

Item No 04:-

17/02525/FUL

**Inverlea
Back Lane
Mickleton
Chipping Campden
Gloucestershire
GL55 6TZ**

Item No 04:-**Demolition of existing dwelling & construction of replacement dwelling at Inverlea Back Lane Mickleton Chipping Campden Gloucestershire GL55 6TZ**

Full Application 17/02525/FUL	
Applicant:	Mrs A Stowe
Agent:	Christopher R Stone MCIAT Ltd
Case Officer:	Martin Perks
Ward Member(s):	Councillor Lynden Stowe Councillor Mark Annett
Committee Date:	13th September 2017
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Size and Scale of Replacement Dwelling
- (b) Design and Impact on Character and Appearance of the Area
- (c) Impact on Residential Amenity

Reasons for Referral:

This application has been referred to Planning and Licensing Committee as the applicant is a close relative of a District Councillor.

1. Site Description:

The application site is located on the northern edge of the village of Mickleton. It is occupied by a 1960's brick built detached dwelling. The dwelling comprises a two storey dwelling and attached single storey flat roof garage attached by a brick wall to its side. The existing dwelling fronts onto Back Lane. The front elevation is set back approximately 14m from the aforementioned highway. The rear (north) elevation of the existing dwelling backs onto a driveway/parking area. A number of 1980's single and two storey dwellings lie to the side and rear of the existing dwelling.

The front garden of the property is bordered by a mix of stone walling and fencing approximately 1m in height. A mix of hedging and shrubs also lie along the boundary. The front garden is subject to a limited degree of screening. However, both it and the front elevation of the house are visible from Back Lane. The property does not have a rear garden.

The site is located outside Mickleton Conservation Area and the Cotswolds Area of Outstanding Natural Beauty. The boundary of the conservation area runs along the southern boundary of Back Lane. It lies approximately 6m from the front garden boundary of the existing dwelling and 19m from its roadside elevation.

A thatched property called the Cottage lies on the southern side of the Back Lane opposite the application site. The property is not listed but is subject to an Article 4 Direction. It is therefore considered to constitute a non-designated heritage asset.

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

2. Relevant Planning History:**Application Site**

CD.2878 Erection of a dwelling for use in connection with a smallholding (Outline application) Granted 1961
 CD.2878/A Proposed dwelling, workshop and yard for repair of agricultural machinery. (Outline application) Granted 1961
 CD.2878/A/Ap1 Erection of a detached dwellinghouse and garage. Approved 1962

Wheatfield Court to east

CD.2878/R Erection of 8 dwellings with garages. Construction of new vehicular access. Granted 1986

Inverlea Court

CD.2878/P Erection of 4 dwellings and garages. Alterations to exiting vehicular access. Granted 1986

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR15 Conservation Areas
 LPR19 Develop outside Development Boundaries
 LPR22 Replacement dwellings in Rural Areas
 LPR38 Accessibility to & within New Develop
 LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR46 Privacy & Gardens in Residential Deve

4. Observations of Consultees:

None

5. View of Town/Parish Council:

None received

6. Other Representations:

Letters of objection from 4 properties received. Main grounds of concern are;

- i) Whilst I am not against the building of a new house which is more in keeping with the surrounding properties, I have some concerns that this will be detrimental to the light and privacy in our home and garden area which fronts onto Inverlea Court and Back Lane. The new dwelling will extend further than the existing house along Inverlea Court and our outlook will change from what is at present a garden area to wall and windows quite close to our property. It will also feel very closed in along Inverlea Court, this could be improved if the proposed building was situated so as to give more space between the proposed building and Inverlea Court with the front elevation being moved further back from the road area.
- ii) The proposal creates a dangerous precedent for the existing village. What else could be demolished to create a new dwelling?
- iii) The proposal will create a great deal of inconvenience, noise, dirt and disturbance for neighbouring properties.
- iv) If the Council has 5 year supply of housing sites, how can such a small development be justified on pure planning grounds.
- v) Why demolish the house? Surely it could be upgraded to current Building Regulations standards.
- vi) Is the plan to demolish and rebuild one unit and then apply for more later on?

