

# Public Document Pack



**COTSWOLD**  
DISTRICT COUNCIL

Tuesday 5 October 2021

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## **PLANNING AND LICENSING COMMITTEE**

A meeting of the Planning and Licensing Committee will be held in the Council Chamber - Trinity Road, Cirencester on **Wednesday, 13 October 2021 at 2.00 pm.**

Rob Weaver  
Chief Executive

To: Members of the Planning and Licensing Committee  
(Councillors Ray Brassington, Patrick Coleman, Stephen Hirst, Sue Jepson, Julia Judd, Juliet Layton, Andrew Maclean, Dilys Neill, Gary Selwyn, Steve Trotter and Clive Webster)

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to 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 prior to the date of the meeting.

# AGENDA

1. **Apologies**
2. **Substitute Members**  
To note details of any substitution arrangements in place for the Meeting.
3. **Declarations of Interest**  
To receive any declarations of interest from Members and Officers, relating to items to be considered at the meeting.
4. **Minutes**  
To confirm the minutes of the meeting of the Committee held on 8 September 2021 (draft minutes to follow).
5. **Chair's Announcements (if any)**
6. **Schedule of Applications (Pages 5 - 104)**  
To consider and determine the applications contained within the enclosed schedule:

Application No	Description	Ward Councillor(s)	Case Officer / Page No:
20/04343/REM	Reserved Matters (Phase 1A) pursuant to Outline permission 16/00054/OUT (mixed use development comprising demolition of existing buildings (as detailed on the submitted demolition plan) and the erection of up to 2,350 residential dwellings (including up to 100 units of student accommodation and 60 homes for the elderly), 9.1 hectares of employment land (B1, B2 and B8 uses), a primary school, a neighbourhood centre including A1, A2, A3, A4 and A5 uses as well as community facilities (including a health care facility D1), public open space, allotments, playing fields, pedestrian and cycle links (access points onto Tetbury Road, Somerford Road and Cranhams Lane) landscaping and associated supporting infrastructure to include vehicle access points	Councillor Gary Selwyn	Anthony Keown Page 7

	from Tetbury Road, Spratsgate Lane, Wilkinson Road and Somerford Road) for scale, layout, appearance and landscaping for the erection of 68 dwellings with associated open space and landscaping at The Steadings Development Phase 1A Chesterton Wilkinson Road Cirencester Gloucestershire.		
21/00616/FUL	Installation of external wall insulation to No. 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane, Guiting Power at 2,3,4,6,7,8 & 11 Tally Ho Lane Guiting Power.	Councillor Richard Keeling	David Ditchett Page 43

Application No	Description	Ward Councillor(s)	Case Officer / Page No:
21/00617/FUL	Installation of external wall insulation to No. 3 & 5 Pear Tree Close, Lower Swell at No. 3 & 5 Pear Tree Close Lower Swell.	Councillor Dilys Neill	David Ditchett Page 63
21/00736/FUL	Single storey ancillary accommodation within garden at Haydons Bank Station Road Chipping Campden.	Councillors Mark Annett and Gina Blomefield	Andrew Moody Page 81

7. **Sites Inspection Briefing**

8. **Licensing Sub-Committees**

Members for Wednesday 27 October 2021 (if required):

Councillors Julia Judd, Stephen Hirst, Andrew Maclean, Steve Trotter and Clive Webster.

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## PLANNING AND LICENSING COMMITTEE 13th October 2021

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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 13th October 2021  
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Parish	Application	Schedule No.
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Swell	No. 3 & 5 Pear Tree Close Lower Swell Gloucestershire 21/00617/FUL Full Application	03
Chipping Campden	Haydons Bank Station Road Chipping Campden Gloucestershire 21/00736/FUL Full Application	04

**Item No 01:-  
20/04343/REM  
The Steadings Development Phase IA  
Chesterton  
Wilkinson Road  
Cirencester  
Gloucestershire**

**Reserved Matters (Phase 1A) pursuant to Outline permission 16/00054/OUT (mixed use development comprising demolition of existing buildings (as detailed on the submitted demolition plan) and the erection of up to 2,350 residential dwellings (including up to 100 units of student accommodation and 60 homes for the elderly), 9.1 hectares of employment land (B1, B2 and B8 uses), a primary school, a neighbourhood centre including A1, A2, A3, A4 and A5 uses as well as community facilities (including a health care facility D1), public open space, allotments, playing fields, pedestrian and cycle links (access points onto Tetbury Road, Somerford Road and Cranhams Lane) landscaping and associated supporting infrastructure to include vehicle access points from Tetbury Road, Spratsgate Lane, Wilkinson Road and Somerford Road) for scale, layout, appearance and landscaping for the erection of 68 dwellings with associated open space and landscaping at The Steadings Development Phase 1A Chesterton Wilkinson Road Cirencester Gloucestershire.**

<b>Reserved Matters Application 20/04343/REM</b>	
Applicant:	Harper Crewe (The Steadings) Ltd
Agent:	Savills
Case Officer:	Anthony Keown
Ward Member(s):	Councillor Gary Selwyn
Committee Date:	13th of October 2021
<b>RECOMMENDATION:</b>	<b>DELEGATED AUTHORITY TO APPROVE SUBJECT TO COMPLETION OF THE CONSULTATION PERIOD AND ANY NECESSARY FINALISATION OF PLANNING CONDITIONS</b>

**Update:** This item was first reported to the Planning and Licensing Committee at its Meeting on the 8th of September 2021. This report describes the outcomes of the further negotiations between Officers and the Applicant resulting from the Committee resolution at the September Meeting. For clarity in this instance, rather than updating the original report (hereinafter referred to as “the September report”), this report has been formatted as a new comprehensive ‘stand-alone’ item with cross-referencing to the September report where necessary. Members are therefore advised to have access to the September report when reading this update. The introduction to section 8 of this report (paras. 8.1 - 8.4) explains the content of the report in more detail.

**Main Issues:**

- (a) Layout.
- (b) Landscaping.
- (c) Appearance.
- (d) Scale.
- (e) Environmental performance.



## **Reasons for Referral:**

Successful delivery of a sustainable, high-quality, mixed-used development on the Strategic Site south of Chesterton (Policy S2) is central to the Local Plan strategy. Officers therefore consider it appropriate to report this application for approval of reserved matters pertaining to Phase 1a of the Strategic Site development (now referred to as The Steadings) to the Planning and Licencing Committee.

### **I. Site Description:**

- I.1 This application relates to a parcel of land between Somerford Road and Wilkinson Road, Cirencester. The land is currently used for grazing.
- I.2 The site area is approximately 2.85 ha. It is part of the Strategic Site south of Chesterton (Policy S2), which is allocated for housing and employment, within the current Cotswold District Local Plan 2011 - 2031. An outline planning permission, which covers an overall area of approximately 120 ha, was granted in 2019 for development in accordance with Policy S2 (hereinafter referred to as “the Development”). The Strategic Site is now referred to as The Steadings. This application for approval of reserved matters relates to the first residential parcel at Phase 1a of the Development.
- I.3 The site of this application for approval of reserved matters is bounded by allotments to the north, employment buildings to the east (part of the Love Lane Industrial Estate), and existing residential development along the opposite side of Somerford Road to the west. The land to the south, on the opposite side of Wilkinson Road, is currently undeveloped. It also forms part of the outline planning permission site, and is allocated for employment development.
- I.4 The northern, southern, and western site edges are defined by existing hedgerows. The site itself is also subdivided by an existing hedgerow. The southern edge also has a line of trees, comprising a mix of lime, maples, whitebeam and ash. Most of these trees are Category B, but two are Category A in terms of quality (i.e. trees that are particularly good examples of their species). Most of the eastern edge is defined by a boundary fence between the site and the adjacent employment development. There is a short section of evergreen hedge along part of the eastern edge, in the north-eastern corner of the site.
- I.5 Land slopes downwards gently from the north-western corner of the site to its southern edge along Wilkinson Road. Elevation ranges from around 122 m to 118 m AOD.
- I.6 The different land uses that surround the site have very different characters. The existing residential area on the western side of Somerford Road is characterized by large, individual homes, set within generous plots behind a near continuous green wall of trees and hedgerows. The Love Lane Industrial Estate, to the east of the site, is a busy employment area. Not surprisingly it is characterized by an assortment of bulky commercial buildings, surface parking areas and signs.

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

2.1 On the 3rd of April 2019, the Council granted outline planning permission for a mixed-use development at the Strategic Site south of Chesterton, as per Local Plan Policy S2. As indicated above, that site is now referred to as The Steadings.

2.2 The description of development was as follows:

*Demolition of existing buildings and the erection of up to 2,350 residential dwellings (including up to 100 units of student accommodation and 60 homes for the elderly), 9.1 hectares of employment land (B1, B2 and B8 uses), a primary school, a neighbourhood centre including A1, A2, A3, A4 and A5 uses as well as community facilities (including a health care facility D1), public open space, allotments, playing fields, pedestrian and cycle links (access points onto Tetbury Road, Somerford Road and Cranhams Lane) landscaping and associated supporting infrastructure to include vehicle access points from Tetbury Road, Spratsgate Lane, Wilkinson Road and Somerford Road.*

2.3 Outline planning permission was granted subject to 69 planning conditions, following the completion of two section 106 agreements. Matters reserved for later consideration are appearance, landscaping, layout and scale.

## **3. Planning Policies:**

### **National**

National Planning Policy Framework (NPPF) - updated July 2021.

Planning practice guidance (PPG).

National Design Guide - October 2019.

National Model Design Code (Parts 1 and 2) - June 2021.

### **Cotswold District Local Plan 2011-2031**

Policy S2 - Strategic Site, south of Chesterton, Cirencester.

Policy H1 - Housing Mix and Tenure to Meet Local Needs.

Policy H2 - Affordable Housing.

Policy EN1 - Built, Natural and Historic Environment.

Policy EN2 - Design of the Built and Natural Environment.

Policy EN4 - The Wider Natural and Historic Landscape.

Policy EN7 - Trees, Hedgerows and Woodlands.

Policy EN8 - Biodiversity and Geodiversity: Features, Habitats and Species.

Policy EN14 - Managing Flood Risk.

Policy EN15 - Pollution and Contaminated Land.

Policy INF1 - Infrastructure Delivery.

Policy INF4 - Highway Safety.

Policy INF5 - Parking Provision.

Policy INF7 - Green Infrastructure.

Policy INF8 - Water Management Infrastructure.

## **Cotswold District Council - Climate and Ecology**

Climate Emergency Strategy 2020-2030  
Ecological Emergency Action Plan

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

- 4.1 The Council has previously undertaken two consultation exercises in relation to this application. At the time of writing, officers are preparing to undertake a third consultation exercise, relating to revised proposals submitted by the Applicant since the Planning and Licencing Committee meeting on the 8th of September 2021. Any responses received prior to the Planning and Licencing Committee meeting on the 13th of October 2021 will be reported to Members as Additional Representations.
- 4.2 Summaries of all responses to consultation received to date are included below. The responses are available in full on the Council's website.
- 4.3 The Officer's Assessment (see section 8 of this report) reflects a project team approach to the Council's design appraisal role. It incorporates specialist advice from the following internal consultees.

Biodiversity Officer.  
Conservation and Design Officer.  
Landscape Officer.  
Tree Officer.  
Strategic Manager (Housing).

- 4.4 The Council's Biodiversity Officer has also provided separate comments relating to great crested newts, which are reported below. The Biodiversity Officer's advice on all other aspects of the proposals is reflected in the Officer's Assessment.

### **Responses to the first consultation exercise in March 2021**

- 4.5 The comments below relate to the original application proposals. They were received in response to the first consultation exercise in March 2021.

Historic England:

We do not wish to offer any comments, but we suggest you seek the views of your specialist conservation and archaeological advisers, as relevant.

Archaeologist (Gloucestershire County Council):

The Written Scheme of Investigation (WSI) for Phase 1a satisfies our requirements.

Highways Officer (Gloucestershire County Council):

Gloucestershire County Council (“GCC”), the Highway Authority, acting in its role as Statutory Consultee, undertook a full assessment of the original reserved matters application proposals. Based on that assessment, the Highways Development Management Manager recommended that the application be refused. The justification for that recommendation was set out in a letter dated the 26th of April 2021, which is available in full on the Council’s website.

In summary, the Highway Authority concluded that the original application proposals would not result in safe and suitable access for all users. As such, the proposals conflicted with the requirements of the Local Plan, Local Transport Plan, the NPPF, and local design guidance in Manual for Gloucestershire Streets (MfGS).

Contracts Monitoring Officer (Waste):

- i) The layout must ensure that refuse crews will not have to manoeuvre or carry waste containers further than 10 m.
- ii) Hedgerows should not affect visibility for refuse vehicles.
- iii) Road surfaces need to be designed and built to withstand weekly use by refuse collection vehicles.
- iv) Refuse collection vehicles must have unrestricted access to the internal street (Road E), to service properties along it.
- v) Pavements need to be wide enough to accommodate waste and recycling receptacles being presented for collection, without posing hazards to pedestrians, wheelchair users, or people with children in pushchairs.
- vi) Any on-street parking should not present manoeuvring problems for collection vehicles.
- vii) If dwellings are occupied prior to completion of the development, Ubico will require formal indemnity, until the streets are adopted by GCC. It would then be the developer’s responsibility to rectify any damage.

Biodiversity Officer:

The comments below relate solely to great crested newts (“GCN”).

- i) Since the outline application was approved, additional information has come to light with regard to GCN. This mainly relates to the district licensing scheme, and the recent record of GCN at a pond within 500 metres of the site, which was not previously assessed.
- ii) The Ecological Mitigation and Management Framework (“EMMF”) Compliance Statement broad objective 6 states that no direct mitigation measures are proposed for this species due to a lack of suitable habitat and likely absence from the site. However, the application site lies within the red zone of the district licensing scheme’s modelled risk map, which indicates high suitability for GCN within the landscape around the site, and moderate suitability in the surrounding area (amber zone). The district licensing scheme was not up and running at the time of the outline planning application in 2016/17.

- iii) It also appears that the previous surveys carried out to inform the outline application did not include assessments of a pond to the north of the allotments (between 226 and 228 metres from the northern boundary hedgerow, located next to 20 Oaklands) and to the east near Siddington Primary School.
- iv) The pond next to the school is approximately 395 metres to the south-east of the Phase 1a application site, and falls within the red zone. A breeding population of GCN has been recently confirmed present at this pond as a result of surveys connected to another housing development in the area. An updated data search from GCER could possibly have identified this record and stimulated further assessment to inform the current reserved matters application at an earlier stage in the process.
- v) Best practice guidance identifies that survey results more than 12-18 months old should be updated. The GCN surveys were originally carried out in 2013 and 2015, so these are considered to be out-of-date, and the updated surveys in 2018 concentrated on one of the ponds that were previously surveyed.
- vi) In light of the presence of GCN in ponds within 500 metres that were not previously identified, one of which is known to contain breeding GCN, I recommend that further assessment is required. In particular, further assessment of the pond to the north of the site is required, in order to establish the potential to support this species. Consideration of the habitat connectivity between ponds should also be provided.

**Environmental Regulatory Services (“ERS”) (Noise):**

A scheme of mitigation should be implemented, including glazing performance requirements (27 dB RwCtr) and an MVHR system, for specified dwellings with a line of sight to specified premises within the adjacent employment development.

**ERS (Contamination):**

Agree with the conclusions of the Phase I Contamination Desk Study Report, which states that no significant contamination sources have been identified, and potential ground gas risks are low/very low. No further intrusive investigation works are required at this stage.

Sections A, B and C of condition 55 attached to the outline planning permission have been complied with for Phase 1a. However, Section D remains outstanding until construction works are undertaken.

**Responses to the second consultation exercise in July 2021**

- 4.6 The comments below were received in response to the second consultation exercise in July 2021. They relate to the revised application proposals, as described in the September report.

ERS (Noise):

The previous noise assessment should be revisited, in light of the proposed revised layout. The dwellings should be designed and constructed to incorporate measures to ensure that as a minimum, they achieve the internal and external ambient noise levels contained in British Standard 8233:2014 (or later versions). A planning condition could be imposed to secure the appropriate standards.

Highways Officer (Gloucestershire County Council):

At the Planning and Licencing Committee meeting on the 8th of September, officers reported initial comments from the local highway authority.

Those initial comments set out concerns about conflict with paragraph 131 of the NPPF (i.e. tree-lined streets), and about the visibility splay for plot 68. Given those concerns, the Highway Development Management Team Leader's preference was to see the application deferred, pending a more satisfactory design.

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

### **Response to the first consultation exercise in March 2021**

5.1 Cirencester Town Council objected to the original application proposals on the following grounds.

- i) The accesses to and from the site onto the busy roads of Somerford Road and Wilkinson Road are not suitable.
- ii) With the increase in traffic, the junction at Somerford Road onto Chesterton Lane is too dangerous.
- iii) The increase in traffic will have an enormous effect on the road leading to the industrial estate, which is already busy and prone to large traffic queues.
- iv) With the importance of global warming and environmental sustainability, concerns were raised as to the lack of sustainable energy source.
- v) Parking issues on Somerford Road and Wilkinson Road.
- vi) There is no provision for a bus route.
- vii) Members noted the comments from Gloucestershire County Council Highways to recommend refusal, and the conflicts with the Local Plan, NPPF, Local Transport Plan, and Manual for Gloucestershire Streets.

### **Responses to the second consultation exercise in July 2021**

5.2 At the Planning and Licencing Committee meeting on the 8th of September 2021, officers reported that the Town Council had added a further comment to its previous objection; i.e. that the proposed scheme should deliver a future-proof, low-carbon heating solution from the outset.

## 6. Other Representations:

### Responses to the first consultation exercise in March 2021

- 6.1 Five letters of objection were received from third parties in relation to the first consultation exercise in March 2021. The grounds for objection are described in summary below.
- i) The Council has failed to make public these proposals.
  - ii) Objection to the layout, density, design and appearance of the proposed dwellings.
  - iii) New developments should seek to protect and enhance the character of their surroundings. In terms of density and design, the proposals do not properly reflect the unique and individual aesthetics of exciting neighbouring properties in the area.
  - iv) The proposed dwellings, which would face Somerford Road, do not reflect the standard of the existing individual houses on the opposite side of the street.
  - v) The application material states that the site is also closely related to bus stops. There are no bus stops anywhere near this site. The nearest is around three quarters of a mile away, adjacent to the Somerford Road/Chesterton Lane junction. Perhaps the developer or Council could supply a photograph and map of these mythical bus stops.
  - vi) Concerns about the Somerford Road and Cranhams Lane mini-roundabout at Elm Grove, have been ignored. During normal traffic conditions, before the pandemic, motorists emerging from Cranhams Lane found this a dangerous junction because of highly restrictive sightlines caused by the high wall outside Elm Grove. Accident debris here proves the point. This proposed development should not go ahead until the problems at this dangerous junction have been resolved.
  - vii) With environmental sustainability so important, we are all being encouraged to use less energy or to obtain energy from more sustainable sources. The developer claims to be addressing the matter of sustainability. The proposals could go further, by ensuring all new dwellings produce as much of their own energy as possible, rather than drawing energy (principally electricity and gas) from outside sources. Such a measure would ensure more effective compliance with, in particular, Chapter Two of the NPPF.
  - viii) This could be largely achieved if all individual new dwellings and blocks of apartments had air/ground source heat pumps and energy-gathering roof coverings; e.g. photovoltaic tiles. This is an excellent opportunity for the Council to stipulate that the developer should install these measures in all buildings on this development.
  - ix) It will be more cost-effective to have this equipment installed during initial construction, rather than residents retrospectively installing it, as they will be encouraged to do in the future. It also presents an opportunity to make a positive step towards self-sufficiency and better use of energy.
  - x) It is surprising that the planning authority has not already adopted a policy to have such equipment installed in all new dwellings and commercial buildings. The developer should be asked to re-visit this aspect of its development.

- xi) The design and access statement states that *"The built environment will strike a successful balance between variety and harmony. As in the best historic townscapes the scale, massing and detailing of particular buildings will respond to the character and role of the street they address."* The Somerford Road comprises large individual houses set within substantial gardens. The seven proposed new houses with access on to the Somerford Road are identical square boxes, each set equidistant from the road with small gardens. There is little harmony in the identical houses, and the only variety is the barely noticeable variation in size. They do not reflect visually or respond to the character and the role of the street they address. Sadly, an uninspiring legacy for Cirencester.

## **Responses to the second consultation exercise in July 2021**

6.2 Two letters of objection were received from third parties in response to the second consultation exercise in July 2021. The comments relate to the revised application proposals, as described in the September report. The grounds for objection are described in summary below.

- i) In light of recent Met Office and other publications related to climate change, it is noteworthy that there are no proposals for carbon-neutral heating for these 68 dwellings. Bearing in mind that the residential care home built in Somerford Road some ten years ago was constructed with geothermal heating, the Council should require BDL, and all other developers of new homes in the Cotswolds, to install carbon-neutral heating.
- ii) The plot numbers have changed, making it difficult to compare designs without referring back to the original layout and the previous number each dwelling was given.
- iii) The proposed dwellings, which would face the Somerford Road, have been reduced in size, and a number of them have been scaled down from five-bedroom to four-bedroom house types. These dwellings should reflect the large houses on the opposite side of the street. Each one should be individual, with a larger footprint and a bigger plot. They should be houses people aspire to.
- iv) The street scene has been drawn without any of the existing hedgerows. It would be easier to visualise the impact on Somerford Road if the hedges were included on these drawings. It would also act as a reference for later if they are removed for any reason.

## **7. Applicant's supporting information:**

7.1 The original application for approval of reserved matters was submitted in November 2020. Following a period of negotiations, the Applicant's team formally submitted revised application material on the 22nd of July 2021. The September report referred to a covering letter from the Applicant's planning consultant, which listed the updated information and the key changes as of July (see the September report, section 7). All of the application material is available to view on the Council's website.



- 7.2 Following further negotiations, the Applicant's team formally submitted revised application material on the 24th of September. The covering email from the Applicant's planning consultant lists the following updated information:
- a) a revised site layout plan;
  - b) a schedule showing the specification for the dwellings, which confirms that all dwellings will have air source heat pumps; and
  - c) revised designs for the home office/garages for plots 1 and 14.
- 7.3 The above information will also be made available to view on the Council's website, to inform the third consultation exercise.

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

### **The September report**

- 8.1 As described above, this application was first reported to the Planning and Licencing Committee at its meeting on the 8th of September 2021. The Planning and Licencing Committee's previous resolution in relation to this application (hereinafter referred to as "the September resolution") is addressed in detail below.
- 8.2 The September report includes the officer's assessment of all aspects of the application proposals. Members may wish to refer to it, to refresh their memories on any matters that are not directly related to the September resolution.

### **This follow-up report**

- 8.3 This is a follow-up report, which describes the outcomes of further negotiations between officers and the Applicant since the September resolution. This report reiterates: the site description; the relevant planning history; planning policies; and all representations received to date. These matters are clearly fundamental to Members' consideration of the application. It also describes in summary the revised material submitted in support of the application since the September resolution.
- 8.4 This section of the report also reiterates: the scope of the application; the scheme in summary; the role of the development plan; officer advice on interpretation of the relevant development plan policies; and the master planning process for The Steadings. Again, these matters are clearly fundamental to Members' consideration of the application. It then goes on to describe the matters included in the September resolution, and to address each of those in turn, with reference to the revised application material.

### **Scope of this application**

- 8.5 As indicated above, this application for approval of reserved matters relates to the first residential parcel at Phase 1a of the Development. The principle of development is already established by the outline planning permission. The Council and the Applicant have therefore moved beyond the question of whether any development of the type proposed may be acceptable, to the question of what form it should take.

- 8.6 The reserved matters are appearance, landscaping, layout and scale. They have been considered within the context of national and local planning policies and priorities, and specifically within the context of the design hierarchy for The Steadings (see below).

### **The scheme in summary**

- 8.7 This application for approval of reserved matters relates to a scheme of 68 dwellings with associated areas of green infrastructure. The scheme comprises a mix of dwelling types, including detached, semi-detached and terraced houses, and apartments. Most of the proposed building types have two storeys, but a small number have two and a half storeys. The latter are deployed as focal buildings, to the eastern side of the central green space. All of the proposed dwellings meet, and the majority exceed, the Nationally Described Space Standards (“NDDS”). All ridge heights are below 11 m, as required by the outline planning permission Building Heights Parameter Plan.
- 8.8 There are three proposed vehicular access points to the site, which already have approval. There are also two other access points for pedestrians and cyclists. Car parking provision is in accordance with the CDC local parking standards, and has been calculated using the CDC Parking Toolkit. A number of parking solutions are used, including on-plot spaces and garages, car barns, and on-street spaces. A total of 162 parking spaces are proposed, to include 132 allocated spaces for dwellings plus 22 garages. A further 8 visitor spaces are also provided. All apartments are provided with 2 covered bicycle spaces in communal stores. For houses, bicycles can be stored within private gardens or garages.

