



**COTSWOLD  
DISTRICT COUNCIL**

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# **PLANNING AND LICENSING COMMITTEE AGENDA**

**Wednesday 10th July 2019, 9.30 a.m.**

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**Council Chamber, Trinity Road, Cirencester**

## NOTES

### (i) Additional Representations/Questions

MEMBERS OF THE COMMITTEE ARE REQUESTED TO **ARRIVE AT LEAST 30 MINUTES BEFORE THE START OF THE MEETING** TO READ ANY ADDITIONAL REPRESENTATIONS AND TO ASK QUESTIONS OF OFFICERS. MEMBERS ARE ALSO REQUESTED TO **GIVE OFFICERS AT LEAST 48 HOURS' NOTICE OF DETAILED, TECHNICAL QUESTIONS** IN ORDER THAT INFORMATION CAN BE SOUGHT TO ENABLE ANSWERS TO BE GIVEN AT THE MEETING.

### (ii) Sites Inspection Briefings

MEMBERS ARE REQUESTED TO **KEEP ALL OF THEIR PAPERS RELATING TO THIS MEETING** IN CASE THEY ARE REQUIRED TO ATTEND SITES INSPECTION BRIEFINGS.

### (iii) Mobile Phones/Pagers

All mobile phones/pagers should be **SWITCHED OFF OR SET TO SILENT MODE BEFORE** the start of the Meeting.

### (iv) Recording of Proceedings

The public proceedings of Council, Cabinet and Committee Meetings may be recorded, which includes filming, as well as audio recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings, please let the Committee Administrator know before the start of the Meeting.

Recording/filming should not be disruptive or distracting to the good order and conduct of the Meeting. To assist with this, an area of the Meeting venue will be designated from which proceedings can be recorded/filmed, and 'roaming' around the venue while recording is not permitted. The Chairman will exclude anyone whose behaviour is disruptive.

Recording/filming should only be of Members and Council Officers, and not any members of the public (unless they are formally addressing the Meeting or unless specific permission has been given by those individuals).

For further information, please read the Notices displayed inside and outside the Meeting venue and/or speak with the Committee Administrator.

### (v) Questions Arising on the Agenda

If any Member has any questions regarding either (a) an update/progress report on a specific item contained in the Minutes of the previous Meeting or (b) a report contained within the Agenda, he/she is requested to give advance notice of such question to the Director/Officer originating the report or to an Officer of the Democratic Services Section so that a full response can be made available either prior to, or at, the Meeting. If no such advance notification is given, a full response to any question cannot be guaranteed at the Meeting.

With specific regard to the Minutes of previous Meetings, Members' attention is drawn to Council Procedure Rule 17.1 which provides that, once the Minutes have been signed, Members may ask questions to ascertain what progress has been made on a particular matter referred to in the Minutes, but may not make any other statement or generate discussion on the Minutes.

(vi) **MEMBERS LEAVING THE COUNCIL CHAMBER DURING THE CONSIDERATION OF ANY ITEM ON THE AGENDA ARE NOT ABLE TO PARTICIPATE IN THE DISCUSSIONS AND/OR VOTE IN RESPECT OF THAT ITEM ON THEIR RETURN. THIS PROVISION ALSO APPLIES TO MEMBERS ARRIVING FOR THE MEETING AFTER SUCH CONSIDERATION HAS COMMENCED.**

(vii) Public Speaking at Meetings of the Planning and Licensing Committee

Public speaking is allowed on applications on the Schedule of Applications to be considered by the Planning and Licensing Committee.

Details of the procedure, and a copy of the leaflet 'A Guide to Public Speaking at Meetings of the Planning and Licensing Committee', are available from the Case Officer or Front of House on 01285 623000, or by e-mail to [planning@cotswold.gov.uk](mailto:planning@cotswold.gov.uk)

**Public speakers are requested to either e-mail a copy of their comments in advance of the Meeting to [democratic@cotswold.gov.uk](mailto:democratic@cotswold.gov.uk) or to hand a copy to the Committee Administrator at the Meeting. Public speakers are reminded that their representations are in the public domain and will be treated in the same way as letters of support for, or objection to, any planning applications.**

(viii) Committee Administrator

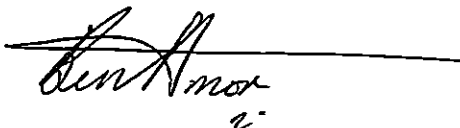
If any Member has any general questions about the Meeting or the associated agenda papers, or is unable to attend, he/she is asked to contact Ben Amor on 01285 623000 who will be the Committee Administrator responsible for the Meeting.

Distribution:

All Members of the Planning and Licensing Committee  
(Councillors Tony Berry, Claire Bloomer, Ray Brassington, Patrick Coleman, Stephen Hirst, Roly Hughes, Nikki Ind, Sue Jepson, Julia Judd, Richard Keeling, Juliet Layton, Dilys Neill, Gary Selwyn, Steve Trotter and Clive Webster)

Ward Members (not otherwise on the Committee)

(Councillors Mark Annett, Julian Beale, Gina Blomefield, Mike Every, Jenny Forde, Joe Harris, Robin Hughes and Julia Judd)



**Nigel Adams**  
Head of Paid Service

2<sup>nd</sup> July 2019



# PLANNING AND LICENSING COMMITTEE

10<sup>TH</sup> JULY 2019

## AGENDA

- (1) **Apologies**
- (2) **Declarations of Interest**
  - (1) To receive any declarations of interest from Members under the Code of Conduct for Members;
  - (2) To receive any declarations of interest from Officers under the Code of Conduct for Officers.
- (3) **Substitute Members** - To note details of any substitution arrangements in place for the Meeting.

Note:

The procedures in respect of substitution arrangements are set out in Council Procedure Rule 29. Particular attention is drawn to the fact that the Head of Democratic Services must be notified of any intended substitution **by no later than 5.00 p.m. on the working day prior to the day of the Meeting.**
- (4) **Minutes** - To confirm the Minutes of the Meeting of the Planning and Licensing Committee held on 12<sup>th</sup> June 2019 (attached).
- (5) **Chairman's Announcements** (if any)
- (6) **Public Questions** - Council Procedure Rule 10 - Not more than fifteen minutes allowed for written questions to be put by Local Government electors within the Cotswold District on any matter in relation to which the Council has any power or duties or which affects the District, and which falls within the Terms of Reference of the Committee.
- (7) **Member Questions** - Council Procedure Rule 11 - Not more than fifteen minutes allowed for written questions to be put by Members on any matter in relation to which the Council has any power or duties or which affects the District, and which falls within the Terms of Reference of the Committee.
- (8) **Petitions** (if any)

## Items for Consideration and Decision

(9) **Schedule of Applications**

- (a) To consider and determine the applications contained in the enclosed Schedule.
- (b) To resolve that where on this Schedule of Applications, development proposals in Conservation Areas and/or affecting Listed Buildings have been advertised - (in accordance with Section 73 of the Planning (Listed Building and Conservation Areas) Act 1990 and the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1977) - but the period of the advertisement has not expired by the date of the Meeting then, if no further written representations raising new issues are received by the date of expiration of the advertisement, those applications shall be determined in accordance with the views of the Committee.
- (c) To resolve that where on this Schedule of Applications, the consultation period in respect of any proposals has not expired by the date of the Meeting then, if no further written representations raising new issues are received by the date of expiration of the consultation period, those applications shall be determined in accordance with the views of the Committee.

<b><u>Application No.</u></b>	<b><u>Description</u></b>	<b><u>Ward Councillor(s)</u></b>	<b><u>Case Officer/ Page No.</u></b>
19/01178/FUL	Alterations to and change of use of two buildings from agricultural use to Class B1 Use at Clay Meadow, Cirencester Road, South Cerney, Cirencester, GL7 6HU	Mike Every	Andrew Moody Page 2
19/01595/FUL	Mobile home for temporary accommodation for rural worker (Retrospective) at Staple Farm, Withington, Cheltenham, GL54 4BH	Robin Hughes	Andrew Moody Page 21
19/01115/OUT	Erection of two dwellings and associated works (Outline application with all matters reserved except access) at Land to the Rear of Ashlar, Coppers And Wyldlands, Broad Campden, Chipping Campden, GL55 6UR	Mark Annett Gina Blomefield	Martin Perks Page 42
19/01706/FUL	Erection of a single dwelling and associated works (resubmission) at Land West of Brans Cottage, Brans Lane, Upper Oddington, GL56 0XQ	Julian Beale	Martin Perks Page 60

<u>Application No.</u>	<u>Description</u>	<u>Ward Councillor(s)</u>	<u>Case Officer/ Page No.</u>
19/00611/FUL	Temporary siting of mobile homes for 10 years for rural worker at Cirencester Gold Club Ltd., Cheltenham Road, Bagendon, Cirencester, GL7 7BH.	Jenny Forde	Hannah Rose Page 95
18/03102/FUL	Erection of an agricultural workers' dwelling and associated ancillary development, retention of existing temporary static caravan to allow continued occupation whilst permanent dwelling is constructed at Korinn Farm, Cowley, GL53 9NJ.	Julia Judd	Adrian Walker Page 105
18/02520/FUL	Erection of two dwellings at Land South of Wick House, East End, Fairford, GL7 4AP.	Stephen Andrews Steve Trotter	Adrian Walker Page 122
19/01004/FUL	Proposed dormers on the rear elevation (retrospective) at 54 Purley Road, Cirencester, GL7 1EP.	Joe Harris	Clare Cambridge Page 145

**Notes:**

(i) Members who do not receive full copies of the Agenda and/or Schedule can view individual Agenda reports/applications on-line at [www.cotswold.gov.uk](http://www.cotswold.gov.uk) by following the links to 'Meetings, minutes and agendas' via the 'About the Council' link on the Homepage.

(ii) Individual Agenda reports/applications can be downloaded. Alternatively, if individual documents are too large to download and print, Members can request a hard copy by contacting the Committee Administrator responsible for the Meeting.

## Other Matters

(10) **Sites Inspection Briefings**

1. Members for 7<sup>th</sup> August 2019 (if required)

Councillors Patrick Coleman  
Juliet Layton  
Julia Judd

Dilys Neill  
Clive Webster

(11) **Licensing Sub-Committees**

1. **Members for 21<sup>st</sup> August 2019** (if required)

Councillors    Ray Brassington  
                     Patrick Coleman  
                     Sue Jepson  
                     Julia Judd  
                     Clive Webster

(12) **Other Business** - Such other business which, in the opinion of the Chairman, is urgent.

(END)

COTSWOLD DISTRICT COUNCIL

PLANNING AND LICENSING COMMITTEE

12<sup>TH</sup> JUNE 2019

Present:

Councillor Juliet Layton	-	Chairman
Councillor Ray Brassington	-	Vice-Chairman

Councillors -

Tony Berry	Julia Judd
Patrick Coleman	Richard Keeling
Stephen Hirst	Dilys Neill
Roly Hughes	Gary Selwyn (until 12.25 p.m.)
Nikki Ind	Steve Trotter
Sue Jepson	Clive Webster

Substitutes:

Rachel Coxcoon (until 1.15 p.m.)

Observers:

Stephen Andrews	Julian Beale
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Apologies:

Claire Bloomer

PL.5 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor Brassington declared an interest in respect of application 19/01115/OUT, as he socialised with the Agent. He left the room while the application was being determined.

Councillor Brassington declared an interest in respect of application 18/02520/FUL, as he was a friend of the Objector. He left the room while the application was being determined.

Councillor Hirst declared an interest in respect of application 19/00086/OUT, as he was a Member of Gloucestershire County Council who was the Applicant.

Councillor Webster declared an interest in respect of application 19/00086/OUT, as had been involved in the application as a Member of Moreton-in-Marsh Town Council. He left the room while the application was being determined.

Councillor Judd declared an interest of application 18/02520/FUL, as she was acquainted with the Applicant, but did not socialise with him.



Councillor Neill declared an interest in respect of application 19/01288/FUL, as she was acquainted with various Members of the Parish Council who had objected to the application. She left the room while the item was being determined.

(2) Officer Declarations

Ms. D Smith, Team Leader, Development Management, declared an interest in respect of application 19/01288/FUL, as she was acquainted with a family member of the Applicant. She left the room while the item was being determined.

PL.6 SUBSTITUTION ARRANGEMENTS

Councillor Coxcoon substituted for Councillor Bloomer.

PL.7 MINUTES

**RESOLVED that:**

**(a) the Minutes of the Meeting of the Committee held on 10<sup>th</sup> April 2019 be approved as a correct record;**

**Record of Voting - for 6, against 0, abstentions 9, absent 0.**

**(b) the Minutes of the Meeting of the Committee held on 14<sup>th</sup> May 2019 be approved as a correct record.**

**Record of Voting - for 14, against 0, abstentions 1, absent 0.**

PL.8 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements from the Chairman.

PL.9 PUBLIC QUESTIONS

No Public Questions had been submitted.

PL.10 MEMBER QUESTIONS

No questions had been received from Members.

PL.11 PETITIONS

No petitions had been received.

PL.12 SCHEDULE OF APPLICATIONS

It was noted that the details of the policies referred to in the compilation of the Schedule did not comprise a comprehensive list of the policies taken into account in the preparation of the reports.

**RESOLVED that:**

(a) where on this Schedule of Applications, development proposals in Conservation Areas and/or affecting Listed Buildings have been advertised - (in accordance with Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1977) - but the period of the advertisement has not expired by the date of the Meeting then, if no further written representations raising new issues are received by the date of expiration of the advertisement, those applications shall be determined in accordance with the views of the Committee;

(b) where on this Schedule of Applications, the consultation period in respect of any proposals has not expired by the date of the Meeting then, if no further written representations raising new issues are received by the date of expiration of the consultation period, those applications shall be determined in accordance with the views of the Committee;

(c) the applications in the Schedule be dealt with in accordance with the following resolutions:-

**19/00086/OUT**

**Erection of up to 67 dwellings, open space, and landscaping (Outline application) at Land to East of Evenlode Road, Moreton-in-Marsh -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications and displayed a map and aerial photograph of the site, an indicative site layout and photographs of the site from various vantage points.

A representative from the Town Council, an Objector and the Agent were then invited to address the Committee.

The Ward Member, who did not serve on the Committee but who was attending as a Substitute Member, was then invited to address the Committee. The Ward Member explained that she had received a large amount of correspondence regarding the application and that whilst local people recognised that the site had been allocated as part of the Council's Local Plan, explained that there was more debate required in regard to if the Local Plan had already delivered or over-delivered the required number of houses within the town. She questioned as to whether the application represented sustainable development and drew attention to the large number of objections received by the Council to the application. She informed the Committee that the original proposal had been for 67 houses but that this had been reduced to 63 houses following a decision by the Planning Inspector who considered that this reduced number was required to protect the Public Right of Way on the site; and that the reduction would also help to increase the space between the site and the County Council Highways depot situated next to the site. The Ward Member added that if the Committee was minded to approve the application, she would request that a large space be set aside for flood management and that the number of houses currently set at 63 be upheld. She was pleased to see a management condition in regard to noise, but as the nearby Highways depot would be used mostly at night and in the winter, she was concerned that sealed boxes and non-standard walls which were proposed to help mitigate the noise concerns could lead to overheating of the properties. The Ward Member concluded that, owing to the public concerns regarding highways, the numerous errors which she had been noted within the

Highway Officer's report, the proposed suitable walking distances and the potential increase to parking to the current residents of Evenlode Road, the Highways Authority should reconsider their judgement of the application to enable the application to be more welcomed by the community in the future.

In response to various questions from Members, it was reported that despite the Highways Authority being the Applicant for this application, they were able to comment given their obligation as a statutory consultee and their requirement to be unbiased; the number of proposed properties within the Local Plan was a guide and the proposed increase in properties by four was not considered by Officers to be materially harmful; the proposed new access for the site would be on to Evenlode Road adjacent to the public footpath and as the road had a 30 mph limit, this proposal met the necessary safety requirements; not all of the conditions recommended within the Highway Officer's report had been taken up by Council Officers; parking arrangements and covered cycle storage at the site would be considered as part of the reserved matters application; if the Committee was minded to request a further traffic survey to be undertaken by the Highway Authority, the earliest this could occur would be in September 2019 owing to the current seasonal increase in traffic; Highway Officers could only respond to applications on capacity grounds if the current situation would be 'significantly worsened' by approving the application; there was no history of accidents at the site and therefore the increase was not considered to be harmful by Officers; there was no limit for housing in the town within the Council's Local Plan and the application presented formed one of three sites put forward; with regard to garages not being taken into account when calculating living space, this could only be looked at during the reserved matters stage and garages were required to measure six by three metres to be considered as a usable space; two Highways Officers had visited the site and whilst merit could be given to issues with the current parking problems on Evenlode Road, the current application could not be considered to be exacerbating this issue as parking would be provided on the application site; the accepted walking distance in rural areas was two kilometres and 400 metres in urban areas and improvements were being sought to existing footways to ensure encouragement of walking to and from the site; the Highway depot was active 12 months of the year and primarily stored road grit for use in winter months and therefore saw night time activity; a Traffic Regulation Order was considered by Highway Officers to only reduce the opportunity for residents who currently parked on Evenlode Road; negotiations with landowners to address the current parking problems could only commence if the landowner approached the Highway Authority in the first instance; land considered suitable for parking at Cornish Circle was in third party ownership and therefore could not be considered available unless the landowner was willing to offer this land; Thames Water had made no objection to the application and concerns relating to surface water would be dealt with by the Lead Local Flood Authority; and if the developer was willing to fund the sewage connection from the site this could be implemented quickly though otherwise the task would fall into the work-stream of Thames Water.

A Member commented that he considered there to be no reason why the application should not maintain the number of houses of 63 as recommended within the Local Plan. He added that there was a general expectation that some development would take place on the site and that he felt by ensuring the Committee's expectations were fulfilled, the development could be considered acceptable, despite there being issues of access which needed addressing.

Another Member commented that the town had seen a large increase in the number of developments since 2011 which had placed a strain on the town's infrastructure. She added that, in her view, an urgency to develop the site since it had been allocated had meant that key infrastructure elements had been missed within the application's proposals and, consequently, she would not be supporting approval of the application.

Various Members supported refusal of the application but acknowledged that deferring the application would enable a revised application to be submitted which they hoped would include better provision for green space, noise screening and improved access.

The Team Leader informed the Committee that the site allocation was for up to 67 houses which would also yield Community Infrastructure Levy (CIL) funding for the local community, 15% of which would be passed to the Town Council. The CIL payment was calculated at £80 per square metre of qualifying dwelling floorspace. Officers also informed the Committee that with regard to any request to mitigate the parking issues in Evenlode Road, a new application could not be 'used' as a reason to address existing problems, unless the application was considered to exacerbate the issue further, which in this instance it was not considered to by Officers as sufficient parking would be provided on the application site.

A Member commented that providing (i) the Case Officer undertook discussions with the Developer regarding the Committee's concerns and (ii) the application be referred back to the Committee at the reserved matters stage, he was minded to approve the application as recommended.

A Proposition, that the application be approved, was duly Seconded.

The Ward Member was invited to address the Committee again. She explained that residents of the town were tired of continuing development without the necessary supporting infrastructure and she drew attention to the increase in the town's size since 2011. The Ward Member reminded the Committee that concerns relating to noise, smells, climate change and the lack of substantial green space and screening all required improvement within this application and concluded that sufficient parking allocations would need to be confirmed if the application was approved and re-presented at the reserved matters stage.

**Approved, as recommended.**

**Record of Voting - for 10, against 2, abstentions 2, interest declared 1, absent 0.**

**19/01115/OUT**

**Land to Rear of Ashlar, Coppers & Wyldlands, Broad Campden, Chipping Campden, GL55 6UR -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed a map and photographs of the site from various vantage points, including a nearby Public Right of Way.

An Objector and the Agent were then invited to address the Committee.

The Committee Officer then read out comments on behalf of the Ward Member, who did not serve on the Committee. The Ward Member explained that the application site sat within the Cotswolds Area of Outstanding Natural Beauty (AONB) which the Council was required to protect against development, unless there was a very strong argument for social and humanity reasons or the application featured an outstanding design, neither of which the Ward Member considered applied to this application. He added that he felt the application would not enhance the AONB or benefit the population of the village and that the building of two houses was not needed. The Ward Member explained that the application site backed onto open fields which were farmed all year round and, if approved, the application would set a precedent for back garden infilling. He informed the Committee that the village was not a principal settlement and had more than reached its capacity; and that the application did also not meet the NPPF policy framework for reasons to build on garden land within the AONB. The Ward Member concluded that the village was also a popular route for visitors walking the footpaths and enjoying the tourism aspects of the village; and urged the Committee to consider a site visit, as this would enable the Committee to appreciate the harm the application would make to the village if it was approved.

In response to various questions from Members, it was reported that Policy DS3 covered the village which permitted this type of development in principle; a Rural Housing Proforma had been submitted by the Applicant, and which detailed to the Case Officer if the site could accommodate the proposed development; in the view of Officers, the application was not considered to be harmful as the development site was located within close proximity to the nearby town of Chipping Campden and if approved, could be seen to provide a benefit to both Broad Campden and Chipping Campden; the application contained an outline indicative layout and the final site layout would be considered at the reserved matters stage; and Broad Campden had approximately 70 dwellings in total and the addition of two further properties within the village was not considered, in the view of Officers, to be harmful to the village.

A Member commented that she considered it important that a Sites Inspection Briefing be undertaken to the site as she considered the site to be located within a quiet village which did not require any further large properties to be built.

A Proposition, that the application be deferred to enable a Sites Inspection Briefing to be undertaken, was duly Seconded.

Another Member commented that he supported the Proposition and considered that an all Member Sites Inspection Briefing would be beneficial, given the number of new Members which had been elected to the Council and consequently appointed to the Committee.

In response, the Team Leader informed the Committee that usually only for exceptional reasons was a site visit undertaken by all Members of the Committee, but explained that she recognised the benefit of an all Member visit in this instance and in light of the fact that this was a new Committee.

**Deferred, to enable Sites Inspection Briefing to be undertaken to assess the impact of the development on the character and appearance of the AONB and the amenity of the neighbouring property, with all Members of the Committee being invited to attend, as an approved duty.**

**Record of Voting - for 10, against 0, abstentions 4, interest declared 1, absent 0.**

**18/02520/FUL**

**Erection of two dwellings at Land South of Wick House, East End, Fairford, GL7 4AP -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications and then displayed a map showing the conservation area and adjacent listed buildings, an aerial photograph of the site, building plans, proposed elevations and site layout, and photographs of the site from various vantage points.

A representative from the Town Council and the Agent were then invited to address the Committee.

The Ward Members were then invited to address the Committee. One of the Ward Members explained that there had been concerns in regards to flooding within the town since flooding had occurred in 2007 and that the application presented made the assumption that there would be flood alleviation, despite in his view there being no evidence provided. He added that emergency access would require access to the site and that he considered this would be difficult via the proposed narrow access lane. The Ward Member also drew attention to the close boundaries to existing neighbouring properties and the fact that hedge trimming would be required on a regular basis and that he felt debate could ensue as to whose responsibility this would fall under. In conclusion, he stated that with regard to this application, there was a responsibility of the Committee to consider if the mitigation was sufficient to deal with any harm caused and if this harm would be outweighed by the public benefit.

The other Ward Member was invited to address the Committee but explained he had no further comments to make.

In response to various questions from Members, it was reported that whilst tracking for a large estate car had been provided by the Applicant in their Transport Statement, no tracking had been undertaken on the proposed access route for emergency vehicles; there was considered by Officers to be sufficient turning space on the site for vehicles; if the Committee was minded, the Case Officer could request the Applicant to omit the garages from the proposals and to submit revised plans, though the Council would need to be able to demonstrate harm in retaining the garages within the application proposals; the existing wall at the site was not listed; a condition would require a details of structural works, repair and methodology for the opening and remediation to be submitted and approved; the Conservation Officer confirmed that it was standard practice to build directly up to an existing wall; the WRA report had been sent to the Environment Agency who had made no further comments; there was not considered to be any required maximum distance for residents to move bins in preparation for collection; there was only one parking space and a single garage proposed for each property; and it was assumed visitor parking would need to be on the nearby highway; and if minded, the Committee could defer a decision on this application if they considered that further information was required in relation to the access and specifically, emergency vehicle access.

A Member commented that owing to the potential flood risk and concerns regarding emergency vehicle access, in addition to the fact that vehicles required to maintain drainage and SUDs may also not be able to access the site, he considered a Sites Inspection Briefing would be beneficial. A Member also questioned whether there was a mistake in the report in relation to the conditions suggested by the EA and Drainage Officer; these would be confirmed by the relevant Officers.

A Proposition, that the application be deferred to enable a Sites Inspection Briefing (SIB) to be undertaken, was duly Seconded.

Various Members expressed their support for the Proposition and explained that they also considered it beneficial that the Council's Drainage Engineer attend the next Committee Meeting when the application would be re-presented. A request was also made for the Highways Officer to attend the SIB.

The Ward Members were invited to address the Committee again but explained that they had no further comments to make on the application.

**Deferred, to enable Sites Inspection Briefing to be undertaken to assess the suitability of the proposed access.**

**Record of Voting - for 14, against 0, abstentions 0, interest declared 1, absent 0.**

**19/01288/FUL**

**Change of use of existing building from ancillary use to independent dwelling at Brae Croft, Upper Oddington, Moreton-in-Marsh, GL56 0XJ -**

The Case Officer reminded the Committee of the location of this site and outlined the proposals. The Case Officer displayed an aerial photograph of the site, location plan and photographs of the site from various vantage points.

An Objector was then invited to address the Committee.

The Ward Member, who did not serve on the Committee, was then invited to address the Committee. The Ward Member explained that he agreed with the views of the Parish Council who had raised concerns regarding the proposed access to the site which was in the ownership of the neighbouring property. He explained that he did not consider the application presented to be the Applicant's final plans for the site and that he felt that if an option for a new access route was proposed, that this could lead onto the narrowest part of a lane on the outskirts of the village. In concluding, the Ward Member urged the Committee to defer a decision on the application to enable more clarity to be provided by the Applicant for the genuine proposals for the site.

In response to various questions from Members, it was reported that most recently, amendments to the design and internal layout in January 2019; and should an application be presented featuring an alternative access route, the application would be required to be considered on its merits.

A Member commented that with regard to Policy DS3, the application in his view did not complement the area and, as a new dwelling, was not appropriately designed for the area. He added that as the building fell outside of the main

village, which was not a principal settlement, the application was considered to be in the countryside and therefore should be refused.

A Proposition, that the application be refused, was duly Seconded.

Another Member expressed his support for the Proposition and explained that whilst the application could, in his view, be argued to fall in the non-principal development, he considered there to be no doubt that the existing building did not meet the DS3 criteria for a new dwelling.

The Development Manager informed the Committee that the building had previously been considered to be visually acceptable as an annex. If Members considered the site to not fall within the village, then it could apply Policy DS4 and the public benefit of providing an additional dwelling to the Council's supply of housing needed to be weighed against the harm.

The Ward Member was invited to address the Committee again. He explained that he would be happy to see the application refused, but as there was a high risk of appeal, urged the Committee to consider deferring the application to enable the application to be re-presented to the Committee to invite the applicant to address the Committee. He added this would enable the current proposed access route to be investigated further, given the potential for other access routes to be proposed for the site.

**Refused, owing to inappropriate design and failure to meet the criteria of Policy DS3.**

**Record of Voting - for 11, against 0, abstentions 1, interest declared 1, absent 2.**

Note:

This decision was contrary to the Officer's recommendation for the reasons outlined above.

**19/01288/FUL**

**Erection of garage/car port with storage over and garden store at Colmans Colman, Temple Guiting, GL54 5RT -**

The Case Officer drew attention to the extra representations received since publication of the Schedule of Planning Applications and displayed a site location and aerial map, block plans, proposed elevations and floor plans, and photographs of the site from various vantage points.

There were no public speakers for this item.

The Ward Member, who served on the Committee, was then invited to address the Committee. The Ward Member explained that he had referred the application to the Committee when the garage had been proposed for a previous location and to which one objection had been received. He informed the Committee that, following consultation with the Case Officer, the moving of the garage back by four metres had resulted in the one objection being withdrawn and that had the application previously received no objections, the application would have been dealt with under delegated authority.



In response to a specific Member’s question it was reported that no lighting had been included within the proposals and that Officers considered that any conditions imposed in regard to motion-sensored lighting would be unreasonable, given the options available to other properties already in the vicinity.

A Member commented that as there were now no objections, and given the application would have been dealt with under delegated authority, the Committee should be minded to approve the application.

A Proposition, that the application be approved, was duly Seconded.

The Ward Member was invited to address the Committee again but stated he had no further comments he wished to make.

**Approved, as recommended.**

**Record of Voting - for 13, against 0, abstentions 0, absent 2.**

Notes:

(i) Additional Representations

Lists setting out details of additional representations received since the Schedule of planning applications had been prepared were considered in conjunction with the related planning applications.

(ii) Public Speaking

Public speaking took place as follows:-

19/00086/OUT	)	Cllr. M Berry (on behalf of the
	)	Town Council)
	)	Mr. R Firkins (Objector)
	)	Mr. M Godson (Agent)
19/01115/OUT	)	Mr. D Hughes (Objector)
	)	R Burrige (Agent)
18/02520/FUL	)	Cllr. R Harrison (on behalf of the
	)	Town Council)
	)	Mr. D George (Applicant)
19/01288/FUL	)	Mr. P Davis (Objector)

Copies of the representations by the public speakers would be made available on the Council’s Website in those instances where copies had been made available to the Council.

**PL.13 SITES INSPECTION BRIEFINGS**

1. Members for 3<sup>rd</sup> July 2019

It was noted that all Members of the Committee had been invited to attend the Sites Inspection Briefing with regard to application 19/01115/OUT, on Wednesday 3<sup>rd</sup> July 2019 as an approved duty.

It was noted that Councillors Claire Bloomer, Stephen Hirst, Juliet Layton and Steve Trotter would represent the Committee at the Sites Inspection Briefing with regard to application 18/02520/FUL, on Wednesday 3<sup>rd</sup> July 2019.

2. Advance Sites Inspection Briefings

No advance Sites Inspection Briefings had been notified.

PL.14 LICENSING SUB-COMMITTEES

1. Members for 18<sup>th</sup> June 2019

It was noted that Councillors Tony Berry, Ray Brassington, Julia Judd, Juliet Layton (substituting for Dilys Neill) and Steve Trotter would represent the Committee at the Licensing Sub-Committee Meeting of 18<sup>th</sup> June 2019.

2. Members for 17<sup>th</sup> July 2019

It was noted that Councillors Claire Bloomer, Stephen Hirst, Nikki Ind, Richard Keeling and Juliet Layton would represent the Committee at the Licensing Sub-Committee Meeting of 17<sup>th</sup> July 2019.

PL.15 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 9.32 a.m., adjourned between 11.15 a.m. and 11.25 a.m., and closed at 1.20 p.m.

Chairman

(END)

# PLANNING AND LICENSING COMMITTEE

## 10th July 2019

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### SCHEDULE OF APPLICATIONS FOR CONSIDERATION AND DECISION (HP)

- **Members are asked to determine the applications in this Schedule. My recommendations are given at the end of each report. Members should get in touch with the case officer if they wish to have any further information on any applications.**
- **Applications have been considered in the light of national planning policy guidance, the Development Plan and any relevant non-statutory supplementary planning guidance.**
- **The following legislation is of particular importance in the consideration and determination of the applications contained in this Schedule:**
  - **Planning Permission: Section 38(6) of the Planning and Compulsory Purchase Act 2004** requires that "where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise. **Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990** - special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest.
  - **Listed Building Consent: Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990** - special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest.
  - **Display of Advertisements: Town and Country Planning (Control of Advertisements) (England) Regulations 2007** - powers to be exercised only in the interests of amenity, including any feature of historic, architectural, cultural or similar interest and public safety.
- **The reference to **Key Policy Background** in the reports is intended only to highlight the policies most relevant to each case. Other policies, or other material circumstances, may also apply and could lead to a different decision being made to that recommended by the Officer.**
- **Any responses to consultations received after this report had been printed, will be reported at the meeting, either in the form of lists of **Additional Representations**, or orally. Late information might result in a change in my recommendation.**
- **The **Background Papers** referred to in compiling these reports are: the application form; the accompanying certificates and plans and any other information provided by the applicant/agent; responses from bodies or persons consulted on the application; other representations supporting or objecting to the application.**

**PLANNING AND LICENSING COMMITTEE 10th July 2019  
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION**

Parish	Application	Schedule No.
South Cerney	Clay Meadow Cirencester Road South Cerney Cirencester 19/01178/FUL Full Application	01
Withington	Staple Farm Withington Cheltenham Gloucestershire 19/01595/FUL Full Application	02
Chipping Campden	Land To Rear Of Ashlar, Coppers And Wyldlands Broad Campden Chipping Campden Gloucestershire 19/01115/OUT Outline Application	03
Oddington	Land West Of Brans Cottage Brans Lane Upper Oddington Gloucestershire 19/01706/FUL Full Application	04
Bagendon	Cirencester Golf Club Ltd Cheltenham Road Bagendon Cirencester 19/00611/FUL Full Application	05
Cowley	Korinn Farm Cowley Cheltenham Gloucestershire 18/03102/FUL Full Application	06
Fairford	Land South Of Wick House East End Fairford 18/02520/FUL Full Application	07
Cirencester	54 Purley Road Cirencester Gloucestershire GL7 1EP 19/01004/FUL Full Application	08

**Item No 01:-**

**19/01178/FUL**

**Clay Meadow  
Cirencester Road  
South Cerney  
Cirencester  
Gloucestershire  
GL7 6HU**

**Item No 01:-**

**Alterations to and change of use of two buildings from agricultural use to Class B1 Use at Clay Meadow Cirencester Road South Cerney Cirencester Gloucestershire GL7 6HU**

<b>Full Application 19/01178/FUL</b>	
<b>Applicant:</b>	LPC(Trull) Ltd
<b>Agent:</b>	
<b>Case Officer:</b>	Andrew Moody
<b>Ward Member(s):</b>	Councillor Mike Every
<b>Committee Date:</b>	10th July 2019
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**Main Issues:**

- (a) Principle of conversion
- (b) Landscape impact
- (c) Residential amenity
- (d) Highway safety

**Reasons for Referral:**

The application has been referred to Committee at the request of the Ward Member, Cllr Mike Every, for the following reasons: -

'Having reviewed the application information and looked at the relevant parts of the NPPF and the Local Plan, I believe that there are reasons to sustain a refusal of this application and therefore request it be determined by the Planning Committee.

I suggest that the conditions in Policy EC3 subsection 2 of the Cotswold Local Plan do not apply in this case - 50 employees is not a 'small scale' business in the Cotswolds.

I would also suggest that B1 office use of this scale is not compatible with either a livestock or equestrian use on a site of this size.

And NPPF Policy 84 relates to local business need. This application does not demonstrate that it is a local business or that there is a need for it in the South Cerney area.'

**1. Site Description:**

This application relates to two existing agricultural buildings at Clay Meadow located approximately 200m to the north of South Cerney Development Boundary. The site lies approximately 800m from the centre of the aforementioned village. Access to the site is via an existing field/site entrance opening onto the main road linking South Cerney with the A419 just to the south east of Cirencester. The application site is located outside the Cotswolds Area of Outstanding Natural Beauty and does not fall within a Special Landscape Area.

A Public Footpath (BSC1) runs parallel to the northern edge of the applicant's lane. It extends alongside the route of a former canal and lies outside the application site. A second footpath (BSC3) extends in a roughly north south direction through the centre of the applicant's land. It is located approximately 110m to the north west of the proposed barn and 60-80m to the west of the land proposed for equestrian use.

## 2. Relevant Planning History:

CT.7622/A: Creation of car park and use of land for education (rural interpretation). Granted 23.05.1996

12/04205/FUL: Use of land as a site for a log cabin as a temporary farm dwelling and the permanent construction of farm buildings and related development to include a hardcore access track and turning head. Granted 05.12.2012

14/04592/FUL: Use of land for the siting of two yurts for holiday lets associated with existing Alpaca farm and creation of decking. Withdrawn 11.12.2014

14/04593/FUL: Erection of farm building and related development to include hardcore access track and turning head. Granted 17.11.2014

15/00655/FUL: Erection of an agricultural worker's dwelling. Granted 11.06.2015

16/00213/OPANOT: Notification under Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 3, Class Q for change of use of existing agricultural building to a dwellinghouse. Refused 22.02.2016

17/01419/FUL: Variation of Condition 3 (agricultural occupancy) of permission 15/00655/FUL to enable approved dwelling to be occupied in connection with equestrian activities in addition to agriculture. Granted 14.06.2017

17/01420/FUL: Change of use of parcel of land from agricultural to equestrian, the erection of a stable building and associated groundworks. Granted 14.06.2017

## 3. Planning Policies:

NPPF National Planning Policy Framework  
 EC1 Employment Development  
 EC6 Conversion of Rural Buildings  
 EN1 Built, Natural & Historic Environment  
 EN2 Design of Built & Natural Environment  
 INF4 Highway Safety  
 INF5 Parking Provision  
 EN15 Pollution & Contaminated Land

## 4. Observations of Consultees:

Highway Authority: No objection subject to conditions

Biodiversity Officer: No objection subject to conditions

## 5. View of Town/Parish Council:

South Cerney Parish Council objects to this application as this site is agricultural in open countryside, and this is for change of use to B1 Business - Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area. This application is for open countryside and not a residential area.

## 6. Other Representations:

None received

## 7. Applicant's Supporting Information:

Planning Statement  
Highways Report

## 8. Officer's Assessment:

### (a) Principle of Conversion

The proposal relates to the conversion of two existing buildings at Clay Meadow, Cirencester Road, South Cerney into Class B1 use. Such a use would permit either Class B1(a) for offices, B1(b) for research and development, studios, laboratories or high tech businesses, or B1(c) for light industrial use.

Both buildings were granted planning permission under reference 12/04205/FUL, with that to the west being a timber clad building, whilst that to the east has a green metal cladding to its external walls. The combined floor space of both buildings is 439 sq. metres. The application indicates that there would be the equivalent of 40 employees at the site, 30 full-time and 20 part-time.

Policy EC6 allows for the conversion of rural buildings to alternative uses, provided that the building is structurally sound, suitable and capable of conversion without substantial alteration, extension or rebuilding; that there would be no conflict with existing farming operations, and that the proposed use is compatible with extant uses on the site and existing and planned uses in close proximity.

The NPPF promotes sustainable development and encourages the re-use of existing buildings. Paragraph 83 states that 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 84 continues to state that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

The proposed end user of the converted buildings has not been identified, however it has been stated that the number of employees specified on the application form relates to the number of employees of the company who would occupy the premises should planning permission be granted. It is also indicated that this figure does not equate to the number of people that will be working at the site as the majority of the staff are field based and would only visit the office occasionally.

The applicant's agent has also clarified that the business that would occupy the buildings is local to the area with some employees living within South Cerney Parish and nearby villages, and have been looking for suitable premises in which to relocate close to South Cerney and Cirencester.

Members should be aware that should planning permission be granted, Class B1 use has been applied for, which would allow flexibility as to the end use that would range from offices (Class B1(a)), to research and development (Class B1(b)) or light industry (Class B1(c)). Officers would



also advise that it would not meet the tests of reasonableness for conditions to limit the occupancy of the buildings to a specific user.

The principle of converting rural buildings into Class B1 employment use is, therefore, considered to be acceptable in policy terms, subject to consideration of issues such as the impact upon residential amenity or highway safety as discussed below. The proposal therefore accords with Policy EC6 of the Local Plan and paragraphs 83 and 84 of the NPPF.

#### **(b) Landscape Impact**

The application site is to the north of the village of South Cerney, and is not within an area subject to any statutory landscape designation. The proposal relates to the conversion of two existing rural buildings into Class B1 use.

The works required to convert the buildings are limited in nature, and whilst there would be doors inserted and existing large openings fitted with glazing, their overall character and appearance would not be significantly amended from their current appearance, in accordance with Policy EC6. The nearest of the two buildings to the highway is set back approximately 130 metres from the edge of the highway, and is in an elevated position relative to the road.

It is considered that the works required to facilitate the use of the building for Class B1 use would not cause any demonstrable harm to the character of the landscape, in accordance with Policies EC6 and EN1 of the Local Plan.

#### **(c) Residential Amenity**

With regard to the impact upon residential amenity, the nearest residential properties are approximately 135 metres to the south-east and 215 metres to the north-east. However, considering the proposed Class B1 use, and the established agricultural and equestrian use of the buildings, it is considered that the re-use of the barns for this purpose would not materially impact upon the amenities of residents currently occupying these dwellings.

It should be noted that the Parish Council's reference to B1 uses being those appropriate in a residential area relates to the issue of residential amenity, rather than to the principle of development in open countryside.

Subject to the imposition of a condition to limit the use to Class B1, the proposal is considered to accord with paragraph 127(f) of the NPPF, in addition to Policies EN2 and EN15 of the Local Plan.

#### **(d) Highway Safety**

The road past the site is subject to a 50mph speed limit, and amended plans have been provided to demonstrate that suitable visibility splays can be provided, particularly in a northerly direction. These would be 2.4m x 147m following the receipt of a speed survey and consultation with the Highway Authority. As these splays may be provided, and taking into consideration the existing traffic generated from the site, the Highway Authority are raising no objection subject to conditions, being satisfied that there would be no material impact upon highway safety.

Therefore, the conversion of the buildings would not be considered to have a 'severe' impact upon highway safety, having regard to paragraph 109 of the NPPF, and therefore the proposal is considered to accord with Policies INF4 and INF5 of the Local Plan subject to the conditions recommended.

### **9. Conclusion:**

The proposal is considered to accord with the policies in the Development Plan and NPPF, which are not outweighed by other material planning considerations.

The recommendation is for planning permission to be granted.

#### 10. Proposed conditions:

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

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

The development hereby approved shall be implemented in accordance with the following drawing numbers: LPC,4605,19,02-C; 05 and 06, and the unnumbered Location Plan received 25th April 2019.

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

The application site shall be used only for Class B1 and for no other purpose, of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or the equivalent to that Class in any statutory instrument amending or replacing the 1987 Order or any other change of use permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015.

**Reason:** It is essential that the Local Planning Authority retains control over the use of the development because of the proximity to residential properties, in accordance with Cotswold District Local Plan Policy EN2 and paragraph 127(f) of the NPPF.

Prior to its installation, a scheme shall be submitted to and agreed in writing by the Local Planning Authority which specifies the provisions to be made for the level of illumination of the site and the control of light pollution. The scheme should be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent light pollution in accordance in accordance with Cotswold District Local Plan Policy EN15.

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 147m distant in both directions (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 avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure 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 Policy INF4 of the Cotswold District Local Plan and paragraphs 108 and 110 of the National Planning Policy Framework.

The development hereby permitted shall not be occupied until the vehicular parking/turning and loading/unloading facilities along with passing bay areas have been provided in accordance with the submitted plan drawing no. LPC,4605,19,02-C and those facilities shall be maintained available for those purposes thereafter.

**Reason:** To ensure 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 Policies INF4 and INF5 of the Cotswold District Local Plan and paragraphs 108 and 110 of the National Planning Policy Framework.

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan drawing no. LPC,4605,19,02-C and those facilities shall be maintained for the duration of the development.

**Reason:** To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with Policy INF4 of the Cotswold District Local Plan and paragraph 108 of the National Planning Policy Framework.

No above ground works shall commence on site until a scheme has been submitted for the provision of fire hydrants for the benefit of the commercial development in a location agreed with the Council and should meet the requirements of Building Regulations Approved Document B Volume 2 Sections 15 and 16 (Fire Hydrants/Water Supplies and Vehicle Access). The commercial development buildings shall not be occupied until the hydrants have been provided to the satisfaction of the Council.

**Reason:** To ensure adequate water infrastructure provision is made on site for the local fire service to access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework.

The development shall be completed in accordance with the recommendations in Section 5 of the Ecological Appraisal Final Report dated 25th March 2019 prepared by AD 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.

**Reason:** To ensure that protected and priority species (including nesting birds) are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Policy EN8 of the Cotswold District Local Plan 2011-2031, Circular 06/2005, paragraphs 170 and 175 of the National Planning Policy Framework and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Before the erection of any external walls, details of bat and bird boxes shall be submitted to the Local Planning Authority for approval, including alternative nesting provision for swallows. The details shall include a technical drawing showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The development shall be completed fully in accordance with the approved details and the approved feature shall be retained in accordance with the approved details thereafter.

**Reason:** To provide for roosting bats and nesting birds as a biodiversity enhancement, in accordance with the EC Wild Birds Directive, Policy EN8 of the Cotswold District Local Plan 2011-2031, paragraphs 170 and 175 of the National Planning Policy Framework and Part 3 of the Natural Environment and Rural Communities Act 2006.

