Item No 04:-

18/01708/FUL

Merryweathers
6 Ebrington
Chipping Campden
Gloucestershire
GL55 6NL

## Item No 04:-

# Change of use of dwelling (C3) to guest house (C1) and associated works at Merryweathers 6 Ebrington Chipping Campden Gloucestershire GL55 6NL

	Full Application 18/01708/FUL
Applicant:	
Agent:	CDRB Architects Ltd
Case Officer:	Martin Perks
Ward Member(s):	Councillor Mrs Sue Jepson
Committee Date:	8th August 2018
RECOMMENDATION:	PERMIT

#### Main Issues:

- (a) Conversion of Dwelling to Guest House
- (b) Impact on Character and Appearance of Ebrington Conservation Area
- (c) Parking and Highway Safety
- (d) Other Matters

#### Reasons for Referral:

This application has been referred to Planning and Licensing Committee at the request of Cllr Jepson. No reason provided to date.

#### 1. Site Description:

This application relates to a dwelling located within Ebrington Conservation Area (CA) and the Cotswolds Area of Outstanding Natural Beauty. The property faces onto the main road leading through the centre of the village. The front elevation is part 2 storey and part 3 storey in height. The rear elevation is 2 storey in height. It opens onto a garden which is elevated above the road. The property is bordered to either side (east and west) by existing dwellings.

The site is located outside a Development Boundary but within a Non-Principal Settlement as designated by the Cotswold District Local Plan 2011-2031.

## 2. Relevant Planning History:

CD.5456 Alterations and extension with double garage. Refused 1974

CD.5456/A Alterations and extension to cottage to form additional living accommodation and double garage. Granted 1974

CD.5456/B Alterations and extension to cottage to form additional living accommodation and double garage. Refused 1976 Allowed at appeal 1976

CD.5456/C Alterations and extension to cottage to form additional living accommodation and double garage. Granted 1976

CD.5456/D Installation of four 1.3 square metre surface area solar collectors on rear roof surface. Granted 1997

# 3. Planning Policies:

NPPF National Planning Policy Framework

LPR15 Conservation Areas

LPR19 Develop outside Development Boundaries

LPR26 Tourism

LPR38 Accessibility to & within New Develop

LPR39 Parking Provision

LPR42 Cotswold Design Code

## 4. Observations of Consultees:

Gloucestershire County Council Highways: No objection

## 5. View of Town/Parish Council:

'Ebrington Parish Council (EPC) OBJECTS to this application on the following grounds:

EPC does not believe a change of use application can be properly evaluated without the inclusion of a business plan that provides specific details regarding the intended use. In this case, the critical issue is the number of guests that will be accommodated at the property at any given time, as that will dictate the necessary parking and potential impact on highways use. Here, no such business plan is provided and the application does not identify the number of guests to be accommodated, nor if there will be management in residence, or the type of services that will be offered to guests - meals for example. As such, EPC believes the application should be refused on this ground alone.

Moreover, the application is inconsistent with respect to the number of bedrooms that are to be built. The application states that seven bedrooms are proposed (see Item 17 Residential Units), but the plan drawings show six bedrooms, and, for a possible guest house, they do not indicate if they are intended to be for double or single occupation. However, even if one assumes the lower number of bedrooms, six, as shown on the drawings then the on-site parking provided is still manifestly inadequate. Six individual bedrooms could give rise to the need for parking of six cars. But rather than expanding the number of parking spaces available at the property, the applicant proposes to reduce the number of spaces from four parking spaces to just three parking spaces.

In the application, the applicant proposes to convert one of the existing garages to a bedroom, leaving one single car garage and two parking spaces in front of the garage. Notably, due to the low height of the remaining garage, the type of vehicles that could fit in the garage would be restricted. Moreover, access to the small garage and two parking places in front of the garage is restricted by the large stone and tree at the front of the property, neither of which are shown on the plans.

These issues are compounded by the fact that the road in front of this property is very narrow (approximately 230 cm wide) and there is no pedestrian pavement on either side of the road. This has always been a problem in this part of the village. There is significant foot traffic on this stretch of the road, including children walking to and from school and so any attempt by guests to reverse out into the road or to park on the road would pose a serious safety issue. There is also limited visibility at this point coming round the bend from the centre of the village. The limited street parking further down the road is already inadequate to meet the parking needs of current residents who live in homes either without any on-site parking, as they were built long before cars were invented, or without adequate on-site parking due to an existing development that was permitted without including adequate parking for the new properties.