### **The development plan**

- 8.9 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 policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

### **Interpreting the relevant Local Plan policies**

- 8.10 As indicated earlier in this report, the site in question forms part of the Strategic Site, south of Chesterton. The Inspector appointed by the Secretary of State to examine the Local Plan gave careful consideration to this strategic allocation. He concluded that “*Policy S2, the Chesterton Vision and Objectives included as Appendix B, and various other policies in the Plan provide an effective framework to ensure that the design, layout, landscaping and access arrangements for the site are all of an appropriate quality such that development of the scale and type proposed could be achieved in a satisfactory manner.*” The framework described by the Inspector is referred to hereinafter as “the Local Plan Framework.”

- 8.11 Case law has established that when planning decisions are made, the policies of the local plan must always be properly understood and lawfully applied (e.g. *Corbett v Cornwall Council* [2020]). Interpreting relevant policies depends on a sensible reading of their language, bearing in mind the importance of the policy to the overall objectives of the development plan.
- 8.12 Policy S2 allocates the Strategic Site for “...a sustainable, high-quality, mixed-used development, including up to 2,350 dwellings...” The Chesterton Vision and Objectives elaborate on Policy S2. The Vision describes (among other things) how the development “will promote innovation in residential, commercial and infrastructure design with a view to achieving more sustainable ways of living and a place that is future-proof.” Officers consider that a reasonable person, taking the Local Plan Framework as a whole, would read “...sustainable, high-quality...” to mean development that adheres to very high standards of urban and landscape design, architecture, construction, and environmental performance.
- 8.13 The NPPF reminds us that planning policies can become out-of-date. Case law tells us that the passage of time in itself is not sufficient to result in a policy becoming out-of-date. The critical question is whether or not the passage of time has led to the policy being overtaken by events (*Peel Investments v Secretary of State for Housing, Communities and Local Government* [2019]). Planning policies typically set out broad principles, as is the case with Policy S2. The tests for whether or not those principles are met may well evolve over the Plan period. It follows that when decision-makers interpret and apply relevant policies, they need to be cognizant of current events. Since the Local Plan was adopted the Government has published the National Design Guide (October 2019), the National Model Design Code (July 2021), and the updated NPPF (July 2021). These documents set new tests for gauging design quality. Similarly, the government’s plans for tightening the Building Regulations will reset the baseline for statutory minimum building performance standards.
- 8.14 The NPPF makes it clear that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Policy S2 is entirely consistent with the NPPF in this regard. The NPPF also reminds us that being clear about design expectations, and how these will be tested, is essential for achieving successful outcomes (NPPF page 38, par 126). Officers have engaged in lengthy design discussions with HarperCrewe (“HC”), the Applicant. Officers have made clear from the outset that the Council expects development at The Steadings to adhere to very high standards of urban and landscape design, architecture, construction, and environmental performance.

- 8.15 The challenges should not be underestimated. There is no shortage of evidence to demonstrate that many new developments are failing to meet design expectations. For example, in 2019 Place Alliance published the findings from an audit of new housing developments across England. Of the 142 developments examined, only 7% were rated Very Good. The vast majority, 74%, were rated Mediocre, Poor, or Very Poor. In 2019 the Climate Change Committee (“the CCC”) described how many new homes are being built to minimum standards for water and energy efficiency; e.g. just 1% of new homes in 2018 were Energy Performance Certificate (“EPC”) band A. There is also evidence of a disconnect between EPC bands and actual energy consumption. Moreover, we cannot be certain that new homes are always built to meet even the minimum standards. The 2018 Hackitt Review highlighted fundamental problems with the application of Building Regulations, including inadequate regulatory oversight and enforcement. Poor compliance contributes to what is often a significant performance gap between the predicted and actual environmental performance of new homes. In July 2016 the All-Party Parliamentary Group for Excellence in the Built Environment published a report on the quality and workmanship of new housing in England, which revealed high levels of frustration and disappointment among buyers of new homes, relating to the number of defects on handover, and to the problems they encountered on getting them fixed.
- 8.16 Proposals that adhere to very high standards of urban and landscape design, architecture, construction, and environmental performance, would include effective measures to address all of the challenges above. Conversely, proposals that fail to satisfactorily address these challenges are extremely unlikely to result in sustainable, high-quality development. Officers therefore consider that such proposals would not accord with the Local Plan Framework, including Policy S2.

### **The master planning process for The Steadings**

- 8.17 To ensure successful implementation of the Local Plan Framework, a master planning regime has been established for The Steadings. Key components of that regime are described in summary below.
- 1) The Framework Master Plan, endorsed by the Council prior to submission of the outline planning application (“the OPA”).
  - 2) The design framework established by the outline planning permission (“the OPP”), including: the approved drawings and documents; the section 106 agreements; material approved pursuant to conditions; and material that supported the OPA (hereinafter collectively referred to as “the Outline Framework”).
  - 3) The Steadings Site-Wide Design Code, approved by the Council pursuant to condition 9 attached to the OPP.
  - 4) Detailed Design Codes for sub-areas of The Steadings, which are required pursuant to condition 10 attached to the OPP.

- 8.18 As described above, the master planning process includes a two-tier approach to design coding, which has been established by planning conditions attached to the OPP. The first tier is the overarching Site-Wide Design Code, which will be supplemented by a series of more prescriptive Detailed Design Codes for sub-areas. The design coding context for this application for approval of reserved matters is described in more detail in the September report.

### **The September resolution**

- 8.19 At the Planning and Licencing Committee meeting on the 8th of September, Members resolved to Approve this application at a subsequent meeting, subject to satisfactory resolution of the following matters:

- a) revision of the proposed landscape design, to better reflect the original design concept of planting large trees at key locations across the layout (i.e. in addition to the tree planting currently proposed); and
- b) revision of the proposed layout to facilitate the above, including substitution of house types wherever this proves necessary to free up additional space. This will also present opportunities to revisit the very small number of locations where separation distances between buildings are currently on the borderline of acceptability; and
- c) substitution of ancillary buildings on plots 1 and 14 with similar buildings of more appropriate design; and
- d) refinement of the landscape design, and updating of documents (e.g. LEAMMP) as necessary, to support the agreed approach to securing biodiversity net gain; and
- e) a scheme to address the building performance issue, which meets the government's objective that as many new homes as possible are provided with low-carbon heating, and reflects the CCC's recommendations for low-carbon heating combined with ultra-high levels of energy efficiency (i.e. space heating demand between 15 to 20 kWh/m<sup>2</sup>/yr).

- 8.20 These matters are addressed in turn below, with reference to the revised application material submitted on the 24th of September.

#### Matters a) and b) above

##### *Context*

- 8.21 The original landscape design concept was predicated on planting large, forest-scale trees at key locations across the layout, to act as way markers. Street trees were to provide a green approach along streets, helping to soften the built form. In addition, small garden tree species were to be positioned within private gardens, contributing to the green backdrop. Officers accepted this concept as a sensible starting point, given the site-specific circumstances described below.

## *Objectives*

- 8.22 Given the disposition of green spaces across the proposed layout, officers considered that it would be possible to successfully implement the original tree planting strategy without wholesale redesign of the layout. However, there were two locations where officers wanted to secure changes to the layout, to create sufficient space for planting medium to very large trees. By this we mean trees that might have crown spreads in the order of 8 to 15 m when they reach maturity, depending on various factors. Since the September meeting, negotiations in relation to the tree planting strategy have focussed on the two locations described below, and on strengthening the overall execution of the original concept.
- 8.23 The first location is in the north-west corner of the site, immediately to the east of the proposed turning head. Officers wanted to secure sufficient space at this location to allow a very large tree to reach maturity. The objective being to create a large-scale green landmark at the western end of the street referred to as Road B. The layout has now been revised to create sufficient space north of plot 14 for the required tree planting. Officers consider that there is also sufficient green space within the layout to allow large trees to reach maturity at the eastern end of this street, and at the junction of this street and the street referred to as Road E. Officers therefore consider that residents will eventually benefit from three significant trees, at key locations within the street scene. Officers consider this to be a better design solution than, for example, trying to create space for a line of small trees along the northern edge of this street. That option would necessitate the dwellings along the northern edge of the street moving closer to the northern boundary hedgerow. That in turn would inevitably put pressure on the minimum 3 m buffer zone, which is intended to facilitate the improvement and long-term retention of the northern boundary hedgerow. Improving the ecological value of that hedgerow over time (e.g. by encouraging outgrowths and wild flower areas within the safeguarded buffer zone) is a key tenet of officers' ecological strategy for Phase 1a.
- 8.24 The second location is at the eastern end of the central walkway. Again, officers wanted to secure sufficient space at this location to allow at least two medium trees to reach maturity. The aim here is twofold: to create a green gateway effect on either side of the narrowing in the street referred to as Road A; and to extend significant tree planting into the central walkway, thereby creating a stronger linear grouping between the new trees in the central green space, new trees in the western boundary hedgerow, and existing trees on Somerford Road. Officers therefore want to increase the separation distance between the apartments at plots 50-51 and the house at plot 22. This to ensure that mature trees between the two would not restrict daylighting in the future. Our proposed solution is to relocate the tandem car parking spaces from plot 21 into the street referred to as Road E. This would enable the semi-detached houses at plots 21 and 22 to be repositioned, ensuring a minimum 16 m separation distance. Officers consider that this will provide sufficient space to facilitate the required tree planting, without adversely affecting residential amenity. At the time of writing, officers have secured support for this solution from the Highways Officer. Assuming we can agree the details with the Applicant's team, the proposed layout will be revised accordingly, prior to the October meeting.

### *Outcomes*

- 8.25 The updated NPPF threw the tree planting issue into sharp relief. The NPPF now stipulates that planning policies and decisions should ensure that new streets are tree-lined (i.e. unless there are clear, justifiable and compelling reasons why this would be inappropriate). In this case most, but not all of the proposed new streets will be tree-lined. However, the streets that are not tree-lined will benefit from medium and large trees situated at key locations along their alignments. Moreover, the proposed tree planting strategy complements key tenets of officers' ecology strategy for Phase 1a, which was negotiated and agreed with the Applicant prior to publication of the updated NPPF. The particular characteristics of this site, and the Council's ecology objectives for the northern boundary hedgerow, constitute site-specific circumstances that provide clear, justifiable and compelling reasons why it would be inappropriate to pursue a layout where all of the streets are tree-lined. Officers consider that these site-specific circumstances are unique, and that this application does not therefore establish a precedent for the Council's interpretation of NPPF paragraph 131.
- 8.26 Proposed planning conditions 12, 13 and 14 will ensure that existing trees and hedgerows are protected, and that suitable species of trees are specified as the tree planting strategy is implemented. Given the above officers consider that the revised application proposals are NPPF compliant, and adhere to a high standard of landscape design.

### Matter c) above

### *Context*

- 8.27 Officers had concerns about the scale of the proposed home office/garage buildings, particularly at plots 1 and 14. At plot 1 the previously proposed home office/garage building would have been the most prominent feature, as viewed from the adjacent non-vehicular access point. Officers were concerned that this was a weak design solution at a site entrance.

### *Objectives*

- 8.28 Since the September meeting, negotiations in relation to this matter have focussed on redesigning the home office/garage buildings at plots 1 and 14. Officers suggested that there were at least two ways to address the above concerns. One was to reduce the height of the buildings, which would of course reduce the usability of the first floor, and potentially require some sort of dormer arrangement to accommodate the first-floor entrance. Another was to provide the garage and home office within a single-story building.

### *Outcomes*

- 8.29 Following constructive negotiations, the Applicant's architects have now revised the designs for the proposed home office/garage buildings at plots 1 and 14. These will now be single storey buildings. Bearing in mind the plot contexts, officers consider that the revised application proposals are policy compliant, and adhere to a high standard of design.

### Matter d) above

### *Context*

- 8.30 The agreed revisions to the urban and landscape design proposals will necessitate consequential updating of various plans and documents. This will also present an opportunity to introduce revisions to the Landscape, Ecology and Arboricultural Management and Monitoring Plan (LEAMMP), to support the agreed approach to securing biodiversity net gain.

### *Outcomes*

- 8.31 The Applicant's team has quite rightly focussed on revisions to the urban and landscape design proposals in the first instance. This with the aim of resolving the issues described above. The Applicant's team will now turn to updating the various other plans and documents submitted in support of the application. This exercise will be completed before the application is determined, and proposed planning condition 1 will list out the approved plans and documents.

### Matter e) above

### *Context*

- 8.32 As described earlier in this report, Policy S2 allocates the Strategic Site for "...a sustainable, high-quality, mixed-used development..." The Chesterton Vision and Objectives (Local Plan Appendix B) elaborate on Policy S2. The Vision describes (among other things) how the development "*will promote innovation in residential, commercial and infrastructure design with a view to achieving more sustainable ways of living and a place that is future-proof.*" Policy EN1 stipulates that "*New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by...addressing climate change...*" (among other things). Given the content of Policy S2 and Local Plan Appendix B, officers consider that the Policy EN1 requirement to address climate change is engaged in relation to The Steadings.
- 8.33 Prior to the September meeting of the Planning and Licencing Committee, the Applicant had committed to meet, and where possible exceed, the interim Building Regulations 2021. The Applicant described how, with careful specification, it might be possible to achieve a further 10% (as an average) reduction in carbon emissions, over and above the 31% reduction required by the interim Building Regulations 2021 (i.e. the new statutory minimum standards).



- 8.34 The Applicant's team had advised officers that new homes at Phase 1a would achieve space heating demand of 23 kWh/m<sup>2</sup>/yr, and energy use intensity (EUI) of between 43 and 45 kWh/m<sup>2</sup>/yr. Providing these design stage predictions could be achieved in use, the space heating and operational energy requirements of the new dwellings would be around 54% and 68% lower respectively than those of an average dwelling built to meet the soon to be replaced Building Regulations 2013.
- 8.35 However, the Applicant's previous proposals did not include low-carbon heating technologies, as described in the Outline Framework. Instead, the Applicant had cited ongoing trials to test the feasibility of using hydrogen to decarbonize the gas grid. Officers considered that the absence of low-carbon heating was problematical for a number of reasons. Firstly, the government views the 2021 uplift to the Building Regulations as an interim step towards the Future Homes Standard ("the FHS") in 2025. In the meantime, it wants as many new homes as possible to be built with low-carbon heating. Secondly, the Outline Framework specifically identified low-carbon energy technologies, which it said could be used as part of a 'suite' of effective solutions at The Steadings.
- 8.36 In light of the above, officers advised Members that they had at least two options in relation to the building performance issue: i.e. accept the Applicant's previous proposals, as described above; or instruct officers to continue the negotiations with the aim of securing the Applicant's agreement to revised building performance proposals.

#### *Objectives*

- 8.37 The Planning and Licencing Committee Members unanimously chose the second option, and instructed officers to pursue a scheme, which meets the government's objective that as many new homes as possible are provided with low-carbon heating, and reflects the CCC's recommendations for low-carbon heating combined with ultra-high levels of energy efficiency (i.e. space heating demand between 15 to 20 kWh/m<sup>2</sup>/yr).
- 8.38 The September report described the importance of ensuring oversight and compliance, and how partial privatization of building control has raised some fundamental concerns about how the Building Regulations are applied, including to strategic developments such as The Steadings. It also described how there is often a significant performance gap between the predicted (i.e. at the design stage) and actual energy efficiency of new homes.
- 8.39 The application is supported by the Phase 1a Sustainability Framework - November 2020 (Draft). It describes how BDL and the Applicant will ensure "*a careful approach to applying the Building Regulations, with high-quality outcomes as the primary objective.*" This proposal could help to address concerns identified above, and provide a mechanism for ensuring that any enhanced performance standards agreed at the design stage are actually achieved at the construction stage. For example, this might involve Local Authority Building Control ("LABC"), or other Approved Inspectors, providing additional oversight, if the Applicant chooses to use the National House Building Council ("NHBC") building control service. The objectives would include improving the inspection regime, and ensuring independent verification of compliance, etc.

- 8.40 The September report also described how the Council's Net Zero Carbon Toolkit recommends Post Occupancy, or Building Performance Evaluations ("POE/BPE") during the first five years of use, to verify that key performance indicators have been met. The RIBA also advocates for POE, and the government is extending its use. The Applicant has expressed concern that future residents might find POE/BPE intrusive. Officers consider that any such issues should be surmountable. Moreover, POE would be extremely valuable at The Steadings, where the Council and the Master Developer are committed to learning lessons and continual improvement, as the implementation period progresses.

#### *Outcomes*

- 8.41 In light of the September resolution, the Master Developer and the Applicant have reflected on how they might respond positively to Members' concerns and ambitions. While they still consider their original proposals to be policy compliant, they have jointly decided to specify a low-carbon heating solution for Phase 1a. The 68 new homes will all have air source heat pumps ("ASHPs"), rather than gas boilers. The Applicant has also confirmed that previous building performance commitments still apply: e.g. meeting the anticipated fabric requirements, and exceeding the anticipated air tightness requirements of the FHS; space heating demand of  $\leq 23$  kWh/m<sup>2</sup>/yr; and energy use intensity (EUI) of between 43 and 45 kWh/m<sup>2</sup>/yr.
- 8.42 As stated in the September report, it is important to be clear on the status of the Council's Net Zero Carbon Toolkit. It is not part of the development plan, nor is it a Supplementary Planning Document. It is a resource for participants in the development process, which provides advice on design approaches and good practice within the field of Net Zero buildings. It is cited above and in the September report as an appropriate benchmark of high standards in relation to building performance, but officers have afforded it no weight in terms of decision-making.
- 8.43 While the predicted space heating demand and EUI for the 68 dwellings at Phase 1a do not meet the targets recommended in the Toolkit, they do represent a significant step towards those targets. Moreover, Phase 1a will now have low-carbon heating from the outset. Officers consider that this is a significant benefit, not least because it sets a positive precedent for the subsequent Sub-Phases that are likely to come forward before the FHS is fully defined and becomes mandatory. Officers consider that the Master Developer and the Applicant have now put forward proposals that respond positively to the Local Plan Framework. Proposed planning conditions 2 and 3 will ensure the parties can also work together in trying to address the performance gap across Phase 1a, and in learning lessons that may benefit building performance on subsequent Sub-Phases of the Development. Bearing all of the above in mind, officers consider that the revised proposals are policy compliant, and adhere to a good standard of building performance.

## **Other considerations**

- 8.44 At the time of writing, officers are seeking a formal response to the revised application material from the Highways Officer (Gloucestershire County Council). Discussions to date suggest that the Highways Officer is unlikely to raise any fundamental objections to the revised proposals, but it may prove necessary to make further minor refinements to the layout. The recommendation below allows for that eventuality. Any necessary refinements will be agreed with the Applicant, and the drawings will be revised accordingly, before the application is determined.
- 8.45 Members are reminded that a number of issues were raised in response to previous consultation exercises, which are not addressed above. Those matters were addressed in the September report (at paragraphs 8.90 to 8.92).

## **9. Conclusion:**

- 9.1 As indicated above, the principle of development is established by the OPP. Implicit in the granting of the OPP, is that at least one form of development is acceptable. While the original application proposals were not considered acceptable, significant progress has now been made through constructive negotiations. Officers consider that the revised application proposals satisfactorily address all of the matters listed in the September resolution.
- 9.2 At the time of writing, officers are making arrangements for a third consultation exercise, informed by the revised application material. While the timeframe is challenging, it may be possible to complete the third consultation exercise before the Planning and Licencing Committee meeting on the 13th of October.
- 9.3 Providing Members are satisfied with the officer assessment herein, and agree that the revised proposals satisfactorily address all of the matters listed in the September resolution, officers respectfully request that they be given Delegated Authority to Approve the application. As explained above, this would be subject to completion period of the third consultation exercise, and to final refinement of the proposed planning conditions, where necessary (e.g. adding approved drawing numbers and document references).

### Recommendation

- 9.4 Officers recommend that Members grant officers delegated authority to Approve this application, subject to the following:
- a) completion of public consultation on the revised application material received on the 24th of September;
  - b) confirmation that the Highways Officer has no objections to the revised application material; and

- c) final refinement of the proposed planning conditions, where necessary.

Officers further recommend that the application need not be reported again to the Planning and Licencing Committee, unless significant new issues arise from the third consultation exercise, which have not already been addressed in the September report and/or in this follow-up report.

## 10. Draft conditions

1. The development hereby approved shall be carried out in accordance with the following drawing number(s): ***[NB. all drawing numbers to be added following final updating]***.

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

2. No foundations shall be laid for any of the dwellings hereby approved until a scheme for inspection and verification of the enhanced building performance requirements set out in the approved document ***[NB. approved document reference to be added following final updating]*** has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for its implementation alongside the Building Regulations approval process, and for formal reporting of specified 'as-constructed' information to the Local Planning Authority at RIBA Stage 5 - Construction. Development shall be carried out in accordance with the approved scheme.

**Reason:** To ensure design standards that facilitate sustainable use of the development in accordance with Cotswold District Local Plan Policy S2 and Policy EN1.

3. None of the dwellings hereby approved shall be occupied until a scheme for Post Occupancy Evaluation (POE) has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the scheme shall include detailed arrangements for:
  - a) its implementation over the specified evaluation period;
  - b) the formal submission of energy and CO<sub>2</sub> calculation outputs for the dwellings immediately prior to handover (at RIBA Stage 6 - Handover and Close Out);
  - c) the provision of metering in the dwellings, to allow the total energy and water consumption of individual dwellings to be reported annually in the first 5 years after handover;
  - d) formally reporting on the annual energy and water consumption for a target of 20% of dwellings via specified means;
  - e) user surveys for a target of 20% of dwellings at appropriate intervals over the evaluation period; and
  - f) the appointment of an independent POE consultant, who will be responsible for implementation of the approved scheme.

Development shall be carried out in accordance with the approved scheme.

**Reason:** To evaluate the effectiveness in use of enhanced building performance measures, which are intended to facilitate sustainable use of the development in accordance with Cotswold District Local Plan Policy S2 and Policy EN1.

4. The dwellings hereby approved shall be designed and constructed to incorporate noise mitigation measures to ensure that as a minimum, they achieve the internal and external ambient noise levels contained in British Standard 8233:2014 - 'Guidance on Sound Insulation and Noise Reduction for Buildings' (or later versions). These standards currently require:

- a) Resting 35 dB LAeq, 16hour;
- b) Dining 40 dB LAeq, 16hour;
- c) Sleeping 30 dB LAeq, 8hour;
- d) 45dB LAFmax; and
- e) any external amenity space(s) should achieve 55dB LAeq, 16hr.

**Reason:** To ensure the dwellings in question are adequately protected from noise emanating from neighbouring development in accordance with the NPPF.

5. The dwellings at plots 13, 31 and 32, as shown on the approved Site Layout Plan [***NB. drawing number to be added following final updating***], shall not be occupied until a pre-occupation validation noise survey of those dwellings has been carried out, in order to demonstrate that the incorporated noise mitigation measures are effectual in reducing noise to an acceptable level, and a certificate of compliance by an approved acoustic assessor has been submitted to the Local Planning Authority confirming that the noise levels required under BS 8233:2014 - 'Guidance on Sound Insulation and Noise Reduction for Buildings' (as set out in condition 12 of the same) have been achieved, and the Local Planning Authority has confirmed acceptance in writing. The incorporated and so certified measures, shall thereafter be retained.

**Reason:** To ensure the dwellings in question are adequately protected from noise emanating from neighbouring development in accordance with the NPPF.

6. None of the dwellings at plots 1 to 13 (inclusive), as shown on the approved Site Layout Plan [***NB. drawing number to be added following final updating***], shall be occupied until:
- a) details of semi-solid rear garden boundary treatments, which will allow daylight to penetrate to the adjacent 3 m buffer zone alongside the northern boundary hedgerow, have been approved in writing by the Local Planning Authority; and
  - b) the rear garden boundary of each of these dwellings has been secured in accordance with the approved details.

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 boundary treatments shall subsequently be erected along the rear boundaries of these dwellings, other than the approved semi-solid rear garden boundary treatments, without the prior written consent of the Local Planning Authority.

**Reason:** To safeguard the ecological corridor adjacent to the retained northern boundary hedgerow, in accordance with Cotswold District Local Plan Policy EN7 and Policy EN8.

7. No works shall commence on site on the development hereby permitted until details of the defined highway works have been submitted to and approved in writing by the Local Planning Authority and no occupation/opening to the public shall occur until the approved works have been completed and are open to the public.

**Reason:** In the interest of highway safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation.

8. None of the dwellings hereby approved shall be occupied until the means of access for vehicles, pedestrians and/or cyclists have been constructed and completed in accordance with the approved plans.

**Reason:** In the interest of highway safety.

9. None of the dwellings hereby approved shall be occupied until the associated car/vehicle parking area (and turning space), as shown on the approved Site Layout Plan [**NB. drawing number to be added following final updating**], has been completed, and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

**Reason:** To ensure that there are adequate parking facilities to serve the development, which are constructed to an acceptable standard.

10. None of the dwellings hereby approved shall be occupied until they have been fitted with an electric vehicle charging point, as shown on the approved Electric Vehicle Charging Points Plan [**NB. drawing number to be added following final updating**]. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging, BS EN 61851, and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced, in which case the replacement charging points shall be of the same or higher specification, in terms of charging performance.

