

**PLANNING AND LICENSING COMMITTEE**

**13<sup>th</sup> March 2019**

**ADDITIONAL PAGES UPDATE**

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**Additional Representations on Schedule Items**

**Pages 39 - 47**

**ADDITIONAL PAGES ON SCHEDULE ITEMS**

<b>Item</b>	<b>Ref. No</b>	<b>Content</b>
<b>01</b>	<b>17/04151/FUL</b>	<p><b>1 additional third party objector and 1 further letter from an objector raising the following concerns -</b></p> <p>The length of footpath along the former Wellington Road should be retained; Option 3 was never an option as most 2 wheel drive cars would have extreme difficulty using it in wet weather and the cost of construction would be prohibitive; Option 2 is close to the residents homes; Option 1 down the middle is also unacceptable as it completely destroys the open space that was being protected for wildlife and flowers and also affects the properties on Godfrey Place - it could pose as a danger for dog walkers and children alike; and the only real option is no road way at all but if permission is granted, the roadway needs to be adequately fenced off and gated to prevent unauthorised access by non-allotment users.</p> <p><b>2 further third party representations raising the following objections -</b></p> <p>Object to the position of the trim trail as it impinges on privacy; concerned that land not owned by the developers is being included in the calculations for the public open space; object to play areas adjacent to houses; and the trim trail will impact upon the biodiversity of the wooded area.</p>
<b>04</b>	<b>18/02796/FUL</b>	<b>Letter to Councillor Andrews from Applicant – Please see attached dated 8<sup>th</sup> March 2019.</b>
<b>07</b>	<b>18/04250/FUL</b>	<b>Cllr Coleman has provided the following reason for referral to committee - 'To allow the committee to consider the potential irretrievable loss of this community asset in an area of Cirencester Town Centre which is increasing in importance with the opening of the Barn Theatre.'</b>
<b>08</b>	<b>18/04714/FUL</b>	<b>Statement from Agent – Please see attached.</b>

6 Bradwell Grove  
Burford OX 18 4JR

8<sup>th</sup> March 2019

To all Councillors of CDC Planning & Licensing Committee

Dear Councillor Andrews,

**13 March 2019 Agenda Item 4: 18/02796/FUL – new dwelling at land at Hill View, Icomb**

You will be considering our application for a family dwelling and significant landscaping enhancements (as shown in the attached/enclosed sketch perspective showing the view from the exiting entrance gate) on Wednesday 13 March 2019 at the Planning & Licensing Committee.



Please forgive us for this direct correspondence with you, however we felt compelled to supplement the officer report you will have already received and qualify why we, a significant number of local residents of Icomb and an independent group of professional experts in the South West Design Review Panel consider our application for a single dwelling to be of exceptional quality and that it should be approved.

It has been recommended to you by the officers that there are two material considerations on which our application scheme fails:

- The application is not of exceptional quality and so not meeting the requirements of paragraph 79 of the National Planning Policy Framework, and
- Harm to defining characteristics of the Cotswold AONB.

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Hem 04.  
18/02796/FUL.

We will briefly explain here, why the submitted scheme, which has been rigorously tested, firmly meets these material considerations. The application submission documents are extensive and are the result of the work of a national awards winning architect in Loyn & Co Architects, including RIBA House of the Year, and from a number of supporting professionals all of whom have direct experience of attaining permission for, and seeing through to construction, dwellings of exceptional quality further to NPPF policy at paragraph 79e. We and the project team are exceptionally proud of what we have achieved on paper and we hope the council will in turn be proud of supporting this application for future generations to enjoy.

### **1. Independent Assessment – states the application scheme is of exceptional quality**

Your officer report only briefly touches on a very extensive and rigorous independent review process the iterative design schemes have undergone in reaching this point today over the 18 months of CDC pre-application engagement. The South West Design Review Panel (SWDRP) comprises a group of independent practising professionals who all have specific experience of the Cotswolds and of assessing design schemes submitted further to the NPPF policy at paragraph 79e – an isolated dwelling of exceptional quality (NPPF para 79e is a rarely used policy which allows isolated dwellings in the countryside).