EPC is also concerned that, as indicated at Item 7 on the Application, the plans do not incorporate any areas to store and aid collection of the waste that will be generated by the (presumably 10+) guests. There is no access to the rear garden from the front of the property and so the bins would have to be located either in front of the property or in the garage, but those

areas are designated for parking. As such, it is imperative that the Applicant identifies where waste will be stored to determine how much space actually will be available for guest parking.

Moreover, EPC takes strong objection to the Highways Development Management - Highway Recommendation dated 18 June 2018. Specifically, EPC takes issue with the following section of their letter, which states:

"The LHA do not consider the proposal to be an intensification of use, as on average a dwelling house generates 5 daily two way trips with 2 trips occurring in the peak hours between (8:00-9:00) and (17:00-18:00), a guest house/holiday let generates on average (2-4 vehicular trips) and are limited due to the number of months the holiday let is occupied in a year. In conclusion I do not see a significant increase in vehicular trips to the site that would increase the impact of highway safety on the local road network."

First, this statement does not appear to be based on the specifics of this particular application, but rather generalities that are not targeted to this property or this location. For example, the letter cites (without reference to the source of the information) the average number of vehicular trips that are generated by guest houses/holiday lets as 2-4. Yet, the letter does not indicate that this is the average number of trips for guest houses/holiday lets with 6 (or 7) bedrooms or whether it is the average for all guest houses/holiday lets, including those with a significantly smaller number of bedrooms (1 or 2), which could materially impact the average number presented. It is hard to conceive that a guest house with six or seven different bedrooms would only generate 2-4 vehicular trips a day as cited in the letter. There are numerous places to visit in the area, but virtually all of them require a car journey. Moreover, there is no shop in the village and only two places to eat (The Ebrington Arms and Vegetable Matters) and so most visitors to Ebrington drive to nearby towns and villages for some or all of their meals during their stay. Accordingly a six bedroom guest house would be expected to generate significantly more than 2-4 vehicular trips a day.

Second, the opinion is based on the assertion that the number of vehicular trips generated by a guest house is "limited due to the number of months the holiday let is occupied in a year." This statement, which also is made without any citation to a source, is simply wrong, as holiday lets and guest houses in Ebrington are occupied all year round. Ebrington is not a seasonal destination. It's natural beauty, public pathways and award winning local pub are enjoyed year round. As such, the opinion of Highways Development Management is not based on correct information and must be considered in that light.

A guest house with six or seven bedrooms will also generate frequent service vehicles - laundry for instance - for which there will be no room to park off the road.

As to the Application itself, EPC also objects to the fact that the Application at Item 9 Materials - misstates the types of windows and doors to be installed. The Application states that "white painted timber" is to be installed. However, the applicant has already installed uPVC windows and doors to replace existing timber windows and doors. EPC objects to the use of uPVC windows in the Conservation Area. Please note that the three new velux skylights also have already been installed in the roof.

EPC is also concerned, although it may not be a Planning consideration, that the drawings indicate that there will only be 2 bathrooms and 1 WC across the across the four floors. EPC does not believe this is sufficient number of bathrooms or toilets for a six or seven bedroom guest house.'

# 6. Other Representations:

One objection received.

i) The property is situated on a very busy bend in the road which is already blighted by builders on road parking on a blind bend. This property has limited (max 2 cars) parking and will cause C:\Users\Duffp\Desklop\AUGUST SCHEDULE.Rtf

obstructions that potentially will be very dangerous for pedestrians, cyclists and cars. This road is lacking any pathway and is the only route for school children from Elm Grove. Already there have been a number of near misses from delivery vans and the over parking at Oakham House. This application could only be supported IF they remove the tree and the large rock and create parking spaces off road. Even then this property does not lend itself to being a guest house with all the afore mentioned problems.

