

**Item No 02:-**

**17/01439/FUL**

**The Mill Garden  
Station Road  
Blockley  
Moreton-In-Marsh  
Gloucestershire  
GL56 9DT**

**Item No 02:-****Erection of a single dwelling and garage with new access and driveway at The Mill Garden Station Road Blockley Moreton-in-Marsh Gloucestershire GL56 9DT**

<b>Full Application : 17/01439/FUL</b>	
<b>Applicant:</b>	Mr & Mrs Goodrick-Clark
<b>Agent:</b>	Tyack Architects Ltd
<b>Case Officer:</b>	Martin Perks
<b>Ward Member(s):</b>	Councillor Mrs Sue Jepson
<b>Committee Date:</b>	9th August 2017
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**Main Issues:**

- (a) Residential Development Outside a Development Boundary
- (b) Sustainability of Location
- (c) Arboricultural Impact
- (d) Design and Impact on Character and Appearance of Blockley Conservation Area

**Reasons for Referral:**

This application has been referred to Planning and Licensing Committee at the request of Cllr Jepson on the grounds of 'harm to the conservation area, harm to the street scene, scale'.

**1. Site Description:**

The application site forms part of a residential garden located in the north eastern part of Blockley. The existing garden area measures approximately 0.43 hectares in size. The application site occupies approximately 0.12 hectares of the existing garden. The garden area is occupied by a single post war detached dwelling which is set back approximately 50m from Station Road to the west. The existing dwelling is also set back approximately 35m from Draycott Road to the north.

The application site is linear in form and occupies the northern edge of the existing garden area. The northern boundary of the site runs alongside Draycott Road which is a Class C highway subject to a 20mph speed limit. The western boundary of the site abuts Station Road which is a Class B highway also subject to a 20mph speed limit. The southern boundary adjoins the residential garden of the applicant's property (The Mill Garden). The eastern boundary adjoins the residential garden of a neighbouring dwelling (The Old Silk Mill).

The western, northern and eastern boundaries of the application site are defined by a mix of hedgerows and mature/semi-mature trees. The trees are a mix of coniferous and deciduous species.

The application site is located within Blockley Conservation Area (CA) and the Cotswolds Area of Outstanding Natural Beauty (AONB).

The site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011.

Land to the rear (south east) of Mill Garden is designated as a Flood Zone 3. However, the site of the proposed dwelling is located in a Flood Zone 1 which is the lowest designation of Flood Zone. The application site is located approximately 11-12m from the Flood Zone 3.

The application site rises steadily from east to west. The land rises approximately 3.5m across the site. The site of the proposed dwelling is set down below the level of Draycott Road to the north. It lies approximately 0.7m and 1.2m lower than the carriageway of the aforementioned highway.

The nearest listed building to the application is a Grade II dwelling (Wayside) which is located approximately 90m to the south west of the application site. It is separated from the site by existing dwellings.

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

CD.2890/C House and garage Granted 1971

CD.2890/D House and garage, vehicular access Granted 1971

CD.2890/E Alteration and extension to dwelling and erection of a new double garage (Amended plan) Granted 1982

12/04877/FUL Erection of two storey and single storey extensions, addition of render, creation of terrace/balcony and external alterations Granted 2012

## **3. Planning Policies:**

NPPF National Planning Policy Framework

LPR10 Trees, Woodlands and Hedgerows

LPR15 Conservation Areas

LPR19 Develop outside Development Boundaries

LPR38 Accessibility to & within New Develop

LPR39 Parking Provision

LPR42 Cotswold Design Code

LPR45 Landscaping in New Development

LPR46 Privacy & Gardens in Residential Deve

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

Conservation Officer: Comments incorporated into Officer report.

Tree Officer: Comments incorporated into Officer report.

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

Response 7th July 2017;

'No objection. Ensure that approval fully clarifies the finished height of the approved dwelling.'

Response 19th July 2017;

'General comments; in determining this application Blockley Parish Council request that the Planning Authority give due consideration to the impact on the Conservation Area. Before a decision is made clarification should be provided to clearly define the datum used and the proposed final heights of the completed building.'

## **6. Other Representations:**

Three objections to original plans. Three objections to amended plans.

Summary of objections to original plans;

- i) The site lies within Blockley Conservation Area adjacent to the Old Silk Mill. The Conservation Area Statement makes mention that the Old Silk Mill is grouped with Orchard Cottage opposite, the only building to be within the Conservation Area north of Draycott Road. This grouping and their proximity to Draycott Road allows these historic buildings to set the overriding character to this end of Draycott Road and its approach to Blockley village. From the Old Silk Mill toward Station Road, a distance of some 85m, the south side of Draycott Road has no visible buildings and is perceived as heavily wooded and forms a soft landscaped approach to the village. The properties on the north side of Draycott Road are set back from the carriageway. The dominant character of the south side of Draycott Road is one of old historic buildings and woodland.
- ii) Other than the historic Old Silk Mill the proposed development would be the only visible building on the south side of Draycott Road on its approach to the village for a distance of 175m.
- iii) The proposed dwelling is sited closer to the carriageway than any other on either side west of the historic grouping of the Old Silk Mill and Orchard Cottage. At its closest point the proposed building is 6m from the carriageway whereas the closest building to the north would be 2 Gable Mews at 9m.
- iv) The proposed dwelling excluding garage has a 20m frontage situated between 6m and 7.5m from the carriageway. The closest property opposite has a 14m frontage. Our own property is situated 15.5-18.5m from the carriageway and has a frontage of 14m.
- v) The overall length of the proposed building frontage to Draycott Road is 30m, greater than the combined length of the two properties opposite.
- vi) The proposed dwelling's ridge height is significantly higher than the existing Mill Garden property located on the site. The existing property ridge height is 104.23m giving a height of 2.26m above footpath level of Draycott Road. This compares to a proposed ridge height on the current application at somewhere between 5.4m and 6.6m above the footpath.
- vii) We consider the overall massing of the proposed development to be excessive and therefore not reflecting its sensitive setting in the Conservation Area. 30m (63%) of the 47.4m of the wooded, soft landscaped frontage on Draycott Road would be replaced by building.
- viii) Given the plot size and the previously consented extensions to Mill Garden we would consider a development in the order of 290sq m to be overly large and would constitute overdevelopment.
- ix) Proposed development does not sit comfortably with this location. It would significantly change the overriding character of the Conservation Area and the approach into the village. The planned tree planting in the narrow strip fronting Draycott Road would not replicate the existing wooded, soft landscape character of this area. Proposal would replace the overriding character of the Conservation Area with an overly suburban appearance thereby losing the very reason for its inclusion with the Conservation Area.
- x) Development is out of proportion to the size of the plot in a wooded Conservation Area. It is too near the road and presents a 30m bland wall in place of a wooded vista on entry into this attractive and historic village.
- xi) The proposed development is for a modern dwelling which will be intrusive along a rural road which forms an attractive entrance into the village. Allowing this development will neither protect this part of the Conservation Area nor enhance it, particularly as the

building will be within 8m of Draycott Road and there will be little room for any screening trees.

- xii) The trees and dense vegetation and the undeveloped nature of this site not only contribute to the character and appearance of the Conservation Area at this point, it forms and is the character and appearance of the Conservation Area at this location. Any development would irrevocably remove this character to an extent that no additional landscaping measures could be provided that would mitigate the loss.

#### Objections to amended plans;

- i) 'My wife and I have already submitted a letter commenting on the earlier proposal for a new house on this site, and our objections still stand despite the alterations that have recently been made to the plans.

The south side of Draycott Road in this area has only the old walls of The Silk Mill to interrupt the mainly tree-lined approach to the village (hardly a 'scruffy' hedge), and the building of a house here would be an intrusion. We cannot see that there is sufficient room between the proposed house and the road for enough vegetation to mask a building, and so the nature of the road would be destroyed.

The site is not only within an AONB but also a Conservation Area, and therefore, as we stated earlier, there should be protection and/or enhancement. Protection will have been ignored if the present proposal is permitted and a new house with fewer trees will do nothing to enhance the area.

We have considered all the points made by Messrs Ensich and Frith in their letter of 4 June and totally agree with them. We therefore urge the Cotswold District Council to refuse permission for this application.'

