

Item No 04:-

17/05211/FUL

**Hare and Hounds
Fosse Cross
Chedworth
Cheltenham
Gloucestershire
GL54 4NN**

Item No 04:-**Erection of 28 hotel bedrooms and dining pavilion, creation of car parking and new access and use of barn as plant room at Hare and Hounds Fosse Cross Chedworth Cheltenham Gloucestershire GL54 4NN**

| Full Application 17/05211/FUL | |
|--|------------------------------|
| Applicant: | Cotswolds Inns And Hotels |
| Agent: | Hunter Page Planning Limited |
| Case Officer: | Martin Perks |
| Ward Member(s): | Councillor Jenny Forde |
| Committee Date: | 12th December 2018 |
| RECOMMENDATION: | PERMIT |

Main Issues:

- (a) Economic Development in a Rural Area
- (b) Design and Impact on Setting and Special Architectural and Historic Interest of a Listed Building
- (c) Impact on Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty
- (d) Arboricultural Impact
- (e) Access and Highway Safety
- (f) Impact on Protected Species
- (g) Impact on Residential Amenity

Reasons for Referral:

This application is a resubmission of a previous application (16/05371/FUL) which was withdrawn in September 2017. The previous application was the subject of an advanced Site Inspection Briefing and was due to be heard at Planning and Licensing Committee on the 13th September 2017. In light of this, Officers consider it appropriate that the current application is also considered by Planning and Licensing Committee.

Cllr Forde has also requested that the application be referred to Committee for the following reason;

'Scale of the development in relation to the listed building and surrounding AONB, in particular the size of the dining room and number of bedrooms.

The visual and physical impact on the landscape, the footpath and the small rural hamlet of Foss Cross.'

1. Site Description:

This application relates to an existing public house located adjacent to the A429 Fosse Way. The site is located approximately 7km to the south of the settlement of Northleach.

The site measures approximately 0.6 hectares in size and is occupied by a Grade II Listed public house (Hare and Hounds), a 10 room accommodation block and associated stone outbuildings. The public house is located in the northern part of the site and sits side on to the A429 which passes in a roughly north south direction adjacent to the eastern boundary of the application site. The north western part of the application site is occupied by a car park. The southern part of the site (approximately 0.23 hectares in size) is occupied by a grassed paddock/field area.

The eastern boundary of the site is defined by low level drystone walling, trees, hedging and the side of the public house and two outbuildings. A grass verge/pavement measuring approximately 8m in width lies between the site and the carriageway of the A429. The northern boundary of the site adjoins a single lane carriageway which serves 8 dwellings located to the north west of the application site. A Public Right of Way (KCH71) extends along the aforementioned lane. The nearest residential building to the site is located approximately 250m to its north west. The northern boundary of the site is defined by drystone walling, hedging and an outbuilding.

The western boundary of the site is bordered by a line of Leylandii. A belt of deciduous trees measuring approximately 20m in depth lies to the west of the Leylandii. To the west of the trees lies an agricultural field. The southern boundary of the site comprises hedgerows and an area of scrubland. The southern tip of the site adjoins a lane leading from the A429 to the village of Calmsden. The lane also serves the District Council's Fosse Cross recycling centre.

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2011-2031.

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB).

The site is located within a Flood Zone 1 as designated by the Environment Agency.

The A429 is a class A highway and is subject to a 50mph where it passes the application site. Three lanes adjoin the A429 within close proximity of the application site. As previously mentioned, a lane leading to the village of Calmsden joins the A429 at a point adjacent to the southern boundary of the site. A private road leading to a number of residential dwellings to the north west of the application site has its junction with the A429 adjacent to the northern boundary of the site. Opposite the aforementioned junction lies Fosse Cross Lane which links the A429 to the village of Bibury to the south east.

Vehicular access to the existing public house is via a gap between the rear of the aforementioned building and a detached outbuilding located to its north east. Access to and from the site is via the A429.

2. Relevant Planning History:

CD.6503 Use of barn as lounge and dining room Granted 1983

CD.6503/A Conversion of existing out building to a dwelling unit Granted 1984

CD.6503/B Conversion of barn into a restaurant. Extension to public house to provide a store and WC, erection of a glazed entrance porch. Granted 1985

CD.6503/C Extensions and alterations to existing building to provide a 40 bed budget hotel, car parking and associated works. Withdrawn 1994

CD.6503/D Extensions and alterations to existing building to provide a 40 bed budget hotel, car parking and associated works. Withdrawn 1994

CD.6503/E Erection of 32 budget hotel bedrooms with reception area and sun lounge, conversion of former stable to create 2 disabled person bedrooms, car parking and refurbishment of listed building Granted 1995

CD.6503/F Conversion of former stable/blacksmith shop into two units of disabled person hotel accommodation, erection of sun lounge and refurbishment of listed building Granted 1995

CD.6503/G Alterations to the internal layout and new conservatory Granted 1999

CD.6503/H Alterations to the internal layout and addition of new conservatory Granted 1999

CD.6503/E/1 Renewal of previous consent CD6503/E for the erection of 32 hotel bedrooms, reception area and sun lounge. Conversion of former stable to create 2 disabled person bedrooms, car parking and refurbishment of Listed Building Granted 2001

CD.6503/K Extension to create 10 no. letting bedrooms, 2 no. staff bedrooms and laundry area Granted 2002

04/00321/FUL Extension to create 8 letting bedrooms, 2 staff bedrooms and laundry area, conversion of barn to function room, demolish cart shed. Granted 2004

04/00322/LBC Extension to create 8 letting bedrooms, 2 staff bedrooms and laundry area, conversion of barn to function room, demolish cart shed. Granted 2004

05/01754/ADV Display of a free-standing sign and an additional hanging sign to existing projecting hanging sign Granted 2005

05/01775/LBC Display of additional hanging sign to existing projecting hanging sign Granted 2005

16/05371/FUL Erection of 28 hotel bedrooms and dining pavilion, creation of car parking and new access and use of barn as plant room. Withdrawn 2017

16/05372/LBC Erection of dining pavilion and hotel accommodation extensions and use of barn as plant room. Withdrawn 2017

3. Planning Policies:

NPPF National Planning Policy Framework

_EC1 Employment Development

_EC3 All types of Employment-generating Uses

_EC8 MainTown Centre Uses

_EC11 Tourist Accommodation

_INF4 Highway Safety

_INF5 Parking Provision

_EN1 Built, Natural & Historic Environment

_EN2 Design of Built & Natural Environment

_EN4 The Wider Natural & Historic Landscape

_EN5 Cotswold AONB

_EN7 Trees, Hedgerows & Woodlands

_EN8 Bio & Geo: Features Habitats & Species

_EN10 HE: Designated Heritage Assets

_EN11 HE: DHA - Conservation Areas

_EN14 Managing Flood Risk

_EN15 Pollution & Contaminated Land

4. Observations of Consultees:

Gloucestershire County Council Highways: No objection

Gloucestershire County Council Lead Local Flood Authority: No objection

Environmental Health Noise: No objection

Conservation Officer: Views incorporated in report

Landscape Officer: Views incorporated in report

Biodiversity Officer: Views incorporated in report

Tree Officer: Views incorporated in report

5. View of Town/Parish Council: Objection

Response 16th October 2018

'The parish council continues to object to the application but again wishes to stress that it is not opposed to some development to revitalise the public house and hotel.

Having looked at the new drawings none of the issues with which the council was concerned appear to have been addressed. Regarding the highways issue the agent, in his latest letter to the planning department, comments that the County is satisfied that the access is suitable providing that proposed junction visibility and lower speeds are achieved. The parish council

would like to see firm proposals of how the applicant intends to achieve these requirements before it would be able to withdraw its objections on traffic grounds which are set out below along with our previous comments which still stand.

Highways

The parish council is still extremely concerned about the proposed access onto the Calmsden Road.

The council feels that creating a new access so close to the A429 would add to the danger at an already hazardous junction. The junction is currently used by vehicles attending the Recycling Site including cars with trailers and vans, and large lorries attending both the Recycling Site and other businesses in the adjacent premises. The amount of traffic on this road is certain to increase following the granting of permission for the conversion of Gore Barn to a wedding venue and given that the Recycling Site is so busy at weekends, that weddings are most likely at weekends and that the Hare and Hounds is intended as a facility to benefit those using the wedding facilities, it is easy to see that this junction will become increasingly busy and dangerous.

We would urge councillors to visit the site to see the junction for themselves as we do not feel that the traffic report provided by the applicant is a true reflection of the situation. Large lorries turning left off the main road from the Cirencester direction are only able to negotiate the junction by using the full width of the Calmsden Road causing problems for traffic waiting to join the A429, and cars exiting the proposed car park access would only be able to do so by crossing onto the wrong side of the road where they cannot be seen by vehicles coming from the Cirencester direction. There have been multiple shunts and near misses on the Fosseway with vehicles waiting to turn right onto the Calmsden Road being 'rear-ended'. Parish councillors all have experiences of seeing accidents, or in one case being involved in an accident at that junction, and can only assume that many of the shunts and bumps are not reported and do not appear of traffic accident figures.

For all these reasons the councillors would urge planners to take advantage of their local knowledge and not allow the access to the new car park to be created at this point. We support the comments of the landscape officer and would add further objections on the grounds that the car park does not include a buffer to the road, the new extension encroaches onto open countryside, there are no charging points for cars and no mention, apart from a photograph, of the lighting design which should be low level.

The parish council would also suggest that as that additional land is available, which is further away from the main A429 and has been shown as overflow car parking, this should be utilised for the entrance to the car park. Moving the entrance further down the Calmsden Road would remove some of the concerns which the parish council has about the dangers of the currently proposed access. If a strip of land was given over to highway it could be possible to create a proper two lane country road from the junction all the way down past the new entrance and providing an access which is much safer and has good visibility back to the Fosse Way.

Design

Based on the floor plan, Councillors still feel that the dining pavilion is too large and should be reduced in size to fit better into the site. It should be subservient to the main original building and not dominant.

Noise and Disturbance

Councillors would also again request that you consider imposing a noise restriction on the development to prevent disturbance to neighbouring residents and would suggest a time restriction of midnight should also be imposed.'

Response 21st November 2018

'The parish council is still extremely concerned about the proposed access onto the Calmsden Road.