The Panel met on three occasions to assess the merits of the schemes presented. Their final letter (see accompanying document – relevant sections highlighted to ease your essential reading) concludes:

***“Overall, the Panel finds a scheme of considerable worth that we believe to be of exceptional quality, truly outstanding and innovative.”*** SWDRP letter 13/11/2018

We consider that this independent review, which directly addresses the subjects of the two reasons for refusal at the officer report and concludes that the related policy matters are met, should be given significant weight in the decision-making process.

### **2. Community Engagement**

We have been keen from the very outset to ensure we have consulted widely with the ward councillor, local community, neighbours and the Local Parish Meeting. We have been applauded for the efforts we have gone to in seeking feedback on our plans. This outcome is shown in the rare occurrence of the council receiving supporting letters from 8 local residents, one from the immediate neighbour most ‘affected’ by the proposed development. We appreciate that there may always be objections to change but we feel in this scheme that the local community and the council will be very proud of what they see and have achieved in the finished product – a house of exceptional quality.

### **3. A Dwelling of Exceptional Quality – NPPF para 79e policy assessment**

Your planning officer considers that the submitted scheme is not of exceptional quality. That recommendation is made despite the significant material evidence of the independent design review panel (see letter attached). Assessment of the quality of design is, as you know, a subjective exercise. That is the very reason we sought independent assessment of our evolving proposals. These Panel members have reviewed a significant number of such applications and so have the direct experience in judging what is truly outstanding, truly innovative and therefore of exceptional quality.

On detailed points that reference exceptional quality at the officer report we correct and comment on it as follows:

- a. **Innovation** – the officer’s report is incorrect on a significant point in reporting inaccurately the council’s biodiversity officer’s response. The planning officer report to committee at page

82, para 4, states the biodiversity officer considers the scheme to have an '*innovative element worthy of investigation*', when the final written response states '*.....I conclude that the proposal would be innovative for biodiversity creating a new and unique habitat within a residential dwelling*'. This statement is of paramount importance in assessing the scheme against NPPF para 79e. The submitted scheme is truly innovative.

- b. **Materials** – the planning officer report to committee fails to reveal that 40% of the solid stone elements of the exterior walls will be constructed of Cotswold stone. The remaining facing material will be treated with rammed concrete, a construction method that has a long heritage, extending back to Roman times. The rammed walls will use locally sourced stone and so innately have the colours of the solid stone to be used. The planning officer critically omits this reference to the constituent content of the rammed concrete and leaves the impression of a concrete structure of discordant urban appearance, which will absolutely not be the case. For your reassurance see page 3, final paragraph of the attached Panel letter on the use of the term 'concrete' and how it will be applied here.

The SWDRP review, public consultation and lengthy pre-application with the council officers has resulted in significant changes to the design scheme and broadening of the evidence base supporting it. On this basis the scheme to be presented to you at committee is rigorously thought through and is considered by experienced independent professionals to be truly outstanding and truly innovative and so is of exceptional quality. You will have the opportunity to review two models of the scheme at the committee meeting and so that you can evaluate its merits and impacts further to your recent committee site visit.

The Design Review Panel states the following on the architecture: the architectural approach is convincing; here is a house that will be comfortable, even delightful to live in; it is potentially award winning; the scheme will be an exemplar. Convincing words from a Panel that has great experience in judging houses that purport to meet the provisions of NPPF para 79e and so are of exceptional quality.

