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**Item No 05:-**

**17/00004/FUL (CD.3972/N)**

**Studio Barn  
Hidcote Boyce  
Ebrington  
Chipping Campden  
Gloucestershire  
GL55 6LT**

## Item No 05:-

**Proposed replacement 4-bedroom dwelling and outbuilding at Studio Barn  
Hidcote Boyce Ebrington Gloucestershire GL55 6LT**

<b>Full Application 17/00004/FUL (CD.3972/N)</b>	
Applicant:	Mr Andrew Wheel
Agent:	
Case Officer:	Christopher Fleming
Ward Member(s):	Councillor Mrs Sue Jepson
Committee Date:	10th May 2017
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**Main Issues:**

- (a) Principle and Replacement Dwellings Outside Development Boundaries
- (b) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty
- (c) Design
- (d) Impact on Trees
- (e) Access and Parking
- (f) Biodiversity

**Reasons for Referral:**

The application has been referred to the Planning Committee by Councillor Jepson for Members to consider the impact of the design, size and materials of the replacement dwelling on the Cotswold Area of Outstanding Natural Beauty (AONB).

**1. Site Description:**

The application site relates to a former youth hostel now converted to a dwelling which is accessed via a private driveway off Hidcote Road, just outside the hamlet of Hidcote Boyce. The site is located outside of any development boundary as defined by the adopted Cotswold District Local Plan 2001 - 2011, but within the Cotswold Area of Outstanding Natural Beauty (AONB).

**2. Relevant Planning History:**

CD.3972/D Planning permission for conversion of barn to studio and observatory (1973).

CD.3972/F Planning permission for change of use to residential accommodation for short term use by Birmingham association of youth club members on study courses (1986).

14/02909/FUL - Planning permission for proposed change of use from hostel (sui generis) to dwelling house (C3) permitted 21st November 2011.

**3. Planning Policies:**

NPPF National Planning Policy Framework  
 LPR09 Biodiversity, Geology and Geomorphology  
 LPR19 Develop outside Development Boundaries  
 LPR22 Replacement dwellings in Rural Areas  
 LPR42 Cotswold Design Code  
 LPR45 Landscaping in New Development

LPR46 Privacy & Gardens in Residential Deve

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

Tree Officer: within the report

Biodiversity Officer: comments set out within the report

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

Objection on the grounds of:

- The colour of the upper structure wall cladding,
- The material of the lower structure,
- The appearance of the garage building
- The overall size of the proposed dwelling.

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

Two letters of support from neighbouring properties summarised below:

- i) The buildings are small in comparison to the size of the plot.
- ii) The proposed reduction and adjustment to the domestic curtilage should serve to protect the site from further development.
- iii) The buildings will be virtually hidden from view. The position of the buildings, their low rise design set well below the existing ground level combined with screening from existing mature trees and bushes will minimise any visual impact.
- iv) Although the proposed dwelling is not a traditional design - neither is the building it is designed to replace.

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

Planning policy and justification statement  
 Design images and technical elevations  
 Biodiversity survey and report  
 Photographic survey and visual appraisal

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

##### **(a) Principle and Replacement Dwellings Outside Development Boundaries**

The erection of replacement dwellings outside Development Boundaries is primarily covered by Local Plan Policy 22: Replacement Dwellings in Rural Areas. Of particular relevance to this proposal is criterion 1 (c) which states that the replacement dwelling should be of a 'similar size and scale to the existing building' and the final sentence of criterion 1 which states that the 'proposed replacement would not result in an adverse impact on the landscape.'

The existing dwelling is a dormer style property measuring approximately 6.61m in height. It has a linear form measuring approximately 13m in length by 5.4m in depth. In contrast the proposed dwelling will be approximately 8.7m high and will have a principal elevation measuring approximately 28m in width and a rear range measuring approximately 9m in length. The proposed dwelling is therefore considered to be of a size and scale that cannot reasonably be considered to be similar to the existing building. The proposal therefore conflicts with Local Plan Policy 22 in this respect. Notwithstanding this, 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.' It is therefore also necessary to have regard to other material considerations when considering this proposal.

In terms of size, the proposed dwelling would remain as a 4 bedroomed family home. The extra floorspace will largely be confined to the living area on the first floor of the new dwelling and increasing the size of the bedrooms at ground floor. The useable space was restricted on the existing dwelling by the roofslope which limited the available headroom at first floor level. The overall layout of the property and number of bedrooms would remain similar to that of the existing property. These factors are material considerations that need to be taken into account during the determination of this application. Having regard to this, it is considered that the proposal will not undermine the principle purpose of Local Plan Policy 22 which seeks to retain a supply of small and medium sized dwellings across the District.

### **(b) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty**

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape (S85 of the Countryside and Rights of Way Act 2000).

Paragraph 17 of the NPPF states that planning should recognise the 'intrinsic character and beauty of the countryside and support thriving rural communities within it.' It also states that planning should 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.'

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes'.

Paragraph 115 states that 'great weight should be given to conserving landscape and scenic beauty in ... Areas of Outstanding Natural Beauty'.

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

With regard to design, Paragraph 56 of the NPPF states that 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

Paragraph 64 of the NPPF states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment (LCA) as falling within Landscape Character Area 1F Meon and Ebrington Hills. This in turn falls within Landscape Character Escarpment Outliers.

The Landscape Sensitivity of the Escarpment Outliers is described as highly visible landscapes that retain a remote character where variations in land use can interrupt and have an impact on the existing balance of rough pasture and woodland on their upper slopes.

The LCA identifies 'isolated development such as new single dwellings that might compromise rural landscape character' as a Local Force for Change. The potential landscape implications of such development are 'Visual intrusions introduced to the landscape and the introduction of 'lit' elements to characteristically dark landscapes.'

The side of the application site is readily visible from a Public Right of Way. The aforementioned Right of Way extends for approximately 250m north to south direction to the east (side) of the site. The existing dwelling and site is partially visible from much of the footpath's length. The existing dwelling is also visible from the road to the south west and north west of the site located approximately 200m to the north west of the application site. The existing dwelling is readily visible when walking along the aforementioned footpath and from the roadside. However the sloping nature of the site and the design of the proposed dwelling would help integrate the proposal into the site.