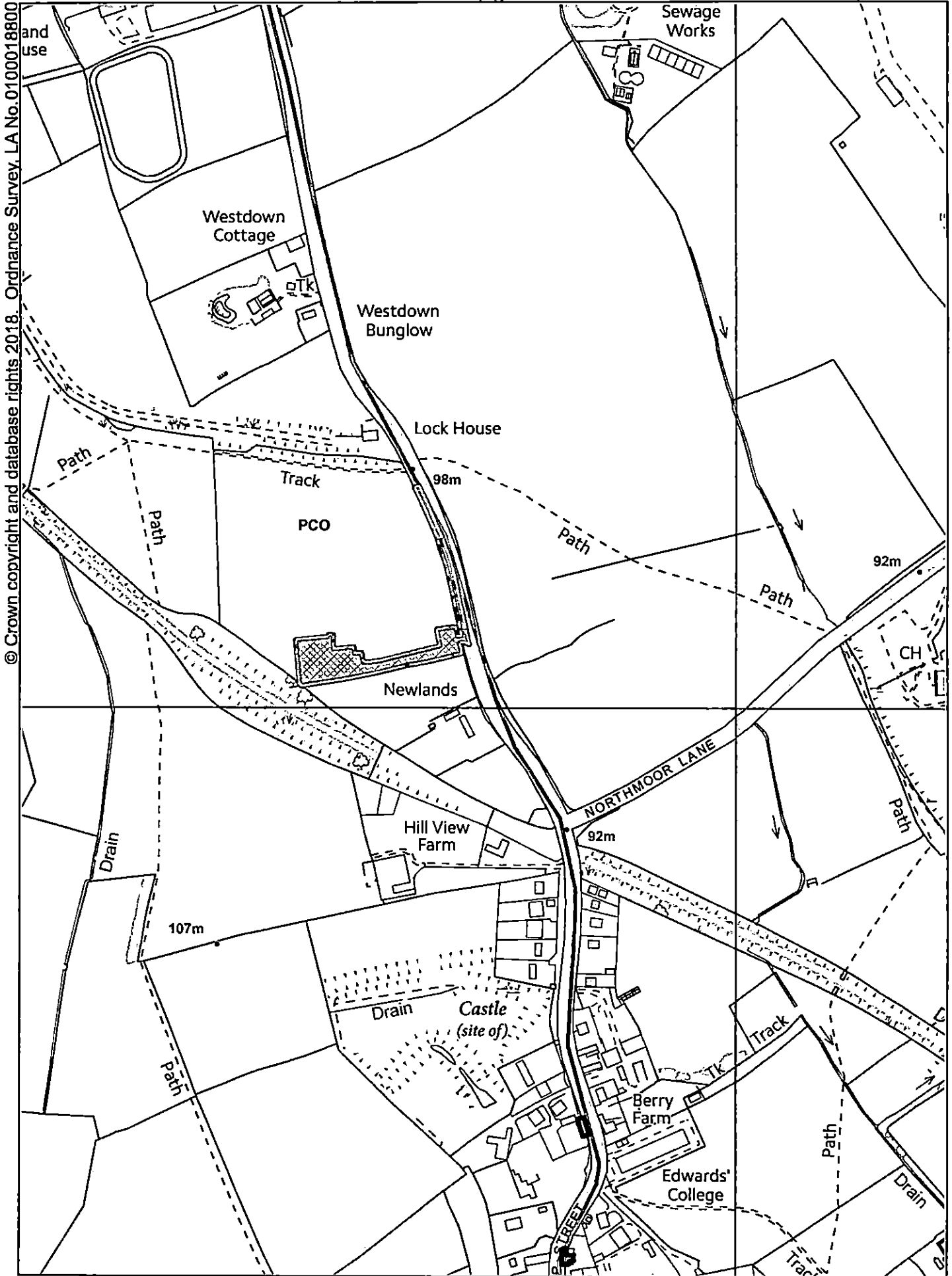
#### **Informatives:**

The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017, or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.

In order to comply with condition (b) above, the applicant is advised that bat boxes should be installed on the south or southeast facing elevations of the buildings and that bird boxes should be installed on the north or northeast facing elevations, away from doors and windows. The applicant should include provision for nesting swallows in order to compensate for the loss of the existing nesting site.

Swallows have specific nesting requirements and *Designing for Biodiversity - a Technical Guide for New and Existing Buildings Second Edition (2013)* provides some useful details. In summary, swallows prefer to nest inside buildings with dark ledges and nooks and crannies for nests such as inside a cold roof space or other unheated structure not requiring thermal insulation nor included in airtightness testing, for example garages and outbuildings, or possibly under very deep eaves. They require permanent open access of at least 70mm wide by 50mm high into the building and the nesting features should be at least 2 metres high and not too close together. Ready-made nest cups or nesting platforms (260mm wide by 100mm deep) can be installed and where droppings will be an issue, a ledge can be provided beneath the nest. Alternatively, a purpose-made nest box structure could be installed in a suitable location on the buildings. A suggested specification (All Ecology, 2017) is a triangular box measuring 700mm wide, 400mm deep and 500mm high with the bottom left half open along the inside edge, and the outside bottom providing a 200mm wide ledge on which the swallows can nest.



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**CLAY MEADOW CIRENCESTER ROAD SOUTH CERNEY**

Scale: 1:5000

Organisation: Cotswold District Council

Page 29 of 169

Department:

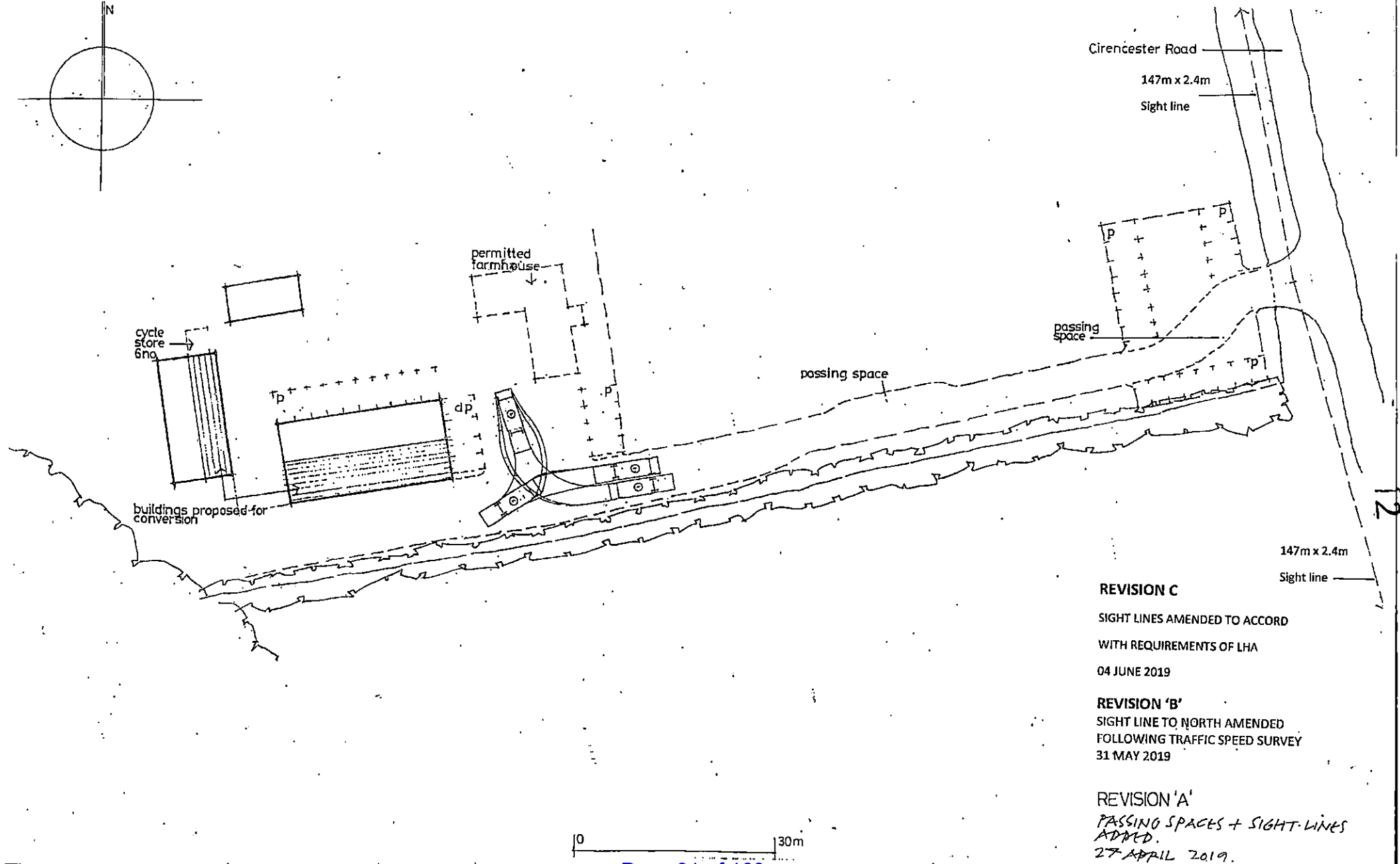
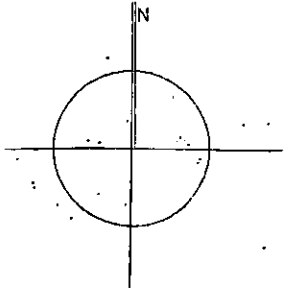
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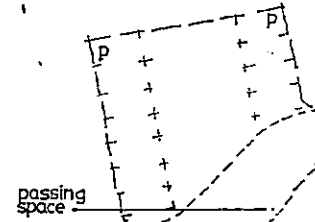
**COTSWOLD**  
DISTRICT COUNCIL







Cirencester Road  
147m x 2.4m  
Sight line



passing space

cycle store  
6no

buildings proposed for  
conversion

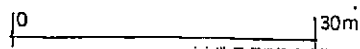
permitted  
farmhouse

147m x 2.4m  
Sight line

**REVISION C**  
SIGHT LINES AMENDED TO ACCORD  
WITH REQUIREMENTS OF LHA  
04 JUNE 2019

**REVISION 'B'**  
SIGHT LINE TO NORTH AMENDED  
FOLLOWING TRAFFIC SPEED SURVEY  
31 MAY 2019

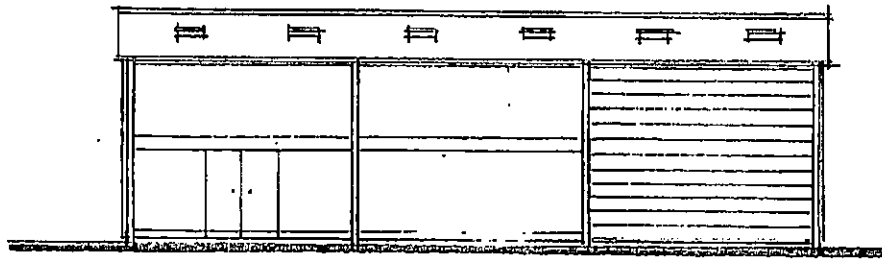
**REVISION 'A'**  
PASSING SPACES + SIGHT LINES  
ADDED.  
27 APRIL 2019.



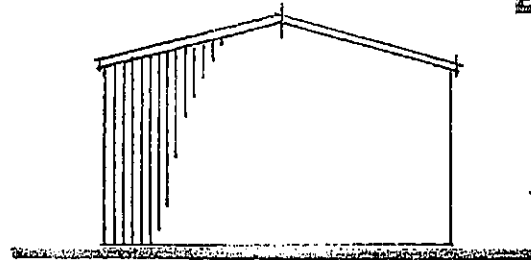


COUNTRY  
PLANNING  
DEVELOPMENT  
CONSULTANTS

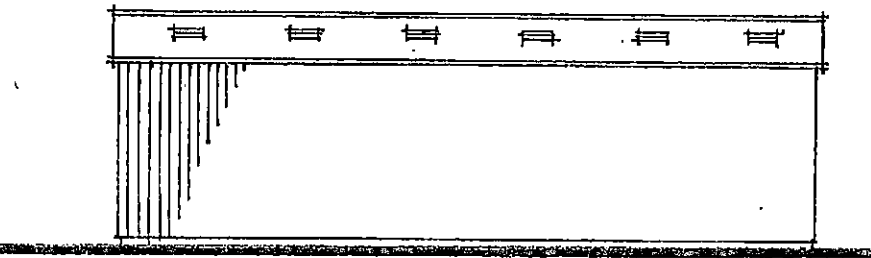
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Tel: 01285 841433  
Fax: 01285 841489



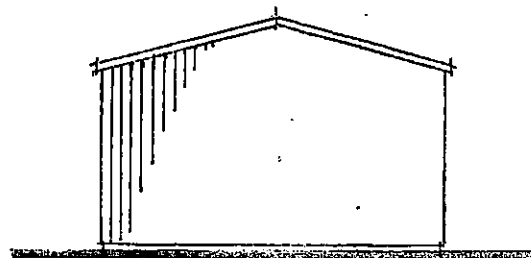
EAST



NORTH



WEST

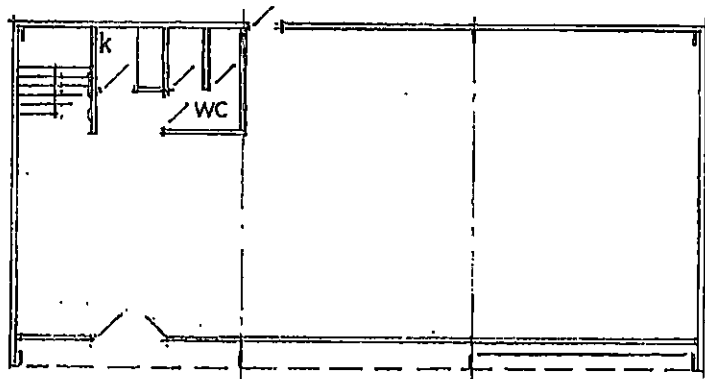


SOUTH

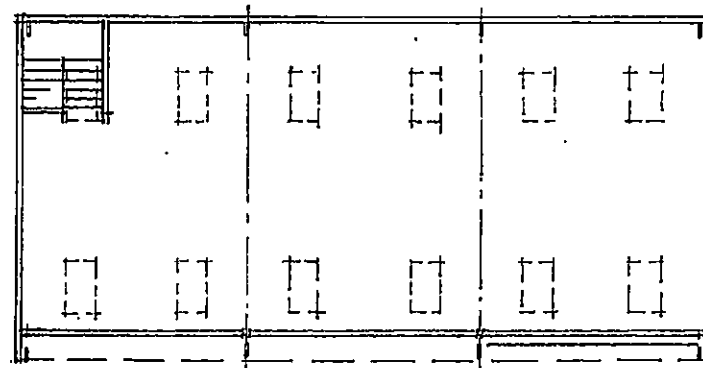
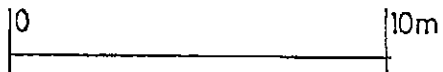
CLAY MEADOW FARM  
SOUTH CERNEY  
GLOS

PROPOSED CONVERSION OF  
EXISTING ALPACA BUILDING  
TO B1 USE

SCALE 1,200/A4  
DRG No LPC/4605, 19,06  
DATE 19 MARCH 2019



GROUND FLOOR



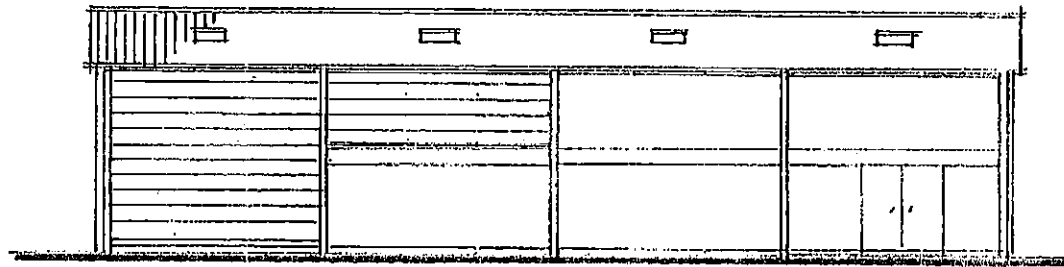
FIRST FLOOR



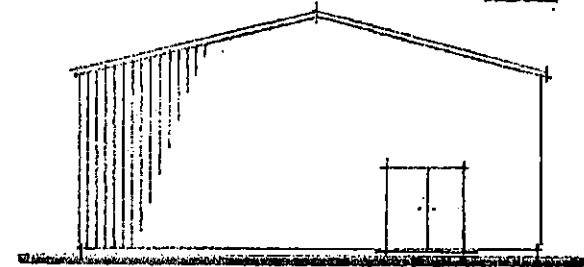


COUNTRY  
PLANNING  
DEVELOPMENT  
CONSULTANTS

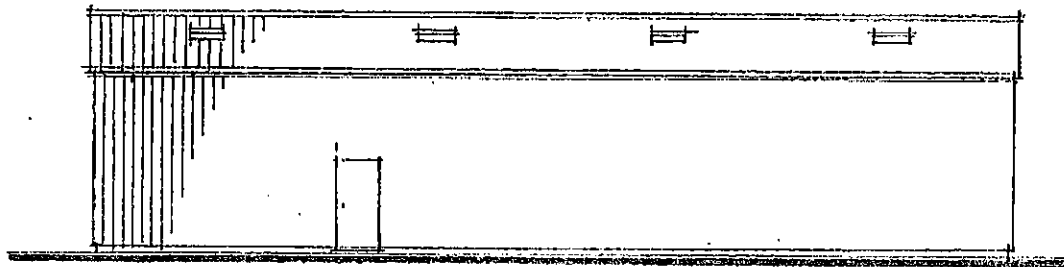
Gloucestershire  
GL8 8SQ  
Tel: 01285 841433  
Fax: 01285 841489



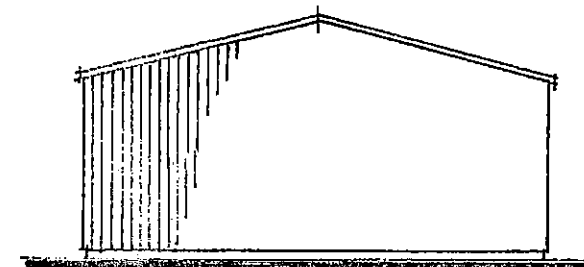
NORTH



EAST



SOUTH

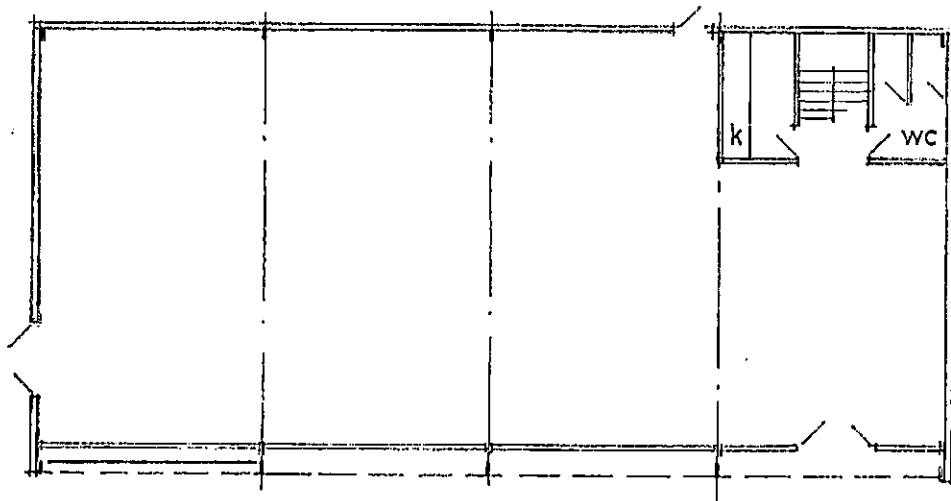


WEST

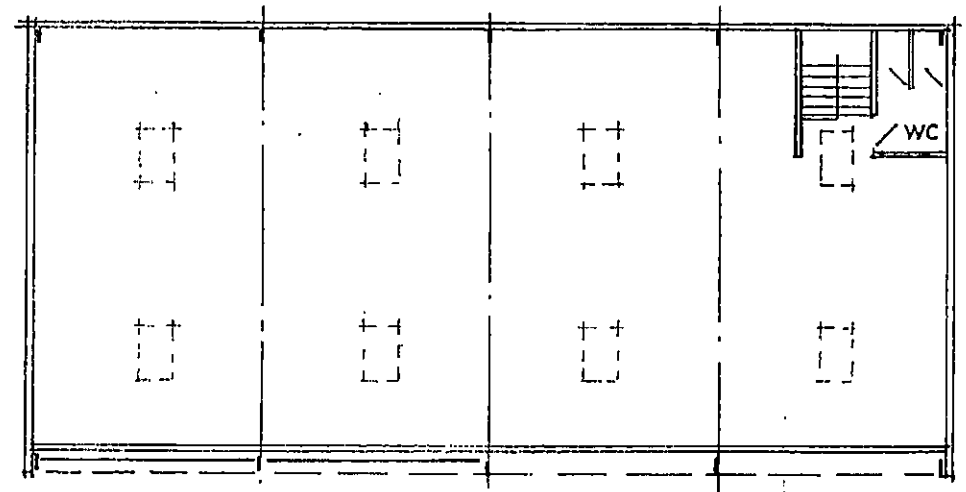
CLAY MEADOW FARM  
SOUTH CERNEY  
GLOS

PROPOSED CONVERSION  
OF MACHINERY AND HAY  
BARN TO B1 USE

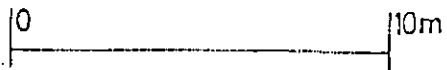
SCALE 1:200/A4  
DRG No LPC.4605.19.05  
DATE 19 MARCH 2019



GROUND FLOOR



FIRST FLOOR





15

18/04/2019

18/04/2019







18/04/2019



09/04/2019

20



**Item No 02:-**

**19/01595/FUL**

**Staple Farm  
Withington  
Cheltenham  
Gloucestershire  
GL54 4BH**



**Item No 02:-****Mobile home for temporary accommodation for rural worker (Retrospective) at Staple Farm Withington Cheltenham Gloucestershire GL54 4BH**

<b>Full Application 19/01595/FUL</b>	
<b>Applicant:</b>	Mr Matthew Newell
<b>Agent:</b>	Kernon Countryside Consultants Ltd.
<b>Case Officer:</b>	Andrew Moody
<b>Ward Member(s):</b>	Councillor Robin Hughes
<b>Committee Date:</b>	10th July 2019
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**Main Issues:**

- (a) Need for a residential mobile home
- (b) Impact upon setting of listed buildings

**Reasons for Referral:**

The application is referred to Committee at the request of the Ward Member, Cllr Robin Hughes, for the following reason: -

'I feel that as this is only a temporary consent for 12 months to accommodate a game keeper to the end of the shooting season/lease next February it is quite critical to the welfare of the whole operation.'

**1. Site Description:**

The application site is located to the south of the unclassified road that runs between Colesbourne to the west, and Withington to the east, and is accessed along an unmade track. The land use is agricultural, and the site is within the Cotswold Area of Outstanding Natural Beauty (AONB).

There are a range of buildings at the site, of which two, Staple Farmhouse and a stone barn to the north-east of the dwelling, are both listed buildings. The mobile home subject to this application is located to the eastern side of the stone barn.

**2. Relevant Planning History:**

17/03045/FUL: Mobile home for temporary accommodation for a rural worker (Retrospective). Permitted 15.02.2018

**3. Planning Policies:**

NPPF National Planning Policy Framework  
 DS4 Open Market Housing o/s Principal/non-Pr  
 H5 Dwellings-Rural Workers o/s Settlements  
 EN1 Built, Natural & Historic Environment  
 EN2 Design of Built & Natural Environment  
 EN4 The Wider Natural & Historic Landscape  
 EN5 Cotswold AONB  
 EN10 HE: Designated Heritage Assets

EN15 Pollution & Contaminated Land  
INF4 Highway Safety  
INF5 Parking Provision

#### **4. Observations of Consultees:**

Agricultural Consultant: Comments incorporated within the report; copy of the report attached as an Appendix

Conservation Officer: Comments incorporated within Officer's Assessment

#### **5. View of Town/Parish Council:**

No response received

#### **6. Other Representations:**

None received

#### **7. Applicant's Supporting Information:**

Supporting Statement

#### **8. Officer's Assessment:**

##### **(a) Need for a residential mobile home**

The applicant is retrospective for the retention of a mobile home that has been sited at Staple Farm, Withington. The applicant rents Staple Farm house and buildings, plus the shooting rights from the Colesbourne Estate, and runs a commercial shoot. A temporary planning permission for the retention of the mobile home was granted under reference 17/03045/FUL, with Condition 2 of that decision requiring the mobile home to be removed from the site by 1st March 2019.

One of the two employed game keepers has been residing in a mobile home at Staple Farm during the rearing/shooting season, and living somewhere else during the spring. The keeper would like to base himself year round in the mobile home until the present shooting lease expires. The application makes the case that there is an essential need for there to be somebody permanently based on site in addition to the applicant.

The shoot currently rears approximately 15,000 Pheasants and 8,000 Partridge and runs around 25 commercial days each year, which it is understood includes one or two days each season put on for the Estate owner as part of the shoot lease arrangement, which expires in February 2020.

The Pheasant shooting season runs from 1st October to 1st February whilst the Partridge season runs from 1st September to 1st February.

The Pheasants arrive as poults (7 weeks old) during June and are placed in the rearing/release pens situated around the estate, where they are fed and watered. The pens are walked around each evening, pushing back any birds that have flown out. Eventually the birds will start to distribute themselves throughout the estate, and are then fed with positioned feeders, and also using a mounted spinner driven up the woodland rides and edges.

The Partridges can arrive as early as April as day old chicks, and are reared through to a more advanced aged bird at Staple Farm, before being put out on the estate closer to the start of the shooting season. Once the birds are out then it is a continuous and often multiple daily routine to keep them on the estate by using a team of dogs and working the estate boundaries and moving the birds back further into the estate. This will continue right up to the end of the shooting season i.e. February 1st.

All the dogs owned by the applicant and the on-site keeper are kennelled at Staple Farm. On the shoot days, the beating line, stops and pickers-up, are run by the two keepers, as continuously overseen by the applicant, who stays in radio contact, whilst himself accompanying the guns.

The applicant is the shoot manager, and is employed full time at the site, being helped by two full-time employed keepers. On shoot days the applicant employs a team of approximately 15 beaters and 4 pickers-up and arranges the catering with help from his wife. In terms of accommodation at the site, the applicant and his family live in the rented farmhouse, whilst the mobile home subject to this application is adjacent to a barn to the north-east.

Paragraph 83 of the National Planning Policy Framework states that local planning policy should, in future, promote the development and diversification of agricultural and other land based rural businesses.

However, local planning authorities, should in accordance with paragraph 79 of the Framework, promote sustainable development in rural areas with regard to housing, but should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.

Notwithstanding the status of the NPPF, Annex A of PPS7 provided clear assessment criteria to assess the essential need for a dwelling and is considered to be a tried and trusted process, which in this case allows consideration with regard to temporary dwellings. Policy H5 of the adopted The Cotswold District Local Plan (2011-2031) largely reflects the guidance that was contained within Annex A and refers to essential need and the importance of demonstrating viability.

This is an established enterprise and so it would seem appropriate to utilise the tests for essential need referred to for permanent dwellings, despite the proposal being for a temporary period.

The most frequent reason for a functional need for a rural worker to be permanently based on a site is so that there is somebody experienced to be able to deal quickly with emergency animal welfare issues that are likely to arise throughout the majority of the year and during the middle of the night. In this case we have to consider responsibility for working dogs and game birds.

From mid-April through to October there will be Partridge at Staple Farm from day old to poults and older. There will be particularly vulnerable times, for example when the day old chicks are introduced to the brooders. Panic caused by noise and predator intrusion can cause birds to bunch up and can cause fatalities. The applicant contends that this demonstrates that presence on-site is reasonably necessary during the rearing period.

In addition, the applicant contends that the dogs are essential for a successful commercial shoot. Despite good game habitat and regular feeding, without regular daily 'dogging-in' of the boundaries, which includes rounding up straying birds using dogs, the overall numbers could drop through loss of birds onto neighbouring land and possible shoots. 'Dogging-in' takes place from the early summer right through to the end of the shooting season i.e. a minimum of 7 months. It is carried out first thing, during the day and towards the end of the day.

It would be unsustainable for the shoot dogs to be kept anywhere but on the shoot during the majority of the year. It is understood that there are 16 dogs at Staple Farm at present. The seasonal responsibility for game birds at Staple Farm, and the main use of the shooting dogs for dogging in, together span about 9 months, with February, March and May seemingly being the quieter months.

There have also been some incidents with regard to security, due to the isolated location of the site. However, it is not considered that this would be a contributory factor with regards to this application.

However, there would appear to be a need for there to be somebody permanently based on site, which in this case happens to be the applicant residing in Staple Farm. In respect of any further functional requirement for somebody in addition to the applicant to be based on site, the applicant contends that there are times when he will be away from the site, for example 'dogging-in' the boundaries or possibly attending another shoot.

Keepers work extremely unsociable hours, and so ideally keepers would live close to the shoot from the time point the birds arrive through to the end of the season. As a result, it may be difficult to employ/retain a keeper with these responsibilities, especially during the rearing season and shooting seasons, without being able to offer some form of accommodation within an easy commute of the shoot due to the inevitable early starts and late finishes, which can extend into the night.

It is contended that if there are no alternatives, for example a cottage made available on the Colesbourne Estate, then it would be considered essential to the shoot to be able to offer some accommodation for the 9 months covering the rearing and shooting season.

The mobile home currently on site close to the Partridge rearing area and kennels, is ideally located as seasonal accommodation for a keeper. The central issue is whether or not a 9-month seasonal need to provide accommodation within easy access of the shoot (in the absence of any potential alternative arrangements) should justify permitting that keeper to remain on site all year round. It is considered that this might be reasonable, but not essential.

Therefore, in accordance with paragraph 79 of the National Planning Policy Framework, Officers consider that there is no essential need for there to be somebody based all year round at Staple Farm in addition to the applicant.

#### **(b) Impact upon setting of listed buildings**

Staple Farmhouse and the barn to its north east (as well as any historic curtilage structures) are Grade II Listed Buildings. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the buildings, their setting, and any features of special architectural or historic interest they may possess, in accordance with Sections 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Section 16 of the National Planning Policy Framework requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 193 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 194 states that any harm to, or loss of, the significance (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 196 states that where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy EN1 of the Local Plan covers the Built, Natural and Historic Environment and states that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by: ensuring the protection and enhancement of existing natural and historic environmental assets and their settings, proportionate to the significance of the asset; and ensuring design standards that complement the character of the area and the sustainable use of the development.

Policy EN10 covers the Historic Environment: Designated Heritage Assets. It states that in considering proposals that affect a designated heritage asset or its setting, great weight shall be given to the asset's conservation, and that the more important the asset, the greater the weight should be. It also states that 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. Finally it states that proposals

that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm, and that any such assessment will take account of the importance of the asset, the scale of harm, and the nature and level of the public benefit.

Staple Farm is an historic farm set within the AONB. The house and barn both date to the C18 and are built in local materials. The principal elevation of the farmhouse has sash windows and the barn has a typically simpler vernacular design.

The proposal is to retain a temporary mobile home on site for a further year, renewing a previous permission. The mobile home is in closest proximity to the listed barn so has the greater impact on its setting. Within the surroundings of the barn are vehicles, trailers, machinery and other items relating to the current use of the site. All of these, despite being temporary and moveable in nature, have an impact on the setting of the listed building. They do, to some extent, impact upon the historic character of the barn but such items are considered to be part and parcel of any working farm.

The mobile home is a fairly large structure and its design purely modern and functional. If permission was sought to retain it as a permanent installation then refusal would be recommended on the grounds of harm to the setting of the listed farm. But a temporary permission for its retention on site for a further year is not considered sufficiently detrimental to the special interest and significance of the listed buildings to warrant refusal.

Therefore, the proposed temporary retention of a mobile home structure for a further year is not considered to compromise the special interest of the listed barn, farmhouse and other curtilage listed structures, and would not be considered to harm the significance of these designated heritage assets. The proposal is therefore judged to accord with Section 66(1) of the Planning (LBCA) Act 1990, Section 16 of the NPPF and Policy EN10 of the Local Plan.

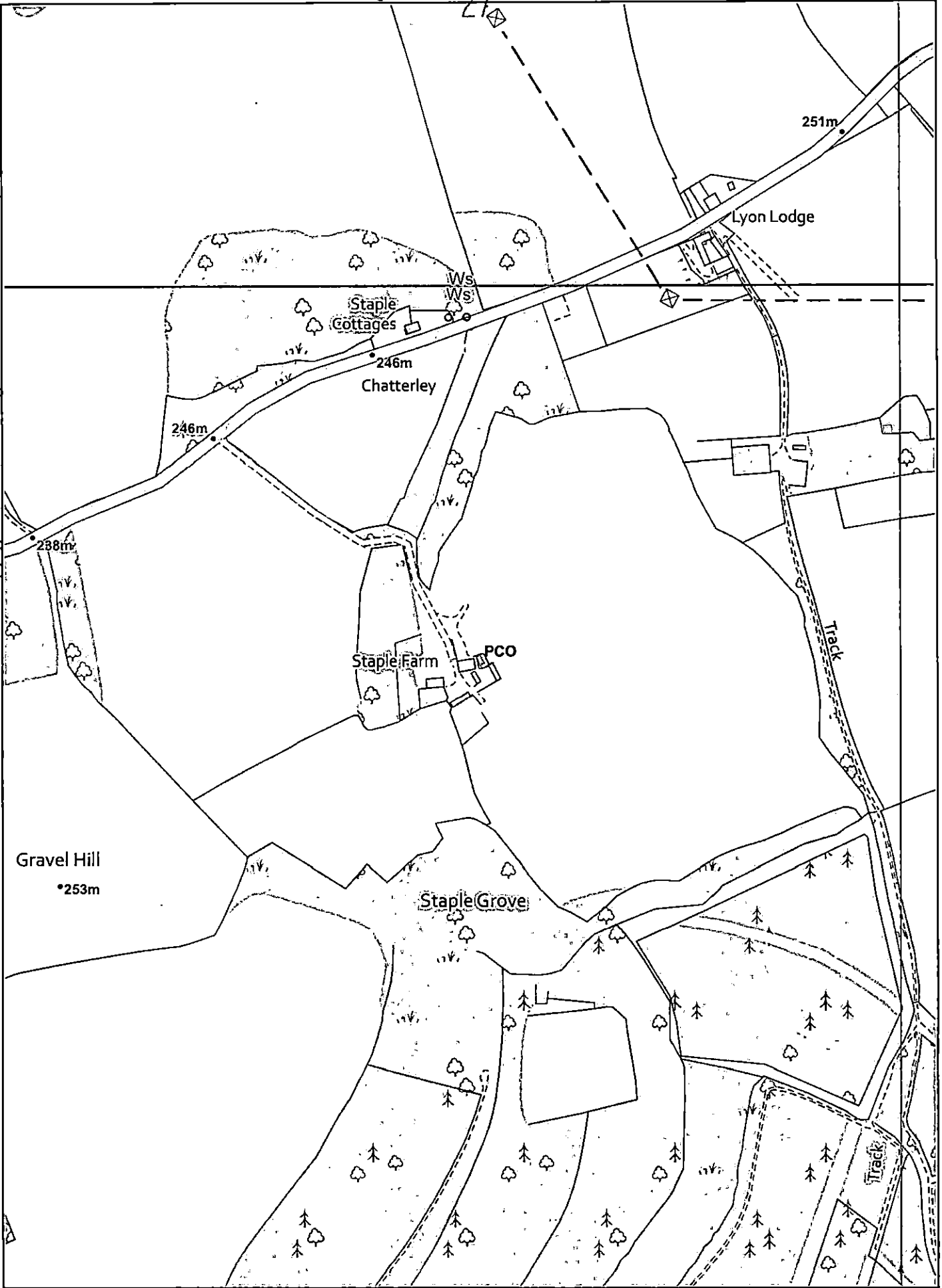
## **9. Conclusion:**

Notwithstanding that there is no objection to a further temporary period for the siting of the mobile home in respect of the setting of the adjacent listed buildings, it is considered that there is no essential need for the year-round temporary siting of the mobile home at Staple Farm in addition to the existing dwelling, contrary to paragraph 79 of the NPPF and Local Plan Policy H5.

The recommendation is for planning permission to be refused, and for delegated authority to commence enforcement action.

## **10. Reason for Refusal:**

The application site is located in an area of open countryside outside a designated Development Boundary. Proposals for new rural workers accommodation in such locations are only permitted where the functional need for such accommodation has been clearly demonstrated. In this instance it has not been demonstrated that the rural enterprise justifies the siting of a residential mobile home on the site in addition to the existing accommodation at Staple Farm. The proposal is therefore contrary to Cotswold District Local Plan Policy H5 and Central Government guidance contained in paragraph 79 of the NPPF.



**STAPLE FARM WITHINGTON**

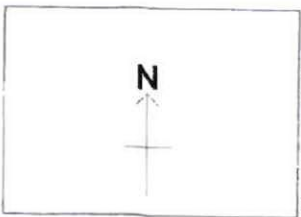
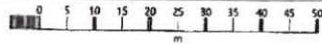
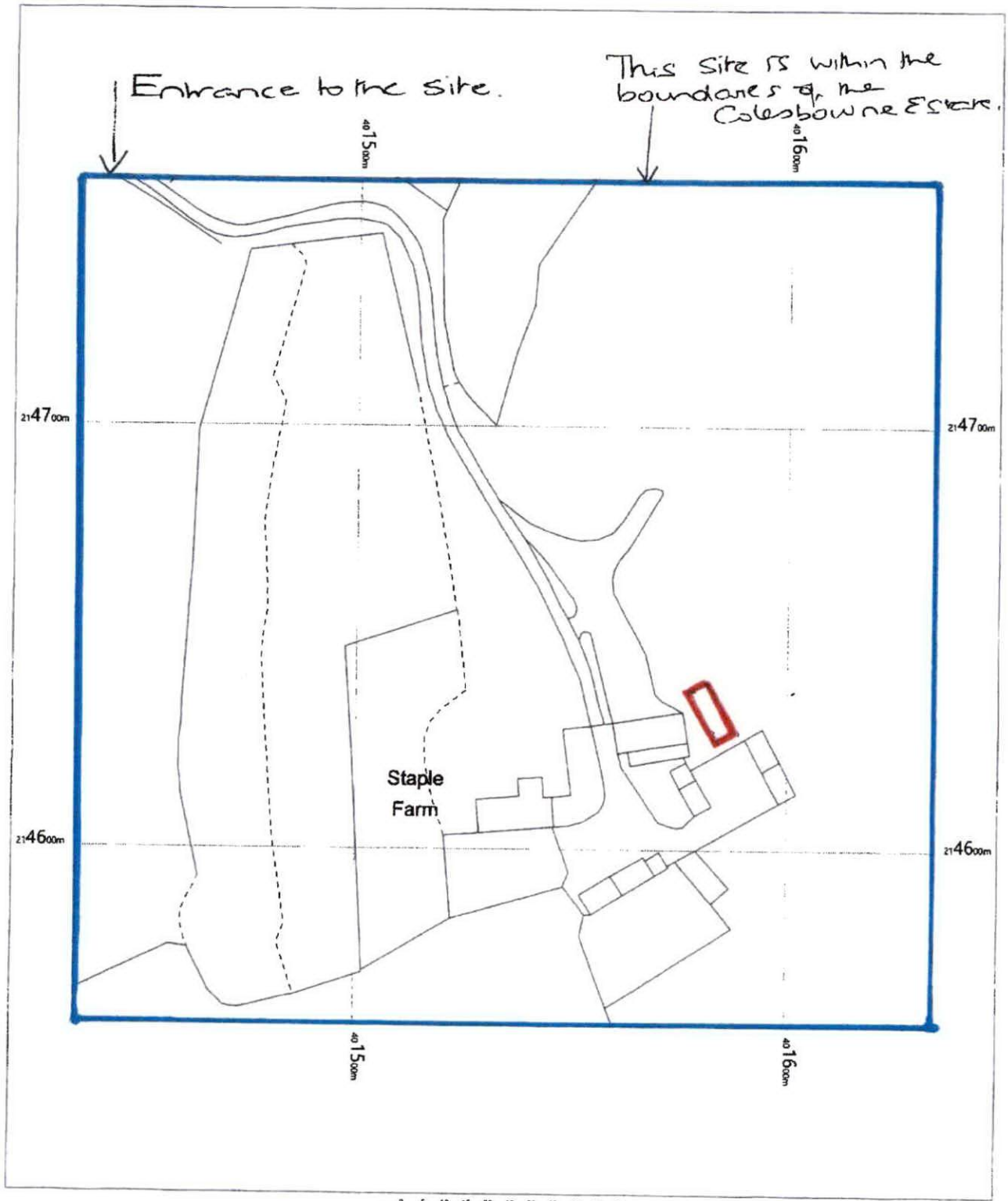
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Organisation: Cotswold District Council

Department:

Date: 28/06/2019





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 www.themapcentre.com

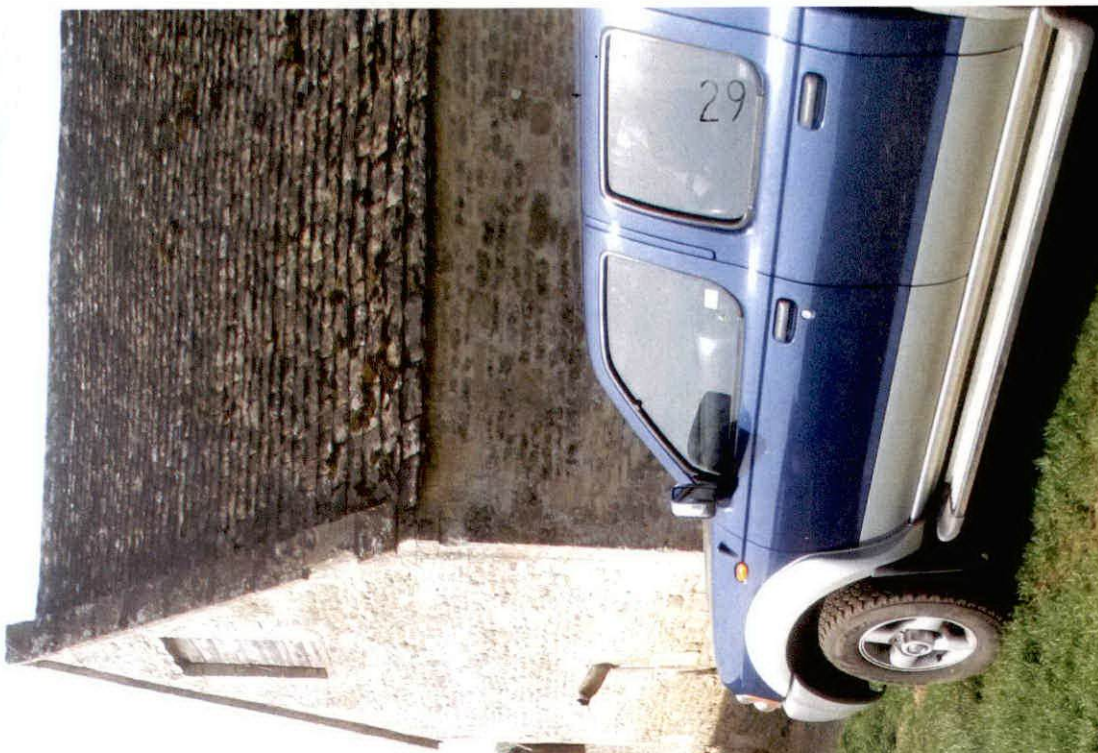
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<b>SITE</b>	Colesbourne Shoot		
<b>CLIENT</b>	M Newell Esq		
<b>NUMBER</b>	KCC2486/01 04/19tk		
<b>DATE</b>	April 2019	<b>SCALE</b>	1:1,250 at A4

KERNON COUNTRYSIDE CONSULTANTS LTD  
 Greenacres Barn, Stoke Common Lane, Purton Stoke, Swindon  
 SN5 4LL Tel 01793 771333 Email: [info@kernon.co.uk](mailto:info@kernon.co.uk)  
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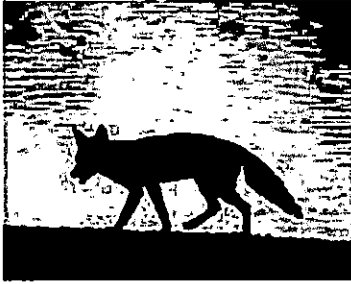
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16/05/2019



# **FOX RURAL**

**PLANNING & LAND MANAGEMENT**

**COTSWOLD DISTRICT COUNCIL**

**RURAL PLANNING APPRAISAL**

**PLANNING APPLICATION FOR  
THE RETENTION OF A MOBILE HOME  
FOR A RURAL WORKER**

**AT**

**STAPLE FARM,**

**WITHINGTON**

**PLANNING REFERENCE: 19/01595/FUL**

## **REFERENCE**

FOX RURAL has been commissioned to undertake a desktop appraisal of an application for the retention of a mobile home for a game keeper at Staple Farm, Withington.

I shall be relying on the submitted documentation and also the last application (17/03045/FUL). Where I make any assumptions, these will be clearly stated.

## **1.0 BACKGROUND**

### **1.01 Location**

Staple Farm is located off a minor road linking Colesbourne and Withington. OS grid reference - SP015146.

### **1.02 Background and History**

Prior to the last application one of the two employed game keepers resided in a mobile home at Staple Farm during the rearing/shooting season, and lived elsewhere during the spring.

I inspected the site and met the applicant on 1<sup>st</sup> November 2017 in connection with a previous application (17/03045/FUL), which was to retain the mobile home until the end of March 2019, for year-round keeper's accommodation, being a month after the end of the shooting lease entered into by the applicant.

The application for the mobile home to be used as year-round accommodation (17/03045/FUL) until the end of March 2019 was permitted on 15<sup>th</sup> February 2018 for ... *“special, temporary needs of the applicant or to enable the Local Planning Authority to give further consideration to the use after the temporary period has expired.”*

The applicant continues to rent Staple Farm house and buildings, plus the shooting rights from the Colesbourne Estate, and runs a commercial shoot on a similar basis to the last time I was there, and hence the desktop approach this time.

The shooting lease has been extended until the end of February 2020 and the applicant is now seeking permission to retain the mobile home through to the end of March 2020.

The application makes the case again that there an essential need for there to be somebody permanently based on site at Staple Farm, in addition to the applicant who lives in the main dwelling.

## **2.0 PRESENT SITUATION**

### **2.01 Ownership and Occupation**

The applicant rents the house and buildings on an Assured Shorthold Tenancy. By a separate arrangement the applicant rents the shooting rights on a lease from the Colesbourne Estate over c2000 acres which expires in February 2020.

## **2.02 The Shoot Enterprise**

The shoot is assumed to be run on a similar basis and scale to how it was during the 2017/18 season.

The shoot puts down c15,000 Pheasants and c8,000 Partridge and runs c25 commercial days. This I understand includes one or two days each season put on for the Estate owner as part of the shoot lease arrangement.

The Pheasant shooting season runs from 1<sup>st</sup> October to 1<sup>st</sup> February whilst the Partridge season runs from 1<sup>st</sup> September to 1<sup>st</sup> February.