#### **4. Impact on the Cotswolds AONB**

The Design Review Panel is unequivocal in stating both that: '*The Panel considers that the scheme will significantly enhance its immediate setting*' and that '*...the scheme is sensitive to the defining characteristics of the local area*'. The Panel concludes in reviewing the impact on the Cotswolds AONB stating:

**"The house itself offers a demonstration that good, contemporary architecture can sit harmoniously in a rural and AONB setting."** SWDRP letter 13/11/2018

Despite the wholly supportive views of the Panel and the very extensive evidence submitted with the application and then further supplemented the officer report considers the application not to be sensitive to the defining characteristics of the AONB. The matter of impact of materials has been addressed above. On the matters of light spill and glint and glare, our landscape advisors have rigorously tested the amended scheme, amended following feedback from the Panel, and concluded that through the iterative design review process these have been addressed.

The house is to be situated below the boundary tree line, sitting low in the landscape and is set amongst extensive proposed and existing planting. The site can be seen as part of the cluster of

buildings of Icomb. It sits directly above its two neighbouring houses, the nearest just 150m away, so could not 'sit in a dark gap' as suggested by the officer's report.

On the specific issues of

- a. **Glint and Glare.** - The officer states in his concluding paragraphs that the eastern elevation would have a detrimental impact through glint and glare, but the glazing will be recessed, high performance non-reflective glass. The eastern elevation will also be adorned with climbing plants that will blur the definition of the glazing.
- b. **Light Spill** – The considered layout of the house places the main living accommodation on the lower ground floor, minimising light spill, along with the use of blinds, screens and curtains. The minimal external lighting will be subtle, low level lighting in line with the extensive proposed ecological enhancements.

The Design Review Panel heavily tested the design team on the issue of impact on the AONB. The concluded in their letter (attached, page 2, para 2) that the scheme will not cause significant harm:

*"In fact, the scheme will be hard to pick out because of:*

- *the considered siting of the house;*
- *the backdrop of trees (it will not be viewed on the skyline);*
- *the landscape and planting within the scheme;*
- *the tonal values of walls and roof that blend into the landscape;*
- *the careful thought you have given to reflections from the windows; and*
- *the soft, subtle nature of external lighting."*

#### **5. Further Corrections Required at the Officer Report**

I have been advised that the officer's report does not correctly apply NPPF paragraph 79e, one of the key policy references in the determination of our application. The overall requirement further to NPPF para 79e is for the design of exceptional quality. To meet this test, the proposal must be 'truly outstanding' or innovative'. But in either case, the design ought to a) reflect the highest standards in architecture; and b) help raise standards of design more generally in rural areas. The officer's report does not expressly discuss the a) and b) tests, rather it goes down a route of using dictionary definition of 'truly' and 'innovative'. The full assessment must be made.

We have also been advised to point out that the officer's report is incorrect in its reference on section 85 CROW Act 2000. This act does **not** state that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB. Rather, it imposes a statutory duty to 'have regard to' the purpose of conserving and enhancing the natural beauty of the AONB. The duty is less onerous than the officer report advises.

#### **6. Conclusion – a request for support for our proposal for a family home**

We consider you will have a house here of which you will be very proud for having had a part in its determination and control over construction. We have sought feedback from the community and the Panel and council officers. Changes have been made in response to the feedback provided and we present to you a scheme that we consider is one of exceptional quality. We hope that in having read this letter and attached Design Review Panel letter and having heard the presentations at committee you feel able to support our application for a family home in Icomb. We thank you for your time in

reading this letter, fully appreciating that you will have much to do and read in advance of the committee meeting.

Our goal throughout the design process has been to achieve a house that will be of the hill on which it is located and of Icomb, belonging to both, and in turn be highly valued by us, the Icomb residents and the wider community. We and many others are convinced we have achieved that goal and we look forward to witnessing the debate at committee.

Yours sincerely

**Paul and Lisa Hadaway**

Enclosures: South West Design Review Panel letter 13/11/2018 & sketch perspective

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Item 04.  
18/02796/FUL.