# 7. Applicant's Supporting Information:

None

# 8. Officer's Assessment:

#### Status of Cotswold District Local Plan 2011-2031

At the time of writing this report, the Cotswold District Local Plan 2001-2011 is the adopted development plan for the District. The Planning Policies section of this report refers to policies in the aforementioned adopted plan. Notwithstanding this, it is anticipated that the new Cotswold District Local Plan 2011-2031 will be adopted by the Council at the beginning of August 2018. If adopted, the aforementioned plan will be the adopted development plan in place at the time of the Planning and Licensing Committee meeting on the 8th August 2018.

The Officer report makes reference to both adopted and emerging Local Plan Policies. For clarification, if the new Cotswold District Local Plan 2011-2031 is adopted prior to the 8th August meeting, Members should no longer have regard to policies in the Cotswold District Local Plan 2001-2011 when making their decision.

# **Background and Proposed Development**

The existing property comprises a two storey roadside element which originally had a thatched roof and a larger 3 storey element to its side. The property was significantly altered in the 1970s. The thatch was removed and garage doors installed in the roadside elevation.

The applicant wishes to change the use of the dwelling to a guest house. The proposed development will create a 6 bed unit. As more than 2 of the rooms will be used as guest accommodation, it is considered that the proposal represents a change of use from C3 (dwelling) to C1 (guest house). The guest accommodation will become the primary use of the property.

In response to the comments from Ebrington Parish Council about the proposed number of bedrooms, the applicant confirmed the following in an email dated the 23rd May 2018:

'The proposed guest house will have 6 bedrooms. The proposal will have parking space for 3 cars, with two on the front drive and one in garage.'

External changes to the property will consist of the replacement of one of the two garage doors with stonework and a window; the replacement of existing windows with upvc windows and the replacement of a row of three ground floor windows in the eastern side elevation with two windows. The external changes are currently being undertaken. They can be undertaken under the householder's current permitted development rights and therefore do not require the benefit of planning permission.

## (a) Conversion of Dwelling to a Guest House

The conversion of buildings to guest house accommodation is primarily covered by Policy 26: Tourism of the adopted Cotswold District Local Plan 2001-2011 and by Policy EC11: Tourist Accommodation of the emerging Cotswold District Local Plan 2011-2031. The latter document is due to be adopted in the coming weeks and is therefore considered to carry substantial weight at the present time.

With regard to adopted Local Plan Policy 26, it states that new serviced accommodation will be acceptable 'where the proposal is provided by the change of use of existing buildings'.

Emerging Local Plan Policy EC11 also supports the conversion of existing building to such uses. It states:

- 1. New hotels and other serviced accommodation will only be permitted where the proposal:
  - a. is provided through the change of use of existing buildings, especially where this would involve the conservation of a listed or other historic building; or
  - b. is appropriately located within Development Boundaries.
- 2. Exceptionally, proposals for a new hotel that is directly associated on-site with a tourist attraction, and required to sustain the viability of the tourist attraction, will be acceptable.

This proposal relates to the conversion of an existing building and as such accords with the requirements of both adopted Local Plan Policy 26 and emerging Local Plan Policy EC11. There is no requirement in either of the aforementioned policies for the applicant to submit a business plan (as requested by Ebrington Parish Council).

In addition to Local Plan policy, the Council must also have regard to national planning policy and guidance. Paragraph 83 of the National Planning Policy Framework (NPPF) states that planning policies should enable 'the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings'.

It is considered that national and local planning policy and guidance can be supportive of the conversion of the building to guest accommodation. In addition, neither the adopted or emerging Local Plan include a policy that precludes the conversion of dwellings to a guest house use. It is considered that the proposal accords with adopted Local Plan Policy 26 and emerging Local Plan Policy EC11.

# (b) Impact on Character and Appearance of Ebrington 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 193 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.'

Paragraph 196 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.'

Adopted Local Plan Policy 15: Conservation Areas states that the change of use of buildings or land 'within or affecting a conservation area, must preserve or enhance the character and appearance of the area as a whole, or any part of the designated area. Uses that create additional traffic, noise or other nuisance which would adversely affect the character of a conservation area will not be permitted'.

Adopted 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'

The following emerging Local Plan Policies are considered relevant to the proposal:

Policy EN2 Design of the Built and Natural Environment

Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.

Policy EN10 Designated Heritage Assets states:

- 1. In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 2. Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.
- 3. Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:
  - The importance of the asset;
  - The scale of harm; and
  - The nature and level of the public benefit of the proposal.