- ii) The revised plan is very similar to the original, but removes the extension to the west elevation of the house. We are concerned that a future owner might seek to build such an extension in the future, restoring the original proposal.
- iii) The property is only about 5m from Draycott Road, which makes effective screening by trees difficult to achieve. Any such trees would be likely to be removed by a future owner due to their effect in shading light from the house and garden and as a result of possible interference with the structure of the house and drains.
- iv) The presence of the house is detrimental to the pleasant wooded aspect of the Conservation Area as it is entered along Draycott or Station Road. The virtually windowless north wall, close to the road, is not an attractive structure consistent with conserving the heritage of Blockley. A cursory examination of the plot would show that considerably more wall would be visible from the road than is indicated on the elevations submitted.
- v) The development does nothing to conserve the character of the village and would provide an unwelcome contrast with the Mill.
- vi) See attached letters
- vii) Site is in a conservation area where the principles of protection/preservation and enhancement should apply (Policy 15). Cannot understand how permitting the house will either protect or preserve the area.
- viii) The entry into the village up Draycott Road has quite a rural feel with plenty of trees. The lowering of the hedge and cutting back/removal of the vegetation between the road and the house is likely to make the house much more easily visible and a landscape intrusion.

We cannot see that there would be sufficient room for any significant vegetation to screen the building.

- ix) 'Following our previous objections, we wish to comment on the additional documents posted on the portal in respect of the application. These are a photomontage and access arrangements. The visibility splay requirements mean that the hedge will have to be cut back by about 1m in height, thus increasing the visibility of the proposed construction.

The photomontage seems to be yet another "fantasy photoshop creation," which shows the hedge at its current height and seems to include trees that are shown as being removed in the arboreal plan. In any case the main screening by newly planted trees will be infeasible to maintain in view of their very close proximity to the proposed construction and, even if successful, would take a decade to reach the maturity shown in the montage. The proposed construction would clearly damage a sensitive aspect on entering the conservation area, which the planning committee have a statutory duty to protect and enhance. It should be rejected.'

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

Arboricultural Report  
Illustrative Landscape Strategy  
Design and Access Statement

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

### **Proposed Development**

The applicant is proposing to erect a detached 4 bed dwelling and a detached two bay garage. The proposed dwelling will incorporate accommodation over two floors. However, the first floor accommodation will be served by a mix of dormer windows, eaves gables, rooflights and a gable window thereby giving the impression of a 1.5 storey development. The front of the proposed dwelling will face to the east. The northern side elevation will face towards Draycott Road. The proposed dwelling will therefore sit side on to the main road running past the application site.

The proposed dwelling will have a ridge height of approximately 7m. The front elevation of the proposed dwelling will measure approximately 12m in width. The northern side elevation of the proposed dwelling will comprise a 2 storey element measuring approximately 9.7m in depth. To the rear (west) of the main body of the proposed dwelling will be a single storey family room addition measuring approximately 4.2m deep by 4.5m wide by 4.5m high. The combined length of development lying alongside Draycott Road will total approximately 14m. The northern side elevation of the proposed dwelling will be located approximately 6m from the northern boundary of the site. The rearmost part of the proposed dwelling will be located approximately 30m from Station Road to the west.

In addition to the proposed dwelling, permission is also sought for a two bay detached garage. The proposed garage will measure approximately 7.7m wide by 6m deep by 5.7m high. It will be positioned approximately 4m to the front of the proposed dwelling and its front will face northwards towards Draycott Road. The proposed garage will be set back approximately 20m from the aforementioned highway.

The external walls of the development will be constructed in natural stone. The roof of the proposed dwelling will be covered in reconstituted Cotswold stone tiles. The roof of the proposed garage will be covered with natural blue slate. Windows and doors will be painted timber.

Vehicular access to the proposed development will be via a new access created onto Draycott Road through the northern boundary of the application site.

The applicant has reduced the size of the proposed dwelling following discussions with Officers. The original scheme included a part single/part two storey rear (western) extension that measured approximately 10m in length. The extension would have run parallel with Draycott Road to the north. The applicant subsequently removed this element from the scheme and resolved to have a 4.2m long single storey extension in its place. As a consequence, the level of development alongside Draycott Road has been reduced from approximately 20m to 14m.

### **(a) Residential Development Outside a Development Boundary**

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 Cotswold District Local Plan 2001-2011.

The application site is located outside a Development Boundary as designated in the aforementioned Local Plan. Development on the site is therefore primarily subject to Policy 19: Development Outside Development Boundaries of the current Local Plan. Criterion (a) of Policy 19 has a general presumption against the erection of new build open market housing (other than that which would help to meet the social and economic needs of those living in rural areas) in locations outside designated Development Boundaries. The provision of the open market dwelling proposed in this instance would therefore typically contravene the guidelines set out in Policy 19. Notwithstanding this, the Council must also have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to guidance and policies in the National Planning Policy Framework (NPPF). Paragraph 2 of the NPPF states that the Framework 'is a material consideration in planning decisions.'

The NPPF has at its heart a 'presumption in favour of sustainable development'. It states that 'there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles'. These are an economic role whereby it supports growth and innovation and contributes to a strong, responsive and competitive economy. The second role is a social one where it supports 'strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations'. The third role is an environmental one where it contributes to protecting and enhancing the natural, built and historic environment.

Paragraph 8 of the NPPF states that the three 'roles should not be undertaken in isolation, because they are mutually dependent'. It goes on to state that the 'planning system should play an active role in guiding development to sustainable solutions.'

Paragraph 47 of the NPPF states that Councils should identify a supply of deliverable sites sufficient to provide five years' worth of housing. It also advises that an additional buffer of 5% or 20% should be added to the five year supply 'to ensure choice and competition in the market for land'. In instances when the Council cannot demonstrate a five year supply of deliverable housing sites Paragraph 49 states that the 'relevant policies for the supply of housing should not be considered up-to-date'.

In instances where the development plan is absent, silent or relevant policies are out-of-date the Council has to have regard to Paragraph 14 of the NPPF which states that planning permission should be granted unless;

- ' - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.'

In the case of sites located within the Cotswolds Area of Outstanding Natural Beauty the second bullet point above is applicable by virtue of Footnote 9 accompanying Paragraph 14.

With regard to housing land supply the last annual 5 year land supply review dates from May 2016. The review stated that the Council could demonstrate a 7.54 year of deliverable housing land at that time. More recently the availability of housing land was considered during the Public Inquiry in respect of a proposal for up to 88 dwellings on Land South of Love Lane, Cirencester (Appeal Ref APP/F1610/16/W/3151754 CDC Ref 15/05165/OUT). In the appeal decision dated the 13th June 2017, the Planning Inspector stated 'My overall conclusion on the matter is that the Council does have a 5 year housing land supply'. In addition, in December 2016 a review of the Objectively Assessed Need (OAN) for housing in Cotswold District was issued. The review assessed potential future housing needs for the District in the period up to 2031. It does not recommend that the Council's current proposal to provide 8,400 dwellings (420 dpa) in the period 2011-2031 needs to change.

In light of the above it is considered that the Council can demonstrate a robust 5 year supply of deliverable housing land in accordance with Paragraph 49 of the NPPF. Policy 19 is therefore considered not to be automatically out of date when assessed against Paragraph 49 of the NPPF. However, in the Love Lane appeal case referred to in the previous paragraph the Planning Inspector stated 'The LP development boundaries were drawn at a time of housing constraint and when there appears to have been a comparatively small housing requirement. The Framework maintains a distinction between rural and urban areas as locations for new residential development but, with the current emphasis on increasing the provision of new housing, recognises that housing can help with the vitality of rural communities and that market housing can facilitate the provision of affordable housing. Policy 19 is less flexible in its approach and is thus not fully consistent with the Framework'. Paragraph 215 of the NPPF states that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight to be given)'. In light of the aforementioned appeal decision it is considered that little or no weight can be given to Policy 19 at the present time insofar as it relates to applications for new build open market housing. Consequently, an application for new residential development should be assessed on its individual merits having regard to the planning balance whereby the impacts and benefits of the proposal would be weighed against one another.

In addition to the above, it must also be noted that even if the Council can demonstrate the requisite minimum supply of housing land it does not in itself mean that proposals for residential development outside existing Development Boundaries should automatically be refused. The 5 year (plus 5%) figure is a minimum not a maximum and as such the Council should continually be seeking to ensure that housing land supply stays above this minimum in the future. As a result there will continue to be a need to release suitable sites outside Development Boundaries identified in the current Local Plan for residential development. If such sites are not released the Council's housing land supply will soon fall back into deficit. It is considered that the need to release such sites represents a material consideration that must be taken into fully into account during the decision making process.

Notwithstanding the current land supply figures, it is necessary to have full regard to the economic, social and environmental roles set out in the NPPF when assessing this application. These issues will be looked at in more detail in the following sections.

#### **(b) Sustainability of Location**

Blockley is not designated as a Principal Settlement in the current Local Plan. However, it has been identified as such in emerging Local Plan documents (the latest of which is the Cotswold District Local Plan 2011-2031: Submission Draft Reg.19 Tracked Changes with Focussed Changes and Minor Mods April 2017). The village has therefore been identified as one of 17 settlements that has sufficient facilities and services to accommodate new residential development in the period up until 2031.