06 March 2019

Reference: KR:309:6.01a

Clematis Cottage, Ebrington, Chipping Camden, Gloucestershire. GL55 6PD.  
Committee Statement - **18/04714/FUL**

Rev - 06.03.19 Issued for Planning Committee Consideration

45 Item 08  
18/04714/FUL.



## 1.0 INTRODUCTION

This Statement has been prepared by mm<sup>3</sup> design ltd on behalf of Mr & Mrs Mathieson at Clematis Cottage, Ebrington, Chipping Camden, Gloucestershire. GL55 6PD.

The statement highlights various objections and comments that have been raised and where these are valid planning considerations we note that we have already provided concise evidence and justification as part of the submission.

It is noted that both the Councils Tree Officer, Planning Officer & Conservation Officer have supported the application and it is now before the Committee recommended for APPROVAL.

## 2.0 IMPACT ON TREES

The Councils Tree Officer has been extensively consulted on this application and has found no grounds for this application to be refused. The proposed extension can be demonstrably constructed without undue impact on the Copper Beech located on the site itself or the nearby Yew trees in adjoining gardens.

I would respectfully direct the Committee to the Councils own expert advice in this matter and further note that the necessary (Conditioned) method statements and mitigation will ensure that works proceed as stipulated.

## 3.0 SEVERE OVER-DEVELOPMENT/SHADING

The Parish Council have submitted that the submitted modest extension of 21m<sup>2</sup> (as described by the Councils Conservation Officer) constitutes severe over-development. To the contrary; the property will continue to benefit from parking, garden and amenity space following completion of the proposed extension and the additional footprint represents less than 10% of the total application site area.

The Parish' statement that the Beech Tree will render the remaining garden un-useable due to shading is misguided and inaccurate. The Beech Tree is positioned due East of the extension and any shading from the tree occurs in the early morning only. It is the significantly larger adjacent property of 1 Keytes Acres (positioned due South of Clematis Cottage) that casts shadow for the majority of the remainder of the day over Clematis Cottage and its garden.

## 4.0 SETTING OF A LISTED BUILDING

Clematis Cottage sits adjacent to a Listed Building and the proposed extension has therefore been properly considered in this respect and fully adheres to the Cotswold Design Code.

I would refer the Committee to your own Conservation Officer in this respect who has stated:

*"The applicant has submitted revised plans for a single storey extension which would be of a modest scale and be built in matching materials to the host asset. The design code states that "extensions to existing buildings should be in scale and character with the parent building. Additions should not dominate the original building". The reduced scale of the extension would ensure that the host dwelling can still be read and therefore would have a limited impact on the character of the building. The use of high quality materials will ensure that the extension is of a high quality and is of a subservient nature in height, mass and area to the original dwelling therefore conforming to the Cotswold Design Code".*

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#### **4.0 LOSS OF LIGHT/AMENITY TO ADJACENT PROPERTIES**

The Parish Councils statement that the extension will give rise to loss of amenity to 1 Keytes Acre is incorrect and offers no scientific explanation or justification.

Clematis Cottage sits due North of 1 Keytes Acre, and the extension is proposed at a significantly lower height. Detailed sections and daylight calculations have been provided to demonstrate that there is no loss of amenity or daylight to 1 Keytes Acre as evidenced in the submission drawings.

#### **5.0 OBJECTIONS DUE TO ACCESS, NOISE, CONSTRUCTION & INCONVENIENCE**

We note that various objections have been made regarding limited access to the property, vehicles parking, construction noise and general inconvenience.

Whilst these are not planning considerations, the applicant is committed to ensuring that the construction process runs as smoothly and quickly as possible for both their own and the neighbours benefit.

#### **6.0 CONCLUSION**

The proposed extension fully accords with Cotswold District Council Local Planning Policy & the NPPF. Accordingly, there are no substantive grounds for refusal of this application that has been carefully assessed, considered and recommended for approval by Cotswold District Council Officers.

We trust that the Planning Committee will determine this application in accordance with the Policies identified in the Cotswold District Local Plan.