**Reason:** To promote sustainable travel and healthy communities.

11. None of the dwellings hereby approved shall be occupied until a scheme for external lighting of the development has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the scheme shall include lighting design details for:
- a) all streets and other vehicular routes;
  - b) all pedestrian and cycle routes;
  - c) all communal amenity spaces, refuse storage areas, and covered cycle parking facilities;
  - d) all private footpaths and car parking courts; and
  - e) all measures to reduce light spillage onto foraging habitats for bats.

The scheme shall also include a timetable for implementation and arrangements for future maintenance. External lighting shall be provided and subsequently maintained in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To provide a safe environment, while avoiding any unacceptable impacts on biodiversity, in accordance in accordance with Cotswold District Local Plan Policy EN2, Policy EN8 and Policy EN15.

12. With the exception of hedgerow H3, as identified in the Update Ecological Baseline July 2021 (Report Reference edp6352\_r002c), the existing trees and hedgerows within the site shall be retained and shall not be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:2010 'Tree Work - Recommendations.' Any trees and hedgerows removed without such consent, or dying, or becoming damaged or diseased shall be replaced in the next planting season with trees and hedgerows of such size and species as may be specified by the Local Planning Authority.

**Reason:** To ensure that existing trees and hedgerows within the site, which are to be retained, are conserved in accordance with Cotswold District Local Plan Policy EN7.

13. Prior to the commencement of any works on site, including demolition and site clearance, the tree and hedgerow protection measures described and illustrated in the Arboricultural Method Statement (Incorporating Impact Assessment and Tree Protection Measures) October 2020 (Report Reference edp6352\_r008b) shall be installed in accordance with the specifications and Tree Protection Plan included within the Method Statement, and in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction - Recommendations.' Protective fencing for the retained northern boundary hedgerow shall be erected at least 3 m from the existing hedgerow, to safeguard the agreed buffer zone. The tree and hedgerow protection measures shall remain in place until the completion of the construction process. No part of the protection shall be removed or altered without the prior written approval of the Local Planning Authority.

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

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

14. No development shall take place until a comprehensive scheme for both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the scheme shall include the following details:
- a) locations, sizes and condition of all existing trees and hedgerows on and adjoining the site, which are to be retained, as per the Arboricultural Method Statement (Incorporating Impact Assessment and Tree Protection Measures) October 2020, and the Update Ecological Baseline July 2021 (Report Reference edp6352\_r002c);
  - b) proposed planting areas, including tree and plant species, numbers and planting sizes;
  - c) proposed finished levels or contours, including any proposed mounding and basins;
  - d) proposed walls and retaining structures;
  - e) other proposed means of enclosure and screening, including fencing around the Local Area for Play, and measures to prevent car parking on areas of green infrastructure;
  - f) communal, secure, covered cycle parking facilities;
  - g) proposed headwalls, inlet features, and safety railings within the SuDS basin;
  - h) proposed play and trim trail equipment, and surface treatments around the same;
  - i) proposed minor artefacts and structures (e.g. street furniture, refuse and/or other storage units, and signs, etc.);
  - j) existing and proposed functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc.);
  - k) hard surface materials, to be used throughout the proposed development;
  - l) a timetable for implementation; and



m) a Public Access and Management Statement/Plan for the central green space, SuDS basin open space area, and Rural Link (adjacent the eastern site boundary).

The Public Access and Management Statement/Plan must be cross-referenced to, and consistent with the objectives of, the Landscape, Ecological and Arboricultural Management and Monitoring Plan (LEAMMP) for Sub-Phase 1a (i.e. to be approved pursuant to condition 61 of the associated outline permission - 16/00054/OUT).

**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 and Policy EN8, and the provisions of the NPPF.

15. The approved landscaping scheme shall be completed in its entirety in accordance with the approved timetable for implementation, or by the end of the planting season immediately following practical completion of the dwellings, 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.

16. 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.

17. The external walls of the development hereby permitted shall be built of a mix of extensive rubble stone with selected use of ashlar detailing, and rendered walls in a carefully selected palette of stone colours, and shall be permanently retained as such thereafter.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

18. The roof slopes of the development hereby permitted shall be covered with reconstituted Cotswold stone roofing and shall be permanently retained as such thereafter.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

19. Prior to the construction of any external wall of the dwellings hereby approved, a sample panel of walling to the dwellings of at least one metre square in size showing, where applicable, the contrast and junction of ground floor and first floor walling finishes and the proposed corner treatments of:- i) stone, ii) Stone and render, iii) and Render, and 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 subsequently be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

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

20. Prior to the construction of any boundary treatments to the dwellings hereby approved, a sample panel of i) boundary walls (showing capping treatment), ii) dry stone boundary walling, iii) masonry (stonework), and iv) timber boundary walling, 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 boundary treatments shall subsequently be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

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

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

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

22. Prior to the first occupation of the development hereby permitted, the windows and doors, including garage doors, shall be finished in a colour(s) to be first submitted to and approved in writing by the Local Planning Authority, and shall thereafter be permanently retained in the approved colour unless otherwise agreed in writing by the Local Planning Authority.

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

23. No eaves (notwithstanding any details shown on the submitted elevation drawings), verges, solar panels, rooflights, windows, doors, garage doors, porch canopies, balconies, or gates shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority. The design and details shall be accompanied by drawings to a minimum scale of 1:5 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 the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF.

24. Rooflights shall be of a design which, when installed, shall not project forward of the roof slope in which they are located, and shall be permanently retained as such thereafter.

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

25. Construction work shall not begin on the dwellings hereby approved until design details for the proposed installation of air source heat pumps (including any proposed housing) at each proposed dwelling type have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved design details.

**Reason:** To ensure that in each case the air source heat pump is sited, so far as is practicable, to minimize effects on the external appearance of the building and on the amenity of the area.

#### **INFORMATIVES:-**

- I. Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out. Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

- 1) Drafting the Agreement
- 2) A Monitoring Fee
- 3) Approving the highway details
- 4) Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

## 2. Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. Contact the Highway Authority's Legal Agreements Development Management Team at: [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk)

You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

- 1) Drafting the Agreement
- 2) Set up costs
- 3) Approving the highway details
- 4) Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

## 3. Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at [Network&TrafficManagement@gloucestershire.gov.uk](mailto:Network&TrafficManagement@gloucestershire.gov.uk) before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

4. Additional compensatory planting on the main site

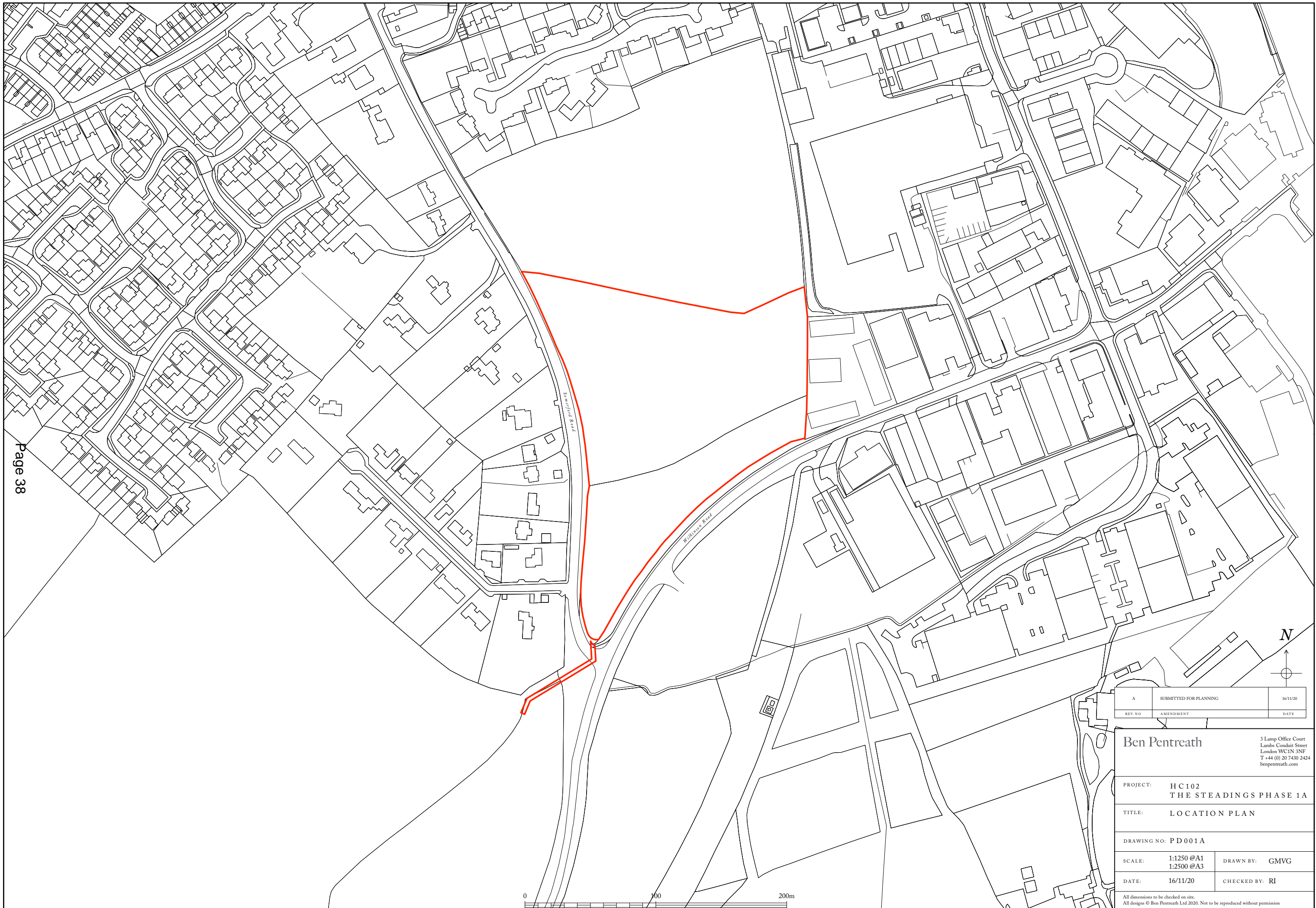
The Master Developer has agreed that 10% biodiversity gain should be the starting point target for The Steadings as a whole. The Applicant's team have assessed the revised landscape design using the Biodiversity Metric, which generates area and linear calculations. The Metric indicates that the proposals are capable of delivering biodiversity net gain, subject to implementation details and management arrangements: i.e. 3.15% (area calculation); and 19.53% (linear calculation). The Master Developer and the Applicant have therefore agreed that additional compensatory planting will be delivered on the main part of The Steadings site. The Outline Framework creates an opportunity for around 15 ha on the main site to be managed specifically for biodiversity (i.e. 37% of the designated main open green spaces, or 12.5% of the overall outline planning permission site area). This compensatory planting arrangement will be controlled and if necessary enforced using the outline planning permission approval regime (i.e. planning conditions and obligations). The Master Developer has agreed to work with officers in jointly recording and monitoring the arrangements, as development across The Steadings progresses.

5. Importance of conveying the approved LEAMMP and the Access and Management Statement/Plan to the Steadings Community Management Trust

In order to deliver sustainable, high-quality development at Phase 1a, it is important to ensure that implementation of the proposed landscape design achieves the potential gains assumed in the Metric. To this end the Council, the Master Developer and the Applicant will need to ensure that the Landscape, Ecological and Arboricultural Management and Monitoring Plan (LEAMMP) for Phase 1a marries up with the approved Ecological Mitigation and Management Framework (EMMF), which forms part of the Outline Framework. Moreover, the Public Access and Management Statement/Plan (required by condition 14 above) and the LEAMMP will need to be conveyed to the Steadings Community Management Trust, for long-term implementation.

6. Community Infrastructure Levy (CIL)

Please note that this development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), as the Strategic Site south of Chesterton is rated £0/m<sup>2</sup> for residential development.



A	SUBMITTED FOR PLANNING	16/11/20
REV. NO	AMENDMENT	DATE

**Ben Pentreath**  
 3 Lamp Office Court  
 Lamba Conduit Street  
 London WC1N 3NF  
 T +44 (0) 20 7430 2424  
 benpentreath.com

PROJECT: HC102  
 THE STEADINGS PHASE 1A

TITLE: LOCATION PLAN

DRAWING NO: PD001A

SCALE: 1:1250 @A1  
 1:2500 @A3

DRAWN BY: GMVG

DATE: 16/11/20

CHECKED BY: RI

All dimensions to be checked on site.  
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Trees shown as estimated size after 20 - 30 years.  
Growth will vary depending on species, tree size at planting, climate conditions, soil type and volume and maintenance regimes.



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PROJECT: HC102  
 THE STEADINGS PHASE 1A

TITLE: SITE LAYOUT PLAN

DRAWING NO: PD1004B

SCALE: 1:625 @A1  
 1:1250@A3

DATE: 23/09/21

DRAWN BY: SM  
 CHECKED BY: RI

All dimensions to be checked on site.  
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**Item No 02:-**

**21/00616/FUL**

**2,3,4,6,7,8 & 11  
Tally Ho Lane  
Guiting Power  
Gloucestershire  
GL54 5TY**

**Item No 02:-**

**Installation of external wall insulation to No. 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane,  
Guiting Power at 2,3,4,6,7,8 & 11  
Tally Ho Lane Guiting Power**

<b>Full Application 21/00616/FUL</b>	
Applicant:	Bromford Housing
Agent:	SJM Surveyors
Case Officer:	David Ditchett
Ward Member(s):	Councillor Richard Keeling
Committee Date:	13th October 2021
<b>RECOMMENDATION:</b>	PERMIT

**UPDATE:** The application was deferred at the June Planning & Licensing Committee to enable officers to obtain further information and details. The report to the June Committee was as follows with updates to the original report shown in bold type.

**UPDATE:** This application was not reported to the September Committee meeting. However, at that meeting, Members resolved to undertake an Advanced Site Inspection Briefing at a property in Broadwell, which has been clad in stone slips and render, similar to those proposed under this application. It is anticipated that the site visit will enable Members to gain a better understanding of the visual impact of the materials proposed.

**Main Issues:**

- a) Adapting to Climate Change
- b) Design and Impact on Heritage Assets
- c) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)
- d) Impact on Residential Amenity
- e) Other Matters
- f) Community Infrastructure Levy (CIL)
- g) Planning Balance

**Reasons for Referral:**

20 objections were received. The Council's scheme of delegation states 'for applications where one or more objections have been received the officer will, at least one calendar week before the determination deadline (statutory or extended by agreement), consult the Ward Member prior to determining the application'.

The case officer consulted Councillor Keeling, who provided the following reason for referral: "I stand as one with Cllr Neill in our objection to the applications made by Bromford Housing in Lower Swell and Guiting Power. The principle objections are mirrored in each although the harm both visually and in amenity terms have their own characteristics given the varied settings of the houses in the respective communities that they are set.

The residents (and the non Bromford neighbours) seem not to have been given any consideration in these applications.

For all these and other planning reasons articulated in Cllr Neill's email to you I feel it is essential in the interests of local transparency that these applications be brought to the full planning committee. Further I would like the Review Panel to insist that a sites inspection be made prior to consideration of the applications so that the full impact of the harm to both these locations can be assessed."

### **I. Site Description:**

The application site is Numbers 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane, Guiting Power.

Numbers 2, 3 and 4 are mid-terrace, two-storey dwellings with uPVC windows and doors set within Cotswold stone elevations under pitched plain tiled roofs. Numbers 3 and 4 share front and rear gable features, the apex of which forms the boundary between the properties.

Numbers 6 and 11 are single storey end terrace bungalows with uPVC windows and doors set within Cotswold stone elevations under pitched plain tiled roofs. The entrances to these are on the side elevations and each benefit from a front gable feature that projects beyond the principal elevations of the rest of the terraced row by approximately 3.3m.

Numbers 7 and 8 are mid-terrace, two-storey dwellings with uPVC windows and doors set within Cotswold stone elevations under pitched plain tiled roofs.

Numbers 2, 3 and 4 are located on the eastern side of Tally Ho Lane, and form the main approach to Guiting Power from the south.

Numbers 6, 7, 8 and 11 are located on a small cul-de-sac on the western side of Tally Ho Lane. A turning head and a rank of garages are present at the northern end of the cul-de-sac.

Guiting Power Conservation Area is located between 14m to the north at its nearest point, and 51m to the north at its furthest point (the applicable distance varies depending on the dwelling in question).

The nearest listed building is the grade II listed Guiting Manor Nursery School 81m to the north at its nearest point (from 2 Tally Ho Lane).

All of the dwellings are located within the Cotswolds Area of Outstanding Natural Beauty.

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

N/A

## **3. Planning Policies:**

- \_TNPPF The National Planning Policy Framework
- \_INF10 Renewable & Low Carbon Energy Develop't
- \_EN1 Built, Natural & Historic Environment
- \_EN2 Design of Built & Natural Environment
- \_EN4 The Wider Natural & Historic Landscape
- \_EN5 Cotswolds AONB
- \_EN10 HE: Designated Heritage Assets
- \_EN11 HE: DHA - Conservation Areas
- \_EN12 HE: Non-designated Heritage Assets

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

**UPDATE: Conservation Officer:** The detailed comment is available within the online case file. However, as a summary:

### ***Numbers 2-4 Tally Ho Lane***

The cladding of the front of the properties would result in less-than-substantial harm to the setting of the conservation area, but within this very broad spectrum would be considerable. Given the sensitivity of this formal and prominent frontage. The Conservation Officer recommends that this element is omitted from the scheme.

The cladding of the rear, subject to the colour and texture of the render, would have a negligible impact upon the setting and significance of the conservation area.

### ***Numbers 6-8 & 11 Tally Ho Lane***

The front elevations are obliquely visible from Tally Ho Lane, and the covering of the characteristic natural stone facing would be harmful. However, were the cladding on the front elevations to be faced in render rather than the stone slips, the harm would (subject to colour and texture) be at the lower end of the less-than-substantial spectrum.

The rear elevations of numbers 6-8 & 11 are visually very discrete, & the cladding of this with a render finish (subject to colour and texture), would have a negligible impact upon the setting and significance of the conservation area.

### ***Conservation Officer regarding the submitted sample panels***

The cream render panel looks absolutely fine. The darker panel looks rather too ginger. The use of the paler, roughcast render would be infinitely preferable.

**UPDATE:** In response to the Conservation Officer comment, the stone slips are now omitted from the scheme and all elevations are proposed to be rendered. This is explained within the report

**UPDATE: Head of Climate Action:** The detailed comment is available within the online case file. However, as a summary, the Head of Climate Action is 'wholly supportive of the applicant's objective'. Reiterates 'the Council's commitment to reducing greenhouse gas (principally carbon dioxide, CO<sub>2</sub>) emissions across the district, and the Council's determination to support organisations and individuals aiming to do this'. He also notes 'the reference to the MEES regulations which do indeed impose a duty on landlords to improve the energy efficiency of homes occupied by tenants'.

The Head of Climate Action acknowledges that the Council's Climate Emergency Strategy does not form part of our adopted Local Plan. Writing that 'the Strategy states.....there will have to be a universal paradigm shift in understanding in every part of society that the costs we have to bear now to try and limit the damage we have already done, and prevent it becoming much worse, is simply the cost we decided not to bear historically when we were enjoying the benefits of abundant cheap fossil fuels. ... we must now be prepared to pay, even if those costs clash with established ways of thinking about cost effectiveness and return on investment. This reference to accepting the cost of dealing with the climate crisis relates just as much to accepting changes to the appearance of the built environment around us, as it does to accepting the financial costs of doing so'.

The Head of Climate Action lists a number of finer points for the scheme before the Committee. There are below:

- The application is silent on other measures that the applicant has already implemented, or intends to implement in conjunction with the EWI installation;
- The Planning Statement refers to the properties being of solid wall construction.... it therefore seems slightly surprising that they do not have a cavity wall construction;
- There are many examples across the country of very poorly executed EWI, which has led to myriad problems for occupiers or tenants;
- We would always encourage those considering substantial retrofit actions to consider not just the carbon saving in operation of the building, but also the embodied carbon of the chosen retrofit actions;
- Other owner-occupiers in the street not covered by this application will have the same challenge of poor fabric efficiency, particularly wall U-value;
- EWI is a measure normally associated with increasing the building's thermal efficiency during the heating season. However an increasingly important impact of ongoing climate destabilisation in the future will be heat stress; and
- Some render finishes perform poorly from an aesthetic perspective, being subject to staining from algae growth etc., whilst other render systems appear to be much more resistant to this effect.

However, the Head of Climate Action makes clear that 'on the issue of visual impact, my role does not particularly qualify me to comment, other than to restate the general point that the urgent need to respond to the climate crisis will require us to accept some changes to the appearance of our built environment which will not be to everyone's taste'. Also that 'it is for planning committee members and officers to balance conservation concerns with the pressing need to take action on the climate emergency'. Stating 'this particular planning application therefore illustrates the challenge that we will increasingly face across the whole district in years to come, as homeowners and landlords respond to the challenge of dramatically improving the energy efficiency of the existing building stock'.

Heritage Team: Views incorporated within the Officer's report.

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

Guiting Power Parish Council: 'We believe it to be out of keeping with the traditional stone build of the cottages and would be an intrusion into the Cotswold village landscape. We also support the concerns of many local residents regarding the proposed render finish to the rear which we also believe would be out of keeping with the surrounding properties'.

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

**UPDATE: 8 further third party objections received relating to:**

- **Opposed to changes;**
- **Environmental and aesthetic issues are important;**
- **Impact on Conservation Area;**
- **Houses are built of Cotswold stone so cladding this would result in condensation problems;**
- **EPC Ratings may be valid but they are out of date;**
- **Cotswold District Council have a duty to protect the heritage of the Cotswold Stone houses but they also need to make energy savings;**
- **Improving the energy efficiency of the properties is desirable but not in the way proposed;**
- **The properties are constructed of solid stone not reconstituted stone and there are no cavity walls;**
- **Other necessary fabric improvements relating to loft and floor insulation, ventilation, glazing, airtightness, heating system etc. should be considered;**
- **The current EPC ratings for the properties make no sense;**
- **Existing mould around windows, doors, and drafts through the front door;**
- **Disappointed with the lack of communication;**
- **Damage the aesthetic of the properties and the village;**
- **Current heating systems are not fit for purpose; and**
- **Doubts the accuracy of the submitted 'Deferral Document'**



20 third party objections received relating to:

- Design and appearance;
- Rear of the houses back on to open space;
- Poor choice of materials;
- Lack of uniformity;
- Not in line with the conditions applied to granted permission at No. 5 (16/01400/FUL);
- Harmful to the AONB;
- Harmful to the Guiting Power Conservation Area;
- Out of keeping;
- Doubts the environmental credentials of the proposal;
- Fire safety; and
- Other options rather than cladding.

One of the submitted objections states that they are objecting to the application in Pear Tree Close Lower Swell, however uses the reference number for this application (21/00616/FUL). This objection is applied to both applications, for completeness.

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

### **UPDATE: Deferral Document Render and Cladding Samples**

Cover Letter  
Cladding Samples  
Render and Cladding Specification Documents

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

**UPDATE: Following the written report from the Conservation Officer, the applicant has amended the application to remove the stone slips from the scheme. All elevations are now proposed to be rendered. The insulating layer is still proposed between the original external elevation and the render.**

**UPDATE: This application was deferred at the June Committee to enable officers to obtain further information and details. This included:**

### ***Available in online case file***

- **Written consultation report from a Conservation Officer;**
- **Consultation reply from the Head of Climate Action;**
- **Sample panels;**

### ***Available in 'Deferral Document' in the online case file***

- **Exact materials used in the construction of the cladding and render;**
- **Detailed drawings of the development in relation to windows, doors, eaves and roofs, adjoining dwellings, corners, rainwater goods and soil and vent pipes;**
- **Likely future maintenance rules for the occupiers;**
- **Possibility of plastic leaching;**
- **Breathability of the development;**

- **A detailed breakdown of the existing heating used, and existing energy efficiency improvements present for each dwelling separately;**
- **Were other options explored other than cladding and why were these ruled out;**
- **A method statement of works; and**
- **Suggested Bromford discuss with Guiting Manor Trust how they are meeting the required EPC for their housing stock**

#### Proposed Development and Background

The application seeks full planning permission for the installation of external wall insulation to No. 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane, Guiting Power.

The principal (north west) elevations of No. 2, 3 and 4 are proposed to be clad with artificial stone cladding to mimic the look of the natural stone. The rear (south west) elevations of No. 2, 3 and 4 are proposed to be rendered. An insulating layer is proposed between the original external elevation and the cladding/render.

The eastern elevations of No. 6, 7, 8, & 11, the northern elevation of No. 6 and the southern elevation of No. 11 are proposed to be clad with artificial stone slips to mimic the look of the natural stone. The western elevations of No. 6, 7, 8, & 11, the southern elevation of No. 6 and the northern elevation of No. 11 are proposed to be rendered. An insulating layer is proposed between the original external elevation and the cladding/render.

Planning permission is required as the site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB), also known as Article 2(3) land. Paragraph A.2(a) of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) restricts permitted development rights for the 'cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles' on Article 2(3) land. As such, planning permission is required for the proposed development.

