

Item No 05:-

16/05190/FUL

**Roof Trees
Rissington Road
Bourton-On-The-Water
Cheltenham
Gloucestershire
GL54 2EB**

Item No 05:-**Proposed single storey 2 bedroomed dwelling at Roof Trees Rissington Road
Bourton-On-The-Water Gloucestershire GL54 2EB**

Full Application 16/05190/FUL	
Applicant:	Mr Shaun Farley
Agent:	Lynn Palmer Architects Ltd
Case Officer:	Christopher Fleming
Ward Member(s):	Councillor Richard Keeling
Committee Date:	13th December 2017
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of Development
- (b) Design/ Impact on the surrounding Area
- (c) Impact on Neighbouring Living Conditions
- (d) Highway Safety
- (e) Impact on Protected Trees

Reasons for Referral:

The application has been referred to committee by Cllr Keeling in the light of the objections from the Parish Council and others, so that members can assess the impact of the proposal on the protected trees and the new access onto the highway.

1. Site Description:

The site comprises part of the garden area to the rear of a property known as Roof Trees which is a detached dwelling in Bourton-on-the-Water. The site would be accessed via a proposed drive to the side of the property.

The site is surrounded by modern bungalows outside the Bourton on the Water Conservation Area adjacent to The Gorse and Rye Close, whilst set within the village of Bourton the Water the property also lies within the sensitive landscape setting of the Cotswold Area of Outstanding Natural Beauty (AONB). To the east of the site there are a number of trees protected by Tree Preservation Orders (TPO).

2. Relevant Planning History:

No relevant planning history

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR18 Develop within Development Boundaries
 LPR38 Accessibility to & within New Develop
 LPR42 Cotswold Design Code
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Deve

4. Observations of Consultees:

Tree Officer - No objection in principle subject to the proposal having an acceptable impact on the trees being demonstrated through the submission of a revised arboricultural impact assessment.

5. View of Town/Parish Council:

Objection on grounds of design, impact on trees, neighbouring living conditions and the proposed access arrangements

6. Other Representations:

1 letter of general comment from members of the public in relation to design and materials

5 letters of objection from members of the public in relation to design, access, impact on trees and impact on neighbouring living conditions.

7. Applicant's Supporting Information:

Supporting statement
Daylight shadow assessment
Arboricultural Impact Assessment
Associated drawings

8. Officer's Assessment:

(a) Principle of Development

The site is located within the development boundary for Bourton-on-the-Water as identified in the Local Plan. Within development boundaries applications for development are supported in principle as outlined in Local Plan Policy 18.

Bourton-on-the-Water is one of the largest settlements in the Cotswold District and ranks high in terms of levels of service provision; it is one of the three most sustainable settlements in the Cotswolds and home of the largest employment area in the north Cotswolds. The proposed addition of one dwelling is considered to be commensurate with the amount of services available within the settlement, most of which are to be found on the High Street which is reasonably accessible on foot.

Bourton-on-the-Water is identified in emerging Local Plan documents as one of 17 key settlements that has sufficient facilities and services to accommodate new residential development in the period up until 2031. The emerging local plan states that, despite being regarded as a village rather than a town, Bourton-on-the-Water is the fifth most populous settlement in the District, and, has a healthy range of services and facilities, sound employment base, and good access to other centres.

Emerging Local Plan Policy DS2 (Development within Development Boundaries) sets out that proposals 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.

Whilst the provisions of Policy DS2 are noted, the emerging Local Plan is in the process of examination and as such the policies contained within it can be accorded only limited weight at the current time since such policies could be subject to change or deletion.

The proposed dwelling is single storey reflective of the properties along The Gorse and those along this part of Rye Close, There is a mixture of architectural styles with the majority of properties being modern bungalows constructed out of reconstituted stone with concrete tiled

roofing. The proposed dwelling would be built with similar materials. On this basis, it is considered that this criterion has been met. However, more analysis of the design and appearance of the proposed dwelling is contained in the following section of this report.

The application site relates to part of the garden to the rear of Roof Trees and is considered not to be visually important and it does not make any particular contribution to the villages overall appearance or setting. In addition there is no defined pattern in this part of Bourton on the Water, with more modern housing developments being developed to the east of Bourton on the Water. With this in mind the introduction of a new dwelling would be considered acceptable and would not have an adverse impact on the surrounding patterns of development.

Taking the above into account is considered that the principle of residential development in this location is acceptable.

(b) Design/ Impact on the Surrounding Area

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

The dwelling itself has been designed to integrate within the surrounding development. This would be achieved by using building materials which consist of Cotswold stone and plain concrete tiles with aluminium framed windows and doors. Whilst the proposed design takes a contemporary approach the form and scale of the building is considered to be appropriate for its surroundings. Policy 42 does not seek to stifle innovative design, it states that development should be designed in a manner that respects the character, appearance and local distinctiveness of its surroundings and it is considered that subject to the use of appropriate materials the proposal would achieve this aim. This is in accordance with the guidance contained within Local Plan Policy 42 and Sections 7 of the NPPF.

(c) Impact on Neighbouring Living Conditions

Policy 46 (Privacy and Gardens in Residential Development) of the Local Plan requires that new development should provide adequate areas of open space around dwellings, so as to ensure reasonable privacy, daylight, and adequate private outdoor living space.

