

**Item No 10:-**

**16/05271/FUL (CD.6115/K)**

**Willow House  
Clapton Row  
Bourton-On-The-Water  
Gloucestershire  
GL54 2DW**

**Demolition of existing conservatory and erection of single storey side extension at  
Willow House  
Clapton Row Bourton-On-The-Water**

<b>Full Application 16/05271/FUL (CD.6115/K)</b>	
<b>Applicant:</b>	Theresa Herbert-Davis
<b>Agent:</b>	Mr A McColm
<b>Case Officer:</b>	Joanne Reeves
<b>Ward Member(s):</b>	Councillor Len Wilkins
<b>Committee Date:</b>	12th April 2017
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**UPDATE:** This application was deferred from the 8th March 2017 Planning Committee Meeting for Site Inspection Briefing, which is scheduled to take place on 5th April 2017, to assess the impact on the neighbour's amenity. The proposed development and the Officer Recommendation remain unchanged from the previous Planning Committee Meeting.

**Main Issues:**

- (a) Scale and design.
- (b) Character and appearance of Conservation Area.
- (c) Residential amenity.

**Reasons for Referral:**

The Ward Member for Bourton Village has referred the application to Committee in response to concerns regarding over-development of the site.

**1. Site Description:**

The application site comprises a two storey Cotswold Stone dwelling with additional accommodation in its roof space. The dwelling is orientated gable-end on to the public highway with its principal elevation facing south-west and its rear elevation north-east. The dwelling has been extended in the past. Most notably there is a two storey extension to the rear and a white PVCu conservatory to the south-east gable. There is also a detached garage building to the south-west.

The nearest neighbouring property is located to the north-east ("The Stable").

The site is within the Bourton-On-The-Water Conservation Area, and the Cotswold Area of Outstanding Natural Beauty (AONB).

**2. Relevant Planning History:**

- CD.6115 Single storey extension to the side of dwelling to provide a kitchen/dining room, lobby and bathroom - Permitted on 17/01/1980.
- CD.6115/A Erection of a garage and new vehicular access - Refused on 07/03/1980.
- CD.6115/B Retention of a two storey extension to provide a kitchen and a lobby on ground floor with a bedroom and bathroom over - Approved on 11/06/1980.
- CD.6115/C Erection of a garage - Refused on 08/05/1980.

- CD.6115/C Erection of a two storey extension to provide a porch on ground floor with a bathroom on first floor - Approved on 04/10/1982.  
 CD.6115/D Erection of a garage - Approved on 09/02/1981.  
 CD.6115/E Extension at rear of existing dwelling to provide a conservatory - Refused on 15/05/1981.  
 CD.6115/F Retention of a garage - Approved on 06/08/1981.  
 CD.6115/H New conservatory - Refused on 10/03/1995.  
 CD.6115/J Conservatory/extension - Approved 05/06/1995.

### 3. Planning Policies:

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

### 4. Observations of Consultees:

None.

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

Bourton-On The-Water Parish Council has commented as follows -

"The lack of detail on the plans does not allow the actual impact of the proposed extension on the neighbouring property, Stable Cottage, to be ascertained but the proposed extension appears to over-dominate and overlook the adjacent property to an unacceptable degree, given the very close proximity of these two detached dwellings. The height of the proposed extension, in particular, gives cause for concern regarding the intrusive nature of the extension. The Council would ask that the dimensions of the extension in proportion to the main building are verified to ensure they are within guidelines. A site visit by the Planning Officer is requested to determine the planning impact on the neighbouring property given the close proximity of the two dwellings and the fact that numerous additions to Willow House over time have materially changed the relationship between the two dwellings".

### 6. Other Representations:

#### Two Third Party letters of Objection:

The occupant of "The Stable" (neighbouring property to the north-east) has objected to the proposed extension on the following grounds -

- Over-development of the site;
- The proposed extension's potential to dominate and overbear;
- The accuracy of the submitted plans;
- Loss of light and outlook and as a result of the scale, height and width of the proposed extension, and its proximity to the common boundary;
- Loss of privacy as the result of the inclusion of a roof light;
- The design of the proposed extension and how it would relate to the existing building and the surrounding built-form, including "The Stable" (disproportionate, out of keeping);
- The design of the fenestration; and
- The cumulative impact of the development and its impact on the Conservation Area and Cotswold AONB.