#### a) Adapting to Climate Change

**UPDATE: In July 2021, the revised National Planning Policy Framework was published. Paragraphs 148 and 154 are now paragraphs 153 and 158 respectively. The thrust of these paragraphs have not changed.**

**In addition, in July 2021, the Council published the 'Net Zero Carbon Toolkit'. This provides guidance for retrofitting existing homes. This document is not part of the adopted Development Plan, but is a material consideration in assessing the planning application.**

**Existing national and local policy and guidance remains supportive, in principle, of the proposed development.**

Local Plan Policy INF10: Renewable and Low Carbon Energy Development states that 'proposals for the generation of energy from renewable or low carbon sources will be permitted, provided it is demonstrated that:

- a. any adverse impacts individually and/or cumulatively, including; visual amenity; landscape character; heritage assets; biodiversity; water quality and flood risk; highways; residential amenity, including shadow flicker, air quality and noise, are or can be satisfactorily mitigated;
- b. it is of an appropriate type, scale, and design for the location and setting;
- c. it is compatible with surrounding land uses, such as military activities; and
- d. it avoids using the best and most versatile agricultural land unless justified by compelling evidence.

With regard to national guidance, Paragraph 148 of the National Planning Policy Framework (2019) states that the 'planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Paragraph 154 of the NPPF states that 'when determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impacts are (or can be made) acceptable'.

A material consideration for this application is that in July 2019 Cotswold District Council declared a climate emergency and drafted a Climate Strategy for the period 2020-2030. The Council has committed to 'embedding climate emergency considerations in all work areas, decision-making processes, policies and strategies'.

While planning permission is required in this instance, page 32 of the Permitted development rights for householders Technical Guidance states 'the installation of solid wall insulation constitutes an improvement rather than an enlargement or alteration to the house'. Government guidance clearly considers that external wall insulation is an 'improvement' and therefore is exempt from planning permission in most instances. The Government therefore sees such works as something that people should ordinarily be able to do to their properties without the need for permission.

The application is for the installation of external wall insulation to No. 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane, Guiting Power. These properties are owned by Bromford Housing, a social housing provider. The submitted information states that the dwellings are 'of solid wall construction and are found to be thermally insufficient.' Officers have no evidence to the contrary. Furthermore, the submitted information demonstrates that the use of the external wall insulation 'systems can be designed to achieve U-values which satisfy or exceed current UK Building Regulation requirements.'

The proposed development therefore will improve the energy efficiency of the building by reducing heat loss. This would make a reduction to the carbon usage of the buildings, reduce the heating cost to the occupiers of the buildings, and will have modest wider impact towards the Council's aim of reducing carbon reliance in the District. It is evident therefore that existing national and local policy and guidance is supportive, in principle, of the proposed development.

b) Design and Impact on Heritage Assets

**UPDATE: As noted, following the written report from the Conservation Officer, the applicant has amended the application to remove the stone slips from the scheme. All elevations are now proposed to be rendered. The insulating layer is still proposed between the original external elevation and the render.**

**Also, in July 2021, the revised National Planning Policy Framework was published. Paragraphs 193, 194 and 196 are now paragraphs 199, 200 and 202 respectively. The thrust of these paragraphs have not changed.**

The development may affect the setting of the Guiting Power Conservation Area. The Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the setting, character and appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Cotswold District Local Plan Policy EN10 'Historic Environment: Designated Heritage Assets' states that in considering proposals that affect a designated heritage asset or its setting, great weight should be given to the asset's conservation. 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. Proposals that 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.

Local Plan Policy EN11 'Historic Environment: Designated Heritage Assets - Conservation Areas' states that development proposals that would affect Conservation Areas and their settings, will be permitted provided they will 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.

Section 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset - such as a Listed Building, or Conservation Area - great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 194). 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, where appropriate, securing its optimal viable use.

Local Plan Policy EN2 'Design of the Built and Natural Environment' states that development will be permitted which accords with the Cotswold Design Code (Appendix D). In particular, proposals should be of a design quality that respects the character and distinctive appearance of the locality.

Section 12 of the NPPF also seeks to achieve well-designed places, and considers good design to be a key aspect of sustainable development.

The dwellings in Tally Ho Lane are typical examples of post war construction. Historical maps show the dwellings being constructed post 1940. In that regard, they are of limited historic interest. They are constructed from natural stonework elevations under plain tiled roofs, and most appear to have uPVC windows and doors fitted. Owing to their age and construction therefore, they are not considered to meet the criteria for non-designated heritage assets as set out in Local Plan Policy EN12. In addition, they are not within the Guiting Power Conservation Area, nor are they listed in their own right. While that is the case, the terraced row on the eastern side of Tally Ho Lane, and to a lesser extent (owing to its cul-de-sac location) the dwellings on the western side of Tally Ho Lane do contribute to the character and appearance of the area owing to the use of natural stone work elevations, and their uniformity throughout the terraces.

In terms of the wider area, with the exception of 'Hillside View' which 1960-1980 OS maps show to be a police station, all of the dwellings in this location appear to have been constructed at the same time post 1940. With that in mind, the immediate area is considered to be relatively modern, as only the dwellings to the north of Guiting Manor Nursery School are present on 1891-1812 OS maps. This is reflected by the Guiting Power Conservation Area boundary, as all of the dwellings proposed to be altered are outside of the Guiting Power Conservation Area. When taking this into consideration, No. 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane are less sensitive to change.

It is proposed to clad and render the elevations of the dwellings as set out above. The cladding is proposed to mimic the look of the natural stone. An insulating layer is proposed between the cladding/render and the original external elevation. The resultant external elevations will be approximately 9cm deeper than the adjoining dwellings.

## **Artificial stone cladding**

**UPDATE: Artificial stone cladding is omitted from the scheme. It is now proposed to use render on all elevations instead. This would still result in a mix of rendered and natural stone elevations in the area. As such, the altered depth and the break in the uniformity of the principal elevations of the terraced rows would result in some harm to the setting of the conservation area. Modest harm is also attributed to the use of render for the dwellings themselves, and the character and appearance of the immediate area (outside of the conservation area). While the use of render on the principal elevations would result in less harm than the use of artificial stone cladding, the harm is still less than substantial and a balancing exercise is still therefore required.**

As the average distance between the cladding and the roadside is just 15m, the use of artificial stone covering the principal elevations of the dwellings would be apparent from Tally Ho Lane (highway and cul-de-sac). This change would be highlighted as three of the six dwellings in the terraced row on the eastern side of Tally Ho Lane, and four of the six dwellings in the terraced row on the western cul-de-sac of Tally Ho Lane would be altered. This would lead to a mix of cladded and natural stone elevations, which would likely draw the eye.

It is possible to secure the exact colour and texture of the stone cladding and mortar prior to the development beginning. However, while the cladding could be close in colour and texture to the existing stone and mortar, it is unlikely to match. Further, the naked eye is likely to notice that the cladding is artificial. In that regard, the use of artificial cladding on the elevations is likely to be noticeable from the public vantage points in the immediate area.

The cladding is unlikely to be perceived in great detail from within the Guiting Power Conservation Area itself however, as the nearest public vantage point within the conservation area is on Tally Ho Lane itself, some 60m to the north of No. 2 Tally Ho Lane. While that is the case, the row on the eastern side of Tally Ho Lane in particular, and to a lesser extent (owing to the cul-de-sac location) the row on the western side of Tally Ho Lane form the main southern approach to the Guiting Power Conservation Area. As such, the proposed changes would impact how the conservation area is perceived on this approach. It is considered therefore that the artificiality, the altered depth, and the break in the uniformity of the terraced rows would result in some harm to the setting of the conservation area. This harm is considered to be less than substantial, but at the lower end of less than substantial. Modest harm is also attributed to the use of cladding for the dwellings themselves, and the character and appearance of the immediate area (outside of the conservation area).

## **Render**

Views of the rendered south east elevations of No. 2, 3 and 4 will be possible from the playing field to the rear (south east) and glimpses of the render on the southern elevation of No. 6 would be possible from sections of Tally Ho Lane. Public views of the rear elevations of 6, 7, 8, & 11 and the northern elevation of No. 11 are unlikely as these face into agricultural fields to the west and the garden of The Old Vicarage to the north. When considering the separation distances involved, detailed views of the render from within the Guiting Power Conservation Area are unlikely.

While the render could be viewed from various public vantage points within the area, it can appear more natural than artificial cladding. Indeed, render often appears throughout the District in conjunction with natural stonework. Furthermore, it is possible to add a condition to secure the exact colour, finish and texture of the render prior to the development beginning. As such, a muted colour, roughcast texture and traditional finish is possible. While officers are mindful that render is not common throughout this area of Guiting Power, for the reasons set out, the use of render, even on parts of the terraced rows, is not considered to be harmful to the host dwellings, the character and appearance of the area, or the setting of the conservation area.

## Conclusion

**UPDATE: As noted, artificial stone cladding is now removed from the scheme and all elevations are proposed to be rendered. The use of render on the principal elevations is still found to result in less than substantial harm to the setting of the conservation area, albeit less than the previously proposed artificial stone cladding. Therefore, the balancing exercise completed below (as directed by paragraph 202 of the revised NPPF and not paragraph 196 as below) remains applicable. Officers are satisfied that the public benefits set out still outweigh the harm to the setting of the conservation area.**

Owing to the 81m separation distance between the nearest dwelling (No. 2) and nearest listed building, the grade II listed Guiting Manor Nursery School to the north, it is considered that the works will not harm the setting of the listed building.

The use of artificial stone cladding on the elevations of No. 2, 3, 4, and to a lesser extent, No. 6, 7, 8, & 11 Tally Ho Lane is found to be harmful to the setting of the Guiting Power Conservation Area and this harm is identified as being 'less than substantial', albeit at the lower end of 'less than substantial'. As such, Paragraph 196 of the NPPF directs decision-makers to weigh that harm against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. The works are to improve the energy efficiency of the buildings. The proposed development therefore will result in a reduction to the carbon usage of the buildings, reduce the heating cost to the occupiers of the buildings, and will have a modest wider impact towards the Council's aim of reducing carbon reliance in the District. In addition, some minor economic benefits will arise during the construction phase; however, these are minor and short term. In light of the declared climate emergency, officers are satisfied, on balance, that the public benefits of the scheme outweigh the less than substantial harm to the setting of the Guiting Power Conservation Area.

In light of the balancing exercise as directed by Paragraph 196 of the NPPF, officers are satisfied that the works are in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The significance of the designated heritage assets will be sustained, in accordance with Section 16 of the NPPF and Policies EN10 and EN11 of the Local Plan.

However, modest harm is found to the character and appearance of the area (outside of the conservation area), and to the dwellings themselves. The proposal therefore broadly accords with Local Plan Policy EN2 of the Local Plan and the provisions of the NPPF which seeks to achieve well-designed places.

c) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way Act (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 (the Wider Natural and Historic Landscape) 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. 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 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 works proposed are limited to cladding and render only, with a nominal increase in built form proposed. Furthermore, the site is located within a reasonably built up area, and the development is contained within the residential curtilage of each property with no encroachment into open countryside. As such, the development is not considered harmful to the character or appearance of the Cotswolds AONB.

d) Impact on Residential Amenity

**UPDATE: In July 2021, the revised National Planning Policy Framework was published. Paragraph 127 is now 130. The thrust of this paragraph has not changed.**

Local Plan Policy EN2 (Design Code) states that development should respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect. Similarly, paragraph 127 of the NPPF also states that planning decisions should ensure that developments create places that are safe, inclusive and accessible, with a high standard of amenity for existing and future users.

The submitted information states the render and cladding will increase the wall thickness of the dwellings by approximately 9cm. This modest increase in built form, which is restricted to cladding and render only, will not detrimentally impinge on the residential amenities of the area in regards loss of privacy, or loss of light, overbearing or overshadowing impacts, noise, pollution (including light), odours or vibration. In addition sufficient private external amenity space is retained at the property.



e) Other Matters

Concerns were raised regarding the fire safety performance of the materials. Information was submitted which demonstrates that the cladding and render 'contains flame retardant additives which significantly reduce the ignitability of the material, and the system also includes vertical fire barriers in non-combustible (Euroclass A1 to BS EN 13501-1) mineral fibre insulation of minimum 100 mm width and the same depth/thickness as the EPS Premium insulation, which are incorporated into the EWI system at the front and rear party wall lines: This arrangement satisfies the requirement to resist potential fire spread laterally, from one dwelling to the adjoining dwelling'. Officers are satisfied, based on the information supplied, that the proposed materials would not increase the risk of fires at the development sites, or for the adjoining properties.

Several comments were received stating that the proposed development is not in line with the conditions applied to granted permission at No. 5 (16/01400/FUL). This permission required the extension to be constructed from natural stone to match the host dwelling. Officers note this, however each application must be considered on its own merits, and is assessed against the relevant prevailing policies and guidance of the time. Those prevailing policies and guidance have changed, and a climate emergency declared since the granting of the permission at No. 5 (16/01400/FUL).

Comments were received noting that other options may be more suitable to achieve the desired energy efficiency improvements. It may be the case that there are other more suitable options than what is proposed. However, the Council has a statutory duty to assess the application it has before it.

f) Community Infrastructure Levy (CIL)

This development is not liable for CIL because it is:

Less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

g) Planning Balance

**UPDATE: For clarity, no harm is considered to result from the use of render on the non-principal elevations, but harm is considered to result from the use of render on the principal elevations as set out in this report. This harm is still considered to be outweighed by the public benefits of the scheme and it is recommended that permission be granted.**

The less than substantial harm identified to the setting of the Guiting Power Conservation Area is considered to be outweighed by the public benefits of the scheme as outlined in this report. In addition, whilst harm has been identified to the character and appearance of the immediate locality, and to the dwellings being altered by virtue of the cladding being used, this harm is considered to be modest. No harm is considered to result from the proposed use of render.

The proposed works are designed to improve the energy efficiency of the buildings. The proposed development, therefore, will result in a reduction in the carbon usage of the buildings, reduce the heating cost to the occupiers of the buildings, and will have a modest wider impact towards the Council's aim of reducing carbon reliance in the District. As such, it is recommended that permission be granted.

## **9. Conclusion:**

The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## **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 permitted shall be implemented in strict accordance with the following approved plans: Site and Block Plan (Received by the Council on 09/02/2021); Proposed Elevations (Received by the Council on 26/03/2021); and Proposed Elevations (Received by the Council on 07/09/2021).

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

Prior to the commencement of development, a sample panel of render of at least one metre square in size showing its proposed texture, finish and colour shall be erected on the site and subsequently approved in writing by the Local Planning Authority. The rendering shall be constructed only in the same way as the approved panel and shall be permanently retained as such thereafter. The panel shall be retained on site until the completion of the development.

**Reason:** In light of the above details not being submitted at determination stage for consideration and approval, this condition, which is agreed with the applicant, is necessary in order to ensure that the works serve to preserve the setting of the Guiting Power Conservation Area, and the character and appearance of the dwellings being altered and the area in accordance with Policies EN1, EN2, EN10 and EN11 of the Local Plan and Section 16 of the National Planning Policy Framework.

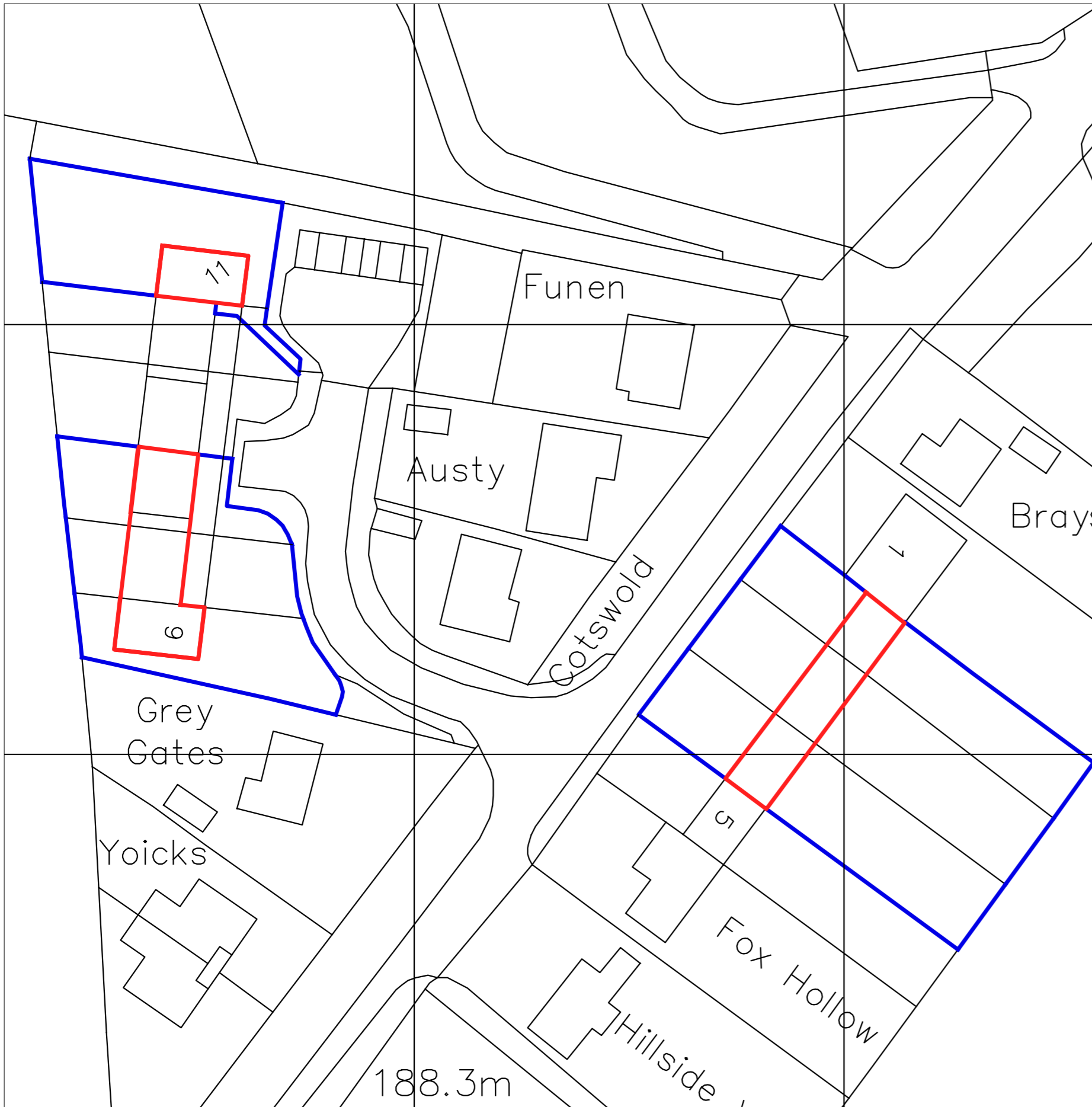
No bargeboards or eaves fascias shall be used in the proposed development.

**Reason:** To ensure that the works serve to preserve the setting of the Guiting Power Conservation Area, and the character and appearance of the dwellings being altered and the area in accordance with Policies EN1, EN2, EN10 and EN11 of the Local Plan and Section 16 of the National Planning Policy Framework.

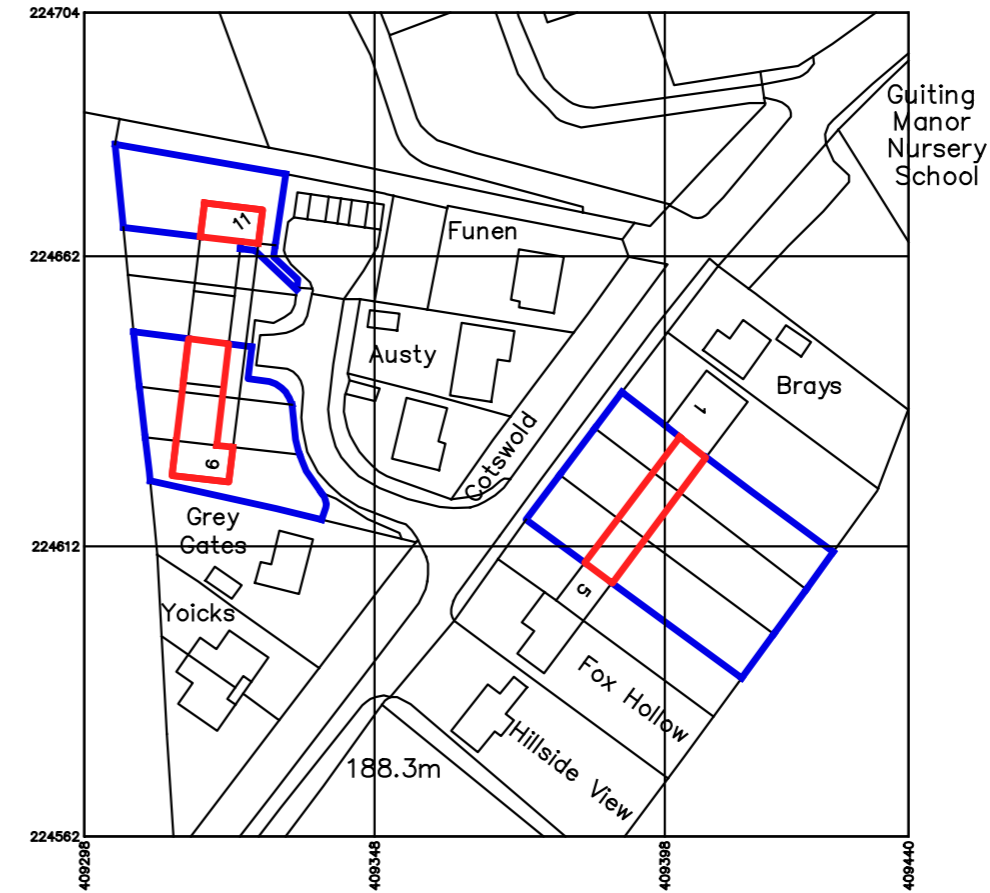
**Informatives:**

Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is:

Less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.