Policy EN11 Designated Heritage Assets - Conservation Areas states:

Development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they:

- (a) Preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;
- (b) Include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;
- (c) Will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.
- (d) Have regard to the relevant Conservation Area appraisal (where available); and
- (e) do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.

The proposed use is residential in nature and does not require significant changes to be made to the external appearance of the existing dwelling. The principal changes are i) the replacement of an up and over metal garage door in the front elevation with new stonework and a window; and ii) the replacement of existing modern windows with UPVC windows. The changes are currently being carried out and can be undertaken under the property owner's permitted development rights. Notwithstanding this, the removal of the existing up and over door in the front elevation of the dwelling is considered to represent a visual betterment. The replacement windows, whilst in UPVC, are also simpler in design than the previous windows which included top hung openings and which were not traditional in appearance. It is considered that the external changes will not have an adverse impact on the existing property and will therefore preserve the character and appearance of the CA.

The proposed guest house use is considered to be consistent with the residential character and appearance of the area. The property will retain the character and appearance of a dwelling and will not therefore appear as an incongruous or obtrusive building within the CA. Moreover, a number of other properties fronting onto the main road through the village are established as bed

and breakfast or guest house premises. The use of dwelling houses to provide guest accommodation is therefore already evident in other parts of the CA.

It is noted that the property will generate parking in connection with the proposed use. Some parking will need to be provided on street. However, given the presence of existing vehicles already parking along the road, it is considered that the introduction of limited additional on street parking will not have an adverse impact on the character or appearance of the CA.

The proposed development is considered to preserve the character and appearance of Ebrington Conservation Area in accordance with Section 16 of the NPPF, Local Plan Policies 15 and 42 and emerging Policies EN2, EN10 and EN11.

# (c) Parking and Highway Safety

The proposed development will provide parking space within the existing garage and on the exiting forecourt to the front of the dwelling. A total of 3 parking spaces can be provided. Unrestricted parking is also available along the road.

Gloucestershire County Council Highway Officers state:

'The applicant proposes no changes to the existing vehicular access to the highway and pedestrian access to be retained as existing. The LHA do not consider the proposal to be an intensification of use, as on average a dwelling house generates 5 daily two way trips with 2 trips occurring in the peak hours between (08:00-09:00) and (17:00-18:00), a guest house/holiday let generates on average (2-4 vehicular trips) and are limited due to the number of months the holiday let is occupied in a year. In conclusion I do not see a significant increase in vehicular trips to the site that would increase the impact of highway safety on the local road network.'

The concerns of Ebrington Parish Council are noted. However, the proposed guest house use is considered not to generate materially greater numbers of vehicle movements than the established residential use of the property. Vehicle movements arising from guest accommodation are typically lower than those generated by dwelling houses. In addition, there is unrestricted on street parking available on the main road leading through the village. No evidence has been provided to demonstrate that the existing highway experiences significant parking capacity problems.

It is also necessary to have regard to the recent appeal decision for the development of 7 dwellings on White Hart Lane in the centre of Stow-on-the-Wold (Appeal Ref: APP/F1610/W/18/3194675, CDC Ref: 17/03081/FUL). The aforementioned development did not propose to include any on-site parking in an area with high levels of on street parking. Notwithstanding this, the Planning Inspector allowed the appeal and awarded costs against the Council for failing to substantiate an objection on highway grounds in light of a no objection from Gloucestershire County Council Highways.

It is considered that the proposal can be undertaken without having an unacceptable adverse impact on parking or highway safety having regard to Local Plan Policies 38 and 39 and emerging Policies INF4 and INF5.

## (d) Other Matters

With regard to its impact on the Cotswolds Area of Outstanding Natural Beauty (AONB), the proposed development will not result in an encroachment of development into the countryside and will not materially affect the setting of the village within the AONB landscape. The proposal is considered to accord with emerging Policies EN4 and EN5 and paragraph 172 of the NPPF.

## 9. Conclusion

The proposed use accords with adopted Local Plan Policy 26 and emerging Local Plan Policy EC11. In addition, the proposal will retain a residential character and appearance and will not have an adverse impact on Ebrington Conservation Area or the Cotswolds Area of Outstanding Natural Beauty. The level of traffic generated by the proposed development is also considered not to have an unacceptable adverse impact on parking or highway safety in the locality. It is recommended that the application is granted.