The Pheasants arrive as poults (7 weeks old) during June and are placed in the release pens situated around the estate, where they are fed and watered. The pens are walked around each evening, pushing back any birds that have flown out. Eventually the birds will start to distribute themselves throughout the estate, and are then fed with positioned feeders, and also using a mounted spinner driven up the woodland rides and edges.

The Partridge can arrive as early as April as day olds, and are reared through to a more advanced aged bird at Staple Farm, before being put out on the estate closer to the start of the shooting season. This is due to Partridges being more difficult to keep around. There were still some Partridge in the pens at Staple Farm on the day of my visit in November 2017.

Once the birds are out then it is a continuous and often multiple daily routine to keep them on the estate by using a team of dogs and working the estate boundaries and moving the birds back further into the estate. This often referred to as "dogging-in". This will continue right up to the end of the shooting season ie February 1<sup>st</sup>.

All the dogs owned by the applicant and the on-site keeper are kennelled at Staple Farm.

On the shoot days, the beating line, stops and pickers-up, are run by the two keepers, as continuously overseen by Matt Newell, who stays in radio contact, whilst himself accompanying the guns.

### **2.03 Labour**

The applicant, Matt Newell, is the shoot manager, and is employed full time. He is helped with two full time employed keepers.

On shoot days then the applicant employs a team of c 15 beaters and say 4 pickers-up and arranges the catering with help from his wife Hannah.

### **2.04 Dwellings**

The applicant and family live in the rented farmhouse. One of the keepers lives in the nearby village of Colesbourne. In addition, there is the subject mobile home where the second keeper is based

### **2.05 Buildings and equipment**

There is a range of traditional buildings used for storage of equipment, and some converted to kennelling



### **3.0 PROPOSALS**

#### **3.01 Ownership and occupation**

The shooting lease ends at the end of February 2020. There was reference made by the applicant during the last application to the hope of entering into a new 5-year lease. I have not had sight of the Assured Shorthold tenancy for the house.

During the last application there was mention of the applicant taking on another shoot in the locality to run parallel with Colesbourne, however no reference has been made to this in the current application.

#### **3.02 Enterprises**

Previously it had been indicated that the applicant was going to start rearing c10,000 Pheasants from day-olds which would increase the margin on those birds. There is no referral to this in the current application.

#### **3.03 Labour**

Taking on another shoot would have had overall labour implications for the applicant's business. More pertinent would have been the rearing of Pheasants from day olds which would have increased the labour requirement over the summer.

#### **3.04 Dwellings**

As per the previous application the proposal is to keep the mobile home on site for all year-round keeper accommodation.

#### **3.05 Buildings and equipment**

There would be required more rearing housing, penning and equipment if there was to be the rearing of 10,000 Pheasants poults from day olds.

#### 4.0 ESSENTIAL NEED APPRAISAL

Clause 83 of the National Planning Policy Framework (NPPF) states that local planning policies and decisions should enable the development and diversification of agricultural and other land-based rural businesses;

In accordance with Clause 79 of the NPPF, planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more circumstances apply including where:

***“there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside”***

The reference to the essential need for a rural worker..... to live permanently at or near their place of work, originated from clause 10 of PPS7, which went on to recommend that planning authorities should follow the guidance in Annex A to PPS7.

Despite the status of the NPPF, Annex A of PPS7 provided clear criteria to assess the ‘essential need’ for a dwelling. This guidance is tried and trusted and continues to be used by professionals and accepted as a process for assessing essential need by planning inspectors, and one which I continue to use.

Policy H5 of the adopted The Cotswold District Local Plan (2011-2031) largely reflects the guidance that was contained within Annex A and refers to essential need and the importance of demonstrating viability.

This is an established enterprise and so it would seem appropriate to utilise the tests for essential need referred to for permanent dwellings, despite the proposal being for a temporary period.



#### **4.01 Functional Need**

The most frequent reason for a functional need for a rural worker to be permanently based on a site, is so that there is somebody experienced to be able to deal quickly with emergency animal welfare issues that are likely to arise throughout the majority of the year and during the middle of the night. In this case we have to consider responsibility for working dogs and game birds.

From mid- April through to say October there will be Partridge at Staple Farm from day old to poults and older.

There will be particularly vulnerable times eg when the day olds are introduced to the brooders.

Panic caused by noise and predator intrusion can cause birds to bunch up and can cause fatalities.

These are amongst the reasons why having somebody on hand is at the very least reasonably necessary during the rearing period.

The dogs are essential for a successful commercial shoot. Despite good game habitat and regular feeding, without regular daily dogging-in of the boundaries, the overall numbers could drop through loss of birds onto neighbouring land and possible shoots.

Dogging-in takes place from the early Summer right through to the end of the shooting season ie a minimum of 7 months. It is carried out first thing, during the day and towards the end of the day.

It would be unsustainable for the shoot dogs to be kept anywhere but on the shoot during the majority of the year. I understood there to be 16 dogs at Staple Farm on the day of my visit.

The seasonal responsibility for game birds at Staple Farm, and the main use of the shooting dogs for dogging in, together span about 9 months. With February, March and May seemingly being the quieter months when the mending of pens and sorting or rearing equipment would likely take place.

There have also been some incidents with regard security relayed to me that highlight the vulnerability of this business and its remote location. In this particular case I do consider this to be a contributory factor

There would therefore appear to be a need for there to be somebody permanently based actually on site at Staple Farm, which is currently covered by the existence of the farmhouse, from where somebody could deal with any issues that might require swift investigation/action at night for instance.

#### **4.02 Full Time Labour**

If there was a functional need for a second person to be on site then it would equate to a seasonal requirement not a full-time role.

#### **4.03 Establishment and viability**

I am happy that the business is sustainable and likely to remain so as long as the shooting arrangement continues.

#### **4.04 Other Dwellings**

One of the keepers I understand lives in the village of Colesbourne.

There may well be other properties in the locality available for rent that might be suitable.

#### **4.05 Other Essential Need Factors**

Keepers work extremely unsociable hours, and so ideally keepers would live close to the shoot from the time point the birds arrive through to the end of the season.

As a result there is recruitment to factor in, whereby it may be difficult to employ/retain a keeper with these responsibilities, especially during the rearing season and shooting seasons, without being able to offer some form of accommodation within an easy commute of the shoot due to the inevitable early starts and late finishes, which can extend into the night.

If there are no alternatives eg a cottage made available on the Colesbourne Estate, then it would be considered essential to the shoot to be able to offer some accommodation for the 9 months covering the rearing and shooting season.

The mobile home currently on site close to the Partridge rearing area and kennels, is ideally located as seasonal accommodation for a keeper.

The main question to be asked here is whether or not a 9-month seasonal need to provide accommodation within easy access of the shoot (in the absence of any potential alternative arrangements) should translate to permitting that keeper to remain on site all year round. My opinion is that it might be considered reasonable, but not essential.

**5.00 Conclusion**

In accordance with paragraph 55 of the National Planning Policy Framework there is no essential need for there to be a mobile home stationed at Staple Farm for year-round accommodation.

Signed \_\_\_\_\_

**Robert Fox BSc (Hons) MRICS FAAV**

**Date: 17<sup>th</sup> June 2019**

**[www.foxrural.co.uk](http://www.foxrural.co.uk)**

**Item No 03:-**

**19/01115/OUT**

**Land To Rear Of Ashlar,  
Coppers And Wyldlands  
Broad Campden  
Chipping Campden  
Gloucestershire  
GL55 6UR**

**Item No 03:-**

**Erection of 2 no. dwellings and associated works (Outline application with all matters reserved except access) at Land To Rear Of Ashlar, Coppers And Wyldlands Broad Campden Chipping Campden Gloucestershire GL55 6UR**

<b>Outline Application 19/01115/OUT</b>	
<b>Applicant:</b>	Mr & Mrs Yardley
<b>Agent:</b>	Brodie Planning Associates Ltd
<b>Case Officer:</b>	Martin Perks
<b>Ward Member(s):</b>	Councillor Mark Annett Councillor Gina Blomefield
<b>Committee Date:</b>	10th July 2019
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**OFFICER UPDATE:** This application was deferred from the meeting held on the 12th June 2019 in order to enable Committee Members to undertake a site visit to assess the impact of the development on the character and appearance of the AONB and the amenity of the neighbouring property.

**The Officer report presented to the 12th June meeting was as follows:**

**Main Issues:**

- (a) Residential Development in a Non-Principal Settlement
- (b) Affordable Housing
- (c) Impact on Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty
- (d) Access and Highway Safety
- (e) Impact on Residential Amenity
- (f) Impact on Protected Species
- (g) Arboricultural Impact

**Reasons for Referral:**

This application has been referred to Planning and Licensing Committee at the request of Cllr Annet for the following reason:

' I know the neighbour(s) are not happy with this application and Broad Campden has had a quota of new houses, has no amenities and it looks to me that this development is near open countryside which could set a precedent.'

**1. Site Description:**

This application relates to an area of garden land lying to the rear of 3 post war dwellings (Ashlar, Wyldlands and Coppers) located on the north western edge of the village of Broad Campden. The application site measures approximately 0.4 hectares in size and is set back approximately 25-35m to the rear of the aforementioned dwellings. The existing gardens to the rear of Wyldlands and Coppers measure approximately 100m long by 16m wide. The garden to the rear of Ashlar measures approximately 80m long by 30m wide. The existing gardens are largely set to grass and are separated from one another by a mix of post and rail/wire fencing, vegetation and walls. The application site is set back approximately 60m from the main road leading through the centre of Broad Campden which lies to the front (north east) of Ashlar, Coppers and Wyldlands.

The south east (side) boundary of the application site adjoins the rear garden of a detached property (Sharcomb Furlong). The boundary is defined by a mix of hedging and trees. The south western boundary of the site adjoins a group of trees and hedging plants with agricultural fields beyond. The north western boundary of the site adjoins a recently completed residential development of 6 dwellings (Pool Farm Close granted under permission 16/03163/FUL). The site boundary adjoins the south eastern boundary of a dwelling (1 Pool Farm Close). The aforementioned dwelling is located approximately 4m from the site boundary which is defined by a post and rail fence. An area of grassland to the front (north west) of 1 Pool Farm Close is set aside as a wildflower meadow as part of the development granted permission under 16/03163/FUL. The site's boundary with the wildflower meadow measures approximately 35m in length.

The village of Broad Campden is considered to represent a Non-Principal Settlement for the purposes of the Cotswold District Local Plan 2011-2031.

The site is located within the Cotswolds Area of Outstanding Natural Beauty. It is located outside Broad Campden Conservation Area (CA). The boundary of the CA lies approximately 140m to the south east of the site.

The site entrance opens onto a Class C Highway which is subject to a 30mph speed limit.

The site is located within a Flood Zone 1.

A Public Bridleway (HCC35) extends in a north east to south west direction approximately 200-250m to the south east of the site. Public Rights of Way HCC23 and HCC26 are located approximately 260m to the east of the application site.

## **2. Relevant Planning History:**

### *Application Site*

None

### *Ashlar*

CD.2132 Proposed erection of a dwelling house (Outline application). Granted 1957

CD.2132/a Erection of a bungalow. Granted 1958

03/01060/FUL Garage extension on west elevation; erection of porch on north elevation and extension on east elevation. Granted 2003

### *Wyldlands & Coppers*

CD.2692 Outline application for the erection of a dwelling house. Granted 1960

CD.2692/ap Erection of a bungalow and garage. Granted 1961

CD.2962/a Outline application for four houses or bungalows. Refused 1964

CD.2692/b Outline application for one pair of semi-detached houses. Granted 1964

CD.2692/b/ap Pair of semi-bungalows. Granted 1965

### *Coppers*

06/03166/FUL Erection of a garage. Granted 2007

### *Wyldlands*

12/02275/FUL Erection of a two-storey rear extension, a replacement single-storey side extension and a front porch. Granted 2012

*Former swimming pool land to north west*

CD.5179 Use of 2 acres for residential and touring caravan site Refused May 1972  
 CD.5179/A Use of 2 acres of land as a touring caravan site Refused May 1972  
 CD.5179/B Outline application for erection of a toilet block for use in connection with caravan site. Septic tank. Refused May 1972  
 CD.5179/C Outline application for a toilet block for use in connection with swimming pool. Septic tank. Granted November 1972  
 CD.5179/D Use of land as a tourist caravan site for 25 caravans. Refused July 1973  
 CD.5179/E Outline application for a dwelling house Refused February 1975 Dismissed at appeal December 1975  
 16/03163/FUL Construction of 6 dwellings. Granted 2017

**3. Planning Policies:**

NPPF National Planning Policy Framework  
 DS3 Small-scale Res Dev non-Principal Settle  
 EN1 Built, Natural & Historic Environment  
 EN2 Design of Built & Natural Environment  
 EN4 The Wider Natural & Historic Landscape  
 EN5 Cotswold AONB  
 EN7 Trees, Hedgerows & Woodlands  
 EN8 Bio & Geo: Features Habitats & Species  
 INF3 Sustainable Transport  
 INF4 Highway Safety  
 INF5 Parking Provision  
 H1 Housing Mix & Tenure to meet local needs

**4. Observations of Consultees:**

Tree Officer: No objection - views incorporated in report

Biodiversity Officer: No objection -- views incorporated in report

**5. View of Town/Parish Council:**

None received

**6. Other Representations:**

9 objections received.

Main grounds of objection are:

- i) This development will create a precedent to infilling rear gardens in this area of AONB and further applications resulting in ribbon development. There are already sufficient plans approved for new housing with in the area.
- ii) The recent development on the old swimming pool site was allowed through as a 'one-off' and should definitely not be used as an excuse for further development as appears to be the case there.
- iii) The recent development of 10 or 11 houses is sufficient for such a small village.
- iv) If this development is allowed then all that will lie between the (new) building line and the fields behind will be a small copse - making the fields much more vulnerable to possible (major) development.
- v) The development will be seen from the main road through Broad Campden and will give the impression of a much denser residential area, rather than a 'single ribbon' effect.



- vi) The development will encourage a secondary building line to continue across other (current) gardens towards the village's Conservation Area. (As does the disastrous PP granted on the opposite side of the road).
- vii) The development is the start of an 'infill' mentality for Broad Campden - which has blighted many other villages.
- viii) The development in this AONB is neither outstanding, natural nor beautiful.
- ix) Whilst this proposal may be acceptable to the person charged with achieving targets for new homes and those who see an opportunity to benefit from a windfall we would do well to consider the effect of decimating the charms of our treasured Cotswold heritage which are famed throughout the world.
- x) Broad Campden and Chipping Campden are separate conurbations and I foresee a point of no return with regard toward 'in-fill' between Catbrook and Broad Campden. The recent development on the old swimming pool has given the green light to other developments. If this development is passed, what is to stop everyone living on the Campden to Broad Campden road developing their gardens? 10 houses, will double to 20! If you pass this application, you have no right to decline others. I very much doubt the new dwellings would be small houses for the young locals which are desperately required and is forcing them to leave the area.
- xi) I am in my seventies and sold my home to move permanently to a peaceful spot, free of light pollution and free from being overlooked. This is my only home and I only became aware of the planning application 10 days after moving house. I wish to preserve my amenity and privacy in the same way as the applicant and owners of Wyldlands, and Coppers. The proposed new dwelling behind Wyldlands will be 10m from my home yet 60m from Wyldlands. The front garden of 1 Pool Farm Close (my home) is shown incorrectly on the site plan accompanying the planning application; a wild flower meadow forms major part of the land depicted. Therefore, it should be appreciated that there will be a significant loss to my amenity and impact on my privacy which is not accurately reflected on the plan. With this in mind and in view of my other comments the application should be refused.
- xii) It is worryingly close to the conservation area in an attractive village in the AONB. Development along the main road has already had an impact on the quintessential nature of the village and this should not be degraded further.
- xiii) The proposed development would be contiguous with the Pool Farm development and may therefore be a precedent for continuing infill ribbon development, further moving the centre of gravity of the village away from its natural position around the pub and church. Whilst acknowledging the national drive for extra housing I feel that this is a poor location in a sensitive site and therefore oppose the application.
- xiv) If approved, this development is likely to set a precedent for the practice of 'filling-in' rear garden space with buildings becoming acceptable and would lead to for further developments of this kind. These would probably include much larger developments than this one.
- xv) The development would increase the traffic on the Chipping Campden to Broad Campden road, thus increasing the noise level that would impact on many homes adjacent to the road. Furthermore, an increase in the traffic will further increase the risk to pedestrians as the pavement between southern part of Catbrook and Broad Campden is in extremely poor condition. In order to avoid the dangers of tripping on sections of the pavement, some pedestrians appear to find it easier and safer to walk on the road rather than the pavement.
- xvi) I do not believe Pool Farm Close has set a precedence for future applications as it was developed on a plot that had been previously built on and left derelict for many years. This has ultimately improved and enhanced the area. This application, however, is proposing to build on green space/gardens, therefore, impacting on the AONB, which will inevitably have an impact on the wildlife.
- xvii) This development would take away green space in an AONB and would open up the precedent for infilling in other spaces at the rear of properties in Broad Campden and make the main road through the village very busy. Although we are in the new development at Pool Farm this development was built on derelict and previously developed land and therefore has not given precedent for green space to be used.
- xviii) I understood that there were very strict planning regulations to protect the open spaces and limit any impact on the character and appearance of the area. Unsurprisingly therefore, I was shocked to learn of this planning application Page 65 of 169 just 10 days after completing contracts for

the purchase of our home and see that the application was received by the Council on 22 March only 2 days after exchanging contracts on 20 March.

xix) In regard to approval of the Pool Farm Close development the Planning Officer stated that those properties 'have been designed to ensure that the neighbouring amenity would not be impacted upon.' This new proposal will remove the open space and impact upon our amenity and privacy. Planning should therefore be refused

xx) The applicant suggests that the 'recent development at the former swimming pool site..has changed the form of this part of the settlement (as the) development now extends perpendicular to the road...' However, the Pool Farm Close development was built on previously developed land and that site was improved to build homes as stated in the Planning Officer's assessment to 'reflect an agriculture character with blocks arranged in a farm complex.' The result is an enhancement to the landscape with properties built in the vernacular style fitting well into the landscape of Cotswold AONB. The new proposal will result in a change to the landscape, be unsympathetic to the edge of the village settlement, unnecessarily reduce the amenity of greenland garden space and not be in keeping with the linear pattern established by Ashlar, Coppers and Wyldlands and other properties along the road leading to the centre of Broad Campden from Chipping Campden. The development of homes on the old swimming pool site was effectively a 'one off ' on previously developed land. The new proposal therefore does not 'round(s) off this part of the settlement' as suggested on p.20 section 4.22 of the PD&A and the planning application should be refused.

xxi) It should be noted that in regard to the proposed 2 new dwellings that as stated in the Planning, Design & Access Statement p.7 section 2.4 'the properties are set back from Ashlar, Coopers and Wylands, allowing ample amenity space for the existing and proposed dwellings and to prevent overlooking.' However, the distance between the side elevation of my property and the new dwelling is just 10m compared with a distance of 60m between the rear elevation of Wyldlands and the front of the proposed house on plot 2. We will be overlooked and lose our privacy and enjoyment of our amenity.

xxii) The PD&AS p.7 section 2.4 also states that 'the dwellings form a continuation of the building line established by the adjacent development...' The site plan appended to the planning application illustrates the property at plot 2 sited forward of our front elevation/building line. The plan submitted is misleading because it does not show the boundary to our front garden: the greater part of the land in front of 1 Pool Farm Close is a wild flower meadow maintained from contributions from the residents of the Pool Farm development. Our property and the open space across the meadow will be severely affected by the proposal.

xxiii) The landscaping suggested at p.11 sections 2.20 to 2.25 of the PD&AS solely relates to screening the existing properties of Ashlar, Coppers and Wyldlands. However, the open aspect of the grassland and the impact upon the landscape and upon the adjacent 'farmstead' scene with the 'barns' and 'farmhouse' means that the application should be refused to retain the character of the Cotswold AONB.

xxiv) The proposed development does not take account of the landscape setting of the village within the Cotswold ANOB as suggested at p.7 section 2.2 of the PD&AS. The proposal will in fact have the opposite impact and should be refused.

xxv) Pages 8 and 9 section 2.9 of the PD&AS states: 'the site is not readily visible from the Public Right of Way to the south. The principal views of the new development therefore would be from the dwellings immediately adjacent to the site' in particular our property at 1 Pool Farm Close. Indeed, the principal view towards into and onto our house and garden would be from the proposed development and the application should be refused.

xxvi) This proposal will not conserve and enhance the landscape and scenic beauty in an AONB as a requirement in paragraph 172 of the National Planning Policy Framework; in fact if approved the development will have a strong negative impact on the area. That the site already forms residential gardens in my view does not mean that it is not a sensitive site in landscape terms as suggested on p.21 section 4.32 of the PD&AS: there will no longer be an open aspect and the open view towards the thicket on the southern boundary lost forever.

xxvii) The site is within the Cotswold AONB and only 140m from the Broad Campden Conservation Area and the proposal will therefore have an impact on its special character and appearance.

## 7. Applicant's Supporting Information:

Planning Statement  
 Transport Statement  
 Arboricultural Survey, Impact Assessment and Tree Protection Plan  
 Ecological Appraisal

## 8. Officer's Assessment:

### Proposed Development

This application seeks permission for the erection of 2 detached dwellings and associated works. The applicant is seeking to establish the principle of development on the site and is in Outline form. Matters relating to Access form part of this application. However, other matters relating to Landscaping, Layout, Scale and Appearance have been reserved for later detailed approval. The current layout is purely indicative and intended to demonstrate how the site could accommodate the proposed level of development.

Vehicular access to the proposed dwellings will be via a new entrance onto the main road lying to the north east of the application site. The access will be located between existing residential accesses serving Ashlar to the south east and Coppers to the north west. The proposed access drive will measure approximately 5.2m in width and will extend between the side elevations of Ashlar and Coppers. The proposed drive will be located within the existing domestic curtilage of Ashlar. An attached garage lying to the side of Ashlar will be removed to allow for the creation of the drive. The existing garage extension measures approximately 5.5m in width and was granted permission in 2003. The drive measures approximately 60m in length.

### (a) Residential Development in a Non-Principal Settlement

The application site occupies an area of garden land lying to the rear of three residential properties. By virtue of its location on existing garden land and its proximity to existing residential development, the site is considered to be located within the village. The village of Broad Campden is considered to represent a Non-Principal Settlements for the purposes of the Local Plan. New residential development in such locations is primarily covered by the following policy:

#### Policy DS3 Small Scale Residential Development in Non-Principal Settlements

1. In Non-Principal Settlements, small-scale residential development will be permitted provided it:
  - (a) demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;
  - (b) is of a proportionate scale and maintains and enhances sustainable patterns of development;
  - (c) complements the form and character of the settlement;
  - (d) does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period; and
2. Applicants proposing two or more residential units on sites in Non-Principal Settlements should complete a rural housing pro-forma and submit this with the planning application

In addition to the above policy, paragraph 78 of the National Planning Policy Framework (NPPF) states that 'housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

With regard to services and facilities, the village of Broad Campden hosts a public house, village hall and church. There are 3 bus services a day which provide links to Chipping Campden, Moreton-in-Marsh and Stratford-upon-Avon. The village is therefore able to offer a limited range of services and facilities. In addition, the village is also located in close proximity to Chipping

Campden, which is designated as a Principal Settlement in the current Local Plan. The entrance to the site is located approximately 400m by road from Chipping Campden Development Boundary. In terms of walking and cycling, the town's primary school and commercial centre are located approximately 1km and 1.2km respectively from the application site. A dedicated pedestrian footway extends for all but 120m of the route from the site into Chipping Campden commercial centre. A reasonably safe route therefore exists for pedestrians wishing to walk from the village into Chipping Campden. It is also of note that planning permission was granted in 2017 (16/03163/FUL) for the erection of 6 dwellings on land to the north west of the application site (Pool Farm Close). Permission was also granted in 2017 (17/04625/FUL) for the erection of a single dwelling on land to the rear of a detached property called Roydon which is located on the north eastern side of the main road roughly opposite the entrance into the current application site. The village has therefore been deemed to be an appropriate location for small scale residential development in recent times. The erection of 2 dwellings in the village will also help to support existing facilities in both the village and Chipping Campden in accordance with the aspirations of paragraph 78 of the NPPF.

The erection of 2 dwellings is considered to be of a scale proportionate to the settlement which contains in excess of 70 dwellings. The location of the site also means that a range of services and facilities can be accessed by means other than the private motor car. The site does not represent an isolated location in the countryside and it is considered that the proposal will not conflict with criterion b) of Policy DS3 which seeks to maintain and enhance sustainable patterns of development.

The proposed development is located on garden land and adjacent to the recently completed residential development at Pool Farm Close. The development site is not readily visible from public view. Existing development at Pool Farm Close also extends development to the south west of the main road, beyond the existing line of development fronting the aforementioned highway. The Pool Farm Close development has therefore had an effect on the linear form of development that previously characterised the north western part of the settlement. The pattern of development and the form and character of this part of the village has therefore changed as a result. The current proposal will tie in visually with both the Pool Farm Close development and existing dwellings fronting the main road. It is also considered that the 50-55m separation distance between existing roadside dwellings and the proposed dwellings will enable a degree of openness and space to be retained between the existing and proposed developments thereby helping to preserve the low density character of this part of the settlement. It is noted that paragraph 122 of the NPPF states that planning decisions should support development that makes efficient use of land, taking into account 'the desirability of maintaining an area's prevailing character and setting (including residential gardens)'. In this case it is considered that the creation of Pool Farm Close has materially affected the prevailing character and setting of the north western part of the settlement with the result that the existing gardens could be developed without conflicting with criterion c) of Policy DS3 or paragraph 122 of the NPPF.

The introduction of 2 further dwellings, in addition to the 6 dwellings completed recently at Pool Farm Close and the extant permission at Roydon, is considered not to represent a disproportionate increase in the size of the village or to have an adverse cumulative impact on the settlement as a whole or existing infrastructure having regard to criterion d) of Policy DS3.

It is considered that the proposal does not conflict with Local Plan Policy DS3.

### **(b) Affordable Housing**

The proposed development comprises 2 dwellings with a floor area of less than 1000 sq metres. The proposal does not exceed the thresholds set out in Local Plan Policy H2: Affordable Housing which dictate when on-site affordable housing or an off-site financial contribution is required. The proposed development does not therefore conflict with Local Plan Policy H2.

### **(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).

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.'

#### **Policy EN2 Design of the Built and Natural Environment**

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

#### **Policy 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.
- 3.

#### **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.

In terms of national policy, Paragraph 170 of the National Planning Policy Framework (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.'

The application site occupies an area of garden land lying to the rear of three post war dwellings (Ashlar, Coppers and Wyldlands) which front onto the main road leading through the village. The aforementioned dwellings are a mix of 1.5 storey and dormer style properties measuring approximately 7m in height. The site is set back approximately 60m from the road. The site is not readily visible from the road by virtue of the position of the existing roadside dwellings. The site itself is primarily set to grass. The south eastern and south western boundaries of the site are defined by trees and hedgerows with the south western boundary creating a strong landscape buffer between the site and the agricultural fields to the south west. A pond/lake also lies to the south west of the application site and is bordered on all sides by trees and vegetation. The aforementioned landscaping provides further screening of the site from the south west. The existing boundary vegetation creates a strong dividing line between the residential development/gardens forming part of the settlement of Broad Campden and the open countryside to its west and south west. It is considered that the proposed development will lie within the confines of the existing settlement and will not result in an encroachment of residential development into the adjacent agricultural landscape.

The application site has a residential character and appearance by virtue of its existing garden use. The proposed use is of a residential nature and is therefore considered to respect the character of this particular part of the AONB landscape. The proposal is for two dwellings on a 0.4 hectare site. The development is low density in nature and will result in the creation of two dwellings set within spacious plots. The density of development is considered to respond sympathetically to the character of the area.

The submitted indicative layout plan shows the two proposed dwellings set back towards the south western part of the site. The proposed dwellings are orientated and positioned to reflect the layout of the Pool Farm Close development to the north west. There will therefore be a degree of visual interconnectivity between the proposed development and the recently constructed dwellings at Pool Farm Close. The set back position of the proposed dwellings will allow for the retention of garden space to the front of the proposed dwellings. The proposal will not therefore result in the creation of residential buildings along the majority of the boundary with the adjacent paddock/wildflower meadow on the Pool Farm Close development. It is considered that the openness of the wildflower meadow when viewed from Pool Farm Close will not be adversely affected by the proposed development to an unacceptable degree. The set back position of the dwellings is also considered not to have an impact on the 'farmstead' form and layout of the Pool Farm Close development.

With regard to the Pool Farm Close development, the aforementioned site was mainly set to grass prior to the erection of the new housing. Part of the site was used as a public swimming pool and campsite up until the mid 1970s. However, in the subsequent period it reverted to an area of grassland with the original buildings becoming overgrown with vegetation. The site took on the character of a paddock/agricultural pasture. The site did not exhibit a developed character prior to the recent erection of the new housing. The development of the Pool Farm Close site therefore resulted in a discernible change in the character and appearance of the land lying to the north west of the application site. Notwithstanding this change, the Pool Farm Close development is considered not to have an adverse impact on the character or appearance of the AONB. Moreover, the current application seeks to re-develop existing residential garden land and as such is considered to represent less of a change to the AONB landscape than the creation of the Pool Farm Close development.

In terms of medium and longer range views, the site is not readily visible from the Public Bridleway (HCC35) which extends in a north east to south west direction approximately 20-250m to the south east of the site. Existing topography screens the site from view from the aforementioned Right of Way. Public views of the northern part of Broad Campden can be obtained from two Public Rights of Way (HCC23 and HCC26) which extend in a roughly north west to south east direction approximately 260m to the east of the application site. Existing housing lying along the main road screens the site from view. It is also of note that the existing Pool Farm Close is only partly visible from the aforementioned Rights of Way. In addition, the applicant is agreeable to a condition limiting the height of the proposed dwellings to 7m which will

match the height of the existing roadside dwellings. The proposed dwellings will not therefore appear higher than the existing roadside dwellings. It is considered that the site can accommodate development of the type proposed without having an unacceptable impact on the character and appearance of the locality.

Overall, it is considered that the proposal will not have an adverse impact on the character or appearance of the AONB. In addition, the proposal will not result in an encroachment of development into the open countryside or have an adverse impact on the setting of the village within the AONB landscape. It is considered that the proposal accords with Local Plan Policies EN1, EN2, EN4 and EN5 and guidance in paragraphs 170 and 172 of the NPPF.

#### **(d) Access and Highway Safety**

Access to the proposed development will be via a new entrance onto the main road lying to the north east of the application site. The existing road is a Class C Highway which is subject to a 30mph speed limit where it passes through the village. The access will open onto a relatively straight section of road. The requisite visibility of 2.4m by 54m can be achieved in both directions. The access width is also sufficient to accommodate two passing vehicles. The proposed driveway is 5.2m in width and is therefore of sufficient width to accommodate two passing vehicles. The final design of the driveway would be addressed at the Reserved Matters stage should permission be granted. A demarcated footway with a surface which is level with the driveway carriageway could be introduced along the drive similar to that undertaken at the Pool Farm Close development.

The level of traffic generated by 2 dwellings is predicted to be 13 two way movements per day with 3 two way movements in the peak AM and PM periods. The proposal is considered not to result in a significant increase in vehicle movements, or to have an adverse impact on the operation of the local highway network.

The proposed development can provide at least 4 car parking spaces per dwelling which is considered appropriate for the level of development being proposed.

The drive is of sufficient width to accommodate a refuse vehicle should refuse bins not be collected from the site entrance.

Overall, it is considered that the proposed development will not have an adverse impact on highway safety and accords with Local Plan Policies INF4 and INF5.

#### **(e) Impact on Residential Amenity**

The illustrative plans submitted with the application indicate that the proposed dwellings can be provided with a level of outdoor amenity space commensurate with their size. The dwellings can also be positioned so as not to be subject to an unacceptable level of light or privacy. The illustrative layout plan also demonstrates that the dwellings can be positioned sufficiently distant from Wyldlands, Coppers and Ashlar so as not to result in an unacceptable loss of privacy to existing occupiers of the aforementioned dwellings. In addition, the existing dwellings will also retain a sufficient level of garden space proportionate to their size.

The proposed position of Plot 2 is also considered not to have an adverse impact on the light or privacy enjoyed by the occupants of 1 Pool Farm Close.

The proposed driveway will be positioned between the side elevations of Coppers and Ashlar. Vehicle movements arising from the proposed development will therefore increase noise and disturbance to the aforementioned properties. However, in light of the small size of the development and the limited number of vehicle movements generated by the proposal, it is considered that the impact of the development on the occupiers of the dwellings in question will not be unacceptable.

It is considered that the site is of sufficient size to accommodate the proposed level of development without having an adverse impact on residential amenity. The proposal is considered to accord with Local Plan Policy EN2 and guidance in the Cotswold Design Code.

#### **(f) Impact on Protected Species**

The application is accompanied by an Ecological Appraisal which identifies that the majority of the site is covered by amenity grassland, with an area of semi-improved grassland lying to the rear of Wyldlands. The Council's Biodiversity Officer has advised the following:

The Ecological Appraisal report dated May 2019 prepared by All Ecology Ltd is considered to be sufficient. The main findings of the report are as follows:

- Existing hedgerows comprise priority habitat
  - Woodland edge to the southwestern boundary provides good foraging and commuting habitat for bats, dormice and nesting birds
  - Buildings on site are unsuitable for roosting bats and no birds' nests were found.
  - One tree near the southwest boundary with potential for roosting bats
  - Potential for badgers to use the site on occasion (e.g. foraging), but no setts were found
  - Potential for hedgehogs and other small mammals
  - Low risk that reptiles and amphibians may be found (including potential for slow worms)
  - Limited suitable terrestrial/aquatic habitat within the site for great crested newts and reference made to adjacent development site (old swimming pool)
  - Two old birds' nests were found within the hedgerows and trees on site, and others could have been missed within dense vegetation.
- 
- The recommendations for biodiversity mitigation and enhancement include:
  - Retention and enhancement of hedgerows and woodland edge habitat (particularly with regard to dormice)
  - Planting of new hedgerows should be species-rich (at least 6 native tree/shrub species)
  - Use of appropriate seed mixes, trees, shrubs and plants to create other habitats, i.e. native or 'wildlife-friendly' (nectar-rich, berry/fruit-producing, pollinator-friendly, night-scented flowers)
  - More detailed aerial inspection of tree with bat roost potential if identified for removal
  - Procedures for tree works with regard to bats
  - Retention of woodland edge habitat as a dark area for foraging bats (no lighting) and for dormice
  - Replacement hedgerow planting to retain resource for foraging bats, e.g. along northwestern boundary and between the new residential plots
  - Limited use of external lighting
  - Incorporating bat boxes and bird boxes into the new dwellings or other buildings
  - Precautionary measures for woodland works to take account of potential for dormice
  - Precautionary measures for small mammals, birds and badgers
  - Great crested newt survey or precautionary measures (subject to the council's Biodiversity Officer)

I recommend that the above measures should be implemented as a condition of planning consent. A separate condition for a landscaping scheme should also be included and the details of integrated bird and bat boxes will also need to be submitted for approval.

#### *Great crested newts*

With regard to the planning application for the adjacent development site (former swimming pool, ref. 16/03163/FUL), I visited the site and met the ecological consultant to ensure that the potential for great crested newts had been given thorough and adequate consideration. I was satisfied in this case that there was limited potential for this species in the adjacent lake and sub-optimal habitats present within the site. Precautionary site clearance techniques were recommended to



take account of the likely presence of reptiles, which would also constitute reasonable avoidance measures for great crested newts and common toads. I recommended that these precautionary site clearance techniques (i.e. habitat manipulation) were incorporated into a Construction Environmental Management Plan (CEMP), which should be submitted for approval as a condition of planning consent. This condition required a verification report to be submitted by a professional/suitably qualified ecologist to confirm that all the relevant mitigation measures had been implemented to their satisfaction (and this has been submitted). I also recommended that an informative should be attached to planning consent to ensure that the applicant is aware of the legislation protecting newts and what to do in the event that one is found. It would therefore be appropriate for a similar approach to be undertaken in the current development proposal.'

The Council's Biodiversity Officer raises no objection to the application.

It is considered that the proposed development can be undertaken without having an adverse impact on protected species or their habitat in accordance with Local Plan Policy EN8.

#### **(g) Arboricultural Impact**

The application site is bordered by a number of mature and semi-mature trees which will be retained as part of the proposed development. Trees within the site are limited in number and generally of a type found in residential gardens such as cherry, cypress, apple and holly. A crack willow and walnut within the site are shown as being retained.

The Council's Tree Officer has assessed the proposal and states

'Several trees are shown to be removed but these are garden ornamental trees of little amenity value to the public. They cannot easily be seen from any public places. One walnut shown to be retained has a new driveway close by and reference in the tree report indicates that the surface will be constructed in a manner that minimizes harm to the tree. No objection subject to a condition requiring a full arboricultural method statement and tree protection plan to be submitted with any detailed application.'

It is considered that the proposed development accords with Local Plan Policy EN7.

#### **9. Conclusion:**

Overall, it is considered that the proposed scheme accords with Local Plan Policy DS3 which is supportive of the creation of small scale residential development in villages such as Broad Campden. The proposed development, by virtue of its location on garden land, its proximity to existing dwellings and boundary vegetation is considered not to have an adverse impact on the character or appearance of the settlement or the Cotswolds AONB. It is also considered that the site can accommodate the proposed level of development without having an unacceptable adverse impact on residential amenity, protected species or trees. The development can also be provided with a satisfactory means of access. It is therefore recommended that the application is granted permission.

#### **10. Proposed conditions:**

Application for the approval of the reserved matters shall be made to the Local Planning Authority by three years from the date of this decision notice.

**Reason:** To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

The development shall be started by 2 years from the date that the last of the reserved matters is approved.

**Reason:** To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended)

The development shall not be started before approval of the details relating to Appearance, Layout, Landscaping and Scale have been given in writing by the Local Planning Authority.

**Reason:** These are "reserved matters" and were listed in the application for later approval. This is only an outline planning permission and these matters require further consideration by the Local Planning Authority. This condition is imposed to comply with the requirements of the Town and Country Planning Act 1990 as amended.

This decision relates to the land outlined in red on drawing 18.042-100 and the access details shown on drawing CTP-18-463 SK01 B

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

Prior to the commencement of development, an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to, and agreed in writing by, the Local Planning Authority. The AMS and TPP shall fully accord with the guidance in BS 5837:2012 'Trees in relation to design, demolition and construction. Recommendations' and shall include details of:

- i) Defined root protection areas of all retained trees
- ii) The timing of all tree protection measures
- iii) Details of proposed finished ground levels and any retaining structures within the defined root protection areas of all retained trees
- iv) Details of tree protection fencing and excluded activities
- v) Details of temporary ground protection measures where access and working space is needed outside the tree protection fencing but within the root protection area of any tree
- o Details of any underground services within the root protection areas of any retained trees and how they will be installed.
- vi) Details of method of construction of any surface which is to be of a 'no dig' construction method, in accordance with the current industry best practice.
- vii) Details of how the tree protection measures will be monitored by the site manager

**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 any on site works could have implications for the well-being of trees on the application site.

No works shall commence on site (other than those required by this condition) until the proposed vehicular access has been provided fully in accordance with drawing no. CTP-18-463 SK01 B with the first 10m of the access road surfaced in a bound material unless an alternative surfacing treatment is first agreed in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety in accordance with Local Plan Policy INF4 and Section 9 of the National Planning Policy Framework.

The ridgelines of the dwellings hereby permitted shall not exceed 7m above existing ground level.

**Reason:** In order to ensure that the dwellings hereby approved are of a height that is consistent with existing dwellings fronting onto the main road thereby ensuring the development responds in a sympathetic manner to the character and appearance of the area in accordance with Local Plan Policies EN2, EN4 and EN5.

The development shall be completed in accordance with the recommendations in Section 4 of the Ecological Appraisal report dated May 2019 (8th May 2019) 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.

**Reason:** To ensure that bats, dormouse, amphibians, reptiles, badgers, hedgehogs and nesting birds are protected in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Policy EN8 of the Cotswold District Local Plan 2011-2031, Circular 06/2005, paragraphs 170 and 175 of the National Planning Policy Framework and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Before any vegetation clearance works are carried out, a Construction Environmental Management Plan - Biodiversity (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include, but not necessarily be limited to, the following:

- i. Risk assessment of potentially damaging construction activities;
- ii. Identification of 'biodiversity protection zones';
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including precautionary site clearance for great crested newts and common toads (e.g. habitat manipulation techniques);
- iv. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- v. The times during construction when specialists ecologists need to be present on site to oversee works;
- vi. Responsible persons and lines of communication;
- vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
- viii. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
- ix. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

**Reason:** To ensure that hedgerows, trees, woodland edge, great crested newts, common toads, badgers, hedgehogs and nesting birds are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Policy EN8 of the Cotswold District Local Plan 2011-2031, Circular 06/2005, paragraphs 170 and 175 of the National Planning Policy and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Prior to the first occupation of the development hereby approved, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall 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 / that light spillage into wildlife corridors will be minimised as much as possible.

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

**Reason:** To protect foraging/commuting bats, dormice and great crested newts in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Policy EN8 of the Cotswold District Local Plan 2011-2031, paragraphs 170 and 175 of the National Planning Policy Framework, Circular 06/2005 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006

**Informatives:**

Works to the public highway will require the separate agreement of Gloucestershire County Council (devcoord@gloucestershire.gov.uk).

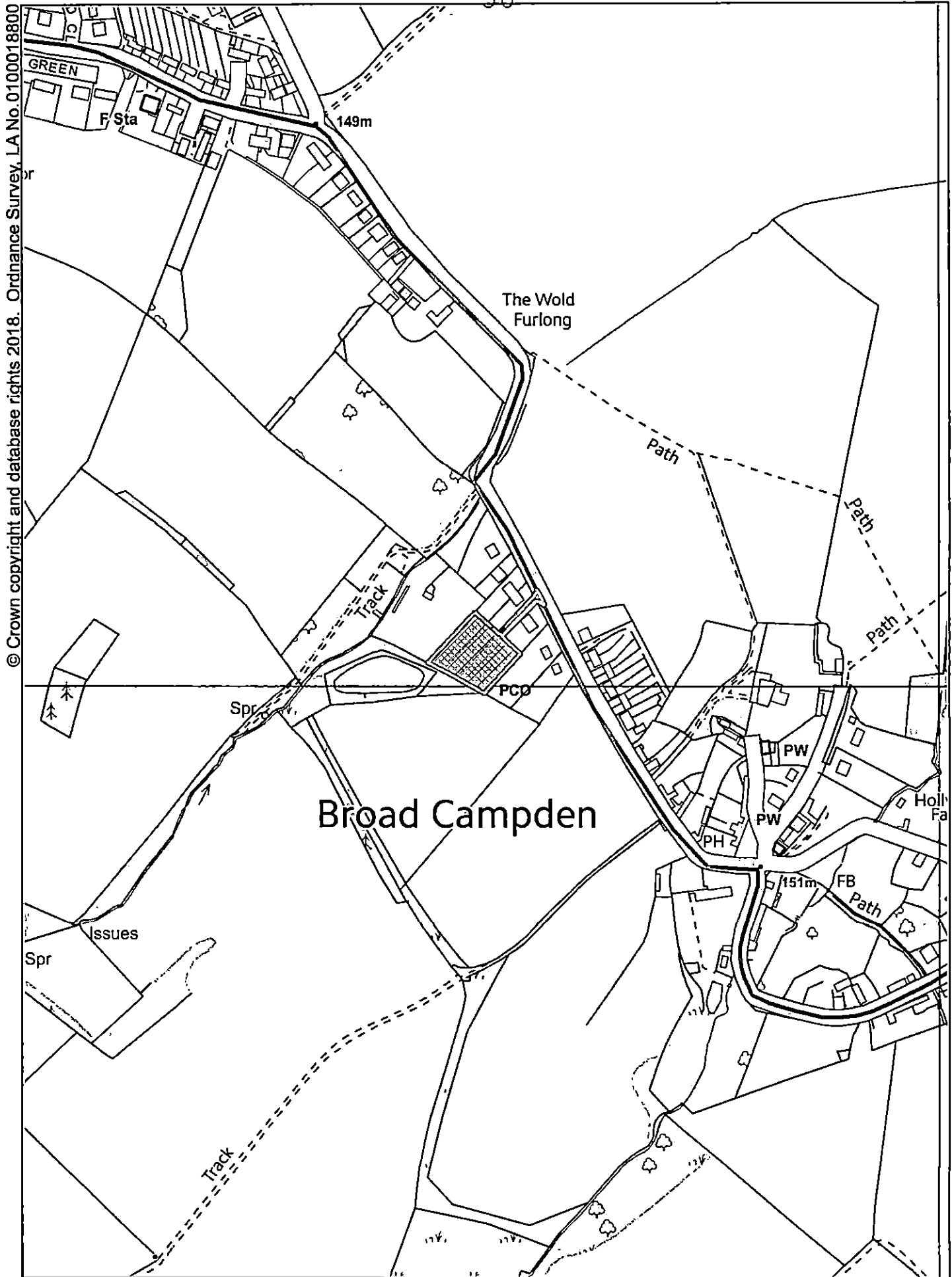
Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017, or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.

The Great crested newt is protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if great crested newts are discovered, all works should stop immediately and a professional ecologist should be contacted for advice on any special precautions before continuing, as a derogation licence may be required from Natural England.

There is a low risk that reptiles could occur on the application site. All reptiles are legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and planning permission does not provide a defence against prosecution. If these species are found during the works, the applicant is advised to stop work and follow the advice of a professional ecologist to inform necessary mitigation and/or compensation measures.