- vii) I am also concerned that the beautiful cherry tree on the Wheatfield Court side of the site be protected. It forms a visual barrier between the existing house and my property. It is also an important asset to the local environment and should be protected by a Tree Preservation Order.
- viii) Although this is a small development it gives the Council the opportunity to demonstrate its concern for the existing village environment. A replacement dwelling may be better visually than the existing, but this proposal will create a dangerous precedent for the village.
- ix) While we are in agreement that the visual appearance of the proposed development appears to be an improvement and much more in keeping with the existing homes in Inverlea and Wheatfield Court, we are concerned that the size of the building will dominate and dwarf our property and, in particular, our back garden causing us substantial lack of privacy and loss of enjoyment in our home. Looking at the plans, it would seem that the rear and side elevations of the garage would virtually rest on our back fence and the height of those walls would cause us to not only lose light but to feel shut in and imprisoned thus causing unnecessary stress and potential loss of value to our home. Perhaps if the size of the building was reduced / the garage and utility area shortened this might be avoided?
- x) Proposed development goes beyond the existing footprint and has higher elevations particularly facing 2 Wheatfield Court. The effect on us will be overbearing with substantial loss of light and privacy - from existing single storey, flat roofed garage to a one and a half to two storey with windows overlooking our small garden closer to the boundary fence. Our small garden will be dominated by this proposal where at present we have some light and privacy.
- xi) Existing tree screening of the entire site must be retained and protected.
- xii) The proposal cannot be considered as a straightforward replacement dwelling as the footprint is entirely different from the existing. It also projects beyond the existing building line established by the properties further down Back Lane.
- xiii) The application proposes a larger first floor element which comes too close to the rear curtilage of 3 Wheatfield Court. It will cause a loss of light and will be of an overbearing nature.
- xiv) The 2 dormer windows (in the east elevation) will overlook my property at first floor level causing considerable loss of privacy.
- xv) The proposal looks too large for the site when compared to the existing house.
- xvi) I have studied the resubmitted plan for this building and whilst the revised garage roof is improved by being hipped rather than a gable end, it still seems to me that the building as a whole is just too big for the plot and will be of a hugely overbearing nature in relation to the properties that surround it - particularly those in Wheatfield Court who will bear the brunt of the bulk of it. I am worried that we will lose a significant amount of sunlight / daylight as our gardens are very small and the proposed building will come to just 1.6 m from our boundary fence, which is in itself only 6m from our house. We at number 3 have no landscape screening to soften or protect us from the sight of the sheer size of it and I feel that this will be very distressing. I do hope that my, and the other residents of Wheatfield Court's comments (all of whom affected have lodged objections) may be taken into due consideration by the Committee

7. Applicant's Supporting Information:

Design and Access Statement

8. Officer's Assessment:

Proposed Development

The applicant is seeking to demolish the existing dwelling and to replace it with a new two storey dwelling. The proposed dwelling will have an L-shaped footprint and will have a maximum height of approximately 7.1m. The proposed dwelling will incorporate 3 bedrooms. The external walls of

the proposed dwelling will be constructed in natural stone and the roof will be covered with artificial stone roof slates.

The proposed dwelling will be located in a similar position to the existing dwelling. It will extend alongside the existing driveway located on the north western boundary of the site as at present. However, it will also project further forward along the existing south western boundary than the existing dwelling. The south western boundary runs alongside the entrance road leading into Inverlea Court. The existing dwelling sits side onto the aforementioned boundary and is approximately 10m in width. The proposed dwelling will be orientated so that the front door and principal windows faces onto the entrance road. The south western elevation will measure approximately 12.5m in length.

Vehicle parking will continue to be provided in the existing driveway which lies adjacent to the north western boundary of the site. The proposed dwelling will also incorporate a single garage which will be the same as in the existing dwelling.

(a) Size and Scale of Replacement Dwelling

The erection of replacement dwellings in villages such as Mickleton 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.'

The existing dwelling consists of a principal two storey element with a single storey flat roof garage to its side (north east). The garage is attached to the house by a brick wall. The existing dwelling measures approximately 8m in height. The existing garage is approximately 2.8m high. The approved plans for the property indicate that it was designed as a 4 bed dwelling. The proposed dwelling will consist of a two storey element measuring approximately 7.1m in height and a subsidiary garage/utility room range measuring approximately 5.7m high.

The proposed dwelling will be lower in height than the existing dwelling. The eaves of the proposed dwelling will also be approximately 0.5m lower than existing. The proposed scheme seeks to introduce eaves level dormers thereby giving the new dwelling the appearance of a 1.5 storey building rather than a full two storey property. The gable widths of the proposed dwelling are also narrower than the existing dwelling. They will be approximately 6m in width compared to 7.5m at present. The proposed dwelling will increase the amount of first floor development along the north western and south western boundaries. However, this has to be balanced against the reduced height and narrower spans evident in the proposed scheme. The proposed dwelling will contain 3 bedrooms as opposed to the 4 bed dwelling originally approved. Overall, it is considered that the size and scale of the proposed dwelling is similar to the existing building. The proposal is therefore considered to accord with Local Plan Policy 22.

(b) Design and Impact on Character and Appearance of the Area

The application site lies outside both the Cotswolds Area of Outstanding Natural Beauty and Mickleton Conservation Area (CA). The boundary of the CA runs along the southern side of Back Lane. It is located approximately 6m from the front garden boundary of the application site and 19m from the front of the existing dwelling.

The existing dwelling is of brick construction and is of a design and appearance that is reflective of the period in the 1960s when it was constructed. The site is bordered on three sides by stone dwellings dating from the 1980s. Other dwellings in the area are a mix of render, stone and brick. The area is characterised by a variety of building styles and materials. The proposed dwelling will be constructed in natural stone. The proportions of the proposed building reflect traditional building forms.