The existing site is occupied by a 1.5 storey dormer style building constructed in natural stone and timber cladding. The application proposes the erection of a two storey dwelling with its main elevation orientated to face towards the south. The ground floor of the proposed dwelling would be set into the landscape located within part of the existing garden area. However, a strip of a land east of curtilage of the property would be appropriated to accommodate part of the proposed dwelling. Changes are proposed to the boundary of the residential curtilage. Taking this into account it is considered that the proposed scheme would not result in a significant encroachment of residential development into adjacent agricultural fields and the proposal can be supported in this regard. Furthermore given the size of the plot the property and garage would not result in a cramped form of development on the site.

The proposal will result in the positioning of the new dwelling closer to the boundary of the site. It will therefore be slightly more exposed than the existing dwelling. However as set out, part of the dwelling would be subterranean and the overall design of the dwelling, both with the use of materials and form, is considered to be an improvement on the existing building. The proposed dwelling is also orientated to face the south and is of a size that is commensurate with other detached dwellings in the locality. The form of the dwelling would not therefore be out of character with other dwellings that lie outside Hidcote Boyce. The site is however readily visible from Public Rights of Way and the surrounding lane in the vicinity. However a landscape appraisal has been submitted as part of the application which demonstrates how the building has been designed and orientated not to have a significantly adverse impact on the surrounding landscape. Whilst the proposal is of a contemporary design, it is considered that the design of the proposed dwelling respects local character and distinctiveness in terms of its size, materials, proportions and scale and as such accords with Local Plan Policy 42. It is also considered that the dwelling will not have an adverse impact on the character or appearance of the AONB and accords with S85 of the CROW Act 2000 and Paragraphs 17, 109 and 115.

With regard to the proposed garage building, the current scheme sites the proposed building close to the principal dwelling. The proposed building would be subordinate to the proposed dwelling set against existing mature boundaries in the corner of the site. However, it would still be constructed in natural stone and have a plain, functional appearance befitting a garage building. Its size, design and proportions are considered to sympathetically reflect the proposed dwellinghouse.

Overall, whilst of a larger scale, it is considered that the proposed development would represent betterment in landscape and visual terms when compared to the existing development. It is considered that the proposal would conserve the natural beauty of the AONB and is in accordance with S85 of the CROW Act 2000, Local Plan Policy 42 and guidance in Paragraphs 17, 109 and 115 of the NPPF.

### **(c) Design**

Section 7 of the NPPF makes it clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. This advice is reflected in Policy 42 which states that development must respect the character, appearance and local distinctiveness of the Cotswold District. The detailed design, materials and layout of buildings and structures must be appropriate to their setting and the character of the surrounding.

The proposed dwelling would, according to the application details, have high levels of environmental credentials. The design of the dwelling would be partially subterranean and the garage would incorporate the use of green roofs. This approach appears successful as the proposed design works with the natural topography and takes advantage of changing levels on site. The dwelling would not be concealed from view and instead is integrated into the surrounding topography and landscape features on the site. There would be views from PROW's adjacent the site and the road to the north and west of the site.

The application submission included examples of the proposed materials and design approach taken. Showing how the proposed materials respond to the surroundings within a sensitive landscape setting. In views from the south, the proposed building would rise out of the ground and present a contemporary glazed and balustraded treatment to the south. The basic form of the building is considered by Officers to be acceptable given the context of the site and its scale whilst being larger than the building it replaces proportionate within the site.

In close views from the road to the north and west as seen through a field gate entry, and above hedge rows the building would integrate into the surrounding area, furthermore the existing building on site, is already partially visible and it is not considered that the replacement dwelling would exacerbate the current views of built development on the site in addition the proposed materials and landscaping over time would help integrate the proposed dwelling into the surrounding area.

The design responds to the landscape character and topography of the area, and the siting and orientation have been thoughtfully taken into account to minimise the impact of the building on the surrounding landscape and limit views of the building into the site. This along with appropriate landscaping to boundary treatments and biodiversity features within the site would provide a betterment in terms of the impact of the development on the surrounding area.

Overall, whilst of a larger scale, it is considered that the proposed scheme is of a size, scale and design that responds sympathetically to its surroundings. It will not have an adverse impact on the approach into the village or within the AONB landscape. It is considered that the scheme would represent betterment in landscape and visual terms when compared to the existing development, in accordance with section 7 of the NPPF and Local Plan Policy 42.

#### **(d) Impact on Trees**

The site is occupied by a number of trees; The Council's Tree Officer has assessed the proposal and raises no objection subject to tree protection measures providing protection the trees to the north of the proposed dwelling. He considers that this can be achieved through a condition requiring the submission of a Tree Protection Plan. Such a condition would require details of hard surfacing to be submitted together measures to fence of trees during construction works. It is considered that subject to these details the scheme could be undertaken without having an adverse impact on protected trees in accordance with Local Plan Policy 10.

#### **(e) Access and Parking**

Vehicular access to the site is to be maintained as existing. The existing access is considered to be suitable since the replacement dwelling is for a four bedroomed property vehicular trips would be similar given that it is a like for like replacement in terms of the number of bedrooms provided. The proposed parking arrangements are also considered to be acceptable.

The application is therefore compliant with Policy 38 (Accessibility in New Developments) and Policy 39 (Parking Provision) of the adopted Local Plan.

**(e) Impact on neighbouring living conditions**

The proposed dwelling is set within reasonably-sized grounds and some distance from its boundaries, furthermore, given the relatively isolated location of the building set away from the nearest neighbouring property May Cottage it is considered the proposal would not have an impact on neighbouring living conditions in terms of loss of light, overbearing or overlooking. As such, the application is in accordance with Policy 46 of the Local Plan and Section 7 of the NPPF and is acceptable in respect of this key issue.

**(f) Biodiversity**

The updated Ecological Appraisal (Updated ecological appraisal of Studio Barn, Hidcote Boyce, Chipping Campden, 17th September 2014, 23rd January and 8th August 2015 & 19th July 2016) identifies the existing building and site as having negligible potential for bats, great crested newts and suitable habitats for other protected species. The location of the proposed new building will not cause the loss of any suitable terrestrial habitat and will not affect the ponds themselves. However, as suggested by the Councils Biodiversity Officer, enhancements have been submitted and recommended to improve and encourage the biodiversity of the habitats on the site.

It is therefore held that if all submitted mitigation and enhancements are implemented, the development would not cause any harm to any hedgerows, bat foraging areas, badgers and birds, in accordance with 9 of the Cotswold Local Plan, the NPPF (including section 11) and the NPPG. A condition is recommended to ensure these measures are implemented.