The council feels that creating a new access so close to the A429 would add to the danger at an already hazardous junction. The junction is currently used by vehicles attending the Recycling Site including cars with trailers and vans, and large lorries attending both the Recycling Site and other businesses in the adjacent premises. The amount of traffic on this road is certain to increase following the granting of permission for the conversion of Gore Barn to a wedding venue and given that the Recycling Site is so busy at weekends, that weddings are most likely at weekends and that the Hare and Hounds is intended as a facility to benefit those using the wedding facilities, it is easy to see that this junction will become increasingly busy and dangerous.

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There have been multiple shunts and near misses on the Fosseway with vehicles waiting to turn right onto the Calmsden Road being 'rear-ended'. Parish councillors all have experiences of seeing accidents, or in one case being involved in an accident at that junction, and can only assume that many of the shunts and bumps are not reported and do not appear of traffic accident figures.

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6. Other Representations:

Objections received from one objector who gives name as 'Mr Fosse Cross Residents'. The objector states that she is writing on behalf of the residents of Fosse Cross.

Grounds of objection are:

- i) Grossly overscaled in comparison with applicant's selected comparable inns.
- ii) The Applicant's Conservation Statement (May 2016, reissued Feb 2018) describes the Hare & Hounds as "an exemplar 18th C coaching inn situated on one of Britain's most important Roman roads". It selected 5 nearby coaching inns termed as comparable to the Hare and Hounds. These inns provide clear benchmarks of appropriate scale including parking spaces, letting rooms and dining covers.

1. The Fossebridge Inn has 9 letting rooms and 2 family cottages; 50 or so dining covers; and 30 car park spaces. It is set in 4 acres of garden.

2. The Coach and Horses, Bourton on the Water has 5 rooms, and parking for about 25 cars.

3. The Inn for All Seasons has 10 rooms and 50 dining covers. Most of its 50 parking spots are well concealed behind the pub building.

4. The Ragged Cot Inn, Minchinhampton, has 9 rooms and backs onto 600 acres of National Trust land.

All these inns are set in a similarly sized or larger plot than the Hare & Hounds, and all have significantly fewer rooms, dining covers and car park spaces.

5. The Hare and Hounds, Westonbirt is a substantial and elegant 4-star hotel (thus fundamentally different to the Hare & Hounds Fosse Cross) with 42 rooms and up to 150 dining covers. It is set in a heavily wooded 4-acre site. It has parking for 60 cars, largely hidden in woodland behind the hotel.

Where there are letting rooms in these Inns external to the main building, they are generally in traditional converted outhouses, not purpose-built modern structures. None have a purpose-built dining hall/party venue.

iii) The Hare & Hounds Fosse Cross would constitute by far the most densely packed built form among its chosen comparators and would become the largest visible developed frontage along the Fosseway between Cirencester and Bourton. This over-development would obliterate its claim to be a traditional Cotswold coaching inn.

iv) The Applicant's argument (that it needs 36+ rooms, 150 dining covers and 83 parking spaces squeezed into a scant two acres) to be economically viable is explicitly contradicted by the comparable inns it selected. Moreover, the Applicant was fully aware of the limitations imposed by the Hare & Hounds 2-acre site (which already includes the existing buildings - pub, letting rooms, barn) as well as its highly visible AONB location when it bought the pub in May 2016.

v) Making higher profits more quickly is not an acceptable justification for excessive overdevelopment.

vi) The primary reason for this overly ambitious project is not to invigorate the inn for local and tourist trade but to establish a further adjunct to the Applicant's nearby party venues at Cripps Barn and in due course Gore Barn. There is no evidence that the Applicant is seeking to upgrade the pub building; in fact, part of it is slated for demolition. It is treating the Hare & Hounds as if it were a brown-field edge of town development plot.

vii) If the Application is approved in its current form, it will set a precedent for massive over-development and inappropriate build in the Cotswolds. And it will open the opportunity for all Cotswold pubs to be treated as brownfield sites.

viii) CPRE's repeated conclusion, that "the proposed expansion is simply too large for the site" sums it up neatly.

ix) The Fosse Cross residents have consistently stated that they would welcome an appropriately designed expansion to the Hare & Hounds on a scale commensurate with the size of the plot.

x) This is a response to the letter from Ridge Consultants (16/11) setting out the "business justification" for the Hare & Hounds proposal. The Conservation Officer has already conceded that there is harm from this development (13/3), noting that it "would potentially be outweighed by Public Benefit", defined as securing the optimal viable use for the pub, and benefiting the Local Economy, namely employment; tourism; and other local businesses. This proposal however does not "secure the long-term viability of the Hare and Hounds Inn, which is a Grade II listed building". There are no defined plans to reinvigorate the pub. The long-term future of the heritage asset both as a building and a business is unclear. It is likely that it will continue to lose local trade. It will certainly become the poor relation of the new dining hall which, together with the modular hotel structures, will dominate the listed building.

xi) It is well documented that public houses are in a secular decline. A pub's success is based on a range of factors including location and management. The Hare & Hounds purchase cost in May 2016 was £875K with additional payments for hotel rooms built later. In contrast with the Pusedown Inn, a going concern in a considerably larger building which sold for under £600K earlier this year, it would not appear that the Applicant purchased a failing business. However, the

Hare & Hounds, both as a commercial enterprise and physical structure, has grown more tired during the past 2 years.

xii) The 8 (04/00321 FUL) letting bedrooms are rarely fully occupied, despite the captive market of wedding guests. Hence this number of rooms can hardly be termed "inadequate". The Cotswold District Local Policy also states (9.11.1): "Generally, hotel accommodation in the District is considered to be adequate". Ridge claims "the Inn needs to diversify its revenue streams...in order to make sufficient returns". However, the Applicant is only proposing to enlarge, not diversify, the existing business, unless there are other plans for the site not yet revealed. All the other Cotswold inns with whom the Applicant compared the Hare & Hounds function with nowhere near the scale of operation relative to plot size which it claims necessary for the Hare & Hounds. And no other pub has applied for planning consent for a development of this scale.

The cost of the development is £2.3m. To claim this as a positive factor implies that overdevelopment should be actively encouraged for this reason alone.

xiii) The central plank of the Applicant's economic argument is that it "will result in a positive impact upon the vitality of the economy of the rural wider area through attracting visitors and their spend to the area, supporting existing local businesses and suppliers, as well as supporting construction/trade jobs associated with the build...and create numerous jobs".

xiv) The Ridge letter does not indicate how many new jobs will be created. Policy EC1a and Objective 3a of the Local Plan encourage the "creation of high-quality jobs in professional, technical and knowledge-based sectors". The jobs at the Hare & Hounds won't meet these criteria; indeed, the hotel and catering sector has the lowest productivity of any service sector. The Cotswold District enjoys near full employment already and has an abundance of pub type job openings. Additional cleaning and catering jobs are hardly going to "enhance the vitality of the rural economy" (Policy EC1b). Finally, all staff will have to drive to the Hare & Hounds, contrary to Objective 5 (Sustainable Travel).

xv) The temporary provision of employment during the construction phase has never been a core policy of any government other than during an economic depression.

xvi) Crucially this hotel and dining room will not "support sustainable tourism in ways that enables the District to attract higher numbers of longer-stay visitors" (Objective 3c and Policy EC1e). Firstly the principal clientele will be Cripps Group wedding guests who will typically spend one, maybe two, nights at the Hare & Hounds. As they will be here for a single purpose, they will be unlikely to spend elsewhere in the District and any later independent return must be discounted. Secondly the presence of large wedding groups will deter other tourists who will feel overwhelmed in the public spaces and may be disturbed by guests returning late at night. The greater the number of rooms and the larger the public space, the more unbalanced it will feel. In addition, the industrial motel like structure is less likely to attract the typical Cotswold visitor.

xvii) The synergy in the Applicant's business model is obvious: its captive guests will now drink, dine, dance, sleep and breakfast in Cripps Group establishments. Other local businesses, including nearby hotels, pubs and B&Bs, will actually lose business, effectively cannibalizing overall local trade. Moreover, the Group is vertically integrated, with a catering supplier as well, so there is reduced business opportunity for local suppliers.

xviii) No-one can deny the commercial logic of further vertical integration. The Applicant predicts a gross margin after the first year of operation, net profit by the third. Such swift profit is partly due to the low-cost modular build which also enables maximisation of hotel rooms on a small footprint. While the Applicant may argue that its business plan is predicated on 150 dining seats and 36 hotel rooms crammed into a small space, this represents a wholly inappropriate overdevelopment in a highly visible 2-acre rural location in the Cotswold AONB. The main beneficiary of this project is Cripps Barn Group, not the wider economy, and that is inadequate justification for this harmful development.

xix) The Applicant has not demonstrated that a development of this scale is necessary to secure the future viability of the Hare & Hounds. As stated by CAONB, it "should be the minimum required to secure its long-term viability, both as a business and a listed building".

xx) This Application materially breaches a series of critical Planning Policies as set out in the NPPF and Cotswold District Local Plan 2011-31.

xxi) First breach: this is a new hotel outside development boundaries. Objective 5 of the Cotswolds Local Plan states that Planning Policies should "Protect the open countryside against sporadic development" while PolicyEC11 states that New Hotels...will only be permitted [outside of development boundaries] where the proposal: "is provided through the change of use of

existing buildings, especially where this would involve the conservation of a listed or other historic building". The Grade II listed Hare & Hounds Inn is not being converted and its use is not being changed. Indeed it will no longer be the principal structure either physically or commercially. This proposal is unquestionably a new hotel, not merely an extension. It is akin to another Travelodge. The pub already has 8 letting rooms (extension to create 8 letting bedrooms - 04/00321 FUL). The Current application is for "28 hotel bedrooms", ie 3 ½ times the current number. The new hotel rooms will be housed in 3 sizeable new modular two-storey structures, very near, but not attached, to the existing pub building. There will be a dedicated 24-hour reception area as would be expected in a hotel. These additional hotel rooms require an entirely separate fourth new structure to provide a 90-seater dining hall, representing a tripling of the current dining places. Finally car park spaces are being increased four-fold from 21 to 83.