# 10. Proposed conditions:

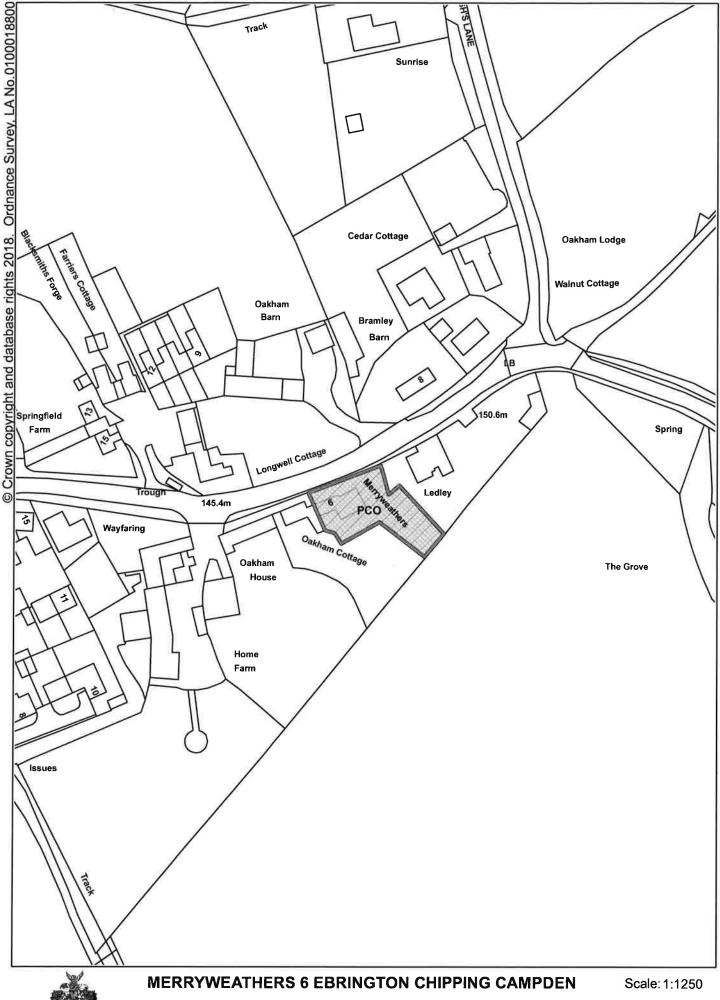
The development shall be started by 3 years from the date of this decision notice.

**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 carried out in accordance with the following drawing number(s): AL (P) 00 A, AL (P) 02 A, AL (P) 03 A, AL (P) 04 A, AL (P) 05, AL (P) 06 A, AL (P) 07 A.

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with paragraph 55 of the National Planning Policy Framework.

18/01708/FUL Oakham Lodge Walnut Cottage Spring Ledley The Grove

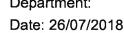




**DISTRICT COUNCIL** 

Organisation: Cotswold District Council

Department:

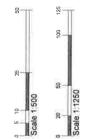




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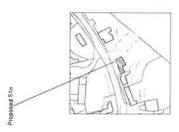
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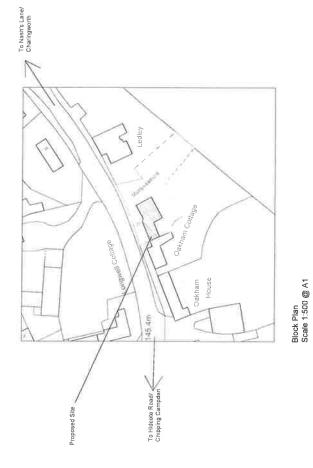




