

# Public Document Pack



**COTSWOLD**  
DISTRICT COUNCIL

Tuesday, 1 February 2022

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## **PLANNING AND LICENSING COMMITTEE**

A meeting of the Planning and Licensing Committee will be held in the Council Chamber at Trinity Road, Cirencester on **Wednesday, 9 February 2022 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 (Pages 5 - 10)**  
To confirm the minutes of the meeting of the Committee held on 12 January 2022.
5. **Chair's Announcements (if any)**
6. **Schedule of Applications (Pages 11 - 48)**  
To consider and determine the applications contained within the enclosed schedule:

Application No	Description	Ward Councillor(s)	Case Officer / Page No:
21/02440/FUL	Two storey side extension, alterations to front porch, replacement windows and associated works at Comberow Cottage Church Road Icomb Glos GL54 1JL	Councillor David Cunningham	Amy Hill / Page 13
21/00139/FUL	Retrospective permission for garden room at The Dower House High Street Bourton-On-The-Water Cheltenham Glos GL54 2AP	Councillor Nick Maunder	Amy Hill / Page 29
21/00143/FUL	Extensions to existing garage block at The Dower	Councillor Nick Maunder	Amy Hill / Page 39

	House High Street Bourton-On-The- Water Cheltenham Glos GL54 2AP		
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7. **Sites Inspection Briefing**

Members for Wednesday 2 March 2022 (if required):

Councillors Ray Brassington, Andrew Maclean, Juliet Layton, Steve Trotter and Dilys Neill.

8. **Licensing Sub-Committees**

Members for Wednesday 23 February 2022 (if required):

Councillors Julia Judd, Patrick Coleman, Andrew Maclean, Sue Jepson and Juliet Layton.

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Planning and Licensing Committee  
12/January2022



COTSWOLD  
DISTRICT COUNCIL

## Minutes of a meeting of the Planning and Licensing Committee held on Wednesday, 12 January 2022.

### Councillors present:

Ray Brassington - Chair  
Patrick Coleman  
Mark Harris  
Stephen Hirst

Julia Judd - Vice Chair  
Sue Jepson  
Juliet Layton  
Andrew Maclean

Gary Selwyn  
Steve Trotter  
Clive Webster

### Officers present:

Susan Gargett, Interim Head of Legal Services  
Caleb Harris, Strategic Support Officer  
Amy Hill, Planning Case Officer  
Hannah Rose, Senior Case Officer  
Ben Patel-Sadler, Senior Democratic Services  
Officer  
Deborah Smith, Development & Planning  
Enforcement Manager

### Observers:

Councillors Lisa Spivey and David Cunningham (Ward Members)

### **62 Apologies**

Apologies for absence had been received from Councillor Dilys Neill.

### **63 Substitute Members**

Councillor Mark Harris was substituting for Councillor Dilys Neill.

### **64 Declarations of Interest**

There were no declarations of interest from Members or Officers.

### **65 Minutes**

The Minutes of the meeting held on the 8 December 2021 were agreed as a true, accurate record.

**Record of Voting – for: 11, against: 0, abstention: 0, absent: 1.**

**66 Chair's Announcements (if any)**

There were no announcements made by the Chair.

**67 Schedule of Applications**

**21/00949/FUL**

**Dukes Field, Land To The South Of The Pheasantry, Oak Road, Down Ampney, Gloucestershire**

The Senior Case Officer, Hannah Rose, introduced the application:

Erection of 10 dwellings with associated access drives and drainage at Dukes Field, Land To The South Of The Pheasantry, Oak Road, Down Ampney, Glos..

The Committee further noted the location relating to the application, the current view of the site and the proposed style of the new buildings.

The Committee noted that solar panels would be installed on the south and west facing elevations.

The Committee further noted the proposed parking arrangements associated with the development and the additions to the existing footways which would be completed if the application was approved.

The following people addressed the Committee:

Councillor Ray Jenkins (Parish Council)

Gareth Cope (Objector)

Mike Glen (Applicant)

Councillor Lisa Spivey (Ward Member)

The Committee noted that if the number of houses associated with the application were reduced, the affordable homes would not be constructed as part of the development.

In relation to flooding and drainage, the Committee noted that the local flood authority had confirmed that the proposed development would meet statutory drainage requirements (filtration rates).

A number of Members referred to the density of development proposed, as the Ward Member and public speakers had referenced this in their comments. The Case Officer had not calculated the density of development but reiterated that the form of development was considered to be acceptable for the site and the locality.

The Development & Planning Enforcement Manager advised the Committee not to focus on the density percentage, but rather, consider whether or not the layout, form and scale of development was acceptable for the site, in terms of its visual impact.

The Committee noted the location of the bungalow on the proposed development.

The Committee noted that the local flood authority and Thames Water had raised no objections in relation to the drainage related to the proposed development.

Members noted that Officers would periodically check with Thames Water to determine what modifications were due to be made to the existing network when new housing developments were constructed.

The Committee noted that Gloucestershire County Council had not raised any objections in relation to this application from a drainage perspective..

The Committee noted the importance of applicants/developers incorporating carbon reduction measures as part of any future developments rather than attempting to retrofit buildings in the future (the installation of air source heat pumps rather than gas fired boilers for example).

The Committee further noted that in relation to garages, it was at the discretion of the applicant to outline the inclusion of these (or not) as part of the application process.

The Committee noted that it was the responsibility of the applicant to work with the Highways Authority to confirm who would be legally responsible for the future maintenance of any new footways as part of new housing developments.

The Committee noted that for future meetings where Member questions may need to be provided with specialist advice from external subject experts, Officers would undertake a judgement (based on the nature of applications) to invite subject experts to attend where possible.

It was the view of some Members of the Committee that the application included ample car parking.

The Committee acknowledged the importance of ensuring that any required, new housing developments were delivered whilst being cognisant of the need to complement existing buildings and landscapes.

Councillor Coleman proposed that the application be refused for the reason that, by virtue of the scale, form and layout of the development proposed, the proposals did not reflect the local context and were therefore visually harmful on this edge of settlement site. There would be an expectation for a transition of built form to the open countryside and beyond. The proposed development was therefore contrary to local plan policy.

This was seconded by Councillor Juliet Layton.

**Record of Voting - for: 7, against: 4, abstention: 0, absent: 1.**

The application was refused.

**21/02440/FUL**

**Comberow Cottage, Church Road, Icomb, Cheltenham, Gloucestershire, GL54 1JL**

The Planning Case Officer, Amy Hill, introduced the application:

Two-storey side extension, alterations to front porch, replacement windows and associated works at Comberow Cottage, Church Road, Icomb, Gloucestershire, GL54 1JL.

The Committee noted the additional update paper which provided comments from the occupier of the neighbouring property.

The Planning Case Officer introduced the site, including the location of the property in relation to the neighbouring buildings, the current view of the site and drawings of the proposed works. These drawings included the existing and proposed block plans and the existing and proposed elevations relating to the application.

The following people addressed the Committee:

Richard Papp (Objector)

Victoria Campbell (Applicant)

Councillor David Cunningham (Ward Member)

The Committee noted that the main difference with the current application and one application made in 2006 which was permitted in relation to the same property was that the 2006 application did not have the dormer window to the front of the property, with the footprints of both applications being slightly different.

The Committee noted that in relation to the proposed application, there were no additional windows included which would be directly looking over the courtyard area of the neighbouring property.

The Committee noted that a proposed condition of the application was that the outer wall was required to be constructed of natural stone. Building Regulations in relation to wall insulation would need to be met.

The Committee noted that they could not condition opaque glass on windows not requiring planning permission. The Committee further noted that the roof lights shown on the drawings did not require planning permission.

The Committee requested and were shown the available photographs of the neighbouring property (Lawn Cottage).

The Committee noted that both properties were originally constructed in the late 1800s.

Planning and Licensing Committee  
12/January2022

In relation to the proposed roofline, the Committee noted that the proposed extension would sit slightly lower than the existing building so it would remain clear which section of the building was original and which part had been added at a later date. This would have been a requirement sought by Officers as part of the application process.

The Committee noted that a sunlight assessment had been conducted which resulted in the proposed development being considered acceptable in this regard (this included sunlight entering through windows and sunlight on amenity space).

Councillor Patrick Coleman proposed that a Panel site visit be undertaken due to the difficulty of judging 'overbearing' without physically attending the application site.

This was seconded by Councillor Sue Jepson.

**Record of Voting - for: 7, against: 3, abstention: 1, absent: 1.**

The application was deferred until after a Panel site visit inspection takes place on 2 February 2022.

#### **68 Sites Inspection Briefing**

The Committee noted that a Sites Inspection Briefing would take place on 2 February 2022.

#### **69 Licensing Sub-Committees**

The Committee noted the rota for attendance at the Licensing Sub-Committee on the 26 January 2022 (if the meeting was required).

The meeting commenced at 10:00am and closed at 11:50am

Chair

(END)

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## PLANNING AND LICENSING COMMITTEE 9th February 2022

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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 9th February 2022**  
**INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION**

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Parish	Application	Schedule No.
Icomb	Comberow Cottage Church Road Icomb Cheltenham 21/02440/FUL Full Application	01
Bourton On The Water	The Dower House High Street Bourton-On-The-Water CHELTENHAM 21/00139/FUL Full Application	02
Bourton On The Water	The Dower House High Street Bourton-On-The-Water CHELTENHAM 21/00143/FUL Full Application	03

**Item No 01:-**

**21/02440/FUL**

**Comberow Cottage  
Church Road  
Icomb  
Cheltenham  
Gloucestershire  
GL54 1JL**

## Item No 01:-

### Two storey side extension, alterations to front porch, replacement windows and associated works at Comberow Cottage Church Road Icomb Glos GL54 IJL

<b>Full Application 21/02440/FUL</b>	
Applicant:	Victoria Campbell
Agent:	Archway Design Services Ltd
Case Officer:	Amy Hill
Ward Member(s):	Councillor David Cunningham
Committee Date:	9th February 2022
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**UPDATE:** The application was deferred at the January Planning & Licensing Committee to allow for a Sites Inspection Briefing, to enable Members to consider the impact of the proposed extension on the amenity of the neighbouring property. Members are to provide comments regarding this at the Committee Meeting.

#### 1. Main Issues:

- (a) Design and Impact on Heritage Assets
- (b) Impact on Residential Amenity
- (c) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)

#### 2. Reasons for Referral:

2.1 In accordance with the Scheme of Delegation, the Ward Member, Cllr Cunningham, requested the application was referred to committee for the following reasons:

"My reasons for this are, the impact on residential amenity of the neighbouring dwelling, Lawn Cottage. The prospective extension will effectively form a 2-storey vertical wall on one side of the courtyard belonging to Lawn Cottage. This courtyard is the only private outside space belonging to Lawn Cottage and as such, the overbearing nature of the extension will create a much less open feel to the surroundings and impact directly the enjoyment afforded to the residents from this area."

#### 3. Site Description:

3.1 The application site comprises a detached dormer bungalow on the edge of the village of Icomb, within its conservation area. To the rear of the site is a grade II listed dwellinghouse, The Lawn, with another grade II listed building to the east, Park View House. The property overlooks the road, set back on the site by approximately 11m, to the rear is a walkway between the rear of the property and neighbour's boundary. To the west of the property is the driveway to The Lawn and Lawn Cottage. Lawn Cottage is located to the rear of the

property to the east, with the side of the property overlapping the rear of the site dwellinghouse. Lawn Cottage also has a courtyard to the side of their property, to the side of the application dwellinghouse.

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

#### **4. Planning Policies:**

TNPPF The National Planning Policy Framework

CDCLP CDC LOCAL PLAN 2011-2031

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

#### **5. Observations of Consultees:**

5.1 N/A

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

6.1 None received at time of writing

#### **7. Other Representations:**

7.1 Objections were received from the neighbours:

7.2 2 Objection received following initial scheme raised the following concerns:

- Extension out of character and scale with the cottage
- Rooflights and window out of keeping with cottage
- Impact on amenity of The Lawn and Lawn Cottage - loss of light, privacy and overbearing
- Harms Conservation Area and setting of Listed Buildings
- Use of inappropriate materials
- Lack of discussion with neighbours
- Material changes in policy and understanding since 2006 permission

7.3 2 Objection received following amended scheme raised the following concerns:

- Objection points above still a concern

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

Daylight and Sunlight Assessment

Planning Statement

## **9. Relevant Planning History:**

CD.1205/C: Renovation of derelict cottage. Permitted August 1967

CD.1205/J: First floor extension over existing ground floor room to extend first floor bedroom. Permitted January 2002

CD.1205/Q: 06/02653/FUL: 2 storey side extension, rebuild porch. Permitted 19.12.2006

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

10.1 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.