The proposed dwelling will have an L-shaped footprint which will result in a gable end of the building facing towards back Lane. The gable end will reflect the roadside frontage of the

neighbouring property to the south west (4 Inverlea Court). The introduction of a gable elevation facing onto Back Lane is therefore considered not to be out of character with the existing Inverlea Court development.

With regard to building heights, existing dwellings on Wheatfield Court to the east of the application site are approximately 6.5m in height. The two storey dwellings (1 and 4 Inverlea Court) located to the north west and south west of the proposed dwelling are 8.2-8.5m in height. The introduction of a 7.1m high dwelling onto the site is therefore considered not to be out of scale with existing development.

The comments of objectors relating to the impact of the proposal on an existing building line are noted. In response, it is evident that both the existing dwelling and dwellings to its west are set back by between 9m-14m from Back Lane. However, development to the immediate east of the application site (Wheatfield Court) extends to within 7m of the roadside boundary. Development to the north of Back Lane is therefore situated at varying distances from the highway. The forward most part of the proposed development will be set back approximately 10m from the front garden boundary of the existing property. It will extend approximately 2-3m forward of the neighbouring property at 4 Inverlea Court. It is considered that the proposed development will still be set back sufficiently from the highway to allow for the retention of an open garden area to the front of the proposed development. The proposed dwelling will still appear to be set back from Back Lane and is considered not to detract from the existing pattern of development that currently extends along the northern side of the highway.

In terms of design, it is considered that the use of natural stone is a betterment when compared to the existing brick dwelling. The construction of a more traditionally proportioned building is also considered to represent an enhancement in visual terms. The proposed design is considered to be more sympathetic to existing development on both Inverlea Court and Wheatfield Court in comparison to the existing dwelling. It is considered that the proposal respects the character, appearance and local distinctiveness of the local area with regard to setting, harmony, street scene, proportions and materials and as such accords with Local Plan Policy 42.

With regard to its potential impact of the proposal on the setting of the CA and the Cottage, it is considered that the proposed development is set back sufficiently from the aforementioned designated and non-designated heritage assets so as not to detract from their setting. The proposal will retain an open frontage to the application site and as such will not obstruct views of, or from, the heritage assets. The relatively open frontage lying alongside this section of the CA boundary will largely be retained as part of the development proposal. It is considered that the proposal will not have an adverse impact on the setting, character or appearance of the CA or the Cottage and as such the proposal accords with Local Plan Policy 15 and guidance in Section 12 of the NPPF.

(c) Impact on Residential Amenity

The proposed dwelling will retain a similar sized garden to that currently present. The proposal will therefore continue to provide a level of private outdoor amenity space commensurate with the size of the dwelling. The proposed dwelling will also be sited so that future residents of the property will not be subject to an unacceptable loss of privacy or light.

With regard to the potential impact of the proposal on the amenity of neighbouring residents, Officers can advise that the applicant has amended the design of the garage roof in order to address a number of the concerns raised by neighbours. The original scheme incorporated a gable end in the north eastern elevation of the proposed development. The applicant has subsequently agreed to replace the gable elevation with a hipped roof. The upper half of the elevation facing towards 2 and 3 Wheatfield Court will therefore slope away from the aforementioned dwellings thereby giving the roof of the garage a more recessive appearance when viewed from the properties to the east. At present, the rear elevations of 2 and 3 Wheatfield Court face towards the application site. No.3 Wheatfield Court lies just to the north of the proposed development, whilst No.2 faces the north eastern end of the proposed development.

The rear gardens of 2 and 3 Wheatfield Court are approximately 12m and 7.5m long respectively. The existing dwellings are therefore in reasonably close proximity to the application site. The proposed development will also be approximately 1.6m closer to the north eastern boundary of the site than the existing flat roof dwelling. Notwithstanding this, the proposed hipped roof arrangement now proposed does not breach the guidelines set out in Building Research Establishment document 'Site layout planning for daylight and sunlight: a guide to good practice'. The proposal is not of a height or size that would adversely affect the level of light enjoyed by the neighbouring dwellings. In addition, the introduction of the hipped roof also means that the upper part of the proposed development will slope away from the neighbours' properties thereby reducing the potential overbearing impact of the proposed scheme. It is considered that it would not be possible to sustain a refusal of the application on the grounds of overbearing impact.

With regard to privacy, the front (south west) elevation of the proposed dwelling will face into the relatively blank elevation of 4 Inverlea Court. The proposal will not have an unacceptable adverse impact in this respect. The proposed dwelling will extend forward of 4 Inverlea Court by 2-3m. However, windows in the south western elevation of the proposed dwelling will be approximately 2.5m from the end of the aforementioned elevation with the result that new windows will not look directly into the south eastern elevation of 4 Inverlea Court. Moreover, the aforementioned elevation already faces onto Back Lane and is therefore subject to a degree of overlooking by existing passers-by. It is considered that the proposed scheme will not have an unacceptable adverse impact on the occupiers of 4 Inverlea Court.