**9. Conclusion:**

Overall, it is considered that the size, scale, mass and design of the proposal are acceptable and would not have an adverse impact on the surrounding area and character and appearance of the AONB. Whilst the proposed dwelling is of a larger scale, it is reflective of the plan form of the existing building it is considered that the proposed development would represent betterment in landscape and visual terms when compared to the existing development. It is therefore recommended that the application is granted subject to conditions.

**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 implemented in accordance with the site location plan submitted on 12th January 2017 and the following drawing number(s): AAA1617\_1\_P00, AAA1617\_1\_P02 and AAA1617\_1\_P12.

**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. Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling, cladding and roofing materials shall be 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 Policy 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.

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. The panel shall be retained on site until the completion of the development.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policy 42, 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. No windows and 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 42.

6. The windows and doors shall be finished as per the details submitted within the document 'Design Images and Technical Elevations' unless otherwise agreed in writing by the Local Planning Authority.

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

7. Prior to the first use/occupation of the development hereby approved, a comprehensive landscape scheme shall be approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

**Reason:** To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 45.

8. The entire landscaping scheme shall be completed by the end of the first planting season following the completion of the replacement dwelling on the site.

**Reason:** To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy 45.

9. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

**Reason:** To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy 45.



10. Within three months of the completion of the dwelling hereby approved, the existing dwelling as indicated on drawing no. AAA1617\_1\_P01 and AAA1617\_1\_P00 shall be permanently removed from the site. The land shall then be reinstated in accordance with details to be submitted to and approved in writing by the local planning authority.

**Reason:** The removal of the dwelling is essential to ensure that the development hereby permitted will result in a significant visual enhancement to the site and thus the wider Cotswolds Area of Outstanding Natural Beauty. This condition is imposed in light of Cotswold District Local Plan Policy 22.

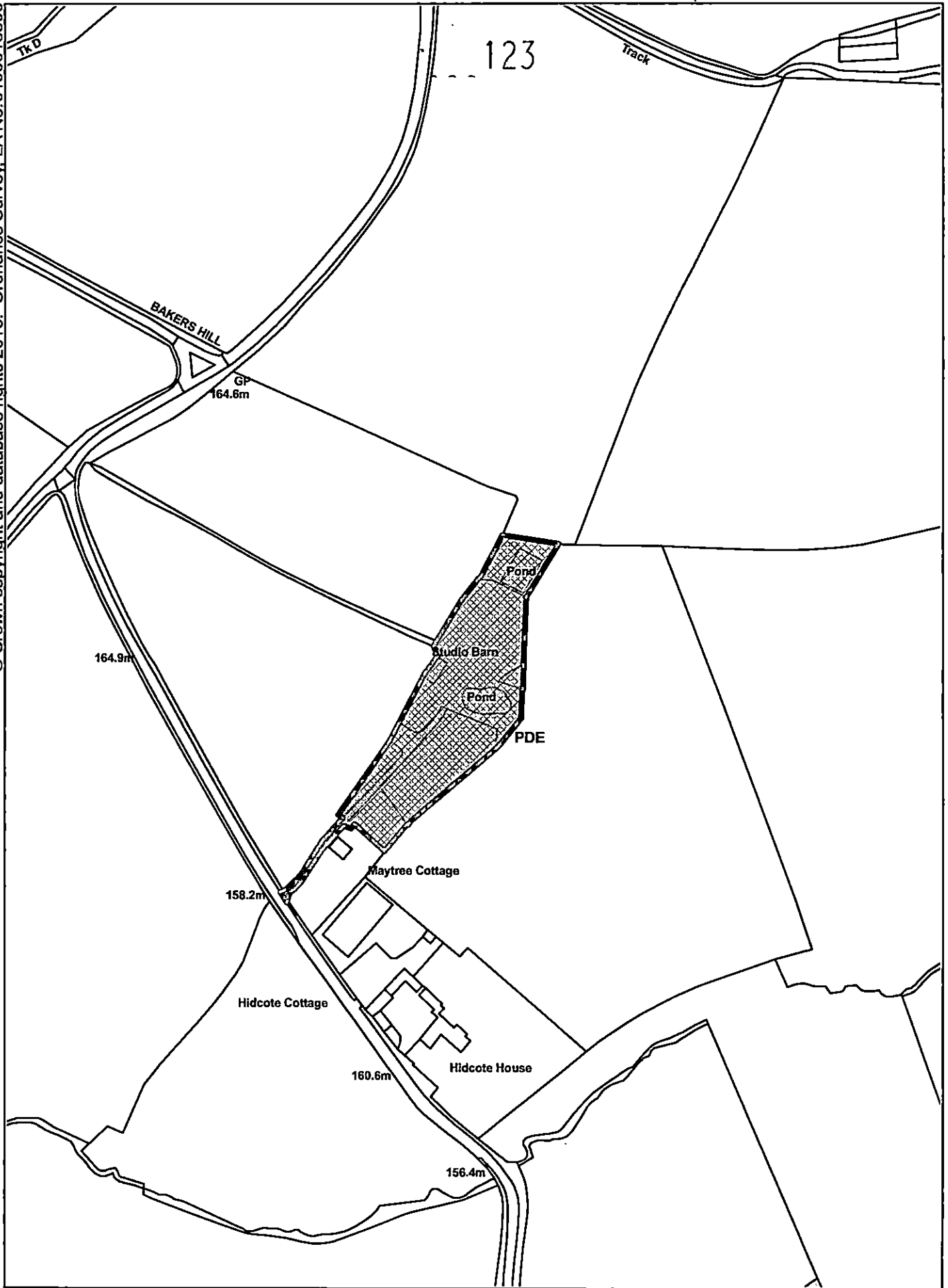
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no enlargement, improvement or other alterations, additions to the roof, other alterations to the roof, porches, buildings incidental to the enjoyment of the dwelling house, hardsurfacing, gates, fences or walls etc shall be erected, constructed or sited, other than those permitted by this Decision Notice.

**Reason:** To ensure that control is retained over the overall scale and design of any further additions given the location of the property, in accordance with Cotswold District Local Plan Policy 42.

12. The development shall be completed in accordance with the recommendations in Section 4 of the 'Updated Ecological appraisal of Studio Barn, Hidcote Boyce, Chipping Campden, Gloucestershire, GL55 6LT' dated '17th September 2014, 23rd January and 8th August 2015 & 19th July 2016' prepared by Cotswold Wildlife Surveys and the drawing submitted on 11th April 2017 titled 'Bat Mitigation Plan'. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the LPA, and thereafter permanently maintained.