**1** BLOCK PLAN  
SCALE: 1/500 @A2



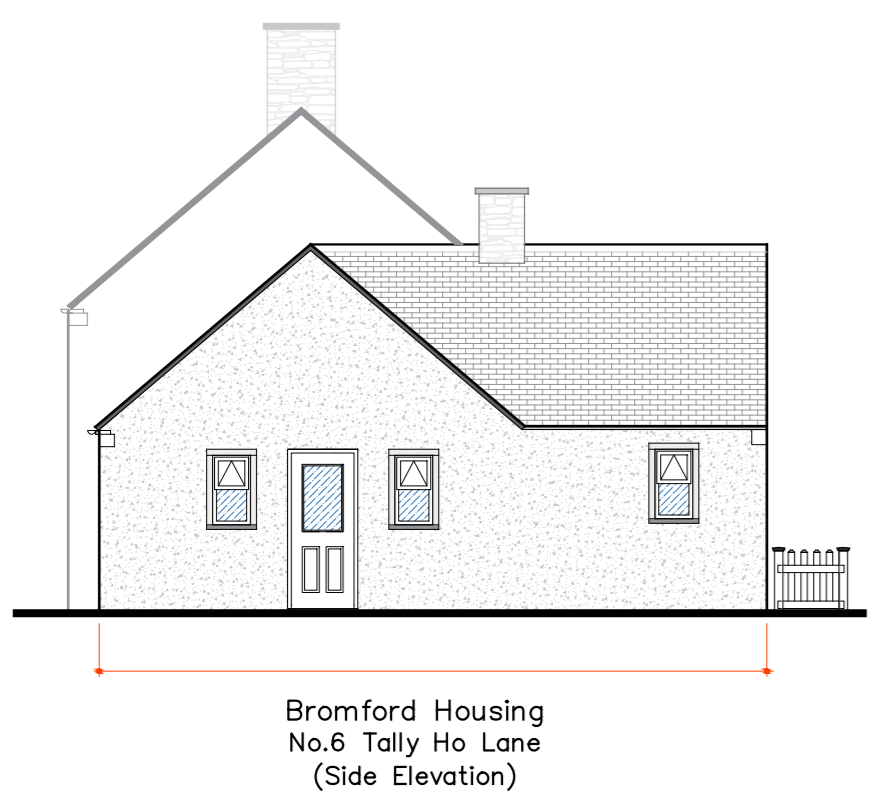
**2** SITE PLAN  
SCALE: 1/1250 @A2



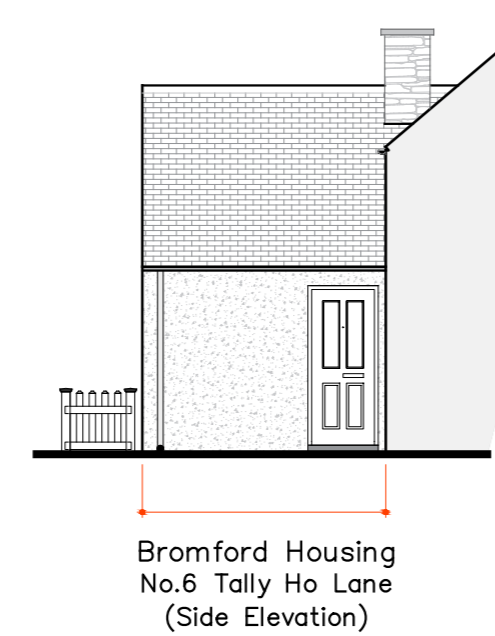
**1 PROPOSED WEST (FRONT) ELEVATION**  
SCALE: 1/100



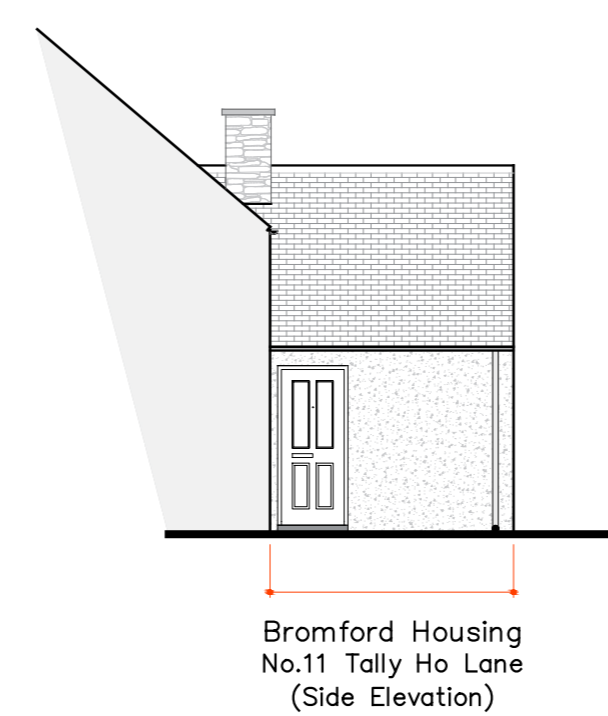
**2 PROPOSED EAST (FRONT) ELEVATION**  
SCALE: 1/100



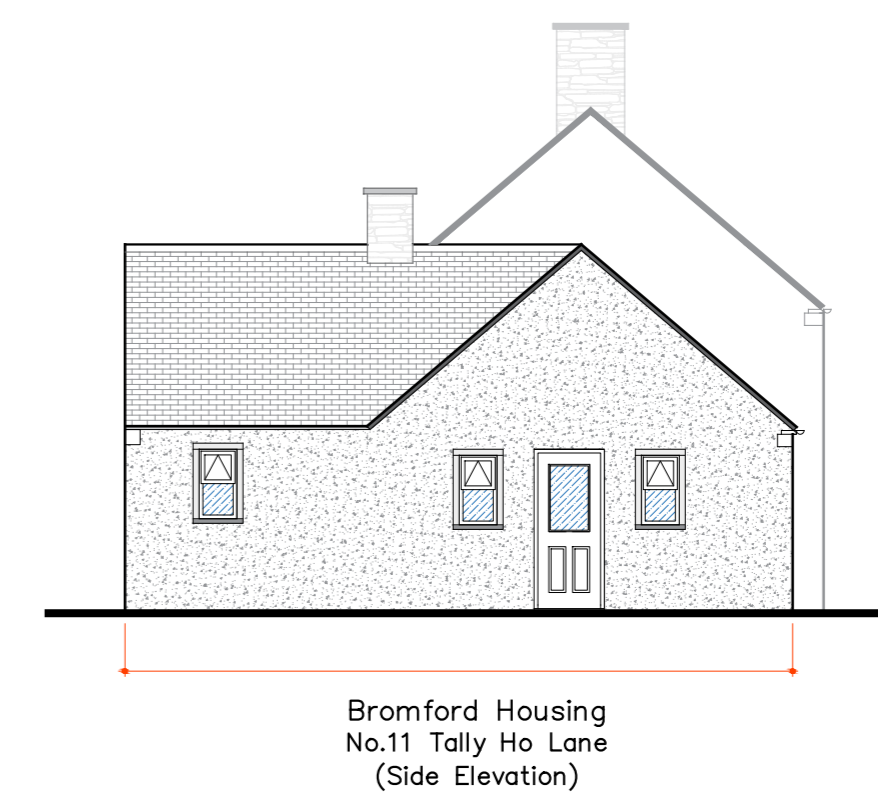
**3 PROPOSED SOUTH (SIDE) ELEVATION**  
SCALE: 1/100



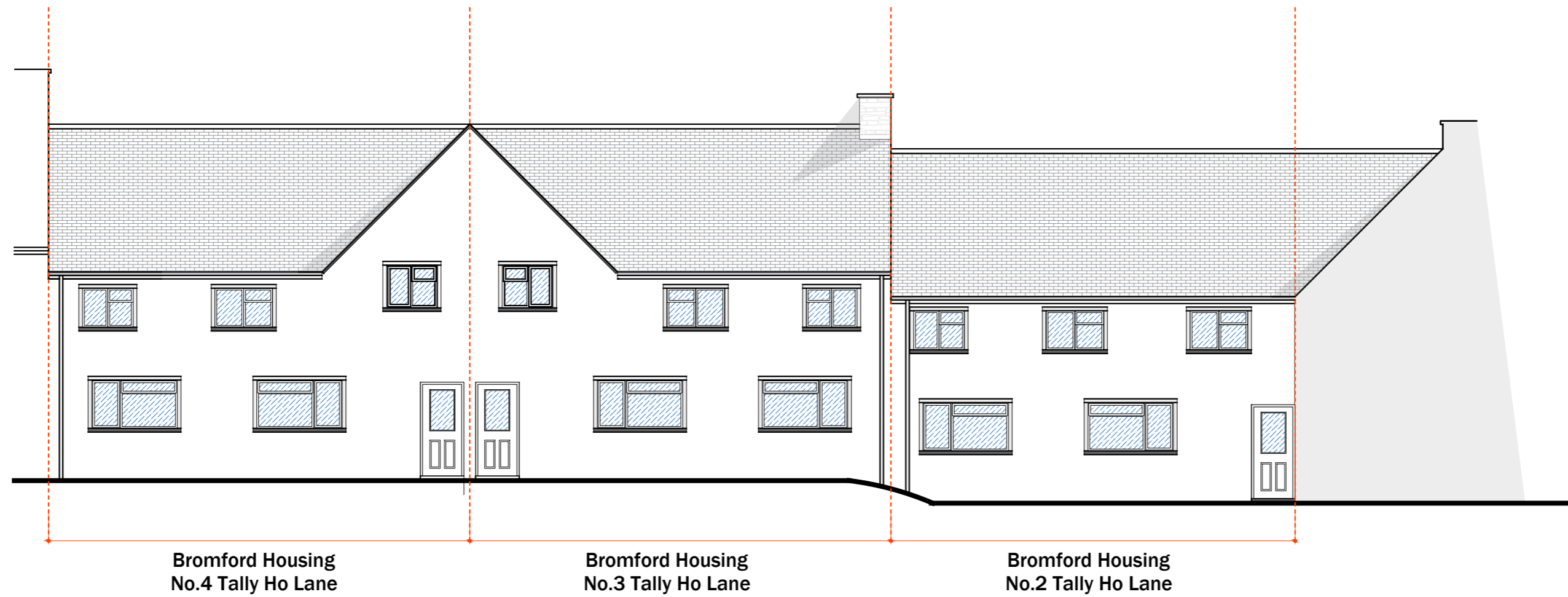
**4 PROPOSED NORTH ELEVATION**  
SCALE: 1/100



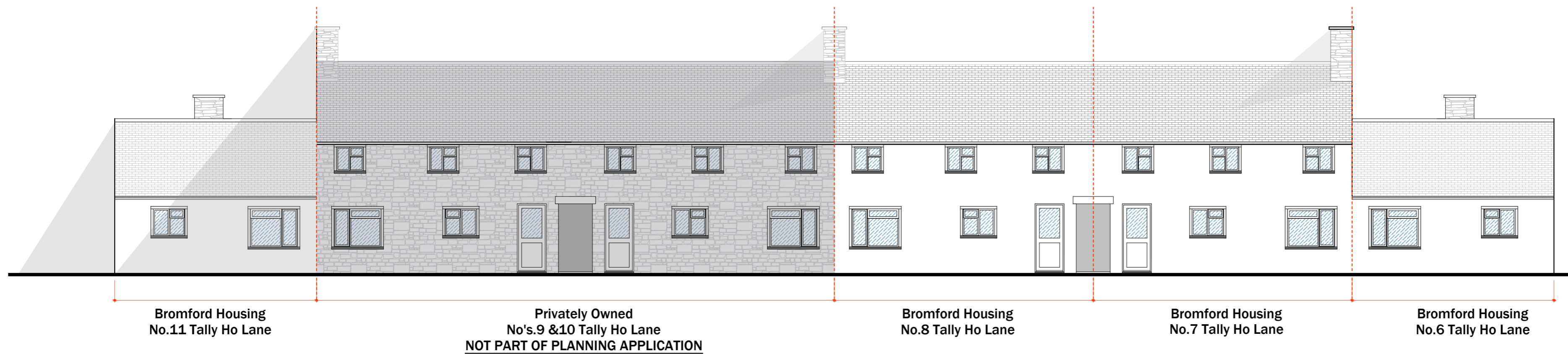
**5 PROPOSED SOUTH ELEVATION**  
SCALE: 1/100



**6 PROPOSED NORTH (SIDE) ELEVATION**  
SCALE: 1/100



**1 PROPOSED REAR ELEVATION**  
SCALE: 1/100



**2 PROPOSED REAR ELEVATION**  
SCALE: 1/100

**Item No 03:-**

**21/00617/FUL**

**No. 3 & 5  
Pear Tree Close  
Lower Swell  
Gloucestershire  
GL54 1JA**

**Item No 03:-**

**Installation of external wall insulation to No. 3 & 5 Pear Tree Close, Lower Swell at No. 3 & 5 Pear Tree Close Lower Swell**

<b>Full Application 21/00617/FUL</b>	
Applicant:	Bromford Housing
Agent:	SJM Surveyors
Case Officer:	David Ditchett
Ward Member(s):	Councillor Dilys Neill
Committee Date:	13th October 2021
<b>RECOMMENDATION:</b>	PERMIT

**UPDATE:** The application was deferred at the June Planning & Licensing Committee to enable officers to obtain further information and details. The report to the June Committee was as follows with updates to the original report shown in bold type.

**UPDATE:** This application was not reported to the September Committee meeting. However, at that meeting, Members resolved to undertake an **Advanced Site Inspection Briefing** at a property in Broadwell, which has been clad in stone slips and render, similar to those proposed under this application. It is anticipated that the site visit will enable Members to gain a better understanding of the visual impact of the materials proposed.

**Main Issues:**

- a) Adapting to Climate Change
- b) Design and Impact on Heritage Assets
- c) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)
- d) Impact on Residential Amenity
- e) Other Matters
- f) Community Infrastructure Levy (CIL)
- g) Planning Balance

**Reasons for Referral:**

23 objections were received. The Council's scheme of delegation states 'for applications where one or more objections have been received the officer will, at least one calendar week before the determination deadline (statutory or extended by agreement), consult the Ward Member prior to determining the application'.



The case officer consulted Councillor Neill, who provided the following reason for referral: "I would like this application to go to the Planning Committee on the grounds that the proposed cladding will damage the appearance of the row of cottages within the AONB. It will present a patchwork effect which will be visible from other houses in the village, from footpaths & in particular, it is opposite the church, which is a listed building & this bizarre row of cottages will be clearly visible to visitors exiting the listed building.

Further, the information which Bromford have supplied is incorrect, they have not insulated the lofts, some of the windows are falling apart & they have done nothing to improve the heating systems in the properties. One has night storage radiators & the other a single oil fired radiator. There is a lot which can be done to improve the energy performance of these properties short of spoiling the appearance of this attractive row of cottages."

### **I. Site Description:**

The application site is Number 3 and Number 5 Pear Tree Close Lower Swell. Pear Tree Close does not front a road and the dwellings are accessed by a path running east to west from the highway to the east.

Number 3 is a mid-terrace, two-storey dwelling with uPVC windows and doors set within Cotswold stone elevations. The property is attached to its neighbours to the east and west by single-storey sections. The two-storey and single-storey elements are both pitched and covered with plain tiles.

Number 5 is an end-terrace, two-storey dwelling with uPVC windows and doors set within Cotswold stone elevations. The dwelling forms the western 'book end' of the terrace row as the pitched roof runs north to south, rather than east to west, and two gable ends form the principal and rear elevations. A single-storey element is present on the side (western) elevation. The two-storey and single-storey elements are both pitched and covered with plain tiles.

Lower Swell Conservation Area is located 26m and 48m to the east of Number 3 and Number 5 respectively.

The Grade II\* Listed 'Church Of St Mary' is located 59m and 80.5m to the north east of Number 3 and Number 5 respectively.

The Grade II Listed monument 'Cross Base 15 Yards South West Of Church Of St Mary' is located 45m and 62m to the north east of Number 3 and Number 5 respectively.

The Grade II Listed 'Sunnyside And Cottage Adjacent To West' is located 58m and 81m to the east of Number 3 and Number 5 respectively.

The Grade II Listed 'Cranmer Cottage' is located 52m and 67m to the south east of Number 3 and Number 5 respectively.

Number 3 and Number 5 are located within the Cotswolds Area of Outstanding Natural Beauty.

## 2. Relevant Planning History:

N/A

## 3. Planning Policies:

- \_ TNPPF The National Planning Policy Framework
- \_ INF10 Renewable & Low Carbon Energy Develop't
- \_ EN1 Built, Natural & Historic Environment
- \_ EN2 Design of Built & Natural Environment
- \_ EN4 The Wider Natural & Historic Landscape
- \_ EN5 Cotswolds AONB
- \_ EN10 HE: Designated Heritage Assets
- \_ EN11 HE: DHA - Conservation Areas
- \_ EN12 HE: Non-designated Heritage Assets

## 4. Observations of Consultees:

**UPDATE: Conservation Officer:** The detailed comment is available within the online case file. However, as a summary:

The covering of the natural stone facing would be regrettable; however, considering that this is only two of the intentionally-varied row of five houses, the harm to the group, and the characteristic vernacular appearance of the setting of the conservation area, which contributes towards its significance would be limited. This harm would be within the very broad less than substantial spectrum.

Were the front to be clad in the stone slips, the level of harm within this spectrum would be considerably greater than if all the cladding were to be faced in render (subject to colour and texture) yet would provide no extra public benefit; a render-faced cladding would cause a level of harm at the lower end of the less-than-substantial spectrum.

*Conservation Officer regarding the submitted sample panels*

The cream render panel looks absolutely fine. The darker panel looks rather too ginger. The use of the paler, roughcast render would be infinitely preferable.

**UPDATE:** In response to the Conservation Officer comment, the stone slips are now omitted from the scheme and all elevations are proposed to be rendered. This is explained within the report

**UPDATE: Head of Climate Action:** The detailed comment is available within the online case file. However, as a summary, the Head of Climate Action is 'wholly supportive of the applicant's objective'. Reiterates 'the Council's commitment to reducing greenhouse gas (principally carbon dioxide, CO<sub>2</sub>) emissions across the district, and the Council's determination to support organisations and individuals aiming to do this'. He also notes 'the reference to the MEES regulations which do indeed impose a duty on landlords to improve the energy efficiency of homes occupied by tenants'.

**The Head of Climate Action acknowledges that the Council's Climate Emergency Strategy does not form part of our adopted Local Plan. Writing that 'the Strategy states.....there will have to be a universal paradigm shift in understanding in every part of society that the costs we have to bear now to try and limit the damage we have already done, and prevent it becoming much worse, is simply the cost we decided not to bear historically when we were enjoying the benefits of abundant cheap fossil fuels. ... we must now be prepared to pay, even if those costs clash with established ways of thinking about cost effectiveness and return on investment. This reference to accepting the cost of dealing with the climate crisis relates just as much to accepting changes to the appearance of the built environment around us, as it does to accepting the financial costs of doing so'.**

**The Head of Climate Action lists a number of finer points for the scheme before the Committee. There are below:**

- **The application is silent on other measures that the applicant has already implemented, or intends to implement in conjunction with the EWI installation;**
- **The Planning Statement refers to the properties being of solid wall construction.... it therefore seems slightly surprising that they do not have a cavity wall construction;**
- **There are many examples across the country of very poorly executed EWI, which has led to myriad problems for occupiers or tenants;**
- **We would always encourage those considering substantial retrofit actions to consider not just the carbon saving in operation of the building, but also the embodied carbon of the chosen retrofit actions;**
- **Other owner-occupiers in the street not covered by this application will have the same challenge of poor fabric efficiency, particularly wall U-value;**
- **EWI is a measure normally associated with increasing the building's thermal efficiency during the heating season. However an increasingly important impact of ongoing climate destabilisation in the future will be heat stress; and**
- **Some render finishes perform poorly from an aesthetic perspective, being subject to staining from algae growth etc., whilst other render systems appear to be much more resistant to this effect.**

**However, the Head of Climate Action makes clear that 'on the issue of visual impact, my role does not particularly qualify me to comment, other than to restate the general point that the urgent need to respond to the climate crisis will require us to accept some changes to the appearance of our built environment which will not be to everyone's taste'. Also that 'it is for planning committee members and officers to balance conservation concerns with the pressing need to take action on the climate emergency'. Stating 'this particular planning application therefore illustrates the challenge that we will increasingly face across the whole district in years to come, as homeowners and landlords respond to the challenge of dramatically improving the energy efficiency of the existing building stock'.**

**Historic England: 'We do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.'**

**Heritage Team: Views incorporated within the Officer's report.**

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

Swell Parish Council: Objects relating to design, appearance, material, and how cladding would age.

## **6. Other Representations:**

23 third party objections received relating to:

- Design;
- Damp issues;
- Impact on AONB;
- Impact on character and appearance of the area;
- Setting a precedent;
- Appear at odds with terraced row;
- Fire safety;
- Impact to conservation area;
- Devalue property;
- Uncharacteristic materials;
- How the material will weather; and
- Impact on views from nearby properties

One of the submitted objections states that they are objecting to this application in Pear Tree Close, Lower Swell, however uses the reference number for a different application (21/00616/FUL). This objection is applied to both applications, for completeness.

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

### **UPDATE: Deferral Document Render and Cladding Samples**

Cover Letter

Cladding Samples

Render and Cladding Specification Documents

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

**UPDATE: Following the written report from the Conservation Officer, the applicant has amended the application to remove the stone slips from the scheme. All elevations are now proposed to be rendered. The insulating layer is still proposed between the original external elevation and the render.**

**UPDATE: This application was deferred at the June Committee to enable officers to obtain further information and details. This included:**

### ***Available in online case file***

- **Written consultation report from a Conservation Officer;**
- **Consultation reply from the Head of Climate Action;**
- **Sample panels;**

**Available in 'Deferral Document' in the online case file**

- **Exact materials used in the construction of the cladding and render;**
- **Detailed drawings of the development in relation to windows, doors, eaves and roofs, adjoining dwellings, corners, rainwater goods and soil and vent pipes;**
- **Likely future maintenance rules for the occupiers;**
- **Possibility of plastic leaching;**
- **Breathability of the development;**
- **A detailed breakdown of the existing heating used, and existing energy efficiency improvements present for each dwelling separately;**
- **Were other options explored other than cladding and why were these ruled out;**
- **A method statement of works; and**
- **Suggested Bromford discuss with Guiting Manor Trust how they are meeting the required EPC for their housing stock**

#### Proposed Development and Background

The application seeks full planning permission for the installation of external wall insulation to No. 3 & 5 Pear Tree Close.

It is proposed to clad the principal (northern) elevations of both dwellings with artificial stone slips to mimic the look of the natural stone. An insulating layer is proposed between the cladding and the original external elevation.

It is also proposed to render the rear (southern) elevations of both dwellings, the side (western) elevation of Number 5 and the side (eastern) elevation of Number 3. An insulating layer is proposed between the render and the original external elevations.

Planning permission is required as the site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB), also known as Article 2(3) land. Paragraph A.2(a) of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) restricts permitted development rights for the 'cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles' on Article 2(3) land. As such, planning permission is required for the proposed development.

#### a) Adapting to Climate Change

**UPDATE: In July 2021, the revised National Planning Policy Framework was published. Paragraphs 148 and 154 are now paragraphs 153 and 158 respectively. The thrust of these paragraphs have not changed.**

**In addition, in July 2021, the Council published the 'Net Zero Carbon Toolkit'. This provides guidance for retrofitting existing homes. This document is not part of the adopted Development Plan, but is a material consideration in assessing the planning application.**

**Existing national and local policy and guidance remains supportive, in principle, of the proposed development.**

Local Plan Policy INF10: Renewable and Low Carbon Energy Development states that 'proposals for the generation of energy from renewable or low carbon sources will be permitted, provided it is demonstrated that:

- a. any adverse impacts individually and/or cumulatively, including; visual amenity; landscape character; heritage assets; biodiversity; water quality and flood risk; highways; residential amenity, including shadow flicker, air quality and noise, are or can be satisfactorily mitigated;
- b. it is of an appropriate type, scale, and design for the location and setting;
- c. it is compatible with surrounding land uses, such as military activities; and
- d. it avoids using the best and most versatile agricultural land unless justified by compelling evidence.

With regard to national guidance, Paragraph 148 of the National Planning Policy Framework (2019) states that the 'planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Paragraph 154 of the NPPF states that 'when determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impacts are (or can be made) acceptable'.

A material consideration for this application is that in July 2019 Cotswold District Council declared a climate emergency and drafted a Climate Strategy for the period 2020-2030. The Council has committed to 'embedding climate emergency considerations in all work areas, decision-making processes, policies and strategies'.

While planning permission is required in this instance, page 32 of the Permitted development rights for householders Technical Guidance states 'the installation of solid wall insulation constitutes an improvement rather than an enlargement or alteration to the house'. Government guidance clearly considers that external wall insulation is an 'improvement' and therefore is exempt from planning permission in most instances. The Government therefore sees such works as something that people should ordinarily be able to do to their properties without the need for permission.

The application is for the installation of external wall insulation to No. 3 & 5 Pear Tree Close, Lower Swell. These properties are owned by Bromford Housing, a social housing provider. The submitted information states that the dwellings are 'of solid wall construction and are found to be thermally insufficient.' Officers have no evidence to the contrary. Furthermore, the submitted information demonstrates that the use of the external wall insulation 'systems can be designed to achieve U-values which satisfy or exceed current UK Building Regulation requirements.'

The proposed development therefore will improve the energy efficiency of the building by reducing heat loss. This would make a reduction to the carbon usage of the buildings, reduce the heating cost to the occupiers of the buildings, and will have modest wider impact towards the Council's aim of reducing carbon reliance in the District. It is evident therefore that existing national and local policy and guidance is supportive, in principle, of the proposed development.

b) Design and Impact on Heritage Assets

**UPDATE: As noted, following the written report from the Conservation Officer, the applicant has amended the application to remove the stone slips from the scheme. All elevations are now proposed to be rendered. The insulating layer is still proposed between the original external elevation and the render.**

**Also, in July 2021, the revised National Planning Policy Framework was published. Paragraphs 193, 194 and 196 are now paragraphs 199, 200 and 202 respectively. The thrust of these paragraphs have not changed.**

As set out in the site description above, a number of listed buildings are located between 45m and 81m from the dwellings. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the buildings, the settings, and any features of special architectural or historic interest they may possess, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The development may affect the setting of the Lower Swell Conservation Area. The Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the setting, character and appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Cotswold District Local Plan Policy EN10 'Historic Environment: Designated Heritage Assets' states that in considering proposals that affect a designated heritage asset or its setting, great weight should be given to the asset's conservation. 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. Proposals that 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.

Local Plan Policy EN11 'Historic Environment: Designated Heritage Assets - Conservation Areas' states that development proposals that would affect Conservation Areas and their settings, will be permitted provided they will 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.

Section 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset - such as a Listed Building, or Conservation Area - great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 194). 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, where appropriate, securing its optimal viable use.

Local Plan Policy EN2 'Design of the Built and Natural Environment' states that development will be permitted which accords with the Cotswold Design Code (Appendix D). In particular, proposals should be of a design quality that respects the character and distinctive appearance of the locality.

Section 12 of the NPPF also seeks to achieve well-designed places, and considers good design to be a key aspect of sustainable development.

The dwellings in Pear Tree Close are a typical example of post war construction. Historical maps show the row being constructed post 1950. In that regard, they are of limited historic interest. They are constructed from natural stonework elevations under plain tiled roofs, and most appear to have uPVC windows and doors fitted. Owing to their age and construction therefore, they are not considered to meet the criteria for non-designated heritage assets as set out in Local Plan Policy EN12. In addition, they are not within the Lower Swell Conservation Area, nor are they listed in their own right. While that is the case, the terraced row does add to the character and appearance of the area owing to the use of natural stone for the external walls, and their uniformity throughout the terrace.