With regard to the concerns expressed by the owner of 1 Wheatfield Court in respect of loss of privacy, the dormer windows proposed in the north eastern elevation will be located approximately 27-29m from the rear elevations of 1 and 2 Wheatfield Court. The proposed windows will be in excess of the 21m typically used by Officers as an acceptable distance between facing windows serving habitable rooms. The proposed development is considered not to have an unacceptable adverse impact in terms of loss of privacy.

Overall, it is considered that the proposal is in accordance with Local Plan Policy 46.

9. Conclusion:

Overall, it is considered that the proposed development is of an acceptable size, scale and design and will not have an unacceptable impact on the character or appearance of the area or the amenity of existing residents. It is therefore recommended that the application is granted.

10. Proposed conditions:

The development hereby approved shall be carried out in accordance with the following drawing number(s): 497 02 B, 497 03 A, Location Plan 497/03

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 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.

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.

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 Policy 42.

Prior to the first occupation of the development hereby permitted, all windows shall be finished in a colour that has first been approved 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 Policy 42.

No windows or dormer windows 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.

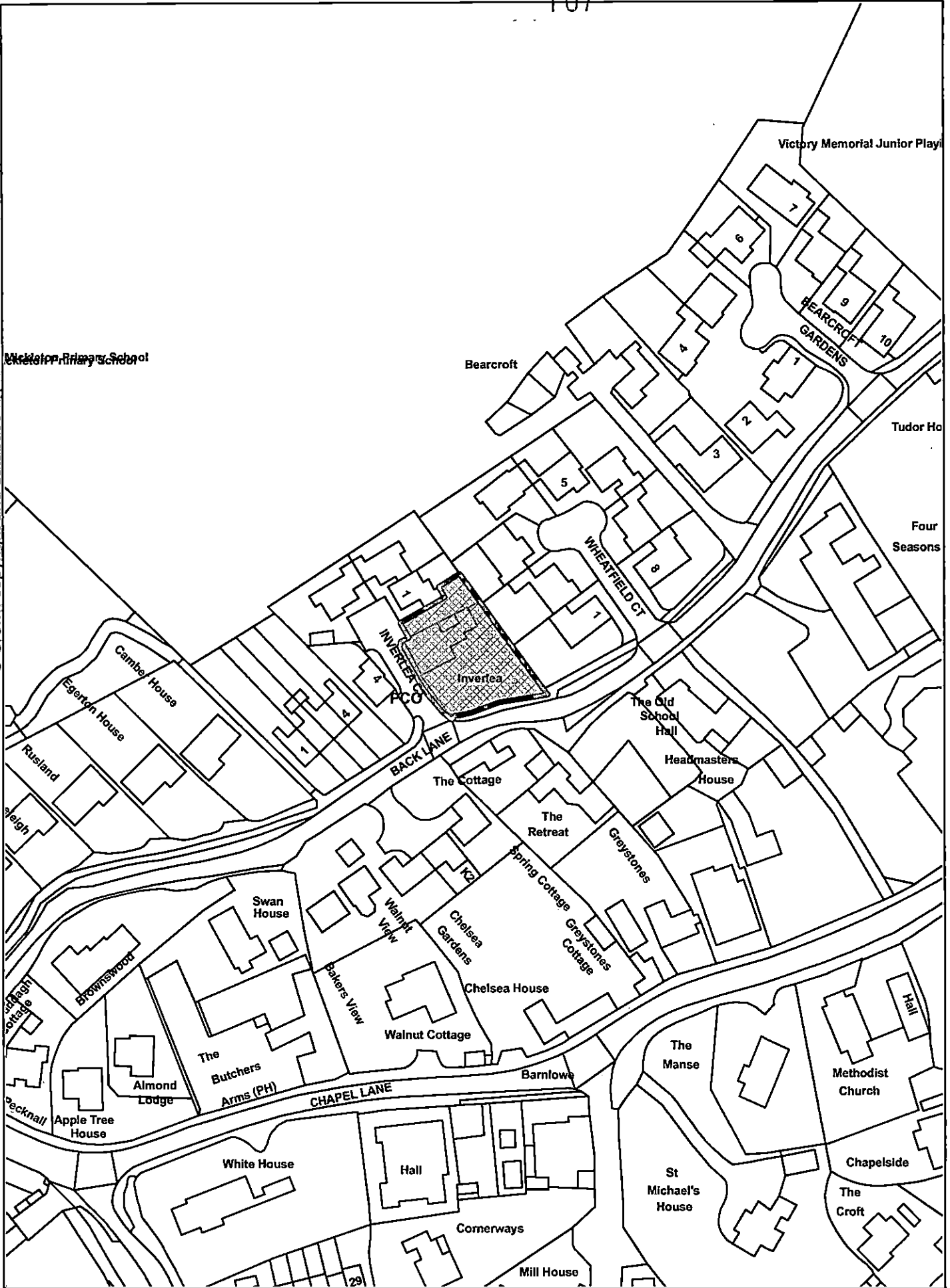
The design and details shall be accompanied by drawings to a minimum scale of 1:10 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