10.2 The application seeks consent for a one-and-a-half storey side extension, including a dormer window to the front. Alterations are also proposed to the porch, relocating the access to the front from the side.

10.3 Additionally, the plans indicate rooflights to the rear of the existing dwellinghouse and a window on the side elevation at ground floor level. Whilst these are included on the submitted plans, they fall within the allowances of permitted development and as such do not require express planning permission.

10.4 The proposed extension would have an overall height of approximately 6.9m with eaves of 2.6m. It would have a width and depth of approximately 2.7m and 7.7m respectively. It would be constructed of natural stone to match the existing. To the front the roof would be stone tiles, to match the existing, and to the rear plain concrete tiles, to match those to the rear. The windows would be metal framed.

### **(a) Design and Impact on Heritage Assets**

10.5 The Local Planning Authority is statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

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

10.7 Local Plan Policy EN1 promotes the protection, conservation and enhancement of the built, historic and natural environment in new development. Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality. Local Plan Policy EN4 states that development should take into account historic landscape character and local distinctiveness, and would be

expected to enhance, restore or better manage significant historic landscape features, including key views, the setting of settlements, settlement pattern, and heritage assets.

10.8 Local Plan Policy EN10 requires consideration of proposals that affect a designated heritage asset and/or its setting with a greater weight given to more important assets. It supports proposals that sustain and enhance the character, appearance and significance of designated heritage assets and their setting, which put them in viable uses, consistent with their conservation. Where harm would be caused, it would not be supported unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Local Plan Policy EN11 seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials and the retention of positive features. This should include avoiding the loss of open spaces which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of conservation areas.

10.9 NPPF Section 12 (Achieving well-designed places) requires good design, providing sustainable development and creating better places to live and work. Paragraph 130 states that decisions should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which are sympathetic to local character and history maintaining a strong sense of place.

10.10 Section 16 (Conserving and enhancing the historic environment) seeks to protect the historic environment. Specifically Paragraph 197 requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 199 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (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. Within Conservation Areas Paragraph 206 states proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

10.11 The dwellinghouse is a modest dormer bungalow the footprint of which appears on the 1st edition OS maps, which was renovated and extended with a single-storey side extension. The scheme has been amended during the course of the application to create a step back from the front elevation, to show the evolution of the building. A dormer window has been included in the front elevation, which would be of a similar size and style to the existing dormer windows. The materials of the extension would match those of the existing dwellinghouse. The extension is considered to be subservient to and in keeping with the existing dwellinghouse. The resulting appearance of the cottage would remain as a modest cottage. As an addition to the side it would not obscure the main elevation of the dwellinghouse, and would not diminish the quality or integrity of the building.

10.12 Whilst it would be closer to Lawn Cottage, views of this from the road are already limited, and the impact on the proposal on views of it are considered limited, and not harmful. The form and design of the proposed extension is considered not to harm the character or appearance of the host dwellinghouse. The alterations to the porch would retain the existing form, with the change of design having a minimal impact on the overall appearance of the site.

10.13 As a result the proposals are considered not to erode the contribution the site makes to the Icomb Conservation Area, and consequently does not harm the character and appearance of the conservation area. The site is in proximity to nearby listed buildings, but for the same reasons as the above, the setting of these is considered not to be harmed by the addition of the extension.

10.14 The alterations to the porch would retain the existing form, with the change of design having a minimal impact on the overall appearance of the site.

10.15 The proposal is therefore considered to comply with the design and heritage considerations of the Local Plan Policies EN2, EN10 and EN11, and Sections 12 and 16 of the NPPF.

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

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

10.17 Objections have been received in relation to the window on the west elevation and rooflights to the rear of the dwellinghouse shown on the submitted plans; however, these would fall within the allowances of permitted development.

10.18 The porch is sufficient distance from the neighbours that it would not have an impact on the amenity of the neighbour with regard to loss of light, loss of privacy and overbearing impact.

10.19 The side extension is the main concern as it would be constructed up to the boundary with Lawn Cottage. The agent has submitted information which has established that the level of loss of light to Lawn Cottage would accord with the Building Research Establishment publication IP 23/12 - Site Layout Planning for Daylight guidance, referred to within the Cotswold Design Code. As such, whilst concerns were raised over this by the neighbours, it is considered that the impact on loss of light is acceptable with regard to both the garden area and windows serving the property.

10.20 The extension would have a door to the rear, but at ground floor level (alongside existing windows), and to the front only. As such, the impact with regard to loss of privacy is considered not to be harmed.

10.21 With regard to overbearing, Lawn Cottage has a modest area of private garden to the side of the property. Whilst it has further garden area to the front, as the drive to The Lawn runs along this it is not private. The area to the side is characterised by the existing enclosure of it, with wall on the boundary with Comberow Cottage and walls with hedging on the other

two sides. As a result the character and feeling this area gives is as a courtyard. Given this, the essential increase in the height of the wall with Comberow Cottage, whilst furthering this feeling, is considered not to materially change this. As such, the impact on the amenity of the occupiers of Lawn Cottage is considered not to be materially harmed.

10.22 The proposal is therefore considered to comply with the residential amenity considerations of Local Plan Policies EN2, EN10 and EN11, and NPPF Sections 12 and 16 of the NPPF.

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

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

10.24 Local Plan Policy EN4 supports development where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. Local Plan Policy EN5 relates specifically to the Cotswolds AONB, and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight. These policies accord with the requirements of NPPF Section 15, which seeks to conserve and enhance the natural environment.

10.25 The proposed development is contained within the residential curtilage of the site and relates closely to the existing built form on the site. The site is on the outskirts of the village, but is within a built up section. It would not encroach into open countryside and is considered not to harm the character or appearance of the Cotswolds AONB. As such the proposal is considered to accord with Local Plan Policies EN4 and EN5, and Section 15 of the NPPF.

## **11. Conclusion:**

11.1 The proposal is considered to comply with the above Local Plan Policies and material considerations of the NPPF. As such, it is recommended for permission.

11.2 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.

## **12. Proposed conditions:**

1. 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.

2. The development hereby approved shall be carried out in accordance with the following drawing number(s):

777C/PL/001 RA; 777C/PL/002 RA; 777C/PL/003 RA; 777C/PL/004 RA; and 777C/PL/006 RA

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

3. The walls of the extension shall be constructed of natural stone, and shall be of the same stone type, colour and sizes as the existing stonework and it shall be laid using a mortar which is slightly weaker than the stone and which contains well graded sharp sand, stone dust and lime and shall be permanently retained as such thereafter. In addition, the pointing shall have a marginally recessed finish and shall be brushed or bagged and shall match the existing.

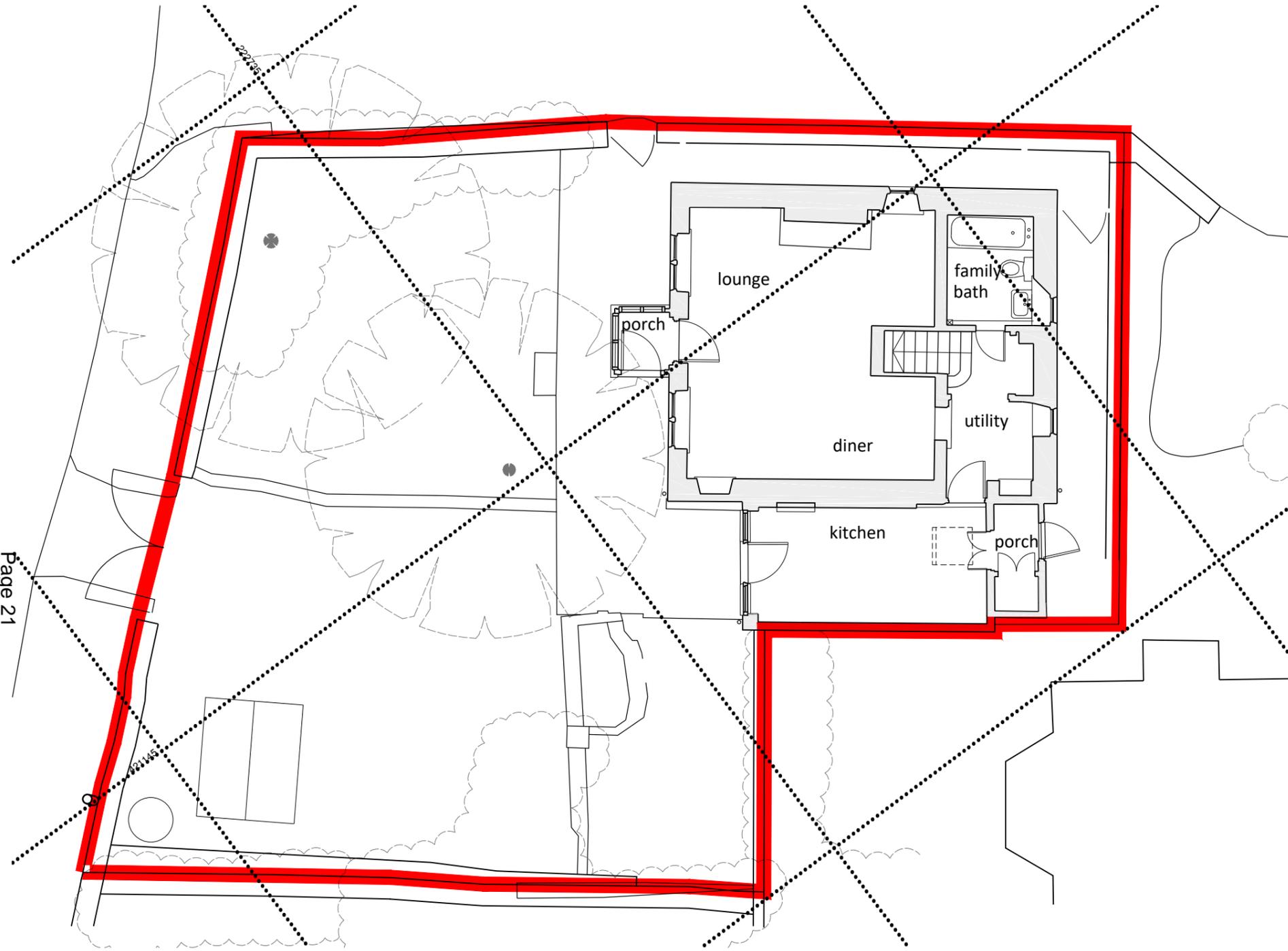
**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2, EN10 and EN11.

4. The front roof slopes of the development hereby permitted shall be covered with natural stone tiles to match those on the front elevation of the existing dwellinghouse and shall be permanently retained as such thereafter. The rear roof slopes of the development hereby permitted shall be covered with plain concrete tiles to match those on the rear elevation of the existing dwellinghouse and shall be permanently retained as such thereafter.

