

Item No 05:-

18/02715/FUL

**Nethercote Bridge Cottage
Marshmouth Lane
Bourton-On-The-Water
Cheltenham
Gloucestershire
GL54 2EE**

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Demolition of existing garage and erection of detached annexe at Nethercote Bridge Cottage Marshmouth Lane Bourton-On-The-Water Gloucestershire GL54 2EE

Full Application 18/02715/FUL	
Applicant:	Mr George Macropoulos
Agent:	Prime Oak Ltd
Case Officer:	Hannah Rose
Ward Member(s):	Councillor Richard Keeling
Committee Date:	14th November 2018
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Use of annex as holiday accommodation
- (b) Character and appearance
- (c) Impact on the listed building
- (d) Residential amenity
- (e) Highway safety
- (f) Landscape
- (g) Flood risk

Reasons for Referral:

Cllr Keeling has referred the application to be determined by the Planning Committee because he agrees with the objection comments from the Parish Council and surrounding residents.

1. Site Description:

The application site comprises a modest grade II listed stone cottage located on a lane on the outskirts of Bourton-On-The-Water. The site lies within the Development Boundary but outside of the conservation area. The site is located in Flood Zone 1 and partly within Flood Zone 2 and is located within the Cotswolds Area of Outstanding Natural Beauty. The cottage has later extensions and alterations and is surrounded by modern development, however Nethercote Bridge Cottage retains much of its historic plot.

Neighbouring property Nethercote Manor (Nethercote Farmhouse) is also grade II listed, however it is accessed via a long drive and is approximately 72 metres away. As such, it is not in the setting of Nethercote Bridge Cottage.

2. Relevant Planning History:

CD.4844 - Dormer window to front elevation and new dormer to replace existing. Permitted 1970

CD.4844/A - Store shed. Permitted 1970

CD.4844/B - Alterations and two storey extension to provide a kitchen and utility on ground floor with bathroom and storage on first floor. Permitted 1989

18/00509/FUL - Demolition of existing garage and erection of detached annexe. Refused 22/06/2018

3. Planning Policies:

NPPF National Planning Policy Framework
 _EN1 Built, Natural & Historic Environment
 _EN2 Design of Built & Natural Environment
 _EN5 Cotswold AONB
 _EN10 HE: Designated Heritage Assets
 _EN14 Managing Flood Risk
 _EC11 Tourist Accommodation
 _DS2 Dev within Development Boundaries

4. Observations of Consultees:

The Council's Conservation Officer raises no objections to the revised scheme subject to a number of small amendments which have since been made.

5. View of Town/Parish Council:

Bourton-On-The-Water Parish Council object on the following grounds:

- detrimental to listed building with no public benefit;
- poor design; low pitch is not in keeping with surroundings;
- overdevelopment of the site. The footprint of the annexe is three times larger than existing garage and almost the same size as the dwelling; and
- inadequate parking provision.

6. Other Representations:

One letter of support has been received from the Cotswold Tourism Partnership whom supports the site becoming a holiday let.

Objections have been received from four neighbouring occupiers which in summary, raise the following concerns:

- The proposal does not address the refusal reasons of the previous application;
- Overdevelopment of the site;
- Inappropriate scale and design is harmful to listed building;
- The lane is single track with no pavement, passing places or on-street parking. Inadequate parking for amount of accommodation will lead to parking issues;
- Use as a large holiday let will result in noise, disturbance and possible antisocial behaviour in a quiet area; and
- The development will set a precedent for further holiday lets within gardens on Marshmouth Lane.

7. Applicant's Supporting Information:

Design, Access and Heritage Statement
 Flood Risk Assessment

8. Officer's Assessment:

Background and Proposal

This application has been submitted following the refusal of the planning application reference 18/00509/FUL. The previous application proposed a two storey annexe alongside the main dwelling to provide two double bedrooms, three bathrooms, an open plan living area and a cinema room. While the annexe was proposed to be ancillary to the main dwelling, it would have

provided the facilities to be occupied as a self-contained unit. The annexe was overly large and overly domestic in design. Its siting, scale and design was considered incongruous to the character and appearance of the dwelling and would have caused harm to the significance and setting of the listed building. The application was refused on this basis.

The proposal is for the demolition of the existing garage and construction of a detached annexe in its place, albeit further set back in the site. The garage to be demolished measures 7.6m by 3.8m and the replacement annexe would measure 9m by 4.5m. The proposed annexe is a single storey, timber outbuilding providing two bedrooms with en-suites and a small entrance hall.