Measures for the protection of habitats and wildlife must be implemented throughout the development period, and all measures must be implemented and completed in full prior to the development being brought into use. This Condition will be discharged on receipt of information (photographs, plans, etc) demonstrating all measures have been implemented as approved.

**Reason:** To ensure that roosting bats are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policy 9 of the Cotswold District Local Plan 2011 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.



**COTSWOLD**  
DISTRICT COUNCIL

**Studio Barn Ebrington**

Organisation: Cotswold District Council

Department:

Date: 26/04/2017

Scale: 1:2500





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STUDIO BARN

Location and Boundary Plan  
for  
Studio Barn  
GL55 6LT  
Ordnance Survey SPI742SW

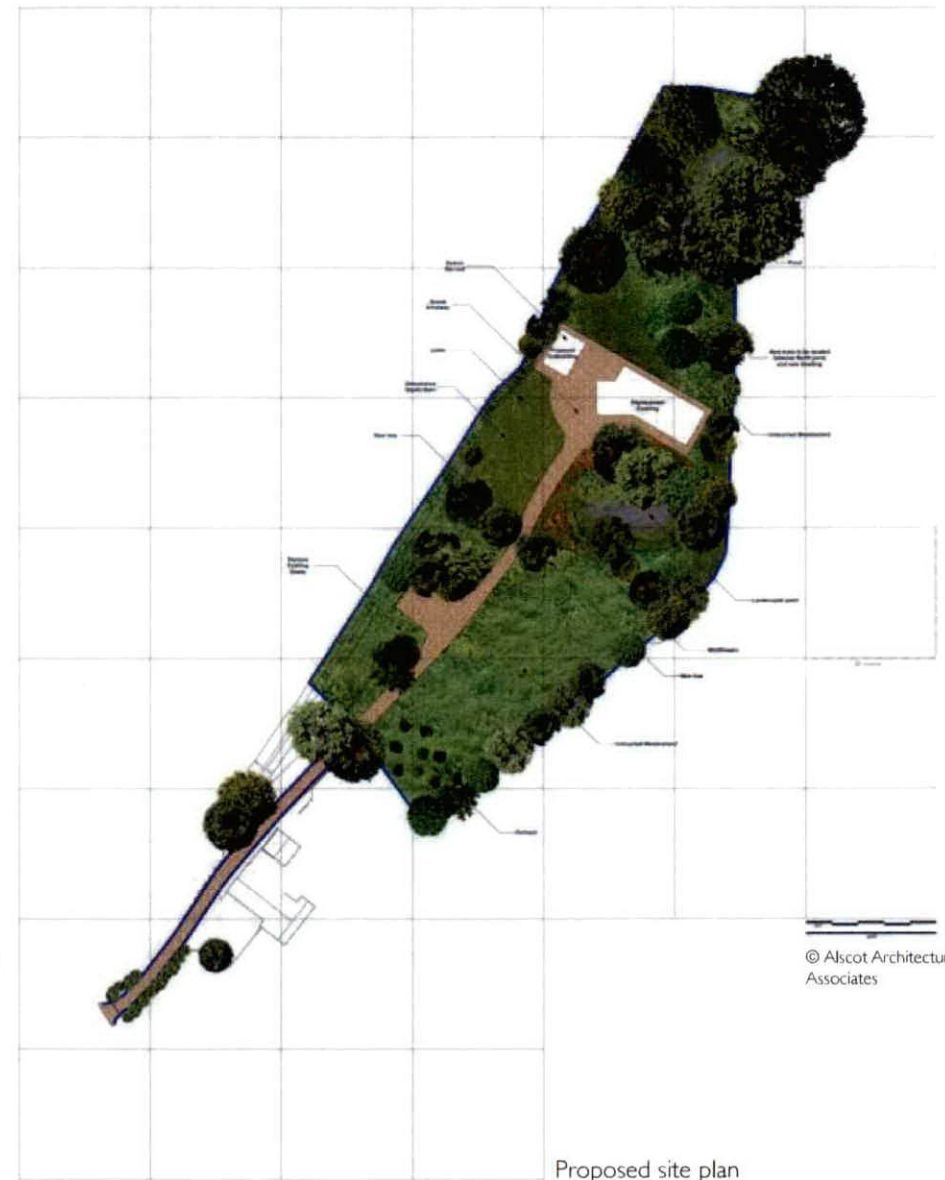
Red line = Proposed domestic curtilage

Blue line = Boundary of property not  
within domestic curtilage



Existing site plan

© Alscot Architectural Associates



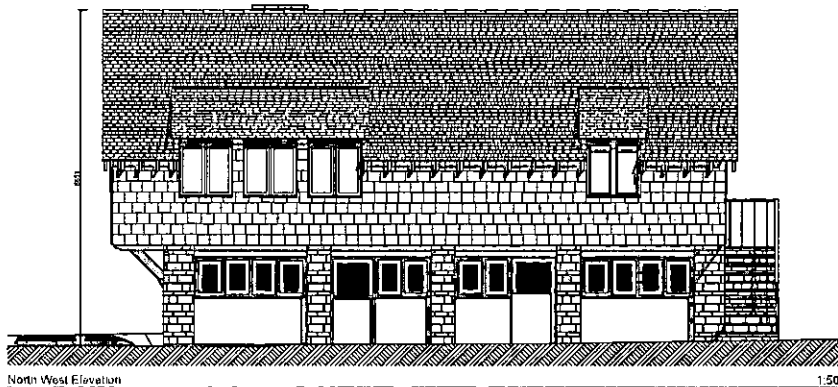
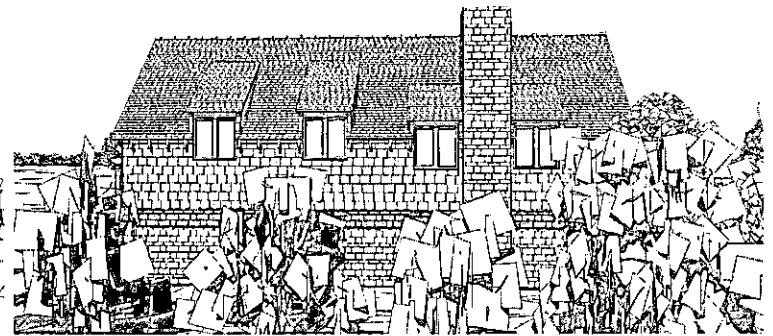
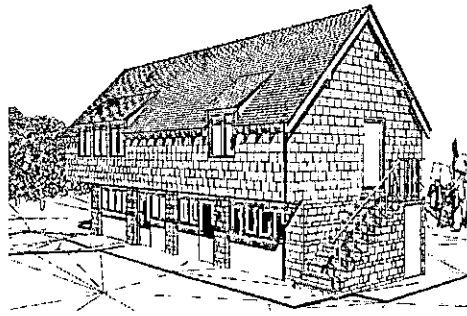
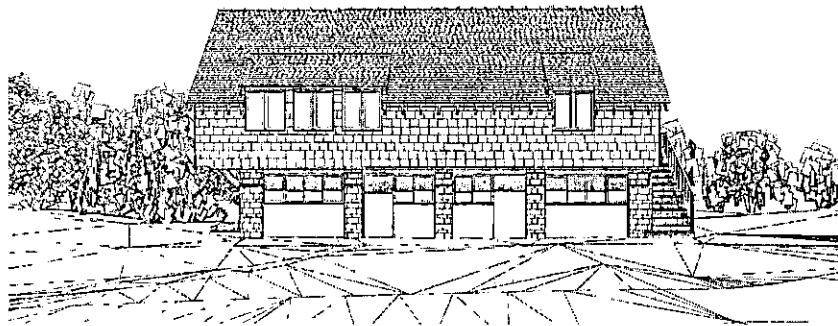
Proposed site plan