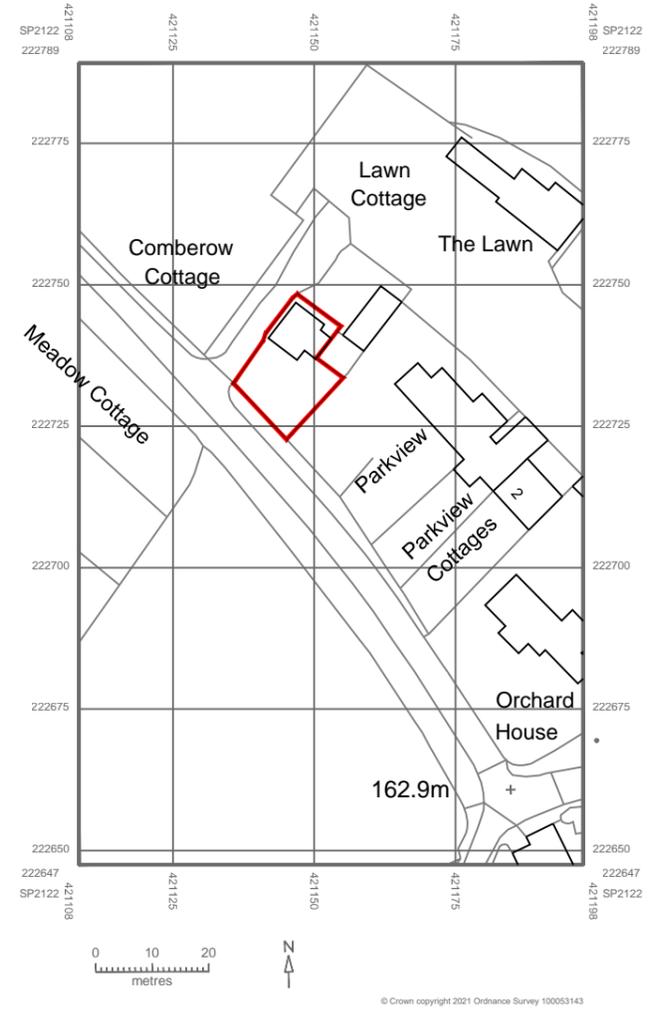
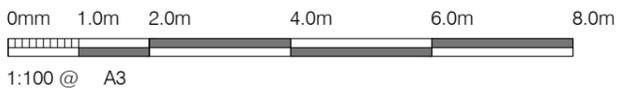
**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policies EN2, EN10 and EN11 the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

**Informative:**

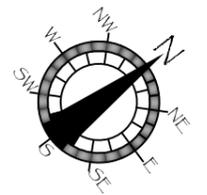
1. Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.



**P1** Block Plan/Ground Floor  
Existing  
1:100 @ A3



**P2** Location Plan  
Existing  
1:1250 @ A3



Notes

Project: 2 Storey Side Extension  
 Site: Comberow Cottage, Church Road, Icomb, Cheltenham GL54 1JL  
 Client: Victoria Campbell

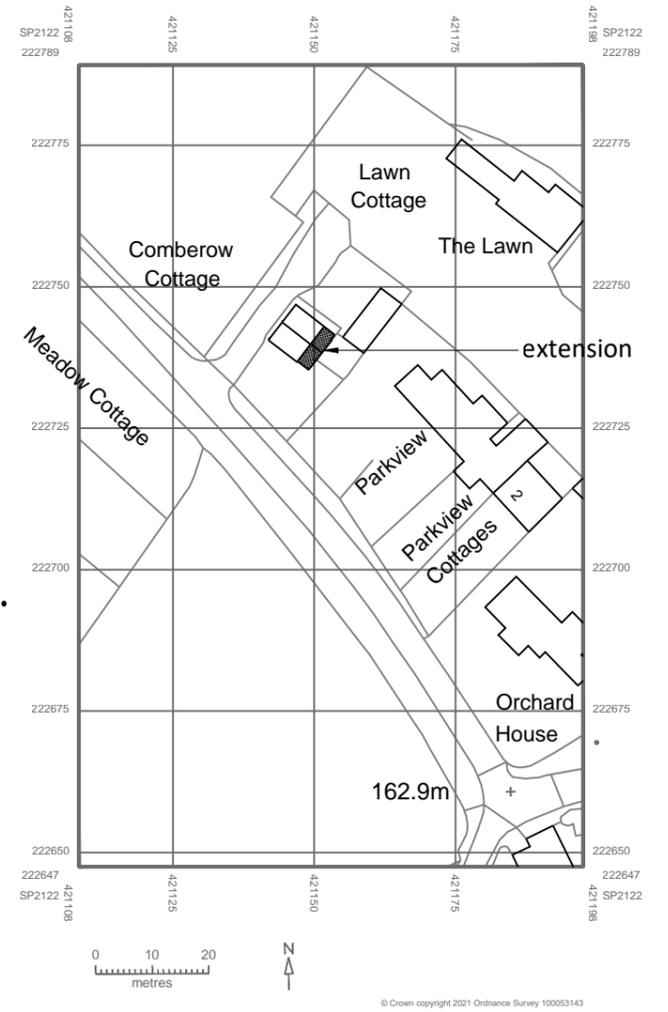
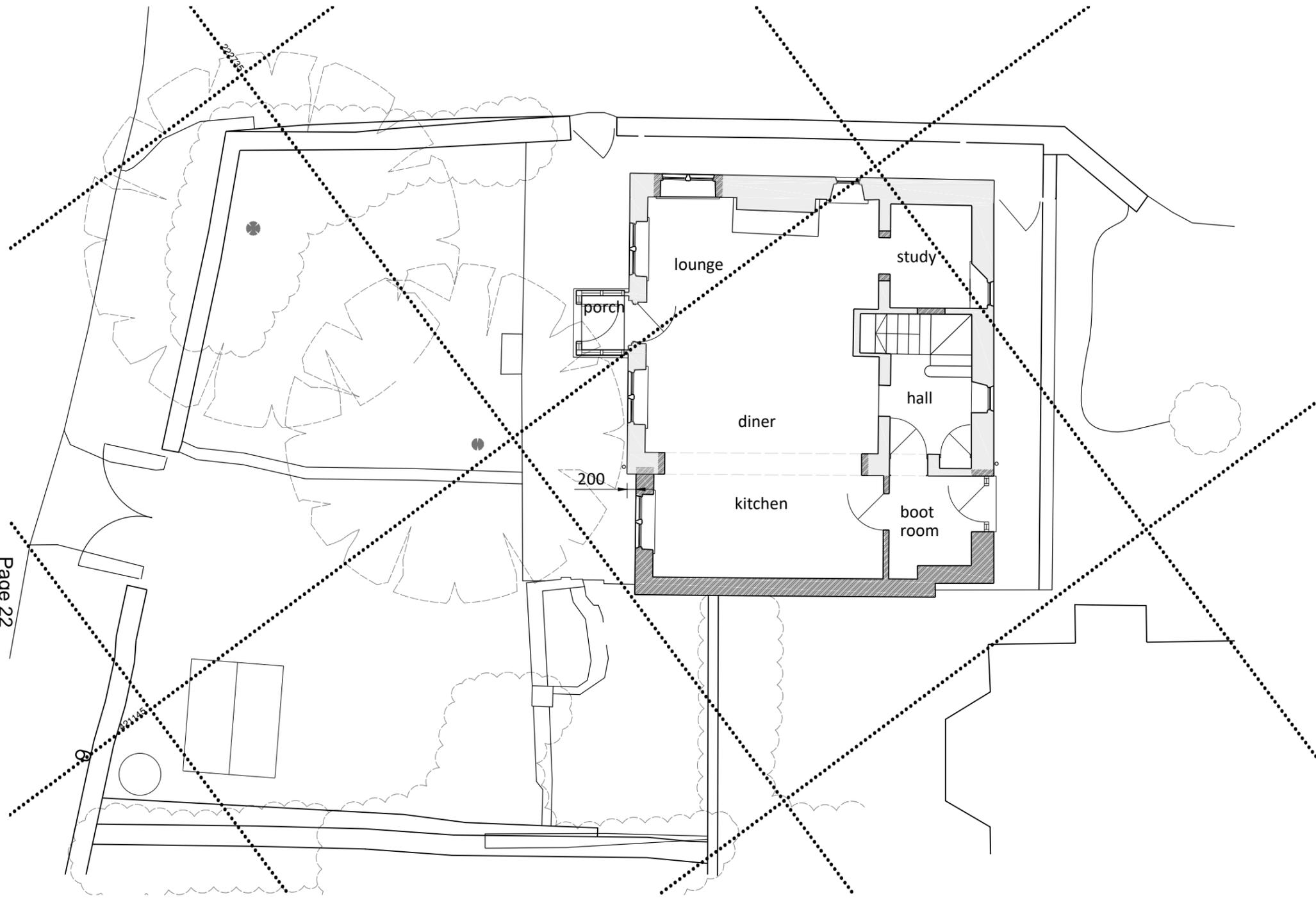
**Archway Design Services Limited**  
 51 Tothill Street Minster Nr Ramsgate CT12 4AJ  
 Phone: -07962234372  
 Email: Archwaydesigns@gmail.com

Architecture, Planning & Construction Design

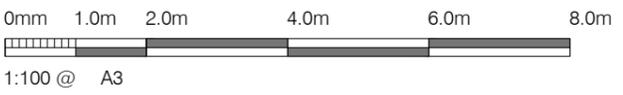
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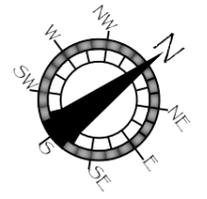
Date: June 2021  
 Scale: As Shown @ A3  
 Dwg No: 777C/EX/001



**P1** Block Plan/Ground Floor  
 Proposed  
 1:100 @ A3



**P2** Location Plan  
 Proposed  
 1:1250 @ A3



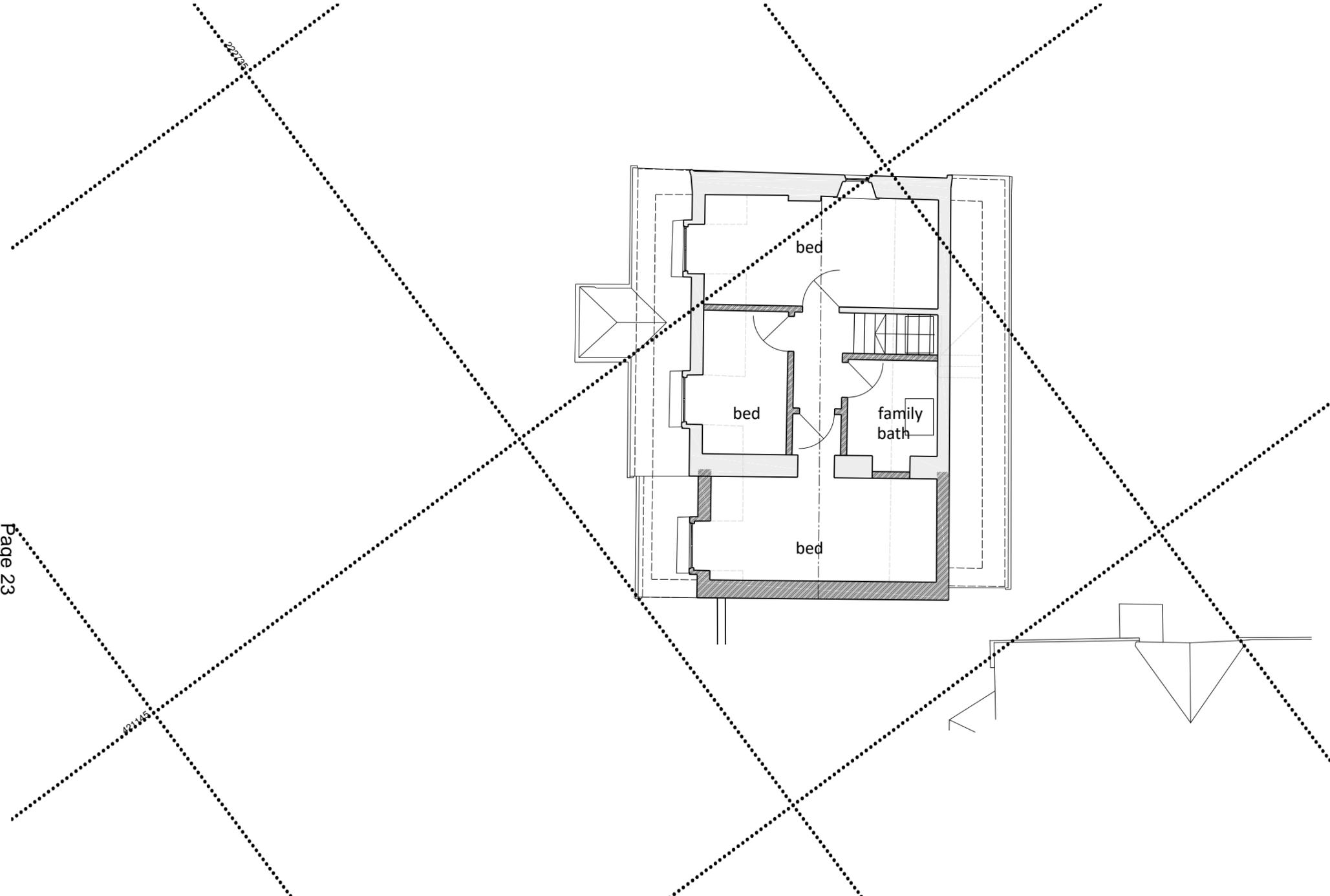
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 Project: 2 Storey Side Extension  
 Site: Comberow Cottage, Church Road, Icomb, Cheltenham GL54 1JL  
 Client: Victoria Campbell