In terms of the wider area, the dwellings in St Marys Close to the north, Whittlestone Hollow to the west/south-west, and Whittlestone Close to the south were constructed after the dwellings in Pear Tree Close. Historical maps show these dwellings were constructed between 1960-1980. With that in mind, the immediate area is considered to be relatively modern as only the dwellings to the east are of any significant age and historical interest. This is reflected by the Lower Swell Conservation Area boundary, as St Marys Close, Whittlestone Hollow, Whittlestone Close and Pear Tree Close are all outside of the Lower Swell Conservation Area. When taking this into consideration, No. 3 & 5 Pear Tree Close are less sensitive to change.

It is proposed to clad the principal (northern) elevations of both dwellings with artificial stone slips to mimic the look of the natural stone. An insulating layer is proposed between the cladding and the original external elevation. It is also proposed to render the rear (southern) elevations of both dwellings, the side (western) elevation of Number 5 and the side (eastern) elevation of Number 3. An insulating layer is proposed between the render and the original external elevations. The resultant external elevations will be approximately 9cm deeper than the adjoining dwellings (No. 2 & 4 in the case of No. 3 Pear Tree Close; and No. 4 in the case of No. 5 Pear Tree Close).



## Artificial stone cladding

**UPDATE: Artificial stone cladding is omitted from the scheme. It is now proposed to use render on all elevations instead. This would still result in a mix of rendered and natural stone elevations in the area. As such, the altered depth and the break in the uniformity of the principal elevations of the row would result in some harm to the setting of the conservation area. Modest harm is also attributed to the use of render for the dwellings themselves, and the character and appearance of the immediate area (outside of the conservation area). While the use of render on the principal elevations would result in less harm than the use of artificial stone cladding, the harm is still less than substantial and a balancing exercise is still therefore required.**

Dealing with the artificial stone cladding first. The use of artificial stone covering the principal elevations of two dwellings in the row would be apparent from within Pear Tree Close itself and from the main highway and the conservation area to the east, especially as it is only proposed to clad two of the five dwellings. When considering the public vantage points within St Marys Close to the north, owing to the 30m separation distances involved, views of the cladding would be restricted, and would be further restricted owing to the large amount of vegetation to the north of Pear Tree Close. Therefore, views from St Marys Close would only be possible, albeit at some distance, when the trees and bushes are not in leaf.

It is recommended that a condition be applied to secure the exact colour and texture of the stone cladding and mortar prior to the development beginning. However, while the cladding could be close in colour and texture to the existing stone and mortar, it is unlikely to match.

As the cladding would not be an exact match, as such would likely appear artificial. It is considered that the artificiality and the break in the uniformity of the terraced row would result in some harm to the setting of the conservation area. This harm is considered to be less than substantial, but at the lower end of less than substantial. Modest harm is also attributed to the use of cladding for the dwellings themselves, and the character and appearance of the immediate area, outside of the conservation area.

The Grade II\* Listed 'Church Of St Mary' and the Grade II Listed monument 'Cross Base 15 Yards South West Of Church Of St Mary' are located 59m and 80.5m, and 45m and 62m to the north east of Number 3 and Number 5 respectively. Owing to the separation distances, topography, and existing vegetation, views between the cladding and the listed buildings are some distance, and heavily restricted. As such, it is considered that the cladding would not harm the setting or historical interest of the Grade II\* Listed church or grade II listed monument. Similarly, as direct sight lines from the Grade II Listed 'Sunnyside And Cottage Adjacent To West' and 'Cranmer Cottage' to the cladding are not possible, it is considered that the proposals would not harm the settings or historical interest of these listed buildings either.

## Render

Moving to the render to the rear (southern) elevations of the dwellings, the side (western) elevation of Number 5 and the side (eastern) elevation of Number 3. Views of the rendered southern elevations will be possible from Whittlestone Close to the south, a section of the highway running west out of Lower Swell to the south, and from the highway and conservation area to the south-east. Views of the side (eastern) elevation of Number 3 will be visible from the highway and conservation area to the south east and north east. Views of the side (western) elevation of Number 5 are heavily restricted by existing built form.

While the render could be viewed from various public vantage points within and without the conservation area, it can appear more natural than artificial cladding. Indeed, render often appears throughout the district in conjunction with natural stonework. Furthermore, it is possible to add a condition to secure the exact colour, finish and texture of the render prior to the development beginning. As such, a muted colour, roughcast texture and traditional finish is possible. While officers are mindful that render is not commonly used in the immediate vicinity of the site, for the reasons set out, the use of render on two of the five dwellings is not thought to be harmful to the host dwellings, the character and appearance of the area, the setting of the conservation area, or the settings or historical interest of any nearby listed buildings.

## Conclusion

**UPDATE: As noted, artificial stone cladding is now removed from the scheme and all elevations are proposed to be rendered. The use of render on the principal elevations is still found to result in less than substantial harm to the setting of the conservation area, albeit less than the previously proposed artificial stone cladding. Therefore, the balancing exercise completed below (as directed by paragraph 202 of the revised NPPF and not paragraph 196 as written below) remains applicable, and officers are satisfied that the public benefits set out still outweigh the harm to the setting of the conservation area.**

The use of cladding on the principal elevations of No. 3 and 5 Pear Tree Close is considered to be harmful to the setting of the Lower Swell Conservation Area and this harm is identified as being 'less than substantial', albeit at the lower end of 'less than substantial'. It is considered that there would be no harm to the settings of nearby listed buildings.

Paragraph 196 of the NPPF directs decision-makers to weigh any identified harm against the public benefits of the proposals, including, where appropriate, securing its optimum viable use. The works are to improve the energy efficiency of the dwellings. The proposed development, therefore, will result in a reduction in the carbon usage of the dwellings, reduce the heating cost to the occupiers of the dwellings, and will have a modest wider impact towards the Council's aim of reducing carbon reliance in the District. In addition, some minor economic benefits will arise during the construction phase; however, these are minor and short term. In light of the declared climate emergency, officers are satisfied, on balance, that the public benefits of the scheme outweigh the less than substantial harm caused to the setting of the Lower Swell Conservation Area.

In light of the balancing exercise as directed by Paragraph 196 of the NPPF, officers are satisfied that the works are in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The significance of the designated heritage assets will be sustained, in accordance with Section 16 of the NPPF and Policies EN10 and EN11 of the Local Plan.

However, modest harm is found to the character and appearance of the area (outside of the conservation area), and to the dwellings themselves. The proposal therefore broadly accords with Local Plan Policy EN2 of the Local Plan and the provisions of the NPPF which seeks to achieve well-designed places.

c) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way Act (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 (the Wider Natural and Historic Landscape) 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. 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 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 works proposed are limited to cladding and render only, with a nominal increase in built form proposed. Furthermore, the site is located within a reasonably built up area, and the development is contained within the residential curtilage of each property, with no encroachment into open countryside. As such, the development is not considered harmful to the character or appearance of the Cotswolds AONB.

d) Impact on Residential Amenity

**UPDATE: In July 2021, the revised National Planning Policy Framework was published. Paragraph 127 is now 130. The thrust of this paragraph has not changed.**

Local Plan Policy EN2 (Design Code) states that development should respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect. Similarly, paragraph 127 of the NPPF also states that planning decisions should ensure that developments create places that are safe, inclusive and accessible, with a high standard of amenity for existing and future users.

The submitted information states the render and cladding will increase the wall thickness of the dwellings by approximately 9cm. This modest increase in built form, which is restricted to cladding and render only, will not detrimentally impinge on the residential amenities of the area in regards loss of privacy, or loss of light, overbearing or overshadowing impacts, noise, pollution (including light), odours or vibration. In addition, sufficient private external amenity space is retained at the property.

e) Other Matters

Concerns were raised regarding the fire safety performance of the materials. Information was submitted which demonstrates that the cladding and render 'contains flame retardant additives which significantly reduce the ignitability of the material, and the system also includes vertical fire barriers in non-combustible (Euroclass A1 to BS EN 13501-1) mineral fibre insulation of minimum 100 mm width and the same depth/thickness as the EPS Premium insulation, which are incorporated into the EWI system at the front and rear party wall lines: This arrangement satisfies the requirement to resist potential fire spread laterally, from one dwelling to the adjoining dwelling'. Officers are satisfied, based on the information supplied, that the proposed materials would not increase the risk of fires at Number 3 or 5, or for the adjoining properties.

Concerns were also raised that the proposed works would devalue properties in the area. The private value of property is not a planning matter and thus, has not attracted weight as a material planning consideration in this assessment.

Several comments were received stating that the proposed development would set a 'precedent' enabling future similar applications to be approved. Each proposal is judged on its merits and therefore, any further proposals would be assessed against the relevant prevailing policies and guidance at the time.

Comments were also received questioning how the cladding would age. The submitted specification documents states the cladding 'systems can be considered to have a design working life of at least 30 years. Lifetimes significantly in excess of 30 years can be achieved with proper maintenance and repair if damaged'.

f) Community Infrastructure Levy (CIL)

This development is not liable for CIL because it is:

Less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

g) Planning Balance

**UPDATE: For clarity, no harm is considered to result from the use of render on the non-principal elevations, but harm is considered to result from the use of render on the principal elevations as set out in this report. This harm is still considered to be outweighed by the public benefits of the scheme and it is recommended that permission be granted.**

The less than substantial harm identified to the setting of the Lower Swell Conservation Area is considered to be outweighed by the public benefits of the scheme as outlined in this report. In addition, whilst harm has been identified to the character and appearance of the immediate locality, and to the dwellings being altered by virtue of the cladding being used, this harm is considered to be modest. No harm is considered to result from the proposed use of render.

The proposed works are designed to improve the energy efficiency of the buildings. The proposed development, therefore, will result in a reduction in the carbon usage of the buildings, reduce the heating cost to the occupiers of the buildings, and will have a modest wider impact towards the Council's aim of reducing carbon reliance in the District. As such, it is recommended that permission be granted.

## **9. Conclusion:**

The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## **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 permitted shall be implemented in strict accordance with the following approved plans: Site and Block Plan (Received by the Council on 09/02/2021) and Proposed Elevations (Received by the Council on 07/09/2021).

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

Prior to the commencement of development, a sample panel of render of at least one metre square in size showing its proposed texture, finish and colour shall be erected on the site and subsequently approved in writing by the Local Planning Authority. The rendering shall be constructed only in the same way as the approved panel and shall be permanently retained as such thereafter. The panel shall be retained on site until the completion of the development.

**Reason:** In light of the above details not being submitted at determination stage for consideration and approval, this condition, which is agreed with the applicant, is necessary in order to ensure that the works serve to preserve the setting of the Lower Swell Conservation Area, and the character and appearance of the dwellings being altered and the area in accordance with Policies EN1, EN2, EN10 and EN11 of the Local Plan and Section 16 of the National Planning Policy Framework.

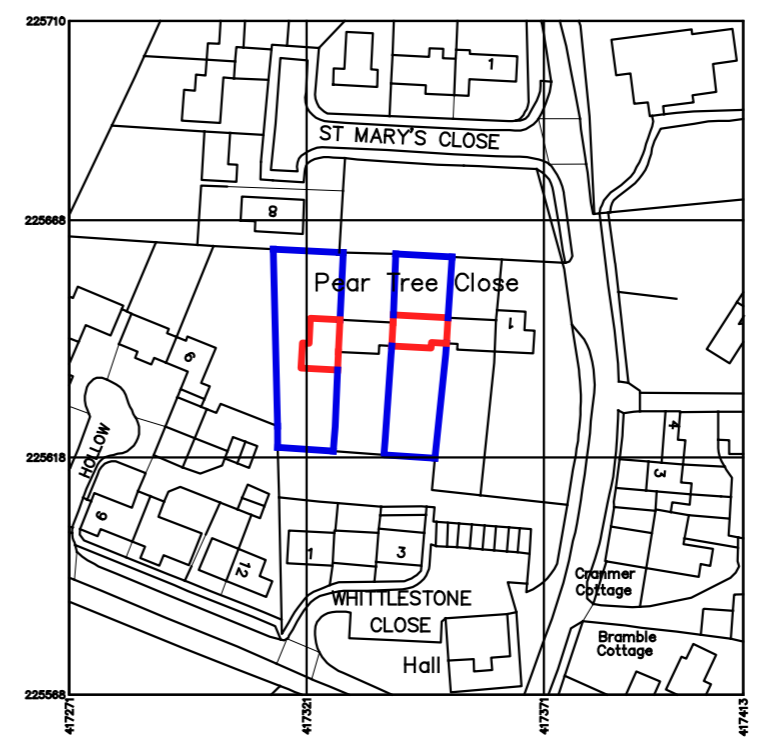
No bargeboards or eaves fascias shall be used in the proposed development.

**Reason:** To ensure that the works serve to preserve the setting of the Lower Swell Conservation Area, and the character and appearance of the dwellings being altered and the area in accordance with Policies EN1, EN2, EN10 and EN11 of the Local Plan and Section 16 of the National Planning Policy Framework.

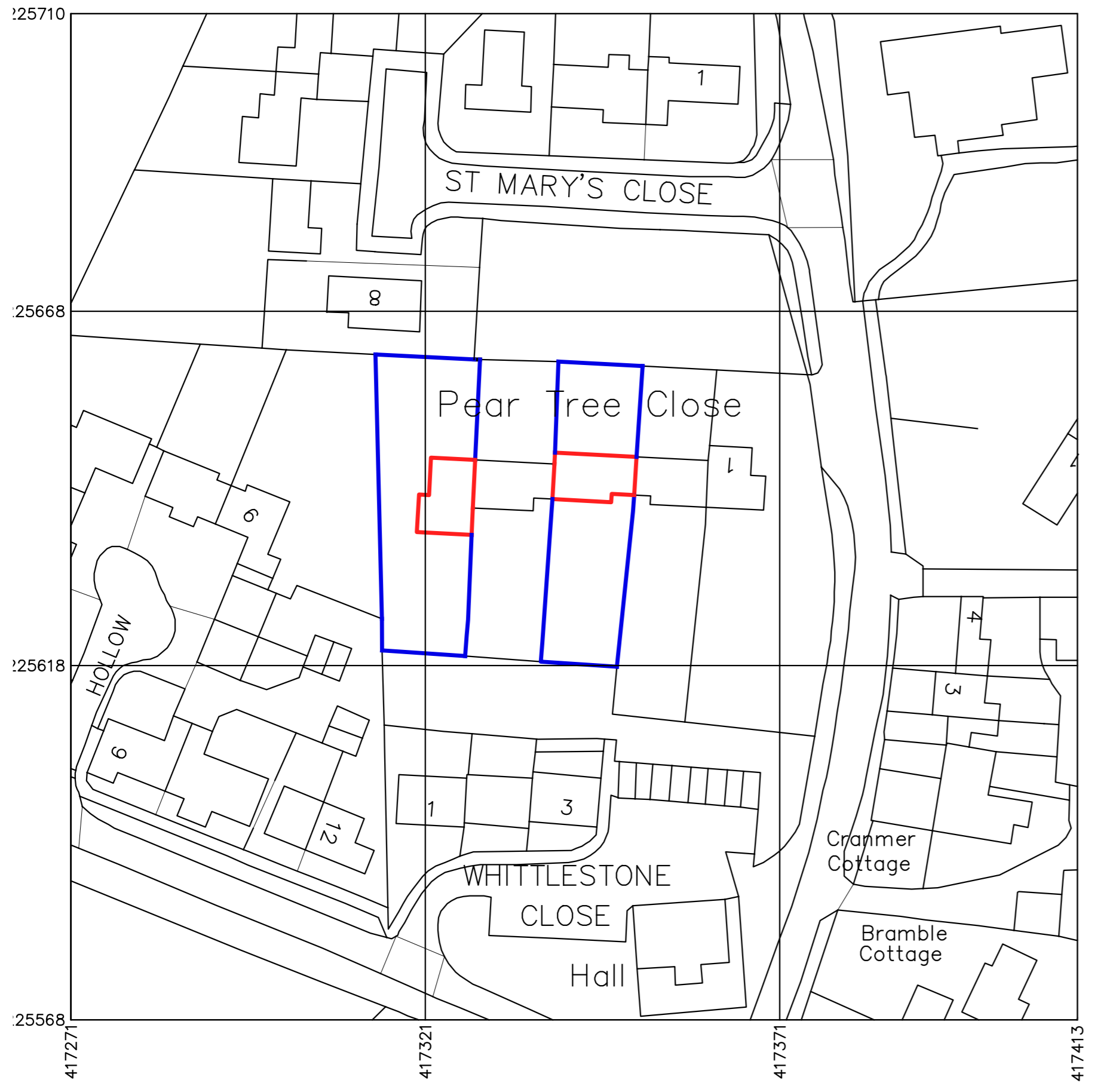
**Informatives:**

Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is:

Less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

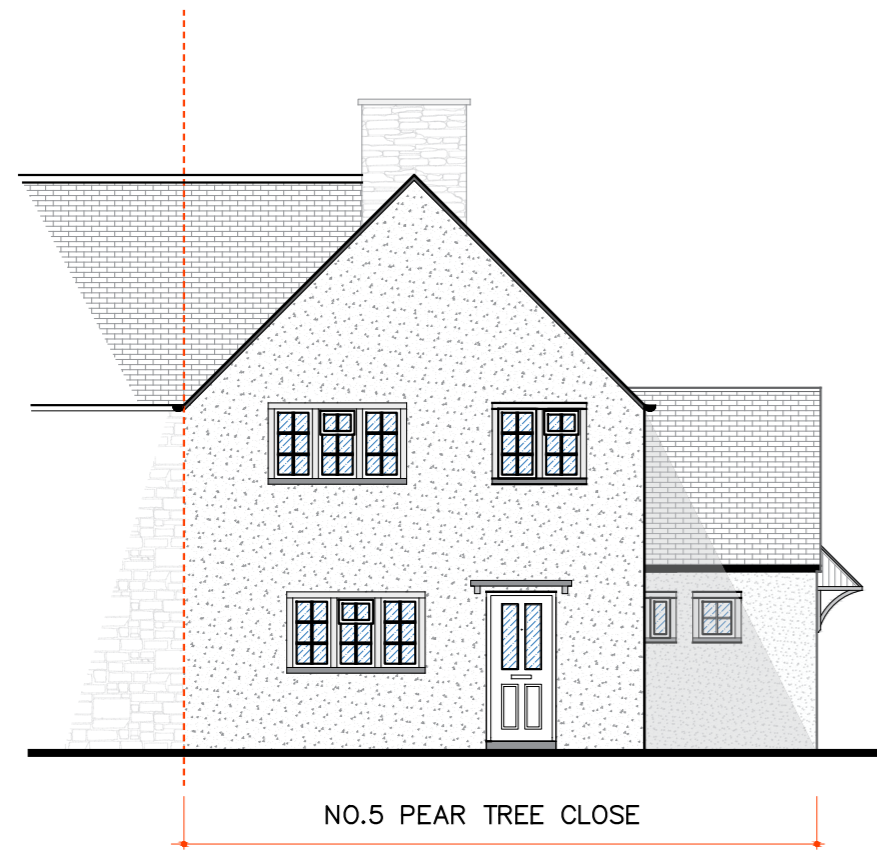


**2 SITE PLAN**  
SCALE: 1/1250 @A2

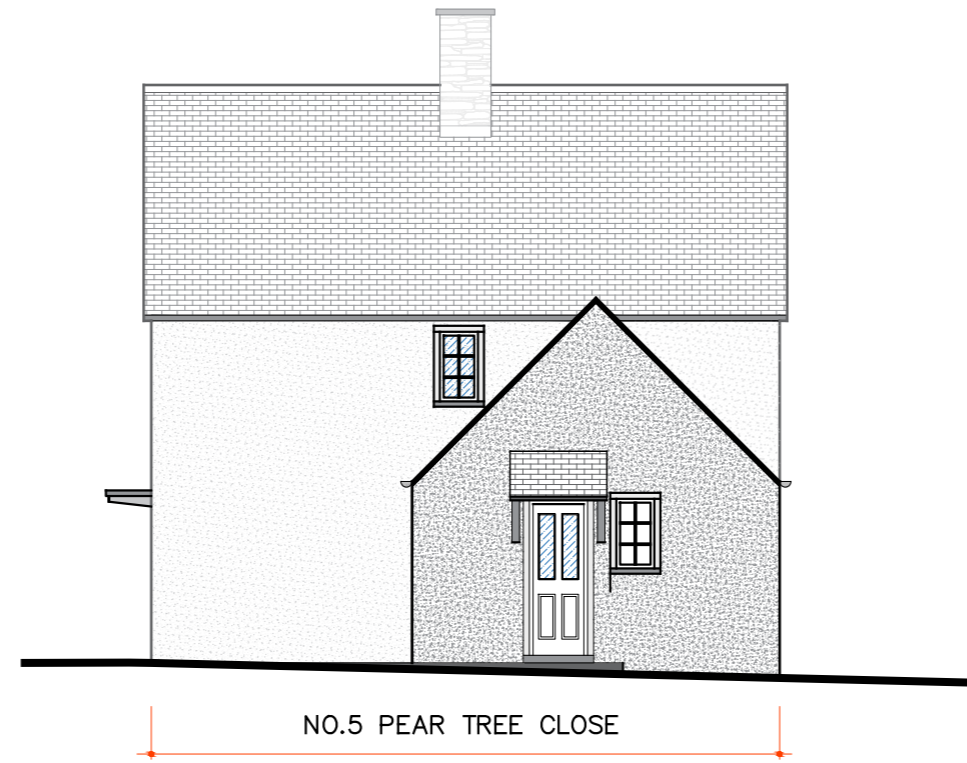


**1 BLOCK PLAN**  
SCALE: 1/500 @A2

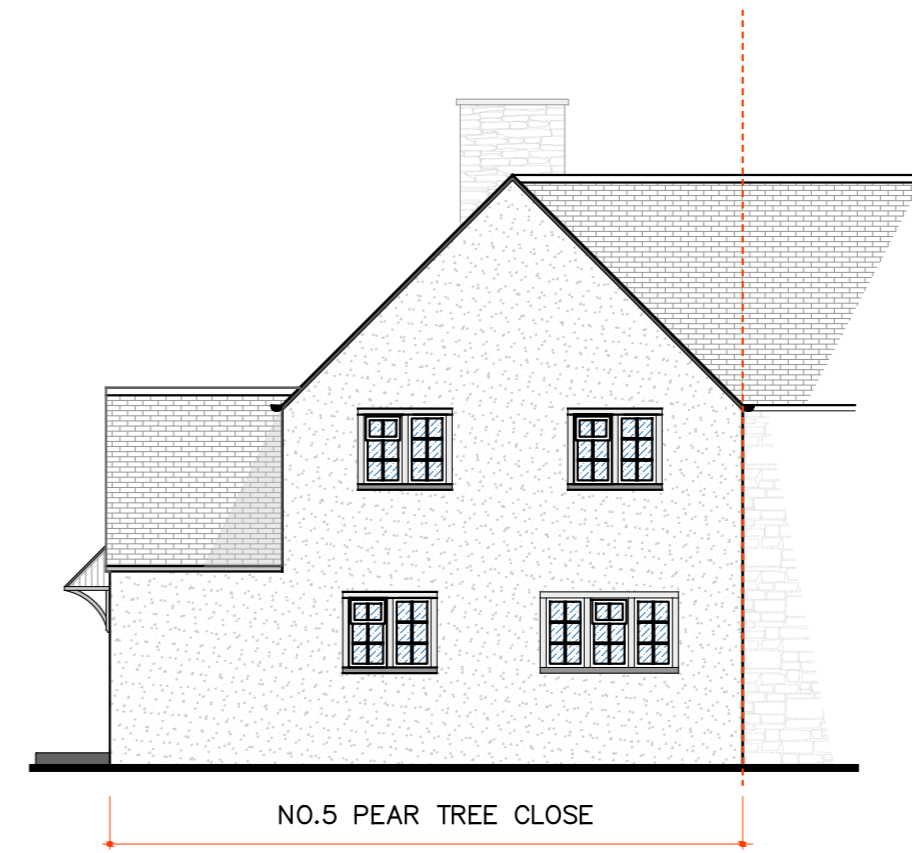
**NO.5 PEAR TREE CLOSE  
PROPOSED ELEVATIONS**



**1 PROPOSED NORTH (FRONT) ELEVATION**  
SCALE: 1/100



**2 PROPOSED WEST (SIDE) ELEVATION**  
SCALE: 1/100



**3 PROPOSED SOUTH (REAR) ELEVATION**  
SCALE: 1/100

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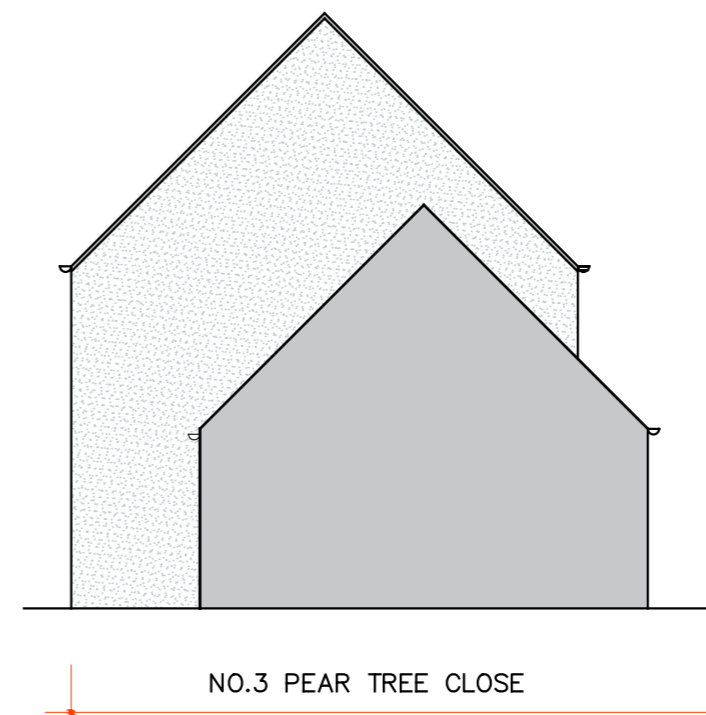
**NO.3 PEAR TREE CLOSE  
PROPOSED ELEVATIONS**



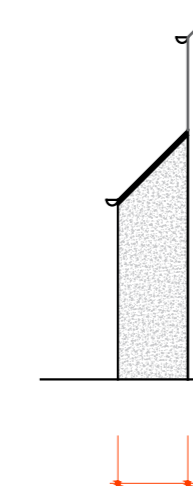
**4 PROPOSED NORTH (FRONT) ELEVATION**  
SCALE: 1/100



**5 PROPOSED SOUTH (REAR) ELEVATION**  
SCALE: 1/100



**6 PROPOSED EAST ELEVATION**  
SCALE: 1/100



**7 PROPOSED WEST ELEVATION**  
SCALE: 1/100



**PEAR TREE CLOSE**

NO. 3 & 5 PEAR TREE CLOSE,  
LOWER SWELL, CHELTENHAM,  
GLOUCESTERSHIRE, GL54 1JA

Project No. BROMFORD



Revisions

Notes

The designer takes no responsibility for checking any building works on site. All necessary local authority inspections must be requested at the appropriate stages of construction.