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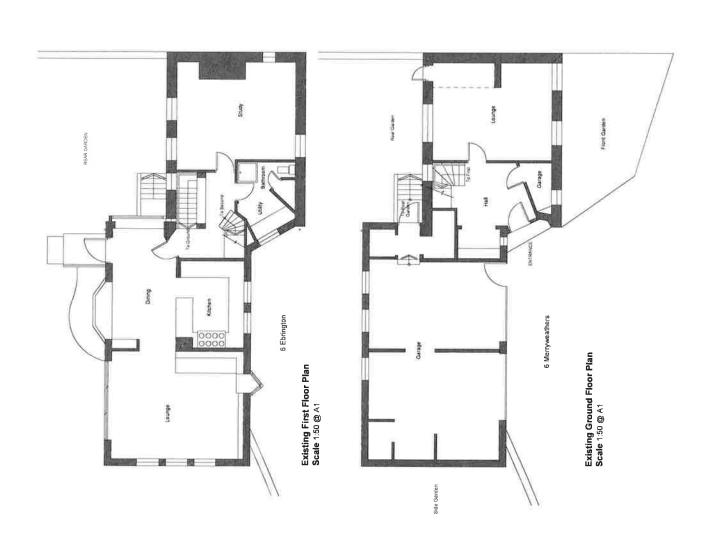


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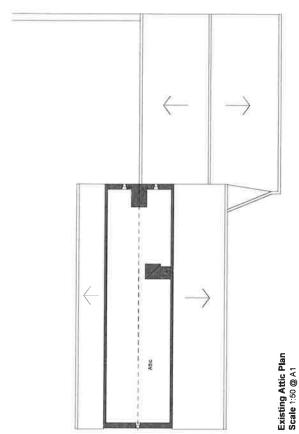
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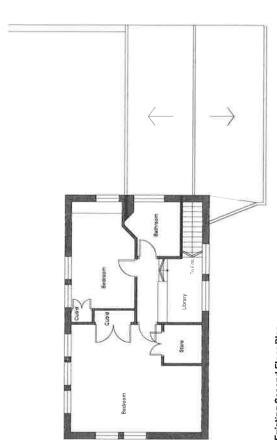
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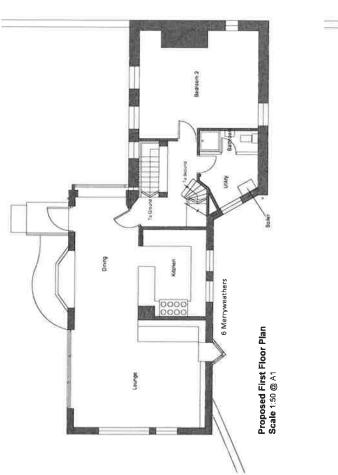
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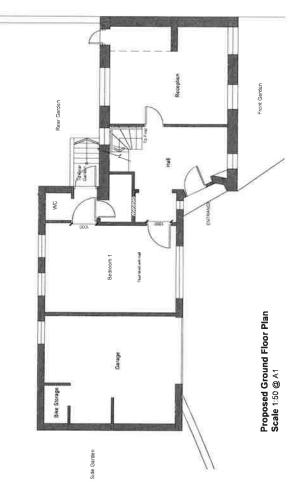
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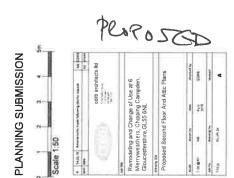
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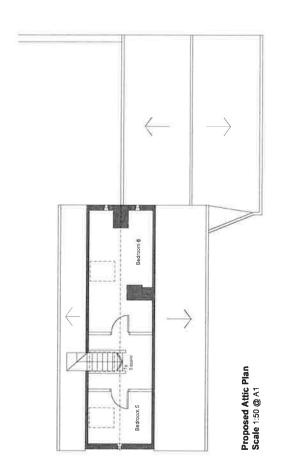
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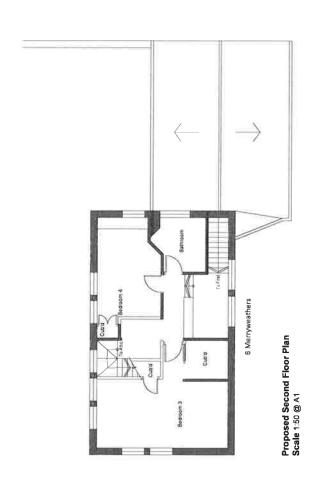