xxii) Second breach: EC1 Employment Development: Employment Development will be permitted where it: a. supports the creation of high-quality jobs in professional, technical and knowledge-based sectors; b. maintains and enhances the vitality of the rural economy; c. enables opportunities for more sustainable working practices; or e. supports sustainable tourism in ways that enables the District to attract higher numbers of longer-stay visitors. The application form stated that this business would provide 30 F/T and 20 P/T jobs. This is simply not credible. More importantly, "Accommodation and Food Services" has the lowest productivity of any services sector in the UK (ONS). Yet more employment of this type does not meet the Cotswold Objective 3 of Creating more high-quality jobs in "professional, technical and knowledge-based sectors" (EC1a). There is already nearly full employment in the Cotswold District and an abundance of jobs in the hotel, pub and catering sector. An increase in cleaning and catering jobs is not going to "maintain and enhance the vitality of the rural economy". Moreover, all staff will have to drive there, contrary to Objective 5 (Sustainable Travel) and EC1c. Crucially it will not "support sustainable tourism...to attract higher numbers of longer stay visitors". The pub already has 8 Cotswold vernacular letting rooms which are rarely fully occupied suggesting the location does not attract long-term Cotswold visitors. It also supports the Cotswold District Local Policy statement that "hotel accommodation in the district is considered to be adequate".

xxiii) The Applicant has stated that its principal clientele will be its wedding venue guests. They will typically spend one, maybe two, nights at the Hare & Hounds. As they will be here for the main and ancillary events, they will be unlikely to spend elsewhere in the District and any later independent return must be discounted. This redevelopment will actively deter non-wedding tourists who will be overwhelmed by large groups who know each other and who will inevitably disturb them late at night clattering up the metal stairs and chatting along the external wooden walkway. The greater the number of rooms and the larger the public space, the more unbalanced it will feel. In addition, the industrial motel like structure is less likely to attract the typical Cotswold visitor.

xxiv) The Applicant has not demonstrated that a development of this scale is necessary to secure the future viability of the Hare & Hounds. As stated by CPRE "The evidence that the applicant has brought forward on viability of the pub does not examine the alternative of a smaller scheme" while CAONB, state "should be the minimum required to secure its long-term viability, both as a business and as a listed building".

xxv) As conceded by CDC planning officers, this overdevelopment causes harm to the heritage asset and its setting in the AONB landscape. This harm is not outweighed by public benefit, either reinvigorating the heritage asset or providing economic benefit to Cotswold businesses other than Cripps Barn. This development breaches a range of the built, natural and historic environment Policies of the Cotswold Local Plan.

xxvi) EN2 Design of the Built and Natural Environment - The new build is tightly crammed into the existing car park and resembles urban infill. It does not accord with the Cotswold Design Code. Para 10.2.11 requires that development "either follows an authentic vernacular...approach...or high quality contemporary and innovative manner, which reflects and respects local character". None of the new buildings incorporate local Cotswold vernacular to any meaningful degree, in contrast with the 8 letting rooms constructed 10 or so years ago. While both the Conservation and Landscape Officers have repeatedly described the accommodation blocks as "contemporary", the required term "high quality" has been conspicuously absent.

xxvii) The Conservation Officer (13/3) describes the Hare & Hounds as a "significant building" which "strongly reflects the Cotswold vernacular", continuing, the "scale and mass of the development within the setting of a Grade II listed building remains harmful (less than substantial)

due to its visual impact on the existing buildings". The main reason for accepting the industrial design was that its visual impact would be shielded by other buildings and token wall planting giving a municipal appearance. The tin roof and timber frame of the accommodation structures are insufficient to "reflect and respect local character" especially as there are virtually no agricultural buildings in the surrounding area; the Dining hall's simple rectangular structure, is similarly insufficient to suggest a Cotswold barn especially as the side exposed to the Fosse way is largely glass. As CAONB further sets out (31/10): The new buildings are not in proportion to the immediate landscape; the uniform height of the accommodation blocks does not reflect the requirement of the Design Code ("contemporary buildings should usually be broken to avoid...a monolithic or brutal appearance"); the scale of the contemporary buildings does not respond to their context.

xxviii) EN5 Cotswolds Area of Outstanding Natural Beauty: The Hare & Hounds is in the Hi-Wold Dip Slope, characterised by open farmland views and sparse settlement. These views will be truncated by the proposed suburban 'instant hedge' attempting to camouflage the oversized car park. The existing paddock reinforces the rural character of the pub. The introduction of surfacing and parked cars would have an urbanising impact. The Landscape officer had repeatedly demanded "retention of a robust buffer area along the Fosse [as] essential to the success of this scheme" to "protect the rural character of the Fosse" but gave way on 21/11 in the belief that this overdevelopment has public benefit. The Conservation Officer however wrote (16/10) "The relocation of parking and an increased green buffer...is required to...maintain a sense of rural character currently experienced when approaching the site to mitigate the harmful impact of the parking upon the setting of the designated heritage asset". The Landscape Officer had also initially written (5/3) that that the overflow car park "would represent further sprawl into the AONB rural landscape". On 22/5 she found it acceptable as it would be hidden by hedgerow. Under s 85 CRow Act, the CDC has a duty to have regard to the purpose of AONB designation. The conservation and enhancement of this AONB landscape has been given insufficient weight contrary to the NPPF. The CAONB Management Plan is a material consideration and has not been properly observed. Contrary to CE3, neither the minimal landscaping, disproportionate scale nor modern build are compatible with the local distinctiveness of the immediate area. The Hare & Hounds proposal would create by far the largest development and car park on the Fosseway between Cirencester and Bourton breaching CE6.

xxix) EN10 Historic Environment: Designated Heritage Assets. This development fails all three conditions (also s 16 of the NPPF): 1. There is little indication of works to conserve the listed pub's structure nor to make it central to the business plan. 2. The Conservation Officer wrote (16/10): "The landscaping and car parking...fails to sustain and enhance the character and setting of the designated asset". 3. As repeatedly stated by the Conservation Officer the proposals lead to harm to the significance of the designated heritage asset. The Applicant has not provided robust evidence or convincing justification of public benefit as required by s194 & s196 NPPF.

xxx) EN11 Historic Environment: Designated Heritage Assets - Conservation Areas. This proposal does not preserve [or] enhance the special character and appearance of the Conservation Area. The new build is well out of proportion to the listed pub, occupying 50% of built footprint and being two full storeys high vs the low-lying single storey pub with traditional pitched roof; it dominates rather than being subservient to the heritage asset; the design and materials contravene the Design Code. Landscaping is primarily employed to camouflage the sprawling car park and inappropriate new build. There is little room within the complex for natural landscaping. The main car park boundary visible on the Fosseway is now planned to be suburban 'instant hedge', not in keeping with the rural landscape of mixed open view, hedgerow and tree. The boundary to the north, along Footpath 71, will be virtually all new build (dining hall, toilets and bedrooms). Given the narrowness of the footpath lane at this point, there is no room for soft landscaping. The new car park will result in the loss of the whole paddock, currently the principal open space of the Hare & Hounds site, as well as a pocket of farmland adjacent to the carpark. The boundary hedge will severely occlude important views into the conservation area and of the heritage asset.

Cotswolds Conservation Board;

'The Board recognises the desirability of securing the long term viability of the Hare and Hounds. However, this long term viability should be delivered in a way that is consistent with the site's

status as a significant heritage asset in a nationally important landscape. It is the Board's opinion that the proposed development does not achieve these combined objectives.

As stated in our previous consultation responses, the Board is of the opinion that the scale and design of the proposed development is such that it would have a significant adverse impact on the Grade II listed building of the Hare and Hounds and its setting, as well as on the landscape character of this part of the AONB. As such, it would also have a significant adverse impact on the purpose for which the Cotswolds Area of Outstanding Natural Beauty (AONB) was designated - to conserve and enhance the natural beauty of the AONB. Under Section 85 of the Countryside and Rights of Way Act 2000, the local planning authority must have regard to this purpose when making a decision on this planning application.'

'It is the Board's opinion that the scale of any proposed development at this site should be the minimum that is required to secure its long term viability, both as a business and as a listed building. To-date, the applicant has provided no compelling evidence to demonstrate that the long term viability could not be secured through a smaller scale development of the site. Prior to a decision being made on this planning application, consideration should be given to the potential for the long term viability to be secured through a smaller scale development.'

Full copy of response attached to this report.

CPRE South Cotswold District:

The revised proposals for the car park do not meet our previously expressed objections. The new proposal is to screen out the car park. This damages the very view of the pub across the paddock which is such an essential part of its character. A wide buffer zone and modest low level planting is the only way this key aspect can be preserved.

As we have commented before that the development is just too big for the site. The evidence that the applicant has brought forward on viability of the pub does not examine the alternative of a smaller scheme - our view is that a scheme with a modest reduction in the number of rooms and the size of the dining pavilion would be sufficient to ensure long term viability but would provide sufficient reduction in the requirement for parking to allow a large buffer zone.

Because the benefits of a smaller scheme have not been examined we consider that your landscape officer is incorrect in withdrawing her objection to the lack of a sufficient buffer zone on the grounds that the damage is outweighed by the benefits.

We continue to support the Parish Council's concerns about the dangers of having the car park entrance as proposed.'

Response from County Cllr Paul Hodgkinson:

Response 16th October 2018

'I am making these comments as County Councillor for the area and have several fundamental concerns as follows:

Parking: Glos Highways Recommendation, dated 26 Feb, was not posted on the portal until 17/5 and is based on out-of-date and therefore incorrect information. It assumed that there are 90 car parking spaces available. The Applicant is proposing 67+ spaces. However, CDC recommended only 52 spaces for approval in September 2017, the maximum amount commensurate with the small size of the Hare & Hounds site, and which would allow the necessary landscaping for an AONB.

Traffic Safety and Access: The proposed new access to the car park starts just 25 metres from the junction of the A429 and the Calmsden Road (SK02). This junction is already hazardous with heavy lorries going to the Industrial Site and other vehicles going to the tip. It is appreciably busier

at weekends. The Highways Recommendation relies on a Transport Statement dated Oct 2016, and traffic volumes, unrecorded shunts and near-misses at this junction have increased since then. The Transport Statement itself is insufficient: it carried out a manual survey of vehicles turning into and out of this junction on one Friday in September between 5 and 6pm and one on Sunday between 1 and 2pm. This cannot be a reliable study especially given that Saturdays are the busiest day for recycling and wedding traffic.

My major concern is that there will be accidents between cars stationary on the Calmsden Road waiting, just metres from the A429 junction, to turn right into the new car park and vehicles turning off the A429 close behind them. The acute turn off the A429 from the South is blind, so drivers will not see cars queuing to turn right into the new car park. Large lorries use the whole of the lane to negotiate their turn off the A429. In addition, the Swept path analysis (SP01), picture 3, indicates that cars turning left out of the car park towards the A429 will have to cross over to the other side of the Road putting them in the way of vehicles turning off the A429.

