

Item No 08:-

16/00357/FUL (CD.2250/K)

**Brae Croft
Upper Oddington
Moreton-In-Marsh
Gloucestershire
GL56 0XJ**

Item No 08:-

**Erection of ancillary building
at Brae Croft Upper Oddington Moreton-In-Marsh Gloucestershire GL56 0XJ**

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|--|-------------------------|
| Full Application 16/00357/FUL (CD.2250/K) | |
| Applicant: | Mr & Mrs P Wilsdon |
| Agent: | Oakwood Planning |
| Case Officer: | Andrew Moody |
| Ward Member(s): | Councillor Julian Beale |
| Committee Date: | 13th July 2016 |
| RECOMMENDATION: | REFUSE |

Main Issues:

- (a) The design, siting and scale of the building
- (b) Impact upon landscape character within the Cotswolds AONB

Reasons for Referral:

The application is brought to Committee at the request of Councillor Julian Beale who has commented "Fundamentally, I agree that the proposal risks to have an adverse effect on the environment and surroundings but I believe it would be constructive for the Applicant to debate his case."

1. Site Description:

The application site is located to the southern side of Upper Oddington, and is on the eastern side of the lane into the village leading to the B4450 to the south.

The applicant's property is a replacement dwelling constructed following the granting of planning permission, most recently an amendment to the approved scheme that was permitted in 2009, whilst the site for the proposed ancillary building is currently the position of a tennis court towards the north-eastern corner of the curtilage of the dwelling.

The site is outside any development boundary defined in the Local Plan, and is within the Cotswolds AONB. The land to the south-east and north-east of the application site falls away such that the property is located on the skyline when viewed from the B4450 and a Public Right of Way (PRoW) to the east.

2. Relevant Planning History:

06/00973/FUL: Erection of two storey and single storey extensions. Granted 15.6.2006

06/02985/FUL: Demolition of building and erection of replacement dwelling. Refused 17.1.2007

07/00555/FUL: Demolition of dwelling, erection of replacement dwelling. Granted 29.5.2007

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09/01349/FUL: Erection of replacement dwelling (amendment to permission 07/00555/FUL to include changes to the scale and design of the boot room). Granted 15.7.2009

15/00434/CLEUD: Certificate of Lawful Existing Use or Development under Section 191 of the Town & Country Planning Act 1990 - for the construction and retention of an unauthorised dwelling currently known as Brae Croft, Upper Oddington. Granted 31.03.2015

3. Planning Policies:

NPPF National Planning Policy Framework
LPR19 Develop outside Development Boundaries
LPR42 Cotswold Design Code
LPR45 Landscaping in New Development

4. Observations of Consultees:

Landscape Officer: Incorporated into the report

5. View of Town/Parish Council:

Support: The Parish Council is disappointed that it has not been able to have the benefit of the views of CDC's landscape officers on this application. In the absence of these views, the Parish Council concludes that the new building has been designed to minimise its impact on the surrounding landscape. The build process has been designed to keep disruption to a minimum and the building appears to be environmentally sound. Council asks that if planning permission is granted, there be a condition which ensures that this new building is only used as an ancillary building to Brae Croft.

6. Other Representations:

None received.

7. Applicant's Supporting Information:

Planning Statement
Design Statement
Landscape and Visual Overview Report

8. Officer's Assessment:

(a) Design, scale and siting

The application site is located within the village of Upper Oddington in the Cotswolds AONB. Upper Oddington is a small village which lies on an elevated plateau, with land gently sloping down in a south-easterly and north-easterly direction towards the River Evenlode. The built settlement of the village is linear in shape and many of the existing buildings are accessed off the main village through road.

Brae Croft is situated to the most south-westerly point of Upper Oddington and is fairly isolated from other development, surrounded by open countryside to the north-east, south-east and south-west. The property is accessed from the main village road which borders the plot to the north-west.

The proposal is for the erection of an ancillary building within the curtilage of the dwelling, on the site of a tennis court. The building would provide an indoor swimming pool, steam room, sauna, changing facilities, gym, plant room, kitchenette and storage. The structure has maximum external dimensions of 30.0 metres length by 13.3 metres width, giving a footprint of 399 sq. metres, and a height of 3.0 metres. The building is proposed to be single storey with a flat roof

and the height is to match the height of the existing tennis court fence. The external appearance is to combine traditional Cotswold stone with large glass panelled windows.