(a) Use of Annexe as Holiday Accommodation

The scheme proposes to use the annexe as ancillary accommodation to the dwelling. It is understood that the dwelling is currently occupied as a holiday let. The annexe would not be self-contained and would be dependent on the main dwelling for facilities for day-to-day living. As such, the use of the site (with the proposed annexe) as a holiday let is not considered to be materially different to the use as a single dwellinghouse.

Notwithstanding this, it is acknowledged that objections have been received in relation to the use of the site as holiday accommodation. While not a matter of consideration in the application, if an application were sought for holiday accommodation on the site, it would be supported in principle, owing to its location within the development boundary of Bourton-on-the-Water. This would be compliant with Local Plan Policies DS2 and EC11.

(b) Character and Appearance

Local Plan Policy EN1 seeks where appropriate, to promote the protection, conservation and enhancement of the historic and natural environment. Local Plan Policy EN2 states that '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.'

Section 12 of the NPPF seeks to achieve well-designed places. Paragraph 124 states that, 'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

In part, paragraph 127 of the NPPF ensures that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

The proposed annexe has been reduced in size substantially to what was previously sought. The scheme now proposes a single storey timber outbuilding with a footprint only slightly larger than the existing garage. The annexe would be located in the same position as the existing garage, but turned 90 degrees which would allow additional parking to be provided to the front of it.

The annexe would be modest considering the size of the site and surrounding development. It would be no bigger than neighbouring, modern detached double garages, some of which have accommodation above. The building would be timber clad with a stone plinth, mirroring the design of the existing garage. The proportions, design and form is simple and in keeping with the character and appearance of the site.

(c) Impact on the Listed Building

The application site comprises a Grade II Listed Building. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Policy EN10 reflects national policy in regard to designated heritage assets and states that great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be. 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.

Policy EN10 also states that 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.

Section 16 of the National Planning Policy Framework requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 193 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also notes that significance can be harmed through alteration or development within the setting. Paragraph 194 states that any harm to or loss of the significance of a heritage asset should require clear and convincing justification. Paragraph 195 states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits, whilst Paragraph 196 states that where a development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

By virtue of the modest scale, siting, simple design and use of lightweight materials, the annexe would appear subservient and would not detract or cause harm to the setting or significance of the listed building.

(d) Residential Amenity

The Design Code (Appendix D) referred to in Policy EN2 of the Local Plan also sets out guidance with regard to residential amenity. Section 12 of the NPPF seeks to achieve well-designed places. In part, paragraph 127 of the NPPF ensures that development has a high standard of amenity for existing and future users.

As previously mentioned, it is understood from the Design and Access Statement that the property is occupied as a holiday let. The annexe would provide two bedrooms to be occupied ancillary to the main dwelling as a single holiday let.

Neighbouring residents have raised concerns that the addition of the annexe would result in an unacceptable level of noise, disruption and anti-social behaviour in the area. Firstly as previously mentioned, one should take account that the use of the property as a holiday let as opposed to a long term, private home is not materially different in planning terms. The scale of accommodation in the proposed annexe is not disproportionate and is unlikely to generate a level of noise above what would be expected from a residential dwelling.

Furthermore, owing to its scale and siting in relation to neighbouring dwellings, the annexe would not result in any loss of light or privacy to the occupiers of neighbouring dwellings.

Overall, the proposed development is considered to accord with the objectives of Cotswold District Local Plan Policy EN2 and the residential amenity considerations contained in Section 12 of the NPPF.

(e) Highway Safety

Policy INF4 states that development will be permitted that provides safe and suitable access and has regard, where appropriate, to the Manual for Gloucester Streets. Policy INF5 states that development will provide residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network.

Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Residents from Marshmouth Lane have raised concerns that the narrow lane would become congested and that parking is not adequate within the site to accommodate the annexe. While Marshmouth Lane is single track in this location, with no passing places, the introduction of the annexe is not considered to generate a significant increase in vehicular movements to the lane. Furthermore, the site can currently accommodate between two and four cars and the annexe would be set back in the site to allow the gravel driveway to be extended, providing a further two additional parking spaces. This is considered to be more than adequate provision for the size of the dwelling and is commensurate with surrounding development. Furthermore, there is a large public, pay and display car park less than 200 metres from the site which offers free overnight parking. It would not be unreasonable for additional guests staying at the holiday accommodation to pay for parking during their stay if required.

Overall, the proposal is not considered to result in an unacceptable impact on highway safety. Furthermore, the replacement of the garage with an annexe is not considered cause residual cumulative impact on the road network that would be severe. The proposal is therefore considered to comply with Local Plan Policies INF4 and INF5 and paragraph 109 of the NPPF.