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

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INVERLEA BACK LANE MICKLETON

Scale: 1:1250

Organisation: Cotswold District Council

Department:

Date: 31/08/2017

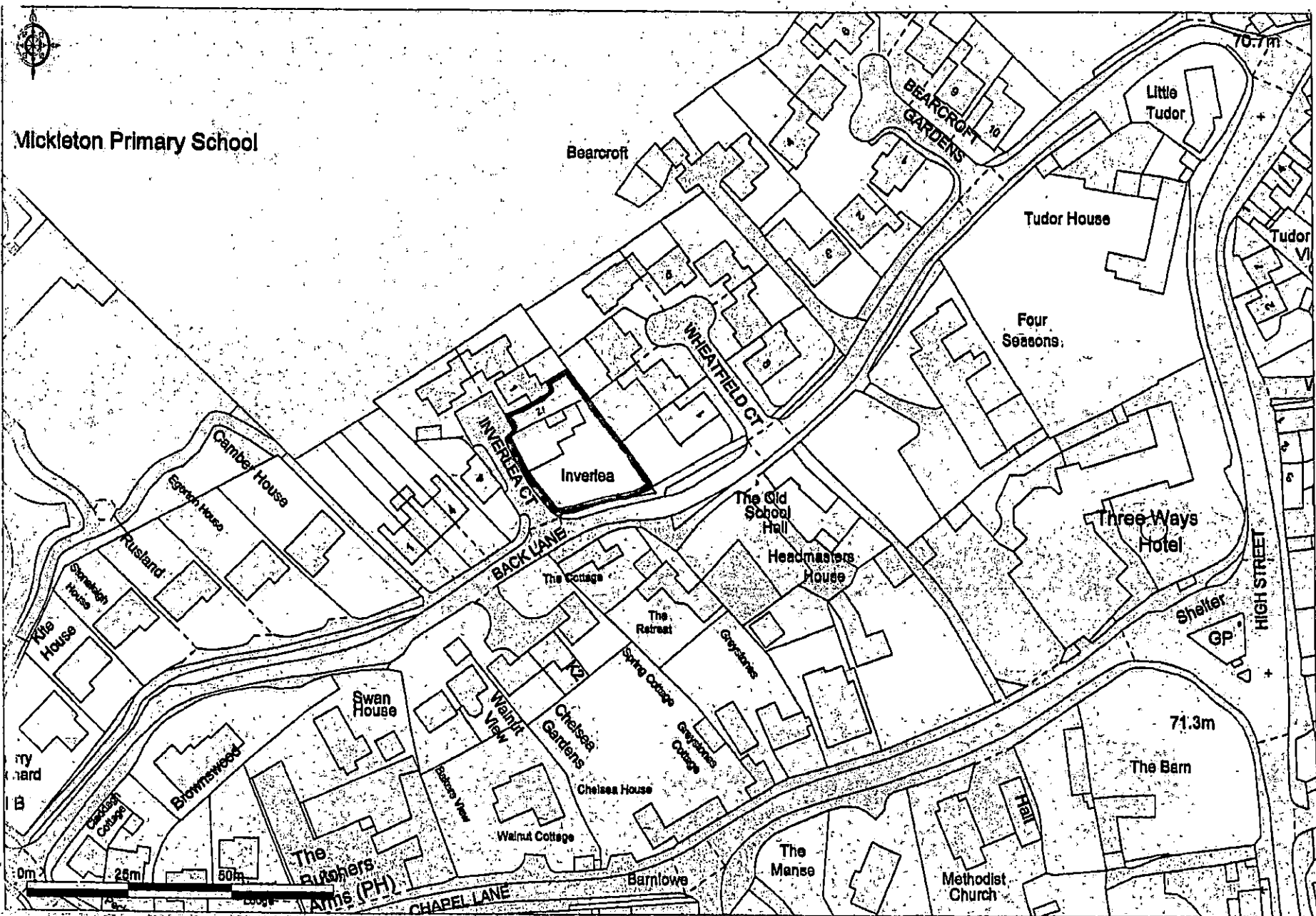


COTSWOLD
DISTRICT COUNCIL





Mickleton Primary School



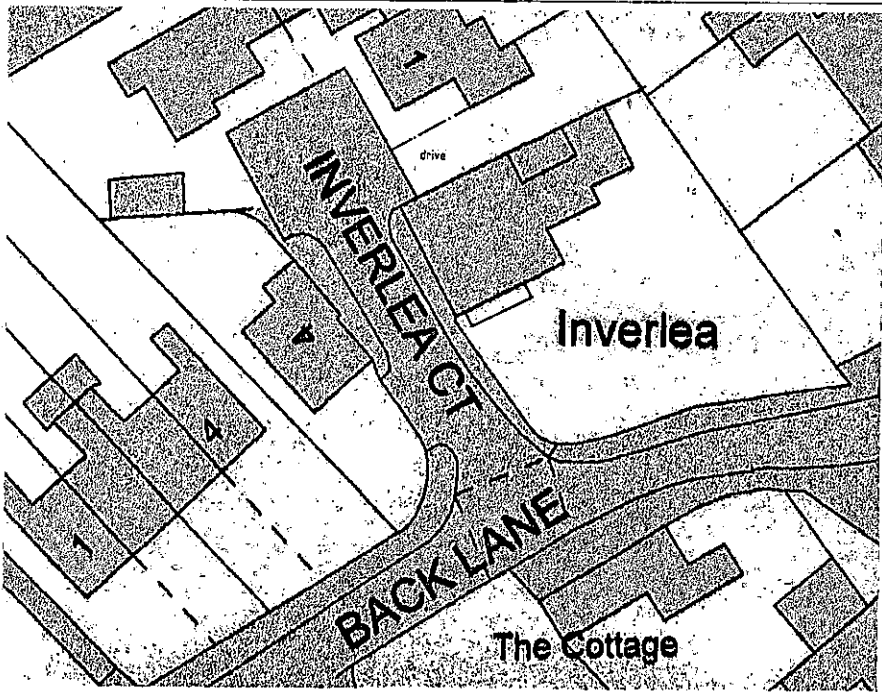
