

Item No 03:-

18/02935/FUL

**Land Adj. The Malt House
Perrotts Brook
Bagendon
Cirencester
Gloucestershire
GL7 7DT**

Item No 03:-

Erection of 1 no. new dwelling together with associated ancillary development at Land Adj. The Malt House Perrotts Brook Bagendon Cirencester Gloucestershire GL7 7DT

Full Application 18/02935/FUL	
Applicant:	Mrs K Kerr-Rettie
Agent:	Plan-A Planning And Development Ltd
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Jenny Forde
Committee Date:	14th November 2018
RECOMMENDATION:	REFUSE SUBJECT TO THE EXPIRY OF THE RECONSULTATION PERIOD ON THURSDAY 15TH NOVEMBER AND TO NO NEW MATERIAL PLANNING CONSIDERATIONS BEING RAISED

Main Issues:

- (a) Residential Development Outside a Development Boundary
- (b) Impact on the Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty
- (c) Design of the Dwelling/ Impact on the Setting of Listed Building
- (d) Highway Safety
- (e) Impact on Neighbours
- (f) Archaeology

Reasons for Referral:

The applicant's daughter is Cllr Jenny Forde, the Ward Member for Chedworth and Churn Valley.

1. Site Description:

The Malt House is a detached dwelling located in Perrott's Brook, which is a small hamlet in the Parish of Bagendon, within the Cotswolds Area of Outstanding Natural Beauty (AONB). The application site comprises a section of the garden of The Malt House on which the applicant proposes to construct a dwelling. The site is located to the north-eastern side of the junction between Cutham Lane (from which the site would be accessed) and the Welsh Way.

The site forms part of a cluster of eight detached dwellings, with a ninth property being constructed, a set of small light industrial units and a former pub (the Bear Inn) which is now a shop that sells antiques (Hares Antiques). The antique shop and Briarfurlong Cottage are both listed Grade II and are situated immediately to the east and west of the application site, respectively.

The site also contains Malt House Cottage which was historically an outbuilding used in association with the Bear Inn, but it is now an ancillary outbuilding of The Malt House and since 2008 has had planning permission to be used as a holiday let.

2. Relevant Planning History:

08/00960/LBC: Proposed alterations, extensions and part demolition to outbuilding of former Bear Inn to provide annex/holiday accommodation. Granted 20.06.2008

08/00961/FUL: Proposed alterations and extensions to outbuilding of former Bear Inn to provide annex/holiday accommodation. Granted 20.06.2008

17/01255/FUL: Erection of one dwelling and ancillary works. Granted 18.09.2017

18/00384/FUL: Variation of Condition 2 (Approved Plans) of planning application 17/01255/FUL, dated 18/09/2017, comprising variation to reposition the dwelling within the plot & addition of a garage. Granted 01.05.2018

3. Planning Policies:

NPPF National Planning Policy Framework
 _DS1 Development Strategy
 _DS3 Small-scale Res Dev non-Principal Settle
 _EN1 Built, Natural & Historic Environment
 _EN2 Design of Built & Natural Environment
 _EN4 The Wider Natural & Historic Landscape
 _EN5 Cotswold AONB
 ✓EN8 Bio & Geo: Features Habitats & Species
 _EN10 HE: Designated Heritage Assets
 _INF4 Highway Safety
 _INF5 Parking Provision

4. Observations of Consultees:

Landscape Officer: Recommend refusal, comments incorporated into the report

Conservation Officer: Recommend refusal, comments incorporated into the report

County Archaeologist: No objection, recommend condition

5. View of Parish Council:

At a recent meeting of the Bagendon Parish Council we discussed this application and object to it on the following grounds:

1. The access proposed is on a stretch of road where the lines of sight are poor. We would expect Gloucestershire Highways to have a view on this, but the current access is potentially dangerous. BPC is of the view that the sight lines must be improved.

2. The impact on the local environment is substantial given the proposed density and the height of the proposed house is substantial. BPC consider both density and height to be inappropriate. The neighbouring houses will be overlooked and the Parish Council has heard from several neighbours making their concerns known.

3. The Planning Statement and Design and Access Statement make little mention of the AONB and its constraints and sensitivities at this location and in this area. The Parish Council think that these should be taken into account in particular in regard to housing that is out of character with its immediate locality, alterations to the lane boundaries and change of use from amenity land.

4. With regard to the proposed materials used we think that the Cotswold Design Code should be followed with any new build houses in this beautiful and sensitive area.

5. The increase in the hard standing with this house will increase the problems with rain water run-off and lead to increased risk of flooding.

6. The proposed house is outside the existing Development Plan.

6. Other Representations:

10 letters of objection have been received from local residents in response to the initial consultation for three dwellings. They have raised concerns with the following issues:

- site outside any development boundary in the Local Plan
- scale of dwelling is out of keeping
- impact upon traffic using Cutham Lane junction
- density of development too high
- impact upon AONB
- previous application was reduced from 3 dwellings to 1
- lack of facilities at Perrotts Brook to support new housing
- pastiche architecture

7. Applicant's Supporting Information:

Design and Access Statement
Planning Statement

8. Officer's Assessment:

Proposed Development

This application seeks planning permission to erect one dwelling in the garden of The Malt House, and to the north of a new dwelling that is under construction that was granted under reference 17/01255/FUL, and amended under reference 18/00384/FUL. This would, therefore, cumulatively result in the subdivision of the existing planning unit into three residential planning units from two. The initial proposal submitted under reference 17/01255/FUL was for the erection of three dwellings, including a dwelling in the position included as part of the current application, however this was deleted from the proposal and the application proceeded to be determined upon the basis of the single dwelling currently under construction.