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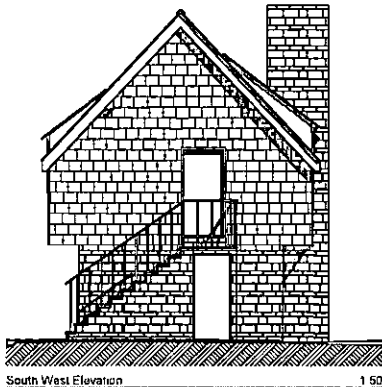
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Site plans showing existing and proposed layouts with single replacement dwelling located/oriented to sit centrally and logically within the site.

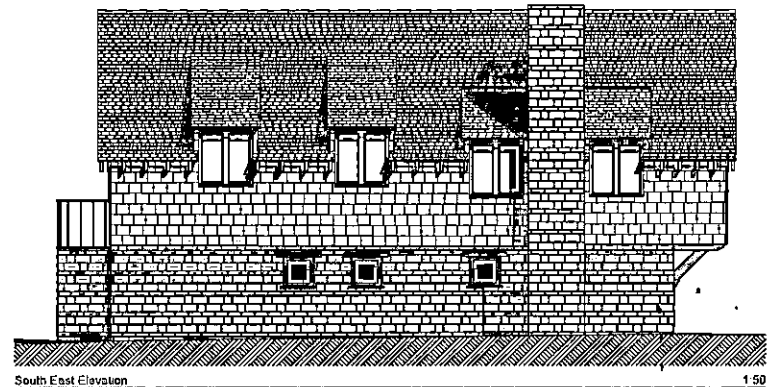
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 All dimensions are to be taken from this drawing.  
 All dimensions are to be checked on site.  
 All dimensions are to be reported back to the architect and contractor.



North West Elevation 1:50

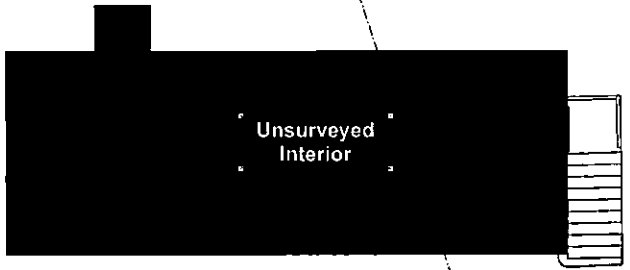


South West Elevation 1:50



South East Elevation 1:50

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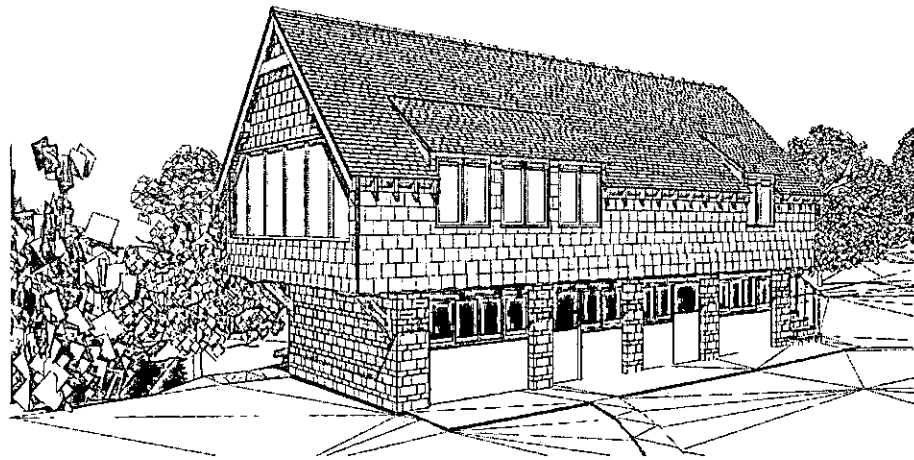
Unsurveyed Interior



North West Elevation SB

Ground Floor

1:50



Client  
 Mr & Mrs A Wheel

Project Title  
 Studio Barn - Demolition and replacement dwelling including outbuilding

Site Name  
 Studio Barn  
 Hidcote Boyce  
 Chipping Campden  
 GL55 6LT

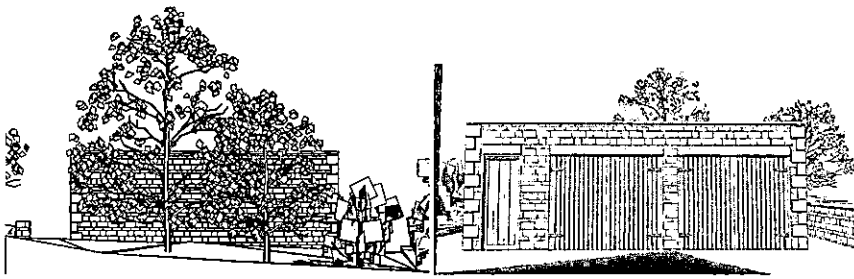
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1:50 Scale  
 A1