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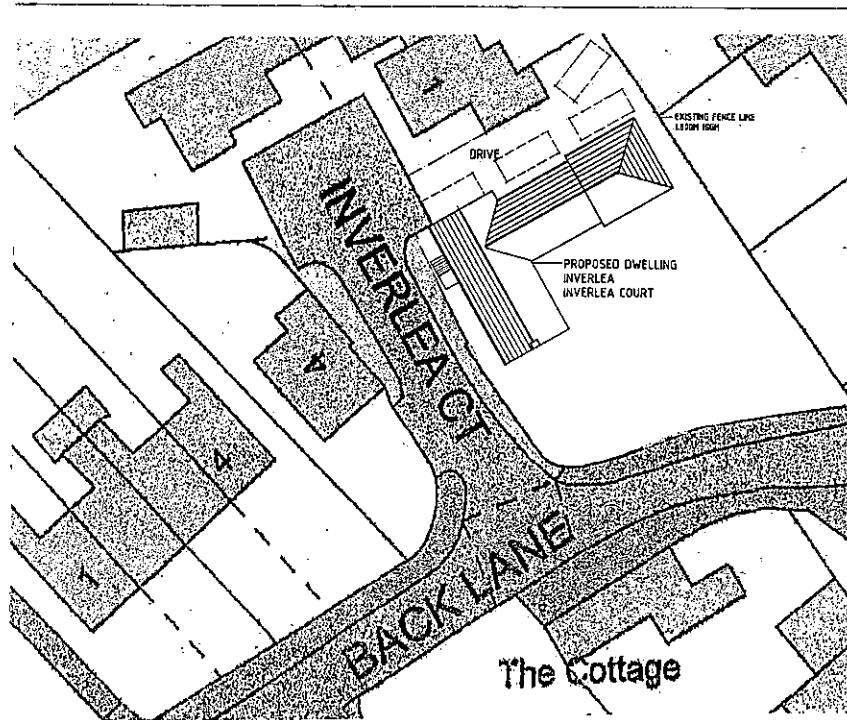
INVERLEA INVERLEA COURT MICKLETON LOCATION PLAN 497 / 03

108

17/02525/AM



EXISTING SITE LAYOUT 1 : 200



PROPOSED SITE LAYOUT 1 : 200



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PROJECT
 REPLACEMENT DWELLING
 INVERLEA COURT
 MICKLETON
 GLOS GL55 6TZ
 TITLE

