

Item No 02:-

18/04876/FUL

**Perrotts Brook House
Perrotts Brook
North Cerney
Cirencester
Gloucestershire
GL7 7BS**

Item No 02:-**Proposed new dwelling within the existing garden of Perrotts Brook House at Perrotts Brook House Perrotts Brook North Cerney Gloucestershire GL7 7BS**

Full Application 18/04876/FUL	
Applicant:	Mr & Mrs Tuke-Hastings
Agent:	Coombes Everitt Architects Limited
Case Officer:	Adrian Walker
Ward Member(s):	Councillor Jenny Forde
Committee Date:	11th September 2019
RECOMMENDATION:	REFUSE

Main Issues:

- (a) Principle of development
- (b) Impact on the Cotswold Area of Outstanding Natural Beauty and Rural Landscape
- (c) Residential Amenity
- (d) Highways Safety

Reason for Referral:

The application has been referred to Committee by the Ward Member, Councillor Jenny Forde for the following reason:-

'The proposed development site is situated within a long established hard standing area of garden (which used to be a tennis court). The design is completely unique to its location providing a high standard of design that reflects, echoes and complements the landscape whilst also providing a home for elderly people that enables them to continue to live and contribute to their rural community which is far more sustainable than it appears. I would like the committee to consider the impact of this application as a unique, one-off application and consider if the benefits and sensitive design do outweigh any potential harm'

1. Site Description:

Perrotts Brook House is a semi-detached dwelling located in Perrotts Brook, which is a small hamlet in the Parish of Bagendon, 2 miles north of Cirencester, within the Cotswolds Area of Outstanding Natural Beauty (AONB). The application site comprises garden land to the rear of the property on which the applicant proposes to construct a dwelling.

2. Relevant Planning History:

CT.2095/P: Erection of one loose box with track. Permitted 23.12.1991

3. Planning Policies:

DS1 Development Strategy
 DS3 Small-scale Res Dev non-Principal Settle
 EN1 Built, Natural & Historic Environment
 EN2 Design of Built & Natural Environment
 EN4 The Wider Natural & Historic Landscape
 EN5 Cotswold AONB
 INF3 Sustainable Transport

INF4 Highway Safety
INF5 Parking Provision

4. Observations of Consultees:

Tree Officer: Views incorporated within the Officer's Assessment

Landscape Officer: Views incorporated within the Officer's Assessment

5. View of Town/Parish Council:

No representations have been received.

6. Other Representations:

No representations have been received.

7. Applicant's Supporting Information:

Design and Access Statement
Arboricultural Impact Assessment
Landscape and Visual Impact Appraisal
Supplementary Evidence 1 and 2

8. Officer's 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)

Residential Development outside of a Development Boundary

The Local Plan's development strategy seeks to promote sustainable patterns of development in the District and residential development in rural areas is directed to those locations where it will enhance or maintain the vitality of rural communities.

The Local Plan has identified 17 Principal Settlements where new residential development will be acceptable in principle within the Local Plan period. Perrotts Brook is not designated as one of the 17 Principal Settlements. Notwithstanding this, the village is classed as a Non-Principal Settlement in the Plan. New residential development in such settlements may be acceptable subject to Policy DS3.

Policy DS3 Small-Scale Residential Development in Non-Principal Settlements states:

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; and*
 - d. *does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.*
2. *Applicants proposing two or more residential units on sites outside Development Boundaries should complete a rural housing pro-forma and submit this with the planning application.*

The supporting text of Policy DS3 provides guidance on what would be appropriate residential development within non-principle settlements;

6.3.5 Small-scale residential development means housing which is proportionate to, and complementary with, the size and character of the settlement and its surroundings. Any development provided through this policy, besides being proportionate in scale and appropriately designed, needs to be in keeping with the rural nature of the locality. Care should be taken that such development, which could include minor infilling, does not harm open spaces or gaps that make a positive contribution to the character of the village, including views and vistas. Careful consideration also needs to be given to the cumulative impact of new development which can, over time, subliminally erode the bucolic character of rural settlements and/ or lead to the coalescence of groups of buildings to produce a more 'urban' form.

When considering the requirements of Policy DS3 it is acknowledged that one dwelling would support and enhance the vitality of the local community and the continued availability of services and facilities locally. To date, there have been 9 dwellings permitted within Perrotts Brook during the Local Plan period. It is considered that one additional dwelling would not have an adverse cumulative impact on the settlement.