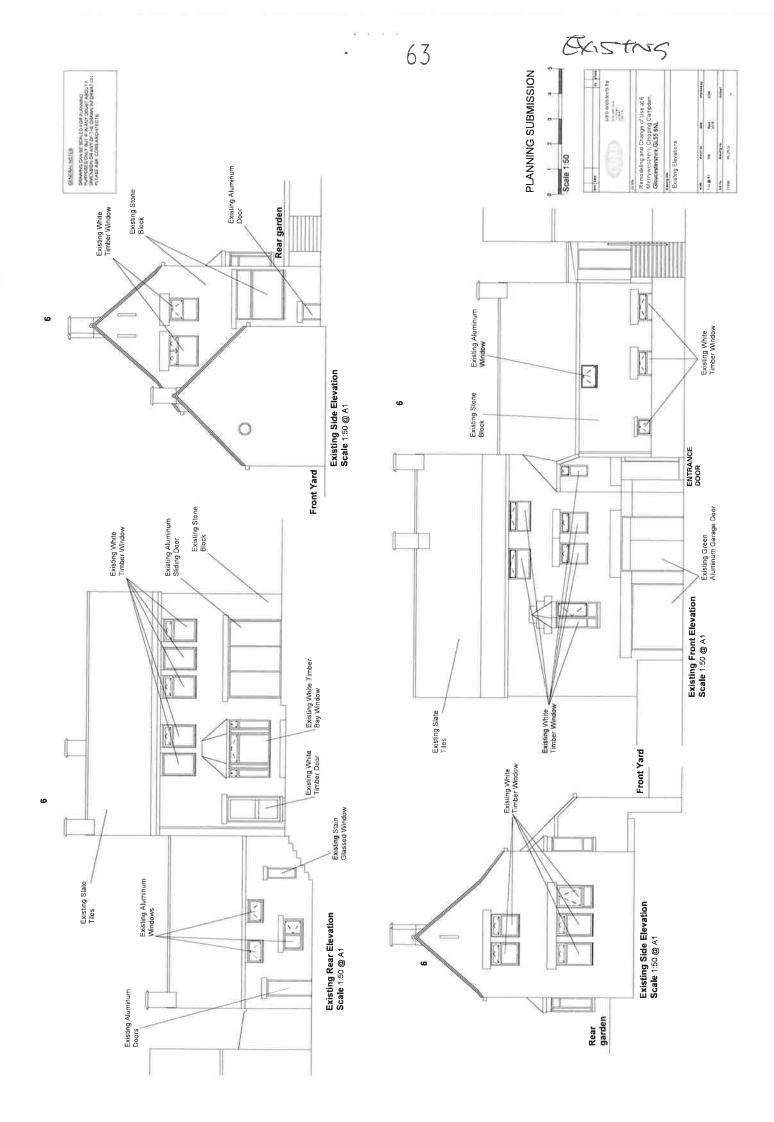


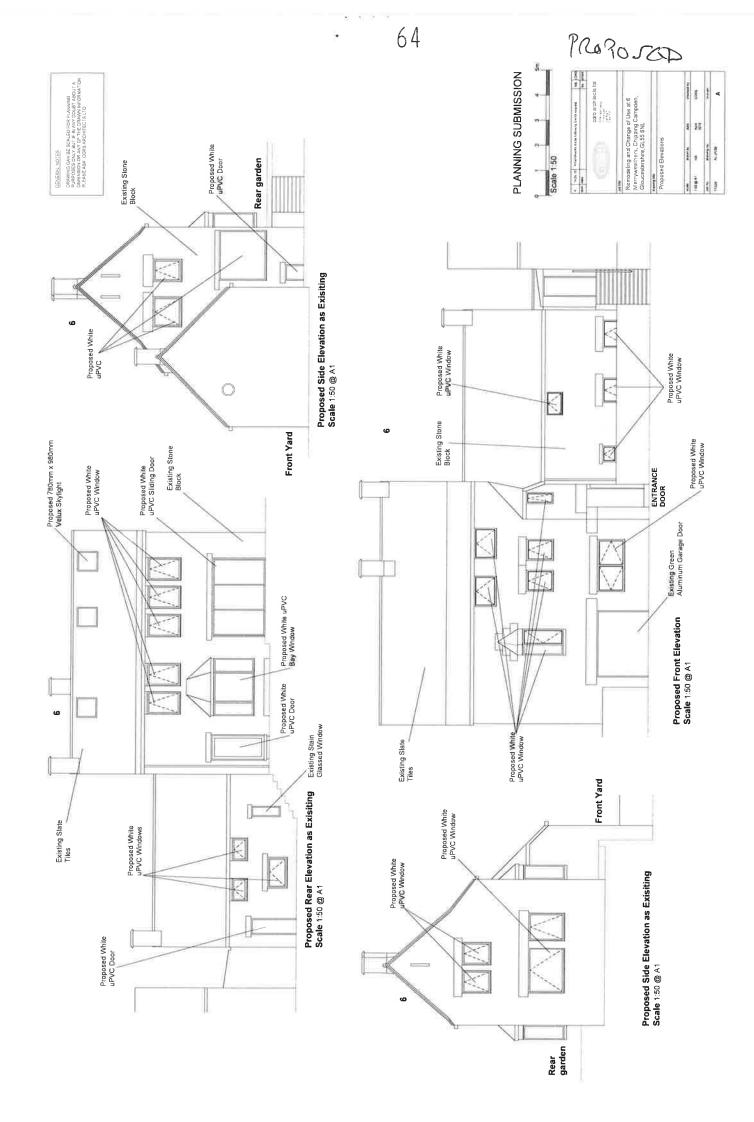


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# **To Ebrington Parish Council**

# Subject: Parking on road at Longwell Bank Corner

Dear Sir,

I wish to express my concern over the excessive on road parking near Longwell Bank.

As a resident of Ebrington for the last 22 years we have growing concern of the danger created by on road parking through the village as we have become popular with walkers, pub goers and of course residents naturally wishing to park at or near their homes.

The recently approved parking at the rear of the Ebrington Arms is very welcome as it will ease the congestion to a degree but I am writing to highlight another area of concern at the other end of the village. The corner from Longwell Bank up to the top of the rise at Nash Lane is a dangerous blind bend that motorists often approach at speed from both directions. Pedestrians have to hug the steep wall to feel safe as there is no designated pathway or pavement. Of particular concern is that it is the only route that many young school children walk to the school at the beginning and end of the day when it is at its busiest.

Over the last few months the road has been made even more dangerous as new residents renovate their properties. Builders vans and lorries are constantly blocking the road to passing vehicles with little apparent care for the fact that this is a pedestrian walkway and a through road. This might have to be tolerated during the renovation process but it is becoming exceedingly congested and dangerous. Ebrington has always prided itself in being open to new residents and amenable to change, however the continued use of the front of the houses for parking very large vehicles, many at a time brings a serious health and safety issue for pedestrians. It is of course understandable that residents would wish to park outside their property if there was no off street parking available, however where a house has off-street parking then this should be used, especially if it creates