Furthermore, traffic volume will increase considerably when Gore Barn is operating as another wedding venue.'

and

'I was surprised to read Hunter Planning's assessment of the Traffic concerns expressed by Chedworth PC and others (letter 1st August). There have been no objections to the proposed 2 way car park entrance itself. Provided cars entering and exiting the car park keep well to their respective sides, there should in theory be no blockage at the entrance point itself. The issue has always been with the siting of the entrance off the Calmsden Road commencing 25 metres from the Fosseway junction. The concerns, which have been repeatedly and consistently raised, are that there will inevitably be queues waiting on the Calmsden road to turn right into the car park. Given the proximity of the entrance to the A429 junction, the fact that most will enter the proposed car park from the Fosseway and compounded by the blind turn onto the Calmsden Road from the south, there is clear risk for collision and shunts.

The traffic flow to and from the Hare & Hounds will be driven principally by the events taking place at Cripps Barn and in future at Gore Barn. This will result in a bunching of arrivals and departures, in contrast to the more regular flow of a typical pub or B&B. Moreover these events are expected to take place virtually every weekend, when the volume of traffic on the Calmsden Road is already appreciably higher because of the recycling centre.

There will therefore be increased accumulation of traffic queuing on the Fosseway to turn right into the Calmsden Road.'

Response 27th November 2018

'The Applicant's recent revised plans to the car park have not addressed my concern about the dangerous access so close to the Fosseway junction, and I maintain therefore my objection to this development as per my earlier objections.'

7. Applicant's Supporting Information:

Design and Access Statement
 Conservation Statement
 Ecological Appraisal
 Flood Risk Assessment
 Mechanical and Electrical Concept Report
 Sustainability Statement
 Transport Statement
 Waste Minimisation Statement
 Arboricultural Report
 Landscape Statement

8. Officer's Assessment:

Background and Proposed Development

This application is a resubmission following the withdrawal of a similar proposal in September 2017 (16/05371/FUL). The previous application was withdrawn by the applicant on the day before the 13th September 2017 meeting of Planning and Licensing Committee. The application had been the subject of an advanced Site Inspection Briefing on the 6th September 2017. The previous application was recommended for approval by Officers subject to no objection being raised from Gloucestershire County Council Highway Officers. The scheme now proposed is ostensibly the same as that submitted previously. The main changes involve a reconfiguration of the proposed car parking area to the south of the public house and a re-design of the proposed dining pavilion building located adjacent to the northern boundary of the application site.

The application site is occupied by a Grade II listed public house and associated outbuildings. The principal building provides dining and drinking facilities. To the south west of the public house is a part two storey/part single storey accommodation building which provides 10 bedrooms for guests. Planning permission and Listed Building Consent (LBC) were granted for the erection of the aforementioned building in 2004.

Planning permission was also granted in 1995 for the erection of a two storey 32 bed motel building (CD.6503/E) on the paddock area to the south of the public house. The approved building had a roughly L-shaped footprint. The longest wing of the building measured approximately 35.5m long by 8.5m high. The external walls of the approved building were to be finished in a roughcast render. The permission was renewed in 2001 (CD.6503/E/1) but was never implemented with the result that the aforementioned permission has now lapsed.

The applicant is seeking permission to erect new two storey accommodation buildings in the existing car park to the west/north west of the public house. It is also proposed to erect a new dining pavilion building to the rear (north) of the public house. A new greenhouse is also proposed along the north western side elevation of the principal building. New plant and machinery will be installed in an existing single storey outbuilding lie to the front of the public house.

The applicant is seeking to provide 28 additional guest bedrooms on the site. The proposed accommodation will be located around the western, northern and southern boundaries of the existing car park. The principal accommodation building will extend along the site's western boundary. The western elevation will measure approximately 45m long by 7m deep by 6.5m high. The northern end of the western accommodation building will also extend eastwards alongside the northern boundary of the site. The northern roadside elevation will measure approximately 21m long by 7m deep by approximately 6.2m high. The western and northern ranges will house 24 bedrooms.

In the southern part of the existing car park it is proposed to erect a further two storey building which will house 4 bedrooms. The proposed building will measure approximately 10m wide by 7m deep by 6.5m high.

The three accommodation blocks will face onto a new central courtyard area. Each bedroom will open onto the courtyard. The first floor bedrooms in the southern and western accommodation blocks will be provided with timber framed balconies which will overlook the courtyard. The first floor accommodation in the aforementioned buildings will be accessed by external timber walkways which will run along the rear of the western and southern buildings.

The external walls of the southern and western accommodation blocks will be finished in a mix of natural stone and timber cladding. Natural stone will primarily be used at ground floor level with upper floors clad in timber. The roofs of the buildings will be covered in a corrugated metal. A

mesh will be added to the front of the accommodation blocks which will be planted with a variety of flora. The applicant is seeking to create a wall of greenery around the courtyard.

The northern roadside accommodation building will be more traditional in form and will have external walls constructed of natural stone and a stone tiled roof. Two flat roof dormer windows will lie on the southern roof slope facing onto the proposed courtyard.

To the rear of the existing public house it is proposed to erect a new dining pavilion building. The proposed building will measure approximately 16m long by 10.5m wide by 5.7m high. The main ridgeline of the proposed building will run in a north south direction with its gable end facing onto the lane to the north of the site. The external walls of the proposed building will be a mix of natural stone and glazing. The roof will be covered with a stone tile.

A timber framed greenhouse measuring approximately 6m by 4m by 3.2m high is proposed in the new courtyard adjacent to the north western gable end of the public house.

In addition to the above new buildings, the applicant is also seeking to create a new car park in the paddock area to the south of the public house. A total of 67 car parking spaces will be provided in the new car park. The previous scheme proposed a total of 52 parking spaces. The existing premises provides approximately 25 spaces. Vehicular access will be via new entrance located in the southern boundary of the site. It will open onto the lane that links the A429 to the east with the village of Calmsden approximately 2.3km to the south west. In addition to the proposed car park, the applicant has also indicated that an existing triangular parcel of land measuring approximately 500 square metres in size and lying adjacent to the southern boundary of the application site will be used as overflow car parking for up to 16 vehicles. The applicant can use the aforementioned land for up to 28 days a year for the parking of cars without the need for planning permission.

The existing access to the rear of the public house will be retained primarily for service/delivery vehicles.

The applicant states that the proposed development will generate 30 full time and 20 part time employees.

The applicant presently operates three wedding venues with the vicinity of the application site. The three venues are Cripps Barn which is located on Fosse Cross Lane approximately 2.7km by road to the south east of the application site; Gore Barn which is located on the Calmsden lane approximately 1.3km to the south west of the proposed development and Stone Barn, Aldsworth which is located approximately 14km to the east of the site. The accommodation proposed as part of this application is intended to serve both the Hare and Hounds public house and the three aforementioned venues. Wedding guests will be able to stay at the Hare and Hounds site prior to attending weddings held at Cripps Barn, Gore Barn or Stone Barn. The accommodation will also be open to visitors to the area who are not attending any of the wedding venues.

The proposed dining pavilion is intended to serve guests staying at the Hare and Hounds site as well as providing additional dining space for non-residents wishing to dine at the public house (eg for Sunday lunch). The kitchen facilities at the Hare and Hounds are not intended to be used to provide catering facilities for the wedding venue locations. The wedding venues are self-sufficient in terms of the catering provided at those locations.

It is considered that the proposed use of the site would be a mixed A4 (Drinking Establishments) and C1 (Hotel) Use.

(a) Economic Development in a Rural Area

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2011-2031. The following Local Plan policies are considered relevant to the proposal:

Local Plan Policy EC1 Employment Development states:

'Employment Development will be permitted where it:

- a. supports the creation of high quality jobs in professional, technical and knowledge-based sectors and seeks to support economic opportunities which capitalise on the strength of existing academic and training institutions and research organisations;
 - b. maintains and enhances the vitality of the rural economy;
 - c. enables opportunities for more sustainable working practices, including home-working;
 - d. supports and improves the vitality and viability of Primary, Key, District and Local Centres;
- or
- e. supports sustainable tourism in ways that enables the District to attract higher numbers of longer-stay visitors.'

Local Plan Policy EC3 Proposals for All Types of Employment-Generating Uses states:

1. 'Within Development Boundaries, proposals for employment-generating uses on sites that are not currently identified as an established employment site will be permitted in principle.
2. Outside Development Boundaries, and outside established employment sites, proposals for small-scale employment development appropriate to the rural area will be permitted where they:
 - a. do not entail residential use as anything other than ancillary to the business; and
 - b. are justified by a business case, demonstrating that the business is viable; or
 - c. facilitate the retention or growth of a local employment opportunity.'

Local Plan Policy EC11 Tourist Accommodation

'Hotels and Serviced Accommodation:

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.'

In addition to the above, it is noted that hotels fall within the definition of a Main Town Centre Use as set out in Annex 2 of the National Planning Policy Framework (NPPF). Criterion 7 of Local Plan Policy EC8 Main Town Centre Uses is considered to be applicable to the application. It states:

7. 'When considering proposals for main town centre uses beyond the identified Centre boundaries, (in edge of centre or out of centre locations), proposals will be permitted that are:
 - a. accessible and well connected to the Centre by public transport, walking and cycling;
 - b. contribute to the quality, attractiveness and character of the settlement and the street frontage within which the site is located;
 - c. maintain or improve, where possible, the health and wellbeing of the District's residents through increased choice and quality of shopping, leisure, recreation, arts, cultural and community facilities; and

d. except where the proposal is in conformity with an allocation for main town centre uses elsewhere in the Plan, comply with the sequential test, by demonstrating that there are no sequentially preferable sites or

premises to accommodate the proposed development, taking into account the need for flexibility in the scale and format of proposals.'

In terms of national planning policy and guidance, the following guidance is considered relevant:

Paragraph 8 of the NPPF states that the 'planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)'. The three objectives are economic (helping build a strong, responsive and competitive economy), social (supporting strong, vibrant and healthy communities) and environmental (protecting and enhancing the natural, built and historic environment).

Paragraph 9 of the NPPF goes on to state that planning decisions 'should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area'.

Paragraph 83 of the NPPF states:

Planning policies and decisions should enable:

- a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) The development and diversification of agricultural and other land-based rural businesses;
- c) Sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) The retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Paragraph 86 of the NPPF states:

'Local Planning Authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations, and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.'

Paragraph 87 of the NPPF states:

'When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored'.

Paragraph 90 of the NPPF states:

'Where an application fails to satisfy the sequential test or is likely to have a significant adverse impact on one or more of the considerations in paragraph 89, it should be refused.'