(f) Landscape

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Local Plan Policy EN5 relates specifically to the Cotswold AONB and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

Section 15 of the NPPF seeks to conserve and enhance the natural environment. Paragraph 170 requires decisions to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and by recognising the intrinsic character and beauty of the countryside.

Paragraph 172 dictates that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The scale and extent of development within these designated areas should be limited.

The proposed development would be located within the residential curtilage of the property and will not encroach into the open countryside. As such, it would not have an adverse impact on the character or appearance of the Cotswold AONB and the proposal accords with Local Plan Policy EN5 and paragraphs 170 and 172 of the NPPF.

(g) Flood Risk

Local Plan Policy EN14 seeks to manage flood risk by avoiding developing areas at risk of flooding in accordance with a risk-based sequential approach; minimising flood risk and providing resilience; and including Sustainable Drainage Systems where appropriate. Chapter 10 of the NPPF addresses the need to take account of flood risk.

The property is located with Flood Zones 1 and 2 as defined by the Environment Agency. The annexe is considered householder development and would be classified as a "more vulnerable" land use which is considered to be appropriate development, not required to pass the Exception Test.

The applicants have submitted a Flood Risk Assessment which confirms that the floor levels would be no lower than existing floor levels and recommends a series of flood resilience measures. A Site Specific Sustainable Urban Drainage System (SUDS) strategy has also been recommended that incorporates a swale to address the additional surface water storage. In terms of access and evacuation, the annexe is single storey with bedrooms on the ground floor, however only half of the site is located within Flood Zone 2, with higher ground accessible within the site. The dwelling is immediately adjacent the annexe with upper floor accommodation available in the event that emergency evacuation is required.

Based on the likely flood risk, it is considered that the proposed development can be implemented and occupied safely in flood risk terms, without increasing flood risk elsewhere and is therefore appropriate development in accordance with the Local Plan Policy EN14 and the NPPF.

9. Conclusion:

The Local Planning Authority has had special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess.

By virtue of its scale, siting and design, the annexe proposed to replace the garage would be in keeping with the character and appearance of the area and would adversely affect the historic interest, setting or significance of Nethercote Bridge Cottage as a grade II listed building. The proposal is not considered to cause harm the residential amenity of neighbouring occupiers or the wider landscape character and is considered to be safe in terms of flood risk. For the reasons outlined above, the proposal is considered to comply with the relevant national and local policies. As such, planning permission should be granted.

10. Proposed conditions:

The development hereby approved shall be implemented in accordance with the following drawing number(s): 35359/06 and AC/DO/120918/02 B.

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

The stone to be used in the plinth of the development hereby permitted shall be natural Cotswold stone and shall be permanently retained as such thereafter.

Reason: To ensure that in accordance with Cotswold District Local Plan Policies EN2 and EN10, the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

The oak shall not be treated in any way and shall be left to weather and silver naturally 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 EN2 and EN10.

Prior to the construction of any external wall of the development hereby approved, samples of the proposed roofing materials have been 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 EN2 and EN10, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

All windows and doors shall be of timber construction 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 EN2 and EN10.

The new rooflights shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflights are located 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 EN2 and EN10.