The Local Plan Consultation Paper: Preferred Development Strategy May 2013 states that 'Blockley ranks 12th in the District in terms of its social and economic sustainability'. It states that



'Blockley is a sizeable village, which despite suffering the loss of some facilities over the years is still able to cater for certain day-to-day community needs.' The village has a primary school, village shop, hotel and public house. Employment opportunities are available nearby at Draycott, Northcot Business Park and Northwick Business Centre. These sites lie within approximately 2km of the application site.

Emerging Local Plan documents state that Blockley along with Willersey, Mickleton and Chipping Campden form part of a cluster of settlements that serve the northernmost part of the District. Collectively the aforementioned settlements are considered to have the necessary services, facilities and employment opportunities to provide for the local population. Taken together the settlements are also considered to be able to accommodate sufficient housing to make a reasonable contribution to the overall District requirement of 8400 dwellings without compromising the strong environmental constraints present in the area.

Paragraph 55 of the NPPF states that 'where there are groups of smaller settlements; development in one village may support services in a village nearby.' This is reinforced in the Government's Planning Practice Guidance which states;

'It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. This is clearly set out in the National Planning Policy Framework, in the core planning principles, the section on supporting a prosperous rural economy and the section on housing.

A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.'

It goes on to say; 'all settlements can play a role in delivering sustainable development in rural areas and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.'

The following draft policy is of relevance to the proposal;

#### Policy DS2 Development Within Development Boundaries

Within the Development Boundaries and/or sites allocated for development on the Policies Maps, applications for development will be permissible in principle provided, where applicable, the development conforms with the use(s) proposed in site-specific allocations.

The above policy still carries limited weight at the present time. Notwithstanding this, it does highlight the direction of travel of the emerging Local Plan and indicate that villages such as Blockley are considered to be suitable for new residential development.

In addition to the above it must also be noted that the Council's future housing needs will not be met solely through allocated sites. The Council will also need to ensure that a number of windfall sites are also released if the target of 8,400 dwellings is to be met. The emerging Local Plan indicates that windfalls will amount to 960 dwellings (80dpa) in the period from 2019 to 2031. The Council will therefore need to ensure that a number of sites not specifically allocated for development in the emerging Local Plan will also be released for residential development in the coming years. The current proposal would contribute to the windfall target.

With regard to the site itself its main entrance is located approximately 580m from the entrance to the primary school and the village shop. Bus stops are located along Station Road and in the village centre. The route from the site to the aforementioned facilities and services is not unduly steep. Pavements are also in place to allow for safe pedestrian movement for most of the route. It is considered that there is a reasonably good degree of pedestrian connectivity between the site

and a number of day to day facilities and services. Guidance in Manual for Streets (Para 4.4.1) states that 'walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes (up to about 800m) walking distance of residential areas which residents may access comfortably on foot.' It is considered that future residents will not be totally dependent on the use of the private motor car to undertake a range of day to day activities. In light of the proposed designation of Blockley as a Key Settlement in the emerging Local Plan and the availability of a range of services within reasonable walking and cycling distance it is considered that the site does represent a sustainable location in terms of its accessibility to services and facilities.

### **(c) Arboricultural Impact**

The application site is occupied by a variety of deciduous and coniferous trees. Trees lie within and around the edge of the site. The trees are a mix of deciduous and coniferous species. Evergreen hedgerows also lie along the northern and eastern boundaries of the site.

The application is accompanied by an Arboricultural Report. The aforementioned report includes details of a tree survey which has assessed the value and health of existing trees and hedgerows. A Tree Constraints Plan, Arboricultural Impact Plan and Draft Tree Protection Plan have also been submitted with the application.

The proposed development will result in the removal of a number of trees within the site and along its northern boundary. The trees proposed for removal within the site include a mix of cypress, fir, hawthorn, apple and holly. The trees proposed for removal along the northern boundary adjoining Draycott Road include a birch tree and a group of mature cypress. A section of evergreen hedgerow lying adjacent to Draycott Road will also be removed to facilitate the required visibility for the new vehicular access.

The Tree Survey indicates that the majority of trees on the site fall within the mature category. In other words, they are in the final third of their life expectancy. The trees proposed for removal are therefore reaching the end of their lives. The Council's Tree Officer has assessed the application and advises that 'The proposed development will result in the removal of several trees including a group of large cypresses that dominate the visual appearance of the site from the adjacent highway. Whilst the dense nature of the trees gives the site a wooded character at present, the trees in the part of the site where the dwelling and garage are to be located are not of particular arboricultural merit and have limited life expectancies. The evergreen cypresses that dominate the character of the site are not considered to be in keeping with the general character of the conservation area and should a notice be given to remove them, irrespective of the development, this would be likely to be considered favourably'. The Tree Officer has no objection to the application subject to conditions requiring the protection of the remaining trees and the introduction of replacement tree planting. The applicant is proposing to introduce new trees along the northern boundary and within the site in order to offset the loss of the existing trees. An illustrative landscape strategy recommends the introduction of a mix of common alder, small leaved lime, silver birch and Scots pine. The proposed tree species are considered to be more sensitive to the character of the conservation area than the existing cypresses. The new trees will also develop over time thereby providing additional screening. The scheme will also introduce replacement planting along the northern boundary which will secure tree planting along the site boundary in the longer term. At present there is no mechanism to secure new tree planting along the northern boundary should the cypresses or hedging be removed.

Overall, it is considered that the scheme could be undertaken without having an adverse arboricultural impact and in accordance with Local Plan Policies 10 and 15.

### **(d) Design and Impact on Character and Appearance of Blockley Conservation Area**

With respect to any buildings or other land in a conservation area Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to

the desirability of preserving or enhancing the character or appearance of that area. Considerable weight and importance must be given to the aforementioned legislation.

Paragraph 132 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.'

Paragraph 134 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

Cotswold District Local Plan Policy 15 states that construction 'within or affecting a Conservation Area must preserve or enhance the character or appearance of the area as a whole, or any part of the designated area.'

Paragraph 2 of Policy 15 states that development will be permitted unless;

- (a) They result in the demolition or partial demolition of a wall, structure or building, or the replacement of doors, windows or roofing materials, which make a positive contribution to the character or appearance of the Area;
- (b) the siting, scale, form, proportions, design, colour and materials of any new or altered buildings, are out of keeping with the special character or appearance of the Conservation Area in general, or the particular location; or
- (c) they would result in the loss of open spaces, including garden areas and village greens, which by their openness make a valuable contribution to the character or appearance, or allow important views into or out of the Conservation Area.

Local Plan Policy 42 advises 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, street scene, proportion, simplicity, materials and craftsmanship'.

Blockley Conservation Area is covered by Blockley Conservation Area Statement (CAS) which was adopted as supplementary planning guidance in April 1998. The CAS identifies 'important trees and tree groups' in the western and southern parts of the garden of The Mill Garden. The identified trees fall outside the footprint of the proposed dwelling.

The application site forms part of an existing garden area that is bordered by a variety of mature deciduous and evergreen trees. An evergreen hedgerow also extends along the northern boundary of the site adjacent to Draycott Road. The site is well screened by existing boundary vegetation. The existing dwelling is not readily visible from public view. The proposed dwelling will be set back approximately 6m from the roadside boundary with Draycott Road. It will sit side on to the aforementioned highway. The proposed garage will be set back approximately 20m from Draycott Road. The finished ground floor level of the proposed dwelling will be approximately 1.5m - 2m lower than the level of the carriageway where it passes to the side of the proposed dwelling. The ridgeline of the proposed dwelling is shown at 134.64m on the submitted plans. The level of the carriageway where it passes the side of the proposed dwellings rises from 128.49m to 129.66m.

With regard to nearby dwellings, the ridgeline of 2 Gable Mews, which lies to the north of Draycott Road and which faces towards the application site, is shown as 138.11m on the submitted site survey plan. The ridgeline of the proposed dwelling will therefore be approximately 3.45m lower than that of the nearest dwelling fronting onto Draycott Road. Permission was granted for 2 Gable Mews as part of an approval for the erection of 2 dwellings on the garden to the side of 1 Gable Mews (formerly Gable House) in 2005 (05/01481/FUL). Residential development has therefore previously been allowed on garden land within the vicinity of the current application site.

The proposed dwelling is of a size and scale that is consistent with existing development in and around the site.