A further letter of representation was received from the occupant of The Stable on 21/02/2017.

The occupant of Birch Cottage, Tarrington, Hereford has also objected to the application -

- Accuracy of plans;
- Loss of daylight, sunlight and privacy;
- Height of the proposed extension and its potential to overbear, resulting in a loss of light;
- Inclusion of a roof light resulting in a loss of privacy;
- The general design, height and bulk of the proposed extension and its potential to dominate and overbear, together with its impact on the surrounding Conservation Area.

#### Three Third Party letters of Support:

Letters of support have been received from the occupants of "Lyncot" (neighbouring property to the south-east), "Lincroft Stables" (neighbouring property beyond Lyncot to the south-east) and "Lyncroft Farm" (neighbouring property to the south). These comments can be summarised as follows -

- The support comments argue that the proposed extension, by virtue of scale and design, would be proportionate to, and in keeping with the existing building, and would not result in a loss of light, or privacy;
- The removal of the 'out-dated' conservatory is welcomed;
- The proposed extension would be an improvement on the existing conservatory and more in keeping with the existing property, enhancing its appearance; and
- The proposed extension would represent an aesthetically pleasing addition.

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

Design and Access Statement  
Water Management Statement

#### **8. Officer's Assessment:**

The application seeks planning permission to erect a single storey extension to the side of the existing dwelling. As part of the proposal, the existing conservatory would also be demolished.

##### **(a) Scale and design**

A core planning principle of the National Planning Policy Framework (NPPF) is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).

Paragraph 56 (Section 7) of the NPPF also highlights the importance the Government attaches to "good design" considering it to be a key aspect of sustainable development, which is indivisible from good planning, and should contribute positively to making places better for people.

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

The proposed single storey extension would have a simple, pitched roof design and would extend off the south-east side elevation (gable-end) of the dwelling into the rear garden area for the property. The main part of the extension (sunroom) would be 7.6 metres long by 4.4 metres wide. It would have an eaves height of 2.2 metres and an overall ridge height of 4.1 metres. A lean-to element is also proposed to the rear of the sunroom, which would have an eaves height of 2.2 metres and a ridge height of 3.5 metres, where it would adjoin the side elevation of an existing rear extension. It would have an external footprint of 5.67 square metres (2.7 metres long x 2.1 metres). In total, the proposed extension (sunroom and lean-to) would have a combined external footprint of approximately 39.1 square metres.

The existing conservatory has an external footprint of 22.05 square metres; an eaves height of 2.2 metres, and an overall height of 3.3 metres.

The height, size and design of the proposed extension is considered proportionate to, and in keeping with, the scale and character of the existing dwelling and its wider setting. Given its single storey design, the proposed extension would maintain a degree of subservience to the existing dwelling and read as a subordinate addition. The use of Cotswold stone under a plain concrete tile roof is considered sympathetic and in keeping with the existing dwelling, and an improvement on the existing white PVCu conservatory, which would be demolished. The proposed extension is therefore considered to accord with the provisions of Local Plan Policy 42 and the relevant Sections of the NPPF.

### **(b) Character and appearance of Conservation Area**

Section 12 of the NPPF asks that local planning authorities take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 132 states that when considering the impact of a proposal on the significance of a designated heritage asset, such as a Conservation Area, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within its setting.

Paragraph 137 also encourages local planning authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. Proposals that preserve those elements that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Similarly, Local Plan Policy 15 seeks to preserve or enhance the character or appearance of Conservation Areas within the District. In particular, it states that proposals requiring planning permission should only be permitted if the siting, scale, form, proportions, design, colour and materials of any new or altered buildings are in keeping with the character and appearance of the area in general.