There are a number of PRoW that cross the wider countryside, one of which follows a route in a north to south direction to the east of the site approximately 290 metres away.

(b) Impact on the landscape character within the AONB

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

Paragraph 17 of the NPPF states that the planning system should recognise the intrinsic character and beauty of the countryside, whilst Section 11 of the NPPF encourages the conservation and enhancement of the natural environment. Paragraph 109 states that the planning system should protect and enhance valued landscapes, with paragraph 115 stating that great weight should be given to conserving landscape and scenic beauty in AONBs.

Policy 19 of the Local Plan states that development appropriate to a rural area will be permitted, provided that the proposal relates well to existing development. Policy 42 states that development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of the Cotswold District.

Policy EN2 of the emerging Cotswold District Local Plan requires that development does not have a significant detrimental impact on the natural and historic landscape whilst proposals are to take account of landscape and historic landscape character, visual quality and local distinctiveness. Policy EN3 relates to development within the AONB, and states that the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight. Members should note that little weight can be given to these policies for decision-making purposes at the present time.

The site is located in an elevated, conspicuous location and the existing tennis court fencing can be seen from a number of viewpoints. The fencing is used to justify the proposal but this has a relatively permeable appearance and it is considered that the proposed solid structure with large glazed elements would have a much greater visual impact.

Local views from the village road will be largely screened by the existing laurel hedge; however, by virtue of the ground sloping up towards the site, there would be glimpsed views of the proposed building. However, it is considered that the most significant visual impact would be from longer distance views from the PRoW to the east and the B4450 to the south. The south-east boundary is currently very open with little vegetation.

The site and the wider landscape falls just within the character area 17B Pastoral Lowland Vale and is further refined as the Vale of Moreton (Landscape Strategy and Guidelines for the Cotswolds AONB). It is considered that the site and the surrounding countryside typifies this type of landscape. The character assessment states that:

'Limited woodland cover, a strong rural character, sparse settlement pattern and the proximity to elevated viewing opportunities on the neighbouring Farmed Slopes increased the sensitivity of the Pastoral Lowland Vale landscape to large scale built development'.

and

'Existing vale settlements may have the capacity to accommodate some development where this does not interfere with or detract from their landscape setting'.

The Cotswold Conservation Board has identified 'isolated development' as a local force for change. The potential implications are 'visual intrusions introduced into the landscape' and 'introduction of 'lit' elements to characteristically dark landscapes'.

The scheme has been amended from that originally submitted; with the building being repositioned further back from the boundary to allow for a belt of new vegetation. The planting would include native trees and shrubs. In terms of the detailed design, anti-glare glass has been specified for the large glazed panels. However, the overall scale and massing of the building, along with the amount of glazing remains the same.

While the building is moved further back from the boundary, it remains sited in a prominent, hill top location, isolated from other built form. Whilst the introduction of a new planting belt will help to integrate the scheme into the landscape, this will take time to establish, leaving the building conspicuous in views in the short to medium term. In addition the large glazed elements have not been scaled down. While the use of anti-glare/non-reflective glazing is welcomed these panels will continue to have an intrusion of lighting at night, which it is considered would become a prominent feature in the rural landscape.