It is evident from the above that both national and local planning policy and guidance can be supportive of new economic development in rural areas. This support extends to all types of rural businesses. The current proposal has the potential to generate income for the local economy and

to provide employment. In addition, it has the potential to assist the viability of the heritage asset as a public house/inn for which purpose it was originally constructed. It is of note that the Hare and Hounds was put up for sale by Arkells Brewery prior to its purchase by the current applicant. Paragraph 3.4 of the applicant's Planning Statement states that 'The Hare and Hounds Inn was formerly in the ownership of Arkell's Brewery. Despite being in the hands of a well-established brewery who currently own around 94 pubs, the property was sold off due to its economic viability'. The applicant is proposing to invest approximately £2.3 million into the site. At a time when public houses are closing across the country (ONS figures indicate the loss of approximately 11,000 premises or 23% in the last decade), it is considered that the proposed investment in the site represents a significant material consideration that weighs positively in favour of the application. The applicant is proposing to open both the public house and the new dining pavilion/accommodation to the general public. The proposed development will not be restricted to guests using the applicant's wedding venues. As a consequence, the Hare and Hounds will continue to operate as a public house/inn.

With regard to the existing site, it is of note that the Hare and Hounds currently offers 10 en-suite bedrooms for guests. New build guest accommodation has therefore been previously allowed on the site. The proposed development will tie in with existing serviced accommodation and will therefore increase the level of accommodation on the site. It will not be introducing a completely new unrelated development onto the site. Paragraph 9.11.1 of the Local Plan states that 'hotels and other serviced accommodation will normally be acceptable within settlements as well as extensions to existing facilities'. The comments of the objector regarding the erection of a new hotel are noted. However, it is considered that the proposed development can reasonably be considered to be an extension to an existing facility.

Whilst the proposed accommodation may draw an element of trade away from existing accommodation providers, the proposed accommodation, by virtue of its proximity to the applicant's existing wedding venues, has the potential to make the location attractive to visitors who may not otherwise choose to come to or stay in the area. It is considered that the proposal has the potential to generate additional visitor numbers to the area rather than simply diverting existing trade from other accommodation providers.

In terms of employment, all new employment, whether it is full time professional or part time semi or low skilled, can maintain and enhance the 'vitality of the rural economy' as set out in Local Plan Policy EC1.

The current proposal is considered to accord with the aspirations of Local Plan Policies EC1, EC3 and EC11 and Paragraph 83 of the NPPF.

It is noted that the applicant refers to the new accommodation as hotel accommodation. Such accommodation can represent a main town centre use and as such it is necessary to have regard to criterion 7 of Local Plan Policy EC8 and Paragraphs 86, 87 and 90 of the NPPF. The primary aim of the aforementioned policies and guidance is to protect the vitality of town centres by directing main town centres uses to such locations. In this particular case, the nearest town centre to the application site is at Northleach which is located approximately 7km to the north of the propose development. Northleach town centre area, as designated in the Local Plan, is relatively modest in size and essentially extends around a number of buildings facing onto the Market Place and The Green in the centre of the settlement. Local Plan Policy EC8 can support development outside town centres if it is demonstrated that there are no sequentially preferable sites or premises to accommodate the proposed development, taking into account the need for flexibility in the scale and format of the proposal. Paragraph 86 of the NPPF requires Local Planning Authorities to apply a sequential test for main town centre uses that are not in an existing centre and that are not in accordance with an up-to-date Local Plan. It goes on to state that such uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

With regard to the sequential test, it is evident that the small size of Northleach commercial centre, the lack of available sites or buildings and the nature of the buildings within it means that it

cannot reasonably accommodate development of the type proposed even if flexibility is given to issues of format and scale. The density and residential nature of development around the edge of the commercial centre also means that there are no suitable and available locations within the vicinity of the designated town centre. On this basis, it is considered that there are no suitable sites available for the proposed development within or adjacent to the town centre. An out of centre site can therefore be acceptable. Paragraph 87 of the NPPF states that preference should be given to accessible sites that are well connected to a town centre. In this regard, the application site is located on a main A road which provides direct links with Northleach and Cirencester. There are also two bus stops on the A429 directly outside the application site linking the site to Cirencester, Northleach, Bourton-on-the-Water, Stow-on-the-Wold and Moreton-in-Marsh. In the context of a rural area it is considered that there is reasonable accessibility between the site and Northleach town centre. The next nearest designated town centre to the application site is in Cirencester, approximately 11km to the south. The site is considered to be sufficiently distant from Cirencester so as not to require a sequential test analysis of the aforementioned settlement. The site falls outside the Cirencester catchment/study area used in the economic studies undertaken in connection with the preparation of the adopted Local Plan. It is considered that the proposal passes the sequential test.

Notwithstanding the above, the proposed development will be positioned adjacent to an existing public house/hotel development. The site is also located within close proximity of a number of wedding venues operated by the applicant. The site is well connected to the applicant's existing operations. The proposed development will help to support the long term viability of the existing public house and benefit an established local business.

In economic terms the current proposal will generate full and part time employment. It will also assist the long term viability of the existing public house and provide an additional revenue stream which will assist the three wedding venues operated by the applicant in the local area. Guests staying in the accommodation will also potentially spend money on other services and facilities in the area. The Local Plan offers support for development that benefits the local economy. The NPPF also encourages development that supports economic growth, job creation and the rural economy. It also offers support for the erection of new buildings for businesses in rural locations. The economic benefits of the proposal are considered to be significant and to weigh in favour of the proposal. Against these benefits it is necessary to balance the potential social and environments impacts of the proposal such as its impact on the character and appearance of the AONB or its impact on the setting of a Listed Building. These impacts will be considered in the following sections.

(b) Design and Impact on Setting and Special Architectural and Historic Interest of a Listed Building

The Hare and Hounds is a Grade II Listed Building.

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that when 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. Considerable weight and importance must be given to the aforementioned legislation.

The following Local Plan policies are considered to be relevant to the proposal:

Local Plan Policy EN1 Built, Natural and Historic Environment states:

'New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:

- a. Ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;

- b. Contributing to the provision of multi-functional green infrastructure;
- c. Addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;
- d. Seeking to improve air, soil and water quality where feasible; and
- e. Ensuring design standards that complement the character of the area and the sustainable use of the development.'

Local Plan 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.'

Local Plan Policy EN4 The Wider Natural and Historic Landscape states:

1. '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.
2. 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, the setting of settlements, settlement patterns and heritage assets.'

Local Plan 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.'

In terms of national policy and guidance, the following paragraphs are considered relevant to the proposal:

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.'

Paragraph 009 (Reference ID: 18a-009-20140306) of the Planning Practice Guidance (PPG) states that 'heritage assets may be affected by direct physical change or by change in their setting.'

Paragraph 013 (Reference ID: 18a-013-20140306) of the PPG states 'Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.'

The principal listed building dates from the mid-18th Century and sits side onto the A429. Its front elevation faces to the south. The building is two storey in height (approx. 7.5m) and has a catslide roof to its rear. Detached stone outbuildings lie to its front and rear. The front building is single storey in height and has stone walls and a green corrugated metal roof. It is used for storage. The rear outbuilding has external stone walls and a stone tiled roof. It is used as ancillary accommodation. The aforementioned buildings are historic and are considered to be curtilage listed. In addition to the historic buildings, a L-shaped extension lies to the west/south west of the principal building. The extension was granted permission in 2004 and has natural stone walls and an artificial stone roof.

The existing buildings reflect vernacular Cotswold building forms. During the course of the previous application, the Conservation Officer stated that 'The significance of the listed building lies in its age and vernacular form and appearance (despite recent extensions), its isolated nature as a coaching inn within the rural street-scene and the historic associations with its location and purpose as a staging post along the Fosse. The site itself is sensitive in that it represents a prominent location at a historic junction on the Fosse. The Fosse is the ancient Roman route running up through the Cotswolds and as a way of experiencing the distinctiveness of the Cotswolds it is considered important to preserve the prevailing character of the road. The character of the road is generally rural in nature giving way to sudden but subtle approaches to the historic settlements it passes through along the way. The Hare and Hounds is characterised as an isolated historic building with outbuildings within an isolated rural setting. The only major modern visual influence is the extension to the South-West'.

The proposed buildings will be located on an existing car parking area to the rear of the listed building. The height of the proposed two storey accommodation buildings will be approximately 1m lower than the principal building and approximately the same height as the bedroom extension allowed in 2004. The proposed buildings will extend around the periphery of the car park to create a courtyard style of development. The layout, arrangement and linear form of the proposed buildings are reflective of a traditional group of rural outbuildings. Ranges of outbuilding set around a yard are often seen in both agricultural and commercial developments across the District.

In terms of design, the applicant has sought to reduce the mass and scale of the proposed accommodation buildings by introducing timber cladding and timber framework/balconies at first floor level. Metal roofs are also proposed. Metal roofing is currently evident in the curtilage listed building located to the front (south) of the Hare and Hounds public house. The aforementioned outbuilding presently has a corrugated metal roof. The use of metal as a roofing material does not therefore appear as an alien or incongruous material within the site. The use of timber cladding will also lighten the appearance of the proposed buildings thereby helping to give them a more subservient character and appearance. Timber and metal are materials commonly seen in both rural outbuildings and in functional rural commercial and agricultural buildings. In combination with the use of natural stone, it is considered that the selected materials will give interest to the scheme and help to reduce the overall mass and scale of the development. The size, scale and proportions of the proposed buildings are considered to reflect those of existing buildings.

The applicant is also seeking to introduce planting across the frontages of the proposed accommodation buildings. It is intended to provide the buildings with a green façade which will link into planting within the courtyard area. Once established the new planting would soften the appearance of the proposed buildings. The applicant has provided a planting scheme for the exterior of the proposed buildings. Officers consider that this could create an attractive addition to the site which could represent an enhancement when compared to the existing car park. Notwithstanding this, Officers are also aware that the introduction of the planting will require long term management if it is to be successful. Officers also acknowledge that without proper maintenance the proposed planting may not appear as successful as shown in the applicant's illustrations. As a consequence, Officers have assessed the proposal on how it could appear without the landscaping in addition to how it would appear with the new planting in place. In this regard, the principal elevations of the new accommodation blocks will primarily face onto the proposed courtyard area. The proposed development will look inwards into the site rather than

out towards the surrounding landscape. The windows/timber walkway in the western elevation will also face directly into a line of *Leylandii* trees rather than out across open countryside. In visual terms, the more contemporary elements of the proposal will be relatively well contained within the site. The Cotswold Design Code also states that 'original and innovative proposals that reinforce a sense of place and help raise the standard of design generally are welcomed'. It is considered that the contemporary elements represent an original and innovative interpretation of traditional rural outbuildings and are therefore appropriate for the site. Development proposed along the northern boundary of the site adjoining the lane will have a more traditional form and appearance which will ensure that the scheme respects the character of existing development in the locality. On balance, it is considered that the functional design approach proposed by the applicant is well considered and has been designed in a manner that responds sympathetically to the character and appearance of the site and the listed building. The design of the pavilion building has changed since the withdrawal of the previous application. The original design had a metal roof, a metal flue and air vents projecting from the roof. The current design is more traditional in form and replaces the metal roof with slate and the flue with a chimney. The revised design is considered to be sympathetic to its surroundings and to accord with Local Plan Policy EN2.