(a) Residential Development Outside a Development Boundary

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of an application would therefore be the current development plan for the District which is the Cotswold District Local Plan 2011-2031.

Local Plan Policy DS3 (Small-Scale Residential Development in Non-Principal Settlements), allows for single dwelling houses in non-Principal Settlements where:

- a. demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;
- b. is of a proportionate scale and maintains and enhances sustainable patterns of development;
- c. complements the form and character of the settlement; and
- d. does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.

Policy DS3 recognises that although many of the rural villages and hamlets within the district are not sustainable locations for residential development, some settlements have greater sustainability credentials. As such Non-Principal Settlements are those which have reasonable

access to everyday services, facilities and/or employment opportunities, either within the settlement itself, at a Principal Settlement, or at a neighbouring rural settlement.

In terms of the sustainability of the location, Perrott's Brook is a small settlement that is not well-served by day-to-day services and facilities. For this reason, it has not been included as one of the Principal Settlements in the Local Plan. Therefore, housing development in significant numbers and/or high density is unlikely to be supported in this location, however having regard to the policies within the NPPF it is proper that consideration is given to small-scale residential development on the merits of each individual case.

The site is close to the main Cheltenham-Cirencester (A417) road and there is a regular bus service connecting the site to both of these towns via the A435. The bus stops are within 100m of the application site. The first stop when heading north towards Cheltenham is North Cerney where there is a pub (Bathurst Arms) and a Primary School. There are also some local businesses in neighbouring villages such as Rendcomb and Woodmancote which are a potential source of employment and/or custom for occupiers of the proposed dwelling. NPPF paragraph 78 states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.'

The NPPF has at its heart a 'presumption in favour of sustainable development'. It states that there are three overarching objectives to achieving sustainable development: economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.

In addition to the above, it must also be noted that, even if the Council can demonstrate the requisite minimum supply of housing land, it does not in itself mean that proposals for residential development outside existing Settlement Boundaries should automatically be refused. The 5 year (plus 5%) figure is a minimum not a maximum and as such the Council should continually be seeking to ensure that housing land supply stays above this minimum in the future. As a result there will continue to be a need to release suitable sites outside Settlement Boundaries identified in the current Local Plan for residential development.

Therefore, the provision of one dwelling at this site is not considered to be materially significant to the sustainability of the village when considered in the context of the characteristics of this particular site. However, in order to accord with Policy DS3, criterion c, which requires that new residential development '*complements the form and character of the settlement*', must be satisfied, and for the reasons set out below, there are objections to the development with regard to the design, landscape impact, and impact upon the setting of an adjacent listed building, such that it is considered that the proposal fails to accord with this policy.

(b) Impact on the Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty

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.

Paragraph 170 of the National Planning Policy Framework requires the planning system to recognise the intrinsic character and beauty of the countryside.

Paragraph 172 of the National Planning Policy Framework states that great weight should be given to conserving landscape and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

Policy EN2 of the Local Plan states that development will be permitted which accords with the Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

Policy EN4 of the Local Plan states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. This policy requires that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, settlement patterns and heritage assets.

Policy EN5 of the Local Plan 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.

The site forms part of a cluster of eight detached dwellings, a set of small light industrial units and a former pub. There are a further 28 dwellings located over 250m to the south of the site on Cutham Lane which comprise the rest Perrott's Brook as a settlement. Perrott's Brook can be considered an unorthodox settlement in so much as it is divided into two unequal parts. However, the grain of development in each part of the settlement is characterised by large detached dwellings each with their own private gardens, which vary in size, but are in most cases quite large and well-defined.

The application site comprises a section of the garden of The Malt House which is to the north-east of the intersection between Cutham Lane and Welsh Way. There is a strong hedgerow forming the boundary between the existing curtilage of The Malt House and these two roads, and Officers consider that this northern part of Perrotts Brook can be considered to have a semi-rural character which is strengthened by the large green gaps in the built development and also views through to the countryside.

The site itself occupies a triangular parcel of pasture which is associated with The Malt House. The area adjoins open countryside to the north eastern boundary, existing residential development to the south and a Cutham Lane defines the south-western boundary. The area is enclosed by hedgerows to the lane and rural boundary. The site is accessed via an existing entrance off Cutham Lane to the south-west. In terms of footpath routes, Bagendon Footpath 10 lies to the north-east of the site.

Permission has been previously granted for a single dwelling to the south-east of the site (17/01255/FUL), which as mentioned above is currently being constructed. However, that application did originally propose three houses, including a dwelling set within a similar position and with similar proportions as that now proposed. Three units were not considered to be acceptable by virtue of Perrotts Brook's unsustainable location, the existing pattern of development, and the site's location within the Cotswold AONB and consequently the application was amended to one dwelling.