As a result its scale and design, the proposed extension would not cause harm to, or detract from the character or appearance of this part of the Bourton-On-The Water Conservation Area. The removal of the white PVCu conservatory would be an enhancement, and the choice of materials to be used in the construction of the exterior of the new extension more sympathetic. Furthermore, the proposed extension's rear garden location, together with its subordinate relationship to the existing built form, would prevent it from appearing as an incongruous addition within the street scene, thereby preserving the character and appearance of the area in accordance with Local Plan Policy 15 and Section 12 of the NPPF.

### **(c) Residential amenity**

As noted above, a core planning principle of the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).

Local Plan Policy 46 states that the design and layout of new residential development, including change of use, sub-division and extensions to existing dwellings, should provide adequate areas of open space around dwellings, so as to ensure reasonable privacy, daylight and adequate private outdoor living space.

By virtue of its scale and design the proposed extension would not give rise to an unacceptable level of overlooking or loss of privacy. The proposed roof light to the rear roof slope of the sunroom extension would be approximately 2.8 metres above ground level; its purpose being to let light into the extension, rather than obtain views out. As such, whilst the perception of overlooking may increase, the provision of the roof light would not result in an unacceptable level of overlooking, or loss of privacy to the garden of The Stable. It is also noted that a typical boundary treatment (timber fence) demarcates the common boundary between the application site and The Stable to the north-east.

Furthermore, the proposed extension would not dominate the private amenity space or outlook of the occupant of The Stable to an unacceptable degree. The roof pitch of the sunroom would slope away from the common boundary. The height of the eaves at 2.2 metres above ground level is relatively low, and, as noted above, a typical boundary treatment (timber fence) demarcates the common boundary between the two properties. It should also be noted that a 2 metre high boundary wall could be erected between the two properties without the need for planning permission using 'permitted development' rights. The proposed lean-to would be no closer to the common boundary than the existing conservatory, which is to be demolished. Given its single storey design, neither the sunroom extension nor the lean-to, would break the 45 degree angle on the vertical plane, which forms the basis of the established guidance that supports the interpretation of Local Plan Policy 46. It is noted that the single storey lean-to, which would be closest to the common boundary, would also maintain the 45 degree angle on the horizontal plane. In view of this, a request that the applicant should carry out a full daylight assessment is considered unreasonable having regard to Policy 46.

Whilst the line of the common boundary between the application site and The Stable is not straight, at its closest, the rear wall of proposed lean-to would be a distance of 2 metres from the boundary, and the rear wall of the sunroom a distance of 3 metres. The line of the boundary also extends out from The Stable at an obtuse angle.

A sufficient amount of private amenity space would also remain to the west and south-west of the host dwelling following the extension's construction, and the existing parking arrangements would not be affected. Accordingly, the proposed extension is considered to comply with the requirements of Local Plan Policy 46 and paragraph 17 of the NPPF.

#### **Other matters**

Section 10 (paragraphs 100-104) of the NPPF relates to flooding and flood risk. Whilst the application site is located within Flood Risk Zones 2 and 3, the proposed extension is minor in nature being beneath 250 square metres, and as such unlikely to raise significant flood risk issues. A basic flood risk assessment (FRA) has also been submitted detailing basic flood resilience and resistance measures to be incorporated into the development.

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

In view of the above, whilst the comments and objections received from the Parish Council and the owner of The Stable are duly noted, the concerns raised are not considered to warrant a recommendation for refusal when assessed against current planning policy and guidelines. In conclusion, the proposed single storey extension is considered to accord with the objectives of Local Plan Policies 15, 42 and 46, and the design and historic environment considerations set out within Sections 7 and 12 of the NPPF, and as such hereby 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 permitted shall be carried out in accordance with the following approved plans: Site Location Plan (Scale 1:1250), Block Plan (Scale 1:500) and Proposed Plans and Elevations (Drawing No. WH/02).

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

3. The materials to be used for the external walls and roof of the development hereby permitted shall match those used in the existing building.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policies 15 and 42, the development hereby permitted is completed in a manner appropriate to the site and the surrounding Conservation Area.