When viewed from the roads to the east and south of the site, the proposed buildings will largely be screened by existing development. The proposed buildings will not interrupt or obstruct views of the listed buildings from the aforementioned locations. The principal public view of the listed building from the A429 to the east will remain largely unaffected. It is noted that the proposed scheme will introduce a new car parking area into the paddock to the south of the public house. The introduction of parked cars onto the paddock will have a material impact on the rural setting of the listed building. However, it is also of note that existing vegetation along the eastern boundary of the site, coupled with the metal roofed building lying to the south of the Hare and Hounds, already partly screen the front elevation of the principal listed building when heading north along the A429. The existing vegetation and outbuilding will therefore lessen the impact of the proposed car park. Having regard to guidance in paragraph 196 of the NPPF, it is considered that the proposed car park will have a less than substantial impact on the setting of the listed building when viewed from the south.

With regard to the impact of the proposal on the setting of the listed building when viewed from the lane to the north, it is evident that views are available of the existing car park and the rear of the public house from the aforementioned lane. Whilst the views are partly screened by existing vegetation, there is still a degree of visual connectivity between the rear of the public house and the lane. The proposed scheme will introduce single and two storey development alongside the lane. The proposed development will therefore cut off views across the car park to the rear of the listed building. Notwithstanding this, these views currently extend across an area of tarmac and place the building in context with modern extensions and alterations. The setting of the listed building from the lane to the north has therefore been somewhat compromised. Moreover, the proposed scheme will retain a gap of approximately 15m between the eastern end of the proposed development and the existing outbuilding located adjacent to the north east boundary of the site. A view through to the rear of the public house will therefore be retained. Whilst the proposal will obstruct some views of the principal listed building from the lane to the north, it is considered that the impact on the overall setting of the heritage asset will be limited. The design of the northern elevation of the proposed development is also reflective of traditional outbuildings. In this respect, it is considered that the proposed development would not appear as an incongruous or inappropriate form of development.

With regard to the development as a whole, the Conservation Officers states that 'Overall the proposal remains harmful, in the form of less than substantial, due to the impact of the car parking on the rural character of the area and scale and massing of new development within the setting of the Grade II Listed building. The scale and massing of the new development will have a visual impact upon the existing designated heritage assets and the proposed car parking visually impacting on the rural character of the designated asset. 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. In this instance, the less than substantial harm generated would be overcome by public benefits arising

from the proposal including encouraging future viability of the listed building for the purpose it was originally constructed, and providing employment and local business'. The Conservation Officer therefore raises no objection to the application.

The Government's Planning Practice Guidance (PPG) states the following with regard to 'public benefits':

'Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation'

(Paragraph: 020 Reference ID: 18a-020-20140306)

In the case of this proposal, the Hare and Hounds is a historic public house. Its use as a public house is a significant part of its historic significance. The current proposal will assist the long term viability of the heritage asset and allow the building to retain its historic use, thereby securing the optimum viable use of the heritage asset. The proposed development will also provide additional income for the premises and provide additional employment. The additional revenue generated by the proposed development will also assist the local economy. It is considered that the public benefits of the proposal outweigh the less than substantial harm caused by the proposed development and as such the proposal does not conflict with Paragraph 196 of the NPPF.

Overall, it is considered that the proposed development respects the character and distinctive appearance of the locality. In addition, the containment of new build development within the car park will significantly reduce the overall impact of development on the setting of the designated heritage asset. Whilst the proposal is considered to have less than substantial harm on the setting of the listed building, it is also considered that the proposal will have a number of public benefits that outweigh the less than substantial harm. On this basis it is considered that the proposal is acceptable having regard to Section 66(1) of the 1990 Act, Local Plan Policies EN2, EN4 and EN10 and Section 16 of the NPPF.

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

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape (S85(1) of the Countryside and Rights of Way Act 2000).

Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes' and 'recognising the intrinsic character and beauty of the countryside'.

Paragraph 172 of the NPPF states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.'

Local Plan Policy EN1 Built, Natural and Historic Environment states:

'New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:

- a. ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;
- b. contributing to the provision and enhancement of multi-functioning green infrastructure;
- c. addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;
- d. seeking to improve air, soil and water quality where feasible; and
- e. ensuring design standards that complement the character of the area and the sustainable use of the development.'

Local Plan Policy EN2 Design of the Built and Natural Environment states:

'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.'

Local Plan Policy EN4 The Wider Natural and Historic Landscape states:

1. '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.
2. 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, the setting of settlements, settlement patterns and heritage assets.'

Local Plan Policy EN5 Cotswolds Area of Outstanding Natural Beauty (AONB) states:

- 1.'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.
2. Major development will not be permitted within the AONB unless it satisfies the exceptions set out in National Policy and Guidance.'

The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment (LCA) as falling within Landscape Character Area 9D Cotswolds High Wold Dip-Slope. This in turn falls within Landscape Character Type High Wold Dip-Slope. Characteristics of this particular landscape are a softly, gently undulating landscape, large scale open arable fields with little tree cover, leading to a more complex mosaic of smaller scale arable and pasture contained within a strong framework of hedges and woodland. It also provides intermittent long distance views towards the High Wold and across neighbouring lowlands and is sparsely settled with intermittent isolated farmsteads and hamlets.

The LCA identifies 'Isolated development such as new single dwellings that might compromise rural landscape character and dispersed settlement patterns, including farm buildings converted to residential use' as a Local Force for Change. The Potential Landscape Implications of such development are listed as 'Visual intrusions introduced to the landscape, the upgrading of minor roads and lanes in areas of new development and the introduction of suburbanising features such as lighting, the introduction of 'lit' elements to characteristically dark landscapes, the proliferation of suburban building styles/materials and the introduction of ornamental garden plants and boundary features and the loss of tranquillity.' The Outline Strategies and Guidelines section of the LCA recommends that development in such locations should 'conserve the distinctive rural and dispersed settlement pattern', 'maintain the sense of openness and consider the impact of

built development on views to and from the High Wold and Dip Slope Lowland' and 'control the proliferation of suburban building styles and materials.'

The existing site comprises an 18th/19th Century public house, outbuildings and modern extensions. The roadside elevation of the site reveals the historic form and character of the public house and its relationship with historic outbuildings within the site. In contrast, the land to the north, north west and south west of the principal building has a more modern character and appearance. The aforementioned areas are occupied by a car park and modern extensions. A line of Leylandii also defines the western boundary of the site. The area proposed for the new accommodation and dining buildings is therefore already heavily influenced by modern development and non-native landscape species. It does not exhibit the typical landscape characteristics of the High Wold Dip Slope as set out in the Cotswolds Conservation Board's LCA.

The proposed accommodation buildings will be approximately 6.5m in height. They will therefore be approximately 1m lower in height than the public house. The proposed buildings will also be set within the car park and will lie adjacent to the existing Leylandii. The proposed buildings will be relatively contained within the site and will not result in an encroachment of development into the surrounding countryside. New development will be seen in context with existing built forms and will not interrupt or detract from views across the High Wold Dip-slope.

The principal public views of the site are from the A429 to its east, the lane leading to the recycling centre to the south and the private road/Public Right of Way KCH71 that runs past the northern boundary of the site. From the A429, the proposed buildings will largely be screened by existing buildings. The proposed buildings are not of a size or scale that will appear prominent or obtrusive when viewed from the aforementioned highway. The same is true in respect of views of the site from the lane to the south. Existing vegetation and buildings will largely screen the proposed accommodation buildings and dining pavilion from the south. The proposed car park will introduce parked vehicles into the existing paddock. However, roadside vegetation combined with proposed new planting will reduce the visual impact of the parking area. The car park will be surfaced in a reinforced gravel and the parking spaces will have a reinforced grass surface. The car park will therefore have a relatively informal appearance consistent with its rural location. It will not appear as a large expanse of black tarmac with white lined parking bays. It is also not uncommon to see parking areas adjacent to rural public houses. The proposed parking area will be seen in context with existing development and is considered not to have an unacceptable impact on the character or appearance of the area. New hedgerow planting will also be introduced along the boundary of the site with the A429. It is also noted that the permission granted for the 32 bed hotel development on the paddock in 1995 and 2001 was considered not to have an adverse impact on the character or appearance of the AONB.

The proposed overflow car park is bordered by hedgerows and is therefore reasonably well screened from view. The applicant can also use the area for up to 28 days per year without the need for planning permission. No physical alterations are proposed to the overflow area.

With regard to the impact of the proposal on the lane to the north, it is evident that northern boundary of the site is defined by a drystone wall measuring approximately 1.3m high and a line of vegetation. The existing boundary treatment is relatively informal and does allow some views into the existing car park and to the rear of the public house. The proposed development will introduce a line of buildings along the northern boundary. The proposed accommodation and dining pavilion buildings will extend for approximately 33m along the boundary. A gap of approximately 15m will be retained between the eastern end of the proposed buildings and the existing outbuilding located in the north east corner of the site. The gap will allow for the retention of some views through to the rear of the public house. The entire length of the northern boundary will not therefore be developed. The buildings that are proposed are considered to be of a size, scale, design and proportion that is consistent with traditional rural outbuildings. It is also not uncommon to see the side and gable elevations of such outbuildings extending alongside rural lanes in the District. Whilst it is recognised that the proposed development has the potential to increase the sense of enclosure experienced by users of the lane, it is considered that the design approach is respectful of traditional building styles and is not one that would result in the

introduction of an overbearing or intrusive form of development that would have a harmful adverse impact on the character or appearance of the lane.