Perrotts Brook is a very small village with limited services approximately 2 miles north of Cirencester. By assessing historic maps, it is clear that in the late 1800's Perrotts Brook consisted of a small scattering of dwellings either side of the River Churn and what is now the A435 road. Over time, the village has grown with all new development being concentrated to the west of the village leaving only the three houses; Garden Cottage, Beechwood and Perrotts Brook House, to the east of the river today.

Given the historical development of the settlement it is considered that this cluster of houses remains part of the village. It has, however, become somewhat isolated and disconnected from the main part of the village as the settlement has grown. Part of the existing character of the village is therefore the distinctive separation between the two parts of the settlement. It is therefore considered that the proposed development is at odds with the form and character of the settlement where existing residential development is primarily located on the west side of the river.

The cluster of three houses on the eastern side of the river provides a visual transition that contributes to the rural character of the settlement. It is considered that the proposal would have an urbanising impact on views into and out of the village by virtue of a significant expanse of built form, eroding this transitional space and extending the form of the village to the east. Further assessment of this harm can be found in the following section of the report.

It is considered that the proposed development fails to complement the form and character of the settlement. This is due to the erosion of the distinctive character area to the east of the river and urbanisation of the edge of the village harming its open character. The proposal is therefore contrary to Local Plan Policy DS3.

(b) Impact upon the Cotswold Area of Outstanding Natural Beauty and Rural Landscape

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

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

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

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 15 of the NPPF requires the Council to have regard to the conservation and enhancement of the natural environment. Paragraph 170 states that the planning system should protect and enhance valued landscapes.

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.

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 states:

In determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

The site lies to the north-east of Perrotts Brook and to the east of the A435. The site itself occupies part of the garden associated with Perrotts Brook House. The site adjoins the Welsh Way to the south which is defined by a sparse roadside hedgerow. The site adjoins open countryside to the north; it is noted that there is little visual containment to this boundary.

The Landscape and Visual Impact Assessment (LVIA), dated December 2018, submitted with the application quite correctly assessed that public views of the site would be limited by virtue of intervening vegetation patterns and sloping landform. Local public views of the site were identified from the Welsh Way and also from the unnamed lane, to the north and east, where the Monarch's Way runs along the road. One single long distance view was also identified from elevated land towards Bagendon.

Users of the Welsh Way would notice a significant change in the nature and quality of the view at the access into the site. Whilst it is accepted that the impact would be limited to a short section of this route, it is considered that the far reaching views, to the other side of the valley, would be largely lost. Furthermore, any improvements to the access would also be perceived from that point. It was assessed in the LVIA that there would be a 'Slight adverse' impact which would lessen to 'Not Significant' with mitigation planting. Officers, however, that the magnitude of change would more likely be 'Medium-High', resulting in a 'substantial adverse' impact. It is considered that mitigation planting would not overcome these concerns.

Public users of the unnamed lane and the Monarch's Way can obtain views of the site where there are gaps in the hedgerow. It is assessed in the LVIA that there would be a 'Slight / Moderate adverse' impact which would lessen to 'Slight adverse / Not significant' with the establishment of

mitigation planting. Officers consider that the sensitivity would be 'High' and the magnitude of change would be 'Low' which would result in a 'Moderate adverse' impact. While the introduction of a new hedgerow would help to reduce the impact, this would take time to establish and the long term retention of this planting cannot be secured.

In terms of the long range views from the Bagendon, it is accepted that the site would be a small component of a much larger view; however, it is likely that the impacts lighting would be perceived from here.

The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment as falling within Landscape Character Type 10A High Wold Dip-slope Valley: Middle Churn Valley. The Landscape Character Assessment identifies 'Isolated development such as new single dwellings and conversion of farm buildings that might compromise rural landscape character and settlement patterns, particularly on valley sides' as a development pressure in this area. Potential landscape implications of such development are stated as being;

- Visual intrusions introduced to the landscape;
- Erosion of the sparse settlement pattern of the High Wold Dip-slope Valley;
- Introduction of 'lit' elements to characteristically dark landscapes;
- Upgrading of minor roads and lanes in areas of new development and introduction of suburbanising features such as gateways, kerbs, and lighting;
- Loss of tranquillity and sense of seclusion;
- Suburbanisation and domestication of agricultural landscape by the introduction of gardens e.g. ornamental garden plants and boundary features, parking areas, lighting, and conversion of tracks to manicured drives and ornamental gateways;
- Appearance of 'mini parklands' out of context with the surrounding landscape.

The impact on the character of the site and the local landscape has been assessed in the LVIA. The LVIA was identified that there would be a loss of openness, but the application site contributes little to the wider area character and the development would be indistinct even at a local level. It is also noted in the LVIA that the introduction of new planting would contribute to the existing character. The LVIA assessed that the effect to the local landscape and site landscape would be 'Slight adverse / Not significant' and this would lessen to 'Not significant' with the establishment of vegetation.