Local open views of the site can be obtained from the adjoining lane. Views of the site can also be seen from Bagendon Footpath 10 which crosses the field to the north of the site, albeit views are partly obscured by the intervening belt of vegetation.

The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment as falling within Landscape Character Type 10A High Wold Dip-slope Valley. This in turn falls within Landscape Character area Middle Churn Valley.

The Landscape Character Assessment identifies the 'Development, expansion and infilling of valley settlements including residential, industrial and leisure' in its Local Forces for Change section. The Potential Landscape Implications of such development are stated as being;

- Intrusion of expanded settlement fringes into the landscape;
- Erosion of distinctive settlement patterns due to settlement growth and coalescence;
- Built development on the margins of the floodplain forms a prominent edge alongside open meadows/pastures having impacts on views along the river valley;
- Loss/dilution of organic growth patterns of settlements including the relationship between the historic core and adjacent historic fields, paddocks and closes;
- Proliferation of suburban building styles, housing estate layout and materials and the introduction of ornamental garden plants and boundary features;
- Upgrading of minor roads and lanes associated with new development and the introduction of suburbanising features such as mini roundabouts, street lighting, Highway fencing, kerbs and traffic calming measures;
- Increased traffic leading to increased damage to road verges and roadside hedges and walls and the creation of informal passing places;
- Introduction and accumulation of lit areas and erosion of characteristically dark skies;
- Loss of wet meadows and riverine habitat;
- Interruption, weakening or loss of the historic character of settlements and the historic context in how they have expanded, especially the importance of the relationship between the historic core of the settlement and surviving historic features such as churchyards, manor houses.

The site is considered to provide a pleasant green edge to the settlement which helps to reinforce the rural character of the village and also provides an important linking element to the wider countryside.

The existing development pattern is scattered and development along Cutham Lane is limited. The proposed dwelling would encroach beyond the existing build line which is currently defined by Briarfurlong Cottage and The Malt House. While there is an existing garage building, to the opposite side of the road, this is a modest sized structure and it is set back from the roadside. As a result, it is considered that the extension of development northwards would go against the grain of development within the village and would have an urbanising impact.

In terms of the proposed layout, the plot is relatively small and the footprint of the dwelling would occupy a large proportion of the site. It should also be noted that the building would be situated close to the site boundaries with little room for mitigation and therefore the proposed dwelling would be highly prominent in local viewpoints from the lane and the footpath.

It is considered that the size, scale and location of the proposed development is not appropriate for its surroundings in this particular case and it would harm the landscape and scenic beauty within this part of the AONB, pursuant to the guidance contained within NPPF paragraphs 170 and 172, and Policies DS3, EN2, EN4 and EN5 of the Local Plan.

(c) Design of the Dwelling/ Impact on the Setting of Listed Building

The application site lies within close proximity to, and within the setting of Briarfurlong Cottage, which is a Grade II listed building. In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, in accordance with Section 66(1) of the Planning (Listed Buildings & Conservation Areas) Act, 1990.

Section 12 of the NPPF reiterates that achieving a high quality of design for places and building is fundamental to the planning process. Paragraph 130 states that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area".

Section 16 of the NPPF 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 states that significance can be harmed through alteration or development within the setting. 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. 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.

With regard to the Cotswold District Local Plan, Policy EN1 states that new development should conserve the historic environment by ensuring the protection and enhancement of heritage assets and their settings, and that the design of proposals should complement the character of the area.

Policy EN2 states that development should accord with the Cotswold Design Code, and that proposals should respect the character and distinctive appearance of the locality.

Policy EN4 states that development should take into account historic landscape character and local distinctiveness, and would be expected to enhance, restore or better manage significant historic landscape features, including key views, the setting of settlements, settlement pattern, and heritage assets.

Policy EN10 reiterates the NPPF's concern that great weight should be given to the conservation of heritage assets. It states that proposal that sustain the character, appearance and significance of designated assets will be permitted, but that proposals that would harm the significance of an asset or its setting would not be permitted unless outweighed by mitigating public benefit.

Paragraph D.22 of the Cotswold Design Code advises that when a more vernacular character is adopted for a new building, the style should be carefully researched in order to reflect the qualities of the traditional architecture of the area, including materials, proportions and roof forms, as well as the siting, scale and detailed design of features.

Paragraph D.23 advises that poor imitations of the vernacular should be avoided, as should blind or slavish copies.

Paragraph D.25 identifies some key characteristics of the local vernacular, including simplicity of form and design; restricted gable widths and narrow plans; and (except for the late-18th and early-19th century), steeply pitched roofs.

Paragraph 7 of the Planning Practice Guidance advises that "Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation", and that "Natural features and local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place."

In terms of design, it advises that: "Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer. Standard solutions rarely create a distinctive identity or make best use of a particular site. The use of local materials, building methods and details can be an important factor in enhancing local distinctiveness when used in evolutionary local design, and can also be used in more contemporary design. However, innovative design should not be discouraged." (paragraph 7)

Historic England's Historic Environment Good Practice Advice in Planning: Note 3 advises on the setting of heritage assets, and identifies aspects of setting that can contribute to significance, including: "topography, definition and 'grain; of surrounding ... landscape and spaces; land use; openness, enclosure and boundaries; landscape character; tranquillity".