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage and destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, hedgerows, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and 31st August. Hedgerows, trees and scrub are present on the application site and should be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

For more information on hedgehog gaps/holes in fences and walls, please visit <https://www.hedgehogstreet.org/help-hedgehogs/link-your-garden/>



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**LAND TO REAR OF ASHLAR, COPPERS & WYLDLANDS BROAD CAMPDEN**

Organisation: Cotswold District Council

Department:

Date: 28/06/2019

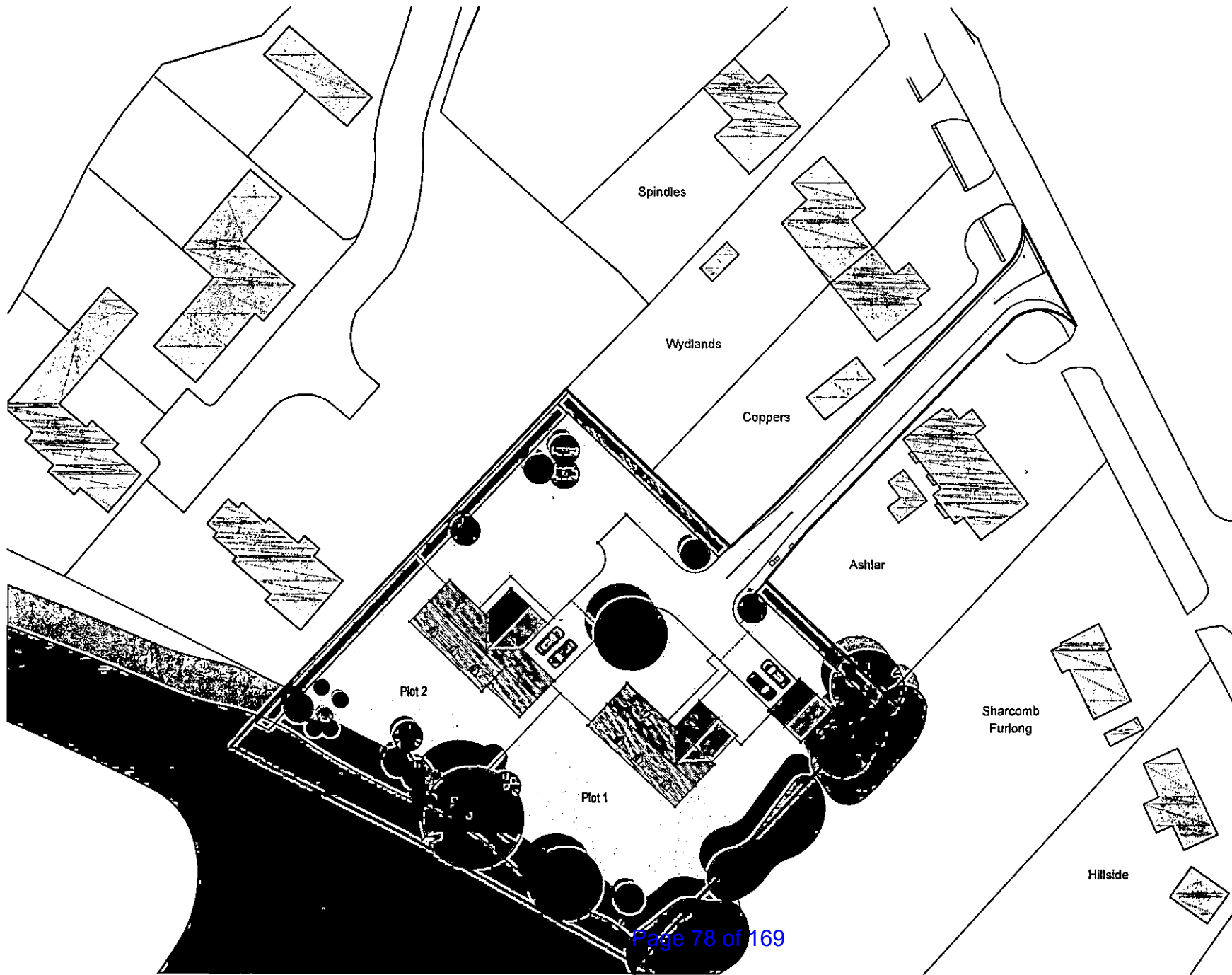
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**COTSWOLD**  
DISTRICT COUNCIL



rev	date	description
1		



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**BP A.** brodie  
planning  
associates

contact: Stable Ore, Manor Farm, Courtyard, Southam Lane, Southam, Chichester, GL52 3PB  
tel: 01242 820368  
email: info@brodieplanning.co.uk  
web: www.brodieplanning.co.uk

client: Mr & Mrs Yardley  
ref: 18.042

project description: Residential Development

location: Ashlar, Coppers and Wydlands, Broad Campden, Chipping Campden, GL55 6UR

title: Site Layout

drawing number	scale	date
18.042-200	1:500 @ A3	March '19

status	revision
<b>PLANNING</b>	Ø

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19/10/19 5/10/20

**Item No 04:-**

**19/01706/FUL**

**Land West Of Brans Cottage  
Brans Lane  
Upper Oddington  
Gloucestershire  
GL56 0XQ**

**Item No 04:-****Erection of a single dwelling and associated works (resubmission) at Land West Of Brans Cottage Brans Lane Upper Oddington Gloucestershire GL56 0XQ**

<b>Full Application 19/01706/FUL</b>	
<b>Applicant:</b>	The DMD Group
<b>Agent:</b>	The DMD Group
<b>Case Officer:</b>	Martin Perks
<b>Ward Member(s):</b>	Councillor Julian Beale
<b>Committee Date:</b>	10th July 2019
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**Main Issues:**

- (a) Residential Development in a Non-Principal Settlement
- (b) Design and Impact on Oddington Conservation Area
- (c) Impact on the Cotswolds Area of Outstanding Natural Beauty
- (d) Impact on Residential Amenity
- (e) Access and Highway Safety
- (f) Impact on Protected Species
- (g) Flooding and Drainage

**Reasons for Referral:**

This application has been referred to Planning and Licensing Committee at the request of Cllr Beale who has concerns about the design of the proposed building and its impact on the AONB and the Oddington Conservation area.

**1. Site Description:**

This application relates to an area of agricultural land measuring approximately 0.48 hectares in size located on the northern edge of the village of Upper Oddington. The site comprises an area of rough grassland measuring approximately 0.32 hectares in size and the southern part of an adjacent field lying to its north. The latter part of the site measures approximately 0.16 hectares in area. The main body of the site is bordered to the south by a post war bungalow (Woodhall) and its garden, to the west by the rear gardens of post war dwellings (Embrook) and to the east by a lane (Brans Lane) and the garden area of a detached stone dwelling (Brans Cottage). The northern edge of the main body of the site is defined by a line of trees/ hedging and a stream. The northern part of the site, which is located in an adjacent field, is linear in shape. It extends in an east-west direction from the site to a single carriageway lane approximately 45m to the west. The southern boundary of this part of the site is defined by vegetation and a stream. The northern and eastern boundaries of the site are currently open and form part of a larger agricultural field which measures approximately 2.1 hectares in size. The field is occupied by a number of polytunnels.

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

The main body of the site, in which the proposed dwelling is to be located, falls within Oddington Conservation Area (CA). The northern part of the site containing the proposed driveway and entrance are located outside the CA. The boundary of the CA extends along the northern and western boundaries of the main body of the application site.



The site is located within a Flood Zone 1 as designated by the Environment Agency. A brook runs in an east-west direction along the northern edge of the main body of the site.

A Public Right of Way (HOD9) runs adjacent to the eastern boundary of the site. It runs along Brans Lane and through the garden of Bran's Cottage.

## **2. Relevant Planning History:**

CD.4998 Outline application for a dwelling. Refused 1971

CD.4998/A Outline application for residential development. Construction of a new vehicular and pedestrian access. Refused 1987

CD.4998/C Erection of 5 dwellings with garages. Continuation of existing estate road. Refused 1989

CD.4998/E Erection of 5 dwellings and garages, access, drive and associated site works. Dismissed at appeal 1991

18/04983/FUL Erection of a single dwelling and associated works. Refused 2019

## **3. Planning Policies:**

NPPF National Planning Policy Framework  
 DS3 Small-scale Res Dev non-Principal Settle  
 EN1 Built, Natural & Historic Environment  
 EN2 Design of Built & Natural Environment  
 EN4 The Wider Natural & Historic Landscape  
 EN5 Cotswold AONB  
 EN8 Bio & Geo: Features Habitats & Species  
 EN10 HE: Designated Heritage Assets  
 EN11 HE: DHA - Conservation Areas  
 H1 Housing Mix & Tenure to meet local needs  
 INF3 Sustainable Transport  
 INF4 Highway Safety  
 INF5 Parking Provision

## **4. Observations of Consultees:**

Conservation Officer: Comments in main report

## **5. View of Town/Parish Council:**

'The Council objects to this application. It is noted that the site is classed as agricultural land and the Council considers that if approval were to be given it could set a precedent for the development of other parcels of agricultural land. The proposed design and the materials to be used do not meet the criteria set out in DS3 of the Local Plan 2011-3031 in that the proposed dwelling does not complement the form or the character of the village. The access to the site, on a blind bend, is dangerous.'

## **6. Other Representations:**

6 letters of objection and 8 letters of support received from third parties.

Main grounds of objection are:

i) This is an inappropriate change of use from agricultural to domestic use. Agreement to this would set a potential precedent for the future development for any green field site or

agricultural land in the village to be converted to housing, despite the local plan not calling for any additional housing in Oddington. Agreement would risk further applications on the northern edge of the site for more housing. Having seen the plan for the proposed building, I also believe that it is completely inappropriate for the site, and be a blot in the landscape. In conclusion, these proposed developments highlight the risk of development creep and precedent with respect to any green field site or existing building being converted into domestic accommodation.

ii) The original application was rightly rejected by the council as 'the proposed development by virtue of its modern design, the use of unsympathetic materials, and the loss of an area of open space, fails to respond in a sympathetic manner to its surroundings to the detriment of the character and appearance of a conservation area and contrary to local plan policies.....'. The new application may use more sympathetic materials but the other points made in the earlier rejection still hold.

iii) The modern design is unsympathetic to the surroundings and to the detriment of the character and appearance of the conservation area.

iv) The application results in the loss of an open space, conversion of agricultural land, and sets the precedent for future development of green field sites in the village, despite the local not calling for additional housing in the Oddington conservation area.

v) The new access point to the main road is on a dangerous corner and as such represents a hazard for traffic.

vi) The site is Agricultural. It is entirely misleading to call it "wasteland" or having the appearance of wasteland. In late 2018 the owner cultivated the land adjoining this but left the designated site to grow wild (not unattractively).

vii) The site is designated Open Space and Agricultural and if approved this would set a dangerous precedent in the village.

viii) The access off Back Lane is an agricultural access through a field gate - the stone track is a very recent addition.

ix) A pedestrian access is suggested from Brans Lane. The opening where this is proposed is a recent development. Brans Lane is an unadopted highway and changes will require the consent of the owners of property in Brans Lane and those legally maintaining the lane.

x) The site is in the Conservation area. A footpath extends from the top of Brans Lane through the garden of Brans Cottage and across the agricultural field to the A424. The development would be visible the whole length of the footpath and represent a fundamental change in the views with the conservation area.

xi) The landscaping would have to be with mature trees to a height of 4 metres.

xii) I feel that this house design is not in keeping with the identity of the village.

xiii) This application was very recently and rightly refused by the Council. It comes as a surprise to the community that another application has been made for what is in all intents and purpose, the same development. The application has minor amendments, and the change of some of the construction materials to what the applicant (but not many others) considers to be more sympathetic does not differentiate this application, in order to merit further consideration. This application should be strongly rejected, again, and once and for all. Our lead objections are, as set out in our previous objection, and so I do not propose to set them out in full again here. Our primary objections are in line with the other objections submitted to the Council to date, being that the land is agricultural land and open space and we have concerns regarding the design and the impact on the village, including our own property.

xiv) It is key to note that No 3 Embrook rented this land for a lengthy period of time (until 2 or so years ago) to graze their horses on and, at that time, the land was very pleasantly maintained with short grass and provided such a classic and bucolic village open space. Given the small size of the village green in Oddington, all such complementary spaces should be maintained. Such use as grazing or use for farming could easily be maintained without permitting the construction of a modern out of character residential 'landscaper'.

xv) The site is designated Open Space and Agricultural and if approved this would set a dangerous precedent in the village and surrounding villages, impacting on the bucolic nature of the North Cotswolds. The points in 1. above hold equally applicable here and the application would result in a loss of open space. Great care should be taken to ensure no further planning creep in the South of the site bordering Woodhall.

xvi) The site is in the Conservation area. A footpath extends from the top of Brans Lane through the garden of Brans Cottage and across the agricultural field to the A424. The

development would be visible the whole length of the footpath and represent a fundamental change in the views with the conservation area.

xvii) The modern design is unsympathetic to the surroundings and to the detriment of the character and appearance of the Conservation area. The proposed design and the materials to be used do not meet the criteria set out in DS3 of the Local Plan 2011-3031 in that the proposed dwelling does not complement the form or the character of the village. The access to the site, on a blind bend, is dangerous.

xviii) The access off Back Lane is an agricultural access through a field gate on a blind bend - the stone track is a very recent addition, contemporaneous with the planning application for the proposed developments. The access is also dangerous and represents a hazard for vehicular traffic, cyclists and pedestrians.

xix) A pedestrian access is suggested from Brans Lane. The opening where this is proposed is a recent development. Brans Lane is an unadopted highway and changes will require the consent of the owners of property in Brans Lane and those legally maintaining the lane. I can also see this being used as planning creep for future development, either by means of a vehicular access for this property or for access for an additional property.

xx) The landscaping by way of mature tall trees along our boundary materially affects our property, the right to light, peaceful enjoyment and views. Given that this is a resubmitted planning application, the change of building materials does not reduce the impact that a building of this design will have on the locality. The land is Agricultural. If this development were allowed it could set a precedent for future developments on agricultural land within the village.

xxi) The access at present is via an agricultural gate. This access is considered to be potentially dangerous with limited visibility.

Main grounds of support are:

i) Even though I accept that I am an architectural layman, I believe that this development will add significantly to the 'architectural capital' of the village. This is because it is different but in an entirely relevant way. The design takes advantage of many of the advances in building design, techniques and materials to create the sort of dwelling that people want and expect in the 21st century. Compared to the dark and cramped spaces of many traditional Cotswold cottages, people want large, naturally well-lit spaces in which to live. In my opinion this design achieves this whilst being low enough, compared to a traditional house, and discrete enough in its location, to not interfere with those who want to see traditional Cotswold architecture.

ii) The change in the materials used, especially the incorporation of more Cotswold stone, clearly helps acknowledge its setting without becoming the 'pastiche' of other current developments in the village and whilst retaining the aesthetic impact of the original.

iii) At the moment our house in Lower Oddington is being re-developed and I can see parallels with this proposal. Our house is built almost entirely of brick making it different to almost every other house in the village. Previous owners have tried to disguise this difference by rendering the facade and painting the render presumably to try to make it blend in with the other housing in the village. What has been interesting is that the planners/ conservation officer have required the removal of this render and paint in order to 'celebrate' the difference of the original brickwork. As English Heritage have explained, brick would have been a much more expensive material to use compared to Cotswold stone when the house was built. But the builder appreciated that brick had advantages that provided benefits to the occupants as well as adding to the architectural diversity and architectural capital of the village in the same way that I feel this proposal in Brans Lane will do. For these reasons I support this proposal.

iv) We are happy to support this proposal and believe that the entire project will add value to the village. We believe the building materials harmonise well with the surrounding area and see no problem with Cotswold concrete or Cotswold stone panels.

v) We think the landscaping, which is clearly an integral part of the project, will improve the local ecosystem and the aesthetics. We would simply ask that any external lighting of the house and driveway is subtle and understated, to avoid excess light pollution. The DMD Group has a track record of thoughtful and sensitive design and we are reassured that they are overseeing this development.

- vi) I believe the building will add to the village, it will be an interesting and eye catching house and great care has been taken to minimise the impact on neighbours and the overall look of the village.
- vii) This is an elegant design which should sit comfortably alongside the other contemporary and traditional buildings in the village.
- viii) I am writing in support of this application - which makes good use of this site in the village. It was disappointing to hear the initial scheme was not approved, especially when it had the support of the planning officers. I would much prefer to see this well thought out and considerate design being built rather than another poor imitation of a traditional 18th Century house. I found the heritage statement to be useful and would agree that the design would bring some much needed Architectural Interest to this part of the conservation area. These proposals by The DMD group are clearly of a high quality.
- ix) We consider this new contemporary build fits within the location aided by suitable landscaping.
- x) This is an ideal site for a new home. It sits nicely between the cottages in Brans Lane and the much larger houses in Embrook. Having lived in the village for over 45 years this site has always been considered to be just rough wasteland. I am pleased to see this piece of unused land finally being put to good use. There are no issues for consideration as far as safety on the entrance is concerned as the entrance is visible from both directions.
- xi) This site is ideal for small scale development of this type, it provides a good garden space commensurate with the size and nature of the proposed dwelling. It is making good use of what is basically messy and unsightly wasteland, and has been referred to as such over many years.(Embrook, was built on the first part of this waste ground quite a few years ago, which at the time caused similar controversy and fears). I do not think having one dwelling on the remainder of the site should cause any future issues. There is certainly no loss of amenity.
- xii) There is already precedent set for modern building design in Upper Oddington, which have previously been approved and were not considered by planning committee to cause any visual harm to the ANOB, this proposed dwelling is no different, if fact it is much less visible from the road. It is welcomed that the proposal has been amended to consider the traditional Cotswold stone colour palette.
- xiii) The proposal offers a good amount of reassurance as far as landscaping and lighting is concerned, and shows consideration has been given to its impact on wildlife and neighbouring properties.
- xiv) Access to the new dwelling is perfectly acceptable, as you can clearly see both ways from the proposed entrance, and vehicles using the road have equal visibility. I am therefore supporting this proposal. I believe that there is good amount of local support in the village for this proposal.

## **7. Applicant's Supporting Information:**

Design and Planning Statement  
 Ecological Appraisal  
 Reptile Survey  
 Drainage Strategy  
 Planning Statement  
 Heritage Statement  
 Landscape and Visual Impact Assessment

## **8. Officer's Assessment:**

### **Background and Proposed Development**

This application is a re-submission of an application (18/04983/FUL) refused by Members of Planning and Licensing Committee at the meeting held on the 10th April 2019. The application was refused for the following reason:

*The application site is located within Oddington Conservation Area wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. The proposed development, by virtue of its*

*modern design, the use of unsympathetic materials and the loss of an area of open space, fails to respond in a sympathetic manner to its surroundings to the detriment of the character and appearance of the conservation area and contrary to Local Plan Policies EN2, EN10 and EN11 and guidance contained in Sections 12 and 16 of the National Planning Policy Framework.*

In response to Members concerns about the use of a 'Cotswold Concrete' as a walling material, the applicant has amended the scheme so that the proposed external walls will now be constructed in ashlar natural stone.

This application is seeking permission for the erection of a 4 bed detached dwelling and associated works. The proposed dwelling is of a contemporary design and has a roughly L-shaped footprint. It consists of a linear range containing bedrooms, bathrooms, office accommodation and central corridor. To its side (east) it is proposed to create a flat roofed building containing a kitchen, dining room and living room. The linear bedroom range will measure approximately 26.5m long by 7.8m wide by 6m high. The kitchen/living room building will measure approximately 10.5m long by 8.5m by 4.8m high. The kitchen/living room building will be cantilevered over a proposed parking area which will be set down approximately 1.2m below existing ground level.

The western elevation of the building will be located approximately 4m from the western boundary of the application site. The southern elevation will be located approximately 34m from the site's boundary with Woodhall to the south. The area to the south of the proposed dwelling is intended to become a garden area. The easternmost part of the proposed dwelling is located approximately 5-6m from the garden boundary of Brans Cottage. The northernmost part of the dwelling is located approximately 14m from the hedgerow/stream that extends along the northern edge of the main body of the site.

The external walls of the proposed dwelling will be constructed in ashlar natural stone.

The proposed development seeks to include a water sourced heat pump, electric vehicle charging points and grey water harvesting system. The applicant states that 'by utilising the existing natural energy stored in the stream we can produce a sustainable heating system which would provide 100% of the proposed dwellings heating and hot water requirements.'

Vehicular access to the proposed development will be via an existing field entrance located on the eastern side of a single carriageway metalled road lying to the west of the application site. The aforementioned road links the A436 to the north with the main road through the village to the south. An existing rough surfaced track extends from the field entrance to a position in close proximity to the entrance into the main body of the site.

#### **(a) Residential Development in a Non-Principal Settlement**

The main body of the application site occupies an area of land which is bordered on three sides by residential development. The proposed dwelling will be located on the aforementioned part of the site. By virtue of its proximity to, and its position in between existing development, the site is considered to be located within the village.

The village of Upper Oddington, together with the adjoining village of Lower Oddington, are considered to represent Non-Principal Settlements for the purposes of the Local Plan. Development in such locations is primarily covered by the following policy:

#### **Policy DS3 Small Scale Residential Development in Non-Principal Settlements**

1. In Non-Principal Settlements, small-scale residential development will be permitted provided it:
  - (a) demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally.
  - (b) is of a proportionate scale and maintains and enhances sustainable patterns of development;
  - (c) complements the form and character of the settlement;

(d) does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period; and

2. Applicants proposing two or more residential units on sites in Non-Principal Settlements should complete a rural housing pro-forma and submit this with the planning application

In addition, to the above policy, paragraph 78 of the National Planning Policy Framework (NPPF) states that 'housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

In the context of Policy DS3, the proposal is for the erection of a single dwelling and is therefore considered to represent small scale residential development. The proposal will provide additional living accommodation which has the potential to assist services and facilities in the village and in nearby settlements such as Stow-on-the-Wold as supported by paragraph 78 of the NPPF.

The proposed dwelling is modest in scale, is located adjacent to existing residential development and is within walking distance of bus stops. It is considered to be of a proportionate scale and, in the context of the village, also considered to maintain sustainable patterns of development. The proposal will not have an adverse cumulative impact on the settlement in light of the number of dwellings approved in Oddington in the Local Plan period. The Council's Residential Land Monitoring Statistics April 2019 state that there have been 2 completions in the parish since 2011 and that there were 3 outstanding commitments as of April 2018 (one of which is a replacement dwelling). Permission therefore exists, or has been granted, for a limited number of residential units in the Local Plan period. The proposal is therefore considered to accord with Local Plan Policy DS3 in respect of criteria 1 a, b and d. Criterion 1 c will be assessed in the following sections of this report.

It is noted that applications have been submitted in 2019 for the creation of 3 further dwellings in the settlement (19/00457/FUL Fox Furlong, 19/00501/FUL Robins Meet and 19/01288/FUL Brae Croft). At the time of writing this report, the application at Fox Furlong was pending a decision, the application at Robins Meet has been approved and the application at Brae Croft has been refused. It is of note that the application permitted at Robins Meet is for a replacement dwelling rather than a net increase in dwelling numbers. It is considered that the erection of the dwelling now proposed would not have an adverse cumulative impact on the settlement in the context of the settlement as a whole and the size and nature of the dwellings being proposed.

### **(b) Design and Impact on Oddington Conservation Area**

The proposed dwelling is located within Oddington Conservation Area.

With respect to any buildings or other land in a conservation area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Considerable weight and importance must be given to the aforementioned legislation.

The following Local Plan policies are considered 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 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 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.'

Local Plan Policy EN11 Designated Heritage Assets - Conservation Areas states:

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

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

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

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.'

With regard to design, paragraph 124 of the NPPF states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The application site is referred to in the Oddington Conservation Area Statement (June 2004) (CAS). Page 7 of the CAS states 'immediately behind the housing estate on the eastern side of the lane, and extending to Brans Lane, is an uncultivated field which has taken on the appearance of wasteland. The field which can be seen from the A436, seems visually less related to the adjoining agricultural land than the village'. The application site retains the uncultivated character referred to in the CAS. Due to the passage of time, views from the A436 of the site are now largely obscured by roadside vegetation.

Page 9 of the CAS also provides a description of the land around the application site. It states 'at the corner by Woodhall, is the short, gently descending, Brans Lane. The most noticeable feature here is a terrace of three humble cottages, fronting the narrow lane, separated only by a narrow grass margin. Opposite, hedges and semi-mature trees offer screening of more recent development which would otherwise intrude into this scene. At the foot of the lane is Brans Cottage, which may have formerly been a pair of cottages. The south facing gable end is all that is visible from the lane as the remainder is almost lost amongst the many well-established trees that surround it'.

The character and appearance of the existing site was also considered during an appeal relating to a proposal for the erection of 5 dwellings on the land in 1991 (CD.4998/E, T/APP/F1610/A/90/154224/P2). In dismissing the appeal, the Planning Inspector stated 'I consider an important element of the village's character to be the fact that individual dwellings or groups of buildings are not particularly dominant in the landscape. The Brans Lane dwellings sit comfortably within the landscape and the fact that a distance view of them may be lost, to my mind need not necessarily detract from the particular qualities of the designated area. Neither do I



regard it as essential that the appeal site in its entirety be left open as part of the setting of the Brans Lane houses'. Whilst the Inspector dismissed the appeal for 5 dwellings on the site, it is also evident that he considered that it was not necessary for the entirety of the site to be left open in order to avoid harm to the CA.

It is evident from the views set out in the CAS and the above planning appeal, that the site has previously been considered not to make a significant, positive contribution to the character and appearance of the CA. The site still retains the characteristics referred to in the CAS and appeal decision in that it still appears as a rather uncultivated and overgrown parcel of land. In addition, the current proposal is for the introduction of a single dwelling on the land with over half the site being retained as an open area. In particular, the southern and eastern parts of the site will not be built upon with the result that the existing undeveloped character of the western side of Brans Lane will be retained to a large extent. The proposed dwelling will also be located on the lower part of the site which means that it will also appear set down in relation to existing dwellings on Embrook to the west, Woodhall to the south and the cottages on Brans Lane to the east. The modest height of the proposed dwelling also means that it will not be taller than existing dwellings in the vicinity.

In the context of criterion c. of Policy EN11 it is considered that the site does not currently make a significant positive contribution to the character and appearance of the CA. The proposed scheme will also ensure that the site retains a degree of openness and that a sense of separation will be maintained between the proposed development and existing buildings. In this sense, it is considered that the proposal will preserve the character and appearance of the CA.

In terms of size and scale, the proposed dwelling will be a maximum of 6m in height. However, a number of elements of the building such as the kitchen/living room wing will be lower at approximately 4.8m. The proposed dwelling is comparable in size to existing dwellings in the vicinity. The mass of the proposed dwelling is also broken up by the use of colonnades, glazing, larch timber insets and use of a perforated ashlar stone panel as a feature wall. In combination with the position of the dwelling on the lower part of the site, it is considered that the size and scale of the proposed dwelling are sensitive to their surroundings. The Council's Conservation Officer states 'The erection of a single dwelling of the scale and design indicated is not considered to detract from or harm the character of the conservation area in this instance. The area south of the new building which has been identified as being more sensitive to development will be retained as an open space which is welcomed'.

With regard to design, it is of note that the applicant is pursuing a contemporary design approach. The Cotswold Design Code provides the following guidance in respect of contemporary architecture:

Paragraph D.29 of the Cotswold Design Code states that 'original and innovative proposals that reinforce a sense of place and help raise the standard of design generally are welcomed. A contemporary design should make strong local references and respect elements of the Cotswold vernacular, in order to maintain the architectural distinctiveness of the area'.

Paragraph D.31 goes on to state that 'the massing and the elevations of contemporary buildings should usually be broken, especially in historic setting, to avoid overly horizontal proportions and a monolithic or brutal appearance. The scale, modulation and architectural lines of contemporary buildings should respond to their context, for example with vertical articulation reflecting the narrower plots within town centres'.

Paragraph D.32 states that 'the use of traditional local materials, most notably natural stone, appropriate proportions, and a high standard of workmanship will help to ensure that contemporary developments are harmonious with their surroundings. There should be an emphasis on simplicity of design, with detailing neatly resolved and of the highest quality'.

Paragraph D.33 states 'in some instances the use of modern, non-local materials may contribute towards a successful contemporary design. This might include the use of more extensive areas of

glazing, zinc or copper roofs, or timber cladding. However, obvious local references should still be made.

In addition to the above, it is also necessary to have regard to guidance set out in the Oddington Conservation Area Statement (CAS). The aforementioned document states:

- i) new buildings should reflect the general pattern of buildings in Oddington, especially in scale and proportion, although there is scope for some architectural invention provided that it echoes Oddington's architecture.
- ii) Materials should be in accordance with those traditionally used in the particular part of the conservation area, and should maintain a similar mix.
- iii) Any new buildings should be located on its site in a similar way to the general pattern of building in that part of the area.

It is evident that both the Design Code and the CAS indicate that innovative and original proposals can be acceptable in principle. Policy and guidance does not therefore automatically preclude the introduction of contemporary development into the CA.

In terms of its relationship to existing patterns of development, the proposed dwelling will primarily extend in a north-south direction which will reflect the orientation of neighbouring dwellings at Bran Cottage and Embrook. The proposal is therefore considered to respond sympathetically to the general pattern of building development in this part of the CA. The proportions of the proposed dwelling are also considered to respond to the proportions of existing dwellings in the locality.

In the context of the Design Code, the mass of the development has been broken up using colonnades and glazing to avoid the building having an overtly horizontal emphasis or excessive mass. The aforementioned elements give interest to the scheme and are considered to sit comfortably within the site.

In response to concerns from Committee Members about the use of 'Cotswold Concrete' in the previous application, the applicant is now proposing to use ashlar natural stone for the external walls of the dwelling. The aforementioned material is evident throughout the Cotswolds and is considered to represent an appropriate material for the site. The use of ashlar will provide a visual reference to traditional building materials thereby helping to connect the development to its surroundings. It is considered that the use of ashlar responds sympathetically to local character and distinctiveness and that it would not have an adverse impact on the character or appearance of the CA.

It is considered that the contemporary design approach is acceptable for this particular location. The proposed dwelling lies adjacent to post war housing to its west and south. The surrounding area is characterised by a mix of building styles that reflect different periods in the development of the village. The current proposal is considered to represent a further progression of the architectural styles present in the village.

In terms of views into the CA, the main body of the site is separated from the adjacent field to the north by existing vegetation. A Public Right of Way (HOD9) extends in a north south direction through the field to the north of the application site. The footpath extends along the eastern boundary of the aforementioned field. Views of the main body of the site from the Right of Way are largely screened by vegetation. The site is also seen against a backdrop of residential development forming part of the Embrook development to the west of the application site. In light of the limited height of the building, existing vegetation and the presence of existing post war development, it is considered that the proposed dwelling will not have an adverse impact on the character or appearance of the CA when viewed from the Right of Way. It is noted that a driveway will be created through the southern part of the field. However, a hard surface has already been laid along much of the route of the driveway to facilitate access for agricultural vehicles into the field. A new hedgerow and trees will also be planted to screen the driveway which will be

surfaced in crushed stone. It is considered that the proposed driveway and associated vehicular traffic will not have an adverse impact on the setting of the CA.

The nearest listed building to the application site is the Grade II listed, Woodbine Cottage which is located approximately 30m from the site entrance and 80m from the proposed dwelling. Existing post war housing lies between the listed building and the listed building. There is no direct visual or historic interconnectivity between the site of the proposed dwelling and the heritage asset. In addition, the proposed entrance will retain a relatively plain appearance. It is considered that the proposed development will not have an adverse impact on the setting of the listed building.

Overall, it is considered that the proposed development will preserve the character and appearance of the CA and will not have an adverse impact on the setting of listed buildings. The proposal accords with Local Plan Policies EN1, EN2, EN10 and EN11 and guidance contained in Section 16 of the NPPF.

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

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

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

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.'

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

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.'

The main body of the application site occupies an uncultivated area of grassland which is bordered on three sides by residential development. It is also separated from the field to the north by vegetation and a stream. The aforementioned part of the site therefore appears to form part of

the built settlement rather than the open countryside. The creation of the dwelling and the garden area will not result in a discernible encroachment of built development into the AONB landscape. The limited height of the proposed dwelling, combined with its set down position below existing residential development to the west, also means that it will not be unduly prominent from the Public Right of Way that runs through the eastern side of the field to the north of the application site. The proposed dwelling will be seen against a backdrop of existing residential development where it is not screened by existing vegetation. It will therefore form part of the village environment rather than as an extension of the settlement.

The proposed driveway will result in the formalisation of an existing farm track. However, new hedgerow and tree planting will be introduced along the driveway to minimise the visual impact of both the drive and vehicles using the access route. The existing field also has a partly developed character as a result of a number of polytunnels which are situated on the land. It is considered that the driveway will not have an unacceptable impact on the character or appearance of the AONB.

The site is located approximately 125m to the south of the A436. Existing roadside vegetation largely screens views of the site from the aforementioned highway. The limited views that are available place the site in context with existing village development. The proposed development will not therefore appear as a particularly obtrusive or incongruous form of development when viewed from the A436.

The proximity of the site to existing dwellings together with the limited height of the development mean that the proposed scheme is unlikely to have an unacceptable impact on the character or appearance of the AONB in terms of light pollution.

It is considered that the proposed development, by virtue of its modest size, proximity to existing development and residential nature, does not represent major development having regard to paragraph 172 of the NPPF.

Overall, it is considered that the proposed development will not result in an encroachment of development into the countryside or have an adverse impact on the setting of the village within the AONB landscape. The proposal is considered to conserve the natural beauty of the AONB. The proposal is considered to accord with Local Plan Policies EN1, EN4 and EN5 and guidance in paragraphs 170 and 172 of the NPPF.

### **(c) Impact on Residential Amenity**

The proposed dwelling will be provided with a level of outdoor garden space which is considered to be commensurate with the size of a 4 bed family home. There is considered to be sufficient space for a range of family activities to be able to take place within the garden area in accordance with advice in the Cotswold Design Code.

In terms of privacy, the principal windows in the proposed dwelling will face to the north or south. They will not therefore face directly towards dwellings to the east or west of the application site. The south facing windows will lie approximately 34m from the site boundary with Woodhall to the south. The distance exceeds the 22m minimum distance between facing windows set out in the Cotswold Design Code. Glazing in the eastern side of the proposed corridor elevation will be located approximately 40m from the facing elevation of Brans Cottage to the east. The aforementioned distance is also in excess of the 22m distance specified in the Design Code. There are no windows proposed in the western elevation of the proposed development facing towards Embrook.

It is noted that the proposed development will create a garden adjacent to the garden area of Brans Cottage. However, it is also of note that a Public Right of Way extends through the garden of Brans Cottage. The aforementioned property is therefore already subject to a degree of activity within its private space. The applicant is proposing to introduce hedgerow planting along the eastern boundary of the site to provide screening between the application site and Brans Cottage.

It is considered that the proposed development will not have an unacceptable impact on the privacy or amenity of the occupants of Brans Cottage or future residents of the proposed dwelling.

In terms of light and overbearing impact, the proposed development will be set down below the level of existing properties on Embrook to the west. The proposal does not breach daylight guidance set out in BRE document IP 23/12 Site Layout Planning for Daylight.

The proposed development is considered to accord with the Cotswold Design Code in respect of amenity, privacy and open space.

#### **(d) Access and Highway Safety**

Vehicular access to the proposed development will be via an existing field entrance located on an unclassified road to the west of the application site. The road extends from the A436 in the north to the road leading through the centre of the village to the south. It is single carriageway in width and is subject to a 30mph speed limit. The field entrance is located on the outside of a bend which means that adequate visibility can be achieved for vehicles exiting the site. Road users heading south from the A436 can also enter the site safely. However, vehicles heading north along the lane will have to cross the carriageway in order to enter the site. Due to the bend in the road, northwards visibility is limited. Notwithstanding this, the lane is relatively narrow in width with the result that vehicles heading along the lane tend to occupy nearly the full width of the road. Road users therefore already have to show a degree of caution when approaching the bend. Due to the narrowness of the lane vehicles turning right will not therefore need to manoeuvre across a free flowing lane of traffic. It is also of note that the existing access can be utilised by farm vehicles and that the lane is not heavily trafficked. On balance, it is considered that the level of traffic generated by a single dwelling will not have an unacceptable adverse impact on highway safety and that the proposed access arrangements are acceptable having regard to Local Plan Policy INF4.

The proposed development can provide a level of on-site parking sufficient to meet the typical requirements of the size of dwelling proposed. The proposal is considered to accord with Local Plan Policy INF5.

#### **(e) Impact on Protected Species**

The application is accompanied by an Ecological Appraisal (EA). With regard to the main body of the site the EA states that it 'comprises a semi-improved (somewhat nutrient enriched) grassland that supports a botanical assemblage of common and widespread grasses and flowering plants. The field has been neglected in recent years, and as such the grassland has developed a tussocky sward'. No bats, mammals, nesting birds, amphibians including great crested newts were found to be present on the site. A full reptile survey has also been undertaken of the site. No reptiles were found to be present during the course of the survey.

In summary, the EA states 'The proposed scheme will not have adverse impacts on the ability of local wildlife to survive, breed or reproduce, to rear or nurture their young or to hibernate or migrate. The proposed scheme will not adversely affect the local distribution or abundance of locally notable wildlife species. The long-term ecological effects of the proposed scheme are considered to be neutral.'

it is considered that the proposed development could be undertaken without having an unacceptable impact on protected species or their habitat in accordance with Local Plan Policy EN8.

#### **(f) Flooding and Drainage**

The application site is located in a Flood Zone 1 which is the lowest designation of Flood Zone. The erection of dwellings in such locations is acceptable in principle. The applicant has submitted a drainage strategy with the application. The strategy indicates that the applicant will firstly

consider infiltration measures. However, if this is found not to be practicable, on-site attenuation will be introduced which will accommodate 1 in 100 year storm events plus a 40% allowance to be taken into account climate change. The proposal will not therefore increase the rate of surface water flow into the stream to the north.

The Council's Drainage Engineer has assessed the proposal and raises no objection subject to the attachment of a surface water drainage scheme condition should permission be granted.

It is considered that the proposal can be undertaken without posing an unacceptable risk of flooding either on or off the site. The proposal therefore accords with Local Plan Policy EN14.

## 9. Conclusion:

Overall, it is considered that the application site represents an appropriate location for the erection of a dwelling of the size and scale proposed. Whilst contemporary in design, the scheme is considered to respond sympathetically to its location and not to have an adverse impact on the character or appearance of Oddington Conservation Area or the Cotswolds AONB. It is also considered that the proposed development can be undertaken without having an adverse impact on highway safety, residential amenity or flooding or drainage. 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 implemented in accordance with the following drawing number(s):

A28-08-01, A28-08-02, A28-08-03, A28-08-04, A28-08-05, A28-08-06, A28-08-07, A28-08-08 , A28-08-09 , A28-08-10 , A28-08-11, A28-08-12, A27-07-13 Rev 01, A28-08-14, A28-08-15, A28-08-16, 19122.101 B

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

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 Policies EN2, EN10 and EN11, 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 Policies EN2, EN10 and EN11, 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.

No windows, perforated screens, gates, gate piers, walls or other means of enclosure shall be installed/inserted/constructed in the development hereby approved or in the application site, 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 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 Policies EN2, EN10 and EN11

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 within the site other than those permitted by this Decision Notice.

**Reason:** It is important that the Local Planning Authority retains control over further development in order to retain the character and appearance of Oddington Conservation Area and the Cotswolds AONB having regard to Local Plan Policies EN2, EN4, EN5 and EN10.

No external lighting shall be installed or erected within the application site other than that approved by this decision notice.

**Reason:** In order to protect the rural character and appearance of the Cotswolds AONB and Oddington Conservation Area in accordance with Local Plan Policies EN1, EN2, EN4, EN5, EN10 and EN11.

The entire landscaping scheme shall be completed by the end of the first planting season following the first occupation 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.

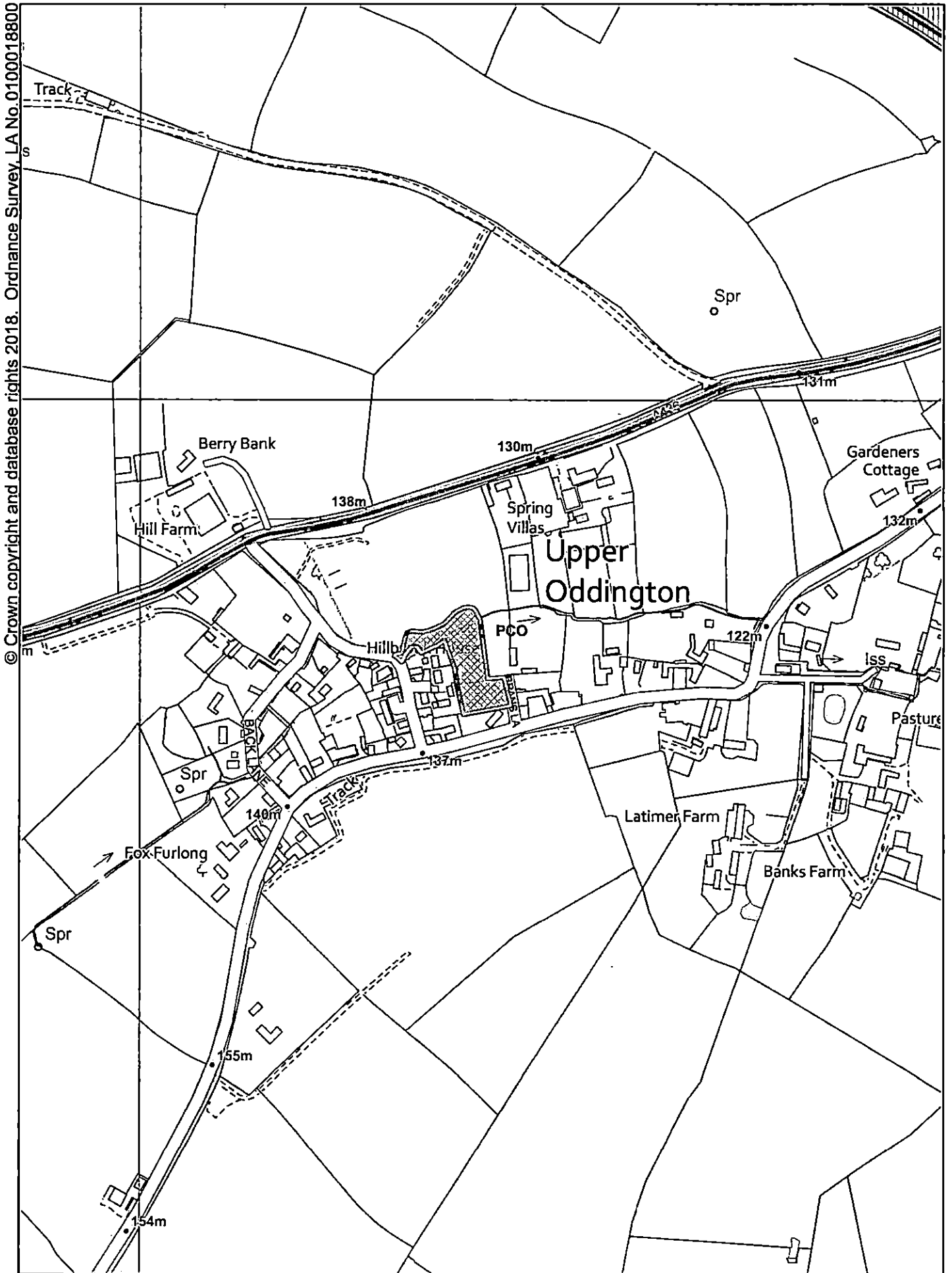
Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and the results of any soakage tests carried out at the site to demonstrate the infiltration rate. The development shall be carried out fully in accordance with the approved details prior to the first occupation of the development hereby approved.

**Reason:** To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality in accordance with Local Plan Policy EN14. It is important that these details are agreed prior to the commencement of development as any on-site works could have implications for flooding and drainage. If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

Prior to laying of any floors of the dwelling hereby approved, plans showing the existing and proposed ground levels at the site, the finished floor levels, the ridge heights of the proposed building(s) and any neighbouring buildings adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority (such levels and heights shall be datums above sea level). The development shall only be carried out in accordance with the agreed details.

**Reason:** It is important to clarify the levels and height of the development in relation structures both on and off the site in order to avoid any future ambiguity over the height of the dwelling hereby approved.





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**LAND WEST OF BRANS COTTAGE BRANS LANE UPPER ODDINGTON**

Organisation: Cotswold District Council

Department:

Date: 28/06/2019



**COTSWOLD**  
DISTRICT COUNCIL

Page 97 of 169



## 2. SITE LOCATION

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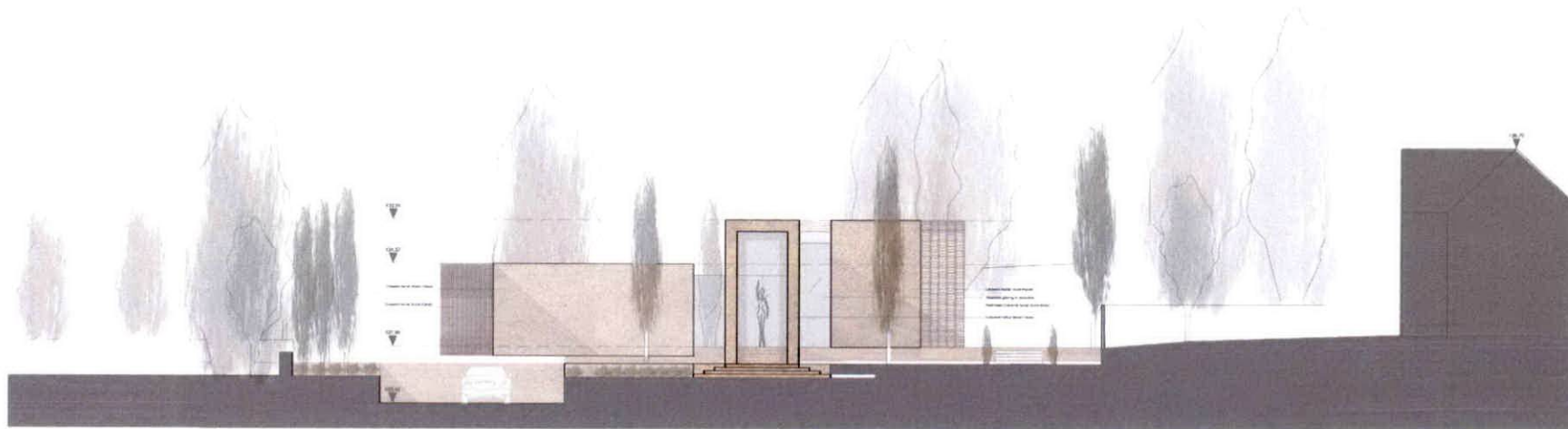
Upper Oddington, Moreton-In-Marsh GL56 0XQ.