With regards to the characteristic settlement pattern, the site forms part of a cluster of three historic dwellings, there is a large open gap between the small cluster and the main pockets of built development within Perrotts Brook. For this reason it is considered that the character and position of the site is perceived as being in a visually isolated rural location. The characteristic settlement pattern of the rural landscape in 'High Wold Dip-slope Valley' typically consists of larger individual country houses and farmsteads. The cluster of three dwellings consists of the historic country house which is now split into a pair of semi-detached dwellings and a historic cottage. It is considered that this cluster is typical of this context and that the juxtaposition between the country house and the proposed modern unit would be uncharacteristic.

It is accepted that the permitted use of the site is that of domestic curtilage. It is, however, considered that the site is visually separate from the area of garden which encircles the house by virtue of the level change, belt of vegetation and also the informal character of the site. The site forms a transitional space and is an important linking element to the wider rural landscape. The intensification of the site with the introduction of suburbanising features such as built massing, improvements to the access, parked cars, vehicle movements, boundary treatments and lighting would have detrimental impact on the local landscape character.

The house itself would be partly built into the slope and would be 1.5 storeys. It is noted that the built massing would entirely infill the width of the site and the northern and southern elevations would have a number of large glazed panels. The design includes an overhang element which

would to some extent help to mitigate the spill of light from the proposed windows. Nevertheless, given the amount of glazing proposed, it is considered that there would be a negative spill of light which would impact upon the intrinsically dark skies of the Cotswolds AONB. Furthermore, the glint and glare from windows would be eye-catching in daytime views.

While efforts have been made to try to integrate the scheme into the sensitive landscape context (i.e. low profile, green roof and use of natural stone), this does not overcome the principal concerns. It is considered that the site forms a transitional space and contributes positively to the local landscape character. The encroachment of built massing into the site would be unsympathetic to the general pattern of the village and would form a negative feature in public views and as such it is considered that the development would have an adverse impact on the Cotswolds AONB landscape.

(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.

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 to respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect. A minimum separation distance of 22m is required between facing windows of two storey dwellings. To ensure adequate garden space, the size of a private garden should relate to the size and nature of the property.

The existing and proposed dwellings will have sufficient garden for amenity space for the occupants.

The closest neighbouring dwelling is Beechwood which is located approximately 25 metres to the west of the application site. There are a number of proposed windows on the west elevation that face towards this property. Given that the proposed dwelling is only 1.5 storeys in height and the dense band of vegetation combined with the distance between the dwellings, the proposal is not considered to give rise to any potential overlooking or loss of daylight.

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 seeks permission to extend an existing access to become the main vehicular entrance for the dwelling. The entrance would have a sufficient visibility splay for entrance and egress which is considered to be acceptable. The plans show that there would be ample space for off street parking and turning 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 contrary to National and Local Policies and it is recommended that planning permission should be refused.

10. Reasons for Refusal:

1. The site lies within the Cotswolds AONB, wherein the Local Planning Authority is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The site is located in an isolated rural location in the Cotswolds AONB. The site forms a transitional space and is an important linking element to the wider rural landscape. The proposed development, by virtue of the encroachment of built massing, extent of glazing, the creation of a new residential access, lighting and parked cars would erode the semi-rural character and form a negative feature in the landscape. Mitigation landscaping would not overcome the potential harm to the character of the landscape. The proposal would fail to conserve or enhance the natural beauty of the AONB and would be contrary to Section 85 of the Countryside and Rights of Way (CROW) Act 2000, Cotswold District Local Plan Policies EN2, EN4 and EN5 and NPPF paragraph 170 and 172.

2. The proposed development fails to complement the form and character of the settlement due to the erosion of the distinctive character area to the east of the river and urbanisation of the edge of the village harming its open character. The proposal is therefore contrary to Local Plan Policy DS3.