It also identifies possible effects that can harm significance, including: "position in relation to land-form; introduction of movement or activity; seasonal change; changes to skyline; noise; lighting effects and light spill; change to general character (e.g. suburbanising...)". It also advises that screening should not be used as a substitute for inappropriate development, and the seasonal effects, and the possibility of longer-term changes (unless protected) also need to be taken into consideration.

Paragraph 9 advises that: "Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance".

Finally, Members are advised that in *Barnwell Manor Wind Energy Ltd v. E. Northants DC*, English Heritage, National Trust [2014] EWCA Civ 137, the High Court held that in Section 66(1) of the 1990 Act, Parliament intended that the desirability of preserving the settings of listed buildings "considerable importance and weight" in the balancing exercise, and that less than substantial harm does not equate to a less than substantial objection.

The development of the current site was initially proposed under a previous application (17/01255/FUL). This raised considerable heritage concerns at that time, the conservation comments stating:

"The application site lies on the northern edge of Perrott's Brook. It, in conjunction with the garden of Briarfurlong Cottage on the opposite side of Cutham Lane, projects beyond the general edge of the settlement, into open countryside; nevertheless, map regression suggests that the site has been associated with the western end of what is now the Malt House since at least 1885 (the first edition O.S. map).

In terms of the built form of the surroundings, Briarfurlong Cottage, to the west, sits at the very northern edge of its site, and aligns closely to the Malt House, to the east of the site. To the north of this alignment are no structures (other than modest sheds/garages), creating a distinct sense of the edge of the settlement, as well as providing a rural outlook from the north of Briarfurlong Cottage, which is an aspect of its setting that contributes positively to its significance as an historic, rural cottage.

The alignment of Briarfurlong Cottage and the Malt House is a significant feature of the site, and any built development north of this alignment (other than perhaps light-weight outbuildings) would project beyond the built form of the settlement into the countryside, thereby being contrary to the grain of the village, and would harmfully erode the rural setting of the listed cottage, thereby harming its significance."

These comments are considered to remain relevant to the current proposal. Around the cross-roads formed by the crossing of Welsh Way and Cutham Lane is a cluster of development (albeit of a comparatively sparse, semi-rural character). However this cluster of development extends no further north than the clear line formed by Briarfurlong Cottage and the Malt House, beyond which is open, rural countryside. There is a house further to the north, Springfield Farmhouse, but this, like many farmhouses, is an isolated building, distinct from the cluster of development further south.

Briarfurlong Cottage is a small, characteristic rural Cotswold cottage that the list description suggests dates from the eighteenth century, although its identification of a mullioned window and chamfered beams would suggest a date in the earlier, rather than later within that century.

Its one-and-a-half storey height and modest original footprint are characteristic of more rural, agricultural workers' cottages, which were typically situated in more rural locations, often on the edge of rural settlements.

As such, its use of traditional local materials and vernacular detailing are of aesthetic value and significance. Its modest scale and character, as a characteristic rural, probably agricultural

workers' dwelling, representing the lives and social hierarchies of earlier generations is of historical value.

The setting of Briarfurlong Cottage, remains distinctly rural. The cluster of development to the south is fairly loose in character and itself comparatively semi-rural. To the north, apart from the garden of the listed building itself, is land of a more rural, agricultural character, a mixture of fields and paddocks, the latter being the present character of the application site. As such the strongly rural character of the setting of Briarfurlong Cottage complements and reinforces its significance, thereby contributing positively towards it.

The current proposal is for a substantial house, in a weak interpretation of the vernacular. The proposed house would be set to the north of the listed building, with a garage placed almost immediately opposite it, thereby spreading the settlement and an overtly domestic character well to the north along Cutham Lane.

This would fundamentally change the character of the setting of the listed building, particularly as experienced from Cutham Lane, from an overtly rural one, to a modern domestic, suburban one, thereby failing to sustain an aspect of the building's setting that contributes positively to its significance.

Notwithstanding the in principle concerns outlined above, there are additionally concerns over the design, which is a weak interpretation of the vernacular. The massing of the main block, the fake gablets over the first-floor windows, the lack of a chimney on the main block, the proportions of the eastern wing, the use of French doors on the front elevation, and the width and shallowness of the rear gable (which will be highly visible from Cutham Lane when approach Perrott's Brook), all fail to meaningfully reflect the local vernacular.

Members should note that amended plans have been received with regard to the design of the dwelling, and that further comments from the Conservation Officer are currently awaited. These will be provided by way of an update prior to Committee.

As such the proposal conflicts with paragraph 196 of the National Planning Policy Framework, and to grant permission would be contrary to the requirements of Section 16 of the Framework, and the statutory duty of Section 66(1) of the 1990 Act. The proposal is also contrary to Policies DS3, EN1, EN2, EN4 and EN10 of the Cotswold Local Plan 2011-2031.

(d) Highway Safety

The Malt House is accessed from Cutham Lane which is a class 3 highway. The site benefits from a double driveway entrance from Cutham Lane with both entrances enclosed with a five-bar gate. As proposed, the existing entrance would be reconfigured such that the proposed dwelling would have its own entrance, separate from that to be used by the adjacent new dwelling to the south that is under construction.