All details and dimensions are to be confirmed on site prior to works commencing or any ordering of materials.

All dimensions in millimeter and to structural faces. All dimensions must be checked on site and not scaled from this drawing.

This drawing and associated details and the works shown are the copyright of the designer and may not be reproduced except with written permission.

Project North



Scale 1:100

**PROPOSED  
EWI SYSTEM**

**A1.3**

SJM SURVEYORS © 2021



**Item No 04:-**

**21/00736/FUL**

**Haydons Bank  
Station Road  
Chipping Campden  
Gloucestershire  
GL55 6HY**

## Item No 04:-

### Single storey ancillary accommodation within garden at Haydons Bank Station Road Chipping Campden

<b>Full Application 21/00736/FUL</b>	
Applicant:	Mr & Mrs Chatfield
Agent:	Cotswolds Architects Chipping Campden
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Mark Annett Councillor Gina Blomefield
Committee Date:	13th October 2021
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

#### Main Issues:

- a) Principle of Development
- b) Design and Impact upon Heritage Assets
- c) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)
- d) Impact on Residential Amenity
- e) Impact on Trees
- f) Impact on Highways and Off-Street Parking Provision
- g) Community Infrastructure Levy (CIL)

#### Reasons for Referral:

Referred to Planning Committee by Ward Member (Cllr Blomefield) for the following reasons:

- "- the proposed site of the ancillary accommodation is opposite one of the most important wool churches in the Cotswolds and its adjoining churchyard and within sight of the important historic buildings associated with Campden House site as well as being within an AONB
- the access is poor onto Station Road and Glos Highways has failed to make any comment
- the new dwelling is overdevelopment of the site and the revised plans are in sketch format with no measurements shown so it is impossible to understand just how much has been changed to reduce the size and scale of the building in this its third iteration of the plans. It would appear to be of much the same size although it is no longer immediately on the boundary of The Stables.
- better use of the space on the site without impacting neighbours might be achieved by attaching this ancillary accommodation onto the back of the existing garage rather than leaving this area to be a terrace which in due course might be infilled as additional accommodation. It would therefore be hugely preferable to have the terrace on the east side of the ancillary dwelling which would reduce the impact on the neighbours and could still give an equivalent sized building.
- I note that the Conservation Officer who may not have seen all the sets of plans originally wanted the eave height to be reduced but this does not appear to the case and because there is no longer a hipped end to the roof the overall roof is now actually longer.
- I note too that the Conservation Officer recommended that Permitted Development rights should be removed if this application was approved

- professional expertise has been employed by one objector whose comments do not appear to have been considered
- the addition of this building will have an impact on the street scene
- the Town Council strongly objects to this application and requested at their planning meeting that if it was recommended for approval by the planning officer that it should be sent to the Full Planning meeting so that the views of the Parish and local residents could be aired and discussed in a full democratic manner. There are currently strong concerns that local objections are not taken sufficiently into account and if this particular planning application is not forwarded by the Planning Review Panel to the Full Planning Committee it will amplify this feeling of disquiet over the planning processes at CDC."

The application was deferred at the September meeting of the Planning and Licensing Committee to allow a Sites Inspection Briefing, which was held on Wednesday 6th October 2021.

### **1. Site Description:**

The application site comprises the property known as Haydons Bank; a modern detached dwelling on Station Road in Chipping Campden. The site is located within the Development Boundary of Chipping Campden, and just outside the Chipping Camden Conservation Area. It is opposite the extended area of graveyard to the Grade I listed St James Church.

The existing dwelling on the site is a 1990s two storey detached dwelling constructed in natural stone under an artificial stone tile roof and has a Cotswold vernacular design. The surrounding properties vary in age with the oldest being The Stables immediately east of the site, which is present on historic maps dating from 1843 and as such is considered to be a non-designated heritage asset.

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

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

93.01688 - Erection of a dwelling house - permitted 3 Dec 1993

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

- \_ TNPPF The National Planning Policy Framework
- \_ DS2 Dev within Development Boundaries
- \_ EN1 Built, Natural & Historic Environment
- \_ EN2 Design of Built & Natural Environment
- \_ EN4 The Wider Natural & Historic Landscape
- \_ EN5 Cotswolds AONB
- \_ EN7 Trees, Hedgerows & Woodlands
- \_ EN10 HE: Designated Heritage Assets
- \_ EN11 HE: DHA - Conservation Areas
- \_ EN12 HE: Non-designated Heritage Assets
- \_ EN15 Pollution & Contaminated Land
- \_ INF4 Highway Safety
- \_ INF5 Parking Provision

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

Historic England - Do not wish to offer any comments. Suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Conservation Officer - Suggested amendments to the original plans. Detailed comments included within the report.

Environmental Health (Air Quality) - no objection

GCC Highways - No comments received at the time of writing the report

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

##### Original Plans:

The Town Council Objects to the proposal on the following grounds:

- a) Over-development of the site.
- b) Building is not ancillary but a separate dwelling in its own right;
- c) Building is right up against the boundaries and will have a negative impact upon its neighbours to the north and east;
- d) Will have a negative impact upon the Grade I Listed St James Church.

##### 1st Amendments:

The Town Council maintain their objection on the following grounds:

- a) The new details do not deal with past objections and exasperate the situation.
- b) Footprint is larger, the eaves height has not been reduced and the roofspace has been increased.
- c) Building is substantial and obviously designed to have the roofspace converted.
- d) Is clearly not ancillary accommodation and should be refused.
- e) Impact upon Conservation Area and Grade I Listed St James Church is substantial.

##### 2nd Amendments:

The Town Council maintain their objection on the following grounds:

- a) There have been no material changes.
- b) If minded to approve decision should be made by the Planning Committee.

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

##### Original Plans:

12 letters of Objection received from local residents and interested parties making the following comments:

- a) Over-development of the area and incoherent pattern of development.
- b) Adverse impact upon neighbouring residents by virtue of loss of natural light, privacy and overbearing impact.
- c) Area is already congested with traffic and will impact on pedestrian and highway safety.

- d) The high wall of the house will become a dominating feature in an already crowded townscape including dominating the host dwelling.
- e) This is within the AONB which will be further diminished by the development.
- f) Very close to a Grade I Listed Building.
- g) The whole plan is appalling and designed only to enrich the applicant.
- h) An un-neighbourly development.
- i) Design & Access Statement refers to potential future separation of the accommodation from the main house.
- j) The curtilage of Buckland House is not correctly reflected and understates the impact of the proposed new house which is a mere 5 m away.
- k) Town Council have unanimously voted to reject this application outright.
- l) Further sub-division of this site which was originally all part of Buckland House.
- m) If approved Buckland House would be surrounded on 3 sides by excessively high buildings of limited architectural merit compared to only 1 year ago. A cumulative impact of multiple developments is therefore evident.
- n) The applicant is an experienced property developer and has not provided any evidence of dependency on the main dwelling. If genuinely ancillary, a condition should be imposed.
- o) The height of the proposal is overbearing and out of keeping with other single storey Campden properties.
- p) The hardstanding areas and consequent loss of garden and vegetation would have an adverse visual impact on the setting.
- q) The extensive use of glass on the frontage is out of keeping with the vernacular.
- r) No proposals to improve the southern boundary of Haydons Bank.
- s) There is no precedent in Chipping Campden of small front gardens being used as a building plot for open market houses and this would prompt similar applications from other developers.
- t) Would add to impact on amenity for occupants of Buckland House already being endured by dominating impact of extensions to Magnolia House.
- u) Character of Station Road is predominantly double-fronted houses with generous plots facing the road.
- v) Building should be moved closer and more visually integrated into the existing buildings to qualify as an ancillary dwelling.
- w) Had to amend plans to remove 2 small dormers to the front of The Stables under 16/00805/FUL due to impact on character.
- x) Development has all the hallmarks of a new independent dwelling and should therefore be determined accordingly.
- y) Impact on neighbouring trees and their Root Protection Areas (RPAs). No information has been submitted to mitigate the effects of this.
- z) No BRE Daylight/Sunlight Assessment has been submitted to address potential loss of sunlight.
- aa) Impact of the construction process on neighbour's amenity.

### 1st Amendments:

13 letters of objection received from local residents and interested parties making the following comments:

- a) Over-development of a small parcel of land.
- b) Appears to be little material change that would affect previous comments. Difficult to determine as no drawings contain measurements the length of the front of the building now appears to be longer, contrary to the recommendation of the Conservation Officer.
- c) Case Officer's email should be included in documents in interests of transparency.
- d) Agree with the Conservation Officer's comments and these should be strictly applied.
- e) Proposal will seriously detract from the amenities of both The Stables and Buckland House.
- f) Further sub-division of this site and removal of vegetation eroding the aesthetic of this historic, rural AONB.
- g) Could the additional accommodation be achieved through an integrated extension to the existing garage.
- h) Support the lowering of the ridge height, however, this should be lowered further, along with the eaves height.
- i) Design, particularly the large areas of glazing and the potential of solar tiles to the south elevation, are out of keeping with the Cotswold character.
- j) The owner of the neighbouring property at The Stables does not consent to a party wall on their boundary.
- k) Would create a built-up, urban environment when viewed from Buckland House.
- l) Roof is now larger and it is still high enough to accommodate a second level. Could easily be changed to a flat roof or one with a low pitch and rooflights should be removed to prevent overlooking.
- m) Only sketch plans are available. Proper plans are required before any determination can be made.
- n) It is noted that the Planning Officer has been in discussion with the applicant but the changes remain inconsequential.
- o) No further details of dependency provided. An ancillary dwelling would include wider doorways etc. to accommodate a wheelchair. The bathroom is too small to accommodate a disabled person.
- p) Permitted Development Rights should be removed as per the Conservation Officer's comments.
- q) There is no indicated parking. Any parking space would be too far away from a charging point. Two cars cannot now be accommodated. When the new house is sold an entrance will be created such that there will be no parking space.
- r) The trees to the boundary of Buckland House will remain. The reference to the hedge on the north boundary is misleading as it is actually to the east.
- s) The positioning of rooflights over the kitchen and bathroom is irrelevant given the plans are only sketches with the comment regarding health of little consideration due to the proximity of the site to a busy road used by HGVs.
- t) The installation of a wood burning stove would be injurious to health of occupants of Buckland House.
- u) Moving the building has now created amenity issues for Haydon's Bank given the very close proximity of the 2 separate dwellings.
- v) Impact upon trees.

## 2nd Amendments:

7 letters of objection received from local residents and interested parties making the following comments:

- a) Overdevelopment of site and inappropriate design.
- b) Suspect it will become a 2-storey independent dwelling and proposed new Cotswold stone boundary wall will be removed to allow access.
- c) Harmful to the setting of the Grade I listed Church and Chipping Campden Conservation Area.
- d) Curtilage of Buckland House remains incorrect on the submitted plans.
- e) Only rough sketches have been provided and therefore it is not possible to determine dimensions.
- f) Design and Access Statement is ambiguous in many places in that it states possibilities rather than actualities.
- g) Design and Access Statement's information surrounding the applicant is of no consequence to the planning process, in the same way that the impact of this on the value of neighbouring properties is not taken into account.
- h) Email from applicant to neighbour in November 2020 stated they are planning to relocate and therefore this shows they intend to sell Haydon's Bank with the planning permission or sell the plot separately.
- i) The line of 25 degrees from The Stables is incorrect as the conservatory is the main habitable room. If drawn correctly it would impinge on light to this property.
- j) Retention of the hedge is irrelevant as the applicant has declared it a nuisance and therefore will remove it. Also it will be damaged during construction.
- k) Removal of the wood burning stove is irrelevant as it will be reinstated.
- l) The construction methods in relation to trees will likely raise the entire floor and therefore the overall height of the building.
- m) The miniscule distance of 150mm is not sufficient to construct the new dwelling from the applicant's side and no permission will be given to cross boundary of Buckland House.
- n) Changes remain inconsequential and no further evidence of dependency has been provided.
- o) Application should be considered on the basis of the proposed future use and not determined as an ancillary dwelling.
- p) Access to the site is not excellent as stated in D and AS. Applicant has frequently contacted Highways regarding speed of traffic and there are usually parked vehicles along this stretch of Station Road.
- q) When 'adapting' the dwelling for future use there would be amenity issues for Haydon's Bank due to the close proximity.
- r) The construction of a new dwelling will impinge on the ability of near neighbours to undertake gainful employment.
- s) Reference to metering of property clearly indicates it will be separate and non-dependent.
- t) Design favours the applicant only.
- u) There is no precedent of a small front garden being used as a building plot in Chipping Campden.
- v) This is not wanted by the Town Council.
- w) Site is in the AONB.
- x) Comments about no increase in vehicular movements are clearly 'pie in the sky'.
- y) Loss of mature vegetation.

A further comments from an Objector raised the following additional concerns:-

1. The Case Officer requested evidence of dependency for the proposed dwelling. Instead, the D&A states on page 13 that any new supplies of utilities to the new dwelling will be sub-metered. This sub-metering, instead of current utilities being extended from Haydons Bank, indicates no dependency, rather the reverse. Further, the G&A plan shows a recycling store which will require notice to the CDC that recycling bins will be required and collection from a separate dwelling. This provides further evidence that there is no dependency and that the new dwelling intends to be separated and sold as a standalone dwelling. The proposed new dwelling is in the front garden (ie - it stands forward of the existing Haydons Bank next to the road) of an existing property that has already been built in the garden of Buckland House.
2. The requirement for details relating to BRE IP 23/12 have not been met. The 25 degree measurement is from the rear of The Stables wall and not from The Stables Conservatory and takes no account of the change in . There are also no details with regard to the impact on the habitable rooms of Buckland House.
3. The proposed method of mitigating the tree roots on the North Boundary have the potential to raise the height of the entire building (see Experts report).
4. The G&A Statement on Page 6 erroneously refers to Buckland House as Green House. This has the potential to confuse the reader and may suggest an ancillary structure rather than a neighbouring property.
5. The "sketches" still fail to define the boundaries on the North and East as requested."

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

### Design & Access Statement

Additionally, the Applicant's agent has provided the following response to the latest Third Party Objection:-

"For clarity and to be sure that the Councillors are aware of all the facts, I wonder whether you would kindly ensure that both councillors are made aware that Mr Leighton has clearly misunderstood the Case Officer Rachel Gaskell requests set out in her 6 July email and our response in the form of our amended information dated and posted on 9 July 2021. We refer to the points raised by Mr Leighton using his numbering for ease of reference;

1. For clarity, the term sub-metering, refers to a second meter being connected to a single electricity supply. Therefore the primary meter is the main meter from which readings are taken and suppliers invoices determined. The sub-meter is for the occupants use only and allows them to identify the proportion of the electricity being used by the annex. It is a requirement as part of the application that we show that space is allocated for recycling bins. Obviously one wishes to have such bins as close as possible to the annex, especially if one is elderly or infirm. Comments regarding collection of bins from a separate dwelling seem irrelevant, as bins are taken to roadside.
2. Details relating to BRE IP 23/12 were agreed with the case officer and met by our annotating the drawings. The worst case scenario was indicated using the apex of the proposed annex as a reference point to the habitable rooms of The Stables. There will be no loss of daylight from the conservatory of the neighbour of Mr Leighton. Habitable rooms of Buckland House will not suffer loss of daylight as the eaves height to the north elevation of the proposals is too low to have an effect and the roof slopes away from the eaves/boundary.



3. The slab height of the proposals is set and therefore the height of the building is set. The Leighton objection dated 17 August 2021 refers to an 'Experts report'. For the record, the Leighton objection dated 28 July 2021 does not enclose or attach a report from an expert but merely 'quotes from an expert'. The quotes contain the words 'likely' and 'possible' and are therefore not based on fact. An indicative foundation solution was referred to in our 9 July submission. It should be noted that the detailed design of foundations is a Building Regulations issue and not a matter for Planning.
4. The Design and Access Statement does have an error on page 6, referring to Green House. All the drawings have been corrected and we feel this error has little relevance at this stage.
5. The case officer asked for the reference 'TBC/agreed' (in regard to the boundary lines) to be removed from the drawings. However, the boundary lines are still shown on the drawings with setting out dimensions referenced as requested by the case officer."

## **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 policies and guidance within the revised National Planning Policy Framework (NPPF) (2021) are also a material planning consideration.

### Background and Proposed Development

This application is seeking full planning permission for the erection of a single storey, detached ancillary outbuilding of linear form within the rear/side garden area of Haydon's Bank. The proposed building would be located adjacent to the site's shared boundary with Buckland House to the north, and, following amendments set off the eastern (angled) boundary with The Stables by a minimum distance of 1.5 m. The building would be constructed of Cotswold stone with a pitched roof to be finished in natural slate to the rear roof slope and PV slates to the front. The windows and doors would be of oak construction left to naturally silver. Two small conservation style rooflights are proposed within the rear (northern) elevation. The ridge height of the building would be 4.4 metres, with an eaves height of 2 metres. The proposal would be 15.4 metres wide with a depth of 4.5 metres. The outbuilding would provide ancillary annexe accommodation to the main house comprising an open plan kitchen, sitting, dining area with separate WC, 1 bedroom and a bathroom. The application has been submitted as a householder development with the description of the proposal including the word 'ancillary'. The scale of accommodation, the applicant's agent has stated that the height between the top of the truss tie beam and the apex of roof at 1750mm would be insufficient to convert into usable attic space in the future, within the proposed outbuilding and its close proximity to the main dwelling is considered to demonstrate a functional reliance upon Haydon's Bank by virtue of the modest level of accommodation and shared off-street parking and garden area.

#### (a) Principle of Development

The site is located within the Development Boundary of Chipping Campden. Policy DS2 of the Local Plan states:

"Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle."

Concern regarding the nature of the use of the proposed outbuilding has been raised within a number of the letters of representation. The application states that it would be ancillary to the existing residential dwelling at Haydons Bank to enable multi-generational occupation of the site. The covering letter submitted with the current proposals does make reference to potential future changes to the use of the proposed building including it being occupied as a separate dwelling. This application is only considering the current proposal for ancillary accommodation, if the building was to be used for non-ancillary purposes a further planning application would be required and a further assessment under the relevant policy at the time would be made. For the avoidance of doubt it is considered reasonable to impose an informative advising the applicant of the ancillary nature of the use.

#### (b) Design and Impact upon Heritage Assets

The application site is located opposite the former site of Campden House, where a number of its buildings and structures survive and are listed. It is also located diagonally opposite, and on the other side of the road to St James' Church, which is Grade I Listed. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving these buildings and structures, as well as their setting, and any features of special architectural or historic interest it may possess, in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

The proposal site is located outside the Chipping Campden Conservation Area, but the boundary line runs along Station road to include St James' Church, its Church Yard and the former site of Campden House on the opposite side of the road. As such the setting of the conservation area is a key consideration of this proposal.

The Stables to the east of the application site is considered to be a non-designated heritage asset, although it is not clear as to which property it historically related to, it does appear on the 1843-1893 OS map backing on to open orchards. The Stables has historic and architectural interest and retains an overall simple utilitarian character and low linear gabled form reflecting its past use. The Stables are also constructed in materials and details characteristic of the Cotswold Vernacular. In this regard the setting of this building as a non-designated heritage asset must be considered.

Section 16 of the National Planning Policy Framework (NPPF) (2021) requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets, including their settings.

Paragraph 197 states 'In determining applications, local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness

Paragraph 199 states 'When considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'

Paragraph 200 states 'that the significance of a designated heritage asset can be harmed from its alteration, destruction, or from development within the setting'.

Paragraph 202 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 proposals'.

Paragraph 203 states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

The NPPF in Annex 2 defines the Setting of a heritage asset as 'Surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate the significance of an asset or may be neutral'.

Historic England- The Setting of Heritage Assets- Historic Environment Good Practice in Planning Note 3 (Second Edition) gives assistance concerning the assessment of the setting of heritage assets, and is used in the following assessment.

Paragraph 9 states 'Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or the ability to appreciate that significance'

Paragraph 10 states 'The contribution of a setting to the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset or place which can be static or dynamic, long, short or of lateral spread, and include a variety of views of, from, across, or including that asset.'

Paragraph 16 states 'Views out from a heritage asset that neither contribute to significance nor allow appreciation of significance are a matter of amenity rather than of setting'

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 EN2 covers the Design of the Built and Natural Environment and states that development will be permitted which accords with the Cotswold Design Code and that proposals should be of a design quality that respects the character and distinctive appearance of the locality.

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.

Policy EN11 covers the Historic Environment: Designated Heritage Assets (Conservation Areas). It states that development proposals that would affect conservation areas and their settings will be permitted provided they: preserve and where appropriate enhance the special character and appearance of the conservation area, in terms of siting, scale, form, proportions, design, materials and retention of positive features; include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the conservation area; will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and appearance, and/or allow important views into or out of the conservation area; and do not include any internally illuminated advertisement signage unless the signage does not have an adverse impact on the conservation area or its setting.

Local Plan Policy EN12 refers to Non Designated Heritage Assets, stating:

1. Development affecting a non-designated heritage asset will be permitted where it is designed sympathetically having regard to the significance of the asset, its features, character and setting.
2. Where possible, development will seek to enhance the character of the non-designated heritage asset. Proposals for demolition or total loss of a non-designated heritage asset will be subject to a balanced assessment taking into account the significance of the asset and the scale of harm or loss.
3. The assessment of whether a site, feature or structure is considered to be a non-designated heritage asset will be guided by the criteria set out in Table 6.

Although located in relatively close proximity to St James' Church, the application site is not considered to specifically contribute to its architectural or historic significance. The proposal site can however be viewed across the road from the Churchyard, but it is viewed amongst a collection of largely modern built forms closely situated together without forming particular aesthetic grouping. The rear elevation of The Stables can also be viewed from the Churchyard, but again it is considered not to specifically contribute to the architectural or historic significance of the Church as no historic connection is evident. The Stables' contribution to the setting of the Church via visual relationships is limited and it is largely read within the collection of other built form to the opposite side of the road.

The situation is similar in regard to the settings of the listed buildings and structures within the former Campden House site. The proposal site does not specifically contribute to any of their architectural or historic significance, but is viewed amongst a collection of largely modern built forms closely situated together without forming particular aesthetic grouping.

In this respect it is the general context of built form and its arrangement to the northern side of Station Road, surrounding and including the proposal site, which is the consideration in this case. Should the proposal relate to its context in location, scale, height, design and materials, then the setting of the above mentioned designated heritage assets (listed building, structures and the Conservation Area) would remain unharmed.

The Stables as a non-designated heritage asset is in closer proximity to the proposal site and the proposed building would be in its immediate setting. Therefore consideration also needs to be given as to whether the application site forms part of the significance of The Stables, and then whether the proposed building adjacent would harm its individual significance (setting).

Historically The Stables building, according to C19th maps, appears to have backed onto a field or orchard. However, its current setting is a small enclosed garden space to its rear with additional houses (and their gardens) to the side and further to the rear. Any relationship The Stables once potentially had with the field/orchard historically has since been lost through the development of the land around it and alterations to the settlement pattern and its field boundaries.