Concerns have been raised with regard to impact on neighbouring living conditions. Due to the orientation and location of the proposed dwelling, the only dwelling that could realistically be affected by this issue is 11 Rye Close. Both 11 Rye Close and the application property are single storey where there would be no overlooking into private property. Following concerns over the size and design of the dwelling, the application property has been reduced in size and height and has now been set off the boundary to ensure the proposed dwelling does not result in an overbearing impact on the neighbouring property. In addition a sunlight assessment has been submitted with the application, this demonstrates the proposal would not result in an unacceptably adverse impact on the neighbouring property in terms of loss of light and overshadowing. Furthermore, the proposal now results in a two bedroomed property and given the reduction in size would not result in a cramped form of development and would provide adequate amenity space for future occupiers of the dwellinghouse. In this respect, the proposal would be compliant with Local Plan Policy 46 and NPPF paragraph 17 (point 5) with regard to impact on neighbouring living conditions and would not result in a significantly adverse impact in terms of loss of light and privacy.

(d) Highway Safety

The site would be accessed of a classified highway (Rissington Road) via a single width access track to the side of Roof Trees, provision has been made to enable vehicles to turn around and exit the site in forward gear. Whilst concern has been raised over increased volume of traffic and the access being sited adjacent Hilcote Drive, the access would only serve one dwelling furthermore the speed limit of the road used to gain access to the site is 30mph. From this having assessed the access arrangements it is reasonable to conclude that the visibility splays to be provided at the proposed site access are sufficient to meet the requirements and standards set by Gloucestershire County Highways. Furthermore, the proposed access would result in the provision of better visibility on exiting the site to that provided for the proposed access to the adjacent property known as 'Kasvin' which had a new vehicular access permitted under planning application reference: 16/05013/FUL.

It is considered that the proposed access and parking arrangements do not conflict with the guidance contained within Manual for Gloucestershire Streets, Local Plan Policies 38 and 39 and the National Planning Policy Framework and that the proposal would not result in severe harm on the safe operation of the highway network.

(e) Impact on Protected Trees

This application has been subject to numerous amendments to ensure that development is restricted to and outside the tree canopy and root protection zones of the trees protected by Tree Preservation Orders. The amendments include the resiting and reduction in size of the proposed dwelling, revisions to the access to the site and changes to the internal arrangements to ensure that habitable rooms have access to acceptable levels of light etc. Taking this into account the Council's Tree Officer has no objection in principle to the proposal subject to this being demonstrated through the submission of a revised arboricultural impact assessment along with appropriate tree protection measures to safeguard the trees during any construction phase. A further update will be provided prior to the committee meeting.

9. Conclusion:

Overall the proposed development has been subject to extensive discussions where the size and scale of the dwelling has been reduced down to take into account the impact on neighbouring living conditions and the impact on the surrounding protected trees. The proposal represents sustainable development within an established settlement and therefore is considered compliant with local plan polices 18, 42 and 46 and the guidance contained within the NPPF. The application is therefore recommended for permission.

10. Proposed 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 implemented in accordance with the following drawing number(s): 1516 (PL) 401 REV A, 1516 (PL) 100 REV D, 1516 (PL) 101 REV D, 1516 (PL) 102 REV D, 1516 (PL) 103 REV A, 1516 (PL) 200 REV A, 1516 (PL) 201 REV A and 1516 (PL) 400 REV A.

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 occupation of any part of the development or the vehicular access being brought into use, the vehicular access shall be laid out and constructed such that any entrance gates are set back a minimum distance of 4.5m from the edge of the carriageway and hung so as to open inwards only with splay lines provided from a point 4.5m back from the carriageway on either side of the driveway extending at 45 degrees to the highway boundary. The area in advance of the gate position/splay lines shall be kept free from obstruction and surfaced in bituminous macadam or other approved material and thereafter similarly maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory means of access is provided and maintained in the interests of highway safety and in accordance with Cotswold District Local Plan Policy 38.

The development shall not be occupied or brought into use until the vehicle parking and manoeuvring facilities have been completed in all respects in accordance with the approved details and they shall be similarly maintained thereafter for that purpose.

Reason: In the interests of highway safety, and in order to ensure that the development complies with Cotswold District Local Plan Policy 39.

Before the occupation of the dwelling(s) 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.

Before the access or development is brought into use provision shall be made within the site for the disposal of surface water from the driveway in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and the works as approved shall thereafter be similarly maintained.

Reason: To ensure that surface water does not discharge onto the highway, in the interests of highway safety and in accordance with Cotswold District Local Plan Policy 38.