Objections have been raised to the use of Cutham Lane as an access point to the site due to restricted site lines and traffic volumes. However, there is an existing entrance that would be reconfigured to provide access to the site. It is considered that the additional traffic and vehicle movements generated by one dwelling would not have a materially detrimental impact on the local highway network. It is acknowledged that the Welsh Way and Cutham Lane can be busy at times, but this describes the current situation and it is considered that the proposed development would not exacerbate this situation to any significant degree.

NPPF 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.' It is considered that the proposed development of one dwelling would not result in a severe impact on the local highway network. The proposal is also considered to be compliant with Cotswold District Local Plan Policy INF4 in this regard.

(e) Impact on Neighbours

Briarfurlong Cottage is the nearest neighbouring dwelling to the application site, at a distance of 18 metres on the opposite side of Cutham Lane. It is considered that this separation and the fact that the two sites are separated by a road would be sufficient to minimise any impact on neighbouring residents in terms of light restriction and privacy loss.

The Malt House would be located 26m to the south-east of the proposed dwelling. The principal elevation of the proposed dwelling would face south towards a portion of the rear garden of The Malt House. The two dwellings would be positioned diagonally to each other which reduces the impact in terms of overlooking and privacy loss. Each dwelling would be able to retain its own privacy and it is considered that a high standard of amenity can be maintained for existing and future occupants of both The Malt House and the proposed dwelling, which is in accordance with the guidance outlined in NPPF paragraph 127(f) and Cotswold District Local Plan Appendix D.

(f) Archaeology

The site is located within 50m of a Scheduled Ancient Monument (SAM) which comprises a complex known as 'Bagendon oppidum' - a series of prehistoric dykes. For this reason, the Archaeologist at Gloucestershire County Council has recommended that the applicant should provide the results of a programme of archaeological assessment and evaluation which describes the significance of any archaeological remains contained within the site and how these would be affected by the proposed development. At the time of writing a programme of archaeological assessment has yet to be received.

9. Conclusion:

Whilst the principle of erecting a dwelling in this location is considered to be acceptable having regard to Policy DS3 of the Local Plan, it is considered that the proposal is contrary to the policies in the Development Plan and the NPPF, which are not outweighed by other material planning considerations, with regard to the impact upon landscape character within the AONB, its design, and the setting of the nearby listed building.

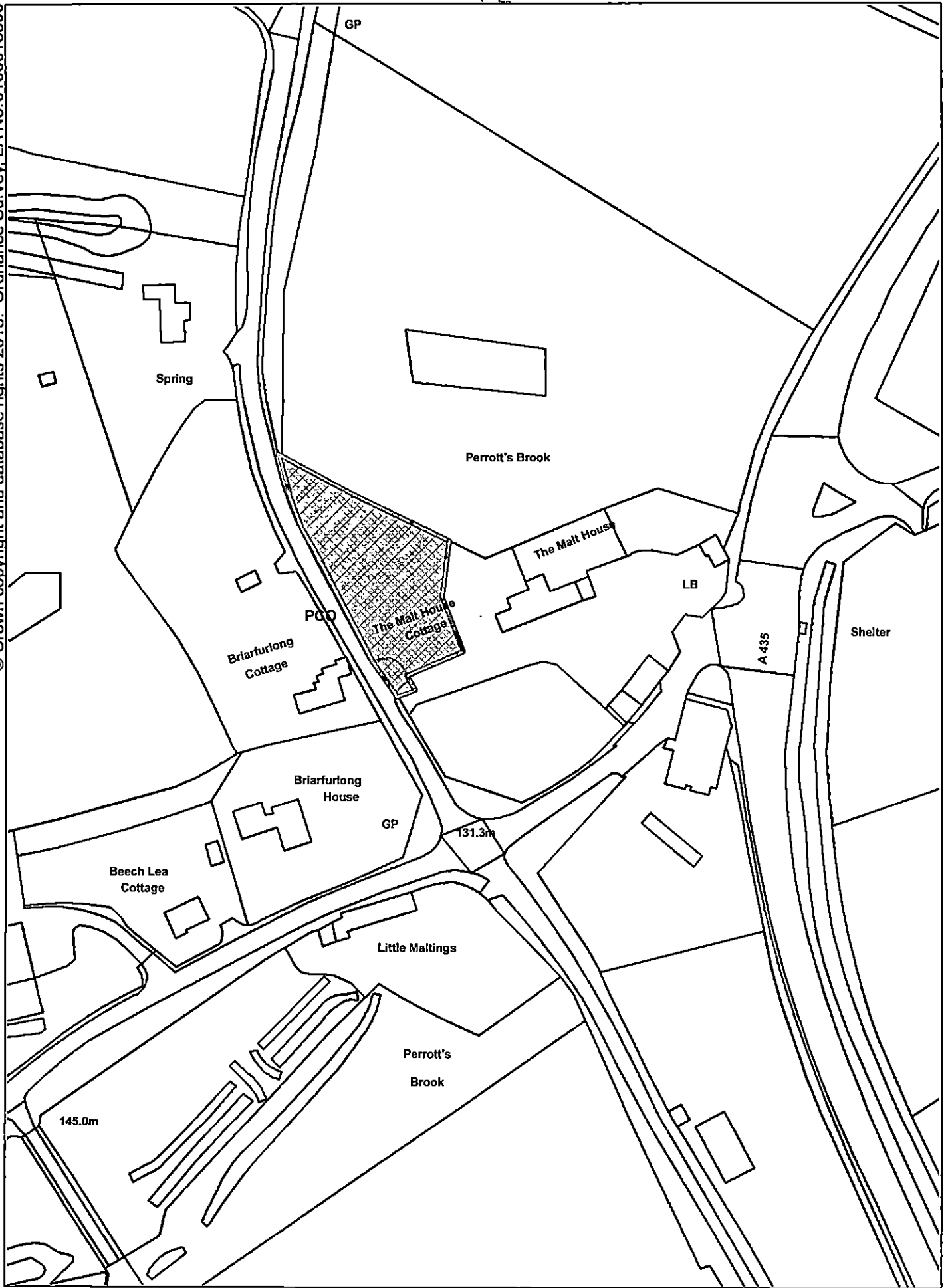
Consequently, the proposal is recommended for refusal.