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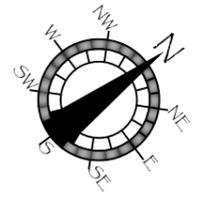
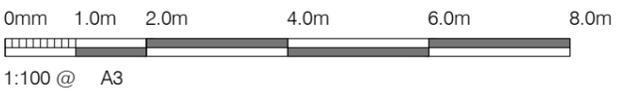
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**A** Front of extension stepped back with lower ridge line. 5.10.21  
 Rev Details Date  
 Date: June 2021  
 Scale: As Shown @ A3  
 Dwg No: 777C/PL/001 rA



P1 First Floor  
Proposed  
1:100 @ A3



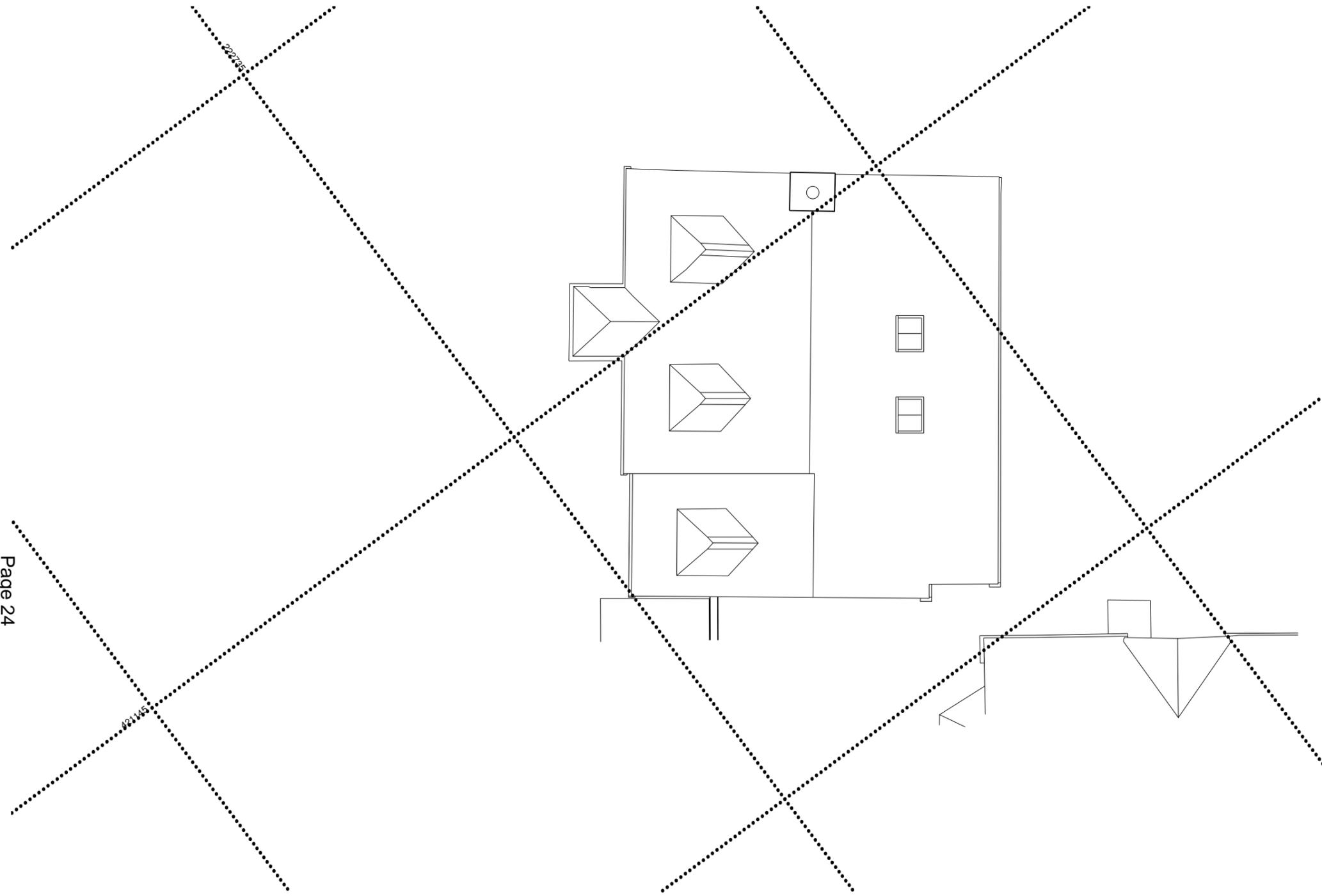
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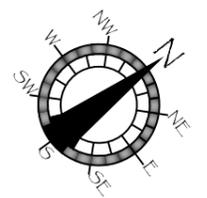
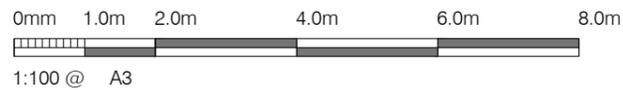
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 Dwg No: 777C/PL/002 rA



P1 Roof Floor  
Proposed  
1:100 @ A3



A	Front of extension stepped back with lower ridge line.	5.10.21
Rev	Details	Date
Date: June 2021		
Scale: As Shown @ A3		
Dwg No: 777C/PL/003 rA		

Notes

Project: 2 Storey Side Extension  
Site: Comberow Cottage, Church Road, Icomb, Cheltenham GL54 1JL  
Client: Victoria Campbell

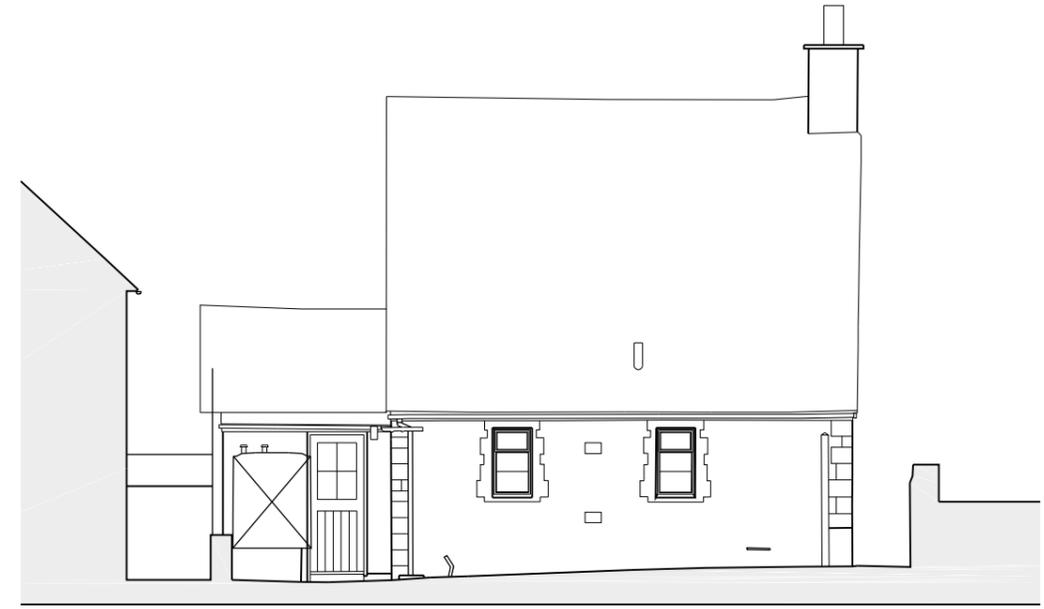
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**E2** Side Elevation  
Existing  
1:100 @ A3



**E3** Rear Elevation  
Existing  
1:100 @ A3

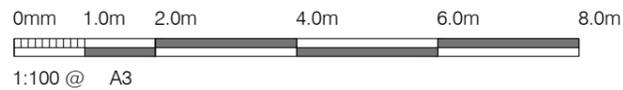
Page 25



**E1** Front Elevation  
Existing  
1:100 @ A3



**E4** Side Elevation  
Existing  
1:100 @ A3



Notes

Project: 2 Storey Side Extension  
Site: Comberow Cottage, Church Road, Icomb, Cheltenham GL54 1JL  
Client: Victoria Campbell

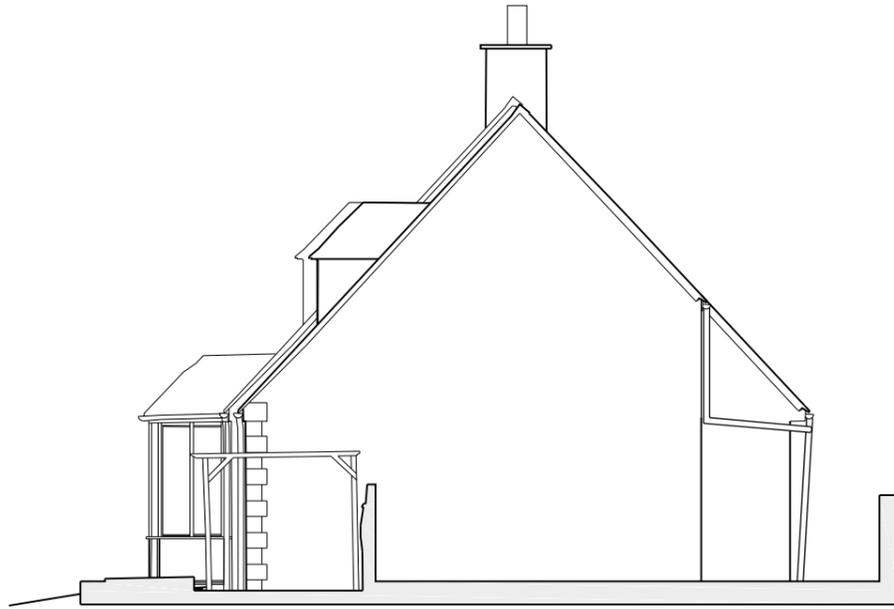
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Date: June 2021  
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Dwg No: 777C/EX/004



**E2** Side Elevation  
Proposed  
1:100 @ A3



**E3** Rear Elevation  
Proposed  
1:100 @ A3

Page 26

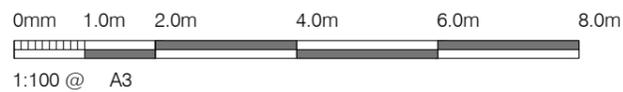


**E1** Front Elevation  
Proposed  
1:100 @ A3



**E4** Side Elevation  
Proposed  
1:100 @ A3

new window  
and surround to  
match existing



Notes

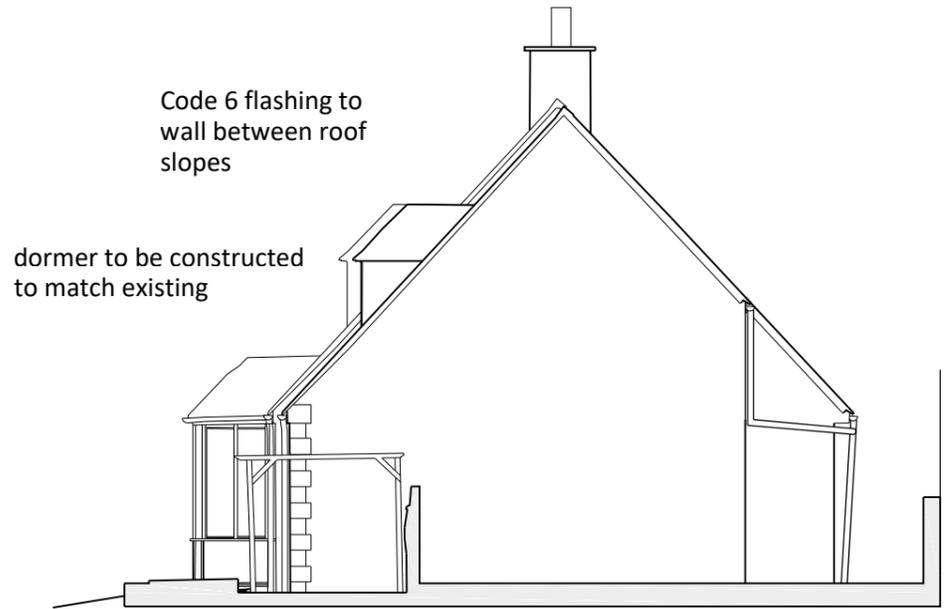
Project: 2 Storey Side Extension  
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Client: Victoria Campbell