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ROOF TREES RISSINGTON ROAD BOURTON ON THE WATER Scale: 1:1250

Organisation: Cotswold District Council

Department:

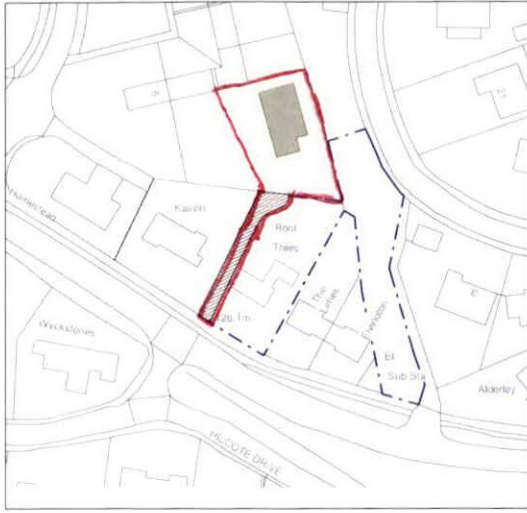
Date: 30/11/2017



COTSWOLD
DISTRICT COUNCIL

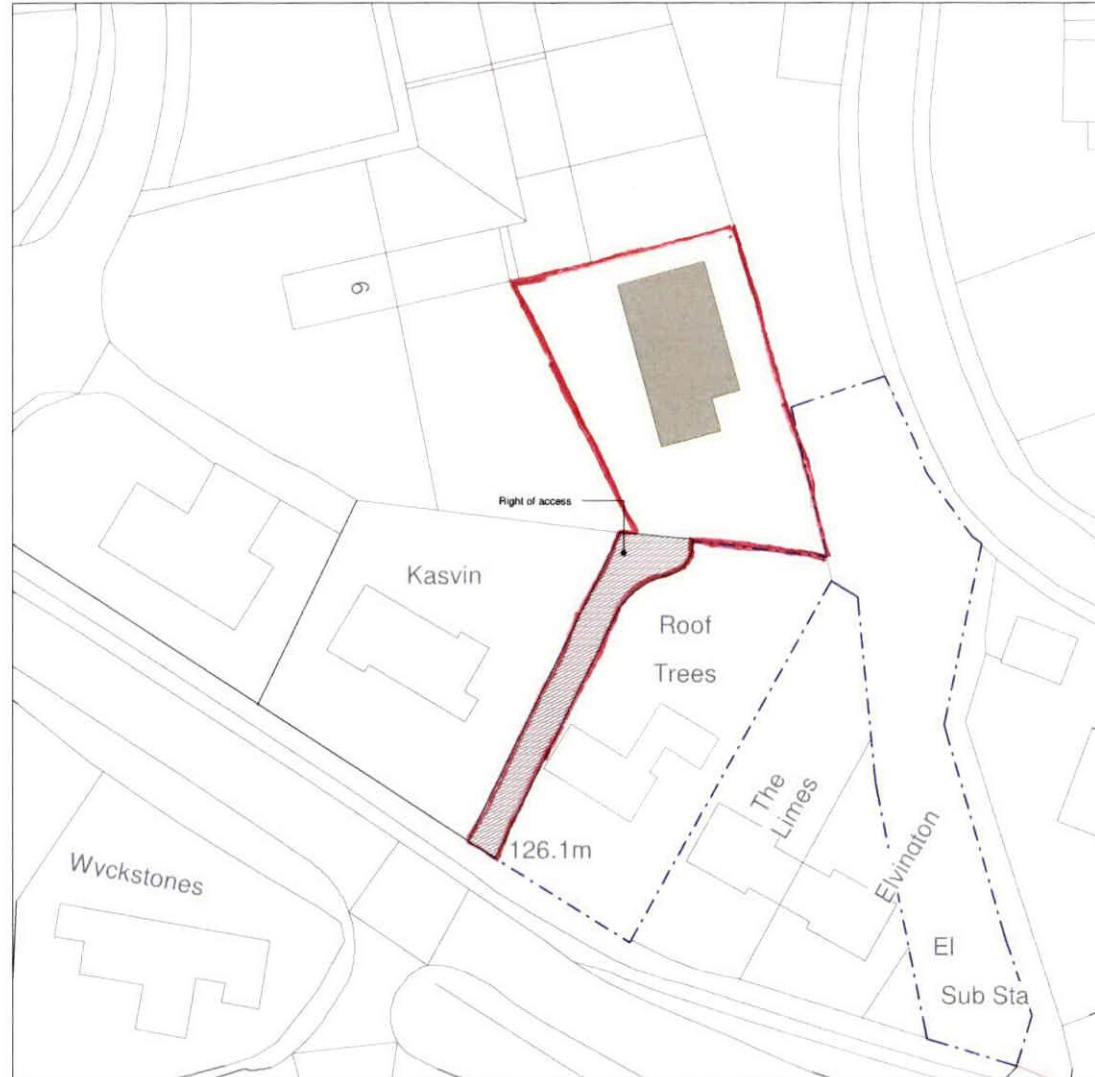
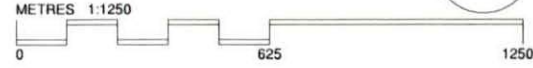
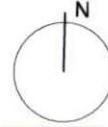


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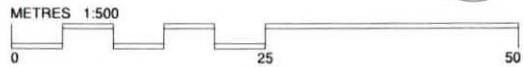
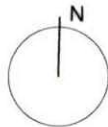
Proposed Site Plan