**Willow House Clapton Row Bourton on the Water Glos**

Scale: 1:1250

Organisation: Cotswold District Council

Department:

Date: 24/02/2017



**COTSWOLD**  
DISTRICT COUNCIL







Willow House,  
Clapton Row,  
Bourton-On-The-Water,  
Cheltenham,  
GL54 2DW

OS MasterMap 1250/2500/10000 scale  
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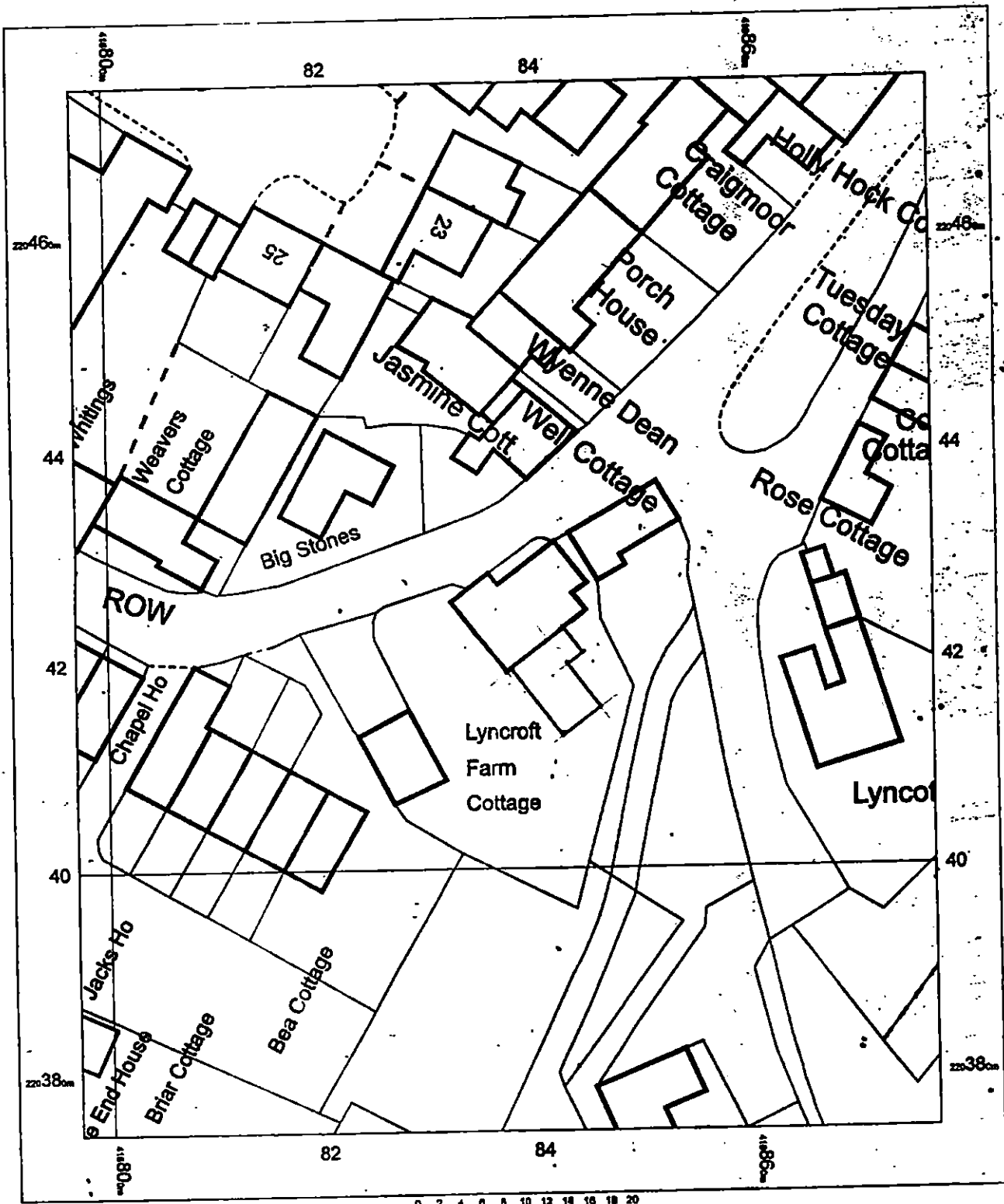
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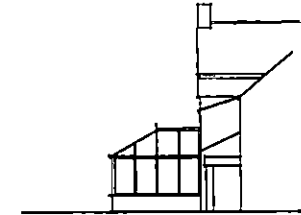
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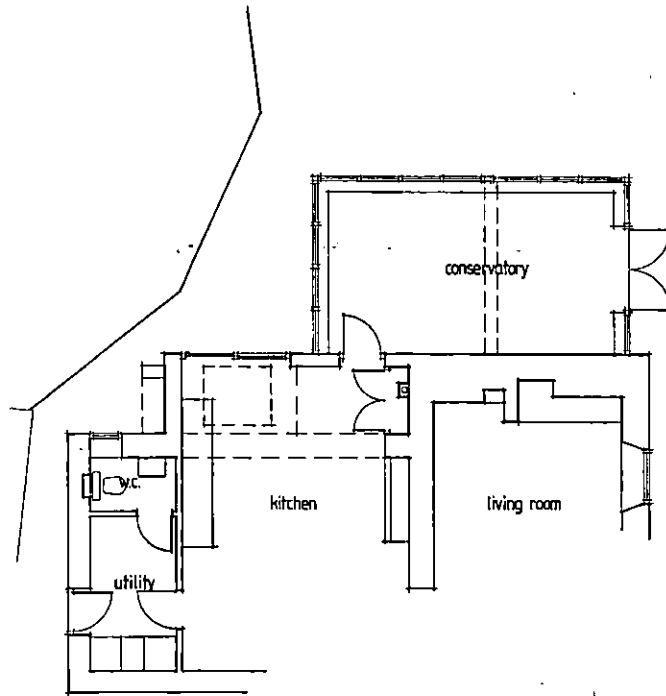
SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION



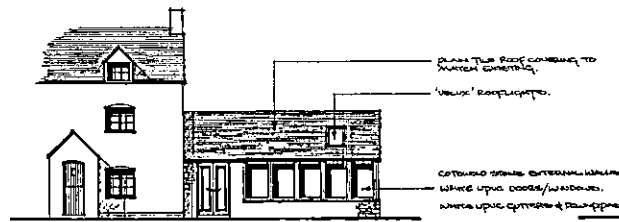
PART GROUND FLOOR PLAN

181

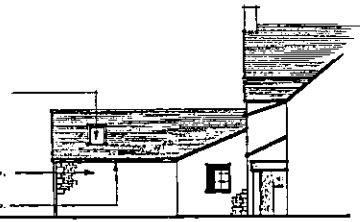
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	Date	Revisions	
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Client			
T. HERBERT-DAVIS			
Drawing Title			
PROPOSED EXTENSION TO WILLOW HOUSE, CLAPTON ROW, BOURTON-ON-THE-WATER, GLOS. SURVEY OF EXISTING			
Scale			
1:100, 1:50			
Date			
AUG. 2008		Drawn by	
Alan McColeman			
Incorporated Architectural Technologists			
8 Spiney Grove Evesham Worcester WR11 1BP Tel: 01527 422323			
Dep. No.			
WH/01			