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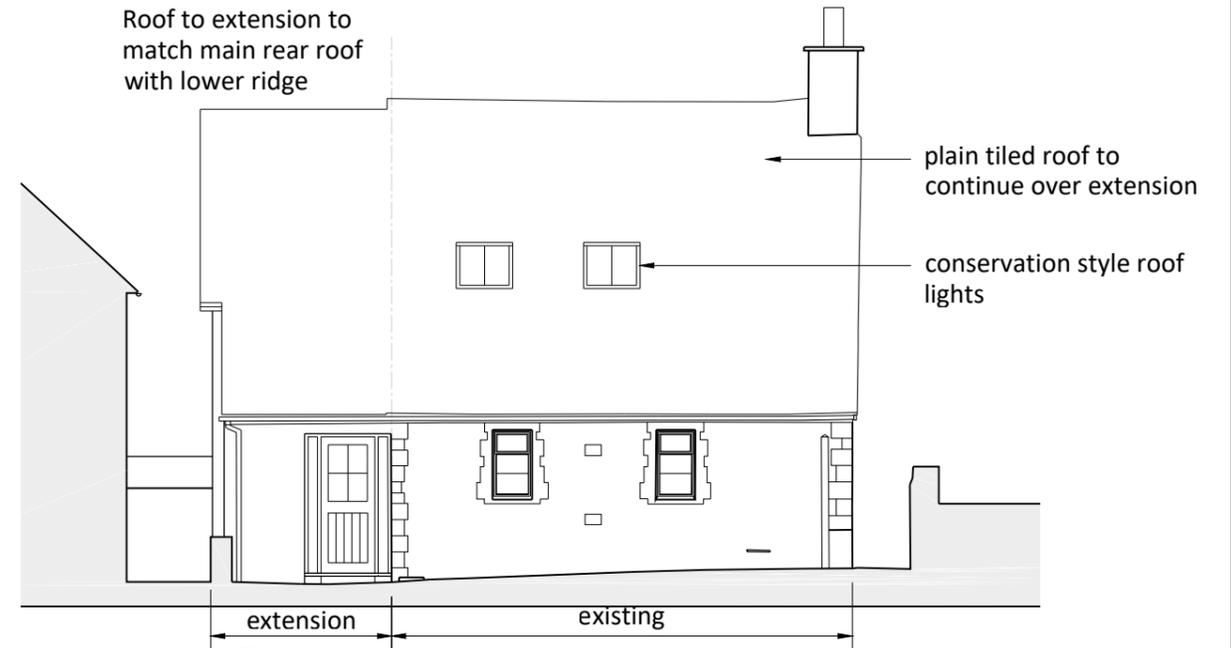
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Rev Details Date  
Date: June 2021  
Scale: As Shown @ A3  
Dwg No: 777C/PL/004 rA



Materials Designation

**E2** Side Elevation  
Proposed  
1:100 @ A3

Gable wall to be in materials to match existing.



**E3** Rear Elevation  
Proposed  
1:100 @ A3

Page 27

Natural stone roof

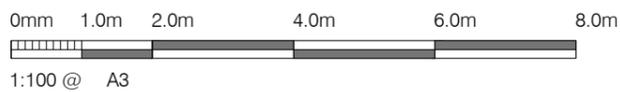


**E1** Front Elevation  
Proposed  
1:100 @ A3

ground floor window to be set in stone surround as per existing



**E4** Side Elevation  
Proposed  
1:100 @ A3



Notes

Project: 2 Storey Side Extension  
Site: Comberow Cottage, Church Road, Icomb, Cheltenham GL54 1JL  
Client: Victoria Campbell

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Architecture, Planning & Construction Design

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<b>A</b>	Front of extension stepped back with lower ridge line.	5.10.21
Rev	Details	Date
Date:	June 2021	
Scale:	As Shown @ A3	
Dwg No:	777C/PL/006 rA	

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**Item No 02:-**

**21/00139/FUL**

**The Dower House  
High Street  
Bourton-On-The-Water  
Cheltenham  
Gloucestershire  
GL54 2AP**

## Item No 02:-

### Retrospective permission for garden room at The Dower House High Street Bourton-On-The-Water Cheltenham Glos GL54 2AP

Full Application 21/00139/FUL	
Applicant:	Mr O'Leary
Agent:	Towers Associates
Case Officer:	Amy Hill
Ward Member(s):	Councillor Nick Maunder
Committee Date:	9th February 2022
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

#### 1. Main Issues:

- (a) Design and Impact on Heritage Assets
- (b) Impact on the Residential Amenity
- (c) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)
- (d) Flood issues

#### 2. Reasons for Referral:

2.1 In accordance with the Scheme of Delegation, the Ward Member, Cllr Maunder, requested the application was referred to committee due to the cumulative development that has taken place on this site which he considered is excessive and the impact on the conservation area and nearby listed buildings.

#### 3. Site Description:

3.1 Dower House is a large detached property built circa 1960s, set back from the highway and surrounded by mature trees. It is situated within a generous garden, approximately 0.5 hectares in size. To the rear of the property the site is bounded by the River Windrush. To the front tall metal entrance gates separate a large parking area from the shared access drive.

3.2 One of the other three properties located along the River Windrush, accessed via the shared drive, is a grade II listed semi-detached property Manor House. The site is located within the historic gardens of Manor House; however the site was constructed after 1948 and before the Manor House was listed in 1983. As such the site is considered to be separate to Manor House.

3.3 The site is within Bourton-on-the-Water Conservation Area, within the Cotswolds Area of Outstanding Natural Beauty (AONB) and within Flood Zone 2 and 3.

#### 4. Relevant Planning History:

CD.770/d - Erection of a detached house - Permitted June 1963

CD.770/d/a - Erection of a detached scheme (Revised scheme) - Permitted October 1963

CD.770/E - Double garage, store and W.C - Permitted January 1965

02/00416/CLEUD - Self-contained holiday let - Granted May 2002

15/01629/FUL - Proposed two storey front extensions and first floor rear extensions. Refused August 2015.

15/04727/FUL - Alterations to the dwelling including two-storey front and rear extensions (revision to 15/01629/FUL). Permitted January 2016.

16/00784/FUL - Detached garage. Permitted May 2016.

16/03994/FUL - Amendment to 16/00784/FUL to include 3 x dormers to front of garage. Permitted November 2016.

18/02392/FUL - Erection of a detached structure in rear garden. Permitted September 2018.

18/04763/FUL - Erection of a detached structure in rear garden. Permitted September 2019.

21/00143/FUL - Extensions to existing garage block. Pending consideration.

## **5. Planning Policies:**

TNPPF The National Planning Policy Framework

CDCLP CDC LOCAL PLAN 2011-2031

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

EN10 HE: Designated Heritage Assets

EN11 HE: DHA - Conservation Areas

EN14 Managing Flood Risk

EN15 Pollution & Contaminated Land

## **6. Observations of Consultees:**

6.1 Environment Agency: Advised of requirement for permit

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

7.1 The Parish Council express that this is yet another serial retrospective planning application. The Parish Council object to the design of the garden room and feel that this does not fit in with the Cotswold vernacular in a conservation area.

## **8. Other Representations:**

8.1 I Comment from the neighbour:

No objections as long as there are no further additions to this room either upwards or outwards, the structure does not become a property in its own right or house people, and that the laurel screening remains untouched.

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

Flood Risk Assessment

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

10.1 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.

10.2 The application seeks retrospective permission for a garden room. It has a footprint of approximately 7m by 8.2m, with ridge and eaves heights of approximately 4m and 2.5m respectively. It is constructed of Cotswold stone with a stone tile roof to match the dwellinghouse.

### **(a) Design and Impact on Heritage Assets**

10.3 The site is within Bourton-On-The-Water Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.4 The site is also near to listed buildings, as such the Local Planning Authority is statutorily required to have special regard to the desirability of preserving their setting in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.5 Local Plan Policy EN1 promotes the protection, conservation and enhancement of the built, historic and natural environment in new development. Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

10.6 Local Plan Policy EN10 requires consideration of proposals that affect a designated heritage asset and/or its setting with a greater weight given to more important assets. Local Plan Policy EN11 seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials and the retention of positive features.

10.7 This accord with the requirements of Sections 12 (Achieving well-designed places) and 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

10.8 The outbuilding is located to the rear of the site, although visible from the Public Right of Way from over the river. It is a stone single-storey construction, and whilst it has a chimney, reads as a modest scaled outbuilding in the context of the host dwellinghouse. The site is considered large enough to accommodate this (including cumulatively with other outbuildings) without appearing cramped or overdeveloped.

10.9 The proposal is therefore considered to accord with the design and heritage considerations of Local Plan Policies EN2, EN10 and EN11.

## **(b) Impact on the residential amenities of the neighbouring properties**

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

10.11 Owing to the scale, siting and position to relative neighbouring properties, the proposed development is considered not to impinge on the residential amenities of the neighbouring properties having regard to loss of light, loss of privacy or overbearing. The neighbour has raised concerns over the use as a separate unit; however, the proposal is for ancillary accommodation only. The proposed development is considered to accord with the residential amenity considerations of Cotswold District Local Plan Policy EN2 and Section 12 of the NPPF.

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

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

10.13 Local Plan Policy EN4 supports development where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. Local Plan Policy EN5 relates specifically to the Cotswolds AONB, and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight. These policies accord with the requirements of NPPF Section 15, which seeks to conserve and enhance the natural environment.

10.14 The proposed development is contained within the residential curtilage of the site within a built up sections of Bourton-on-the-Water. It relates closely to the existing built form on the site and nearby properties. It does not encroach into open countryside nor harm the character or appearance of the Cotswolds AONB. As such the proposal is considered to accord with Local Plan Policies EN4 and EN5, and Section 15 of the NPPF.

## **(d) Flood issues**

10.15 Local Plan Policy EN14 relates to managing flood risk and requires developments avoid areas at risk of flooding, in accordance with a risk-based sequential approach that takes account of all potential sources of flooding. Additionally, proposals should not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment as a result of flooding. As such a site specific flood risk assessment is required for all development in Flood Zones 2 and 3. Due to the scale of the development, it would fall within minor household development, as such the proposal does not need to satisfy the requirements of either the Sequential Test or Exceptions Test from a flood risk planning perspective. This is supported by Section 14 of the NPPF which addresses flooding.

10.16 A Flood Risk Assessment has been submitted with the application, and has assessed the potential implications for the building. Given the intended use as an ancillary outbuilding, were this to flood, the impact on the occupiers of the site would be limited. As such the safety risk to the users of the site is not considered to be increased by the proposal. The increase in footprint is relatively minimal given the scale of the wider plot and as such the impact on flooding elsewhere is

considered limited. As such the proposal is considered acceptable in regards to Local Plan Policy EN14.

10.17 It is noted that the Environment Agency have advised that a permit is required due to the proximity of the development to the water course. This is a separate matter to the planning application and an informative would be added to any decision to remind the applicants of the need for this.

## **11. Conclusion:**

11.1 The proposal is considered to comply with the above Local Plan Policies and material considerations, as such, it is recommended for permission.

11.2 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.

## **12. Proposed conditions:**

1. The development hereby approved shall be carried out in accordance with the following drawing number(s): 3226-GR-03 REV A.