1 : 1250



Proposed Block Plan

1 : 500



1516 A (PL) 401

Nov 2016 SR
Scale: As @A3
indicated

Rev No.	Date	Drawn	Description
A	10/01/2017	SR	RPA

Shaun Farley
5 Rissington Road,
Bourton-on-water
Proposed Block Plan

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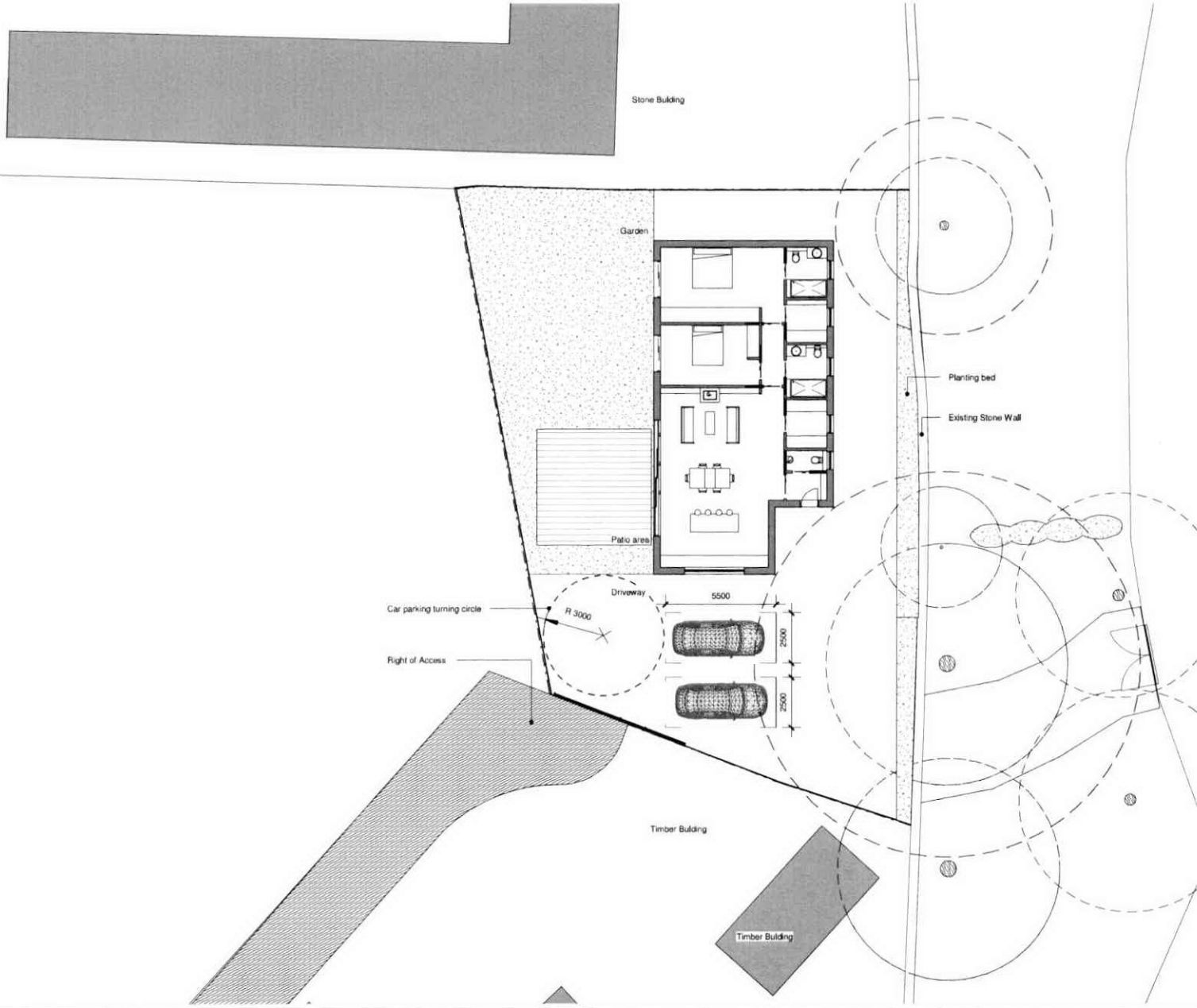
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(PL) 102

Nov 2016 SR
Scale: 1 : 200 @A3

Rev No.	Date	Drawn	Description
A	18/04/2017	SR	Revised - Access
B	27/04/2017	SR	2 Bedroom House
C	18/05/2017	SR	PPA
D	07/07/2017		Layout

Shaun Farley
5 Rissington Road,
Bourton-on-water
**Proposed Landscape
Floor Plan**

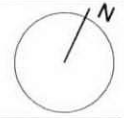
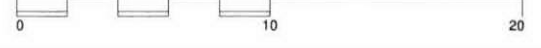
LYNN PALMER
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E LYNN@PALMERARCHITECTS.COM W WWW.PALMERARCHITECTS.COM T 01844 318501