SITE PLANS

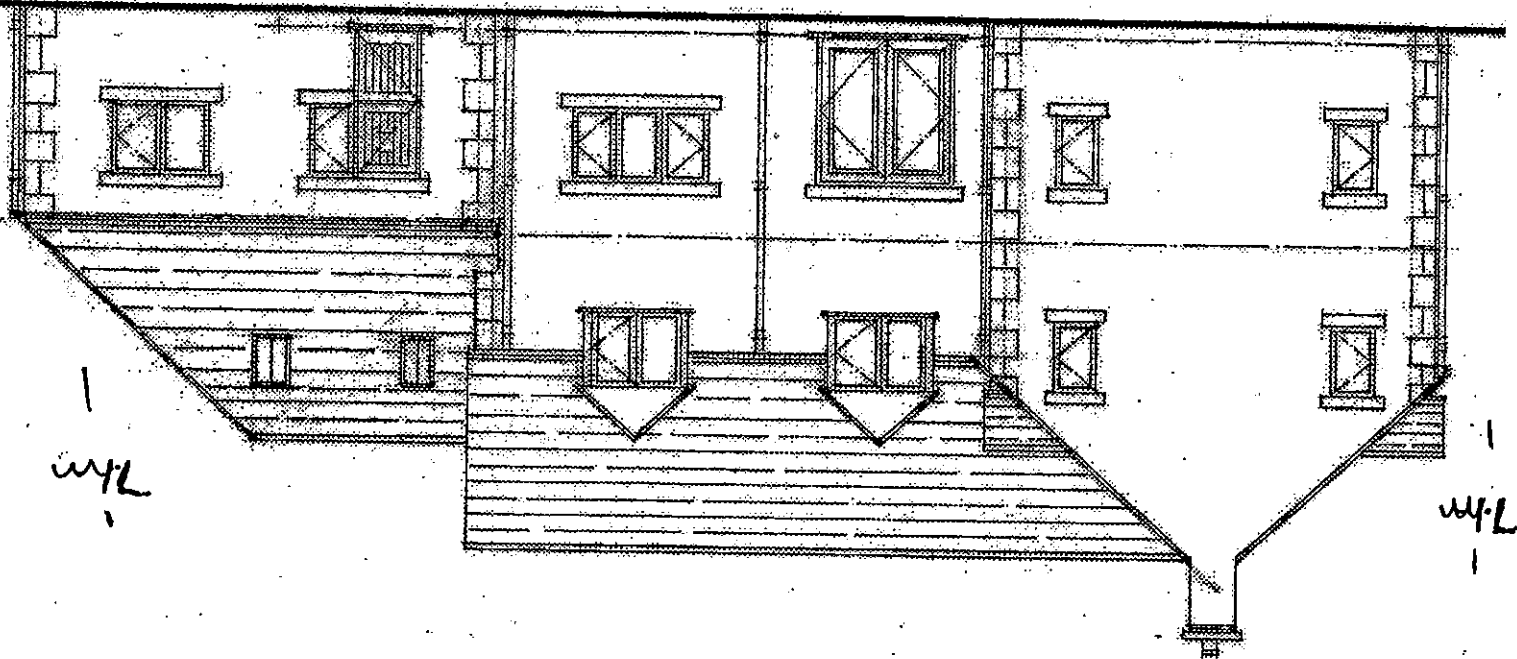
REVISIONS
 A 17/06/17 PLOT REDUCED GABLE CHANGED
 B 26/08/17 GARAGE GABLE ALTERED

SCALE 1:200	DATE 04/06/17	NORTH
JOB No. 497	ORIG. No. 02	REV. No.

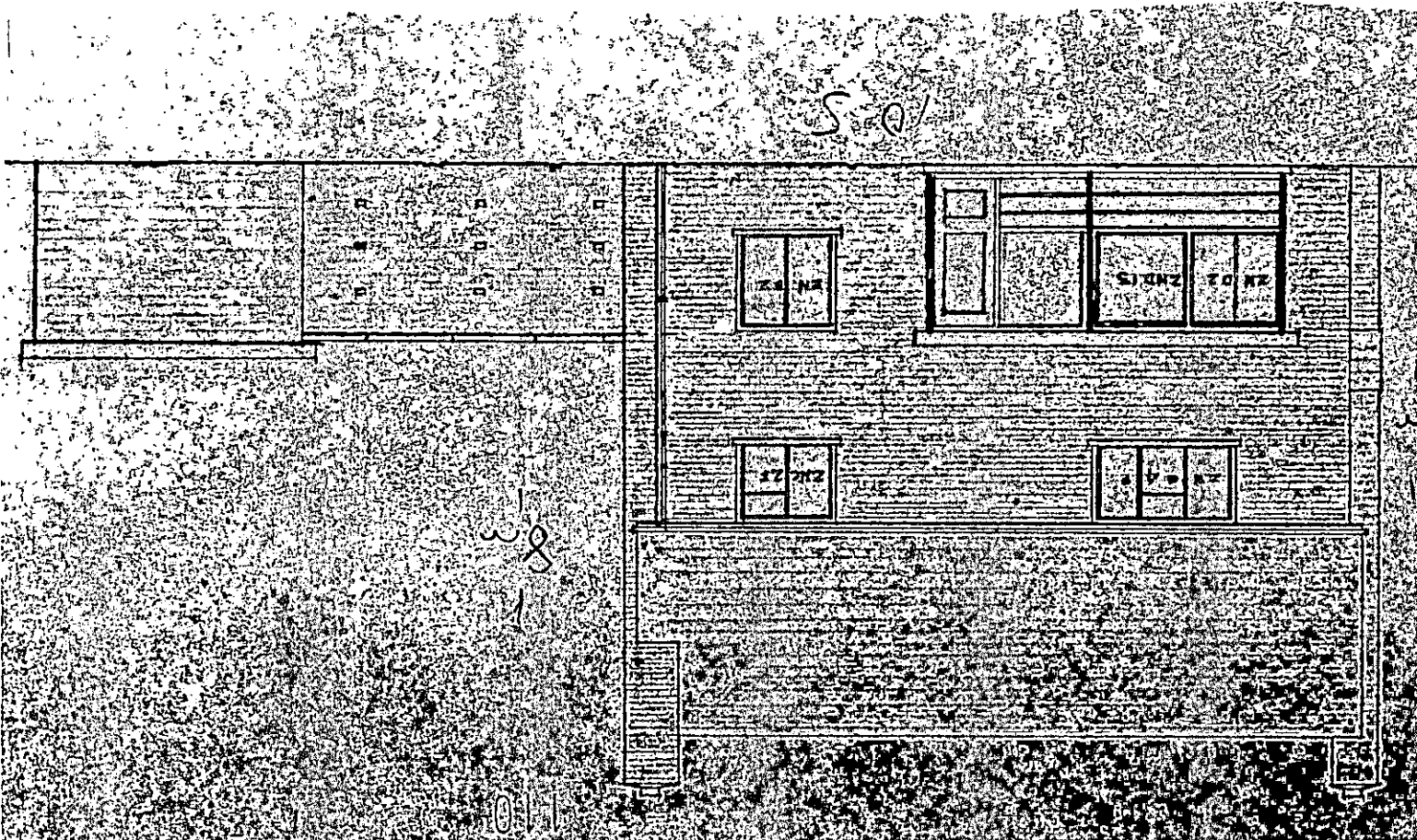
THIS DRAWING MUST NOT BE SCALED. ALL DIMENSIONS MUST BE CHECKED ON SITE BEFORE COMMENCING WORK OR BEFORE SHOP DRAWING. ANY ERRORS OR DISCREPANCIES MUST BE BROUGHT TO THE CONTRACTOR'S ATTENTION.