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

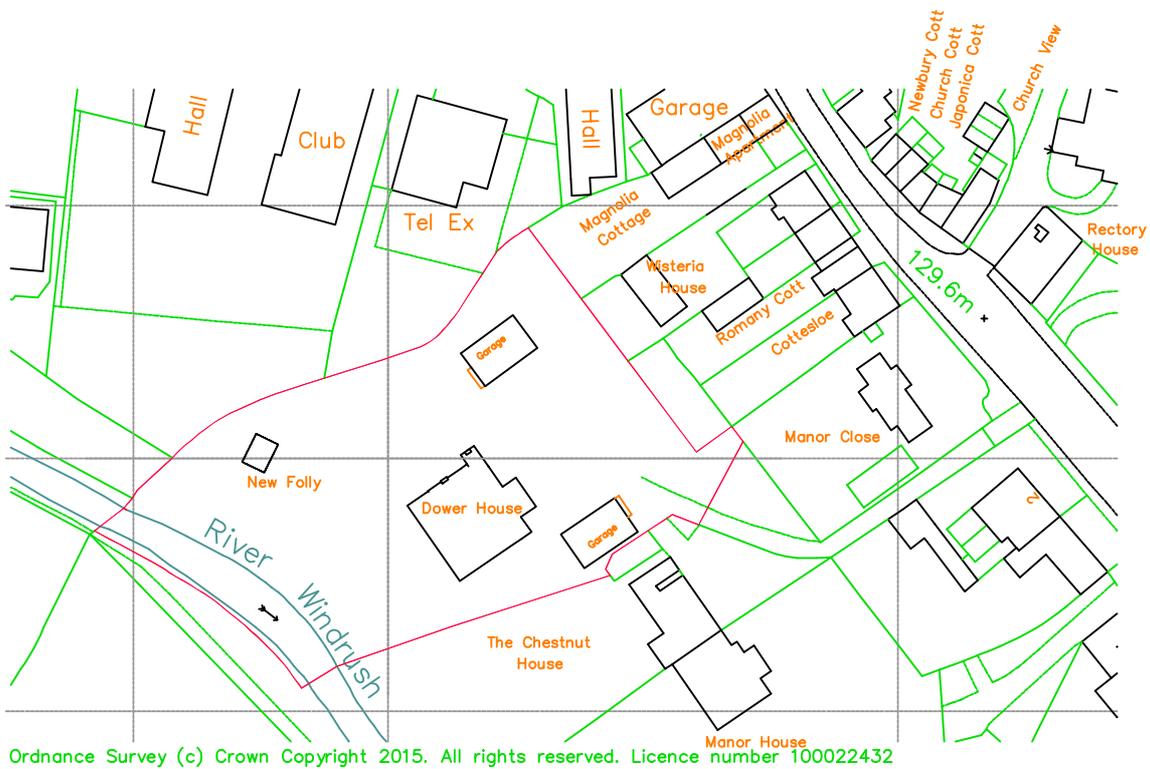
## **Informatives:**

1. 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. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river
- on or within 8 metres of a flood defence structure or culverted main river
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environmentagency.gov.uk](mailto:enquiries@environmentagency.gov.uk)



Location plan Scale 1:1250

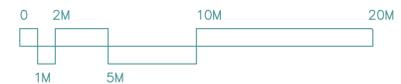


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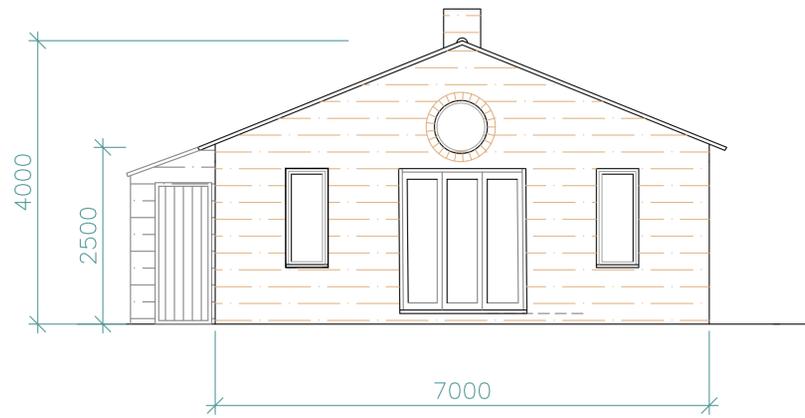
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 Burton-on-the-Water  
 GL54 2AP



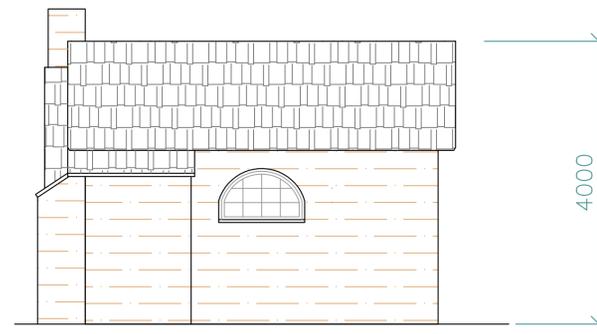
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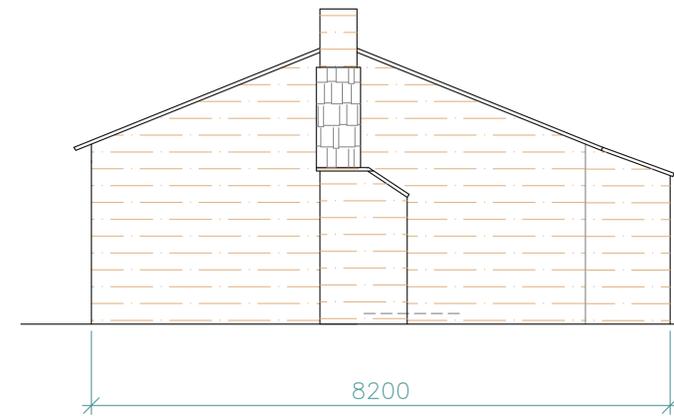
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	CHECKED PDN	DATE Mar 20
		DATE Mar 20
<b>TOWERS ASSOCIATES</b> Harefield Oil Terminal, Harvil Rd, Harefield, MIDDX. UB9 6JL. FAX. 01895 814664 TEL. 01895 812822		



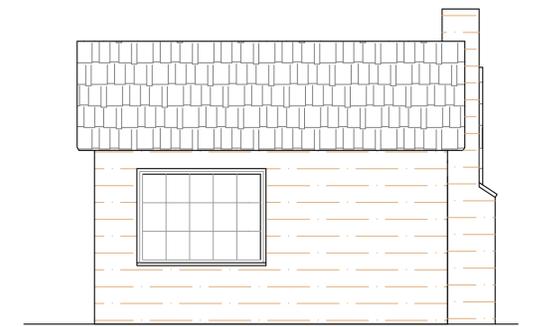
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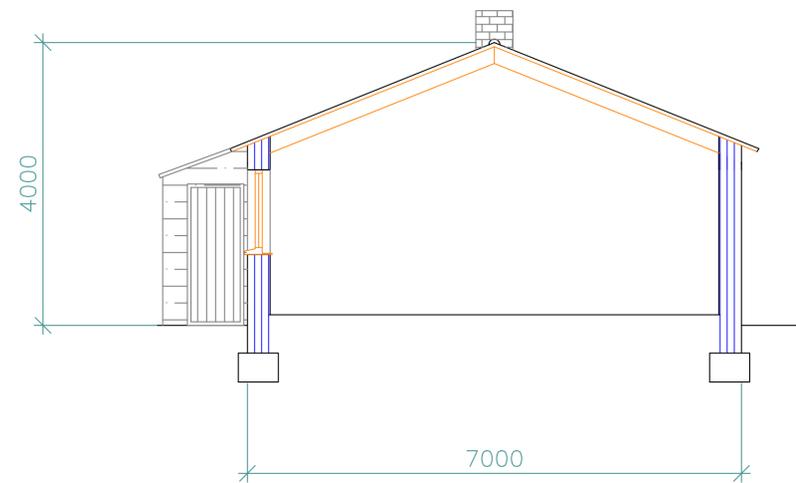
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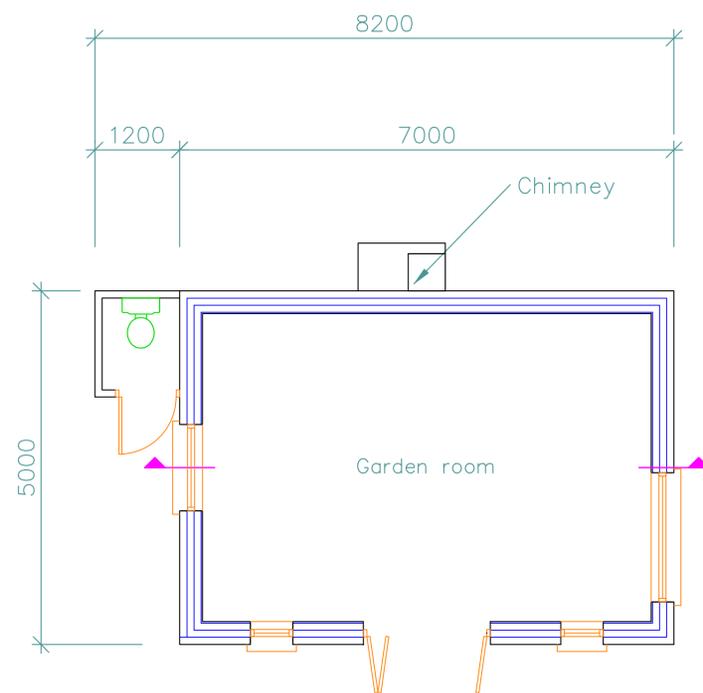
Rear Elevation



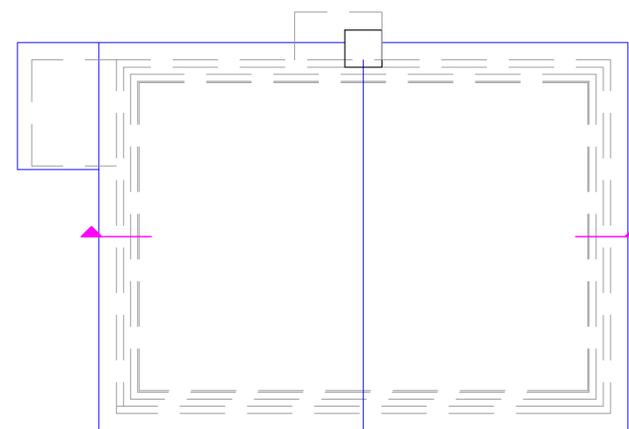
Side Elevation



Section



FLOOR LAYOUT



Roof Plan

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A	MAR 2021	REQUESTED AMENDMENTS
REV.	DATE	DESCRIPTION
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SCALE: 1:50	©Copyright 2020	DRN. BY JV
		DATE Mar 20
		CHECKED PDN
		DATE Mar 20
<b>TOWERS ASSOCIATES</b> Harefield Oil Terminal, Harvil Rd, Harefield, MIDDX. UB9 6JL. FAX. 01895 814664 TEL. 01895 812822		



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**Item No 03:-**

**21/00143/FUL**

**The Dower House  
High Street  
Bourton-On-The-Water  
Cheltenham  
Gloucestershire  
GL54 2AP**

## Item No 03:-

### Extensions to existing garage block at The Dower House High Street Bourton-On-The-Water Cheltenham Glos GL54 2AP

<b>Full Application 21/00143/FUL</b>	
Applicant:	Mr O'Leary
Agent:	Mr Peter Norman
Case Officer:	Amy Hill
Ward Member(s):	Councillor Nick Maunder
Committee Date:	9th February 2022
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

#### **1. Main Issues:**

- (a) Principle
- (b) Design and Impact on Heritage Assets
- (c) Impact on the residential amenities of the neighbouring properties
- (d) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)
- (e) Flood Risk

#### **2. Reasons for Referral:**

2.1 In accordance with the Scheme of Delegation, the Ward Member, Cllr Maunder, requested the application was referred to committee due to the cumulative development that has taken place on this site which he considered is excessive and the impact on the conservation area and nearby listed buildings.

#### **3. Site Description:**

3.1 Dower House is a large detached property built circa 1960s, set back from the highway and surrounded by mature trees. It is situated within a generous garden, approximately 0.5 hectares in size. To the rear of the property the site is bounded by the River Windrush. To the front tall metal entrance gates separate a large parking area from the shared access drive.

3.2 One of the other three properties located along the River Windrush, accessed via the shared drive, is a grade II listed semi-detached property Manor House. The site is located within the historic gardens of Manor House; however the site was constructed after 1948 and before the Manor House was listed in 1983. As such the site is considered to be separate to Manor House.

3.3 The site is within Bourton-on-the-Water Conservation Area, within the Cotswolds Area of Outstanding Natural Beauty (AONB) and within Flood Zone 2 and 3.

#### **4. Relevant Planning History:**

CD.770/d - Erection of a detached house - Permitted June 1963

CD.770/d/a - Erection of a detached scheme (Revised scheme) - Permitted October 1963

CD.770/E - Double garage, store and W.C - Permitted January 1965

02/00416/CLEUD - Self-contained holiday let - Granted May 2002

15/01629/FUL - Proposed two storey front extensions and first floor rear extensions. Refused 14.08.2015.