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COTSWOLD
DISTRICT COUNCIL

PERROTTS BROOK HOUSE NORTH CERNEY

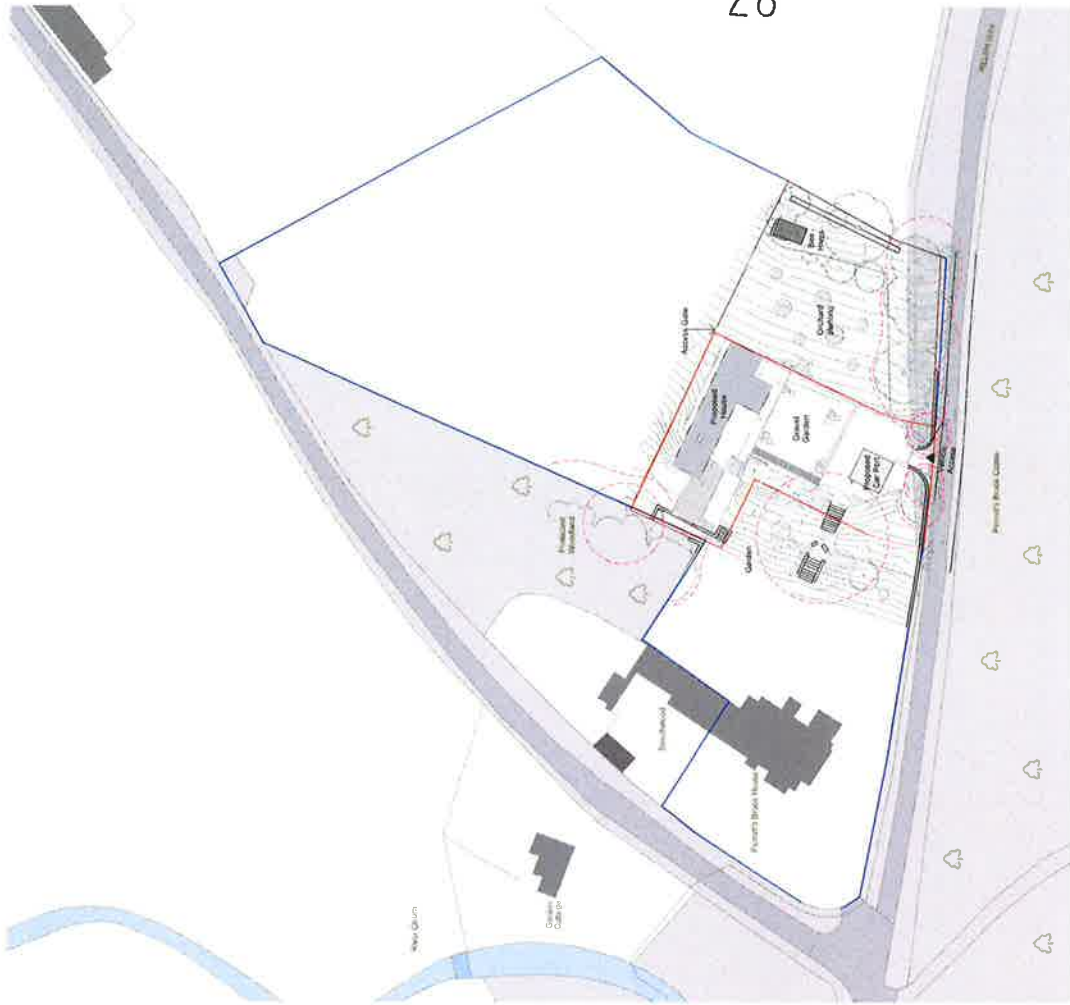
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Department:

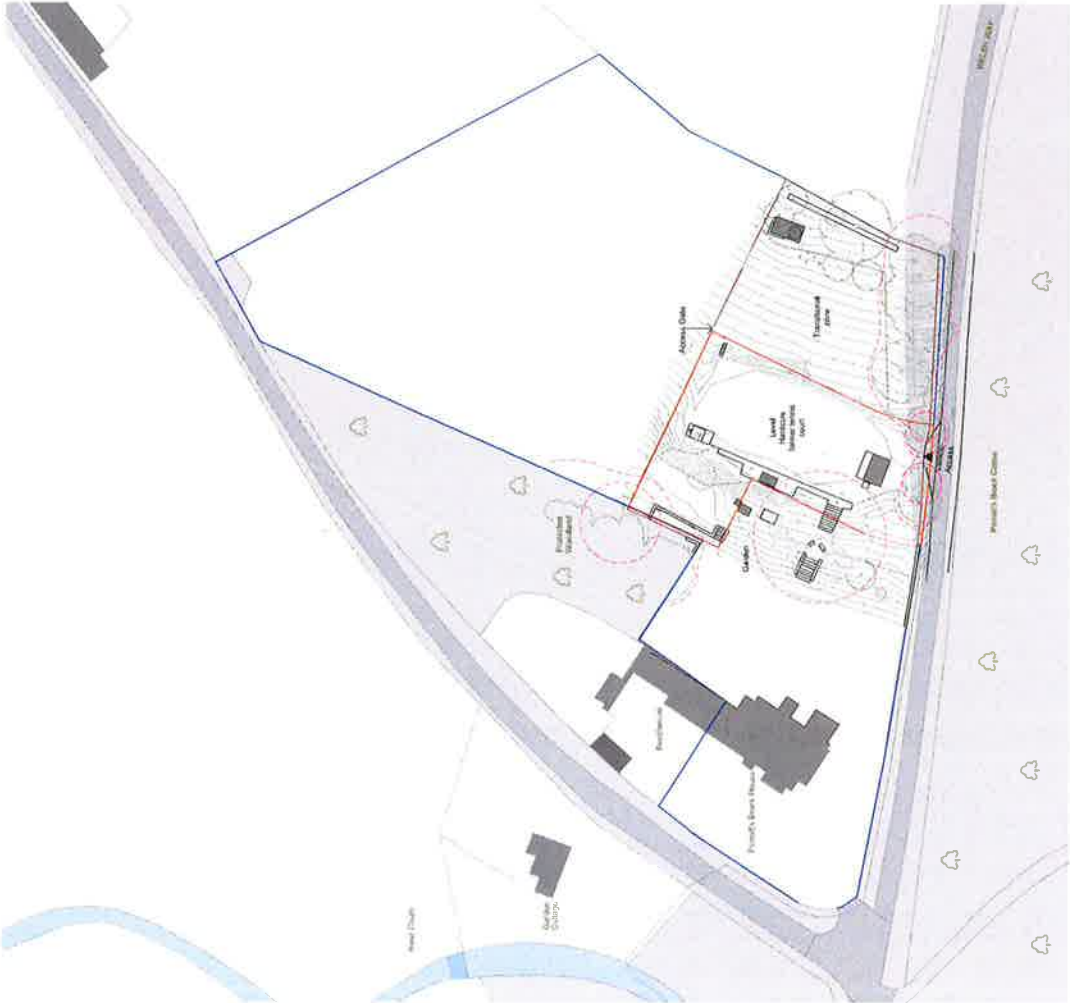
Date: 30/08/2019

Scale: 1:2500





Proposed Block Plan
1:500 @ A1



Existing Block Plan
1:500 @ A1

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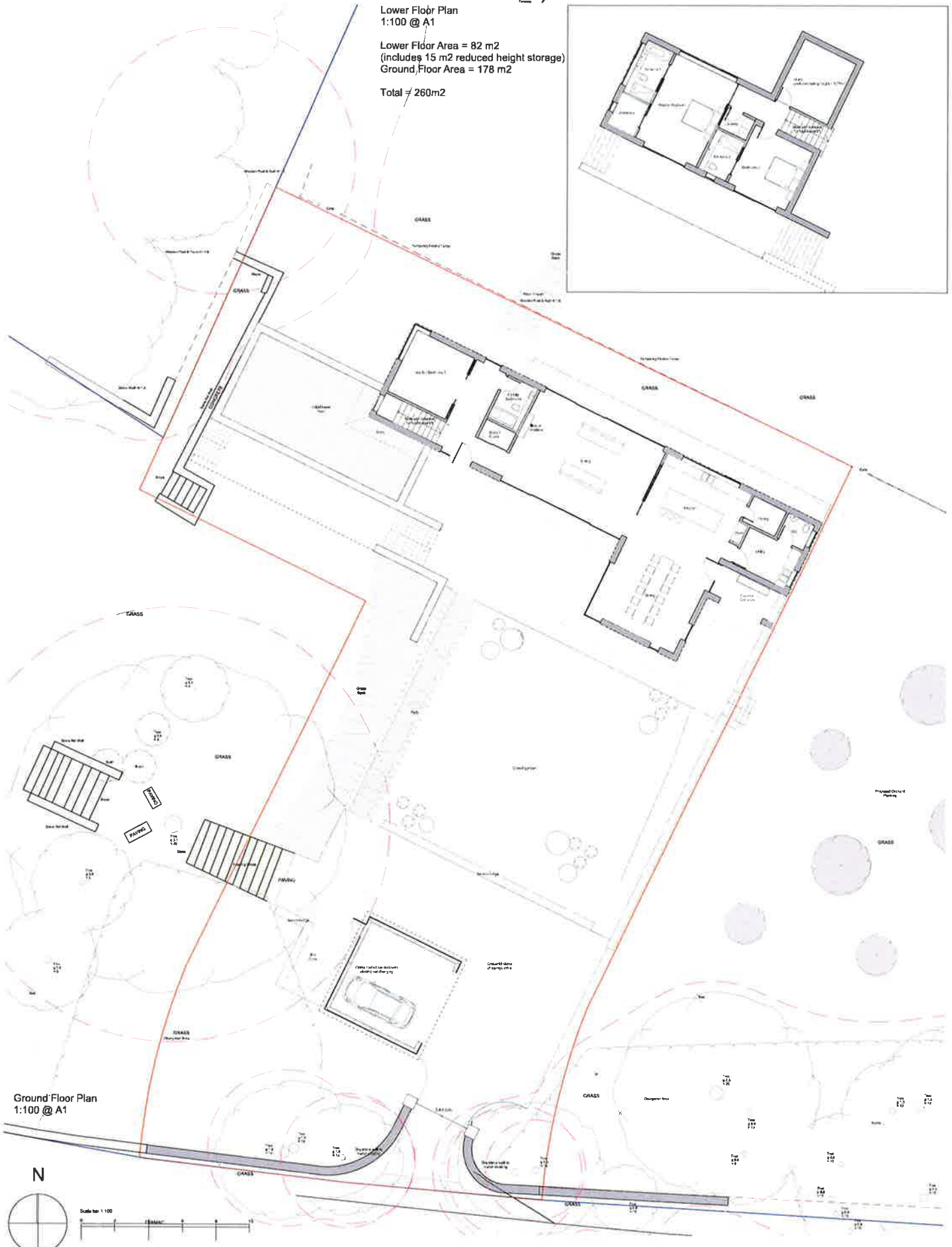
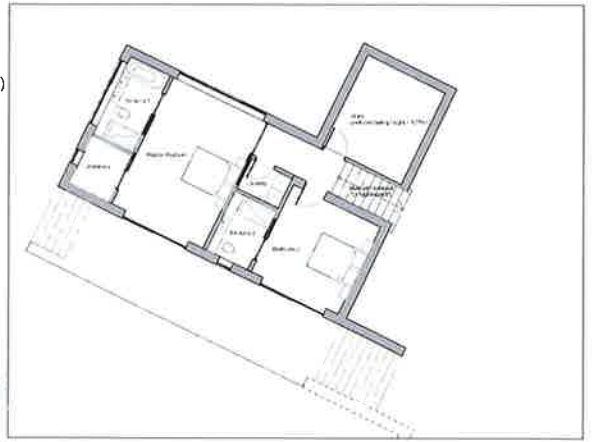
Drawing title: Block Plans
 Client: Tute-Hastings
 Drawn by: JC
 Checked: JE
 Project No: 18.10.020

Project: New Dwelling at Perrot's Brook
 Plot No. 18.10.020
 Chippenham, Wiltshire
 Scale: 1:500 @ A1
 Date: December 2018
 Project / Drawing No: 18.10.020 PL02A

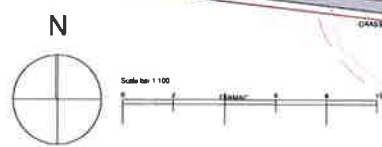
Lower Floor Plan
1:100 @ A1

Lower Floor Area = 82 m2
(includes 15 m2 reduced height storage)
Ground Floor Area = 178 m2