The concerns of the objectors regarding the impact of the proposed development on the CA are noted. The existing roadside vegetation does help to soften the edge of the CA and the approach into the village along Draycott Road. However, as explained in the arboricultural section of this report the existing tree line primarily consists of a line of mature cypress trees which the Council's Tree Officer does not consider worthy of protection. The trees could therefore be removed even if this development were not to proceed. The current proposal provides an opportunity to introduce more appropriate tree planting along the roadside boundary of the site which, in the longer term, will be to the benefit of the character and appearance of the area. On the basis of the illustrative landscape plan submitted with the application it is considered that there is sufficient room between the proposed dwelling and Draycott Road within which to introduce suitable replacement planting. A detailed landscaping scheme would be required by condition should this application be approved. It will therefore be possible to secure a soft edge to the CA. It is acknowledged that the proposed scheme will introduce a new dwelling closer to the highway than at present. However, given that it will be set back and set down from the highway and that it will be subject to a degree of screening from new landscape planting it is considered that the proposed scheme will not appear as an obtrusive or incongruous addition to the streetscene. It is considered that the proposal will not have an adverse impact on the character or appearance on Blockley CA or result in substantial or less than substantial harm having regard to Paragraphs 132 and 134 of the NPPF. The Conservation Officer has examined the proposal and raises no objection to the application.

The existing site does not allow important views into or out of the CA and does not have an openness that makes a valuable contribution to the character or appearance of the heritage asset. The introduction of a dwelling onto the site will not therefore diminish the character or appearance of the CA in this respect.

The existing trees along the Station Road boundary of the site will remain and it is considered that the proposed development will not have an impact when approaching the centre of the village along the aforementioned highway.

The creation of the new access onto Draycott Road will require the provision of a visibility splay. However, the necessary splay can be achieved by restricting the height of the existing roadside boundary hedge (similar to its current height) rather than requiring its complete removal. The soft edge created by the hedgerow will therefore largely be retained. There are also two accesses immediately opposite the site and a further residential access approximately 20m to the east of the site. The proposed access point will therefore be seen in conjunction with a number of other similar accesses. The new access is considered not to represent an inappropriate or harmful intervention in the streetscene.

The design of the proposed dwelling seeks to reflect traditional building forms in terms of its proportions, size and detailing. The external walls of the proposed development will be constructed in natural stone and the roof will be finished in an artificial Cotswold stone tile. The proposed garage is detached and has a relatively plain and functional appearance. Its size and design is consistent with traditional outbuildings seen across the District. In terms of its design the proposed development is considered to respond to local character, appearance and distinctiveness in accordance with Local Plan Policy 42.

It is considered that the proposed development could be undertaken without having an adverse impact on the character or appearance of Blockley Conservation Area or the surrounding area and that it accords with the requirements of S72(1) of the 1990 Act, Section 12 of the NPPF and Local Plan Policies 15 and 42.

## Other Matters

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). The application site forms part of a residential garden and is bordered by other residential development. It is located within the village and the proposed development will not result in an encroachment of development into the surrounding countryside. The residential nature of the proposed development is consistent with the character and appearance of the surrounding area. It is considered that the proposal will not have an adverse impact on the character or appearance of the AONB or the setting of the village within the AONB landscape. The proposal is considered to accord with Local Plan Policy 42 and guidance in paragraphs 17, 109 and 115 of the NPPF.

The proposed development will be served by a new vehicular access onto Draycott Road. The proposed entrance will open onto a relatively straight section of road which is subject to a 20mph speed limit. Manual for Gloucestershire Streets Standing Advice Technical Note recommends visibility of 45m in each direction from a point 2.4m back from the edge of the carriageway. The proposed development can satisfy this requirement to the east. Visibility to the west can extend 41m up the junction with Station Road. It therefore extends as far as is possible. As vehicles speeds typically reduce near a junction it is considered reasonable to allow a minor relaxation of visibility to the west. The proposal is considered to accord with Local Plan Policy 38.

The proposed dwelling can be provided with a level of outdoor amenity space commensurate with the size of the dwelling. The proposal could also be undertaken in a manner that would not result in an unacceptable loss of privacy, light or overbearing impact to future residents or occupants of existing dwellings. The proposal is considered to accord with Local Plan Policy 46.

In response to the Parish Council's comments regarding levels, the applicant has submitted a detailed topographic survey of the site which includes levels within and adjacent to the site, together with eaves and ridge levels of the existing dwelling and 2 Gable Mews which is the closest dwelling to the site on the northern side of Draycott Road. The submitted plans show the proposed ridge heights of the dwelling so it is possible to accurately assess the height of the proposed dwelling in relation to existing dwelling. Officers are therefore satisfied that the current drawings accurately show the size, position and height of the proposed development.

## 9. Conclusion:

Overall, it is considered that the proposed development could be undertaken without having an adverse impact on the character or appearance of Blockley Conservation Area, highway safety, residential amenity or trees. The proposed development is also located in a sustainable location in terms of its accessibility to services and facilities. It is therefore recommended that the application is granted.

## 10. Proposed conditions:

In pursuance of their powers under the above Act, and having regard to the Town and Country Planning (Development Management Procedure) (England) Order 2015, the development was considered to be contrary to the following : Cotswold District Local Plan Policy 19. However, the following material considerations were of sufficient merit to justify the permitting of the development:

The proposed scheme will address the Council's need to provide a continuing supply of housing land and is located in a sustainable location in terms of accessibility to services and facilities. The site also falls within the proposed Development Boundary for the village in emerging Local Plan documents. These benefits are considered to outweigh the other limited impacts arising from the scheme including the impact on Blockley Conservation Area. The proposal accords with the principles of sustainable development as set out in the National Planning Policy Framework.

The Council therefore **PERMITS** the above development in accordance with the details given on the application form and submitted plans, which are subject to the following **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 carried out in accordance with the following drawing number(s): 2665-001 A, 2665-003 C, 2665-005 B, 2665-006 B, 2665-007 B, 2665-008 B, 2665-009 C, 2665-010 A, 2665-011 A, 2665-012, SK01 C

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

Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling 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 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.

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 15 and 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.

All door and window frames shall be recessed a minimum of 75mm into the external walls of the building and shall be permanently retained as such thereafter.

**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.

Within one month of their installation all windows shall be finished in their entirety in a colour that has first been 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 Policies 15 and 42.

The timber boarding shall be left to weather and silver naturally and shall be permanently retained as such thereafter unless an alternative finish is first 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 Policies 15 and 42.

No bargeboards, exposed rafter feet or eaves fascias shall be used in the proposed development.

**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 windows, external doors, garage doors, lintels, cills, verges, eaves, rooflights, gates and gate piers 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 1:10 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 Policies 15 and 42.

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 fences, walls, gates, gate piers or other means of enclosure shall be erected, constructed or sited other than those permitted by this Decision Notice.

**Reason:** In order to preserve the character and appearance of Blockley Conservation Area in accordance with Cotswold District Local Plan Policies 15 and 42.

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 45m distant to the east and 41m distant to the west (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.5m and 2.0m at the Y point above the adjacent carriageway level.

**Reason:** To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework and Local Plan Policy 38.

Before the first occupation of the dwelling hereby approved or the vehicular access being brought into use, the access driveway shall be surfaced in bituminous macadam or other non-migratory material for at least the first 5m from the carriageway edge and thereafter similarly maintained unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent loose material being carried onto the highway in the interests of highway safety and in accordance with Cotswold District Local Plan Policy 38.

Prior to the erection of any external walls 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.

Trees to be planted along the northern boundary of the site shall be adequately staked, protected and mulched. All works to accord with BS 3936-1:1992 Nursery stock. Specification for trees and shrubs and BS 4428:1989 Code of

practice for general landscape operations (excluding hard surfaces) and BS8545:2014 Trees: from nursery to independence in the landscape - Recommendations

**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.

The entire landscaping scheme shall be completed by the end of the first planting season (1st October to 31st March the following year) immediately following the completion of the development or the site being brought into use, whichever is the sooner.

**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.

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.

Prior to any demolition or building works taking place on the site, a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the Local Planning Authority and approved in writing.

The AMS shall be in accordance with the guidance in BS 5837:2012 "Trees in relation to design, demolition and construction. Recommendations" and shall include details of:

- i) Defined root protection areas of all retained trees;
- ii) The timing of all tree protection measures;
- iii) Details of proposed finished ground levels and any retaining structures within the defined root protection areas of all retained trees;
- iv) Details of tree protection fencing and excluded activities;
- v) Details of temporary ground protection measures where access and working space is needed outside the tree protection fencing but within the root protection area of any tree;
- vi) Details of any underground services within the root protection areas of any retained trees and how they will be installed.
- vii) Details of method of construction of any surface which is to be of a 'no dig' construction method, in accordance with the current industry best practice;
- viii) Details of site supervision by an appointed arboricultural consultant to include a pre-commencement meeting and specified periodic site monitoring visits with reporting and copies sent to the Council's tree officer.

The findings of the AMS and the TPP shall be implemented in full in accordance with the approved details.

**Reason:** To safeguard the retained/protected tree(s) in accordance with Cotswold District Local Plan Policies 10 and 45. It is important that these details are agreed prior to the commencement of development as any on site works could have implications for the well-being of trees on the site.