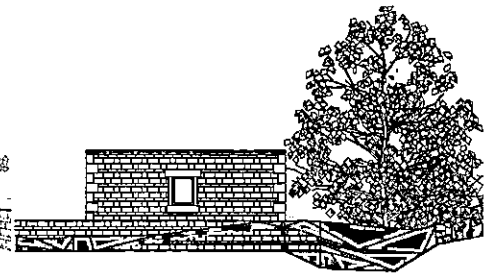
Drawn by  
 MMT

Date  
 August 2016

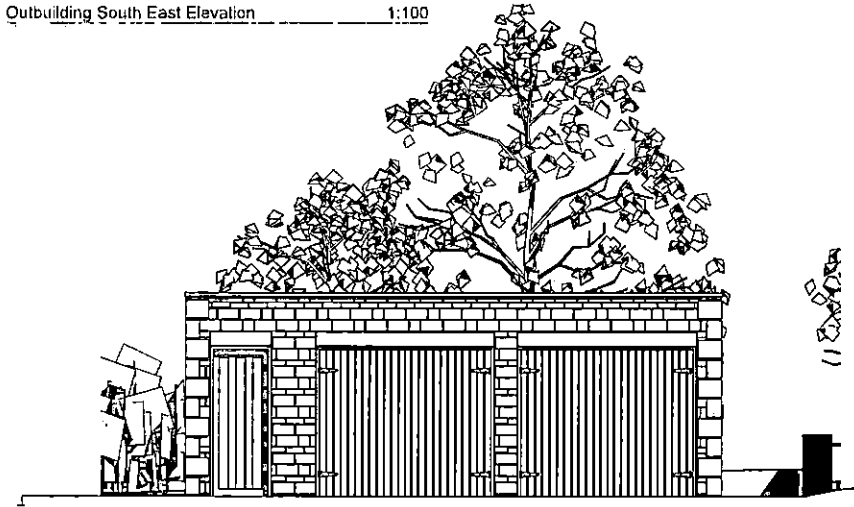
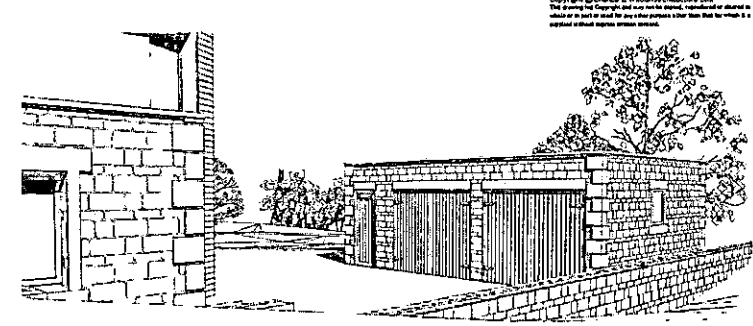
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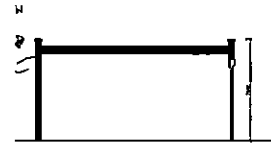
Outbuilding South East Elevation 1:100



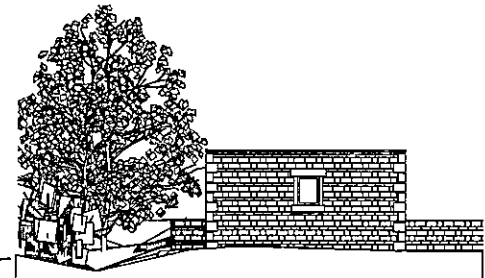
Outbuilding South West Elevation 1:100



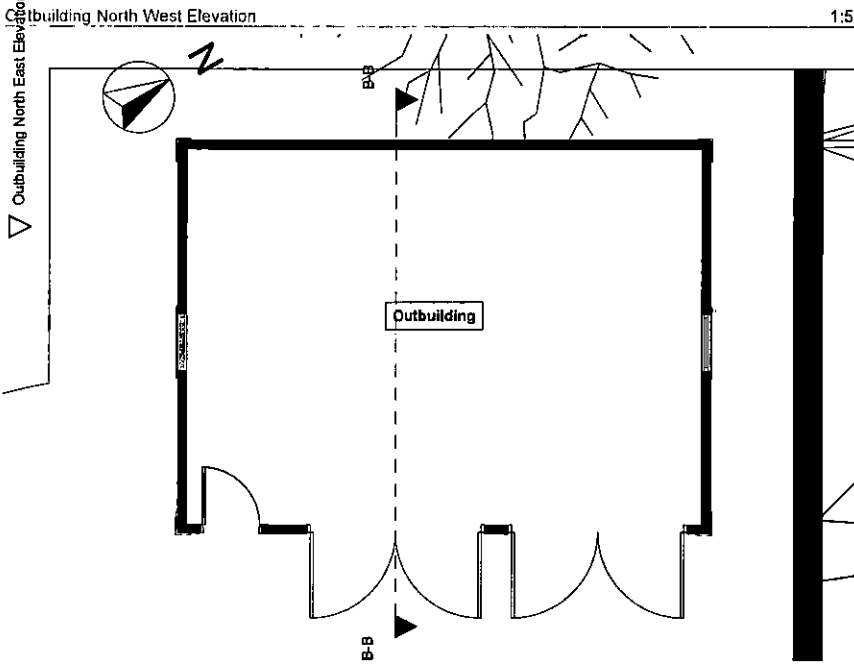
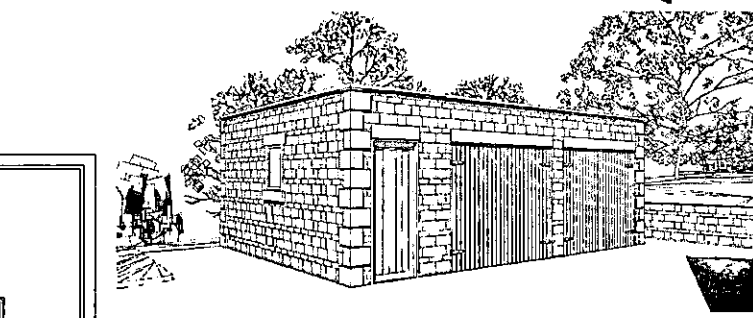
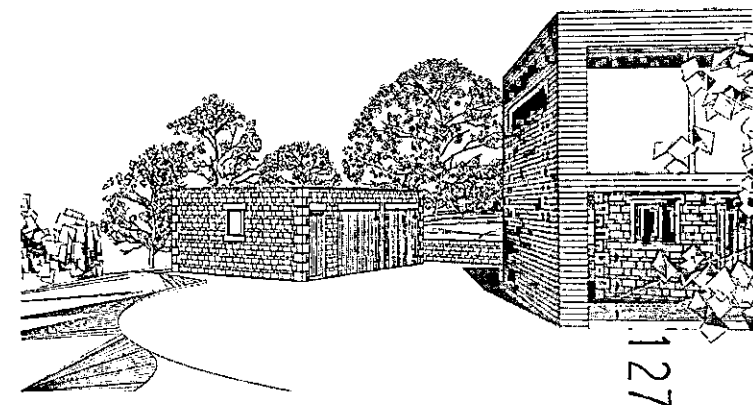
Outbuilding North East Elevation 1:50