LEGEND

- Tree trunc
- Tree canopy
- Root Protection area
- Plot boundary

METRES 1:200



LEGEND

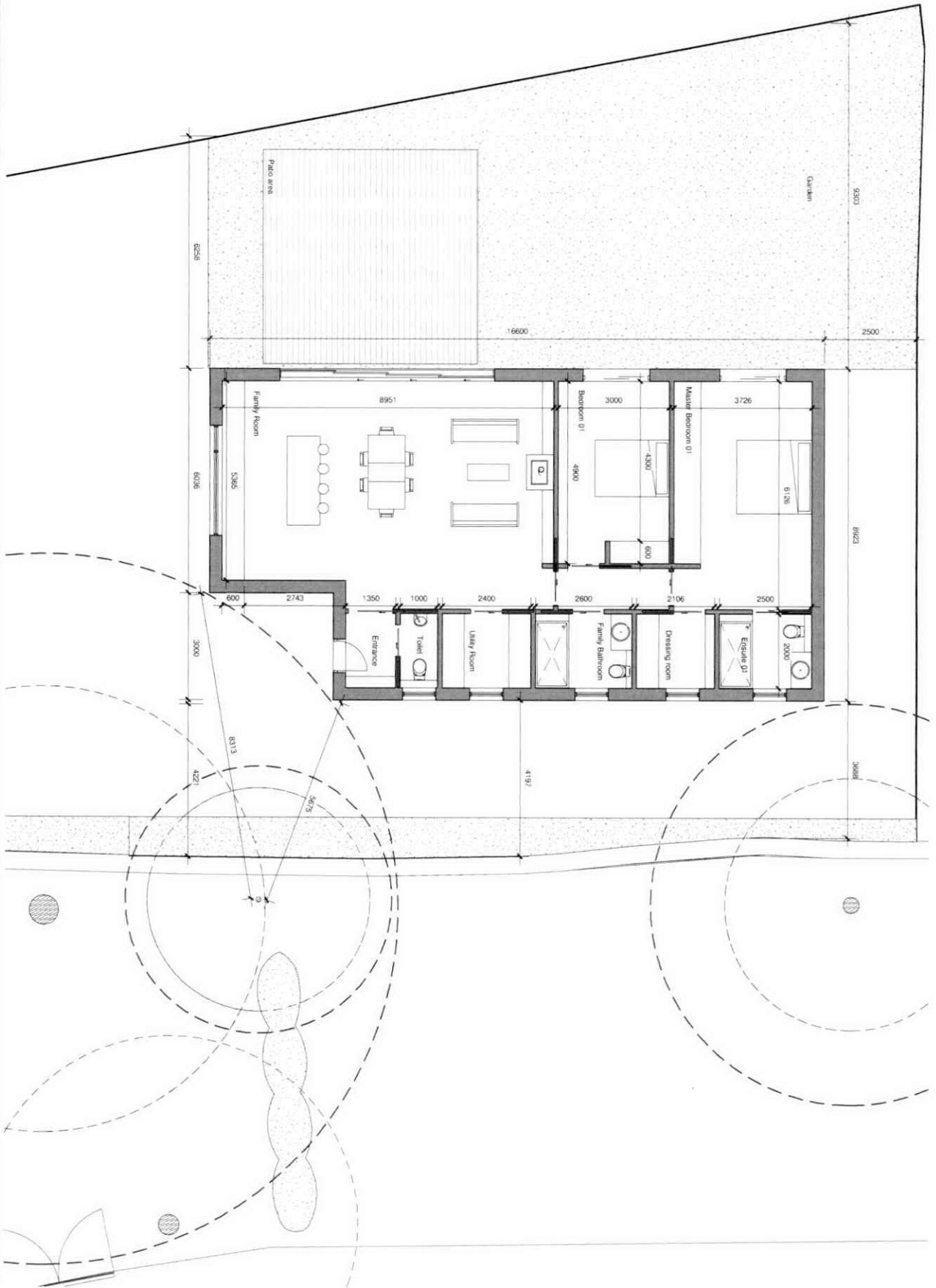
-  Tree trunk
-  Tree canopy
-  Roof Projection area
-  Internal Gross Ground Floor Area
-  External Gross Ground Floor Area
-  Plot boundary

Ground Floor Area

Internal Gross Ground Floor Area
 External Gross Ground Floor Area

128.00 m²
 171.82 m²

METRES 1:100



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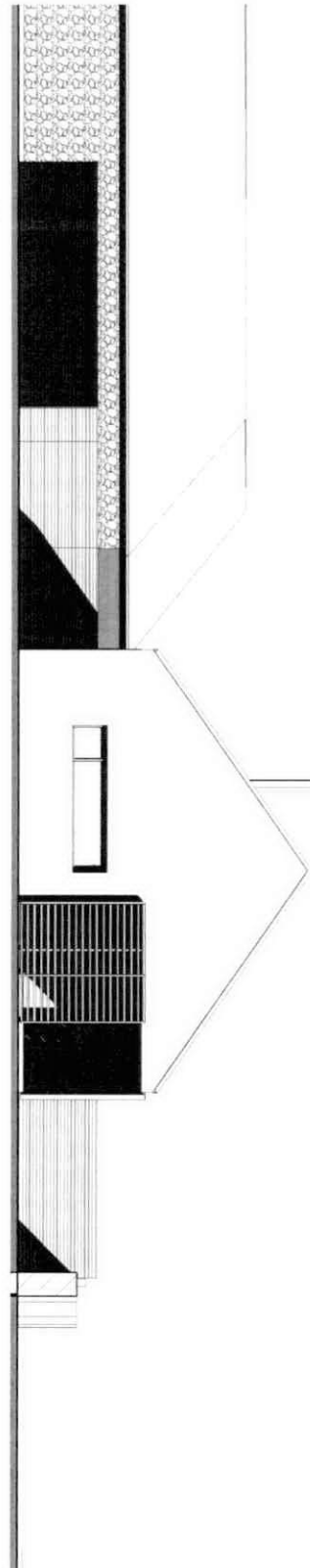
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Shaun Farley
 5 Rissington Road,
 Bourton-on-water
**Proposed Ground
 Floor Plan**