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:



- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel washing facilities
- v. measures to control the emission of dust and dirt during construction

**Reason:** To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance Paragraph 35 of the National Planning Policy Framework and Local Plan Policy 38. It is important that these details are agreed prior to the commencement of development as the construction phase of the development will have implications for highway safety and the local highway network.

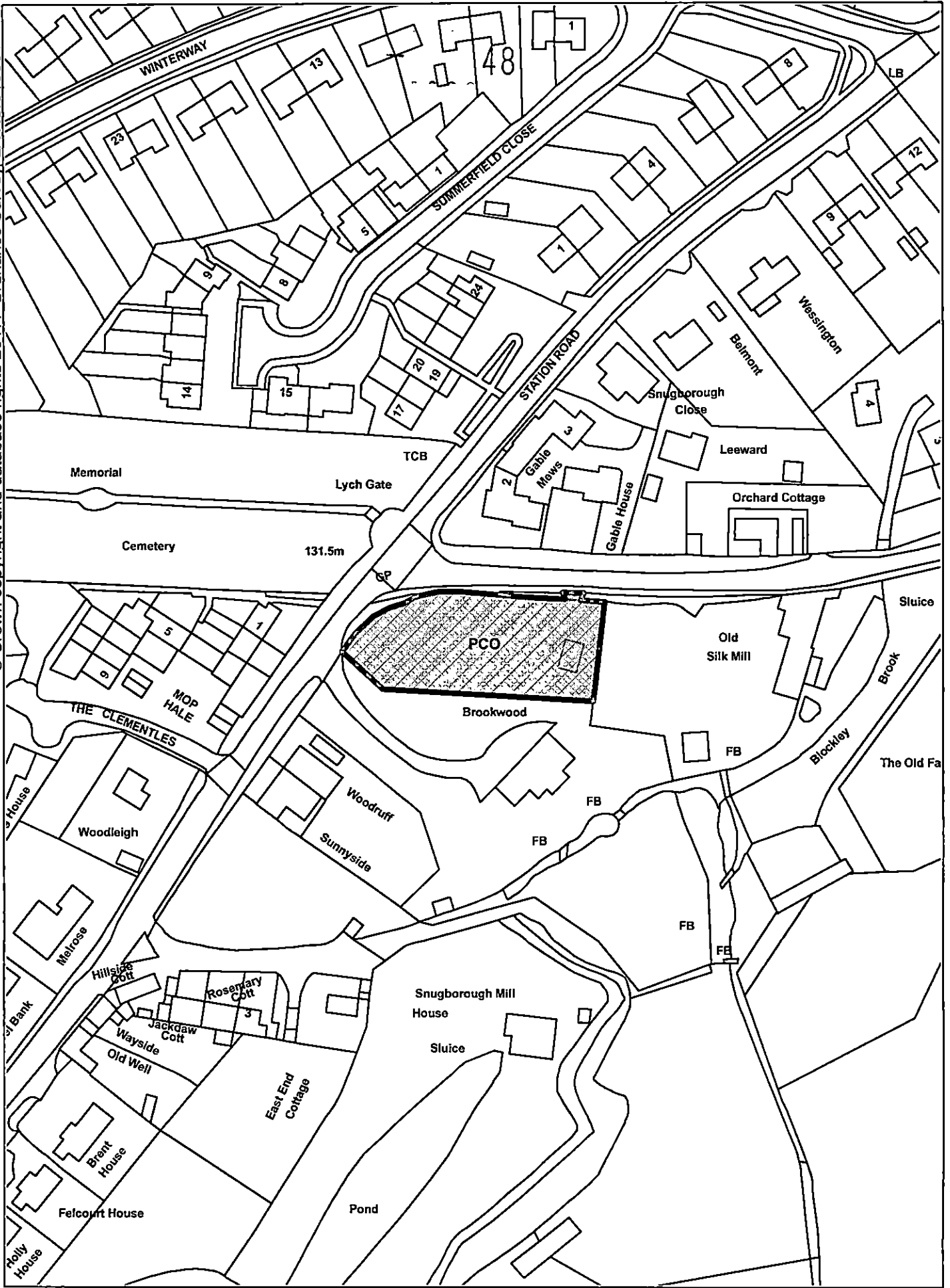
No works relating to demolition or construction (including the arrival and departure of construction and delivery vehicles) shall take place on or to/from the site outside the hours of 7.30am to 6pm Monday to Friday and 10am to 4pm on Saturdays.

**Reason:** In order to protect the amenity of nearby residents in accordance with Local Plan Policy 5

**Informatives:**

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

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**THE MILL GARDEN STATION ROAD BLOCKLEY GLOS**

Scale: 1:1250

Organisation: Cotswold District Council

Department:

Date: 28/07/2017



**COTSWOLD**  
DISTRICT COUNCIL





49

17/01/19/1/20

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**Proposed Block Plan**  
Land at The Mill Garden, Blockley

Mr & Mrs Goodrick-Clarke

Scale: 1:500@A3

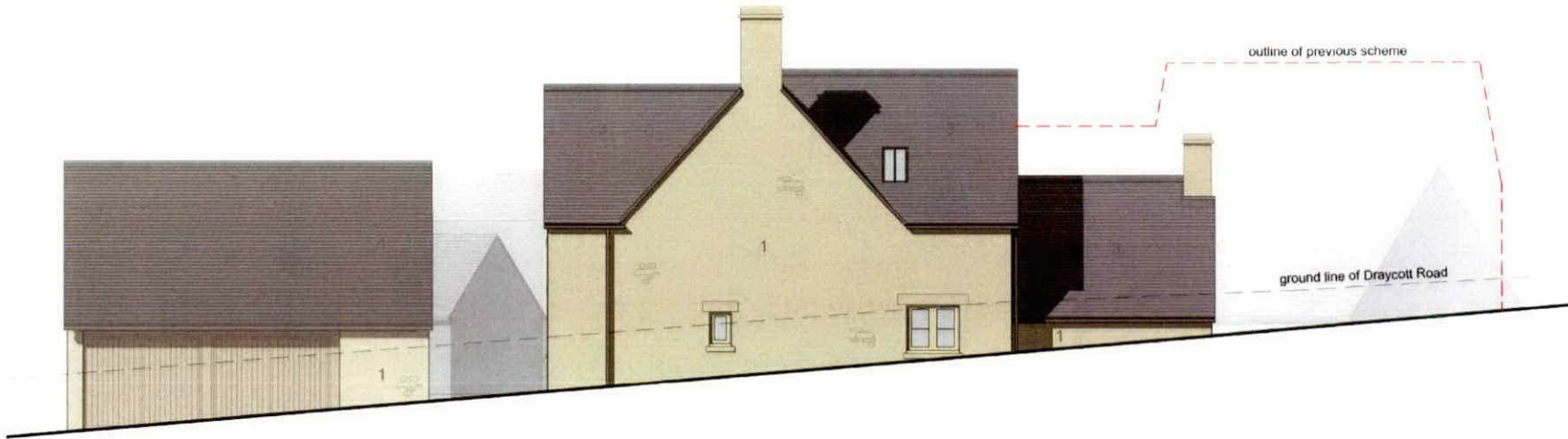
Date: March 2017

Drawn/Checked: SB/DG

Drg No: 2665-003 Rev: C



Front East



Side North facing Draycott Road

50

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- 1 natural stone
- 3 reconstituted stone slates
- 4 blue slate



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**Proposed Elevation - East & North**  
**Land at The Mill Garden, Blockley**  
**Mr & Mrs Goodrick-Clarke**

Scale: 1:100@A3 Date: March 2017  
Drawn/Checked: SB/DG Drg No. 2665-006 Rev B





Side South



South Section

51

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- 1 natural stone
- 2 horizontal timber boarding - untreated, left to weathered naturally
- 3 reconstituted stone slates
- 5 roughcast render