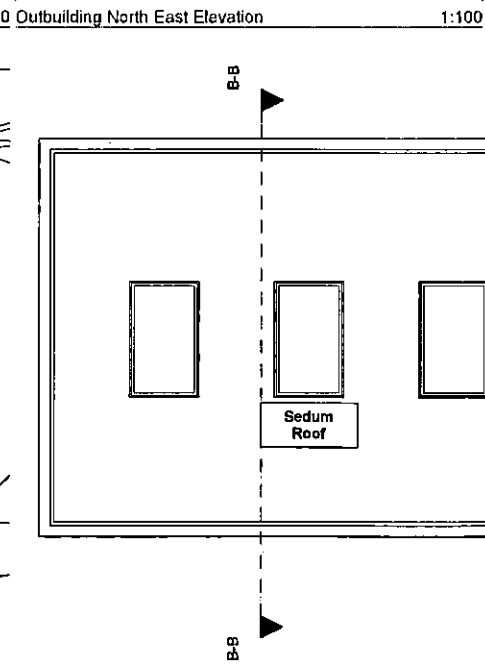
B-B Building Section 1:100



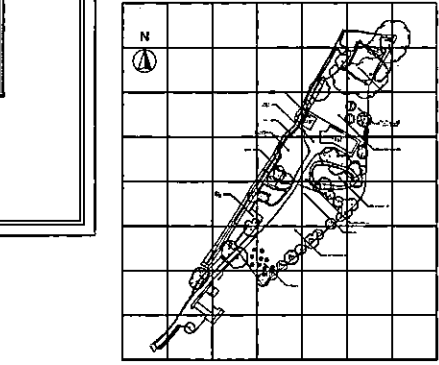
Outbuilding North West Elevation 1:100



Outbuilding 1:50



1:50 Outbuilding Roof Plan



1:500 Location Plan



**Aisicot Architectural Associates**  
 No. 1 Albert Road  
 Waltham, Essex  
 Essex, UK  
 02011 444 477  
 02011 444 477

**Mr B Alex A Wheel**

Project Title: Sluice Barn - demolition and replacement detailing including outbuilding