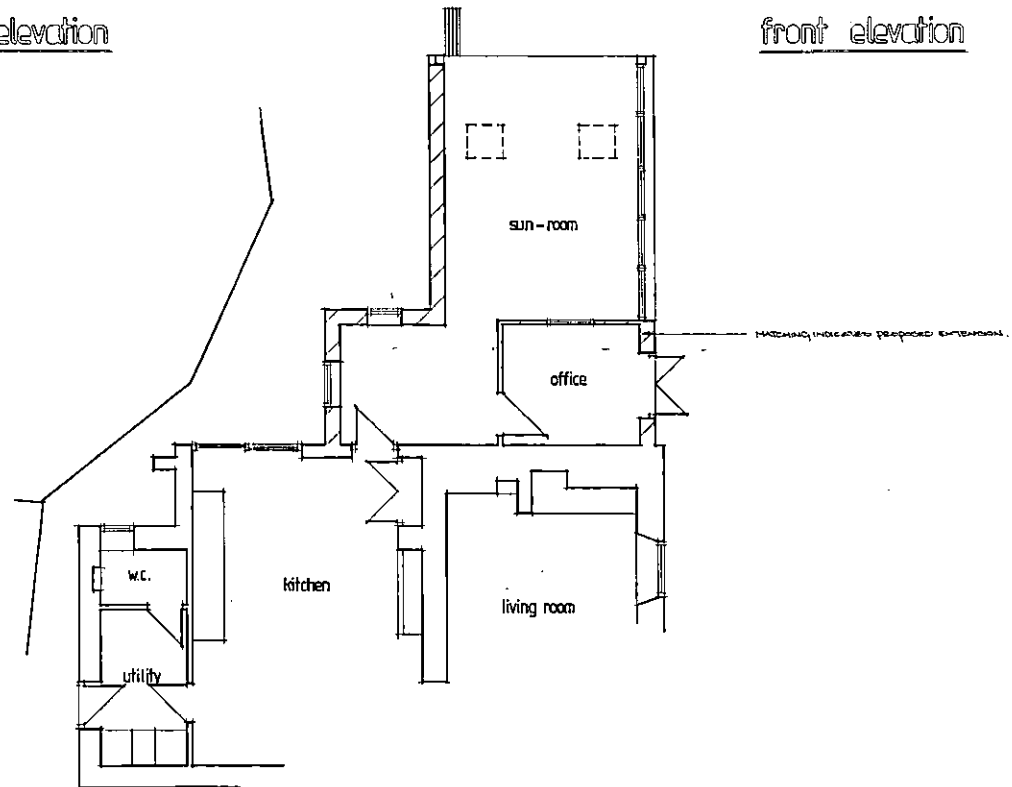
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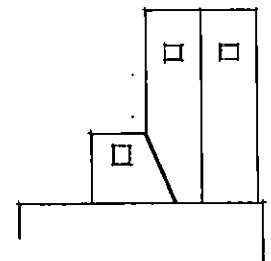
front elevation



rear elevation



part ground floor plan



roof plan

A		Revisions
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Drawing Title		
PROPOSED EXTENSION TO WILLOW HOUSE, CLAPTON ROW BOURTON-ON-THE-WATER GLOS. PROPOSAL		
Scale 1:100, 1:50		
Date	DEC. 2014	Drawn by
<b>Alan McCole</b> M.C.I.A.T. Incorporated Architectural Technologist 8 Spinney Grove Evesham Worcs WR11 1DF Tel: 01396 422325		
Orig. No.	WH/02	Rev.



ADDITIONAL PAGES UPDATE - PLANNING & LICENSING COMMITTEE 8TH MARCH 2017

183

**Sent:** 26 February 2017 08:53

**To:** Democratic

**Subject:** Willow House, Clapton Row, Bourton on the Water

I am unable to attend the meeting but as the only neighbour who overlooks the property I attach a photo of our view of the current incongruous and ugly conservatory and fully support its removal and replacement by the proposed extension, which will greatly improve the area.

Mike Payne

Lyncot  
Clapton Row  
Bourton-On-The-Water  
Cheltenham  
Gloucestershire  
GL54 2DW