With regard to the western boundary of the site, it is evident that a belt of deciduous trees measuring approximately 20m in depth lies to the immediate west of an existing line of Leylandii. The tree belt will therefore continue to provide screening of the existing site should the Leylandii be removed. It is considered that there is a sufficient landscape belt to the west of the proposed development to minimise any future impact of the development on the fields/properties to the west. The existing tree belt also helps to provide a landscape buffer between the application site and dwellings located to the west. The proposed buildings will be contained within the site and the proposal will not increase the visual spread of development across open countryside towards the existing group of properties at Fosse Cross. There will continue to be a visual separation between the site and the dwellings as at present. The Council's Landscape Officer has no objection to the proposal.

The comments from the CPRE and Cotswolds Conservation Board regarding the size of the proposed development are noted. However, there is no policy requirement for the applicant to justify that a smaller scheme is viable in preference to the current proposal. Each application has to be assessed on its own merits.

Overall, it is considered that the proposed development could be undertaken without having an adverse impact on the character and appearance of the AONB and in accordance with Local Plan Policies EN4 and EN5 and guidance contained in Paragraphs 170 and 172 of the NPPF.

Major Development within the Cotswolds AONB

The application has been assessed to determine whether it falls under the category of major development as set out in Paragraph 172 of the NPPF. Paragraph 172 states 'planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such an application should include an assessment of:

- i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that can be moderated'.

For the purposes of Paragraph 172, footnote 55 of the NPPF states that whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.'

In this particular case, the proposed development relates to an existing commercial operation which already generates visitors to the site and a degree of activity. The proposed use is consistent with the established use of the site. The proposed buildings will primarily occupy an existing car park area and will not therefore extend the site into the open countryside. The proposed car parking will be landscaped and will be relatively well screened from public view. The proposed design and materials are also considered to respond sympathetically to local character and distinctiveness. The site lies adjacent to a busy A road and as such the character of the site is already heavily influenced by passing vehicular traffic. Traffic generated by the proposed development is considered not to have a significant impact on the character or appearance of this part of the AONB. Having regard to the proposed use and local context it is considered that the proposed development does not constitute major development in the context of Paragraph 172 of the NPPF.

(d) Arboricultural Impact

The application site is bordered by a number of protected trees. A sycamore lying between the side of the public house and the A429 is subject to an individual Tree Preservation Order (TPO) designation. An area wide TPO extends around the edge of the paddock area lying to the south of the public house. The aforementioned TPO covers the trees extending around the edge of the paddock.

The proposed buildings do not lie within the root protection areas of any protected trees. It is considered that the proposed buildings could be erected without having an adverse arboricultural impact. With regard to the proposed new car park, the applicant has put forward a layout and design which seeks to minimise the impact on protected trees lying around the edge of the existing paddock. The scheme has evolved following discussions with the Council's Tree Officer. New parking and turning areas have therefore been located in areas that predominantly fall outside the Root Protection Areas (RPAs) of the protected trees. There is a small incursion into the RPA of a veteran ash tree lying on the western boundary and a tree lying on the eastern edge of the site. The Tree Officer is satisfied that the incursions are minor and will not impact on the well-being of the trees in question. The applicant has also provided further details relating to soil amelioration, monitoring and supervision. Two ash trees located in the southern boundary of the site will be removed. However, these are identified as Category U trees and suffer from significant decay. The Tree Officer has no objection to their removal.

It is considered that the proposed scheme could be undertaken without having an adverse impact on the well-being of protected trees and in accordance with Local Plan Policy EN7.

(e) Access and Highway Safety

The application site is located adjacent to the A429. The speed limit of the A429 where it passes the site is 50mph. A traffic speed camera lies alongside the south boundary carriageway of the A429, approximately 100m to the north of the application site. Vehicular access to the site is currently via an entrance located between the rear of the public house and the outbuilding located in the north eastern corner of the site. The existing entrance provides access to the car park. It is also used by delivery vehicles. The proposed buildings will occupy the existing car parking area. The existing access between the public house and outbuilding to its rear will be retained to provide an entrance for delivery vehicles. A turning space will be provided to the rear of the public house.

In lieu of the existing car park, the applicant is proposing to create a new parking area on the paddock to the south of the existing buildings. The proposed car park will provide 67 spaces. The existing car park provides approximately 26 spaces. Access to the new car park will be via a new entrance in the southern boundary of the site. The proposed entrance will open onto the lane leading from the A429 to Calmsden. The lane is subject to a 60mph speed limit. The new entrance will be set back approximately 30m from the A429. The applicant has provided plans showing that the proposed southern access can accommodate simultaneous access and egress for two vehicles. The applicant is also proposing to utilise a triangular area of grassland adjacent to the southern boundary of the application site as an overflow car park for up to 16 vehicles. The land can be used for up to 28 days per year for the parking of vehicles without the need for planning permission.

The applicant has submitted a Transport Statement (TS) with the application. The TS includes details of Automatic Traffic Count surveys undertaken on both the A429 and along Calmsden Road over the course of 7 days in 2016. A Manual Traffic Count was also undertaken at the junction of the A429/Calmsden Road. Over a 24 hour period, a total of 187 vehicles westbound and 185 eastbound were recorded along Calmsden Road and 4,508 northbound and 4,413 vehicles southbound were recorded along the A429. The 85th percentile vehicle speeds along Calmsden Road were 37.8mph westbound and 39.6mph eastbound. The 85th percentile speeds along the A429 were 54.5mph northbound and 58.3mph southbound.

With regard to the junction of the A429 with Calmsden Road, the Manual Traffic Count recorded vehicle movements during the course of 2 one hour peak periods agreed with Gloucestershire County Council Highway Officers. The peak periods were 1700-1800 on a Friday and 1300-1400 on a Sunday. The recorded figures showed a total of 46 vehicles turning onto the A429 during the Friday peak and 73 vehicles turning onto the aforementioned highway during the Sunday period. With regard to vehicles turning from the A429 onto Calmsden Road the traffic count recorded 22 vehicles turning left into the aforementioned road during the Friday peak and 27 vehicles turning left during the Sunday Peak. These movements were out of a total of 528 northbound vehicle movements on the Friday and 368 movements on the Sunday. With regard to vehicles turning right into Calmsden Road, a total of 21 vehicles turned right during the Friday peak and 34 during the Sunday peak period. Total southbound vehicle movements during the aforementioned periods were 526 and 373 vehicles respectively.

With regard to road accidents, Personal Injury Collision (PIC) data indicates that there have been two accidents within the vicinity of the A429/Fosse Cross junction within the last 5 years. One accident occurred close to the junction of the A429 with Fosse Cross Lane to the east of the site. The second accident was also in the vicinity of the A429/Fosse Cross Lane junction. No accidents are reported to have occurred on Calmsden Road or its junction with the A429.

In relation to visibility at the proposed entrance, the applicant has provided an access visibility plan which demonstrates visibility of 33m to the east towards the A429 and 54m to the west along Calmsden Road. The access visibility meets Gloucestershire County Council Highways requirements.

The concerns of Chedworth Parish Council and County Cllr Hodgkinson regarding the creation of the access onto Calmsden Lane to the south of the application site are noted. However, Gloucestershire County Council Highway Officers consider that the proposed arrangement is safe, having regard to projected traffic flows and the dual width of the access. In addition, the possibility of creating an access directly from the site onto the A429 was discussed with the Highway Officers during the course of the previous application. The Highway Officer stated the following:

'Regarding a direct access off the A429 this would be considered less safe than that currently proposed to the site off Calmsden Lane given that it is a main A road with significantly higher speeds and traffic volumes of traffic and in close proximity to multiple existing junctions, a new or intensified access directly off the A429 would be required to be designed to meet applicable guidance such as Design Manual for Roads and Bridges (DMRB) guidance which as mentioned by the agent Andrew Mills in relation to previous A429 proposed direct access would be expected to provide ghost turning lanes for safe turning movements or wider redesign of the A429 and the close proximity junctions to avoid road user confusion and collision risks.'

The level of car parking is considered be proportionate to the size of the proposed development having regard to parking demand and accommodation data accepted by Gloucestershire County Council Highways.

Gloucestershire County Council Highway Officers raise no objection to the application.

Overall, it is considered that the proposed development is acceptable in highway safety and traffic generation terms and is considered to accord with Local Plan Policies INF4 and INF5 and Section 9 of the NPPF.

(f) Impact on Protected Species

The applicant has submitted an Ecological Appraisal (EA) with the application. The appraisal has updated the 2016 report submitted in connection with the previous application. The applicant has also submitted a Hedgerow Assessment. The application site is essentially split into a developed northern half containing buildings and hard surfaces and an undeveloped southern half which

primarily consists of improved grassland. A mix of deciduous and coniferous trees/hedging extend around the edge of the site.

The EA states 'The buildings provide roosting sites for bats and evidence was found in the modern extension in the form of a small number of relatively but not very fresh scattered droppings indicative of exploratory entry or possible occasional night or day use. No evidence of bats was found within the main building but it was not possible to inspect the void between the roof slates and the felt lining which could be used by crevice-dwelling species. Any potential roosting sites in the barn were limited to gaps in the stone work due to the draughty nature and construction of the roof which was corrugated metal with no lining. No evidence of bats was found after a full inspection and it is concluded that they are absent from this building.' With regard to boundary vegetation, the EA states that the 'hedgerows and trees are likely to be used by various species of foraging and commuting bats, particularly along the west boundary of the site. The hedge and trees along the south and east boundary are unlikely to be important as they do not form part of a continuous linear feature'. As the existing boundary vegetation will largely remain it is considered that the proposal is unlikely to have a significant impact on existing habitat. The EA states that the 'proposed development provides an opportunity to significantly enhance the site for bats. The creation of new buildings and the provision of roosting opportunities would be of significant value. These could be incorporated into the development and/or bat boxes provided on mature trees'.

The Council's Biodiversity states that the applicant has provided sufficient evidence to demonstrate that further bat survey work is not required in connection with existing modern extension. The proposed works are at ground floor level in the respective building and will not intrude into the first floor. In light of the 'well-sealed nature' of this part of the building the Biodiversity Officer is satisfied that further bat survey work is not required in order to inform the determination of the application.

The Hedgerow Assessment report states that the hedgerow located along the south eastern boundary of the site is likely to qualify as "important" with regard to the Hedgerow Regulations 1997 as it is over 30 years old and forms an integral part of the a field system pre-dating the Enclosure Act. The hedgerow is on the field boundary between the proposed new car park and the overflow car park, which will be affected by the proposed new accesses. The report concludes that the historic field boundary would still be visible and the current field pattern still identifiable even after the proposed development goes ahead, including the two new road accesses through the hedgerow. The report recommends that the retained hedgerows should be enhanced and new hedgerow planting should focus on native species. The Biodiversity Officer concurs with the findings of the report and recommends that a Landscape and Ecological Management Plan condition is attached to a permission to ensure that new hedgerows are maintained and managed to enhance their biodiversity value.