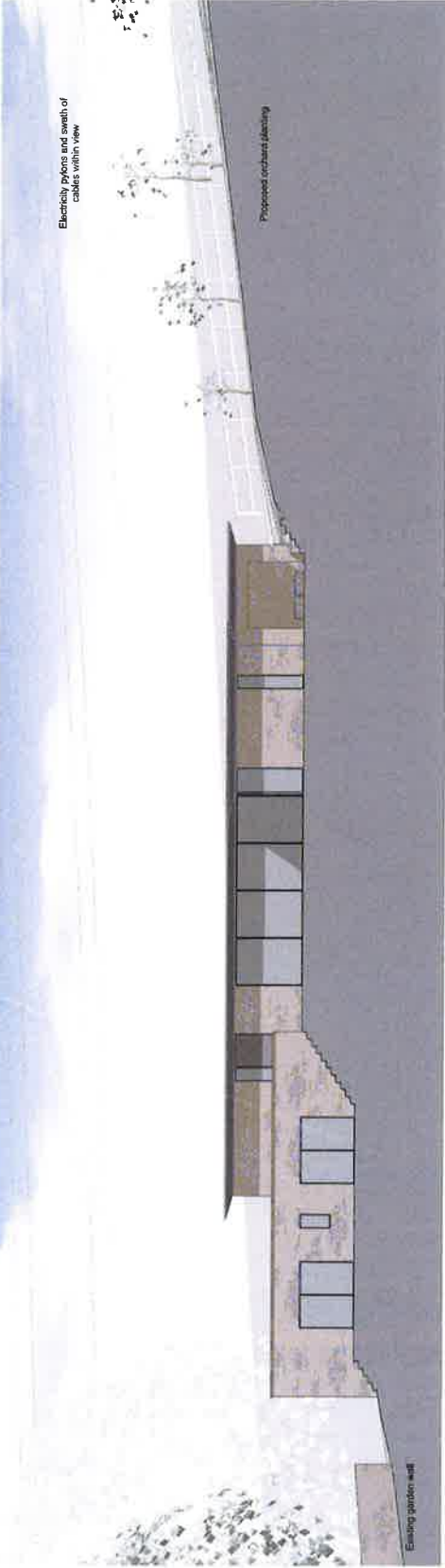
Total = 260m2



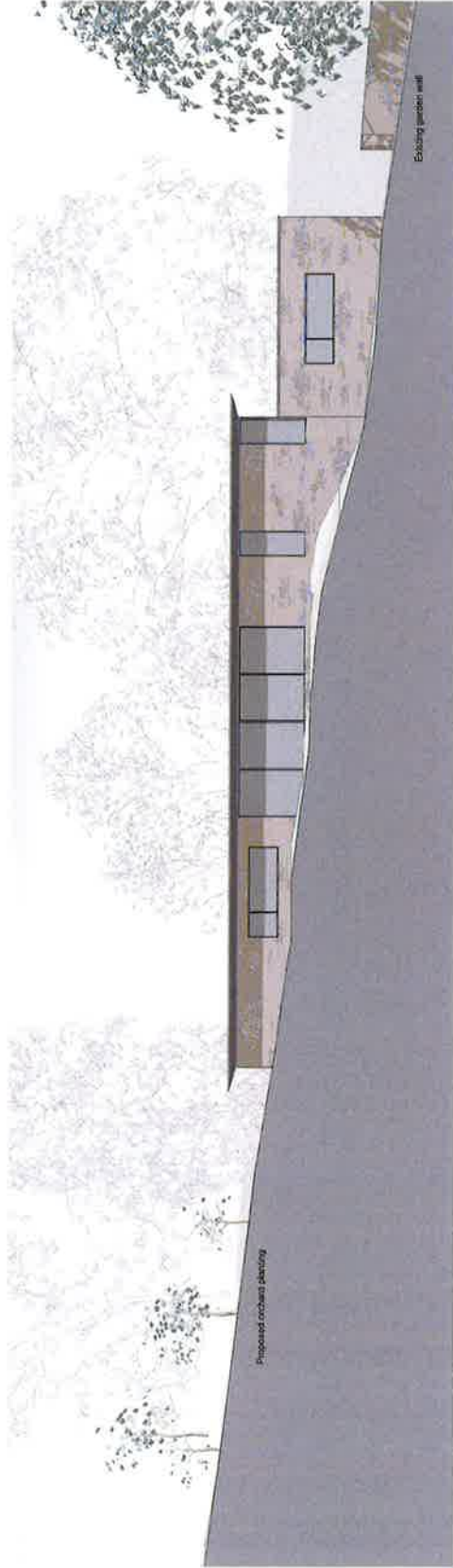
Ground Floor Plan
1:100 @ A1



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South Elevation
1:100 @ A1



North Elevation
1:100 @ A1



Widflower Roof



Dry-Stone cladding & Aluminium Glazing



Recessed Fire



Paved path and gravel garden
Materials Palette



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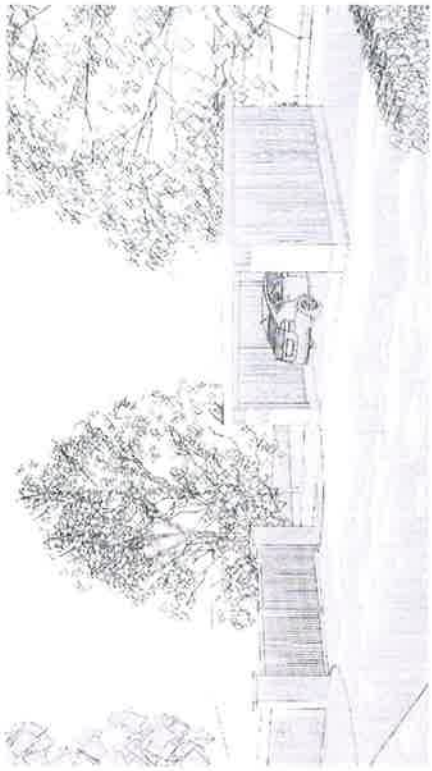
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Drawing title: Revised North & South Elevations