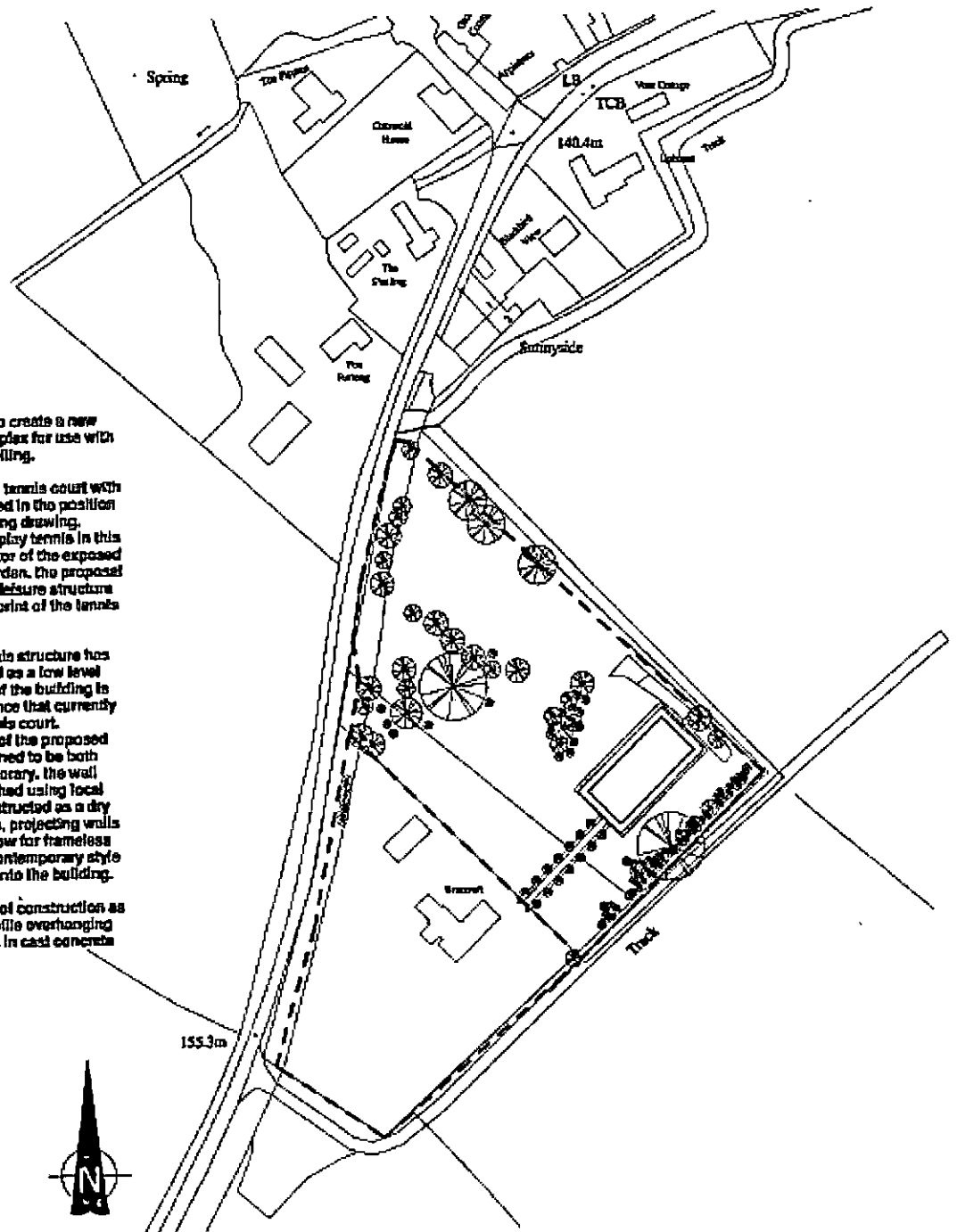
9. Conclusion

The scale and design of the outbuilding, which would occupy an elevated position in an edge of village location, would be an incongruous feature that detracts from the landscape setting. Therefore, the proposal is considered to be inappropriate and does not respond to the rural context, and would cause harm to the character and appearance of the AONB, contrary to NPPF paragraphs 109 and 115 and Cotswold District Local Plan Policy 19 and 42.

The recommendation is for planning permission to be refused.

10. Reason for Refusal:

The site lies within the Cotswolds Area of Outstanding Natural Beauty, (AONB), wherein the Local Planning Authority is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposal would cause harm to the character and appearance of the AONB by virtue of scale, location and aspects of its design which would be visually prominent in the landscape and does not respect the rural edge of village context. The proposal is contrary to NPPF paragraphs 109 and 115 and Cotswold District Local Plan Policies 19 and 42.



Proposal:

The overall proposal is to create a new swimming pool/leisure complex for use with the existing dwelling.