**Black Line Indicates Conservation Boundary.**

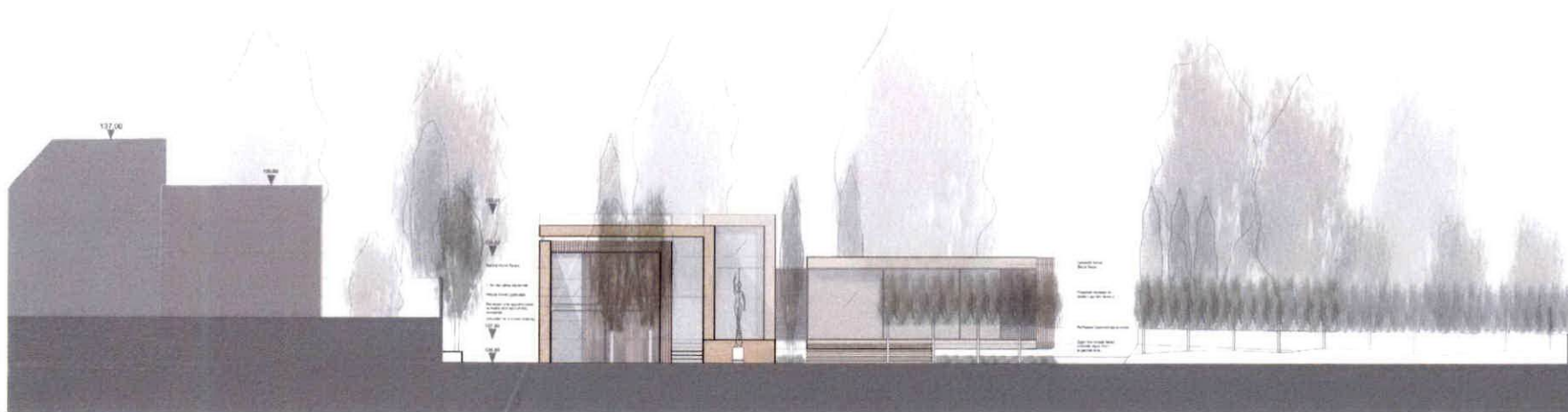


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19/6/2006/AC



Proposed North Elevation



Proposed South Elevation

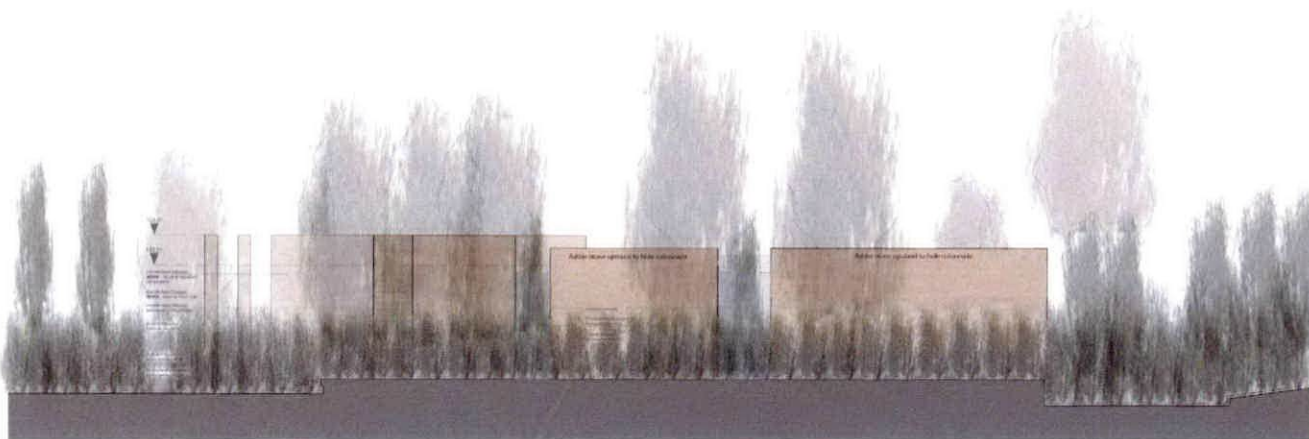
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Proposed Front and Rear Elevation	
AWR NO	008
DRAWING STATUS	DRAWN DATE
DESIGNED/DRAWN	15/06/2019
DATE	15/06/2019
DESIGNED BY	CHK
DRAWN BY	CHK
DATE	15/06/2019
SCALE	1:100
PROJECT	Infill site at Upper Ockington Melton-in-Marsh
CLIENT	Mr Alan Cox
ARCHITECT	JARVIS REAL ESTATE ENVIRONMENTAL DEVELOPMENT
PLANNING	100 GARDEN STREET, MELB 3045 VIC 3045 TEL: 03 9450 1111 WWW.JARVISREAL.COM
THE EMD GROUP	ENVIRONMENTAL ARCHITECTS URBAN DESIGNERS & PROPERTY INVESTORS
DMD	100 GARDEN STREET, MELB 3045 VIC 3045 TEL: 03 9450 1111 WWW.JARVISREAL.COM
AWR NO	008
DRAWING STATUS	DRAWN DATE
DESIGNED/DRAWN	15/06/2019
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DMD	100 GARDEN STREET, MELB 3045 VIC 3045 TEL: 03 9450 1111 WWW.JARVISREAL.COM

80

1910706 / full



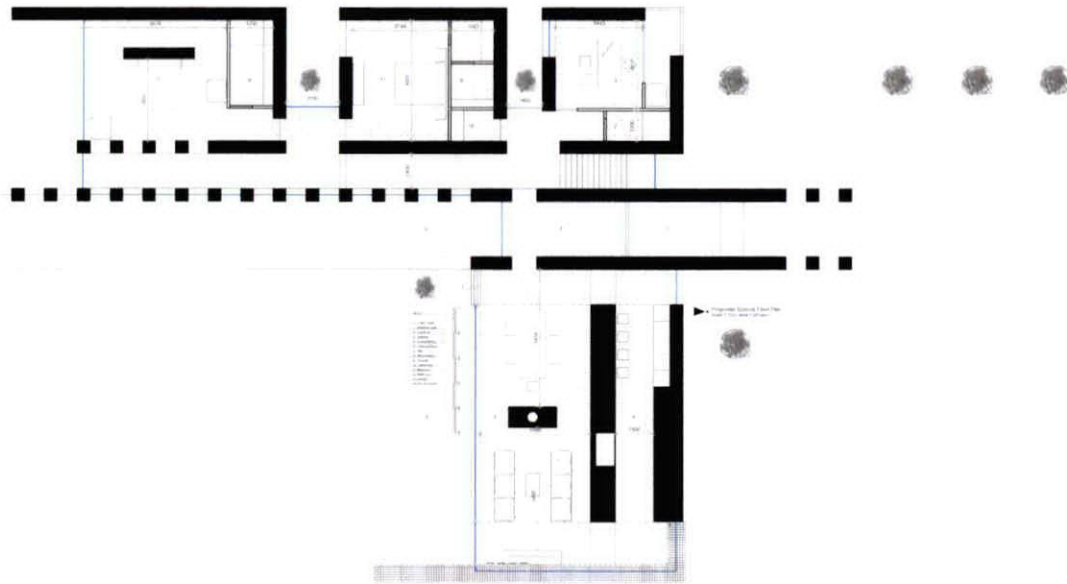
Proposed East Elevation



Proposed West Elevation

PLANNING DRAWINGS ONLY  
 Subject to final site dimensions and location.  
 Water elevations in separate rainfall drawings.

REV	DATE	BY	CHK	APP	DESCRIPTION
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3	01/05/2019	DM			REVISED
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98	01/05/2019	DM			REVISED
99	01/05/2019	DM			REVISED
100	01/05/2019	DM			REVISED



Front Perspective

**PLANNING DRAWINGS ONLY**  
 Consultant to check all site dimensions and local plans.  
 All other dimensions to supersede on-site drawings.

---

NO. 001 SHEET 001 of 001  
 DATE 28/05/2019  
 PROJECT info site at Upper Ockington  
 MONKTON-IN-MARSH

CLIENT Mr Alan Cox

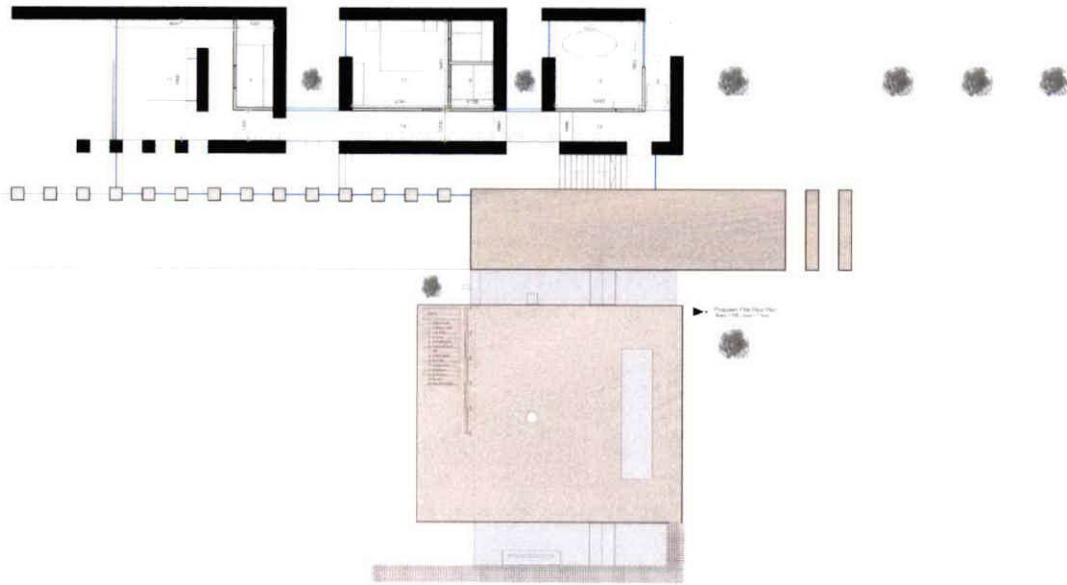
**SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION**

1. This drawing is for information only.  
 2. It should not be used for construction purposes.  
 3. It is not to be used for any other purpose.  
 4. It is not to be used for any other purpose.  
 5. It is not to be used for any other purpose.

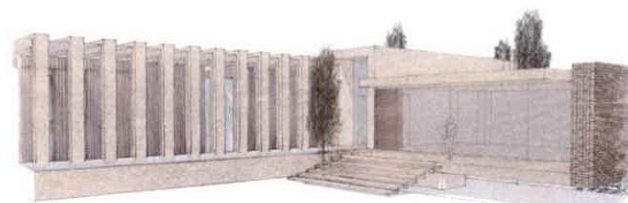
**The DMD Group**  
**DORSETSHIRE ARCHITECTS**  
**DESIGNERS & PROJECT MANAGERS**  
 14 LUTONIA, 14 LUTONIA, 14 LUTONIA  
 14 LUTONIA, 14 LUTONIA, 14 LUTONIA

DRAWING TITLE  
 Proposed Ground Floor Plan

DATE 001	DATE 001	SCALE 1:1000
DRAWING STATUS Planning	DATE 001/2019	SCALE 1:1000
DATE 001/2019	DATE 001/2019	DATE 001/2019
DATE 001/2019	DATE 001/2019	DATE 001/2019
DATE 001/2019	DATE 001/2019	DATE 001/2019



Rear Perspective



Garden Perspective

PLANNING DRAWINGS ONLY

Consult for these drawings and boundaries.  
All other dimensions to be as shown unless otherwise stated.

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NO. 11/2019/001      ROAD TO THE WEST      OF  
 201/1/2/1/1/1      DESCRIPTION      100

PROJECT:  
 Infill site at Upper Oadington  
 Monston-in-Marsh

CLIENT:  
 Mr Alan Cox

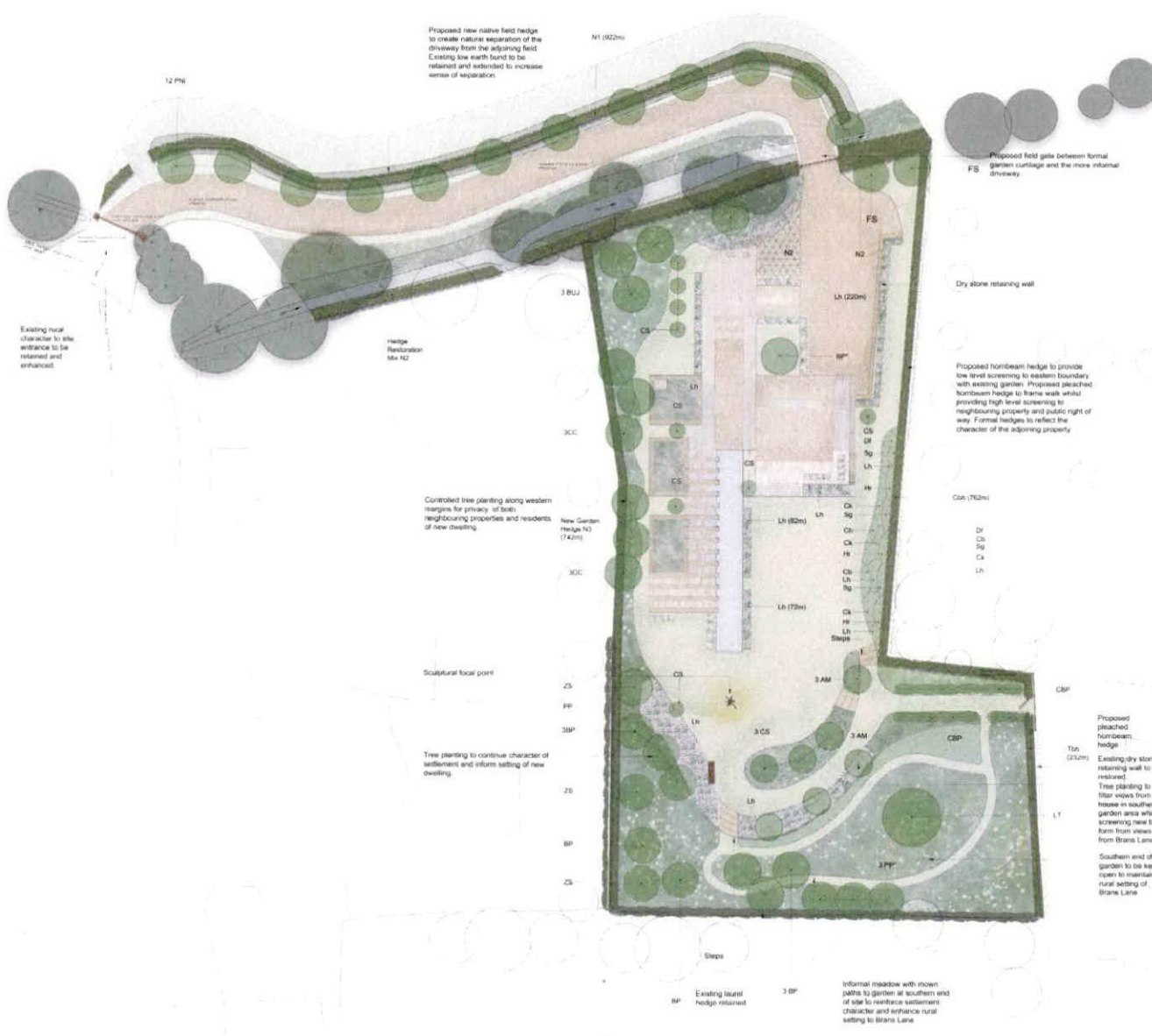
SAFETY HEALTH AND  
 ENVIRONMENTAL INFORMATION

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010  
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010  
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010  
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010  
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 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010  
 10. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010

**The DMD Group**  
**DOMINION ARCHITECTURE GROUP**  
**DOMINION ARCHITECTURE GROUP**  
 100 LITTLEWOOD ROAD, LONDON, E14 3JF  
 T: +44 (0)20 7464 4242  
 F: +44 (0)20 7464 4242  
 WWW.DMDGROUP.COM

DRAWING TITLE  
 Proposed First Floor Plan

JOB NO. 000	DRAWING DATE 21/05/2019	SCALE 1:100	PROJECTED BY DMD
DRAWING STYLE Planning	DESIGNED BY DMD	CHECKED BY DMD	DATE 01/05/2019
CUSTOMER DMD	BUILDING NO.	FLOOR LEVEL	DATE 2019-05-01



### PLANT SCHEDULE

All plants to be supplied from an HTA approved nursery and in accordance with National Plant Specification

TREES	Key	Species	Specification
AM	Amelanchier a grandiflora	Flower H&F	3.0-4.0m tall Semi-Mature H&F Container
BP	Betula pendula		4.0-5.0m tall Standard Semi-Mature Container
BUJ	Betula utilis (Japanensis) 'Silver Queen'		4.0-5.0m tall Semi-Mature Container
CBP	Campanula medium (Phaenol) with 1.5m x 1.5m plaques fixed on frame		100/100cm grid 100-200cm clear above
CC	Cornus calamine		3.0-4.0m tall Semi-Mature H&F Container
CS	Campanula atrorubra	Totem Plant	3.0-3.5m tall Container grown
FB	Fagus sylvatica		3.0-3.5m tall Semi-Mature H&F Container
FP	Fagus sylvatica 'Purpurea'		3.0-3.5m tall Semi-Mature H&F Container
LI	Lonicera xylitorea		4.0-5.0m tall Semi-Mature H&F Container
PLP	Prunella laetiflora		1.8-2.0m tall H&F Container
PP	Prunella peruviana		2.0-3m tall Container
PT	Prunella peruviana		4.0-5.0m tall Standard 1.8m Container
ZS	Zelkova serrata 'Green View'		3.0-4.0m tall H&F Container

### HEDGES (ORNAMENTAL)

Key	Species	Size/Type
L2H	Lonicera xylitorea	90-120cm standard
To be planted at 250mm centres along a single line		
T2H	Taxus baccata	90-120cm standard
To be planted at 400mm centres along a single line		
LH	Larix laricina	30-40cm, 2/1, 1st-year
To be planted at 300mm centres along 2m staggered rows each set 250mm apart		

### HEDGES (NATIVE)

#### GENERAL NATIVE HEDGE MIX (N1)

%	Species	Size/Type
15%	Aster campestris (Field Ragwort)	90-120cm height, BS
15%	Cornus sanguinea (Dogwood)	90-120cm height, BS
10%	Corylus avellana (Hazel)	90-120cm height, BS
30%	Crataegus monogyna (Hawthorn)	90-120cm height, BS
15%	Ligustrum vulgare (Privet)	90-120cm height, BS
5%	Malus sylvestris (Crab Apple)	90-120cm height, BS

Hornbeams to be planted (November to March) planted at 300mm centres along 2m staggered rows each set 300mm apart along line of earth bank.

#### NATIVE HEDGEROW RESTORATION MIX (N2)

%	Species	Specification
15%	Aster campestris (Field Ragwort)	90-120cm height, BS
15%	Cornus sanguinea (Dogwood)	90-120cm height, BS
15%	Corylus avellana (Hazel)	90-120cm height, BS
40%	Crataegus monogyna (Hawthorn)	90-120cm height, BS
5%	Ligustrum vulgare (Privet)	60-80cm height, BS
5%	Malus sylvestris (Crab Apple)	90-120cm height, BS
5%	Quercus robur (Oak)	90-120cm height, BS

To be planted (November to March) planted at 300mm centres along 2m staggered rows each set 300mm apart or as with planting at 300mm centres within existing hedge where space permits.

#### NATIVE HEDGEROW MIX WITHOUT TREES (N3)

%	Species	Specification
15%	Aster campestris (Field Ragwort)	90-120cm height, BS
15%	Cornus sanguinea (Dogwood)	90-120cm height, BS
35%	Crataegus monogyna (Hawthorn)	90-120cm height, BS
15%	Ligustrum vulgare (Privet)	90-120cm height, BS

To be planted (November to March) planted at 300mm centres along 2m staggered rows each set 300mm apart and 400mm away from boundary fence.

### SHRUBS, HERBACEOUS AND GRASSES

Key	Species	Size/Type
CS	Campanula	3L container
CA	Calluna vulgaris	3L container
DP	Dryopteris filix-mas	3L container
HL	Helleborus	3L container
SL	Stellaria media	3L container

### MEADOW/LONG GRASS

Proposed meadow and long grass margins to be seeded with the following mix:

Emergence Seeds Mix (EM2) Special General Purpose Meadow Blend (consisting of 20% wild flower seed with 80% meadow grasses). The seed mix has been chosen to accommodate a greater mix of wet and shaded conditions within the site. The species will create a diverse sward in varying conditions.

Mix to be sown at the rate of 4g per square metre 180g per acre in autumn or spring.

Maintenance summary: Lightly mow frequently throughout first year when sward reaches 40-50mm in height to normal natural annual seed growth. After first year cut in late July and again November to a height of 50mm.

- ### Notes
- 1) Do not scale directly from this drawing.
  - 2) This drawing is to be read in conjunction with all other relevant MHP drawings and information supplied by other consultants.
  - 3) Hatch patterns displayed on this drawing are indicative only and do not represent actual paving units or material sizes.
  - 4) All tree planting in proximity to buildings to be checked by engineers to ensure foundation detailing is appropriate.

Project: Land West of Bran's Cottage, Upper Oddington  
 Client: Mr Alan Cox  
 Title: Landscape Proposals  
 Drawing number: 19122.101 Rev: B  
 Status: FOR PLANNING  
 Drawn By: AP Checked By: AT Date: 24/6/19 Scale @ A1: 1/250



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LANDSCAPE AND VISUAL  
IMPACT ASSESSMENT

---

LAND WEST OF BRANS  
COTTAGE, UPPER  
ODDINGTON

---

CHARTERED  
LANDSCAPE  
ARCHITECTS





**SUMMARY & CONCLUSION:**

The study site comprises undeveloped land predominately located within a Conservation Area within the settlement of Upper Oddington. The village itself falls with the Cotswolds Area of Outstanding Natural Beauty (AONB). These designations confirm that the landscape in which the site and the village are located are recognised for their historic value, quality of their landscape character and general scenic beauty. Policy and guidance, both national and local is focused on conserving and enhancing these attributes in what is recognised to be a high value landscape which is generally sensitive to changes.

The landscape characteristics of the wider landscape and the settlement are well documented and the study site falls within an area which is informed by characteristics of the settlement rather than the wider rural landscape that provides the setting to the settlement.

The landscape character of the village is distinctive being informed by a combination of aesthetic vernacular materials and finishes, small intimate scale and distinct settlement pattern all contained by a gently enclosing local topography and a framework of established vegetation.

The study site makes a limited contribution to the character of the settlement due predominately to its limited features and low visual prominence located away from the general lanes which provide local access and from which the character is generally appreciated. The Conservation Area Statement confirms that the study site has the appearance of wasteland and that it is not included in land identified as important village open space. The site character is influenced by the adjoining settlement features some of which are urbanising in nature and detractors to the quality of the local settlement character.

The watercourse and its associated hedgerow vegetation is the single most valuable feature of the study site which contributes to the natural green infrastructure which encloses the village and forms a part of an identifiable soft edge to the settlement. The openness of the study site adjoining Brans Lane is also assessed to have greater value than other areas of the site as it contributes to the landscape setting of Brans Lane and its associated cottages. The openness of the land to the north of the watercourse is also assessed to have greater value than the openness of the main study site. However, the study site is generally assessed to have lower landscape sensitivity than it does visual sensitivity.

In visual terms the study site is contained with limited public views predominately restricted to views from Brans Lane and the public right of way which extends to the A436. Existing settlement features and established vegetation generally obscure other potential views into the site. There are a number of views from residential properties adjoining the site boundaries to the east, west and south. Views from properties adjoining the west and southern boundaries are limited to upper floor windows whilst view from properties to the east (Brans Lane) may include ground floor windows. In summary the study site is most sensitive to views from visual receptors who experience various views into the study site from immediately adjoining the eastern site boundary.

The development proposals have been developed to include landscape and visual mitigation measures as an inherent part of the architectural design and its layout. These include locating the main built form in an area of the site which has the least value in terms of openness and its value to the setting of Brans Lane or the rural character of the land north of the watercourse. The development is also proposed with a low profile so that new built form reflects the same

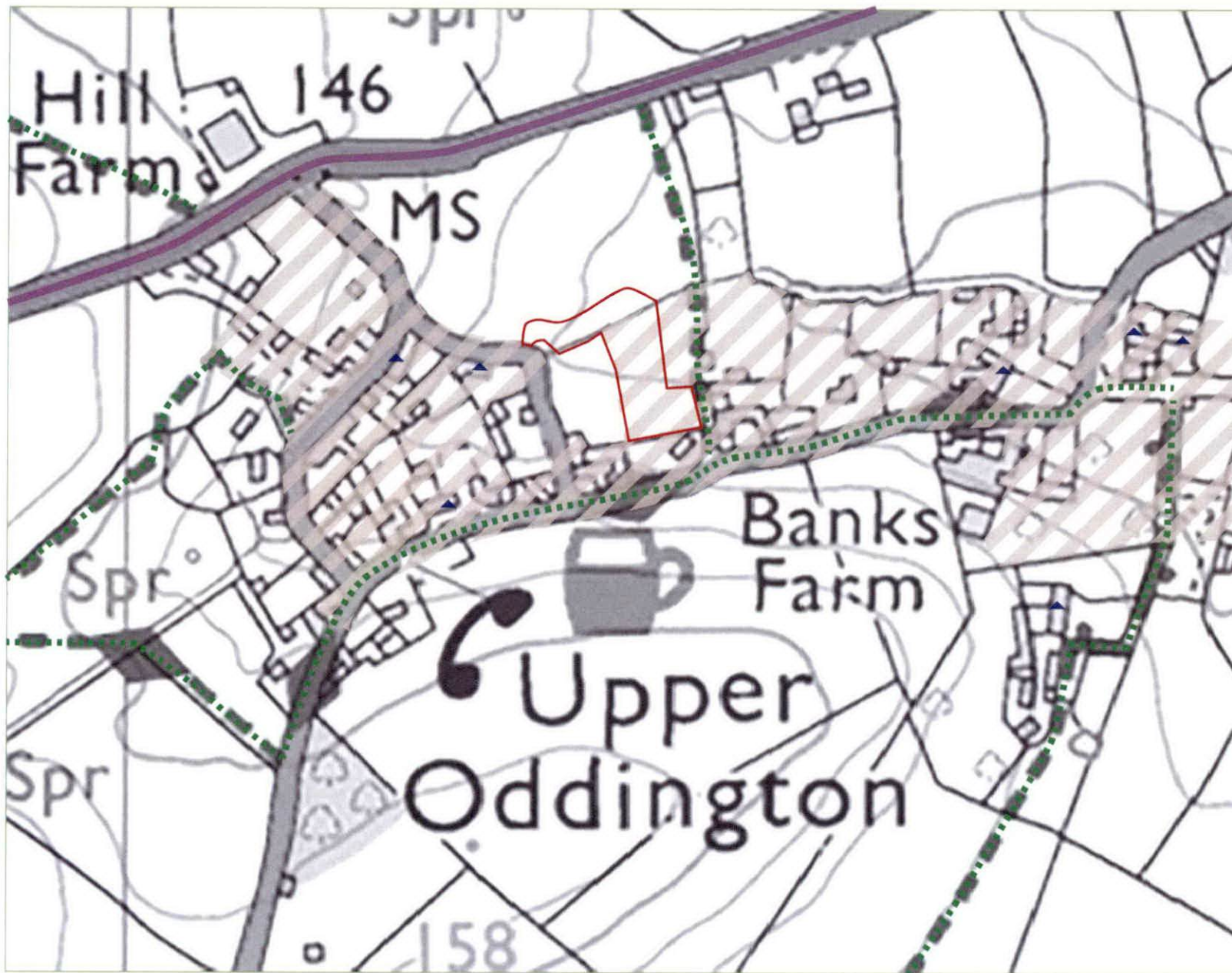
enclosed character found within the adjoining settlement. Other proposed mitigation measures including significant tree and hedge planting will reinforce this enclosed character found throughout the adjoining settlement. Hedge and formal pleached tree planting along the eastern margin maintains separation between the proposed and existing development using landscaping which reflects the existing garden character. This is intended to conserve the setting of the existing property and visual amenity of residents and walkers on the public right of way which passes through the existing garden. In contrast a more open approach to landscape mitigation is proposed adjoining Brans Lane so that the openness which contributes to the setting of the settlement in this location is conserved.

The development proposes a mix of both formal and informal landscape design both to achieve specific mitigation and to create a new dwelling with strong sense of place. Formal garden vegetation is seen juxtaposed with more informal and native vegetation throughout the settlement and is a positive attribute to the settlement character. The proposed development uses this approach to ensure that it emulates and builds on this character where presently few desirable village characteristics are present.

Whilst the main core of the proposed development has a strong garden character, the proposed driveway north of the watercourse maintains a more informal character to reflect its location adjoining open countryside. The development proposes to restore the hedgerow along the watercourse to strengthen the green infrastructure which forms part of the enclosure to the settlement in general. It also provides strong separation between the areas with new built form and the open land north of the hedgerow. This is to be further reinforced with new native hedge and planting to the north of the drive which together with the watercourse hedgerow and further tree planting will create an identifiable edge to the settlement where presently it is broken.

This landscape and visual impact assessment has tested the potential effects arising from development and sets out the findings in Table 1 and Table 2 of this assessment. The findings confirm that with the inherent and proposed landscape mitigation measures the development would result in predominately beneficial effects to landscape character. With regard to visual effects the impact assessment has identified that there would be no significant visual effects to visual receptors within the public realm and limited effects to local residential amenity.

National and local policy requires that development in the AONB must conserve or enhance landscape character and scenic beauty. This assessment has confirmed that the character of the study site is informed by the settlement features rather than the open countryside and that the development proposals comprehensively address the AONB Landscape Strategies and Guidelines set out on page 7 of this assessment. As such the development proposals appear sensitive to the local landscape and settlement character and visual amenity and have potential to make a positive contribution to the settlement without harm to the wider landscape.



**KEY**

-  Study Site
-  Public Rights of Way
-  Oddington Conservation Area
-  Listed Building
-  Key Route / Main road

Base map reproduced from OS Explorer 1:25000

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All rights reserved. Licence number 100039900 SCALE: NTS

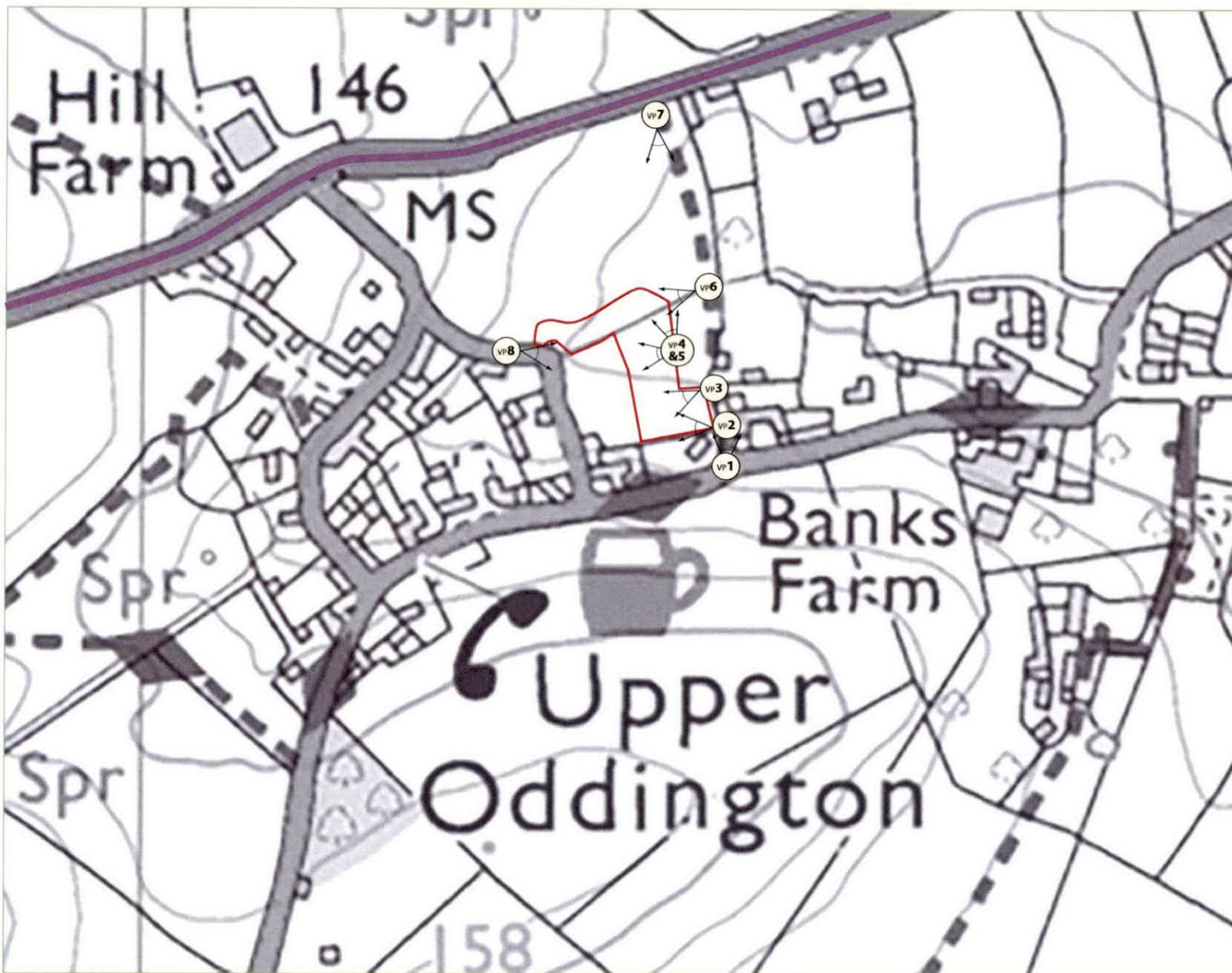
Project Name:  
Land West of Brans Cottage

MHP Reference:  
**19122**



Revision	Status	Date
	Draft 1	24/06/2019

08

**Figure 1** Site Location, Designations and Context  
19122 Land West of Brans Cottage, Upper Oddington



**KEY**

-  Study Site
-  Viewpoint Location/Direction
-  Key Route / Main road

Base map reproduced from OS Explorer 1:25000

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Project Name:  
Land West of Brans Cottage

MHP Reference:  
**19122**

Revision	Status	Date
	Draft 1	24/06/2019

89

**Figure 2** Viewpoint Photograph Locations  
19122 Land West of Brans Cottage, Upper Oddington

Viewpoint Photograph 1



View from Brans Lane junction looking north towards site

Full extent of panorama, taken 18/06/19  
This is a composite image made up of a number of 50mm photographs joined together horizontally to form an overall field of view which is wider than seen in detail by the human eye.

Viewpoint Photograph 2



View from Brans Lane looking west

Full extent of panorama, taken 18/06/19  
This is a composite image made up of a number of 50mm photographs joined together horizontally to form an overall field of view which is wider than seen in detail by the human eye.

90

Viewpoint Photograph 3



View from Brans Lane looking west

Full extent of panorama, taken 18/06/19  
This is a composite image made up of a number of 50mm photographs joined together horizontally to form an overall field of view which is wider than seen in detail by the human eye.

Viewpoint Photograph 4



View looking west into site from eastern boundary

Full extent of panorama, taken 18/06/19  
This is a composite image made up of a number of 50mm photographs joined together horizontally to form an overall field of view which is wider than seen in detail by the human eye.

**Figure 4** Viewpoint Photographs  
19122 Land West of Brans Cottage, Upper Oddington

Viewpoint Photograph 5



View looking north along eastern site boundary

Full extent of panorama, taken 18/06/19  
This is a composite image made up of a number of 50mm photographs joined together horizontally to form an overall field of view which is wider than seen in detail by the human eye.

Viewpoint Photograph 6



View from PROW looking west towards site

Full extent of panorama, taken 18/06/19  
This is a composite image made up of a number of 50mm photographs joined together horizontally to form an overall field of view which is wider than seen in detail by the human eye.

92

Viewpoint Photograph 7



View looking south along PROW

Full extent of panorama, taken 18/06/19  
This is a composite image made up of a number of 50mm photographs joined together horizontally to form an overall field of view which is wider than seen in detail by the human eye.

Viewpoint Photograph 8

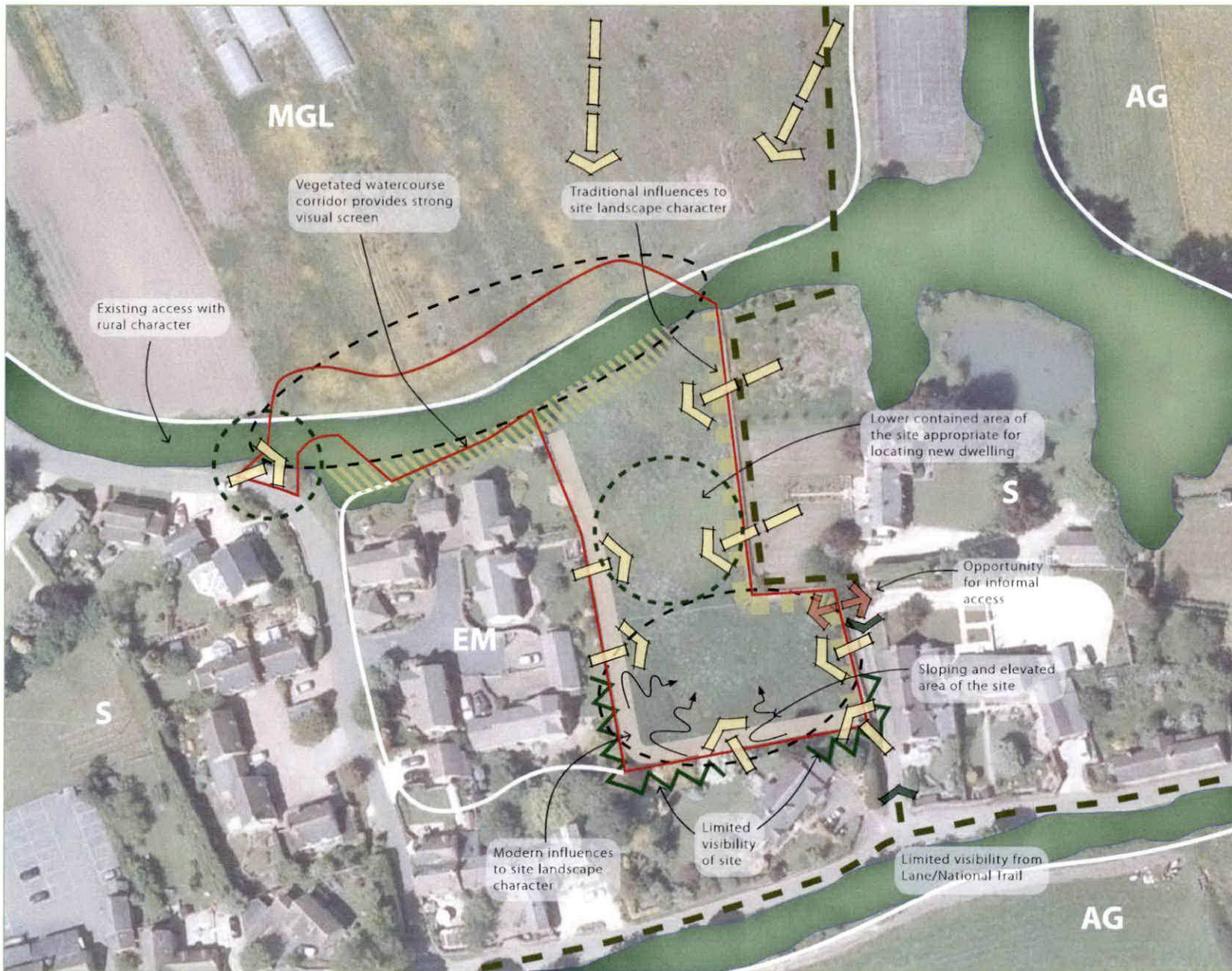


View looking east towards site entrance

Full extent of panorama, taken 18/06/19  
This is a composite image made up of a number of 50mm photographs joined together horizontally to form an overall field of view which is wider than seen in detail by the human eye.

93





**KEY**

- Potential views
- Area of openness important to setting
- Natural green infrastructure which generally contains the settlement

**EM** Embrook

**MGL** Market Garden Land

**S** Traditional village settlement area

**AG** Wider contextual agricultural landscape

- Public Right of Way
- Opportunity for informal access

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Project Name: Land West of Brans Cottage

MHP Reference: 19122

Revision:      Status:      Date:   
 (Draft)      24/06/2019

SCALE: NTS

94

**Figure 7** Landscape Analysis Sketch  
19122 Land West of Brans Cottage, Upper Oddington

**Item No 05:-**

**19/00611/FUL**

**Cirencester Golf Club Ltd  
Cheltenham Road  
Bagendon  
Cirencester  
Gloucestershire  
GL7 7BH**

**Item No 05:-****Temporary siting of mobile home for 10 years for rural worker at Cirencester Golf Club Ltd Cheltenham Road Bagendon Cirencester Gloucestershire GL7 7BH**

<b>Full Application 19/00611/FUL</b>	
<b>Applicant:</b>	Cirencester Golf Club
<b>Agent:</b>	Avoca PLD
<b>Case Officer:</b>	Hannah Rose
<b>Ward Member(s):</b>	Councillor Jenny Forde
<b>Committee Date:</b>	10th July 2019
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**Main Issues:**

- (a) Essential Need for Rural Worker's Dwelling
- (b) Design and Impact on Character and Appearance of the AONB
- (c) Residential Amenity
- (d) Highway Safety

**Reasons for Referral:**

It is recommended that the application is refused. Cllr Jenny Forde has referred the application to the Planning Committee on the following grounds;

"I believe an essential need for a temporary mobile affordable home has been demonstrated. This 'hidden' mobile home is needed to support this thriving rural 'not for profit' business, to ensure its future and the security of its buildings."

**1. Site Description:**

The application site comprises a portion of land within the grounds of Cirencester Golf Club, located on Cheltenham Road in between Stratton and Perrots Brook. The site is located within the Cotswold Area of Outstanding Natural Beauty (AONB). The site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2011-2031.

The site comprises a small parcel of scrubland adjacent to the service and maintenance area which is located in a sheltered valley, on a private track approximately 400m from the club house and parking area to the front of the site.

**2. Relevant Planning History:**

14/01962/FUL - Construction of replacement golf buggy shed. Permitted 25/06/2014

13/04770/FUL - Demolition of buggy store and erection of two detached dwellings with reinstatement of previous access (revised submission). Permitted 04/07/2013

13/01839/FUL - Demolition of buggy store and erection of two detached dwellings with reinstatement of previous access. Refused 23/11/2012

12/02848/FUL- Erection of extension and alterations and improvements to existing Club House. Permitted 17/08/2012

11/01808/FUL - Construction of a care village consisting of a 60 bed care home and 52 extra care units for the elderly (Use Class C2 Residential Institutions), located on the existing golf driving range area, the erection of a replacement clubhouse with altered parking layout and minor alterations to the existing vehicle access points, together with the relocation of the existing driving range building. Refused 18/10/2011

11/00515/FUL - Erection of single storey ancillary outbuilding. Permitted 26/04/2011

### **3. Planning Policies:**

NPPF National Planning Policy Framework  
 DS4 Open Market Housing o/s Principal/non-Pr  
 H5 Dwellings-Rural Workers o/s Settlements  
 EN1 Built, Natural & Historic Environment  
 EN2 Design of Built & Natural Environment  
 EN4 The Wider Natural & Historic Landscape  
 EN5 Cotswold AONB  
 EN15 Pollution & Contaminated Land  
 INF4 Highway Safety  
 INF5 Parking Provision

### **4. Observations of Consultees:**

N/A

### **5. View of Town/Parish Council:**

No comments received.

### **6. Other Representations:**

Two letters of support have been received (from the manager of the club and from a member) stating that; (i) having someone living on the premises would deter burglars, and (ii) that the club has had difficulty in recruiting new staff and that the site is not in view and would not harm the AONB.

### **7. Applicant's Supporting Information:**

Planning Statement dated 27/02/2019  
 Additional Information dated 07/06/2019

### **8. Officer's Assessment:**

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

The Council must also have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to guidance and policies in the National Planning Policy Framework (NPPF).

### *Proposal and Background*

The golf course was established in 1909. The club operates an 18-hole golf course over an area of 57 hectares and provides social facilities in the clubhouse, with a function room available to hire.

Planning permission was granted in 2012 to refurbish and extend the existing clubhouse. In 2013, planning permission was granted by the Planning Committee for the erection of two dwellings on a portion of golf course on the grounds that the sale of the dwellings would fund the refurbishment and extension to the clubhouse. The dwellings have been constructed and the works to the clubhouse have been completed. It has become apparent as a part of this application that unauthorised staff accommodation had previously been available on the first floor of the clubhouse, but this was removed as a part of the refurbishment and extension to the clubhouse.

The applicant is now seeking planning permission for the temporary siting of a mobile home within the grounds of Cirencester Golf Club for a period of ten years. The mobile home is proposed to provide rural workers' accommodation for a greenkeeper employed to maintain the golf course. The mobile home would comprise a caravan measuring 12m by 3.7m.

