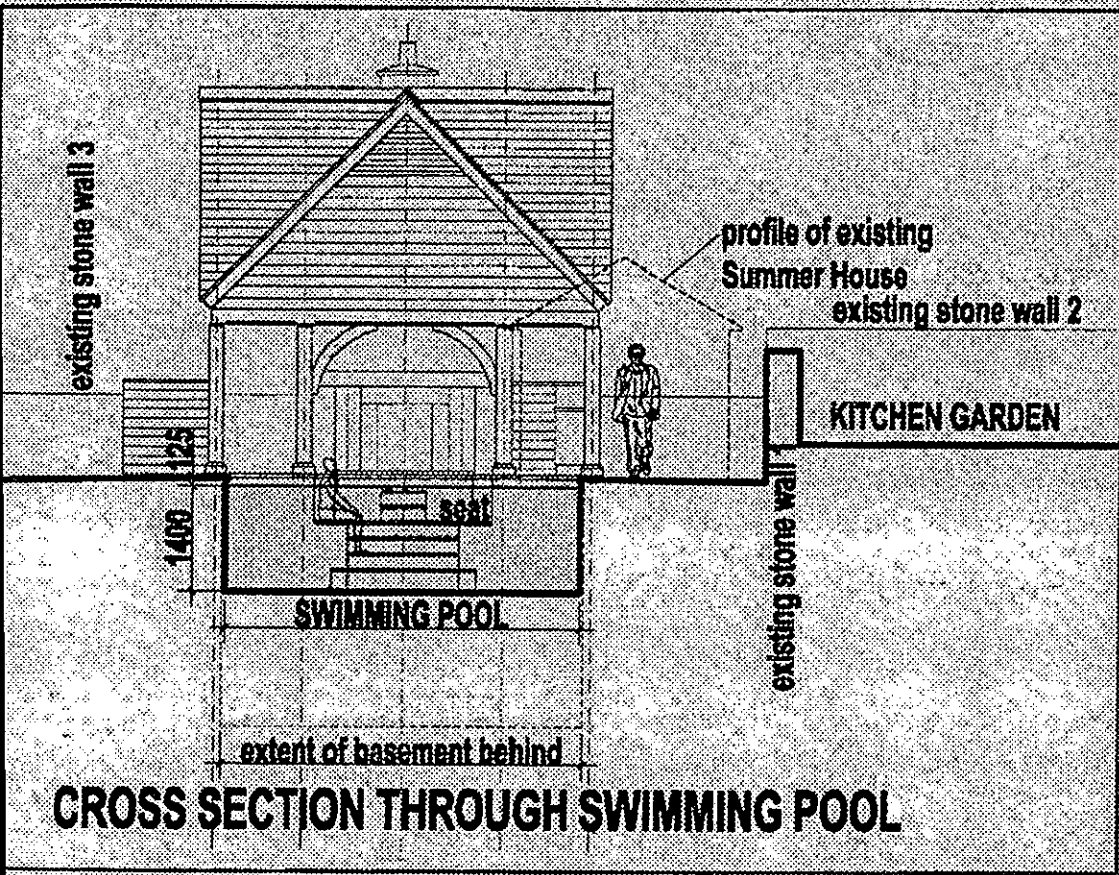


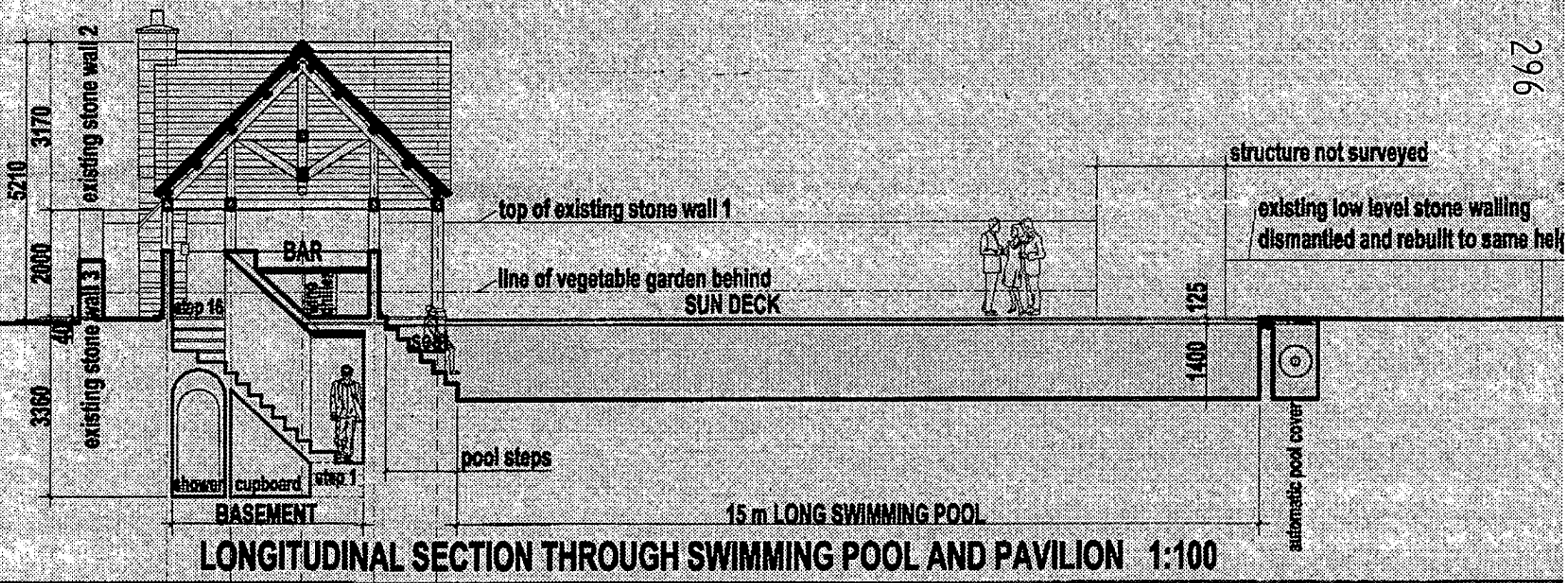


PAVILION : NORTH EAST ELEVATION 1:100



PAVILION : SOUTH WEST ELEVATION 1:100





From: Andrew Raphael
Sent: 08 June 2015 16:25
To: Claire Baker
Subject: Birch House, Ampney Crucis 14/05595/FUL

Dear Claire – please would you kindly attach the below comments to the planning committee discussion:

Quote

The original proposal was amended, according to the advice and suggestions of the conservation officer, who clearly considered the scale to be completely in keeping with the existing buildings.

To be very clear – we did exactly what the conservation officer said we should do in order to meet his approval, and that of the planners.

Unquote

Best regards
Andrew Raphael

Derek Raphael & Co Ltd, 8-10 Castle Street, Cirencester, Gloucestershire GL7 1QA, United Kingdom

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