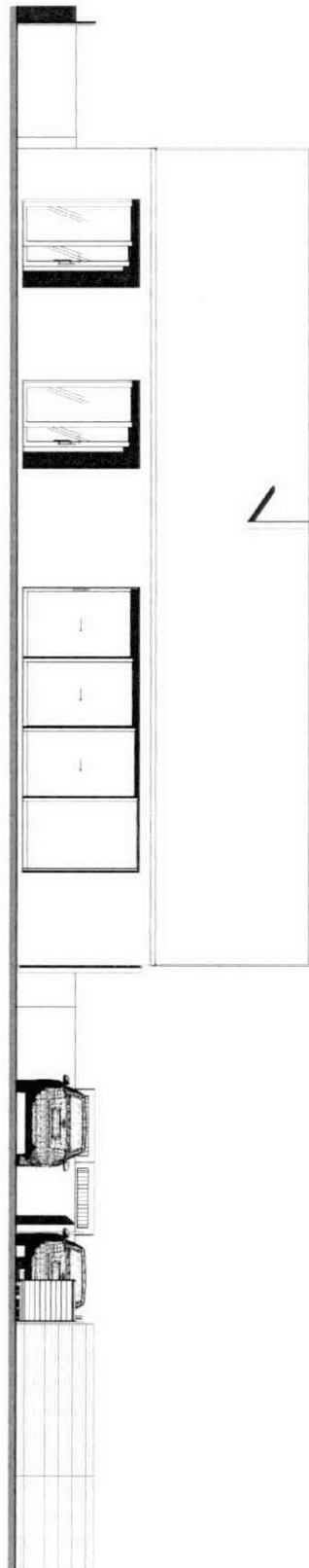
Rev No.	Date	Drawn	Description
A	10/04/2017	SR	Relocated + Access
B	27/04/2017	SR	2 Bedroom house
C	19/06/2017	SR	RPA
D	07/07/2017		Legend

1516 D
 (PL) 100
 NOV 2016 SR
 Scale 1:100 @A3

Proposed South
1 : 100



Proposed West
1 : 100



1516 A
(PL) 201

Nov 2016 SR
Scale 1 : 100 @A3

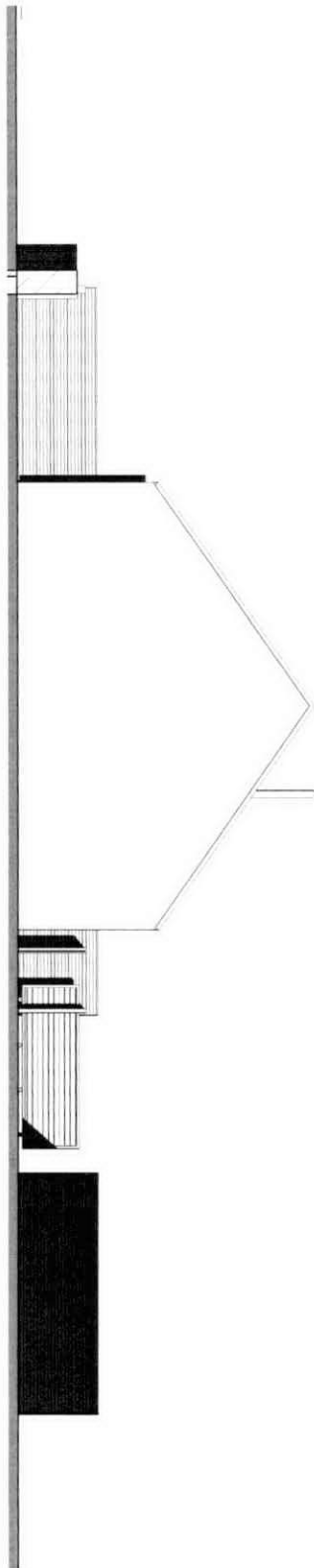
Rev No.	Date	Drawn	Description
A	19/06/2017	SR	RPA

Shaun Farley
5 Rissington Road,
Bourton-on-water
Proposed South and
West Elevation