15/04727/FUL - Alterations to the dwelling including two-storey front and rear extensions (revision to 15/01629/FUL). Permitted 07.01.2016.

16/00784/FUL - Detached garage. Permitted 26.05.2016.

16/03994/FUL - Amendment to 16/00784/FUL to include 3 x dormers to front of garage. Permitted 11.11.2016.

18/02392/FUL - Erection of a detached structure in rear garden. Permitted September 2018

18/04763/FUL - Erection of detached garage. Permitted March 2019

21/00139/FUL - Retrospective permission for garden room. Pending consideration

## **5. Planning Policies:**

TNPPF The National Planning Policy Framework

CDCLP CDC LOCAL PLAN 2011-2031

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

EN10 HE: Designated Heritage Assets

EN11 HE: DHA - Conservation Areas

EN14 Managing Flood Risk

EN15 Pollution & Contaminated Land

INF5 Parking Provision

## **6. Observations of Consultees:**

6.1 N/A

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

7.1 Bourton-on-the-Water Parish Council advised "The Parish Council object to this planning application as it is over development of the site and compared the size of the garage to the house. This appears to be increasing the size of a holiday let."

## **8. Other Representations:**

8.1 One Comment received:

"This is the first of two large coach houses on the plot and so we don't want these further extensions to create a precedent to be replicated at a later date on the second coach house which is directly on our border close to our house.

8.2 This does not become a separate property or residence as all traffic to the Dower House has to pass over the land of The Chestnut House which starts from the High Street and directly

passes Chestnut House. Only the original Dower House has right of way across Chestnut House from the High Street."

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

Proposed Plans

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

10.1 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.

10.2 The proposed extensions would include a side one-and-a-half storey extension with an increase in width of 6.05m. It would have the same depth as the existing garage, approximately 7.6m. It would have eaves and ridge heights of approximately 3m and 6.9m, matching the existing dwellinghouse. It would be constructed of stone to match the existing garage, with tiles above.

10.3 To the rear, a lean-to would be approximately 2.6 deep and 10.8m wide. It is constructed of stone, with slate roof.

### **(a) Principle**

10.4 The proposal is for extensions to a detached garage with ancillary accommodation above. It would include the addition of an extra bay, to be used as a gym with an enlargement to the rooms above. The application also seeks retrospective consent for a lean-to storage room to the rear.

10.5 Furthermore, this application also takes the form of a Householder Development application and as such the future use of the extension is automatically restricted to purposes ancillary or connected to the host dwelling. As such, the development the subject of this application is ancillary to the main dwelling rather than a separate independent planning unit. Separate further planning permission would be required if the extension was to be occupied independently of the existing dwelling. As such a condition restricting the use is not considered necessary on these grounds.

### **(b) Design and Impact on Heritage Assets**

10.6 The site is near to a listed building, and as such the Local Planning Authority is statutorily required to have special regard to the desirability of preserving its setting in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.7 The site is within Bourton-on-the-Water Conservation Area and as such the Local Planning Authority is also statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.8 Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

10.9 Local Plan Policy EN10 requires consideration of proposals that affect a designated heritage asset and/or its setting with a greater weight given to more important assets. It supports proposals that sustain and enhance the character, appearance and significance of designated heritage assets and their setting, which put them in viable uses, consistent with their conservation. Where harm would be caused, it would not be supported unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm.

10.10 Local Plan Policy EN11 seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials and the retention of positive features. This should include avoiding the loss of open spaces which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of conservation areas. Hard and soft landscaping should respect the character and appearance of conservation areas and proposals should have regard to the relevant conservation area appraisal.

10.11 Section 12 of the NPPF requires good design, providing sustainable development and creating better place to live and work in. Section 16 (Conserving and enhancing the historic environment) seeks to protect the historic environment. Specifically Paragraph 197 requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 199 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (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. Within Conservation Areas Paragraph 206 states proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

10.12 The proposed extensions to the garage include a single-storey lean to at the rear and a one-and-a-half extension to the side. The side extension would match the size and form of the existing garage, appearing as an additional garage bay (although proposed for use as a gym). The extension would be constructed to match the existing garage, including Cotswold stone walls and plain grey tiles for the roof. Whilst the garage would be large, the plot size can easily accommodate this without appearing cramped or overdeveloped.

10.13 The lean-to at the rear is subservient in form to the main garage and is located such that it does not detract from the appearance of the garage. The use of a slate roof is considered suitable given the location of the addition and subservient nature.

10.14 The host dwellinghouse is a 1960s construction, recently permitted to be extended. Given this, and existing structures on the site, the extensions are considered not to harm the character or appearance of the site.

10.15 The Cotswold Design Code advises that "Garages and other outbuildings should generally not be positioned forward of the street-facing or principal elevation of the building. They should be pushed back to the rear of the building, so as not to compete with or detract from it"; however, the site is not visible from the roadside and as such the garage would not detract from this.

10.16 Whilst the site is visible from the other side of the River Windrush, along a public footpath, only a fleeting view of the side of the garage would be visible, with the extensions even more limited.

10.17 When viewed in connection with the listed Manor House, the visual separation from the site is sufficient that the impact on its setting would not be harmful. Nor is the extension to the garage considered to have a harmful impact on the setting or appearance of the Bourton-on-the-Water Conservation Area.

10.18 The proposal is therefore considered to comply with the design and heritage considerations of Local Plan Policies EN2, EN10 and EN11 of the Cotswold Local Plan and Sections 12 and 16 of the NPPF.

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

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

10.20 Local Plan Policy EN15 states development will be permitted if it will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through pollution of the air, land, surface water, or ground water sources and/or generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.

10.21 Owing to the scale, siting and position to relative neighbouring properties, the proposed development is considered not to impinge on the residential amenities of the neighbouring properties having regard to loss of light, loss of privacy or overbearing. The use of the end section as a gym would be for ancillary use, as such, whilst some noise may result from this, overall the level of noise would be anticipated to be within usual residential levels. 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.

### **(d) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)**

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

10.23 Local Plan Policy EN4 supports development where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. Local Plan Policy EN5 relates specifically to the Cotswolds AONB, and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight. These policies accord with the requirements of NPPF Section 15, which seeks to conserve and enhance the natural environment.

10.24 The proposed development is contained within the existing residential curtilage of the site and relates closely to the existing built form on the site. It does not encroach into open countryside nor harm the character or appearance of the Cotswolds AONB. As such the proposal is considered to accord with Local Plan Policies EN4 and EN5, and Section 15 of the NPPF.

## **11. Conclusion:**

11.1 The proposal is considered to comply with the above Local Plan Policies and material considerations, as such, it is recommended for permission.

## **I2. Proposed conditions:**

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

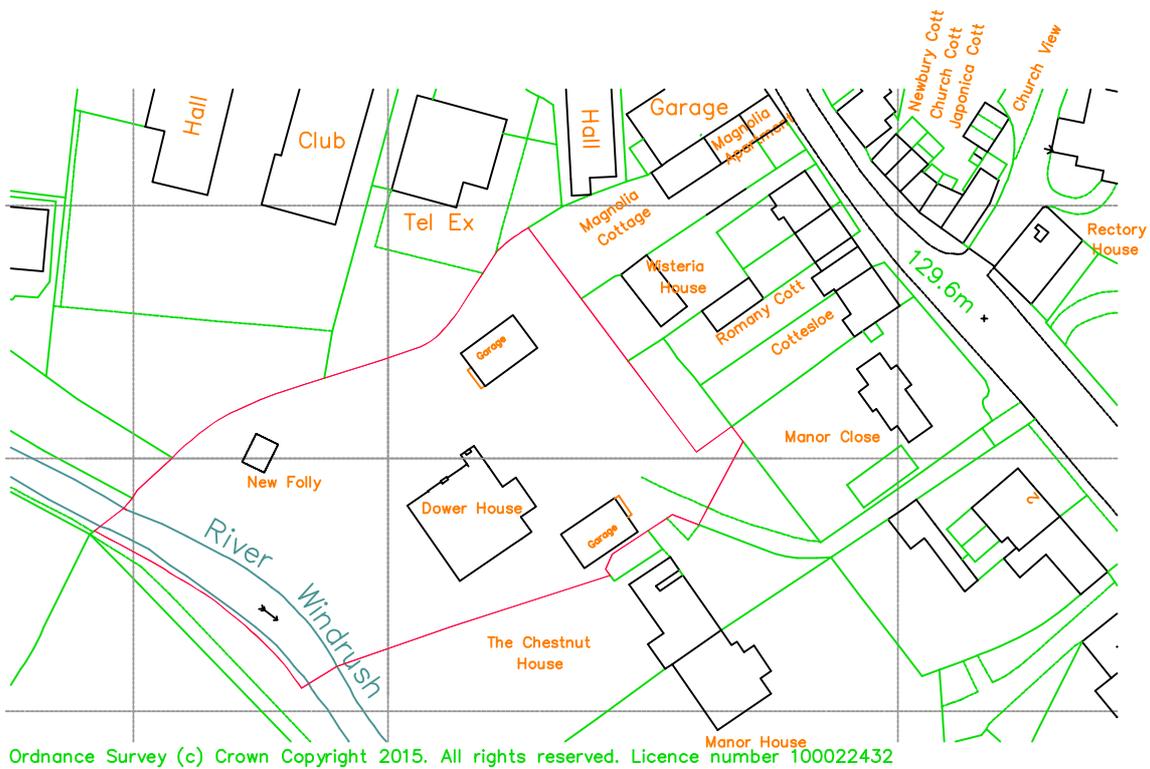
**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawing number(s): 3226-02 Rev A.

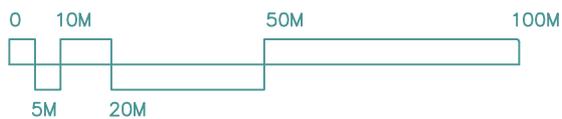
**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

3. The materials to be used for the external walls and roof of the development hereby permitted shall match those used in the existing building and shall be permanently retained as such thereafter.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policies EN2 and EN11, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.