Aside from bats, the proposal is considered not to have a material impact on any other protected species or their habitat. A condition requiring the introduction of bird boxes will enhance the potential of the site for nesting birds. The Council's Biodiversity Officer has no objection to the proposal subject to conditions requiring the development to be undertaken with the recommendations set out in the EA, a lighting strategy and the installation of bat and bird boxes. It is considered that the proposed development accords with Local Plan Policy EN8.

(g) Impact on Residential Amenity

The proposed development will provide additional guest accommodation and a dining pavilion building which will be used in connection with an existing public house. The proposed development will lie adjacent to a busy A road and is therefore located in an area which is already subject to a degree of background noise. The nearest residential building to the site is located approximately 250m to the west of the proposed development. In addition, a number of trees lie in between the site and existing dwellings at Fosse Cross to the west. The proposed dining pavilion will be an enclosed space and any function activity will be primarily undertaken indoors. If activity does take place outside it will be adjacent to the A429 and its associated traffic. The Council's

Environmental Health Section has examined the proposal and has raised no objection to the proposal. In light of the existing commercial use of the site, its degree of separation from existing residential units and its position adjacent to the A429 it is considered that the proposal can be undertaken without having an adverse impact on the amenity of existing residents in accordance with Local Plan Policy EN15.

Other Matters

Gloucestershire County Council in their role as Lead Local Flood Authority raises no objection to the proposal in respect of drainage or flood risk. The proposed new buildings will primarily be located on existing hard surfaced areas thereby minimising the level of new hard surfacing on the site. The proposed car park will also have a gravel and grass surface which will allow infiltration. It is considered that the proposed development will not have an adverse impact in respect of flooding and drainage and is in accordance with Local Plan Policy EN14.

9. Conclusion:

Overall, it is considered that the proposed development will assist the long term viability of a designated heritage asset as well as supporting a local business and contributing to the local economy. The public benefits of the proposed scheme are considered to outweigh the less than substantial harm to the setting and special interest of the listed building. The design, scale and form of the proposed development are also considered to be appropriate for the site and not to have an adverse impact on the character or appearance of the AONB. Gloucestershire County Council Highway Officers are satisfied that the proposal will not have an adverse impact on highway safety and no objections are raised in respect of the impact of the proposal on trees, residential amenity, drainage or ecology. It is therefore recommended that the application is granted permission.

10. Proposed conditions:

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be carried out in accordance with the following drawing number(s): P001 A, P/004, 1560 L 1 H, 1560 L 3, P/101, P/110 I, P/211 B, P/212 B, P/213 B, P/214, P/600, P/700, P/701, P/702, P/710 E, P/711 B, P/712 B, P/713 B, P/714 C, P/715, P/718 A, P/719 A,

Reason: For purposes of clarity and for the avoidance of doubt.

Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling and roofing materials shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

Prior to the construction of any external wall of the development hereby approved, a sample panel of walling of at least one metre square in size showing the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

Reason: To ensure that in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

All door and window frames shall be recessed a minimum of 75mm into the external walls of the building and shall be permanently retained as such thereafter.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

No bargeboards, exposed rafter feet or eaves fascias shall be used in the proposed development.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

The timber boarding and timber posts shall be left to weather and silver naturally and shall be permanently retained as such thereafter unless an alternative finish is first agreed in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

No windows, external doors, glazed screens, wind catchers, rooflights or dormer windows shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

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.

Within one month of their installation, windows and external doors shall be finished in their entirety in a colour that has first been approved in writing by the Local Planning Authority and they shall thereafter be permanently retained in the approved colour unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

Prior to the first use of the car park hereby approved, a comprehensive landscape scheme shall be approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

The entire landscaping scheme shall be completed by the end of the first planting season (1st October to 31st March the following year) following the first use of the development hereby approved.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy EN2.

Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

Reason: To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy EN2.

The development shall be completed in accordance with the recommendations in sections 4.12/8.23 (bats), 4.13/8.24 (lighting), 4.14 (bats), 4.17 (badgers), 4.19/8.26 (nesting birds), 4.23/8.27 (reptiles) and 4.26 (great crested newts) of the Ecological Appraisal Updated Survey and Report: July 2018 prepared by All Ecology Ltd. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently retained.

Reason: To ensure that roosting bats, nesting birds, reptiles, amphibians, badgers, hedgerows and veteran trees are protected in accordance with Local Plan Policy EN8.

Prior to the erection of any external walls of the development hereby permitted, details of the provision of 2 no. bat access panels in accordance with the Ecological Appraisal (July 2018, All Ecology Ltd), at least 5 no. swallow nesting sites, at least 5 no. bat boxes on retained trees at suitable locations and integrated provision for house sparrows and swifts (at least 2 no. of each) into the new buildings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a drawing showing the locations and types of features and a timetable for their provision. The development shall be completed fully in accordance with the approved details and the approved features shall be retained in accordance with the approved details thereafter.

Reason: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with Local Plan Policy EN8.

Prior to the first use or occupation of the development hereby approved (whichever is sooner), a "lighting design strategy for biodiversity" (to minimise light spillage into trees and hedgerows and to avoid illuminating bat roost locations) shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- i. identify those areas/features on site that are particularly sensitive for bats and bat roosts; and
- ii. show how and where external lighting will be installed (including the type of lighting) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or having access to any roosts.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To protect roosting bats (in modern extension to public house) and foraging/commuting bats in accordance with Local Plan Policy EN8.

A Landscape and Ecology Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before first occupation/use of the development hereby permitted. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- i. Description and evaluation of features to be managed; including location(s) shown on a site map;
- ii. Landscape and ecological trends and constraints on site that might influence management;
- iii. Aims and objectives of management;
- iv. Appropriate management options for achieving aims and objectives;
- v. Prescriptions for management actions;
- vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);
- vii. Details of the body or organisation responsible for implementation of the plan;
- viii. Ongoing monitoring and remedial measures;
- ix. Timeframe for reviewing the plan; and
- x. Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

Reason: To maintain and enhance biodiversity, and to ensure long-term management in perpetuity, in accordance with Local Plan Policy EN8.

The buildings hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided fully in accordance with the submitted plan Drawing no. 1560 L 1 H, and those facilities shall be retained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Local Plan Policies INF4 and INF5.

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public

road 54m to the west and 33m to the east to the junction with the A429 as shown in drawing SK02 in Appendix H of the Transport Statement October 2016 (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Local Plan Policy INF4.

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction.

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with Local Plan Policy INF4.

The vehicular access hereby permitted shall not be brought into use until the existing vehicular access from the A429 as shown on drawing no. 1560 L 1 H has been permanently closed, and the footway/verge in front has been reinstated, in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with Local Plan Policy INF4.

Prior to the first occupation of the development hereby permitted, facilities to enable the charging of plug-in or other ultra-low emission vehicles shall be provided fully in accordance with details that have been first agreed in writing by the Local Planning Authority. The facilities shall be retained fully in accordance with the agreed details thereafter.

Reason: In order to reduce carbon emissions in accordance with Paragraph 110 of the National Planning Policy Framework.

Notwithstanding the submitted details, the development hereby permitted shall not be brought into use until a continuous protected demarcated pedestrian corridor with a minimum width of 2.0m has been provided fully in accordance with details first submitted to and agreed in writing by the Local Planning Authority. The pedestrian corridor shall be retained in accordance with the agreed details for the duration of the development.

Reason: To avoid an unacceptable impact on highway safety by ensuring that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with Local Plan Policy INF5 and paragraphs 108 and 110 of the National Planning Policy Framework.

No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been provided for approval by the Local Planning Authority. The SuDS Strategy must include a detailed design, maintenance schedule, confirmation of the management arrangements and a timetable for implementation. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development.

The scheme for the surface water drainage shall be carried out fully in accordance with the approved details before the development is first put in to use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

The works shall be completed fully in accordance with the arboricultural recommendations laid out in the consultancy report Arboricultural Report, Hare and Hounds, Fossecross, dated February 2018, by Certhia;. All of the recommendations shall be implemented in full according to any timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the retained/protected tree/s in accordance with Cotswold District Local Plan Policy EN7.

Prior to the commencement of any works on site (including demolition and site clearance), the tree protection as detailed on Tree Protection Plan Tree Retention and Protection, dated 11/02/18, drawing number ccl/hh/tp001, shall be installed in accordance with the specifications set out within the plan and BS5837:2012 'Trees in relation to design, demolition and construction - recommendations' and shall remain in place until the completion of the construction process. No part of the protection shall be removed or altered without prior written approval of the Local Planning Authority.

Fires on site should be avoided if possible. Where they are unavoidable, they should not be lit in a position where heat could affect foliage or branches. The potential size of the fire and the wind direction should be taken into account when determining its location, and it should be attended at all times until safe enough to leave. Materials that would contaminate the soil such as cement or diesel must not be discharged with 10m of the tree stem. Existing ground levels shall remain the same within the Construction Exclusion Zone and no building materials or surplus soil shall be stored therein. All service runs shall fall outside the Construction Exclusion Zone unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the retained/protected tree/s in accordance with Cotswold District Local Plan Policy EN7. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could have an adverse impact on the well-being of existing trees.

The development hereby approved shall be carried out fully in accordance with the details contained within the letter from Certhia Consulting Ltd dated 20 June 2018 and in accordance with any timescales therein. The soil amelioration must be carried out to each of the retained trees 289, 293, 294, 295, 296 as stated in the aforementioned letter.

Reason: To safeguard the retained/protected tree/s in accordance with Cotswold District Local Plan Policy EN7.

Notwithstanding the provisions of Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no fences, walls, gates, gate piers or other means of enclosure shall be erected, constructed or sited in the application site other than those permitted by this Decision Notice.

Reason: In order to protect the rural character and appearance of the site and the setting of the listed building in accordance with Cotswold District Local Plan Policies EN2, EN4, EN5 and EN10.

Informatives:

The proposed development involves works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council and necessary Street Works traffic orders before commencing those works.

The proposed development includes the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

It is noted that pollard management is described in the arboricultural report. No works have been specified as part of this planning application, and a TPO application must be submitted to the Local Planning Authority for consideration, and no works must take place without the Local Planning Authority's permission.