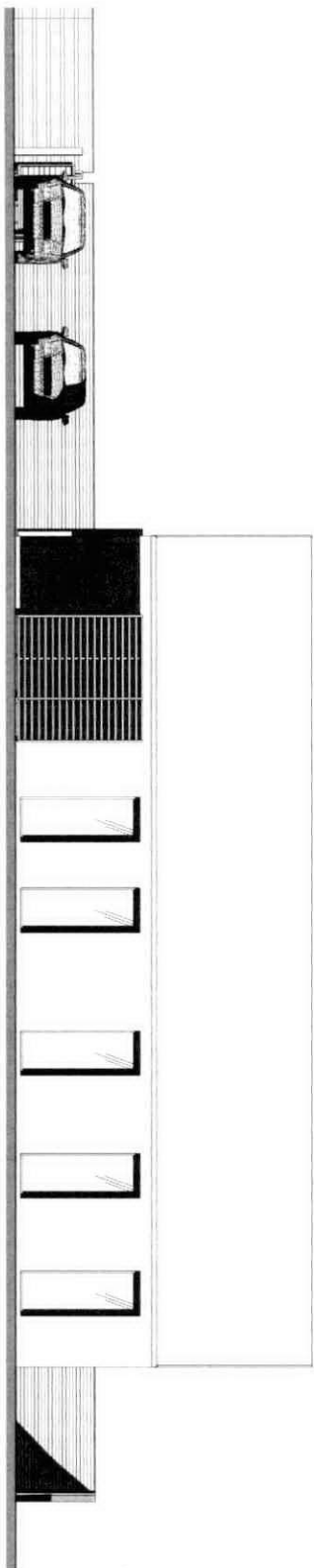


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Proposed North
1 : 100



Proposed East
1 : 100



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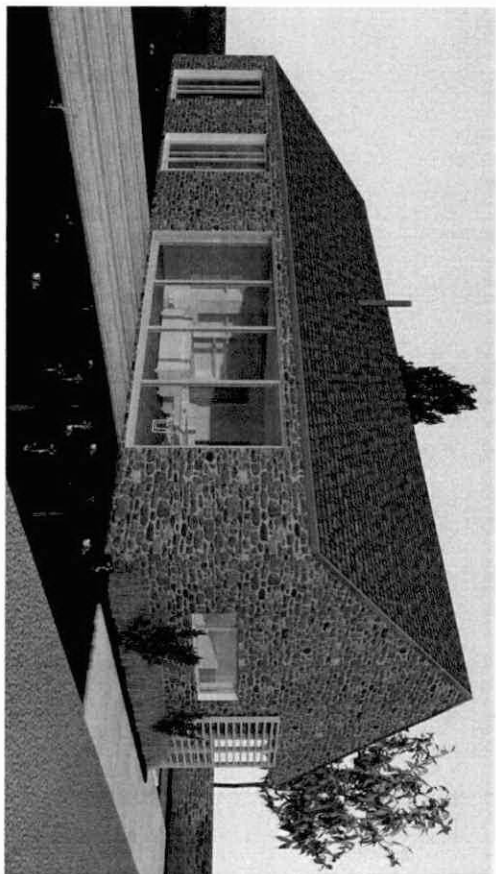
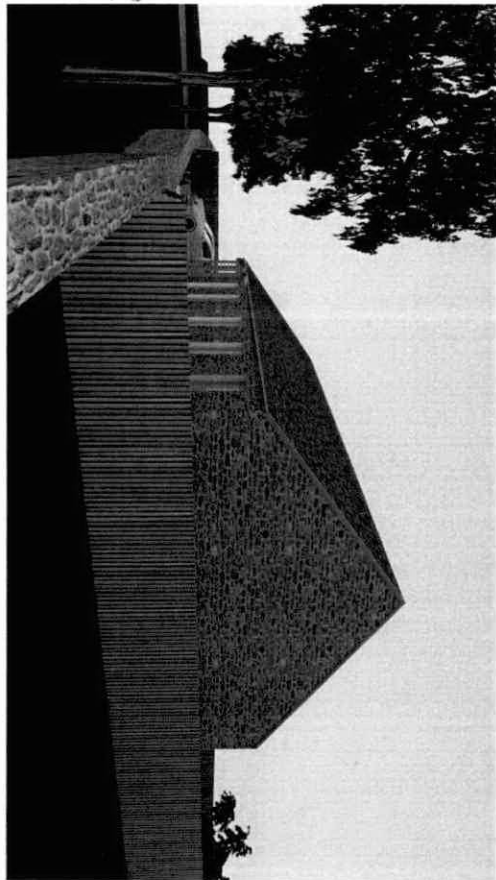
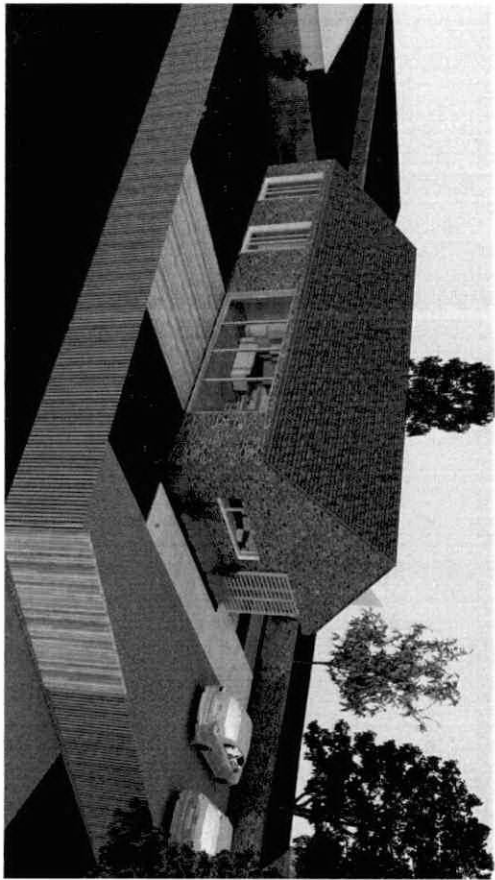
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Shaun Farley
5 Rissington Road,
Bourton-on-water
Proposed North and
East Elevation