#### **(a) Essential Need for a Rural Worker's Dwelling**

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan. New residential development in such locations is primarily covered by Policy DS4 (Open Market Housing Outside Development Boundaries and Non-Principal Settlements) which states that 'New-build open market housing will not be permitted outside Principal and Non-Principal Settlements unless it is in accordance with other policies that expressly deal with residential development in such locations'. Paragraph 6.4.3 of the new Local Plan states that 'housing for rural workers' can be acceptable in areas covered by Policy DS4. This is supported by Policy H5 (Dwellings for Rural Workers Outside Settlements) which states:

'Outside settlements, new dwellings for rural workers will be permitted where:

- a. It is demonstrated that there is an essential need for a worker to live permanently at or near their place of occupation in the countryside;
- b. A financial test is submitted to demonstrate the viability of the business proposed or as proposed to be expanded;
- c. A new dwelling cannot be provided by adapting an existing building on the holding;
- d. A suitable alternative dwelling to meet the essential need is not available on a defined development site within the 17 Principal Settlements or within a village or hamlet;
- e. The proposed dwelling is located within or adjacent to the existing enterprise or other buildings on the holding;
- f. The size of the proposed dwelling is proportionate to its essential need; and
- g. Occupancy is limited by way of planning condition or obligation.'

In addition to the above, it is necessary to have regard to national policy and guidance when considering the application. With regard to this application, it is of note that the proposed mobile home would be situated in the middle of the golf course, approximately 400m from the clubhouse and Cheltenham Road and can only be accessed via a private gravel track. The only existing buildings adjacent to the site are open, portal framed maintenance buildings. The site is therefore in an isolated position.

With regard to the golf club as a whole; there is a linear form of development along Cheltenham Road, but the site is outside of a settlement. There is a church within walking distance, but otherwise, the nearest services and facilities are in the Stratton which is approximately 1.6km on foot along Cheltenham Road, which does have a pavement and is a busy and fast A-road, and then uphill along Baunton Lane which is a narrow country lane without a pavement. It is acknowledged that there is a bus service that runs past the site, however, this bus service is hourly and only runs until the early evening. It is considered that the service would not encourage

any reduced reliance on private car usage. Overall, it is considered likely that the future occupier is unlikely to walk or cycle to these facilities and would rely on the private car. Taking account of the above, the site is considered to be situated in an isolated position in open countryside.

Paragraph 79 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless special circumstances apply. One such circumstance can include 'an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside'.

The NPPF does not provide a definition of essential need. However, it is of note that Planning Inspectors still regularly have regard to the now revoked Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) when considering the essential need issue. The various tests set out in the aforementioned document represent a tried and tested methodology for assessing essential need and are still considered pertinent when assessing the current application. The guidance in Annex A of PPS7 is therefore still considered to provide a valid tool when considering the matter of essential need.

Paragraph 4 of Annex A stated 'a functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:

- (i) In case animals or agricultural processes require essential care at short notice;
- (ii) To deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

In the case of the current application, it is evident that the proposal relates to a well-established business. The agent has submitted financial records from 2016 - 2017 which demonstrate that the club makes a small profit, but this is generally reliant on continued membership. An exceptional VAT refund was also received in 2017 which significantly increased profits that year. The applicant is seeking permission for a temporary mobile home in the form of a caravan in the first instance to gauge if interest from prospective greenkeepers increases, before considering a permanent new dwelling. The principle issue concerning this application is therefore whether there is an essential need for a mobile home on site, in response to Local Plan Policy H5(a) and having regard for PPS7(A) as guidance.

The agent claims that staff accommodation was provided on the first floor of the clubhouse "for some years" (without planning permission) before it was deemed unsafe by a fire officer and subsequently renovated and converted into a function room in 2014 (following planning permission 12/02848/FUL). It is not known how long the staff flat was occupied and which role the employee occupying the flat had at the club. Presumably, if it was essential for the functioning of the club to provide staff accommodation, the staff flat would have since been relocated. It can be reasonably assumed that there have been significant periods of time during which the staff accommodation was not occupied, the golf course had been functioning without a greenkeeper living on site.

Planning permission is now sought for the temporary mobile home for a greenkeeper in the hope that the club can attract a qualified and experienced greenkeeper, following difficulty to recruit an appropriately skilled worker, in order to maintain the competitive attractiveness of the club or existing and new members.

In the original submission the agent also sought permission for the home to act as a deterrent to burglars. However, within the additional information submitted on 07/06/2019, the agent concedes and agrees that it is not essential for a greenkeeper to live on site to provide security. Consequently, this reason will not be discussed in this report.

The agent states that despite advertising for experienced greenkeepers over the last few years, there was no suitable interest and the club had to recruit an unqualified person out of school and embark on a training/apprenticeship programme. The agent states that it is not feasible to run the

golf course with trainees and apprentices and considers that offering accommodation would make the job more appealing, in the hope that it would attract a skilled, experienced greenkeeper.

The agent has not detailed the specific roles of the greenkeepers but states that the greenkeepers begin working between 06:00 - 06:30 in busy summer months and 07:30 in winter months. The agent has confirmed that club employs six greenkeepers; five on a full time basis, year round. Generally, a greenkeeper is responsible for maintaining the turf on the course and surrounding landscaping and for the health and safety of the users of the course. It is considered that neither of these responsibilities requires a greenkeeper to be readily available day and night.

With regard to PPS7 (A), it is considered that the agent has failed to demonstrate that a greenkeeper must be on hand day and night to provide essential care of the club or course at short notice. There are also no apparent instances where being present to deal with a systems failure or other emergency could cause a serious loss of product (i.e. the golf course).

The agent also states that failure to maintain an attractive golf course would result in a loss of playing members and visitors and therefore the functioning of the business is heavily reliant on the availability of a skilled workforce. This is, however, the prospect of employers in all employment sectors and is not in itself sufficient to prove that there is an essential need for a worker to live on the site. The proposal therefore fails to accord with Local Plan Policy H5(a).

With regard to the remaining, relevant criteria of Policy H5; officers have enquired as to whether there are any existing buildings on the site that could be converted and the applicant has not demonstrated that this is not possible. In addition to the two five-bedroom dwellings permitted on the land of the golf course in 2013, which have presumably been sold as market dwellings, the clubhouse is large and may have potential to provide ancillary accommodation. Furthermore, the agent has not addressed the possibility of a suitable alternative dwellings being available in a nearby settlement, village or hamlet. However, Stratton and Cirencester are nearby which have a range of housing mix and tenure.

Overall, although officers understand the need to ensure the viability of the club, it is considered that an essential need cannot be demonstrated for the proposed dwelling. The proposal is therefore in conflict with Local Plan Policies DS4 and H5 and paragraph 79 of the NPPF.

#### **(b) Design and Impact on Character and Appearance of the AONB**

Local Plan Policy EN1 seeks where appropriate, to promote the protection, conservation and enhancement of the historic and natural environment. Local Plan Policy EN2 states that 'Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.'

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

Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Local Plan Policy EN4 states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) and that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness.

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

With regard to relevant national policy, 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.'

Although the golf course is a manmade landscape, the character has been established as one of openness and tranquillity that should be conserved. The mobile home would be sited adjacent to the existing service/maintenance area which is located within a sheltered valley, on a private track approximately 400m from the club house and parking area to the front of the site. There are trees and bushes on the sides of the valley along the edges of the maintenance area which entirely screen this area from public view.

The mobile home would be low profile in footprint and height and is appropriate in size to the area of available land within the service area and would not be visible from players on the course or from the wider public realm. It is not proposed to provide any private amenity land with the home which would restrict the proliferation of domestic paraphernalia which would in turn, protect the rural character. Overall, the mobile home would be sensitively located in a position that would conserve the established open and tranquil character. As such, while the proposal would not enhance, it would not have an adverse impact on the character or appearance of the Cotswold AONB. The proposal would accord with Local Plan Policies EN2, EN4 and EN5 as well as paragraphs 124, 170 and 172 of the NPPF.

### **(c) Residential Amenity**

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

As previously mentioned, the mobile home would not be visible in the public realm and therefore would not affect the amenities of properties neighbouring the golf club. The proposed development is considered to accord with the objectives of Cotswold District Local Plan Policy EN2 and the residential amenity considerations contained in Section 12 of the NPPF.

### **(d) Highway Safety**

Policy INF4 states that development will be permitted that provides safe and suitable access and has regard, where appropriate, to the Manual for Gloucester Streets.

Policy INF5 states that development will provide residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network. Provision will be in accordance with standards and guidance set out in the parking standards in Appendix F.

Paragraph 108 of the NPPF states that in applications for development, it should be ensured that:

- a. appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b. safe and suitable access to the site can be achieved for all users; and
- c. any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.



There is adequate parking on the wider golf club site to accommodate the occupier of the mobile home parking permanently on the site. It could be argued that allowing the greenkeeper to live on site would reduce daily vehicle trips as they would no longer need to travel by car to work, although it is still likely that the occupant would need to access services and facilities to support the residential occupation of the mobile home. The proposal therefore would accord with Local Plan Policies INF4 and INF5 and paragraph 108 of the NPPF. This is however, only a minor environmental benefit which is not considered to outweigh the harm caused by the unjustified need for a worker's dwelling.

#### **9. Conclusion:**

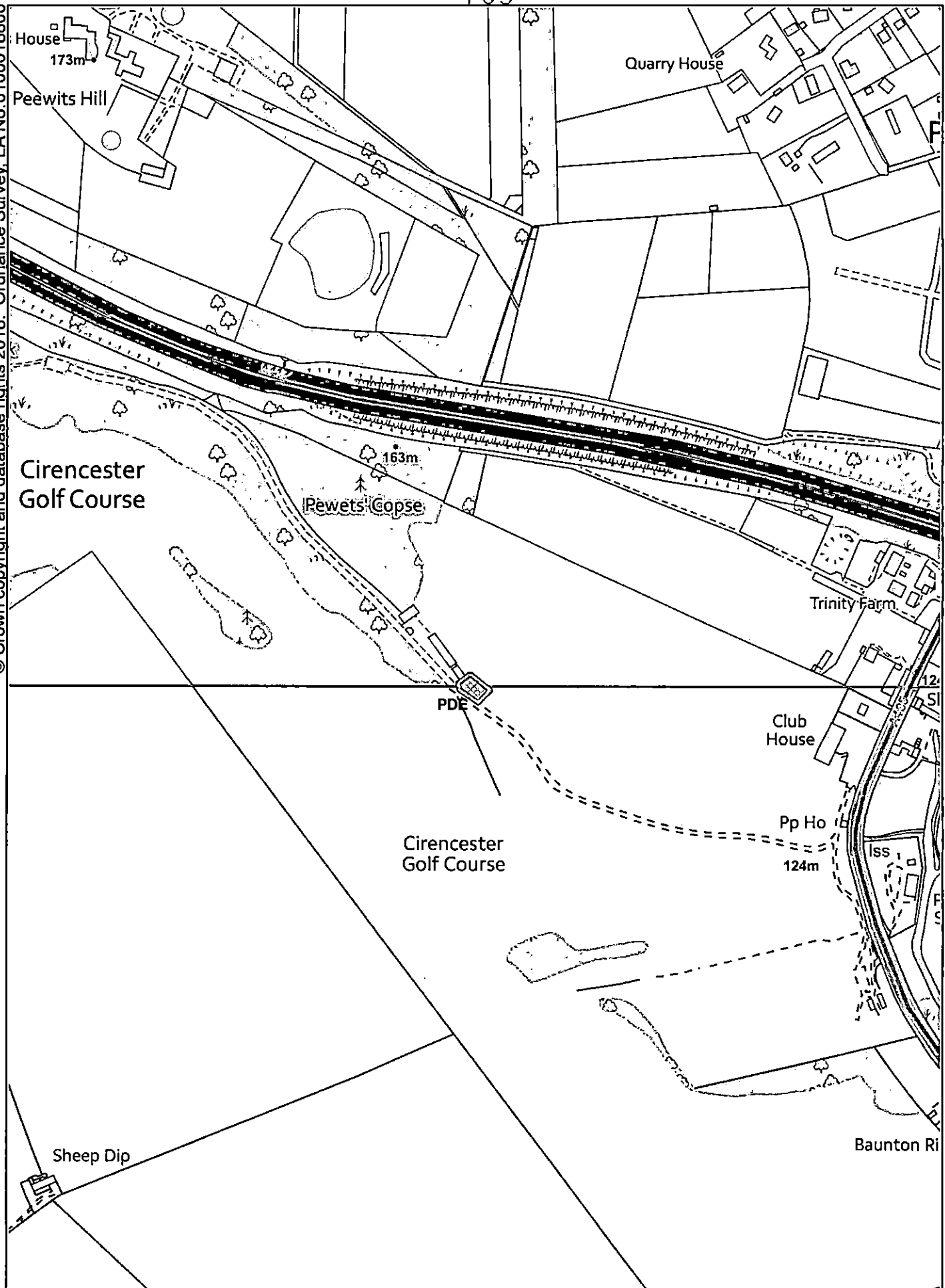
It is concluded that although the mobile home would be well screened and is considered not to adversely affect the character or appearance of the AONB, an essential need for the temporary siting of the mobile home cannot be demonstrated. The application therefore fails to accord with Local Plan Policy H5 and it is recommended that the application is refused on this basis.

#### **10. Reasons for Refusal:**

The application site is located outside a Development Boundary and a Non-Principal Settlement and lies in an isolated location in the open countryside. The site does not represent a sustainable location for new residential development unless it can be shown that there are special circumstances such as the essential need for a worker to live permanently at or near their place of work.

In this instance it has not been demonstrated that there is an essential need for temporary residential accommodation on the site in order to deal with the needs of the business at short notice. The roles and responsibilities of a greenkeeper do not require one to be readily available day or night. Furthermore, seeking to employ a skilled workforce is not in itself sufficient to justify the siting of a mobile home on the site. It is considered that the proposed development would be contrary to Cotswold District Local Plan Policies DS4 and H5 and paragraph 79 of the National Planning Policy Framework.

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**COTSWOLD**  
DISTRICT COUNCIL

**CIRENCESTER GOLF CLUB LTD**

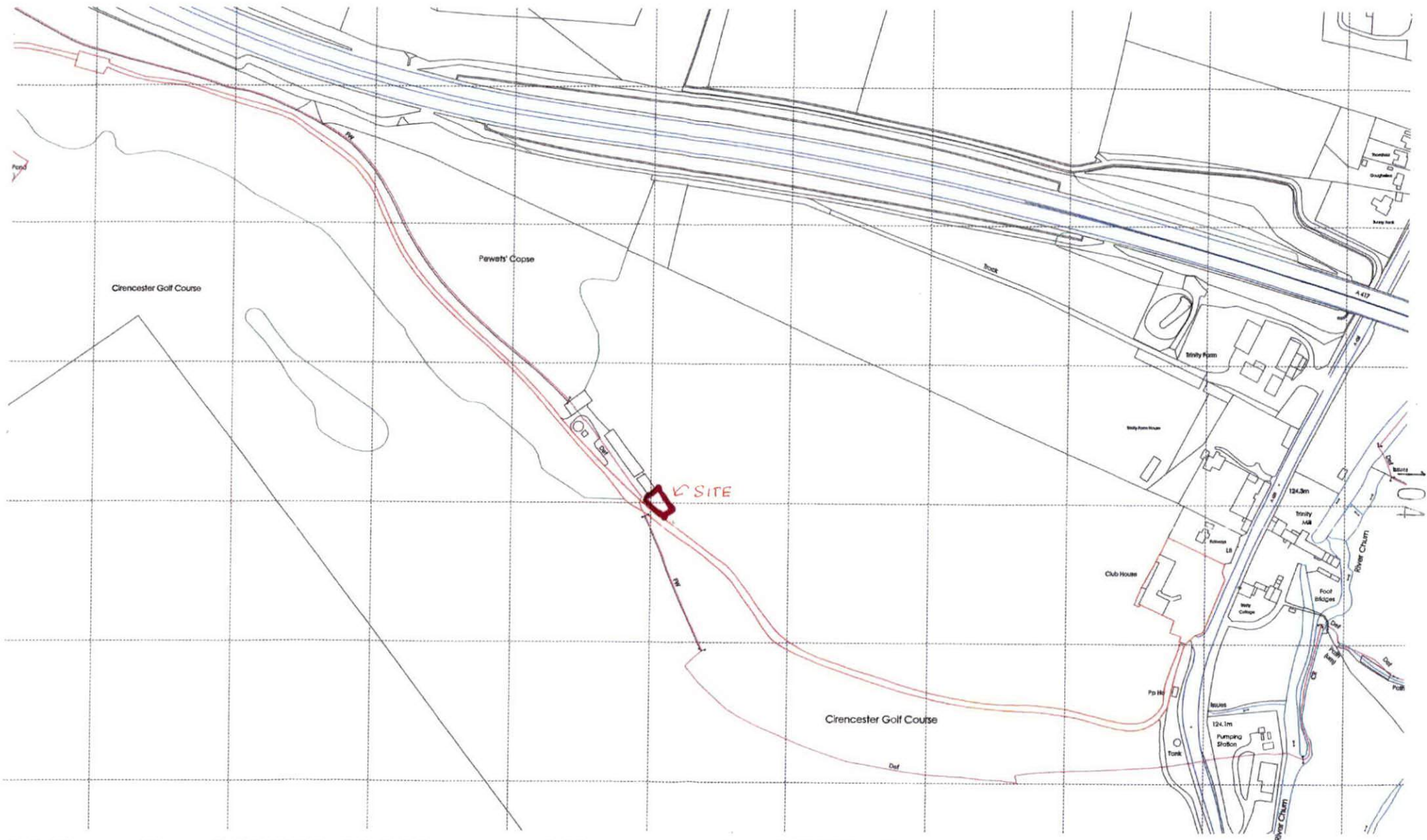
Organisation: Cotswold District Council

Department:

Date: 28/06/2019

Scale: 1:5000





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Plan - 1:2500

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**Item No 06:-**

**18/03102/FUL**

**Korinn Farm  
Cowley  
Cheltenham  
Gloucestershire  
GL53 9NJ**

**Item No 06:-**

**Erection of an agricultural workers' dwelling and associated ancillary development. Retention of existing temporary static caravan to allow continued occupation whilst permanent dwelling is constructed at Korinn Farm Cowley Cheltenham Gloucestershire GL53 9NJ**

<b>Full Application 18/03102/FUL</b>	
<b>Applicant:</b>	Cotswold Alpacas
<b>Agent:</b>	Plan-A Planning & Development Ltd
<b>Case Officer:</b>	Adrian Walker
<b>Ward Member(s):</b>	Councillor Julia Judd
<b>Committee Date:</b>	10th July 2019
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**Main Issues:**

- (a) Principle of the development
- (b) Design and Impact on the Area of Outstanding Natural Beauty
- (c) Residential Amenity
- (d) Highway Impact and Access

**Reasons for Referral:**

Cllr Judd requested the application be referred to Planning Committee owing to the level of local concern, in particular regarding the case for Rural Workers' Policy H5 is not robust enough to mitigate the Local Plan Landscape and AONB policies EN4 and EN5.

**1. Site Description:**

This planning application seeks consent for a new essential farm worker's dwelling and the temporary retention of the existing static caravan to allow continued occupation whilst permanent dwelling is constructed. The new house would be located to the north-eastern side of the existing farmstead. The site is located between Cowley and Coberley at Korinn Farm, which is a farm unit used for the raising of alpacas. The site is occupied by an existing cluster of buildings and structures, including stables, a storage barn, foaling barn, a caravan and manege which are positioned around a yard. Immediately north of the buildings is a steep wooded bank and to the south is open pastoral land enclosed by hedgerows. The site is accessed via a long farm track which links the carriageway to the south-west.

The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). There are a number of Public Rights of Way (PROW) near to the application site.

The application site is located in Flood Zone 1.

**2. Relevant Planning History:**

04/00311/FUL: Erection of stable with tack room, feed and hay store. Refused 21.12.2012. Allowed at Appeal 18.09.2005.

05/01828/FUL: Erection of 4 no single loose boxes and tack room. Permitted 13.10.2005

12/03087/FUL: Erection of day room/foaling stable and field shelter. Refused 21.12.2012

13/01535/FUL: Erection of day room/foaling stable - revised scheme (12/03087/FUL). Permitted 07.06.2013

14/00958/FUL: Siting of temporary rural workers dwelling with treatment plant (retrospective). Refused 13.05.2014. Allowed at Appeal for a period of three years 18.08.2015

### 3. Planning Policies:

NPPF National Planning Policy Framework  
 DS1 Development Strategy  
 DS4 Open Market Housing o/s Principal/non-Pr  
 EN1 Built, Natural & Historic Environment  
 EN2 Design of Built & Natural Environment  
 EN4 The Wider Natural & Historic Landscape  
 EN5 Cotswold AONB  
 H5 Dwellings-Rural Workers o/s Settlements  
 INF3 Sustainable Transport  
 INF4 Highway Safety  
 INF5 Parking Provision

### 4. Observations of Consultees:

Landscape Officer: Comments have been included in the Officer's Assessment.

Environmental Services: No objection subject to conditions

Severn Trent Water: No objection

### 5. View of Town/Parish Council:

Cowley Parish Council: The Town Council originally objected to the application however have subsequently written in support of the application.

Coberley Parish Council has also commented on the application. Although not in the Parish of Coberley, the application site is immediately adjacent to the boundary and the Parish Council has been approached by a concerned parishioner to consider the application and comment.

Issues raised by Councillors included;

- Undesirable development within the AONB
- Support of the application might suggest an inconsistent approach from the Parish Council when considering previous, similar applications in the AONB.
- Concern at the potential increased impact on the environment, which could be caused by
- the need for greater power generation to support the proposed development
- There is evident strong support from other parishioners
- The desire to retain and grow rural skills and commerce in the area, which could enhance the local economy and be an integral part of the local community.

### 6. Other Representations:

Eight residents have raised objection to the application on the following grounds;

- Design, siting scale
- Loss of general amenity
- Impact on the AONB
- Highways access and parking

- Overdevelopment
- Need for the agricultural workers dwelling
- Viability of the business
- Impact on the PROW

Ten residents have submitted letters in support of the application on the following grounds;

- Local employment
- Design
- Sustainability
- Village amenity
- Agricultural business
- Need for agricultural workers dwelling
- Safety/security

### **7. Applicant's Supporting Information:**

Planning Design and Access Statement  
Agricultural & Rural Business Appraisal

### **8. Officer's Assessment:**

#### **(a) Principle of Development**

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

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2011-2031. New residential development in such locations is primarily covered by Policy DS4: Open Market Housing Outside Development Boundaries and Non-Principal Settlements which states that 'New-build open market housing will not be permitted outside Principal and Non-Principal Settlements unless it is in accordance with other policies that expressly deal with residential development in such locations'. Paragraph 6.4.3 of the Local Plan states that 'housing for rural workers' can be acceptable in areas covered by Policy DS4. This is supported by Policy H5: Dwellings for Rural Workers Outside Settlements which states:

'Outside settlements, new dwellings for rural workers will be permitted where:

- a. It is demonstrated that there is an essential need for a worker to live permanently at or near their place of occupation in the countryside;
- b. A financial test is submitted to demonstrate the viability of the business proposed or as proposed to be expanded;
- c. A new dwelling cannot be provided by adapting an existing building on the holding;
- d. A suitable alternative dwelling to meet the essential need is not available on a defined development site within the 17 Principal Settlements or within a village or hamlet;
- e. The proposed dwelling is located within or adjacent to the existing enterprise or other buildings on the holding;
- f. The size of the proposed dwelling is proportionate to its essential need; and
- g. Occupancy is limited by way of planning condition or obligation.'

The NPPF is also a material consideration in the determination of planning applications. The NPPF requires Local Planning Authorities to deliver a sufficient supply of homes (NPPF, chapter

5) and requires planning decisions for housing to be considered in the context of the 'presumption in favour of sustainable development' (NPPF, paragraph 10 and 11).

With regard to this application, it is of note that the application site is situated in a location that is remote from facilities and services such as secondary schools, shops, employment or healthcare. The site is therefore considered to be situated in an isolated location in the countryside. Paragraph 79 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless special circumstances apply. One such circumstance can include 'an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside'.

In the case of the current application, it is evident that the existing business has been operating for a number of years. A temporary rural worker's dwelling was granted by appeal in 2015 for a period of three years. The Inspector concluded in the determination of the appeal that the tests were satisfied in relation to the need for an agricultural workers dwelling for the current business. The conditions of the appeal required the temporary dwelling to be removed within three years of the date of the decision. This application also seeks to extend the use of the temporary accommodation until such time the permanent dwelling is constructed.

The essential need for a dwelling is dependent on the scale of the enterprise which itself is dependent on the long-term availability of land which was an issue raised at the appeal.

The Appeal Inspector recognised that there was a practical limitation, at that time and within his decision stated that the prospect of a permanent permission would be reliant on there being sufficient land available.

Parties are agreed that if the land was limited to Korinn Farm then the present stocking of Alpacas could be accommodated with some extra facilities, but any livery enterprise in addition could not be sustained.

The granting of the new tenancy for an additional 6 acres for a further 5 years, and the indication of further possible occupation and purchase opportunity is considered to address this concern.

The application was submitted with an Agricultural and Rural Business Appraisal which has been assessed by an independent rural planning and land management consultant who concluded that there is an essential need for a permanent dwelling for the agricultural business. A copy of the report is included as an appendix to this report.

In regards to satisfying the criteria of Local Plan Policy H5, the need and viability has been addressed in the independently assessed Agricultural and Rural Business Appraisal. There are no existing buildings that could be converted or alternative dwellings to meet the essential need. The proposed dwelling is located within the existing enterprise and is considered proportionate to the essential need. A planning condition would be placed upon any permission restricting the occupation of the dwelling to agricultural workers.

As such, the principal of the development of a residential dwelling on the site is accepted in accordance with Local Plan Policy DS4, and paragraph 79 of the NPPF. There are, however, other material considerations that need to be taken into account, which will be looked at in the following sections of this report.

#### **(b) Design and impact on the Cotswold AONB**

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

Section 12 of the NPPF seeks to achieve well-designed places. Paragraph 124 states that, 'The creation of high quality buildings and places is fundamental to what the planning and



development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Section 15 of the NPPF requires us to have regard to the conservation and enhancement of the natural environment. Paragraph 109 states that the planning system should protect and enhance valued landscapes. Paragraph 115 states that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty.

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.'

Policy EN2 (Design of the Built and Natural Environment) of the Local Plan states that 'Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.' The Cotswold Design Code (Appendix D within the Local Plan) requires that development should be environmentally sustainable and designed in a manner than respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

The Cotswold Design Code specifically gives guidance for contemporary buildings stating that: There should be an emphasis on simplicity of design, with detailing neatly resolved and of the highest quality.

In some instances the use of modern, non-local materials may contribute towards a successful contemporary design. This might include the use of more extensive areas of glazing, zinc or copper roofs, or timber cladding.

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

Policy EN5 (Cotswold Area of Outstanding Natural Beauty) within the Local Plan states that in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

The application site and its surroundings fall within Landscape Character Type 8C High Wold Valley: Upper Churn Valley as defined in the Landscape Strategy and Guidelines for the Cotswolds AONB by the Cotswold Conservation Board (CCB). Within the guidelines the CCB identifies 'isolated development such as new single dwellings' as a local force for change in the area. The Strategies and Guidelines section of the Landscape Character Assessment make the following recommendations in relation to development such as that proposed to;

- Conserve the distinctive rural and dispersed settlement pattern;
- Avoid isolated development, that will intrude negatively into the landscape and cannot be successfully mitigated;
- Oppose new housing in the countryside (unless special circumstances apply in accordance with Paragraph 55 (now Para. 79) of the NPPF and development conserves and enhances the AONB as required by the CRoW Act 2000);

- Avoid conversion of isolated farm buildings;
- Conserve areas of dark skies and dark valley slopes;
- Prevent the use of suburban building styles and materials.
- Landscaping schemes accompanying development should encourage the planting of appropriately sized native trees, shrubs and traditional fruit varieties, whilst discouraging large alien species such as eucalypts and conifers and inappropriate cultivars of native species, particularly on fringes of open countryside;
- Respect traditional position of agricultural buildings and their relationship to the surrounding land.

The site would be prominent in local views from Cowley Footpath 29 which follows a route to the edge of the paddock to the south-west and through the woodland to the north. The proposed dwelling would be prominent in views from the south; however it would be seen within the context of the existing built complex which sits in a dip in the landscape when viewed from the south. Glimpsed local views are also available from the north, but again the dwelling would be seen within the existing context of the built complex and would be partly obscured by the existing woodland planting. It is also noted that the removal of the caravan would also be an enhancement.

It is unlikely that long distance views would be available of the proposed dwelling. However, it is important to note that light spill might be apparent.

The first iteration of the dwellings design was submitted in August 2018 and has been subject to extensive consultation and redesign in accordance with Officer's recommendations. Concerns regarding the scale, massing, siting and design which originally was considered too suburban and would have had a negative impact on the character and appearance of the AONB, have now been addressed.

The dwelling has been repositioned and it now relates better to the existing cluster of buildings. The ridge height has been lowered to below 7m and the massing has been reduced significantly. It is considered that the overall scale and position is acceptable.

The new dwelling reflects the character of the existing buildings on the site. The revised design presents a building which is simplified to that of a timber and metal clad structure with metal corrugated roof and aluminium windows. The north-east and north-west elevations have minimal openings to ensure that the appearance of the building provides an agricultural character. A larger window opening is shown to the first floor of the south-west elevation, however it is recognised that this is set back under a roof overhang which will help to reduce light spill and is necessary for the observation of the livestock. The largest opening is shown to the south-east elevation; which although a large window is obscured with horizontal timber louvers.

As such, it is considered that the proposed dwelling reflects the rural character of the site and the surrounding working agricultural landscape. The scheme utilises high quality traditional materials which take reference the surrounding local character and therefore will not have an impact on the character and appearance of the Cotswolds AONB. As such the proposal, subject to conditions, complies with Section 85 of the Countryside and Rights of Way (CROW) Act 2000, Cotswold District Local Plan Policies EN2, EN4 and EN5 and NPPF paragraph 170 and 172.

### **(c) Residential Amenity**

Section 12 of the NPPF seeks to achieve well-designed places. In part, paragraph 127 of the NPPF ensures that development create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy EN2 of the Local Plan supports development that accords with The Cotswold Design Code (Appendix D within the Local Plan). The Cotswold Design Code requires extensions to respect

the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect.

Local Plan Policy EN15 (Pollution and Contaminated Land) seeks to ensure development does not result noise or odour nuisance or safety hazards.

The dwelling would have sufficient amenity space for the occupants of the dwelling. In regard to neighbouring amenity, the proposed dwelling would be situated a sufficient distance away from any neighbouring dwelling to give rise to any potential overlooking or loss of daylight.

A condition would be placed on any permission to control any noise from the proposed plant.

As such the proposal is considered not to result in harm to residential amenity accordance with Section 12 of the NPPF and the amenity considerations within Policies EN2 and EN15 of the Local Plan.

#### **(d) Highway Impact and Access**

Section 9 of the NPPF advocates sustainable transport, including safe and suitable accesses to all sites for all people. However, it also makes it clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network are severe.

Local Plan Policy INF3 (Sustainable Transport) supports development that actively supports travel choices with priority to walking and cycling and access provided to public transport. Links with green infrastructure, PROWs and wider cycle networks should be provided. Development that would have a detrimental effect on the amenity of existing infrastructure will not be permitted.

Local Plan Policy INF4 (Highway Safety) supports development that is well integrated with the existing transport network and beyond the application site, avoiding severance resulting from mitigation and severe impact upon the highway network. Developments that create safe and secure layouts and access will be permitted.

Local Plan Policy INF5 (Parking Provision) seeks to ensure sufficient parking provision to manage the local road network.

The application utilises the existing access to the farm via the track to the east. It is considered that the intensification of the site with the introduction of a single dwelling would not result in any adverse impact on highways safety. There is also sufficient space for parking within the site.

As such, the proposal is considered to be in accordance with Policies ENF3, ENF4 and ENF5 of the Local Plan and Section 9 of the NPPF and is acceptable in regards to any highways and parking impacts.

#### **9. Conclusion:**

The application is considered to be in accordance with National and Local Polices and it is recommended that planning permission should be granted.

#### **10. Proposed conditions:**

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

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

The development hereby approved shall be implemented in accordance with the following drawing number(s): KFH-E-100-01 REV TP-05; KFH--SP-500-01 REV TP-03; KFH--P-100-01 REV TP-04; KFH--P-100-02 REV TP-04.

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

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.

The timber boarding shall not be treated in any way and shall be left to weather and silver naturally and shall be permanently retained as such thereafter.

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

Prior to its installation, a scheme shall be submitted to and agreed in writing by the local planning authority which specifies the provisions to be made for the level of illumination of the site and the control of light pollution. The scheme should be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to protect the dark skies of the Cotswold AONB from light pollution, in accordance with Cotswold District Local Plan Policies EN2, EN5 and EN15.

Prior to the first use/occupation of the development 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 planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

**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 EN4.

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.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no extensions, buildings or structures, including means of enclosure, shall be erected, constructed or sited in the residential curtilage of the dwelling hereby approved, as confirmed as the area outlined in red on the approved plan KFH--SP-500-01 REV TP-03, other than those permitted by this Decision.

**Reason:** In order to protect the open character of the Cotswold AONB, in accordance with Cotswold District Local Plan Policies EN2 and EN5.

Prior to the installation of the heat pump, battery bank and associated plant, containment / attenuation, a scheme shall be submitted to and agreed in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the plant. The noise mitigation scheme should be maintained and shall not be altered without the prior written approval of the Local Planning Authority.

**Reason:** To protect the amenity of the locality, especially for people living nearby, in accordance with Cotswold District Local Plan Policy EN15.

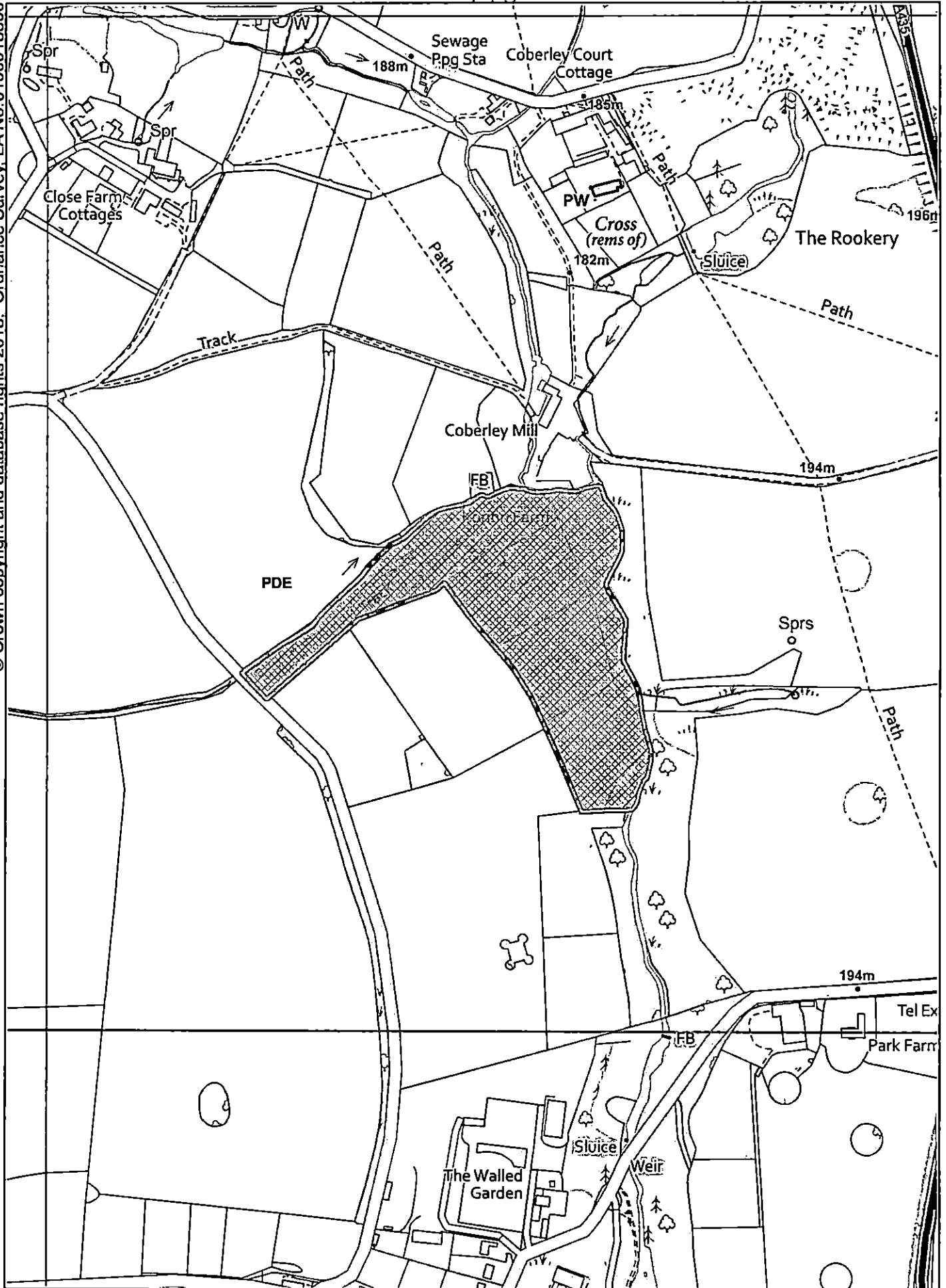
The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the Alpaca business on the site, or to any dependents, widow, widower or surviving civil partner.

**Reason:** In accordance with Cotswold District Local Plan Policy H5 the site is not in an area intended for general development. In accordance with the Local Plan and the National Planning Policy Framework permission is granted only because it has been demonstrated that there is an essential need for a worker to live permanently at their place of occupation in the countryside.

Within three months of the occupation of the dwelling hereby approved the existing temporary static caravan shall be permanently removed from the site.

**Reason:** To accord with Local Plan Policy H5.

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**KORINN FARM COWLEY**

Organisation: Cotswold District Council

Department:

Date: 28/06/2019

Scale: 1:5000



**COTSWOLD**  
DISTRICT COUNCIL

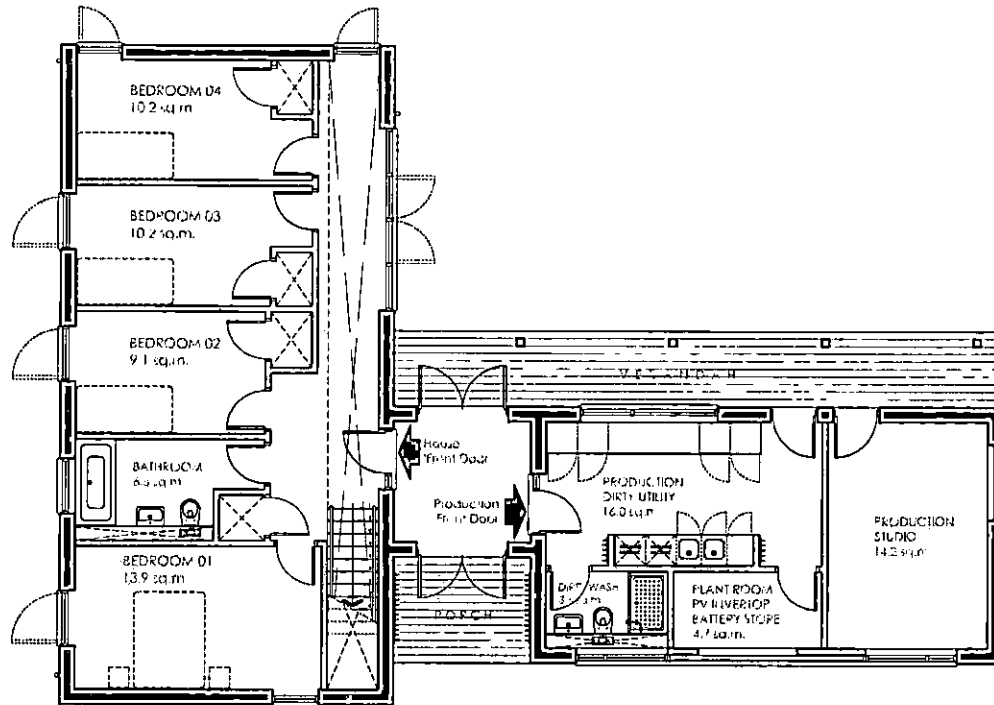
Page 134 of 169





0 1m 2m 3m 4m 5m 6m 7m

1:100 Scale @ A3



House Ground Floor 75.0 sqm G.I.A.

Production Suite 40.0sqm G.I.A.