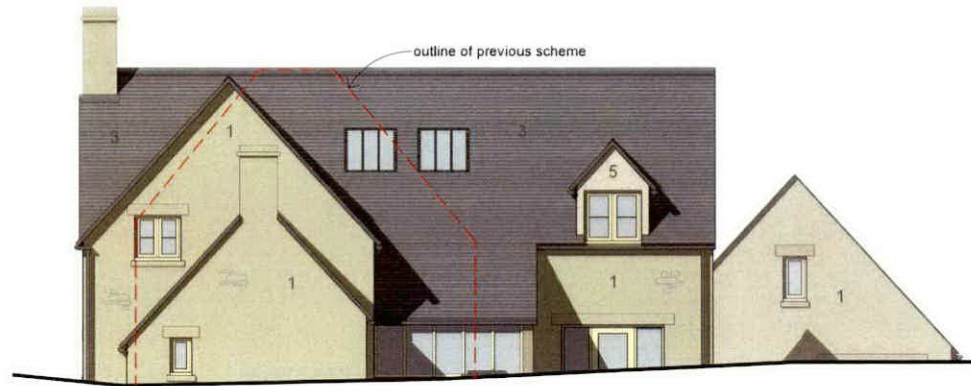
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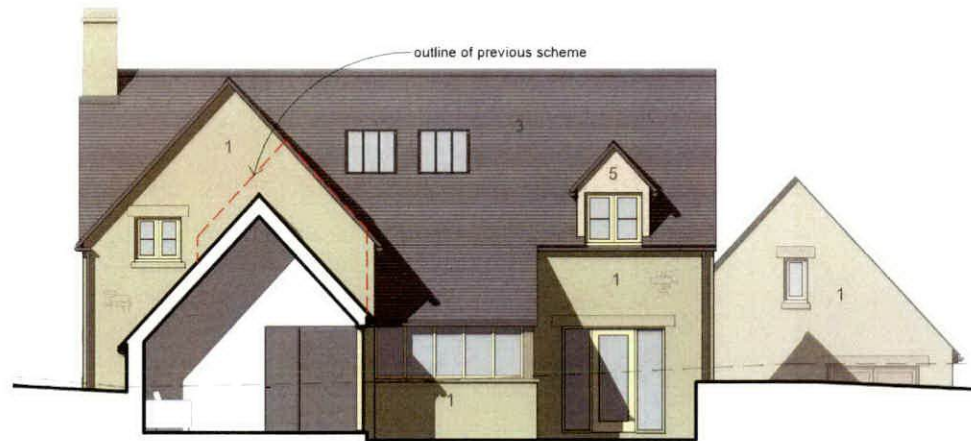
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**Proposed Elevation - South**  
Land at The Mill Garden, Blockley  
Mr & Mrs Goodrick-Clarke

Scale: 1 : 100@A3 Date: March 2017  
Drawn/Checked: SB/DG Drg No: 2665 007 Rev B



Rear West



West Section

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- 5 roughcast render



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**Proposed Elevation - West**  
Land at The Mill Garden, Blockley  
Mr & Mrs Goodrick-Clarke

Scale: 1 100@A3 Date: March 2017

Drawn/Checked: SB/DG Drg No: 2665-008

Rev: B



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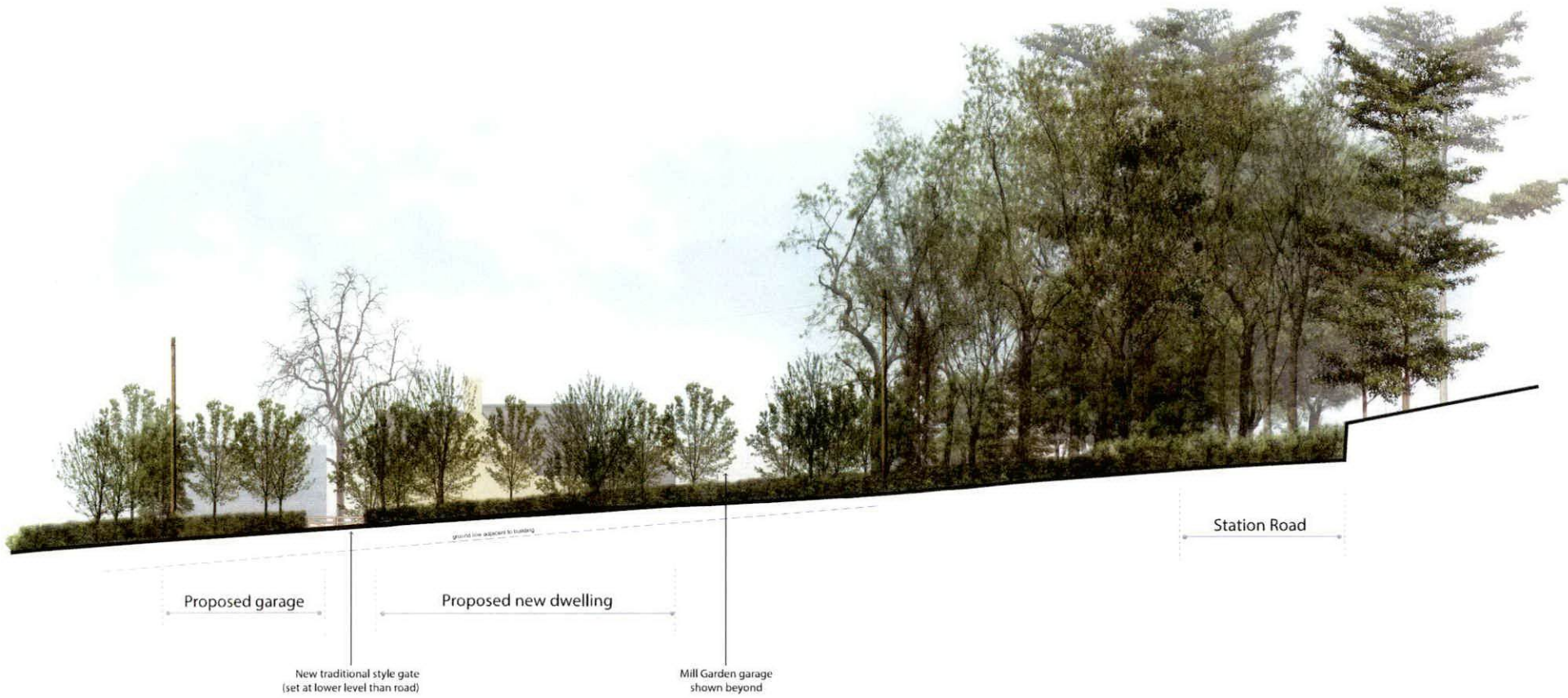
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**Proposed Site Elevation - East**  
Land at The Mill Garden, Blockley  
Mr & Mrs Goodrick-Clarke

Scale: 1:200@A3 Date: March 2017  
Drawn/Checked: CB/DG Drg No: 2665-010 Rev: A





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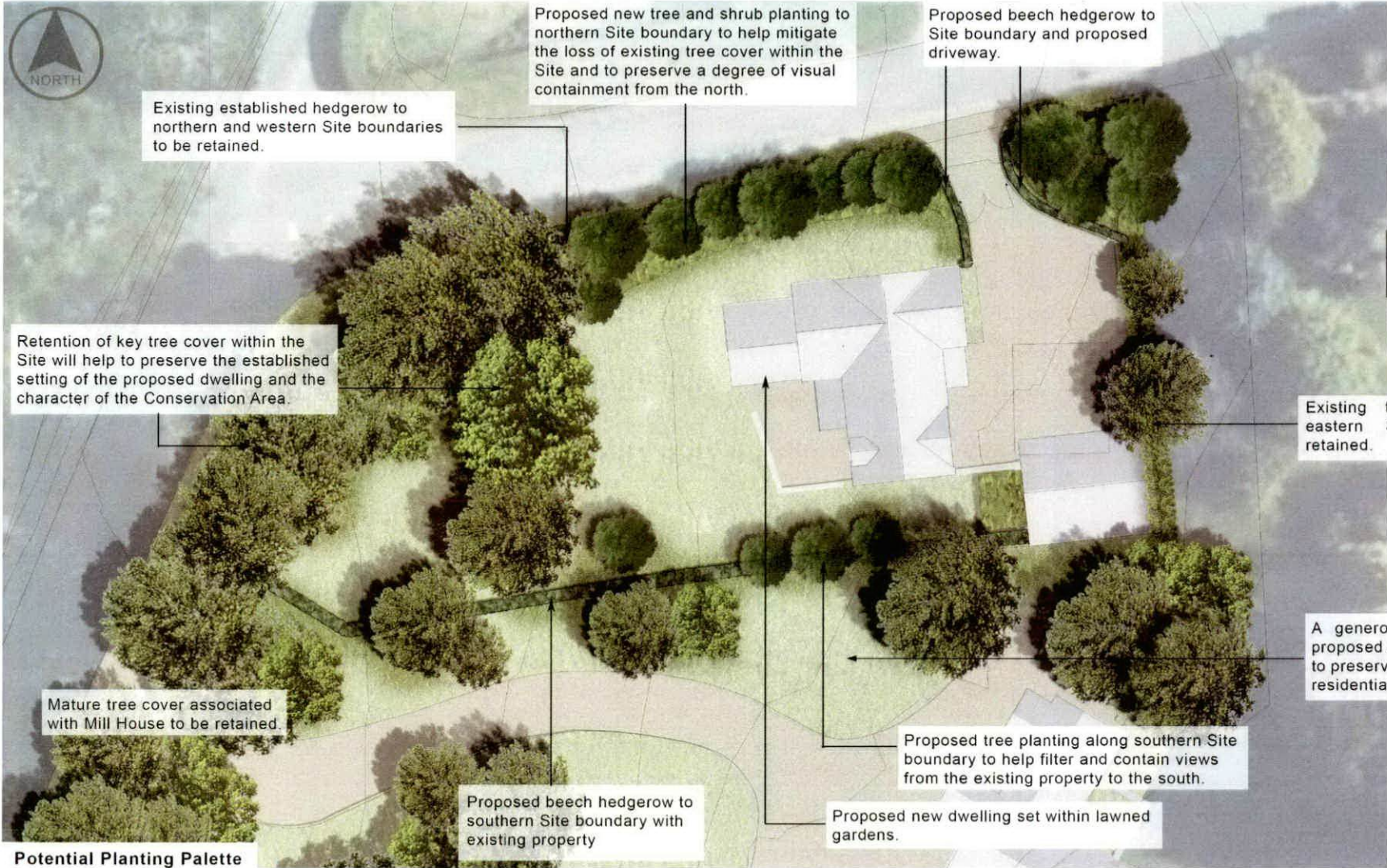
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**Proposed Site Elevation - North**  
Land at The Mill Garden, Blockley  
Mr & Mrs Goodrick-Clarke