On the current site there is a tennis court with surrounding fencing installed in the position as shown on the existing drawing, unfortunately is not easy to play tennis in this location due to the wind factor of the exposed and open element of this garden. The proposal therefore is to build a new leisure structure over the exact existing footprint of the tennis court.

The proposed design of this structure has been deliberately created as a low level structure so that no part of the building is higher than the existing fence that currently surrounds the tennis court.

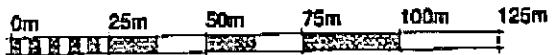
The external appearance of the proposed building has been designed to be both traditional and contemporary. The wall structures are to be finished using local outswail stone, but constructed as a dry stone wall. In key locations, projecting walls have been included to allow for frameless glass to be installed in a contemporary style allowing natural daylight into the building.

We propose to finish the roof construction as a grass roof with slim profile overhanging edging detail constructed in cast concrete



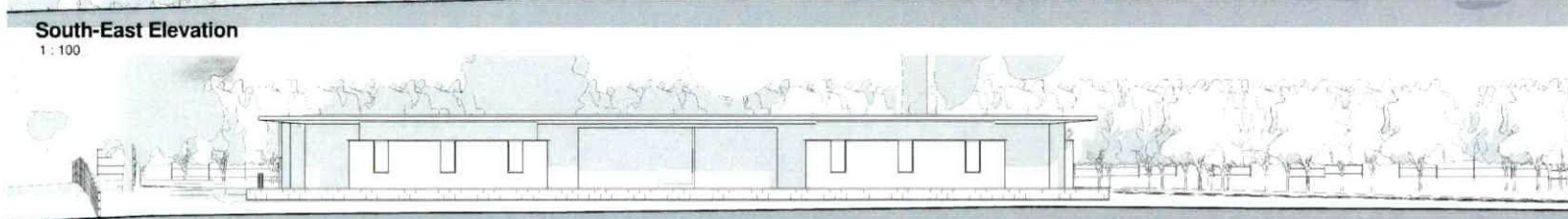
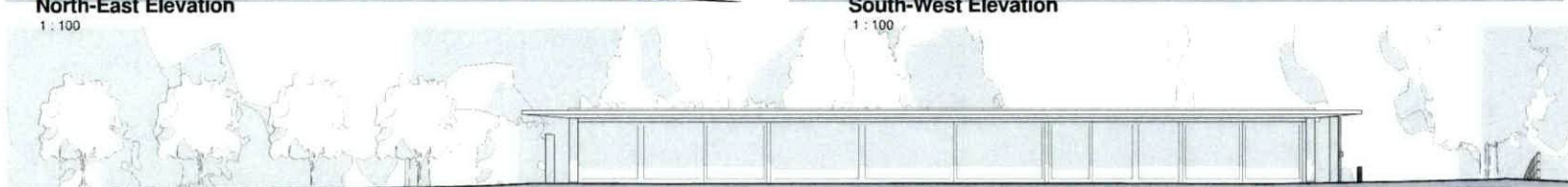
Location Plan