Client: Sluice Barn  
 Hickox Boyce  
 Chipping Campden  
 GL55 6LT

Project No: 1:50/1:100 @ A2 as indicated

Drawn by: AMT  
 Date: Sep 4 2016

AAA1617\_1\_P12



North West Elevation

1:100



South East Elevation

1:100



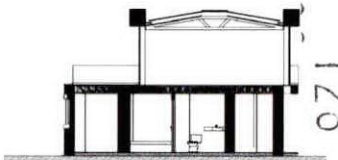
North Elevation

1:100



South West Elevation

1:100



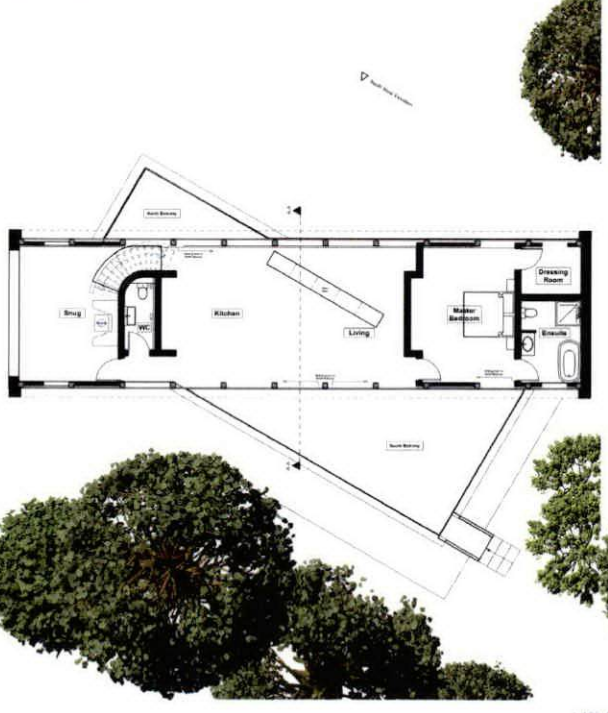
A-A Building Section

1:100

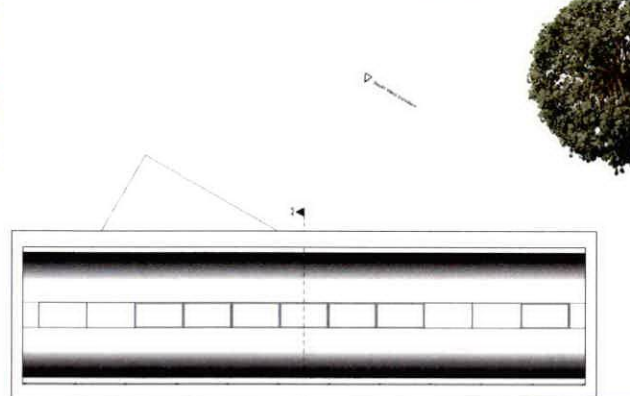


Ground Floor

1:100



1:100 Roof Plan



1:100



Client:  
**Mr & Mrs A Wheel**

Project Title:  
**Studio Barn - Demolition and replacement dwelling**

Site Address:  
**Studio Barn  
Hidcote Boyce  
Chipping Campden  
GL55 6LT**

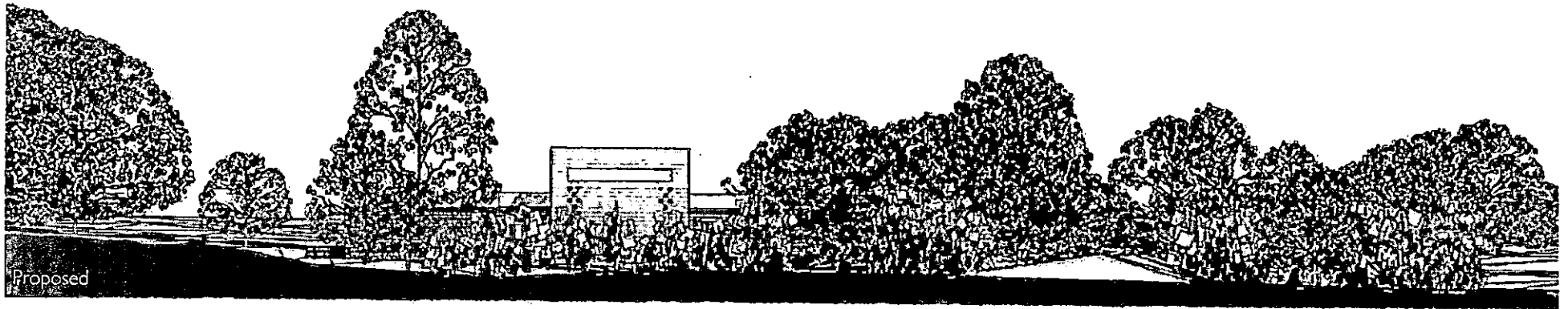
Drawing Scale:  
1:50 & 1:100 as A1 as indicated

Drawn by:  
**MWT**

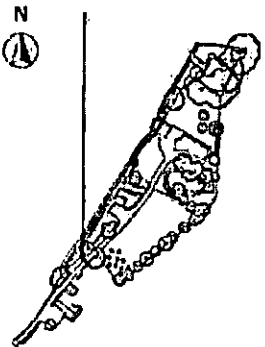
Date:  
August 2014

Paper Size:  
**A1**

Revision:  
**AAA1617\_1\_P02**



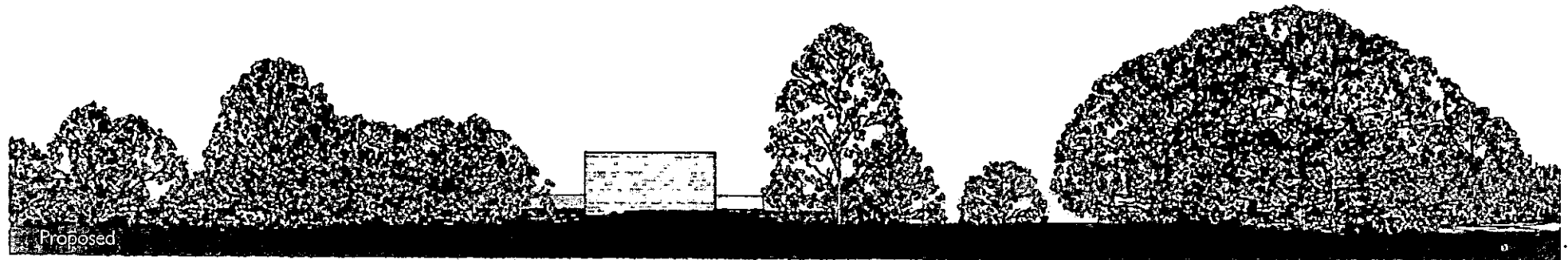
129



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View looking East (as indicated in thumbnail site plan) of proposed dwelling and existing dwelling.

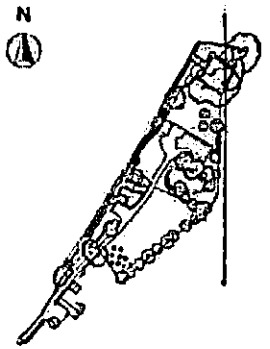




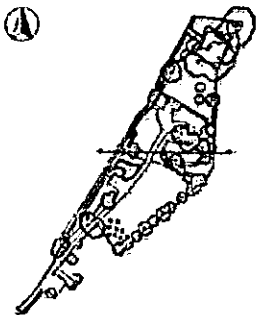
130



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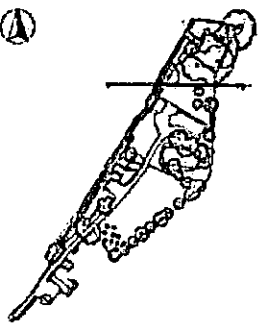
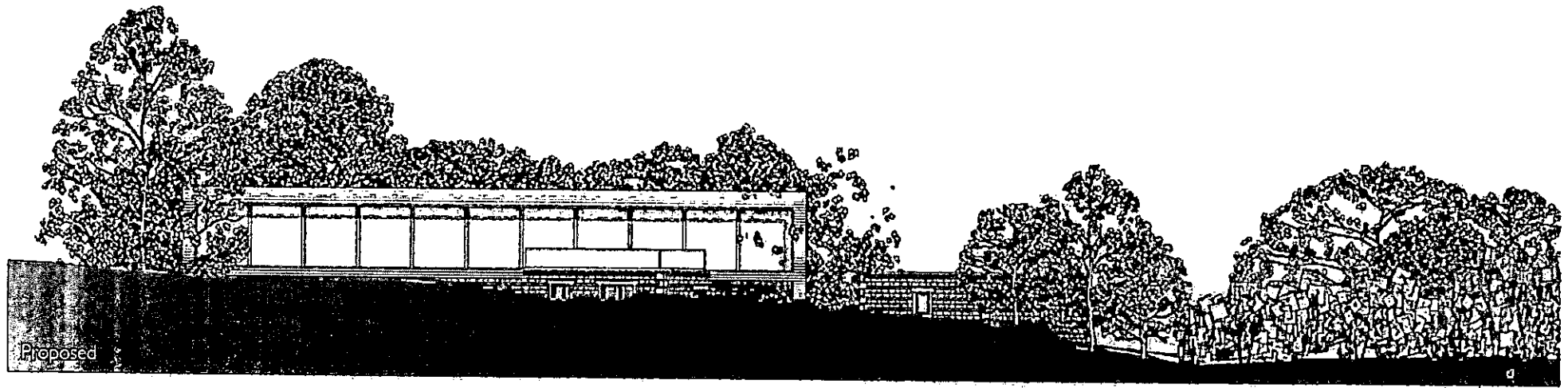
View looking West (as indicated in thumbnail site plan) of proposed dwelling and existing dwelling.



View looking North (as indicated in thumbnail site plan) of proposed dwelling and existing dwelling.

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View looking South (as indicated in thumbnail site plan) of proposed dwelling and existing dwelling.