Rev No.	Date	Drawn	Description
A	19/06/2017	SF	RPA

NOV 2016 SR
Scale: 1 : 100 @A3

1516 A
(PL) 200



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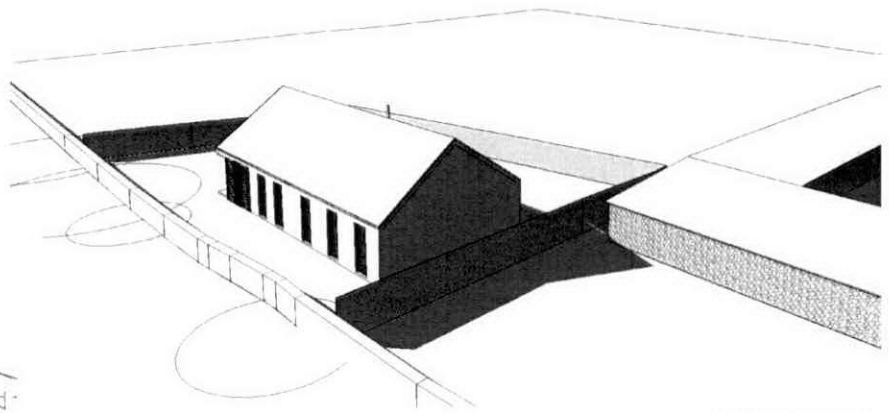
Shaun Farley 5 Rissington Road, Bourton-on-water Proposed 3D views

Rev No.	Date	Drawn	Description
A	18/06/2017	SF	RPA

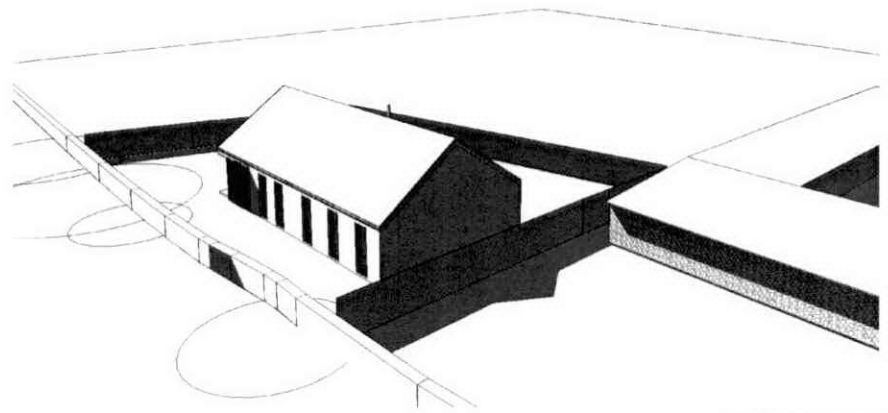
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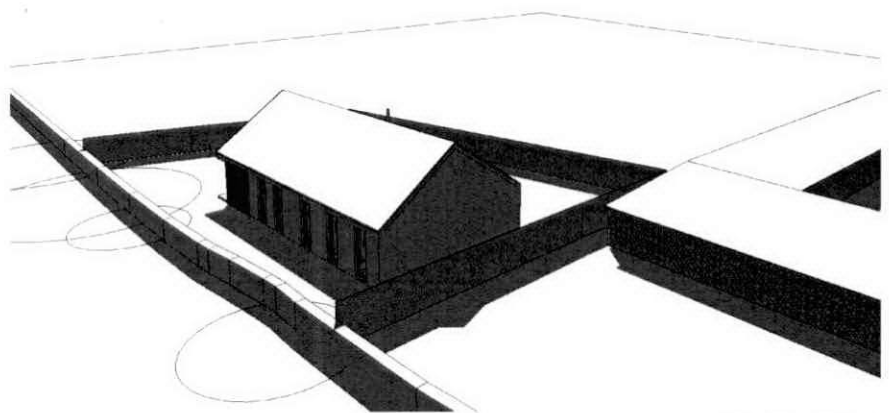
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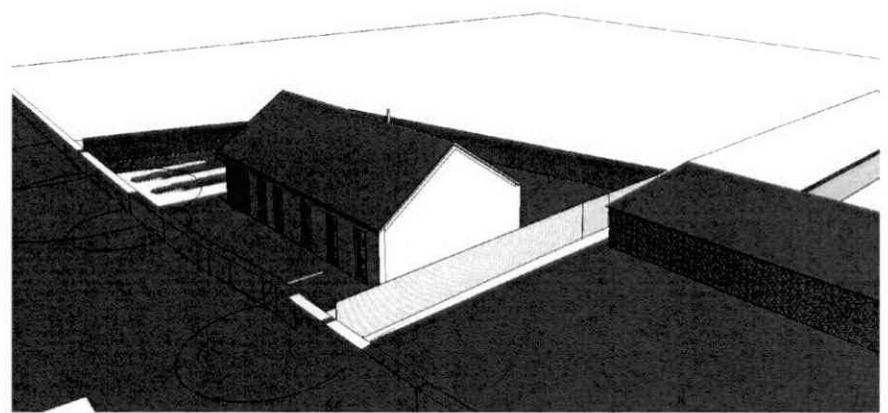
9h - 21st of March



11h - 21st of March



13h - 21st of March



15h - 21st of March

Sun study - Date 21st of March according to Site Layout Planning for Daylight and Sun light
3. Sunlight : "At least half of a garden or amenity area should receive at least two hours of sunlight 21 March"

1516 A
(PL) 301

Dec 2016 SR
Scale: @A3

Rev No:	Date:	Drawn:	Description:
A	15/06/2017	SF	RPA

Shaun Farley
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Sun study 01

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