10. Reasons for Refusal:

The site lies within the Cotswolds AONB, wherein the Local Planning Authority is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposal would represent encroachment of residential development into an open green parcel of land which provides a green buffer between the built edge of Perrotts Brook and the wider open countryside. The position of the dwelling, north of the existing build line, would go against the characteristic settlement pattern of Perrotts Brook and would urbanise the rural character of Cutham Lane. The proposed mass and scale would be disproportionate to the size of the site and would leave little room for mitigation planting; consequently the proposed dwelling would be prominent in local views from Cutham Lane and Bagendon Footpath 10. The proposal would fail to conserve or enhance the natural beauty of the AONB and would be contrary to Section 85 of the Countryside and Rights of Way (CROW) Act 2000, NPPF paragraph 170 and 172; Cotswold District Local Plan Policies DS3, EN2, EN4 and EN5.

The land adjacent to Malt House lies within the setting of Briarfurlong Cottage, which is a Grade II listed building, whose significance rests in its being a characteristic, vernacular rural cottage, and which is enhanced by its predominantly rural setting. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, there is a statutory duty for the Local Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The current proposal, by virtue of its location, developing the rural land beyond the current cluster of development, and encroaching into the rural land to the north of the cottage, would harm aspects of the listed building's setting that contribute positively to its significance, thereby neither preserving its special architectural or historic interest, nor sustaining its significance as a designated heritage asset. The harm would be less-than-substantial, but not be outweighed by any resultant public benefits. As such the proposal conflicts with paragraph 196 of the National Planning Policy Framework, and to grant permission would be contrary to the requirements of Section 16 of the Framework, and the statutory duty of Section 66(1) of the 1990 Act. The proposal is also contrary to Policies DS3, EN1, EN2, EN4 and EN10 of the Cotswold Local Plan 2011-2031.

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LAND ADJ THE MALT HOUSE PERROTTS BROOK BAGENDON Scale: 1:1250

Organisation: Cotswold District Council

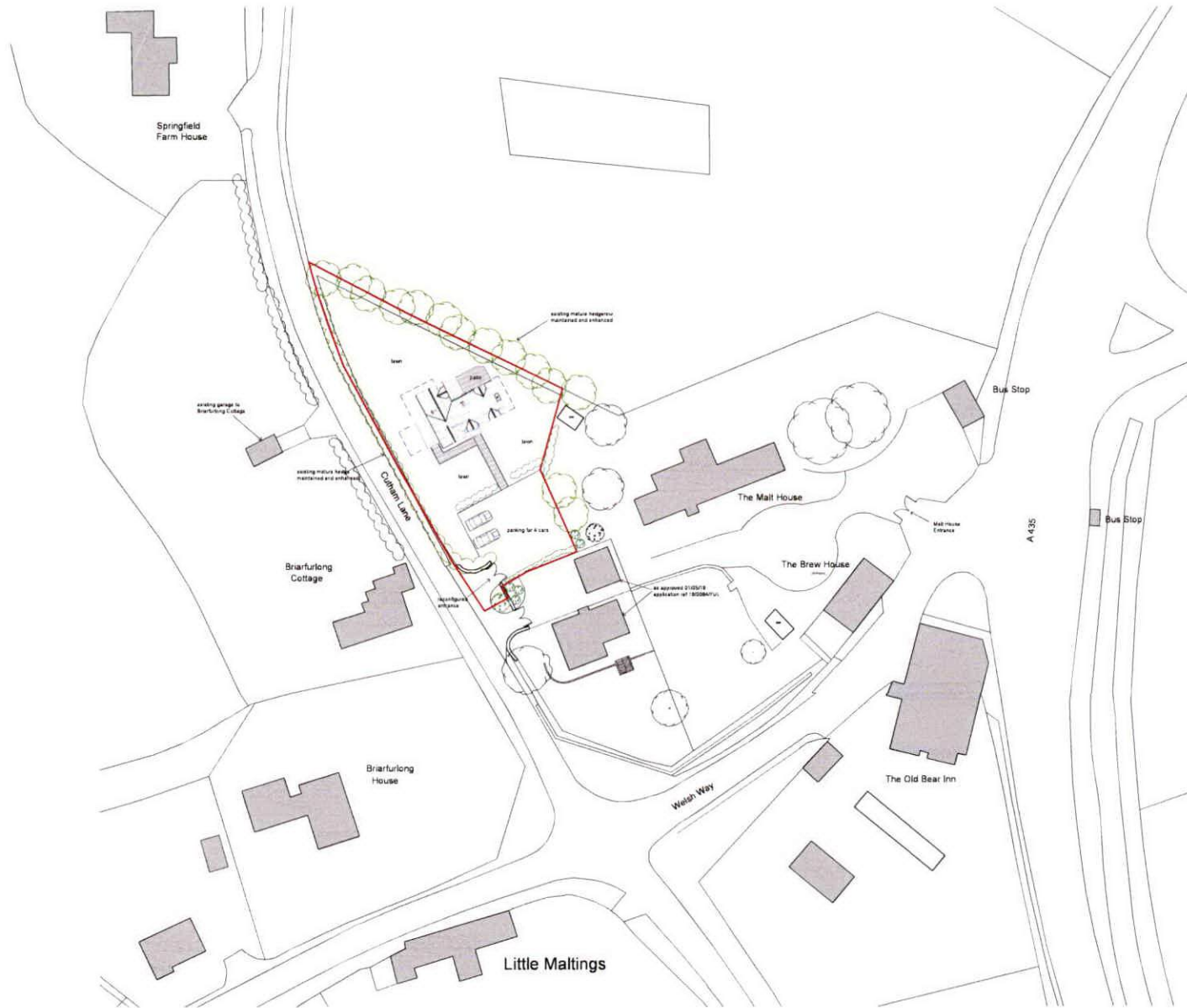
Department:

Date: 02/11/2018



COTSWOLD
DISTRICT COUNCIL





73

----- Outline of previously submitted scheme



Revisions		
Letter	Date	Description
A	24.09.18	Dwelling reduced in size and height, design altered to reflect feedback from conservation officer and neighbours
B	22.10.18	Design altered to reflect feedback from conservation officer

Job Title
Land at The Malt House
Perrotts Brook
 Client
Kathy Kerr-Rettie & John Rettie
 Drawing
Proposed Site Plan

Huw Rettie
 RIBA Chartered Architect
 10, Gwynedd Street, Cardiff, CF10 1JG

Project No. Drawing No. Rev Scale
1960 (08)100 B 1:500 @A2
 Date 20.06.18 Drawn/Checked HR Status Planning



First Floor Plan
GIFA 78 sqm



Ground Floor Plan
GIA 96 sqm



Revisions		
Letter	Date	Description
A	24.09.18	Dwelling reduced in size and height, design altered to reflect feedback from conservation officer and neighbours
B	22.10.18	Design altered to reflect feedback from conservation officer

Job Title
**Land at The Malt House
Perrotts Brook**
Client
Kathy Kerr-Rettie & John Rettie
Drawing
Proposed Floor Plans

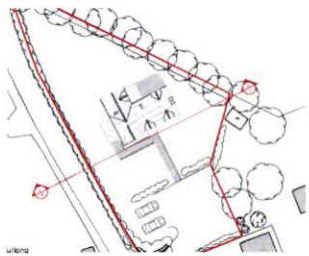
Huw Rettie
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01492 881111
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Project No. Drawing No. Rev Scale
1960 (08)101 B 1:100 @A2
Date 15.06.18 Drawn/Checked HR Status Planning

74



75



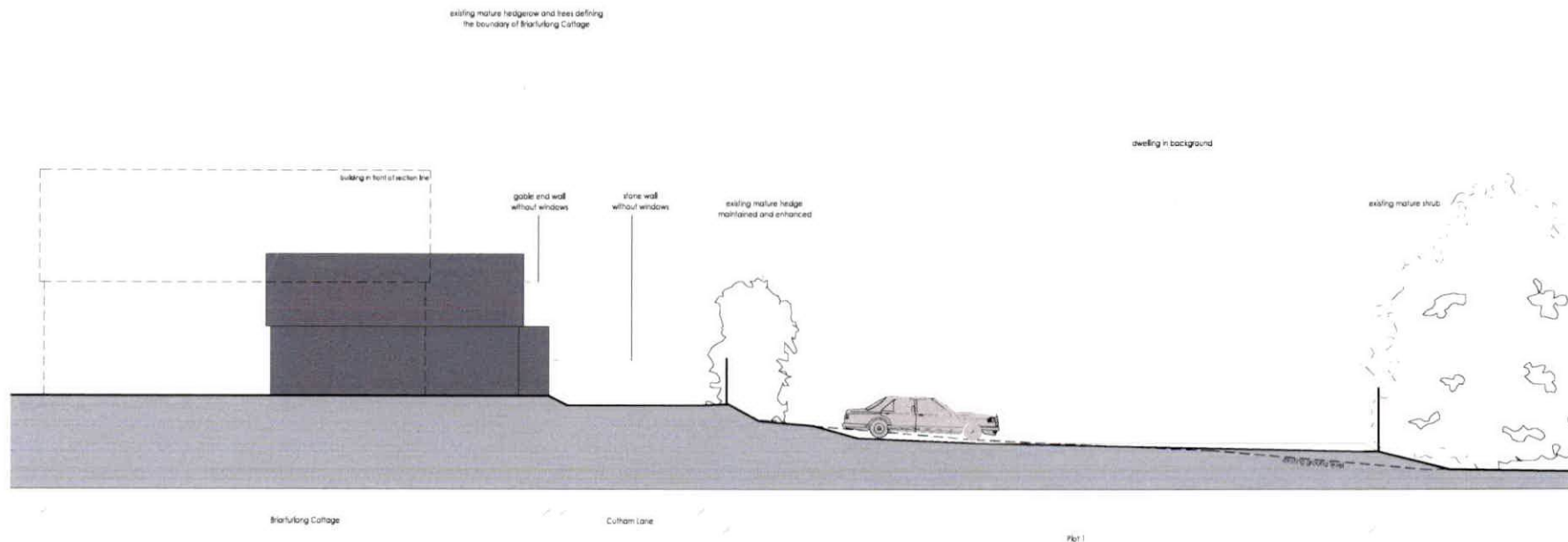
----- Outline of previously submitted scheme