1 : 1250



VISUAL SCALE 1:1250 @ A1

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Front Perspective 1

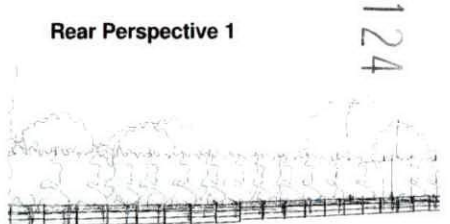


Front Perspective 2

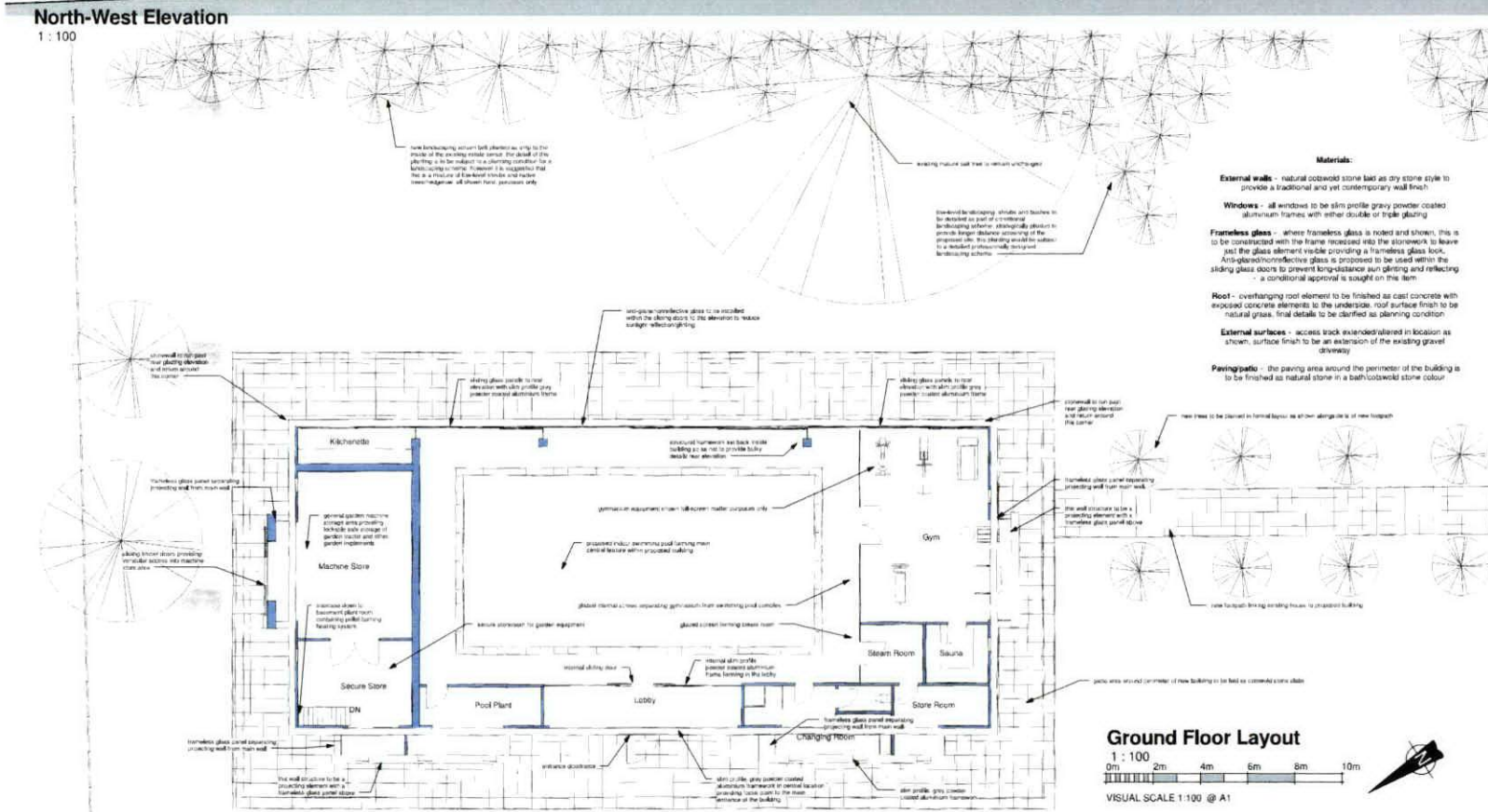


Rear Perspective 1

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Rear Perspective 2



Revision "a" - proposed dwelling repositioned further back into the site 25/4/2016

| Rev. | Date | Revision Notes |
|---|----------|----------------|
| Residential leisure building | | |
| STABLE ARCHITECTURE JEREMY HUNN 17A THE HEDGE LANE, HODDLE, BRACKNELL, OXFORDSHIRE, UK TEL: 01494 471111 FAX: 01494 471112 EMAIL: info@stable-arch.co.uk WEBSITE: www.stable-arch.co.uk | | |
| Job: Proposed ancillary residential and leisure building | | |
| Client: Mr P. Wilsdon Braecroft Oddington | | |
| Drawing No: | Date | Scale |
| 5888-01a | 10/12/15 | 1:100@A1 |



04/02/2016

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23/06/2016

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