Client: Tuke-Hastings
 Drawn by: JC
 Checked: JE
 Project No: 18.10.020

Project: New Dwelling at Perrott's Brook
 Plot 1, Perrott's Brook,
 Gloucestershire, GL1 7SS

Scale: 1:100 @ A1
 Date: July 2019
 Project / Drawing No: 18.10.020 PL10

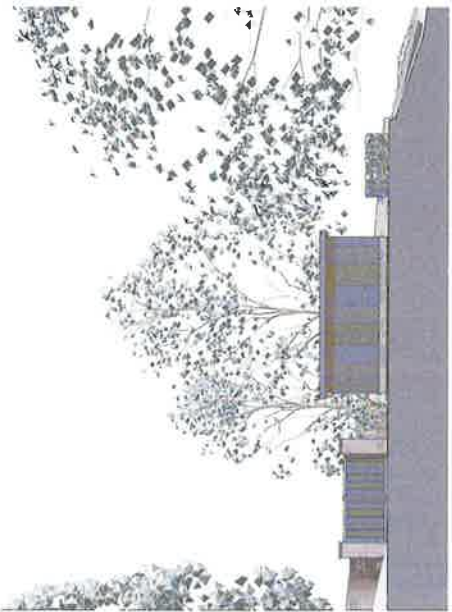


The proposed linear clad, open fronted, car port has a Cotswold stone gable and gable roof. Provision will be made for charging electric cars ensuring that sustainable travel can be made to and from the proposed building. The electric car charging port is located approximately in the location of the existing linear stable building and outside of the roof protection zones of the surrounding trees. The building itself is very well screened and hides the parked cars from any potential views into the site from the wider landscape context.

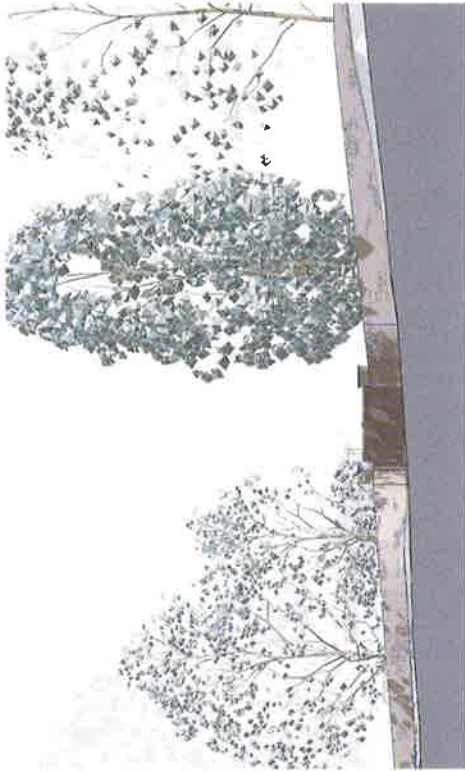
Sketch View



West Elevation - Car Port
1:100 @ A1



North Elevation - Car Port & Entrance gates viewed from garden
1:100 @ A1



South Elevation - Entrance gates viewed from The Welsh Way
1:100 @ A1



South Elevation - Car Port
1:100 @ A1



East Elevation - Car Port
1:100 @ A1



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Drawing title: Car Port & Entrance Elevations
Client: Tuke-Hastings
Drawn by: JC Checked: JE
Project No: 18.10.020

Project: New Dwelling at Perrott's Brook
New Dwelling at Perrott's Brook
Chiltenham, Gloucestershire, GL53 7BS
Scale: 1:100 @ A1
Date: July 2019
Project / Drawing No: 18.10.020 PL12



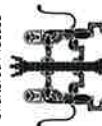
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4. Engineering information is indicative only and should be taken from structural engineers design.

Drawing title: Perspective View 1

Client: Tuke-Hastings
Drawn by: JC
Project No: 18.10.020

Checked: JE

Project: New Dwelling at Perrott's Brook
House, Perrott's Brook,
Cheltenham, GL7 7BS

Scale: not to scale

Date: December 2018

Project / Drawing No: 18.10.020 PL05A



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- Preliminary
- Feasibility
- Planning
- Building Regulations
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- Construction issue
- As Built

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Drawing title: Perspective View 2

Client: Tuke-Hastings

Drawn by: JC Checked: JE

Project No: 18.10.020

Project: New Dwelling at Ferratt's Brook House, Ferratt's Brook, Cirencester, GL7 7BS

Scale: not to scale

Date: December 2018

Project / Drawing No: 18.10.020 PL06A

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