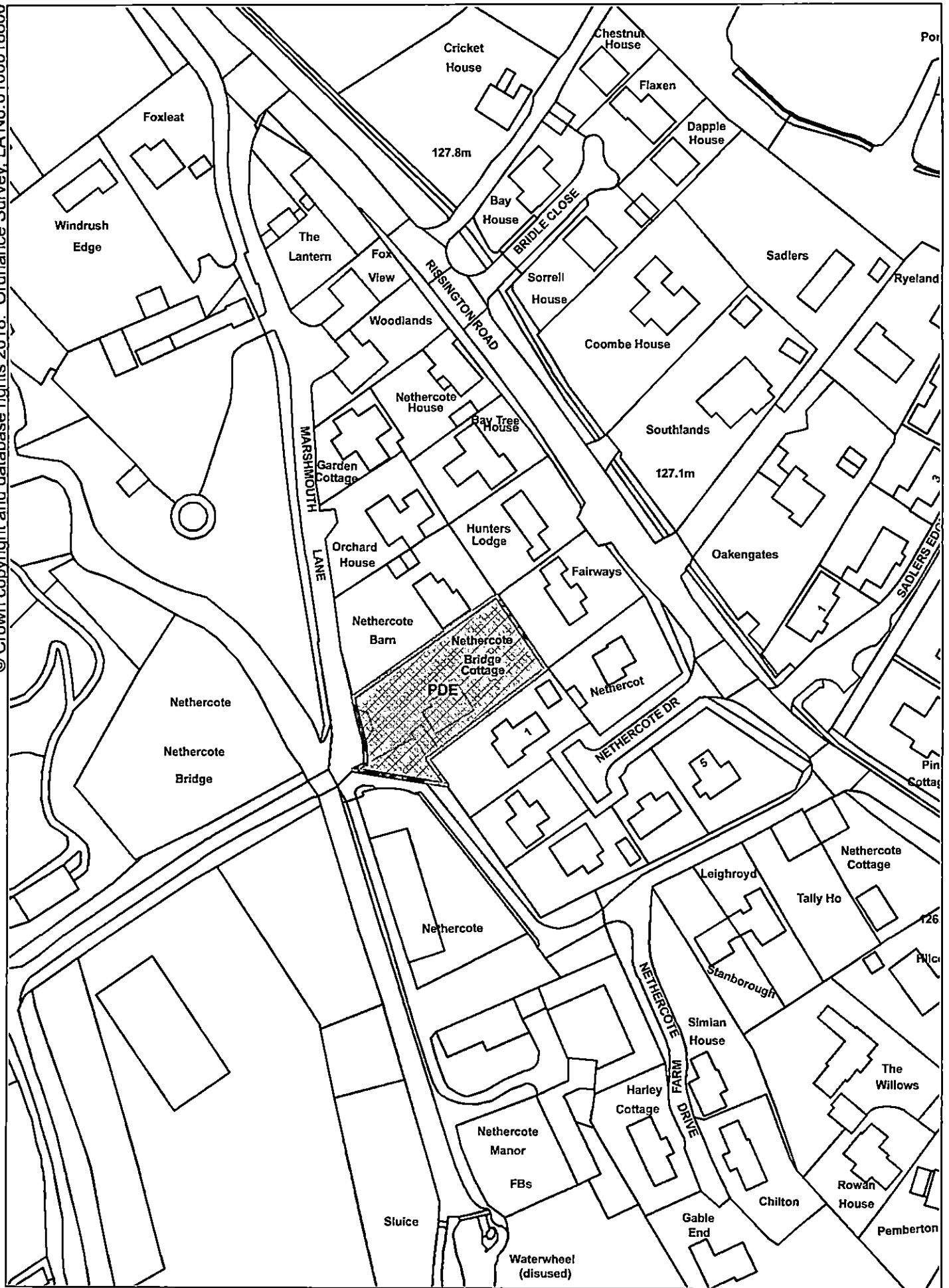
Notwithstanding the approved elevations, no bargeboards or eaves fascias shall be used in the proposed development and rafter feet shall not be exposed.

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 EN2 and EN11.

No part of the development shall be occupied/ brought into use until the surface water drainage works serving the said development have been permanently carried out in accordance with details to be first approved in writing by the Local Planning Authority.

Reason: To prevent the risk of flooding and pollution in accordance with Cotswold District Local Plan Policy EN14.

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NETHERCOTE BRIDGE COTTAGE MARSHMOUTH LANE B,O,W scale: 1:1250