a danger to others using this road. Oakham House has such parking and must be encouraged to use it. Tractors from Drinkwater's barely manage to get through this restricted road and delivery vans fly down it. Personally I have had a near miss turning out of Longwell Bank due to restricted views created by large 4x4 cars and vans parked at or near the Longwell.

A general point for consideration therefore is how we should approach the use of the roadway for parking in an already crowded village. Nobody wants to see yellow lines but something must be done or an accident is sure to happen on this bend. Solutions could be to create a continuous safe pavement that allows pedestrians / school children some security but this will further constrict an already narrow road around Longwell Bank. Parking along this bend and on the road should be discouraged however as a minimum.

To be specific we have concerns about the following:

- 1. New residents should be politely asked to park their own cars in their parking area within their property as much as it practicable during their renovation.
- 2. Consideration of a single white line (no stopping) should be extended from Home Farm to the top of the hill.
- 3. A school children sign should be put up as a warning for both directions
- 4. All residents should be made aware that excessive parking on the road causes difficulty for pedestrians
- 5. Parking on pavements should be strictly forbidden (how?)
- 6. The recent application for Merryweather's to be a B&B / guest house / holiday let should only be approved if parking provision is made available within the property and restricted to 2 vehicles (remove rock to allow?). We do not think this house lends itself to being a guest house for all the reasons stated above.
- 7. School children should be able to have safe passage from Longwell Bank to New Road and I urge the council to think about this
- 8. Visitors to the village should be directed to safe parking areas (in newly discussed area at rear of pub or village hall).

**Yours Sincerely** 

Guy Madgwick Longwell Cottage