Scale: 1:200@A3 Date: March 2017  
Drawn/Checked: CB/DG Drg No: 2665-009 Rev: C





Existing established hedgerow to northern and western Site boundaries to be retained.

Proposed new tree and shrub planting to northern Site boundary to help mitigate the loss of existing tree cover within the Site and to preserve a degree of visual containment from the north.

Proposed beech hedgerow to Site boundary and proposed driveway.

Retention of key tree cover within the Site will help to preserve the established setting of the proposed dwelling and the character of the Conservation Area.

Mature tree cover associated with Mill House to be retained.

Proposed beech hedgerow to southern Site boundary with existing property

Proposed new dwelling set within lawned gardens.

Proposed tree planting along southern Site boundary to help filter and contain views from the existing property to the south.

Existing tree and hedgerow to eastern Site boundary to be retained.

A generous green buffer and verge is proposed along the southern Site boundary to preserve the amenity of the neighbouring residential property.

**Legend:**

-  Existing Tree Retained
-  Proposed Tree
-  Existing Hedge
-  Proposed Hedge
-  Proposed Shrub Planting
-  Proposed Lawn

**Potential Planting Palette**

**Trees**

- Alnus glutinosa* - Common Alder
- Tilia cordata* - Small Leaved Lime
- Betula pendula* - Silver Birch
- Pinus sylvestris* - Scots Pine

**Shrubs - Ornamental**

- Choisya ternata* 'Mexican Orange Blossom'
- Escallonia* 'Apple Blossom'
- Photinia x fraseri* 'Red Robin'
- Eleagnus x ebbingei* 'Silverberry'
- Genista Lydia*

**Shrubs - Native**

- Cornus Sanguinea* 'Common Dogwood'
- Corylus avellana* 'Hazel'
- Ilex aquifolium* 'Common Holly'
- Ligustrum vulgare* 'Common Privet'
- Rhamnus carthartica* 'Common Buckthorne'

**Hedge Planting**

- Fagus sylvatica* Beech

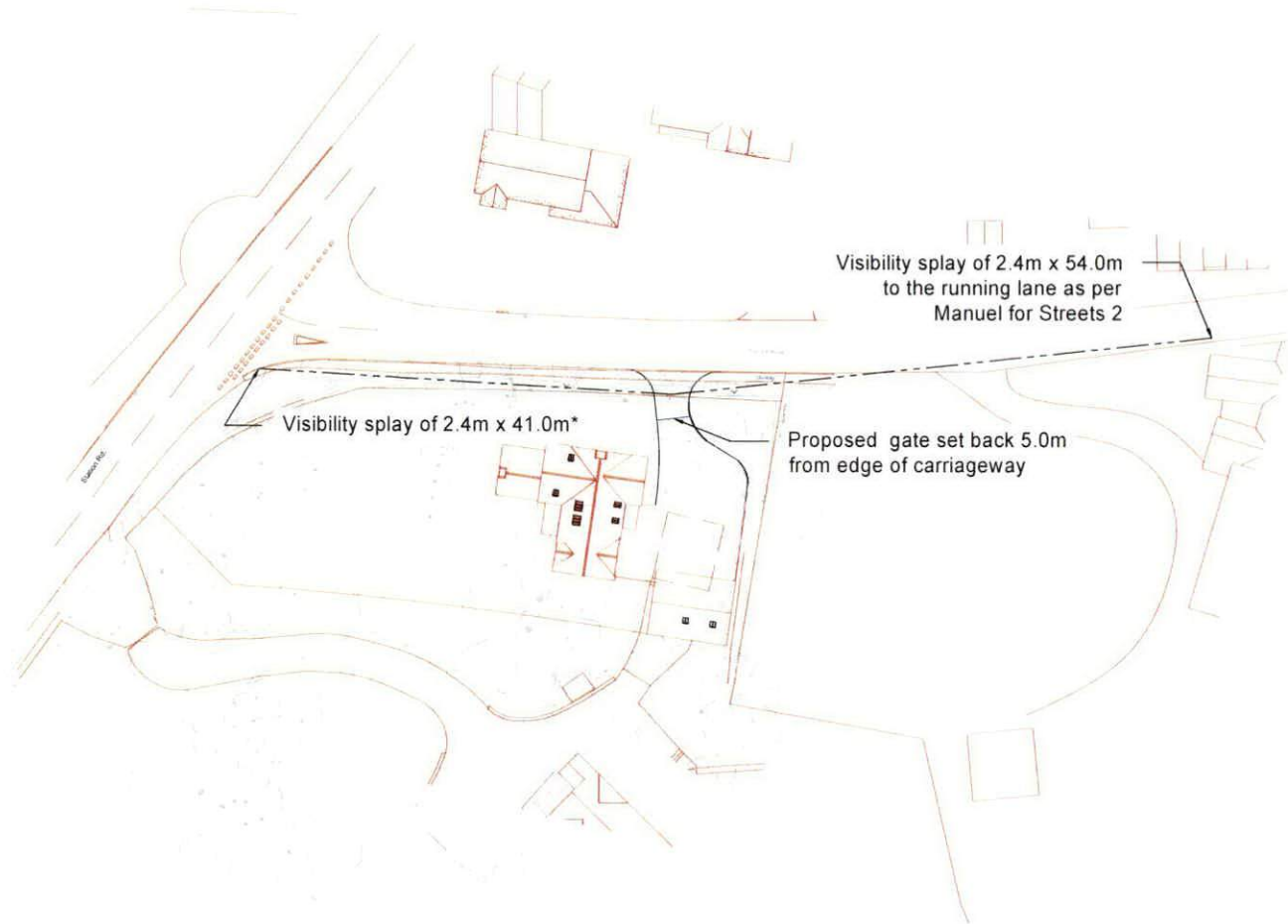


Examples of high quality garden spaces and lawns.



Illustrative Landscape Strategy	
Mill Garden, Blockley	
HGC Building Ltd	
4140/01/16-3280	
v8	
14/07/17	1:250@A3
RF	SM
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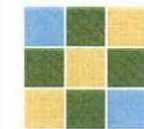




**Notes:**

\*Visibility splay to the west taken to the priority junction at the point vehicles are turning into Draycott Road and it is likely that vehicle speeds will be significantly less than 30mph. A road with the speed of traffic traveling at 29mph would require a visibility splay pro-rata of 41.0m. Vehicles will be traveling less than 29mph at this point and this visibility splay is therefore acceptable.

Landscaping within visibility splay to be maintained to a height of no more 600mm to ensure adequate visibility is achieved and which can be conditioned.



**COTSWOLD  
TRANSPORT  
PLANNING**

56

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Drawing Title:  
Access Arrangements

Client:  
Tyack Architects

Project:  
The Mill Garden, Blockley

Drawing No: SK01	Revision: C
Date Drawn: 30.06.17	Issue Date: 30.06.17
Drawn by: MW	Checked by: BQ
Project Code: CTP-16-396	Scale at A3: 1:500

Drawing Status:  
INFORMATION



Existing



Proposed



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**Proposed Access Photomontage**  
Land at The Mill Garden, Blockley

Mr & Mrs Goodrick-Clarke

Scale: -

Date: June 2017

Drawn/Checked: CB/SB

Drg No: 2665-016 Rev:



Martin Perks  
Case Officer  
Cotswold District Council  
Trinity Road  
Cirencester  
GL7 1PX

Gable House  
1 Gable Mews  
Draycott Road  
Blockley  
Gloucestershire  
GL56 9DY

10<sup>th</sup> July 2017

Dear Mr Perks

**Re : Planning Application 17/01439/FUL Mill Garden, Station Road, Blockley.**

Following our previous objections to the above application we wish to comment on additional documents posted on the CDC planning portal from the applicant and from CDCs Conservation Officer in respect to this application.