Revisions		
Letter	Date	Description
A	24.06.18	Dwelling cut into the bank, reducing the roof ridge height when viewed from Cutham Lane
B	22.10.18	Design altered to reflect feedback from conservation officer

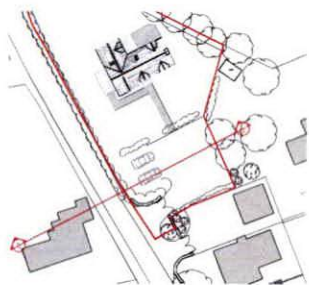
Job Title
Land at The Malt House
Perrotts Brook
 Client
Kathy Kerr-Rettie & John Rettie
 Drawing
Site Section A-A

Huw Rettie
 RIBA Chartered Architect
 11, The Old Rectory, 11, The Old Rectory, 11, The Old Rectory

Project No. Drawing No. Rev Scale
1960 (08)200 B 1:100 @A2
 Date 15.06.18 Drawn/Checked HR Status Planning



76



Revisions		
Letter	Date	Description
A	24.09.18	Garage removed, dwelling shown in background to demonstrate lower ridge height than Braifurlong Cottage due to its gradient
B	22.10.18	Design altered to reflect feedback from conservation officer

Job Title
Land at The Malt House
Perrotts Brook
 Client
Kathy Kerr-Rettie & John Rettie
 Drawing
Site Section B-B

Project No. Drawing No. Rev Scale
1960 (08)201 B 1:100 @A2

Date 15.06.18 Drawn/Checked HR Status Planning

Huw Rettie
 RIBA Chartered Architect
 CONSULTANT



South Elevation



East Elevation



West Elevation



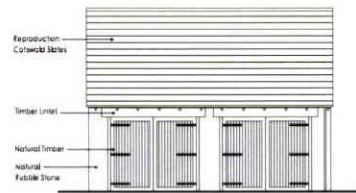
North Elevation



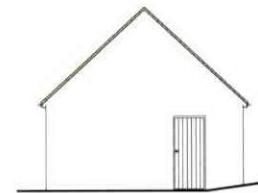
Revisions		
Letter	Date	Description
A	24.09.18	Dwelling reduced in size and height, design altered to reflect feedback from conservation officer and neighbours
B	22.10.19	Design altered to reflect feedback from conservation officer

Job Title
Land at The Malt House
Perrotts Brook
 Client
Kathy Kerr-Rettie & John Rettie
 Drawing
Proposed Elevations
 Project No. Drawing No. Rev Scale
1960 (08)300 B 1:100 @A2
 Date 15.06.19 Drawn/Checked HR Status Planning
Huw Rettie
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 4 Torrington Road, Exeter, Devon, EX4 4JF
 01392 452525

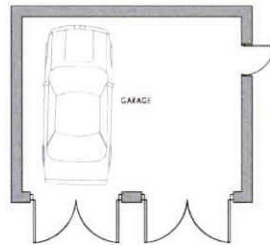
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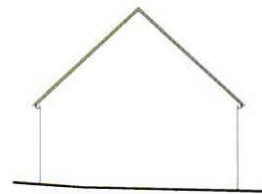
East Elevation



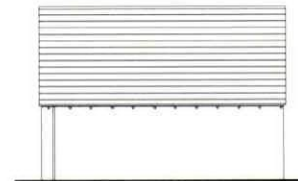
North Elevation



Plan



South Elevation



West Elevation



Revisions		
Letter	Date	Description

Job Title
Land at The Malt House
Perrotts Brook
 Client
Kathy Kerr-Rettie & John Rettie
 Drawing
Proposed Garage Plan & Elevations

Huw Rettie
 RIBA Chartered Architect

Project No. Drawing No. Rev Scale
1960 (08)301 1:100 @A2
 Date 15.06.18 Drawn/Checked HR Status Planning



13/08/2018

LEWIS
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560

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Building



13/08/2018



13/08/2018