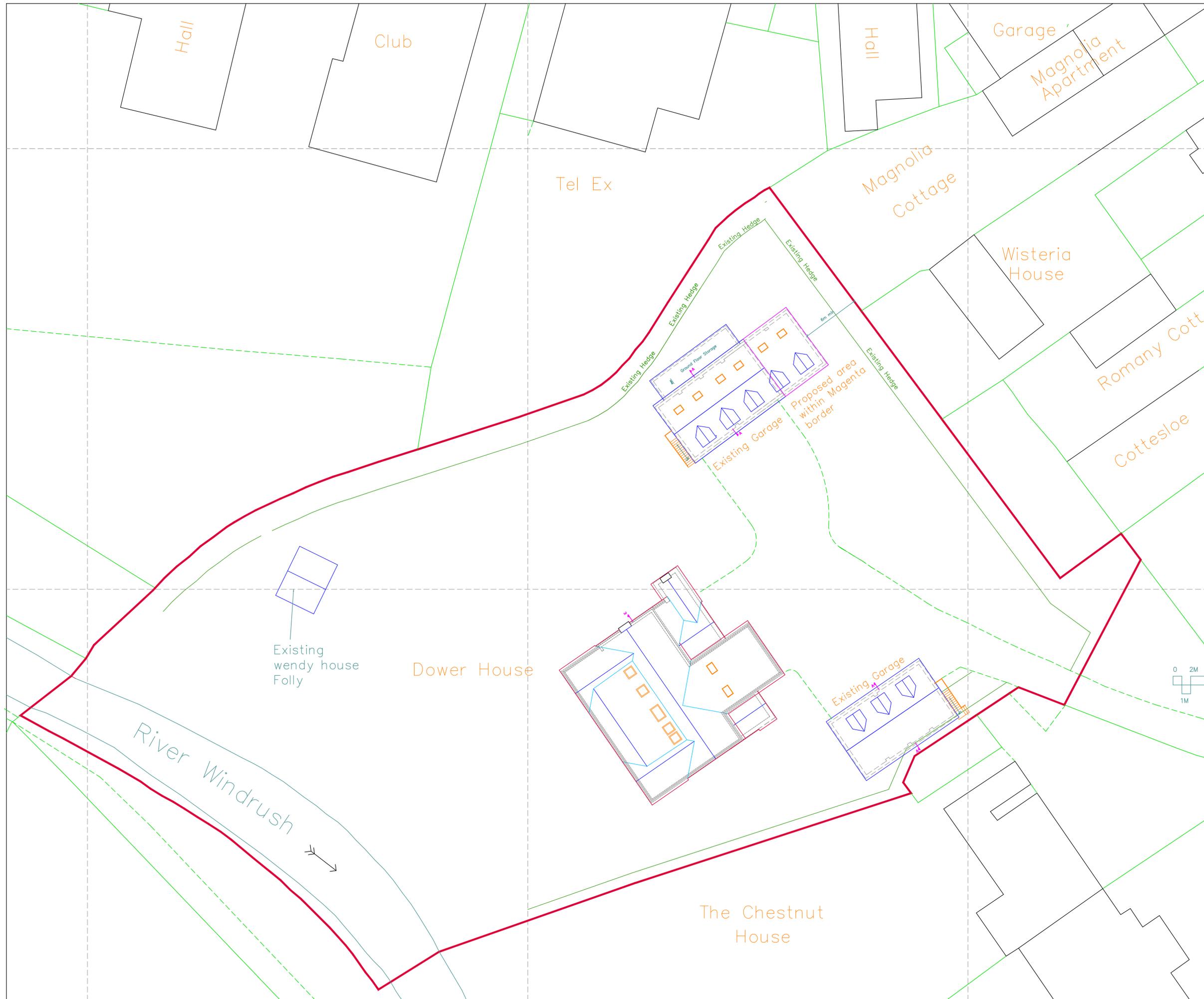


Location plan Scale 1:1250

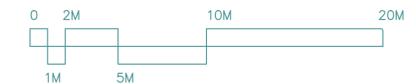


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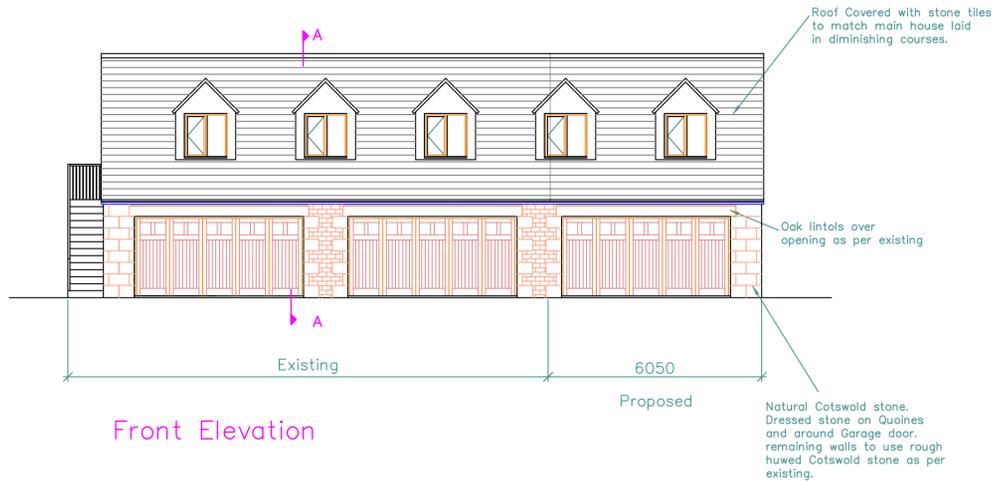
Dower House  
 Burton-on-the-Water  
 GL54 2AP



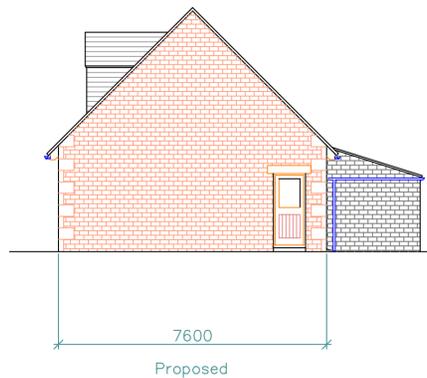
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A	MAR 2021	AMENDMENTS
REV.	DATE	DESCRIPTION
<b>JOB</b> The Dower House Gloucestershire, GL54 2AP		
<b>TITLE</b> Proposed Site Layout		
DRG. No. 3226-SP-02 REV. A		
SCALE: 1:200	©Copyright 2020	DRN. BY JV
		DATE Mar 20
		CHECKED PDN
		DATE Mar 20
<b>TOWERS ASSOCIATES</b> Harefield Oil Terminal, Harvil Rd, Harefield, MIDDX. UB9 6JL. FAX. 01895 814664 TEL. 01895 812822		



Front Elevation

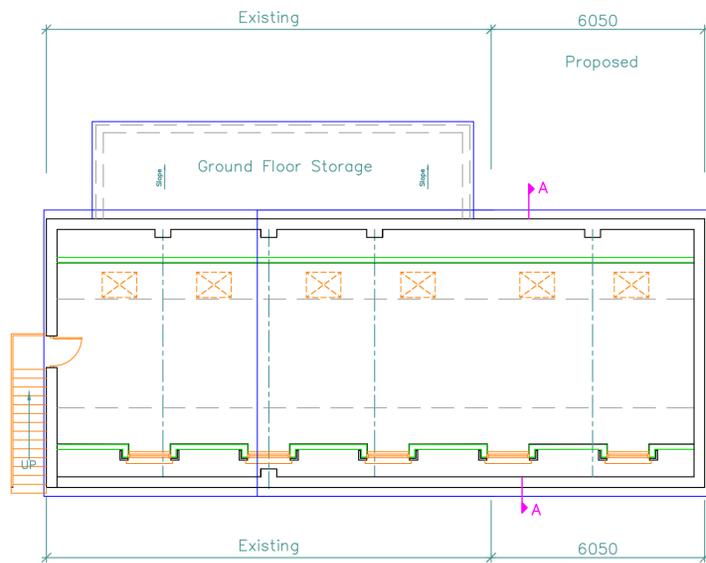


Side Elevation

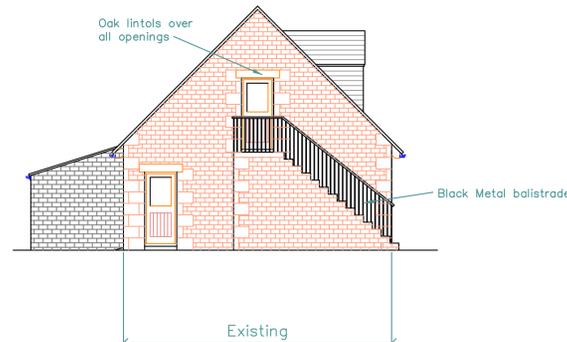


Rear Elevation

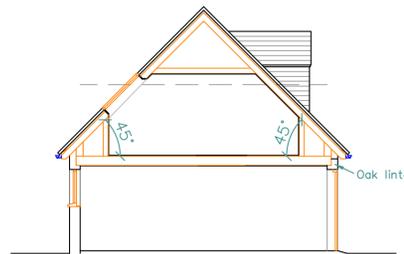
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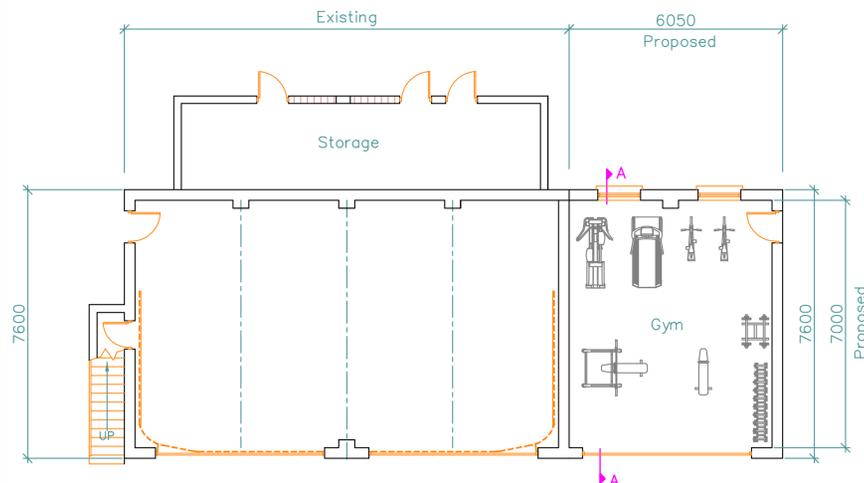
First floor Layout



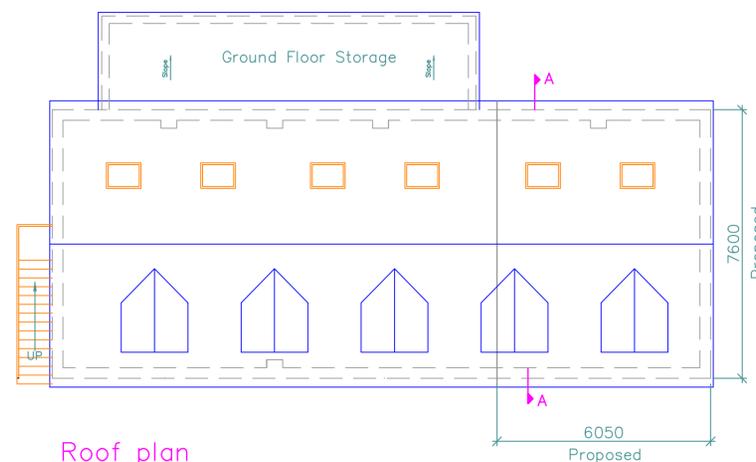
Side Elevation



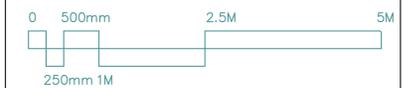
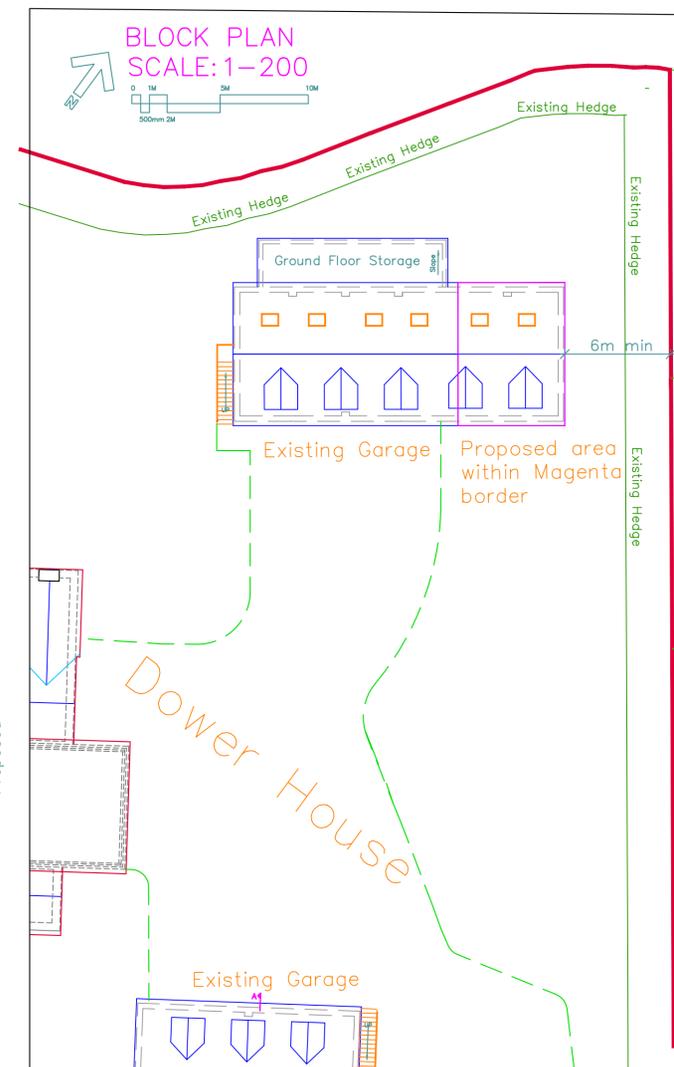
Section A-A



Ground floor Layout



Roof plan



REV.	DATE	DESCRIPTION
A	MAR 2021	AMENDMENTS

JOB  
The Dower House  
Gloucestershire, GL54 2AP

TITLE  
Proposed  
Garage Layout

DRG. No. 3226-02 REV. A

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DATE Mar 20  
CHECKED PDN  
DATE Mar 20

**TOWERS ASSOCIATES**  
Harefield Oil Terminal, Harvil Rd,  
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