Organisation: Cotswold District Council

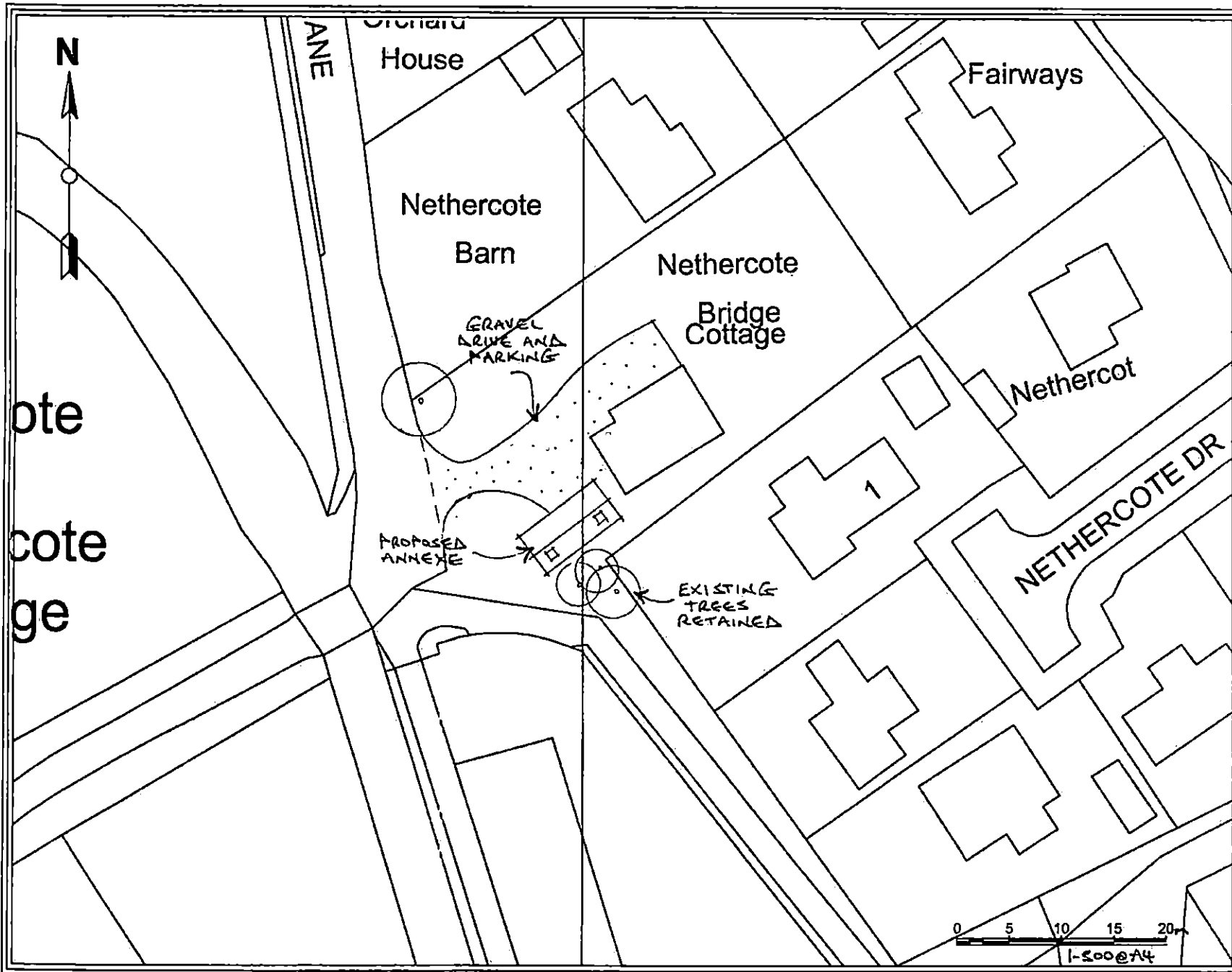
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COTSWOLD
DISTRICT COUNCIL





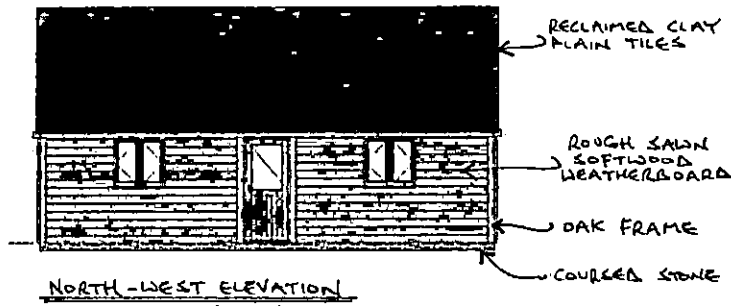
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NORTH-WEST ELEVATION

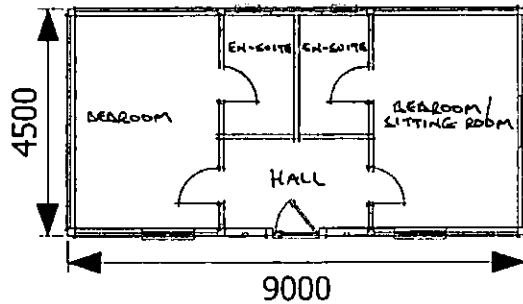


SOUTH-WEST ELEVATION

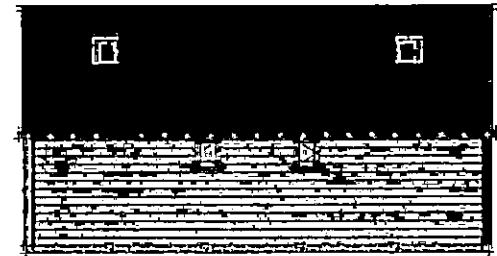


NORTH-EAST ELEVATION

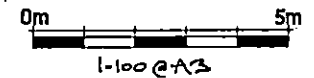
ALL WINDOWS AND
DOOR SIKING
IN OAK



FLOOR PLAN



SOUTH-EAST ELEVATION



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Proposed

Mr & Mrs Macropoulos
 Oak Framed Annexe - 1:100 Date: 17/10/18 - AC/DO/120918/02B - PLN P