Ground Floor Plan as Proposed

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PRECEDENT IMAGE 01

INEXPENSIVE AGRICULTURAL BUILDING MATERIALS SIMPLY AND ELEGANTLY DETAILED TO DELIVER A PLEASING AND HUMANE DOMESTIC ARCHITECTURE RESPONDING TO LOCAL CONTEXT AND VERNACULAR FORMS



PRECEDENT IMAGE 02

LIVING IN HARMONY WITH THE LAND BY CREATING SPACES THAT SPEAK TO THE FUNDAMENTAL NEEDS OF HUMAN INHABITATION - HEARTH AS HEART OF THE HOME, A VERANDAH TO ENCOURAGE INSIDE/OUTSIDE LIVING, ABUNDANT NATURAL DAYLIGHT FOR WELL BEING, AND GENEROUS GLAZED AREAS FOR COMMUNING WITH THE FARM

Revision	Description	Date
TP-04	FURTHER AMENDMENTS AFTER OFFICER COMMENTS	14.03.19
TP-03	GENERAL AMENDMENTS AFTER OFFICER COMMENTS	08.03.19
TP-02	DWELLING G.I.A. REDUCED BY 49 SQM OVERALL	12.02.19
TP-01	PATIAL ISSUE	12.12.18

Project: New Farmhouse at Karim Farm, Cowley, Ghaubcastor@sho

Drawing Title	Issue
General Arrangement GROUND FLOOR PLAN	TOWN PLANNING
Drawing Number	Revision
KFH-P-100-01	TP-04

Client	Scale	Size	Date
Gordon Simpson	1:100	A3	12.12.18

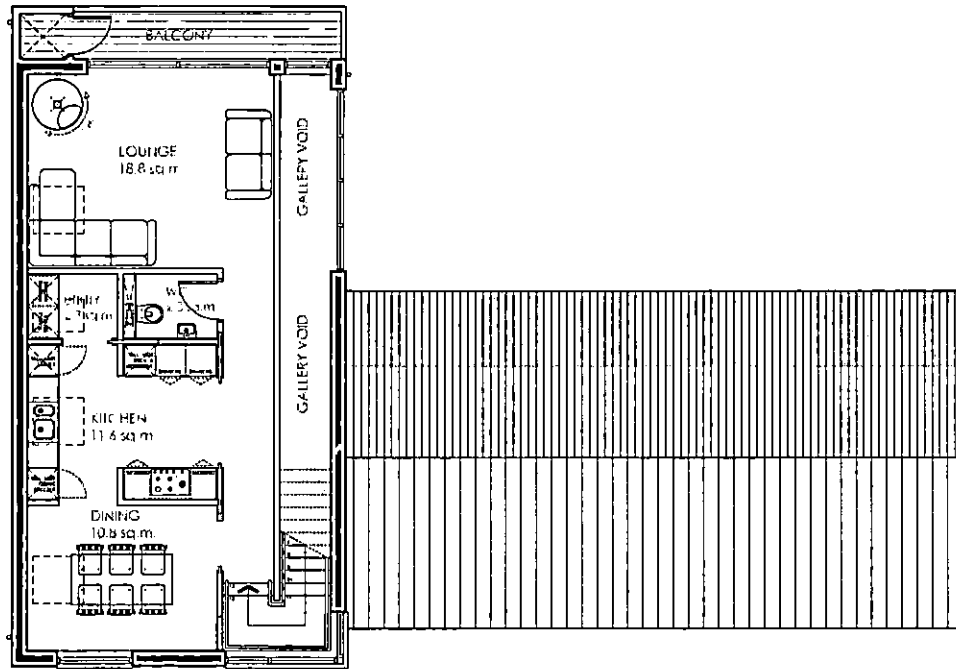


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 simpson@arthandarchitecture.com  
 www.arthandarchitecture.com



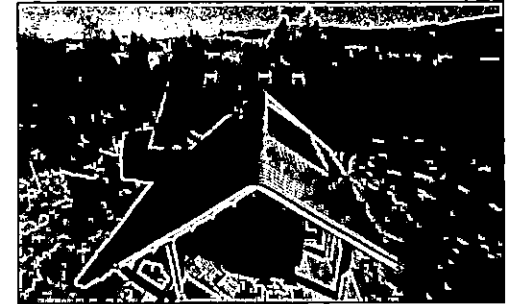
0 1m 2m 3m 4m 5m 6m 7m

1:100 Scale @ A3



House First Floor 54.0 sqm G.I.A

First Floor Plan as Proposed



PRECEDENT IMAGE 03

FIBRE CEMENT AGRICULTURAL SINUSOIDAL SHEET ROOFING WITH DEEP OVERHANGING EAVES TO PROTECT OUTDOOR STORAGE AREAS AND VERANDAH DECK/WALKWAY



PRECEDENT IMAGE 04

MODESTLY PRICED BUILDING MATERIALS AND GOOD DESIGN CAN ADD VALUE AND DELIVER AN APPROPRIATE AND CONTEXTUAL ARCHITECTURE

Revision	Description	Date
TP-04	FURTHER AMENDMENTS AFTER OFFICER COMMENTS	14.03.19
TP-03	GENERAL AMENDMENTS AFTER OFFICER COMMENTS	06.03.19
TP-02	DWELLING G.I.A. REDUCED BY 47 sqm OVERALL	12.02.19
TP-01	INITIAL ISSUE	12.12.18

Project:  
New Farmhouse at Kofin Farm, Cowley, Gloucestershire

Drawing title <b>General Arrangement FIRST FLOOR PLAN</b>	Title <b>TOWN PLANNING</b>
Drawing Number <b>KFH-P-100-02</b>	Revision <b>TP-04</b>

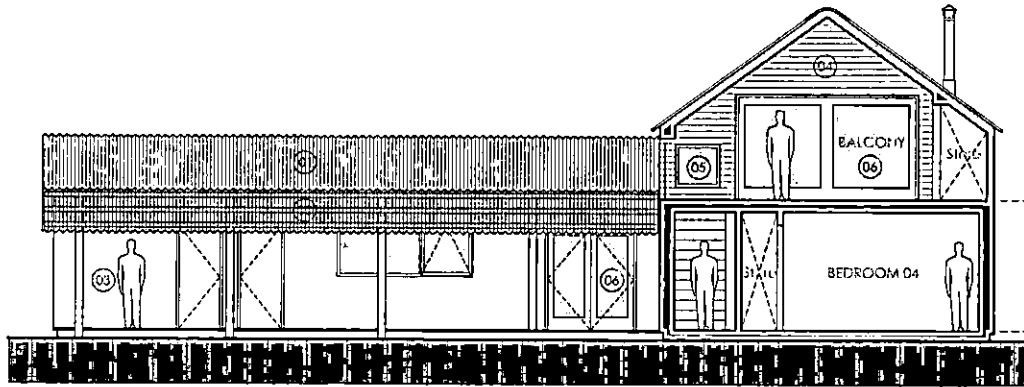
Contractor Gordon Simpson	Scale 1:100	Site @ A3	Date 12.12.18
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**Art Hand Architecture**

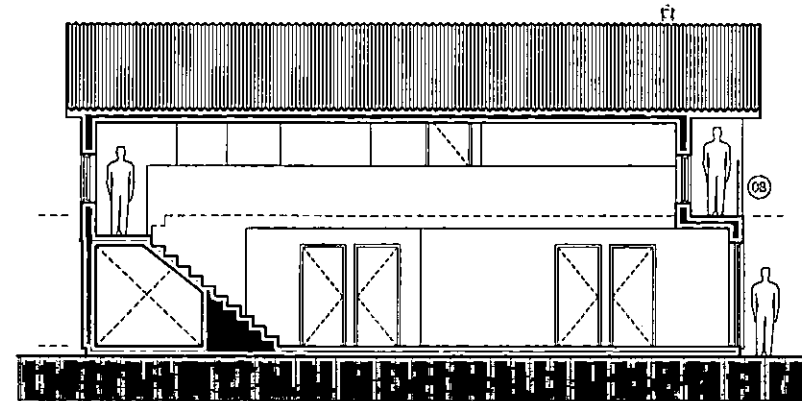
T: 01452 810833 / M: 07520 725674  
 24 Stone Street, Regent Office, 4 Abbey Free Centre, Bristol Road, Stroud, Gloucestershire, G12 2JL  
 www.artandarchitecture.co.uk

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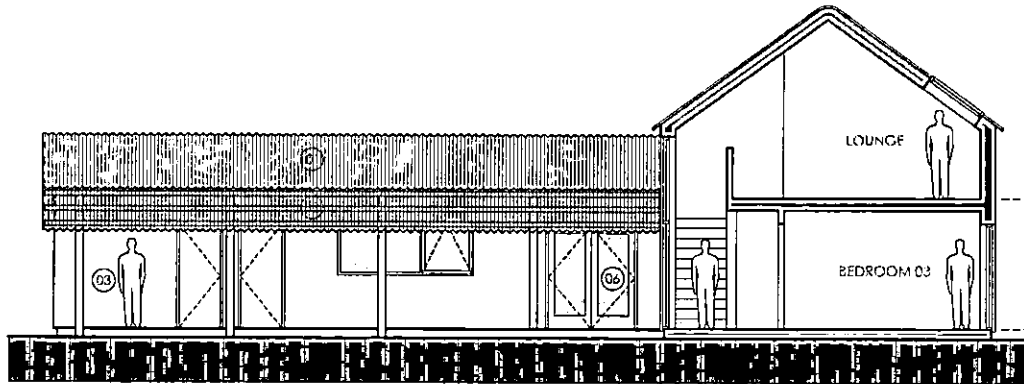




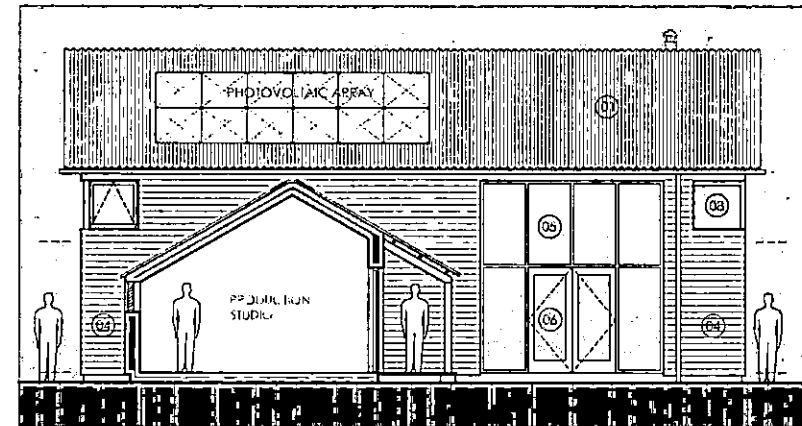
Sectional Elevation on A'-A''



Sectional Elevation on C'-C''



Sectional Elevation on B'-B''

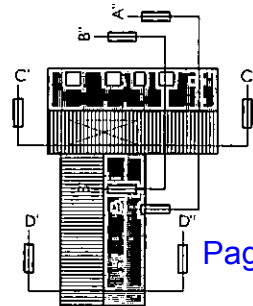


Sectional Elevation on D'-D''



PRECEDENT IMAGE 08

SIMPLE BUILDING FORMS AND INEXPENSIVE AGRICULTURAL BUILDING MATERIALS USED FOR HONEST AND ELEGANT DOMESTIC ARCHITECTURE



KEY: PROPOSED MATERIALS

- 01 ROOF: AGRICULTURAL SINUSOIDAL PROFILED SHEET
- 02 ROOF: TRANSLUCENT GRP SINUSOIDAL PROFILED SHEET
- 03 WALLS: AGRICULTURAL SINUSOIDAL PROFILED SHEET
- 04 WALLS: HORIZONTAL TIMBER WEATHER BOARDING
- 05 HIGH PERFORMANCE TIMBER WINDOWS: COMPOSITE WINDOWS COMPRISING TIMBER FRAMES WITH EXTERNAL ALUMINIUM FACINGS
- 06 HIGH PERFORMANCE TIMBER DOORSET: FULLY WEATHER SEALED WITH SECURITY LATCHING
- 07 RAINWATER GOODS: GALVANISED STEEL BY LINDAB
- 08 BALCONY GUARDING: FRAMELESS STRUCTURAL CLEAR GLASS GUARDING

Revision	Description	Date
TP-04	FURTHER AMENDMENTS AFTER OFFICER COMMENTS	14.03.19
TP-03	GENERAL AMENDMENTS AFTER OFFICER COMMENTS	06.03.19
TP-02	DWELLING G.L.A. REDUCED BY 47 SQM OVERALL	12.02.19
TP-01	INITIAL ISSUE	12.12.18

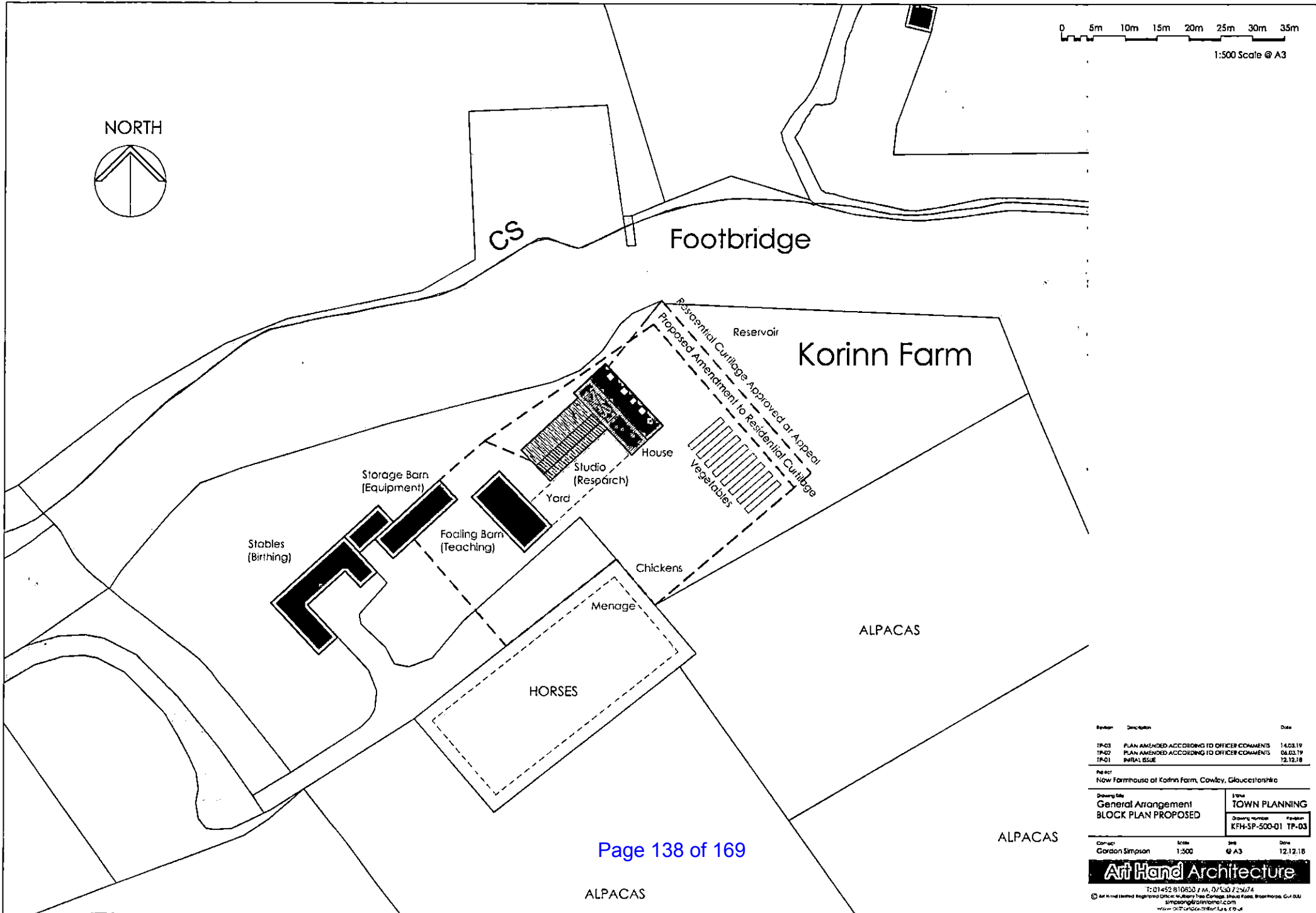
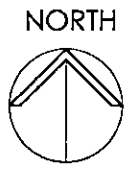
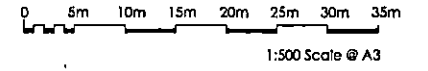
Project: New Farmhouse at Korinn Farm, Cowley, Gloucestershire

Drawing Title	Scale	Sheet	Date
General Arrangement SECTIONS AS PROPOSED	1:100	@ A3	12.12.18
Drawing Number	Revision		
KFH-S-100-01	TP-04		

Company: Gordon Simpson

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Revision	Description	Date
TP-03	PLAN AMENDED ACCORDING TO OFFICER COMMENTS	14.03.19
TP-02	PLAN AMENDED ACCORDING TO OFFICER COMMENTS	06.03.19
TP-01	INITIAL ISSUE	12.12.18

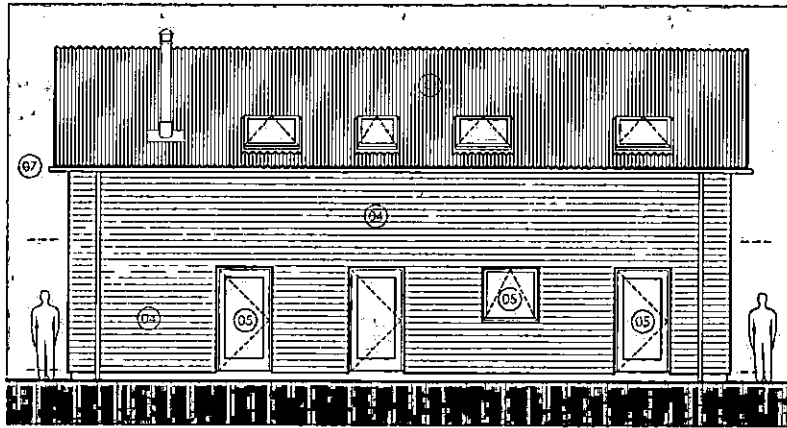
File No: New Farmhouse at Korinn Farm, Cowley, Gloucestershire

Drawing Title <b>General Arrangement BLOCK PLAN PROPOSED</b>	Issue <b>TOWN PLANNING</b>
Drawing Number <b>KFH-SP-500-01 TP-03</b>	Revision

Client Gordon Simpson	Scale 1:500	Site @ A3	Date 12.12.18
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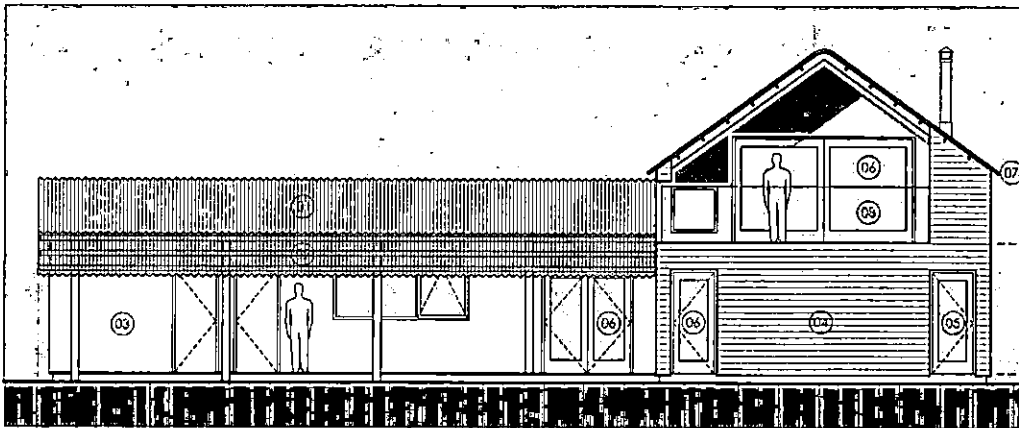
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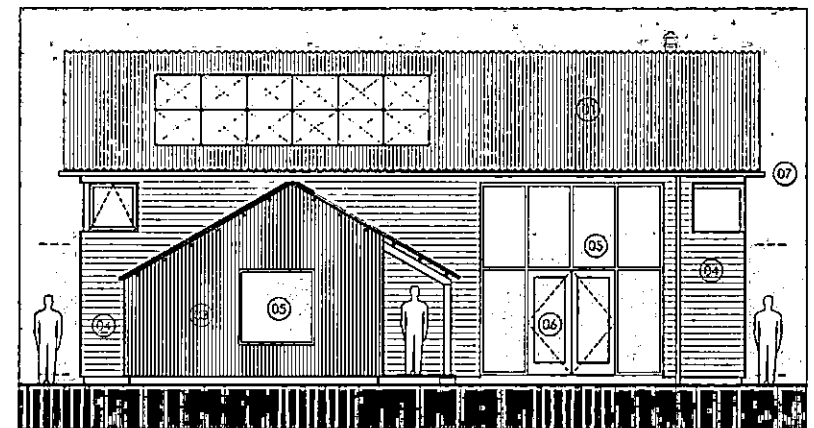
North East Elevation



North West Elevation



South West Elevation



South East Elevation



PRECEDENT IMAGE 05  
SIMPLE AGRICULTURAL BUILDING FORMS USED FOR DOMESTIC ARCHITECTURE



PRECEDENT IMAGE 06  
COMMON AGRICULTURAL MATERIALS USED SUCCESSFULLY FOR DOMESTIC ARCHITECTURE



PRECEDENT IMAGE 07  
CONTEXTUAL RURAL VERNACULAR DWELLINGS

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KEY: PROPOSED MATERIALS

- 01 ROOF: AGRICULTURAL SINUSOIDAL PROFILED SHEET
- 02 ROOF: TRANSLUCENT GRP SINUSOIDAL PROFILED SHEET
- 03 WALLS: AGRICULTURAL SINUSOIDAL PROFILED SHEET
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- 06 HIGH PERFORMANCE TIMBER DOORSET: FULLY WEATHER SEALED WITH SECURITY LATCHING
- 07 RAINWATER GOODS: GALVANISED STEEL BY LINDAB
- 08 ROOF TERRACE/BALCONY GUARDING: FRAMELESS STRUCTURAL CLEAR GLASS GUARDING

Revision	Description	Date
TP-04	FURTHER AMENDMENTS AFTER OFFICER COMMENTS	14.03.19
TP-03	GENERAL AMENDMENTS AFTER OFFICER COMMENTS	06.03.19
TP-02	DWELLING G.L.E. REDUCED BY 49 sqm OVERALL	12.02.19
TP-01	INITIAL ISSUE	12.12.18

Project: New Farmhouse at Korinn Farm, Cowley, Gloucestershire

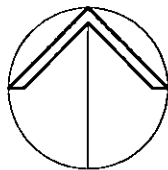
Drawing Title: General Arrangement ELEVATIONS AS PROPOSED	Drawn: TOWN PLANNING
Drawing Number: KFH-E-100-01	TP-04

Contractor: Gordon Simpson	Scale: 1:100	Site: @ A3	Date: 12.12.18
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**Art Hand Architecture**  
 T: 01452 810950 M: 07556 755074  
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NORTH



1:2500 Scale @ A4



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Revision	Description	Date
TP-02	PLAN AMENDED AFTER OFFICER COMMENTS	14.03.2019
TP-01	INITIAL ISSUE	16.12.2018

Project  
New Farmhouse, Korinn Farm, Cowley, Gloucestershire

Drawing Title  
SITE LOCATION PLAN

Status  
TOWN PLANNING



Drawing Number	Revision
KFH-L-2500-01	TP-02

Page 140 of 169

**Item No 07:-**

**18/02520/FUL**

**Land South Of  
Wick House  
East End  
Fairford  
Gloucestershire  
GL7 4AP**

## Item No 07:-

**Erection of two dwellings at Land South Of Wick House East End Fairford Gloucestershire GL7 4AP**

<b>Full Application 18/02520/FUL</b>	
Applicant:	Mr George
Agent:	SF Planning
Case Officer:	Adrian Walker
Ward Member(s):	Councillor Steve Trotter Councillor Stephen Andrews
Committee Date:	10th July 2019
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**OFFICER UPDATE:** This application was heard at the Planning and Licensing Committee on 12th June 2019 and deferred subject to a Sites Inspection Briefing on 3rd July 2019 to enable Members to assess the suitability of the access, it was also requested that a Highways Officer and Drainage Engineer be present at the following Committee meeting.

The Officer report presented to the 12th June meeting was as follows:

**Main Issues:**

- (a) Principle of development
- (b) Design
- (c) Amenity
- (d) Highway Safety and Parking Provision
- (e) Flood Risk
- (f) Biodiversity

**Reasons for Referral:**

Cllr Andrews has referred the application to Committee due to Flood Risk issues and the question of land ownership in relation to the accessibility of the site.

**1. Site Description:**

The site comprises a tennis court which formerly formed part of the curtilage of Wick House. Wick House is not considered of historic merit, however, the stone wall and attached outbuildings do have some historic merit and could be considered a Non-designated Heritage Asset.

The site falls within the development boundary of Fairford and the majority of the site lies within the Fairford Conservation Area. The site is also within Flood Zones 1, 2 and 3.

**2. Relevant Planning History:**

NA

**3. Planning Policies:**

NPPF National Planning Policy Framework  
DS1 Development Strategy [Page 142 of 169](#)

DS2 Dev within Development Boundaries  
 S5 S5 - Fairford  
 EN1 Built, Natural & Historic Environment  
 EN2 Design of Built & Natural Environment  
 EN4 The Wider Natural & Historic Landscape  
 EN14 Managing Flood Risk  
 INF3 Sustainable Transport  
 INF4 Highway Safety  
 INF5 Parking Provision

#### **4. Observations of Consultees:**

Highways Officer: No objection subject to conditions.  
 Conservation Officer: No objection subject to conditions.  
 Drainage Officer: No objection subject to conditions.  
 Environment Agency: No objection subject to conditions.  
 Thames Water: No objection

#### **5. View of Town/Parish Council:**

Fairford Town Council objects to the application on the following grounds;

- Flood Risk
- Design
- Impact on the Conservation Area
- Impact on Listed Building
- Loss of general amenity

#### **6. Other Representations:**

Two general comments have been received from neighbouring residents in regards to the access, design and landscaping.

18 objections to the application have been received on the following grounds;

- Highway access and parking
- Land ownership
- Over development
- Flood Risk
- Design
- Impact on the Conservation Area
- Impact on Listed Building
- Loss of general amenity
- Privacy light and noise
- Landscaping

#### **7. Applicant's Supporting Information:**

Design and Access Statement  
 Planning Statement  
 Heritage Statement  
 Access Appraisal  
 Flood Risk Assessment

#### **8. Officer's Assessment:**

##### **(a) Principle of development**

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

The NPPF is also a material consideration in the determination of planning applications. The NPPF requires Local Planning Authorities to deliver a sufficient supply of homes (NPPF, chapter 5) and requires planning decisions for housing to be considered in the context of the 'presumption in favour of sustainable development' (NPPF, paragraph 10 and 11).

The NPPF explains that the planning system has three overarching objectives in order to achieve sustainable development: economic, social and environmental. These 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)'. (NPPF, paragraph 8)

The application site is located within the Fairford Development Boundary. The erection of new build residential development on the site is therefore primarily covered by Local Plan Policy DS2 Development within Development Boundaries which states:

'Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle.'

The Local Plan is therefore supportive in principle of the creation of new residential dwellings on the application site however there are other material considerations that need to be taken into account, which will be looked at in the following sections of this report.

## **(b) Design**

The site is located within the Fairford Conservation Area (Designated Heritage Asset) wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The site forms part of the curtilage and associated holding for Wick House. Wick House is not a listed building but appears to be a much altered historic building within generous gardens enclosed by a tall stone wall with some modest historic outbuildings. However the stone wall and attached outbuildings do have some historic merit and could be considered a Non-designated Heritage Asset.

The neighbouring property to the East is East is End House a Grade II Listed house with 17th Century origins with remodelling and extensions in 1750 and 1901. As such the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the setting of the building. This duty is required in relation to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Paragraph 127 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development;



- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-heritage designated asset should be taken into account and that a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

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 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.

The Cotswold Design Code (Appendix D within the Local Plan) requires development to be environmentally sustainable and designed in a manner than respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

Policy EN10 in the Local Plan (Designated Heritage Assets) states that:

- 1) In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation in proportion with the importance of the asset.
- 2) Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings) and 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 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 or harm; and
  - The nature and level of the public benefit of the proposal.

Policy EN11 of the Local Plan (Conservation Areas) states:

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

- a) preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;
- b) include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;
- c) will not result in the loss of open spaces, including garden areas and village greens which make a valuable contribution to the character or appearance, and /or allow important views into or out of the Conservation Area

The application proposes the erection of two dwellings in the residential curtilage of Wick House. The application has been subject to alterations to the design in accordance with pre-application advice as well as advice from the Conservation Officer during the application process. As part of these discussions there was no objection to the principle of constructing two dwellings in the rear garden of Wick House. Concerns were raised however regarding the demolition of the tall stone garden wall and a historic stone outbuilding to Wick House which makes a positive contribution to the character of the conservation area. Revised designs were also sought to create a more imaginative scheme which included detached garages and requested suitable materials to reflect the conservation area designation.

The Conservation Officers comments on the current proposals are as follows;

The layout of the new dwellings remain as the initial submission but this did take account of pre-application recommendations to be re-orientated to utilise the existing stone boundary wall and for detached garages to be introduced which was an improvement.

My previous comments of the 6/8/18 noted that there were a number of design opportunities to create a contemporary scheme; this could be in the form of green roofs to flat roofed structures or a contemporary cladding to the garage structures. With regards to the roof it is recommended that this should be either constructed in a high quality metal either zinc or copper or that of a sustainable green roof. No information has been provided on this roofing material and therefore a sample will be required for this element to be agreed by condition.

The use of timber cladding to the main dwellings was a concern as this is not typical of the character of the area. It was noted that Fairford is predominantly stone built with a small number of dwellings being rendered. The applicant has removed the timber cladding element and introduced an element of render to the elevations. The colour and finish of the render will require a condition for agreement prior to commencement.

There are no objections to the main building materials which included a natural Cotswold stone for walls with a natural blue slate which are appropriate in this context. Samples of materials will

be required as part of a pre-commencement condition to be approved in the form of a sample panel.

The initial design of the new buildings included external chimneys to the gable walls and these have been amended to be integral and this is welcomed.

The initial proposals included a mix of window designs and glazing bar details with large windows on the ground floor and small panes on the first floor. It was advised that there should be a consistent form of opening and that windows are in a simple single pane form and this consistent approach has been adopted and is now acceptable.

With regards to the material of the windows and doors it was unclear whether these were to be aluminium or timber finishes. It was recommended due to the contemporary nature of the scheme that thin profile metal windows and doors are used throughout. This has been addressed as part of the revised submission with aluminium windows and doors now being proposed. Product details, scaled drawings and RAL Colour will be required for windows and doors as part of a pre-implementation condition.

With regards to any visual impact upon the setting of East End House, the neighbouring property and a Grade II designated asset, the submitted scheme has ensured that through the reorientation of the plots and revisions to reduce the height and massing through setting the scheme into the stone boundary wall and boundary planting there will be no visual impact to the setting of the asset.

The application had been revised from the pre-application submission to retain both the historic stone outbuilding to Wick House and the stone boundary wall which are welcomed. These features are non-designated heritage assets and also contribute to the character of the conservation area and will be repaired as part of the scheme proposals.

It is acknowledged that the stone boundary wall will require an opening for the creation of vehicular access to facilitate the development of the land. While this opening is acceptable this would be subject to a detailed condition which sets out the structural works, repair and methodology for undertaking this work and will require agreement prior to the works commencing.

It is therefore considered that the proposal will not have a harmful impact upon the significance of East End House and its setting. The new dwellings are located sensitively within the plot and have a reduced impact due to their location being set behind the stone boundary wall and boundary planting being introduced to soften the scheme. Therefore the significance of the Grade II designated heritage asset will be sustained, in accordance with Section 16 of the NPPF. The design and mass of the new dwellings are of a low scale and subservient and of a contemporary character utilising high quality materials therefore will not have an adverse impact on the character of Fairford Conservation Area. As such the proposal complies with Sections 16(2) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF and Local Plan Policies EN2, EN10 and EN11

### **(c) Residential Amenity**

Section 12 of the NPPF seeks to achieve well-designed places. In part, paragraph 127 of the NPPF ensures that development creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Local Plan Policy EN2 Design of the Built and Natural Environment supports development that accords with The Cotswold Design Code (Appendix D within the Local Plan).

The Cotswold Design Code requires the interface between a new development and any existing adjacent properties to be designed to respect the amenity of existing residents and to ensure that the existing and new developments are well integrated. The Design Code also requires that extensions respect the amenity of dwellings, giving due consideration to issues of garden space,

privacy, daylight and overbearing effect. To ensure adequate garden space, the size of a private garden should relate to the size and nature of the property. Although specifically referring to assessing extensions, the Design Code states that these residential amenity considerations also apply to other types of development.

The proposed dwellings have been designed so that the main windows of the development face east and west, away from the nearest neighbouring dwellings. The separation between facing windows in habitable rooms of the proposed dwellings and existing dwellings are in excess of 22m.

The garden areas for the proposed dwellings are considered sufficient for different family activities to take place at the same time. Wick House would also retain a large garden area.

Objections have been raised in regards to the access road which will run along the rear of a number of residential gardens and the loss of residential amenity. It is not considered that the noise and disturbance created by two dwellings would give rise to any significant loss of residential amenity. A condition requiring the submission of a lighting strategy will ensure there is no disturbance created due to light pollution.

As such the proposal is not considered to result in harm to residential amenity accordance with Section 12 of the NPPF and the amenity considerations within Policy EN2 of the Local Plan.

#### **(d) Highway Safety and Parking Provision**

Section 9 of the NPPF advocates sustainable transport, including safe and suitable accesses to all sites for all people. However, it also makes it clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network are severe.

Local Plan Policy INF3 Sustainable Transport supports development that actively supports travel choices with priority to walking and cycling and access provided to public transport. Links with green infrastructure, PROWs and wider cycle networks should be provided. Development that would have a detrimental effect on the amenity of existing infrastructure will not be permitted.

Local Plan Policy INF4 Highway Safety supports development that is well integrated with the existing transport network and beyond the application site, avoiding severance resulting from mitigation and severe impact upon the highway network. Developments that create safe and secure layouts and access will be permitted.

Local Plan Policy INF5 Parking Provision seeks to ensure sufficient parking provision to manage the local road network.

The application proposes provides sufficient space within the proposed garaging for off street parking for the occupants of the dwellings.

The site access visibility splays have been based on just one ATC speed survey west of the site access onto the A417 London Road. In accordance with DMRB TA 22 81 guidance speed surveys should be undertaken at the extents of the available visibility which should be either side of the site access to record approaching vehicle speeds in both directions. Due to the changing geometry of the A417 and visibility it is considered surveyed speeds for westbound vehicles may be different then recorded by the ATC counter east of the site access. However it is considered that visibility in accordance with previous county wide speed surveys of average 85th percentile speeds of 54m can be attained to the north east of the site access. The emerging visibility splays for eastbound vehicles and forward visibility are suitable.

There have been a number of local objections on highway grounds that the site fails to provide safe and suitable access due to its narrow width, restricted visibility and creating risk of conflicts with vehicles and pedestrians.

It is acknowledged that the access is narrow in places and some larger vehicles would not be able to access the site.

The Town Council has also noted that the applicant does not have ownership of the start of the access to the site that joins the A417 and as such has provided a Certificate D as part of the application. There are clearly a number of properties that have a right of access along the part of the site that is being utilised at the access for new dwellings. It should be noted that land ownership and rights of access are not material planning considerations; however, highways safety for pedestrians and vehicles is a consideration.

The applicant has worked with the GCC Highways Officer and a Road Safety Opinion was provided. The Road Safety Opinion resolved that two additional dwelling would not have a material safety impact on the operation of the lane and with the removal and trimming of hedgerow, will provide mitigation given the scale and impact of development.

The Highways Officer has subsequently removed any objection to the application subject to conditions.

As such, the proposal is considered to be in accordance with Policies ENF3, ENF4 and ENF5 of the Local Plan and Section 9 of the NPPF and is acceptable in regards to any highways and parking impacts.

#### **(e) Flood risk**

Section 14 of the NPPF acknowledges that planning has a key role in minimising the vulnerability and providing resilience to the impacts of climate change, including factors such as flood risk.

Local Plan Policy EN14 Managing Flood Risk does not support development that would result in an unacceptable increase in flood risk and should not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment as a result of flooding.

The majority of the site is within Flood zone 1, apart from the southern end which is in Flood zones 2 and 3. The submitted plans indicate that house 2 is located on the edge of Flood zones 2 and 3.

The site is susceptible to 1 in 1000 year pluvial flooding, to a depth of less than 300mm, along the access road. The dwellings are proposed in an area indicated to be outside the susceptible area. London Road is susceptible to both 1 in 1000 year and 1 in 100 year pluvial flooding across the site access, to a depth of less than 300mm.

Objections to the development state that the site and other nearby properties were seriously flooded in 2007 and also since, although CDC have no record of this. Flooding in 2007 is recorded as being concentrated in the Milton Street / Bridge Street / London Street area. A couple of properties are also recorded as being affected in the winter of 2013/14, in East End. Identified causes of flooding included surcharging of the highway sewers and inadequate capacity of watercourses such as the River Coln. A drainage survey was carried out in November 2016 by mwh global, which identified courses of action for Thames Water, Gloucestershire Highways and riparian owners to address, in order that flood risk could be mitigated. This included clearance of pipework (tree roots etc.), gullies and watercourses (including the Court Brook). Work was subsequently carried out and there have been no further flood reports in the area since.

The FRA states that the EA have confirmed the site lies within Floodzone 1 and that they therefore have no detailed modelling for it. Ambiental, who prepared the FRA, used in-house "Flowroute" software to produce their own model and demonstrate the development would lie outside the 100 year, 100 year + 35%, 100 year +70% and 1000 year events. The EA have accepted this modelling and requested their own condition be placed on any permission, in relation to FFLs etc.

Microdrainage calculations have been produced using an assumed soakage rate that indicates infiltration would be feasible, but soakage testing will be undertaken on site for detailed design.

The Environment Agency and the Drainage Engineer have reviewed the submitted Flood Risk FRA and have no objection to the proposed development subject to conditions.

Specific objections regarding flood risk have been raised by the Town Council. These have been addressed by the Drainage Engineer as follows;

- It is questioned whether the dwellings will be safe for their lifetime without increasing flood risk elsewhere, as they do not consider all sources of potential flooding have been taken into consideration. I can see that all sources have been referenced in the FRA and, while the Town Council may not believe the FRA is sufficiently in depth, should planning permission be given, the applicant will have to provide evidence that flooding will be prevented when they submit their detailed design scheme before the surface water planning condition can be discharged.
- It is stated that the area around Wick House flooded in 2007, but works carried out by the EA under the Fairford Flood Alleviation Scheme in 2014 has significantly reduced the risk - presumably this particular concern has been alleviated.
- The TC also reports the area was subject to surface water flooding, both in the 2007 incident and subsequently (including in June 2016) and refers to the work carried out in 2017 to remove tree roots and a pipe blockage from (near) Moor Farm to the Court Brook. The concern is that there may be a re-occurrence of the flooding if/when the drains become blocked again or with extreme rainfall events. A (more) detailed FRA has been subsequently suggested. The drainage survey I referred to in my consultation comments established who was responsible for maintaining which assets. Although ownership of the pipe to Court Brook has not been identified, GCC have agreed to maintain a "watching brief" on it, as it conveys highway drainage. I do not consider a more in-depth FRA is required in this instance as asset owners are aware of their maintenance responsibilities.
- It is stated that more sewer flooding occurred than had been recorded in the FRA, but that Thames Water had subsequently increased the capacity and reliability - presumably this particular concern has been alleviated.
- There is concern that the groundwater risk has not be addressed. High groundwater levels were found at Riverdale, a neighbouring property, during a survey carried out by Water Resources Associates and commissioned by the TC . The report states that a maximum 10 year groundwater level of 83.40m was recorded in a well 100m away, with the 200 year level at 84.05m, 600mm above the high point of the Wick House site. The report states that "There is no scope for SuDS drainage using infiltration in low-lying areas .... due to frequent high groundwater levels. In such conditions, attenuation storage ponds provided as a SuDS solution can only take the form of shallow depressions which would require significant land." The TC have suggested that there is little room on site for an attenuation tank or pond and have expressed concern that Lygon Court would be susceptible to runoff from the site and have commented that FFLS should be above the maximum level of any attenuation pond. The EA have asked for a condition to be placed on the planning permission, if given, that the FFLS of the property are raised 180mm above the 1% + 35% climate change level of 82.933m (as suggested by the FRA), giving a level of 83.113m. Clearly this level is lower than the 10 and 200 year groundwater levels, so maybe the EA had not seen the WRA report either. CDC have no records of any properties in the vicinity being flooded specifically by groundwater. The applicant needs to provide evidence that it is feasible to provide SUDS for this development without risk of property flooding to itself or neighbouring properties and that risk of groundwater flooding is taken into consideration.

As such the proposals are considered to be in accordance with Local Plan Policy EN14 Managing Flood Risk and Section 14 of the NPPF.

**(f) Biodiversity**

Chapter 15 of the NPPF seeks to ensure development minimises the impact on and provided net gains for biodiversity.

Local Plan Policy EN8 Biodiversity and Geodiversity: Features Habitats and Species supports development that conserves and enhances biodiversity and geodiversity, providing net gains where possible.

The application site has limited biodiversity value in its current condition as tennis court. The grassed area that will become the access track has some biodiversity value.

Overall it is considered by the introduction of gardens on the former tennis court will mitigate against any loss of Biodiversity from the access track. The proposal is therefore considered to be in accordance with Chapter 15 of the NPPF and Policy EN8 of the Local Plan.

**9. Conclusion:**

The proposal is in accordance with Local and National Policies and planning permission should be granted subject to conditions.

**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 implemented in accordance with the following drawing number(s): .

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

All existing stone, where re-usable from, shall be used in the construction of \*\*\*\*, with its weathered surface facing outwards.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan \*\*\*\*,

New stonework shall be of the same stone type, colour and sizes as the existing stonework and it shall be laid using a mortar which is slightly weaker than the stone and which contains well graded sharp sand, stone dust and lime and shall be permanently retained as such thereafter. In addition, the pointing shall have a marginally recessed finish and shall be brushed or bagged and shall match the existing.

**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.

No bargeboards 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.

New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the Local Planning Authority 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.

No wires, plumbing or pipework other than those shown on the approved plans shall be fixed on the external elevations of the building.

**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.

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 that the window and door frames are suitably recessed in a manner appropriate to the design of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. Traditionally door and window frames in the locality are recessed, so creating building elevations with a character and texture which respect the building.

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 and shall be permanently retained as such thereafter.

**Reason:** To ensure that the development will be constructed of materials that are appropriate to the building which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.

No shall be installed/inserted in the development hereby approved until its/their design 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 1:5 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 that the design of the aforementioned details are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. These are important details which need to be undertaken in a manner which ensures that they serve to preserve the special merit of the building.

Prior to the occupation of the development hereby permitted the existing hedge as shown on submitted plans SK05 and SK06 shall be cut back to provide the required visibility splays and pedestrian passing places and shall be maintained thereafter.

**Reason:** To ensure that safe and suitable access to the site can be achieved for all users in accordance with paragraph 108 of the National Planning Policy Framework.



The buildings hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plan drawing no. 2596P(1)111 rev B, and those facilities shall be maintained available for those purposes thereafter.

**Reason:** To ensure 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 the paragraphs 108 and 110 of the National Planning Policy Framework.

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 40m left (West) and 39m right (East) (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 avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure 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 paragraphs 108 and 110 of the National Planning Policy Framework.

Prior to the occupation of the buildings hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

**Reason:** To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

Throughout the construction [and demolition] period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities

**Reason:** To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

**Reason:** To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance).

If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

The development shall be carried out in accordance with the submitted Flood Risk Assessment, prepared by Ambiental, reference 4373, version 1.0, dated 26 February 2019, and the following mitigation measures it details:

1. The finished floor level of the dwellings will be set no lower than 180mm above the 1% + 35% climate change level of 82.93m AOD.
2. There shall be no raising of existing ground levels on the site.
3. Any walls or fencing constructed within or around the site shall be designed to be permeable to flood water.
4. There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.

Reason: This condition is sought in accordance with paragraph 163 of the National Planning Policy Framework to reduce the risk of flooding on-site and elsewhere. In particular to:

To reduce the risk of flooding to the proposed development and future occupants.