Comments in respect to the applicants new submission of details relating to access as shown in the following :

Proposed Access Photomontage - Tyack Architects Ltd  
Access Arrangements - Cotswold Transport Planning Ltd

Previous submitted drawings did not take into account the required visibility splay which is shown on the latest documents. In consequence the existing established hedgerows to the northern site boundaries will not be retained in their current form and will be substantially reduced in height. This is contrary to the impression given in the Proposed Site Elevation – North drawing 2665-009 Rev: B which shows the hedge approximately 1.5m in height. I understand visibility splay requirements would reduce the hedge to between 0.6 and 0.8m, equal to about half the height detailed on the Proposed Site Elevation – North drawing 2665-009 Rev: B.

The introduction of the visibility splay narrows an already minimal space between the carriageway and the proposed building which further threatens the establishment of proposed replacement planting on the northern boundary. The Tyack photomontage Drg No: 2665-016 – *existing*, clearly shows the density of current tree cover and landscaping on the Draycott Road boundary of the application site. The *proposed* montage on the same document does not account for the removal of the existing trees and in consequence can only be considered relevant in respect to access location and hedge height and must be discounted for any other purpose and not used as an indicative proposed street scene.

The applicant maintains that their Landscape Plan illustrates that the proposed replacement of existing trees with manageable native trees and shrubs would preserve the perimeter tree planting that visually contains the site to the north. Given the minimal space provided between the proposed building and the north boundary / visibility splay, we do not consider that this commitment and undertaking is capable of being either complied with or maintained.

The pre application advice from CDC Planning Department to the applicant stated that *"The removal of trees would potentially expose the dwelling to view and significantly alter the character and appearance of this part of the Conservation Area"*. Given this statement and the current proposals we would ask how the planning authority is to ensure that the character and appearance of this part of the Conservation Area is to be preserved, sustained or indeed enhanced as is statutorily required by both Planning Law and the National Planning Policy Framework.

Comments in respect to CDCs Conservation Officer comments 5<sup>th</sup> July

The Conservation Officer in initial comments made on the 12<sup>th</sup> May objected to the application making the following comments in respect to the site and location:

- The trees and other vegetation on the site provide high and dense enclosure to the street scene.
- They [the trees] provide a break in the built form of the village.
- They [the trees] contribute towards giving this part of the village, away from the centre, a less dense and a more green character.
- The site, as well as the graveyard opposite, provide important undeveloped spaces within the conservation area.
- There is an immediate potential conflict between allowing a dwelling here and retaining the mature trees and dense vegetation that contribute to the character and appearance of the conservation area.
- Any dwelling within this plot has the potential in future to be more openly exposed to the street scenes.
- The leafiness, dense vegetation and height of tree enclosure should be maintained.
- There are concerns..... with the proposed extent of removal of the existing established screening to the northern boundary. Opening up in this area would substantially erode the existing positive contribution of the site to the conservation area.

The revised application makes only minimal changes to the original with a slight reduction in total frontage and partial reduction in height on the west extension. The building maintains its minimal distance to the Draycott Road north boundary and will obviously be clearly visible from Draycott Road.

In consequence the site will no longer provide a break in the built form of the village and will represent a significant reduction in contributing towards giving this part of the village a less dense and a more green character. Most obviously it will no longer be an important undeveloped space and will obviously result in a significant reduction in dense vegetation which will no longer contribute to the character and appearance of the conservation area. The extent of removal of the existing established screening to the northern boundary is now considerable and unlikely to be replaced to a similar density and standard. In consequence the opening up in this area would substantially erode the existing positive contribution of the site to the conservation area.

Given these obvious observations, which directly conflict with the Conservation Officers initial consideration of important factors in respect to the sites description, also supported by the Planning

Officers pre-application comments we fail to understand why the Conservation Officer has removed the objection and find the reasoning illogical and unproven.

We would further argue that the principle focus of the Blockley Conservation Area Statement in this area, to maintain the historical "overriding character" of this end of Draycott Road dominated by the grouping of The Old Silk Mill and Orchard Cottage would be lost should this application be consented.

If consented we believe CDC would fail in its statutory obligation to pay special attention to the desirability of preserving, enhancing and sustaining the character and appearance of conservation areas and heritage assets.

In consequence we again ask for this application to be rejected.

Yours sincerely



Paul Ensich & Steve Frith

10<sup>th</sup> July 2017

## Comments for Planning Application 17/01439/FUL

### Application Summary

Application Number: 17/01439/FUL

Address: The Mill Garden Station Road Blockley Moreton-In-Marsh Gloucestershire GL56 9DT

Proposal: Erection of a single dwelling and garage with new access and driveway

Case Officer: Martin Perks

### Customer Details

Name: Mr Paul Ensich

Address: Gable House, 1 Gable Mews Draycott Road Blockley

### Comment Details

Commenter Type: Objection Comments

Stance: Customer objects to the Planning Application

Comment Reasons:

- Design
- Impact on Conservation Area
- Trees and landscaping

Comment: We are residents of Gable House which is situated directly opposite the above application site and we wish to register an objection to this proposed development.

The site sits at the North Eastern tip of Blockley Conservation Area adjacent to The Old Silk Mill, the last of the mills downstream on the Blockley Brook to be in the Conservation Area. The Conservation Area Statement makes mention that The Old Silk Mill is grouped with Orchard Cottage opposite, the only building to be within the Conservation Area north of Draycott Road. This grouping and their proximity to Draycott Road allows these historic buildings to set the overriding character to this end of Draycott Road and its approach to Blockley Village. The dominant character of the south side of Draycott Road on its approach to the village is one of old historic buildings and woodland.

Apart from Sheaf House Farm and Barn at the entrance to Blockley Village some 250m east, The Old Silk Mill is the only visible building on the south side of Draycott Road. From The Old Silk Mill toward Station Road, a distance of some 85m, the south side of Draycott Road has no visible buildings and is perceived as heavily wooded and forms a very soft landscaped approach to the village.

The Conservation Officer in his comments on this application states:

"The trees and other vegetation on the site provide high and dense enclosure to the street scene. They provide a break in the built form of the village. They contribute towards giving this part of the

village, away from the centre, a less dense and a more green character. The site, as well as the graveyard opposite, provide important undeveloped spaces within the conservation area"

Should this application be approved the site will no longer provide high and dense enclosure to the street scene, nor will it provide a break in the built form of the village and it will not contribute towards giving this part of the village, away from the centre, a less dense and a more green character. The site will no longer provide important undeveloped spaces within the conservation area. The historic grouping of The Old Silk Mill and Orchard Cottage which sets the overriding character to this end of Draycott Road and its approach to Blockley Village will be compromised and in consequence the character irrevocably changed.

For this reason we ask that this application is rejected.

Should the council be minded to grant this application despite the above objection, we would earnestly request that all measures are taken to mitigate the loss to the conservation area. We would suggest the following amendments to design:

1. Move the building 3m further south to maximise the distance from Draycott Road carriageway and to increase the available landscaping margin between the proposed building and the north boundary. (This would be equal to the distance to carriageway of the closest building to the north of Draycott Road).
2. The above would also capitalise on lower ground levels resulting in a lower ridge height.
3. Introduce a barn hips where possible to lessen the overall massing of the north elevation.

In order to strengthen the mitigation of the lost conservation area character we would also suggest the following conditions be applied to any consent:

1. The proposed tree planting to the north elevation should be established by the planting of mature tree specimens and should provide a continuous landscape belt to Draycott Road.
2. Tree planting should be carried out prior to occupation of the proposed dwelling.
3. Such landscaping should be maintained in perpetuity with consideration given to making TPO orders to ensure the conservation area character is maintained for the long term.
4. A specific ridge height is made a planning condition to ensure construction meets with planning requirements.

We would also ask that some consideration is given to neighbouring properties during the development phase. Both our neighbours at 2 Gable Mews and ourselves have rear gardens facing onto Draycott Road, our front doors being on the north side of the property. As such, construction works and associated traffic movements can be significantly disrupting. We would therefore request that what we know to be standard construction working practice conditions are applied to any consent as follows:



1. No weekend or bank holiday working beyond 12 noon on Saturdays.
2. No working or deliveries before 7.30am or after 6.00pm.
3. Site construction staff parking to be accommodated on site.
4. Restriction on loud radio or music.
5. Restriction on fires other than initial shrub clearance.
6. Wheel washing of construction vehicles during groundwork phase.

Paul Enschede & Steve Frith

4th June 2017