16/05271/FUL

-----Original Message-----

From: Joss Rathbone

Sent: 06 March 2017 20:13

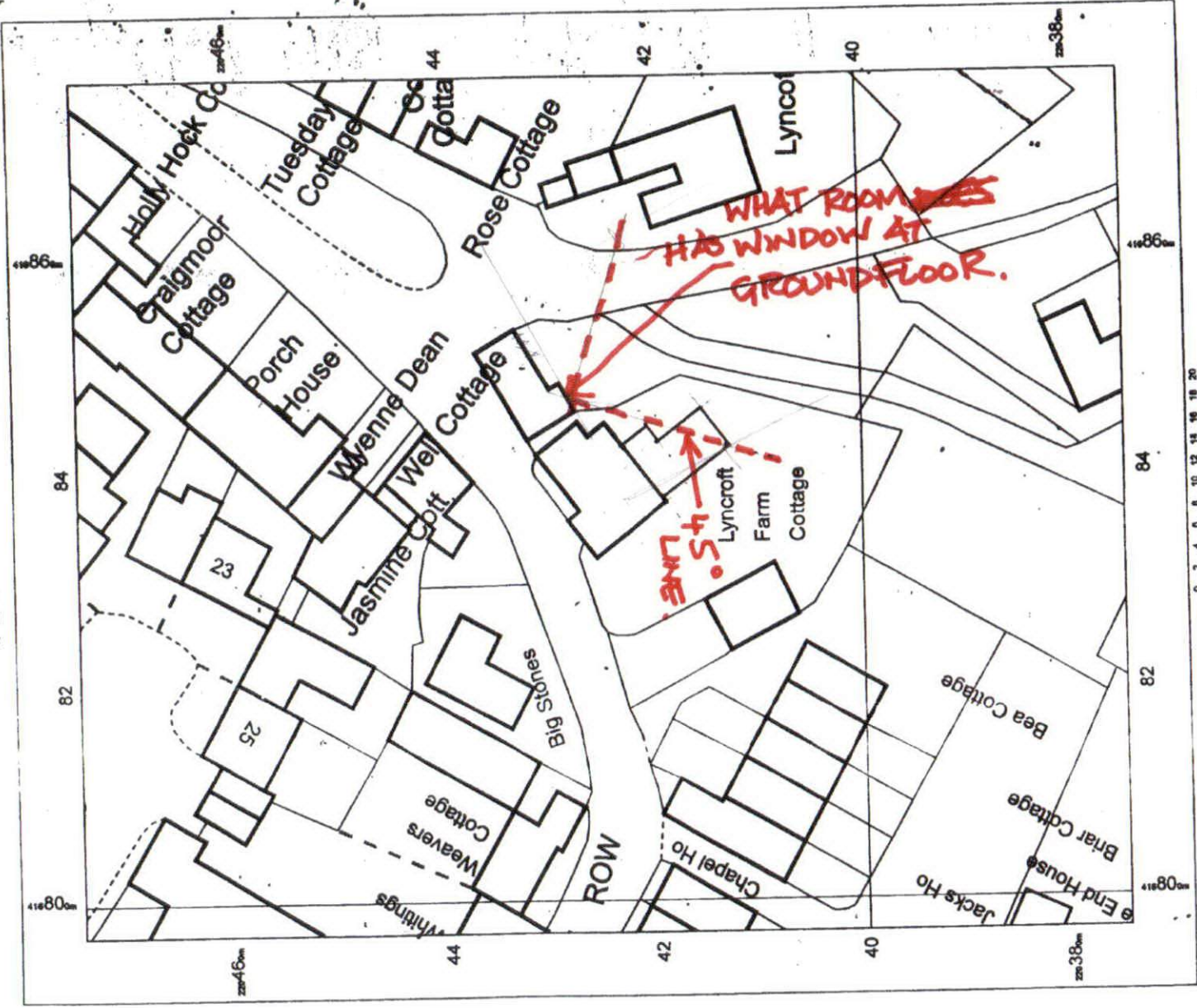
To: Planning mail

Subject: Re planning application 16/05271/FUL

Dear sir/madam. I wish to submit the following drawing in support of comments I will be making at the CDC Planning Committee meeting on Wednesday morning. The drawing, which has been done by an architect, clearly shows that the 45 degree angle on the horizontal plane has been broken due to the excessive length of the proposed extension. The 45 degree line has been taken and drawn from the centre of my ground floor single storey sitting room. My understanding from speaking with the architect is that one should not be able to build beyond the 45 degree line. Also attached is a photograph showing the existing conservatory and sketched lines indicating the increased length and height of the proposed development and the subsequent impact on my property. I apologise for being unable to upload these images directly on to the CDC Planning register but very much hope they reach members of the Planning Committee before the meeting on Wednesday morning.

Many thanks and kind regards,

Jocelyn Rathbone (The Stable, Clapton Row, Bourton-on-the-Water, GL54 2DW)



Willow House,  
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