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

**Informatives:**

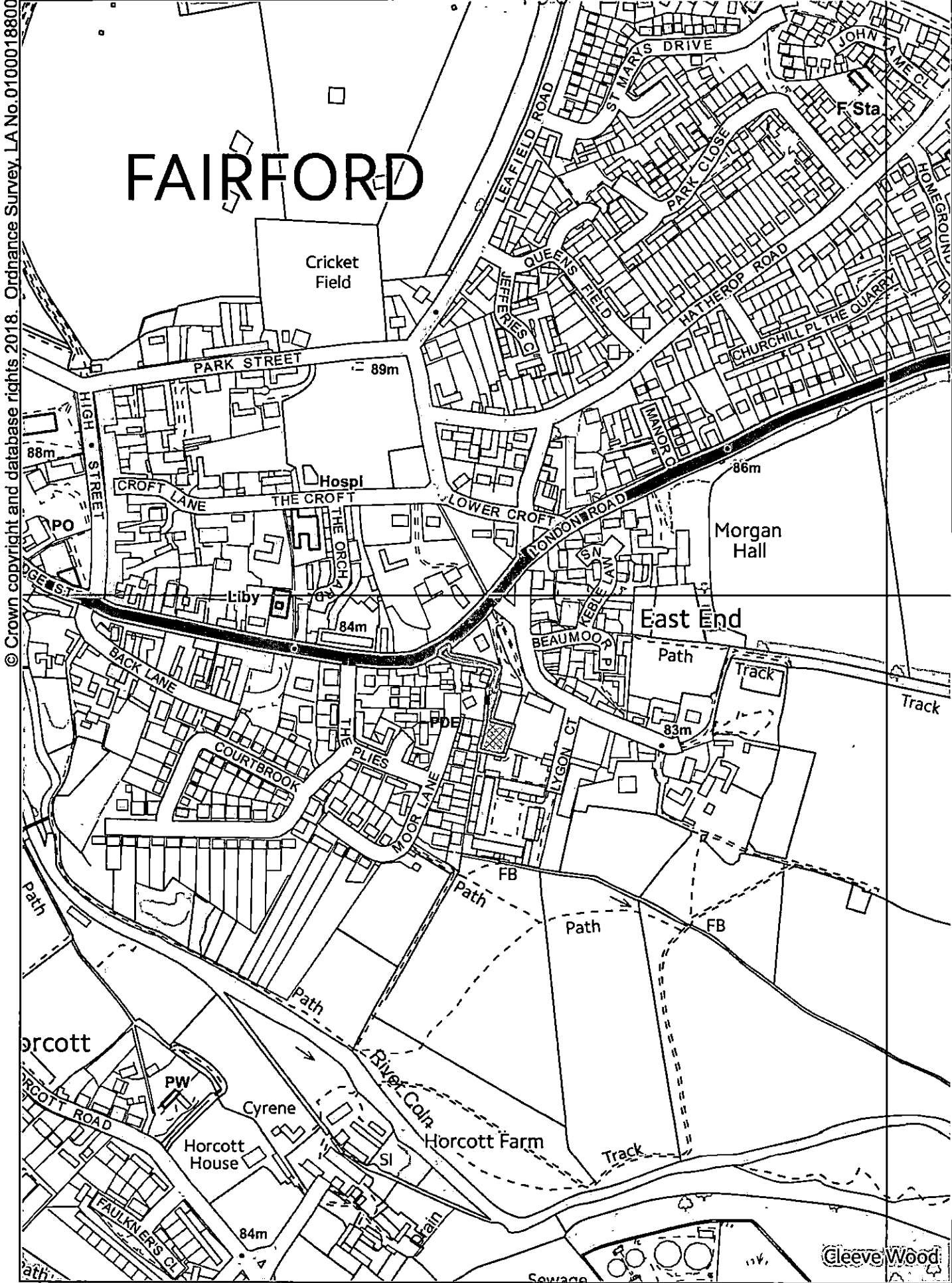
**NOTE TO APPLICANT:**

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water

Management Act 2010 (Part 1 - Clause 9 (1))

- CIRIA C753 SuDS Manual 2015



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# FAIRFORD

## LAND SOUTH OF WICK HOUSE EAST END FAIRFORD

Scale: 1:5000

Organisation: Cotswold District Council

Department:

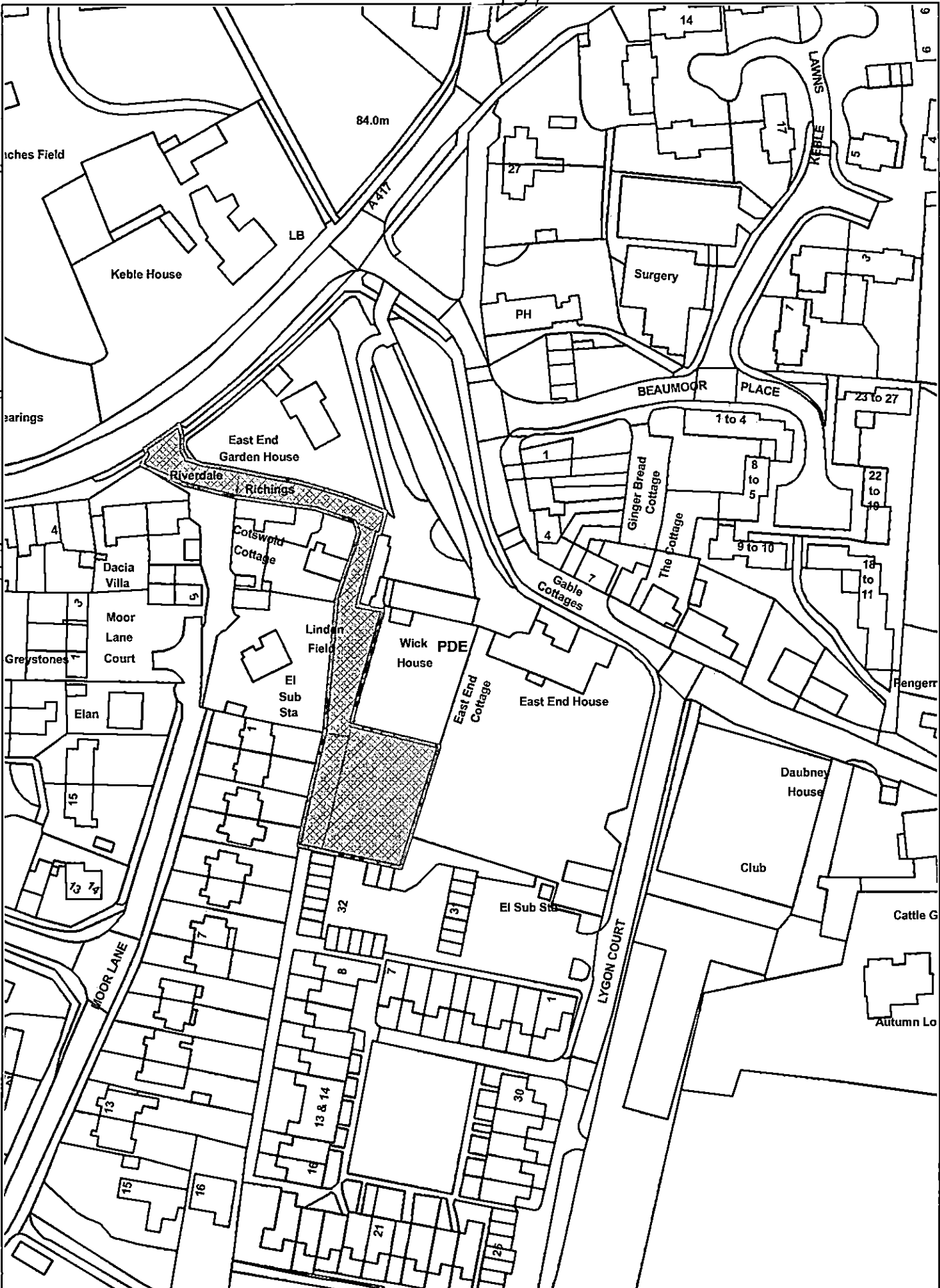
Date: 31/05/2019



**COTSWOLD**  
DISTRICT COUNCIL

Gleeve Wood





**LAND SOUTH WICK HOUSE EAST END FAIRFORD**

Scale: 1:1250

Organisation: Cotswold District Council

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Department:

Date: 31/05/2019



**COTSWOLD**  
DISTRICT COUNCIL





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Revision Description	Date	Check	Rev
General drawing alterations.	21/06/16	JM	D
General drawing alterations.	08/08/16	JM	C
General drawing alterations.	25/04/18	JM	B
General scheme alterations.	23/04/18	JM	A



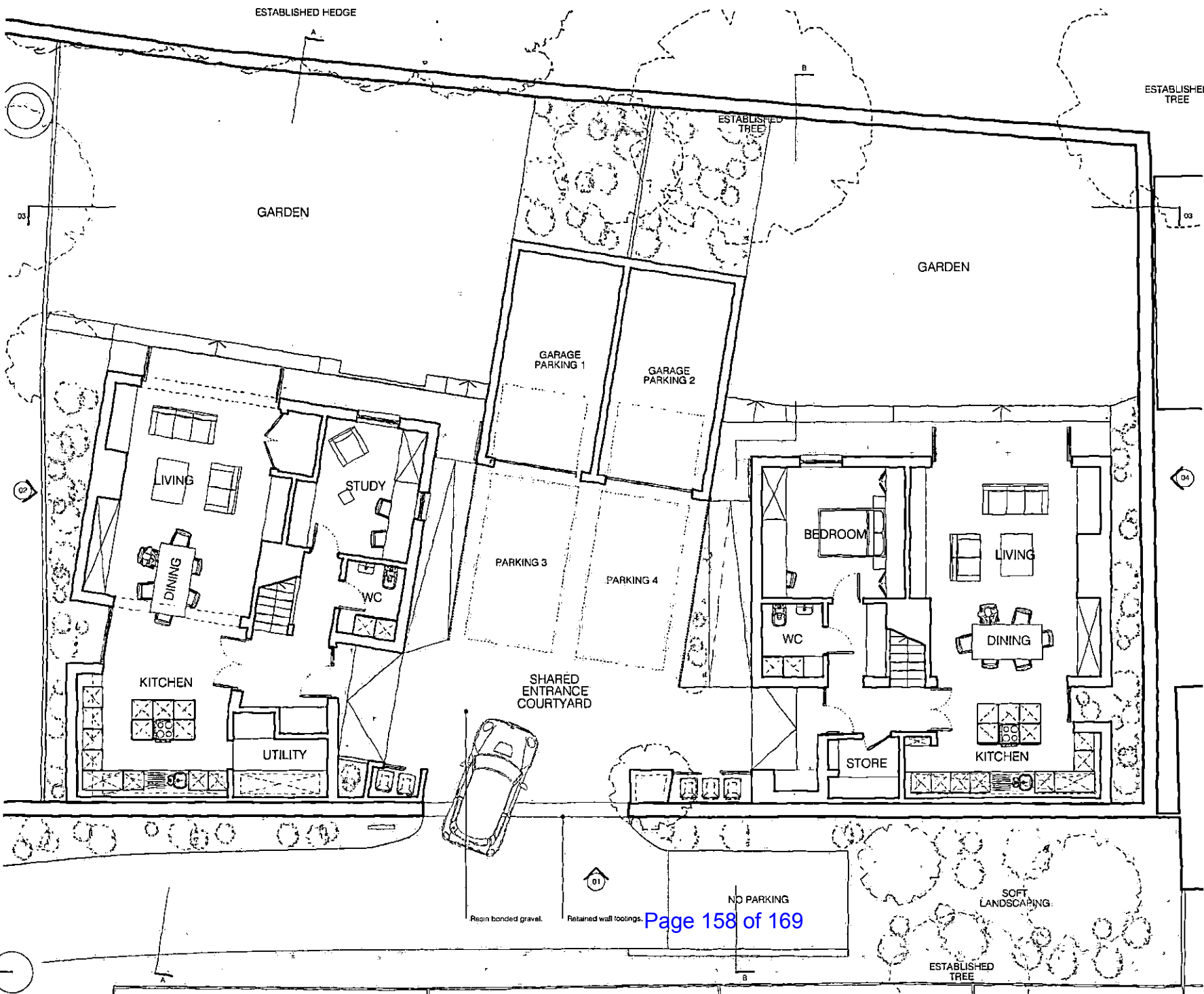
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 The Watershed,  
 Wye Street, Hereford,  
 HR2 7RB  
 T 01432 278707  
 E info@rraarchitects.com  
 www.rraarchitects.com

London T120 7377 5458    Hereford T 01432 278707    Cheltenham F 01242 288074

Client  
**MR D GEORGE**  
 Project :  
**WICK HOUSE, FAIRFORD,  
 GLOUCESTERSHIRE, GL7 4AP.**  
 Drawing Title  
**PR | FIRST FLOOR PLAN**

Scale  
**PLANNING**    Date: **02/05/2018**    Drawn By: **JKM**  
 Drawing No.: **2596 P(1) 102**    Revision: **D**    Scale: **1:100 @ A3**

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Revision Description	Date	Check	Rev
General amendments.	21/11/18	JM	E
General footprint adjustment.	21/06/18	JM	D
General drawing alterations.	08/06/18	JM	C
General drawing alterations.	25/05/18	JM	B
General scheme alterations.	23/05/18	JM	A

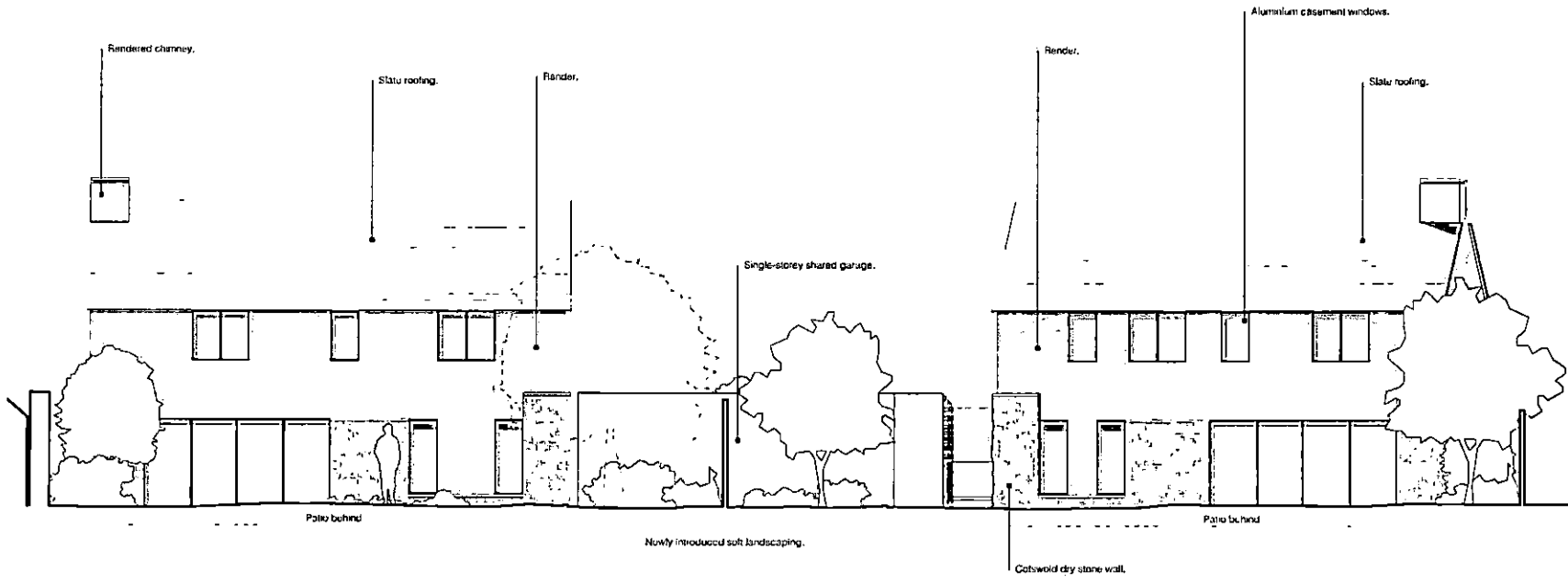


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 HR7 7JG  
 T 01432 278707  
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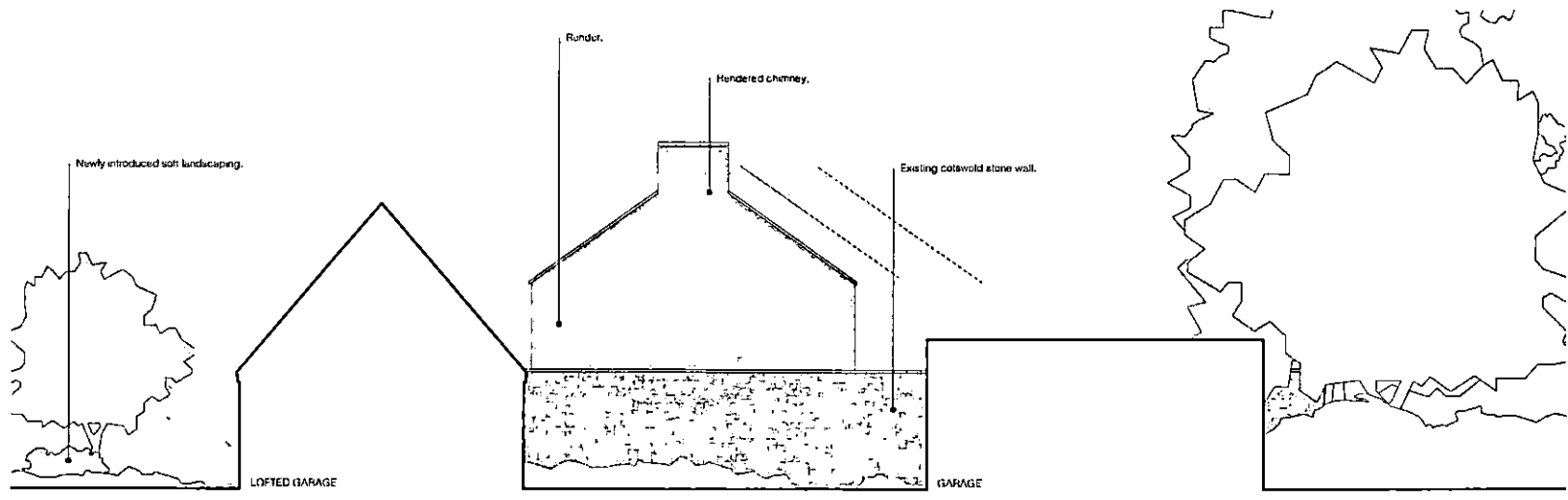
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**MR D GEORGE**  
 Project  
**WICK HOUSE, FAIRFORD,  
 GLOUCESTERSHIRE, GL7 4AP.**  
 Drawing Title  
**PR | GROUND FLOOR PLAN**

Scale	Date	Drawn By
PLANNING	02/05/2018	JM
Drawing No.	Revision	Scale
2596 P(1) 101	E	1:100 @ A3

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03 REAR (EAST) ELEVATION  
Scale: 1:100



04 SIDE (SOUTH) ELEVATION  
Scale: 1:100

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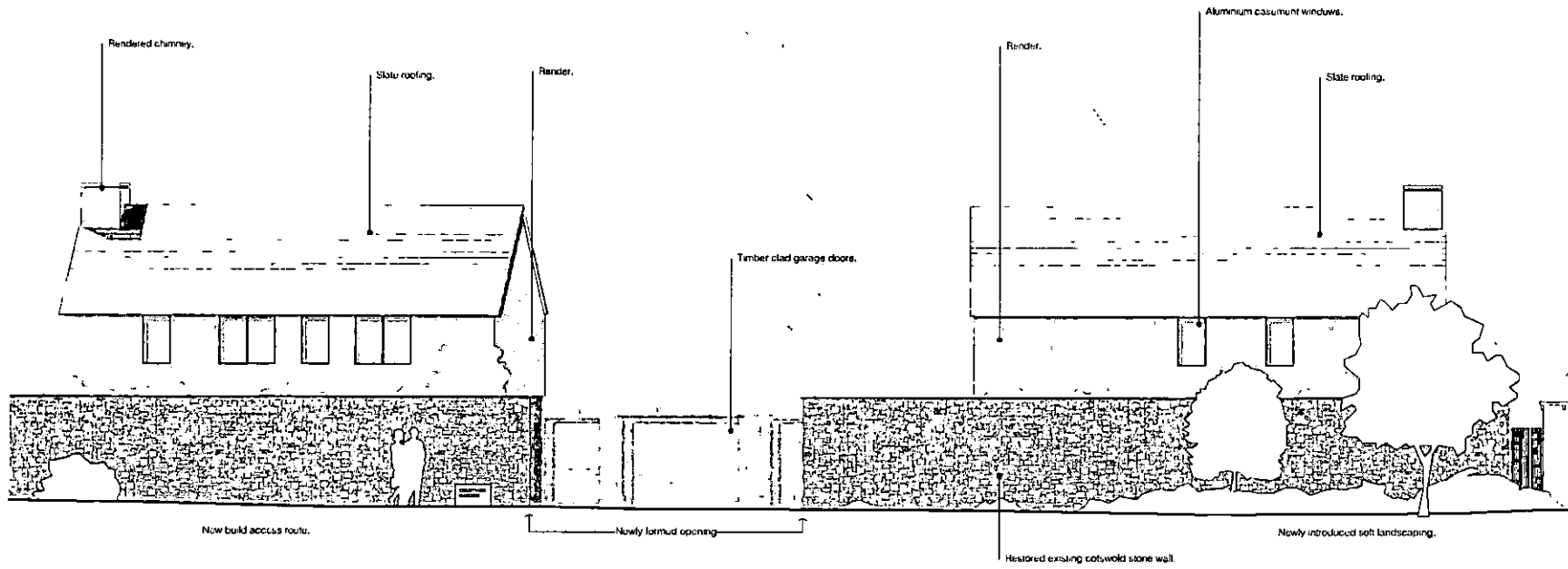
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General amendments.	08/06/18	JM	A
Revision Description	Date	Check	Rev



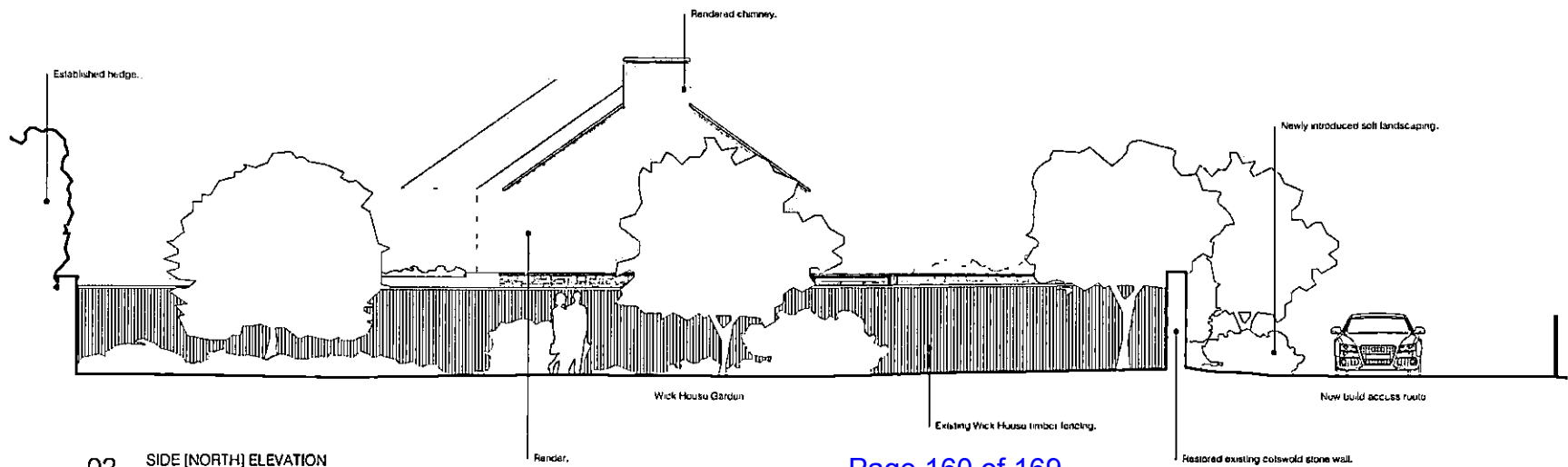
**RRA Architects Hereford**  
 The Watershed,  
 Wye Street, Hereford,  
 HR9 1RB  
 T 01432 278707  
 E info@rrarchitects.com  
 www.rrarchitects.com  
 Location: T 000 7377 5474  
 Registered: T 01432 278707  
 Chamber of Commerce: T 01432 252274

Client:  
**MR D GEORGE**  
 Project:  
**WICK HOUSE, FAIRFORD,  
 GLOUCESTERSHIRE, GL7 4AP.**  
 Drawing Title:  
**PR | (SOUTH/EAST) ELEVATIONS**

Date:	02/05/2018	Drawn By:	JM
Scale:	1:100 @ A3	Revision:	C
Drawing No.:	2596 P(1) 202		



01 FRONT [WEST] ELEVATION  
Scale: 1:100



02 SIDE [NORTH] ELEVATION  
Scale: 1:100

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Revision Description	Date	Check	Rev
General amendments.	21/11/18	JM	D
General material adjustment.	21/06/18	JM	C
General amendments.	08/06/18	JM	B
General material alterations.	25/05/18	JM	A



**RRA Architects Hereford**  
 The Watershed,  
 Wye Street, Hereford,  
 HR9 7RB  
 T 01432 278707  
 E info@rrarchitects.com  
 www.rrarchitects.com

London Y020 7377 6456 Hereford Y0143 278707 Cheltenham Y01243 26374

Client  
**MR D GEORGE**

Project:  
**WICK HOUSE, FAIRFORD,  
 GLOUCESTERSHIRE, GL7 4AP,**  
 Drawing Title

PR | (NORTH/WEST) ELEVATIONS

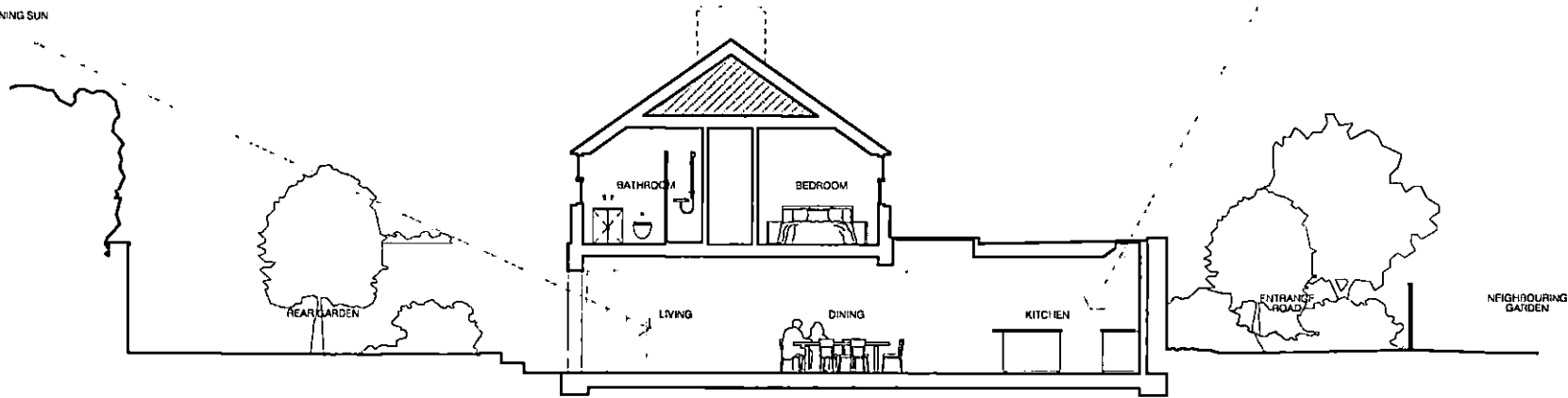
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PLANNING	02/05/2018	JM
Drawing No.	Revision	Scale
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141

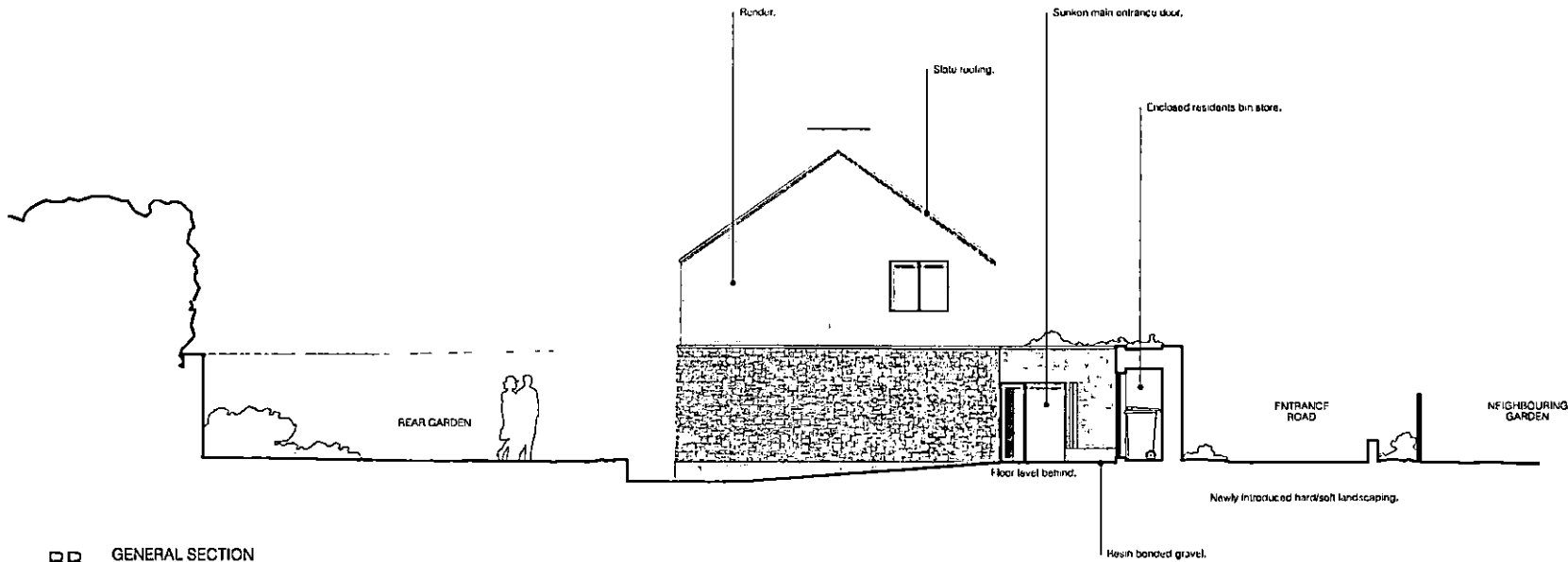


MORNING SUN

AFTERNOON SUN



AA GENERAL SECTION  
Scale: 1:100



BB GENERAL SECTION  
Scale: 1:100

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Revision Description	Date	Check	Rev
General amendments.	21/11/18	JM	C
General foot print adjustment.	21/06/18	JM	B
General amendments.	08/06/18	JM	A



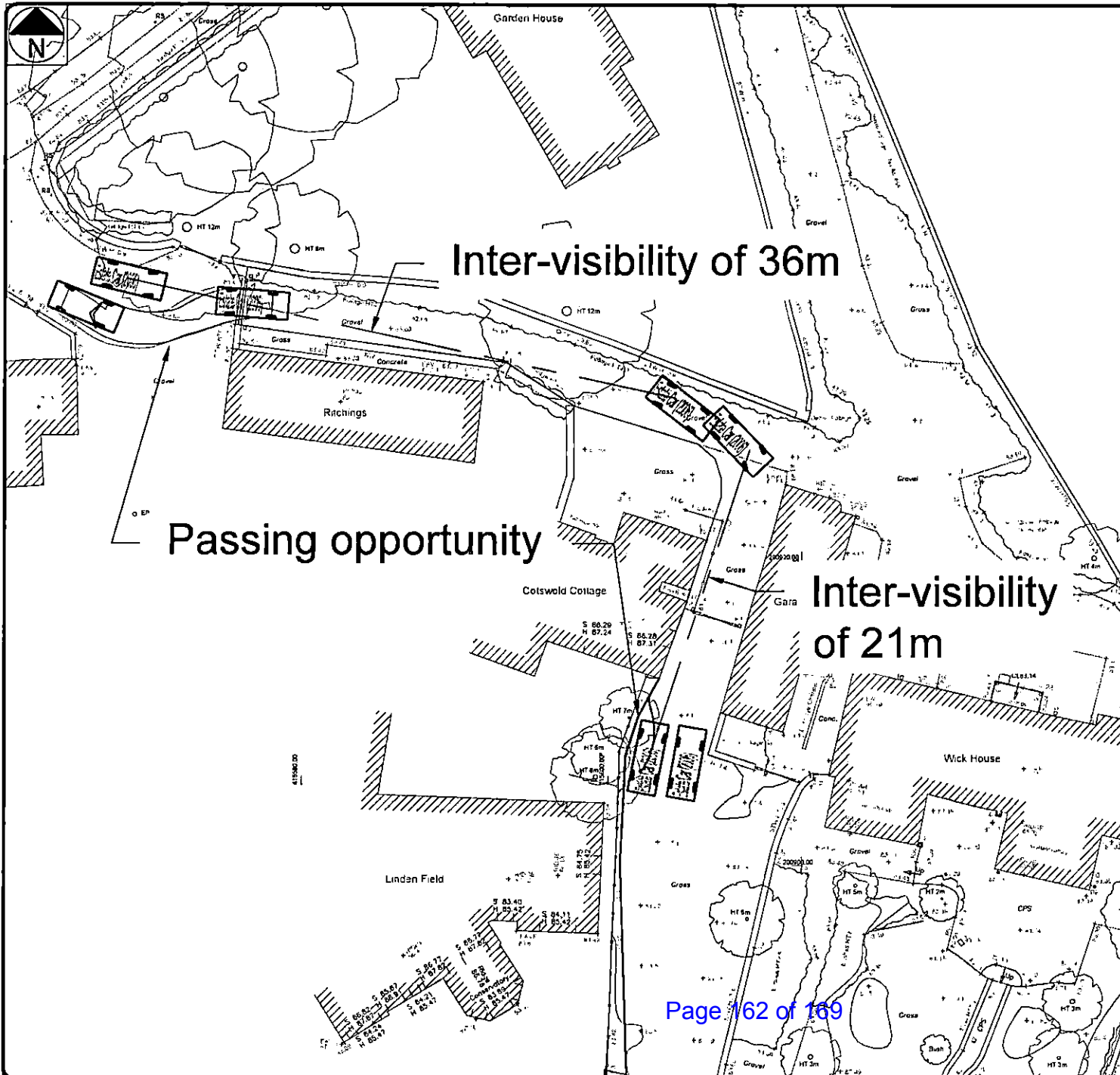
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 Wye Street, Hereford,  
 HR2 7HB  
 T 01432 278707  
 E info@raarchitects.com  
 www.raarchitects.com  
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Client  
**MR D GEORGE**  
 Project:  
**WICK HOUSE, FAIRFORD,  
 GLOUCESTERSHIRE, GL7 4AP.**

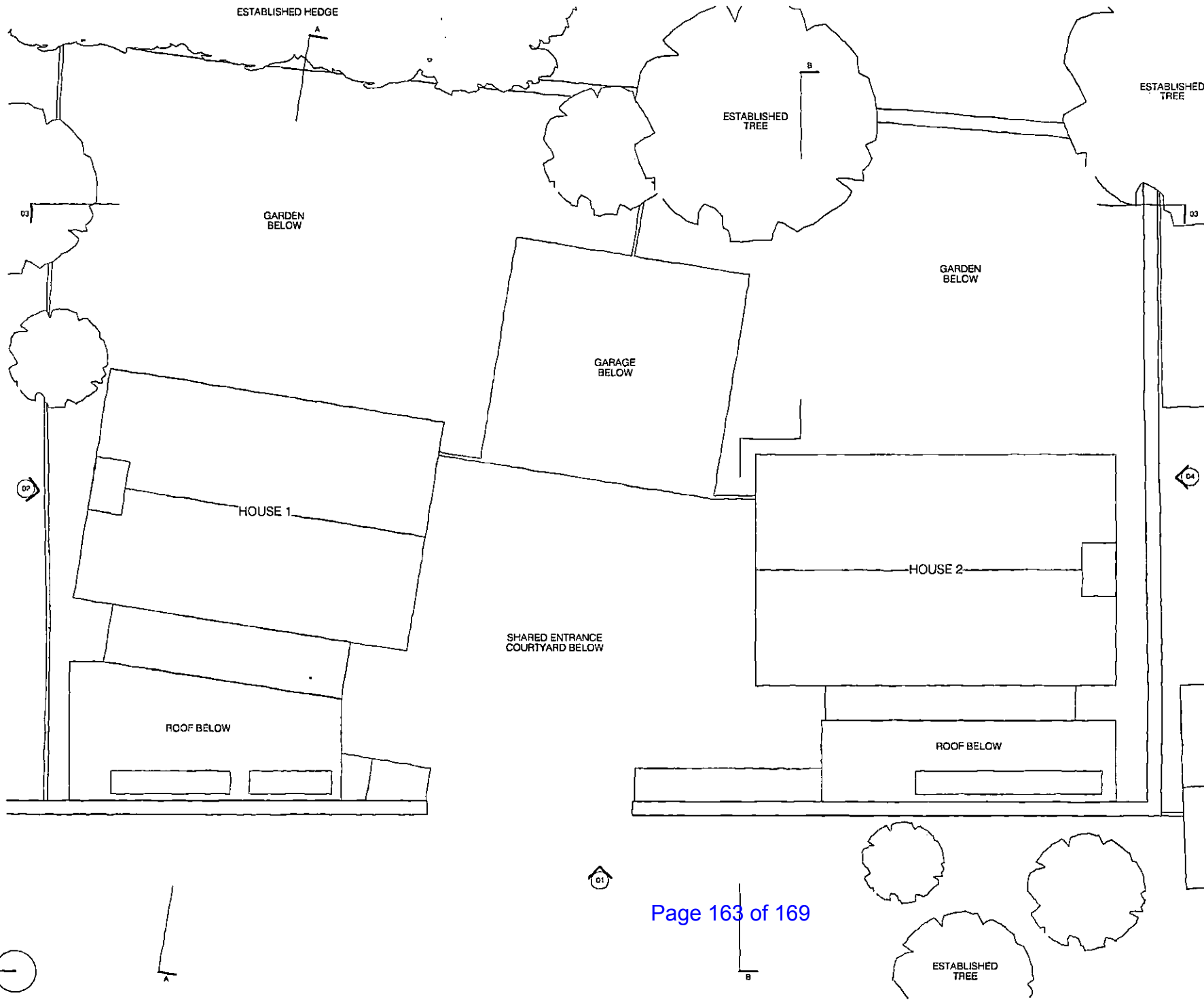
PR | GENERAL SECTIONS

Status	Date	Drawn By
PLANNING	02/05/2018	JM
Drawing No.	Rev. no.	Scale
2596 P(1) 301	C	1:100 @ A3

142



Notes:	
 <b>COTSWOLD TRANSPORT PLANNING</b>	
Cotswold Transport Planning Ltd 121 Promenade Cheltenham Gloucestershire GL50 1NW Tel: 01242 370283 cheltenham@cotswoldtp.co.uk www.cotswoldtp.co.uk	
Drawing Title: <b>Inter-visibility Assessment</b>	
Client: <b>Mr David George</b>	
Project: <b>Wick House, Fairford</b>	
Drawing No: <b>SK04</b>	Revision:
Date Drawn: <b>02.10.18</b>	Issue Date: <b>02.10.18</b>
Drawn by: <b>MW</b>	Checked by: <b>BQ</b>
Project Code: <b>CTP-18-163</b>	Scale at A3: <b>1:250</b>
Drawing Status: <b>INFORMATION</b>	



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Revision Description	Date	Check	Rev
General footprint adjustment.	21/04/18	JM	D
General drawing alterations.	06/05/18	JM	C
General drawing alterations.	25/05/18	JM	B
General scheme alterations.	23/05/18	JM	A



**RRA Architects Harford**  
 The Watershed,  
 Wyke Street, Harford,  
 HR7 7TB  
 T 01432 278707  
 E info@raarchitects.com  
 www.raa-architects.com

London Y 021 7377 5456 Harford Y 01432 278707 Cheltenham Y 01432 264074

Client  
**MR D GEORGE**

Project  
**WICK HOUSE, FAIRFORD,  
 GLOUCESTERSHIRE, GL7 4AP.**

Drawing Title  
**PR | ROOF PLAN**

Status  
**PLANNING**

Date  
**02/05/2018**

Drawn By  
**JM**

Drawing No.  
**2596 P(1) 103 D**

Revision  
**1**

Scale  
**1:100 @ A3**

144

**Item No 08:-**

**19/01004/FUL**

**54 Purley Road  
Cirencester  
Gloucestershire  
GL7 1EP**

**Item No 08:-****Proposed dormers on the rear elevation (retrospective) at 54 Purley Road Cirencester Gloucestershire GL7 1EP**

<b>Full Application 19/01004/FUL</b>	
<b>Applicant:</b>	Mr McGhie
<b>Agent:</b>	Rand Planning Consultancy Ltd
<b>Case Officer:</b>	Clare Cambridge
<b>Ward Member(s):</b>	Councillor Joe Harris
<b>Committee Date:</b>	10th July 2019
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**Main Issues:**

(a) Impact on Design, Amenity and the Conservation Area

**Reasons for Referral:**

The Ward Member, Cllr Joe Harris, has requested that the application should be determined by Committee as he believes the retrospective application goes against policies EN2 and EN11.

**1. Site Description:**

The site is based within Cirencester and within the Cirencester Conservation area. The house is terraced and built within the early 19th century with red brick external walls and slate roof. The current form of the roofs of the terraced properties are pitched. Some with roof lights.

**2. Relevant Planning History:**

No relevant history

**3. Planning Policies:**

EN2 Design of Built & Natural Environment  
EN11 HE: DHA - Conservation Areas

**4. Observations of Consultees:**

N/A

**5. View of Town/Parish Council:**

Cirencester Town Council objects on the grounds that:

- i) the dormers are not in keeping with the roofline in a conservation area
- ii) loss of privacy to neighbours.

**6. Other Representations:**

5 third party objections have been received raising the following concerns:

- Impact on conservation area

- Impact on amenity
- Interruption of the roof line

## **7. Applicant's Supporting Information:** Drawing and Design and Access Statement

## **8. Officer's Assessment:**

This is a retrospective application seeking permission for two dormers within the rear roof slope. They have been inserted to provide extra space and light within the loft.

### **Policy Considerations**

Local Plan Policy EN2 requires development to be sustainable and designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship. Similarly, Section 12 of the NPPF requires good design.

Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to considering issues of garden space, privacy, daylight and overbearing effect. Paragraph 127(f) of the NPPF details, "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users".

Policy EN11 states that proposals that affect conservation areas or their settings will be permitted providing that, amongst other things; it would preserve or where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, and materials.

### **(a) Impact on Design, Amenity and the Conservation Area**

The dormers are already inserted into the roof slope. The building work was not completed but offered weather protection, at the time of the officers' visit. The dormers are small in size and are roughly 0.8 metres in height and 0.7 metres in width. They sit just below the ridge line. The windows are white PVCu to match with the existing.

Objections have been received for the dormers and these are assessed below:

**Impact on Conservation area/ design and the Interruption of the roof line** - The house itself is situated within Cirencester Conservation area. Dormer windows within the conservation area are not uncommon. A house less than 70 metres to the South West of the application site is another terraced property with the benefit of planning permission for the installation of two dormers, which are similar to those proposed. Before permission of the nearby properties dormers, this was also within an unbroken roofline. The dormers appearance, within the conservation area, appears as two small additions within the roof slope. Their design is simple and they do not give the impression of two dominant features.

The conservation area is a designated heritage asset. These two dormers are not uncharacteristic to the area. Locally there are objections that the roof slope is now broken. It is an officer's opinion that the inclusion of the two dormers preserves the character and the appearance of the conservation area and do not adversely impact on the surrounding landscape.

The works are considered to accord with the objectives of Cotswold District Local Plan Policy EN2, EN11 and the design considerations contained in Section 12 and Section 16 of the NPPF.

**Impact on Amenity** - The two dormers are located on the second level of the dwelling as part of a loft conversion. Photographs of the views from the dormers will be provided on the PowerPoint presentation at committee. These have assisted in the assessment of the impact on surrounding amenity (overlooking).

The view from the dormer windows is to the end of the two rear gardens for both North West and South West neighbouring properties. The extent of overlooking is considered by officers to be minimal and would not create an unacceptable effect on the living conditions of the neighbouring properties.

The dormers facing the property to the West can only view the side elevation of the house, just above the fence line and a small proportion of their garden space. Officers consider that this would cause a minimal impact and would not be seen as unacceptable.

On the ground level of the house situated to the West, there is a window that can be seen from the dormers. This window is small in size and due to its distance of roughly 21 metres away and the position of the dormers; any overlooking would not have an unacceptable impact the enjoyment of that property.

Owing to the scale, siting and position to relative neighbouring properties, the two dormers are considered not to impinge on the residential amenities of the neighbouring properties having regard to loss of light or overlooking. The development is considered to accord with the objectives of Cotswold District Local Plan Policy EN2 and the residential amenity considerations contained in Section 12 of the NPPF.

#### **9. Conclusion:**

The development is considered to comply with national guidance and the relevant policies of the Development Plan. As such, planning permission should be granted.

#### **10. Proposed conditions:**

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

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

The development hereby approved shall be implemented in accordance with the following drawing number(s):

Proposed Loft Conversion Drawing 01

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

The materials to be used for the roof of the development hereby permitted shall match those used in the existing building and shall be permanently retained as such thereafter.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policies EN2 and EN11, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.



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**54 PURLEY ROAD CIRENCESTER**

Organisation: Cotswold District Council

Department:

Date: 28/06/2019

Scale: 1:1250

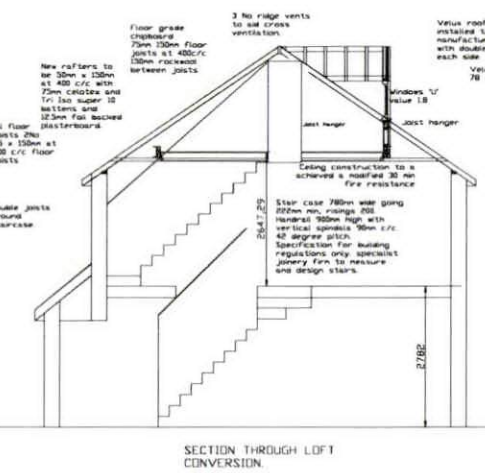
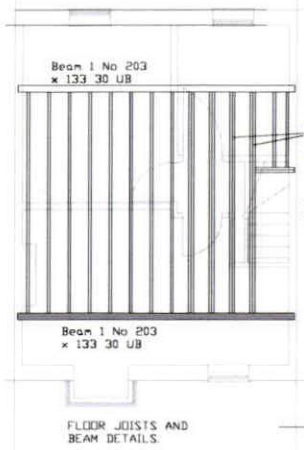
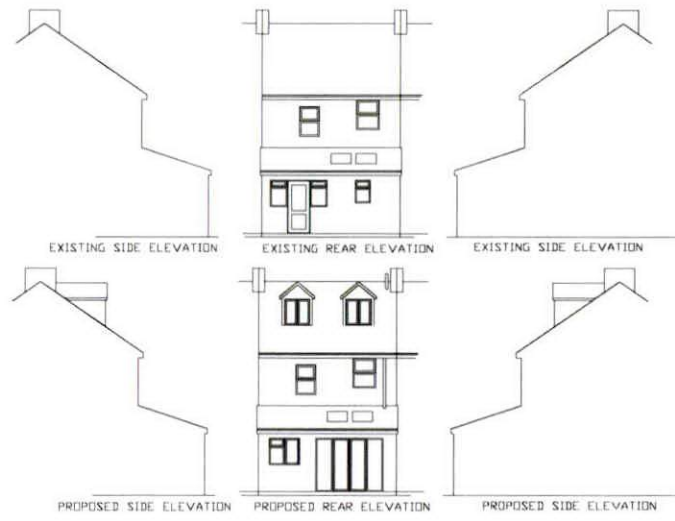
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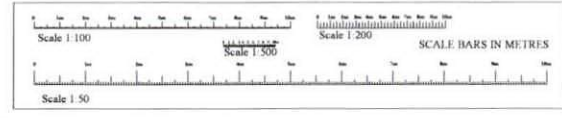
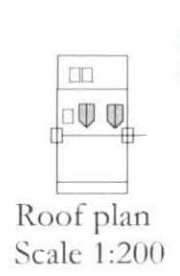
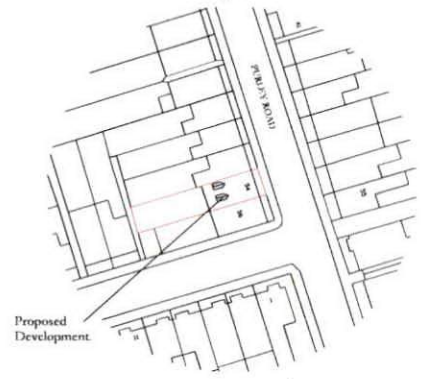
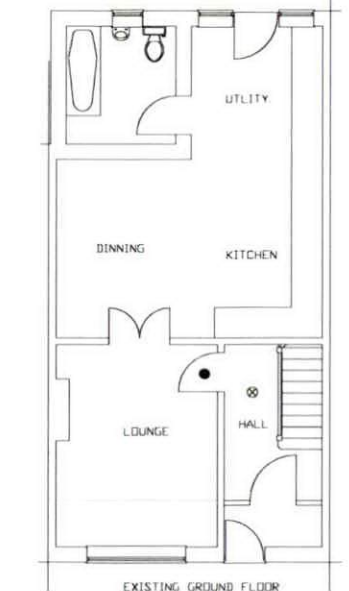
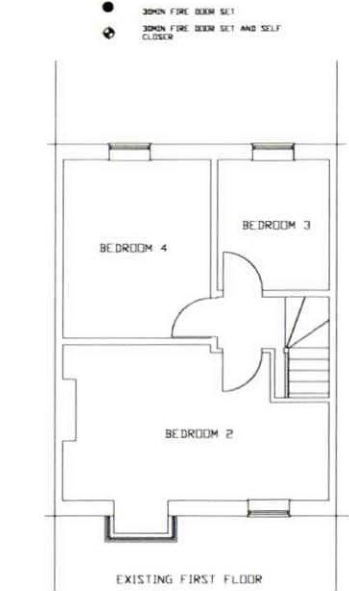
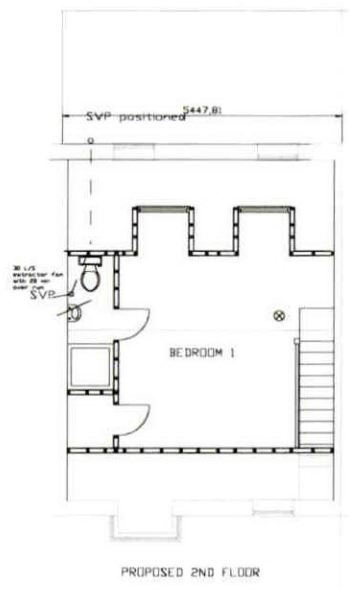
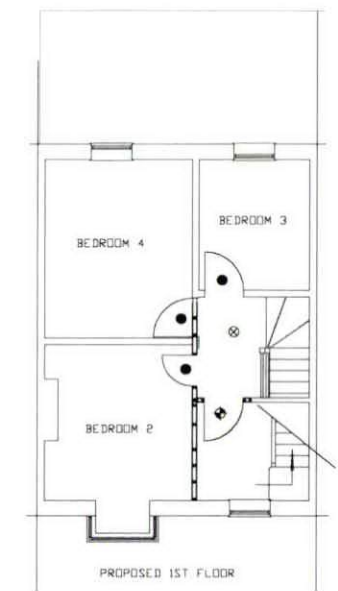
**COTSWOLD**  
DISTRICT COUNCIL







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- ⊗ MAINS POWERED LINKED SMOKE DETECTORS
  - 30MIN FIRE DOOR SET
  - ⊕ 30MIN FIRE DOOR SET AND SELF CLOSER



Tom McGhee and Ursula Conoran  
54 Parley Road  
Cirencester  
GL7 1EP

PROJECT  
Proposed Loft conversion

Phil Hand  
Cherry Tree House  
Clifton Lane  
Purton  
Wiltshire  
SN3 6JN  
TEL 01793 771128

Drawn by Phil Rand    Drawing No. 01  
Scale 1:200 1:100 1:50    Date 11th March 2019