The low elongated form of the Stable building, its simple character and fenestration pattern reflect its historic use and forms an essential part of its significance as a non-designated heritage asset. The proposed building has a similar form to The Stables, but with a front elevation more akin a cart shed. With the reduction in its overall height, and its relocation away from the eastern boundary, the proposal's prominence in relation to the neighbouring non-designated heritage asset has been reduced sufficiently to prevent harm to its significance.

The manner in which the proposed building would relate to its context is a general design consideration for any development (whether it is within a Conservation Area boundary or not). The context of the application site includes The Stables to one side, a two storey modern house to the other side and a one storey modern house to the rear. The front of the application site is enclosed by a boundary fence, which, following the submission of amended plans is to be replaced with a 1.8m high Cotswold stone wall. The context is therefore relatively high density already, with both single and two storey buildings being characteristic. In this regard it is considered that an elongated single storey gabled building orientated and sited as proposed, that has been reduced in length and height following the submission of amended plans, would relate to its context. In this regard it is considered necessary and reasonable to impose a condition removing permitted development rights to retain the character of the immediate area.

Overall, following the amendments to reduce its height and the relocation away from the eastern boundary with The Stables the proposed outbuilding would now preserve the setting of nearby listed buildings, the setting of the Chipping Campden Conservation Area and sustain the significance of the non-designated heritage asset of The Stables. The application as now amended would therefore meet the requirements of the relevant sections of the Planning (LBCA) Act 1990, Section 16 of the NPPF (2021), and Policies EN1, EN2, EN10, EN11 and EN12 of the Local Plan.

#### (c) Impact on the Cotswolds Area of Outstanding Natural Beauty

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way Act (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 (the Wider Natural and Historic Landscape) 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. 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 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.

Section 15 of the NPPF seeks to conserve and enhance the natural environment. More specifically Paragraph 176 states great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (amongst other sensitive areas), which have the highest status of protection in relation to these issues.

The proposed development would be set within the existing residential curtilage of Haydons Bank and which is surrounded by other residential dwellings and is viewed amongst a collection of largely modern built forms closely situated together. As such, the addition will not result in any encroachment of urban built form into the open countryside. Overall, it is considered that the proposed development will preserve the special qualities of the Cotswolds AONB.

#### (d) Impact on Residential Amenity

Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect.

Policy EN15 of the Local Plan - Pollution and Contaminated Land requires development not to result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through:

- a. pollution of the air, land, surface water, or ground water sources; and/or
- b. generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.....

Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.

The proposed ancillary outbuilding would be located in the rear/side garden area of this dwelling within the town of Chipping Campden. The north and east boundaries of this garden area are currently made up of trees and vegetation, a section of the northern boundary has been removed due to the hedge dying. It is proposed that the northern boundary will be formed by the rear wall of the building. There would be a corner to corner distance of approximately 5.5 m between the north eastern corner of the proposed single storey ancillary building and the south western corner of the 2-storey Buckland House. The rear wall of the proposal would not include any openings with the northern roof slope having been amended to contain just 2 small rooflights above the internal bathroom and the kitchen area to provide additional natural light and ventilation. The orientation of these small openings within the roof plane, facing towards the garden area of Buckland House, is considered to comply with the requirements of Policy EN2 and the Cotswold Design Code in that significant loss of privacy, or the perception of such, would not result.

At the closest point, there would be a distance of approximately 11.6m from the blank gable end of the proposed building to the principal elevation of The Stables to the east. The current submitted plans show a line of 25 degrees drawn from the rear elevation of The Stables easily clearing the roof of the proposed building and therefore demonstrating in line with the advice contained in the Building Research Establishment publication IP 23/12 - Site Layout Planning for Daylight that a significant loss of natural light should not result to The Stables. It is acknowledged that this line has not been drawn from the conservatory that is on this neighbouring property, however, that is orientated to the north west and together with the existing hedge that has a height of around 3.5m, and which following consultation with neighbours is shown to be retained on balance it is not considered that any significant loss of natural light would result to this property.

Concern has been raised by a neighbouring resident over the proposed wood burner in terms of the impact upon their health, this has subsequently been removed from the proposal, however, it should be noted that the Council's Environmental Health Officer does not raise any objections on the grounds of air quality. The fitting of a wood burner would need to comply with the relevant Building Regulations but would not necessarily require planning permission, although this would depend upon the height and positioning of any flue.

Ample residential amenity space would be available for both the host property and the proposed ancillary accommodation to use.

On this basis, it is considered that the proposal would not result in significant adverse impact upon the amenity of neighbouring occupants or property. As such, the proposed development is considered to accord with the residential amenity considerations of Cotswold District Local Plan Policies EN2 and EN15, and Section 12 of the NPPF.

#### (e) Impact upon Trees

Local Plan Policy EN7 seeks to preserve and enhance trees, hedgerows and woodlands.

The current plans now show the retention of the hedge to the eastern boundary. The existing trees within the neighbouring property to the north (Buckland House) have been shown on the amended block plan and reference has been made on the plan to these being retained. Further comments have been received from the owner of this property in relation to the impact of the proposal upon these trees, the Council's Tree Officer has advised that: "the trees and hedge in the photos are fairly young and are not considered to be veteran trees or trees, woodlands or hedges of high landscape, amenity, ecological or historical value. As such there no tree policy objection to the development. The potential impact of the development on tree roots would be a civil issue between the properties and we would not require specialist foundation design to protect tree roots."

#### (f) Impact on Highways and Off-Street Parking Provision

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

Paragraph 111 of the NPPF (2021) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Access to the site would remain as existing. Concern has been raised by interested parties in relation to the safety of the access to accommodate further vehicle movements. On the basis that this proposal relates to ancillary accommodation where adequate off-street parking provision can be achieved and an improved turning area would be provided to allow vehicles to more easily enter and leave the site in a forward gear it is not considered that this development would result in an unacceptable impact upon highway safety. The provision of off-street parking spaces prior to the first use/occupation of the ancillary accommodation can be controlled by condition.



(g) Community Infrastructure Levy (CIL)

This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

As this is a residential annex, the applicant may apply for relief.

**9. Conclusion:**

The proposal is considered to accord with the policies in the Development Plan and NPPF. 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 carried out in accordance with the following drawing number(s):

- Site Location Plan - dwg. no. 158/P/LP rev. B - received 9 July 2021
- Proposed GA Plan - dwg. no. 158/P03 rev. B - received 9 July 2021
- Proposed Street Elevation - dwg. no. 158/P04 rev. B - received 9 July 2021
- Proposed Long Section - dwg. no. 158/P05 rev. B (2) - received 6 August 2021
- Proposed North Elevation - dwg. no. 158/P06 rev. B - received 9 July 2021

**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, including the proposed boundary 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 and shall be permanently retained as such thereafter. 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 and EN12, 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.

Prior to the construction of any external wall of the development hereby approved, a sample of the proposed roofing slate shall have been 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 and EN12, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

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 Policies EN2 and EN12.

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

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2 and EN12.

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

The design and details shall be accompanied by drawings to a minimum scale of 1:5 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 the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2 and EN12.

The rooflights hereby approved shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflights are located and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2 and EN12.

New rainwater goods shall be of cast metal 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 Policies EN2 and EN12.

Prior to the first use/occupation of the development hereby approved the off-street parking/turning area as shown on the approved plans (dwg. no. 158/P03 rev. B) shall be completed and available for use. The parking/turning area shall be retained for this purpose for the lifetime of the development.

**Reason:** To ensure that adequate off-road parking is provided and vehicles can enter and leave in a forward gear in accordance with Policies INF4 and INF5 of the Cotswold District Local Plan.

Prior to the first use/occupation of the development hereby approved the front (southern) boundary wall as shown on the approved plans (dwg. no. 158/P03 rev. B) shall be completed.

**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 and EN12.

Prior to the construction of any external wall of the development hereby approved, full details of the proposed PV slates to be used to the south elevation shall be submitted to and 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 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.

**Informatives:**

Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, under separate cover. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate. There are further details on this process on the Council's website at [www.cotswold.gov.uk/CIL](http://www.cotswold.gov.uk/CIL).

The outbuilding hereby approved shall only be occupied ancillary to the host dwelling known as Haydons Bank.

Revision A. 20 iv 2021. Site boundary amended as case officers request.  
Revision B. 6 vii 2021. Buckland House extensions shown as CO request.

# COTSWOLDS ARCHITECTS

CHIPPING CAMPDEN

architecture · interiors · landscape · historic buildings · conservation · repair

Project  
Mr & Mrs B Chatfield  
Haydens Bank  
Station Road  
Chipping Campden  
GL55 6HY

Drawing  
Location Plan


(Planning Application)

Drawing No.  
**158/P/LP Rev B**

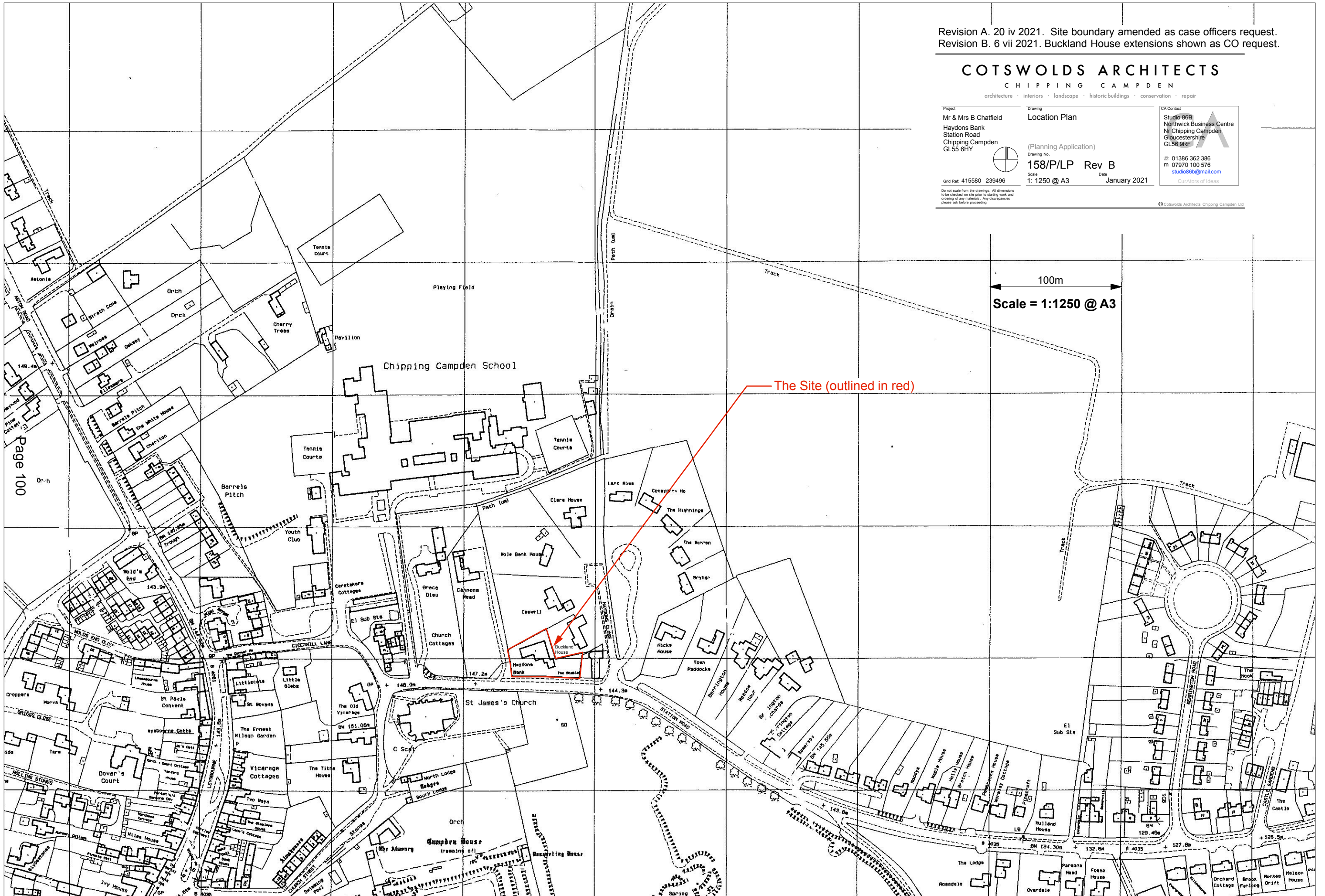
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Date  
January 2021

CA Contact  
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Northwick Business Centre  
Nr Chipping Campden  
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GL56 9RF  
01386 362 386  
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Grid Ref: 415580 239496  
  
Do not scale from the drawings. All dimensions to be checked on site prior to starting work and ordering of any materials. Any discrepancies please ask before proceeding.

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Revision A. 6 vii 2021. Buckland House indicated. Notes regarding hedges and trees added.

**COTSWOLDS ARCHITECTS**  
CHIPPING CAMPDEN

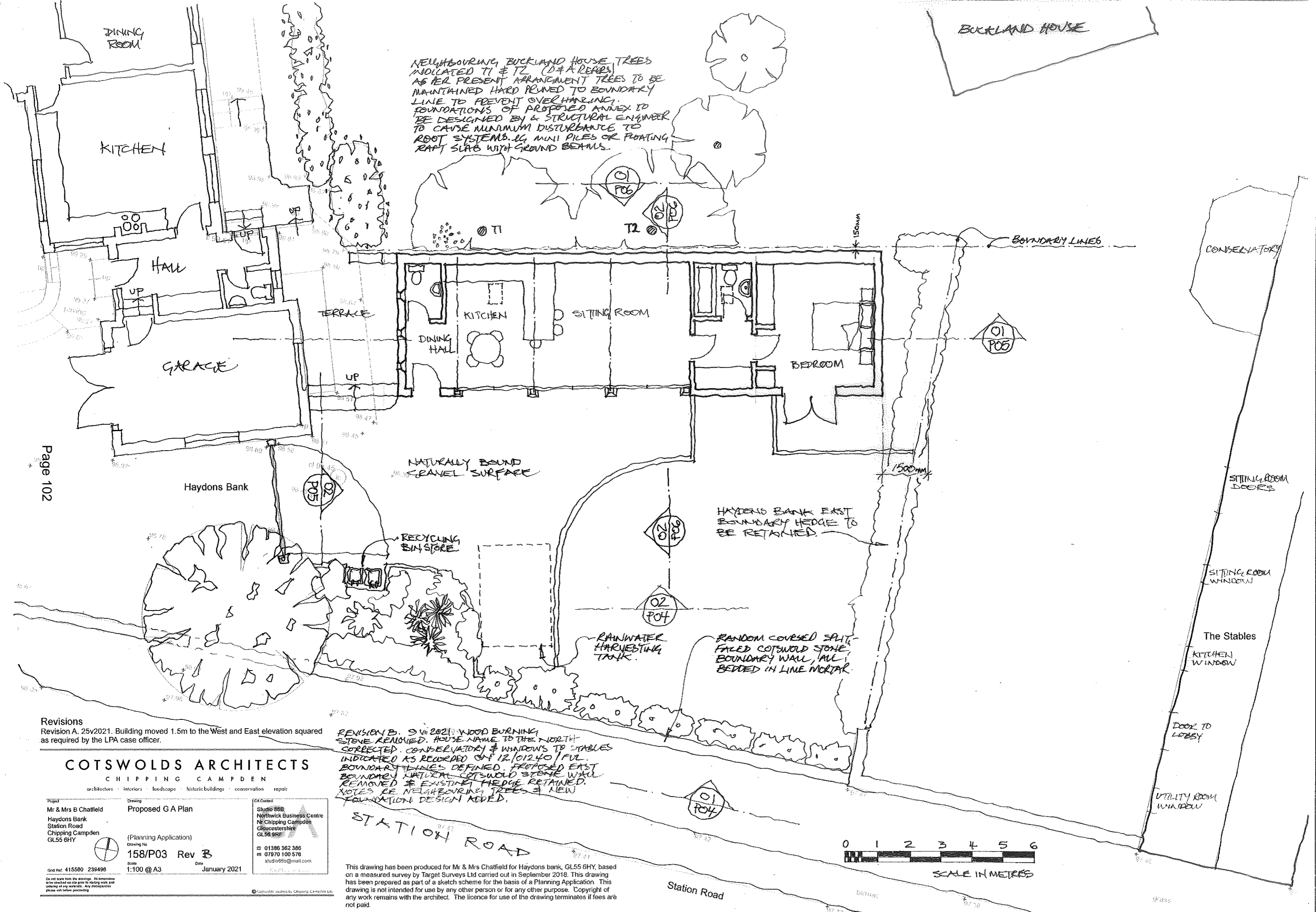
architecture · interiors · landscape · historic buildings · conservation · repair

<p>Project Mr &amp; Mrs B Chatfield Haydons Bank Station Road Chipping Campden GL55 6HY</p>	<p>Drawing Existing Site Survey Plan  (Sketch Scheme) Drawing No. <b>158/P02 Rev A</b> Scale 1:100 @ A3 Date January 2021</p>	<p>CA Contact Studio 86B Northwick Business Centre Nr Chipping Campden Gloucestershire GL55 9RF  01386 362 386 m 07970 100 576 studio86b@mail.com CurATORS of Ideas</p>
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Grid Ref: 415580 239496  
Do not scale from the drawings. All dimensions to be checked on site prior to starting work and ordering of any materials. Any discrepancies please ask before proceeding.  
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NEIGHBOURING BUCKLAND HOUSE TREES INDICATED T1 & T2 (D&A RECORDS) AS PER PRESENT ARRANGEMENT TREES TO BE MAINTAINED HARD PRUNED TO BOUNDARY LINE TO PREVENT OVERHANGING. FOUNDATIONS OF PROPOSED ANNEX TO BE DESIGNED BY A STRUCTURAL ENGINEER TO CAUSE MINIMUM DISTURBANCE TO ROOT SYSTEMS. EG MINI PILES OR FLOATING RAFT SLAB WITH GROUND BEAMS.

Revisions  
 Revision A. 25/11/2021. Building moved 1.5m to the West and East elevation squared as required by the LPA case officer.

REVISION B. 9/1/2021. WOOD BURNING STONE REMOVED. HOUSE NAME TO THE NORTH CORRECTED. CONSERVATORY & WINDOWS TO STABLES INDICATED AS REQUIRED ON 12/10/2020 / PUL. BOUNDARY LINES DEFINED. PROPOSED EAST BOUNDARY NATURAL COTSWOLD STONE WALL REMOVED & EXISTING HEDGE RETAINED. NOTES RE NEIGHBOURING TREES & NEW FOUNDATION DESIGN ADDED.

**COTSWOLDS ARCHITECTS**  
 CHIPPING CAMPDEN

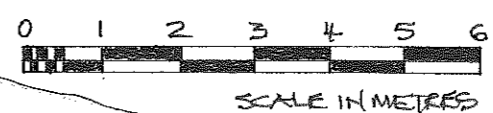
Project: Mr & Mrs B Chatfield  
 Haydens Bank  
 Station Road  
 Chipping Campden  
 GL55 6HY

Drawing: Proposed GA Plan

CA Contact:  
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 01386 362 386  
 07970 100 578  
 studio88b@gmail.com

(Planning Application)  
 Drawing No: 158/P03 Rev B  
 Scale: 1:100 @ A3  
 Date: January 2021

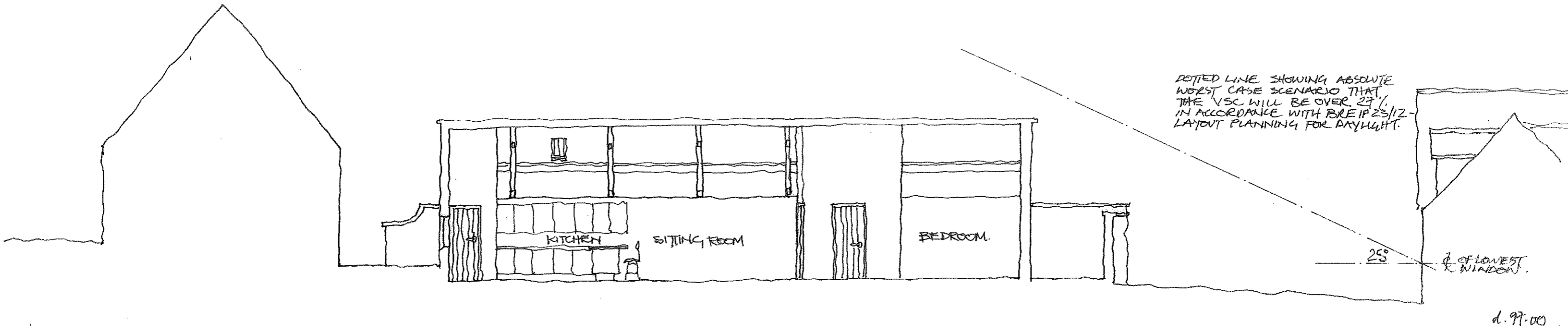
Page 102



Do not scale from the drawings. All dimensions to be checked on site prior to starting work and unless otherwise stated. Any discrepancies please ask before proceeding.

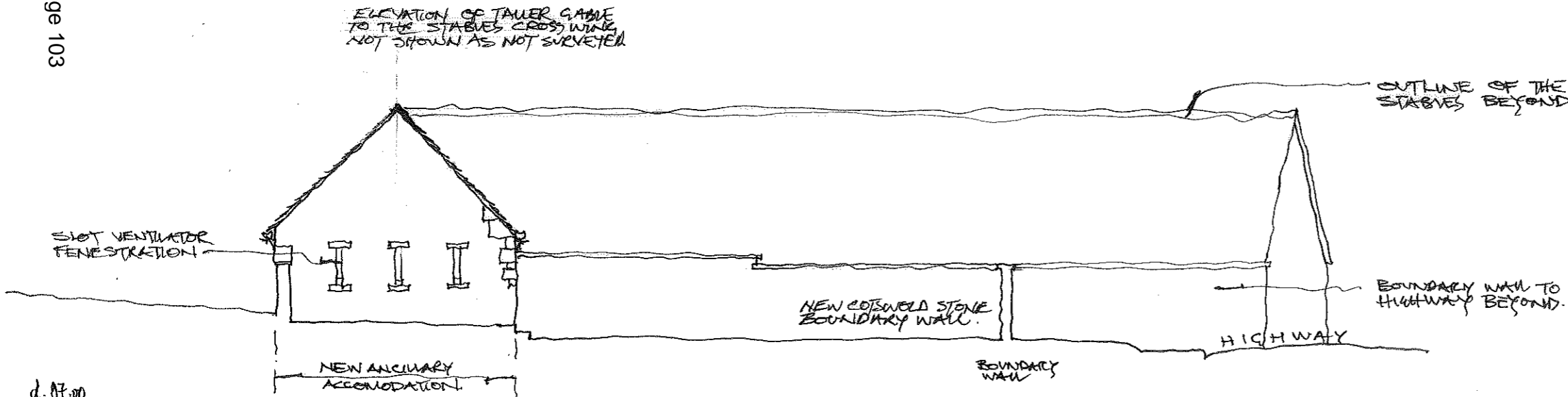
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01 LONG SECTION. (LOOKING NORTH)  
P05

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02 WEST ELEVATION (WITH STABLES BEYOND)  
P05

DOTTED LINE SHOWING ABSOLUTE WORST CASE SCENARIO THAT THE VSC WILL BE OVER 27% IN ACCORDANCE WITH BRE IP 23/12 - LAYOUT PLANNING FOR DAYLIGHT.

25° OF LOWEST WINDOW.

d. 07.00

ELEVATION OF TOWER GABLE TO THE STABLES CROSS WING NOT SHOWN AS NOT SURVEYED.

OUTLINE OF THE STABLES BEYOND.

SLOT VENTILATOR FENESTRATION

NEW COTSWOLD STONE BOUNDARY WALL.

BOUNDARY WALL TO HIGHWAY BEYOND.

NEW ANCILLARY ACCOMMODATION.

BOUNDARY WALL

HIGHWAY

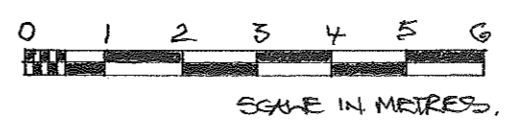
d. 07.00

REVISION B. 9/11/2021. LINE ADDED DEMONSTRATING THAT THE PROPOSALS DO NOT AFFECT DAYLIGHT TO THE STABLES IN ACCORDANCE WITH BRE IP 23/12 - LAYOUT PLANNING FOR DAYLIGHTING. WOOD BURNING STONE REMOVED.

Revisions  
Revision A. 25/11/2021. Building moved 1.5m to the West, East elevation squared, ridge lowered and hipped gable removed as required by the LPA case officer.

**COTSWOLDS ARCHITECTS**  
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Project Mr & Mrs B Chatfield Haydens Bank Station Road Chipping Campden GL55 6HY	Drawing Proposed Long Section (looking north) & West Elevation  (Planning Application) Drawing No. <b>158/P05</b> Rev <b>B</b> Scale 1:100 @ A3 Date January 2021	CA Contact Studio 866 Northwick Business Centre Nr Chipping Campden Gloucestershire GL55 6RF  01386 362 386 m 07970 100 576 studio866@mail.com
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