Designation: 0001 0001 012

PROPOSED ELEVATION FACING BACK LANE



EXISTING ELEVATION FACING BACK LANE

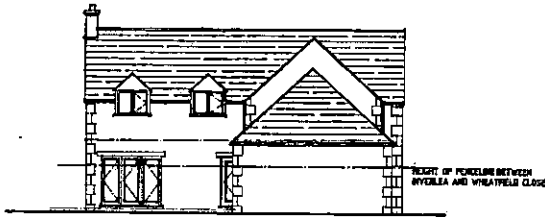




FRONT ELEVATION (from inverlea court)



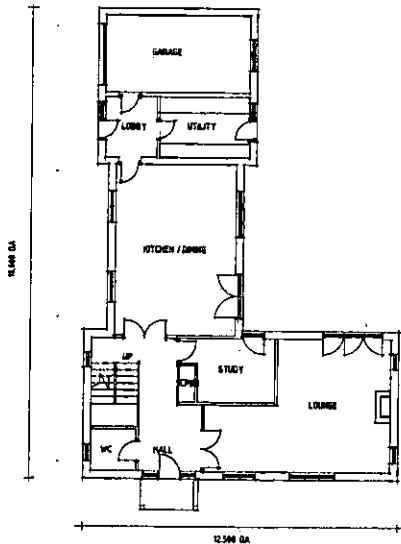
SIDE ELEVATION (from back lane)



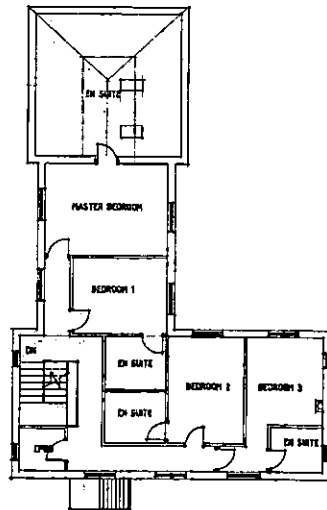
REAR ELEVATION (from wheatfield court)



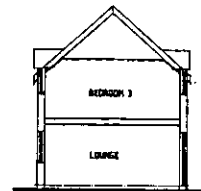
SIDE ELEVATION (from existing driveway)



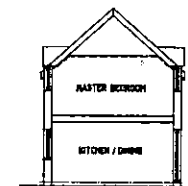
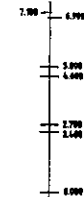
GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECTION AA



SECTION BB



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PROJECT
 REPLACEMENT DWELLING
 INVERLEA
 INVERLEA COURT
 MICKLETON
 GLOS GL 55 6TZ

TITLE
 PROPOSED PLAN & ELEVATIONS

REVISIONS
 A 22/04/17 GARAGE ROOF AMENDED

0 0.5 1.0 2.0 3.0 4.0 5.0 6.000/ft 1/8"

SCALE	DATE	NORTH
1:100	16/08/17	
JOB No.	ENG No.	REV No.
497	03	

This drawing may not be relied on for construction without the consent of the author. Any errors or omissions must be brought to the Designer's attention.



View from Back Lane

